

# 16 Feb 2021: UPSC Exam Comprehensive News Analysis

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## B. GS 2 Related

### Category: POLITY AND GOVERNANCE

#### 1. Indians concerned about privacy, says CJI

##### Context:

Chief Justice of India Sharad A. Bobde said that Indians have grave apprehensions about privacy from Facebook and WhatsApp.

##### Issue:

- The allegation is that the new policy scraps users' 'opt-out policy'.
  - The user would have to compulsorily consent to share their data with Facebook and its group.

##### Details:

- The Chief Justice was heading a three-judge Bench hearing about privacy concerns linked to social media/instant messaging giants.
  - The hearing concerned the new privacy policy introduced by WhatsApp.
- "It is our duty to protect people's privacy," Chief Justice said.
- The new privacy policy was applicable to the rest of the world except Europe.
  - Europe has a special law [General Data Protection Regulations], India doesn't.

##### **General Data Protection Regulations:**

- The General Data Protection Regulation (EU) (GDPR) is a regulation in EU law on data protection and privacy in the European Union (EU) and the European Economic Area (EEA).
- It also addresses the transfer of personal data outside the EU and EEA areas.
- Its primary aim is to give individuals control over their personal data and to simplify the regulatory environment for international business by unifying the regulation within the EU.
- GDPR contains provisions and requirements related to the processing of personal data of individuals (data subjects) who are located in the EEA.
- It applies to any enterprise regardless of its location and the data subjects' citizenship or residence that is processing the personal information of individuals inside the EEA.

### Category: INTERNATIONAL RELATIONS

#### 1. Suu Kyi to face court this week: lawyer

##### Context:

In Myanmar, leader Aung San Suu Kyi (Nobel laureate) has been detained in a military coup. Protesters continued to gather across Myanmar.

- The deposed leader will appear in court via videoconference over charges brought against her by the new military junta.

**This topic has been covered in the 5<sup>th</sup> February 2021 Comprehensive News Analysis. Also, read about the global response to this development, covered in 13<sup>th</sup> February 2021 Comprehensive News Analysis.**

## **2. From clashes between troops on the LAC to disengagement**

### **Background:**

- In April 2020, China amassed a large number of troops and armaments along the disputed Line of Actual Control (LAC) in eastern Ladakh and other areas along the 3,488 km LAC.
- This led to stand-offs and skirmishes at Galwan Valley, Pangong Tso (lake), Gogra-Hot Springs and other areas.
- The People's Liberation Army (PLA) moved into Indian territory and built fortified structures and defences, changing the status quo on the ground.
- While the perception on the alignment of the LAC is disputed over the years, both sides concluded a series of agreements to maintain peace and tranquillity on the border.
- Talks continued to resolve the dispute, in parallel.

### **Stand-off:**

#### **Pangong Tso:**

- At Pangong Tso, PLA troops moved up to Finger 4 from Finger 8.
  - Following which a major clash occurred resulting in injuries to over 70 Indian soldiers.
  - On the north bank, India's perception of the LAC lies at Finger 8 and the Army regularly carries out patrols till there. This was blocked as a result of the Chinese intrusion.

#### **Naku La:**

- Later, clashes were reported at Naku La in North Sikkim.
- India responded by mobilising additional troops and equipment to match the Chinese build-up.

### **Disengagement talks:**

- Since then, several friction points emerged in eastern Ladakh.
- Both sides initiated diplomatic and military talks aimed at disengagement and de-escalation, with India pushing for the restoration of status quo ante of pre-April.
- India and China earlier reached an understanding for phased disengagement from all friction points followed by de-escalation from the depth areas along the LAC.
- It was during this initial process of disengagement that the violent clash occurred in Galwan Valley, resulting in the death of 20 Indian soldiers.

