

23 Feb 2022: UPSC Exam Comprehensive News Analysis

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Category: INTERNATIONAL RELATIONS

1. [West responds to Russia move with new sanctions](#)

Syllabus: Effect of policies and politics of developed and developing countries on India's interests

Prelims: 'Donbas' region

Mains: Critical evaluation of Russia's recognition of Donbas region amidst Ukraine crisis

Context: Russia signed a decree to officially recognise the independence of two separatist regions in eastern Ukraine — Donetsk and Luhansk.

What is the 'Donbas' region?

- Donetsk and Luhansk are two states located in eastern Ukraine, which share a border with Russia.
- Within these two states are two separatist territories known as the Donetsk People's Republic (DPR) and Luhansk People's Republic (LPR), which are run by Russian and Russian-backed separatists.
- This entire region, which includes Donetsk, Luhansk and their respective separatist territories, is generally referred to as the 'Donbas' region.
- Donbas, located on the Russian border adjoining Russia, has a majority Russian-speaking population.



Source: Theprint

What is the issue?

- After Russia's invasion of Ukraine in early 2014, rebels in Donetsk and Luhansk held disputed referendums to join the Russian Federation.
- Its results paved the way for the separatist territories to be declared as LPR and DPR.
- The pro-Russian separatist regions in Donetsk and Luhansk had declared independence from Ukraine in 2014.
- No country had recognised the republics as sovereign states until now.

- Recently, Russia has recognised the territorial claims of the self-declared separatist republics in the Donbas region of eastern Ukraine.

What is the International Response?

- **Ukraine:** Ukraine argues that the resolution passed by Russia “undermines Minsk agreements and the peace process. The immediate priority for India is de-escalation of tensions taking into account the legitimate security interests of all countries.
- **India:** India aims to secure long-term peace and stability in the region and beyond. India had chosen not to join Western calls for action against Russia.
- **UN:** The UN is greatly concerned by Russia’s decision on the status of certain areas of the Donetsk & Luhansk regions of Ukraine.
- **NATO:** NATO joined in the international condemnation of the move, saying “this further undermines Ukraine’s sovereignty and territorial integrity, erodes efforts towards a resolution of the conflict, and violates the Minsk Agreements
- **Other:** In contrast, the U.K., the U.S., European countries, and Kenya called Russia’s decision an attack on Ukrainian sovereignty, and promised sanctions and other actions.

Sanctions on Russia:

- **SWIFT ban:** The US and European officials are finalizing an “extensive package” of sanctions which could target major Russian banks and its energy sector, with the possibility of Russia being excluded from the SWIFT financial system.
 - **SWIFT system** stands for the Society for Worldwide Interbank Financial Telecommunication and is a secure platform for financial institutions to exchange information about global financial transactions such as money transfers.
- **Nord Stream 2:** The package of sanctions prepared by the European Union in case Russia invades Ukraine includes measures targeting the Nord Stream 2 pipeline.
 - **Nord Stream** is a gas pipeline that connects Russia to Germany via the Baltic Sea.

What does the recognition mean for the Ukraine crisis?

- Russia’s decision to recognise the self-declared Donetsk and Luhansk republics practically brought the Minsk peace process to an end.
- The Minsk 1 and II accords, reached in 2014 and 2015, had brought a tenuous ceasefire between the Russian-backed rebels in Ukraine’s Donbas region.

Nut Graf

Russia has recognized the independence of two breakaway regions in eastern Ukraine. The move has escalated fears among Western nations about a Russian invasion of Ukraine.

2. Examining the Russia-China axis

Syllabus: India and its neighborhood- relations.

Mains: Significant Aspects of Russia-China Relations and Implications for India

Context: Russian President Vladimir Putin's visit to China this month, as well as the Ukraine crisis, have turned the spotlight on Russia's relations with China.

Significant Aspects of Russia-China Relations:

- **Strategic Interests:** For China, Russia is the most important source of financial and technological support.
 - **Shared discomfort with the U.S:** The biggest factor behind their current closeness is their shared discomfort with the U.S. and its allies.
 - **Chinese support to Russia:** China supports Russia in opposing further enlargement of NATO and calling on the North Atlantic Alliance to abandon its ideological cold war approaches.
 - **Russian support to China:** Russia reaffirms support for the One-China principle, confirms that Taiwan is an inalienable part of China.
- **Growing military closeness:** China- Russia joint exercises have grown in scope to warn some countries and groupings like AUKUS and Quad, not to stir up trouble.
- **Ideological Binding:** The ideological binding reflects in shared opposition to the west's attempts to impose their own democratic standards on other countries and "interference" by the west on human rights issues.
- **Commercial ties:** China has been Russia's biggest trading partner for 12 consecutive years and accounts for close to 20% of Russia's total foreign trade. Russia is China's largest source of energy imports and second largest source of crude oil.

