

17 Jan 2023: UPSC Exam Comprehensive News Analysis



Nearly all men can stand adversity, but if you want to test a man's character, give him power

- Abraham Lincoln



TABLE OF CONTENTS

<u>A. GS 1 Related</u>
<u>B. GS 2 Related</u>
<i>POLITY</i>
<u>1. The Delhi CM-LG stalemate continues</u>
<i>GOVERNANCE</i>
<u>1. Why is Kerala opposing the new Electricity Rules?</u>
<u>C. GS 3 Related</u>
<u>D. GS 4 Related</u>
<u>E. Editorials</u>
<i>POLITY AND GOVERNANCE</i>
<u>1. Time to streamline the Provident Fund pension scheme</u>
<u>F. Prelims Facts</u>
<u>1. Mission Shukrayaan I</u>
<u>G. Tidbits</u>
<u>1. Exports drop by 12.2% in a year on slow demand</u>
<u>2. U.K.-EU in talks to reach deal on Northern Ireland trade</u>
<u>H. UPSC Prelims Practice Questions</u>
<u>I. UPSC Mains Practice Questions</u>

A. GS 1 Related

Nothing here for today!!!

B. GS 2 Related

Category: POLITY

1. The Delhi CM-LG stalemate continues

Syllabus: State legislatures — structure, functioning, conduct of business, powers & privileges and issues arising out of these

Prelims: About Lieutenant Governor (LG) of Delhi and Article 239AA of the Constitution

Mains: The conflict between the Chief Minister and the Lieutenant Governor (LG) of Delhi.

Context

The recent tussle and stalemate between the Chief Minister and the Lieutenant Governor (LG) of Delhi.

The Lieutenant Governor and the NCT Delhi

- According to Article 239 of the Constitution, the Union Territories are to be administered by an administrator appointed by the President of India.
- The Lieutenant Governor (LG) of Delhi was designated the Administrator of the NCT Delhi.
- However, the **69th Constitutional Amendment Act of 1991** introduced **Article 239AA** which created an elected Legislative Assembly and a Council of Ministers including a Chief Minister for the National Capital Territory (NCT) Delhi.
- Further, the **Government of National Capital Territory of Delhi (GNCTD) Act was passed in 1991** in order to “supplement provisions of the Constitution relating to the Legislative Assembly and a Council of Ministers for the National Capital Territory of Delhi.”
- The Union Government has also come up with the [Government of National Capital Territory \(Amendment\) Act](https://byjus.com/government-of-national-capital-territory-amendment-act/) in 2021.

The issue

- After the January 6th Mayor and Deputy Mayor elections of the Municipal Corporation of Delhi (MCD), the LG appointed a councillor belonging to a party in opposition to preside over the mayoral polls and issued a gazette notification for the same.

- However, the Delhi Government has alleged that the LG has bypassed the convention of appointing the senior-most councillor as the presiding officer.
 - Further, LG is also alleged to have bypassed the elected government's recommendation.
- Additionally, the LG has also nominated 10 "Aldermen" to the MCD.
 - Aldermen refers to the members of a municipal council, with exact responsibilities depending on the location of its usage.
 - Members to be nominated as Aldermen must have "special knowledge or experience in municipal administration".
 - However, Delhi Government has claimed that all the nominated Aldermen have political links with another party in opposition and has accused the LG of providing voting rights to them in the mayoral polls, which is against the Delhi Municipal Corporation Act, 1957.

Delhi government's allegations

- The Chief Minister of Delhi has accused the LG of issuing orders on "practically every" subject directly to the Chief Secretary who then looks after the implementations of such orders which completely bypasses the elected government.
- The Chief Minister has argued that apart from the three reserved subjects namely Police, Public Order and Land, the executive control over all other subjects such as education, electricity, and health called transferred subjects lies with the elected government of Delhi.
- However, the Delhi Government has said that the LG has been issuing orders even on the subjects which are under the control of the elected government.
- The government has reiterated the Supreme Court's judgement through which the court had clarified that the LG is bound by the aid and advice of the Council of Ministers on all transferred subjects and the LG can only invoke **Article 239AA (4)** of the Constitution in case of difference of opinion with the Council of Ministers.
 - According to **Article 239AA (4)**, the LG shall refer a matter to the President for decision and act according to the decision given by the President in the case of a difference of opinion with the Council of Ministers on any matter.