- This marked the biggest clash since 1967.
- Despite that, disengagement continued at Patrolling Point (PP) 14 and PP15 in the Hot Springs area, and partial disengagement was undertaken at Hot Springs and on the north bank of Pangong Tso.
  - The aim was to create a buffer at these locations with a small group of soldiers retained and the rest moving back to their permanent locations.
  - However, PLA troops continued to sit on the ridgelines of Finger 4 overlooking Indian positions, which was a matter of significant concern to India as it would alter the status quo on the ground.
- Fresh tensions occurred at the end of August 2020 on the south bank of Pangong Tso, as the Indian Army pre-empted Chinese moves and occupied several dominating peaks on the Kailash range on the Indian side of the LAC, which gave a tactical advantage to India.
  - This resulted in a massive deployment of troops and tanks in very close proximity a couple of hundred metres of each other, at some locations.
  - Several incidents of firing of warning shots also occurred, the first firing since 1975. This stalled the disengagement process.
- In September 2020, External Affairs Minister S. Jaishankar met his Chinese counterpart Wang Yi in Moscow where they agreed on a five-point resolution to take forward the talks.

#### **Latest development:**

- In February 2021, India and China announced an agreement for disengagement on the north and south bank of Pangong Tso to cease their forward deployments in a phased, coordinated and verified manner.
- Once complete disengagement is achieved at all friction areas, both sides will undertake de-escalation along the LAC.

## **C. GS 3 Related**

### **Category: SECURITY**

#### **1. Geospatial data policy liberalised**

##### **Context:**

In sweeping changes to India's mapping policy, the government announced liberalisation of norms governing the acquisition and production of geospatial data.

##### **Geospatial data:**

- Geospatial data is data about objects, events, or phenomena that have a location on the surface of the earth.
- Geospatial data combines location information, attribute information (the characteristics of the object, event, or phenomena concerned), and often also temporal information or the time at which the location and attributes exist.

- Geo-spatial data usually involves information of public interest such as roads, localities, rail lines, water bodies, and public amenities.
- Geospatial data has now become imperative for the government in planning for infrastructure, development, social development, natural calamities as well as the economy.

#### **What is the existing policy on geo-spatial data?**

- There are strict restrictions on the collection, storage, use, sale, dissemination of geo-spatial data and mapping under the current regime.
- The policy had not been renewed in decades and has been driven by internal as well as external security concerns.
- The sector so far is dominated by the Indian government.
- Private companies need to navigate a system of permissions from different departments of the government as well as the defence and Home Ministries, to be able to collect, create or disseminate geo-spatial data.
- Initially conceptualised as a matter solely concerned with security, geo-spatial data collection was the prerogative of the defence forces and the government.

#### **New policy:**

- Under the new guidelines, the sector will be deregulated and aspects such as prior approvals for surveying, mapping and building applications based on that have been done away with.
- For Indian entities, there will be complete deregulation with no prior approvals, security clearances and licences for the acquisition and production of geospatial data and geospatial data services, including maps.

#### **Why has the government deregulated geo-spatial data?**

- The system of acquiring licenses and the red tape delayed projects, especially those that are in mission mode – for both Indian companies as well as government agencies.
- The deregulation eliminates the requirement of permissions as well as scrutiny, even for security concerns.
- Indian companies now can self-attest, conforming to government guidelines without actually having to be monitored by a government agency – these guidelines therefore place a great deal of trust in Indian entities.
- There is also a huge lack of data in the country which impedes planning for infrastructure, development and businesses which are data-based.
- There has also been a global push for open access to geo-spatial as it affects the lives of ordinary citizens, and the new guidelines have ensured such an open access, with the exception of sensitive defence or security-related data.

#### **Significance:**

- This move would help boost innovation in the sector.
- It would create a level playing field for public and private entities.

- The reform will benefit India's farmers, start-ups, the private sector, the public sector, and research institutions to drive innovations and build scalable solutions.
- It is opined that liberalisation of policies governing the acquisition and production of geospatial data is a massive step in the government's vision for an Aatmanirbhar Bharat.
- The easing of norms will greatly help in several sectors that were suffering because of non-availability of high-quality maps.
- It will also generate employment and accelerate economic growth.

## D. GS 4 Related

*Nothing here for today!!!*

## E. Editorials

### Category: INTERNATIONAL RELATIONS

#### 1. Continuity, not change, is Biden's plan for Palestine

##### Context:

- The article analyzes the possible contours of the U.S's approach to the **Israel-Palestine issue** under the new President Joe Biden.

