11-DECEMBER-2019

SC flags candidates on SC/ST Bill

Two hundred and thirteen names recommended for appointment to various High Courts are pending with the government-supreme Court Collegium, the Supreme Court said in a judicial order. At least the names on which the Supreme Court Collegium, the High Courts and the governments had agreed upon should be appointed within six months, the order said.

If recommendations of the High Court Collegium must take place within six months. This is not to say that the process is not time-consuming, collaborative and integrated. Where the highest judiciary threats to affect the justice delivery mechanism.

The court has asked for a list with details of the 213 names, including when their names were forwarded to the Prime Minister’s Office (PMO) and the time taken by the PMO to make a conclusive report.

The Hindu News Analysis – 11th December 2019 – Shankar IAS Academy

<table>
<thead>
<tr>
<th>S. No</th>
<th>News Articles</th>
<th>Page Number*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>1</td>
<td>Lok Sabha nod for Bill extending SC/ST quota in State legislatures</td>
<td>12</td>
</tr>
<tr>
<td>2</td>
<td>‘U.S., Saudi Arabia at bottom of climate class’</td>
<td>14</td>
</tr>
<tr>
<td>3</td>
<td>Iraq’s autumn of discontent (OPED)</td>
<td>11</td>
</tr>
<tr>
<td>4</td>
<td>India proposes extended deadline for commitments at climate summit</td>
<td>9</td>
</tr>
<tr>
<td>5</td>
<td>Nagaland brings ILP in Dimapur</td>
<td>13</td>
</tr>
<tr>
<td>6</td>
<td>A patently unconstitutional piece of legislation (Editorial)</td>
<td>10</td>
</tr>
<tr>
<td>7</td>
<td>Sena to oppose Bill in RS, seeks clarity on queries</td>
<td>13</td>
</tr>
<tr>
<td>8</td>
<td>Congress hints at moving Supreme Court on CAB</td>
<td>13</td>
</tr>
<tr>
<td>9</td>
<td>JD(U) leaders slam party for supporting Citizenship Bill</td>
<td>13</td>
</tr>
<tr>
<td>10</td>
<td>Practice cum Revision - MCQs</td>
<td>@end of the video</td>
</tr>
</tbody>
</table>
Lok Sabha nod for Bill extending SC/ST quota in State legislatures

MPs call for continuing nomination of Anglo-Indians

The reservation for Anglo-Indians in the form of “nomination” is not to expire on January 25 as the Bill does not extend the facility to the community. The Minister, in his reply, said doors were not shut and the matter would be considered.

Speaking during the discussion, Congress leader Adhir Ranjan Chowdhury said the Minister should move an amendment to the Bill to the effect of extending the SC/ST reservation for 10 years but should have been more considerate of Anglo-Indians.

“Quotas not enough”

Shaging the admission figures in the IBs and ITs of SC/ST communities were very low, DMK MP Kanimozhi said, “Reservation alone isn’t enough; this intellectual unreachability has to end.” Seagata Roy of the Trinamool questioned the figures released by the Minister on the number of Anglo-Indians in India.

“The Minister is seeking to take away what Dr. Ambedkar gave us. Anglo-Indians have contributed immensely for the country. Do not obliterate a community of proud people,” the MP said. TDP MP K. Ram Mohan Naidu, while supporting the Bill, said that with 98% jobs in the private sector, the government must also look at extending the reservation cover.

Advocating for the Anglo-Indian community, he noted that the government was duty-bound to protect these Indians too.

Composition of Lok Sabha

- **Maximum** - 552

- **Article 81**

  (81. Composition of the House of the People)—(1) “[Subject to the provisions of article 331 ****], the House of the People shall consist of—

  (a) not more than [five hundred and thirty members] chosen by direct election from territorial constituencies in the States, and

  (b) not more than [twenty members] to represent the Union territories, chosen in such manner as Parliament may by law provide.

