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PETITION SEEKING THE REMOVAL OF THE WORDS "SOCIALIST" AND "SECULAR" FROM THE PREAMBLE

Context :

- Recently the Supreme Court will hear a petition filed by former MP Dr Subramanian Swamy, seeking the removal of the words "socialist" and "secular" from the preamble of the Indian Constitution.
- The two terms were inserted into the preamble as part of the 42nd Amendment of the Constitution in 1976 during the Emergency imposed by then Prime Minister Indira Gandhi. The petitioners in two similar cases have argued that these words were never intended to be in the Constitution and that such insertion is "beyond the amending power of the Parliament under Article 368.
- Similar petitions have been filed earlier too and given rise to debates around the preamble and the role it plays in the Constitution.

Purpose of the preamble :

- A preamble serves as an introduction to a document and contains its basic principles and goals.
- When the Indian Constitution was being drafted, the ideals behind the preamble were first laid down in the Objectives Resolution, adopted by the Constituent Assembly in 1947.
- These ideals emerged out of the numerous debates that took place during the drafting of the Constitution.
- The Constitution was the product of democratic deliberations and decided upon by the people of India themselves in the wake of freedom from colonial rule, and the ideals mentioned here were at the core of the newly democratic nation.
- During the Constituent Assembly debates, many suggestions were put forth — including that God should be invoked in the preamble as in the Irish constitution, that Mahatma Gandhi's name should be included, etc.
- The question of whether the preamble is a part of the Constitution or simply an introduction has been deliberated upon by the highest court, because the meaning and weight of the objectives mentioned in it, such as "equality of status and opportunity", remained unclear from the perspective of law. However, in its judgment in the famous LIC case of 1995, the Supreme Court said, "...and the Preamble of the Constitution which is an integral part and scheme of the Constitution", affirming its position as part of the Constitution.
- Additionally, the violation of any principle mentioned in the preamble cannot be a reason to go to court, meaning the preamble is "non-justiciable" — however, judgments of courts can cite it as an additional factor in their reasoning, given that it constitutes the spirit of the Constitution.

Supreme Court Judgment :

- In Re-berubari case Supreme court held that preamble is not part of the constitution.
- In keshbanandan bharti Case Supreme court held that preamble is part of the constitution and it is also the part of basic structure of the constitution.

Under what circumstances was the preamble amended?

- Over her years in government, Indira Gandhi had attempted to cement her approval among the masses on the basis of a socialist and pro-poor image with slogans such as "garibi hatao" (Eradicate poverty).
- The 42nd Amendment to the Constitution, passed in 1976 when the Emergency was in place, replaced the words "sovereign democratic republic" with "sovereign socialist secular democratic republic". It also changed "unity of the nation" to "unity and integrity of the nation".

○ **Process of amendment**

- Under Article 368(2), Parliament can amend the Constitution by passing a Bill in “each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting”.
- After that, the Bill “shall be presented to the President who shall give his assent... and thereupon the Constitution shall stand amended”.

Were ‘secular’ and ‘socialist’ debated before Independence?

- During the debates in the Constituent Assembly, members such as K T Shah and Brajeshwar Prasad had raised the demand to add these words to the preamble.
- However, Dr B R Ambedkar argued: “What should be the policy of the State, how the Society should be organised in its social and economic side are matters which must be decided by the people themselves according to time and circumstances. It cannot be laid down in the Constitution itself because that is destroying democracy altogether.”
- In his petition, Dr Swamy mentioned Ambedkar’s position. Ambedkar also said, “My contention is that what is suggested in this amendment is already contained in the draft Preamble”.
- Indeed, many principles affirming secularism and socialism were contained in the Constitution originally, such as in the Directive Principles of State Policy that is meant to guide the government in its actions. Some examples are provisions related to the “equitable distribution of material resources of the community for the common good”, and protecting the rights of workers.
- Similarly, in the fundamental rights that allow the freedom to profess and propagate one’s religion, as well as in the government policies that recognise religious occasions across communities, an Indian version of secularism is followed.
- Unlike western secularism which strictly separates the state and religion, the Indian state has over the years acknowledged and involved itself in matters related to all religions.



