

13 Mar 2023: UPSC Exam Comprehensive News Analysis



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A. GS 1 Related

Nothing here for today!!!

B. GS 2 Related

Category: GOVERNANCE

1. The rise of the ESG regulations

Syllabus: Government policies and interventions for development in various sectors.

Mains: Details about ESG, difference between ESG and CSR laws, the need for ESG laws in India and its implications

Context

In recent years, people around the world have realised that businesses must be measured only on the basis of traditional economic metrics but also in terms of their environmental, social and governance (ESG) impacts.

ESG v/s CSR

- Corporate Social Responsibility (CSR) refers to a concept that suggests that it is the accountability of a modern company working within society to contribute towards their social, economic, and environmental development i.e. overall welfare of the society.
 - India already has an efficient CSR policy in place through the passage of the 2014 and 2021 amendments to the [Companies Act of 2013](#).
 - These amendments mandate companies with a net worth of ₹500 crores or a minimum turnover of ₹1,000 crores or a net profit of ₹5 crores in a financial year to spend a minimum of 2% of their net profit over the next three years on CSR activities.
 - The activities which qualify as CSR activities are broad and include efforts to support the protection of historical monuments and promote safe drinking water.
- Whereas, Environmental, Social and Governance (ESG) regulations mandate that companies take into account their impact on the environment, commitment to social issues and the soundness of their corporate governance.
 - ESG regulations are different as compared to the CSR policy in the process as well as impact.

- Example: The U.K. Modern Slavery Act mandates companies with business in the U.K. and with annual sales of over £36 million to publicly disclose the efforts undertaken by them to:
 - Combat the risks of human trafficking, child labour and debt bondage in their supply chain.
 - Constitute internal accountability mechanisms
 - Analyse and evaluate supplier compliance
 - Training supply chain managers over such issues

