

21 Mar 2020: UPSC Exam Comprehensive News Analysis

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B. GS 2 Related

Category: POLITY AND GOVERNANCE

1. Four Nirbhaya convicts hanged to death at dawn

Context:

- Four death row convicts in the Nirbhaya gang-rape and murder case were hanged to death in Tihar jail.

Background:

- The hanging has come after a **series of postponements**.
- Hours before their hanging, the convicts made a last-ditch appeal before a Supreme Court Bench, which did not stay their hanging.

Details:

- The execution of the four convicts in the Nirbhaya gang rape and murder case has had **mixed responses**.

Execution a strong message:

- The execution of the convicts seems to have **brought justice to Nirbhaya and her family after a long wait of seven years**.
- The convicts had been blamed of **purposeful delaying tactics and making a mockery of the judicial system**. The execution will serve as a strong message and will hopefully bring change in the mindsets. The hanging will send out a **strong message** to criminals that they cannot escape the law.

Capital punishment, not a deterrent:

- Several Human rights activists have contended that **capital punishment cannot be a deterrent to sexual crimes**. They argue that capital punishment, which has been in existence for a long time, has not proved to be a deterrent as **crimes against women continue unabated**.
- Post the Nirbhaya case, fast track courts and police reforms took place, but crimes against women continue to take place.
- The International Commission of Jurists (ICJ)** has condemned the execution, while stating that the execution of perpetrators **would not improve access to justice for women or improve their lives**. The ICJ has argued that the Capital punishment is in fact an assault on the Rule of Law.
- Denouncing the executions, the ICJ **has urged the Centre to abolish death penalty**. The ICJ called upon the Government of India to join other States and take immediate steps towards ending the practice of capital punishment, as prescribed by United Nations General Assembly Resolutions.

Way forward:

- The execution should become a milestone in relation to **ensuring the safety and security of women** across the country.

Swift justice:

- With respect to sexual crimes there is the need to bring in **more stringent measures** where **cases are fast-tracked** and capital punishment handed out within six months of gruesome crimes.

Addressing loopholes in the legal system:

- In the face of culprits having manipulated the legal system and delayed the whole process, despite repeated death sentences being issued, there is the need to address loopholes in the legal system.
- This would require work at several levels and include **strengthening of the police system, swift investigation and relevant changes in the judicial process** to ensure **speedy justice** to the victims.

Alternatives to be considered:

- There has to be a **time-bound punishment** and it needs to be severe but severity does not mean death. With **rigorous life imprisonment for convicts**, crimes can be prevented to a large extent as people will know that the system is there to punish them.
- The effectiveness of capital punishment in deterring crimes needs to be evaluated.

Victim oriented processes:

- The State has to invest in **plugging the gaps in the investigation, prosecution and adjudication of sexual crimes** and formulating victim oriented processes.
- There is a need to introduce systematic changes to the legal framework to **deter violence and improve access to justice for women**.

Category: HEALTH

1. States discuss measures taken to check COVID-19

Context:

- The Chief Ministers of several States discussed with the Prime Minister regarding the action taken to deal with COVID-19.

Details:

- Given the fact that the threat of the pandemic was common for all States, there is the need for the **Centre and the States to work together along with the participation of citizens to combat the challenge**.
- The coming 3-4 weeks are crucial to containing the spread of the virus, and the most **important measure for containment would be “social distancing”**. The Janata Curfew called by the Prime Minister can have a positive impact in helping stop the spread of the disease.

Demand for financial support:

- States have demanded **financial support for those who may be out of work because of social distancing**.
- Odisha Chief Minister requested that **Mahatma Gandhi National Rural Employment Guarantee Scheme workers** be paid wages for at least 50 days.
- Odisha Chief Minister also asked for funds for families covered under the **National Food Security Act**, additional instalments for farmers under **Pradhan Mantri Kisan Samman Nidhi** and an economic package for various sectors.

- **The COVID-19 Economic Response Task Force set up by the Centre**, would formulate the strategy to devise a “suitable approach” to effectively tackling the economic challenge.

Increasing capacity of testing centres and laboratories:

- Given the **increasing number of cases and the importance of testing in the initial stages of the outbreak**, the states have requested that the capacity of testing centres and laboratories be increased.
- Telangana Chief Minister requested the central government to utilize the facilities at the **Centre for Cellular and Molecular Biology (CCMB) in Hyderabad** for testing suspected cases.

