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## Women's Reservation Act: A Step Towards Gender Equality in India

- The share of women in Parliament in India is around 15%. (Inter-Parliamentary Union data)
- India ranks 141 out of 193 countries on the basis of Women's representation in the parliament.
- Countries like Pakistan, South Africa, and Kenya have a higher share of women representatives.
- The highest proportion of women representatives was in Uttarakhand (56.02%) and the lowest was in Uttar Pradesh (33.34%).
- Overall, there were 45.61% women representatives in Panchayati Raj institutions in the country.
- Elected women representatives have over time asserted their presence in spite of interference from male family members. (Research by Tanya Jakimow of the University of New South Wales and Niraja Gopal Jayal)
- A similar outcome may also be seen in higher elected bodies.

### Women's Reservation Bill:

- The Act seeks insertion in Article 330A for 33% reservation to women in the Lok Sabha and state legislative Assemblies.
- It will increase the number of women Members of Ps from 82 to 181, but this quota won't apply to Rajya Sabha or state Legislative Councils.
- The seats already reserved for Scheduled Castes and Scheduled Tribes will also come within the purview of women's reservation.
- Article 243D of the Constitution provides for the reservation of seats for SCs, STs, and women in Panchayats.
- It will come into effect after the delimitation exercise and will continue for 15 years.
- Seats reserved for women will be rotated after each delimitation exercise.
- It is also called the 'Nari Shakti Vandan Adhiniyam'.
- The Constitution (One Hundred and Twenty-Eighth Amendment) Bill, 2023 was the first Bill to be passed in the new building of Parliament.

### Challenges in Implementation of the Bill:

#### Delimitation exercise:

- Delimitation is a Constitutional mandate, to be carried out after every Census.
- It is done to readjust the number of seats and their boundaries based on the latest population data.
- Articles 82 and 170(3) of the Constitution would have to be amended for delimitation.
- Article 82 provides for the readjustment of constituencies (number and boundaries) of both Lok Sabha and state Assemblies after every Census.
- Article 170(3) deals with the composition of the Legislative Assemblies.

#### Legal Contingencies:

- Constitutional courts may need to determine whether such an approach is

warranted.

- This legal intricacy underscores the importance of addressing gender equality comprehensively rather than through conditional legislation.
- Transforming Societal Attitudes and Reducing the Unpaid Labour Divide

Societal attitude:

- The core of gender equality lies in transforming societal attitudes towards gender roles.
- Women's representation in elected bodies must be viewed within the broader context of female labour force participation, which is low in India.

The Unpaid Labour Divide:

- There is a stark divide in unpaid household labour.
- Men spend a mere 97 minutes daily on unpaid domestic services, while women dedicate a staggering 299 minutes.
- This disparity stems from deeply ingrained patriarchal norms.
- Achieving gender equality necessitates an equitable distribution of household duties.

Government Initiatives:

- The burden of unpaid labour borne by women can be relieved by government programs like the Magalir Urimai Thogai in Tamil Nadu.
- This scheme recognises and addresses the vast gulf in unpaid household labour by cash transfer to the women head of the family.
- It acknowledges the disproportionate household responsibilities shouldered by women and aims to bridge the gap.

Ensuring Substantive Justice:

Capacity Building for Women Leaders:

- Even as women's representation in higher elected bodies increases after the present law, the challenge of building capacity for first-time representatives remains.
- Initiatives like EMILYs List in the U.S., offering campaign guidance and mentorship, provide valuable lessons for capacity building of women to enter in politics.

Government Responsibility:

- It is the duty of the governments to build capacity and ensure that the reservation model leads to improvement of status of women.
- The National Commission for Women (NCW) and the Parliamentary Committee on Empowerment of Women need to ensure that the women's reservation law does not remain a symbolic gesture.

The journey from women's reservation to gender equality is multifaceted. The legislative milestones are significant and must be complemented by societal transformation, equitable distribution of household labour, and sustained capacity building for women leaders to achieve gender equality.

## Beyond Green Revolution

M S Swaminathan is no more. But his legacy remains with every student and scientist of agriculture. He is most widely known for working with Norman Borlaug to usher in the Green Revolution in India in the mid-1960s when India was facing back-to-back droughts. Millions would have died of starvation if the country had not experienced the Green Revolution. India was already termed as a “ship to mouth” economy, as the country was importing 10 million tonnes from the US under P.L.480 scheme. And India had no foreign exchange to pay for it. The situation was so grave that the then Prime Minister Lal Bahadur Shastri had given a call to the nation to “skip a meal in a week”, and wheat products, including wheat chapatis, would not be served at wedding parties.

### India needed the Green Revolution

- India was facing a severe food crisis in the 1960s due to rapid population growth, low agricultural productivity, frequent droughts, and dependence on food imports.
- India was vulnerable to external pressures and political interference from the food exporting countries, especially the United States, which used food aid as a tool of diplomacy and leverage.
- India wanted to achieve self-reliance and food security for its people, and reduce poverty and malnutrition.
- India wanted to modernize its agriculture and make it more efficient, profitable, and competitive in the global market.

### Green Revolution

#### The Revolution:

- The Green Revolution was a major initiative that aimed to increase the production and quality of food crops, especially wheat and rice, in India, by introducing new technologies, such as high-yielding varieties of seeds, fertilizers, pesticides, irrigation, and mechanization.
- Objectives:
- To achieve self-reliance and food security for the population and reduce dependence on food imports.
- To improve the income and living standards of millions of farmers and rural people, and reduce poverty and hunger
- To modernize the agriculture sector and make it more efficient, profitable, and competitive in the global market.

#### Key features:

- Using High-Yield Variety (HYV) seeds to increase food production. These seeds were developed by agricultural scientists like M. S. Swaminathan, who is widely regarded as the Father of the Green Revolution in India.
- Incorporating various irrigation methods, such as tube wells, canals, dams, and sprinklers, to reduce the dependence on rainfall and ensure regular water supply for the crops.

- Mechanization of major agricultural practices, such as ploughing, sowing, harvesting, and threshing, using tractors, harvesters, and drills, to reduce labor costs and increase efficiency.
- Use of chemical fertilizers and pesticides to enhance soil fertility and protect the crops from pests and diseases.
- Double cropping in the existing farmland, which means growing two crops in the same field in one year, to increase the cropping intensity and yield.
- Expansion of the farming area, by bringing more land under cultivation, especially in the semi-arid and arid regions, using irrigation and HYV seeds.

#### Impacts of the Green Revolution

- **Increased Food Production:** The Green Revolution led to a significant increase in agricultural productivity. New high-yielding crop varieties, such as dwarf wheat and rice, produced higher yields per hectare of land, helping to meet the growing global demand for food.
- For example, in 1978–1979, a tremendous increase in crop production led to a grain output of 131 million tonnes, making India one of the largest agricultural producers in the world.
- **Reduced food-grain imports:** India is a net exporter of wheat, rice and other food grains such as rye, maize, sorghum, buckwheat, bajra, ragi and their import is negligible.
- In 2020-21, India exported 5 million tonnes of rice, which was the highest ever in a year. India also exported 2.1 million tonnes of wheat in 2020-21, which was the highest in six years.
- **Poverty Alleviation:** Higher agricultural productivity often translates into higher incomes for farmers. The Green Revolution helped lift many small-scale farmers out of poverty by increasing their crop yields and income levels.
- For example, the poverty ratio in rural India declined from 50.1% in 1993-94 to 25.7% in 2011-12, partly due to the impact of the Green Revolution.
- **Technological Advancements:** The Green Revolution introduced farmers to new agricultural technologies, including improved seeds, fertilizers, and pesticides. These technological advancements continue to benefit agriculture today, contributing to sustainable practices and greater efficiency.
- For instance, the use of improved seeds has increased the genetic diversity of crops, making them more resilient to pests, diseases, and climate change.
- The use of mechanized farm tools, such as tractors, harvesters, and irrigation systems, has reduced labor costs and increased farm productivity.
- **Rural Development:** Increased agricultural productivity can stimulate rural development. As farmers earn more income, they can invest in their communities, leading to improved infrastructure, education, and healthcare in rural areas.
- For example, in India, the Green Revolution led to the expansion of rural roads, electrification, irrigation, and communication networks, which improved the accessibility and connectivity of rural areas.
- **Reduction in Land Conversion:** By increasing crop yields, the Green Revolution helped reduce the need to convert forests and other natural habitats into agricultural land. This has had positive environmental impacts

by preserving biodiversity and reducing deforestation.

- **Economic Growth:**The increased agricultural productivity resulting from the Green Revolution has been linked to overall economic growth in many countries. Agriculture is a key driver of economic development in many regions, and higher yields can boost the overall economy.

#### Challenges brought by the Green Revolution

- It caused environmental degradation due to the use of synthetic fertilizers and pesticides, and soil erosion and water pollution. For example, the reliance on modern agricultural technologies has made some countries and communities dependent on external inputs, which can be expensive and subject to market fluctuations.
- It led to the loss of biodiversity and genetic diversity of crops, as well as the displacement of indigenous crops and traditional farming practices. For example, the production of wheat and rice doubled after the Green Revolution, while that of other food crops, such as indigenous rice types and millets, decreased.
- It created social and economic inequalities and conflicts among farmers, regions, and countries. For example, the Green Revolution has been linked to farmer suicides, rural indebtedness, and droughts in India.
- It increased the vulnerability of crops to pests, diseases, and climate change. For example, the monoculture of rice and wheat made them more susceptible to outbreaks of pests and diseases, such as the brown plant hopper and the wheat rust.

#### Green Revolution 2.0

- Green Revolution 2.0 is seen as a way to make agriculture more adaptive and resilient to the changing climate and socio-economic conditions, and to ensure food and nutrition security for the present and future generations.

Some of the features of Green Revolution 2.0 are:

- **Biotechnology and Genetic Engineering:**Green Revolution 2.0 places a strong emphasis on biotechnology and genetic engineering to develop crops that are more resilient to climate change, pests, and diseases. Genetically modified (GM) crops, if adopted responsibly, can contribute to increased productivity and reduced environmental impact.
- **Precision Agriculture:**This approach involves the use of advanced technologies like GPS-guided tractors and drones to optimize the use of resources such as water, fertilizers, and pesticides. Precision agriculture can increase efficiency and reduce the environmental footprint of farming.
- **Sustainability:**Green Revolution 2.0 prioritizes sustainability by promoting practices that conserve soil health, reduce chemical inputs, and minimize the environmental impact of agriculture. This includes organic farming, agroecology, and integrated pest management.
- **Diversification:**Unlike the first Green Revolution, which primarily focused on a few staple crops like wheat and rice, Green Revolution 2.0 promotes crop diversification. Encouraging the cultivation of a wider variety of crops can enhance nutrition, reduce risks associated with mono-cropping, and preserve

biodiversity.

