

21 July 2021: UPSC Exam Comprehensive News Analysis

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B. GS 2 Related

Category: POLITY AND GOVERNANCE

1. SC annuls parts of co-op amendment

Context:

- **Supreme Court verdict** on the validity of the 97th Constitutional Amendment Act, 2011.

Background:

97th Constitutional Amendment:

- The 97th constitutional amendment dealt with issues relating to the **effective management of co-operative societies in the country**.
- It amended Article 19(1)(c) to give protection to the cooperatives and inserted Article 43 B and Part IX B, relating to them.
 - **Article 19(1)(c) guarantees freedom to form associations or unions or cooperative societies** subject to certain restrictions.
 - **Article 43 B** says that **states shall endeavour to promote voluntary formation, autonomous functioning, democratic control and professional management of cooperative societies**.
 - **Part IX B of the Constitution** dictates the **terms for running cooperative societies**. It dealt with aspects of incorporation, the number of directors a society should have, their length of tenure, necessary expertise, etc.

PIL in Gujarat High Court and its verdict:

- A **PIL** was filed in the Gujarat High Court **challenging the legality of the 97th constitutional amendment** on the ground that the Centre had no legislative competence to enact a law for **cooperative societies** which is **exclusively a state subject** under the scheme of the Constitution.
- The PIL had expressed concerns that the amendment made a direct in-road into the exclusive domain of states to enact laws with regard to cooperatives.
- The PIL petitioner had also contended that as per the provisions of **Article 368 of the Constitution**, if Parliament intends to amend or delete any of the lists in the seventh schedule, such Amendment shall require to be ratified by the legislature of not less than one-half of the states by resolution to the effect passed by those legislatures before the bill making provisions for such amendment is presented to the President for Assent.
 - The provisions in the 97th amendment were passed by Parliament without getting them ratified by State legislatures.
- The Gujarat High Court had struck down certain provisions of the 97th constitutional amendment based on concerns that these provisions **violated the basic structure of federalism**.
- The Centre had challenged the Gujarat High Court's 2013 judgement in the Supreme Court.

Details:

- The three-judge bench of the Supreme Court has upheld the 2013 Gujarat High Court verdict that struck down parts of the 97th amendment.
- Supreme Court upheld the validity of the 97th constitutional amendment, but struck down a part related to the setting up and functioning of cooperative societies working within a state.
- The Supreme Court judgement is based on the reasoning that the concerned **subject matter of co-operative fell in the state list** and hence it belongs wholly and exclusively to the State legislatures to legislate upon and any change would require the ratification by at least one-half of the state legislatures as per Article 368(2) of the Constitution.
 - The judgement held that the 97th constitutional amendment had a significant and substantial impact on the State legislatures' "exclusive legislative power" over its cooperative sector.
- The majority judgment declared that Part IXB of the Constitution of India is operative only in so far as it concerns **multi-State co-operative societies** both within the various States and in the Union Territories of India.
- The dissenting judge however held that the **doctrine of severability** would not operate to distinguish between single-State cooperatives and MSCS and had argued that the entire Part IXB should be struck down on the ground of absence of ratification.
- Disagreeing with the Central government's argument that the amendment was aimed at bringing uniformity in the management of cooperative societies throughout the country, the Supreme Court suggested that if the Centre wanted to achieve uniformity then the only way available was to take the recourse under **Article 252 of the Constitution which deals with the power of Parliament to legislate for two or more states by consent**.

Significance:

Boost for federalism:

- The verdict is being welcomed as a major boost for federalism as the concerned amendment had shrunk the exclusive authority of States over their cooperative societies.
- The verdict is also significant amid States' fears over the new Union Ministry of Cooperation and the effect it could have on the powers of the states in the domain of co-operatives.
- The judgement elaborates that despite **India being quasi-federal** with a tilt in favour of the Centre vis-à-vis the States given the **federal supremacy principle**, the States still have exclusive power to legislate on topics reserved exclusively to them.

Category: INTERNATIONAL RELATIONS

1. 'India is welcome to join China-South Asia grouping'

Context:

- Bangladesh Foreign Minister has stated that India is welcome to join the **China-led South Asian initiative for COVID-19 vaccines and poverty alleviation** and has denied the allegations that the newly launched China-South Asia grouping was meant to exclude India.

Background:

- Subsequent to a meeting of the Foreign Ministers of China, Afghanistan, Bangladesh, Nepal, Pakistan and Sri Lanka, **China-South Asian Countries Emergency Supplies Reserve**, and a **Poverty Alleviation and Cooperative Development Centre** were set up in China recently.
 - The poverty alleviation centre was envisioned to deal with economic issues arising in South Asia due to COVID.
- **The China-South Asia centre** is also being established in the Southern Chinese city of Chongqing.

