

8 Dec 2022: UPSC Exam Comprehensive News Analysis



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Category: POLITY

1. The impasse over appointment of judges

Syllabus: Structure, organization and functioning of the Judiciary

Prelims: About National Judicial Appointments Commission (NJAC)

Mains: Collegium System and NJAC, and the Supreme Court's judgment on NJAC

Context

- The ongoing debate between the Union Government and the Supreme Court over the matter of judicial appointments.
- Further, the Vice-President recently made reference to the 2015 verdict of the Supreme Court which struck down the National Judicial Appointments Commission (NJAC) and the 99th Amendment, and asked how the judiciary struck down a unanimously-passed constitutional provision that reflected the will of the people.

National Judicial Appointments Commission (NJAC)

- Parliament in 2014 through the **99th Constitutional Amendment Act** and the **National Judicial Appointments Commission (NJAC) Act**, set up NJAC which was entrusted with the task of appointing judges to the Supreme Court as well as High Courts.
- NJAC was to replace the existing collegium system which has evolved through various judgements of the Supreme Court over the years.
- **Articles 124 and 217** of the Indian Constitution deal with the appointment of judges to the Supreme Courts and High Courts of the country.
 - According to **Article 124(2)**, all the judges of the Supreme Court are to be appointed by the President after consultation with the judges of the SC and the HCs.
 - As per **Article 217**, all the judges of High Courts shall be appointed by the President after consultation with the Chief Justice of India, the Governor of the State, and, in the case of appointment of a Judge other than the Chief Justice, the Chief Justice of the respective High Courts.

- The 99th Constitutional Amendment Act (99th CA Act) introduced three Articles namely:
 - **Article 124A:** Provisions to set up the NJAC as a constitutional body to replace the collegium system.
 - **Article 124B:** Empowered the NJAC to make appointments to courts.
 - **Article 124C:** Accorded authority to the Parliament to make laws regulating the manner of the NJAC's functioning.
- As per the NJAC Act, the Chief Justice of India and Chief Justices of the HCs would be recommended by the NJAC based on seniority and the judges of the Supreme Court and High Court were to be recommended based on their ability, merit, and other such criteria mentioned in the regulations.
- **Composition of the NJAC:** The Chief Justice of India, two seniormost judges of the Supreme Court, the Law Minister and two eminent persons.
- Additionally, the NJAC Act empowered any two members of the NJAC to veto a recommendation if they did not agree with it.
- The two Bills (99th CA Act and NJAC Act) were ratified by the required number of State Legislatures and got the President's assent on December 31, 2014.

Know more about - [Collegium System and National Judicial Appointments Commission \(NJAC\)](#)

Why was the NJAC challenged?

- In 2015, the **Supreme Court Advocates-on-Record Association (SCAORA)** filed a petition challenging the provisions of the 99th CA Act and NJAC Act.
- According to SCAORA, the two laws were “unconstitutional” and “invalid”.
- SCAORA had argued that the 99th CA Act which provided for the establishment of the NJAC took away the “primacy of the collective opinion of the Chief Justice of India and the two senior-most Judges of the Supreme Court of India” as their collective recommendation could be vetoed by a majority of three non-Judge members.
 - SCAORA invoked the Second Judges Case to say that the primacy extended to the Chief Justice of India had to be protected.
- SCAORA had also alleged that the amendment violated the [basic structure doctrine](#) of the Indian Constitution as the independence of the judiciary in appointing judges was an integral part of the doctrine.

The Government's arguments

- The former [Attorney-General](#) representing the Union government had argued in court that the Second Judges case which was invoked by SCAORA was not valid with respect to the NJAC as the “very basis” of the ruling was now gone.

