

# 17 Feb 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. Political Party Symbols

*Syllabus: Election Commission and Political Parties*

*Mains: Dispute Over Electoral Symbol and Resolution*

**Context:** The Election Commission of India allotted the name 'Shiv Sena' and the party's bow and arrow symbol to the Eknath Shinde faction.

#### **Introduction:**

- The [Election Commission of India \(ECI\)](#) recognized the Eknath Shinde faction as the original party founded by Balasaheb Thackeray and allotted them the name 'Shiv Sena' and the party's bow and arrow symbol to it.
- The commission based its decision on a "test on majority".
- ECI also ordered the Shinde faction to amend the 2018 Constitution in line with the [Representation of the People Act, 1951](#) and the EC's guidelines on the internal democracy of parties.
- The ECI remarked that it was "paradoxical" that the internal functioning of a party was scrutinised only in cases of dispute redressals. The Commission asked parties to follow ECI guidelines and periodically upload a copy of their constitutions and the list of the office-bearers on their websites.

#### **Disputes over election symbols:**

- Under Paragraph 15 of the Election Symbols (Reservation and Allotment) Order, 1968 Order, ECI can decide disputes among rival groups or sections of a recognised political party staking claim to its name and symbol.
- The decision of the Commission shall be binding on all such rival sections/groups.
- This applies to disputes between recognized national and state parties.
- For splits in registered but unrecognised parties, the EC usually advises the warring factions to resolve their differences internally or to approach the court.

### **How does the EC decide?**

- The ECI primarily ascertains the support enjoyed by a claimant within a political party in its organisational wing and in its legislative wing.
- For the Organisational Wing, the Commission examines the party's constitution and its list of office-bearers submitted when the party was united. ECI identifies the apex committee(s) in the organisation and finds out how many office-bearers, members or delegates support the rival claimants.
- For the Legislative Wing, the party goes by the number of MPs and MLAs in the rival camps. ECI may consider affidavits filed by these members to ascertain where they stand.

### **'Test on Majority':**

- While passing its decision, ECI considered and analysed three tests mentioned in the Sadiq Ali V/s ECI case 1971, which includes the Test of Aims and Objects of the Party Constitution, Test of Party Constitution, and Test of Majority.
- Of these, ECI found the Test of Aims and Objects of the Party Constitution to be inapplicable.
- ECI also concluded that using the Test of Party Constitution for determining the present dispute case will be undemocratic and catalytic in spreading such practices across parties.
  - While applying the Test of Party Constitution, the EC said the amended Constitution of 2018 of Shiv Sena is not on record of the commission.
  - ECI observed that the party had been made into a fiefdom by the undemocratic norms of its original constitution.
    - Its 2018 Constitution has conferred widespread powers of making various organisational appointments on a single person.
- ECI hence, relied upon the Test of Majority in the legislative wing, which shows qualitative superiority in the majority test of the legislative party to the Shinde faction which has the support of 40 out of 55 Sena MLAs and 13 out of 18 Sena MPs.

### **What happens when there is no certainty?**

- Where the party is either vertically divided or it is not possible to say with certainty which group has a majority, the EC may freeze the party's symbol and allow the groups to register themselves with new names or add prefixes or suffixes to the party's existing names.

### **What happens when rival factions reunite in future?**

- If reunited, the claimants may approach the EC again and seek to be recognised as a unified party. The EC is also empowered to recognise mergers of groups into one entity. It may restore the symbol and name of the original party.

**Nut Graf:** *Most of the political parties in India have failed to follow their own constitutional norms due to the centralised nature of their internal structures and organisations. This is said to be a key challenge for the functioning of a democracy and hence ECI has asked parties to strictly follow the ECI guidelines.*

## C. GS 3 Related

*Nothing here for today!!!*

## D. GS 4 Related

*Nothing here for today!!!*

## E. Editorials

**Category: SOCIAL JUSTICE**

### 1. Social security and the story of two Budgets

**Syllabus:** *Welfare schemes for the vulnerable sections of the population*

**Mains:** *Pension scheme for elderly people.*

**Prelims:** *National Social Assistance Programme.*

**Context:** Provision for social welfare schemes in Budget 2023-24.

**Details:**

- It is argued that despite promising ‘a better quality of life and life of dignity’, the Budget 2023-24 has made severe cuts in various social security and welfare schemes. For example, low allocation to food security and the [Mahatma Gandhi National Rural Employment Guarantee Act \(MGNREGA\)](#) has undermined the already precarious lives of many poor people.
- Another major example is the National Social Assistance Programme (NSAP) which has remained constant at around ₹9,000 crores and is steadily reducing in real terms. In 2023-24 itself, it saw a reduction of ₹16 crores (₹9,636.32 crores).
  - Since 2007, social security pension under the NSAP has remained frozen at a low sum of ₹200 for the elderly and ₹300 per month for widows and persons with disabilities.