Bracing for the price rise:

- The PM suggested that the Chief Ministers conduct videoconferences with trade bodies to **prevent black-marketing and price increases** given the possibility of panic buying.

C. GS 3 Related

Category: ECONOMY

1. Struck by COVID-19, tourism industry seeks bailout

Context:

- Impact of the COVID-19 Pandemic on the **Indian tourism industry**.

Background:

- Tourism **contributes close to 9% of India's GDP** and supported around **8% of India's total employment**. The sector is predicted to grow at a healthy annual rate of 6.9%.
- The Tourism sector is also an **important source of foreign exchange**. It provides for an estimated \$28 billion in foreign exchange.
- Hence the **tourism sector in India is important for the country's economy**.

Details:

- Given the **unprecedented block on foreign arrivals and calls for enhanced limitations on movement even within the country**, the tourism sector is bound to be affected.
- With **declining revenue**, almost all tourism businesses are running out of working capital. The industry is in dire straits and is staring at the prospect of **unemployment of 38 million people** and bankruptcy due to COVID-19.

Way forward:

- Despite falling revenues, the sector has to still deal with the responsibility of staff and payment of their salaries, advance tax, PF, ESIC, GST, excise and other State levies, bank guarantees and security deposits. Hence the tourism industry **needs Government support**.
- The Federation of Associations in Indian Tourism & Hospitality (FAITH) has sought the immediate intervention of the Prime Minister.
 - FAITH also sought a **complete GST tax holiday for 12 months**.
 - FAITH has sought a **12-month moratorium on interest payments on loans** and working capital from financial institutions and doubling of working capital limits.

- It has sought **deferment of statutory dues for 12 months** and creation of a separate fund for the sector.

Category: INTERNAL SECURITY

1. Defence procurement draft released

Context:

- **Draft Defence Procurement Procedure (DPP) 2020**, released by the Ministry of Defence (MoD).

Background:

- The draft DPP was prepared by a committee headed by **the Director General (Acquisition)**, which was set up in August 2019.
- The DPP 2020 when finalized would **supersede DPP 2016**.

Details:

- The draft is **open for further suggestions from industry** before being finalized for promulgation.
- The finalized DPP 2020 will come into effect **from April 01, 2020** and will remain in force **till 31 March 2025**.

Leasing as a new category of acquisition:

- In addition to the existing 'Buy' and 'Make' categories, the draft DPP 2020 has introduced **leasing of defence equipment as a new category for acquisition**.
- Leasing will be permitted under two categories:
 - Lease (Indian) where Lessor would be an Indian entity and is the owner of the assets
 - Lease (Global) where Lessor is a Global entity.
- This category of acquisition would be mainly **useful for military equipment not used in actual warfare** like transport fleets, trainers, simulators, etc.,
- Leasing will help **substitute huge initial capital outlays with periodical rental payments**.

Higher Indigenous content:

- The draft proposes **increasing the indigenous content** mandated in various categories of procurement by **about 10%** to support the 'Make in India'.
- A simple and realistic methodology had been incorporated in the current DPP **for verification of indigenous content**.

'Buy' (Global – Manufacture in India) category:

- Another new category introduced in the Draft DPP includes the **'Buy' (Global – Manufacture in India) with minimum 50% indigenous content on cost basis of total contract value**. This will help ensure indigenous development of the technology and resources.

After-sales support:

- A major proposal in the new DPP includes **making after-sales support part of the capital acquisition contract**.

- The scope and options for product support have been widened to include contemporary concepts like Performance Based Logistics (PBL), Life Cycle Support Contract (LCSC) and Comprehensive Maintenance Contract (CMC) to optimise life cycle support for equipment.

Post Contract Management:

- Given the long **time of defence deals and the fast evolution of technology**, Post Contract Management has been emphasized on in the current DPP to provide **clear guidelines** for the contracts signed.

Other provisions:

- There are **incentives for local material and software purchases** and emphasis on **product export under offsets**.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: POLITY AND GOVERNANCE

1. Crime and punishment: On Nirbhaya case convicts' hanging

Context

- Four Nirbhaya case convicts hanged to death in Tihar jail.
- On December 16, 2012, the woman was brutally raped in an empty moving bus in Delhi and she died after battling for her life

What the law says on a rape victim's identity?