- The Union government had also argued that the Act in no way diluted the primacy of the judiciary but it diluted the powers of the executive as only one member of the executive (Law Minister) was in the NJAC as compared to three SC judges.
- The governor had held that the amendment did not violate the basic structure as it strengthened the independence of the judiciary, checks and balances and democracy.
- Further, the Solicitor-General representing the government had argued that the collegium system was a “failure” and worked on a system of “intra-dependence”, which impacted transparency in the functioning of the judiciary.

Supreme Court’s judgement on NJAC

- In October 2015, the five-judge bench of the Supreme Court while hearing the plea made by SCAORA ruled that the NJAC was “unconstitutional” and violated the “basic structure of the constitution” with a 4:1 majority.
- During its judgement, the Supreme Court bench also admitted that there were several shortcomings with the collegium system and that the system of judicial appointments must improve.

***Nut graf:** The executive as well as the judiciary ought to set aside their tussle and come together to develop a suitable system for the appointment of judges which does not violate the democratic values enshrined in the Constitution, and also ensures transparency and the independence of the judiciary.*

Category: GOVERNANCE

1. The debate around conjugal visits for prisoners

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

***Mains:** Critical evaluation of the move to provide conjugal visits for prisoners*

Context: The State of Punjab has allowed conjugal visits for prison inmates in order to ensure the [right to life and personal liberty](#) of prisoners.

Conjugal Rights of Prisoners

- Conjugal rights broadly refer to the rights created by marriage i.e. the right of the husband or the wife to the company of their spouse.
- With respect to prisons, conjugal visits refer to the concept of permitting prisoners to spend time privately with their spouses within the prison premises.

- There have been several arguments about conjugal visits having positive impacts on prisoners in the form of psychological health benefits, preservation of marital ties and, the reduction in the rates of homosexuality and sexual aggression within prisons.
- Further, there are arguments that say that conjugal visits are a fundamental right of the spouses of the prisoners.

Are Conjugal Rights of Prisoners recognised through Law?

- Conventions, treaties and regulations such as the United Nations Standard Minimum Rules for the Treatment of Prisoners, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, etc. have recognised prisoner rights internationally.
 - These treaties and conventions guarantee prisoners the right to life and inherent dignity.
 - The right to maintain family relations including conjugal visits is also included in these treaties.
- The concept of a conjugal visit has been adopted by various countries such as the U.S., Canada, Germany, Brazil, Russia, Spain, Belgium, Saudi Arabia and Israel.
- Further, most of the Laws and Rules related to prisons across India also acknowledge the importance of maintenance of continuity in family and social relations.

Supreme Court's views on extending conjugal rights to prisoners

- In **Sunil Batra v/s Delhi Administration case, 1979**, the Supreme Court held that the visits by family and friends are solace in isolation to prisoners and only a dehumanised system can deprive prisoners of this humane opportunity.
- In the **Jasvir Singh v/s State of Punjab** case where a couple convicted of murder and on death row had filed a petition to the court to enforce their right to procreate.
 - The key contention before the court was to determine whether the right to conjugality and procreation is a part of the right to life.
 - The High Court in the case had held that the right to conjugality is also available to prisoners under Article 21 which is subjected to reasonable restrictions.
- However, in **Meharaj v/s State case, 2022**, the Madras HC while hearing the argument on whether conjugal rights form part of the right to life and personal liberty (Article 21), said that there should be differential standards in enforcement of Article 21 for law abiders and law violators.
 - Further, the Court had said that even though conjugal visits could not be held as a fundamental right, the prisoner would still be eligible to avail leave for conjugal visits if there are extraordinary reasons such as infertility treatments.

Punjab government's stand

- The State guidelines have clarified that conjugal visits are considered a matter of privilege rather than a right.
- According to the guidelines notified, the average time for conjugal visits would be two hours which would be allowed once every two months.
- Further, the visiting spouse must have proof of marriage and medical certificates which show that the individual is free from HIV or any other sexually transmitted disease (STDs), COVID-19 or any other infectious disease.
- Additionally, such facilities will not be provided to high-risk prisoners such as terrorists, child abuse convicts, death row convicts, sexual offenders, death row convicts, prisoners who suffer from HIV, etc.