##### Background:

##### **Policy approach under President Trump:**

- The American relations with the Palestinian Authority had reached a new low under President Donald Trump.
  - Under the Trump administration, the American embassy was moved from Tel Aviv to Jerusalem, in recognition of Israeli claims over the city.
  - The U.S. cut off \$360 million annual funding to the **United Nations Relief and Works Agency** dealing with Palestinian refugees.
  - The U.S. shut down the Palestine Liberation Organization office in Washington D.C.
  - The U.S. under Mr. Trump unreservedly supported Israeli expansionist policies by proposing that 30% of the West Bank consisting of the Jordan Valley and settlement blocs be annexed to Israel.

##### **Policy approach under Biden Presidency:**

##### *Changes:*

- Biden and his team have said they will resume aid to the Palestinians and the new President has opposed Israel's formal annexation of one-third of the occupied territories.

##### *Continuity:*

- However, Secretary of State Antony Blinken has said the U.S. embassy in Israel would remain in Jerusalem and that there would be no reversal of recognition of the U.S.'s acceptance of Israeli sovereignty over the occupied Golan Heights.
- The Biden team has also reiterated that it firmly rejects the **BDS [Boycott, Divestment and Sanctions] movement against Israel**.
- The Biden administration has also iterated that it will continue to provide Israel with unconditional military support.

#### Details:

- Though there are hopes that under the newly elected President Joe Biden, U.S.'s policy towards the Palestinian issue would change, the author of the article argues that the U.S. is more likely to continue its **status quo on the issue with its stance of supporting a two-state solution in principle but doing little to reach that goal**.
- The author's arguments are based on the following factors.

#### **Israel lobby in Congress:**

- The influence of the Israel lobby in Congress continues to remain and their presence in key positions of administration is likely to tilt U.S. policy in favour of Israel.

#### **Israel's centrality in U.S.'s West Asia strategy:**

- The U.S. views Israel as one of its **most stable allies in the West Asian region**.
- There has been unquestioning support for Israel from the U.S. though this stance has complicated U.S.'s relations with the Arab world for decades.
- Israel holds immense significance for U.S.'s Iran policy. Israel has been vociferous in its opposition to the U.S. returning to the nuclear agreement with Iran.

#### Conclusion:

- Biden cannot afford to estrange Israel on the Palestinian issue for domestic and perceived strategic reasons. Consequently, the changes in Mr. Biden's approach to the Palestinians when compared to Mr. Trump's will be only cosmetic in character.
- The status quo will continue to be the default option for the Biden administration to the **detriment of the Palestinian cause**. Israeli governments through the building of settlements and confiscation of Palestinian lands have negated the possibility of a viable Palestinian state emerging in the occupied territories.

## **Category: ECONOMY**

### **1. Indian investments and BITs**

#### Context:

- Sri Lanka's decision to renege on a 2019 agreement with India and Japan to jointly develop the **strategic East Container Terminal (ECT) at the Colombo port**.

#### Background:

### **Bilateral Investment Treaty:**

- Bilateral Investment Treaties form the bedrock of international law governing foreign investment between two countries.
- BITs empower individual foreign investors to directly sue the host state before an international tribunal if the investor believes that the host state has breached its treaty obligations. This is known as **investor-state dispute settlement (ISDS)**.
- An important protection provided for foreign investment in almost all BITs is the **fair and equitable treatment (FET) provision**. This provision provides that investments and returns of investors of each country shall, at all times, be accorded FET in the other country's territory. An important component of the FET provision is that the host state should protect the legitimate expectations of foreign investors.

### **India-Sri Lanka BIT:**

- In 1997, India and Sri Lanka signed a BIT to promote and protect foreign investment in each other's territories.
- However, India unilaterally terminated the India-Sri Lanka BIT in 2017. This move was part of the **mass repudiation of BITs that India undertook in 2017**.
  - Given the onslaught of ISDS claims in the last few years, India has developed a protectionist approach towards BITs to eliminate or minimise future ISDS cases against India.