- Section 228 A of the Indian Penal Code lays down the provisions barring the disclosure of identity of the victim of certain offences.
- According to the law anyone publishing the name of a rape victim is liable to be punished with imprisonment for a term which may extend to two years and shall also be liable to fine.

The only circumstances under which the identity can be revealed is either

- by or under the order in writing of the officer-in-charge of the police station or the police officer making the investigation into such offence acting in good faith for the purposes of such investigation; or
- by, or with the authorisation in writing of, the victim; or
- where the victim is dead or minor or of unsound mind, by, or with the authorisation in writing of, the next of kin of the victim

Since Indian law does not allow the press to publish a rape victim's name, the victim was widely known as Nirbhaya, meaning "fearless", and her struggle and death became a symbol of women's resistance to rape around the world.

Justice Verma Committee

- In 2012, the government of the day, set up the Justice J.S. Verma Committee to look into rape laws.

- The report, led to stringent changes through **the Criminal Law (Amendment) Act, 2013**
 - The 2013 Act expanded the definition of rape
 - The courts' discretion to give rapists a sentence lesser than the minimum of seven years was abolished.
 - Separate punishments for repeat offenders were also introduced, including the possibility of the death sentence.
 - The amendments also included an improved standard of consent – consent now needs to be unequivocal and clearly communicated, and lack of physical resistance isn't assumed as consent.
 - Several rules of evidence that were regressive, that encouraged victim-shaming, and actually had nothing to do with the crime, like the two-finger test, or questioning the victim's previous sexual history were repealed.
- But several key recommendations of the Verma Committee on criminalisation of marital rape, monitoring of illegal patriarchal village councils like khap panchayats, police reform and review of security laws in conflict zones have been ignored.
 - Mandatory sex education including gender sensitisation in schools was one of the key recommendations by the Verma Committee that is yet to see light of the day.

Concerns

- Nirbhaya's family—particularly her parents may be said to have got justice for their daughter, but countless other victims of rape and sexual violence await judicial redress and rehabilitation.
- An insensitive police force and a tardy justice system have failed to deter the crime of rape.
- We also need to look at the rehabilitation of rape victims and preventive aspects such as the changing social attitudes towards women.
- The changes made to criminal law after the 2012 Nirbhaya case have not yielded the desired results as the problem lies with implementation to make the law a deterrent. Unless laws are implemented effectively, no progress can be made on the ground.

What is the way forward?

- Rape accused should be **prosecuted within a time frame** and the application of laws must be equal for all. Each case has to be treated with the same pace and sensitivity.
- We need to **sensitise police and other probe agencies**.
 - It is necessary to lay down the time frame within which the investigation should be concluded and trial be conducted and authorities should meet the timeline.
 - There is a need to take adequate steps to expeditiously conduct trial in a time-bound manner. Digitalization of the process is required for early disposal
- Focus on women's safety and improving the conviction rate in genuine rape cases by significantly upping the level of investigation and evidence gathering is the need of the hour.

Category: ECONOMY

1. Blunting the economic impact of a pandemic

Context

- In his address to the nation, Prime Minister said that a task force would be constituted which will be headed by Finance Minister to assess the economic impact of the pandemic and suggest reassuring measures.

Some suggestions for the task force to discuss

1. Cash transfers

- Those working in the informal sector like the cab drivers, restaurant waiters, mall workers, domestic help, itinerant retailers and other casual job workers are either already without jobs and incomes or will soon find themselves in that position.
- It will be good if the **Govt can think of considering cash transfers of a fixed amount** to these vulnerable sections.
 - The **Pradhan Mantri Jan Dhan Yojana** can be leveraged for this purpose.
 - **Public Distribution System** prevalent in most States can also be utilised through which the beneficiaries can be identified for a cash handout.
 - There are a total of 23.53 crore ration cards in the country according to the **National Food Security Portal**. Assuming that all of these are below poverty line cards, a transfer of ₹1,000, which is the least that should be considered, will cost the Centre over ₹23,500 crore.

1(a). Global Picture

- **Hong Kong** announced a cash handout of HK\$10,000 to every permanent resident as a supportive measure.
- The **United States** is also weighing the option of a cash handout totalling \$250 billion to its citizens.