- **930** - representatives of states

- **20** - representatives of Union Territories

- **Article 331 — nomination of Anglo-Indian community**

  331. Representation of the Anglo-Indian Community in the House of the People.— Notwithstanding anything in article 81, the President may, if he is of opinion that the Anglo-Indian community is not adequately represented in the House of the People, nominate not more than two members of that community to the House of the People.
Composition of Legislative Assembly

- Article 170

170. Composition of the Legislative Assemblies.—

(1) Subject to the provisions of article 333, the Legislative Assembly of each State shall consist of not more than five hundred, and not less than sixty, members chosen by direct election from territorial constituencies in the State.

- Article 333 → Nomination of Anglo-Indian community

- Reservation for SCs and STs → Article 332

Reservations and Representation

- Article 334

Reservation and Special representation to cease after 70 years (95th Constitutional Amendment Act, 2009)

The Constitution (126th Amendment) Bill, 2019

- Proposes to extend time limit

- Changes the marginal heading to "Reservation of seats & Special Representation to cease after certain period"

334. Reservation of seats and special representation to cease after 9 [seventy years].—Notwithstanding anything in the foregoing provisions of this Part, the provisions of this Constitution relating to—

(a) the reservation of seats for the Scheduled Castes and the Scheduled Tribes in the House of the People and in the Legislative Assemblies of the States; and

(b) the representation of the Anglo-Indian community in the House of the People and in the Legislative Assemblies of the States by nomination,

shall cease to have effect on the expiration of a period of 9 [seventy years] from the commencement of this Constitution:

Provided that nothing in this article shall affect any representation in the House of the People or in the Legislative Assembly of a State until the dissolution of the then existing House or Assembly, as the case may be.
• Reservation for SCs and STs — extended for 10 more years

• Special Representation — cease to exist after 70 years of commencement of the Constitution

Constitutional Amendment Bills

• Amendment of provisions in the constitution

• Indian constitution is neither flexible nor rigid but a synthesis of both

---

**Article 368**

**PART XX**

**AMENDMENT OF THE CONSTITUTION**

368. [Power of Parliament to amend the Constitution and procedure therefor. — ([J] Notwithstanding anything in this Constitution, Parliament may in exercise of its constituent power amend by way of addition, variation or repeal any provision of this Constitution in accordance with the procedure laid down in this article.)

• cannot amend provisions forming basic structure of the constitution — Supreme court in Kesavananda Bharti Vs State of Kerala, 1973 case law

• Procedure (Article 368)
  1. Initiation — introduce as a bill
     a) by either house
     b) not by State Legislatures

2. Introduced by a Minister or Private Member

3. Passed in each house with special majority

4. Should be passed separately in each house
   a) No provision for holding joint sitting of two houses

5. If bill seeks to amend federal provisions
   a) must be Ratified by legislatures of half of states — Simple majority

6. Presented to the President for her/his assent
   a) MUST give assent
   b) cannot withhold or return for reconsideration

7. Constitutional Amendment Bill
   → Constitutional Amendment Act
**Types of Constitutional Amendment Bills**

1. **Amendment by Simple Majority of Parliament**

2. **Amendment by Special Majority of Parliament**

3. **Amendment by Special Majority of Parliament**
   + Ratification by half of the state legislatures (simple majority, resolution)
‘U.S., Saudi Arabia at bottom of climate class’

For the first time, India ranks among the top 10 in terms of performance: CCPI

The U.S. and Saudi Arabia are among major polluters showing “hardly any signs” of reducing their greenhouse gas production, a global assessment of countries’ emissions trajectories said on Tuesday at United Nations climate talks.

The Climate Change Performance Index (CCPI) measures the emissions, renewable energy share and climate policies of 57 countries and the European Union.

It found the U.S. ranks last, followed by Saudi Arabia and Australia, although several countries did report falls in emissions last year, largely due to an industry-wide fade out of coal. While climate performance varied greatly – even within the EU, with Sweden leading the way – the report found that none of the countries surveyed were currently on a path compatible with the Paris climate goals.

Time to act: Swedish activist Greta Thunberg, right, at COP25 Climate Conference in Madrid on Tuesday.

The 2020 accord saw nations agree to work towards limiting global temperatures to “well below” two degrees Celsius above pre-industrial levels.

China, the world’s largest single emitter, was found to have taken “moderate action” due to its high investment in renewables.

