

28 Jan 2020: UPSC Exam Comprehensive News Analysis

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Category: HEALTH

1. Major gaps in our knowledge of coronavirus origin: report

Context:

The study titled, “Clinical features of patients infected with 2019 novel coronavirus in Wuhan, China” was published in ‘The Lancet’.

Details:

- The study notes that the recent cluster of pneumonia cases in Wuhan was caused by a **novel beta coronavirus, the 2019 novel coronavirus (2019-nCoV)**.
- The 2019-nCoV infection has caused clusters of **severe respiratory illness similar to severe acute respiratory syndrome (SARS) coronavirus**.
- The infection is associated with ICU admissions and **high mortality**.
- Common symptoms at the onset of illness were fever, cough and fatigue with less common ones being sputum production, headache and diarrhoea.
- Notably, the study also points to the **major gaps in the knowledge of the origin, epidemiology**, duration of human transmission and clinical spectrum of the disease. This would severely **limit human efforts at controlling the spread of the virus**.

For more on the [Wuhan Coronavirus](#), click on the linked article.

Category: POLITY AND GOVERNANCE

1. ‘Why is a certificate needed to identify a transperson?’

Context:

Supreme Court’s notice to the government.

Background:

- **The Transgender (Protection of Rights) Act of 2019** was meant to be a consequence of the directions of the [Supreme Court of India](#) in the **National Legal Services Authority vs. Union of India case judgment**, mandating the Central and State governments to ensure legal recognition of all transgender persons and proactive measures instituted for their welfare.
- The apex court deemed that **individuals had the right to the self-identification of their sexual orientation**. It recognized that transgender persons **have fundamental rights**, and paved the way for enshrining the rights of transgenders in law.
- In the Act, there is a provision for recognition of the identity of transgender persons. The transgenders will have the **right to self-perceived gender identity**. They can **apply to the district magistrate and get a certificate of identity as a transgender person**. The certificate issued shall confer rights and be a proof of recognition of the identity of a transgender.
- While the Act is progressive in that it allows self-perception of identity, it mandates a certificate from a district magistrate declaring the holder to be transgender. There is an argument from the activists, that

this **goes against the principle of self-determination itself**. It is also a source of concern given that there is no room for redress in case an appeal for such a certificate is rejected.

Details:

- Several petitions have been filed in the SC against the provisions of the Transgender (Protection of Rights) Act of 2019.
- One of the petitioners has argued that **the right to self-identification forms part of the right to life under Article 21 of the Constitution** and the above provision violates that right of the transperson.
- The petitioner claims that the Transgender (Protection of Rights) Act of 2019, instead of furthering or protecting the fundamental rights of transpersons, violates and facilitates the violation of their rights to life, privacy and equality.
- The Supreme Court has asked the government to explain why a law meant to protect and empower the transgender community requires a magistrate's certificate as a prior condition for the State to identify a transperson.
- The Bench led by Chief Justice of India has issued **a formal notice to the government on the petition**.

For more information on this topic: [CNA dated Jan 12, 2020](#)

2. Muslim personal law a cultural issue: AIMPLB

Context:

- The arguments made by the All Indian Muslim Personal Law Board (AIMPLB) in the application against the writ petition filed in the Supreme Court.

Background:

- **A writ petition was filed in the Supreme Court**, calling for a judicial declaration that **polygamy and nikah halala are unconstitutional**.

Details:

Petitioner's arguments:

Violative of Constitution:

- The petition wants the apex court to declare Section 2 of **the Muslim Personal Law (Shariat) Application Act, 1937, violative of Articles 14, 15 and 21 of the Constitution** and hence deem it to be unconstitutional.

Rights of women:

- The petition claims that the ban on polygamy and nikah halala would help **secure basic rights for the women** and also ensure the interest of **public order, morality, and health**.
- The petition had referred to how the Supreme Court had held the **instant talaq unconstitutional in August 2017, upholding women rights**. Read more on the [Triple Talaq](#) issue.

AIMPLB arguments:

Cultural issue:

- The AIMPLB has argued that the Muslim personal law, which allows practices like polygamy and nikah halala, is a **cultural issue and inextricably interwoven with the religion of Islam**.