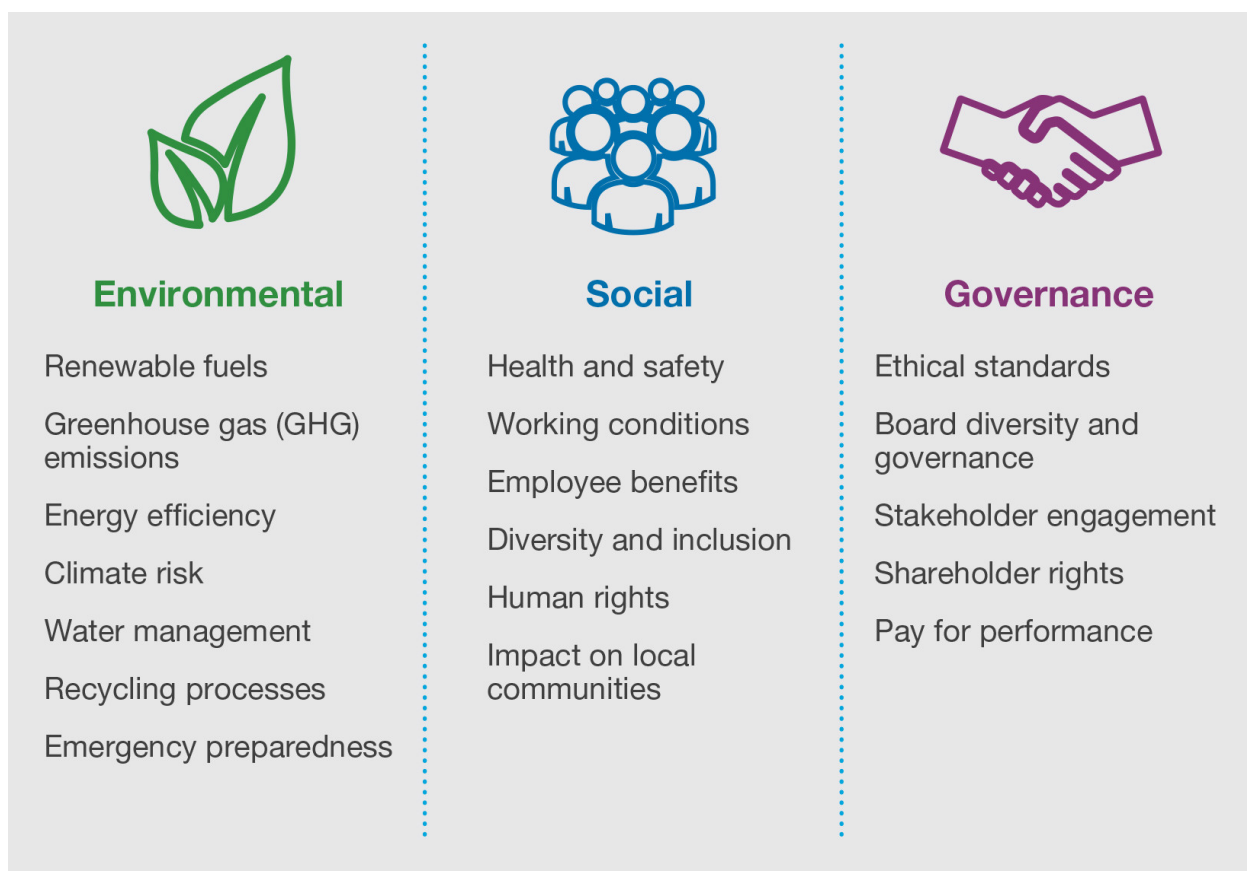


Image Source: The World Economic Forum

Read more about - [Corporate Social Responsibility \(CSR\)](#)

Relevance of ESG regulations in India

- India at present has numerous laws and bodies regarding environmental, social and governance aspects and various labour codes and regulations governing corporate governance practices.

- Despite such laws, regulations and bodies extending significant environmental and social safeguards, efforts are required to establish guidelines that emphasise monitoring, quantification and disclosure similar to the ESG regulations seen in other countries.
- The [Securities and Exchange Board of India \(SEBI\)](#) taking into account the increase in investing and the demand by investors for information on ESG risks, has revised its annual **Business Responsibility and Sustainability Report (BRSR)**.
 - SEBI has made notable amendments to its BRSR in order to align with the evolving global standards and emphasizes quantifiable metrics that help companies to engage meaningfully and better investor decision making.
 - The key changes in the report include the disclosures on greenhouse gas emissions, gender and social diversity.
- Further, formulating legislation on ESG considerations in India has become the need of the hour with the increased emphasis on various ESG issues such as:
 - India's active role in global climate forums.
 - Introduction of various policies like the announcement by the [Reserve Bank of India \(RBI\)](#) of auctioning ₹80 billion in green bonds.

Possible implications of ESG regulations on Indian companies and the way forward

- Mandatory compliance with ESG regulations both in India and around the world would pose a significantly different challenge to the companies as compared to the CSR regulations.
- It would be extremely critical for Indian companies to comply with the ESG regulations of the countries such as the U.S., the U.K., and the European Union in order to take full advantage of these nations' growing concerns over China and play an active role in global supply chains and markets.
- Further, companies and business players who wish to maximise their opportunities in the global economy must embrace and adopt ESG requirements quickly.
- Apart from the adoption of regulations, due diligence will also play a key role to ensure that the efforts to comply with the ESG regulations are in effect.

***Nut graf:** Governments and policymakers across the world have now realised that ESG considerations must be taken into account to accurately assess an enterprise. However, the evolution of ESG regulations is still at a nascent stage in India as the focus is still on ensuring safeguards rather than mandating controls and disclosure which are the hallmarks of ESG laws.*

C. GS 3 Related

Nothing here for today!!!

D. GS 4 Related

Nothing here for today!!!

E. Editorials

Category: POLITY

1. Adultery as misconduct and Judicial Musings

Syllabus: Fundamental Rights

Mains: Decriminalisation of Adultery

Context: The Supreme Court clarification on its 2018 judgement striking down Section 497 IPC.

