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B. GS 2 Related

Category: POLITY AND GOVERNANCE

1. Supreme Court to hear 144 pleas on Citizenship Amendment Act on January 22

Context:

A three-judge Bench led by the Chief Justice of India Sharad A. Bobde will hear 144 petitions against and in support of the Citizenship Amendment Act (CAA) of 2019 which fast-tracks citizenship-by-naturalisation process for “illegal migrants” from six religious communities, who have fled from Pakistan, Bangladesh and Afghanistan.

2. Supreme Court studying code of conduct for Ministers

Context:

A five-judge Constitution Bench of the **Supreme Court** has said that, if a new code of conduct is framed for Ministers at the Centre and in the States, the possibility of enforceability ought to be explored.

Details:

- The submissions about such a code were made before the five-judge Bench which is examining if “greater restrictions” should be imposed on the right of free speech and expression of high public functionaries to protect the citizen’s fundamental right to lead a dignified life.
- The issue, which was referred to a Constitution Bench in April 2017, was based on a petition filed by the family members of the Bulandshahr rape case victim, who were enraged by the then Uttar Pradesh Minister Azam Khan’s statement that the case was part of a conspiracy against the government.
- It is argued that the code of conduct should reflect constitutional morality and values of good governance. The acts of the persons holding public offices can be thus subjected to better and meaningful public scrutiny, which in turn would ensure democratic accountability.
- The Bench is hearing arguments whether Cabinet Ministers at both the Central & State levels should have a “voluntary model code of conduct” which addresses their private & public activities.

3. Art. 370 became otiose after 1957 dissolution

Context:

Senior advocate Dinesh Dwivedi has argued before a Constitution Bench of the Supreme Court led by Justice N.V. Ramana that Article 370 of the Constitution became otiose after the Jammu and Kashmir Constituent Assembly dissolved in 1957. Thus, the executive orders of the Centre over the years, including the August 5, 2019 one abrogating the special status of Jammu and Kashmir, are invalid.

For an in-depth understanding of the topic, read **Article 370 – A Constitutional History of J&K**.

4. SC again highlights taking away disqualification power from Speakers

Context:

The Supreme Court has asked the Parliament to amend the Constitution to strip Legislative Assembly Speakers of their exclusive power to decide whether legislators should be disqualified or not under the anti-defection law.

- Disqualification powers are granted to the Speakers under the Tenth Schedule.

Details:

- The SC has suggested that an independent tribunal ought to be appointed instead to determine the fate of an MP or an MLA who has switched sides for money and power.
- In a judgment by a three-judge Bench led by Justice N.V. Ramana in the Karnataka MLAs’ disqualification case, the court had held that a Speaker who cannot stay aloof from the pressures and wishes of his political party does not deserve to occupy his chair. This also urged Parliament to “reconsider strengthening certain aspects of the Tenth Schedule, so that such undemocratic practices are discouraged”.
- Disqualification petitions under the Tenth Schedule should be adjudicated by a mechanism outside Parliament or the Legislative Assemblies, it suggested.

- The court also suggested a permanent tribunal headed by a retired Supreme Court judge or a former High Court Chief Justice.

Category: INTERNATIONAL RELATIONS

1. India, Brazil to sign Strategic Action Plan

Context:

India and Brazil will upgrade their strategic partnership with an “action plan” and sign a Bilateral Investment Treaty (BIT) when Brazilian President Jair Bolsonaro visits as the Chief Guest of the Republic Day celebrations.

Details:

- The Strategic Partnership Action Plan will serve as an umbrella agreement for plans between the two countries to increase defence cooperation, technology sharing and a logistics agreement.
- The Bilateral Investment treaty will be one of the first that the government will sign since 2015 when it decided to scrap all existing treaties with 83 countries, and brought in a new “Model BIT”.
 - Since then India has been able to sign BITs with Belarus and Kyrgyzstan, has concluded an agreement with Cambodia, and is negotiating treaties with about a dozen other countries.
- The country will also exchange a Social Security Agreement (SSA), first signed in 2017, to allow investments in each other’s pension funds, to help business processes and encourage the flow of investment.

