

## 30 Apr 2020: UPSC Exam Comprehensive News Analysis

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## B. GS 2 Related

**Category: POLITY AND GOVERNANCE**

### 1. Regulating academics is in national, public interest: SC

#### Context:

Regulating academics and imposing reasonable restrictions to ensure educational standards, are in national and public interest, a three-judge Bench of the Supreme Court has ruled.

#### Background:

- Colleges had challenged several notifications issued by the Medical Council of India (MCI) and the Dental Council of India (DCI) under Sections 10D of the Indian Medical Council Act, 1956, and the Dentists Act, 1948, for uniform entrance examinations.

#### Issue:

- The colleges had argued that imposing NEET would violate their [fundamental rights](#) of religious freedom, to manage their religious affairs, to administer their institutions.
- It was argued that bringing them uniformly under the ambit of NEET would be a violation of their fundamental right to occupation, trade and business.
- They said the State was reneging on its obligation to act in the best interest of minorities.

### Article 30: Right of minorities to establish and administer educational institutions

- This right is given to minorities to form and govern their own educational institutions. Article 30 is also called the “**Charter of Education Rights**”.
- Article 30(1):** All religious and linguistic minorities have the right to establish and administer educational institutions of their choice.
- Article 30(2):** The State should not, when granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

Also read: [Cultural and educational rights.](#)

#### Details:

- The right to freedom of trade or business is not absolute. It is subject to “reasonable restriction in the interest of the students’ community to promote merit, recognition of excellence, and to curb malpractices.
- The court said minority institutions were equally bound to comply with the conditions imposed under the law.
- The court held that the rights of trade, business and occupation or religious rights “do not come in the way of securing transparency and recognition of merits in admissions”.

### **SC judgement on NEET:**

- The SC judgement holds that the National Eligibility-cum-Entrance Test (NEET) is mandatory for admission to medical colleges run by religious and linguistic minority communities.
- The bench clarified that a uniform entrance test qualifies the test of proportionality and is reasonable.
- It held that admissions solely through NEET for graduate and postgraduate medical/dental courses do not violate any fundamental and religious rights of minorities.
  - NEET would apply for both aided and unaided medical colleges run by minorities.
- It was held that the regulations, including admission through NEET, were neither divisive nor dis-integrative but were necessary.
- “NEET is intended to check several maladies which crept into medical education, to prevent capitation fee by admitting students which are lower in merit and to prevent exploitation, profiteering, and commercialisation of education. The institution has to be a capable vehicle of education,” Justice Mishra observed.
- “Professional educational institutions constitute a class by themselves. Specific measures to make the administration of such institutions transparent can be imposed. The rights available under Article 30 [right of minorities to administer their institutions] are not violated by provisions carved out in Section 10D of the MCI Act and the Dentists Act and Regulations framed by MCI/DCI,” the court held.

## **2. Use Aarogya Setu app: Centre to staff**

**Context:**

- All Central government officials, including the outsourced workforce, have been directed to immediately download the '[Aarogya Setu](#)' app on their mobile phones.
- The decision comes amid concerns raised by experts on the privacy of the application.

**Details on Aarogya Setu app and the issues associated with it have been covered in 21<sup>st</sup> April 2020 Comprehensive News Analysis. [Click here](#) to read.**

**Category: INTERNATIONAL RELATIONS**

## **1. India remains on U.S. Priority Watch List**

### **Context:**

United States Trade Representative (USTR) has released its Annual Special 301 Report.

### **Details:**

- India continues to be on the 'Priority Watch List' of the USTR for lack of adequate intellectual property (IP) rights protection and enforcement.
- The same assessment was made in the 2019 report.
- Algeria, Argentina, Chile, China, Indonesia, Russia, Saudi Arabia, Ukraine and Venezuela are also on the Priority Watch List.

### **What does the report say about India?**

- India remains one of the most challenging economies for IP enforcement and protection.
- While India made meaningful progress to enhance IP protection and enforcement in some areas over the past year, it did not resolve recent and long-standing challenges, and created new ones, the report said.
- The long-standing concerns are about:
  - Innovators being able to receive, maintain and enforce patents particularly in the pharmaceutical sector.
  - Concerns over copyright laws not incentivising the creation and commercialisation of content.
  - An outdated trade secrets framework.
- Other concerns stated by the report are that:
  - India also further restricted the transparency of information provided on state-

issued pharmaceutical manufacturing licenses.