- Additionally, only those who are Below Poverty Line (BPL) as per the census 2001 are given pensions.
- Such a reduction disregards the “inclusive growth” model.
- The share allotted to NSAP (as a percentage of the total expenditure) in the budget has constantly decreased from 0.58% in FY2014-15 (BE) to 0.21% in Budget 2023-24.

### **National Social Assistance Programme (NSAP)**

- It is a centrally sponsored social security scheme that provides non-contributory income security to the elderly, widows, and persons with disabilities belonging to “BPL families”.
- There are three main schemes under this programme:
  - Indira Gandhi National Old Age Pension Scheme (IGNOAPS)
  - Indira Gandhi National Widow Pension Scheme (IGNWPS)
  - Indira Gandhi National Disability Pension Scheme (IGNDPS)
- State governments are also encouraged to match the amount of the central contribution under the NSAP’s guidelines.

### **Case Study of Rajasthan:**

- Rajasthan government has proposed (in State Budget 2023-24 presented on 10th February 2023) to enact a Minimum Income Guarantee and Pension law in the State.
- It would provide 125 days of work through the rural or urban employment guarantee, and a minimum social security pension of ₹1000 per month, with an automatic increase of 15% per annum.
- Notably, the state government provides social security pensions to more than 90 lakh people, whereas NSAP covers pensions of only 10 lakh pensioners.
- The total expenditure on pensions in Rajasthan is expected to go up to around ₹11500 crores. This is approximately 30% more than the entire national social security pensions budget under NSAP.
- The number of beneficiaries was expanded by:
  - Changing the eligibility criteria in 2013 and including economically vulnerable women above 55 and men above 58 for old-age pension.
  - Including anyone with more than 40% disability.
  - It also permits widows with adult children to receive a widow pension.

### **Concerns associated with Social Sector Expenditure:**

- Failure to index social sector expenditure to [inflation](#) can further lead to the marginalization of vulnerable people.
- The cumulative inflation rate in India from 2007 to 2023 is 193.19% with an average annual inflation rate of 6.95%. This implies that if indexed to inflation, ₹200 in 2007 would have become ₹586.38 in 2023.
- Notably, just the annual increase in dearness allowance and dearness relief for around 1 crore central government employees and pensioners costs nearly ₹12000 crore to the exchequer, which is 30% more than the total expenditure on social security pensions.
- Apart from the amount, another concern is about the number of beneficiaries. Currently, under the scheme, the beneficiaries of pension schemes are based on Census 2001.
- Moreover, the strict criteria of providing disability pensions only to those with a disability level of 80% or more, has excluded lakhs of the disabled.

#### **Way Ahead:**

- The Central government and other State governments should emulate Rajasthan and take appropriate measures for providing more credible entitlements, strengthening accountability, and offering the same legal protection as other welfare laws.
- The government should also recognize that pension is a right for work done by unorganized sector workers that contribute to the GDP and the economy of the country.

#### **Conclusion:**

The rights-based entitlements for vulnerable sections of the population provide a measure of dignified living which should be the objective of any democracy. It is the compassion and the commitment to meet the basic needs of the most marginalized people that will gauge us as a society and eventually as a nation.

***Nut Graf:** It is suggested that the share of expenditure on welfare schemes and social sector schemes like the pension scheme is declining. Instead of a charity-based approach, it should be seen as a rights-based approach that is important to ensure minimum conditions for workers to live their retired lives with dignity.*