C. GS 3 Related

Category: SCIENCE AND TECHNOLOGY

1. India, co-builder of Hawaii telescope, wants it shifted out of proposed site

Context:

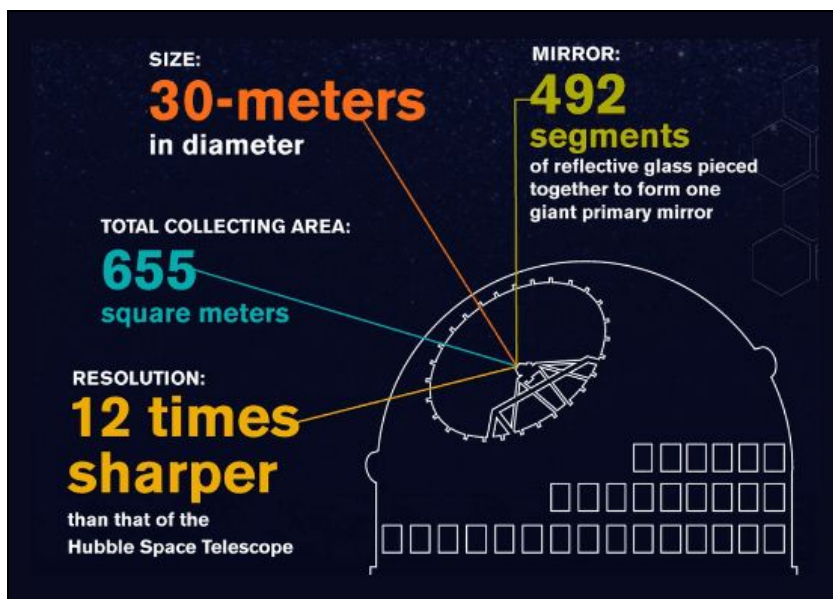
India, a partner in the construction of one of the largest telescopes in the world, has said it wants the project to be moved out of the proposed site at Mauna Kea, a dormant volcano in Hawaii.

Details:

- The TMT or Thirty Metre Telescope, as it is called, is a joint venture (JV) involving five countries, but the \$2 billion project has been marred by protests for over a decade.
- The TMT will enable scientists to study fainter objects far away in the universe, which would give information about early stages of evolution of the universe.
- Also, it will give out finer details of not-so-far-away objects like undiscovered planets and other objects in the Solar System and planets around other stars.
- Canada, the United States, China and Japan are the other – and more significant – partners in terms of the monetary and infrastructural aspects of the TMT. The level of contribution determines the amount of viewing time, or slots, that the member-countries’ scientists get on the machine. Thus India, in a given year, stands to get 10% of the available slots; any downtime could potentially eat into those.
- The proposed site is considered sacred to indigenous Hawaiians, and also has too many observatories for one more such massive establishment to come up, say groups that have contested the site.

Issues:

- The TMT has been a litigious site since 2014. In 2018, the Supreme Court of Hawaii gave permission for construction to proceed but the project's proponents have not made progress because they were obstructed twice, in 2015 and 2019, respectively, from construction.
- Protests at the site in 2019 saw scientists unable to access other telescope facilities in Mauna Kea.
- The project has been delayed by nearly five years and should have begun operations by 2025.
- India has committed \$200 million, which is about a tenth of the proposed cost.
- The telescope needs 492 precisely polished mirrors and India is to contribute 83 of them.
- The project delay has meant that these manufacturing contracts have also been delayed.
- India too has its problems with hosting ambitious science projects. The Indian Neutrino Observatory, proposed to come up in Theni, Tamil Nadu, has also been stalled due to protests against the project in the State.



Mauna Kea:

- The Mauna Kea Observatories (MKO) are a number of independent astronomical research facilities and large telescope observatories that are located at the summit of Mauna Kea on the Big Island of Hawaii, United States.
- The location was considered near ideal because of its dark skies from lack of light pollution, good astronomical seeing, low humidity, high elevation, position above most of the water vapour in the atmosphere, clean air, good weather and low latitude location.

Next Best Site:

- The next best site to locate the telescope is the Observatorio del Roque de los Muchachos (ORM) on La Palma in the Canary Islands, Spain (Northern Hemisphere).
- Hanle, in Ladakh, was also in the running to host the TMT, but lost out to Mauna Kea, which is considered a superior site due to the imaging possibilities it offers, its stable weather, and also because it has the necessary infrastructure to manage telescopes, already being host to several telescopes.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: INTERNATIONAL RELATIONS

1. Same country, different script

Context:

The article notes the changes happening in Pakistan and its **relevance for India-Pakistan relations**.

