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Ironing out the wrinkles in trade disputes adjudication

The fall of the World Trade Organization Appellate Body is an opportunity to rectify issues with the present system.

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depends. Generally speaking, the appellate body is the "court of last resort" against which some decisions of the WTO’s Dispute Settlement Body (DSB) can be assailed. If the Dispute Settlement Body (DSB) rules in favor of one of the parties, the losing party may appeal to the Appellate Body if it considers the decision to be inconsistent with the law.

Although the Appellate Body has a role in interpreting the rules of the game, it is often subject to political pressures and pressures to make decisions that are in line with the interests of the countries that are parties to the dispute. This can make it difficult for the Appellate Body to function independently and objectively.

The Appellate Body was set up in 1995 as a "safety valve" against the DSB’s tendency to overreach in disputes. It was meant to provide a check on the DSB’s decisions and ensure that they were consistent with the rules of the WTO.

However, under increasing pressure from the United States, China, and other countries, the Appellate Body has been unable to function as intended.

Trade remedy matters

The Appellate Body is responsible for reviewing WTO decisions on trade remedies, such as antidumping and countervailing duties, to ensure that they are consistent with WTO rules.

If a dispute involves a trade remedy, the party that is complaining can request that the Appellate Body review the decision of the Dispute Settlement Body (DSB) and determine whether the remedy is consistent with WTO rules.

Dysfunctional appellate body of World Trade Organisation (WTO)

World Trade Organisation (WTO)

Global organisation, deals with the rules of trade between nations

Goal - To ensure trade flows as smoothly, predictably and freely as possible

WTO is not a UN body

HQ: Geneva, Switzerland

164 members; India is also a member

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**Dispute Settlement Body (DSB)**
- Comprised of the representatives of all the WTO members
- Composed of Seven members
  - appointed by DSB to serve for four year term
  - The members can be re-appointed once and each person may be reappointed for another four-year term
  - Appointment of members based on Consensus by the DSB
- as a "Safety valve" against erroneous panel reports based on “reverse consensus” in lieu of “positive consensus”

**Appellate Body (AB)**
- Created by the DSB as a standing tribunal to hear appeals from WTO panel reports
- Can uphold, modify or reverse the legal findings and conclusions of panel reports

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**Positive Consensus**
- under GATT (General Agreement on Tariffs & Trade)
- only if each of the contracting states favoured its adoption

**Reverse Consensus**
- WTO
- The report would be automatically adopted, unless, each member objected to the adoption of a report

**Possible Options**
- resolve all contentious issues
- speed up the process of appointment of judges
- alternative ways to resolve the disputes by encouraging regional appellate bodies or no appeal mechanism for the speedy disposal of the disputes
Cyclical economic slowdown

- Cycles of economy - peak performance, followed by downturn and a trough of low activity
- can be addressed with fiscal and monetary policies
- Need counter cyclical measures

Structural economic slowdown

- due to large scale change in existing economic pattern
- Need structural changes - as carried out in 1991

Monetary Policy Committee

- Executive body
- 6 members - 3 from RBI, 3 from Centre
- Inflation target (CPI - Combined)

C. Govt. + RBI - Inflation target is 4 ± 2% for 2016-2021

- based on Section 45ZA of RBI Act, 1934
- Upper limit: 6%; lower limit: 2%
- Inflation within a limit is good for economy

Headline Inflation - CPI (combined)

- Measure of total price rise including food and energy

Core = Headline - (food + energy)

- Food, beverage, pan, ~ 50% of CPI basket, tobacco etc.
26 beedi leaf units in Adilabad forests to be denotified

Move aimed at controlling forest fires and to facilitate free movement of tigers

K. S. Nagesh

Root forest fire is a major issue of concern in Adilabad district last year.

Tendu leaves

- Leaves of Diospyros melanoxylon
- Commonly known as Tendu
- Abus in Andhra Pradesh,
- Kendu in Odisha and West Bengal,
- Tembru in Gujarat,
- Kari in Kerala,
- Tembourni in Maharashtra and
- Bali Tupra in Tamil Nadu

- Abundant in Madhya Pradesh, Odisha, Maharashtra, Andhra Pradesh, Bihar, Rajasthan, U.P., Gujarat, T.N. and West Bengal

- Tendu leaves – used as wrappers of tobacco to produce ‘bidi’ (beedi); burnt and their ash used in tooth powder

- Most suitable bidi wrapper
  - enormous production
  - agreeable flavour
  - flexibility
  - resistance to decay
  - capacity to retain fires

- Tendu or Kendu leaves
  - Minor Forest Produce as per section 2(c) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006
provide seasonal employment to millions of tendu leaves collectors, every year

Usually coppiced in February
- Stems are cut at 15 cms above the ground
- Leaves will sprout after coppicing
- Semi-mature leaves - collected - from 1st week of April to June

Concerns
- Pruning vs Firing
- To avoid cost of cutting
- Such fires
  - hinder the movement of tigers
  - affects local biodiversity