- **Holistic Approach:**Green Revolution 2.0 takes a holistic view of agriculture, recognizing that it's not just about crop production but also includes aspects like soil health, food processing, marketing, and value addition. Integrated approaches address the entire food supply chain.
- **Environmental Considerations:**Efforts are made to mitigate the negative environmental impacts associated with modern agriculture, such as soil erosion, water pollution, and greenhouse gas emissions. Sustainable practices aim to minimize these effects.
- **Adaptation to Climate Change:**As climate change poses new challenges to agriculture, Green Revolution 2.0 seeks to develop climate-resilient crop varieties and practices that can adapt to changing weather patterns and extremes.

### The India-Canada Standoff

India and Canada have long-standing bilateral relations based on shared democratic, pluralistic, and interpersonal values. India Canada relations are strengthened by an expanding network of bilateral agreements, official dialogues and memoranda of understanding.

However, India Canada relations have become sour recently due to allegations by the Canadian Prime Minister accusing involvement of India in the murder of Khalistani separatist Hardeep Singh Nijjar. As a result, bilateral tensions have risen, putting their traditionally cooperative relationship under strain.

India and Canada have a long-standing bilateral relationship based on shared democratic values, two societies that are multi-ethnic, multicultural, and multireligious, and with strong people-to-people contacts. In recent years, both countries have worked to strengthen bilateral cooperation in a number of mutually beneficial areas.

- During the freedom struggle, many Indian migrants settled in Canada.
- “Swadesh Sevak Home” in Vancouver was instrumental in mobilising the Indians against British rule.
- In 1947, India and Canada established diplomatic relations after the independence. Both India and Canada share similarity in federal structure, as many of the constitution features such as federation with a strong Centre and vesting of residuary powers in the Centre were inspired by the Canadian constitution.
- In the early years of their relationship, India and Canada focused on cooperation in areas such as development assistance and education. During the Cold War period, India was the largest recipient of Canadian foreign aid.
- However, India-Canada relations were at a crossroads when India conducted nuclear tests. It became low again when Sikh terrorists blew up Air India Flight 182 in 1985.
- In the 1990s, with the economic liberalization of India, the relationship began to expand into new areas, such as trade and investment.
- **Strategic partnership:** A significant moment in this relationship occurred in

April 2015, when the Indian Prime Minister visited Canada, elevating bilateral ties to a strategic partnership.

- In recent years both countries have been cooperating with each other in various dimensions.
- India and Canada have a comprehensive strategic partnership that encompasses a wide range of areas from political to cultural.

#### Political Relations

- On the Ministerial level, India and Canada have a strategic partnership that is supported by Ministerial Dialogues on foreign policy, trade and investment, finance, and energy.
- Several agreements have been signed between India and Canada, including the Air Services Agreement, Extradition Treaty, Nuclear Cooperation Agreement, and Social Security Agreement etc.
- Commercial Relations
- Bilateral trade: India was Canada's tenth-largest trading partner in 2022, making it a priority market for the country.
- The trade balance favours India, bilateral trade between India and Canada is approximately \$12 billion in 2023, but this does not reflect the true potential as only 1.95% of Canada's global trade is with India.
- India exports pharmaceuticals, gems and jewellery, textiles, and machinery to Canada, while Canada exports pulses, timber, pulp and paper, and mining products to India.
- FDI: According to Invest India, Canada is the 18th largest foreign investor in India, having invested approximately \$3,306 million between April 2000 and March 2023.
- Agreement: Both parties are in technical negotiations for a Comprehensive Economic Partnership Agreement (CEPA), which will cover trade in goods, services, investment, trade facilitation, and other areas.

#### Cultural Relations

- Diaspora: India and Canada have a number of educational and cultural exchange programs. There are over 1.3 million Canadians of Indian origin. This is a significant aspect for soft power diplomacy of India.
- Canada has a sizable Indian diaspora, with Persons of Indian Origin (PIOs) and Non-Resident Indians (NRIs) accounting for more than 4% of the nation's population.
- Recognising this, the Canadian government in 2019, designated April as Sikh Heritage Month.
- From 2013 to 2022, the number of Indians granted permanent residency increased by 260%, indicating a stronger bond between the two countries.
- A sizable number of Indian immigrants have come to Canada as professionals, semi-professionals, skilled labourers, and entrepreneurs. Indian entrepreneurs have shown a growing interest in Canada's Startup Visa (SUV) programme over the years.
- Canadian parliament has more than 15 Indian-origin MPs, heading ministry portfolios in current cabinet.
- New Democratic Party, which is one of the largest party in Canada is headed

- by an Indian-origin person.
- Education: India has also been the top source country for international students in Canada since 2018.
- The Shastri Indo-Canadian Institute (SICI) was founded in 1968 to promote academic relations in the field of education.
- The Department of Earth Science and Polar Canada has launched a knowledge exchange and scientific research programme on Cold Climate (Arctic) Studies.
- Tourism: Canada is India's fourth largest source of tourists. During 2021, Canada accounted for 5.3% (80,437) of all Foreign Tourist Arrivals (FTAs) in India.

### Technological Cooperation

- Research and development: The primary goal of Indo-Canadian science and technology cooperation has been to promote industrial R&D that has the potential for application through the development of new intellectual property, processes, prototypes, or products.
- IC-IMPACTS is a Canada-India Research Centre of Excellence dedicated to the development of research collaborations between Canada and India.
- Space: ISRO and CSA (Canadian Space Agency) have signed Memorandums of Understanding (MOUs) for cooperation in the field of space exploration and utilisation, as well as two Implementation Arrangements addressing satellite tracking and space astronomy.
- ISRO's commercial arm, ANTRIX, has launched nine nanosatellites in collaboration with the University of Toronto's Institute of Aerospace Studies (UTIAS).
- Nuclear energy: The Nuclear Cooperation Agreement (NCA) was signed with Canada in June 2010, which resulted in the formation of a Joint Committee on Civil Nuclear Cooperation.
- In 2015, India's Atomic Energy Regulatory Board (AERB) signed an agreement with the Canadian Nuclear Safety Commission (CNSC) to exchange experiences in nuclear safety and regulatory issues.

### Challenges to India-Canada Relations

While there have been efforts to strengthen India-Canada Relations, several challenges have also emerged. Some of the key challenges to India-Canada relations include:

- Trade barriers: Trade has been a contentious issue between India and Canada. Both countries have faced trade barriers and restrictions, such as tariffs and non-tariff barriers, which have hindered the growth of bilateral trade.
- Recently, trade negotiations on the Free Trade Agreement between India and Canada have been paused again.
- Canada has expressed concerns about India's restrictions on agricultural imports, particularly in areas like pulse crops (e.g., lentils and chickpeas).
- Human rights issues: Canada has been vocal about human rights concerns in India, particularly related to the treatment of religious minorities, such as

Sikhs and Muslims.

- On the other hand, India has expressed concerns over attacks on Hindu minorities and religious places. These issues have led to diplomatic tensions and differences in their respective approaches to human rights.
- Visa and immigration issues: Changes in visa and immigration policies in Canada, have led to concerns in India. Recently, India has suspended visas for Canadians, further escalating the tensions.
- Geopolitical issues: On issues such as Afghanistan, Iran, China, Pakistan, and terrorism, India and Canada have opposing viewpoints and interests.
- Disagreements over issues such as the political situation in Kashmir and the Khalistan movement in Canada have strained diplomatic relations.
- During the G20 meeting in New Delhi, India and Canada did not engage in bilateral discussions.
- Perceived lack of focus on India: The current Canadian government appeared to prioritise other regions, such as Asia and the Pacific, over its relationship with India. This may have been a concern for India, especially considering the emerging geopolitical importance of the Indo-Pacific region.

### Khalistan Issue

The Khalistani separatist movement has been a source of tension between India and Canada for many years. The movement advocates for the creation of an independent Sikh state, known as Khalistan, separate from India.

- The Growing influence of Khalistani advocacy in Canada: In recent years, the Khalistani issue has become more prominent in Canada due to the presence of a vocal Sikh diaspora in Canada, advocating for the Khalistan cause. This is due in part to the rise of social media and the spread of Khalistani propaganda online. India has expressed concerns about the influence of Canada-based Khalistan sympathisers and has criticised Canada for not taking stronger action against them.
- September 2023 escalation: The tensions between India and Canada flared up again over the Khalistani issue. Canadian Prime Minister accused India of being involved in a Sikh separatist's assassination, a claim that India vehemently denied.
- G20 Summit: India and Canada met only on the sidelines of G20 Summit 2023 held in India. During the G20 summit, India held bilateral meetings with many world leaders but not with Canada.
- Pause in Trade negotiations: India-Canada Free Trade Agreement talks have been again postponed due to the concerns about pro-Khalistan activities.
- Ambassador removal: Both India and Canada expelled the senior diplomats. Moreover in recent, India has ordered Canada to reduce its diplomats in the country.
- Visa issue: As a result of absurd accusations and ongoing diplomatic tensions, India has suspended the processing of visas for Canadians wishing to visit India, both within India and in third-party countries.
- Role of Five Eyes and US: The 'Five Eyes' is a intelligence-sharing network of Australia, Canada, New Zealand, the United Kingdom and the United States. In a recent interview, the US Ambassador to Canada stated that "shared

intelligence among Five Eyes partners" helped to lead Canada to the assertions made by the Canadian Prime Minister.

- India's perspective: The ongoing issue has further deteriorated the diplomatic relations between India and Canada. India has stated that such unsubstantiated allegations seek to divert attention away from Khalistani terrorists and extremists who have sought refuge in Canada and continue to pose a threat to India's sovereignty and territorial integrity.

### Strengthening India-Canada Relations

Despite the challenges, India and Canada remain important partners. Strengthening India-Canada relations in the current dynamic global landscape requires a multifaceted approach.

- Diplomatic engagement: Both India and Canada need to build trust and confidence at the political level in order to overcome the challenges that have strained their relations in recent years. This can be done through regular high-level dialogue and engagement through Track II diplomacy, as well as through increased cooperation on issues of common interest.
- Addressing the Khalistan issue: To effectively address the Khalistan issue, India must adapt its diplomatic approach. Both India and Canada should engage in open and inclusive dialogue to address the issue of the Khalistani separatism.
- Deepen economic cooperation: Both countries should work to reduce trade barriers, tariffs, and non-tariff barriers. India and Canada need to resume trade talks to negotiate a Comprehensive Economic Partnership Agreement (CEPA) between the two countries, as well as increase trade and investment flows.
- Investment: Infrastructure and transport are also potential areas for collaboration and investment. The ambitious "smart cities" initiative in India provides opportunities for Canadian businesses.
- Strategic cooperation: There is a need to strengthen cooperation in key strategic areas such as the cooperation for a framework against terrorism, countering China in the Indo-Pacific region, and emphasising freedom of navigation and rule-based order.
- Environmental collaboration: India and Canada can collaborate on renewable energy projects and technology transfer, given both countries' commitments to sustainability and combating climate change.
- Promote people-to-people ties: Both India and Canada should involve cultural exchanges, educational programs, and other initiatives that would help to strengthen the mutual understanding and respect between the two peoples.