China's Response to the Ukraine crisis:

- China claims that its preferred resolution to the current crisis was a diplomatic solution and a return to the Minsk agreement.
- However, Russia's recognition of the "people's republics" of Donetsk and Luhansk showed China's limited influence.

Implications for India and the rest of the world:

- China has repeatedly underlined that it is sympathetic to Russia's concerns on NATO, which mirror its own opposition to America's allies in the Indo-Pacific.
- In the backdrop of Russia coming under heavy sanctions, close cooperation between China and Russia on energy, trade, finance and science and technology will become more important.
- As strategic partners, China is obliged to bolster Russia in time of need but China's capacities to do so, given its own domestic economic challenges, are in truth limited.
- Sino-Russian closeness poses its own challenges for India even as Russia remains a key defense partner.

Nut Graf

In light of the growing Sino-Russian closeness, India should learn how to navigate the three-way dynamic amid the worst period in relations with China, even as Russia remains a key defense partner.

C. GS 3 Related

Nothing here for today!!!

D. GS 4 Related

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E. Editorials

Category: POLITY AND GOVERNANCE

1. Untangling Kerala's Lokayukta controversy

Syllabus: Statutory, regulatory and various quasi-judicial bodies

Mains: Ambiguity in the powers of the Lokayukta in the context of Amendments to the Kerala Lokayukta Act

Context:

This article particularly talks about the ambiguity in the powers of the Lokayukta in the context of Amendments to the Lokayukta Act proposed by the Kerala government.

Background

- The Lokpal-Lokayukta term was first used in a report of the **Administrative Reforms Commission** headed by Morarji Desai in 1966.
- The first Bill on Lokpal was introduced in the Lok Sabha in 1968 which lapsed with the dissolution of the House.
- With Anna Hazare's movement and the active involvement of civil society moral pressure, the **Lokpal and Lokayuktas Bill was passed by Parliament in 2013**.
- Know more about [Lokpal and Lokayuktas Bill 2013](#)

Controversial Lokayukta Amendment of Kerala

- Currently, under Section 14 of the Act, a public servant is required to vacate office if directed by the Lokayukta.
- Kerala government's proposed amendments bestows the competent authority — the Governor or Chief Minister or the Kerala government — with the power to overrule the Lokayukta.
- The government can "either accept or reject the verdict of the Lokayukta, after giving an opportunity of being heard".

Concerns with Kerala Lokayukta Act, 1999

- **Questions over Legal Authority of Lokayukta:**
 - Lokayukta being an investigative body does not have the legal authority to direct the public servant to resign his post on the basis of its findings.

- It can only submit its findings to the competent authority or, as is provided in the Lokpal Act, file a case in the special court.
- The Lokayukta cannot enjoy the powers of the higher courts which alone can issue such directions in the nature of writs.
- **A law cannot compel the Governor to remove the Chief minister and minister:**
 - The Chief Minister or a Minister holds office during the pleasure of the Governor (Article 164).
 - The Constitution of India does not contemplate any external pressure on the Governor to withdraw his pleasure.
 - The Sarkaria Commission had suggested that the Governor can dismiss a Chief Minister only when he loses his majority in the Assembly and refuses to step down. The Supreme Court has accepted this recommendation of the Sarkaria Commission.
 - A Chief Minister cannot be asked to resign when he enjoys a majority in the House.
 - The Governor, being a high constitutional authority, cannot be compelled by a law to act in a particular manner so far as his constitutional duties and functions are concerned.
 - No agency created by a law made by the Assembly, particularly an investigative body, can declare that its decision be carried out by the Governor.
 - It would amount to a violation of the Constitution.
- **Ambiguity in terms of Public Servant:**
 - The law includes the office bearers of political parties within its definition of 'public servant'.
 - The Lokayukta law was enacted to inquire into cases of corruption of public functionaries such as Ministers, legislators, etc. who are covered by the Prevention of Corruption Act.
 - This Act does not include office-bearers of political parties in its definition clause.
 - So, it is difficult to understand how they can be brought within the sweep of the Lokayukta Act.
- **Issues with reports of Lokayukta**
 - Another problematic provision in this law is the one which deals with the reports of Lokayukta (Section 12).
 - It says that the Lokayukta shall, on the allegation of corruption being substantiated, send the findings along with recommendation of action to the **competent authority** who is required to take action as recommended by the Lokayukta.
 - It further says that if the Lokayukta is satisfied by the action taken by the competent authority, he shall close the case.
 - The question is how the Lokayukta can close a corruption case which is a criminal case and which invites imprisonment for three to seven years.
 - The Lokayukta, not being a court, does not have the legal capacity to close the corruption case under any circumstances.