- It continues to apply restrictive patentability criteria to reject pharmaceutical patents.
  - It has still not established an effective system for protecting against the unfair commercial use, as well as the unauthorized disclosure, of undisclosed test or other data generated to obtain marketing approval for pharmaceuticals and certain agricultural chemical products.
  - The report also mentioned high customs duties on medical devices and Information and Communications Technology. These goods categories were persistent challenges in trade talks between India and the U.S in 2019.
- Online IP enforcement in India has improved, the report said, but progress is undercut by factors including weak enforcement by courts and the police, lack of familiarity with investigative techniques and no centralised IP enforcement agency.

#### **Special 301 Report:**

- It is prepared annually by the Office of the United States Trade Representative (USTR) that identifies trade barriers to United States companies and products due to the intellectual property laws, such as copyright, patents and trademarks, in other countries.
- The Special 301 Report is published pursuant to Section 301 of the Trade Act of 1974.
- By statute, the annual Special 301 Report includes a list of “Priority Foreign Countries”, that are judged to have inadequate intellectual property laws; these countries may be subject to sanctions.
- In addition, the report contains a “Priority Watch List” and a “Watch List”, containing countries whose intellectual property regimes are deemed of concern.

## **2. Study on China dams brings the Brahmaputra into focus**

### **Context:**

A new study highlighting the impact of China’s dams on the Mekong river has been published.

### **Details:**

- It was published by the Sustainable Infrastructure Partnership in Bangkok and the Lower Mekong Initiative, which is a U.S. partnership with all the downstream

countries besides Myanmar.

- The study was funded by the U.S. government.

### **Findings of the study:**

- The study said six dams built since the commissioning of the Nuozhadu dam in 2012 had altered natural flow of the Mekong river.
  - It has raised fresh questions on whether dams being built on other rivers that originate in China, such as the Brahmaputra, may similarly impact countries downstream.
- Based on a satellite data from 1992 to 2019, the study found that there was severe lack of water in the lower Mekong.
  - This is despite China's southwestern Yunnan province having above-average rainfall from May to October 2019.
- The Mekong flows from China to Myanmar, Laos, Thailand, Cambodia and Vietnam.
- The Mekong River Commission, which comprises Cambodia, Laos, Thailand, and Vietnam, has said more scientific evidence was needed to establish whether dams caused a 2019 drought.

### **India's Concerns:**

- India has long expressed concerns over dam-building on the Brahmaputra.
- In 2015, China operationalized its first hydropower project at Zangmu, while three other dams at Dagu, Jiexu and Jiacha are being developed.
- However, Indian officials have said that the dams are not likely to impact the quantity of the Brahmaputra's flows because they are only storing water for power generation.
- Moreover, the Brahmaputra is not entirely dependent on upstream flows and an estimated 35% of its basin is in India.
- Nevertheless, India will continue to raise the issue of river waters in the Brahmaputra with China.

### **Note:**

- India does not have a water-sharing agreement with China, but both sides share hydrological data.
- China cooperates with India for warnings on how floods are moving down the Yarlung Tsangpo and into the Brahmaputra, so that India can warn its population



living in low-lying areas and move them safely to higher ground.

### C. GS 3 Related

Category: ECONOMY

#### 1. Banks borrow ₹2,000 crore from RBI for mutual funds

Context:

- The Reserve Bank of India ([RBI](#)) had recently announced a special window of ₹50,000 crore for mutual funds in view of the redemption pressure that the fund houses are facing.
- Commercial banks have borrowed ₹2,000 crore from the liquidity window that was offered by the Reserve Bank of India for mutual funds (MFs).

This topic has been covered in 28<sup>th</sup> April 2020 Comprehensive News Analysis. [Click here](#) to read.

### D. GS 4 Related

*Nothing here for today!!!*

### E. Editorials

Category: INTERNATIONAL RELATIONS

#### 1. Afghan peace and India's elbow room

Background:

- Recently, the United Nations Secretariat held a meeting of what it calls the “6+2+1” group on regional efforts to support peace in Afghanistan, a group that includes six neighbouring countries: China, Iran, Pakistan, Tajikistan, Turkmenistan and Uzbekistan; global players, the United States and Russia, and Afghanistan itself.
- India was conspicuous by its absence from the meeting, given its historical and strategic ties with Afghanistan, but not for the first time.

Details:

- In December 2001, the Indian team led by special envoy Satinder Lambah arrived in Germany to find no reservations had been made for them at the official venue (where the famous Bonn Agreement was negotiated).
- In January 2010, India was invited to attend the “London Conference” on

Afghanistan, but left out of the room during a crucial meeting that decided on opening talks with the [Taliban](#).

