

## 25 Apr 2020: UPSC Exam Comprehensive News Analysis

### TABLE OF CONTENTS

#### **A. GS 1 Related**

#### **B. GS 2 Related**

##### *POLITY AND GOVERNANCE*

1. [Anonymise data before handover, HC tells Kerala govt.](#)

#### **C. GS 3 Related**

##### *ECONOMY*

1. [No plan to ease fiscal deficit targets](#)

##### *ENVIRONMENT AND ECOLOGY*

1. [Wildlife Board nod for mining in Assam elephant reserve](#)

#### **D. GS 4 Related**

#### **E. Editorials**

##### *POLITY AND GOVERNANCE*

1. [No 100% quota](#)
2. [Virtual methods, technologies should become the norm at all levels of judiciary](#)

#### **F. Tidbits**

1. [1 lakh cr. fund to repay MSME dues: Gadkari](#)
2. [Deposits growth robust, credit growth declines](#)

#### **G. Prelims Facts**

1. [Nagaland eases curbs with a buzz](#)
2. [‘South Asia needs a humanitarian response to the COVID-19 pandemic’](#)

#### **H. UPSC Prelims Practice Questions**

#### **I. UPSC Mains Practice Questions**

## A. GS 1 Related

*Nothing here for today!!!*

## B. GS 2 Related

### Category: POLITY AND GOVERNANCE

#### 1. Anonymise data before handover, HC tells Kerala govt.

##### Context:

- Directions by the Division bench of the Kerala High Court.

##### Background:

- The Kerala state government had entered into a contract with **Sprinklr, the U.S.-based analytics firm** to help the government analyze the available information of COVID-19 infections in the state to aid in its efforts to contain the spread of the infection.
- A batch of public interest litigations were filed challenging the agreement.

##### Concerns with the agreement:

- The petitioners have argued that **sensitive personal data**, such as those pertaining to health, should not have been shared with a U.S. based firm.
- The petitioners have argued that the state government could have used the services of **National Informatics Centre (NIC)** for data analysis.

##### Government's argument:

- The Kerala government had argued that the government institutions in the State were presently not capable of **big data analysis** in a short time, which was the need of the hour.
- The State government has argued that the **privacy policy of the company and international data protection norms** ensured a high level of confidence.
- The data is stored in an **encrypted** form in Amazon Cloud and hence its confidentiality is guaranteed.
- In case of misuse of data by the company, criminal prosecution could be initiated under the **provisions of Information Technology Act 2000** for breach of confidentiality.

##### High Court directions:

- Upholding some of the concerns raised by the petitioners, the High Court bench has come out with some specific directions aimed at **protecting the privacy of the individuals** whose data has been collected.

##### Anonymize data:

- The Kerala High Court has directed the State government to **anonymise the data of COVID-19 patients and those under home quarantine**.
- The High Court has stated that Sprinklr be allowed to access the data only after the process of anonymizing data is complete.

##### Consent:

- The High Court has directed the State government to **obtain the consent of the citizens before collecting data.**

#### Confidentiality of data:

- Sprinklr has been asked not to hand over the data to a third party and to return the same after the contractual obligations are over.
- The Bench has also restrained Sprinklr from committing any act that will breach the confidentiality of the data entrusted with it.

## C. GS 3 Related

### Category: ECONOMY

#### Context:

- The **Finance Commission's Economic Advisory Council meeting.**

#### Background:

- There have been calls from a few state governments, requesting the Central government to ease the control of Fiscal deficit in the face of the pandemic crisis in India.
- The **State governments have been demanding that their fiscal deficit targets be relaxed** beyond the 3% limit to 4% or even 5%, to give the states more fiscal room in dealing with the impact of the lockdown.

#### Details:

- Recently, a two-day meeting of the 15th Finance Commission's Economic Advisory Council was held.
- The chairman of the Finance Commission N.K. Singh, has clarified that despite the strain on government finances due to the COVID-19 pandemic, there is no credible proposal to amend the FRBM act.

Read more about the [Fiscal Responsibility Budget Management \(FRBM\)](#) here.

- The government is working towards ensuring enough funds to address economic hardship while staying within the broad framework of the FRBM act.

#### Concerns:

##### Lower GDP growth:

- The projections of real GDP growth will need to be revised downwards considerably due to the impact of lockdown on economic activities. Since **Fiscal deficit is expressed as a percentage of the GDP**, the absolute amount available under Fiscal deficit would decrease.