India, for the first time, ranks among the top 10 in this year’s Climate Change Performance Index (CCPI) presented on Tuesday at the COP25 Climate summit here.

The current levels of per capita emissions and energy use in India, ranked 9th in the “high category”, are still comparatively low and, along with ambitious 2030 targets, result in high ratings for the green house gas emissions and energy use categories, said the report released here in the Spanish capital.

News:

- India ranks among the top-10 in terms of climate change performance

Climate Change Performance Index [CCPI]

- Independent monitoring tool for tracking the climate protection performance

- Published annually by
  - Germanwatch
  - New Climate Institute (NCl)
  - Climate Action Network (CAN)

- CCPI evaluates and compares the climate protection performance of 57 Countries and EU

- Four categories (14 indicators)
  - GHG emissions (40%)
  - Energy use (20%)
  - Renewable energy (20%)
  - Climate policy (20%)

- Germanwatch (© Bonn, Germany)
  - Non-profit, non-governmental organisation
  - Seeks to influence public policy on trade, environment and relations between countries in the industrialised North and underdeveloped South
  - Not a UN body

Part A—Preliminary Examination

Paper I—(200 marks)

• Current events of national and international importance.

• General issues on Environmental ecology, Bio-diversity and Climate Change - that do not require subject specialization.

Part B—Main Examination

PAPER IV


• Conservation, environmental pollution and degradation, environmental impact assessment.
- Climate Action Network (CAN)
  - Worldwide network of over 1300 NGOs in more than 120 countries
  - To limit human-induced climate change to ecologically sustainable levels
  - Not a UN body

- New Climate Institute
  - Generate ideas on climate change and drives their implementation
  - Raises ambition for action against climate change and supports sustainable development through research, policy design and knowledge sharing.

CCPI - 2020 Results

- Sweden - 4th, Denmark (5th)
- United States (61st)
- India (9th) : High Category
- China: 30th
- Opposing trends: Australia, Saudi Arabia and USA.
Iraq’s autumn of discontent

India can help Iraq create institutions which connect with the aspirations of a disillusioned youth.

Part A—Preliminary Examination

Paper I - (200 marks)

- Current events of national and international importance.

Part B—Main Examination

PAPER-III

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

- Bilateral, regional and global groupings and agreements involving India and/or affecting India’s interests.

- Effect of policies and politics of developed and developing countries on India’s interests, Indian diaspora.

Iraq

- part of Mesopotamia between Tigris and Euphrates

- Rule of Abbasid Caliphate 8th to 13th century

- Rule of Ottoman empire till WWI

- Under Great Britain till 1932 - became independent

- Rule of Baath Party - Saddam Hussein

- Important wars
  - Iraq - Iran wars 1980s
  - Invasion of Kuwait - 1990
  - Gulf war - 1990 - 1991 “Mother of all battles”
- Sectarianism
  - Muslim majority
    - Shia - 65 to 70%
    - Sunni
    - Kurds

- Crippling economy under sanctions

- 2003 - US led invasion of Iraq
  - Mahasasa System of Govt.

- Reasons for protests
  1. Crippling economy
  2. Rising unemployment
  3. Domination of foreign countries
  4. Mahasasa System

- Role of India in Iraq
  - Historical and Civilisational ties
  - Iraq - top supplier of crude oil to India
  - Bilateral trade - $24 billion in 2018-19

- What can India do?
  - Help to develop a constitutional democracy
  - Help to rebuild MSMEs, skill development, healthcare, etc
  - Leverage India’s goodwill among all sections in Iraq
India proposes extended deadline for commitments at climate summit

‘Developed countries have not met Kyoto Protocol targets’

JACOB ROHDE
NEW DELHI

India on Tuesday proposed that developed countries make good commitments on providing finance to developing countries by 2023, instead of 2020. “It is time for reflection and assessment as we near the end of the pre-2020 period. Has the developed world delivered on its promises? Unfortunately, answered countries have not met their Kyoto Protocol targets... I propose that we have three more years to fulfill the pre-2020 commitments till the global stock takes places for bridging emission gaps.” Union Environment Minister, Prakash Javadekar said in Madrid, Spain, on Tuesday. He was stating India’s position at the 25th Session of the Conference of Parties under the UN Framework Convention on Climate Change (UNFCCC COP25), currently under way. According to Mr. Javadekar, India is on its way to achieving voluntary targets it has set for itself to curb emissions. It has reduced emissions intensity of GDP by 26% and is “on track” to achieve the goal of 35% emissions reduction as promised in Paris, he said.