***Nut graf:** A holistic assessment of the possibility of allowing conjugal visits to prisons along with an analysis of its pros and cons should be made considering various psychologists' view that conjugal visits help preserve the psychological health and family bonds of the prisoners.*

C. GS 3 Related

Nothing here for today!!!

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E. Editorials

Category: SOCIAL JUSTICE

1. The perils of undoing the framework of reservation

Syllabus: Welfare Schemes for Vulnerable Sections

Mains: Debate on Caste Neutral Policy

Context: Recently, the Supreme Court of India upheld the 103rd Constitutional Amendment Act, which had introduced 10% reservation for the [economically weaker sections](#) (EWS).

Background:

- After extensive hearings, a five-judge Constitution bench gave a 3-2 split verdict on a batch of pleas challenging the validity of the [103rd Constitution amendment](#) providing 10

per cent reservation to economically weaker sections (EWS) persons in admissions and government jobs.

- The majority view of the court said that the 103rd constitutional amendment cannot be said to breach the basic structure of the Constitution as the reservation in addition to the existing reservation does not violate the provisions of the Constitution.
 - The reservation is an instrument of affirmative action by the state for the inclusion of backward classes and the [basic structure](#) can't be breached by enabling the state to make provisions for education.
- Earlier, the Union government in 2019, had also told the Supreme Court that the amendment, granting a 10% quota for EWSs, was brought in to promote “social equality” by providing “equal opportunities in higher education and employment to those who have been excluded by virtue of their economic status”.

Implications of the judgement:

- The EWS quota and the recent judgement have shifted the discussion on the legacy of affirmative action based on caste in India.
- A consensus is developing in favour of a social policy that is built on the premise that poverty results from economic backwardness across the board. Such a desire has gained more support as a result of the past 20 years' rising unemployment rate and growing economic uncertainty.
- However, delegitimising caste as a basis for policy will have real consequences, given the deepening of wealth inequality on caste lines.

Welfare entitlement and the realities:

- A claim that says every individual, regardless of caste and ethnicity, should get her due in welfare entitlement needs to be scrutinised with ground realities.
- The collective disadvantage experienced by certain groups is unique to each of them, and their specific deprivations require specific resolutions.
- Contemporary inequalities in economic and social outcomes are due to inheritances.
 - These inherited inequalities — economic, cultural and social capital — are passed on to successive generations.

Wealth and intergenerational inequality:

- Wealth is a better measure of economic status than income and consumption as it takes time to change while income/consumption alters frequently.
- Caste mediates transfers of wealth over generations in India.
- The latest survey, the All India Debt & Investment Survey (AIDIS-2019) released in 2021 shows the trend of deepening caste inequality in wealth in India.

- AIDIS collects information on physical assets such as land, livestock, buildings, agricultural machinery, and transport equipment, as well as financial assets such as shares, deposits and amounts receivable by the household.
- Inequality is broadly found to have risen in India between 1990 and 2020, and it is more severe in the case of wealth, followed by income and consumption inequality.
- The average per capita of wealth among the upper castes was ₹8,03,977 in 2019 as against ₹4,09,792 for OBCs, ₹2,28,388 for Dalits and ₹2,32,349 for tribals.
- The upper castes control about 45% of the total wealth in the country followed by OBCs holding 40%, Dalits 10% and Adivasis 5%.
- Land and building constitute a large part of the wealth (82%) followed by financial assets (7%). Land and buildings are largely inherited.
- Colonial intervention which assigned land ownership to some castes at the expense of others continued in post-colonial India.
- The real estate boom post the 1990s also helped those owning land and buildings consolidate their wealth due to increased land value due to speculation.
- The ratio of private wealth to national income increased from 290% in 1980 to 555% in 2020, estimated to be the fastest increase in the world by the World Inequality Report 2022.

