

31 Dec 2019: UPSC Exam Comprehensive News Analysis

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Category: POLITY AND GOVERNANCE

1. 'Opposing voices can't be muzzled by force'

Context:

The crackdown by law enforcement authorities against protesters opposing the Citizenship (Amendment) Act and the National Register of Citizens (NRC).

Details:

- The Supreme Court, in a series of judgments, has recognized dissent as a symbol of a vibrant democracy.

2018 Bhima-Koregaon case:

- A petition was filed by historian Romila Thapar against the arrest of five activists for alleged Maoist links in the aftermath of the Bhima-Koregaon violence.
- Justice D.Y. Chandrachud observed in his dissenting opinion that **individuals who assert causes which might not be in line with that of the government are still entitled to all the freedoms which are guaranteed by the Constitution**. The opposing voices cannot be muzzled by persecuting them.
- Justice D.Y. Chandrachud upheld the view that **dissent is a symbol of a vibrant democracy**.

1962 Kharak Singh case:

- Justice K. Subba Rao in his dissent note in the 1962 Kharak Singh case held that **restrictions cannot be imposed on free speech and dissent on the basis of the "personal sensitiveness"**. It was also observed that restricting the movement of protestors and movement under the scrutinizing gaze of a policeman is not free movement.

2017 Privacy Judgment:

- The nine-judge Bench in the 2017 privacy judgment, has observed that **neither life nor liberty is a gift conferred by the State and are inherent rights of an individual**.

Shreya Singhal Judgment:

- In the Shreya Singhal judgment, Justice Rohinton Nariman stated that **protected and innocent speech cannot be curtailed on vague grounds** as it being grossly offensive or causing annoyance or inconvenience to some people. What offends, annoys or inconveniences one may not have the same effect on another.

2010 Khushbu case:

- The Supreme Court in 2010, upholding actor Khushbu's right to comment on pre-marital sex observed that **free flow of opinions and ideas is essential to sustain the collective life of the citizenry**. It upheld the view that an informed citizenry is a **pre-condition for meaningful governance and must be encouraged**.

Conclusion:

- **The right to protest peacefully is enshrined in the Indian Constitution**—Article 19(1)(a) guarantees the [freedom of speech](#) and expression; **Article 19(1)(b) assures citizens the right to assemble peaceably and without arms.**
- **Article 19(1)(3) says this right is subject to “reasonable restrictions” in the interest of public order.** Reasonable restrictions could involve the following:
 - If the security of the state is in jeopardy.
 - If the friendly relationship we share with a neighbouring country is at stake.
 - If public order is disturbed.
 - If there is contempt of court.
 - If the sovereignty and integrity of India are threatened.

2. Kerala tops NITI Aayog’s index of UN goals

Context:

NITI Aayog’s Sustainable Development Goals (SDG) Index.

Background:

- **The SDGs are a set of 17 broad-based global goals adopted by the United Nations General Assembly in 2015 and intended to be achieved by 2030.**
- The UN has developed 232 indicators to measure compliance by member nations. More on the [Sustainable Development Goals](#).

India:

- India, being home to about one-sixth of the world’s population, is key to the achievement of the SDGs.
- **The NITI Aayog is the coordinating agency for SDG in India.** To monitor the progress made by the states in terms of the SDG indicators, NITI Aayog has come up with the India SDG index. The SDG index considers 100 indicators.
- Compared to the last year’s baseline index the current edition considers a higher number of indicators which would give a more comprehensive view of the progress made by India.

Details:

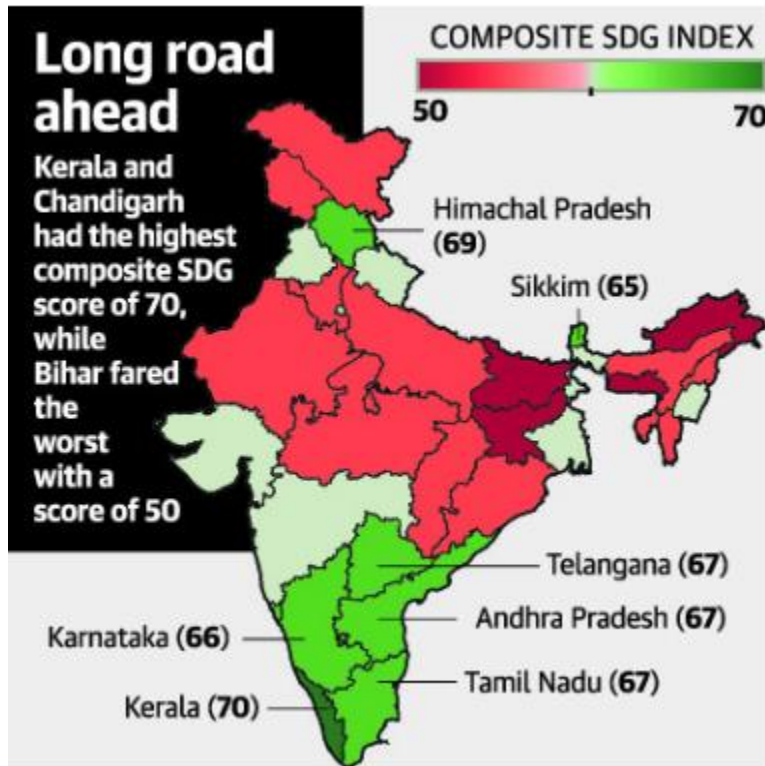
- Kerala is ranked first in terms of the progress made towards SDG. The four southern states are among the front-runners along with Himachal Pradesh and Sikkim.
- Bihar is at the bottom of the NITI Aayog’s SDG Index.
- Uttar Pradesh, Odisha and Sikkim have shown the most improvement.

Positives:

- **NITI Aayog has given India an overall score of 60 points**, recognizing the major improvements in:
 - Affordable and clean energy
 - Sanitation
 - Peace, justice and strong institutions
- The [Swachh Bharat Mission](#) has contributed largely to the high scores on the sixth SDG — clean water and sanitation.

Concerns:

- The all-India scores with respect to ending hunger and achieving gender equality stand at a dismal 35 and 42 points respectively. Most states have fallen short of the goals set in the above domains.



SDG 2:

- The second SDG concerning ensuring zero hunger shows a **sharp divergence** in the performance of States. Kerala, Goa and parts of the north-east scored above 65 while 22 of the States and Union Territories have scored below 50.
- The central Indian States of Jharkhand, Madhya Pradesh, Bihar and Chhattisgarh have scored below 30, showing high levels of hunger and malnutrition.

SDG 5:

- **Almost all states have fared poorly in respect of the SDG 5 which talks about achieving gender equality.**
- The indicators considered include crimes against women, eradicating sex selection and discrimination against daughters, and access to reproductive health schemes, as well as indicators showing women's economic and political empowerment and leadership.
- **The low sex ratio of 896 females per 1000 males, a 17.5% female labour participation rate, and the high level of spousal violence have contributed to a low score.**

C. GS 3 Related

Category: ENVIRONMENT AND ECOLOGY

1. Overall green cover rises, but northeast records a dip

Context:

The India **State of Forest Report (ISFR)** of 2019.

Details:

- The ISFR is a **biennial exercise** which assesses the forest and tree cover, bamboo resources, carbon stock and forest fires.

Forest Cover in India:

- The Ministry of Environment, Forest & Climate Change defines **'forest cover'** in India as **all lands, more than one hectare in area with a tree canopy density of more than 10% irrespective of ownership and legal status**. Such lands may not necessarily be a recorded forest area.
- Currently, the forest cover in India stands at 7,12,249 square kilometres. **The forest cover constitutes 21.67% of the nation's geographical area.**

Increase in forest cover:

- The country's forest cover has increased by 3,976 square kilometres. This marks an **increase of 0.12%**.
- **The top three states showing an increase in forest cover are Karnataka, Andhra Pradesh and Kerala.**
- The forest cover within the Recorded Forest Area (area officially classified by States or the Centre as 'forest') showed a 330 sq. km decrease, **but 'forest' outside such a recorded area increased by 4,306 sq. km.**

Decreasing quality of forests:

- The report states that the **quality of forest cover in India, in terms of the canopy density of the trees comprising forest patches, is deteriorating.**
- The report observes that 1,755 square kilometres of 'moderately dense forest' (MDF) became 'Very dense forest (VDF) but around 2,782 square kilometres of **MDF regressed into lower quality 'open forest (OF), 'Scrub forest' or 'Non-forest.'** There has been a net degradation of forest cover in India.

