

## 05 Jan 2023: UPSC Exam Comprehensive News Analysis



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## A. GS 1 Related

*Nothing here for today!!!*

## B. GS 2 Related

**Category: POLITY**

### 1. Why has a high-power Ladakh committee been formed?

*Syllabus: Constitution of India and issues and challenges pertaining to the federal structure*

*Prelims: Sixth Schedule of the Constitution*

#### Context

The Ministry of Home Affairs has set up a high-powered committee for the Union Territory of Ladakh.

#### Details

- The Committee chaired by the Minister of State will discuss various actions required to safeguard the region's unique culture and language considering the geographical location and strategic importance of the region.
- Further, the Committee is also accorded the task of recommending measures to ensure the protection of land as well as creating employment for the people of Ladakh.
- The Committee will help strategise inclusive development and address the issues such as the empowerment of the Ladakh Autonomous Hill District Councils of Leh and Kargil.

#### The need for the constitution of a Committee

- Various civil society groups in Ladakh have been demanding the formulation of measures to safeguard the land, resources and employment ever since the Parliament removed the special status granted to the erstwhile State of Jammu and Kashmir under [Article 370](#) of the Constitution in August 2019.
- There have been increasing concerns that big businesses and conglomerates might take away the jobs and land from the local people.
- The civil society groups in Ladakh have demanded the inclusion of the region in the Sixth Schedule of the Constitution.

- In 2020, the “Peoples Movement for Constitutional safeguard under the sixth schedule” which is also called the “Apex Body, Leh” was formed.
  - The body announced the boycott of the upcoming district autonomous council elections if the demands were not met.
- The Apex Body and the Kargil Democratic Alliance (KDA) have come together to jointly fight for constitutional safeguards for the region and since August 2022, the two organisations have renewed their demand to seek full statehood for Ladakh.

### Sixth Schedule of the Constitution

- The Sixth Schedule of the Constitution aims to safeguard the land, employment, and cultural identity of the local population.
- The Sixth Schedule under **Article 244** of the Constitution safeguards the autonomy of local and tribal communities through the creation of Autonomous Development Councils (ADCs) which can formulate laws on land, public health and agriculture.
- At present, ten ADCs exist in the states of Assam, Meghalaya, Tripura and Mizoram.

### Government's stand

- The Ministry of Home Affairs has reiterated its stand on giving special status to Ladakh by saying that the main objective for the inclusion of a region under the Sixth Schedule is to ensure their overall socio-economic development, which the UT administration has already been doing ever since its creation.
- Further, the Ministry has granted adequate funds to Ladakh to achieve its overall developmental requirements.
- The MHA through a report has also added that the administration of the UT has increased the reservation for the Scheduled Tribes (ST) in recruitment to 45% from 10% and this would help the tribal population in their development.

***Nut graf:** After the continuous demand of the local civic groups, the Government has set up a high-powered committee for Ladakh. However, the members of the new committee feel that there is a lack of clarity in the Ministry's order as it does not mention anything about the key demand for inclusion under the Sixth Schedule of the Constitution.*

## C. GS 3 Related

### Category: ECOLOGY and ENVIRONMENT

#### 1. Jallikattu: cultural practice or cruelty?

*Syllabus: Conservation*

*Prelims: About Jallikattu*

*Mains: Evaluation of various arguments for and against the practice of Jallikattu*

#### Context

A five-member Constitution Bench of the Supreme Court is expected to give its verdict in the coming weeks on petitions which have sought to strike down a 2017 Tamil Nadu law that protects jallikattu.

#### Jallikattu

- Jallikattu is a traditional sport that involves bull taming.
- Jallikattu is celebrated on the Mattu Pongal (third day of the Pongal festival) in the month of January across the state of Tamil Nadu.
- Jallikattu is also known as Manju Virattu or Eru Thazhuvuthal.
- In Jallikattu men compete with each other to hold on to the humps of agitated bulls that are released into an open arena.