Not bound by fundamental rights provisions:

- The Board argues that since personal laws do not derive their validity from the legislature or any other competent authority but from the scriptural texts of the respective religions, the **personal law does not fall within the definition of 'laws' under Article 13 of the Constitution**.
- Due to this, the validity of personal law **cannot be challenged on the basis of the fundamental rights enshrined in the Constitution**.

Constitutional provisions:

- The **Constitution allows the continuance of the different practices of various religions** until the state succeeds in securing a Uniform Civil Code (UCC).

Uniform Civil Code:

- The Board has stated that the petition is a push for a judicial pronouncement to bring the UCC. The board argues that even **Article 44 of the Constitution only says the state should try for bringing UCC and is not mandatory**.
- Article 44 has implicitly recognised the plurality of faiths and permits their continuance in India.

Judicial precedents:

- The SC in its 1997 judgment in **the Ahmedabad Women Action Group case**, had already refused to examine whether polygamy in Muslim personal law is illegal and an act of cruelty.
- The court had stated that the issue should be **dealt with by the legislature and not the courts**.

Women rights:

- The Board claims that the rights of Muslim women are already secure under **the Muslim Women (Protection of Rights on Divorce) Act of 1986**.

3. SC notice on Centre's NPR notification

Background:

A petition had been filed in the SC seeking to quash **the Union Home Ministry's notification for the conduct of the National Population Register (NPR) exercise from April to September 2020**.

Details:

The Supreme Court has sought the government's response to the petition.

Petitioner's arguments:

Invasion of privacy:

- The petition claims that the exercise of **creation and updating of the NPR constitutes a gross invasion of the privacy of private citizens**.
- The petition claims that the nature of the **exercise is manifestly arbitrary** and through the Citizenship Rules, 2003, the state seeks to invade the privacy of private persons without establishing that they were acting in an unlawful manner.

Violative of the Constitution:

- The petition claims that **Section 14-A of the Citizenship Act, 1955, and the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, and the Home Ministry notification of July 31, 2019, for the conduct of the NPR** are violative of fundamental rights.

Concerns regarding the database:

- There are concerns regarding the fact that there is **no guarantee of protection and security of the data/information so collected under the NPR.**
- The large database with personal information may lead to the **erosion of basic freedoms** that the persons within India currently enjoy.

C. GS 3 Related

Category: ECONOMY

1. Govt. sweetens Air India offer with 100% stake

Context:

The Union Government's initiative to disinvest from Air India.

Background:

There have been **previous attempts by the union government to privatize the national carrier.** However, it has **failed to garner interest** from the private players.

Details:

The government's offer:

- The Union government in its latest attempt has come up with **better terms of reference** for the bids.
- The present offer is for **a 100% stake sale of Air India (AI)** as against the 76% stake offered in 2018.
- It would involve the **complete transfer of management control** to the private player.
- It would also involve the **transfer of the government's share in the two subsidiaries of Air India:**
 - The low-cost international carrier Air India Express
 - The ground-handling arm AISATS
- The government has offered to **hive off liabilities worth nearly ₹40,000 crores** as an incentive for the bids. But the private player keen to buy Air India will also have to take on a certain proportion of the liabilities.

Eligibility:

- Any private or public limited company, a corporate body and a fund with a net value of ₹3,500 crores will be eligible to bid.

Employees:

- All present employees of Air India totaling as many as 9,617 permanent employees, including pilots and cabin crew, will go to the new buyer.

- **The buyer should retain these employees for a certain lock-in period**, which would be divulged in the share purchasing agreement. The government is exploring different modalities to ensure that the retired staff members have a medical cover.

Significance:

- The current attempt is **qualitatively different from the previous attempt**.

Share in liabilities:

- The debt which has been built up in Air India, due to cumulative losses cannot be passed on because it is not sustainable. The failure to attract private sector interest in the bids in the previous attempt and the present offer to take a higher share of the liabilities is a reflection of this fact.
- The **exclusion of the entire non-aircraft related debt is a bold reform** as it might as well be the single biggest write off by the government.
- The **private player will be left with only a sustainable debt**, leaving ample room for the private player to focus on improving the company.