Similarities with the U.S:

- Despite the fact that caste and race have different histories, both remain strong institutions of inequality.
- Middle-class anxieties about losing their social and cultural standing are growing, especially in nations with some sort of affirmative action in place.
- For instance, the advances made possible by affirmative action for Black Americans in the United States were met with "White backlash"; similarly, the hatred directed against reservations resulted in the introduction of the EWS quota in India.
- The ongoing discussion about caste-neutral policymaking in India and the push for colour-blind policies in the U.S. are quite similar.

***Nut Graf:** Wealth inequality in India is a product of the long history of institutional exclusion of certain caste groups. Ongoing debates for a caste-neutral policy must consider the deepening wealth inequality in India to stop the undoing of the framework of reservation.*

Category: INTERNATIONAL RELATIONS

1. BIMSTEC for South Asian regional order

***Syllabus:** Bilateral, Regional & Global Groupings & Agreements Involving India and/or Affecting India's Interests*

Mains: Significance of BIMSTEC to India

Context: The failure of SAARC in recent years has shifted the focus on BIMSTEC for better cooperation in South Asia.

Failure of SAARC:

- The South Asian Association for Regional Cooperation ([SAARC](#)), an intergovernmental organisation, was established to promote economic growth in South Asia.
- However, SAARC has failed abjectly in accomplishing most of its objectives.
- South Asia continues to be an extremely poor and least integrated region in the world.
- The intraregional trade and investment in South Asia are very low when compared to other regions such as the Association of South East Asian Nations ([ASEAN](#)) and Sub-Saharan Africa.
- Pakistan has adopted an obstructionist attitude within SAARC by repeatedly blocking several vital initiatives such as the motor vehicles agreement, aimed at bolstering regional connectivity.
- Deepening hostility between India and Pakistan has made matters worse. Since 2014, no SAARC summit has taken place leaving the organisation rudderless, and practically dead.
- A weakened SAARC means heightened instability in other promising regional institutions such as the South Asian University (SAU), which is critical to buttressing India's soft power in the region.

The BIMSTEC promise:

- The inability of SAARC to foster regional cooperation and make progress has resulted in a shift of focus from SAARC to the [Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation \(BIMSTEC\)](#).
- In recent years, India has moved its diplomatic energy away from SAARC to BIMSTEC which resulted in BIMSTEC adopting its Charter in its 5th summit in March 2022.
- The BIMSTEC Charter is significantly better than the SAARC Charter in various ways.
 - For instance, Article 6 of the BIMSTEC Charter talks about the 'Admission of new members' to the group.
 - This paves the way for the admission of countries such as the Maldives.
- The BIMSTEC Charter formalises the grouping into an organisation made up of member states that are littoral to and reliant on the Bay of Bengal.
- The summit also saw the adoption of the 'Master Plan for Transport Connectivity,' which lays out a guidance framework for connectivity-related activities in the region in the future.
- However, the BIMSTEC Charter does not contain a flexible participation scheme similar to the ASEAN Charter.

- This flexible scheme, also known as the 'ASEAN Minus X' formula, allows two or more ASEAN members to initiate negotiations for economic commitments.
- Thus, no country enjoys veto power to thwart economic integration between willing countries.
- A flexible 'BIMSTEC Minus X' formula will allow India and Bangladesh or India and Thailand to conduct their ongoing bilateral free trade agreement (FTA) negotiations under the broader BIMSTEC umbrella.
- A high-quality FTA offering deep economic integration would be an ideal step to strengthen BIMSTEC.

Nut Graf: *Considering the advantages and benefits that BIMSTEC can offer, its Charter should be amended to address various gaps to create a new South Asian regional order based on incrementalism and flexibility, ushering in prosperity and peace in the region.*

Category: INDIAN SOCIETY

1. Tourist police

Syllabus: *Population and Associated Issues*

Mains: *Impact of Crimes in India on Tourism*

Context: Crimes against tourists and other foreign nationals appear to be on the rise in India.