2. Loan guarantee

- **Service industries** such as airlines, hotels and restaurants and tourism have taken a hit, and in course of time
- **Manufacturing Sector** may also feel the pinch in the near future
 - While the cash registers have stopped ringing, these businesses have to deal with expenses that cannot be put off such as salaries, lease instalments, loan repayments and so on.
- Banks are obviously not going to offer any accommodation to these businesses given their own issues with sick loans.
- This is where the **government can consider what most of the affected nations in the West have done—offer loan guarantees to affected businesses.**

2(a). Global Picture

- **Britain** has pledged £330 billion of government-backed loans and guarantees

- **France and Spain** have announced €300 billion and €100 billion aid, respectively.
- The priority is to keep businesses liquid and that is the reason why these countries have pledged such large amounts as guarantees.

3. Tax Relief

- If this shutdown prolongs beyond the next couple of weeks, the government may have to look at offering temporary tax relief to businesses.
- An **Equated Monthly Instalment (EMI) holiday** can be a huge blessing for individuals and businesses when faced with a job loss, salary cut or loss of revenue.
 - A three-month mortgage holiday should be coaxed out of lenders by the government to begin with for businesses in obvious trouble and to those employed by such businesses.

4. Other measures that can be taken by the Govt

- There are other helpful actions that the government can take such as promptly discharging its bills, refunding taxes without delay, promptly carrying out direct benefit transfers already budgeted for, and, if necessary, even permitting affected businesses to temporarily delay payment of statutory dues such as provident fund and ESI.
- A well-structured, **tax-efficient bond** issue can be an option to tap into the large pool of domestic savings.
- The large Indian diaspora can also be tapped into.
 - Post-Pokhran in 1998, The State Bank of India raised about \$4 billion from non-resident Indians against all odds to help India tide over the immediate impact of sanctions.

How to finance?

- The **resources of the Centre and the States have to be pooled** to develop a national response to this unfolding economic tragedy.
 - Kerala, for example, has already announced a ₹20,000 crore package and other States may follow suit. It may be a good idea for the Centre to leverage State resources along with its own.
- Second, the **government will have to engage with the private sector while devising assistance measures**.
 - There is a lot of expertise and sharp financial minds available in the private sector and these should be tapped into for innovative ideas.

Conclusion

- Managing a new virus outbreak is never an easy task for any state. As the number of affected cases increase and we move towards a lockdown situation, businesses and workers will be severely impacted.
- So the Govt should work on a policy package which is aimed at giving relief to businesses and workers, and informal sector employees.

F. Tidbits

1. Kerala prepares plan to execute package

- The Kerala government has chartered out a course of action for executing the 20,000-crore stimulus package for cushioning the impact of the COVID-19 outbreak.
- The major aspect of the plan is providing basic amenities to the sections facing the threat of being stripped of their spending capacity on becoming unemployed. The target group is mainly daily-wage earners and those who make a living doing odd jobs.
- Given the good track record of 99% repayment in the Kudumbashree scheme, the government has decided to widen the credit window to Kudumbashree programme in the state.
- Kerala Finance Minister has stated that the state would be front-loading borrowing and spending to the beginning of the new fiscal and redesigning some of the schemes to deal with the fund crunch in the state.

2. COVID-19: SBI opens emergency credit line

- The State Bank of India (SBI) has taken the lead in providing relief to its customers to tide over the crisis caused by the spread of COVID-19, by opening **emergency additional credit lines** to eligible, existing borrowers.
- The purpose of the loan is to meet the temporary liquidity mismatch arising out of COVID-19.

3. Sensex breathes easy, surges 5.8% as DIIs inject 4,367 crore

- After four days of continued sell off in the equity markets, Indian benchmarks gained strong ground amid a global rally in stocks.
 - The 30-share **Sensex and Nifty recorded impressive 5+ % growths**. This was the first gain for the indices after four consecutive days of losses.
 - The **India VIX index, a barometer for volatility**, also decreased by over 7%.
- **Foreign investors, however, continued their selling activity** with net sales pegged at 4,623 crore even as the **Domestic institutional investors were net buyers** at 4,367 crore.

4. Over half of India Inc. catches a cold

- **Over 50% of Indian businesses are seeing marked impact on their operations due to the COVID-19 pandemic**, according to a study by the Federation of Indian Chambers of Commerce and Industry (FICCI).
- The FICCI survey notes that many companies have observed **huge reduction in orders and cash flows**.
- A combination of **monetary, fiscal and financial market measures** is needed to help the businesses cope with the crisis.
 - The cost of funds can be brought down through **reduction in policy rates**.
 - The **government should not decrease its capital spending** despite any shortfall in tax collections.