The Lieutenant Governor's stand

- Replying to the government's allegations, the LG has said that there are constitutional provisions, Statutes and Acts that talk about the multi-layered scheme of administration in the National Capital Territory (NCT) of Delhi that attracted significant [debate in the Constituent Assembly](#), State Reorganisation Commission, Supreme Court judgments and the Indian Parliament.
- The office of LG has come up with a statement with a point-by-point reasoning that justifies the LG's decisions and also says that the decisions were made by the LG in line with the powers accorded to him as the "administrator of NCT of Delhi".

- Further, the LG and the Chief Minister of Delhi are required to meet every Friday. However, these meetings have not been held since October 2022.
 - The LG has accused the Chief Minister of skipping these meetings in order to participate in the election campaigns in other states.

Other flashpoints between the LG and Delhi Government

- The LG had asked the chief secretary to recover ₹164 crores spent on political advertisements that were published in the name of government advertisements from the ruling party of Delhi.
- The LG had also sent back the government request to send teachers from the government schools of Delhi on an international teacher training programme in Finland.
 - The LG's office had asked for a cost-benefit analysis of the same, while the Delhi Government saw this as a direct attack on its education model.
- The Deputy Chief Minister of Delhi has also alleged in the past that the Union Government was misusing its control over the central officers and agencies to target the government in Delhi and was also initiating false cases on the leaders of the Delhi Government.

For more information on the issue, refer to the following article:

[UPSC Exam Comprehensive News Analysis dated 22 Dec 2022](#)

***Nut graf:** The recent flashpoints have escalated the long-standing tussle between the Delhi Government and the Lieutenant Governor. Cooperation and coordination between the Chief Ministers of a State or Union Territory and the respective Governors play a significant role in ensuring the effective functioning of a state legislature.*

Category: GOVERNANCE

1. Why is Kerala opposing the new Electricity Rules?

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

***Prelims:** The Energy Conservation (Amendment) Bill, 2022*

***Mains:** Key features of Electricity (Amendment) Rules, 2022 and the concerns associated with it*

Context

The Kerala government has raised its objections over the provisions of the Electricity (Amendment) Rules, 2022.

Electricity (Amendment) Rules, 2022

- The Union Ministry of Power issued the gazette notification on the Electricity (Amendment) Rules, 2022 on 27th December 2022.
- The Electricity (Amendment) Rules, 2022 aims to amend the Electricity Rules of 2005.
- The key amendments in the Rules include:
 - Inclusion of surcharge payable by consumers seeking open access
 - Timely recovery of power purchase costs by the distribution licensee
 - Implementation of Uniform Renewable Energy Tariff for the central pool
- **Rule 14** required the state electricity regulatory commissions to specify a price adjustment formula for automatically passing on the costs through the consumer tariff on a monthly basis.
 - According to the new Rules, the fuel and power purchase adjustment surcharges would be calculated and charged to the consumers, automatically, without the need for going through the regulatory approval process, on a monthly basis based on the formula specified by the state electricity regulatory commissions.

Kerala Government's stand

- The Kerala Government has raised concerns over Rule 14 which allows distribution companies (Discoms) to automatically recover the expenses arising out of variations in fuel price and power purchase costs from the consumers, on a monthly basis.
- According to the Kerala Government, the freedom extended to Discoms to automatically charge the costs through the electricity bill is detrimental to the interests of the consumer.
 - The state government opines that the consumers would be subjected to unfair frequent price fluctuations.
- Kerala Government has also said that the crucial role played by the State Electricity Commissions in fixing the surcharge would get diluted due to the implementation of the new Rules.

The role of a regulator

- Until the introduction of the new Rules, the Kerala State Electricity Board (KSEB) used to file pleas before the Kerala State Electricity Regulatory Commission on a quarterly basis in order to collect the thermal fuel surcharge.
- As Kerala produces only about 30% of its electricity demand within the state, the power purchase expenditure particularly during the summer months would usually be high.
- The Kerala State Electricity Regulatory Commission then used to decide on the KSEB's pleas through public hearings.

- The Kerala government believes that diluting such a procedure would also dilute the existing prudent check and would make the general public bear the burden.

