

16 Dec 2020: UPSC Exam Comprehensive News Analysis

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B. GS 2 Related

Category: INTERNATIONAL RELATIONS

1. [U.S. imposes CAATSA sanctions on Turkey over S-400 purchase](#)

Context:

The U.S. has imposed sanctions on NATO-ally Turkey for its purchase of Russia's S-400 missile defence system.

Relevance to India:

The issue of sanctions under Section 231 of the Countering America's Adversaries Through Sanctions Act (CAATSA) for purchase of Russian arms is of particular interest to India, which is also in the process of buying the S-400 from Moscow.

What is CAATSA?

- The Countering America's Adversaries Through Sanctions Act (CAATSA) is a United States federal law that imposed sanctions on Iran, North Korea and Russia.
- It includes sanctions against countries that engage in significant transactions with the Russian defence and intelligence sectors.

Read more about [CAATSA](#) and [How will purchases from Russia affect India-U.S ties](#).

Read more on this topic covered in [12th July 2020 Comprehensive News Analysis](#).

Details:

- The sanctions comprise:
 - A ban on granting specific U.S. export licences and authorisations for any goods or technology.
 - A ban on loans or credits by U.S. financial institutions totalling more than \$10 million in any 12-month period.
 - A ban on U.S. Export-Import Bank assistance for exports and mandated U.S. opposition to loans by international financial organisations to SSB (Turkey's main defence procurement agency).
- Sanctions will include full blocking sanctions and visa restrictions on SSB president and other officials.
- The U.S. Secretary of State asserted that this action sends a clear signal that the United States will fully implement CAATSA Section 231 and will not tolerate significant transactions with Russia's defence and intelligence sectors.

Note:

- In 2019, the U.S. had removed Turkey from its F-35 jet programme over concerns that sensitive information could be accessed by Russia if Turkey used Russian systems along with U.S. jets.
- U.S. President Donald Trump and Turkish President Recep Tayyip Erdoğan have an apparently close relationship and Mr. Trump has pushed back on Congressional demands for sanctions against Turkey.
- The administration has to now face a \$740 million National Defense Authorization Bill (NDAA) 2021 from the U.S. Congress, which mandates sanctions against Turkey within 30 days of the bill's passage (December 11). Mr. Trump has threatened to veto the bill.

Category: POLITY AND GOVERNANCE

1. SC collegium moots transfer of HC judges

Context:

The Supreme Court collegium has recommended the transfer of judges of several High Courts. The top court's recommendations are yet to be sent to the Law Ministry.

Collegium System:

- The Collegium System is a system under which appointments/elevation of judges/lawyers to Supreme Court and transfers of judges of High Courts and the apex court are decided by a forum of the Chief Justice of India and the four senior-most judges of the Supreme Court.
- Note that there is no mention of the Collegium System in the Constitution of India.
- The recommendations of the names of lawyers or judges are sent by the Collegium to the Central Government. The Central Government does the fact-checking and investigates the names and resends the file to the Collegium.
- The Collegium considers the names or suggestions made by the Central Government and resends the file to the government for final approval.
- If the Collegium resends the same name again then the government has to give its assent to the names.
- However, there is no time limit to reply.

Read more about the [Supreme Court Collegium System](#)

C. GS 3 Related

Category: ECONOMY

1. Govt. must unveil stimulus to spur demand: MPs' panel

Context:

The Parliamentary Standing Committee on Industry has submitted its report 'Downturn in Automobile Sector – Its Impact and Measures for Revival'.

Details:

- The committee has asked the government to announce a stimulus package focused on generating demand.
- The committee stressed that the government's responses were so far short of addressing the auto industry's concerns as the measures were aimed at boosting only the supply side of the economy.

Suggestions:

- The panel has asked for GST rates levied on automobiles to be rationalised from the present 28% tax rate with an additional compensation cess ranging from 1-22% to 18%.
 - This is intended to spur demand for new vehicles.
 - The committee pointed out that the cost of BS-VI vehicles was expected to be 10-15% higher due to upgraded technology, and this could be mitigated by reducing the GST rate.
- The panel also suggested that the government request the Supreme Court to allow sales of BS-IV vehicles that couldn't be sold due to the pandemic and lockdown.

Bharat Stage Emission Standards

- Bharat Stage or BS Emission Standards are government-instituted emission standards that all motor vehicles have to comply with if they are to be sold and driven in India.