Introduction:

- Various incidents of foreigners falling victim to crimes in India have increased recently.
- Women are more prone to sexual attacks by criminals on the prowl in tourist destinations. For every crime committed against foreigners, several others go unreported for multifarious reasons, with one of them being the fear instilled in them by the threats of these criminals.

NCRB Data on Crimes against Foreigners in India:

- According to [National Crime Records Bureau \(NCRB\)](#) data, Delhi recorded 27 cases of crime against foreigners in 2021, a drastic decline from 62 cases reported in 2020 and 123 in 2019.
- Rajasthan has shown a sharp reduction in the registration of crimes from 16 in 2019 to just 4 in 2020 and two cases last year, mainly due to the decline in tourist arrivals due to the pandemic.
- 29 foreigners were murdered in the last three years. While 14 foreigners fell victim to rape in 2021, 16 were raped in 2020 and 12 in 2019.

- While 142 cases of theft were lodged by foreigners in 2019, it declined to 52 in 2020 and further dipped to 23 in 2021.

Implications:

- Travel and tourism play an important role in India's economy. Compared with other nations, India ranks 14th in the world in terms of its tourism sector's contribution to the GDP.
- Crime against foreigners ruins India's reputation globally and also adversely affects the inflow of foreign tourists, which is a vital source of income for our country.
- Tourism is one of the biggest foreign exchange earners for India.
 - India's earnings through tourism were \$30.06 billion in 2019 which declined to \$6.958 billion in 2020 due to the pandemic.
 - India recorded a slight increase of \$8.797 billion in 2021.
- Tourism as a form of soft power helps in promoting cultural diplomacy, and people-to-people connect and thereby promotes friendship and cooperation between India and other countries.

The Tourist Police Scheme:

- In order to provide a safe environment for tourists, the Union Ministry of Tourism, in collaboration with the Bureau of Police Research and Development (BPRD), organised a national conference on a 'tourist police scheme' in New Delhi in October 2022.
- It was organised with a view to "sensitise the specific requirements of the tourists for effective implementation of Uniform Tourist Police Scheme at pan-India level".
 - Several states such as Uttar Pradesh, Madhya Pradesh, Delhi, Goa, Rajasthan and Kerala have tourist police.

Way Forward:

- The BPRD has brought out a booklet on the tourist police scheme detailing the mode of setting up of tourist police stations and control rooms, outposts, uniforms, recruitment, qualifications, training and logistics requirements for tourist police stations.
- 25 popular tourist spots have been identified in India for the necessary deployment of the tourist police.
- As an incentive, a 30% deputation allowance has been recommended for the police personnel who join the tourist police on deputation.
- All criminals in and around tourist spots need to be identified and kept under constant surveillance.
- Fast-track courts should be set up immediately to try cases of crime against foreigners.

Nut Graf: 13.34 million foreign tourists are expected to arrive in India by 2024, also the forthcoming G20 Summit will result in a huge influx of foreigners. This necessitates an urgent need to upgrade our security systems especially to provide a security blanket cover to foreign tourists as safety assumes utmost importance to draw tourists in hordes.

F. Prelims Facts

1. Koundinya Wildlife Sanctuary

Syllabus: GS-3; Environment and Biodiversity

Prelims: Koundinya Wildlife Sanctuary and Project Elephant

Context: An 18-member herd of female elephants from the forests of Gudiyattam and Pernambattu of Tamil Nadu are currently moving through the Koundinya Wildlife Sanctuary zone.