##### Lower Public finances:

- Given the fact that the lockdown will lead to a **large shortfall in tax and other revenues**, it will have an adverse impact on public finances.

##### Need for higher spending:

- The pandemic will have an adverse effect on the economy, which could lead to a recession.
- Economists have emphasized the **need for economic relief** to revive the economy. This will require governments to increase their spending.
- The State governments will also need access to adequate funds to undertake their fight against the pandemic.

**Way forward:**

**Need to increase limits:**

- It is important to ensure that the **State governments get access to adequate funds to undertake their fight against the pandemic.**
- The government may need to **amend the FRBM act** to allow it to increase spending or the states may consider enacting new legislations.
- A more expeditious method would be for the States to first **trigger their own escape clauses.**

**Need for a nuanced approach:**

- The available options for financing the additional deficit need to be evaluated.
- The States need to weigh the cost of **borrowing from the market**, and whether there would be an appetite for **State government bonds** in the market which would impact the financial viability of the bonds.
- There is the need for a nuanced fiscal response, with a focus not just on the size but the **design of any stimulus package.**
  - The state will have to be judicious in its interventions. The priority should be **supporting the most vulnerable sectors** like small enterprises and Non-Banking Financial Companies.

## **Category: ENVIRONMENT AND ECOLOGY**

### **1. Wildlife Board nod for mining in Assam elephant reserve**

**Context:**

- The **National Board for Wildlife (NBWL)** has recommended for approval, a coal mining project in an elephant reserve in Assam.

**Background:**

**The National Board for Wildlife (NBWL):**

- National Board for Wild Life is a “**Statutory Organization**” constituted under the **Wildlife Protection Act, 1972.**
- The NBWL is **under the Ministry of Environment, Forest and Climate Change (MoEFCC).**
- The board advises the Central Government on framing policies and measures for conservation of wildlife in the country. It serves as **apex body to review all wildlife-related matters and approve projects in and around national parks and sanctuaries.**

**Details:**

- The Standing Committee of NBWL has recommended for approval the proposal for coal mining in a section of the **Saleki proposed reserve forest land**.
  - Saleki is a part of the **Dehing Patkai Elephant Reserve of Assam** that includes the Dehing Patkai Wildlife Sanctuary. This elephant reserve adjoins **Arunachal Pradesh's Deomali Elephant Reserve** with a sizeable population of elephants.
- The standing committee of the NBWL has recommended a cautious approach for mining activities for preserving the basic integrity of the forested hill slope.
  - The user agency will have to submit a **site-specific mine reclamation plan** in consultation with the Assam Forest Department.
  - The user agency will also have to submit a **feasibility report for underground mining**.

#### Concerns:

#### Illegal mining:

- There have been reports of **rampant illegal coal mining** in the Tikak open cast pit mining in Saleki. This has been noted from the local wildlife division's report.
- There have also been reports of **illegal mining of coal, stone, sand, etc.**, violating all rules and regulations.

## D. GS 4 Related

*Nothing here for today!!!*

## E. Editorials

### Category: POLITY AND GOVERNANCE

#### 1. No 100% quota

##### Context:

Recently, a five-judge **Constitution Bench of the Supreme Court (SC)** held it **unconstitutional to provide 100% reservation for tribal teachers in schools located in Scheduled Areas** across the country.

##### Judgement:

- The Constitution Bench held that **100% reservation is discriminatory and impermissible**.
- It asserted that the **opportunity of public employment is not the prerogative of a few**.
- A 100% reservation to the Scheduled Tribes **has deprived Scheduled Castes and Other Backward Classes also of their due representation**. Hence would impinge upon **the right of open category**.
- The court referred to the **Indira Sawhney judgment**, which **caps reservation at 50%**.

##### Details:

- The A.P state government's original orders of 1986, and thereafter, subsequent orders in 2000, was because of its own rationale.