Complete exit:

- The present offer involves **a clean exit by the government** and complete transfer to the private player. This would ensure the private players enough freedom to run the state of affairs in the company without many regulations.

FDI:

- The bid document also states that the **existing FDI policy, which allows a foreign airline to buy up to 49% in Air India**, will continue to apply.

Disinvestment efforts:

- The present offer marks a bold reform and a very **determined effort to exit the airline** to allow the taxpayers' funds to be utilized for the government's social agenda.

Category: INTERNAL SECURITY

1. Centre, Assam govt. sign accord with Bodo groups to redraw, rename territory

Context:

The signing of an accord between the government and the Bodo groups.

Background:

- **The Bodoland Territorial Area District (BTAD)** is spread over the four districts of Kokrajhar, Chirang, Baksa, and Udalguri of Assam.
- Several Bodo groups have been **demanding separate land for the ethnic community since 1972**, a movement that has claimed nearly 4,000 lives.
- Recently, around 1,500 cadres of several militant groups including some from **the National Democratic Front of Bodoland (NDFB) have surrendered**. They will be rehabilitated by the Centre and Assam Government and will be assimilated into the mainstream.

Details:

- The Ministry of Home Affairs (MHA), the Assam government and Bodo groups have signed an agreement.

Renaming of BTAD:

- It involves provisions to rename the **Bodoland Territorial Area District (BTAD)** as the **Bodoland Territorial Region**.

Redrawing of the BTAD:

- As per the agreement, villages dominated by Bodos that are presently outside the BTAD would be included and those with non-Bodo population would be excluded. Hence it will involve a **redrawing of the boundaries**.

The Bodo movement:

- The memorandum of settlement states that the criminal cases registered against members of the NDFB factions for **“non-heinous” crimes shall be withdrawn** by the Assam government and in cases of **heinous crimes it will be reviewed**.
- The families of those killed during the Bodo movement would get **₹5 lakh each**.

Special Development Package:

- A **Special Development Package of ₹1500 crore** would be given by the Centre to undertake specific projects for the development of Bodo areas.
- Bodos living in the hills would be granted Scheduled Hill Tribe status. This would help them receive the state’s aid.

Significance:

- There is hope that after the agreement, other NDFB factions too will leave the path of violence, surrender their weapons and disband their armed organizations.
- The signing of the agreement is a welcome step forward to **end the 50-year-old Bodo crisis**.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: SCIENCE AND TECHNOLOGY

1. A case of wholehearted biotechnology adoption

Context:

The article deals with **arguments for and against the use of Biotechnology**, especially with respect to Bt. Cotton, in India.

Background:

- India’s cotton production in 2019 is projected as the highest ever.
- **India’s cotton production has doubled over the past decade.**

- **India is expected to be the world's largest cotton producer**, surpassing China in output in 2020.

Arguments against Bt. cotton:

There have been many concerns with Genetically Modified (GM) pest-resistant Bt. cotton hybrids.

Favouring seed companies over farmers:

- **Seeds** have captured the Indian market since their introduction in 2002. These now **cover over 95% of the area under cotton**, with the seeds **produced entirely by the private sector**.
- The current annual value of the cotton seed used for planting is about Rs. 2,500 crore, and that of lint cotton produced is Rs.68,000 crore.
- This makes it appear that the **country's hybrid seed model for cotton, favours seed companies over farmers**.

Impacting livelihoods of farmers:

- The **hybrid seeds involve high input costs**. The volatile nature of the markets and the increasing variability in rainfall patterns has **made cotton cultivation riskier for the low resource farmers in rain-fed areas**.
- **Agricultural distress is extremely high among cotton farmers** and the combination of **high input and high risk** has likely been a contributing factor.

Low productivity In India:

- Though India leads in the production of cotton, **India's productivity (yield per unit area), is much lower than other major cotton-producing countries**. This implies that a much larger area is used for cotton production in India.
- India's productivity has been only a third of these countries for over four decades. This **questions the impact of Bt. Cotton cultivation in India**.