#### Background

- In May 2014, through the **Animal Welfare Board of India v/s A. Nagaraja Case Judgement**, the Supreme Court imposed a ban on Jallikattu observing that the sport was a cruel practice that caused unnecessary pain and suffering to the animal.
- In January 2017, there was a massive protest on the Marina beach in Chennai which demanded the Union and State governments formulate a law that would annul the Supreme Court's ban on the traditional sport.
  - Several prominent personalities also supported the protest.
- In this context, the Tamil Nadu Government had come up with the **Prevention of Cruelty to Animals (Tamil Nadu Amendment) Ordinance 2017** which allows the continuation of Jallikattu.

- The State government later adopted a Bill to replace the Ordinance which resulted in a court case and the case was referred to the Constitution Bench in February 2018.

### The Jallikattu case

- The key question involved in the case is whether Jallikattu must be allowed or granted protection as a collective cultural right under [Article 29 \(1\)](#) of the Constitution.
  - Article 29 (1) is a Fundamental Right mentioned under Part III of the Constitution which aims to safeguard the educational and cultural rights of citizens.
  - Article 29(1) provides the right to conserve the culture, language and script of any section of the citizens residing in India having a distinct culture, language, or script.
- The court would be examining if the legislations such as the **Prevention of Cruelty to Animals (Tamil Nadu Amendment) Act of 2017** and the **Prevention of Cruelty to Animals (Conduct of Jallikattu) Rules of 2017** perpetuate cruelty to animals or were if they are actually required to ensure the survival and well-being of the native breed of bulls.
- In this context, it is important to note that the Court in 2014 had quashed the **Tamil Nadu Regulation of Jallikattu Act, 2009**, which allowed Jallikattu.
  - The court had then scrutinised if the acts that allowed Jallikattu were in line with **Article 48** of the Constitution.
    - **Article 48** is a part of [Directive Principles of State Policy \(DPSP\)](#) under Part-IV of the Indian Constitution.
    - **Article 48** directs the state to make efforts for banning animal slaughtering of cows and calves and other milch and draught cattle and also urges the state to endeavour to organise agriculture and animal husbandry on modern and scientific lines.
- The Constitution Bench of the Supreme Court also looked into the questions or debates of whether various laws enacted to allow the continuation of traditional events such as Jallikattu and Bullock-cart Race (in Karnataka and Maharashtra) would support the objectives of the **Prevention of Cruelty to Animals Act, 1960**.

### Arguments for and against Jallikattu

#### For

- The Jallikattu sport is considered a religious and cultural event celebrated in Tamil Nadu and the influence of the sport extends beyond the confines of caste and creed.

- According to the Tamil Nadu State government, an event like Jallikattu which is centuries-old and is one of the prominent symbols of a community's identity must be regulated and reformed as time evolves rather than putting in place a stringent ban.
- According to the State government, a ban on such events or practices would be hostile to culture and against the sensitivities of the community and argued that the sport did not violate principles of compassion and humanity.
- The supporters of Jallikattu also say that the event plays an instrumental role in conserving the indigenous breed of livestock.

### Against

- The key contention of the critics of Jallikattu is that animal life is inextricably connected to that of humans and any form of violence and cruelty to animals will have a significant impact on humans.
- According to critics, "extreme cruelty" was inflicted on the animals in the name of traditional practice.
- Critics also opine that **Liberty** is inherent in every living being irrespective of the form of its life and hence animals must be accorded the same level of liberty which is given to humans.
- The petitioners have also pointed out various instances and reports of deaths and injuries caused both to humans as well as bulls during the event.
- The critics have also equated the traditional event to practices like Sati and Dowry, which were also once considered a part of the culture and then banned through legislation.

***Nut graf:** Tradition and culture are not immune to change and in this context, both the Court as well as the Governments at the Union and State levels must work towards reaching a consensus that balances out the cultural and ecological concerns associated with the practice of Jallikattu.*

## D. GS 4 Related

*Nothing here for today!!!*

## E. Editorials

### Category: POLITY

#### 1. Local self-governance

***Syllabus:** Devolution of Powers & Finances to Local Levels & Challenges Therein*

***Mains:** Revival of the idea of local self-governance*



**Context:** This article discusses the various aspects of local self-governance.

### **Introduction:**

- The 73rd and 74th constitutional amendments, which established panchayats and municipalities, respectively, were passed by the Parliament in December 1992.
- These amendments mandated that State governments constitute [panchayats](#) (at the village, block and district levels) and [municipalities](#) (in the form of municipal corporations, municipal councils and nagar panchayats) in every region.
- They sought to institute a third tier of governance in the federal framework through the devolution of functions, funds, and functionaries to local governments.
- But despite these reforms, municipal governments are often seen to be ineffective in addressing even the most basic needs of citizens, such as reliable water supply and walkable footpaths.