Key Words of the Preamble:

- **Sovereign:** The term means that India has its own independent authority and it is not a dominion of any other external power. In the country, the legislature has the power to make laws which are subject to certain limitations.
- **Socialist:** The term means the **achievement of socialist ends through democratic** means. It holds faith in a mixed economy where both private and public sectors co-exist side by side. It was added in the Preamble by 42nd Amendment, 1976.
- **Secular:** The term means that all the religions in India get equal respect, protection and support from the state. It was incorporated in the Preamble by 42nd Constitutional Amendment, 1976.
- **Democratic:** The term implies that the Constitution of India has an established form of Constitution which gets its authority from the will of the people expressed in an election.

- **Republic:** The term indicates that the head of the state is elected by the people. In India, the President of India is the elected head of the state.
- **Justice:** It is necessary to maintain order in society that is promised through various provisions of **Fundamental Rights** and **Directive Principles of State Policy** provided by the Constitution of India. It comprises three elements, which is **social, economic, and political**.
- **Equality:** The term 'Equality' means no section of society has any special privileges and all the people have given equal opportunities for everything without any discriminations. Everyone is equal before the law.
- **Liberty:** The term 'Liberty' means freedom for the people to choose their way of life, have political views and behavior in society. Liberty does not mean freedom to do anything, a person can do anything but in the limit set by the law.
- **Fraternity:** The term 'Fraternity' means a feeling of brotherhood and an emotional attachment with the country and all the people. Fraternity helps to promote dignity and unity in the nation.

NANO UREA

Context :

Recently the Ministry of Chemicals and Fertilizers allowed nano urea, a liquid fertilizer developed by IFFCO commercial use .

About Nano Urea :

- Nano urea is a liquid fertilizer developed by **IFFCO**. It is an **alternative** to conventional urea. It is essentially **urea in the form of a nanoparticle**.
- It aims to reduce farmers' dependence on packaged urea.

About Fertiliser Control Order (FCO) 1985:

- It is based on **existing rules** that provisionally allow fertilizers to be used based on data from **only two cropping seasons**.
- **The usual practice for recommending or rejecting a new fertilizer** for commercial use **required three seasons** of independent assessment by the Indian Council of Agricultural Research (ICAR), but in the case of nano urea this was reduced to two.

Production

- By FY25, around 440 million bottles of 500 ml nano urea will be produced. This will be equivalent to around 20 million tonnes of urea. It will take care of the 9 million tonnes that India imports annually.
- **National Fertilizers Limited (NFL)** and **Rashtriya Chemicals and Fertilizers Limited (RCF)** have signed Non Disclosure Agreement & Memorandum of Understanding with IFFCO to transfer the technology of Nano Urea.
- This is aimed at **increasing the indigenous production of Nano Urea**.

Import:

- The country's domestic urea production is around 26 million tonnes, while demand is around 35 million tonnes. And, the gap is met through imports.

- The government will **save foreign exchange** of Rs 40,000 crore approximately per annum after replacing the conventional urea with the Nano Urea.
- The **import of urea may not be required after 2023-24.**

Benefits:

- **Lower Pricing:** It comes in a half-litre bottle priced at Rs 240, and carries no burden of subsidy currently. By contrast, a farmer pays around Rs 300 for a 50-kg bag of heavily subsidised urea.
- **High Efficiency:** The conventional urea has an efficiency of about 25 percent; the efficiency of liquid nano urea can be as high as 85-90 per cent.
- **Absorption:** Liquid nano urea is sprayed directly on the leaves and gets absorbed by the plant. Fertilisers in nano form provide a targeted supply of nutrients to crops, as they are absorbed by the stomata, pores found on the epidermis of leaves.
- **Lower subsidy Bill:** It will reduce the country's subsidy bill and it is aimed at **reducing the unbalanced and indiscriminate use of conventional urea.**
- **Better crop productivity:** Application of Nano Urea results in **better crop productivity.** This is regarded as an **excellent alternative to chemical fertilisers** because it promotes growth and reduces environmental pollution.
- **Reduce the crop cycle period:** Nano-fertilisers also **reduce the crop cycle period and increase crop yield.**

