

14 May 2021: UPSC Exam Comprehensive News Analysis

TABLE OF CONTENTS

A. GS 1 Related

B. GS 2 Related

POLITY AND GOVERNANCE

1. [Relax FCRA norms, ease relief flow, says Nasscom](#)
2. [Maratha quota: govt. files petition](#)
3. [Assam NRC authority seeks reverification of citizens' list](#)

INTERNATIONAL RELATIONS

1. [Israel-Palestine fighting escalates](#)

C. GS 3 Related

ECONOMY

1. [Centre's SC affidavit jars with TRIPS stand](#)

D. GS 4 Related

E. Editorials

INTERNATIONAL RELATIONS

1. [The crime of enforced disappearances must end](#)

GOVERNANCE

1. [Reforming medical education](#)

F. Prelims Facts

G. Tidbits

1. [India still resists community spread tag](#)
2. [App to view SC proceedings launched](#)

H. UPSC Prelims Practice Questions

I. UPSC Mains Practice Questions

A. GS 1 Related

Nothing here for today!!!

B. GS 2 Related

Category: POLITY AND GOVERNANCE

1. Relax FCRA norms, ease relief flow, says Nasscom

Context:

Infotech industry association Nasscom has urged the Prime Minister to **temporarily relax stringent Foreign Contribution (Regulation) Act (FCRA) norms** so as to **ease the flow of overseas COVID-19 relief into the country** and grant **emergency use authorisation for all WHO-approved vaccines** in view of domestic vaccine shortages.

This topic has been covered in the **10th May 2021 Comprehensive News Analysis**.

Read more on **Emergency Use Authorisation**.

2. Maratha quota: govt. files petition

Context:

The **central government has filed a review petition** in the Supreme Court **challenging** a majority view of its Constitution Bench that **only the Centre has the power under the 102nd Constitution Amendment to identify and list Socially and Educationally Backward Classes (SEBC) and not States**.

This issue has been covered in the **6th May 2021 Comprehensive News Analysis**.

3. Assam NRC authority seeks reverification of citizens' list

Context:

The Assam National Register of Citizens (NRC) authority has approached the Supreme Court seeking a **comprehensive and time-bound re-verification of the citizens' list**, highlighting major irregularities in the process.

Background:

- The notification for starting the **Supreme Court-monitored exercise to update the 1951 NRC in Assam** was issued in December 2013.
- **The final draft published in August 2019 had excluded 19.06 lakh** out of 3.3 crore applications for lack of adequate documents establishing them as Indian citizens.
- People left out of the draft NRC are required to **approach the nearest Foreigners' Tribunal** within 120 days of receiving a rejection slip for weighing their citizenship claims.

Read more on the **National Register of Citizens**.

Details:

- The interlocutory application by the State NRC Coordinator also prays for **the deletion of illegal voters from Assam's electoral rolls** besides the **revision of the draft NRC** and a **supplementary list under a relevant clause of the Schedule of Citizenship** (Registration of Citizens and Issue of National Identity Cards) Rules, 2003.
- The final NRC is yet to be published by the Registrar General of India.

Category: INTERNATIONAL RELATIONS

1. Israel-Palestine fighting escalates

Context:

Tensions in East Jerusalem have triggered the heaviest **Israel-Palestine fighting** in years. Israel faced an escalating conflict on two fronts trying to quell riots between Arabs and Jews.

This topic has been covered in the **12th May 2021 Comprehensive News Analysis**.

C. GS 3 Related

Category: ECONOMY

1. Centre's SC affidavit jars with TRIPS stand

Issue:

Public health advocates and intellectual property rights experts point to a **contradiction in India's global push for the suspension of intellectual property protection**, with its stand in the Supreme Court that bringing COVID-19 vaccines under a statutory regime will be counter-productive at this stage.

Background:

- India, along with South Africa, had **initiated a proposal for the temporary waiver of certain provisions in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)** to facilitate fair, affordable and universal access to COVID vaccines and medicines, especially for developing countries.

This topic has been covered in the **7th May 2021 Comprehensive News analysis**.

Details:

- The two countries had highlighted that some **WTO members had carried out urgent legal amendments** to their national patent laws to **expedite the process of issuing compulsory/government use licences**.
- However, experts point to an **affidavit filed by the Centre in the SC**, which shows the **government taking a different stand** in favour of the protection of intellectual property rights.
 - "Any exercise of statutory powers** either under the Patents Act, 1970 read with TRIPS Agreement and Doha Declaration or in any other way can **only prove to be counter-productive at this stage**," the Centre said.
- This was in response to the order of the SC which had flagged the legal framework within which the Centre could **"possibly consider compulsory licensing and government acquisition of patents"**.