### **Details:**

- Sri Lanka by defaulting on the agreement, without specific and reasonable justification, potentially violates the Indian investor's legitimate expectations, and thus, the FET provision of the India-Sri Lanka BIT.
- India will also not be able to make use of the survival clause of the BIT given that the agreement on developing the ECT at the Colombo port was signed only in 2019 much after the unilateral termination of India-SL BIT.
  - **Survival clauses in BITs** ensure that foreign investment continues to receive protection during the survival period even in cases of unilateral termination.
- Hence, the **Indian investor will not be able to sue Sri Lanka before an ISDS tribunal, notwithstanding the merits of the case.**

### **Need for rethinking on BITs:**

- In the **post-COVID-19 world, regulatory risks will further increase**, subjecting foreign investment to arbitrary behaviour of countries.
- Given **India's increasing investment in other countries**, the Indian investors will need protection for their investments.
  - BITs are reciprocal in that BITs not only empower merely foreign investors to sue India, but also authorise Indian investors to make use of BITs to safeguard their investment in turbulent foreign markets.

### **Way forward:**

- Sri Lanka's pullout from the Colombo port deal calls for rethinking India's approach towards Bilateral Investment Treaties. This incident holds important lessons for India's overall approach to BITs.
- India needs to **adopt a balanced approach towards BITs with an effective ISDS provision**. This will facilitate Indian investors in defending their investment under international law should a country, like Sri Lanka, renege on an agreement.

## 2. Farm laws and 'taxation' of farmers

### Context:

- The new [farm acts, 2020](#).

### Background:

#### Net taxation of farmers:

- Over the past few years, there has been an argument that **farmers in India are "net taxed"**. It meant that the incomes of farmers were kept artificially lower than what they should have been through protectionist policies.
  - The restrictive policies deprived farmers of higher international prices (**restriction on exports**), and higher domestic market prices (**administered price system**). A more liberal domestic market and freer global trade would result in farmers receiving better prices for their produce.
- A recent study found that **Producer Support Estimate (PSE) in Indian agriculture was -6% between 2014-15 and 2016-17**. In contrast, PSE was +18.2% in the Organisation for Economic Co-operation and Development ([OECD](#)) countries, +19.6% in the European Union countries and +9.5% in the U.S.
  - The PSE is estimated using a methodology advocated by the OECD. The OECD defines the PSE as "the annual monetary value of gross transfers from consumers and taxpayers to agricultural producers, measured at the farm gate level, arising from policies that support agriculture".
  - The PSE has two components.
    - **Market price support (MPS)** – MPS is the gross transfer to producers arising from "a gap between domestic market prices and border prices of a specific agricultural commodity". The MPS for a commodity is calculated as the product of its annual production and the difference between its international and domestic prices.
    - **Budgetary transfers (BOT)** – It includes all budgetary expenditures on policies that support agricultural production.
  - PSE is the sum of MPS and BOT, expressed also as a percentage of the value of agricultural production.
- **Within the PSE for Indian agriculture in 2019, the MPS was negative while BOT was positive.**

#### Farm acts, 2020:

- The **farm laws are necessary to end the net taxation of agriculture**. The farm laws would **weaken restrictive trade** and marketing policies in India and “get the markets right”. This, in turn, would eliminate negative support and raise farmers’ prices.
- Despite the lack of Minimum Support Price (MSP) in milk, India’s milk sector is growing faster than the foodgrain sector. This example proves that if the milk sector can grow without MSP and with private corporates, agricultural commodities could also enjoy such growth.

#### Lacunae in the PSE methodology:

##### **MPS:**

- The MPS is a wrong measure of taxation in agriculture because the **international price is no “true price” to be accepted as a benchmark**.
- The international price is considered a benchmark with no reference to the actual possibilities of domestic producers obtaining that price. This approach also neglects the possibility that the considered food product may also be essential for domestic food security.

##### **Volatile international prices:**

- Most of the short-term changes in MPS result from **short-term fluctuations of international prices** or relative exchange rates, or shocks to global demand or supply.
- Such fluctuations are more pronounced in agriculture because international **agricultural markets are imperfect, narrow and dominated by monopolistic multinational companies**.
- The fluctuating PSEs mean nothing in terms of taxation or subsidisation of producers. They only mean that international prices were volatile.