Path ahead

- The Electricity Minister of Kerala has said that his department will be seeking legal opinion in order to enforce the rules in such a way that the consumers are not burdened.
- The Minister has instructed the Power Department to check if the potential tariff fluctuations caused due to the new rules can be balanced by reducing tariffs during the extended monsoon months in the state when power purchase levels are on the lower side due to higher power generation in the form of hydroelectricity.
- The Minister further has recommended keeping the power purchase costs minimal in the remaining months to prevent burdening the consumers.
- However, experts feel that such safeguards would only work in cases where a State-run entity such as the KSEB is in power and believe that the real concern arises when private players take up electricity distribution.

Also read: [Sansad TV Perspective: The Energy Conservation \(Amendment\) Bill, 2022](#)

***Nut graf:** The State Government of Kerala has raised concerns over Rule 14 of the new Electricity (Amendment) Rules, 2022. According to the state government, the enforcement of the rules will burden the consumers of the state-run electricity boards.*

C. GS 3 Related

Nothing here for today!!!

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: POLITY AND GOVERNANCE

1. Time to streamline the Provident Fund pension scheme

Syllabus: GS-2, Government policies and intervention

Mains: Employees' Pension Scheme and associated concerns

Prelims: Employees' Pension Scheme (EPS) and Employee Provident Fund Organization (EPFO).

Details:

- Despite Supreme Court's (SC) approval for higher pensions under the Employees' Pension Scheme (EPS), 1995, the wait for 70 lakh pensioners is not yet over.
- A circular ordered by the [Employees' Provident Fund Organisation \(EPFO\)](#) covers only a segment of pensioners along with certain conditions. This has aggravated the problem of pensioners.
 - EPFO is the administering body for EPS.
 - The circular is considered to be a sequel to SC's order. EPFO was also asked by the SC to implement the October 2016 order.

Background Details:

- The case began in early 2005, when a section of Himachal Pradesh Tourism Development Corporation staff, demanded a higher pension. As their employer had made the 12% compulsory contributions on their actual pay, they would have been entitled to the benefit of the deposit of 8.33% of their actual salary in the Pension Fund.
- But the EPFO rejected their demand citing that they did not exercise their option within the cut-off date. Consequently, a case was filed in the SC.
- In October 2016, the apex court rejected the EPFO's concept of a cutoff date and informed that the cut-off date in the EPS rules applies only in calculating the pensionable salary. As a result, around 24,672 pensioners benefitted from the decision.
- Meanwhile, the Centre amended certain provisions of the EPS that limited the scheme's applicability to those earning a monthly pensionable salary of up to ₹15000. These provisions were made effective from 1st September 2014.
- Moreover, six months (extendable by another 6 months) time period was provided to give a fresh option to the employers and employees whose contribution exceeded the statutory ceilings (now ₹15000).
- After three High Courts quashed the changed provision the matter was sent to the [Supreme Court](#).
- In November 2022, the SC broadly upheld the modified scheme. However, the court reinforced its rejection of the cutoff date for giving the option and directed the EPFO to grant four months for exercising the option to those who were members as of 1st September 2014.
- The December circular sought the narrow scope (citing the 2016 ruling) of coverage of beneficiaries with the imposition of three conditions:
 - Payment of contributions on higher or actual wages
 - Exercise of joint option while in service
 - Refusal by the EPFO to allow higher pension

- It is contended by several pensioners that the authorities did not allow the persons in service to furnish their option for about 12 years (beginning from December 2004). Furthermore, retirees post-2014 (those who are 58 years after September 1, 2014) are also clueless about their plight.
- The reasons for the reluctance of the PF authorities to give a higher pension are:
 - One of the major apprehensions in giving a higher pension is the sustainability of the pension fund.
 - Another concern is that those receiving a lower pension might have to cross-subsidize for those getting (or likely to get) a higher pension.
 - Other factors that might lead to pension payouts outstripping the receipts include increasing actuarial shortfall, lower rate of returns, and increasing longevity of pensioners.
 - As per the EPFO, higher pensions go against social security.

Associated Concerns and Way Forward:

- The EPFO was silent for two months after the November ruling. Moreover, there is still no clarity on the December Circular.
- To address the confusion among pensioners, the authorities should have proactively shared the information or explained their position to those concerned.
- The EPFO and the government should increase the minimum monthly pension from currently ₹1000 to ₹3000. This would address the concerns of pensioners in the lower wage bracket.
- The EPFO can also give a one-time opportunity to those belonging to the higher wage group who retired (without exercising their option) since December 2004.
- The Government should also increase its financial support to EPFO.
- Besides, the provision can also be made in the [Code on Social Security, 2020](#), for those youngsters who were recruited after September 2014 and have been left out of the EPS due to higher wages.