### **Category: INDIAN CONSTITUTION AND POLITY**

#### **1. Executive fiat**

**Syllabus:** Government policies and interventions.

**Mains:** Parliament and Breach of privilege.

**Prelims:** Breach of Privilege.

**Context:** Charges of parliamentary privileges against Mr. Rahul Gandhi.

**Details:**

- A charge of [breach of privilege](#) of the House has been raised by a Union member and a Member of Parliament (MP) against another MP, Mr. Rahul Gandhi. However, he has stood by the statement made during his speech in the budget session.
- It is the duty of the Member of Parliament (MP) to hold the executive accountable to Parliament.
- It is argued that curtailing the rights of an MP in the name of parliamentary privileges reduces the very concept into an instrument of executive fiat.
- It is also the responsibility of the [Speaker of the Lok Sabha](#) and the Chairman of the Rajya Sabha to protect the majesty of Parliament, specifically in its interactions with other branches of the state instead of disciplining the members.
- It is argued that the parliamentary discussion on the controversy surrounding a big corporate house in India was vitiated by the unreasonable restriction on the opposition leaders. This executive imperium on the legislative branch is also emulated by various state governments.

**Other associated concerns:**

- It is observed that in many states, Chief Ministers take State Assemblies for granted.
- Assembly sittings have become fewer and even the debates are not very deep and comprehensive.
- People seek accountability from the government through their elected representatives but popular leaders bypass them by saying that they are directly answerable to the people.
- It is the duty of the executive to respond to any allegation and not erase the parliamentary authority.

***Nut Graf:** Parliament should remain a forum for free and fair debates and the executive should answer each and every allegation. This would maintain the authority of the parliament and ultimately the trust of the citizens in the democracy.*

## F. Prelims Facts

### 1. Unlawful Activities (Prevention) Act, 1967

**Syllabus:** GS03-Security

**Prelims:** Institutional Framework to Tackle Challenge of Internal Security-Unlawful Activities (Prevention) Act, [National Investigation Agency](#)

**Context:** The Union government recently designated two outfits as terrorist organisations under the [Unlawful Activities \(Prevention\) Act, 1967](#).

**Key Details:**

- Reinforcing the commitment to strengthen national security and combat terrorism in all its forms and manifestations, the Ministry of Home Affairs recently declared one individual and two organisations as ‘Terrorist’/‘Terrorist Organization’.
- A Punjab resident, Harwinder Singh Sandhu alias Rinda was designated as an “individual terrorist” under the anti-terror law.
- He has been associated with the terrorist organisation Babbar Khalsa International (BKI) and is currently based in Lahore, Pakistan under the patronage of cross-border agencies and has been found involved in various terrorist activities, particularly in Punjab.
  - With this declaration, now there are 54 designated terrorists in the IVth Schedule of the UAPA.
- The Union government also declared two organisations as terrorist organisations under the provisions of the UAPA.
  - **Khalistan Tiger Force (KTF):** It came into existence in 2011 as an offshoot of Babbar Khalsa International (BKI), a banned terrorist organisation. It aims to revive terrorism in Punjab and challenges the territorial integrity, unity, national security and sovereignty of India and promotes various acts of terrorism, including targeted killings in Punjab.
  - **Jammu and Kashmir Ghaznavi Force (JKGF):** It has been found involved in infiltration bids, narcotics and weapon smuggling and carrying out terror attacks in the Union Territory of Jammu and Kashmir.
    - It draws its cadres from various terrorist organisations, such as Lashkar-E-Taiba, Jaish-E-Mohammed, Tehreek-ul-Mujahideen, Harkat-ul—Jehad-E-Islami, etc.
- With the declaration of these two organisations as terrorist organisations, there are now a total of 44 designated terrorist organisations under the 1st Schedule of the Act.

## 2. Illegal Wildlife Trade

*Syllabus: GS03-Environment*

*Prelims: Pangolin; TRAFFIC*

**Context:** World Pangolin Day is observed annually on the third Saturday in February.

**World Pangolin Day:**



- Each year, World Pangolin Day is observed annually to raise awareness and recommit international organisations to the fight against the global harvesting of pangolins.
  - They are the only truly scaly mammals in the world.
- Pangolin numbers are rapidly declining in Asia and Africa. They are a highly prized commodity, often illegally trapped, trafficked, and killed for its scale by organised crime networks on a large scale to serve the need of the traditional medicine market in Asia where pangolin scales are unfortunately believed to be a cure-all of sorts and pangolin flesh is considered a delicacy.
- In Vietnam and in the central and southern parts of West Africa, pangolins are often offered at restaurants catering to wealthy clients who consider their meat rare and a statement of status.
- From 2016 to 2019, an estimated 206.4 tonnes of pangolin scales or an equivalent of about 360,000 pangolins were intercepted and confiscated from 52 seizures according to a report by the Wildlife Justice Commission — an international foundation set up in the Netherlands with the mission to disrupt and help dismantle organised transnational criminal wildlife trading networks.