The sharp decline in Northeastern states:

- **The sharpest decline in the forest cover among the states was recorded in the northeastern states of Arunachal Pradesh, Manipur and Mizoram.**
- The loss in the forest cover in the North East is attributed primarily due to the traditional farming practice of Shifting Cultivation.
- The decline in the forest cover in the northeastern states isn't an urgent concern given the fact that they have a much higher proportion of forest than most other States in India. The forest covers are:
 - Mizoram – 85.4%
 - Arunachal Pradesh – 79.63%
 - Nagaland – 75%

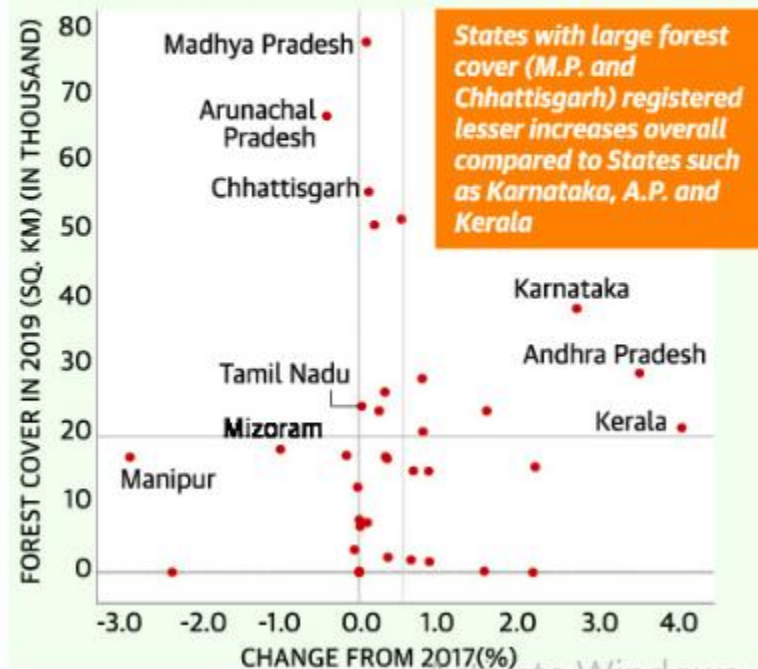
The central government has in place long-term policies to address the issue of decline.

Tree cover:

- Tree cover is defined as the patches of trees less than 1 hectare and occurring outside the recorded forest area.
- The total tree cover in India has grown by 1,212 square kilometres.
- Tree and forest cover together constitute 25.56% of India's area. This marks an improvement from the last assessment where it stood at 24.39%.

Greener cover

Forest cover in Kerala grew by 4.05%, the most in the country, while the largest decrease of 2.88% was recorded in Manipur



- The decline in tree cover inside forests is mainly due to the tribal populations getting land titles through the Forest Rights Act. **The rise in trees outside the forest area is mainly due to increased tree plantation and afforestation activities.**

Tree outside forest:

- Tree outside forest was found to comprise nearly 29.38 million hectares, which was 36.4% of the total tree and forest cover in the country.
- Maharashtra possesses the largest share of tree outside forest.

Conclusion:

- India's tree and forest cover have been in the range of 21-25% over the years. In spite of the recent progress, the forest cover still falls **short of the target set by the National Forest Policy of 1988, which envisages 33% forest cover in India.**

2. Carbon tax waiver for coal mooted

Context:

A proposal by the Prime Minister's office to waive off the Carbon tax on coal.

Details:

- Presently a **carbon tax of ₹400 per tonne is levied on the production and import of coal.**
- The objective of the carbon tax is to make the coal-based thermal power producers bear some responsibility for the air pollution caused by its operations. This would increase the cost of coal-based power and in turn make the other environmentally friendly alternatives like solar and wind energy economically viable in the long term. This **would incentivize the move towards greener sources of power.**
- The present proposal is to waive off the carbon tax levied on coal.

Significance:

Improve the financial health of coal-based thermal plants:

- **The coal-based thermal power plant utilities and distribution companies have been struggling** given the emerging renewable options in the market and government's support policy to encourage the renewable sources of power. A significant portion of the current Non Performing assets with Public sector Banks involves the power sector companies.
- India's coal industry has been lobbying for government help, citing **high debt levels and burgeoning payment dues from government-owned power distribution companies.**
- The savings as a result of the waiving off would **improve the financial health** of coal-based thermal power plant utilities and distribution companies.