Conclusion:

Section 14 of the Kerala Lokayukta Act, 1999 suffered from legal infirmities and it is only proper that the government of the day revisited this provision. The proposed amendment removes a provision in the

Act which is unconstitutional as it gave power to the Lokpal to give directions to the Governor to remove a Chief Minister or a Minister on being found guilty of corruption.

Nut Graf

The Lokpal-Lokayukta issue has always generated intense debate in the country. The Kerala Lokayukta Act should be re-examined by a committee of the Assembly and should be brought on a par with the Lokpal Act. Legislation which seeks to punish corrupt public functionaries should be placed above controversies.

2. Regulation, not prohibition

Syllabus: Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Mains: Regulations of online gaming platforms; States resorting to banning online gaming

Context: The High Court of Karnataka declared certain provisions of the Karnataka Police (Amendment) Act, 2021 as unconstitutional.

Recent Judgements related to the gaming sector:

- **Chamarbaugwala cases 1957(The State Of Bombay v. R.M.D. Chamarbaugwala and R.M.D. Chamarbaugwalla v. The Union Of India)**
 - In this case the supreme court held that in any game, if the element of skill is dominant over the element of chance (a yardstick known as the preponderance test), it is a game of skill and cannot be construed as gambling.
 - The Supreme Court and various High Courts have held several games including rummy, fantasy sports, bridge, chess and horse racing to be games of skill.
 - This position is also reflected in the Gambling Acts of most State governments, which often state: 'Nothing in this act shall apply to any game of mere skill'.
- **Karnataka High Court Verdict:**
 - The Karnataka Police (Amendment) Act, 2021 prohibited and criminalized the offering and playing of online games.
 - The Karnataka High Court declared certain provisions of the act as unconstitutional.
- **Madras High Court's judgment on gaming law:**
 - The HC held that as games based on a 'preponderance of skill' are protected under Article 19(1)(g) of the Constitution.
 - The restrictions imposed by the State on conducting or playing such games should satisfy the tests of reasonableness and proportionality.
- **Kerala High Court Judgment on ban of Rummy:**
 - The Kerala High Court struck down the amendment to a government notification issued under Section 14A of the Kerala Gaming Act, 1960 aiming to ban online rummy in the state.
 - The judgment noted that the notification was arbitrary and violative of the right to trade and commerce guaranteed under Article 19(1)(g) of the constitution.

Despite clear precedents of the Supreme Court and the various High Courts, why did State governments issue these bans?

- One persistent argument is that the Chamarbaugwala cases of the 1950s are outdated now. Technology has progressed significantly and most games are played online.
- The courts have held that the government's argument that exposure to games of skill is leading to certain social evils such as addiction and financial distress is only anecdotal.
- A blanket ban is not only arbitrary, but also leads to untoward situations such as proliferation of illegal syndicates.

Significance of the gaming Sector:

- Gaming industry is an important sunrise sector which has immense investment, revenue-generating potential, and creates employment.
- Gaming also has multiplier benefits to several sectors that have been identified as focus areas by the Government of India, including semiconductors, telecom, fintech and animation/graphics.
- Another positive economic dimension is that the sector has received massive foreign investment. In the last five years, the online gaming sector has received around \$1,700 million in venture capital and private equity.

Way Forward: Reform-oriented policy structure

- The Central government in the Union Budget announced that an Animation, Visual Effect, Gaming and Comics promotion task force will be set up to boost the activities.
- The State governments should introduce a reform-oriented policy structure in this sector.
- The online skill gaming industry too has urged the respective State governments to regulate the sector and come out with a policy structure that is based on checks and balances.
- The online skill gaming industry and its investors hope that the sector and government can work together to create a policy structure based on principles of light touch regulation and not prohibition.

Nut Graf

An attempt by some State governments to sidestep or ignore the judicial decisions may not only be impractical, but may also send a poor message to the international investor community about governments in India not respecting the sanctity of the judiciary.

F. Prelims Facts

1. Char Chinari island

Syllabus: *GS1: Geography: Geographical features and their location*

Prelims: *'Char Chinari' island*

Context: Recently, efforts were made to plant chinari trees and boost floriculture on the Char Chinari Island.