Compulsory licensing | The Supreme Court outlined the following legal framework within which the Centre can consider compulsory licensing and acquisition of patents for vaccines against COVID-19:

TRIPS Agreement: Articles 30 and 31 deal with exceptions to the rights of patent owners by allowing grant of compulsory licences. "It leaves countries with significant breathing space to determine how the compulsory licensing or government-use levers can be triggered," the top court says



manner supportive of the right of members to protect public health and to promote access to medicines

Para 5(b): It provides the freedom to each member to grant compulsory licences and determine the grounds on which the licences are granted

2001 Doha Declaration: The Declaration says TRIPS should be interpreted in a

Para 5(c): Each nation can determine what constitutes a national emergency or extreme urgency

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: INTERNATIONAL RELATIONS

1. The crime of enforced disappearances must end

Context:

Enforced disappearances are becoming a **major concern** in Asia. Cases especially in Asia are not decreasing, with **domestic criminal law systems insufficient to deal with this atrocity**.

Enforced Disappearances

- Enforced disappearance occurs when a person is secretly abducted or imprisoned by a state or political organization, or by a third party with the authorization, support, of a state or political organization, followed by a refusal to acknowledge the person's fate and whereabouts, with the intent of placing the victim outside the protection of the law.
- Enforced disappearances became widely known to the world in the 1970s and the early 1980s during the '**Dirty War**' in **Argentina**.

- The Argentine military dictatorship **committed the forceful disappearances of some 30,000 of its own citizens** while denying that they kidnapped, tortured, and murdered them.

An enforced disappearance is defined by several constituent elements.

- It is characterised by the **deprivation of liberty**.
- There are **grounds for seeking governmental responsibility for the act**, including of officials of different branches or levels of government or by organised groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of, the government.
- Such an act typically occurs in the **context of a state's continuous refusal to take relevant action**, including refusal to disclose the fate or whereabouts of the persons concerned or refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law.

United Nations Working Group on Enforced or Involuntary Disappearances (WGEID):

- To fight against these gross and systematic human rights violations, the UN Commission on Human Rights established the Working Group in **1980 as the first special procedure mechanism of the UN Commission on Human Rights**.

Myanmar Coup:

- On February 1, 2021, the **military launched a coup d'état to overthrow the democratically elected government led by Aung San Suu Kyi's party**, the National League for Democracy.
- The **military is committed to suppressing the people's movement**, and the police are carrying out unimaginable acts of violence and oppression against those demanding freedom of expression and the restoration of democracy.
- The democracy movement in Myanmar is at a critical juncture.

Read more on this issue covered in **13th May 2021 Comprehensive News Analysis**.

Issue:

- Since the coup, the **United Nations Working Group on Enforced or Involuntary Disappearances (WGEID)** has received reports of enforced disappearances.
- There is concern that there will be a plethora of cases of enforced disappearances, torture, arbitrary detention, and even murder if the situation continues to deteriorate.
- Besides Myanmar, in many parts of Asia, enforced disappearances are being used as a tool to suppress the people.

Concerns around minorities:

China:

- In China, under the pretext of re-education to prevent terrorism, **Uyghur minority ethnic group members are forcibly sent to** what Chinese authorities call '**vocational education and training centers**', with no information on their whereabouts.

- '**Residential Surveillance at a Designated Location (RSDL)**' under Article 73 of the amended Criminal Procedure Law, **is used against individuals accused of endangering state security.**
 - RSDL places individuals under **incommunicado detention** without disclosing their location. This may amount to a form of enforced disappearance.

Pakistan and Bangladesh:

- Increasing numbers of enforced disappearances are being reported in Pakistan and Bangladesh.
- Enforced disappearances are being committed in the name of **counter-terrorism measures.**

Post-conflict issues in Sri Lanka:

- **Sri Lanka** has experienced more than **three decades of domestic conflict** accompanied by various forms of **enforced disappearances.**
- Recently, the government has weakened the initiatives it previously started to investigate enforced disappearances.
 - Instead, it has now returned to **promoting a culture of impunity for these crimes.**

During the Pandemic:

- Not only have enforced disappearances continued during the pandemic, but it has generated new contexts for enforced disappearances and has reduced the capacity of all actors to take the necessary action to search for and investigate cases of disappeared persons.