- In January 2000, the then Governor of undivided Andhra Pradesh had passed an order giving 100% quota to ST candidates for teaching posts in scheduled areas.
- 
- The court therefore held that creation of 100 per cent reservation through the government order was **akin to making a new law** and **Schedule V only allows the Governor to not apply or apply a law to a scheduled area with modifications. It does not allow the Governor to make a new law altogether.**
  - The Supreme Court ruled that the **Governor's powers under para 5 of Schedule V are subject to the fundamental rights guaranteed under Part III of the Constitution.**
- It found that **there was chronic absenteeism among teachers who did not belong to those remote areas where the schools were located.**
- The state government's solution of drafting only members of the local tribes was not a viable solution.
  - It could have come up with other **incentives to ensure the attendance of teachers.**
- Andhra Pradesh has a **local area system of recruitment to public services.** The President, under **Article 371D**, has issued orders that **a resident of a district/zone cannot apply to another district/zone for appointment.**
  - Thus, the **100% quota deprived residents of the Scheduled Areas of any opportunity to apply for teaching posts.**
- It is still a matter of debate whether the ceiling has innate sanctity, but it is clear that **wherever it is imperative that the 50% cap be breached, a special case must be made for it.**
- However, attention must not be diverted from the fact that there is a continuing need for a significant quota for STs, especially those living in areas under the Fifth Schedule special dispensation.
- In this backdrop, it is somewhat disappointing that courts tend to record obiter dicta advocating a revision of the list of SCs and STs.
  - An obiter dictum is a judge's expression of opinion uttered in court or in a written judgement, but not essential to the decision and therefore not legally binding as a precedent.
- The power to amend the lists notified by the President is not in dispute. However, it is somewhat uncharitable to say that the advanced and affluent sections within SCs and STs are cornering all benefits and do not permit any trickle-down.

#### Significance of the Judgement:

- The SC is right in considering cent per cent reservation as **anathema to the constitutional scheme of equality** even if it is for the objective of providing representation to historically deprived sections.
- The verdict must **not** be considered as **against affirmative programmes** as such, but as a **caution against implementing them in a manner detrimental to the rest of society.**

- 100% reservations is arbitrary and violative of provisions of **Articles 14 (equality before law), 15(1) (discrimination against citizens) and 16 (equal opportunity) of the Constitution.**
- Equality of opportunity and pursuit of choice under **Article 51A cannot be deprived of unjustly and arbitrarily.**

#### Conclusion:

- Affirmative action loses its meaning if it does not leave the door slightly ajar for open competition.
- **Dr. B.R. Ambedkar** observed during the debate in the Constituent Assembly on the equality clause, that any **reservation normally ought to be for a minority of seats.** This is one of the points often urged in favour of the 50% cap imposed by the Court on total reservation, albeit with some allowance for relaxation in special circumstances.
- **“Citizens have equal rights, and the total exclusion of others by creating an opportunity for one class is not contemplated by the founding fathers of the Constitution of India,”** Justice Mishra.

## 2. Virtual methods, technologies should become the norm at all levels of the judiciary

*Note: This editorial is from The Indian Express*

#### Context:

The COVID-19 pandemic presents an opportunity to bring in innovations and new paradigms in the administration of justice.

#### Details:

##### Evolving new Protocols:

- It would be naive to assume that post lockdown, the business will resume as usual. Since pre-COVID normalcy is months away, three protocols must be evolved— lockdown, post lockdown pre-normal and normal.
- What is sadly missing is not talent, capacity or funding but attention to detail and a holistic, uniform protocol at each level of the hierarchy.

##### Making use of technology:

- With the **state-of-the-art technology**, judges should not be required to meet and endanger themselves, as is currently happening.
- **Best equipment, the best technology, must be made operational** to enable this.
- It is deplorable that the apex court is not equipped with efficient technology. This would require **Rs 100-crore at most** and surely the Supreme Court deserves this amount.
- **The judiciary should be the least concerned with issues such as seating arrangements for judges, the number of parties and advocates who can be accommodated and the quality of audio and video.** All this should be operationalised by technicians working on government directions.
- Indian judiciary is inexcusably behind on all this.

##### Using the existing infrastructure:



- The two largest rooms at the new SC building should **be fully equipped to enable** a limited number of lawyers, who cannot afford virtual lawyering, **to present their arguments from within the court.**
- However, it should be ensured that they maintain strict social distancing.
- The lawyers who fall in this category or would want to come to court are, of course, a minuscule number. However, they must be facilitated.

