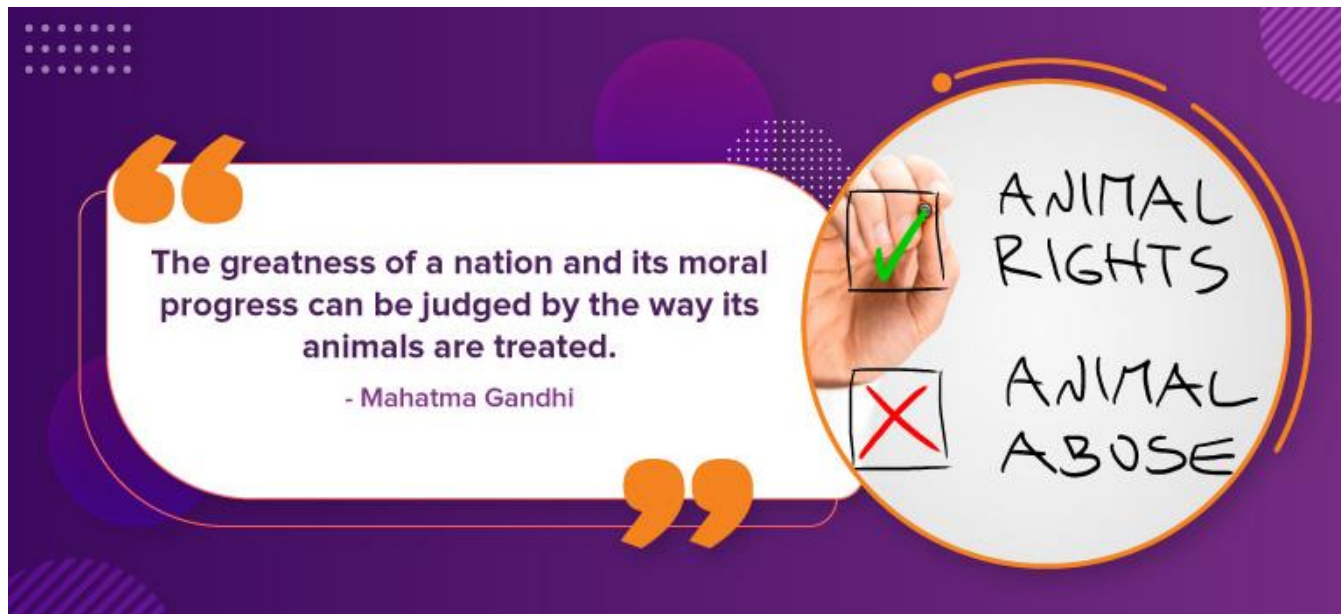


## 12 May 2022: UPSC Exam Comprehensive News Analysis



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## I. UPSC Mains Practice Questions

### A. GS 1 Related

*Nothing here for today!!!*

### B. GS 2 Related

**Category: POLITY**

#### 1. SC puts colonial sedition law on hold

*Syllabus: Constitution of India - evolution, features, and significant provisions.*

*Mains: Significance of the Supreme Court's order on the sedition law in India.*

##### Context

The Supreme Court suspended pending criminal cases and court proceedings under Section 124A (sedition law) of the [Indian Penal Code](#) (IPC).

##### Section 124A of IPC

**Video link:** [https://youtu.be/OwA\\_kxNHZ9I](https://youtu.be/OwA_kxNHZ9I)

- The IPC Section 124A provides for the punishment of those who by words (either spoken or written), or by signs, or by visible representation attempt to bring hatred or incite or attempt to incite disaffection towards the Government established by law in India.
- Those convicted under the Section shall be punished with imprisonment for life to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added.
- According to the **National Crime Records Bureau (NCRB)**, 356 cases of sedition under **Section 124A** have been registered and 548 people have been arrested between 2015 and 2020 with only six convictions.

Read more about the [Origins of Sedition Laws in India in CNA dated March 6, 2020](#)

##### Supreme Court's view

- The court held that “All pending trials, appeals and proceedings with respect to the charge framed under Section 124A of the IPC be kept in abeyance”.
- The court, arguing that close to 13000 people are already in jails under the sedition law, urged the Union government to reconsider this law framed during the colonial era.
  - The court provided liberty for the Union government to issue directives to States to prevent the misuse of the provisions under Section 124A.
- The Court said that it expects the governments both at the centre and state levels to restrain from registering FIRs, continuing investigations or taking any coercive measures under Section 124A.
- In order to protect civil liberties against any future misuse of sedition laws, the court held that the individuals who are accused in fresh cases are free to approach courts, which would consider their cases based on the order of the Supreme Court.