Details:

Futility of the previous strategy:

- The **unofficial foreign policy tactic of Pakistan, of using terrorism** in Afghanistan and India to gain leverage has backfired.
- Pakistan has **suffered a lot domestically**, by supporting religious extremism and terrorism.
 - Terrorists have killed a large number of civilians.
 - Several thousand soldiers have lost their lives in the army's "war on terror".
 - Religious extremism has led to violent conflicts, **sectarianism, intolerance and loss of rights and freedoms for the citizens**.
- The policy of supporting terrorism has also **damaged Pakistan's global image**.
 - Pakistan is continuing to **face isolation at multilateral gatherings** in the light of new evidence emerging showing the link between the State and terrorist organizations.
 - Pakistan is **under pressure from the Financial Action Task Force (FATF)** to act decisively and irreversibly against terrorist organizations and curb terror financing. The economic sanctions could have a devastating effect on its fragile economy.

Changes in Pakistan:

- There is now **broad recognition in most sections of Pakistani society** and polity that Pakistan has had to pay a very heavy price for supporting the forces of terrorism.
- **Terrorist organizations in Pakistan have been under pressure by the authorities**.
- **The diminished importance of religious radicalism** can be attributed to the substantial decrease in the inflow of petro-dollars from Saudi Arabia and Gulf countries. This can be attributed to:
 - Export of Wahhabism is no longer a foreign policy priority of the Saudi Arabian government.
 - The United Arab Emirates under the leadership of Abu Dhabi's Crown Prince Mohammed bin Zayed Al Nahyan is pursuing inter-religious tolerance.
- The ideological influence of religious radicalization on Pakistan's civil society is clearly on the decline and due to this **radicalization seems to be on the retreat**.

Significance of the changes:

- The changes happening in Pakistan would **not only benefit itself but also its neighbours and the region at large**.
- Domestically, the country can **shift focus and state resources to more important issues like economic development, eradication of poverty, women empowerment, etc.**
- The changes would also facilitate **initiation of dialogue between Pakistan and its neighbours**,

providing a chance to settle age-old disputes.

Three-nation links:

China-Pakistan relations:

- China has emerged as Pakistan's most important economic and security partner.
- **The China-Pakistan Economic Corridor (CPEC)**, a flagship project under Beijing's **Belt and Road Initiative (BRI)**, forms an important part of Pakistan's effort to improve infrastructure.
- China has made large investments in CPEC and wants to ensure its success. This has necessitated the need for **peace and stability in Pakistan for China**.

India-China Relations:

- **China is engaged in a steady effort to improve relations with India**, in recognition of India's rising economic and geopolitical stature in Asia and globally.

India-Pakistan Relations:

- The civil society, the political parties and the powerful military establishment have come to favour peaceful and cooperative relations with India.
- Pakistan has the best conditions now to support a fruitful dialogue with India.
- This broad-based consensus can contribute to **the normalization of India-Pakistan relations**.
- The opening of the Kartarpur Sahib Corridor was a welcome **confidence-building measure between the two countries**.
- As the next step in strengthening ties, there is the need to **open the doors for economic and trade cooperation between the two countries**. Pakistan, currently facing a serious economic crisis, would greatly benefit from cooperation with India.

Trilateral Cooperation:

- Given the **potential benefits of trilateral cooperation between India, China and Pakistan** not just for the members of the grouping but for the region and the world at large, there is a need to explore such an arrangement.
- **Economic cooperation can be the starting point for such a cooperation**. If China can take care of India's concerns and apprehensions with respect to the CPEC and take India aboard the project, both India and China are bound to benefit.
- India could use China as leverage to buy peace in the region and reign in any nefarious intentions of Pakistan.
- Pakistan can leverage economic opportunities in India and China to help itself out of the current economic crisis it is in.
- China's President in his second informal summit with Indian Prime Minister in Mamallapuram has mooted **the idea of cooperation among China, India and Pakistan**.

Way forward:

- There is the need to seize the opportunity of changed perceptions to **resume talks** between India and Pakistan, which can bring long-lasting peace in the region.

Category: POLITY AND GOVERNANCE

1. The right to protest in a free society

Context:

The article argues for the **right to protest** for the citizens.

Background:

- Recently, there have been public protests in India against the Citizenship (Amendment) Act, 2019 and the proposed National Register of Citizens.
- The government's handling of the protests has invited criticism from certain sections. The administrations have been blamed of **arbitrary imposition of section 144**.
 - **Section 144 of the Criminal Procedure Code (CrPC) of 1973** authorises the Executive Magistrate of any state or territory to issue an order to prohibit the assembly of four or more people in an area.
 - Section 144 of CrPC generally **prohibits public gathering**.
 - Section 144 has been used in the past to **impose restrictions as a means to prevent protests that can lead to unrest or riots**.
- The administration has defended its actions, as being **preventive in nature** and to avoid violence and damage to public property.

