

# **19 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 AND GOVERNANCE**

#### **1.** The confusion over the status of the Assam NRC

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

Mains: Details about the National Register of Citizens (NRC) and the controversies surrounding the updating exercise.

#### Context

- A member of one of Assam's Foreigners' Tribunals (FTs) urged the State Coordinator of the <u>National Register of Citizens (NRC)</u> to limit their interference in the functioning of the tribunals.
- This was a reply to the State Coordinator of NRC's letter to all the FT members which asked them not to treat the NRC as "final" while judging the nationality of a person suspected to be a non-citizen.

#### National Register of Citizens (NRC)

- The NRC started as a part of the census conducted in 1951 which was the first census of independent India.
- NRC is a register prepared in respect of each village, showing the houses or holdings in serial order and indicating against each house or holding the number and names of persons staying therein.
- NRC was supposed to be compiled in all the states throughout the country but it was done only in Assam.
- The objective for compilations of NRC in Assam was to identify the illegal immigrants in Assam who had migrated to Assam from Bangladesh during the 1971 war with Pakistan, as there were fears that the indigenous people are being outnumbered by the "illegal immigrants"



- The demand for updating the 1951 NRC to expel illegal immigrants from Assam was raised during the agitation between 1979 to 1985.
- The Assam Accord was signed in August 1985 which prescribed March 24, 1971, the eve of the Bangladesh War, as the cut-off date for detecting, detaining and deporting foreigners.
- This date was used in the up-gradation of the NRC which started in 2014 under the control of the <u>Supreme Court</u>.
- People who were listed in the 1951 NRC and their descendants were included in the NRC draft published in August 2019, however, the draft excluded 19.06 lakh out of the 3.3 crore people who had applied for inclusion.

# The status of the NRC

- The next step in the process is the issuing of rejection slips to all the 19.06 lakh individuals who have been excluded from the draft NRC.
- Post the issue of slips which includes the justification for the rejection of the NRC, the individual will have to approach the FT within 120 days with documents to prove their citizenship.
- The FT would adjudicate the case and declare an individual as a 'citizen' or 'foreigner' for inclusion or rejection in the NRC.

# **Controversy over NRC**

- In 2021, the State Coordinator of NRC filed an affidavit to the Gauhati High Court, which said that the August 2019 NRC exercise was just a "supplementary list" and not the final draft and asked for a re-verification.
- Whereas, an Assam's Foreigners' Tribunals (FT) member declared a doubtful migrant as Indian in Karimganj district by acknowledging that the member's family featured in the August 2019 list referred to as the "final NRC".
  - The list has also been referred to as final in several other instances.
- Recently, the State Coordinator of NRC urged the FTs not to rely on the NRC to adjudicate cases of citizenship as the Final NRC is not yet released by the Registrar General of Citizens Registration.
  - He also claimed that the NRC was inaccurate due to wrong data entry and there were several flaws in the process used in the updating exercise.
- As per the State Coordinator, only the office of the Registrar General of India has the powers to issue the final NRC and a notification is not yet issued in this aspect.
  - However, the FT members instead of adjudicating the cases of individuals declared as foreigners independently of the NRC, have been taking decisions by referring to the NRC as final.
- A member of FT responded saying that the NRC was drafted in accordance with relevant clauses of the Citizenship Rules of 2003 and was final.
  - He also reiterated that the official website of the NRC mentions it as final.



• He further added that the State Coordinator should not spread his erroneous view on law, rules, notifications and orders of the Supreme Court about the finality of NRC and must not interfere in the lawful functioning of the FT which is beyond his jurisdiction and limits.

#### Assam government's stand on the issue

- The Assam government opines that the NRC was erroneous.
- The government claims that a minimum of 20% of the enlisted names in districts bordering Bangladesh and 10% of names in other districts need re-verification.
- The government has not accepted the list as final and has decided to approach the Supreme Court in this regard.
- The government has urged for the unfreezing of the biometrics of 21 lakh individuals which were collected during the updating exercise, to help them get their Aadhaar cards which can be frozen once the individual is declared as a non-citizen.