Introduction:

- The Supreme Court on January 31, 2023 clarified that its 2018 judgement which decriminalised adultery does not prevent court martial proceedings initiated against members of the armed forces for adulterous conduct.
- A five-judge constitution bench headed by Justice K.M. Joseph passed the order in an application filed by the Union government.
- The Ministry of Defence had moved the apex court for an exemption to armed forces from 2018 judgement striking down adultery as a crime, saying it may hinder action against officers who indulge in such actions and can cause ‘instability’ within the services.

Background:

- The Supreme Court of India decriminalised adultery in [Joseph Shine versus Union of India, 2018 case](#).
- It held Section 497 of the Indian Penal Code (on adultery) along with Section 198 of the Criminal Procedure Code to be unconstitutional on the premise that these provisions were violative of Articles 14, 15 and 21 of the Constitution of India.
- A public interest litigation under Article 32 of the Constitution challenged the constitutionality of the offence of adultery under Section 497 of the IPC read with Section 198(2) of the Criminal Procedure Code, 1973.
- Section 497 IPC criminalised adultery: it imposed culpability on a man who engages in sexual intercourse with another man’s wife.

- Adultery was punishable with a maximum imprisonment of five years. Women though were exempted from prosecution.
- Section 497 IPC was inapplicable when a married man engaged in sexual intercourse with an unmarried woman.
- Section 198(2) CrPC specified that only the husband may file a complaint for the offence of adultery.

Application to Armed Forces:

- Aggrieved by the order concerning its implementation in the armed forces, government sought clarification from the Court saying that any promiscuous or adulterous acts should be allowed to be governed by the relevant sections of the Army Act, the Air Force Act and the Navy Act being special legislations by the virtue of [Article 33](#) of the Constitution.
- Under Article 33, Parliament has powers to restrict or abrogate the fundamental rights of certain categories of persons, including members of the armed forces to ensure the proper discharge of their duties and the maintenance of discipline among them.
- The [Armed Forces Tribunal](#) recently quashed certain disciplinary proceedings initiated against personnel for inappropriate sexual conduct by citing the Joseph Shine judgement.
- The centre had sought clarification that in a case where the officer is charged with an act of adultery, nothing can stand in the way of the authorities taking action under section 69 of the Army Act, 1950 which punishes members of the armed forces for committing civil offences.
- The court thus clarified that the judgement in Joseph Shine was not concerned with the laws of the Armed Forces and therefore did not stand in their way.

Issues with Article 33:

- Article 33 can potentially violate the fundamental rights of the members of the armed forces, paramilitary forces, and intelligence agencies. If these rights are curtailed in the name of national security, it can lead to abuse of power and infringement of civil liberties.
- The provision of Article 33 gives broad discretion to the government to limit fundamental rights of members of these forces. However, there is little to no oversight to ensure that these powers are not misused or abused.
- Article 33 allows for differential treatment of members of these forces, which can be seen as discriminatory. It can lead to a situation where members of these forces have fewer rights compared to ordinary citizens, which can be a violation of the principle of equality.
- There is no clarity on the scope of application of Article 33. This lack of clarity can lead to confusion and uncertainty about when and how the provision can be applied.

***Nut Graf:** The Supreme Court of India recently clarified that its 2018 judgement on decriminalising adultery did not impact members of the Armed Forces in response to a miscellaneous application filed by the Union government in 2020.*

Category: SOCIAL JUSTICE

1. Reimagining the urban-rural dichotomy

***Syllabus:** Urbanisation*

***Mains:** Various issues associated with Rural-Urban Continuum in India*

Context: This article discusses the rural-urban continuum in India.

Introduction:

- The traditional dichotomy of rural and urban in India has been a longstanding feature of the country's socio-economic landscape.
- This dichotomy is based on a clear distinction between rural areas, which are typically characterised by agriculture and traditional practices, and urban areas, which are characterised by modernization, industrialization, and a more cosmopolitan lifestyle.
- However, over the years, this dichotomy has become increasingly blurred, giving rise to a rural-urban continuum that is unique to India.