- The Supreme Court of India banned the sale and registration of BS-IV compliant motor vehicles in India from April 2020 signifying the shift from BS-IV emission norms to BS-VI.
- Currently, all new vehicles sold and registered in India should be compliant with the BS-VI iteration of emission standards.

Read more on [BS Emission Standards](#).

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: JUDICIARY

1. Law and disorder

Context: The lack of attention being devoted to tackling the issues in justice delivery mechanism at levels other than the [Supreme Court](#).

Detail:

- The principal role of the judiciary is to protect rule of law and ensure the supremacy of law. It safeguards the rights of the individual, settles disputes in accordance with the law.
- The Indian judicial setup with the Supreme Court at the apex and the High Courts along with the subordinate judiciary form the judicial organ of the state.
- The [Indian judicial setup](#) has been facing multiple issues like high and periodic vacancies, a huge backlog of cases, infrastructure constraints, etc. There is a need to tackle these issues to ensure rule of law is not compromised.

Free legal aid

- Article 39A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society and ensures justice for all.
- Articles 14 and 22(1) of the Constitution also make it obligatory for the State to ensure equality before the law and a legal system which promotes justice based on equal opportunity to all.
- The Legal Services Authority Act of 1987 was enacted in pursuance of providing free legal aid, making it one of the largest legal aid programmes in the world.
- The beneficiaries include women, children, members of SC/ST among others, therefore a significant portion of the population is eligible for free legal aid.

Implementation

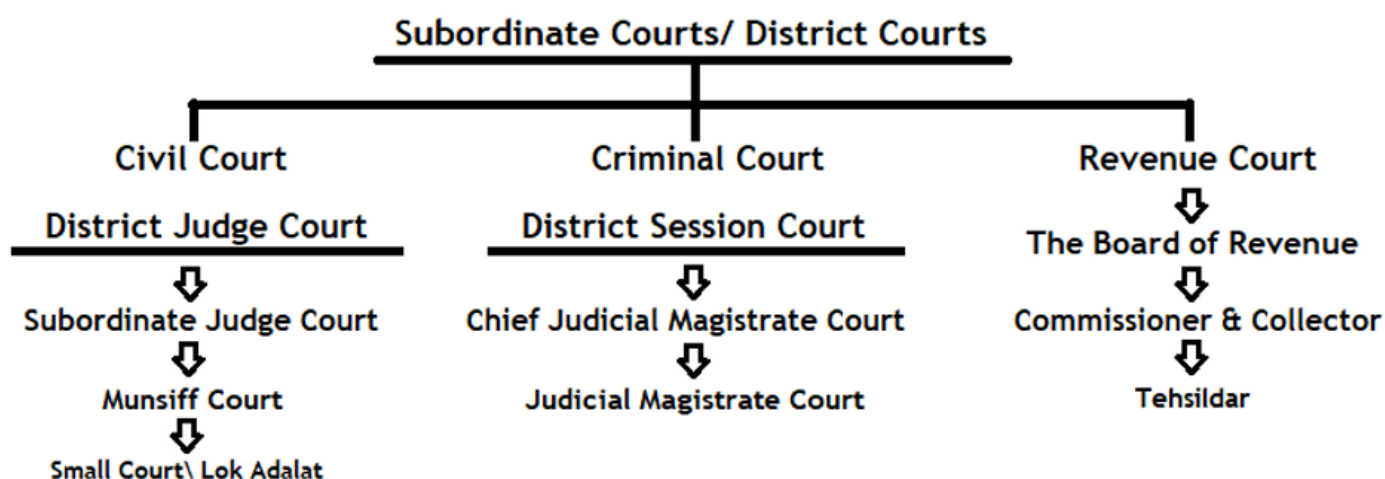
- The programme however hasn't been able to deliver on promised grounds.
- The programme needs the backing of the government and successive governments haven't given impetus to this programme.
- There is a need to have a cadre of well-trained personnel and they have to be paid rationally well to see the programme deliver on the ground.

- A similar legal aid programme is in practice in the United Kingdom, but there, there is a system where there are identification and funding of several independent solicitor offices who provide free legal aid services to the needy population.
- The system is standing on solicitor offices being supported by the government.
- India needs to understand the significance of the programme and the impact it can potentially have in maintaining the [rule of law](#) and enabling access to justice.

Skewed judge-population ratio

- The judge to population metric depicts the state of the legal system in a country.
- India does not have a promising case here, the judge to population ratio in India is currently 19 judges to a million population and to further aggravate this situation, a vacancy of up to 25% is often seen.
- In contrast, the US has about 100 judges per million population, Canada has about 75 and the UK has about 50.
- The Supreme Court in All India Judges Association vs Union of India (2001) had directed the Government of India to increase the judge-population ratio to 50 per million population, but this has fallen on deaf ears.