Remedial measures:

- Under the **Declaration on the Protection of all Persons from Enforced Disappearance** (1992), the Working Group works to assist families of disappeared persons to ascertain the fate and whereabouts of the disappeared.
- With the assistance of the secretariat members based in Geneva, **the Working Group monitors states' compliance and documented cases of enforced disappearance.**
- The **Working Group receives individual petitions** from victims' families and civil society members, and channels them through to the relevant governments to demand searches.
- The WGEID also presses states to offer remedies, including compensation and a guarantee of non-recurrence of the violations.

Ratifying the Convention:

- To protect the right to be free from enforced disappearances, the international community adopted the **International Convention for the Protection of all Persons from Enforced Disappearance in 2006.**
 - This became effective in 2010.
- The number of participating states is still very low compared to other treaties.
- Among 63 member states of the treaty, only eight states from the Asia-Pacific region have ratified or acceded to the treaty.
- Only four East Asian states — Cambodia, Japan, Mongolia, and Sri Lanka have ratified it.

Conclusion:

- Enforced disappearance is a serious crime that goes against the philosophy of humanity.
- The pain and suffering of the family members do not end until they find out the fate or whereabouts of their loved ones.
- Asian countries should consider their obligations and responsibilities more seriously and **reject a culture of impunity in order to eradicate enforced disappearances**.
- The **domestic criminal law systems are not sufficient** to deal with the crime of enforced disappearance. It is a continuous crime that **needs a comprehensive approach** to fight against it.
- The international community must **strengthen its efforts to eradicate enforced disappearances at the earliest**.

Category: GOVERNANCE

1. Reforming medical education

Context:

In the backdrop of the Covid-19 pandemic, the numerous challenges being faced by India's health systems have become apparent.

Issues:

- There is a **serious shortage of health workers**, especially doctors, **particularly in some northern states**.
- The workforce crisis has been **aggravated by the imbalances within the country**.
 - The doctor-population ratio in northern States is far short of the required norm, while the southern States, barring Telangana, have enough doctors in possession.
 - There is also a general **lack of adequate staffing in rural areas**.
- If urgent action is not taken, the shortage will amplify leading to the **weakening of health systems**.
- Health workers are critical also for the **preparedness of health systems in preventing, detecting and responding to threats posed by diseases**.
- Shortage is a major impediment to achieving health-related [Sustainable Development Goals](#).

Analysing NITI Aayog's proposal:

- The **NITI Aayog has proposed allowing private entities to take over district hospitals for converting them into teaching hospitals** with at least 150 MBBS seats.
- There are some **concerns associated with this proposal**.
- This would **encourage the private sector in medical education directly aiding the corporatisation processes of healthcare provisioning** while the under-resourced public health system will be a collateral damage.
- The **corporatisation will make the services of district hospitals very costly**.
- Even from the perspective of producing more doctors to meet the shortages in under-served areas, this is unlikely to yield the desired result.

- This proposal is **not aligned with India's national health policy goals** like achieving universal health care and health equity. It could widen health inequalities further.

Way Forward:

- In order to effectively address these challenges, our **health systems must be strengthened**.
- One of the critical building blocks of the health system is **human resources**.
- Solving the shortage needs **long-term thinking and commitment from the political leadership**.
 - The government should **learn from previous cases of public-private partnerships** (PPPs).
 - In the past, many PPPs had to be shelved owing to the non-compliance of the agreement conditions by the private sector under which they were also supposed to cater to the non-paying patients.
- In order to meet the significant shortfall of qualified doctors in northern States, the **scaling up of medical education is warranted**.
- By establishing new medical colleges, the government can increase student intake as well as enhance equitable access to medical education.
- The government must **allocate adequate financial resources** to strengthen the overall capacity of existing medical colleges to enrich student learning and improve output.

Conclusion:

A regulated market with medical colleges that are publicly funded but privately operated cannot be a feasible solution to the health workforce crisis. **Medical education is a public good as its purpose is to improve the population health and decrease disease burden**. The pandemic has provided an opportunity for this. There should be a **substantial step-up in public investment in medical education**.

F. Prelims Facts

Nothing here for today!!!

G. Tidbits

1. India still resists community spread tag

What's in News?

As per the latest **report by the World Health Organization**, in spite of adding the highest number of COVID-19 infections to the global caseload every day, India continues to label itself as a country with **no community transmission (CT)**.