Also read: [National Pension Scheme \(NPS\) - Benefits, Features & More](#)

***Nut Graf:** The sustainability and clarity of the changes in the Employee Pension Scheme are under question. Both Government and EPFO should come forward to address the concerns of the pensioners and provide adequate social security.*

F. Prelims Facts

1. Mission Shukrayaan I

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

Prelims: Shukrayaan I Mission and other missions to Venus

Context

P. Sreekumar, who is a Professor and advisor at the Indian Space Research Organisation ([ISRO](#)) has said that ISRO has not yet received approval from the Union government for the Shukrayaan I mission which might result in the postponement of the mission to 2031.

Shukrayaan I mission

- Shukrayaan I is ISRO's Venus mission.
- The mission was expected to be launched in December 2024.
- Shukrayaan I will be an orbiter mission and its payloads include a high-resolution synthetic aperture radar and a ground-penetrating radar.
- The key objective of the Shukrayaan I mission is to study Venus's geological and volcanic activity, emissions on the ground, wind speed, cloud cover, and other planetary characteristics from an elliptical orbit.
- Optimal launch windows from earth to Venus occur once every 19 months. However, even better optimal windows, which can further reduce the amount of fuel required at lift-off, come around every eight years.
- According to experts, both NASA (VERITAS) and the European Space Agency ([EnVision](#)) have planned Venus missions for 2031.
- A few other space missions to Venus include:
 - By the U.S. - **Mariner series** (1962-1974), **Pioneer Venus 1** and **Pioneer Venus 2** (1978), and **Magellan** in 1989.
 - By Russia - **Venera series of spacecraft** (1967-1983), **Vegas 1 and 2** in 1985
 - By Japan - **Akatsuki spacecraft** (2015)
 - By European Space Agency - Venus Express (2005)

Also read - [CNA May 7 2022: ISRO's unique goal for Venus mission](#)

G. Tidbits

1. Exports drop by 12.2% in a year on slow demand

Widening deficit

Trade deficit widened by 12.8% to \$23.76 bn in Dec. 2022 from the year-ago period. Exports shrank by 12.2%, which the Commerce Ministry also attributes to the base effect