As the world's most populous country, with the fifth-largest economy and second-largest military, India is still an invaluable partner to the West. Strengthening India-Canada relations will require commitment and concerted efforts from both governments. By addressing shared challenges and pursuing mutually beneficial opportunities, both countries can enhance their partnership and contribute to regional and global stability and prosperity.

## How brain cells die?

- About 55 million people worldwide live with some form of dementia — of which Alzheimer's is just one such disease. Two-thirds of people with dementia live in developing countries. As the global population ages, it is estimated that the number of dementia cases will grow to about 139 million by the year 2050. People in China, India, Latin America and Sub-Saharan Africa are likely to be worst hit. Researchers have been looking for medical treatments for Alzheimer's for decades, but their successes have been limited.
- There has been new hope, however, since the discovery of an active agent called Lecanemab. The drug was approved for use by the US Food and Drug Administration in 2023 and shows signs that it slows the development of Alzheimer's in its early stages.

### Complex processes in the brain

- It's been challenging to develop medicines against Alzheimer's because researchers have yet to fully understand what happens in the brain when the disease takes hold. One of the most pressing questions is why brain cells die.
- Researchers know that amyloid and tau proteins develop in the brain, but until recently, they did not know how they function together or influence cell death. But researchers in Belgium and the UK say they can explain what's happening now.

### Mystery of cell death solved

- According to a study published in the journal Science, the researchers say there is a direct connection between these abnormal proteins, amyloid and tau, and what's called necroptosis, or cell death.
- Cell death usually happens as an immune response to infection or inflammation and rids the body of undesirable cells. That enables new, healthy cells to grow. When the supply of nutrients collapses, the cells swell up, destroying a plasma membrane. The cells get inflamed and die off.
- In the study, the researchers suggest that cells in Alzheimer's patients get inflamed when amyloid protein gets into neurons in the brain. That changes the internal chemistry of the cells. The amyloid clumps into so-called plaques, and the fiber-like tau protein forms its own bundles, known as tau tangles.
- When these two things happen, the brain cells produce a molecule called MEG3. The researchers attempted to block MEG3 and said that the brain cells survived when they could block it.
- To do this, the researchers transplanted human brain cells into the brains of genetically modified mice, which produced a large amount of amyloid. One of the researchers, Bart De Strooper of the Dementia Research Institute in the UK, said it was the first time after three to four decades of speculation that scientists had found a possible explanation for cell death in Alzheimer's patients.

### Hope for new medicines

- The researchers, based at KU Leuven in Belgium and the Dementia Research Institute of University College London, said they hope their findings will help

- in the discovery of new medical treatments for Alzheimer's patients.
- Their hope is not without good reason: the drug Lecanemab explicitly targets the protein amyloid. If it's possible to block the MEG3 molecule, medicine may manage to stop cell death in the brain altogether.

### Investment Facilitation for Development: India's Non-Participation in IFD

- In 2017, World Trade Organisation (WTO) members first formally expressed interest in new rules on investment facilitation.
- In 2023, over 100 members of the WTO have finalized the Investment Facilitation for Development Agreement (IFDA).
- India did not participate in the negotiations.

### Investment Facilitation for Development

- Investment Facilitation for Development (IFD) is the joint Initiative to develop a multilateral agreement on Investment Facilitation for development.
- It aims to improve the investment and business climate.
- It is a set of practices aimed at promoting and streamlining foreign direct investment (FDI) in developing countries.
- It seeks to create a conducive environment for investment by reducing barriers, providing incentives, and offering support to both foreign and domestic investors.
- Its scope does not include market access, investment protection, government procurement, certain subsidies, and investor-state dispute settlement (ISDS).

### Objectives of IFD

- Develop an investor-friendly business environment and simplify investment procedures.
- Make it easier for investors in all sectors of the economy to invest, conduct their day-to-day business, and expand their operations.
- Develop predictable, transparent, and open investment rules for more efficient investment flows and increased business confidence.
- Increase FDI, though its provisions can also help domestic investors.

### India's stance on IFD

#### Rules of trade cannot be applied to investment:

- Investment facilitation does not come in the scope of the WTO.
- WTO is a forum for trade facilitation and trade-related aspects of investments only.
- Investment is completely a bilateral issue and is linked to domestic policies on attracting foreign investments.
- Investment facilitation would restrict the space for the formulation of domestic norms.
- The phrase 'investment facilitation for development' is a misnomer.
- There are hardly any development provisions, except extended time periods

for implementation and the promised technical assistance.

Plurilateral route of negotiations:

- The plurilateral route of negotiations under which investment facilitation is being discussed has no legitimacy in the WTO.

Investor-state dispute settlement (ISDS):

- India does not want to join IFD because of fear of Investor-state dispute settlement (ISDS).
- ISDS is a neutral, international arbitration procedure.
- A system through which individual companies can sue countries for alleged discriminatory practices.

Developing and Least Developed Countries:

- It would be burdensome for developing and Least Developed Countries (LDCs), as nearly all the obligations that may be created are on host countries.
- However, it may not be difficult for India to comply given the outstanding track record in FDI liberalisation and facilitation.
- The primary focus of WTO members should be on finding solutions for food security purposes and protection for poor farmers of developing countries in case of a surge in imports.

World Trade Organization's (WTO)

- It is the only international organization that deals with the rules of trade between countries.
- India has been a WTO member since 1995. It is run by its 164 member countries.
- It also provides a forum for countries to negotiate trade rules and settle economic disputes between them.
- The WTO is a member-driven, rules-based organization and decisions are made collectively through negotiations among members. While voting is allowed under the WTO Agreement, decision-making primarily relies on consensus.

Foreign Direct Investment in India

- Foreign direct investment (FDI) refers to a purchase of an asset in another country, such that it gives direct control to the purchaser over the asset (e.g., purchase of land and building).

FDI Inflow in India:

- India has attracted a total FDI inflow of USD 70.97 bn during the financial year 2022-23.
- Total FDI inflows in the country from 2000 to 2023 are USD 919 billion.
- Total FDI inflows received in the last 9 years (2014- 2023) was USD 595.25 bn (nearly 65% of total FDI inflow in the last 23 years).

FDI entry Routes:

- FDI is permitted either through the Automatic or Government route.

- Automatic Route: The non-resident or Indian company does not require any approval from the Government of India.
- Government route: Approval from the Government of India is required prior to investment.

IFD is a dynamic field, and its strategies may vary from one country to another based on their specific needs and circumstances. It is a critical component of a country's economic development strategy, particularly in the context of globalization and the increasing competition for foreign investment.

### Hoysala temples on UNESCO heritage list

Three Hoysala-era temples in Karnataka recently made it to UNESCO's World Heritage List, under the collective entry of 'Sacred Ensembles of the Hoysalas'.

- Hoysala temples are known for the rare beauty and finesse of their wall sculptures, and have been described as "art which applies to stone the technique of the ivory worker or the goldsmith".
- Built in the 12th and 13th centuries, the three temples selected for the UNESCO list are important not just because they demonstrate their builders' superior skill, but also because they narrate the tale of the politics that shaped them.

Which are the three Hoysala temples selected for the UNESCO list?

- The three temples include the Chennakeshava temple in Belur, the Hoysaleswara Temple in Halebidu, and the Keshava Temple in Somanathapura.
- The announcement was made by UNESCO on 18 September 2023, during the World Heritage Committee's 45th session in Riyadh, Saudi Arabia. India submitted the nomination dossier for the temples in January 2022.

Who were the Hoysalas?

- The Hoysalas held power in Karnataka from the 10th century to the 14th century. The dynasty began as provincial governors under the Western Chalukyas, but as the two dominant empires of the South, the Western Chalukyas and the Cholas, crumbled, the Hoysalas established themselves as rulers.
- Two of the temples that made it to the UNESCO list are located in cities that served as the capital of the Hoysalas — earlier Belur, and then Halebidu (or Dwarasamudra).

When were the Sacred Ensembles of the Hoysalas built?

- The Chennakeshava temple, dedicated to Lord Vishnu, was consecrated around 1117 AD by the mighty Hoysala king Vishnuvardhana, to mark his victories against the Cholas. It is thus also called the Vijaya Narayana temple.
- The other Vaishnava shrine, the Kesava temple, was built in Somanathapurain 1268 by Somanatha, a general of Hoysala King Narasimha

III.

- The Hoysaleswara temple in Halebidu is believed to be the largest Shiva temple built by the Hoysalas, and is dated to the 12th century.

What makes Hoysala architecture stand out?

- One notable feature of Hoysala architecture is the use of soapstone, a malleable stone that is easy to carve. This is one of the reasons behind the abundance of intricate sculptures one can see on the temple walls. The sculptures include animals, scenes of daily life, as well as depictions from the epics and the Puranas. The jewellery, headgear, clothes, etc. of the detailed sculptures give an idea of the society of the times.
- Another special feature of Hoysala architecture is the unique confluence of styles.
- Historian Prithvi Datta Chandra Shobhi, who works at Krea University in Andhra Pradesh's Sri City, said, "Hoysala architecture is an amalgamation of three distinctive styles— the mainstream Dravidian architecture as represented in the Pallava and Chola temples; the Vesara style, the variant of the Dravida style that emerged in the Chalukya and Rashtrakuta temples; and then the North Indian Nagara style. The political dimension to this is the various military expeditions that the Hoysalas undertook, which led them to different regions from where they brought back masons, sculptors, architects who could visualise and actualise such temples."
- The temples are generally built on stellate (star-shaped) platforms, and have several structures inside the complex. The walls and pillars are covered in beautiful sculptures that, according to Shobhi, have "rich narrative and descriptive dimensions".
- An interesting feature of Hoysala temples is that they are 'signed'— the sculptors, masons leave behind their names, and sometimes a few more details.
- Also, these Vaishnava and Shaivya shrines were built at the time Jainism was prominent in the region, and thus mark a turn towards Hinduism.

What makes the three temples on UNESCO list special?