### **Impact of the Court's order**

- The Supreme Court's order would act as a powerful message against the rampant misuse of the sedition law by governments to silence dissent and violate personal liberty.
- With this order, bail under Section 124A cases has become the rule.
  - Undertrials booked under Section 124A can now use the order to seek [bail](#).
- Individuals cannot be charged under a currently non-existent penal provision as the Court does not want a single person booked under the law to be kept in prison while the law is being reconsidered.

### **Government's response**

- The union government acknowledged that the provisions of the British-era law were not in line with the current times.
- The government had asked the court to halt its hearings of a number of petitions against Section 124A until the government completed its reconsideration process.
- The Solicitor-General, while representing the centre, had proposed speedy bail hearings of people who were abused under the sedition law by local police and authorities.
- Also, the Attorney-General had mentioned various instances of misuse of the sedition law by State governments.

### **Way forward**

- It is to be seen if the Court goes on to strike down Section 124A as an unconstitutional restriction on free speech after having seen that the authorities are not heeding the limitation imposed by a 1962 Constitution Bench which had held that the section law was applicable only to “acts involving intention or tendency to create disorder, or disturbance of law and order, or incitement to violence”.

- Since the broad definition of sedition has been widely misused the government might look to amend the law such that the offence is narrowly defined to cover only those acts that undermine the sovereignty, integrity and security of the state.

*Know more about the [Sedition Law in India](#) in the linked article.*

**Nut Graf**

*By suspending the pending criminal trials under Section 124A of IPC famously known as the sedition law, the court has voiced its stand in the favour of free speech and the protection of individual rights.*

**C. GS 3 Related****Category: ENVIRONMENT****1. Shallow and deep ecologism**

*Syllabus: Conservation, environmental pollution and degradation.*

*Mains: Significance and objectives of shallow and deep ecologism philosophies and their role in fighting the climate crisis.*

**Context**

This article discusses the two styles of environmental philosophies namely shallow and deep ecologism.

**Background**

- Heatwaves which have been experienced for centuries have now been further aggravated due to the long term impact of climate change.
- Climate change has made the heatwaves more extreme, frequent and prolonged.
- As India is being impacted by relentless heatwaves, the debates on the two strands of environmental philosophies have come into the limelight.

**Two strands of environmental philosophies**

- The two styles of ecologism started in the 1970s, with the works of Norwegian philosopher Arne Næss.
- In his studies, Næss tries to reinvent the relationship between nature and humans.
- He feels that due to increased anthropocentrism, humans excluded themselves from nature, viewing nature and themselves as competing entities and establishing a master-slave dynamic.

- By considering humans as the centre of the environmental crisis, Næss defines the difference between the two styles of ecologism namely shallow and deep ecologism.

### Shallow Ecologism

- Næss regards the powerful and fashionable fight against environmental pollution and resource depletion as shallow ecologism.
- The supporters of this philosophy believe in continuing the present lifestyle of humans with specific changes aimed at reducing the damage to the environment.
  - **Example:** Use of vehicles that cause less pollution or air conditioners that do not release chlorofluorocarbons (CFCs).
- Næss also refers to this style as weak ecologism as this style of ecologism mainly aims at maintaining the lifestyle of those in developed countries.

### Deep Ecologism

- Deep ecologism mainly suggests that humans should radically change their relationship with nature.
- The supporters of deep ecologism reject shallow ecologism for prioritising humans over other forms of life and subsequently preserving the environmentally destructive way of life in modern societies.
- Deep ecologism argues that the inequalities between the countries will be further broadened by practising the lifestyle preached by shallow ecologism.
  - **Example:** Despite accounting for only 5% of the world's population, the U.S. accounts for over 17% of the world's energy consumption. On the other hand, low and middle-income countries have recorded lower per capita carbon dioxide emissions over the past two centuries.
- The proponents of this philosophy believe that developed countries are responsible for a majority of carbon emissions.

### The objectives of Deep Ecologism

- Deep ecologism aims to sustain nature by making significant changes to human lifestyle.
- The philosophy promotes,
  - Restrictions on the commercial farming of meat to preserve forest areas
  - Reducing the artificial fattening of animals
  - Transformation in transport systems involving the use of internal combustion engines.
- Deep ecologism shifts the focus from pollution and conservation narratives to dynamic policy formulations and implementation.
  - According to Næss, policymaking must be supported by a shift in technical skills and inventions which are ecologically more viable.