Growing Trend:

- Technology and economic globalisation have increased mobility of resources and people, and enhanced inter- and intra-country connectivity.
- The extension of transport and communication systems, improved access to energy, increased affordability private and public transport as well as penetration of economic and other networks into remote areas promote a rural-urban continuum.
- Rural hinterlands are connected to multiple urban centres. The movement of goods, people, information and finance between sites of production and consumption has strengthened linkages between production and labour markets.

Impact of Rural-Urban Continuum on Socio-Economic Development:

- The continuum provides opportunities for people living in rural areas to access urban markets, services, and employment opportunities. This can help to stimulate economic growth in rural areas and reduce poverty levels.
- In addition, the rural-urban continuum can help to promote cultural exchange and integration, as people from different regions come into contact with each other.

- As the pull factors grow, push factors driving populations out from both rural areas and urban areas are also intensifying. In the process, a mixed economy zone of primary and secondary-tertiary sectors has evolved.
- The rural-urban continuum can also lead to a range of socio-economic challenges, including urbanisation, environmental degradation, and social inequality.
- As people in rural areas migrate to urban centres in search of employment opportunities, urban areas become increasingly congested and overpopulated. This can lead to a range of problems, including traffic congestion, pollution, and inadequate infrastructure.
- As more and more people move to urban areas, the demand for resources such as water, land, and energy increases, leading to unsustainable use of natural resources. This can have a negative impact on the environment, including soil erosion, deforestation, and loss of biodiversity.
- Finally, the rural-urban continuum can lead to social inequality, as people in rural areas are often marginalised and excluded from the benefits of economic growth.

Case Study: Kerala

- Kerala is well known for the rural-urban continuum in the coastal plain. This was noted even by Moroccan traveller Ibn Batuta in the 14th century. The trend further spread over the lowlands and adjoining midlands and highlands.
- Geographical factors supported by affirmative public policy promoting distributive justice and decentralisation have increased rural-urban linkages and reduced rural-urban differences in major parts of Kerala.

Way Forward:

- The rural-urban continuum in India is a reflection of the country's unique socio-economic and cultural landscape.
- Government must identify challenges for improving both urban and rural governance and opportunities for enhanced access to employment, services, institutional resources and environmental management.
- To achieve rural-urban partnership, a systems approach is recommended where the city and the surroundings form a city region for which a prospective plan is prepared integrating rural and urban plans within a common frame.
- Rural urban linkages must be better mapped, for which satellite-based settlement data and its integration with Census data may be useful.

F. Prelims Facts

1. Scientists devise 'glowscope' to bring fluorescent microscopy to schools

Syllabus: GS-3; Science and Technology - developments and their applications and effects in everyday life.

Prelims: About fluorescent microscopy and glowscope techniques

Context

According to the researchers, fluorescence microscopes are very expensive making them unaffordable for students in various resource-poor labs. However, students could use rudimentary characteristics to study the microscopic world.

Fluorescence microscopes

- A normal optical microscope helps view an object and study how it absorbs, reflects or scatters visible light.
- Whereas a fluorescence microscope views an object by studying its fluoresces i.e. how it re-emits light that it has absorbed.
- Objects are illuminated with light of a specific wavelength and the particles in the object absorb the light and re-emit it at a higher wavelength (i.e. different colours).
 - Such particles are called fluorophores and the object is infused with such particles before being placed under the microscope.
- A fluorescent microscope can track such particles or fluorophores when they shine or glow brightly due to fluorescence as they move inside the object thereby revealing various characteristics of the object.
- There are several versions of such fluorescent microscopes such as epifluorescence and confocal laser-scanning microscopes.
- Fluorescence microscopes are very expensive costing up to crores.

Latest developments - Glowscope

- Researchers from Winona State University have come up with a way of developing a rudimentary fluorescence microscope that could be developed at a cost of ₹2,500 to ₹4,100.
- Researchers have said that such devices can detect green and red fluorophores.