'Char Chinari' island:

- Char Chinari Island is in the middle of the **Dal Lake** in Srinagar.
- The island owes its name to chinari trees, as Char Chinari means four chinars.
- It was constructed by **Murad Baksh, the brother of Mughal emperor Aurangzeb.**
- Chinari trees were planted on the picturesque island with the **Zabarwan hills** in the backdrop.
- Other Islands of Dal Lake:
 - One island is located on the Bod Dal and is known as **Roph Lank or Silver Island.**
 - The other island is located on the Lokut Dal and is called **Sone Lank or Gold Island.**

2. India sends first batch of aid to Afghanistan

Syllabus: GS2: International Relations: India and its neighborhood- relations.

Prelims: World Food Program

Context: India sends the first batch of humanitarian aid for Afghanistan which is expected to help people deal with the crisis caused after the Taliban takeover of Kabul.

World Food Program:

- The World Food Program had helped complete the negotiations with India, and Afghanistan.
- The wheat assistance will be delivered in multiple consignments and will be handed over to the United Nations World Food Program (WFP) in Jalalabad, Afghanistan.

Know more about the [World Food Programme \(WFP\)](#)

3. J&K delimitation panel gets 2-month extension

Syllabus: GS2: Polity and Governance: Parliament and State legislatures—structure, functioning, conduct of business, powers & privileges and issues arising out of these.

Prelims: Jammu & Kashmir Delimitation Commission

Context: The Jammu and Kashmir Delimitation Commission has been given two more months to complete the exercise.

Jammu & Kashmir Delimitation Commission:

- The Delimitation Commission was set up to carve out constituencies afresh in Jammu & Kashmir.
- It is expected that the commission will submit its final report by May, paving the way for holding of elections in J&K.

Know more about the [Delimitation in Jammu and Kashmir](#)

4. Scheme for COVID-19 orphans extended

Syllabus: GS2: Polity and Governance: Welfare schemes for vulnerable sections

Prelims: PM-CARES for Children Scheme

Context: The Ministry of Women and Child Development said that the PM CARES scheme for children orphaned by the COVID-19 pandemic has been extended.

PM-CARES for Children Scheme:

- The scheme covers all children who have lost both parents, the lone surviving parent or legal guardian or adoptive parent or parents, due to COVID-19.
- To avail the scheme, a child should not have turned 18 on the date of death of his or her parents.
- **Education aid:** The scheme provides gap funding for education and health and a monthly stipend from the age of 18 years, apart from a lump sum amount of ₹10 lakh when a beneficiary turns 23 years old.
- Know more about the [PM-CARES for Children Scheme](#)

H. UPSC Prelims Practice Questions

Q1. Which of the following is/are correctly matched?

Pair 1	Pair 2
1. eMARG	an e-Governance solution for maintenance of rural roads constructed under Pradhan Mantri Gram Sadak Yojana
2. Geospatial Rural Road Information System	national level geographic presentation of Pradhan Mantri Gram Sadak Yojana
3. GeoSadak	online Geospatial Transaction System for Pradhan Mantri Gram Sadak Yojana
4. National Rural Infrastructure Development Agency	the nodal implementation agency of Pradhan Mantri Gram Sadak Yojana scheme

Options:

- 4 only
- 2 and 3 only
- 1, 3 and 4 only
- 1, 2, 3 and 4

Answer: d

Explanation: All the pairs are correctly matched.

eMARG	eMARG (electronic Maintenance of Rural Roads under PMGSY) is an enterprise e-Governance solution for maintenance of rural roads constructed under Pradhan Mantri Gram Sadak Yojna (PMGSY).
Geospatial Rural Road Information System	Geospatial Rural Road Information System GRRIS is a Geographical presentation of PMGSY. GRRIS seeks to provide every citizen, even in the remotest corner, of this country to visually see on a simple map, the details of the rural roads and roads improved or covered under the PMGSY scheme in a particular Block, District and State.
GeoSadak	GeoSadak is an Online Geospatial Transaction System for PMGSY. Satellite base maps from external sources are incorporated, including ISRO Bhuvan satellite data. Upload GIS data online and get published automatically.
National Rural Infrastructure Development Agency	The works under Pradhan Mantri Gram Sadak Yojana (PMGSY) are executed by the State Governments and monitored by the Ministry of Rural Development through the National Rural Roads Development Agency (NRRDA) set up for this purpose.