Koundinya Wildlife Sanctuary

- Kaundinya Wildlife Sanctuary is a wildlife sanctuary and the only elephant reserve present in Andhra Pradesh.
- Kaundinya Wildlife Sanctuary is situated in the Palamaner and Kuppam forest ranges of the Chittoor district of Andhra Pradesh.
- Kaundinya Wildlife Sanctuary is a part of [Project Elephant](#).
- The sanctuary is known for its southern tropical dry deciduous forest vegetation, with patches of thorn, scrub and grassy plains.
- The habitat of the sanctuary is rugged with high hills and deep valleys.
- Kaundinya and Kaigal which are tributaries of River Palar flow through the sanctuary.

G. Tidbits

1. ISRO inks MoU to establish SpaceTech Innovation Network

- The [Indian Space Research Organisation \(ISRO\)](#) has signed a memorandum of understanding (MoU) with Social Alpha which is a multistage innovation venture development platform for science and technology start-ups.
- The MoU is to launch the **SpaceTech Innovation Network (SpIN)**.
 - The SpIN is the first-ever dedicated platform in the country for innovation, curation, and venture development for the expanding space entrepreneurial ecosystem.

- According to ISRO, this tie-up is a one-of-a-kind public-private collaboration for start-ups and SMEs in the space industry and is a significant step towards providing stimulus to India's space reform policies.
- The SpIN will mainly focus on facilitating space tech entrepreneurs in three innovation categories namely,
 - Geospatial Technologies and Downstream Applications
 - Enabling Technologies for Space & Mobility
 - Aerospace Materials, Sensors, and Avionics
- These innovative technologies are expected to induce a paradigm shift in utilising space applications and maximising their economic, social, and environmental potential for the larger benefit of society.

2. Plan to install 500 GW of renewable energy capacity by 2030 to cost ₹2.44 trillion

- As per a committee set up by the Central Electricity Authority (CEA), India's plan to install about 500 GW of renewable energy capacity by 2030 will involve investments of close to ₹2.44 lakh crores.
 - The committee is headed by the Chairman of the Central Electricity Authority and has representatives from the Solar Energy Corporation of India, Central Transmission Utility of India Ltd, Power Grid Corporation of India Ltd, National Institute of Solar Energy, and National Institute of Wind Energy.
- India's renewable energy plans are in line with India's commitments at various global forums and they will also pave the way for adding the required generation capacity
- As part of its international climate commitments, India has assured that it will source about 50% of its energy needs from non-fossil fuel sources by 2030 and financing this energy transition has been one of the major geo-political issues at present for developing countries like India.
- The committee is tasked with devising a plan for the transmission system required for having 500 GW of non-fossil fuel-based installed capacity by 2030.

3. Pharma, chemicals, iron, steel exports get RoDTEP boost

- As India's export momentum has been affected by declining global demand, the government has decided to extend the [Remission of Duties and Taxes on Exported Products \(RoDTEP\) Scheme](#) to the pharmaceuticals, chemicals and iron & steel sectors.
- The RoDTEP scheme which was introduced in 2021 replaced the Merchandise Export Incentive Scheme and it provides a "zero rating" of exports or ensures that no domestic taxes are added to goods meant for export.
- India's goods exports dropped over 16% in October 2021 with engineering goods, which also include steel products, dropping by more than 21%, drugs and pharma exports dropping by over 9% and chemical exports declining by about 16.4%.

- The sectors which are getting the RoDTRP boost had been excluded from the scheme so far due to fiscal constraints and the fact that their export performance was good even without such benefits. The extension of RoDTEP to these uncovered sectors is expected to improve the export competitiveness of these sectors.

H. UPSC Prelims Practice Questions

Q1. The Constitution Amendment Act which granted citizens a fundamental right to form cooperative societies is:

- A. 88th amendment
- B. 89th amendment
- C. 92nd amendment
- D. 97th amendment

Answer: D

Explanation:

- The **Ninety-Seventh Amendment Act of 2011** gave constitutional status and protection to cooperative societies and introduced the following three changes in the constitution:
 - It made the right to form cooperative societies a fundamental right (Article 19).
 - It included a new Directive Principle of State Policy on the promotion of cooperative societies (Article 43B).
 - It added a new Part IX-B in the constitution, which is entitled “The Cooperative Societies” (Article 243-ZH to 243-ZT).