Part A—Preliminary Examination
Paper I - (200 marks)
• Current events of national and international importance.
• General issues on Environmental ecology, Bio-diversity and Climate Change - that do not require subject specialization.

Part B—Main Examination
PAPER-III
General Studies- II: Governance, Constitution, Polity, Social Justice and International relations.
• Bilateral, regional and global groupings and agreements involving India and/or affecting India’s interests.

PAPER-IV
General Studies-III: Technology, Economic Development, Bio, diversity, Environment, Security and Disaster Management
• Conservation, environmental pollution and degradation, environmental impact assessment.

19

• COP 25 of UNFCCC - Madrid, Spain
• Kyoto Protocol: COP3, Kyoto, Japan
  • commits parties to internationally binding emission reduction targets
  • signed in 1997, entered into force: 2005
  • ‘Common but differentiated responsibility’
  • Marrakesh Accords
    - Details rules for implementation
    - 1st Commitment - 2008 to 2012 period
  • Doha Amendment to Kyoto Protocol
    - New commitment Period - 2013 to 2020

20

• Under UNFCCC
  • Annex I parties - members of OECD in 1992
    • plus Economies in transition (EIT)
  • Annex II parties - Members of OECD, not EIT
  • Non-Annex I parties - Developing countries

• Lack of commitment by developed countries to implement Kyoto Protocol
• Global Stocktake by 2023
• Article 14 of Paris Agreement
• Assess progress
### India’s NDCs

<table>
<thead>
<tr>
<th>Target</th>
<th>Present Status</th>
</tr>
</thead>
</table>
| Reduce 
GHI emission intensity of its 
GDP by 33-35% below 2005 levels by 2030 | →Achieved 21%. |
| 40% of power capacity from non-fossil fuel by 2030 | →83 GW of renewable energy |
| Additional Carbon Sink of 2.5 - 3 billion tonnes of CO₂ equivalent by 2030 | →Increase in green cover by 15,000 km² over past 5 years |
| Adapt to climate change by enhancing investments | →$50 million in water conservation |
| | →Restoration of 26 million hectares of degraded land by 2030 under progress |

#### Other measures

1. Carbon tax
2. BS IV to BS VI
3. Rush for e-vehicles
4. PM Ujjwala yojana - LPG
5. PM Ujala yojana - LED
Nagaland brings ILP in Dimapur

November 21, 1979, is the cut-off date for people from outside Nagaland to obtain an Inner Line Permit (ILP) in Dimapur, the commercial hub of the State.

The notification said non-indigenous persons living in Dimapur prior to November 21, 1979, would have to produce documents and evidence to get a certificate from the Deputy Commissioner for exemption from the permit system. Exempt Dimapur, the ILP has been applicable to the rest of Nagaland. Known as "mini India", Dimapur district has a mixed population.

**Exemption from CAB**
Nagaland, Arunachal Pradesh and Mizoram, protected by the ILP requirement, have been exempted from the provisions of the CAB along with the whole of Nagaland, Mizoram and the tribal areas of Tripura and Assam as covered in the Sixth Schedule of the Constitution. Residents of other States have to mandatorily obtain an ILP to visit the protected States.

**There have been protests across the northeastern States against the Bill that nullifies the 68th Amendment Act, which calls for detention and deportation of anyone who entered the State after March 24, 1971. The Bill makes the accrual redundant as it is likely to benefit non-tribals among the over 10 lakh people excluded from the National Register of Citizens.**

---

**Inner Line Permit (ILP)**

- **Official permit prescribed by the Govt. for entering into any area within the states under the regime as per provisions of Bengal Eastern Frontier Regulation, 1873**

- **Aim**
  - Prevent the Indian nationals from settling in the areas under ILP.
  - To protect the indigenous and tribal population in the areas under ILP.