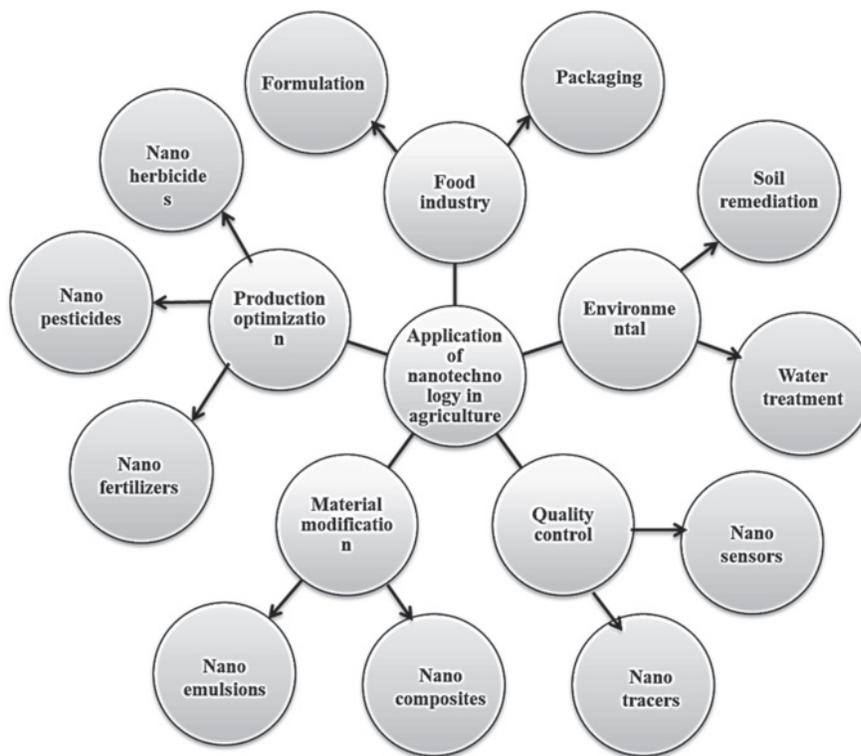
Limitations of Nano-Fertilisers

- Lack of a nano-fertiliser **risk management system**
- **Lack of production and availability of nano fertilisers in required quantities.** This limits the wider scale adoption of nano-fertilisers as a source of plant nutrients.
- **The high cost** of nano fertilizers.
- **Lack of standardisation in the formulation process.** This brings about different results of the same nanomaterial under various pedoclimatic conditions.

Nano urea and conventional urea

Properties	Nano fertilizers	Conventional fertilizers
Solubility and dispersion of mineral micronutrients	Improve solubility and dispersion of insoluble nutrients in soil, reduce soil absorption and fixation and increase the bioavailability	Less bioavailability to plants due to large particle size and less solubility
Nutrient uptake efficiency	Might increase fertilizer efficiency and uptake ratio of the soil nutrients in crop production and save fertilizer resource	Bulk composite is not available for roots and decrease efficiency
Controlled-release modes	Release rate and release pattern of nutrients for water-soluble fertilizers might be precisely controlled through encapsulation in envelope forms	Excess release of fertilizers may produce toxicity and destroy ecological balance of soil
Effective duration of nutrient release	Nanofertilizers can extend effective duration of nutrient supply of fertilizers into soil	Used by the plants at the time of delivery, the rest is converted into insoluble salts in the soil
Loss rate of fertilizer nutrients	Reduce loss rate of fertilizer nutrients into soil by leaching and/or leaking.	High loss rate by leaching, rain off and drift.

Application of Nano Technology in Agriculture :



INDIA'S CYBER INFRASTRUCTURE NEEDS MORE THAN PATCHES

Why In News:

According to the National Crime Records Bureau (NCRB), out of 12,317 cases of cybercrime in 2016, 50,035 cases were registered in 2020.

Cybercrime is increasing in India with the increasing use of Information and Communication Technology (ICT).

Cybercrime:-

- It is defined as a crime where a computer is the object of the crime or is used as a tool to commit an offense.
- Cybercrimes are at an all-time high, impacting individuals, businesses, and countries.
- In India, cybercrime can be defined as unauthorized access to certain computer systems without the permission of the rightful owner or location of criminal activity and includes everything from online cracking to denial of service attacks Example: Phishing, Spoofing, DoS (Denial of Service) Attack, Credit Card Fraud, Online Transaction Fraud, Cyber Defamation, Child Pornography, etc.