### **Illegal Trade in India:**

- As per the data from a not-for-profit organisation working on the international trade of animals and plants, about 1,203 pangolins have been found in illegal wildlife trade in India from 2018 to 2022.
- An analysis of the illegal pangolin trade in India by [TRAFFIC](#) in 2018 reported the poaching of 6,000 pangolins between 2009 and 2017.
- Up to 24 States and one Union Territory saw seizures of pangolins and their derivatives.
- Odisha reported the maximum number of incidents, with 154 pangolins in 74 seizures. It was followed by Maharashtra with 135 pangolins in 47 seizure incidents.
- Up to 50% of seizures included live pangolins and 40% involved pangolin scales.
- India is home to two species:
  - The [Indian Pangolin](#), found across the subcontinent.
    - They are listed as 'Endangered' under the IUCN Red List.
  - The Chinese Pangolin, found across a larger area in south Asia.
    - They are listed as 'critically endangered' under the IUCN Red List.
- Bihar, West Bengal, and Assam see the presence of both.
- Both species are included under Schedule I of the [Wildlife Protection Act, 1972](#).



Image Source: Free Press Journal

### 3. Munich Security Conference

*Syllabus: GS02-International Relations*

*Prelims: European Union; NATO*

**Context:** Ukraine's President Volodymyr Zelensky pleads for increased support at Munich Security Conference.

#### **Key Details:**

- Ukraine's President Volodymyr Zelensky urged world leaders to speed up support at the opening of the Munich Security Conference ahead of the first anniversary of [Russia's invasion](#).
- Munich Security Conference is an annual conference which debates international security policy.
  - It has been held in Munich, Germany since 1963.
- The objective is to build trust and contribute to the peaceful resolution of conflicts by sustaining a continuous, curated and informal dialogue within the international security community.
- It publishes the Munich Security Report, an annual digest of relevant figures, maps, and research on crucial security challenges.

- The 2023 conference is being attended by the leaders of France and Germany, as well as U.S. Vice President Kamala Harris and Secretary of State Antony Blinken, China's top diplomat Wang Yi and [NATO](#) chief Jens Stoltenberg.
- Russian delegates who were regular attendees at Munich in the past have not been invited.

## G. Tidbits

### 1. India-Japan Military Exercises

- The fourth edition of the India-Japan bilateral Army exercise '[Dharma Guardian](#)' began at Camp Imazu in Shiga province, Japan on February 17, 2023.
  - During the exercise, the armies conducted joint tactical drills and employed aerial assets and surveillance grids.
  - The joint exercise is expected to enable the two armies to share best practices in tactics, techniques and procedures for conducting tactical operations under a UN Mandate, in addition to developing interoperability, bonhomie, camaraderie and friendship between the two armies.
- In January 2023, the air forces of both countries also concluded their maiden air exercise '[Veer Guardian](#)' in Japan.
- Indian Air Force (IAF) and Japan Air Self Defence Force (JASDF) engaged in complex and comprehensive aerial manoeuvres in multiple simulated operational scenarios. The exercise involved precise planning and skilful execution by both air forces.

### 2. Exercise Mosi II

- Exercise Mosi II is a tri-nation naval exercise between Russia, China and South Africa.
- The 2023 edition is being held in Durban and Richards Bay, South Africa (Indian Ocean coast) from 17 February.
- This is seen as a demonstration of the three countries' close ties amid Russia's invasion of Ukraine and China's tense relationship with the West.
  - Russia is expected to test-fire Zircon hypersonic missiles during the drills.
- The first edition took place off Cape Town in the southwest of South Africa in the waters of the Atlantic Ocean in November 2019.

## H. UPSC Prelims Practice Questions

**Q1. Consider the following statements with respect to 'Doctrine Of Sealed Cover':**  
**(Level-Medium)**

1. It is the practice followed by the Supreme Court of seeking and accepting information from government agencies in sealed envelopes that can only be perused by the judges.
2. The use of sealed covers to produce evidence derives its legitimacy from Code of Civil procedure and the Code of Criminal Procedure.

Which of the statements given above is/are correct?