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**Part A—Preliminary Examination**

**Paper I** (200 marks)

- **Current events of national and international importance.**
- **History of India and Indian National Movement.**
- **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.**

- Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.
- Significance
  - Entire Nagaland exempted from Citizenship Amendment Bill
  - Protests against CAB in Northeast
  - Nullifies Assam Accord
  - Likely to benefit ‘Non-Muslims’ excluded from NRC

Source: nagaland.gov.in
A patently unconstitutional piece of legislation
The Citizenship Amendment Act 2019 has a sinister political logic — the first de jure attempt to watch a Hindu Rashtra.

---

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.
- Economic and Social Development—Sustainable Development, Poverty, Inclusion, Demographics, Social Sector Initiatives, etc.

Part B—Main Examination
PAPER-III
General Studies—II: Governance, Constitution, Polity, Social Justice and International relations.

- Indian Constitution—historical underpinnings, evolution, features, amendments, significant provisions and basic structure.
- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

---

- Citizenship Amendment Bill (CAB) passed in Lok Sabha is unconstitutional
  - Sinister political logic
  - Violates Article 14
- Article 14 - Equality before law
  - The state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India

- CAB violates Article 14
  - Arbitrary decision of the Govt to provide citizenship to 6 religious communities from 3 countries on the basis of religious persecution
  - Other neighbouring countries left out
    - Bhutan (Vajrayana Buddhism) - Christians
    - Sri Lanka (Buddhism) - Muslims and Tamil Hindus
    - Myanmar - Muslim Rohingyas
**Other religious sections of population left out**

- Ahmadiyas [Pakistan]

- Not considered political persecution

- Shia sects [Pakistan]

- Left out Athiests

- CAB against the concept of ‘secularism’

  ➠ Basic feature

  ➠ Mentioned in Indian Constitution

---

**Sena to oppose Bill in RS, seeks clarity on queries**

The party voted for the Bill in the Lok Sabha on Monday

SPECIAL CORRESPONDENT
NEW DELHI

In a political somersault, Maharashtra Chief Minister Uddhav Thackeray announced on Tuesday that the Shiv Sena would oppose the Citizenship Amendment Bill in the Rajya Sabha till there was clarity on the queries posed by the party during the debate in the Lok Sabha.

On Monday, the Sena had voted with the government on the Bill. Speaking to reporters in Mumbai, Mr. Thackeray said a detailed discussion on the Bill was necessary. “We need to change this notion that one who supports the Bill and the BJP is a patriot and one who opposes it is anti-national. The government should answer all the issues raised in the Bill,” he said.

The change in stance of Uddhav Thackeray the Shiv Sena with three members will not alter the equation in the Rajya Sabha. The Congress with 46 members, Trinamool (33), SP (nine), TRS (six), DMK (five), NCP (four), RJD (four), CPI (M) (five), BSP (four), AAP (three), PDF (two) and JD(S), CPI, MDMK, JD(U) and Keralal Congress(0) (one each) are opposed to the Bill. With two Independents and one nominated member, they have a total of 109.

The BJP, which is the largest party in the Rajya Sabha with 83 members, has the support of the AIADMK (11), BJD (seven), JD(U) (six), Akali Dal (three), TDP and YSR Congress Party (two each), and Sikh Democratic Front, Bodoland People’s Front, Naga People’s Front, Lok Janshakti Party, RPI, PMK and AGP (one each), along with four Independents and three nominated members. Together they stand at 128.

According to sources, Sena MPs were originally instructed to abstain from voting. The decision was changed at the last moment under pressure from a senior Lok Sabha member of the party. The displeasure of the NCP and the Congress over the difference of opinion was conveyed to Sena leader and Rajya Sabha member Sanjay Raut.

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**Congress hints at moving Supreme Court on CAB**

Bill is unconstitutional, says Rahul

SPECIAL CORRESPONDENT
NEW DELHI

A day after the Citizenship Amendment Bill (CAB) was passed in the Lok Sabha, the Congress on Tuesday targeted the government. The party appeared to be preparing to move the top court on the issue, as the Opposition may not have the numbers to stall the Bill’s passage in the Rajya Sabha on Wednesday.