### **The normative basis of local self-governance:**

- Local self-governance is associated with the concept of subsidiarity and is typically grounded on two broad arguments.
  - First, it provides for the efficient provision of public goods since governments with smaller jurisdictions can provide services as per the preferences of their residents.
  - Second, it promotes deeper democracy since governments that are closer to the people allow citizens to engage with public affairs more easily.
- Strengthening local democracy and delegating tasks to achieve the goals of economic development and social fairness are the basic values that the amendments seek to ingrain.
  - Above amendments demand that States grant municipalities and panchayats the authority they need "to enable them to function as institutions of self-government," including the ability to create and carry out plans and programmes for economic growth and social justice.
  - They also mandate the regular conduct of local elections, provide for the reservation of seats for Scheduled Castes, Scheduled Tribes and women in local councils, and institute participative forums like gram sabhas in panchayats and ward committees in municipal corporations.

### **Limitations of these amendments:**

- Local governments, especially municipalities, operate with limited autonomy and authority mainly due to the inherent limitations of the 74th amendment such as discretion given to the States regarding the devolution of powers and levying of local taxes.

- Failure of State governments and courts to implement and interpret the amendment in letter and spirit also limits the authority of local governments.
  - Since cities are economic powerhouses and controlling urban land is crucial for funding State governments and political parties, state governments are reluctant to apply the 74th amendment.
  - A narrow interpretation of the 74th amendment by the courts has allowed State governments to retain their control over cities.

### **Revisiting the 74th Constitutional Amendment for Better Governance:**

- The Patna High Court's recent order declaring some provisions of the Bihar Municipal (Amendment) Act, 2021 as unconstitutional is path-breaking since it tested State municipal laws against the letter and spirit of the 74th Amendment and can potentially reset the position of local governments in India's federal framework.
  - The court also pointed out that though the state legislature has the power to legislate on matters concerning municipal bodies, however, its involvement in the functioning of local bodies has to be minimal.
  - By virtue of the amendments made to the Bihar Municipal Act, 2007, inter alia, all the powers of appointment, selection, posting, and transfer of employees of Grade-C & D were taken over by the State Government.
- Local governments must be empowered with an inviolable and clearly defined legislative and executive jurisdiction, effective control of the local bureaucracy and adequate and non-discretionary fiscal devolution, and direct empowerment of stakeholders over local institutions and public services to correct the distortions and imbalances in our plural democracy.

**Nut Graf:** As India is undergoing a centralising shift in its politics, economy, and culture, there's also been a renewed assertion of federalism. Debates on federalism should include larger discussions on how power should be divided and shared between governments at the Union, State, and local levels since local governments are, normatively and structurally, an integral part of the federal framework of the Constitution.

## **F. Prelims Facts**

### **1. Talacauvery is South India's top 'star party' destination**

**Syllabus:** GS-3; Science and Technology; Awareness in the field of Space

**Prelims:** About Dark Sky Reserves and Bortle scale

**Details**



- **Talacauvery** in the Kodagu district of Karnataka, which is considered the place of origin of the Cauvery River, has emerged as South India's Hanle, as astronomers are seen hosting "star parties" in the region.
- Hanle, which is situated in Ladakh, is famous for its pristine skies and minimal light pollution.
  - The Department of Science & Technology (DST) under the Ministry of Science & Technology, announced the establishment of India's first Dark Sky Reserve at Hanle.
- Dark Sky Reserves are designations given to regions that have policies in place to ensure that a tract of land or region has minimal artificial light interference.
- In southern parts of India, most dark sky locations are located amidst the Western Ghats and Talacauvery is said to be the most ideal location to gaze at the sky and have a star party due to less light pollution.
- Astronomers use the **Bortle scale** to measure the brightness of the night sky in a location that is a nine-level numerical scale.
  - The lower the numerical scale the better would be the dark sky location.
  - **Example:** Hanle would qualify as a Bortle one sky, Talacauvery as Bortle two, and Bengaluru as Bortle nine.