- The set-up of a rudimentary fluorescence microscope consists of two plexiglass surfaces, an LED flashlight, three theatre stage-lighting filters, a clip-on macro lens, and a smartphone.
 - The smartphone with the lens is placed on one surface that is suspended at a height and a second sheet is placed below that holds the object.
- The object which is to be observed is then injected with different fluorophores depending on the interest and the stage-lighting filters held between the flashlight and the object and others held between the object and the smartphone ensure that light of the right frequency would reach the object and the fluoresced light of a suitable frequency reached the camera.

2. Rajasthan's Right to Health Bill

Syllabus: GS-2; Health; Issues relating to development and management of Social Sector/Services relating to Health

Prelims: About Rajasthan's Right to Health Bill

Context

Rajasthan's government had tabled the Right to Healthcare Bill, 2022 in the State Assembly in September 2022 and the recent Budget session has revived the debate around the Bill.

Rajasthan's Right to Health Bill

- The Right to Health Bill of Rajasthan aims to provide mandatory free and affordable medical services in both public and privately owned hospitals, clinics and laboratories.
- The Bill provides rights to patients and healthcare providers, places the obligation on the government to protect these legal rights and requires the establishment of grievance redressal mechanisms.
- If the Bill is passed, the residents of the State will be eligible for free check-ups, drugs, diagnostics, emergency transport and care at all public health institutes, along with affordable surgeries.
- Further, the Bill mentions about 20 rights to a State resident which include the right to informed consent, to seek information and to receive treatment without discrimination based on caste, class, age, gender, etc.
- The Bill also mandates the government to formulate a Human Resource Policy for health ensuring equitable distribution of doctors, nurses and healthcare workers at all levels of the system across regions.

Right to Health in Indian Constitution

- The Right to Health is not explicitly mentioned in the Indian Constitution.
- However, the concept of the Right to Health is derived from the [Right to Life and Liberty](#) guaranteed under Article 21 of the Constitution.
- Furthermore, various courts in the past have highlighted the State's obligation to safeguard and promote the health of citizens, based on Constitutional provisions such as:
 - **Article 38** which talks about promoting the welfare of people
 - **Article 47** which mandates the government to meet the nutrition and health requirements of the population.

3. Jalyukt Shivar Abhiyan

Syllabus: GS-3; Disaster Management

Prelims: Jalyukta Shivar Abhiyan

Context

The Maharashtra government is looking to launch the second phase of the Jalyukt Shivar Abhiyan.

Jalyukta Shivar Abhiyan

- The Maharashtra government launched a project called “Jalyukta Shivar Abhiyan” in 2015-16.
- The project “Jalyukt Shivar Abhiyaan” aimed to make Maharashtra a drought-free state by 2019 and to make 5000 villages free of water scarcity every year.
- The Jalyukt Shivar Abhiyaan involves the deepening and widening of streams, construction of cement and earthen stop dams, work on nullahs and digging of farm ponds.
- A mobile app, developed by Maharashtra Remote Sensing Application Centre (MRSAC) was used to map these locations.