- Næss urges the ecologist to reject the works formulated by authorities that undermine their ecological perspectives.
- In order to acknowledge the complex richness of different lifeforms, deep ecology urges for a re-evaluation of the “survival of the fittest” theory.
  - The “survival of the fittest” theory should be seen through the human ability to cooperate and coexist with nature rather than exploit it.
- Deep ecology thus prioritises a ‘live and let live’ attitude over an ‘either you or me’ approach.

### The potential of ecology

- The two philosophies of ecology are inspired by different frameworks, which include socialism, anarchism, feminism, conservatism and fascism.
  - Deep ecology is mainly influenced by socialism.
- Næss argues that a lean approach towards pollution and conservation is counterproductive.
  - Example: The use of pollution control instruments may increase the cost of living, resulting in an increase in class difference.
- Næss feels that an ethically responsible ecology balances the interests of all economic classes.
- Næss argues that the environment will become more vulnerable when decisions are strongly influenced by majority rule, without considering local interests.
  - Næss suggests decentralising the decision-making process and strengthening local autonomy as a solution to this problem.
  - He feels that the current group of local boards, state-wide institutions, national level institutions, coalition of nations, and global institutions can be reduced to ones that are only made up of local boards, nation-wide institutions, and global institutions.
- Næss highlights the need for realising the complete political potential of the movement and holding those in power accountable and says that the responsibility of addressing the climate crisis is on policymakers as much as it is on the scientists and ecologists.

#### Nut Graf

*Arne Næss argues that all forms of environmentalism will not lead to effective climate change and a comprehensive perspective about the climate crisis is the one that takes into account the regional inequalities and the disparities between underdeveloped and developed countries.*

### D. GS 4 Related

*Nothing here for today!!!*

### E. Editorials

**Category: POLITY AND GOVERNANCE**

## 1. Frozen Sedition

*Syllabus: GS-2, Polity & Governance, Government Policies and Interventions*

*Prelims: Sedition Law, IPC, Freedom of Speech*

*Mains: Critically analysing the implications of the sedition law and reforms suggested.*

**Context:** The arbitrary execution of the sedition law has been suspended by the Supreme Court in order to prevent its misuse.

### **Delving deeper:**

- For a long period of time, the sedition law has been in the midst of arguments that recognise it as a relic of the colonial period and an instrument to suppress the [freedom of speech](#) and expression of individuals.
- As an effective intervention, the Supreme Court has directed that all the pending trials, appeals and proceedings framed under Section 124A of the IPC, must be kept under suspension.
- This directive of the apex court was accompanied by the expectation that the governments (both at the Centre and the States) will not register any new case of sedition which criminalises any speech, writing or representation that "excites disaffection against the government".

### **The 1962 Constitutional Bench of the Supreme Court:**

- The court upheld that the sedition law is applicable only to "acts involving intention or tendency to create disorder, disturb law and order or incite to violence."

### **Challenges posed:**

- In practice, the police have been considering the broad definition of sedition which determines a huge mark of ambiguity that penalises any individual who criticises the government in strong and strident language. This favours arrests of individuals on hasty and invalid grounds.
- Section 124A of the IPC which deals with sedition is alleged to be misused, abused and overused.
- Its historic clashes with the freedom of speech and expression enshrined in Article 19 (Freedom of Speech) of our Constitution have been a major argument of the proponents who believe that such laws must be dispelled from the statute book of our country.

### **Rays of hope:**

- The Union government has expressed its agreement to re-examine and reconsider the provision of the penal code that imposes sedition charges on any arbitrary grounds.
- Moreover, the government has also decided to scrap outdated laws and compliance burdens.
- The court has provided the people with the liberty to approach the jurisdiction courts if any new case under sedition is registered against them.
- The Union government's stand and the order of the Supreme Court are to be cited in the support of individuals who are imposed with new charges of sedition and the existing charges are to be put under hold.

**Way Forward:**

- Despite the unequivocal merits of the Indian Penal Code which offers a holistic approach to dealing with crimes there is a predominance of some draconian laws that need a thorough introspection and a revisit by the legal luminaries.
- The significant question before the Court is whether it will strike down Section 124A as an unconstitutional restriction on free speech or whether this provision of the colonial period shall continue to exist.
- There is a scope that the government may regulate the misuse, overuse and abuse of the sedition law by introducing amendments. This might redefine the offence in the narrow ambit of referring to the acts that affect the sovereignty, integrity and security of the state.