India's reliance on hybrids:

- **India is the only country that grows cotton as hybrids** and the was the first to develop hybrid cotton back in 1970.
- **Hybrids are made by crossing two parent strains having different genetic characters**.
- Though hybrids offer the advantage that these plants have more biomass than both parents, and also a capacity for greater yields, there are some concerns with respect to hybrids.
- **Hybrid cotton seed production is expensive since it requires manual crossing**. The availability of low-cost manual labour in India makes hybrid's economically viable in the Indian context.
 - Hybrids, farmers must purchase seed for each planting.
 - Using hybrids **gives pricing control to the seed company and also ensures a continuous market**.
 - **Hybrids require more inputs, including fertilizer and water**.

Neglect of other approaches:

- India has continued to neglect the use of other alternate technologies or methods in the domain of cotton cultivation.

Variety:

- In the case of **Varieties**, **seeds are produced by self-fertilization**.
- Varieties can be propagated over successive generations by collecting seeds from one planting and using them for the next planting. This reduces the costs incurred by the farmers.

High-Density Planting (HDP):

- In cotton cultivation, **the strategy of using High-Density Planting (HDP) of compact varieties has been found to outperform hybrids at the field level**.
- For over three decades, most countries have been growing **cotton varieties that are compact and short duration**.
- The compact nature of the plants allows these varieties to be planted at high density whereas hybrids in India are bushy, long duration and planted at ten-fold lower density as compared to high-density planting. This compensates for even the lower boll production by compact varieties.
- **Cotton being a dryland crop and with 65% of the area under cotton in India being rain-fed**, farmers with insufficient access to groundwater in these areas are entirely dependent on rain. **The shorter duration variety** has a major advantage as it **reduces dependence on irrigation and the risk of crop failure**.
- The advantages of compact varieties over hybrids are considerable. **They offer higher productivity, use lesser fertilizer and water, and are considered less vulnerable to damage from insect pests due to a shorter field duration**.
- Yet, India has persisted with long-duration hybrids, many years after benefits of compact varieties became clear from global experience.

Lack of choice for farmers:

- **Commercial Bt hybrids have completely taken over the Indian market**, accompanied by the withdrawal of public sector cotton seed production.
- The Indian cotton farmer today is left with little choice but to use Bt hybrid seeds produced by private seed companies.

Lack of consultation in policy-making:

- **India is a signatory to international treaties on GMO regulation (the Convention on Biological Diversity, and the Cartagena Protocol on Biosafety)**, which specifically provides for the inclusion of socio-economic considerations in GMO risk assessment.
- However, **socioeconomic and need-based considerations have not been a part of the GMO (Genetically Modified Organism) regulatory process in India**. This leads to the lack of a comprehensive evaluation of costs and benefits.

Context of the technology:

- The outcome of using a technology such as Biotechnology is determined by the context in which it is deployed, and not just by the technology itself.
- It is important to recognize that apart from the technology itself, **its relevance to the particular context is also important**. If the context is suboptimal and does not prioritize the needs of the farmers, it can have significant negative fallouts, especially in **India with a high proportion of farmers being marginal and subsistence farmers**.

Effects on ecology:

- Given **the lack of long term authoritative scientific studies on the risks posed by genetically modified varieties**, there is a lack of knowledge in this domain.
- Unverified reliance on GM varieties **could have unintended effects on the ecological balance.**

Arguments for Bt cotton:

Choice of the farmer:

- The fact that Indian farmers have chosen seeds with biotechnologies by planting hybrid cotton biotech seeds on over 90% of the country's cotton acreage proves the efficacy of the Bt. Cotton.
- **Farmers have not shown any preference for planting non-Bt cotton seeds** including the quantity supplied along with the Bt cotton seed, by the seed companies **as per regulatory guidelines.**

Higher production:

- Biotechnology in cotton, post its introduction in 2002, has led to transformational changes in India's cotton cultivation.
- It has helped **increase cotton yields by over 1.8 times** between 2002-2003 and 2018-2019.
- **GM cotton countries, contribute to more than 90% of global cotton production.**

Reduced pesticide usage:

- Hybrid cotton has delivered not only higher yields but also provided resistance to some pests and diseases.
- The technology offered a solution to some of the farmer's biggest on-field pest challenges. This marked a **considerable improvement over the low tech approach of insecticide and pesticide usage.**
- The introduction of Bt cotton which is resistant against certain pests has **greatly reduced pesticide use. This saves costs for the farmers and also is beneficial to the ecology.**

High economic returns:

- A study shows that **the significant increase in farmer incomes from higher yields and reduced pesticide use has generated additional farm income of over Rs.42,300 crores.**
- Additional incomes are also generated from cotton seeds oil and cotton seed oil meal.
- The Bt cotton seed market is about Rs.3,000 crore, making it hardly 2.5% of the total value generated.

Potential for improvement:

- **Biotechnology offers other avenues for improvement.** There is the **possibility of introducing weedicide resistance in the Bt cotton.** In such a scenario Bt cotton farms would require **lesser labour for weed management.** Labour accounts for over 58% of a farmer's cost of cultivation per acre. Given the decreasing availability of low-cost manual labour and the challenges in securing labour to conduct field operations, the shift to Bt cotton will help decrease the costs incurred in cotton cultivation.

Ripple-effect benefits:

- Several key studies by economists and sociologists have established that 85% of hybrid Bt cotton seed farmers and farm labourers **have observed improved quality of life.**
 - Higher investment in education for children.
 - Higher intake of nutritious food.

- Better health of their family members.

Other factors:

- While considering the fact that productivity in India is low, it is important to note that it is not just the technology that increases yields. **India's farmers face numerous uncertainties and crop management challenges, affecting farm yield.**

Unviability of other alternatives:

- Alternate techniques like High-Density Planting (HDP) have limited relevance for India given that the planting rates are determined by several **agronomic and environmental conditions.**
- As against the claim that hybrid farmers need to buy seeds repeatedly, the fact is that not just biotech cotton, but all hybrid seeds lose their benefits if replanted, creating reduced and erratic yields. **New seeds help farmers sustain high yields year on year.**

Ecological benefits:

- Given the fact that Bt cotton **offers higher production from the same area, the expansion of agricultural land into forest areas has been slowed.** This has helped conserve biodiversity.

Way forward:

New technology:

- New technology introduction has stopped in India since 2005, affecting the growth of yields.
- Other countries have been using more advanced GM traits than what is being used in India. There is a need to consider the usage of the new technologies in India too.

Extension efforts:

- The knowledge of cultivation and correct agronomic practices can make a significant impact on agricultural yields. **Extension efforts need to be emphasized.**

Need for detailed studies:

- **In a fast-evolving global market, India's farmers need the best technologies to remain competitive.**
- A one-sided depiction regarding GM seeds not only harms agriculture and the industry. There is a need for **scientific and detailed studies to ensure proper evaluation of the technology.**

Category: POLITY AND GOVERNANCE

1. Crime and politics

Context:

The Supreme Court has agreed to hear a plea from **the Election Commission of India (ECI) to direct political parties to not field candidates with criminal antecedents.**

Concerns:

Members with criminal records:

- The petition filed in the SC claims that **46% of Members of Parliament have criminal records.**

- The current Lok Sabha has the highest **(29%) proportion of those with serious criminal cases** compared to the predecessors.

Ineffectiveness of SC judgments:

- The Supreme Court has come up with a series of landmark judgments on addressing the issue of criminalization of politics.
 - SC removed the statutory protection of convicted legislators from immediate disqualification via the **Lily Thomas v. Union of India case in 2013**.
 - Observing the long delays in the cases involving the politicians, the SC in 2014 directed **the completion of trials involving elected representatives within a year**.
 - In 2017, the SC asked the **Centre to frame a scheme to appoint special courts to exclusively try cases against politicians**, which would ensure speedy justice.
 - **In 2018 the SC directed the political parties to publicize pending criminal cases faced by their candidates**. This was considered necessary in the light of the right of the voters to know any criminal antecedents of the candidates.
- The Supreme Court, in spite of its long list of judgments, has still not been able to avoid criminalization of politics.

