

SosinClasses

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DAILY NEWS DIARY

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FOR PRELIMS AND MAINS

Warm Greetings.

- DnD aims to provide every day news analysis in sync with the UPSC pattern.
- It is targeted at UPSC – Prelims & Mains.
- Daily articles are provided in the form of Question and Answers
- To have a bank of mains questions.
- And interesting to read.
- Providing precise information that can be carried straight to the exam, rather than over dumping.

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GS 2

❖ ECONOMY

Q) “Delhi High Court gave a split verdict on the question of criminalising rape within marriage”. Discuss.

Context:

Two judges of the Delhi High Court gave a split verdict on the question of criminalising rape within marriage, leaving the law unchanged. Seems like the matter will now be referred to a larger bench.

Marital Rape:

- Marital rape is the act of sexual intercourse with one’s spouse without her consent.
- It is no different manifestation of domestic violence and sexual abuse.
- It is often a chronic form of violence for the victim which takes place within abusive relations.

Present issue:

- One of the Judge struck down as unconstitutional the exception to Section 375 of the IPC, which says that sexual intercourse by a man with his wife aged 18 and above is not rape even if it is without her consent.
- However, another Judge said that issue requires consideration of social, cultural and legal aspects.
- Outcome of the split verdict: Preserving the institution of marriage
- The Centre’s concern that criminalising marital rape may destabilise the institution of marriage is a “legitimate” one, said the HC.
- Spousal intimacy: In a marriage, conjugal expectation is a two-way street, where “consent is given as a part of spousal intimacy although the will to engage may be absent”.
- Need for written agreement: If every such case is treated as marital rape, then the only way partners in a marriage may survive would be by drawing up a detailed written agreement.
- Burden of evidentiary record: This would lead to creating a detailed evidentiary record of every act of intimacy and/or by inviting a third party to act as a witness.
- Defying marital obligations: The HC said that marriage was accompanied by obligations that the partners had to bear, including conjugal expectations, financial obligations and, finally, duty towards progeny.
- Sexual liberty of spouses: The bench also underlined the signs of injury on a partner need not necessarily mean there had been non-consensual sex as “in the age of sexual liberation”, injuries could be a sign of “passion”.
- Cruelty not rape: Forced sexual intercourse between a husband and wife cannot be treated as rape. At worst, it can be treated as sexual abuse found in Section 3 of the Domestic Violence Act.

- Clash of ego: A wife cannot prescribe a particular punishment that can be imposed on the husband 'to satisfy her ego'," the judge said.

Marital Rapes:

Section 3 of the Protection of Women from Domestic Violence Act, 2005 provides a definition for domestic violence, which includes physical, sexual, verbal and emotional abuse.

General reasons for disapproval of this concept:

The reluctance to define non-consensual sex between married couples as a crime and to prosecute has been attributed to:

1. Traditional views of marriage
2. Interpretations of religious doctrines
3. Ideas about male and female sexuality
4. Cultural expectations of subordination of a wife to her husband
5. It is widely held that a husband cannot be guilty of any sexual act committed by himself upon his lawful wife their on account of their mutual matrimonial consent.

Violation of fundamental rights:

Marital rape is considered as the violation of FR guaranteed under Article 14 of the Indian constitution which guarantees the equal protection of laws to all persons.

By depriving married women of an effective penal remedy against forced sexual intercourse, it violates their right to privacy and bodily integrity, aspects of the right to life and personal liberty under Article 21.

Global examples:

- Marital rape immunity is known in several post-colonial common law countries.
- Australia (1981), Canada (1983), and South Africa (1993) have enacted laws that criminalise marital rape.
- The UK in 1991 arrived at a consensus that a rapist remains a rapist subject to the criminal law, irrespective of his relationship with his victim.
- However, in 2003 marital rape was outlawed by legislation in the UK.

Problems in prosecuting marital rape:

- Lack of awareness: A lack of public awareness, as well as reluctance or outright refusal of authorities to prosecute is common globally.
- Gender norms: Additionally, gender norms that place wives in subservient positions to their husbands, make it more difficult for women to recognize such rape.
- Acceptability of the concept: Another problem results from prevailing social norms that exist.