**Nut Graf**

*The government's submission to revisit the provision of sedition along with the substantial move by the Supreme Court to suspend new cases of sedition has been welcoming interventions to prevent the persisting misuse of the law (section 124A of IPC). It is necessary for the government to uphold the spirit of the court's order and take effective steps to limit the misuse of the sedition law.*

**Category: SOCIAL JUSTICE****1. The Bitter Dispute over India's Pandemic Mortality**

**Syllabus:** GS-2, Social Justice, Issues relating to health

**Prelims:** WHO, Civil Registration System

**Mains:** Evaluating the major impacts of the pandemic on India and the authenticity of available data to determine the mortality.



**Context:** The available data pertaining to India's pandemic mortality have invited a series of arguments questioning their authenticity.

**The perspective:**

- It was put forth by the World Health Organisation ([WHO](#)) that India's pandemic excess deaths reached 4.7 million.
- This estimate has been refuted with a strong counterargument by the Government of India.
- It has been inferred by many experts that the estimates are surrounded by uncertainty.
- Despite uncertainties of the data, one cannot dismiss the estimates without the establishment of a rationale.

**Important observations:**

- It was observed that there is inadequate information regarding the exact number of excess deaths that have occurred due to the pandemic.
- The assessment studies on mortality are all based on choices of the type of data to be collected and included to fill the data gaps and deal with uncertainty. These choices are vulnerable to debates and disagreements.
- The uncertainties associated with the studies on death rates due to COVID-19 do not signify absolute ignorance. For instance, even the most optimistic reading of the data determines excess deaths at six to seven times the official COVID-19 deaths.

**Stand of the Government:**

- The Government of India addressed the estimates provided by WHO with upfront rebuttals citing uncertain ways of using mathematical models for projecting excess mortality estimates.
- The authentic data in question is derived from mortality estimates of the [Civil Registration System](#).
- Based on the fact that there were no official reports of CRS that had the updated estimates, the government regarded the estimates circulated as non-official.

**Highlighting the Cases:**

- The government Sample Registration System of Uttar Pradesh reported around 1.5 million deaths can be expected in the state every year. But in reality, 0.87 million deaths were registered during the pandemic which accounted for 60% of the expected estimates. If there were complete registrations then the data reflected a drop in deaths in the State. There exists a lack of clarity.
- The freely available CRS data from Andhra Pradesh displayed that there were 50% deaths registered in excess of what was expected.

- The data of the government's National Family Health Survey ([NFHS](#)) showed a drop in death rates due to COVID-19 with a less number of registration of deaths.

**Possible Inferences:**

- The experts argue that the data of WHO and CRS have shortfalls and the objection raised by the Government on such modelling of data to fill the gaps cannot be avoided.
- These estimates advocate high pandemic mortalities.
- Experts say that the huge mortality surge in the State cannot be explained through increased registration coverage.
- The data produced by CRS on pandemic deaths were patchy as they did not cover all the states and regions across the country.
- It is difficult to have a comparative analysis of data for a better understanding as there is no monthly registration report given by the CRS.
- Amidst all observations, the surge in deaths during the pandemic remains in an area that lacks transparency.

**Conclusion:**

- Considering the ambiguity in the methods of enumeration of India's pandemic mortality and assuming that death registration held steady, it will be an intense risk taken to underestimate the actual mortality surge.
- Despite all uncertainties and ambiguities, data is emerging and the estimation of pandemic mortality remains a continuous effort.
- Such efforts must not be undermined merely on the grounds of uncertainties and lack of authenticity.
- In order to encourage the truth that shall reflect in the precision and accuracy of data, the government needs to cooperate with the agencies that carry out the study of pandemic mortalities and strengthen the Civil Registration System.

