

07 Sep 2021: UPSC Exam Comprehensive News Analysis

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Category: POLITY AND GOVERNANCE

1. [T.N. makes it official: workers have right to sit](#)

Context

- The Tamil Nadu government tabled a bill in the assembly, which makes it mandatory for business establishments to provide seating arrangements for their employees, who stand for long hours.
- The bill once it gets the assent from the Governor would legalise the 'right to sit' at the workplace.

Why was the bill introduced?

- The persons employed in shops and establishments in the State "are made to stand throughout their duty time" which results in varied health issues.
 - This includes kidney-related issues, varicose veins, swollen feet, and back pain because of the 'no sitting while at work' rule.
- There have been examples where the owners have cut the pay because the employee was leaning against the wall for a breather.

Features

The bill seeks to amend the Tamil Nadu Shops and Establishments Act, 1947 by adding a subsection to mandatorily provide seating facilities for the staff.

- "The premises of every establishment shall have suitable seating arrangements for all employees so that they may take advantage of any opportunity to sit which may occur in the course of their work and thereby avoid 'on their toes' situation throughout the working hours."

Challenges

- The bill does not detail the implementation and if shop owners would be penalised for not providing seating arrangements.

Significance

- It would benefit thousands of employees of large and small establishments, particularly those working in textile and jewellery showrooms.
- Providing seating facilities for the employees will pave the way for efficient working of the employees, as they will not be exhausted.

2. Fill tribunal vacancies by Sept. 13, SC tells Centre

Context

- The Supreme Court (SC) criticized the Central government for its inaction in filling vacancies in tribunals.

Details

- The SC said it did not want any confrontation with the government and asked the Centre to make some appointments to the tribunals.
- The court said it had three options.
 - One, close the tribunals.

- Two, to make the appointments itself.
- Three, to initiate contempt.

Background

UPSC Comprehensive News Analysis of 17th Aug 2021

Category: INTERNATIONAL RELATIONS

1. What is the 'food emergency' in Sri Lanka?

Context

- Sri Lanka has declared a state of emergency over food shortages.
- The President declared an emergency under the public security ordinance to maintain the supply of food items such as sugar and rice at fair prices.

Details

- It empowers the authorities to seize stocks of staple foods and set their prices, to contain soaring inflation after a steep devaluation of its currency due to a foreign exchange crisis.

Why is Sri Lanka witnessing such a crisis?

- Sri Lanka, a net importer of food and other commodities, is witnessing a surge in COVID-19 cases and deaths which has hit its tourism sector. It is one of the main foreign currency earners.
 - Major sources of foreign exchange earnings — exports and worker remittances.
- Production shortages and logistical bottlenecks.

Concerns

- Emergency regulations are not sustainable.
 - Sri Lanka does not have a universal public distribution system or ration cards that can ensure essential goods reach all consumers.
 - The current regulations may not address the economic problem, and instead, pose the risk of creating black markets.
- Budget-2021 banned the import of food items, including turmeric and chemical fertilisers, purportedly to encourage local farmers and organic farming, but it created more problems than solving any.
 - The real idea was to save that much on forex-outflow, but the urgent, unplanned import ban caused multiple crises at different levels, from the farm to the food table.

Way forward

- The government has announced massive penalties for hoarders but that may not be enough to end food-panic and long queues at retail stores. The situation can ease only if the government pumps in more forex into the system.

C. GS 3 Related

Nothing here for today!!!

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: POLITY AND GOVERNANCE

1. Spirit of federalism lies in consultation

The article talks about the need for consultation with the states while passing legislations, as unilateral legislations, more often than not, end up in protests.

Issue:

- Of late, various State governments have raised concerns about the Centre unilaterally enacting critical laws on subjects in the Concurrent List of the Seventh Schedule of the Constitution.
- The States and the Legislative Assemblies are standing up for their rights.
 - The Kerala Legislative Assembly unanimously passed a resolution against the Electricity (Amendment) Bill, 2020.
 - The Tamil Nadu Legislative Assembly passed a resolution against the controversial [farm laws](#).
- This assumes significance in the wake of the Union government introducing a number of laws without taking the States into confidence, thereby undermining the federal principles.

7th Schedule of the Indian Constitution:

The Seventh Schedule contains a three-fold distribution of legislative subjects between the Centre and the states, viz., List-I (the Union List), List-II (the State List) and List-III (the Concurrent List).

Impact:

Protests by the states:

- The enactment of farm laws without consultation with the States is an example.
 - The farm laws were passed by Parliament even as it does not have legislative competence to deal with agriculture. The lack of consultation in a matter that intrinsically deals with millions of farmers led to massive protests.
 - The laws, essentially related to Entry 14 (agriculture clause) belonging to the State List, were purportedly passed by Parliament citing Entry 33 (trade and commerce clause) in the Concurrent List.
- According to various decisions of the Supreme Court, beginning from the State of Bombay vs F.N. Balsara case, if an enactment falls within one of the matters assigned to the State List and reconciliation is not possible with any entry in the Concurrent or Union List after employing the doctrine of "pith and substance", the legislative domain of the State Legislature must prevail.