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

**Answer: A**

**Explanation:**

- **Statement 01 is correct**, [Sealed cover jurisprudence](#) is seeking or accepting information from government agencies in sealed envelopes accessible only by judges.
- **Statement 02 is incorrect**, The Supreme Court derives its power to use it from Rule 7 of order XIII of the Supreme Court Rules and Section 123 of the Indian Evidence Act of 1872.

**Q2. Consider the following Pairs: (Level-Difficult)**

| <b>Exercise</b>     | <b>Participant Nations</b> |
|---------------------|----------------------------|
| 1. Dharma Guardian- | India & Japan              |
| 2. Garuda-          | India & Indonesia          |
| 3. Sampriti-        | India & Bangladesh         |
| 4. Surya Kiran-     | India & Nepal              |

How many pairs given above are correctly matched?

- A. Only one pair
- B. Only two pairs
- C. Only three pairs
- D. All four pairs

**Answer: D**

**Explanation:**

| Exercise Name         | Participant Nations |
|-----------------------|---------------------|
| Sampriti              | India & Bangladesh  |
| Mitra Shakti          | India & Sri Lanka   |
| Maitree Exercise      | India & Thailand    |
| Vajra Prahar          | India & US          |
| Yudh Abhyas           | India & US          |
| Nomadic Elephant      | India & Mongolia    |
| Garuda Shakti         | India & Indonesia   |
| Shakti Exercise       | India & France      |
| Dharma Guardian       | India & Japan       |
| Surya Kiran           | India & Nepal       |
| Hand in Hand Exercise | India & China       |
| SIMBEX                | India & Singapore   |
| Shakti Exercise       | India & France      |

**Q3. With respect to Unlawful Activities (Prevention) Act (UAPA), which of the following statements is/are correct? (Level-Medium)**

1. Government can only declare organisations and not individuals as terrorists.
2. The National Investigation Agency (NIA) should take prior permission from the respective state police chief to attach the proceeds of terrorism.

Options:

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

**Answer: D**

**Explanation:**

- **Statement 01 is incorrect**, The Unlawful Activities (Prevention) Amendment Bill, 2019 empowered the government to designate individuals as terrorists if the person commits or participates in acts of terrorism, prepares for terrorism, promotes terrorism or is otherwise involved in terrorism.
- **Statement 02 is incorrect**. Under the UAPA, investigation of cases may be conducted by officers of the rank of Deputy Superintendent or Assistant Commissioner of Police or above. The act empowers the officers of the NIA, of the rank of Inspector or above, to investigate cases.
  - Under the Act, an investigating officer is required to obtain the prior approval of the Director General of Police to seize properties that may be connected with terrorism.
  - If the investigation is conducted by an officer of the National Investigation Agency (NIA), the approval of the Director General of NIA would be required for seizure of such property.

**Q4. Fathul Mujahidin, a military manual, was commissioned during the rule of (Level-Difficult)**

- A. Abul Hasan Qutb Shah
- B. Aurangzeb
- C. Humayun
- D. Tipu Sultan

**Answer: D**

**Explanation:** Fathul Mujahidin is a military manual that was written by Zainul Abedin Shustari at the instruction of [Tipu Sultan](#). It is considered a pioneer in the use of rocket artillery.

**Q5. Consider the following statements: (PYQ-CSE-2007) (Level-Difficult)**

1. Jawaharlal Nehru was in his fourth term as the Prime Minister of India at the time of his death.
2. Jawaharlal Nehru represented Rae Bareilly constituency as a Member of Parliament.
3. The first non – congress Prime Minister of India assumed the office in the year 1977.

Which of the statements given above is/are correct?

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

**Answer: D**

**Explanation:**

- Jawaharlal Nehru was in the PM's Office for four terms (1947-52, 1952-57, 1957-62 and 1962-64).
  - He died in 1964 during his 4th Prime-ministerial term.
- He represented 'Phulpur' near Allahabad as a member of Parliament.
- 'Morarji Desai' of Janata Party was the first non-Congress PM of India to assume the office on March 24, 1977.

## I. UPSC Mains Practice Questions

1. [While Parliament's attendance remains dismal in India, the state legislatures with an even worse record are overlooked. Suggest measures to overcome this issue.](#) (250 words; 15 marks) (GS-2; Polity)
2. [What are the challenges faced by the Government in curtailing illegal animal trafficking in India?](#) (250 words; 15 marks) (GS-3; Environment)