Subordinate judiciary



- The subordinate judiciary forms the foundation of the Indian judicial system, it is often the first point of contact to the common man. The functioning of the subordinate judiciary has been impeded by vacancies, infrastructural inadequacies and subsequent case backlogs.
- The vacancies in the judicial system in India resembles a pyramid, wide at the bottom and narrow at the top, i.e according to 2018 data there were a total of 22,036 posts in the district and subordinate judiciary, ranging from district judges to junior civil judges, across the States. It said 5,133 out of the 22,036 posts were vacant.

Is access to justice a fundamental right?

- Though there hasn't been an explicit mention of access to justice as a [fundamental right](#) under Part III of the Indian Constitution, it has been acknowledged by courts as one.
- In Anita Kushwaha vs Pushpa Sadan (2016), the Supreme Court held that to lead a dignified life, access to justice is fundamental. Access to justice is a prerequisite to lead a quality human life.
- The Supreme Court also shed light on the need to have an adjudicatory mechanism that is accessible, affordable and speedy in nature.

Way forward

- A well functioning judiciary is a sine qua non for democracy. For a common man in India, access to speedy justice at an affordable cost is still a dream.
- There is a need for a national policy and a mechanism to deal with vacancies and there is also a need to draft a roadmap for clearing the backlog of cases.
- The subordinate judiciary needs to be kept in mind while thinking about bringing in reforms in the judiciary, it has to ensure that the lower courts' concerns and inadequacies are not 'swept under the carpet' while trying to address the issues at the Supreme Court and High Courts.

Category: HEALTH

1. Vaccine drive

Context:

- The disclosure of India's COVID-19 vaccine policy.

Details:

- The [COVID-19](#) vaccine policy announced by the Government will be at the forefront of tackling the virus.
- The vaccine drive will hope to diminish the pace at which the virus spreads as there is no conclusive cure available as of today.
- The vaccine strategy has to be reinforced by a robust mechanism to deliver and also adequate manpower to carry out the vaccination drive.

The blueprint of COVID-19 vaccine policy

- The scale of vaccination is in gradual steps, with identified beneficiaries to be given preference.
- The health care workers have been given the first priority as they are the frontline personnel and are exposed to the virus on a very frequent basis and at a proximate distance.
- The elderly population follows the health care workers, people above the age of 50 are considered under this, with preference being given to those that are aged 60 and above.
- This first phase of vaccination is expected to cover up to 30 crore people.
- The electoral roll will be used for identification and verification of the beneficiaries.
- The COVID Vaccine Intelligence Network (Co-WIN) system — a digitalized platform, will be used to track enlisted beneficiaries for the vaccination and anti-coronavirus vaccines on a real-time basis.
- The 1.54 lakh Auxillary Nurse Midwives, currently part of the Universal Immunization Programme (UIP), will be roped in to be part of the COVID-19 vaccine drive.
- The vaccination team will consist of five members, each session should be planned for 100 beneficiaries per day.
- If the session site has adequate logistics and space available for waiting room and observation room along with arrangement for crowd management, one more vaccinator officer can be added to create a session for 200 beneficiaries, the guidelines stated.

Prerequisites to make the policy taste success

- First and foremost, there has to be confidence and a feeling of assurance towards vaccine safety and efficacy among the people.

- The summoning of phase-3 data of clinical trials by the Drug Controller General of India (DCGI) from Bharath Biotech and Serum Institute will help in fighting doubts over the hasty nature of vaccine development.
- Vaccine hesitancy refers to delay in acceptance or refusal of vaccines despite the availability of vaccine services and this can be a major impediment to the success of the vaccine drive. Thus the regulator needs to ensure that all the safety benchmarks are met before approval.
- The Government will also have to come up with a roadmap to immunize children.
- A clear demarcation of roles of the personnel along with a detailed chain of command is quintessential for the success of the programme. Since it is a large scale exercise it will require close coordination with the states.

Way forward

- There is a need to ensure people receive factual and timely information and updates on vaccine rollout progress and benefits.
- A mechanism will have to be set up to deal with the public's anxiety and queries regarding government's decision for prioritization of vaccine administration and the apprehension about the vaccines introduced after a short trial raising safety concerns.
- The fear of adverse events, misconception about vaccine efficacy, rumours and negative narrative in media/social media space will have to be managed sensitively to ensure the vaccination drive finds success.