Reasons for increasing cyber-attacks in India

- Increasing dependence on technology: Cybercrime is on the rise in India with the increasing use of Information and Communication Technology (ICT). The increasing digital dependence in the post-COVID era has exposed digital inequalities.
- Enforcement agencies with limited capacity: The ability of enforcement agencies to investigate cybercrimes remains limited. India's approach to cyber security has so far been ad hoc and chaotic.

- With 'police' and 'public order' in the state list, the primary responsibility of investigating crime and creating the necessary cyber infrastructure rests with the states. Also, with the IT Act and the principal legislation being the central law, the central government is no less responsible for developing uniform statutory procedures for enforcement agencies.
- Lack of International Coordination: There is a lack of international cooperation and consensus in this area.
- No procedural code: There is no separate procedural code for investigation of cyber or computer related crimes.
- Shortage of technical staff: Half-hearted efforts have been made by the states to recruit technical staff for cybercrime investigation.
- A regular police officer with an academic background in arts, commerce, literature or management may be unable to understand the nuances of computer or internet working.
- Low digital literacy among the general public and digital gaps between nations create an unstable environment in the cyber domain

Government initiatives to tackle cybercrime in India

- Ban on unsafe apps: India had banned apps that pose a security threat (India had banned several apps (mostly of Chinese origin) that were found unsafe for use by Indian citizens.
- Indian Computer Emergency Response Team (CERT-In):
 - It serves as the national agency to deal with the country's cyber security, and has helped reduce the rate of cyber-attacks on government networks.
 - Indian Cyber Crime Coordination Center (I4C)
 - To act as a nodal point in the fight against cybercrime
 - To prevent misuse of cyberspace to further the cause of extremist and terrorist groups

National Critical Information Infrastructure Protection Centre (NCIIPC)

- It is a central government establishment, formed to protect critical information of India, which has an enormous impact on national security, economic growth, or public healthcare.
- Cyber Swachhta Kendra: It was Launched in early 2017. Cyber Swachhta Kendra helps users to analyses and keep their systems free of various viruses, bots/ malware, Trojans, etc.
- **Cyber Surakshit Bharat:** It was launched by the Ministry of Electronics and Information Technology (MEITY) in 2018 with an aim to spread awareness about cybercrime and Building capacity for safety measures for Chief Information Security Officers (CISOs) and frontline IT staff across all government departments.
- **The Cyber Warrior Police Force:** It was organized on the lines of the Central Armed Police Force in 2018.
- **Information Technology Act, 2000 (Amended in 2008):** It is the main law for dealing with cybercrime and digital commerce in India.
- National Critical Information Infrastructure Protection Centre (NCIIPC) was created under Section 70A of IT Act 2000 to protect Cyber infrastructure.
- **BIS guidelines:** The broad guidelines for the identification, collection, acquisition and preservation of digital evidence issued by the Bureau of Indian Standards (BIS) is fairly comprehensive and easy to comprehend for both the first responder as well as the specialist.
- **Judicial Intervention:** a five-judge committee was constituted in July 2018 to frame the draft rules which could serve as a model for the reception of digital evidence by courts.
- The committee suggested Draft Rules for the Reception, Retrieval, Authentication and Preservation of Electronic Records are yet to be given a statutory force.

National Crime Records Bureau

- NCRB, headquartered in New Delhi, was set-up in 1986 under the **Ministry of Home Affairs** to function as a repository of information on crime and criminals so as to assist the investigators in linking crime to the perpetrators.
- It was set up based **on the recommendations of the National Police Commission (1977-1981)** and the **MHA's Task Force (1985)**.

Functions:

- The Bureau has been entrusted to maintain **National Database of Sexual Offenders (NDSO)** and share it with the **States/UTs on regular basis**.
- NCRB has also been **designated as the Central Nodal Agency** to manage technical and operational functions of the **'Online Cyber-Crime Reporting Portal'** through which any citizen can lodge a complaint or upload a video clip as an evidence of crime related to child pornography, rape/gang rape.
- The responsibility of implementation of the **Inter-operable Criminal Justice System (ICJS)** has also been given to the NCRB.