Finance Anti-pollution gear:

- Considering the high polluting nature of the coal-based power plants, **the Environment Ministry has in place a stringent emission standard for coal-based thermal power plants.**
- Over half of India's coal-fired plants are set to miss a **phased deadline starting December 2019** to cut emissions of sulphur oxides, which have been proven to contribute to lung disease.
- One of the major reasons stated was the lack of financial resources to invest in anti-pollution equipment.
- The proposal will help power producers to **finance pollution-curbing equipment.**

Concerns:

- The proposal would make **coal more competitive in price with solar and wind energy.** This would renew interest in the sector again at the cost of the emerging renewable options.
- The renewed interest would also affect **India's Intended Nationally Determined Contributions (INDCs)** to reduce emission intensity given the highly polluting nature of the coal-based power plants.
- **India is struggling with some of the world's worst air pollution levels.** Air pollution from coal-fired power plants is large and varied (nitrogen oxides, sulfur dioxide, particulate matter (PM), mercury) and contributes to a significant number of negative environmental and health effects. Coal combustion affects not only the human respiratory system but also the cardiovascular and nervous system.

Category: INTERNAL SECURITY

1. AFSPA extended in Nagaland for six months

Context:

Ministry of Home Affairs notification on Nagaland.

Background:

- Armed Forces (Special Powers) Act (AFSPA) empowers security forces to conduct operations anywhere and arrest anyone without prior notice.
- The AFSPA has been in force in the Northeast since 1958.
- **A framework agreement was signed in August 2015** between Naga insurgent group NSCN-IM general secretary Thuingaleng Muivah and government interlocutor R.N. Ravi in the presence of the Prime Minister raising hopes of an enduring solution to the Naga issue. Phased withdrawal of the AFSPA was one of the major pre-conditions for the peace process.
- **The peace process has failed to meet its set deadlines and the peace talks have not made much progress.**

Details:

- In exercise of the powers conferred by **Section 3 of the Armed Forces (Special Powers) Act, 1958** the central government via **the Ministry of Home Affairs (MHA) has declared the whole State of Nagaland to be a ‘disturbed area’** for a period of six months with effect from December 30, 2019.
- The reason stated for the extension has been the central government’s assessment that the area comprising the whole state of Nagaland is in a “disturbed and dangerous condition” that necessitates the use of armed forces in aid of the civil power.

AFSPA in Northeastern India:

- Presently, AFSPA is operational in the **entire State of Assam, Nagaland, Manipur (except Imphal Municipal area), three districts** namely Tirap, Changlang and Longding **of Arunachal Pradesh** and the areas falling within the jurisdiction of the eight police stations in the districts of Arunachal Pradesh, bordering Assam.
- **The notification declaring Manipur and Assam as “Disturbed Areas” had been issued by the State governments.** While for Nagaland, the notification is issued by the MHA.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: HEALTH

1. For a personal healing touch

Context:

NITI Aayog’s proposed **15-year plan for the Indian healthcare system.**

Background:

- The NITI Aayog’s proposed 15-year plan for Indian healthcare entitled **“Health Systems for a New India: Building Blocks — Potential Pathways to Reform”** is a welcome move to improve the state of the healthcare system in India.

- The report identified five focus areas of the future health system:
 - To deliver on unfinished public health agenda and move towards **Universal Health Coverage (UHC)**.
 - Changing the **health financing away from out of pocket expenditure into large insurers**.
 - Empowering citizens to become better buyers of health by educating them of the options available.
 - **Harnessing the power of digital health**.
 - **Integrating service delivery vertically and horizontally**.

Details:

- With regard to the risk pooling mechanism, even though the report has not outrightly suggested that **Pradhan Mantri Jan Arogya Yojana (PM-JAY)**, the government's cashless health insurance scheme covering 10 crore poor families for Rs five lakh annually, should be extended to the whole of India, it discretely mentioned that PM-JAY should be considered with an eye on its potential to influence the overall healthcare transformation in India, beyond its current explicit mandate.
- **The report is critical of the fragmented nature of the Indian Healthcare system**. It emphasizes the fact that overcoming the challenges of fragmentation across healthcare financing and service delivery will **help India optimize both quality and access in the domain of healthcare services**. It proposes the consolidation of small practices into larger business-like organizations.