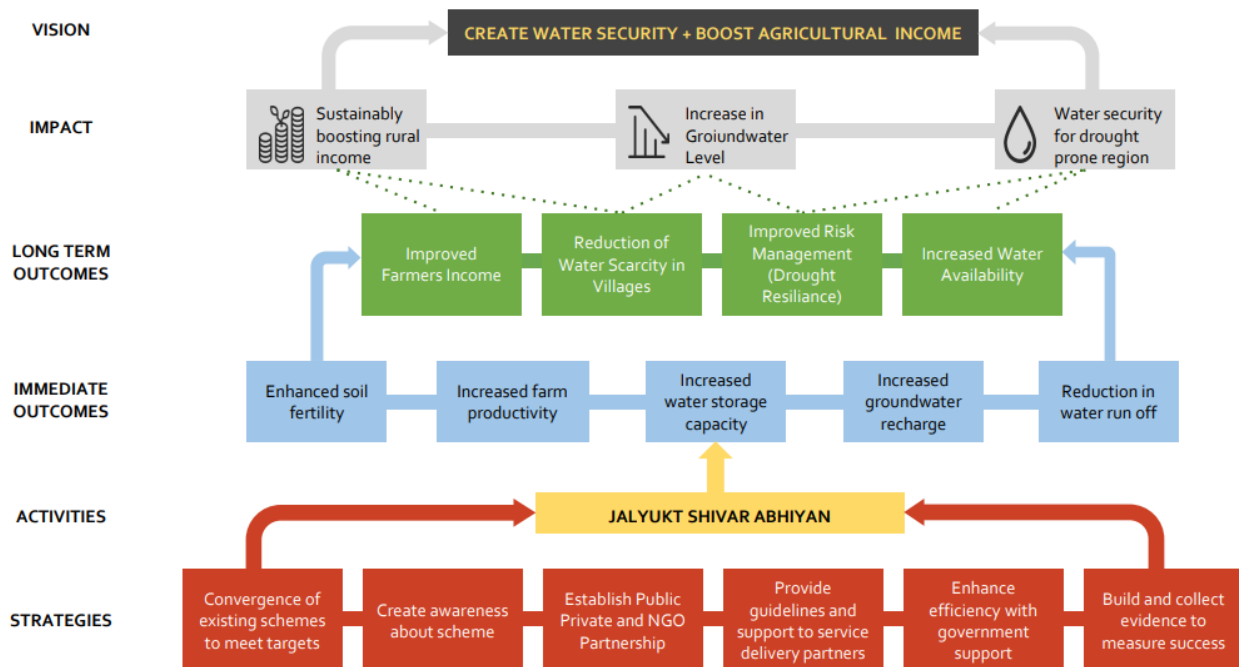


Image source: cgwb.gov.in

G. Tidbits

1. Same-sex union can rock societal values: Centre

- The Union Government has said that in the Supreme Court “the institution of marriage has a sanctity attached to it and in major parts of the country” and that a marriage between a biological man and woman is a “holy union, a sacrament and a sanskar”.
- The Centre has held that any “deviation” from this “statutorily, religiously and socially” accepted norm in “human relationship” can only happen through the legislature and not the Supreme Court in an affidavit that came as a response to the Court’s decision to examine petitions to allow solemnisation of same-sex marriage under the Special Marriage Act.
 - The Special Marriage Act applies to couples who are looking to undertake inter-faith marriages.
 - The Act is a special law enacted to provide for a unique form of marriage by registration wherein the parties to the marriage do not have to renounce their religion.
- The government further argued that the Court had only decriminalised sexual intercourse between same-sex persons in its Navtej Singh Johar Judgement (2018) and did not legitimise this conduct and the court while decriminalising homosexuality never accepted same-sex marriage as part of the fundamental right to life and dignity.

- As per the government, the Parliament has formulated various marriage laws which are based on the customs of various religious communities and any interference with the same would result in complete havoc in the delicate balance of personal laws.

2. Net-zero waste to be mandatory for buildings

- As a part of the government's push for reforming and modernising the sewage disposal system, all the upcoming housing societies and commercial complexes in India will mandatorily have to ensure net zero waste and have their liquid discharge treated.
 - According to reports, 72,368 million litres of urban wastewater is generated in India per day out of which only 28% is treated whereas the remaining 72% of untreated wastewater may be entering rivers, lakes, or groundwater.
- Achieving net zero waste refers to reducing, reusing, and recovering waste streams to convert them to valuable resources so that zero solid waste is sent to landfills.
- The Ministry of Housing and Urban Affairs would also undertake efforts to integrate septic tank design into the building, adherence to standard specifications, geo-tagging of all septic tanks and manholes, and reducing GST on mechanised cleaning vehicles.
- The Union Finance Minister in her budget speech for 2023-24, has mentioned that all cities and towns will be enabled for 100% transition of sewers and septic tanks from manhole to machine-hole mode.
- These directives are being formulated as a convergence of initiatives such as Swachh Bharat, [National Action Plan for Mechanised Sanitation Ecosystem \(NAMASTE\)](#), and [Atal Mission for Rejuvenation and Urban Transformation \(AMRUT\)](#).