A structural problem in Indian democracy:

- Researchers have found that **candidates with criminal records seem to do well despite their public image**, largely due to their ability to finance their own elections and bring substantive resources to their respective parties. **This tends to give rise to a patronage system**.
- Given the relatively weak state institutions and lackadaisical attitude in governance and delivery of public goods, **cynical voters tend to elect candidates with criminal antecedents**, as the voters tend to view such candidates as being able to represent their interests better and getting work done.
- These unhealthy tendencies in the democratic system reflect a **poor image of the nature of India's state institutions and the quality of its elected representatives**.

Way forward:

- There is the need for **a rule that disallows candidates facing charges for serious offences from contesting in elections**. The parliament needs to consider such an amendment to the **Representation of the People Act, 1951**.
- While several Supreme Court judgments make it difficult for criminal candidates to contest, only **enhanced awareness among the citizens and increased democratic participation** could create the right conditions for the decriminalization of politics.

For more information on this issue: [Click Here](#)

F. Tidbits

1. Call for ban on surrogate tobacco advertising

- **The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply, and Distribution) Act, 2003 or COTPA, 2003** is an Act of the Parliament of India enacted in 2003 to prohibit advertisement of, and to provide for the regulation of trade and commerce in, and production, supply and distribution of cigarettes and other tobacco products in India.

- Voluntary groups working for tobacco control have called for a **ban on surrogate advertising of tobacco products**. Surrogate advertising, with the endorsement by film actors and celebrities, was indirectly promoting cigarettes, tobacco, and alcohol under the guise of other products. This type of indirect advertising was a ploy to deceive the law enforcement authorities.
- **India is a party to the World Health Organization's Framework Convention on Tobacco Control**, which provides that there should not be any interference and influence of the tobacco industry on public health policies of the State.
- There have been calls for the **enforcement of a vendor licensing mechanism** to control and regulate the sale of tobacco products.
- Tobacco control measures would **help save healthcare costs, increase labour productivity and reduce human suffering**.

2. Speaker seeks to stall EU debate on CAA

- Concerned by the **European Parliament's decision to discuss six resolutions on the Citizenship (Amendment) Act (CAA), 2019**, and the situation in Jammu and Kashmir, Lok Sabha Speaker has written to the President of the European Parliament, urging him to reconsider the resolutions critical of India.
- **European parliament and Indian parliament are members of the Inter-Parliamentary Union**. India has called for **respect for the sovereign processes of fellow legislatures**, especially in democracies. The Lok Sabha has claimed that it was inappropriate for one legislature to pass judgment on another.
- **India has reiterated that the law is an internal matter**.

G. Prelims Facts

Nothing here for today!!!

H. UPSC Prelims Practice Questions

Q1. The Lily Thomas v. Union of India case of 2013 is associated with:

- a. The Supreme Court (SC) directing the political parties to publicize pending criminal cases faced by their candidates.
- b. SC asking the Centre to appoint special courts to exclusively try cases against politicians.
- c. The removal of the statutory protection offered to convicted legislators from immediate disqualification.
- d. SC directing the completion of trials involving elected representatives within a year.

Answer

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Q2. Which of the following statements is/are correct?

1. India is the largest cotton producer in the world.
2. India is the largest cotton exporter in the world.

Options:

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

Answer

Q3. India is not a signatory of which of the following conventions?

- a. World Health Organization's Framework Convention on Tobacco Control.
- b. The International Criminal Court's Rome statute.
- c. Worst Forms of Child Labour Convention of the International Labour Organization
- d. Convention on Intangible Cultural Heritage of UNESCO.

Answer

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Q4. Gatka, a form of martial art is associated with which of the following state?

1. Haryana
2. Punjab
3. Himachal Pradesh
4. Uttar Pradesh

Answer

I. UPSC Mains Practice Questions

1. Discuss the advantages offered by the use of Genetically Modified (GM) pest-resistant Bt. cotton hybrids in India and also the concerns associated with it. (15 marks, 250 words)
2. Discuss the underlying reasons for the increased criminalization of Indian politics and the associated concerns. Comment on the landmark Supreme Court judgments in addressing the issue of criminalization of politics and their effectiveness. (15 marks, 250 words)