- While hundreds of big and small Hoysala-era temples still survive, these three are believed to be among the finest surviving examples of Hoysala art.
- About the Chennakesava temple at Belur, K A Nilakanta Sastri writes in his A History of South India, "...the total number of pillars is 46. All of them, except the four in the central bay, are of different design so that the variety and complexity of the whole is astonishing." It is believed that one of the sculptures, Darpana Sundari (lady with the mirror), is modelled on Shantala Devi, the queen of Vishnuvardhana who had the temple built.
- The Kesava temple in Somanathapur is built in the shape of a 16-point star, and has three shrines, dedicated to Keshava, Janardhana and Venugopala. The Keshava statue, however, is missing now.
- The Hoysaleswara temple in Halebidu, Sastri writes, "was perhaps the highest achievement of the school, though its present ruined condition... renders it difficult to realise this... The infinite wealth of sculpture over the exterior of this temple makes it one of the most remarkable monuments of the world and an

- unrivalled 'repository of religious thought expressed in plastic form'."
- Halebidu was raided by Malik Kafur, a general of the then Delhi Sultan Alauddin Khalji.

Why do no Hoysala buildings other than temples survive?

- No known monuments other than temples, like palaces or forts, survive from the Hoysala period. Shobhi said this was not unique to the Hoysalas. "This is one of the paradoxes of the early medieval and medieval non-Islamic world, because the non-temple buildings were all built in either mud or brick or wood [and not stone]. So, except for some ruins in Hampi, nothing has survived in the form of architecture."
- Shobhi pointed out that the survival of temples over millennia underlines a very interesting fact. "When we examine why we should care about architectural heritage, one part of it is of course the beauty and the grandeur of what survives. The other part is also what doesn't survive. Halebidu was sacked by Malik Kafur in the early 1300s. About 200 years later, the Deccan Sultanates came. There are sections that never tire of pointing out the damage done to the temples by outside invaders. But on the other hand, while the township was entirely destroyed, the fact remains that substantially, these temples have survived."

### Lal Bahadur Shastri: The Man Behind 'Jai Jawan, Jai Kisan'

Lal Bahadur Shastri's Journey: A Humble Beginning

- **Childhood:** Born in Mughalsarai in 1904. He spent most of his childhood living with his maternal relatives in a lower-middle-class environment.
- **Social Consciousness:** As per the biography Lal Bahadur Shastri: A Life of Truth in Politics (author and retired bureaucrat CP Srivastava), when Shastri was in Class VI, he dropped his surname 'Varma' by stating his opposition to caste differences.
- Shastri was added to his name in 1925, after he acquired the degree of 'Shastri' (one who knows the Shastras) from the Kashi Vidyapeeth in Benaras.

Lal Bahadur Shastri's resignations: Accepting responsibility for train accident

- After independence, Lal Bahadur Shastri became the Union Minister for Railways and Transport in 1952. A serious accident occurred in August 1956 at Mehboobnagar of present-day Telangana, in which 112 lives were lost.
- Distressed by the tragedy, Shastri took responsibility for the accident and submitted his resignation.
- Another accident soon took place in November 1956, in Tamil Nadu's Ariyalur that saw the death of 144 passengers.
- He resigned again and accepted moral responsibility.
- As per Srivastava "this was the first instance of a cabinet minister accepting moral responsibility for a mishap within his ministry and resigning from government."

### Tashkent Agreement

- On September 1, 1965 Pakistan launched an attack in the Akhnoor sector near Jammu.
- In retaliation, the Indian Army launched an attack after Shastri gave a go-ahead for it.
- The Soviet Premier invited Lal Bahadur Shastri and Pakistan President General Ayub Khan to Tashkent, Uzbekistan, where the Tashkent Declaration for fostering long-term peace was signed on January 10, 1966.
- Shastri's resignation increased his moral stature nationally. He had set a new precedent for political conduct.

When Lal Bahadur Shastri gave the slogan 'Jai Jawan, Jai Kisan'?

Still facing economic stagnation and lack of growth, with the 1962 attack of China, India had to focus on its low levels of food production and increasing demand.

- Then, Lal Bahadur Shastri in a radio address in 1965, reminded the nation that dependence on food imports undermined the country's self-confidence and self-respect, where he gave the nation a new slogan—'Jai Jawan, Jai Kisan'.
- He also helped to solve rows over the government's official language policy.
- After signing the Tashkent Agreement, on the next day, Shastri passed away due to a heart attack. He had had two heart attacks earlier.

Lal Bahadur Shastriji was humble, tolerant, with great inner strength and resoluteness, a man of the people who understood their language. He was also a man of vision who led the country towards progress. His remarkable capacity to listen patiently and to act decisively is the hallmark of democratic leadership.

### A Time to Articulate New Constitutional Ideas for India

The Government of India is focusing on decolonising the country. The name "Bharat" is being used more frequently to describe the country, challenging the monopoly of "India", which led to the discussion about change of the Constitution.

**Mahatma Gandhi Vision of Swaraj Constitution:**

- Idea in 1908: A startlingly original and indigenous account on the Constitution was presented by Mahatma Gandhi in 1908.
- His View: He was determined that without decolonising the Constitution, independence may be achieved but would not have swaraj.
- India would get itself a new democratic government, but the nature of government itself would not change. It would be "English rule without the Englishman", "not Hindustan but Englistan".
- Swaraj: For him, a swaraj constitution ought to ideally be based on ancient village republics.
- The economy would be founded on ordinary Indians producing enough to be self-sufficient and trading the rest at local markets.
- India would be united not because a constitution promised rights, but

because Indians themselves considered it their duty to forge a nation out of a people.

Drafting the “Gandhian Constitution for Free India”:

- **Gandhi's Follower:** Shriman Narayan Agarwal, An ardent follower of Mahatma Gandhi was given the task of drafting a constitution to put Hind Swaraj into action.
- **Publication of a Moral Code:** His draft of the “Gandhian Constitution for Free India”, first published in 1946, was less of a legal text and more a moral code.
- **Correlation of Right & Duty:** In his draft, the rights to personhood, liberty and equality would depend on a duty to be faithful to the state.

Drafting of the Constitution by Ambedkar:

- **Chairperson:** Rajendra Prasad appointed B.R. Ambedkar as the Chairperson of the Drafting Committee of the Constitution in August 1947.
- **Clear Vision:** Ambedkar had a clear and well-articulated vision about India's Constitution.

Difference in Opinion between Mahatma Gandhi & Dr. B. R. Ambedkar:

Characteristic	Dr. B. R. Ambedkar	Mahatma Gandhi
State	India needed a powerful state machinery that could ensure law and order in the country.	He believed that a large state would be too distant from the people.
Economy	The state would be duty-bound to manage the economy and control industries for the common good.	Self-sustaining villages based on agriculture and cottage industry.
Need to Change	Feudalism, sectarianism and casteism would be uprooted, through fundamental rights to life, liberty and equality for every individual.	For him, history could not be undone by a policy document such as a constitution — it needed individuals to change themselves.

Gandhi pragmatically distanced himself from a constitution that bore his name

- **Different Consensus:** Gandhi had grave disagreement with each of Ambedkar's visions but realized that they enjoyed a wide consensus.
- **Entirely Western Priorities:** At that time, there was favor towards a progressive post-war constitution based on a big state with the authority to ensure law and order, separation of powers to prevent overreach and a range of fundamental rights to capture the global move towards universal human

rights for all.

- Gandhi found such a constitution “entirely Western” but accepted the consensus instinctively.

Unlike names and buildings, constitutions do not, and should not change overnight. But that does not mean that they should not change at all. It is a good time to articulate a vision of what new constitutional ideas India needs.

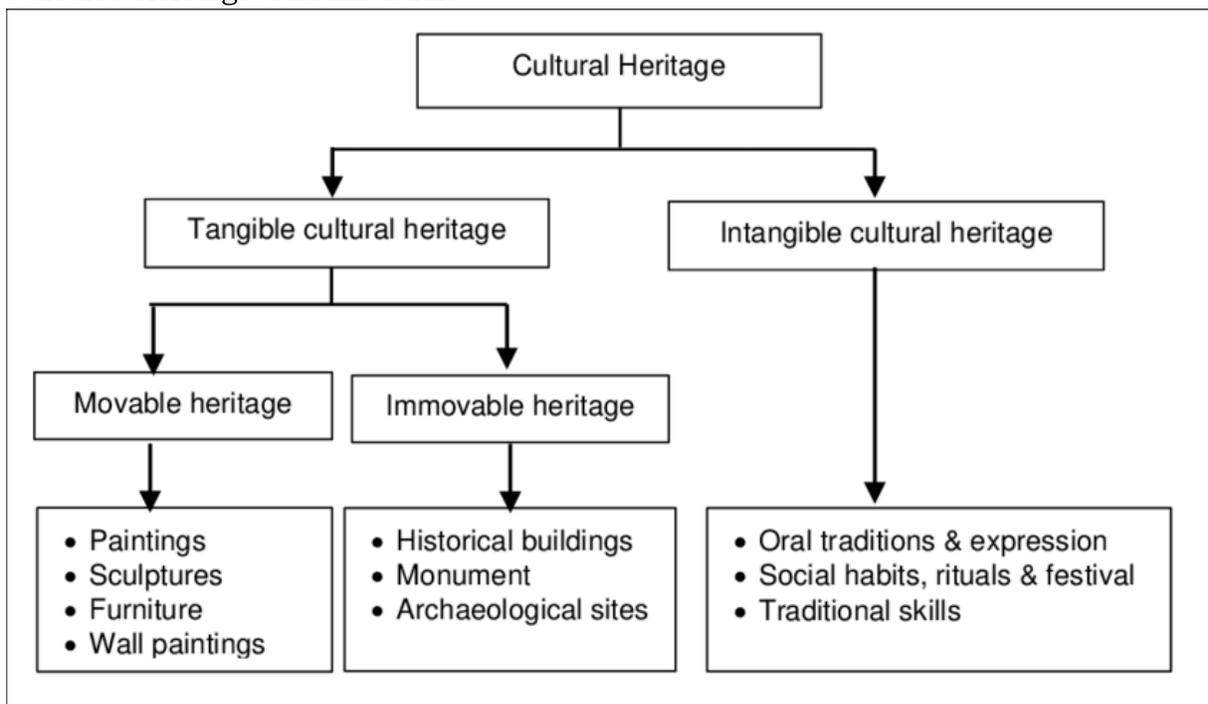
### Safeguarding of India's Cultural Heritage

Recently, a parliamentary panel recommended setting up a dedicated cultural heritage squad (Multi-departmental Task Force) for the recovery of stolen antiquities, with a team of officers who can be trained on various aspects of retrieval.

The task force should include senior officials from the Ministry of Home Affairs (police and investigation), Ministry of External Affairs (for coordination with foreign governments), Archaeological Survey of India (ASI) and senior scholars and experts.

Several countries, such as Italy, Canada, the Netherlands, the US, Scotland, Spain and France, have established dedicated cultural heritage squads with a team of experts that focus their efforts singularly on tracking and recovering stolen antiquities.