**Nut Graf**

*It is necessary for the government to express objections regarding the authenticity of data pertaining to India's pandemic mortality in good faith and they must be based on substantial grounds. This will prioritise truth over all sciences, data or methodologies in the estimation of the surge in death due to the pandemic.*

**Category: SOCIETY**

## 1. Still a long way for termination as an unconditional right

*Syllabus: GS-I, Society, Role of Women*

*Prelims: Medical Termination of Pregnancy Act*

*Mains: Examining the scope offered by the amendments made to the Medical Termination of Pregnancy Act in recognising the rights of women.*

**Context:** The article offers a scrutiny of the Medical Termination of Pregnancy Act and the amendments made to it.

### **Legal Status of Abortion in India: (as per IPC)**

- According to the general criminal law of the country, the Indian Penal Code, voluntarily causing a pregnant woman to abort the child is an offence that can award a jail term of up to three years or fine or both, unless it was done in good faith with the purpose of saving the life of the expecting mother.
- The law also states that a pregnant woman causing herself to miscarry is also an offender apart from the person causing the miscarriage, which in most cases would be the medical practitioner.

### **Expanding the scope of Medical Termination of Pregnancy:**

- The Medical Termination of Pregnancy Act was enacted in 1971.
- This law was introduced as an exception to the IPC provisions and framed rules of when, who, where, why and by whom medical termination of pregnancy can be accessed.
- This law has been amended twice and the latest amendment expanded the scope of the law.

Read the details of the [Medical Termination of Pregnancy Amendment Bill 2021](#) in the link shared.

### **The Road Ahead:**

- Despite essential amendments made to the Medical Termination of Pregnancy Act, the law does not recognise and acknowledge the right of a pregnant woman to decide on the discontinuation of the pregnancy.
- There are several instances where the courts have articulated the right of a pregnant woman to decide on the continuation of her pregnancy as a part of the woman's Right to Health and Right to Life under [Article 21](#) of the Constitution.

- While access to abortion has been available under the legal regime in India, there is a long way to go with the aid of legal minds to recognise the right of women to terminate their pregnancy as an unconditional right.

**Nut Graf**

*It is essential for the law regarding the Medical Termination of Pregnancy to have sufficient provisions for women's right to decide on the continuation or discontinuation of the pregnancy.*

**F. Prelims Facts**

*Nothing here for today!!!*

**G. Tidbits****1. HC gives split verdict on marital rape**

- Two judges of the Delhi High Court gave a split verdict on the question of criminalising marital rape leaving the law unchanged.
- The two judges differed on key issues such as availability of evidence, the importance of consent, whether the court could adjudicate over the issue of marital rape or only the legislature could decide, whether the State's concerns about safeguarding the institution of marriage were valid, and whether remedies were available to women survivors of domestic violence in other laws.
- Justice Rajiv Shakdher, who headed the Bench, struck down the exception to Section 375 of the IPC as unconstitutional, which says that sexual intercourse by a man with his wife aged 18 and above is not rape even if it is without her consent.
  - Calling for a change in the 162-year-old law, the judge said that "the right to withdraw consent at any given point in time forms the core of the woman's right to life and liberty which encompasses her right to protect her physical and mental being".
- However, Justice C. Hari Shankar dismissed the plea to criminalise marital rape pointing out that changes in the law should be done by the legislature as the issue requires consideration of social, cultural and legal aspects.
  - He disagreed with the argument that consent alone mattered.
  - "Forced sexual intercourse between a husband and wife cannot be treated as rape. At worst, it can be treated as sexual abuse as is clear upon perusal of the definition of 'cruelty' found in Section 3 of the Domestic Violence Act."
  - Section 3 of the Protection of Women from Domestic Violence Act, 2005 provides a definition for domestic violence, which includes physical, sexual, verbal and emotional abuse.

## 2. Build social protection system: Satyarthi

- Nobel laureate Kailash Satyarthi aims for building support for an international social protection mechanism for all children and pregnant women in all low-income countries.
- He quoted the reports of the World Bank which says that 200 million additional people are being pushed into chronic poverty due to the pandemic and additionally, 60 million people will be pushed into acute poverty due to the [Russian-Ukraine war](#).
  - Will make the children the worst victims as many of them could be forced into child labour and trafficking.
- He says that universal social protection programmes for children should be part of the agenda in the future.

## 3. 'Rupee fell on spillover effects of strong dollar'

- Experts opine that the rupee's fall to all-time lows and the decline in India's forex reserves are not fueled by capital outflows, but due to the spillover effects of a stronger U.S. dollar.
- Dismissing speculation that the forex reserves had fallen below \$600 billion, a senior official said that the magnitude of interventions was not that large and the dip was mainly due to valuation losses in forex holdings in non-dollar currencies as the dollar was appreciating against advanced economy currencies.
- The official further added that there are adequate reserves to fund 18 months of imports and the FDI levels are as high as last year (2021).