Present regulations in India:

- Indian Penal Code criminalizes rape in most cases, although marital rape is not illegal when the woman is over the age of 18.
- However, until 2017, men married to those between 15 and 18 could not be convicted of rape.

- Marital rape of an adult wife, who is unofficially or officially separated, is a criminal offence punishable by 2 to 7 year in prison; it is not dealt by normal rape laws which stipulate the possibility of a death sentence.
- According to the Protection of Women From Domestic Violence Act (2005), other married women subject to such crime by their husband may demand for financial compensation.
- They also have the right to continue to live in their marital household if they wish, or may approach shelter or aid homes.
- However, marital rape is still not a criminal offence in this case and is only a misdemeanour.

Arguments against criminalization:

- ✓ Subjective: It is very subjective and intricate to determine whether consent was acquired or not.
- ✓ Prone to Misuse: If marital rape is criminalized without adequate safeguards it could be misused like the current dowry law by the dissatisfied wives to harass and torture their Husbands.
- ✓ Burden on Judiciary: It will increase the burden of judiciary which otherwise may serve other more important causes.

Way forward

- Sanctioning marital rape is an acknowledgment of the woman's right to self-determination (i.e., control) of all matters relating to her body.
- In the absence of any concrete law, the judiciary always finds it difficult to decide the matter of domestic rape in the absence of solid evidence.
- The main purpose of marriage is procreation, and sometimes divorce is sought on the ground of non-consummation of marriage.
- Before giving a final interpretation, the judiciary must balance the rights and duties of both partners.

Source: The Hindu**Q) Explain the challenges and issues associated with the sedition law of the Indian constitution.****Context:**

The Supreme Court suspended pending criminal trials and court proceedings under Section 124A (sedition) of the Indian Penal Code, while allowing the Union of India to reconsider the British-era law.

Supreme Court

All pending trials, appeals and proceedings with respect to the charge framed under Section 124A of the IPC be kept in temporary suspension.

The court also restrained centre and states from registering FIRs, continuing investigations or take coercive measures under Section 124A.

Sedition Law:

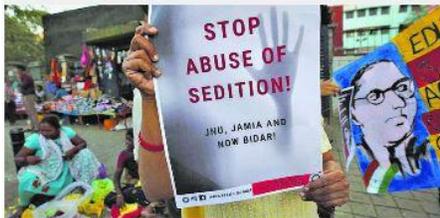
- Section 124A of the Indian Penal Code lays down the punishment for sedition. The IPC was enacted in 1860, under the British Raj.

- The then British government in India feared that religious preachers on the Indian subcontinent would wage a war against the government.
- Particularly after the successful suppression of the Wahabi/Waliullah Movement by the British, the need was felt for such law.
- Throughout the Raj, this section was used to suppress activists in favor of national independence, including Tilak and Mahatma Gandhi, both of whom were found guilty and imprisoned.

Present controversy:

1. Frequent use: In recent times, the resort to this section is seen as disturbingly frequent.
2. Curbing dissent: Activists, cartoonists and intellectuals have been arrested under this section, drawing criticism from liberals that it is being used to suppress dissent and silence critics.
3. Misuse for propaganda: Authorities and the police who invoke this section defend the measure as a necessary step to prevent public disorder and anti-national activities.
4. Irrelevance: Many of them have also been detained under the National Security Act and UAPA.

Hair-trigger cases | National Crime Records Bureau (NCRB) report says 356 cases of sedition under Section 124A of the Indian Penal Code had been registered and 548 people arrested between 2015 and 2020, with just six convictions. **A look at a few recent cases:**



Voice of reason: A protest in Karnataka against a sedition case slapped on a school in January 2020 over a play performed by students. ■ AP

Disha Ravi: The 21-year-old Bengaluru-based environment activist was arrested by the Delhi Police on February 14, 2021 for allegedly creating and disseminating a 'toolkit' on the farmers' protests. Granting her bail on February 23, 2021, a Delhi court said "the offence of sedition cannot be invoked to minister to the wounded vanity of the governments"

Kashmiri students: Three of them studying in Agra were arrested on October 28, 2021 for allegedly posting a WhatsApp status praising Pakistani players after their victory against India in a T20 cricket match. They were

languishing in prison till April 26 this year even after securing bail on March 30 from the Allahabad High Court due to the non-availability of local guarantors, a high security amount and police verification