Concerns:

- The proposal of consolidation of small practices into larger business-like organizations seems a **problematic proposition** considering the following facts.

Emulating America's supermarket system:

- The proposal would lead to a system similar to the **American model of health care delivery**.
- The American model has been criticized for turning healthcare into a marketable commodity sold by healthcare providers in supermarket-like institutions, **devoid of traits like empathy, regard and loyalty**. Such arrangements would be devoid of the personal touch inpatient care.

Indian context:

- **Nearly 98% of healthcare providers in India have less than 10 employees**.
- The smaller clinics have enabled the availability of healthcare facilities in far-flung areas. They have **increased the reach and affordability of healthcare facilities in the Indian context**.

Patient care:

- **Loyalty forms a vital pillar of the patient-physician relationship**. This trust is built upon a foundation of mutual trust, warmth, and understanding that develops over time between patients and their personal physicians. This is **more likely with respect to smaller institutions where individual patient care is possible**.
- Apart from providing comprehensive care and coordinating referrals if necessary, a family physician's relationship with his/her patient helps in a better understanding of the patient's needs and expectations and in avoiding unnecessary clinical hassles. **This will ensure better health outcomes and increased patient satisfaction**.

Impairing the doctor-patient relationship:

- **Widespread commercialisation of the healthcare system** has been observed in recent times. This has led to the impairing of the doctor-patient relationship, manifesting popularly through **violence against healthcare providers**.
- In a setting of overcrowded public hospitals, and profiteering healthcare enterprises, where the patient-physician interaction is largely transactional, mistrust in the healthcare provider and its gruesome implications like violence against doctors is a distinct possibility.

Advantage of small clinics:

- Studies have demonstrated that healthcare received in small clinics indeed scores **higher in terms of patient satisfaction** than that received in larger institutions.
- This increased satisfaction manifests as better compliance with the treatment regimen and regular follow-ups, culminating in **improved clinical outcomes**.

Counter arguments:

The major arguments favouring a consolidation of health care facilities are as follows:

- **Lack of funds** for the healthcare sector and the economics of scale offered by larger organizations.
- India faces an **acute shortage in terms of manpower** in the medical sector. An integrated framework would allow for a smaller number of medical personnel to take care of the needs of the large patient population in India.
- Considerations regarding emotive aspects of healthcare such as empathy and trust cannot be realistically factored into the framing of health policy and system design considerations.

Way forward:

- There is a need for installing an inbuilt family physician in the health services system who acts as the **first port of call for every registered patient**.
- **Introducing Attitude, Ethics, and Communication (AETCOM) in the revised undergraduate medical curriculum** is a welcome step and this needs to be progressively emphasized on in healthcare service delivery.

Category: POLITY AND GOVERNANCE

1. Guarantee Internet rights

Context:

- **The Software Freedom Law Centre data** notes that there have been more than a 100 Internet shutdowns in different parts of India in 2019.

Background:

- In Kashmir, the government imposed a complete Internet shutdown after the abrogation of Article 370. The internet shutdown still continues in Kashmir.
- The enactment of the Citizenship (Amendment) Act led to protests all over the country and state governments responded by suspending the Internet. There were Internet bans in Mangaluru, Delhi and Uttar Pradesh.
- Assam witnessed a suspension of mobile and broadband Internet services in many places, including in Guwahati for 10 days.

Details:

Laws regarding Internet shutdowns:

- The internet shutdowns and mobile service bans are being imposed under:
 - Section 144 of the **Criminal Procedure Code (CrPC)**.
 - Section 5(2) of the **Indian Telegraph Act, 1885**.

The Kerala case:

- The High Court of Kerala in a significant step has **recognized the right to Internet access** with its judgment in the **Faheema Shirin R.K. v. State of Kerala & Others**.
- It has held that the right to access the Internet is a **fundamental freedom and a tool to ensure the right to education**. It also observes that any rule or instruction which impairs the right to education of the students cannot be permitted to stand in the eye of the law.
- The Kerala judgment notes the significant aspect of mobile and broadband Internet shutdowns **impacting women, girls and marginalized communities more disproportionately than others**.