### H. UPSC Prelims Practice Questions

#### Q1. Which of the following statements is/are correct? (Level – Difficult)

1. National Policy on Biofuels 2018 prescribes the usage of only non-edible raw materials in the production of ethanol and biodiesel given the need to balance the food security of the nation.
2. Jatropha is one of the main raw materials used to produce ethanol.
3. National Policy on Biofuels 2018 initially aimed to achieve a 20 per cent blending of ethanol in petrol by 2030. This target was later advanced to achieving 20% ethanol blending by 2025.
4. Because of its high oxygen content, ethanol burns more completely than ordinary gasoline and reduces harmful tailpipe emissions.

**Options:**



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

**Answer: c**

**Explanation:**

- **Statement 1 is not correct**, The policy expands the scope of raw materials to be used for ethanol production by allowing the use of Sugarcane Juice, sugar-containing materials like Sugar Beet, starch containing materials like Cassava, damaged food grains like broken rice, and rotten potatoes which are unfit for human consumption.
- **Statement 2 is not correct**, The jatropha - a genus of flowering plants in the spurge family is an important source of biofuel.
- **Statement 3 is correct**, National Policy on Biofuels 2018 initially aimed to achieve a 20% blending of ethanol in petrol by 2030.
  - This target was later advanced to achieving 20% Ethanol blending by 2025.
- **Statement 4 is correct**, Because of its high oxygen content, ethanol burns more completely than ordinary unleaded gasoline and reduces harmful tailpipe emissions.

**Q2. Which of the following would be the correct sequence for the below mentioned major ports of India starting from the northernmost port and moving southward? (Level – Medium)**