Category: GOVERNANCE

1. From a digital India to digital Bharat

Context:

- The Prime Minister's Wi-Fi Access Network Initiative (PM-WANI) was announced. This initiative will go a long way in democratizing internet access.

Details:

- The PM-WANI provides for public Wi-Fi networks by Public Data Office Aggregators (PDOA) extending across the length and breadth of the country.
- PM-WANI will thus accelerate the widespread use of broadband internet services via public W-Fi networks.

Significance

1. Digital divide

- a. The 'digital divide' is a term that refers to the gap between demographics and regions that have access to modern information and communications technology, and those that don't or have restricted access. This technology can include telephone, television, personal computers and the Internet.
- b. India's digital divide remains huge as only 54% of Indians have access to the internet as per the [Telecom Regulatory Authority of India \(TRAI\)](#).
- c. Also, the spatial digital divide is huge (internet density in rural areas is lower than in urban areas) with The India Internet Report 2019 stating that rural India has half the internet

penetration as urban India and also there is a gender digital divide (far fewer women have access to smartphones than men).

- d. The 75th National Statistical Organisation survey says that only one-fifth of the population has the skills to operate the internet.
- e. PM-WANI can help bridge the digital divide in terms of access to the internet on multiple fronts.

2. Last-mile delivery

- a. PM-WANI has been compared with the public call office model of yesteryears. This initiative will widen the internet coverage with anyone within the range of a public Wi-Fi hotspot being able to access it.

3. Decongestion of mobile internet network

- a. India Internet Report shows nearly 99% of all users in India access the internet on mobile and about 88% of them are connected to 4G network. This places tremendous load resulting in bad speed and quality of internet access.

Key elements of the initiative

1. Public Data Office (PDO)

- a. PDO can be anyone, which means there is a possibility that in future this can be a means to generate revenue for individuals.
- b. There is also no regulatory burden on them, they need not undergo the cumbersome process of registration.
- c. The PDOA who is central to this exercise will basically be an aggregator who will purchase bandwidth from the Internet Service Provider (ISPs) and telecom companies and sell it to PDOs.
- d. The last-mile delivery will be facilitated by an app where the users can access and discover the Wi-Fi access points.

2. Convenience

- a. *Interoperability* - The user has to log in only once and can stay connected across access points.
- b. *Multiple payment options* - Both online and offline options would end up providing flexibility to users.
- c. *Economical* - Products worth as low as Rs.2 is on the cards, thus making the internet affordable.

What does it mean to Rural India?

- PM-WANI can reinvigorate [Bharat Net programme](#). Bharat Net which envisages broadband connectivity across all villages in the country has been found to have missed several deadlines and has failed to convince the ISPs to use the infrastructure in place to provide internet services.
- The last mile internet availability and digital literacy are intertwined with internet accessibility. A decentralized internet facility like the one envisaged in PM-WANI can be a game-changer in the rural areas.
- The accessibility to the internet under PM-WANI will be as simple as buying a good over the counter from a shop.

Concerns

- Security and privacy concerns are known to be an issue common with Wi-Fi hotspots.
- Experiences of Wi-Fi hotspots in airports in Germany, US, Australia and India have shown that around 66% of the users leak personal information while accessing the internet.
- TRAI in its report suggests the local storage of 'community interest' data, this raises concerns over data protection especially when there is no data protection law in the country.

Conclusion

- The PM-WANI scheme as such is a game-changer in the context of internet accessibility and can herald a new digital revolution of a scale that has not been witnessed hitherto.

F. Prelims Facts

Nothing here for today!!!

G. Tidbits

1. Law Ministry nod sought on postal ballots for NRIs

What's in News?

The Election Commission of India's (ECI) proposal to extend the postal ballot option to overseas electors is pending with the Law Ministry.

- The ECI letter stated that the Conduct of Election Rules, 1961 would need to be amended to send postal ballots to NRIs electronically and then have them sent back via post.
- The amendment has been suggested with a view to boosting the image of the country internationally.

The Electronically Transmitted Postal Ballot System (ETPBS), used to send ballots to Service Electors, would be extended to overseas Indians if the proposal is adopted.

2. British PM to be chief guest at Republic Day celebration

What's in News?

British Prime Minister Boris Johnson will be the chief guest of India's Republic Day celebrations.