Doctrine of pith and substance:

Pith and substance is a doctrine used to determine under which head of power a given piece of legislation falls. The doctrine is primarily used when a law is challenged on the basis that one level of government has encroached upon the exclusive jurisdiction of another level of government.

Read more on the [Doctrine of Pith and Substance](#) in the linked article.

Redundancy of local laws:

- When the Major Ports Authorities Act, 2021, was passed by Parliament, State governments objected to the law, stating that it would lead to the redundancy of the local laws.
 - When it comes to non-major ports, the field for legislation is located in Entry 31 of the Concurrent List.
 - According to the Indian Ports Act, 1908, which currently governs the field related to non-major ports, the power to regulate and control the minor ports remained with the State governments.
 - However, the draft Indian Ports Bill, 2021, proposes to change the status quo by transferring the powers related to planning, developing and regulating the non-major ports to the Maritime State Development Council (MSDC), which is overwhelmingly controlled by the Union government.
- Coastal States like Odisha, Andhra Pradesh, Tamil Nadu and Kerala have objected to the Bill that proposes to seize the power of the State government with respect to non-major ports.
- Even the BJP-ruled State government in Goa objected to the law stating that it would make its local laws redundant.
- Various States like West Bengal, Tamil Nadu and Kerala have also come forward against the Electricity (Amendment) Bill, 2020.
 - The field related to electricity is traceable to Entry 38 of the Concurrent List.
 - The power to regulate the sector was vested with the State Electricity Regulatory Commissions (SERCs), which were manned by individuals appointed by the State government.
 - However, the proposed amendment seeks to change the regulatory regime with the establishment of a National Selection Committee, dominated by members nominated by the Union government that will make appointments to the SERCs.
 - It proposes the establishment of a Centrally-appointed Electricity Contract Enforcement Authority (ECEA) as the sole authority having jurisdiction over matters regarding the performance of obligations under a contract related to the sale, purchase or transmission of electricity.
 - In effect, the power to regulate the electricity sector would be taken away from the State government.

Distribution of power between the Centre and the States:

- The model envisioned in the Government of India Act, 1935, was adopted by the framers of the Constitution and certain subjects were put in the Concurrent List by giving the Union and the State Legislatures concurrent powers regarding them.

- The fields in the Concurrent List were to be of common interest to the Union and the States, and the power to legislate on these subjects to be shared with the Union so that there would be uniformity in law across the country.
- However, one of the worst fears of Constituent Assembly member K.T.M. Ahmad Ibrahim Sahib Bahadur was that the subjects in the Concurrent List might end up being transferred to the Union List over a period of time due to the Union government's high-handedness.
 - This fear seems to be coming true with the latest developments.
- The Sarkaria Commission Report had specifically recommended that there should be a coordination of policy and action in all areas of concurrent or overlapping jurisdiction through a process of mutual consultation and cooperation is, therefore, a prerequisite of smooth and harmonious working of the dual system.
 - It was further recommended that the Union government, while exercising powers under the Concurrent List, limit itself to the purpose of ensuring uniformity in basic issues of national policy and not more.
- The National Commission to Review the Working of the Constitution (NCRWC), or the Venkatachaliah Commission, had recommended that individual and collective consultation with the States should be undertaken through the Inter-State Council established under Article 263 of the Constitution.

Concerns:

- The Union government increasingly extending its hands to subjects in the Concurrent List is a cause of grave concern.
- It is not in the essence of federalism for the Union government to legislate unilaterally, avoiding discussions with the States on the subjects in the Concurrent List.

Conclusion:

As the Supreme Court held in the [S.R. Bommai vs Union of India case](#), the States are not mere appendages of the Union. The Centre should not meddle with the power of the States. The intention of the framers of the Constitution is to ensure that public welfare is subserved and the key to that lies in listening to stakeholders. The essence of cooperative federalism lies in consultation and dialogue, and unilateral legislation without taking the States into confidence will lead to more protests on the streets.

Category: INTERNATIONAL RELATIONS

1. A Taliban-led Afghanistan and the Chinese conundrum

The article talks about the impact of the Taliban's takeover of Afghanistan on China's [Belt and Road initiative](#).

Background:

- With the exit of U.S. troops from Afghanistan, the country has seen a number of unsettling events.
- A devastating bomb blast took place outside Kabul airport.
- Besides the umpteen number of bomb blasts, there was one at the Gwadar East Bay Expressway project, targeting Chinese nationals.

