The Hindu News Analysis – 29th July 2019 – Shankar IAS Academy

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*C – Chennai; B – Bengaluru; T – Thiruvananthapuram; D – Delhi
Part A—Preliminary Examination

Paper I - (200 marks)

- Current events of national and international importance.
- Indian Polity and Governance-constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

Part B—Main Examination

PAPER-II

General Studies-I: Indian Heritage and Culture, History and Geography of the World and Society.

- Role of women and women’s organization, population and associated issues, poverty and developmental issues, urbanization, their problems and their remedies.
- Social empowerment, communalism, regionalism & secularism.

PAPER-III

General Studies-II: Governance, Constitution, Policy, Social Justice and International relations.

- Parliament and State legislatures—structure, functioning, conduct of business, powers & privileges and issues arising out of these.

SDG 5

- Achieve gender equality and empower ALL women and girls

  - target 5.5 → Ensure full and effective participation and equal opportunities for leadership AT ALL LEVELS OF DECISION MAKING in
    - political.
    - economic &
    - public life.

  - target 5.c → Adopt and strengthen - Sound policies and enforceable legislation - for the promotion of gender equality & empowerment of all women and girls, at all levels.
Respecting reproductive choice
Regulation of commercial surrogacy rather than a blanket ban may be the way forward.

It is unfortunate that the Surrogacy (Regulation) Bill, 2019 approved by the Cabinet, bans and criminalises commercial surrogacy and only allows altruistic surrogacy, which is only through a close relative. However, the Bill allows Indian women to act as surrogates for foreign couples, Indian men to act as the biological father of their child, and the child should be married on or before the 25th birthday of the surrogate mother. This further brings down the number of altruistic surrogates available.

Surrogacy (Regulation) Bill, 2019

* Commercial Surrogacy -> banned & criminalised
* Only allows altruistic surrogacy
* Intending Couple - couple who have been medically certified to be an infertile couple and who intend to become parents through surrogacy
* Invitro Fertilisation

Two Types of Surrogacy in the Bill

1. Altruistic Surrogacy

   Surrogacy in which no charges, expenses, fees, remuneration or any monetary incentive, except the medical expenses which are incurred on surrogate mother and the insurance coverage for the surrogate mother.

2. Commercial Surrogacy

   Commercialisation of surrogacy services or its component services or component procedures

   Embryo - Developing or developed organism after fertilisation till the end of 56 days
* Bill excludes gay couple, single men and women and unmarried couples who want to have a child
  
  Author → Imposing Morality

Author

* 228th Law Commission India Report on Commercial Surrogacy
  
  → Recommended to ban Commercial Surrogacy in India
  
  → Prohibition in vague moral grounds without proper assessment of social ends and purposes is irrational

* Studies on Commercial Surrogacy required
  
  → Sharing of reports with the public

* Inventory of Commercial Surrogacy clinics
  
  → Health inspectors → carry out inspections
  
  * Charter of regulations which the commercial surrogacy clinics should follow

Bills on Surrogate Mothers

→ Should be married
→ Age 25 to 35 years
→ Should have atleast one child

Arguments over banning Commercial Surrogacy

→ Trafficking of children born through commercial surrogacy → forced labour → Sexual exploitation
→ Abandoning of surrogate babies by foreign parents

Author’s Suggestions

→ Tightening of regulations → practical solution
→ Focus → well-being of the surrogate mother

→ Intending Couple → Surrogate Mother
  
  → proper financial enumeration
  
  → Insurance Cover
  
  → Ensuring regular health check-ups

→ Legal documentation of some parts of surrogacy process

→ Complete ban on commercial surrogacy will lead to underground activities

→ Tightening regulations → respect women’s choice about how she wants a child
Vishaka rules must apply to judiciary

CJI cannot be exempt. Justice Shah

Part A—Preliminary Examination

Paper I—(200 marks)
- Current events of national and international importance.
- Indian Polity and Governance—Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

Part B—Main Examination

PAPER-III

General Studies-II: Governance, Constitution, Polity, Social Justice and International relations.

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What can be done?

1. Form a permanent disciplinary committee with Secretariat at central level
2. Should be composed of retired judges—no govt. interference—Independence of judiciary

Vishaka Guidelines

- SC judgement on Vishaka and others Vs. State of Rajasthan in 1997
- Gave birth to Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013

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- Former CJ of Delhi HC → Apply Vishaka rules to judiciary and ensure accountability of judges including CJI
- March, 2019 - Allegations of sexual harassment against CJI by a junior court assistant
  - A 3 judge bench including CJI dismissed it
- GSICC - Gender sensitization & Internal Complaints Committee
  - Internal Committee in SC to look into complaints of sexual harassment
  - It CANNOT probe allegations against judges
  - Require permission of CJI to take actions

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Act defines sexual harassment as ‘unwelcome acts committed directly or by implication’, namely
- Physical contacts and advances
- Demand for sexual favours
- Sexually coloured remarks
- Showing pornography
- Verbal or non-verbal conduct of sexual nature

The woman who alleges harassment can be of any age, "whether employed or not"—covers women working or visiting workplace

Who can raise the complaint?