Former party chief Rahul Gandhi said in a tweet, “The CAB is an attack on the Indian Constitution. Anyone who supports it is attacking and attempting to destroy the foundation of our nation.”

Former Union Finance Minister P. Chidambaram said the Supreme Court would now be the battleground of the contentious Bill, as “elected representatives had abdicated their responsibility”. “CAB is unconstitutional. Parliament passes a Bill that is patently unconstitutional and the battleground shifts to the Supreme Court,” he said in a tweet.

Congress general secretary Priyanka Gandhi Vadra said in a tweet, “Last night at midnight, India’s tryst with bigotry and narrow minded exclusion was confirmed as the CAB was passed in the Lok Sabha. Our forefathers gave their life blood for our freedom. In that freedom, is enshrined the right to equality, and the right to freedom of religion.”
JD(U) leaders slam party for supporting Citizenship Bill

It violates secular principle, say Prashant Kishor, Pavan Verma

SPECIAL CORRESPONDENT
NEW DELHI

The passage of the Citizenship (Amendment) Bill, 2019, in the Lok Sabha on Monday has sent ripples across BJP ally Janata Dal(U), with party vice-president Prashant Kishor and national general secretary Pavan Verma expressing disappointment over the party’s support for the Bill.

In a tweet late on Monday night, Mr. Kishor sought to underscore that the Bill was “incongruous” with the constitution of the party, headed by Bihar Chief Minister Nitish Kumar, which swore by secularism and Gandhian ideals.

“Disappointed to see JD(U) supporting CAB that discriminates right of citizenship on the basis of religion. It’s incongruous with the party’s constitution that carries the word secular thrice on the very first page and the leadership that is supposedly guided by Gandhian ideals,” the poll strategist-turned-politician tweeted.

Mr. Verma too took to the micro-blogging site on Tuesday to express much the same. “I urge Shri Nitish Kumar to reconsider support to the CAB in Rajya Sabha. The Bill is unconstitutional, discriminatory, and against the unity and harmony of the country, apart from being against the secular principles of the JD(U). Gandhi would have strongly disapproved of it,” he tweeted.

Party unfazed

While the party did not comment specifically on Mr. Kishor or Mr. Verma’s comments, Rajya Sabha member and JD(U) Bihar unit chief Bashishtha Narayan Singh said the party was keeping to its stance of supporting the Bill in the Rajya Sabha as well. “There is a line the party has taken and will keep to it,” Mr. Singh told The Hindu.

Participating in the debate on the Bill, the party’s leader in Lok Sabha, Rajiv Ranjan alias Lalan Singh, said the JD(U) was supporting the legislation since it was “not against secularism.”
Practice Question – Prelims

Q. Which of the following countries shares border with Iraq?
   1. Saudi Arabia
   2. Iran
   3. Jordan
   4. Syria
   5. Turkey
   6. Bahrain

Select the correct answer using the code given below.
   a) 1, 2, 3, 5 and 6 only
   b) 1, 2, 4 and 5 only
   c) 2, 3, 4, and 6 only
   d) 1, 2, 3, 4 and 5 only

Practice Question – Prelims

Q. Consider the following statements about Inner Line Permit (ILP).
   1. Inner Line Permit regulates visit of Indians to States where ILP regime is prevalent under Bengal Eastern Frontier Regulation, 1873.
   2. The main aim of ILP system is to prevent settlement of other Indian nationals in the States where ILP regime is prevalent, in order to protect the indigenous/tribal population.
   3. At present, the Inner Line Permit system is prevalent in the four North Eastern States, namely, Arunachal Pradesh, Mizoram, Manipur and Nagaland.

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

Which of the above statement/s is/are incorrect?
   a) 1 only
   b) 1 and 2 only
   c) 2 and 3 only
   d) 3 only
Practice Question – Prelims
Q. “Climate Change Performance Index” is published by
(a) United Nations
(b) e-GreenWatch
(c) GermanWatch
(d) International Energy Agency

Practice Question – Prelims Answers
Q1. Option ‘d’ – 1, 2, 3, 4 and 5 only
Q1. Option ‘b’ - 2 only
Q1. Option ‘d’ - 3 only
Q1. Option ‘c’ - GermanWatch

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