#### Strictly applying test of urgency:

- **False urgency claims are the bane of Indian litigation.** They clog the legal pipeline while ordinary and poor litigants have to undergo an eternal wait.
- COVID and its short-term aftermath is the best time to evolve two tracks of litigations.
  - Judges holding courts that are akin to a vacation bench could deal only with hyper urgent cases — as is currently happening, albeit trebling the current listings.
  - The bulk of the remaining 35 judges can then take up cases that are going on for 10 years or more.
- Within a short time span, all the cruel figures which underline the high pendency rate of the SC will vanish.
- This would **require a ruthless listing procedure** since one party will always be interested in causing delays.
  - The procedure should also involve **careful screening** by judicial interns.
  - **Advance invitations** of five or seven-page **written submissions** should be issued.
  - **Strict time limits**, based on such pre-screening must be fixed.
- All five-judge and higher bench references may be excluded from this list for the time being.

#### Functioning in the New Normal:

- When full normalcy returns, it must be ensured that **these methods are used to conduct a significant proportion**, perhaps 33 per cent, **of all hearings.**
- In such a scenario, the much-criticised orality of the Indian system would diminish, time limits that have failed implementation for seven decades would become the new normal, and precision, through written submissions, would get a boost.
- Less crowding, less wastage, less dirt and less transmission of infection can easily become the new normal.

#### Conclusion:

- These **changes can be replicated** with **appropriate modifications at all levels of the judiciary.**
- As the above paradigms extend to lower court hierarchies, **virtual lawyering will allow shift systems for courts and make evening and night courts routine**, without shockingly enhanced strains on the infrastructure.



- Indian Judiciary has nothing to lose except the chains and habits. It should start by utilising the full forthcoming SC vacation to virtually function at full strength.
- **The possibilities are limitless.**

## F. Tidbits

### 1. 1 lakh cr. fund to repay MSME dues: Gadkari

- The Central government has decided to set up a dedicated fund of ₹1 lakh crore to reimburse outstanding payments owed by Central and State government undertakings as well as major industries to Ministry of Micro, Small and Medium Enterprises (MSMEs).
- This fund will help address the issue of delayed payments to MSMEs and will impart relief to the sector to a certain extent.
- The government would be paying the premium to insure this fund. The interest burden would be shared by the stakeholders.

### 2. Deposits growth robust, credit growth declines

- According to latest data released by the Reserve Bank of India (RBI), **Deposits (liabilities of banks) have registered healthy growth** in the first fortnight of the current financial year 2020-21, while **loans have declined**, in a period which is marked by limited economic activity due to the nationwide lockdown.

#### Financial year 2019-20:

- **Credit growth for the financial year 2019-20 was 6.1%**, one of the lowest in many years. Credit growth was 13.3% in the 2018-19 fiscal year.
- **Deposit growth for the financial year 2019-20 was 7.9%** as compared to 10% in the previous year.

## G. Prelims Facts

### 1. Nagaland eases curbs with a buzz

- Apiculture is honeybee farming.
- Beekeeping is an **agro-based activity** which is being undertaken by farmers/landless labours in rural area as an integrated farming practice. Beekeeping **supplements income & employment generation and nutritional intake of rural population.**
- Apart from the economic value of the honey produced and variety of beehive products, Bees help in pollinating flowering plants and assure setting of seed or fruit. Honey Bees have vital role in sustaining plants bio-diversity resulting in environmental stability.
- Beekeeping is one of the thrust areas and flagship programmes of Ministry of Agriculture & Farmers Welfare. Beekeeping has been included as an activity for promoting cross **pollination of Horticultural Crops** under **National Horticulture Mission** since May, 2005, which has been merged with the **Mission for Integrated Development of Horticulture (MIDH).**

- National Horticulture Mission was launched in the country in May 2005 as a centrally sponsored scheme to promote holistic growth of the horticulture sector through an area based regionally differentiated strategies.
- **National Bee Board (NBB)**, one of the National Level Agencies (NLAs) under MIDH promotes scientific beekeeping in the country to increase the productivity of crops through pollination support and production of honey and other beehive products to increase the income of farmers/beekeepers.

## 2. 'South Asia needs a humanitarian response to the COVID-19 pandemic'

### London Club:

- The **London Club is an informal group of private creditors on the international stage**, and is similar to the Paris Club of public lenders.
  - The **Paris Club is a group of officials from major creditor countries** whose role is to find co-ordinated and sustainable solutions to the payment difficulties experienced by debtor countries.
- The London Club of commercial banks has been responsible for **rescheduling countries debt payments to commercial banks**. It is an informal group of commercial banks that **renegotiate the debt they hold on sovereign debtors**.
- A meeting of the London Club took place in 1976 in response to Zaire's debt payment problems.