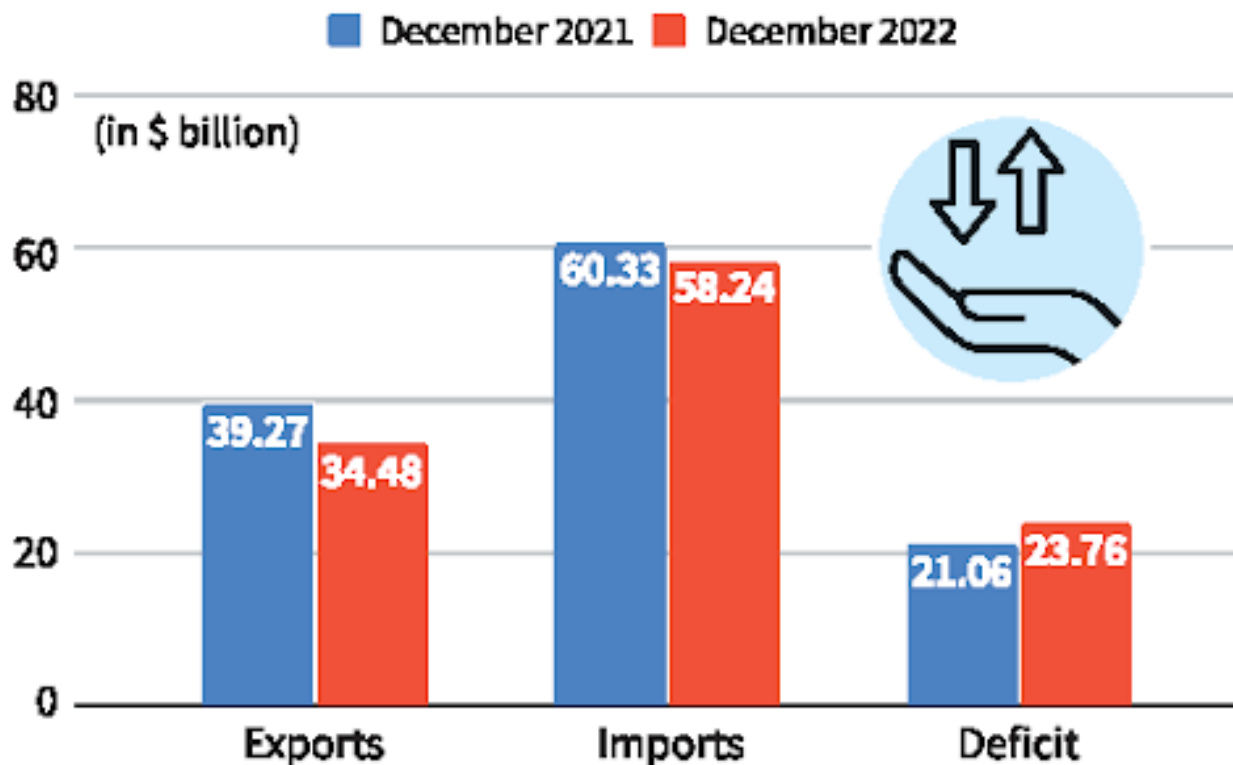


Image source: The Hindu

- India exported goods worth \$34.48 billion in December 2022, which accounts for a 7.75% increase as compared to November's \$32 billion figure. However, there has been a significant decline of 12.2% in the export of goods as compared to 2021 figures.
 - Further, imports have also contracted 3.5% to \$58.2 billion as compared to \$60.33 billion in 2021.
- According to the Ministry of Commerce and Industry, the global growth forecasts indicate a slump in global economic activity and trade and according to the Global Composite Purchasing Managers' Index report (January 2023), new export orders have contracted for the 10th successive month in December.

- Further, shipments in about 19 out of 30 major exporting sectors such as cotton yarn and handlooms (-40.4%), handicrafts (-36.9%), petroleum products (-26.9%), plastic and linoleum (-26.23%), gems and jewellery (-15.2%) have also shrunk in December.
- Engineering goods exports, which have been a key component of India's exports in recent years, also declined by about 12% in December 2022.

2. U.K.-EU in talks to reach deal on Northern Ireland trade

- In order to tackle an impasse created on account of [Brexit](#), the leaders of Britain and the European Union are looking to negotiate an agreement on goods trade in Northern Ireland (NI).
- Leaders recently reached an agreement in which the UK would grant the EU real-time access to trade data across the **Irish Sea**, which separates Northern Ireland from the rest of the UK.
- The 2019 trading 'protocol' allows Northern Ireland to continue in the EU Single Market, thereby avoiding a customs border between Northern Ireland and the Republic of Ireland, which is part of the EU.
 - As a result, goods arriving from Great Britain (i.e., the rest of the UK) are checked at the ports in Northern Ireland, creating a politically unjustifiable situation for the UK.
 - However, Northern Ireland's Democratic Unionist Party (DUP) withdrew from the power-sharing agreement over the protocol which has left the region without a functioning executive since February 2022.
 - This issue had significant implications beyond the EU and the British Prime Minister had told the U.S. President that an agreement would be reached on the Northern Ireland protocol, by April 10 on the 25th anniversary of the **Northern Ireland peace treaty** (Good Friday Agreement).

H. UPSC Prelims Practice Questions

Q1. Consider the following statements with regard to the Agnipath scheme: (Level–Easy)

1. It is only for personnel below officer ranks (those who do not join the forces as commissioned officers).
2. Upon the completion of the 4-years of service, a one-time 'Seva Nidhi' package of Rs 11.71 lakhs will be paid to the Agniveers that will include their accrued interest thereon.
3. In case of death during service, there is no separate payout apart from pay for the unserved tenure.

Choose the correct code:

- a. 1 & 2 only

- b. 2 & 3 only
- c. 1 & 3 only
- d. All of the above

Answer: a

Explanation:

- **Statement 1 is correct**, Under the Agnipath scheme, around 45,000 to 50,000 soldiers will be recruited annually, and it is only for personnel below officer ranks (those who do not join the forces as commissioned officers).
- **Statement 2 is correct**, Under the “Seva Nidhi” package, which is exempt from Income Tax, Agniveers will receive about 11 lakh – 12 lakh upon the completion of the 4 years of service which includes the government’s contribution as well as interest accrued.
- **Statement 3 is not correct**, Agniveers will also get a Rs 48 lakhs life insurance cover for the four years and in case of death, **the payout will be over Rs 1 crore, including pay for the unserved tenure.**

Q2. Consider the following statements with respect to the Memorandum of Procedure for appointment of judges to the higher judiciary in India: (Level – Easy)

1. The MoP is the official playbook agreed upon by the government and the judiciary on the appointment of judges.
2. Since the collegium system evolved through a series of rulings by the Supreme Court, and is not based on legislation, the MoP is the bedrock of the process of appointments.
3. The MoP was sought to be re-negotiated after the SC on October 16, 2015, struck down the constitutional amendment that had brought in the National Judicial Appointments Commission (NJAC).