#### Nut Graf

The National Register of Citizens (NRC) holds all the crucial information of the Indian citizens of Assam required for their identification and it is now being extended to the entire country. Since the implementation of NRC has turned out to be a sensitive issue, all the concerns surrounding the issue must be addressed before proceeding any further.

# **Category: POLITY**

# 1. Supreme Court frees Perarivalan

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

Prelims: Articles 142, 72 and 161 of the Constitution

Mains: Significance of Article 142 and the Supreme Court's judgement in Perarivalan's case

#### Context

The Supreme Court used its extraordinary powers under Article 142 of the Constitution and directed the release of A.G. Perarivalan in <u>Rajiv Gandhi's assassination case</u>.

# Background



June 11, 1991: CBI arrests 19-year-old Perarivalan	Feb. 19, 2014: Tamil Nadu Cabinet decides to immediately release Santhan, Murugan, Perarivalan, Nalini, Robert Payas, Jayakumar and Ravichandran	Jan. 23, 2018: A three- judge Bench of the SC gives the Centre three months to decide on his release
Jan. 28, 1998: A TADA court sentences 26 accused to death, including Perarivalan, in the Rajiv Gandhi assassination case		
		June 15, 2018: The Centre rejects T.N. govt.'s request
Aug. 26, 2011: Execution of Santhan, Murugan and Perarivalan fixed for Sept. 9, 2011	Dec. 2, 2015: SC says Centre will decide whether the convicts will be released	Sept. 9, 2018: T.N. govt. decides to recommend to Governor the release of all convicts
	Nov. 14, 2017: A former CBI officer makes a sworn statement that the CBI omitted a part of Perarivalan's confession	
Feb. 18, 2014: SC commutes the death sentence on grounds of delay in disposing of their mercy pleas		May 18, 2022: Supreme Court invokes its extraordinary powers to release Perarivalan

For a detailed background of the issue refer to the following article:

UPSC Exam Comprehensive News Analysis dated 5th May 2022

# Details

- The Supreme Court bench in its judgment acknowledged Perarivalan's long incarceration for over 30 years to order his release.
- Earlier, the court had commuted his death penalty to a life sentence for murder in 2014 and had observed that the apex constitutional authorities like the <u>President</u> and the Governor must exercise their clemency powers under Articles 72 and 161, respectively, within the "bounds of constitutional discipline" and in an "expeditious manner".
- Saying that the Governor's non-exercise of power under Article 161 of the Constitution was not immune from judicial review, the SC bench held that the Governor's delay in the Perarivalan's pardon decision has compelled the court to use its extraordinary constitutional powers under Article 142.

# Article 142 of the Constitution

- Article 142 was introduced to uphold the interests of justice.
- Article 142 provides an extraordinary authority to the Supreme Court, to do "complete justice" at times when the law or statute fails to provide a remedy.
  - In such situations, the Court can end the dispute in a manner that would fit the facts of the case.



- According to Article 142, "The Supreme Court in the exercise of its jurisdiction may pass such as is necessary for doing complete justice in any cause or matter pending before it, and any decree so passed or orders so made shall be enforceable throughout the territory of India in such manner as may be prescribed by or under any law made by Parliament and, until provision in that behalf is so made, in such manner as the President may by order prescribe."
- It also provides that "the Supreme Court shall have all and every power to make any order for the purpose of securing the attendance of any person, the discovery or production of any documents, or the investigation or punishment of any contempt of itself".
- Article 142 supplements the powers already conferred upon the Supreme Court under the Constitution to guarantee that justice is done and in doing so the Court is not restrained by lack of jurisdiction or authority of law.

# The Supreme Court's views

- The court ruled that the Tamil Nadu Council of Ministers' advice tendered in 2018 to pardon Perarivalan was binding on the Governor under <u>Article 161</u> of the Constitution and the Governor did not have the authority to forward the pardon plea to the President after holding it for years.
- SC rejected the Centre's argument that the President alone had the power to grant pardon in a case under Section 302 (murder) of the IPC and not the Governor.
  - The court said that such exclusive powers to the President would make Article 161 a "dead letter" and would create an extraordinary situation whereby pardons granted by Governors in murder cases for the past 70 years would be made invalid.
- Referring to the judgment in the Union of India vs Sriharan 2015 case, the court said that Section 432(7)(a) of the Code of Criminal Procedure (CrPC) gave primacy to the Union and not the States when the case was tried under a law to which the executive power of the Union extended to and helps that the "exercise of executive clemency" was "vested in the President or the Governor".