#### Cultural-Heritage-Classification



Antiquity

- The Antiquities and Art Treasures Act of 1972, which came into effect on April 1, 1976, defines "antiquity" as any object or work of art that has been in existence for at least 100 years.
- This includes coins, sculptures, paintings, epigraphs, detached articles, and other items that reflect science, art, literature, religion, customs, morals, or politics from a bygone era.
- For "manuscript, record or other document which is of scientific, historical, literary or aesthetic value", this duration is "not less than 75 years."

#### Protection Initiative:

- In India, Item-67 of the Union List, Item-12 of the State List, and Item-40 of the Concurrent List of the Constitution deal with the country's heritage.
- Before Independence, the Antiquities (Export Control) Act was passed in April 1947 to ensure that no antiquity could be exported without a license.
- The Ancient Monuments and Archaeological Sites and Remains Act was enacted in 1958 to protect ancient monuments and archaeological sites from destruction and misuse.
- Global:
- UNESCO formulated the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.
- The United Nations Security Council also passed resolutions in 2015 and 2016 calling for the protection of cultural heritage sites in conflict zones.

#### Current Scenario for Stolen Antiquities in India

- According to records accessed under the Right To Information (RTI) Act, only 486 antiquities have been reported as missing from the 3,696 monuments protected and maintained by the ASI since Independence.
- According to the ASI list, 322 of the 486 antiquities were reported missing since 1976, when India implemented the Antiquities and Art Treasure Act of 1972.
- Over the course of 15 years since its establishment, the National Mission on Monuments and Antiquities (NMMA), 2007 has only been able to document approximately 16.8 lakh antiquities, accounting for about 30% of the estimated total of 58 lakh antiquities.
- Monuments and sites maintained by the ASI are only a small percentage of the total number of archaeological sites and monuments across the country.
- As per UNESCO's estimates, more than 50,000 art objects were smuggled out of India till 1989.
- Since 2014, 305 antiquities have been brought back to India from abroad since 1976, including 292
- Following the recent visit of the Prime Minister of India to the US, a total of 105 antiquities were handed over to India by the US.

#### Challenges Related to Antiquities in India

- **Illegal Trade and Smuggling:** One of the most significant challenges is the illegal trade and smuggling of antiquities. Many valuable artifacts are looted from archaeological sites and temples and smuggled out of the country.
- **Lack of Documentation:** Proper documentation of antiquities is crucial for

their preservation and retrieval in case of theft. However, there are shortcomings in the documentation efforts, leading to difficulties in identifying and recovering stolen artifacts.

- **Inadequate Security Measures:** Many museums and archaeological sites lack proper security measures, making them susceptible to theft and pilferage of antiquities.
- **Lack of Awareness and Community Involvement:** The lack of awareness among local communities about the significance of cultural heritage and their role in protecting it can contribute to instances of theft and trafficking.
- **Inadequate Funding:** The preservation and protection of antiquities require financial resources for conservation, documentation, research, and retrieval efforts. Inadequate funding can hinder these essential activities.
- **Challenges in Retrieving Antiquities from Foreign Countries:** Recovering stolen antiquities from foreign countries involves complex legal and diplomatic processes. The retrieval process may face resistance from the host country and may be subject to international laws and conventions.
- **Lack of a Comprehensive Database:** A comprehensive national database of antiquities is essential for effective management and retrieval efforts. The absence of such a database can cause problems in identifying and tracking stolen items.

#### Road ahead

- **Local Awareness and Community Involvement:** The panel emphasizes the role of local awareness and community consciousness in preventing the theft and trafficking of cultural artifacts.
- The community should be encouraged to report any instances of theft or suspicious activities related to antiquities. Local awareness can be instrumental in preventing further losses of cultural heritage.
- **Enhancing the Budget for Art and Culture Promotion:** The panel points out that countries like China, the US, Singapore, and Australia allocate a higher percentage of their budgets towards promoting art and culture.
- The panel recommends increasing the budget for preserving cultural heritage in India.
- **Role of Civil Society Organizations and CSR:** To strengthen efforts for preserving and promoting cultural heritage, the panel suggests involving civil society organisations and Corporate Social Responsibility (CSR)
- These entities can contribute to spreading awareness about heritage preservation and can also provide financial support to conservation efforts.

## Mental Health and Informal Workers

- Informal workers are often overlooked while taking measures for mental health despite facing physical, social, economic, and mental vulnerabilities.
- 15% of working-age adults globally live with a mental disorder, emphasizing the pivotal link between mental health and employment conditions. (International Labour Organization)
- Unemployment, unstable employment, low-paying jobs, workplace discrimination, and unsafe working conditions can pose significant risks to mental well-being.

### World Mental Health Day

- World Mental Health Day is commemorated annually on October 10th.
- The day is dedicated to raising awareness about mental health and well-being.
- It aims to diminish the stigma associated with psychological disorders and advocate for mental well-being.
- The first observation of World Mental Health Day took place in 1992.
- It was initiated by the World Federation for Mental Health (WFMH) with the objective of elevating awareness regarding mental health issues and fostering open dialogues on the subject.
- October 10th was selected to align with the anniversary of the WFMH's establishment in 1948.

### Informal Workforce in India:

- The unorganised sector can be defined as enterprises whose activities are not regulated under any legal provision or do not maintain any regular accounts. (National Accounts Statistics, Ministry of Statistics)
- The total employment in the organised and the unorganised sector in India was 465 million in 2009-2010. (National Sample Survey Organisation)
- Out of this, only 7% were in the organised sector while the remaining 437 million (93%) were in the unorganised sector.
- 90% of India's workforce (informal sector) contributes only more 50% of the GDP.
- 92% of the workers within the informal sector are involved in non-agricultural activities while only 8% are in agriculture.
- 4 out of 5 people in the world who slipped into poverty in 2020 were from India. (World Bank Report)

Challenges faced by Informal Workers: These undermine mental health and limit access to mental health care.

- Operate without regulatory protection,
- Work in unsafe working environments,
- Long working hours,
- Little access to social or financial protections,
- High uncertainty and deep precarity,
- Discrimination, and
- Gender disparities.

### Mental Health of Unorganised Workforce:

#### Gender Disparity:

- Over 95% of India's working women engaged in informal, low-paying, and precarious employment.
- They work without social protection with patriarchal structures and practices in their social and familial spaces.

#### Youth Unemployment:

- Unemployment and poor-quality employment have consistently been detrimental to mental health. (United Nations Development Programme)
- Youth unemployment is one of the highest in India which significantly impacts their mental health.
- Young workers are shifting to more precarious and informal work, accepting less pay and poorer working conditions out of desperation.
- They sometimes give up and exit the labour force altogether.
- The unemployment rate increases with educational levels, particularly for educated young women who show an unemployment rate of 42%. (State of Inequality in India Report, 2022)

#### Aging Workforce:

- India will become an aging society in the next two decades.
- There is no clear social security roadmap for this vulnerable group, which is susceptible to poor mental health.
- 33 million elderly individuals are working in informal sectors post-retirement. (Census of India, 2011)
- The absence of financial and healthcare security among this group can significantly impact their mental health and overall well-being.

#### The Role of Social Security:

- Informal workers often face mental distress due to rising debt and healthcare costs, both of which are interconnected.
- Social security schemes can serve as a preventive measure against economic distress.
- 26% of individuals who died by suicide were daily wage earners. (National Crime Records Bureau)
- Mental health and well-being are impacted by factors such as food security, access to livelihood, and financial stability.
- Employment guarantee programs can significantly improve mental health outcomes.
- The focus should be on promoting income, preventing economic distress, and ensuring relief from external shocks.

#### Code on Social Security 2020:

- It is a code to amend and consolidate the laws to extend social security to all employees and workers either in the organised or unorganised or any other sectors.

- It brings unorganised sector, gig workers, and platform workers under the ambit of social security schemes.
- The schemes include life insurance and disability insurance, health and maternity benefits, provident insurance, pension and skill upgradation, etc.
- It was formulated according to the Report and Recommendations of the Second National Commission on Labour.
- It doesn't explicitly state the goal of universalizing social security in India.
- It highlights the need for comprehensive and inclusive social security policies for the informal workforce.

#### Need for Improvement in Mental Health Care:

- India allocates less than 1% of its total health budget to mental health.
- It predominantly focuses on digital mental health programs.
- Digital programs include Tele-MANAS, National tele-consultation service, e-Sanjeevani, Ayushman Bharat Digital Mission, and wellness centres and emergency psychiatric facilities.
- It is crucial to strengthen community-based care, and promote a people-centered, recovery-oriented, and human rights-oriented approach to address mental health as a universal human right.
- Proactive policies must be implemented to improve mental health recognition and action.
- Good health, including mental health are very important for advancement to the Sustainable Development Goals (SDG 3 and SDG 8).
- SDG 3 (Good health and well-being)
- SDG 8 (Decent work for all/economic growth)

#### Government Initiatives to Uplift Informal sector conditions:

- eShram Portal: For creating a database of Unorganised workers and delivery welfare schemes.
- Pradhan Mantri Shram Yogi Maan-dhan (PM-SYM): For old age protection and social security of Unorganized workers.
- Aam Admi Beema Yojana: For workers in the Informal sector.
- PM SVANidhi: Micro Credit Scheme for Street Vendors
- Pradhan Mantri Kisan Samman Nidhi

It is imperative to acknowledge mental health as a universal human right, especially for informal workers who make up a substantial part of India's workforce. Adequate social security, employment opportunities, and improved mental health care are essential steps toward ensuring that this universal right is upheld, in alignment with the Sustainable Development Goals.

## Agenda of the Global South

Indian Prime Minister Narendra Modi says his country is "becoming the voice of the Global South". At the August summit of the BRICS nations - Brazil, Russia, India, China and South Africa - current chair South Africa declared its goal was to "advance the agenda of the Global South." And ahead of this May's summit of the Group of Seven wealthy democracies in Hiroshima, Japanese Prime Minister Fumio Kishida stressed that the guest nations he had invited reflected the importance of the Global South.

What constitutes the Global South?

- Despite how it sounds, it's not really a geographical term. Many countries included in the Global South are in the northern hemisphere, such as India, China and all of those in the northern half of Africa. Australia and New Zealand, both in the southern hemisphere, are not in the Global South.
- Most cite the so-called Brandt Line as the border; a squiggle across the globe running from the north of Mexico, across the top of Africa and the Middle East, looping around India and China before dropping down to encompass most of East Asia while avoiding Japan, Australia and New Zealand. The line was proposed by former German Chancellor Willy Brandt in the 1980s as a visual depiction of the north-south divide based upon per-capita GDP.
- The Global South is a geographical, geopolitical, historical and developmental concept, all at the same time - with exceptions, says Happymon Jacob, founder of the New Delhi-based Council for Strategic and Defense Research. Which countries make up the Global South? It's complicated, and often depends upon who is using the phrase.
- Most commonly the term refers to the countries belonging to the Group of 77 at the United Nations, which, confusingly, is today actually a coalition of 134 countries. They're primarily considered developing countries, but also include China - about which there is some debate - and several wealthy Gulf states.
- Though the G77 is a group at the U.N., the U.N. itself does not use that as its own definition, according to Rolf Traeger, who is with the U.N.'s trade and development office.
- For the U.N., Global South is something of a shortcut to refer to developing countries in general. The U.N. currently lists 181 jurisdictions as developing countries or territories, and 67 jurisdictions as developed.
- In January, India's Modi hosted a virtual "Voice of the Global South Summit." It only included 125 countries, however, with India's regional rivals China and Pakistan among the notable absentees.
- Some use different criteria, such as whether a country was previously colonized or whether a nation's per-capita GDP is above \$15,000. There is also a Global North, though the term is not regularly used. That is defined basically as not the Global South.