Concerns for India:

- The development had raised concerns in India as the initiative appeared to **leave out only India, Bhutan and the Maldives**.
- Some experts have warned that the new initiative could be **aimed at diluting India's role in the SAARC region** by increasing China's strategic influence in the South Asian region through developmental aid.

C. GS 3 Related

Category: ECONOMY

1. ADB trims FY22 growth forecast to 10%

Context:

- New forecasts for India reported under the supplement to the **Asian Development Outlook (ADO) report for 2021**.

Details:

- The **Asian Development Bank (ADB)** has trimmed its forecast for India's growth in the **ongoing fiscal year to 10%**, down from 11% projected in April 2021. The downgrade is based on the curbs imposed across States during the second wave.
- As per ADB estimates, India is expected to record a growth of 7.5% in the financial year 2022-23 based on almost universal vaccination coverage in India and the normalization of economic activities.
- The ADB has **raised its average inflation projection for 2021-22 to 5.5%**, from 5.2% anticipated earlier. The increase in inflation projections is based on the **rapid and large increase in fuel and food prices**.

Concerns:

Impact of high levels of inflation:

- ADB's projections suggest almost **three successive years of inflation hovering closer to the RBI's upper tolerance limit of 6%** than the midpoint of the 2%-6% range it has to aim to maintain over the medium term, as per the **Monetary Policy Committee's** mandate.
- High levels of inflation do not augur well for economic recovery in the post-pandemic scenario.

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: GOVERNANCE

1. Pegasus is India's Watergate moment

Context:

- 'Pegasus Project' report produced by the collaborative investigation of journalists from around the world has given rise to **speculations of extensive surveillance by the Indian government.**

Associated laws and agencies involved in surveillance activities in India:

- Currently, the laws authorising interception and monitoring of communications are Section 92 of the CrPC (for call records, etc.), Rule 419A of the **Telegraph Rules**, and the rules under **Sections 69 and 69B of the IT Act.**
- A limited number of agencies are provided powers to intercept and monitor.

Threat posed by excessive surveillance:

- While a small amount of surveillance is necessary for national security, excess and arbitrary surveillance is dangerous. Excessive and unaccountable surveillance **imperils privacy, freedom of thought, of speech**, and has a chilling effect on people's behaviour.
- It also goes **against the rule of law** which forms the bedrock of constitutional liberal democracies like India.

For related information refer to:

[UPSC Comprehensive News Analysis of 20th July 2021](#)

Concerns associated with surveillance in India:

- Despite the repeated claims from the government that all its surveillance is authorised and justified, the article points out serious concerns associated with surveillance activities carried out by intelligence agencies in India.
 - There are **numerous examples of surveillance powers being misused** for personal and political gain, and to harass opponents and have nothing to do with national security or organised crime. There have been even reports of non-state actors misusing police contacts to tap phone calls for personal reasons. Despite such reports, there are a few examples of people being held legally accountable for such unlawful surveillance.
 - **Required legal procedures are often not followed** while undertaking surveillance operations.
 - There is a complete **lack of oversight** of the executive's sole power to carry out surveillance activities. There is no entity to ensure that the surveillance is necessary and proportionate.

- There is very little clarity on the applicability of the available legal options for undertaking surveillance. Indeed, it is unclear when the Telegraph Act applies and when the IT Act applies.
- A limited number of agencies are provided powers to intercept and monitor. However, there are often different lists offered by different sources on what these agencies are. Thus, it is unclear which entities count as intelligence and security agencies. Also, post the K.S. Puttaswamy judgment, **most of India's intelligence agencies are "potentially unconstitutional"**, since they are not constituted under a statute passed by Parliament.
- The various **surveillance programmes such as CMS, TCIS, NETRA, CCTNS, have not been authorized by any statute**, and thus fall short of the Judiciary's test for reasonable restrictions on the invasion of privacy as noted in the 2017 [K.S. Puttaswamy judgment](#).

Important observations made in the K.S. Puttaswamy judgment:

- Any invasion of privacy could only be justified if it satisfied the following three tests:
 - The restriction must be by law
 - It must be necessary and proportionate
 - It must promote a legitimate state interest (e.g., national security)

Recommendations:

- There is a need for appropriate **international regulation of the sale of tools like spyware**.
- Likening the recent development to the U.S.'s Watergate scandal, the article calls for similar measures taken in the U.S. to **reform its intelligence and surveillance system**. There is a need to ensure that **surveillance in India is made accountable**. The various measures which might be taken in this direction include the following:
 - The various intelligence agencies in India must be provided with a **legal framework for their existence and functioning**.
 - A standing committee of Parliament on intelligence must be created to ensure a certain degree of legislative oversight over the operations of the various intelligence agencies. **The functioning of the various intelligence agencies must be brought under parliamentary oversight and scrutiny**. This could play a vital role in ensuring their accountability and them being respectful of civil liberties.
- Intelligence gathering needs to be professionalised and made **non-partisan**.
- Necessary measures need to be taken to ensure that **civil liberties and rule of law are protected and balanced against the need for surveillance activities in the national interest**.