# Read more about the Pardoning Powers of the President (Article 72).

# Nut Graf

By the use of extraordinary powers conferred to it under Article 142 of the Constitution, the Supreme Court has ordered the release of Perarivalan thus reiterating that delays in the decisions on pardon pleas by the Governor will not be entertained by the Courts. The decision has gained significance as it has upheld the values of state autonomy and federalism.

# C. GS 3 Related

# **Category: DISASTER MANAGEMENT**



# 1. India's vulnerability to drought

# Syllabus: Disaster and disaster management

Prelims: About UNCCD, COP15 of UNCCD and Drought in Numbers 2022 report

Mains: Findings of Drought in Numbers, 2022 report and the impact of droughts on various aspects of the environment.

# Context

Drought in Numbers, 2022 report by the <u>United Nations Convention to Combat Desertification</u> (UNCCD).

# **Drought in Numbers, 2022 Report**

- The Drought in Numbers report is a collection of data on the effects of droughts on our ecosystem and the ways for mitigating the effects through efficient planning for the future.
- The report also provides information about the negotiations surrounding important decisions by the UNCCD's 197 members at the 15th Conference of Parties (COP15).

# COP15 of UNCCD

- The 15th session of the Conference of the Parties (COP15) of the UNCCD took place in Abidjan, Côte d'Ivoire in May 2022.
- Theme: "Land. Life. Legacy: From scarcity to prosperity."
- The conference brings together government representatives, private sector members, and civil society stakeholders to ensure that land continues to benefit present and future generations.
- UNCCD's COP15 focuses mainly on desertification, land degradation, and drought.
- Land restoration and related aspects such as land rights, gender equality and youth empowerment are other top considerations at COP15.
- This conference has considered the findings of the Global Land Outlook and provided a response to the interconnected challenges of land degradation, climate change and biodiversity loss as the world steps into the UN Decade on Ecosystem Restoration.

# Key findings of the "Drought in Numbers" report

• The report reveals that the frequency and duration of droughts around the world have increased by 29% since 2000.



- Drought in Numbers, 2022 by the United Nations suggests that many places in India will come under the list of regions vulnerable to drought globally.
- The report also reveals that India's Gross Domestic Product (GDP) was impacted by around 2 to 5% between 1998 and 2017 on account of severe droughts.
- Also, the droughts between 1998 and 2017 have caused economic losses of about \$124 billion worldwide.

# The impact of drought

- The <u>World Meteorological Organisation</u> data suggests that the weather, climate and water hazards have constituted about 50% of all disasters and 45% of all reported deaths since 1970 and nine out of ten of these deaths have occurred in developing countries.
- Between the years 2020 and 2022, nearly 23 countries have been impacted due to drought emergencies which include Afghanistan, Brazil, Ethiopia, Iraq, Iran, Kazakhstan, Madagascar, Mozambique, Niger, Somalia, Pakistan, the U.S., and Zambia.
  - In 2022, over 2.3 billion people are facing water stress and about 160 million children are exposed to severe and prolonged droughts.
- Over one billion people across the world have been affected by drought between 2000 and 2019, making it the second-worst disaster after flooding.
- Africa has been the worst hit, with 134 droughts, of which 70 occurred in East Africa.
- The World Health Organization has found out that about 55 million people worldwide are directly impacted by droughts annually, making it the most significant danger to livestock and crops.
- The impact of drought is also not uniform across genders.
- Studies show that women and girls in developing countries are affected more in terms of education levels, nutrition, health, sanitation, and safety due to droughts.
- The burden of water collection also falls directly on women and girls.
- Australia's megadrought in 2019-2020 played its role in the "megafires" which destroyed most of the habitat of threatened species.
  - Close to three billion animals were killed or displaced due to the wildfires.
  - Also, 84% of terrestrial ecosystems are endangered due to intensifying wildfires.
- According to the <u>Food and Agriculture Organisation</u>'s 2017 report, the share of plants impacted due to drought has more than increased by two times in the last four decades and nearly 12 million hectares of land are lost annually due to drought and desertification.