Should we use the term Global South?

- The term Global South first appeared in the 1960s, but took time to gain traction.
- Following the end of the Cold War, the terms First World, Second World and

Third World started to fall out of favor, partly because with the fall of the Soviet Union the Second World ceased to exist, and also because the use of Third World came to be seen as derogatory.

- No matter how you define it, the Global South accounts for such a vast majority of the world's population and broad swath of territory that some argue it's impossible and misleading to use the label.
- How can countries like China and India, each with about 1.4 billion people and GDPs of about \$18 trillion and \$3.4 trillion respectively, be lumped together with the Pacific island nation of Vanuatu, with a population a little over 300,000 and a GDP of \$984 million, or the southern African nation of Zambia with 19 million people and a GDP of \$30 billion?
- Some also fret that China, which is assertively seeking to expand its global influence, could misuse the grouping to push its own agenda while giving the impression that it speaks for the majority of the world.
- It has been speculated that that was behind the decision in May of the G7 nations - all Global North countries - to refrain from using "Global South" in their final summit communique, even though Kishida himself favors it.
- There is every danger that the Global South will end up becoming a weapon in the hands of revisionist states, like China, who would want to use the voice of the Global South to promote their great power interests. For his part, Modi has stressed the commonality of many issues facing the Global South, such as emerging from the COVID-19 pandemic, rising debt, and food and energy security.
- Ian Lesser, vice president of the German Marshall Fund and director of its Brussels office, notes that most discomfort with the term comes from Global North countries, and that "Global South" is widely used by the countries that make it up.
- Even though the Global South is not a group with a monolithic view or widespread uniformity, he says what's important is that it reflects how the group sees itself. There is embedded in it a notion that not all strategies need to be made in the West.

For some this is simply a way to assert a degree of historic independence and distance on key issues ... and it is affecting the way Europe and the United States think about foreign policy, and the idea that we need to live in a world where not everyone will be on the same page with us on every issue.

**Diabetes: The ticking time bomb for India**

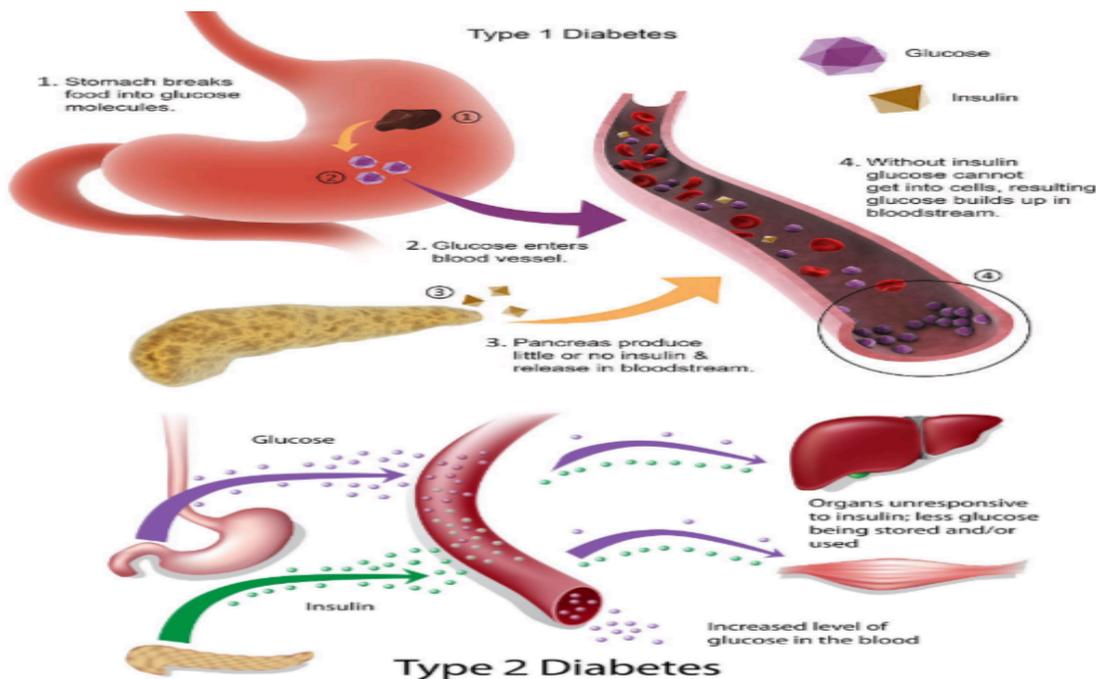
As of June 2023, 11.4% of India's population, translating to over 100 million individuals aged 20 and above, are grappling with diabetes. Additionally, another 136 million (15.3%) are on the brink, of being pre-diabetic. The obesity concern is equally alarming with 28.6% of Indians falling under the obese category based on Body Mass Index (BMI) metrics. Diabetes

Diabetes is a medical condition caused due to insufficient production and secretion of insulin from the pancreas in case of Type-I diabetes and defective response of insulin for Type-2 diabetes.

Under normal body circumstances, blood glucose levels are tightly controlled by insulin, a hormone produced by the pancreas, that lowers the blood glucose level. When the blood glucose elevates, insulin is released from pancreas to normalize the glucose level.

In patients with diabetes, the absence or insufficient production of insulin causes hyperglycemia.

Feature	Type 1 Diabetes	Type 2 Diabetes
<b>Definition</b>	An autoimmune disorder where the immune system destroys insulin-producing beta cells in the pancreas.	Metabolic disorder characterized by insulin resistance or inadequate insulin production.
<b>Age of Onset</b>	Typically diagnosed in children and young adults.	Often diagnosed in adults, but can occur at any age.
<b>Causes</b>	Unknown, possibly genetic and environmental factors.	Strongly linked to genetics, obesity, and lifestyle factors.
<b>Symptoms</b>	Frequent urination, excessive thirst, weight loss, fatigue, and blurred vision.	Often asymptomatic or have mild symptoms initially.
<b>Risk Factors</b>	Family history of Type 1 diabetes, genetics.	Family history of Type 2 diabetes, obesity, inactivity, poor diet.
<b>Prevention</b>	No known prevention.	Can often be prevented or delayed through lifestyle changes.



Factors that contribute to the prevalence of diabetes in India

Dietary causes:

- The surge in diabetes cases is largely attributed to the rampant consumption of ultra-processed foods and beverages.
- These include carbonated drinks, instant cereals, and a plethora of fast foods ranging from pizzas to sweetened yogurts.
- Research underscores the peril of diets laden with ultra-processed foods or those high in sugar, fat, and salt.
- 10% daily uptick in such food consumption can spike the risk of type-2 diabetes in adults by 15%.

Lifestyle Changes:

- Rapid urbanization increased "westernization", and the shift towards sedentary lifestyles have contributed to the rise in diabetes cases in India.
- The availability of machines and decreased physical activity, coupled with stress, play a significant role.

Physical Inactivity:

- A study by ICMR highlighted the sedentary nature of Indian adults, with men being physically active for close to two hours a day, while women spent just about 52 minutes.

Financial Strain:

- The overall diabetes and prediabetes care market in India is projected to soar to about \$60 billion by 2030, up from \$17 billion in 2020-21.
- On average, a type-2 diabetes patient in India incurs an annual expense of ₹11,000, with medications accounting for 55% of this cost.

Global Trends and Role of Food Industry in India

- While high-income nations witness a dip in sugar-sweetened beverage sales, companies are redirecting their focus to countries like India.
- The younger generation and the burgeoning middle class are prime targets.
- From cartoon characters to celebrity endorsements, the tactics are manifold, leading to skewed consumption choices.

Policy and Regulatory measures are required to curb diabetes

- Regulation Need: Amidst the health crisis, there's a pressing need to clamp down on the marketing of unhealthy edibles by ordinance (under Article 123 of the Constitution) or supervised regulatory provisions.
- Industry Resistance: The food industry, while resisting such regulations, offers partnership baits, often underplaying the health crisis and overstating economic benefits.
- Regulatory Lapses: The Food Safety and Standards Authority of India's response has been tepid, with the food industry wielding significant influence.
- Legal Safeguards: To shield the populace from the food industry's manipulative tactics, a robust legal framework is imperative.
- This could encompass defining "healthy food", mandating warning labels, and

curbing promotional tactics for unhealthy products.

Similar actions have recently been taken by the governments of South Africa, Norway, and Mexico. The Indian government can demonstrate its strength by regulating food labelling and marketing. A law of this nature will be a clear demonstration of the government's will. The Infant Milk Substitutes, Feeding Bottles, and Infant Foods Act stifled commercial baby food growth. The proposed new law could have a similar effect on unhealthy foods and beverages. This is a thought whose time has come.

### Validity of 'self-respect' marriages

The Supreme Court observed that there is no blanket ban on advocates solemnising "self-respect" marriages under Section 7(A) of the Hindu Marriage Act, 1955. In doing so, a Bench of Justices S Ravindra Bhat and Aravind Kumar set aside a 2014 ruling of the Madras High Court holding that marriages performed by the advocates are not valid and that "suyamariyathai" or "self-respect" marriages cannot be solemnised in secrecy.

What are 'self-respect' marriages?

- On 17 January 1968, the Hindu Marriage (Tamil Nadu Amendment) Act, 1967, received the President's approval and became the law. This amendment modified the Hindu Marriage Act of 1955, by inserting Section 7-A into it. However, it extended only to the state of Tamil Nadu.
- Section 7-A deals with the special provision on "self-respect and secular marriages". It legally recognises "any marriage between any two Hindus", which can be referred to as "suyamariyathai" or "seerthiruththa marriage" or by any other name.
- Such marriages are solemnised in the presence of relatives, friends, or other persons, with parties declaring each other to be husband or wife, in a language understood by them. Further, each party to the marriage garlands the other or puts a ring on the other's finger or ties a "thali" or mangal sutra. However, such marriages are also required to be registered as per the law.
- The rationale behind the Tamil Nadu government amending the Hindu Marriage Act, 1955, to include "suyamariyathai" or "self-respect" marriages, was to radically simplify weddings by shunning the need for mandatory Brahmin priests, holy fire and saptapadi (seven steps). This allowed marriages to be declared in the presence of the couple's friends or family or any other persons. In a nutshell, the amendment was made to do away with the need for priests and rituals, which were otherwise required to complete wedding ceremonies.
- In its recent order, the Supreme Court allowed a petition challenging a Madras High Court order dated 5 May where the court had ordered the initiation of disciplinary action against the advocates who solemnised such

marriages in their offices and issued marriage certificates to consenting adults.