## G. Tidbits

### 1. Centre clears ₹19,744 cr. Green Hydrogen Mission

#### GH<sub>2</sub>: promises & challenges

■ Hydrogen produced is said to be 'green' if all its inputs are green. Decarbonisation plans of many countries include green hydrogen (GH<sub>2</sub>) because combusting hydrogen releases only heat and steam

■ 60% of India's energy comes from fossil fuel sources

■ The production mode of choice of green hydrogen is through the electrolysis of water

■ India currently lacks the required electrolyzers and needs cheaper renewable energy



■ Technologies to adapt hydrogen fuel cells for use in vehicles are largely immature in India

■ Hydrogen leaks easily and liquid hydrogen reacts explosively with air, incurring significant storage and transport costs

Image Source: The Hindu

- With an aim to make India a global hub for the production, utilisation and export of green hydrogen, the Union Cabinet has approved the **National Green Hydrogen Mission** with an initial outlay of ₹19,744 crores.
- The government believes that the move will help reduce the annual greenhouse gas emissions by close to 50 million tonnes (MT) by 2030 and also help reduce the overall fossil fuel imports worth ₹1 lakh crores.
- The government further believes that the mission will facilitate the development of a green hydrogen production capacity of a minimum of 5 MMT per annum with an associated renewable energy capacity addition of about 125 GW by 2030.
  - The move is also expected to attract investments worth ₹8 lakh crore, create over six lakh jobs, and help meet international commitments to fight climate change.
  - The mission will further help facilitate a public-private partnership framework for research and development (R&D).
- Hydrogen has now become one of the most sought-after fuels as its combustion releases only steam.
- The government has also announced various incentives to reduce the cost of hydrogen by half by 2030 such as priority power supply for manufacturers, and concessions and waivers on distribution and transmission costs.

## 2. Acid attack victims failed by lack of a cohesive law, legal process

- According to [National Crime Records Bureau \(NCRB\)](#) data, the number of instances of acid attacks has increased from 83 in 2011, to 176 in 2021 (249 instances were reported in 2019).
- States like West Bengal and Uttar Pradesh have recorded the highest numbers of acid attacks, constituting about 50% of all cases reported in the country year on year.
- Human rights activists believe that the lack of cohesive legislation in regulating the sale of acids and ensuring punishment are the key reasons for such a high number of instances.
  - In 2021, 153 men were charge-sheeted while only seven were convicted.
- Experts quote the example of Bangladesh where the acid attacks were reduced after the government introduced the **Bangladesh Acid Control Act, 2002** and **Acid Crime Prevention Acts, 2002**.
  - In India, the [National Commission for Women](#) had formulated a **draft Prevention of Offences (by Acid) Bill in 2008**, but it has still not seen the light of day.
- However, post the Nirbhaya gang rape case and the Justice Verma Commission report in 2013, the government amended the Indian Penal Code (IPC) and recognised acid attacks as a separate offence with a minimum punishment of 10 years and a maximum of life imprisonment.

- Also, the sale and procurement of acid in India were sought to be regulated under the Poison Act, 1919.
- According to a Supreme Court advocate, a standalone law can help acid attack victims secure justice and ensure that acids and chemicals are not easily available.

### 3. Train ticketing platform RailYatri hit by data breach

- Train ticketing platform RailYatri has confirmed that it suffered a data breach on December 28th, 2022.
- According to officials, RailYatri-registered information such as age, email and phone numbers are expected to be viewed by unauthorised individuals and no sensitive information was compromised.
  - About 30 million user records were estimated to be sold on the dark web as a result of the breach.
- The firm is working with the [Indian Computer Emergency Response Team \(CERT-in\)](#) to investigate the breach and audit its security systems.
- In this context, it is important to note that the [Digital Personal Data Protection Bill, 2022](#) provides for penalties in the event of a data breach but the law is yet to be passed.

## H. UPSC Prelims Practice Questions

### Q1. Consider the following statements regarding Kala-azar or Black Fever:

1. It is a parasitic disease caused by the bite of Asian tiger mosquitoes.
2. It is a notifiable disease all across the country.
3. The disease has been recently eliminated in India.