Hence Option D is correct

Q2. Which of the following statements best describes Mission Vatsalya?

- An umbrella scheme for child welfare services and child protection services all over India.
- An umbrella scheme covering schemes for empowerment and protection of women across India.
- An umbrella scheme for nutritional development of children.
- An umbrella scheme covering comprehensive measures aimed at reducing neo-natal mortality and maternal mortality.

Answer: a

Explanation:

- Mission Vatsalya or Vatsalya Maatri Amrit Kosh was launched by the ministry of health and family welfare.
- It is a scheme to promote breastfeeding and child protection services all over India. Know more about [Vatsalya Maatri Amrit Kosh](#)

Hence Option A is correct

Q3. Consider the following statements:

- Original constitution did not contain any provisions related to Fundamental Duties.

2. All the Fundamental Duties were added to the constitution through the 42nd amendment act to the constitution, based on the recommendations of the Swaran Singh Committee.
3. Swaran Singh Committee suggested penal provisions for not adhering to Fundamental Duties.
4. Both Fundamental Rights and Fundamental Duties are not applicable to non-citizen residents of India.

Which of the given statement/s is/are INCORRECT?

- a. 3 only
- b. 2 and 4 only
- c. 2, 3 and 4 only
- d. 1, 2, 3 and 4

Answer: b

Explanation:

- The fundamental duties were not present in the original constitution and they were added by the 42nd Amendment Act of the Constitution in 1976. **Hence Statement 1 is correct.**
- The 42nd Amendment Act of 1976 added 10 Fundamental Duties to the Indian Constitution. The 86th Amendment Act 2002 later added 11th Fundamental Duty to the list. **Hence Statement 2 is not correct**
- The **Swaran Singh Committee in 1976** recommended Fundamental Duties, the necessity of which was felt during the internal emergency of 1975-77. **Hence Statement 3 is correct**
- The Fundamental Rights guaranteed by Articles 14, 20, 21, 21A, 22, 23, 24, 25, 26, 27 and 28 are available to all persons whether citizens or foreigners. Fundamental rights can be applied to foreigners also but the fundamental duties are only restricted to the Indians citizens. **Hence Statement 4 is not correct**

Q4. Which of the given statement/s is/are correct with respect to the National Means-cum-Merit Scholarship (NMMSS) Scheme?

1. One lakh fresh scholarships are awarded to selected students of class IX every year for study in State Government, Government-aided, Local body and Private schools under the scheme.
2. Complete funds under the scheme are provided by the Central Government only.
3. The scholarships are disbursed to the students directly by electronic transfer into their bank accounts under Direct Benefit Transfer (DBT).

Options:

- a. 1 and 2 only
- b. 1 and 3 only
- c. 2 and 3 only
- d. None of the above

Answer: c

Explanation:

- The objective of the scheme is to offer scholarships **to meritorious students of economically weaker sections** to reduce the dropout rate from school encouraging them to continue their studies at the secondary level.
- To take the scheme further, **one lakh fresh scholarships will be provided to the students of class IX every year and their continuation in classes X to XII**. It covers the **government aided and local body schools apart from the schools under the state government**. **Hence Statement 1 is not correct.**
- As this is a central sector scheme, **100% funds are provided by the central government**. **Hence Statement 2 is correct.**
- The scheme is available on the National Scholarship Portal.
- The scholarships are transferred to the bank accounts of the selected students by electronic transfer into their bank accounts under Direct Benefit Transfer (DBT). **Hence Statement 3 is correct.**

Q5. 'SWAYAM', an initiative of the Government of India, aims at

- a. promoting the Self Help Groups in rural areas
- b. providing financial and technical assistance to young start-up entrepreneurs
- c. promoting the education and health of adolescent girls
- d. providing affordable and quality education to the citizens for free

Answer: d

Explanation:

- SWAYAM stands for Study Webs of Active Learning for Young Aspiring Minds.
- This is a program under the Ministry of Human Resource Development (MHRD).
- The study material on the central government's e-learning platform, Study Webs of Active Learning for Young Aspiring Minds (SWAYAM), is being translated into eight regional Indian languages.
- **Hence Option D is correct**

I. UPSC Mains Practice Questions

1. Is growing proximity between Russia and China a cause of concern for India? Evaluate how the Indian government can navigate through the challenges emerging from this relation. (250 words; 15 marks)[GS-2, International Relations]
2. With the emergence of multiple online gaming platforms, it is time for the government to relook into the existing policy and make favorable changes to help this sector grow. Comment. (250 words; 15 marks)[GS-2, Governance]