What did the top court say?

- In the case of “Ilavarasan v. Superintendent of Police”, a Bench of Justices Ravindra Bhat and Aravind Kumar was hearing an appeal of a man called Ilavarasan against a Madras High Court order passed in May 2023, rejecting his habeas corpus petition to present his wife before the court.
- The petitioner had claimed that he had performed “suyamariyathai” with his wife, who was currently under her parents’ “illegal custody”. Refusing to accept the “self-respect” marriage certificate issued by the advocate, the Madras High Court dismissed Ilvarasan’s habeas corpus plea. Thus, he was compelled to move the top court, which successfully admitted his plea.
- In doing so, the court overruled the 2014 ruling of the Madras High Court in “Balakrishna Pandian v. The Superintendent of Police”, where it was held that marriages performed by the advocates are invalid and that “suyammariyathai” or “self-respect” marriages cannot be solemnised in secrecy.
- The Madras High Court had held in its 2014 ruling: “We are very clear in our mind that even the protagonists of the Suyammariyathai/Seerthiruththa form of marriage did not visualize marriages being solemnised in secrecy. The very idea of performing marriages with celebration is to publicly declare the marital status of the parties. Even Thanthai Periyar used to conduct Suyamariyathai form of marriages publicly so that the world recognised the status of the couples. Hence, celebration of marriage is not antithetical to Suyammariyathai/Seerthiruththa form of marriage.
- Therefore, we are of the opinion that a marriage conducted in secrecy with few strangers around, be it Suyammariyathai form, will not amount to solemnisation, as required under Section 7 & 7-A of the Hindu Marriage Act”.
- Further, the top court also relied on its 2001 ruling in “Nagalingam v. Sivagami”, which said that there is no blanket ban on advocates to solemnise marriages under Section 7(A) of the Hindu Marriage Act (Tamil Nadu State Amendment Act).

What has the top court ruled on ‘self-respect’ marriages in the past?

- In “S. Nagalingam vs Sivagami” (2001), a bench of Justices DP Mohapatra and KG Balakrishnan recognised the petitioner’s marriage with his wife to be a valid one despite the ceremony of “saptapadi” or seven steps around the sacred fire, not taking place.
- Clarifying that the parties in the present case did not consider the “saptapadi” ceremony to be as essential as per their personal law, the court said that Section 7-A of the Hindu Marriage Act (Tamil Nadu State Amendment) would apply instead.
- “The main thrust of this provision is that the presence of a priest is not necessary for the performance of a valid marriage. Parties can enter into a marriage in the presence of relatives or friends or other persons and each party to the marriage should declare in the language understood by the parties that each takes the other to be his wife or, as the case may be, her

husband and the marriage would be completed by a simple ceremony requiring the parties to the marriage to garland each other or put a ring upon any finger of the other or tie a thali," the court had observed in its ruling.

### UK carries out first-ever womb transplant as sister donates

Recently, the United Kingdom's first uterus transplant was conducted, providing new hope for women facing reproductive challenges.

- India is one of a few countries to have had a successful uterine transplant; others include Turkey, Sweden, and the U.S.
- Doctors now aim to reduce the surgery cost, currently at Rs 15-17 lakh in India, and develop a bioengineered artificial uterus to simplify transplants and eliminate live donors for ethical organ transplantation.

### Uterus Transplant

- Unlike heart or liver transplants, uterus transplants aren't life-saving transplants. Instead, they are more like limb or skin transplants – which improve the quality of individuals' lives.
- Uterus transplants can help women who lack a uterus fulfill their reproductive needs.
- The first live birth after a uterus transplant occurred in Sweden in 2014, marking a breakthrough in treating uterine factor infertility.
- Steps Involved in a Uterus Transplant:
  - The recipient undergoes thorough physical and mental health evaluations before the transplant.
  - The donor's uterus, whether from a live or deceased donor, is rigorously examined for viability.
  - Live donors undergo various tests, including gynaecological examinations and cancer screenings.
  - The procedure doesn't connect the uterus to the fallopian tubes, which ensures the ovum from the ovaries moves to the uterus – so the individual can't become pregnant through natural means.
  - Instead, doctors remove the recipient's ova, create embryos using in vitro fertilization, and freeze them embryos (cryopreservation).
  - Once the newly transplanted uterus is 'ready', the doctors implant the embryos in the uterus.
  - Robot-assisted laparoscopy is used to precisely remove the donor's uterus, making the process less invasive.
  - After the transplantation procedure, the vital uterine vasculature (the network of vessels connecting the heart to other organs and tissues in the body) and other important linkages are methodically re-established.

### Post-Transplant Pregnancy:

- Success is determined in three stages:

- Monitoring graft viability in the first three months.
- Assessing uterus function between six months to one year.
- Attempting pregnancy with in vitro fertilization, but with higher risks like rejection or complications.
- The final stage of success is a successful childbirth.
- Frequent check-ups are essential due to potential risks like rejection, abortion, low birth weight, and premature birth.
- Considerations and Side Effects:
- Immunosuppressant drugs are necessary to prevent rejection but may cause side effects.
- Side effects include kidney and bone marrow toxicity and an increased risk of diabetes and cancer.
- For these concerns, the uterus must be removed after successful childbirth and regular follow-ups for at least a decade are recommended after childbirth.

#### Artificial Uteri

- Researchers, at the University of Gothenburg, are working on bioengineered uteri. These are created using stem cells taken from a woman's blood or bone marrow as a foundation for a 3D scaffold.
- Preliminary experiments with rats show promise.
- Artificial uteri could eliminate the need for live donors, addressing ethical concerns and reducing the potential risks to healthy donors.
- Artificial uteri could benefit women facing infertility issues as well as members of the LGBTQ+ community.
- However, trans-women recipients may still need additional procedures, like castration (removing the testicles of a male animal or human) and hormone therapy.
- Also, Ensuring consistent blood flow to support a developing fetus is a challenge in creating artificial uteri, as the male body lacks the necessary structures for uterine and fetal development.

#### Future Possibilities:

Artificial uteri offer exciting possibilities for reproductive medicine but require further research and development before becoming a practical solution for human reproduction.

## Israel-Palestine conflict: An unending saga

October 7, 2023 was different. At dawn, thousands of rockets were fired into Israel by Hamas from the Gaza strip and hundreds of militants broke through several points in the barrier that separates the strip from Israel to attack, kill and kidnap Israelis, mostly in the communities based along the border. The barrage of rockets was intense enough for some to break through the famed Iron Dome and strikes were reported as far inland as Jerusalem. Historically, October 7 morning will be recorded as a “failure” in every aspect. The Israeli concept – that Palestinian groups would not mount a war they could not win – (again) collapsed.

### History of the Conflict

#### Creation of Israel:

- The conflict's origins can be traced back to the late 19th and early 20th centuries when Jewish immigration to Palestine increased, leading to tensions between Jewish settlers and the Arab population.
- In 1917, during World War I, the British government issued the Balfour Declaration, expressing support for the establishment of a "national home for the Jewish people" in Palestine.
- After World War II, In 1947, the United Nations proposed a partition plan that would divide Palestine into separate Jewish and Arab states, with Jerusalem as an international city. The plan was accepted by Jewish leaders but rejected by Arab leaders, leading to violence.
- In 1948, Israel declared its independence, leading to a war with neighboring Arab states. This conflict resulted in the displacement of hundreds of thousands of Palestinians, laying the groundwork for future tensions.

#### Early Relations and Rise of Hamas:

- The Israel-Hamas conflict, in its current form, can be traced back to the late 1980s when the First Intifada (Palestinian uprising) erupted.
- Hamas, an Islamist organization, emerged during this period. It gained popularity as a resistance movement against Israeli occupation and Fatah, the Palestinian political faction.
- Israel initially tolerated Hamas as a counterbalance to Fatah, but this changed as Hamas' influence grew.

#### Oslo Accords and Second Intifada:

- In the early 1990s, the Oslo Accords led to the establishment of the Palestinian Authority (PA) and partial Israeli withdrawal from certain areas in the West Bank and Gaza Strip.
- However, the peace process stalled, leading to frustration and violence, culminating in the Second Intifada (2000-2005).
- During this period, Hamas intensified its suicide bombings and rocket attacks against Israeli civilians.

#### Gaza Takeover and Blockade:

- In 2006, Hamas won Palestinian legislative elections, leading to tensions with

the Fatah-dominated PA.

- In 2007, Hamas forcibly took control of the Gaza Strip, while Fatah retained control of the West Bank.
- Israel imposed a blockade on Gaza to prevent arms smuggling and attacks. The blockade has led to humanitarian concerns and economic hardship for Gaza's residents.

#### Repeated Conflicts and Ceasefires:

- There have been several major conflicts between Israel and Hamas, including Operation Cast Lead (2008-2009), Operation Pillar of Defense (2012), and Operation Protective Edge (2014). These conflicts resulted in significant casualties on both sides.
- In 2021, tensions rose over Israeli policies in Jerusalem, including the planned eviction of Palestinian families from Sheikh Jarrah and the restrictions on access to the Al-Aqsa Mosque
- Hamas fired rockets at Jerusalem and other Israeli cities, while Israel carried out airstrikes on Gaza. More than 250 Palestinians and 12 Israelis were killed. A ceasefire was brokered by Egypt, with the support of the US and other international actors.

#### The Ongoing Israel-Hamas conflict:

- The ongoing Israel-Hamas conflict is a continuation of the long-standing and complex dispute between the two sides over land, sovereignty, and security.
- The current escalation began on Saturday, October 7, 2023, when Hamas launched a surprise attack on Israel, firing thousands of rockets and infiltrating its border with armed militants.
- Israel responded with intense airstrikes on Gaza and mobilized its troops for a possible ground invasion.
- The fighting has resulted in hundreds of casualties on both sides and widespread destruction in Gaza.

#### Important Places Linked to Israel Palestine Conflict



**Al Aqsa Mosque:**

- It is one of the holiest structures in the Islamic faith known by Muslims as Haram al-Sharif, or the Noble Sanctuary, and by Jews as the Temple Mount.
- The site is part of the Old City of Jerusalem, sacred to Christians, Jews and Muslims.

**Sheikh Jarrah:**

- Sheikh Jarrah is a neighborhood located north of the Old City in East Jerusalem.
- Hundreds of thousands of Palestinians were forced out of their homes when the State of Israel was created in historical Palestine in 1948.
- Twenty-eight of those Palestinian families moved to Sheikh Jarrah in East Jerusalem to settle there.