Details:

India as a functioning democracy:

- The Preamble of the Constitution states that **India is a democratic republic**.
- Democracies are founded on **two core political rights**.
 - The right of every citizen to **freely elect their government** and when dissatisfied with its performance, to vote it out of power in a legitimately held election (**Article 326**).
 - The people have the **right to question and challenge the government's proposals or decisions**. This allows the citizens to politically participate not only during but between elections. This involves a broader conception of democracy that **embodies active and not passive citizenship**.
- Democracy requires that the voice of the people be heard by those in power and decisions be reached after **proper discussion and consultation**.
- Public protests for legitimate causes and concerns are the hallmark of a free, democratic society. They constitute our **political freedoms**.
- **The right to protest is a fundamental political right basic to a democratic society**.

Holding the government accountable:

- The protests perform an important function of **holding the government in power accountable to its actions and decisions**.
- The cluster of inter-related political rights of expression, association, assembly, petition and protest is meant to ensure that the government **works in the interests of the citizenry**.
- The citizens can act as **watchdogs and constantly monitor the government's acts**.
 - They play an important role of helping to recognize and rectify mistakes.
 - An elected government may stray from the constitutional course, go against the interests of the people, become unresponsive and refuse to listen. In such conditions, **pressure against the government can be built through public protests**.
- This is similar to the multiparty system provided for in the Constitution, where Opposition parties are viewed as valuable adversaries and not enemies.

Fundamental rights:

- The right to protest peacefully is enshrined in the Indian Constitution via **Article 19(1)(a) which guarantees the freedom of speech and expression and Article 19(1)(b) which assures citizens the right to assemble peaceably and without arms.** More on [Right to Freedom](#).
 - The right to free speech and expression can be also interpreted as the right to freely express an opinion on the conduct of the government.
 - The right to association can also be the right to associate for political purposes, which might involve challenging government decisions.
 - The right to peaceably assemble allows political parties and citizenship bodies to question and object to acts of the government by demonstrations, agitations and public meetings.
- The Supreme Court has reiterated that the right to protest is a fundamental right through its verdicts in many cases.
 - In the case of **Ramlila Maidan Incident v. Home Secretary, Union of India & Ors.**, the Supreme Court has held that citizens have a fundamental right to assembly and peaceful protest which cannot be taken away by an arbitrary executive or legislative action.
 - In the **Maneka Gandhi vs. Union of India** case, the SC held similar views on right to protest.

Historical experience:

Independence struggle:

- The background of the Indian Constitution is formed by its **anti-colonial struggle**.
- The Indian freedom struggle involved public expression of views against colonial policies and laws, demonstrations expressing dissent and shaping of public opinion against them.
- The methods involved staging **dharnas, holding large public meetings and demonstrations and even civil disobedience**.

Post-Independence:

- **Potti Sreeramulu undertook a satyagraha** demanding for the creation of a new Telugu-speaking state of Andhra.
- **The Chipko Movement led by Gaura Devi, Chandi Prasad Bhatt**, was a people's movement to save the trees in Uttarakhand. It was meant to prevent the then U.P. government from awarding contracts to commercial loggers.

Inclusive approach:

- Street protests and demonstration movements are particularly important for those outside the mainstream, or those not educated formally.
- They provide **an opportunity for even the most illiterate and powerless person** to show dissent. Street protests help involve many people in the movement.
- Abraham Lincoln had once noted that **"the right of the people to peaceably assemble is a constitutional substitute for revolution"**.

Concerns:

Restraints on Right to protest:

- The right to protest, to publicly question and force the government to answer, is a fundamental political right of the people that flows directly from a democratic reading of Article 19. For this, the right to freedom of expression, association and peaceful assembly are necessary.
- **The arbitrary restraint on the exercise of such rights by the imposition of Section 144 is a concern.**
- Section 144 is to be imposed in urgent cases of nuisance or apprehended danger of events that has

the potential to cause trouble or damage to human life or property thus limiting it to only emergency situations.

Intolerance towards dissent:

- The arbitrary imposition of Sec 144 highlights the inability of the government to **tolerate dissent**.
- It also reflects the **incapacity of the government to discuss, deliberate or listen**.

Way forward:

- The people opposing the CAA have the **right to protest and express their opinions**. The **government needs to acknowledge the right to dissent and protest for all Indians**.
- Notably, **Article 19(1)(3) states that the rights are subject to “reasonable restrictions” in the interest of public order**. There is the need to ensure there is no violence or damage to public property in the protests.