- For the Afghan economy that is driven by the opium trade and ruled by tribal leaders, the new normal is bound to be governed by instability, fighting groups, and thereafter, boom, gloom, and doom.
- The return of the Taliban is seen as a victory of Chinese diplomacy and a defeat for the United States; comparable to the U.S.'s symbolic evacuation of Saigon, in 1975, at the end of the [Vietnam war](#).

The U.S exit from Afghanistan:

- The U.S decided to withdraw its troops from Afghanistan as the Afghan occupation was costing it more than what it was getting in return.
- Since 2001, the U.S. has spent \$2.26 trillion (\$1.53 trillion on defence).
- However, the Afghan economy did not flourish, with 90% of its population still living below the poverty line, with less than \$2 a day.
- The only thing that the economy can still brag about is its ability to produce opium.

China's gains:

- China (and Russia) have kept their embassies running in Kabul while the western embassies have disappeared.
- China is engaging with the Taliban, with an eye to complete the new Belt and Road Initiative (BRI) investment. And a Chinese presence in Afghanistan with an all-weather ally Pakistan may sound unfavourable for India.
- Afghanistan has a few resources that are valuable: rare-earth metals and huge deposits of copper.
- The Chinese have the technology to excavate them.

Crucial link in the BRI:

- Afghanistan is indeed vital for the BRI.
- Without counting on Afghanistan, the bulk of Chinese investment in the China-Pakistan corridor will be at risk.
- Considering the heavy infrastructure investment in the BRI, only many years of successful operation could repay it. The amount of trade that should flow through the new Silk Road should be massive and long term. Otherwise, it will cost money and effort.

China's Investment Strategy:

- The Chinese successfully implemented this investment strategy, and it worked well in the context of Southeast Asia and Africa.
 - With the cost of production being lower in Southeast Asia, Chinese firms could gain by shifting their production bases outside China.
 - Investing in these regions meant access to bigger markets for Chinese firms and more uniform regional development.
- Chinese firms could evade protectionist measures targeted at their exports when they began exporting from Southeast Asian countries instead.

- Investing in Africa and Asia has also reduced some of China's energy requirements, enabling it to access cheaper foreign energy (oil and power) and minerals.
- Chinese firms have also constructed hydropower plants and a thermal power station in Myanmar. China has also invested in power transmission and copper processing activities in Vietnam.
- The Chinese want to mimic the same strategies in the case of Afghanistan and Pakistan.

Success in these two countries would imply that China will be able to bring together a large part of the Indian Ocean littoral and Eurasia through high speed rail lines, pipelines, and maritime linkages. The idea of connecting to the rest of the world stems from China's aspiration to get out of manufacturing, go up the global value chains, and start focusing on product designing and innovation. According to the government of China, the development of the BRI would impact 4.4 billion people and generate trade worth \$2.5 trillion within a decade.

China's Concerns:

- Afghanistan and Pakistan are not comparable to the Association of Southeast Asian Nations (ASEAN).
- The recent suicide attacks indicate the resurgence of terrorist groups such as al Qaeda, Daesh, and the Islamic State.
- No businesses can flourish in the presence of terrorism, especially when the Taliban are known to have a soft corner for the East Turkestan Islamic Movement — a militant group active in the Uighur province of China.
- Even in Pakistan, a country relatively better off than Afghanistan, the Chinese are facing problems.
 - Pakistan is unable to repay a China-funded energy project, built under the BRI.
 - The economy of Pakistan faltered because of dynastic politics and corruption.
 - There is an excessive dependence of the political class on the military.
 - Business decisions are not economically driven but are motivated by the vested interests of the army.

Conclusion:

- The Taliban ruling groups are far from united, making it impossible to make any reliable domestic and international policy predictions.
- There are good reasons to believe that the return of the Taliban in Kabul will spell gloom and doom for the Chinese.
- The dependence on opium export makes Afghanistan vulnerable to world mafias and corruption.
- Embargoes, rebellions, factional wars, will be the likely events in Taliban-controlled Afghanistan. These issues will spread to Kazakhstan, Turkmenistan, Turkey, and other essential rings in the BRI chain.
- While the Taliban are among the world's least acceptable ruling elite for the western countries, enormous markets controlled by the western powers are the most lucrative for China.
- Hence, the next decade will likely show a sequence of BRI trade flow following likely European and American decisions to block or sanction trade from Afghanistan.

- The U.S. decision of vacating Afghanistan may prove costly for China.

Category: ECONOMY

1. The long and the short of the NMP

The Union Minister for Finance and Corporate Affairs launched the National Monetisation Pipeline (NMP) for Central ministries and public sector entities.

This topic has been covered in [Aug 24th, 2021 CNA](#) and [Aug 30th, 2021 CNA](#).