# Path ahead

- As per a report, climate change will result in 129 countries experiencing a rise in drought exposure in the coming years.
- If global warming reaches 3°C by 2100, the losses due to droughts might increase by five times.



- The largest increase in drought losses is expected in the Mediterranean and the Atlantic regions of Europe.
- As per the World Bank, drought conditions could result in the migration of about 216 million people by 2050. Other key factors along with drought could be water scarcity, declining crop productivity, rise in sea levels, and overpopulation.

# Nut Graf

An increase in the frequency and the intensity of droughts in recent years have severe implications on human societies and ecological balance which threatens the survival of all life. This calls for the collaboration of international communities to adopt innovative solutions which can reduce and prevent the adverse effects of droughts.

<b>D.</b> GS 4	Related
Nothing here for today!!!	
E. Ed	itorials
Category: POLITY	EP
1. Delimitation fallout needs no political forecast	ing
Syllabus: Parliament—Structure	
Prelims- Constitutional provisions related to delim	itation, Notable amendments
Mains- Significance and concerns associated w Recommendations.	ith the scheduled delimitation exercise for 2026;
Context:	
In 2026 a delimitation of the constituence	ing that will also t members of the Lat Sabbe would

• In 2026, a delimitation of the constituencies that will elect members of the Lok Sabha would be carried out based on population estimates of the 2021 decennial census.

# **Background:**



- Article 82 of the Indian Constitution has provisions for a periodic population-based marking out or re-arrangement of constituencies. It provides for the readjustment of seats allocated to the House of the People to the States and the division of each State into territorial constituencies.
- A delimitation freeze was put in place through the <u>42nd Amendment</u> of the Constitution in 1976. This was extended through the **84th Amendment**. This extension is to end in 2026.

# Significance:

# **Upholding principles of electoral democracy:**

- The delimitation exercise will help uphold the principles of electoral democracy.
- The delimitation exercise will help correct the present scenario where a considerably higher number of people per constituency has had the undesirable effect of lowering the impact of each voter in parliamentary representation.

# **Concerns:**

- The delimitation exercise would result in a scenario wherein the states and Union Territories which have let their population grow will have more MPs compared to those states which have been successful in regulating their population figures. This would be akin to punishing the states for their commendable work in population control and population stabilization.
- The delimitation exercise would empower the more populous northern states while it will reduce the representative muscle of the southern states. This the author claims could fuel north-south tensions.

# For more related information on this issue refer to the following article:

# CNA dated July 14, 2021: The upcoming crisis in Indian federalism

# **Recommendations:**

- The article argues for **another freeze on the delimitation exercise**. This should not be for any specific period but until all States have achieved population stabilisation.
- If the delimitation exercise is not fixed, the article calls for an **increase in the number of Members of Parliament.** Also, such a delimitation must be based on a more equitable formula keeping the interest of all states.
  - The article suggests a mathematical model along the lines of the 'Cambridge Compromise' based on a mathematically equitable "formula" for the apportionment of the seats of the European Parliament between the member-states. This should be customised to the Indian scenario.



# Nut Graf

The delimitation exercise scheduled for 2026 marks an important crossroad for Indian electoral democracy. The concerns associated with the possible adverse impact of the delimitation exercise should be adequately addressed and an equitable solution planned for.

# 2. The 'Roe' draft ruling could affect other civil rights

# Syllabus: Comparison of the Indian Constitutional Scheme with that of Other Countries.

Mains- Comparison between Indian and U.S. constitutions.

# **Background:**

- In December 2021, the U.S. Supreme Court took up a case against a law that banned abortions after 15 weeks. In the leaked first draft of the court's majority decision in the case, there are indications of an adverse ruling against abortion rights.
  - The major line of thought seems to be the argument that the Constitution makes no mention of abortion and the abortion right, which is not mentioned in the Constitution, is part of a **right to privacy**, which is also not mentioned. The court also notes that abortion rights were never a part of the country's history and tradition and were non-essential to ordered liberty.
- This marks a sharp turnaround for the U.S. Supreme Court which had earlier in 1973 held it unconstitutional for states to ban or restrict abortions and had reaffirmed this view in another case in 1992.