International developments:

- Internationally, the right to access the Internet can be **rooted in Article 19 of the Universal Declaration of Human Rights which states that everyone has the right to freedom of opinion and expression**.
- The Human Rights Council of the United Nations Resolution, on the **promotion, protection and enjoyment of human rights on the Internet** has noted with concern the various forms of undue restriction on freedom of opinion and expression online, including where countries have manipulated or suppressed online expression in violation of **international law**.
- The resolution affirms that the **same rights that people have offline must also be protected online, in particular, freedom of expression**.

Concerns:

Economic concerns:

- While the Internet is certainly the main source of information and communication and access to social media, it has become much more than that in the current context where **internet-enabled services are the new norm**. Apart from increasing the ease of living among the people, it has also **generated large employment opportunities**.
- People working in the **technology-based gig economy** dominated by companies like Swiggy, Dunzo, Amazon, Uber and Ola depend on the Internet for their livelihoods. An internet shutdown would lead to loss of work for the vulnerable section.
- The Internet has become a means for business and occupation for thousands of **small and individual-owned enterprises which sell their products and services online**, especially those staffed by **women and home-based workers**. An internet shutdown would adversely affect these small units.

Concerns regarding Education:

- **Internet is a mode of access to education for students** from far-flung areas who do courses and take exams online. **The low cost and wider reach character of internet-enabled education** can ensure equitable access to education.

- Access to the Internet is important to facilitate the promotion and enjoyment of the **right to education**. An internet shutdown infringes on the vital right to education of children.

Will affect the ease of living:

- The Internet provides access to transport for millions of urban and rural people. Internet is also a mode to access health care for those who avail of health services online. Internet shutdowns would erode much of the progress made in improving the ease of living.

Way forward:

- Considering the fact that Internet broadband and mobile Internet services have become an integral part of the life of the people, it is time to **recognize that the right to access the Internet is indeed a fundamental right within our constitutional guarantees**.

For more information on this issue refer:

[CNA dated Dec 21, 2019](#)

F. Tidbits

1. Gen. Rawat is India's 1st Chief of Defence Staff

- Rawat who is set to retire as the Army chief will assume charge as the CDS.
- According to an official gazette, the upper age limit for the CDS has been fixed at 65 years. However, the tenure of the CDS has not been fixed.

2. RBI buys ₹10,000 crore worth government securities via OMO

- In its second special open market operation (OMO), the [Reserve Bank of India](#) bought ₹10,000 crores of long-term government securities and sold ₹8,501 crores of three short-term bonds under its operation Twist.
- Separately, the RBI also proposed a reduction in the loan amount an urban co-operative bank can lend to a single entity and a group of borrowers to 10% and 25%, respectively, with an aim to prevent occurrences as with PMC Bank, caused by large exposures to one group.
- Currently, urban co-operative banks are permitted to have exposures up to 15% and 40% of their capital funds to a single borrower and a group of borrowers, respectively.

G. Prelims Facts

Nothing here for today!!!

H. UPSC Prelims Practice Questions

Q1. Which of the following statements is/are correct with respect to the state of forest report 2019?

1. The country's forest cover has increased.
2. The forest cover within the Recorded Forest Area has decreased.

Options:

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer

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Q2. Which of the following statements is/are correct with respect to the state of forest report 2019?

1. The sharpest decline in the forest cover was recorded in the northeastern states of Arunachal Pradesh, Manipur and Mizoram.
2. Among the states, Mizoram has the highest proportion of land under forest cover.

Options:

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer

Q3. Which of the following statements is/are correct?

1. The SDG index is released by the Ministry of Statistics and Programme Implementation.
2. The SDG index considers all the indicators mentioned by the UN under the SDG goals.

Options:

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

Answer

-

Q4. Which of the following statements is/are correct?

1. According to the Disturbed Areas Act, 1976, once declared 'disturbed', the area has to maintain status quo for a minimum of 6 months.
2. An area can be declared disturbed area only by the Ministry of Home affairs.

Options:

- a. 1 only
- b. 2 only
- c. Both 1 and 2
- d. Neither 1 nor 2

I. UPSC Mains Practice Questions

1. The NITI Aayog's proposed 15-year plan for Indian healthcare entitled "Health Systems for a New India: Building Blocks — Potential Pathways to Reform" is a welcome step in many regards. Comment. (10 marks, 150 words)
2. Considering the fact that the Internet has become an integral part of people's lives, it is time to recognize the right to access Internet as a fundamental right. Comment. (10 marks, 150 words)