Read more on the challenges and concerns associated with National Monetisation Pipeline (NMP) covered in [Aug 27th, 2021 CNA](#) and [Aug 29th, 2021 CNA](#).

F. Prelims Facts

Nothing here for today!!!

G. Tidbits

1. Taliban claim total control as Panjshir resistance folds

Background

- Panjshir was the last pocket of armed resistance against the Taliban. It has a history of being difficult for enemies to take.
- The Panjshir fighting has been the most prominent example of resistance to the Taliban.

Context

- Taliban have taken complete control of Panjshir province.

Details

- The Taliban assured the people of Panjshir, who are ethnically distinct from the Pashtun-dominated Taliban that there would be no “discriminatory act against them”.

H. UPSC Prelims Practice Questions

Q1. Which is the best description of NAMASYA Mobile App?

- It is an app developed exclusively for the benefit of NALCO's MSE Vendors
- It is an electronic marketplace providing a platform to connect aqua farmers and the buyers.
- It is an app to log in and track the grievances of the consular services offered by the Indian embassies in foreign locations.
- It is an app where citizens can pay homage and contribute financially to the bereaved families of soldiers

Answer: a

Explanation:

- National Aluminium Company Ltd (NALCO) is a Navratna CPSE under the Ministry of Mines.
- It has been playing a key role in empowering the Micro and Small Enterprises (MSEs) by providing a modern & innovative platform 'NALCO Micro and Small enterprise Yogayog Application' (NAMASYA).
- It is a bi-lingual App developed exclusively for the benefit of the Company's MSE Vendors.
 - The NAMASYA App provides a platform to highlight the Company's efforts towards the development of MSEs.
 - The App empowers MSEs with required information about the vendor registration process, items that can be supplied by them with technical specifications, vendor development and training programmes of NALCO.

Q2. Consider the following pairs:

Operation

Objective

1. Samudra Setu – national effort to repatriate Indian citizens from overseas during the COVID-19 pandemic
2. Pawan – military operation undertaken by the IPKF to take control of the Jaffna Peninsula
3. Maitri – rescue and relief mission in quake-hit Nepal

Which of the above pairs is/are correctly matched?

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

Answer: d

Explanation:

Operation Samudra Setu:

[Samudra Setu II](#)

Operation Pawan:

[Operation Pawan](#)

Operation Maitri:

- It is the name of the rescue and relief operation in Nepal that was undertaken by the Government of India and Indian Armed Forces in the aftershock of the 2015 Nepal earthquake.

Q3. With reference to Manda buffalo, which of the following statements is/are correct?

1. They are found in the Western Ghats.

2. The Manda are resistant to parasitic infections and are less prone to diseases.

Options:

- a. 1 only
- b. 2 only
- c. Both
- d. None

Answer: b

Explanation:

- The National Bureau of Animal Genetic Resources (NBAGR), an Indian Council of Agricultural Research (ICAR) institute, has recognised the Manda buffalo, as one of the unique breeds of buffaloes found in India.
- It is found in the Eastern Ghats and plateau of the Koraput region of Odisha.

| INDIGENOUS BREED | | |
|---|--|---|
| Mandas are less prone to diseases and used for ploughing in southern Odisha | They give birth to a calf every 1.5 or 2 years for up to 20 years | Average milk yield of these buffaloes is 2 to 2.5 litre at a time |
| Buffalos can live, produce and reproduce at low or no input system | | |

Q4. Consider the following statements:

- 1. It is a landlocked country.
- 2. It is bordered by Russia to the east and northeast, and by Ukraine to the south.
- 3. It is not a member of the European Union.

The above statements describe:

- a. Poland
- b. Slovenia
- c. Belarus
- d. Lithuania

Answer:c

Explanation:



Q5. Consider the following pairs:

Region

Well-known for the production of

1. Kinnaur:
2. Mewat:
3. Coromandel:

- Areca nut
- Mango
- Soya bean

Which of the above pairs is/ are correctly matched? (UPSC 2014)

- a. 1 and 2 only
- b. 3 only
- c. 1, 2 and 3
- d. None

Answer:d

Explanation:

- Kinnaur is known for Apples. It is in Himachal Pradesh.
- Mewat in Haryana is not known for Mangoes.
- Coromandel in Tamil Nadu is known for many agricultural crops but not Soya Bean.
 - The production of soybean in India is dominated by Maharashtra and Madhya Pradesh.

I. UPSC Mains Practice Questions

1. Unilateral legislation without taking States into confidence will see more protests on the streets. Hence, the centre needs to remember that the spirit of federalism lies in consultation. Critically evaluate. (250 words; 15 marks)[GS-2, Polity]
2. Write a note on the 'National Monetisation Pipeline' and examine the consequences of asset monetisation on ordinary citizens. (250 words; 15 marks)[GS-3, Economy]