- In 2020, the reason given for keeping India out of regional discussions on Afghanistan was ostensibly that it holds no boundary with Afghanistan; but in fact it is because New Delhi has never announced its support for the U.S.-Taliban peace process.
- In both 2001 and 2010, however, India fought back its exclusion successfully.
  - At the Bonn Agreement, Ambassador Lambah was widely credited for ensuring that Northern Alliance leaders came to a consensus to accept Hamid Karzai as the Chairman of the interim arrangement that replaced the Taliban regime.
  - After the 2010 conference, New Delhi redoubled its efforts with Kabul, and in 2011, Prime Minister Manmohan Singh and Afghanistan President Karzai signed the historic Strategic Partnership Agreement, which was Afghanistan's first such agreement with any country.

#### **India's stand:**

- As India now consider its next steps in Afghanistan, it must fight back against the idea that any lasting solution in Afghanistan can be discussed without India in the room, while also studying the reasons for such exclusions.
  - India's resistance to publicly talking to the Taliban has made it an awkward interlocutor at any table.
  - Its position that only an Afghan-led, Afghan-owned, and Afghan-controlled process can be allowed is a principled one, but has no takers.
- Kabul, or the Ashraf Ghani government does not lead, own or control the reconciliation process today, comprising the U.S.-Taliban negotiation for an American troops withdrawal, and intra-Afghan talks on power sharing.
- The U.S.-Taliban peace deal means that the Taliban, which has not let up on violent attacks on the Afghan Army, will become more potent as the U.S. withdraws soldiers from the country, and will hold more sway in the inter-Afghan process as well, as the U.S. withdraws funding for the government in Kabul.

#### **Way forward:**

##### **Controversy over the Citizenship (Amendment) Act:**

- The building blocks of India's goodwill are its assistance in infrastructure projects, health care, education, trade and food security, and also in the liberal access for Afghans to study, train and work in India.



- Above all, it is India's example as a pluralistic, inclusive democracy that inspires many.
- Afghanistan's majority-Muslim citizens, many of whom have treated India as a second home, have felt cut out of the move to offer fast track citizenship to only Afghan minorities, as much as they have by reports of anti-Muslim rhetoric and incidents of violence in India.
- The government of India must consider the damage done to the vast reservoir of goodwill India enjoys in Afghanistan because of the controversy over the [Citizenship \(Amendment\) Act](#).

### **Financial Assistance:**

- India must move swiftly to regain the upper hand in the narrative in Afghanistan.
- India's assistance of more than \$3 billion in projects, trade of about \$1 billion, a \$20 billion projected development expenditure of an alternate route through [Chabahar](#), as well as its support to the Afghan National Army, bureaucrats, doctors and other professionals for training in India should assure it a leading position in Afghanistan's regional formulation.
- Three major projects: the Afghan Parliament, the Zaranj-Delaram Highway, and the Afghanistan-India Friendship Dam (Salma dam), along with hundreds of small development projects (of schools, hospitals and water projects) have cemented that position in Afghan hearts nationwide, regardless of Pakistan's attempts to undermine that position, particularly in the South.
- India must strive to endure that its aid and assistance is broad-based, particularly during the novel coronavirus pandemic to centres outside the capital, even if some lie in areas held by the Taliban.

### **India's presence in Afghanistan:**

- India's presence inside Afghanistan, which has been painstakingly built up since 2001, is being threatened anew by terror groups such as the Islamic State Khorasan Province (ISKP), believed to be backed by Pakistan's establishment.
- Intercepts showed that the brutal attack, in March 2020, that killed 25 at a gurudwara in Kabul was meant for the embassy in Kabul.
- A full security reassessment is still under way for both Indian consulates.
- India's diplomatic strength in Afghanistan should not appear to be in retreat just when it is needed the most.

### **India must fulfil its role in the peace efforts in Afghanistan:**

- India must also pursue opportunities to fulfil its role in the peace efforts in Afghanistan, starting with efforts to bridge the Ghani-Abdullah divide, and bringing together other major leaders with whom India has built ties for decades.
- An understanding between Iran and the U.S. on Afghanistan is necessary for lasting peace as well, and India could play a mediatory part, as it did in order for the Chabahar project.
- India should use the United Nations's call for a pause in conflicts during the novel coronavirus pandemic, to ensure a hold on hostilities with Pakistan.