# Concerns:

- If constitutionally protected women's rights could face revocation, the **rights of gay and lesbian people could also face invalidation.** 
  - Arguments could be made stating that gay and lesbian people have neither the fundamental right to privacy nor liberty protections in the Constitution because their rights have no place in the history and tradition of the country.
  - Notably, the U.S. Constitution has no explicit mention of "privacy", "sexual orientation", "gay", "lesbian", or "gay rights".

# Nut Graf

The signs of invalidation of abortion rights in the U.S. and the presence of a conservative supermajority in the U.S. Supreme Court could result in the rights of gay and lesbian people also facing invalidation.



# **F. Prelims Facts**

# 1. P-8I maritime aircraft

Syllabus: GS-3, Security; Various Security forces and agencies and their mandate.

# Prelims: Navy's P-8I maritime patrol aircraft

# Context

The Defence Minister undertook a sortie on a Navy P-8I maritime patrol aircraft.

# P-8I maritime aircraft

- The aircraft is manufactured by Boeing.
- The aircraft is designed for long-range anti-submarine warfare (ASW), anti-surface warfare (ASuW), and intelligence, surveillance and reconnaissance (ISR) missions.
  - It is also used for low altitude, humanitarian, and search and rescue missions.
- The aircraft has two variants the P-8I, which is developed for the Indian Navy, and the P-8A Poseidon, which is deployed by the US Navy, the United Kingdom's Royal Air Force, the Royal Australian Air Force, and the Royal Norwegian Air Force.
- The P-8I can fly as high as 41,000 feet, and has a short transit time, which reduces the size of the Area of Probability when searching for submarines or search and rescue survivors.
- The aircraft has two engines, and is about 40 metres long, with a wingspan of 37.64 metres. The aircraft weighs about 85,000 kg and has a top speed of 789 km/hour. It requires a crew of nine, and has a range of 1,200+ nautical miles, with 4 hours on station, which means about 2,222 km.
- The induction of P-8I aircraft in 2013 has significantly enhanced the Indian Navy's persistent surveillance operations in the Indian Ocean Region (IOR).
- The P-8I's advanced sensors such as multi-mode radars, electronic intelligence system, sonobuoys, electro-optic, infrared camera and advanced weapons provide the Indian Navy with a very potent platform with significant capability to deter and destroy.
- The aircraft has been deployed along the International Border, the Line of Control and the Line of Actual Control.

# G. Tidbits

# **1. Indigenous anti-ship missile test-fired**



- An indigenously developed naval anti-ship missile was successfully test-fired for the first time from a naval helicopter from the Integrated Test Range (ITR) in Chandipur off the Odisha coast.
- It is the first indigenous air-launched anti-ship missile system for the Indian Navy.
- The test was carried out from a Seaking-42B helicopter.

# 2. SC allows OBC quota for M.P. local body polls

- The Supreme Court directed the implementation of reservation for Other Backward Classes (OBC) in local body polls to be held in Madhya Pradesh.
- The Court permitted the State Election Commission to notify the programme for the local bodies in view of the delimitation notification and the report submitted by the <u>Backward Classes</u> <u>Commission</u>.
- A Court modified its previous order and directed the State Election Commission to notify the election programme for over 20,000 urban and panchayat local bodies in the State within two weeks, without waiting for the completion of the 'triple test' exercise and further delimitation prior to the polls.

# H. UPSC Prelims Practice Questions

# Q1. Which of the following statements best describes the SRIJAN Portal? (Level – Difficult)

- a. An online portal that provides access to defence items that can be taken up for indigenization.
- b. An online job portal for senior citizens, developed by the union government.
- c. A Central IT-based Education Loan portal to provide student finance services to those belonging to the Economically Backward Classes.
- d. An online portal for meeting the pension sanction and disbursement requirements for Armed Forces.