Either the victim or her legal heir or such a person prescribed if she is unable to make complaints due to ‘physical or mental incapacity or death’
Practice Question – Prelims

Q. Consider the following statements regarding Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

1. This act has been legislated based on the 1997 Vishaka guidelines.
2. It has provision for pre-inquiry mediation between the parties by the internal complaints committee.
3. The internal complaints committee has powers of a civil court.

Select the incorrect answer using the code given below

a) 1 and 2
b) 1 and 3
c) 1, 2 and 3
d) None of the above
Industry cautious on RCEP deal

Union Ministry of Commerce held meeting with Export Promotion Councils of different sectors – engineering, auto, chemical etc.

Indian Industries are worried about India joining RCEP

Export Promotion Councils (EPC)

* under Ministry of Commerce & Industries
* promote & assist Indian firms to realise their potential in International markets
* 30+ EPC – wool, rubber, coir, chemicals etc

RCEP:

* First promoted in 2012 by ASEAN
* 16 member Free Trade Agreement
  * 10 ASEAN Countries + India + China + Japan + S. Korea + NZ + Australia

India’s Concerns

* Constitutes 30% of global trade, 25% of global GDP & 45% of world’s population
* Free Trade Agreement
  * Helps to reduce barriers of trade between countries by regulating tariffs & other trade restrictions

GoI faces twin challenges before the upcoming 3rd RCEP summit in Bangkok, Nov. 2019

→ manage concerns of Industries
→ what if other countries form the bloc?

Way forward

Differential market access & different tariff regime for China compared to other RCEP countries

Emphasise on ‘country of origin’ tag to prevent Chinese goods flooding Indian markets
Practice Question – Mains
GS – II

Q. Regional Comprehensive Economic Partnership (RCEP) is a mega regional Free Trade Agreement (FTA) which is being negotiated amongst 16 countries. India has not joined the FTA despite several years of negotiations. What are the concerns and prospects of India in joining RCEP?
Practice Question – Prelims

Q. Which of the following best describes the term, ‘Agent Smith’?

a) It is the world’s largest nuclear submarine

b) An indigenously made Inter-Continental Ballistic Missile

c) A malicious software that attacks the devices of Android Operating System

d) A agent in social media who ultimately pushes children to commit suicide
Practice Question – Prelims

Q. Consider the following statements with reference to BRICS Grouping.

1. The BRICS grouping consists of India, Russia, China, Brazil and Sri Lanka as members.
2. The presidency of this grouping is rotated amongst its members who are permanent members of the UN Security Council.
3. The BRICS summits are usually conducted once in a year.

Which of the above statements is/are correct?

a) 3 only  
b) 1 and 2 only  
c) 1, 2 and 3  
d) 2 and 3 only
Practice Question – Prelims

Q1. Consider the following statements regarding Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

1. This act has been legislated based on the 1997 Vishaka guidelines.

2. It has provision for pre-inquiry mediation between the parties by the internal complaints committee.

3. The internal complaints committee has powers of a civil court.

Select the incorrect answer using the code given below

a) 1 and 2
b) 1 and 3
c) 1, 2 and 3
d) None of the above

Practice Question – Prelims

Q2. Which of the following best describes the term, ‘Agent Smith’?

a) It is the world’s largest nuclear submarine

b) An indigenously made Inter-Continental Ballistic Missile

c) A malicious software that attacks the devices of Android Operating System

d) A agent in social media who ultimately pushes children to commit suicide
Practice Question – Prelims

Q3. Consider the following statements with reference to BRICS Grouping.

1. The BRICS grouping consists of India, Russia, China, Brazil and Sri Lanka as members.

2. The presidency of this grouping is rotated amongst its members who are permanent members of the UN Security Council.

3. The BRICS summits are usually conducted once in a year.

Which of the above statements is/are correct?

a) 3 only
b) 1 and 2 only
c) 1, 2 and 3
d) 2 and 3 only

Practice Question – Mains

GS – II

Q. Regional Comprehensive Economic Partnership (RCEP) is a mega regional Free Trade Agreement (FTA) which is being negotiated amongst 16 countries. India has not joined the FTA despite several years of negotiations. What are the concerns and prospects of India in joining RCEP?
Practice Questions – Prelims
Answers
29th July 2019

1. Option ‘d’ – None of the above
2. Option ‘c’ – A malicious software that attacks the devices of Android Operating System
3. Option ‘a’ – 3 only

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