### **Appointment of a special envoy:**

- Above all, the government must consider the appointment of a special envoy, as it has been done in the past, to deal with its efforts in Afghanistan.
- There is a need for both diplomatic agility and a firmness of purpose at a watershed moment in that country's history.

Also read “Experts raise concerns for India over U.S.-Taliban agreement” covered in [2<sup>nd</sup> March 2020 Comprehensive News Analysis](#).

## **Category: EDUCATION**

### **1. Limitations of online learning**

#### **Context:**

With India under lockdown in its desperate attempt to contain the COVID-19 pandemic, there is anxiety with respect to academics particularly among the graduating batches of students. This editorial analyses whether digital forms of learning are effective for Higher Educational Institutions and courses.

#### **Details:**

- With universities and colleges in the middle of the second semester of their academic year, there have been attempts from individual teachers to keep their students engaged.
- Well-meaning attempts have been made to keep the core educational processes going through this period.
  1. A few universities made arrangements for teachers to hold their classes

virtually through video conferencing services such as Zoom.

- The transition to virtual modes was relatively less difficult for those institutions that had, even prior to the lockdown, adopted learning management system platforms.

#### Concerns:

- A recent report quoted the [UGC](#) Chairman saying that, in order to maintain social distancing, e-education was the only way out.
  1. This was clearly meant to prepare the higher education community for the exigencies of an extended period of closure of campuses.
  2. Even when the lockdown gets lifted eventually, it is not likely that the government would allow large congregations in restricted physical spaces, including campuses.
- He was also quoted as saying that online education was likely to be adopted as a strategy to enhance the gross enrolment ratio in higher education.
- This prompts many questions about the appropriateness of the contingency measure being deployed as a long-term strategy for enhancing enrolment in higher education.
  1. How far will online education help support greater access to and success in higher education among those who are on the margins?
  2. How equipped are digital forms of education to support the depth and diversity of learning in higher education?
  3. Is there an unstated motivation for this shift in strategy?
- Institutions of open and distance learning (ODL), established during the mid-1960s to 1980s, were a consequence of explorations for less expensive models for provisioning access to higher education.
- ODL may also have been considered by governments at that time as a safe strategy (in the light of instances of campus turbulence) for managing mass aspirations for higher education without necessarily effecting large congregations on campuses.
- It is worth pondering upon whether there is a similar motivation behind the enthusiasm for online education.

#### Limitations of online learning with respect to Higher Education:

- Access is not merely enrolment. Higher education has an influx of students who are first-generation aspirants. For them, access also includes effective participation in curricular processes, which includes negotiating through language and social barriers.

- A number of students are also from the other side of the digital divide which makes them vulnerable to a double disadvantage if digital modes become the mainstay of education.
- Unless consistent hand-holding and backstopping is ensured, there could be a tendency to remain on the margins and eventually drop out or fail.

### **What learning involves?**

- Learning, in higher education means much more than acquisition of given knowledge that can be transmitted didactically by a teacher or a text. It constitutes only one minor segment of curricular content.
- Learning involves development of analytical and other intellectual skills, the ability to critically deconstruct and evaluate given knowledge, and the creativity to make new connections and syntheses.
- It also means to acquire practical skills, inquire, seek solutions to complex problems, and learn to work in teams.
- All these assume direct human engagement – not just teacher-student interaction, but also peer interactions.
- Arguably, some of this can, to some extent, be built on to a digital platform.
- However, deconstructing given knowledge in relative isolation is never the same as doing it in a group.

### **Conclusion:**

- Curricular knowledge has a tendency to adjust its own contours according to the mode of transaction and the focus of evaluation.
- It gets collapsed into largely information-based content when transacted through standard structures of teaching-learning and examination.
- While digital forms of learning have the potential to enable students to pursue independent learning, conventional and digital forms of education should not be considered mutually exclusive.
- Online learning needs to be understood as one strand in a complex tapestry of curricular communication that may still assign an important central role to direct human engagement and social learning.
- It is therefore necessary to think deeply and gather research-based evidence on the extent to which online education can be deployed to help enhance the access and success rates.

## F. Prelims Facts

*Nothing here for today!!!*

## G. Tidbits

### 1. 1.6 billion at the risk of losing jobs, warns ILO

#### What's in News?

The International Labour Organization ([ILO](#)) has warned that nearly half of the entire global workforce is in immediate danger of having their livelihoods destroyed by the [COVID-19](#) pandemic.