- U.K. Foreign Secretary highlighted that the Indo-Pacific region was one of the highest focus areas of the U.K.'s foreign policy.
- He stated that the U.K. and India were working on an "Enhanced Trade Partnership" that would be a stepping stone for a free trade agreement (FTA) between the two sides.
 - The future FTA with India was expected to be a part of the post-Brexit British economic plans.

3. Spike in return of people to Bangladesh

What's in News?

In the past four years, nearly twice the number of illegal Bangladeshi migrants were caught leaving the country compared to those coming in illegally, according to data available with the Border Security Force (BSF) and the National Crime Record Bureau (NCRB).

- The number of persons leaving the country could be more as there are instructions to avoid paperwork and documentation for out-migrants.
- It is also due to the lack of work following the COVID-19 pandemic and the subsequent lockdown.

In 2017, former BSF Director General K.K. Sharma had made it clear that they had instructions to push back the Rohingya to Bangladesh as they become a liability once they are arrested.

Read more on the Rohingya Issue covered in [21st May 2019 Comprehensive News Analysis](#).

H. UPSC Prelims Practice Questions

Q1. Consider the following statements:

1. Rakhine State is situated on the western coast of Myanmar.
2. Sittwe port is located in Rakhine State.
3. Rakhine state is bordered by Bangladesh and India to the northwest.

Which of the given statement is/are INCORRECT?

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

CHECK ANSWERS:-

Answer: c

Explanation:

- Rakhine State is situated on the western coast of Myanmar.
- Sittwe port is located in Rakhine State. Sittwe Port is a deepwater port constructed by India in 2016 at Sittwe, the capital of Rakhine State in Myanmar, on the Bay of Bengal. It is situated at the mouth of the Kaladan River.
- Rakhine state is bordered by Bangladesh to the northwest. It does not border India.

Q2. Consider the following statements with respect to the Collegium System:

1. It is the system of appointment and transfer of judges as per the provisions of the Constitution.
2. Collegium is a forum comprising of the Chief Justice of India and the four senior-most judges of the Supreme Court.
3. There was no mention of the Collegium in the original Constitution of India, it was added in the Constitution through successive amendments.

Which of the given statement/s is/are correct?

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

CHECK ANSWERS:-

Answer: b

Explanation:

- Collegium system is the system of appointment and transfer of judges that has evolved through judgments of the Supreme Court, and not by an Act of Parliament or by a provision of the Constitution.
- Collegium a forum comprising of the Chief Justice of India and the four senior-most judges of the Supreme Court.
- There is no mention of the Collegium either in the original Constitution of India or in successive amendments.

Q3. Consider the following statements with respect to the Shore Temple:

1. It was built during the reign of the Pallava dynasty.
2. The Shore Temple complex is a part of the Mamallapuram monuments, designated a UNESCO World Heritage.
3. It overlooks the shore of Bay of Bengal.
4. It has been built in the Dravidian style.

Which of the given statement/s is/are correct?

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

CHECK ANSWERS:-

Answer: d

Explanation:

- The shore temple is located on the Coromandel Coast of Tamil Nadu. It overlooks the shore of Bay of Bengal.
- It was built during the reign of the Pallava dynasty.
- The Mamallapuram monuments and temples, including the Shore Temple complex, were collectively designated a UNESCO World Heritage site in 1984.
- It has been built in the Dravidian style.

Q4. Consider the following statements with respect to S-400 Triumf:

1. It is a modern long-range surface-to-air missile system.
2. It can engage aerial targets such as aircraft, ballistic and cruise missiles, unmanned aerial vehicles (UAV), which are within the range of 400km.
3. S-400 was designed and developed by France.

Which of the given statement/s is/are correct?

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

CHECK ANSWERS:-

Answer: a

Explanation:

- The S-400 Triumf, (NATO calls it SA-21 Growler), is a mobile, surface-to-air missile system (SAM) designed by Russia.
- It can engage aerial targets such as aircraft, ballistic and cruise missiles, unmanned aerial vehicles (UAV), which are within the range of 400km.
- The missile system integrates a multifunction radar, autonomous detection and targeting systems, anti-aircraft missile systems, launchers, and command and control centre. It can provide a layered defence as it is capable of firing three types of missiles.

I. UPSC Mains Practice Questions

1. “Digital revolution in India has the potential to take governance to the doorsteps of people.” In light of the above statement discuss the initiatives taken by the Government to enhance digital connectivity. (15 marks, 250 words) [GS 2, Governance]
2. The backlog of cases is an age-old problem haunting Indian judiciary. Suggest steps that can be taken to solve the burden of the backlog. (10 marks, 150 words) [GS 2, Judiciary]