1. Kandla
2. Ennore
3. Mangaluru
4. Jawaharlal Nehru Port
5. Paradip

**Options:**

- a. 1, 4, 5, 3, 2
- b. 1, 5, 4, 2, 3
- c. 5, 1, 4, 2, 3
- d. 5, 1, 4, 3, 2

**Answer: b**

**Explanation:**

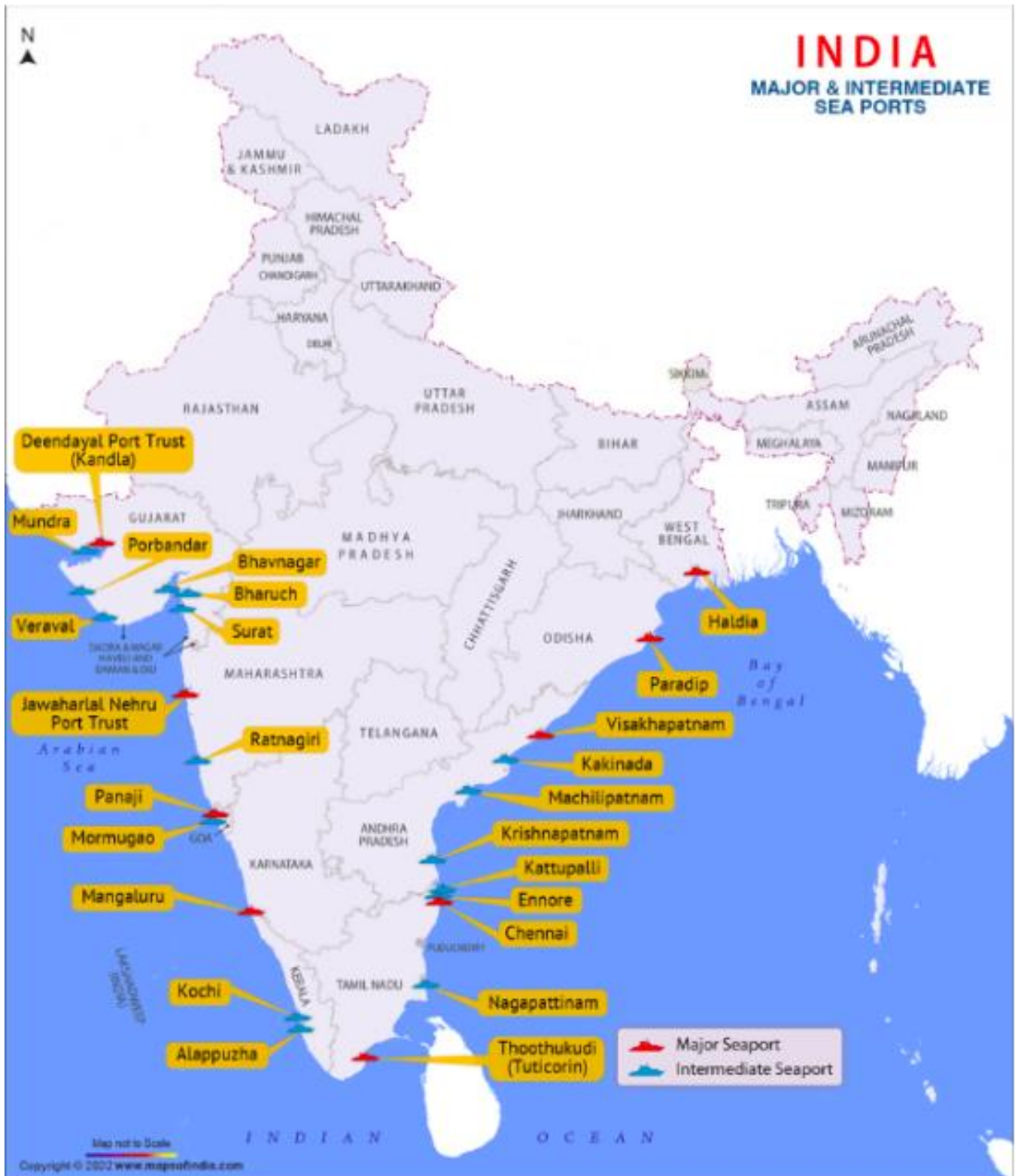


Image source: [www.mapsofindia.com](http://www.mapsofindia.com)

**Q3. Which of the following statements is/are correct with respect to the Foreign Contribution (Regulation) Act (FCRA)? (Level – Medium)**

1. The provisions of the act are applicable to only associations like NGOs whereas individuals receiving foreign funding are regulated under the Income Tax Act, 1961.
2. Once granted, FCRA registration is valid for five years.
3. Once approved to receive foreign funding, the entity receiving the foreign funds is free to utilize it in whichever manner it deems fit.

**Options:**

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

**Answer: d**

**Explanation:**

- **Statement 1 is not correct**, the provisions of the Act are applicable to both Indian organizations and individuals, to stop such contributions which might damage the national interest.
- **Statement 2 is correct**, Once FCRA registration is granted, it is valid for a period of five years and it can be renewed subsequently if they comply with all norms.
- **Statement 3 is not correct**, The Act ensures that the recipients of foreign contributions adhere to the stated purpose for which such contribution has been received.

**Q4. Which of the following factors could contribute to the depreciation of the Indian rupee? (Level – Easy)**

1. Monetary policy tightening by the US Federal Reserve
2. Monetary policy easing by the US Federal Reserve
3. Inflow of foreign funds into India
4. Outflow of foreign funds from India
5. Widening trade deficit

**Options:**

- a. 1, 3 and 5 only
- b. 2, 4 and 5 only
- c. 1, 4 and 5 only

d. 4 and 5 only

**Answer: c**

**Explanation:**

Reasons for the depreciation of the Rupee include:

- Rise in crude oil prices
- Monetary policy tightening by the US Federal Reserve
- Widening balance of payments and trade deficits
- Inflation
- Currency wars
- Outflow of foreign direct investments and foreign portfolio investments
- Increase in government debt
- Political instability
- Recession

**Q5. In the context of which of the following do some scientists suggest the use of cirrus cloud thinning technique and the injection of sulphate aerosol into stratosphere? (Level – Medium) [UPSC 2019]**

- a. Creating the artificial rains in some regions
- b. Reducing the frequency and intensity of tropical cyclones
- c. Reducing the adverse effects of solar wind on the earth
- d. Reducing the global warming

**Answer: d**

**Explanation:**

Cirrus clouds are the ones which are at a height of 10 km above the Earth's surface. Cirrus clouds trap the heat thus increasing global warming, thinning them could help cool down the Earth's surface. Hence **option d** is correct.

### I. UPSC Mains Practice Questions

1. How does Section 124A of the Indian Penal Code define sedition? What conditions have been imposed by the Supreme Court in the past in order to invoke Section 124A? (250 words; 15 marks) (GS II - Polity)
2. Elaborate on the main provisions of the Medical Termination of Pregnancy Act, 1971. What amendments were introduced in the law in 2021? (250 words; 15 marks) (GS II - Polity)