# Answer: a

# **Explanation:**

- **SRIJAN** is the **Ministry of Defence's portal** which acts as a one-stop-shop online portal that provides access to the vendors to take up items that can be taken up for indigenization.
- On this portal, DPSUs/OFB/SHQs can display the items that they have been importing or are going to import which the Indian Industry can design, develop and manufacture as per their capability or through joint ventures with OEMs.
- The concerned DPSUs (defence PSUs)/OFB (Ordnance Factory Board)/SHQs (Service Headquarters), based on their requirement of the items and their guidelines & procedures will interact with the Indian industry for indigenization.



# Q2. Which of the given statements about the State of Inequality in India Report is/are incorrect? (Level – Medium)

- 1. The report was commissioned by Economic Advisory Council to the Prime Minister and prepared by the National Sample Survey Office.
- 2. The report looks at income distribution, labour market dynamics, health, education and household characteristics as key areas that influence the nature and experience of inequality.
- 3. It uses data derived from various rounds of the Periodic Labour Force Survey (PLFS), National Family and Health Survey (NFHS) and Unified District Information System for Education (UDISE+).

# **Options:**

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

# Answer: a

# **Explanation:**

- Statement 1 is not correct, The State of Inequality in India Report was released by the Economic Advisory Council to the Prime Minister and the report has been compiled by the Institute for Competitiveness.
- Statement 2 is correct, The report compiles information on inequities across sectors like health, education, household characteristics and the labour market.
- **Statement 3 is correct**, Data given by the Periodic Labour Force Survey (PLFS), National Family Health Survey and <u>UDISE+</u> are utilised by the report.

# Q3. Which of the given pairs is/are not correctly matched? (Level – Medium)

# Tunnel Location

- 1. Atal Road Tunnel Himachal Pradesh
- 2. Sela Tunnel Sikkim
- 3. Syama Tunnel Maharashtra

# **Options:**

- a. 1 only
- b. 2 and 3 only



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

# Answer: b

# **Explanation:**

- Atal Tunnel is a highway tunnel built under the Rohtang Pass in the eastern Pir Panjal Range of the Himalayas on the Leh-Manali Highway in Himachal Pradesh.
- Sela Tunnel is being constructed which will provide all-weather connectivity between Guwahati in Assam and Tawang in Arunachal Pradesh.
- Syama Tunnel also known as Chenani-Nashri Tunnel or Patnitop Tunnel became the longest road tunnel project in India when opened for traffic in April 2017. The tunnel is located in Udhampur in Jammu and Kashmir.

# **Q4.** Consider the following statements with respect to Denisovans: (Level – Difficult)

- 1. They are an extinct species or subspecies of archaic humans in the genus Homo.
- 2. They are known to have coexisted with Neanderthals in some regions.
- 3. They are the smallest fully-grown dinosaur to be ever found.

# Which of the given statements is/are correct?

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

# Answer: a

# **Explanation:**

- **Statement 1 is correct,** The Denisovans are an extinct species or subspecies of archaic humans in the genus Homo that ranged across Asia during the Lower and Middle Paleolithic Ages.
- **Statement 2 is correct,** Nuclear DNA indicates close affinities of Denisovans with Neanderthals and they are known to have coexisted with them in some regions.
- Statement 3 is not correct, Denisovans are not related to dinosaurs.

Q5. Among the following organisms, which one does not belong to the class of the other three? (Level – Medium) [UPSC 2014]

a. Crab



- b. Mite
- c. Scorpion
- d. Spider

# Answer: a

# **Explanation:**

- Mite, Scorpion and Spiders belong to the Arachnids class.
  - Arachnida is a class of joint-legged invertebrate animals.
  - All arachnids have eight legs, and unlike insects, they don't have antennae.
- Crabs belong to the **Crustacean class.** 
  - Crustaceans are generally aquatic and differ from other arthropods in having two pairs of appendages (antennules and antennae) in front of the mouth and paired appendages near the mouth that function as jaws.
  - Crabs, Lobsters, Shrimps, and Wood Lice are among the best-known crustaceans.

# I. UPSC Mains Practice Questions

- Why have the successive governments at the centre delayed the delimitation of Lok Sabha seats in India for over half a decade? What problems has this delay led to? (250 words; 15 marks) (GS II - Polity)
- 2. Assess the problem of desertification as being faced by nations worldwide. What steps have been taken to combat this problem in India? (250 words; 15 marks) (GS III Environment)