Q2. Consider the following statements:

1. Kaundinya Wildlife Sanctuary is a wildlife sanctuary and an elephant reserve situated in Andhra Pradesh
2. The Indian elephant is the state animal of Andhra Pradesh
3. ‘Operation Shikkar’ was undertaken to stop the illegal trade in Ivory

Which of the statements given above is/are correct?

- A. 1 only
- B. 2 and 3 only
- C. 1 and 3 only
- D. 1, 2 and 3

Answer: C

Explanation:

- **Statement 1 is correct**, Kaundinya Wildlife Sanctuary is a wildlife sanctuary and an elephant reserve situated in Andhra Pradesh
- **Statement 2 is not correct**, **Black Buck** (*Antelope cervicapra*) is the state animal of Andhra Pradesh
- **Statement 3 is correct**, Operation Shikhar was undertaken to stop the illegal trade in Ivory. Operation Shikhar was initiated soon after the discovery of organized elephant poaching in Kerala.

Q3. Which amongst the following statements is the best description of Brandt line?

- A. It is a line on the map that marks the border between North Korea and South Korea
- B. It is an imaginary division that divides the world into the rich north and poor south.
- C. It forms the maritime border between India and the Maldives.
- D. Finland built this as a defensive line against the Soviet Union for the Winter War during World War II.

Answer: B

Explanation:

- The Brandt Line was proposed by Willy Brandt in the 1980s.
- The Brandt Line is a way of visualising the world that highlights the disparities and inequalities between the wealthy North and the poorer global South.

Q4. Which of the following statements is/are correct?

1. Gamma Ray Bursts (GRBs) are massive but extremely bright, high-energy short gamma radiations which get released when massive stars collapse or die in the Universe.
2. Energy associated with GRBs is many folds larger than what our Sun can emit in its entire lifetime.

Options:

- A. 1 only
- B. 2 only
- C. Both
- D. None

Answer: c

Explanation:

- **Statement 1 is correct**, Gamma Ray Bursts (GRBs) are massive but extremely bright, high-energy short gamma radiations which get released when massive stars collapse or die in the Universe

- **Statement 2 is correct**, The energy associated with GRBs is many folds larger than what our Sun can emit in its entire lifetime, making its study key to understanding the life and death of stars in our Universe.

Q5. Consider the following statements: PYQ (2022)

1. A bill amending the Constitution requires a prior recommendation of the President of India.
2. When a Constitution Amendment Bill is presented to the President of India, it is obligatory for the President of India to give his/her assent.
3. A Constitution Amendment Bill must be passed by both the Lok Sabha and Rajya Sabha by a special majority and there is no provision for joint sitting.

Which of the statements given above are correct?

- A. 1 and 2 only
- B. 2 and 3 only
- C. 1 and 3 only
- D. 1, 2 and 3

Answer: B

Explanation:

- **Statement 1 is not correct**, According to Article 368 of the Constitution, A bill amending the Constitution **does not require a prior recommendation of the President**.
- **Statement 2 is correct**, The President can not exercise his/her veto powers w.r.t. Constitution amendment bill i.e. when a Constitution Amendment Bill is presented to the President of India, it is obligatory for the President to give his/her assent.
- **Statement 3 is correct**, A Constitution Amendment Bill must be passed by both the Lok Sabha and Rajya Sabha by a special majority and there is no provision for joint sitting

I. UPSC Mains Practice Questions

1. [Crimes against foreigners are a major impediment towards India's path of becoming a global tourist hub. Comment.](#) (250 words; 15 marks) (GS-2; Governance)
2. [Compare the method of appointment of judges in the higher judiciary as envisaged by the NJAC with that of the collegium method.](#) (250 words; 15 marks) (GS-2; Polity)