Category: POLITY

1. Sharing during scarcity

Context:

- The **Union Ministry of Jal Shakti's gazette notification on the jurisdiction of the Krishna and Godavari River Management Boards** over projects and assets in the fields of irrigation and hydropower.

For detailed information regarding this development and its significance refer to the following article:

[UPSC Comprehensive News Analysis of 17th July 2021](#)

Background:

- **Andhra Pradesh and Telangana** have been involved in a tense stand-off over the sharing of water resources of the inter-state rivers.
- The two states have been complaining of the other drawing more water than that allocated.
- Amid escalating tensions, the Police forces were deployed at various hydel power projects in bordering districts of Andhra Pradesh and Telangana.

Details:

- The **two river boards would administer, regulate, operate and maintain** 36 projects in the Krishna Basin and 71 in the Godavari to ensure judicious water use in Andhra Pradesh and Telangana.

Way forward:

- The Centre must ensure that the empowered **Boards function in a fair manner** balancing the interests of both the states.
- The two States should **focus on water and energy conservation and improving the efficiency of irrigation schemes and hydel reservoirs rather than on new projects.**
- The experience of the river boards should serve as valuable policy inputs to the Centre's much-talked-about **concept of river basin organisations**, which could serve as a critical approach to deal with other [inter-state water disputes](#).

F. Prelims Facts

1. Water harvesting structures to be studied in Rajasthan

Traditional water harvesting structures in India:

Water Harvesting structure	State/UT
Johad, Nadis	Rajasthan
Ahar Pynes	Bihar
Zing	Ladakh
Kuhl	Himachal Pradesh
Zabo	Nagaland

Bamboo drip irrigation	Meghalaya
Eri	Tamil Nadu

Context:

- Rajasthan state government's proposal to study the contribution of water harvesting structure to the increase in groundwater level.

2. Navy seeks bids to build submarines

Project-75I:

- Under Project-75I, the Indian Navy intends to **acquire six diesel-electric submarines**, which will also feature **advanced air-independent propulsion systems** to enable them to stay submerged for a longer duration and substantially increase their operational range.
- The six modern conventional submarines will have the latest equipment, weapons and sensors, including advanced torpedoes, modern missiles and state-of-the-art countermeasure systems.
- All six submarines are expected to be **indigenously constructed in Indian shipyards under the strategic partnership model** of the procurement procedure.
 - Under this system, Strategic Partners (SPs) or Indian applicant companies for the project will have to tie up with any of the Original Equipment Manufacturers (OEM) for the production process.

Context:

- The Defence Ministry has issued the Request For Proposal (RFP) for the construction of six advanced conventional submarines for the Navy under Project-75I.

G. Tidbits

1. Two-thirds of Indians have antibodies, shows ICMR survey

Context:

- The **fourth national COVID-19 serosurvey** conducted by the [Indian Council of Medical Research \(ICMR\)](#).

Details:

- As per the sero-survey, **two-thirds of the population aged above six have antibodies against SARS-CoV-2.**
- The survey also found that more than **half of the children (6-17 years) were seropositive.**
- Though the survey offered a ray of hope in the fight against the pandemic, there was no room for complacency given that nearly 40 crore people, or a third of the population, are still vulnerable to the COVID-19 infection.

2. Aquaculture farmers to sell produce on e-Santa

e-Santa:

- The term eSaNta depicts Electronic Solution for Augmenting NaCSA Farmers Trade in Aquaculture.
 - National Centre for Sustainable Aquaculture (NaCSA) is an extension arm of the **Marine Products Export Development Authority (MPEDA), Ministry of Commerce & Industry**. The objectives of NaCSA are to encourage and uplift the small and marginal farmers through the organization of clusters and maintaining of best management practices.
- It basically functions as an **electronic marketplace for marine products**. It enables widely dispersed buyers and farmers to interact and execute purchase transactions digitally.
- This initiative by building a bridge between Aqua farmers and buyers to interact directly and buy the produce directly from farmers **helps eliminate the middlemen completely**.

Context:

- Many aquaculture farmers in Andhra Pradesh are planning to update the details of their produce online and market their stocks through e-Santa.