H. UPSC Prelims Practice Questions

Q1. Which one of the following began with the Dandi March? (Level – Easy)

- A. Home Rule Movement
- B. Non-Cooperation Movement
- C. Civil Disobedience Movement
- D. Quit India Movement

Answer: C

Explanation:

- The Salt Satyagraha or the Dandi March was a mass civil disobedience movement initiated by Mahatma Gandhi against the salt tax imposed by the British government in India and a nonviolent protest against the British salt monopoly.

- The Civil Disobedience Movement was a landmark movement in the Indian Nationalist Movement which was launched in 1930, and it commenced with the Dandi March.

Q2. Which of the following is/are Wetlands according to Ramsar convention?(Level–Moderate)

1. Peatlands
2. Oases
3. Rice Paddies
4. Reservoirs
5. Salt Pans

Options:

- A. 1, 2 and 3 only
- B. 3, 4 and 5 only
- C. 1, 4 and 5 only
- D. 1, 2, 3, 4 and 5

Answer: D

Explanation:

- According to Article 1 of the Ramsar Convention, Wetlands are “areas of marsh, fen, peat land or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters.”
- Wetlands includes lakes and rivers, underground aquifers, swamps and marshes, wet grasslands, **peatlands**, **oases**, estuaries, deltas and tidal flats, mangroves and other coastal areas, coral reefs, and all human-made sites such as fish ponds, **rice paddies**, **reservoirs** and **salt pans**.

Q3. Consider the following statements w.r.t Academy Awards/Oscars:(Level – Moderate)

1. It is given annually by the Academy of Motion Picture Arts and Sciences.
2. They are presented for artistic talent and technical excellence in the International film industry.
3. A.R. Rahman was the first Indian to win the Oscar Award.

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: A

Explanation:

- **Statement 1 is correct**, The Academy Awards or the Oscars Awards are given annually by the Academy of Motion Picture Arts and Sciences (AMPAS).
- **Statement 2 is correct**, The Oscar awards are presented for artistic talent and technical excellence in the International film industry.
- **Statement 3 is not correct**, Bhanu Athaiya was the first Indian to win the Oscar Award for costume designing.
 - The list of other winners from India are Satyajit Ray, A R Rahman, Resul Pookotty, and Gulzar.

Q4. With respect to 'Wheat blast disease' which of the following statements is/are correct (Level – Difficult)

1. Wheat blast is caused by the fungus Magnaporthe oryzae.
2. It was first discovered in Brazil in 1985.

Options:

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

Answer: C

Explanation:

- **Statement 1 is correct**, Wheat blast (WB) is an important fungal disease in tropical and subtropical wheat production regions caused by Magnaporthe oryzae pathotype Triticum (MoT).
- **Statement 2 is correct**, Wheat blast disease was first discovered in the state of Paraná in Brazil in 1985.

Q5. Which one of the following pairs of metals constitutes the lightest metal and the heaviest metal, respectively? (Level – Difficult) PYQ (2008)

- A. Lithium and mercury

- B. Lithium and osmium
- C. Aluminium and osmium
- D. Aluminium and mercury

Answer: B

Explanation:

- Lithium has the lowest atomic weight and is considered the lightest metal.
- Osmium is a natural metal with the highest density, thus Osmium is the heaviest metal.

I. UPSC Mains Practice Questions

1. [The rural-urban continuum has drawn wide attention in recent years. In this light discuss the importance of Recognizing and addressing the interconnections between rural and urban areas.](#) (250 words; 15 marks) (GS-2; Governance)
2. [Discuss the measures that can be taken to ensure the compliance of Environmental, Social, and Governance \(ESG\) standards in India.](#) (250 words; 15 marks) (GS-2; Governance)