Madhya Pradesh
- Accounts for 25% of total tendu leaves production of the country

Tiger Reserves & Location
- Kawal Tiger Reserve (Telangana)
- Tudoba - Andheri Tiger Reserve (Maharashtra)
- Pench Tiger Reserve (Maharashtra)

Project Tiger
- Launched in 1973
- 50 Tiger reserves in India (As on August, 2019)
More plastic pollution on Maharashtra beaches than Karnataka, Goa: study

**Press Trust of India**

Beaches in Maharashta are more polluted with micro plastics and macro plastics than those in Goa and Karnataka, according to a study conducted by a research team. The study has blamed plastic industries located near the shore and increased tourism activities for the pollution. The highest abundance of macro and micro plastic contaminations is found on beaches in Maharashtra at the high tide line as compared to Karnataka and Goa. It said the study carried out by Goa-based National Institute of Oceanography (NIO), "Such a phenomenon of finding macro and micro plastics in abundance on Maharashta beaches suggests that the contaminations are land based, like coming from near shore plastic industries, port areas, tourism activities," it said.

The study, titled 'Assessment of macro and micro-plastics along the west coast of India: abundance, distribution, polymer type and toxicity', was published in Netherlands-based journal 'Chemosphere' last week. The researchers conducted the assessment of macro and micro plastic contaminations for two years on 11 beaches along the western coast of India and their toxic effects on marine organisms.

The plastic contaminations on these beaches were found in various colours like white, pale yellow, dark brown, green, blue and red, said the study, led by NIO scientist Mohit Saha and Dandumurti Mahanta.

Another answer to the ecological perils of plastic

An MSc student develops a bio straw from a common invasive grass species called 'Potha'

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**DESIGN ENGINEERING**

For decades, the image of a healthy, colourful, plastic straw is a fresh concept or temporary social service on the poster picture of a waste-free, clean, and green environment. Many researchers have been trying to find cost-effective and biodegradable alternatives to plastic straws in recent years.

An MSc student from the School of Design and Environment at Maharshi Markandeshwar University in Sangkaran, has come up with a straw made of a common invasive grass species known as 'Potha'.

The student, Vatsal Rastogi, has designed a biodegradable straw made of a grass species called 'Potha'. The straw can be used in the form of a paper cup and can be easily disposed of without any harm to the environment. The straw is made from wild grasses and can be used as an alternative to plastic straws in restaurants and cafes.

**Plastic Terminologies**

**Macoplastics** are large [≥20 mm] plastic debris such as plastic bottles [1].

**Mesoplastics** are large plastic particles such as virgin resin pellets and are usually defined as 5–30 mm in range [4].

**Microplastics** are small plastic fragments typically less than ≤5 mm [3] that are derived from the breakdown of macoplastics [1].

**Nanoplastics** are small microplastic particles defined in the range 0.2–2 mm [3].

**Micrrobeads/ microspheres** are small plastic granules commonly manufactured and used in personal care products such as toothpaste and facial cleansers [9].

**High - Tide Line**

*Line of intersection of the land with the water's surface at the maximum height reached by a rising tide*

**Low Tide Line**

*Line of intersection of the land with the water's surface at the minimum height reached by a falling tide*
Findings

* Abundance of macro and microplastic contaminants – on beaches in Maharashtra at the HTL as compared to Karnataka and Goa.
* White-coloured plastics observed most frequently in studied beaches.
* Litopenaeus vannamei (commercially important shrimp species) recorded toxicological changes at highest exposure dose of PE microbead.

Reasons for plastic pollution in beaches

1. Near shore industries
   - Plastic industries
   - Petroleum industries
2. Increased tourism activities

National Institute of Oceanography (NIO)

* One of the constituent laboratory of CSIR.
* Established on 1st Jan 1966 following International Indian Ocean Expedition in the 1960s.
* Headquartered at Dona Paula, Goa.
* Multi-disciplinary oceanographic research institute.
* Focus: To observe and understand special oceanographic characteristics of the Indian Ocean.

National Institute of Ocean Technology (NIOT)

* Established in November 1993
* Ministry of Earth Sciences, GoI
* Chennai, Tamil Nadu

To develop reliable indigenous technologies to solve engineering problems – harvesting of non-living & living resources in Indian Exclusive Economic Zone.

Second News Article

* Post-Graduate Student, School of Environmental Sciences, has invented a bio-straw
  - from the stem of a common invasive grass species
  - locally called as ‘potha’ grass
  - species: Pennisetum
  - has hollow stem
  - can be used after cleaning with distilled water and subjecting to a specific treatment process
  - to prevent microbial growth
  - As of now, shelf life: 10 weeks
  - cost-effective & environment-friendly
India, Iran agree to accelerate Chabahar port development

Indians in Tehran raise concerns over Citizenship Act

Days after his visit to Washington, External Affairs Minis-
ter Subrahmanyam Jaish-
arkar met with Iranian Foreign Minister Javad Zarif for a meeting of the 20th India-Iran joint commission, including talks on the Chaba-
har port, during a visit that could see him dealing with concerns of Indian expatriates over the Citizen-
ship (Amendment) Act as well.