Sharjeel Imam:

The JNU student leader had allegedly made inflammatory speeches at Jamia Millia Islamia on December 13, 2019, and at Aligarh Muslim University on December 16, 2019 during the anti-CAA stir. A court has framed charges against Imam, who has been in judicial custody since 2020,

for sedition and other charges



Kanhaiya Kumar:

In 2016, a group of students from Jawaharlal Nehru University held a poetry session to mark the third anniversary of the hanging of 2001 Parliament attack case convict Afzal Guru. The Delhi Police later charged the then JNU student union president Kanhaiya Kumar, Umar Khalid and others with sedition

Debates:

- Demand for its scrapping: Liberals and rights activists have been demanding the scrapping of Section 124A.
- Provision is outdated: It is argued that the provision is "overbroad", i.e., it defines the offence in wide terms threatening the liberty of citizens.
- Various calls for its reconsideration: The Law Commission has also called for a reconsideration of the section.

- Tyranny of the law: It has pointed that Britain abolished it more than a decade ago and raised the question of whether a provision introduced by the British to put down the freedom struggle should continue to be law in India.
- Doctrine of severability: Some argue that a presumption of constitutionality does not apply to pre-constitutional laws as those laws have been made by foreign legislature or bodies.

Need for such law:

- There are some tendencies exist even today who wish to overthrow the state apparatus and constitutional scheme of India.
- It falls on the judiciary to protect Articles 19 and Article 21 of the Constitution.
- Undue exercise of free speech has led to overture of ordinary dissent into an anti-national insurrection or uprising.
- There are areas in the country that face hostile activities and insurgencies created by rebel groups, like the Maoists.
- There must be restrictions on expressing unnecessary contempt or ridiculing of the Government beyond certain limits.

Way forward

- ✓ India is the largest democracy in the world and the right to free speech and expression is an essential ingredient of democracy.
- ✓ The sedition law should not be abolished as some measures are needed to check communal violence & insurgency activities like Naxals.
- ✓ The definition of sedition should be narrowed down, to include only the issues pertaining to the territorial integrity of India as well as the sovereignty of the country.
- ✓ Section 124A should not be misused as a tool to curb free speech.

Source: The Hindu

GS 3**❖ ENVIRONMENT & BIODIVERSITY**

Q) Assess the significance and characteristics of green manure cultivation.

Context:

The Punjab agriculture department is promoting the cultivation of green manure these days. Punjab Agro is providing subsidy on the seed at the rate of Rs 2,000 per quintal, which costs Rs 6,300 per quintal without subsidy. The farmers can avail its seed from the block level offices of the agriculture department as limited stock is available.

Green Manure:

Green manures are crops grown specifically for maintaining soil fertility and structure. It is done by leaving uprooted or sown crops parts, allowing them to wither onto the field and serve as

mulch and soil fertilizers. They are normally incorporated back into the soil, either directly, or after removal and composting.

There are three main varieties of green manure, including:

1. Dhaincha
2. Cowpea
3. Sunhemp

Also, some crops such as summer moong, mash pulses and guar act as green manure. They can be sown after wheat cultivation

Characteristics of green manure:

Green manure must be leguminous in nature. They must bear maximum nodules on its roots to fix large amount of atmospheric nitrogen in the soil

Why is sowing of green manure important in Punjab?

- Punjab's per hectare fertiliser consumption, which is around 244 kg, is one of the highest in the country and is also higher than the national average.
- Growing green manure can curtail this consumption to a large extent by 25 to 30% and can save huge input cost for the farmers.
- In Punjab high-intensity agricultural practices are prevalent as farmers take two-three crops in a year, which requires lots of chemical fertilisers such as urea, DAP etc.
- And this leads to deficiencies of micronutrients like iron and zinc, especially in the soils where rice is cultivated thus affecting productivity.
- In such a situation, green manuring helps improve soil health and enhance the productivity of the crops.

How does it benefit the soil and crop?