Which of the statements given above is/are correct?

- 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 correct,** The Memorandum of Procedure (MoP) is the official playbook agreed upon by the government and the judiciary on the appointment of judges.
 - The MoP is a crucial document that governs the collegium system of appointing judges.
- **Statement 2 is correct,** Since the collegium system evolved through a series of rulings by the Supreme Court, and is not based on legislation, the MoP is the bedrock of the process of appointments
- **Statement 3 is correct,** The MoP was sought to be re-negotiated after the Supreme Court on October 16, 2015, struck down the constitutional amendment that had brought in the National Judicial Appointments Commission (NJAC).

Q3. Consider the following statements with respect to Exoplanets: (Level – Medium)

1. Exoplanets are planets that orbit other stars and are beyond our solar system.
2. Discovering exoplanets is quite tough as they are small and hard to spot around their bright host stars.
3. When a planet is at a distance that enables it to have liquid water, it is said to be in the “Goldilocks zone”.

Which of the statements given above is/are correct?

- 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 correct,** Exoplanets are those planets beyond our solar system. Most of these Exoplanets orbit other stars and the free-floating exoplanets are called rogue planets.
- **Statement 2 is correct,** Discovering exoplanets is difficult and involves complex procedures as they are small and hard to spot around their bright host stars.
 - According to NASA, scientists rely on indirect methods, such as the transit method, which is “measuring the dimming of a star that happens to have a planet pass in front of it”.
- **Statement 3 is correct,** When a planet is at the right distance from the Sun/star that enables it to have liquid water, it is said to be in the “Goldilocks zone”.
 - If an exoplanet is very close to the star, it might be too hot to sustain liquid water and if it is too far, it might only have frozen water.

Q4. Which of the following statements is not correct with regard to the 13th amendment of the Sri Lankan Constitution? (Level – Easy)

- a. It is an outcome of the Indo-Lanka Accord of July 1987, signed by Indian President R. Venkataraman and Lankan President J.R. Jayawardene, in an attempt to resolve the ethnic conflict and civil war.
- b. The 13th Amendment, which led to the creation of Provincial Councils, assured a power-sharing arrangement to enable all nine provinces in the country, including Sinhala majority areas, to self-govern.
- c. Subjects such as education, health, agriculture, housing, land and police are devolved to the provincial administrations.
- d. In particular, the provisions relating to police and land have never been implemented.

Answer: a

Explanation:

- The 13th amendment of the Sri Lankan Constitution was an outcome of the **Indo-Lanka Accord of July 1987 which was signed between the then Indian Prime Minister Rajiv Gandhi and the then Sri Lankan President J R Jayewardene** in an effort to put an end to the Sri Lankan civil war.
- The 13th Amendment led to the creation of Provincial Councils, assuring a power-sharing arrangement to enable all nine provinces in the country, including Sinhala majority areas, to self-govern.
- Subjects such as education, health, agriculture, housing, land and police were devolved to the provincial administrations.
- However, due to the restrictions on financial powers and overriding powers accorded to the President, the provincial administrations have failed to make much progress and especially the provisions relating to police and land have never been implemented.

Q5. Which one of the following is a filter feeder? (Level – Difficult) PYQ (2021)

- a. Catfish
- b. Octopus
- c. Oyster
- d. Pelican

Answer: c

Explanation:

- Filter feeding, in zoology, is a form of food procurement in which food particles or small organisms are randomly strained from water.
- Oysters like other shellfish have unique filter-feeding ability, in the sense, they take in water through their gills, which then filters it for nutrients like suspended fragments of plankton, while automatically draining out the rest of the water.

I. UPSC Mains Practice Questions

1. Discuss the varied impacts of any slowdown on India's exports. (250 words; 15 marks) (GS III - Economy)
2. Is there any merit to the argument that Delhi should be given complete statehood? Critically analyze. (250 words; 15 marks) GS II (Polity)