PREVENTIVE DETENTIONS IN 2021

Context :

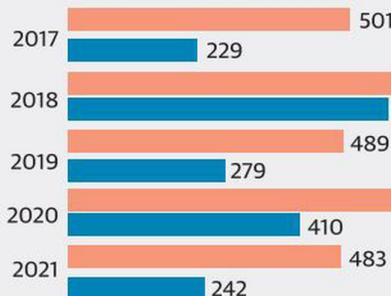
According to the latest crime statistics released by the National Crime Records Bureau preventive detentions saw a rise in 2021.

About the report :

- In 2021 preventive detentions saw a rise of over 23.7% compared to the year before, with over 1.1 lakh people being placed under preventive detention.
- Of these, 483 were detentions under the National Security Act, of which almost half (241) were either in custody or still detained as of the end of 2021.
- A total of over 24,500 people placed under preventive detention were either in custody or still detained as of the end of last year — the highest since 2017 when the NCRB started recording this data.
- In 2017, the NCRB's Crime in India report found that a total of 67,084 persons had been detained as a preventive measure that year.
- Of these, the report said 48,815 were released between one and six months of their detention and 18,269 were either in custody or still in preventive detention as of the end of the year.
- The number of persons placed under detention has been increasing steadily since 2017 — to over 98,700 in 2018 and over 1.06 lakh in 2019 — before dipping to 89,405 in 2020. Data pertaining to 2021 showed that 1,10,683 persons were placed under preventive detention last year, of which 24,525 were either in custody or still detained as of the end of the year and the rest were let go within one to six months of their detention.

Behind bars | A look at the number of preventive detentions under the National Security Act over the past five years

DETENTIONS RELEASED



- While the number of persons placed under preventive detention has seen an increase in 2021, the NCRB data showed that the number of people arrested in such a manner under the National Security Act had dipped significantly compared to the year before.
- Preventive detentions under the NSA peaked in 2020 at 741. This number dropped to 483 in 2021.
- In 2017, 54.2% of persons detained as such were either in custody or still detained as of the end of the year. In 2021, this number decreased to 49.8%, with more than half of those preventively detained released.

Other laws related with preventive detention :

- Among other laws under which the NCRB has recorded data on preventive detentions are the **Goonda Act (State and Central) (29,306)**, **Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988 (1,331)**, and a category classified as "Other Detention Acts", under which most of the detentions were registered (79,514).
- Since 2017, the highest number of persons to be placed under preventive detention has consistently been under the "Other Detention Acts" category.

“ Preventive detention must fall within the four corners of Article 21 (protection of life and liberty) read with Article 22 and the statute in question... ..for ‘public order’ to be disturbed, there must in turn be public disorder. Mere contravention of law... before it can be said to affect ‘public order’, must affect the community or the public at large —SC

Detention:

- Detention in **its simplest sense means to curb the liberty of an individual** i.e. without the knowledge of that individual.
- **Types of Detention**
 - **There are 2 types of Detention:**
 - **Preventive Detention:**
 - The practice of incarcerating accused individuals before trial on the assumption that their release would not be in the best interest of society
 - **Punitive Detention:**
 - To punish a person for an offense committed after a court trial and conviction.
- **Constitutional provision:**
 - **Article 22** of the Indian Constitution provides protection against arrest and detention in certain cases.
 - **Article 22 (1)** of the Indian Constitution says an arrested person cannot be denied the right to consult, and to be defended by, a legal practitioner of his choice.
 - It allows for preventive detention and restriction on personal liberty for reasons of state security and public order.
- **Article 22 (4)** states that no law providing for preventive detention shall authorise the detention of a person for a longer period than three months unless:
 - An Advisory Board reports sufficient cause for extended detention.
 - Such a person is detained in accordance with the provisions of any law made by the Parliament.

Preventive detention act 1950 :

- It talks about the detention of a person on the grounds of defense, foreign affairs or the security of the state.