##### **Lack of correlation between PSE and farmer’s economic condition:**

- A negative MPS, by itself, implies neither a government that squeezes revenues out of farmers nor the absence of absolute profitability in agriculture.
- The OECD methodology **does not offer any realistic assessment of the extent of taxation or subsidisation**.

#### Conclusion:

- To show Indian agriculture as being net taxed to argue for the farm laws has poor conceptual validity. In fact, what India should **focus on is increasing BOT**.
  - The West’s PSEs in agriculture are positive and higher than India’s because they have higher BOT than in India.

## **Category: EDUCATION**

### **1. Structural reforms for NEP 2020**

#### Context:

- The article argues for **structural reforms in the governance of universities and autonomous colleges**.

#### Details:

- The **National Education Policy (NEP)** covers a wide spectrum of issues, including reforms in school and higher education. There should also be an equal emphasis on the need to restructure the governing bodies for universities and autonomous colleges.
- Governing bodies for universities and colleges must be reframed to make them equitable. The **Board of Management system as recommended by the NEP** could be a good starting point in this regard.

#### Recommendations:

- The system of appointments of vice-chancellors and syndicates or governing councils needs to be revised. The existing system of syndicates, consisting of government nominees and those nominated by Governors or chancellors, should be dispensed with.
- The members to the **vice-chancellor's post should be selected based on merit** in terms of teaching and research, administrative capabilities, and capacity for fundraising.
- The Board should consist of former vice-chancellors drawn from other universities, **members drawn from industry, the alumni, eminent public intellectuals**, principals of affiliated colleges on rotation and members representing the non-teaching staff.
- The Board's decisions should be taken by consensus or by a majority of the members present.
- Proceedings should be conducted in virtual mode and made available for stakeholders' viewership.
- An **academic audit would ensure better accountability of faculty**. Faculty members must be evaluated through their annual plans for research and innovative modes of teaching. They can be evaluated by external peers.

#### Conclusion:

- An independent governing body constituted on the basis of merit and expertise augurs well for the academic institutions.

## F. Prelims Facts

### 1. Remission of Duties or Taxes on Export Product (RoDTEP) scheme:

- The new Remission of Duties or Taxes on Export Product (RoDTEP) scheme has been introduced from 1.1.2021 instead of the Merchandise Exports from India Scheme (MEIS), which is available for all physical exports.
- The scheme seeks to reimburse the input taxes and duties paid by exporters – including embedded taxes, such as local levies, coal cess, mandi tax, electricity duties and the fuel used for transportation – which are not exempted or refunded under any other existing scheme.
- The scheme was designed in compliance with **WTO** permissible rules to extend handholding benefits to exporters.
- Also, the tax assessment will become fully automatic for exporters which will bring more transparency and make taxation smoother.
- Besides, the scheme will make Indian products cost-competitive in the international market.

**Note:**

- Merchandise Exports from India Scheme was launched with the aim of enhancement of the export of notified goods manufactured in any country.
- This scheme came into existence on 1 April 2015 by the Foreign Trade Policy.

**2. Giant Leatherback turtle**

Giant Leatherback turtles are the largest of the seven species of sea turtles on the planet.

**Habitat:**

- The most long-ranging, Leatherbacks are found in all oceans except the Arctic and the Antarctic.
- Within the Indian Ocean, they nest only in Indonesia, Sri Lanka and the Andaman and Nicobar Islands.
- South Bay and West Bay on Little Andaman and Galathea on Great Nicobar, along with other nesting beaches in the islands are Important Marine Turtle Habitats in India and the largest Leatherback nesting grounds in India.

**Conservation status:**

- They are also listed in Schedule I of India's [Wildlife Protection Act, 1972](#), according to the highest legal protection.

**Note:**

- Galathea Bay was proposed as a wildlife sanctuary in 1997 for the protection of turtles and was also the site of a long-term monitoring programme.
- The monitoring was stopped after the tsunami devastation of 2004.
- However, it provided the first systematic evidence of the numbers and importance of these beaches.

**3. National Marine Turtle Action Plan****What's in News?**

National Marine Turtle Action Plan was released by the Ministry of Environment, Forest and Climate Change on 1<sup>st</sup> February 2021.