For more information on this issue: [Check CNA dated Dec 31, 2019](#)

2. Return of bonds

For more information on this issue:

1. [Supreme Court declines to stay poll bond scheme](#)
2. [The opacity around electoral bonds](#)

F. Tidbits

1. Census 2021: Respondents can fill in data online

What's in News?

The 'population enumeration' phase of the Census will have the facility of online self-enumeration for the public.

- Around 30 lakh enumerators, who are mostly government officials and government school teachers, will each be assigned the responsibility of collecting details of about 650-800 people through both online and offline modes.
- The Indian census is the largest administrative and statistical exercise in the world, with more than 30 lakh functionaries, and at the cost of about 8700 crore rupees.
- Confidentiality about the data is guaranteed by the Census Act, 1948.
- The same law specifies penalty for both public and census officials for non-compliance or violation of any provision of the Act.

2. FMCG growth slows to single digit in 2019: Nielsen

What's in News?

After two years of clocking double-digit growth, the fast moving consumer goods (FMCG) segment slowed down to single-digit growth in 2019.

- Nielsen said FMCG grew at 9.7% in 2019, much lower than the previous year's growth of 13.5%.
- Further, the growth trend was dampened by a drop in volume growth – down to 5.8% from 10.5% in 2018 – while price-led growth sustained at 3.4%.
- It is believed that a mix of macroeconomic factors, and channel and zone factors driven by

manufacturers, coupled with consolidation of smaller players have been instrumental in the slowdown.

- A lower pace of innovation has further limited consumer demand pick up.

Fast-moving consumer goods (FMCG):

Fast-moving consumer goods (FMCG) are products that are sold quickly and at a relatively low cost. Examples include non-durable household goods such as packaged foods, beverages, toiletries, over-the-counter drugs, and other consumables.

Note:

Nielsen Holdings Plc is an American information, data and measurement firm.

3. Reciting Preamble a must in Maharashtra schools

What's in News?

Maharashtra government has made it compulsory to recite the Preamble to the Constitution in all schools starting January 26, 2019. The initiative is titled "Sarvabhaumatva Samvidhanache, Janhit Sarvanche" (Sovereignty of the Constitution, Welfare of All).

- A government resolution said the objective is to instil values such as justice, freedom and equality enshrined in the Constitution. A similar resolution had been issued in 2013 by the then government.
- In 2016, the directorate of secondary education had also issued the same directive, asking all schools to recite the Constitution.
- The resolution directs the schools to put up a plaque or board with the Preamble and asked schools to hold quizzes, essay, drawing, slogan, poster competitions based on the Constitution.
- The government will also be making the Marathi language compulsory in all Maharashtra schools. A law to this effect is expected to be brought in the next session of Assembly.

4. Preliminary talks on to join Asia Observatory

- India is in preliminary discussions to be a part of the East Asian Observatories Consortium.
- The EAO (East Asian Observatory) is formed by EACOA (East Asian Core Observatories Association) for the purpose of pursuing joint projects in astronomy within the East Asian region.
- It is a consortium of eight countries committed to build large telescopes and pool resources.

5. Nepal PM Oli positive of resolving all 'pending issues' with India

What's in News?

- Nepal Prime Minister K.P. Sharma Oli has said that the bilateral disputes with India should be dealt with dialogue by the majority governments of both countries, indicating Kathmandu's political willingness to resolve the row over the Kalapani territorial issue with New Delhi.
- Oli also invited Prime Minister Narendra Modi to visit Kathmandu.
- Both leaders referred to India's contribution for the earthquake relief and rebuilding work in Gorkha and Nuwakot districts of Nepal.

Kalapani issue:

- The Kalapani issue was reignited after India published a new political map in November 2019 that displayed its continued position over the territory as part of Uttarakhand.
- Following this, protests and comments poured in from the Nepali side, though high-level Nepali

- diplomats maintained that New Delhi and Kathmandu should resolve the issue through dialogue.
- In response, India maintained that the political map depicted India's sovereign territory "accurately".

G. Prelims Facts

1. National Population Register

- The National Population Register (NPR) is a register of the usual residents of the country.
- It contains information collected at the local (village/sub-town), sub-district, district, state and national level under provisions of the Citizenship Act, 1955 and the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003.
- The process of updating NPR will be carried out under the aegis of the Registrar General and ex-Officio Census Commissioner, India.

Read more about the [National Population Register](#).

2. Virus claims sixth victim, infects over 300

What's in News?