Safeguards Provided in the Constitution against preventive detention:

- **Time-bound:**

- A person may be taken to preventive custody only for 3 months at the first instance.
- If the period of detention is extended beyond 3 months, the case must be referred to an **Advisory Board** consisting of persons with qualifications for appointment as judges of High Courts.
- It is implicit that the period of detention may be extended beyond 3 months, only on approval by the Advisory Board.

- **Grounds of detention:**

- The detainee is entitled to know the grounds of his detention.
- The state, however, may refuse to divulge the grounds of detention if it is in the public interest to do so.
- Needless to say, this power conferred on the state leaves scope for arbitrary action on the part of the authorities.

- **Representation against the detention:**

- The detaining authorities must give the detainee earliest opportunities for making representation against the detention.

National Security Act

- It empowers the government to **detain a person** if the **authorities are satisfied** that the person is a **threat to national security** or to prevent such people from disrupting public law and order.
- States or Centre can detain a person to prevent him or her from acting in any manner **prejudicial to “the security of the state”** or for **“maintenance of the public order”**.
- A person can be detained if he/she is a threat to India's relations with foreign countries.
- It is an **administrative order** passed either by the **Divisional Commissioner or the District Magistrate** and not detention ordered by police based on specific allegations or for a specific violation of the law.

CLIMATE CRISIS IS ALSO A DEBT CRISIS

Context :

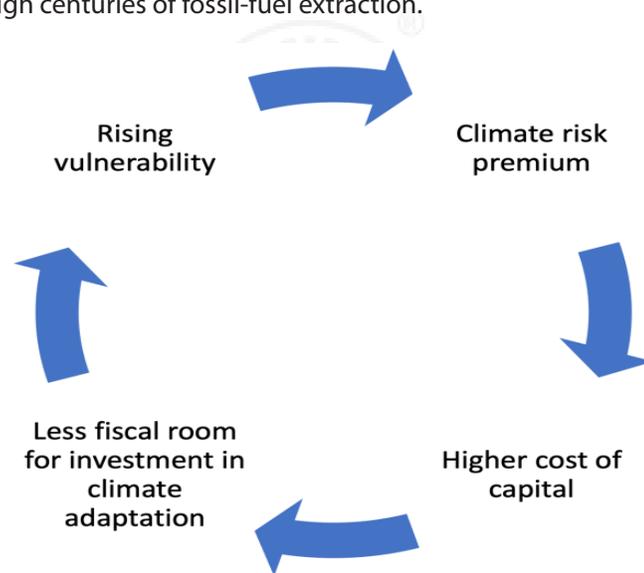
- The flood in Pakistan is a humanitarian crisis of epic proportions. Entire towns, vital infrastructure, homes, farmlands, and crops are being washed away. With 33 million people affected and the death toll over a thousand and rising, the human and economic cost is set to be astronomical.

Economic crisis

- It is estimated that the extensive damage to the country will cost at least \$10 billion.
- The country faces both the immediate challenges of immense displacement, homelessness, hunger and the spread of water-borne diseases as well as the longer-term costs of rebuilding and reconstruction.
- Pakistan faces a deepening debt crisis to pay the costs of a climate catastrophe it did not cause.

Vulnerability of Pakistan

- Pakistan is “at the ground zero” of “flash flood, multiple glacial lake outbursts, heatwaves and now the monster monsoon of the decade.”
- Pakistan has over 7,000 glaciers, the largest number outside the polar region. Increasing global temperatures are making them melt faster and earlier, creating glacial lakes and adding vast amounts of water to rivers and streams.
- This year’s monsoon season started earlier and has lasted longer, as heavy torrents have added relentlessly to the buildup of excess water.
- These factors make Pakistan the eighth-most climate-vulnerable country in the world and yet it is responsible for less than 1% of global carbon emissions.
- Despite this, the people of Pakistan are paying a deadly price for a crisis that is not their fault but has been created in the Global North through centuries of fossil-fuel extraction.



Climate change :

- Climate change refers to **long-term shifts in temperatures and weather patterns**. These shifts may be natural, such as through variations in the **solar cycle**.
- But since the **1800s, human activities have been the main driver of climate change**, primarily due to burning fossil fuels like coal, oil and gas.
- **Burning fossil fuels** generates greenhouse gas emissions that act like a **blanket wrapped around the Earth**, trapping the sun’s heat and raising temperatures.
- Increasing temperatures caused by climate change are **accelerating the** melting of ice, which raises sea levels and leads to flooding and erosion.