- Green manure helps in enhancing the organic matter in the soil, meets the deficiency of the micronutrients and reduces the consumption of the inorganic fertilisers etc.
- It is a good alternative to the organic manure and it conserves the nutrients, adds nitrogen and stabilises the soil structure.
- It decomposes rapidly and liberates large quantities of carbon dioxide and weak acids, which act on insoluble soil minerals to release nutrients for plant growth.
- Also, it contains 15 to 18 quintals of dry matter, which also contains phosphorus, potassium, zinc, copper, iron and manganese, per acre and 20 to 40kg per acre of nitrogen.
- Green manure crops naturally have the ability to suppress weed growth, hence preferred by farmers.
- Soil erosion is prevented with improved stability of the top-soil. This helps to improve the overall soil structure by providing porosity and aeration in the soil.

Limitations of green manure:

1. Sometimes excessive use of green manure may cause over-fixation of nitrogen and phosphorus into the land making it toxic and further leading to nutrient pollution.
2. Green manure crops may prove to be too costly for the farmers; it may end up meaning that they will plant less cultivation crops for the sake of planting green manure crops.

3. Farmers won't be able to plant their marketable cash crop during the manure phase as sometimes they may choose to increase land fertility rather than plant crops.
4. The green manure crop may sometimes compete with the crops that will be the primary source of income.

Various policy initiatives:

- ✓ Under Sub- Mission on Seed and Planting Material (SMSP), the govt. provides 50% cost assistance for the distribution of green manure required for a one-acre area per farmer.
- ✓ The Paramparagat Krishi Vikas Yojana (PKVY) promotes cluster-based organic farming with PGS (Participatory Guarantee System) certification.

Source: Indian Express

Q) Explain the importance and threats possessed towards Pantanal Wetlands.**Context:**

The world's largest wetland, the Pantanal in South America, is at the risk of collapse due to legal land-use decisions and proposals.

About Pantanal:

- The Pantanal is a natural region encompassing the world's largest tropical wetland area, and the world's largest flooded grasslands.
- It is located mostly within the Brazilian state of Mato Grosso do Sul, but it extends into Mato Grosso and portions of Bolivia and Paraguay.
- It sprawls over an area estimated at between 140,000 and 195,000 square kilometres.
- Various subregional ecosystems exist, each with distinct hydrological, geological and ecological characteristics; up to 12 of them have been defined.
- Roughly 80% of the Pantanal floodplains are submerged during the rainy seasons, nurturing a biologically diverse collection of aquatic plants and helping to support a dense array of animal species.

Significance of Pantanal:

1. The Pantanal is a refuge for iconic wildlife. This massive wetland has the largest concentration of crocodiles in the world, with approximately 10 million caimans.
2. Jaguars, the largest feline in the Americas, hunt caiman in the Pantanal, which has one of the highest density of jaguars anywhere the world.

Threats: Around 95% of the Pantanal is under private ownership, the majority of which is used for cattle grazing.

- ✓ **Source: Down To Earth**

Q) With reference to the Sangam literature, 'Mullai' and 'Marutam' are associated with which of the following?

- a. Major Deities that were worshipped in the temples
- b. Geographical landscapes
- c. Sacred texts that were followed by the Kings
- d. Monks who were responsible for spreading the religious and philosophical ideas

 **Hey from Yesterday –**

Q) Which of the following battle marked the beginning of the drain of wealth from India to Britain?

- a. Battle of Khanwah
- b. Battle of Chinsura
- c. Battle of Buxar
- d. Battle of Plassey

Answer: d

Explanation:

- Battle of Plassey was a battle fought between the East India Company force headed by Robert Clive and Siraj-Ud-Daulah (Nawab of Bengal). The rampant misuse by East India Company officials of trade privileges infuriated Siraj. The continuing misconduct by EIC against Siraj-Ud-Daulah led to the battle of Plassey in 1757.
- The battle of Plassey paved the way for the British mastery of Bengal and eventually the whole of India.
- It also boosted the strength of British and made it as main contender for Indian empire.
- English Company and its servants amassed huge wealth at the cost of the people of Bengal.
- The battle of Plassey marked the beginning of drain of wealth from India to Britain, i.e economic exploitation of India by the British.
- The economy of India was affected severely. Post the victory, the British started imposing severe rules and regulations on the inhabitants of Bengal in the name of tax collection.

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- HISTORY MODULE FROM 10th May to 20th May 2022
- CURRENT AFFAIRS MODULE FROM 13th May to 19th May 2022

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