3. Accepting radical otherness

- The **U.S.-based Pew Research Center's survey on religious tolerance in India** has noted that Indians of all faiths, paradoxically, **support both religious tolerance and religious segregation**.
 - Most Indians (84%) surveyed said that respecting all religions is very important to them and all religious groups must be allowed to practise their faith freely. Yet, a considerable number of them also said they preferred to have religious groups segregated and live and marry within their own community.
- The article claims that though India is committed to religious diversity, it is mostly exclusionary and segmented in religious toleration. This the article claims is a feature of the **distinctly Asian cosmopolitanism** which has developed in regions that have to accommodate "radical diversities" that may prove to be dangerous if they are brought together in the same space.
- In this regard, the article metaphorically argues that India is neither a melting pot (diverse cultures blending into one common national identity) nor a salad bowl (different cultures retaining their specific characteristics while assimilating into one national identity) but a thali (an Indian meal comprising separate dishes on a platter where they are combined in specific ways).

H. UPSC Prelims Practice Questions

Q1. Which of the given statements with respect to Asian Development Bank (ADB) is/are correct?

1. Asian Development Outlook is an annual publication of ADB.
2. Under its voting system, each member nation has a single vote irrespective of its capital subscriptions.
3. The bank admits the members of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) and non-regional developed countries.

Options:

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

Answer: c

Explanation:

- Asian Development Outlook is annually published by the Asian Development Bank.
- In ADB, the votes are distributed among the member nations in proportion to their capital subscriptions.
- The bank admits the members of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) and non-regional developed countries.

Q2. e-SANTA is an electronic marketplace providing a platform:

- a. Connecting the farmers, traders and buyers of GI tagged agricultural produce across the country.
- b. Connecting aqua farmers and buyers across the country.
- c. Facilitating grading, packing, providing logistic support to organic farmers to sell their agriculture produce directly to end customers.
- d. Connecting all the existing Agricultural Produce Market Committee (APMC) mandis to create a unified national market for agricultural commodities.

Answer: b

Explanation:

e-SANTA is an electronic marketplace providing a platform connecting aqua farmers and buyers across the country.

Read more on [e-SANTA – Electronic Marketplace Platform for Aqua-Farmers](#).

Q3. Which of the given statements is/are incorrect?

- 1. Varkari is a religious movement within the Bhakti tradition geographically associated with the Mathura region.
- 2. Gnanadeva, Namadeva and Tukaram of the Varkari tradition were contemporaries.

Options:

- a. 1 only
- b. 2 only
- c. Both 1 and 2

d. Neither 1 nor 2

Answer: c

Explanation:

- Varkari is a religious movement within the Bhakti tradition geographically associated with Maharashtra and North Karnataka.
- Gnanadeva was the founder of the Bhakti Movement in Maharashtra in the 13th century.
- Namadeva belonged to the 13th century. He opposed idol worship and the dominance of priests. He criticized the caste system.
- Tukaram was another Bhakti saint of Maharashtra and said to be a contemporary of Shivaji. He was a 17th-century poet-saint of the Bhakti movement.

Q4. Johads and Khadins refer to:

- a. Rainfed storage structures built in Rajasthan.
- b. Inundation channels developed by people in the flood plains of Bengal to irrigate their fields.
- c. Traditional floodwater harvesting systems indigenous to South Bihar.
- d. Community-managed irrigation systems unique to Maharashtra.

Answer: a

Explanation:

Johads and Khadins refer to rainfed storage structures built in Rajasthan.

Q5. With reference to an initiative called 'The Economics of Ecosystems and Biodiversity (TEEB)', which of the following statements is/are correct? (UPSC 2016)

1. It is an initiative hosted by UNEP, IMF and World Economic Forum.
2. It is a global initiative that focuses on drawing attention to the economic benefits of biodiversity.
3. It presents an approach that can help decision-makers recognize, demonstrate and capture the value of ecosystems and biodiversity.

Select the correct answer using the code given below.

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

Answer: c

Explanation:

- The Economics of Ecosystems and Biodiversity (TEEB) was launched at the G8 meeting of environment ministers in Potsdam, Germany, in 2007.
- It is a global initiative that focuses on drawing attention to the economic benefits of biodiversity.
- It presents an approach that can help decision-makers recognize, demonstrate and capture the value of ecosystems and biodiversity.

I. UPSC Mains Practice Questions

1. Examine the need for legislative accountability and parliamentary oversight over Indian intelligence agencies. (250 words; 15 marks) [GS-2, Governance].
2. Andhra Pradesh and Telangana must focus on water and energy efficiency rather than on new projects. Analyse in the context of the recent inter-state water dispute that has emerged between the two states. (250 words; 15 marks) [GS-2, Polity].