Climate Change Cost :

- According to one **International Monetary Fund** estimate, unchecked global warming would reduce 7% of world output by 2100.
- The **Network for Greening the financial system** group of world central banks puts it even higher at 13%.
- According to World Bank Climate change will drive up to **132 million more people into extreme poverty by 2030**.



Relevancy of Climate Change for Indian Economy

- The climate of India is quite diversified in nature, from the Himalayan crown to the flat beaches, a significant transition in climate is visible.
- The climate varies from the freezing temperatures of the Himalayan Mountains to the tropical climatic conditions of Southern India.
- The North-Eastern states received the maximum rainfall while the North-Western states dried of water make up the arid deserts of Thar and Great Indian Desert.
- Such a vastness of climatic conditions has always benefited India. India has one of the highest densities of economic activity in the world, and a large section of population rely on the natural resource base for their livelihoods, with a high dependence on rainfall.

- Climate change can make weather patterns less predictable. These unforeseen weather patterns can make it difficult to maintain and grow crops. In an agricultural economy like India where rainfall is so vital, climate change has an immediate impact on the Indian economy.

Economic cost of climate Change for India

- It has been projected that climate change can deplete India's GDP by circa 2.6% by 2100 even while capping the global temperature rise below 2 °C. In a scenario where global temperature also keeps increasing (4 °C), this depletion is projected at 13.4%.

Pakistan is not an isolated case, fifty-four countries are currently in debt crises, and many of these countries are also on the front lines of the climate crisis. The two crises of climate and debt are inextricably connected. Unless wealthy creditors such as the International Monetary Fund, rich governments and Western banks and hedge funds take concrete action on large-scale debt cancellation, debt will continue to act as an accelerator of climate chaos.





QUESTION



1. Choose the incorrect statement.

- a. In Re-berubari case Supreme court held that preamble is not part of the constitution.
- b. The violation of any principle mentioned in the preamble cannot be a reason to go to court, meaning the preamble is “non-justiciable”.
- c. The ideals behind the preamble were first laid down in the Objectives Resolution.
- d. The term secular means that all the religions in India get equal respect, protection and support from the state. It was incorporated in the Preamble by 44th Constitutional Amendment, 1976.

2. Consider the following statement :

- 1. Nano urea is a liquid fertilizer developed by **IFFCO**.
- 2. The conventional urea has an efficiency of about 25 percent; the efficiency of liquid nano urea can be as high as 85-90 per cent.

Which one of the following is correct ?

- (a) Only 1
- (b) Only 2
- (c) Both 1 & 2
- (d) None of the above

3. Consider the following statements :

- 1. NCRB was set up based **on the recommendations of the National Police Commission (1977-1981) and the MHA’s Task Force (1985)**.
- 2. The responsibility of implementation of the Inter-operable Criminal Justice System (ICJS) has also been given to the NCRB.

Which one of the following is correct ?

- (a) Only 1
- (b) Only 2
- (c) Both 1 & 2
- (d) None of the above

4. Consider the following statement :

- 1. **Article 22 (1)** of the Indian Constitution says an arrested person cannot be denied the right to consult, and to be defended by, a legal practitioner of his choice.
- 2. If the period of detention is extended beyond 3 months, the case must be referred to an **Advisory Board** consisting of persons with qualifications for appointment as judges of High Courts.

Which one of the following is Incorrect ?

- (a) Only 1
- (b) Only 2
- (c) Both 1 & 2
- (d) None of the above

5. Consider the following statement :

- 1. **International Monetary Fund** estimate that unchecked global warming would reduce 7% of world output by 2100.
- 2. The **Network for Greening the financial system** group of world central banks puts it even higher at 20%.

Which one of the following is Incorrect ?

- (a) Only 1
- (b) Only 2
- (c) Both 1 & 2
- (d) None of the above

ANSWER KEY

1	2	3	4	5
D	C	C	D	B

** For Explanation read above articles thoroughly.