The death toll from a mysterious flu-like virus in China has climbed to six as new cases surged beyond 300 and authorities are concerned about the added risk from millions of Chinese travelling for the Lunar New Year holiday.

Coronavirus:

- Coronaviruses (CoV) are a large family of viruses that cause illness ranging from the common cold to more severe diseases such as Middle East Respiratory Syndrome (MERS-CoV) and Severe Acute Respiratory Syndrome (SARS-CoV).
- Coronaviruses are zoonotic, meaning they are transmitted between animals and people.
- Rarely, animal coronaviruses can also evolve and infect people.
- A novel coronavirus (nCoV) is a new strain that has not been previously identified in humans.

The topic has been covered in [21st January Comprehensive News Analysis](#). [Click here](#) to read.

H. UPSC Prelims Practice Questions

Q1. Consider the following statements with respect to Coronaviruses:

1. Coronavirus has regularly arranged protrusions on its surface.
2. SARS Coronavirus and MERS Coronavirus, both cause severe respiratory diseases.
3. All Coronaviruses are zoonotic.

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

1. 1 only
2. 2 only
3. 1 and 2 only
4. 1, 2 and 3

Answer: c

Explanation:

Coronaviruses (CoV) are a large family of viruses that cause illness ranging from the common cold to more severe diseases such as Middle East Respiratory Syndrome (MERS-CoV) and Severe Acute Respiratory Syndrome (SARS-CoV). A coronavirus has many “regularly arranged” protrusions on its surface, because of which the entire virus particle looks like an emperor’s crown, hence the name “coronavirus”. Including the newly identified form of the virus, there are a total of seven coronaviruses that can infect humans (zoonotic). Rarely, animal coronaviruses can also evolve and infect people. Several known coronaviruses are circulating in animals that have not yet infected humans.

Q2. Consider the following statements:

1. Citizenship is listed in the Union List and is under the exclusive jurisdiction of Parliament.
2. “Deprivation” is a compulsory termination of the Citizenship of India obtained by Registration or Naturalisation.
3. A person registered as Overseas Citizen of India (OCI) cannot acquire the citizenship of India.

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

1. 1 and 2 only
2. 2 and 3 only
3. 1 and 3 only
4. 1, 2 and 3

Answer: a

Explanation:

Citizenship is listed in the Union List and is under the exclusive jurisdiction of Parliament. “Deprivation” is a compulsory termination of the citizenship of India obtained by registration or Naturalisation. A person registered as Overseas Citizen of India (OCI) can acquire the citizenship of India.

Q3. India and Nepal have territorial disputes over which of the following region/s?

1. Kalapani
2. Susta
3. Aksai Chin

Choose the correct option:

1. 1 only
2. 1 and 2 only
3. 1, 2 and 3
4. None of the above

Answer: b

Explanation:

Self-explanatory.

Q4. Consider the following statements:

1. Anti-defection law was inserted via the 42nd Amendment Act and is contained in the Tenth Schedule of the Constitution.
2. The decision on disqualification on grounds of defection is referred to the Chairman or the Speaker of the House of the Parliament, and his/her decision is final.
3. Anti-defection law is not applicable to an independent member who joins a political party within 6 months of his/her election.

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

1. 1 only
2. 2 only
3. 1 and 3 only
4. None of the above

Answer: c

Explanation:

Anti-defection law was inserted via the 52nd Amendment Act. Anti-Defection Law is contained in the Tenth Schedule of the Constitution. The decision on the question as to disqualification on grounds of defection is referred to the Chairman or the Speaker of the House of the Parliament, and his/her decision is final.

If an MP/MLA who belongs to a political party voluntarily resigns from his party or, disobeys the party “whip” he is disqualified under the Anti-defection law. The party may, however, condone the MP/MLA within 15 days. An independent MP/MLA cannot join a political party after the election. An MP/MLA who is nominated (to the Rajya Sabha or upper houses in state legislatures) can only join a party within 6 months of his/her election. Mergers of well-defined groups of individuals or political parties are exempted from disqualification if certain conditions are met.

I. UPSC Mains Practice Questions

1. Given the potential benefits of a trilateral Co-operation between India, China and Pakistan not just for the members of the grouping but also for the region and the world at large, there is a need to explore such an arrangement. Comment. (10 marks, 150 words)
2. The right to protest is a fundamental political right basic to a democratic society like India. Comment. Discuss the provisions regarding the right to protest peacefully enshrined in the Indian Constitution. (10 marks, 150 words)