Select the **incorrect** statements:

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

**Answer: D**

Explanation:

- **Statement 1 is not correct**, Kala-azar or black fever is a protozoan parasitic disease, spread by **sandfly bites**.
- **Statement 2 is not correct**, Kala Azar or Black fever disease is endemic to Bihar, Jharkhand, Uttar Pradesh and West Bengal

- **It is a notifiable disease in these state**
- **Statement 3 is not correct**, India is committed to eliminating Kala Azar from the country by 2023.
  - There has been a 98.7% decline in Kala Azar cases from 44,533 (2007) to 834 (2022).
  - 99.8% endemic blocks have already achieved elimination status ( $<1$  case/10,000) and only one block i.e. Littipara of Pakur district, Jharkhand is in the endemic category.

**Q2. What do you understand by ABHA?**

- A. A new category of health workers under Ayushman Bharat.
- B. A portal to track beneficiaries under the Antyodaya Ann Yojana.
- C. A health account number for identifying the patients under Ayushman Bharat Scheme.
- D. A new designation given to the Anganwadi workers.

**Answer: C**

Explanation:

- Ayushman Bharat Health Account (ABHA) is a personal health viewer application from National Health Authority
- ABHA is a 14 digit unique number used to identify people, authenticate them, and thread their health records across multiple healthcare service providers under Ayushman Bharat Scheme.

**Q3. Consider the following statements about the Assisted Reproductive Technology (Regulation) Act, 2021:**

1. It provided for the National Reproductive Technology and Surrogacy Board.
2. The Act also regulates Surrogacy in India
3. The act set up an upper age limit for both men and women for the use of ARTs.

Which of the statements are correct?

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

**Answer: B**

Explanation:

- **Statement 1 is correct**, The **Assisted Reproductive Technology (Regulation) Act, 2021** provides for the establishment of the National Assisted Reproductive Technology and Surrogacy Board.
- **Statement 2 is not correct**, Parliament passed the Assisted Reproductive Technology (Regulation) Act and the Surrogacy Act in December 2021.
  - The Assisted Reproductive Technology (Regulation) Act aims to regulate the ART industry.
  - While the **Surrogacy (Regulation) Act, 2021** regulates Surrogacy in India
- **Statement 3 is correct**, Under Section 21(g) of the Assisted Reproductive Technology (Regulation) Act, the upper age limit for ART treatment is fixed at 55 years for men and 50 years for women.

**Q4. Which of the following statements are correct regarding Satellite Townships?**

1. They are created to depopulate the main city
2. They are a part of the main city's suburbs

Options:

- A. 1 only
- B. 2 only
- C. Both 1 and 2
- D. Neither 1 nor 2

**Answer: A**

Explanation:

- **Statement 1 is correct**, A satellite town or satellite city is a concept in urban planning and is set developed to depopulate the main urban or city centres.
- **Statement 2 is not correct**, Satellite cities are different from suburbs because satellite cities have their own centres whereas suburbs are merely the extension of a large city.

**Q5. With reference to solar power production in India, consider the following statements: PYQ 2019**

2. India is the third largest in the world in the manufacture of silicon wafers used in photovoltaic units.
3. The solar tariffs are determined by the Solar Energy Corporation of India.

Which of the above given statements is/are correct?

- A. 1 only

- B. 2 only
- C. Both 1 and 2
- D. Neither 1 nor 2

**Answer: D**

Explanation:

- **Statement 1 is not correct**, China is the world's largest manufacturer of Silicon, followed by Russia, the US, and Brazil.
  - **India is not one among the top producers of Silicon and Silicon wafers** used in photovoltaic units.
- **Statement 2 is not correct**, The Central Electricity Regulatory Commission (CERC) determines the solar tariffs in India.

## I. UPSC Mains Practice Questions

1. [What are the continued challenges for Women in India against time and space?](#) (250 words; 15 marks) (GS-2; Social Justice)
2. [Strengthening of Urban Local Bodies can lay the foundation of a truly federal nation in India. Do you agree? Critically analyze.](#) (250 words; 15 marks) (GS-2; Polity)