- The ILO said the global workforce was 3.3 billion people, of which more than two billion worked in the informal economy — in jobs characterised by a lack of basic protections, no possibility to work from home and no income replacement during the lockdown.
- It said that almost 1.6 billion informal economy workers, accounting for 76% of informal employment, were significantly impacted by lockdown measures.
- It said that an expected further sharp decline in working hours meant that these workers were in “immediate danger of having their livelihoods destroyed”.

### 2. Ordinance route to defer pay in Kerala

#### What's in News?

The Kerala Cabinet has cleared a draft Ordinance empowering the government for deferring six days' salary of employees and teachers for five months to face the extraordinary fiscal crisis triggered by the COVID-19 outbreak.

- The High Court had said there was no sanction of law for the order to defer the salary and it amounts to deprivation of property of the employees and teachers who were affected by it.
- Since the High Court had pointed out that the decision was legally untenable, the Cabinet decided to recommend the Governor to promulgate an Ordinance.
- The draft explains that in the event of any disaster or public health emergency, it shall be competent and lawful for the government to defer up to one-fourth of the total salary of an employee in any institution owned or controlled by the government, including aided and grant-in-aid bodies.

- The Ordinance will also empower the government to impose a 30% cut in the salary, allowances and honorarium of Ministers and MLAs for a year.

## H. UPSC Prelims Practice Questions

**Q1. On which of the following rivers has China built dams?**

1. Mekong
2. Brahmaputra
3. Indus
4. Irtysh

**Choose the correct option:**

- a. 1, 2, 3, and 4
- b. 1, 2 and 3 only
- c. 1 and 2 only
- d. 2, 3 and 4 only

**Answer: a**

**Explanation:**

China has built dams on the following rivers: Mekong, the Brahmaputra, the Irtysh, the Indus, the Yellow river and Yangtze river.

**Q2. Consider the following statements:**

1. The Special 301 Report is a biennial report published by the Office of the United States Trade Representative (USTR).
2. India has been classified as "Priority Foreign Country" in the Special 301 Report, 2020.
3. China, Indonesia, Russia are on the Priority Watch List of Special 301 Report, 2020.

**Which of the given statement/s is/are INCORRECT?**

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



d. 2 and 3 only

**Answer: b**

**Explanation:**

**Special 301 Report:**

- It is prepared annually by the Office of the United States Trade Representative (USTR) that identifies trade barriers to United States companies and products due to the intellectual property laws, such as copyright, patents and trademarks, in other countries.
- The Special 301 Report is published pursuant to Section 301 of the Trade Act of 1974.
- By statute, the annual Special 301 Report includes a list of "Priority Foreign Countries", that are judged to have inadequate intellectual property laws; these countries may be subject to sanctions.
- In addition, the report contains a "Priority Watch List" and a "Watch List", containing countries whose intellectual property regimes are deemed of concern.
- India continues to be on the 'Priority Watch List' of the USTR for lack of adequate intellectual property (IP) rights protection and enforcement.
- Algeria, Argentina, Chile, China, Indonesia, Russia, Saudi Arabia, Ukraine and Venezuela are also on the Priority Watch List.

**Q3. Arrange the following rivers in ascending order of their length:**

1. Mekong
2. Yangtze
3. Brahmaputra
4. Yellow River

**Options:**

- a. 3, 1, 4, 2
- b. 4, 3, 1, 2
- c. 3, 4, 2, 1
- d. 3, 1, 2, 4

**Answer: a**

**Explanation:**

Brahmaputra < Mekong < Yellow River < Yangtze

**Q4. Consider the following statements:**

1. Article 30 is called a Charter of Education Rights.
2. While all religious minorities have the right to establish and administer educational institutions of their choice, linguistic minorities do not enjoy such a right.
3. The term “Minorities” has been defined in the Constitution.

**Which of the given statement/s is/are INCORRECT?**

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

**Answer: b**

**Explanation:**

- Article 30 is called a Charter of Education Rights. This right is given to minorities to form and govern their own educational institutions.
- The term “Minorities” has not been defined in the Constitution.
- **Article 30(1):** All religious and linguistic minorities have the right to establish and administer educational institutions of their choice.
- **Article 30(2):** The State should not, when granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language.

**I. UPSC Mains Practice Questions**

1. Can online education replace conventional classroom teaching and ensure greater access and success in higher education? Critically analyse. (15 Marks, 250 Words)
2. The evolving geopolitical situation in Afghanistan holds significant economic, security and strategic implications for India. Suggest the future course of action for India to regain the upper hand in the narrative in Afghanistan. (15 Marks, 250 Words)