- India has opted for the lower, less serious classification called **cluster of cases**.
- Countries such as the United States, Brazil, United Kingdom, France have all labelled themselves as being in community transmission.
- CT happens when **new cases in the last 14 days cannot be traced to those who have an international travel history**, when cases cannot be linked to a specific cluster.

2. App to view SC proceedings launched

What's in News?

A mobile app that would allow media persons to view the Supreme Court's virtual proceedings live on their mobile phones has been launched.

Details:

- The CJI said **public access to court hearings was important** as the rulings of courts, more particularly the Supreme Court, **had an impact on the lives of people across the country**.
- It was highlighted that the role of the media assumes importance in the process of disseminating information.
- The CJI also launched a new feature in the Supreme Court's official website called '**Indicative Notes**'.
 - It is aimed at providing concise summaries of landmark judgments in an easy-to-understand format.
 - It would serve as a useful resource for media persons and the general public who wish to be better informed about the rulings of the court.
- It is widely opined that access to media to court proceedings would increase transparency.

H. UPSC Prelims Practice Questions

Q.1 Which of the following statements is/are correct?

1. The National Health Mission (NHM) is an exclusive healthcare programme for rural areas.
2. States have no role in its implementation, it is entirely executed by the Centre.

Options:

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

Answer: d

Explanation:

- The National Health Mission (NHM) launched in 2013 encompasses its two Sub-Missions, the National Rural Health Mission (NRHM) and the National Urban Health Mission (NUHM).
- It is the flagship healthcare programme for both the rural as well as urban areas.
- Both the Centre and states play a key role in the implementation of the scheme.
- The funding for NHM is in the sharing pattern of 60:40 between Centre and State for most of the states and 90:10 in some special cases.

Q.2 Which of the following statements is/are correct?

1. Mucormycosis is a fungal infection caused by a group of moulds called mucormycetes.
2. Poor immunity, uncontrolled diabetes, steroid treatment are considered to be risk factors.
3. It is commonly referred to as Black Fungus and has been reported in patients recovering from COVID-19.

Options:

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

Answer: d

Explanation:

All the statements are correct.

- Mucormycosis is a fungal infection caused by a group of moulds called mucormycetes.
- Major risk factors are poor immunity, uncontrolled diabetes, steroid treatment.
- Mucormycosis is commonly referred to as Black Fungus and has been reported in patients recovering from COVID-19.

Read more on **Mucormycosis**.

Q.3 Who was referred to as 'Deenabandhu' for his contributions to the Indian independence movement?

- a. Bal Gangadhar Tilak
- b. Charles Freer Andrews
- c. Jotirao Govindrao Phule
- d. Madan Mohan Malaviya

Answer: b

Explanation:

- Charles Freer Andrews was an Anglican priest and Christian missionary, educator and social reformer, and activist for Indian independence.
- He became a close friend of Rabindranath Tagore and Mahatma Gandhi.
- He was instrumental in convincing Gandhi to return to India from South Africa.
- CF Andrews is known for his work in uplifting the poor and hence was given the name "Deenabandhu" by Mahatma Gandhi.

Q.4 What is the purpose of the National Register of Citizens (NRC)?

- a. To identify native and indigenous tribes and distinguish them from outsiders
- b. To document all the legal citizens so that the illegal immigrants can be identified
- c. To facilitate rehabilitation of those facing religious persecution in neighbouring countries
- d. None of the above

Answer: b

Explanation:

- The main purpose of the National Register of Citizens is the identification of illegal immigrants.
- The objective of the introduction and updating of the NRC in Assam was the identification of the illegal immigrants in Assam who had migrated to Assam from Bangladesh during the 1971 war with Pakistan.

Q 5. Consider the following statements: (UPSC 2019)

- 1. Most of India's external debt is owed by governmental entities.
- 2. All of India's external debt is denominated in US dollars.

Which of the statements given above is/are correct?

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

Answer: d

Explanation:

- According to the data by the Ministry of Finance, External Commercial Borrowings by private entities is far higher than governmental debt. Hence, most of India's external debt is not owed by governmental entities.
- India's external debt is denominated in US Dollars, Euro, Special Drawing Rights of the International Monetary Fund, etc.

I. UPSC Mains Practice Questions

- 1. Write a detailed note on enforced disappearances with an examination of related international laws and conventions. (250 words; 15 marks) [GS-2, International Relations]
- 2. India's healthcare system has been facing a serious human resource crunch during the pandemic. What measures do you suggest to reform the medical sector? (250 words; 15 marks) [GS-2, Governance]