### SAARC secretariat:

- South Asian Association for Regional Cooperation (SAARC) is an economic and geopolitical union between the **eight South Asian member nations**, Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.
- **SAARC Secretariat is based in Kathmandu, Nepal.**
- It coordinates and monitors the implementation of activities, hosts meetings, and serves as a **channel of communication between the Association and its member states** as well as other regional organizations.

## H. UPSC Prelims Practice Questions

### Q1. Which of the following statement/s is/are correct?

1. The National Board for Wildlife is a statutory body under the Environment Protection Act, 1986.
2. The National Board for Wildlife is chaired by the Minister of Environment, Forest and Climate Change.
3. No alteration of boundaries in national parks and wildlife sanctuaries can be done without the approval of the NBWL.

Options:

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

**Answer: d**

**Explanation:**

- The National Board for Wildlife is a “Statutory Organization” constituted under the Wildlife Protection Act, 1972.
- NBWL is chaired by India’s Prime Minister and its vice-chairman is Minister of Environment.
- Primary function of the Board is to promote the conservation and development of wildlife and forests. It has power to review all wildlife-related matters and approve projects in and around national parks and sanctuaries. No alteration of boundaries in national parks and wildlife sanctuaries can be done without the approval of the NBWL.
- Its roles are “advisory” in nature and advise the Central Government on framing policies and measures for conservation of wildlife in the country.

**Q2. The Tadoba Andhari tiger reserve is located in which of the following states?**

- a. Maharashtra
- b. Madhya Pradesh
- c. Chattisgarh
- d. Jharkhand

**Answer: a**

**Explanation:**

- Tadoba Andhari Tiger Reserve is located in Chandrapur district of Maharashtra state in India. Created in 1995, the Reserve includes the Tadoba National Park and the Andhari Wildlife Sanctuary.
- The Andhari river that meanders through the reserve.
- Tadoba National Park is Maharashtra’s oldest and largest national park.

**Q3. Which of the following pairs is/are correctly matched?**

1. Ajrakh textiles: Kutch
2. Sanjhi paper art: Mathura
3. Madhubani art: Bihar

**Options:**

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

**Answer: c**

**Explanation:**

**Ajrak:**

- Ajrak (Ajraakh) Ajrak is a block-printed textile that is resist-dyed using natural dyes, including indigo and madder. It is made by Khattris community in Kutch, Gujarat and is distinguished by its colour- blue with red – and its complex geometric & floral patterns.

**Sanjhi paper art:**

- Sanjhi Paper Art is a traditional form of stencilled paper cutting.
- Sanjhi is practised across Mathura and Vrindavan. It was traditionally used to make ritualistic and ceremonial rangolis in temples. Most of the designs are compositions narrating tales related to Krishna.
- The craftsmen use small fine custom-made scissors to cut the stencils and then use the stencil to create the images.

**Madhubani art:**

- Madhubani art (or Mithila painting) is a style of Indian painting, practised in the Mithila region of the Indian subcontinent.
- This painting is done with a variety of tools, including fingers, twigs, brushes, nib-pens, and matchsticks and using natural dyes and pigments. It is characterised by its elaborate geometrical patterns.
- There is ritual content for particular occasions, such as birth or marriage, and festivals.

**Q4. Which of the following pairs is/are wrongly matched?**

1. Leather footwear industry: Agra and Kanpur, Uttar Pradesh
2. Non-leather footwear industry: Bahadurgarh, Haryana
3. Sports articles and surgical goods: Jalandhar, Punjab

Choose the correct option:

- a. 1 only
- b. 1 and 2 only
- c. 3 only
- d. None of the above

**Answer: d**

**Explanation:**

- While Agra and Kanpur remain the hub for leather footwear, Bahadurgarh in Haryana has around 50% share in the country's non-leather footwear industry.
- Jalandhar is famous for surgical tools industry and the sports industry.

## I. UPSC Mains Practice Questions

1. The COVID-19 pandemic presents an opportunity to bring in virtual technologies, innovations and new paradigms in the administration of justice in India. Discuss. (15 Marks, 250 Words).
2. For achieving the goals of affirmative action, should economic criteria be introduced in reservations for the SC/ST community and modified from time to time in line with the changing social and economic conditions? Critically Examine. (15 Marks, 250 Words).