- The plan notes that India has identified all its important sea turtle nesting habitats as 'Important Coastal and Marine Biodiversity Areas' and included them in the Coastal Regulation Zone (CRZ) – 1.
- The plan identifies coastal development, including the construction of ports, jetties, resorts and industries, as major threats to turtle populations.
- It also asks for assessments of the environmental impact of marine and coastal development that may affect marine turtle populations and their habitats.

Read more on this topic covered in [28<sup>th</sup> January 2021 Comprehensive News Analysis](#).

## 1. Bangladesh authorities send more Rohingya to island

### What's in News?

Bangladesh authorities sent the fourth group of Rohingya refugees from Myanmar to a newly developed island in the Bay of Bengal.

### Details:

- The roughly 2,000 Rohingya, who had been living in the sprawling refugee camps of Cox's Bazar, were sent to Bhasan Char, an island specifically developed to accommodate 1,00,000 of the 1 million Rohingya who have fled from neighbouring Myanmar.
- There have been calls by human rights groups for a halt to the process.
- While human rights groups have criticised the move and some are being forced to go against their will, the government has insisted that refugees moving to the island have done so voluntarily.

Read more on this topic covered in the **13<sup>th</sup> December 2020 Comprehensive News Analysis**.

## H. UPSC Prelims Practice Questions

**Q1. Consider the following statements with respect to Giant Leatherback turtle:**

1. It is the largest of all living turtles.
2. Most of these turtles are found in the Arctic and the Antarctic.
3. They are also listed in Schedule II of India's Wildlife Protection Act, 1972.

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

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

**Answer: b**

**Explanation:**

- Giant Leatherback turtle is the largest of all living turtles.
- They are listed in Schedule I of India's Wildlife Protection Act, 1972, according to the highest legal protection.
- The most long-ranging, Leatherbacks are found in all oceans except the Arctic and the Antarctic.
- It is the only living species in the genus *Dermochelys* and family *Dermochelyidae*.

**Q2. Consider the following statements with respect to Bhashan Char Island:**

1. Bhashan Char Island is located in the Bay of Bengal.

2. The Island was formed by Himalayan silt.
3. Myanmar has built a relocation camp for the Rohingyas at the Bhashan Char Islands.

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

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

**Answer: a**

**Explanation:**

- Bhashan Char Island is located in the Bay of Bengal.
- The Island was formed by Himalayan silt.
- Bangladesh has built a relocation camp for the Rohingyas at the Bhashan Char Islands.

**Q3. Galathea Bay Wildlife Sanctuary is located in:**

- a. Gujarat
- b. Odisha
- c. Andaman and Nicobar Islands
- d. West Bengal

**Answer:**

**c**

**Explanation:**

Galathea Bay Wildlife Sanctuary is located in the Andaman and Nicobar Islands.

**Q4. Consider the following statements with respect to Pangong Tso:**

1. It is the first trans-boundary wetland in South Asia identified as a wetland of international importance under the Ramsar Convention.
2. It is a brackish water, endorheic lake.
3. The Karakoram Mountain range ends at the north bank of Pangong Tso.

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

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

**Answer: c**

**Explanation:**

- The lake is not a Ramsar site yet.
- The lake is in the process of being identified under the Ramsar Convention as a wetland of international importance. This will be the first trans-boundary wetland in South Asia under the convention.
- The lake's water, while crystal clear, is brackish, making it undrinkable.
- It is an endorheic lake spanning eastern Ladakh and West Tibet.
- The Karakoram Mountain range, which crosses Tajikistan, Afghanistan, Pakistan, China and India, with heights of over 6,000 metres including K2, the world's second-highest peak, ends at the north bank of Pangong Tso.

## I. UPSC Mains Practice Questions

1. Given the argument that farmers in India are being "net taxed" through restrictive trade policies, the farm acts of 2020 are a welcome relief. Critically evaluate. (10 marks, 150 words) [GS-3, Economy]
2. Sri Lanka's pullout from the Colombo port deal calls for a rethinking of India's approach towards Bilateral Investment Treaties. Comment. (10 marks, 150 words) [GS-3, Economy]