- There is the need to bring in **flexibility in the banking system** to reschedule payment terms without the need for provisioning. **Credit limits can be increased** for all regular banking accounts.

G. Prelims Facts

Nothing here for today!!!

H. UPSC Prelims Practice Questions

1. Which of the following statements are correct?

1. The Nirbhaya Fund Framework provides for a non-lapsable corpus fund for safety and security of women.
2. The Nirbhaya Fund will be administered by the Ministry of Women & Child Development.
3. Central Victim Compensation Fund has been funded under the Framework of Nirbhaya Fund to support States/ UTs for their Victim Compensation Scheme.

Options:

- a) 1 only
- b) 1 and 2 only
- c) 1, 2 and 3
- d) 1 and 3 only

Answer: d

Explanation:

- The Nirbhaya Fund Framework provides for a non-lapsable corpus fund for safety and security of women.
- The Nirbhaya Fund is administered by the Department of Economic Affairs (DEA) of the Ministry of Finance (MoF).
- The Nirbhaya Fund Framework provides for an Empowered Committee (EC) of officers chaired by the Secretary, Ministry of Women & Child Development (MWCD) to appraise and recommend proposals to be funded under this framework. The MWCD is responsible to review and monitor the progress of sanctioned projects/ schemes in conjunction with the concerned Central Ministries/ Departments.
- Central Victim Compensation Fund (CVCF) has been funded under the Framework of Nirbhaya Fund to support States/ UTs for their Victim Compensation Scheme.

2. Which of the following statements are correct?

1. The Integrated Disease Surveillance program operates under the Ministry of Health and Family Affairs.
2. The Integrated Disease Surveillance program has been set up with assistance from the World Health Organization.

Options:

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Answer: a

Explanation:

- The Integrated Disease Surveillance program (IDSP) is a disease surveillance scheme under the Ministry of Health and Family Affairs in India, assisted by the World Bank.
- The scheme aims to strengthen disease surveillance for infectious diseases to detect and respond to outbreaks quickly.
- The scheme seeks to set up a Central Disease Surveillance Unit and a State Surveillance Unit in each State where data is collected and analyzed.
- The Project was undertaken to meet the World Health Organization Guidelines for South East Asian countries on disease surveillance to track the outbreak of diseases and its potential transboundary threats.

3. Who of the following are members of the Defence acquisition Council in India:

1. Prime Minister
2. Defence minister
3. National security adviser
4. Chief of Defence staff

Options:

- a) 1, 2 and 4
- b) 2 and 4
- c) 1,3 and 4
- d) 2,3 and 4

Answer b

Explanation:

- The Defence Acquisition Council is the highest decision-making body in the Defence Ministry for deciding on new policies and capital acquisitions for the three services (Army, Navy and Air Force) and the Indian Coast Guard.
- The Minister of Defence is the Chairman of the Council.
- The Defence Acquisition Council does not include the Prime Minister and the National security advisor.
- The Defence Planning Committee is chaired by the National Security Advisor.

4. Which of the following statements are incorrect?

1. Under India's offset policy, foreign defence entities are mandated to spend at least 50 per cent of the total contract value in India.
2. Under the given scheme, all foreign defence purchases will have an offset provision.

Options:

- a) 1 only
- b) 2 only
- c) Both 1 and 2
- d) Neither 1 nor 2

Answer: c

Explanation:

- Under India's offset policy, foreign defence entities are mandated to spend at least 30 per cent of the total contract value in India through procurement of components or setting up of research and development facilities.
- Developing indigenous defence sector is the major objective of the defence offset scheme.
- The defence offset policy is a part of Defence Procurement and Procedure (DPP).
- Major feature of the 2016 offset policy is that it increases the threshold of defence offset to Rs 2000 crore from the level of Rs 300 crores under “buy” and ‘buy and make” categories. This means that only those purchase of above Rs 2000 crore that the foreign company has to ensure 30% domestic value addition in India

I. UPSC Mains Practice Questions

1. Robust laws alone is unlikely to be a significant deterrent to rape, unless they are accompanied with a change in the attitudes. Discuss. (10 marks, 150 Words)
2. What policy measures should be taken by the Government of India to combat the economic impact of the coronavirus pandemic? (10 Marks, 150 Words)