In a tweet after the meet-
ing on Friday, Mr. Zarif said they had "excellent discus-
sions on issues bilateral rela-
tions and regional and glo-
bal issues affecting our respec-
tive countries," adding that India-Iran ties are "steady, historic and unbreakable.

Productive meeting

Mr. Jaishankar said the meet-
ing with Mr. Zarif and the Iranian delegation had been "very productive." "We re-
viewed the entire gamut of our cooperation (and) agreed on accelerating our Chabahar project," he said in a tweet.

The meeting of the two ministers was the first since last month, when Mr. Zarif had held a group of visiting Indian journalists that he was "disappointed" that In-
da had allowed itself to be "bullied" by the United States and stopped all oil im-
ports from Iran. Speaking in Delhi, Iran's Ambassador Ali Chirgani had earlier announced that India's adherence to U.S. sanctions was also af-
flecting Chabahar port de-
velopment plans.

In Washington last week, how-
ever, a senior U.S. offi-
cial made it clear that it would continue to "narrow exceptions" to India to de-
volve the Chabahar port, re-
cognizing its role as "an Asia-
line to Afghanistan in terms for India to be able to export humanitar-
ian supplies and potentially helping Afghan-
ian diversify its export op-
portunities."

Subsequently, discussions from India, Iran and Afghan-
ian met in Delhi on Friday and discussed several new initiatives for the bilateral project at Chabahar.

Citizenship Act flagged

Meanwhile, the state news agency reported that a "number of Indian business-
persons, professionals, un-
iversity and secondary stu-
dents and scholars living in Iran" sought a meeting with Mr. Jaishankar to discuss concerns in India.

Mr. Zarif did not respond to a query about whether the groups had been granted a meeting with Mr. Jaishankar, or if the case had come up during his talks with the Iranian leadership.

Mr. Jaishankar is expected to meet with Iranian President Hassan Rouhani before he leaves Tehran on Monday and travel next to Oman for bilat-
eral talks.

News

* Indian External Affairs Minister in Iran for 14th India-Iran joint commission

India - Iran bilateral relations

* Shared borders till 1947 - Strong Commercial, energy, cultural and people to people links
* Diplomatic links established in 1950
* 2001: Tehran Declaration
* 2003: The New Delhi Declaration

1) Cultural ties

* People to people exchange

2) Commercial ties

* Bilateral trade during 2018-19: USD 17 billion
* Dominated by Indian import of Iranian Crude oil
* India stopped oil imports from Iran
Practice Question – Prelims

Q1. Consider the following statements with reference to World Trade Organization (WTO).

1. It's not a UN body but deals with the rules of trade between the members of the United Nations only.

2. The members of the WTO have right to approach its Dispute Settlement Body (DSB) to resolve their disputes.

3. The Appellate Body of DSB is composed of seven members with a four-year tenure.

Select the correct statements using the codes given below.

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

Q2. Consider the following statements.

1. The RBI Act 1934 enables RBI to determine the inflation target in terms of the Consumer Price Index on its own.

2. The Monetary Policy Committee has set an inflation target of 6± 2% for the period 2016-2021.

3. Wholesale price Index is used to determine inflation target.

Which among the above statements are correct?

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

Practice Question – Prelims

Q3. Consider the following statements with reference to the ‘Tendu leaves’.

1. It is a Minor Forest Produce.

2. The leaves are used as wrappers of tobacco to produce bidi(beedi).

3. Madhya Pradesh is one of the leading producers of Tendu leaves.

Which of the above statements is/are correct?

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

Q4. In which one of the following States is Kawal Tiger Reserve located?
   a) Bihar
   b) Tamil Nadu
   c) Arunachal Pradesh
   d) Telangana

Practice Question – Prelims

Q5. Consider the following statements with respect to the National Institute of Ocean Technology.
   1. It is one of the constituent laboratories of the Council of Scientific & Industrial Research.
   2. The main aim of starting this institute is to develop reliable indigenous technologies to solve the various engineering problems associated with harvesting of non-living and living resources in the Indian Exclusive Economic Zone.

Which of the above statement(s) is/are correct?
   a) 1 only
   b) 2 only
   c) Both 1 and 2
   d) Neither 1 nor 2
Practice Question – Prelims

Q6. Consider the following.
   1. Persian Gulf
   2. Gulf of Oman
   3. Caspian Sea
   4. Red Sea
   5. Black Sea

Which of the above shares boundaries with Iran?
   a) 1, 2, and 3 only
   b) 1, 2, 3 and 4 only
   c) 2, 3, 4 and 5 only
   d) 1, 3, 4 and 5 only
Q. What are the key areas of reform if the WTO has to survive in the present context of ‘Trade War’, especially keeping in mind the interest of India?  (250 words, 15 Marks)

Previous Year Question – Mains 2018
GS – II