**West Bank:**

- West Bank is a landlocked territory in West Asia. It also contains a significant section of the western Dead Sea.
- It was captured by Jordan after the Arab-Israeli War (1948) but Israel snatched it back during the Six-Day War of 1967 and has occupied it ever since.
- The West Bank is sandwiched between Israel and Jordan.

**Gaza Strip:**

- The Gaza Strip is located between Israel and Egypt. Israel occupied the strip after 1967, but relinquished control of Gaza City and day-to-day administration in most of the territory during the Oslo peace process.
- In 2005, Israel unilaterally removed Jewish settlements from the territory, though it continues to control international access to it.

**Golan Heights:**

- The Golan Heights is a strategic plateau that Israel captured from Syria in the 1967 war. Israel effectively annexed the territory in 1981.
- In 2017, the USA officially recognized Jerusalem and Golan Heights as a part of Israel.

**Demands of Israel and Palestine**

<b>Israel</b>	<b>Palestine</b>
Israel wants to maintain its Jewish identity and security as a state, while also expanding its settlements and control over the occupied territories.	Palestine wants to establish an independent and sovereign state in the West Bank, Gaza Strip, and East Jerusalem, which have been occupied by Israel since 1967.
Israel wants the Palestinians to recognize its right to exist and renounce violence.	Palestine wants the Israelis to end their military occupation and blockade, and withdraw from the settlements.
Israel wants to keep Jerusalem as its undivided capital and have access to its	Palestine also wants to have Jerusalem as its capital and have access to its holy

holy sites.	sites.
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### Repercussions of Israel-Palestine Conflict on India

- **Trade Relations:**An escalation in the conflict could impact India's trade with Israel, particularly in critical areas like defense equipment. Israel is a significant supplier of defense technology to India, and any disruption in this trade relationship could affect India's defense preparedness.
- **Diplomatic Challenges:**India has traditionally maintained a balanced approach in its foreign policy towards Israel and Arab countries. If the conflict escalates and draws in other Arab nations, it could pose diplomatic challenges for India. Balancing its ties with Israel and maintaining good relations with Arab nations may become more complex.
- **Economic and Strategic Ties with the Middle East:** India's economic and strategic ties with the Middle East have grown in importance, particularly in the context of initiatives like the India-Middle East-Europe economic corridor.If the conflict intensifies and involves other regional actors like Hezbollah and Iran, it could destabilize the West Asian region.
- **Energy Supply:**The West Asian region is a crucial source of energy imports for India. Any disruption in the stability of the region could potentially impact India's energy supply, leading to economic challenges.
- **Welfare of Indian Expatriates:** India has a significant expatriate population working in various Middle Eastern countries. The welfare and safety of these Indian nationals could be at risk if the conflict escalates, and it becomes essential for India to ensure their protection.

### India's Stand

- India was one of the few countries to oppose the UN's partition plan in November 1947, echoing its own experience during independence a few months earlier. In the decades that followed, the Indian political leadership actively supported the Palestinian cause and withheld full diplomatic relations with Israel.
- India recognised Israel in 1950 but it is also the first non-Arab country to recognise Palestine Liberation Organisation (PLO) as the sole representative of the Palestinian. India is also one of the first countries to recognise the statehood of Palestine in 1988.
- In 2014, India favored UNHRC's resolution to probe Israel's human rights violations in Gaza. Despite supporting the probe, India abstained from voting against Israel in UNHRC in 2015.
- As a part of Link West Policy, India has de-hyphenated its relationship with Israel and Palestine in 2018 to treat both the countries mutually independent and exclusive.
- In June 2019, India voted in favor of a decision introduced by Israel in the UN Economic and Social Council (ECOSOC) that objected to granting consultative status to a Palestinian non-governmental organization.
- So far India has tried to maintain the image of its historical moral supporter for Palestinian self-determination, and at the same time to engage in the military, economic, and other strategic relations with Israel.

- India advocates dialogue and diplomacy as the only viable means to resolve the conflict. India supports the role of the Quartet (the US, Russia, the EU, and the UN) and other regional and international actors in facilitating the peace talks between Israel and Palestine.

#### Solution to the Israel-Palestine conflict

- **The Two-State Solution:** The two-state solution is one of the most widely supported proposals, which envisages the creation of an independent and sovereign Palestinian state alongside Israel, within mutually agreed and internationally recognized borders.
- The two-state solution also aims to address the core issues of the conflict, such as Jerusalem, refugees, settlements, security, and water.
- It has also been supported by many world leaders including India, US, China etc.
- However, the two-state solution faces many challenges and obstacles, such as:
  - The lack of political will and trust between Israel and Palestine, as well as among their domestic constituencies, to make the necessary compromises and concessions for peace.
  - The division and fragmentation of the Palestinian leadership and territory, between the West Bank and Gaza Strip, and between Fatah and Hamas.
  - The influence and interference of external actors, such as Iran, Turkey, Egypt, and the US, who have their own interests and agendas in the region.
  - The escalation of violence and extremism on both sides, which fuel hatred and resentment among the populations and erode the prospects for dialogue and coexistence.
- **Other Solutions:** The two-state solution is not the only possible solution to the Israel-Palestine conflict. There are other alternatives that have been proposed or advocated by different groups or individuals, such as:
  - **The One-State Solution:** This approach envisions a single, bi-national state where both Israelis and Palestinians have equal rights and representation.
  - The challenge with this solution lies in addressing the concerns of both communities and ensuring that neither side feels marginalized.
  - **The Confederation Model:** Some propose a confederation of two separate states with shared institutions and cooperation in areas like security, economy, and resources. This model allows for some level of autonomy while maintaining cooperation.
  - **International Trusteeship:** Under this option, an international body or coalition could oversee and govern the region until a more stable and mutually agreeable solution can be reached. This approach would require the cooperation of the international community.

## Friendshoring and deglobalisation

AT THEIR ANNUAL gathering in Jackson Hole the world's central bankers talked, among other things, about the threat of deglobalisation. Christine Lagarde, president of the European Central Bank (ECB), noted that the governments of Western countries are increasingly adopting industrial policies that promote "friendshoring" of strategic industries; this and related terms like "nearshoring", "derisking" and "decoupling" (mainly from China) are in vogue among economic policymakers.

What is friendshoring?

- It happens when a government pushes businesses to restructure supply chains, shifting production away from geopolitical rivals to friendly powers. The Biden administration's ban on American investment in Chinese technology this month is one example. Friendshoring is similar to nearshoring, which moves production closer to home. Both policies aim to strengthen trade security. But they have a cost: when politics rather than profit determine where goods are made, production is likely to be less efficient. But advocates argue that the price is worth paying to reduce countries' dependence on hostile powers. That argument gained force after Russia cut off its gas supplies to try to compel the EU to withdraw its support for Ukraine, which it invaded in 2022. It has been bolstered by increasing tensions between America and China.
- Janet Yellen, America's treasury secretary, implicitly argued for reducing Western reliance on China in a speech last year when she called for more secure supplies of critical materials, particularly those used in semiconductors and electric-vehicle batteries. She recently travelled to India and Vietnam to strengthen ties with businesses there.
- At first glance, friendshoring appears to be making progress. Trade ties between China and America are weakening: in 2018 two-thirds of American imports from a group of "low-cost" Asian countries came from China; last year just over half did. This year Mexico supplanted China as America's top trading partner.
- But the reality is more complex than these figures suggest. Although America is importing less from China, its friendly suppliers continue to rely on Chinese inputs. Mexico's imports of car parts from China have doubled in the past five years. And in some strategic industries, notably green power, America continues to rely on China: it provides more than a third of the large-capacity batteries that America imports, up by five percentage points since Ms Yellen's speech. The EU faces a similar challenge: the bloc relies heavily on China as a supplier of 14 out of the 27 raw materials it deems to be of critical importance.
- Thus far, attempts to friendshore supply chains have created no more than a degree of separation in America's trade relationship with China, leaving deep economic ties largely intact. The Biden administration insists it wants to keep separation limited. During a trip to China from 28th-30th August, Gina Raimondo, America's commerce secretary, told Li Qiang, China's prime minister that America does not wish to decouple from China. That may be because recent research has shown just how high the costs of friendshoring

could be.

- A study by the IMF in May found that friendshoring would damage real GDP in America and Europe by 0.1%-1%, and inflict worse harm, of up to 4.7%, on countries caught between the West and its adversaries. Another by the ECB found that global gross national expenditure would fall by 5.3% in its worst-case scenario. America may be able to buy supply-chain security, but it would come at a heavy price.

## Energy and Geopolitics

- Clean energy is becoming world's new obsession to limit the use of fossil fuels are leading nowhere. The war between Russia and Ukraine has once again proved that oil and gas can be weaponised to the advantage of nations that have reserves they can cause havoc to economies the world over. As Jason Bordoff and Meghan O'Sullivan point out in an article in Foreign Affairs, transition to clean energy will also bring in significant geopolitical changes across the globe, replacing old tensions with new ones and reconfiguring the international political system prevailing since World War-II.
- It is in this context that the recent discovery of lithium reserves in Degana, Rajasthan, estimated to be the second largest in the world after Chile's, coming just three months after the discovery of 5.9 million tonnes of inferred lithium reserves in Reasi, Jammu, needs to be considered. Known as 'white gold', lithium is a priority element for the entire world without it, the transition to a green economy will almost come to a standstill.
- Lithium-ion batteries are used in wind turbines, solar panels, and electric vehicles (EV), all of which are crucial for the green economy. The 'lithium triangle' of Bolivia, Chile and Argentina contains half the world's known lithium reserves, but it is China that controls 77 per cent of the global lithiumion battery manufacturing capacity and is home to six of the world's 10 largest manufacturing companies.
- India currently imports all of its lithium from Australia and Argentina and 70 per cent of its lithium-ion cell requirements from China. Thus, if the discovery of lithium reserves and their perceived sizes prove to be correct, India may well overtake China in lithium stockpiling, and fulfil the government's ambitious plan of 30 per cent EV penetration in private cars, 70 per cent in commercial vehicles, and 80 per cent in two and three-wheelers by 2030, besides strengthening India's National Mission on Transformative Mobility and Battery Storage. India is committed to increase its non-fossil energy capacity to 500 GW, or 50 per cent by 2030.
- Lithium belongs to the Rare Earth Elements (REE) which are essential components of a wide range of high-tech consumer products like smartphones, computer hard-drives, flat-screen monitors, TVs and EVs. It is also used for military application guidance systems, lasers, radar etc. In 1993, 38 per cent of world production of REEs was in China, 33 per cent in the USA, 12 per cent in Australia, and five per cent each in Malaysia and

India. By 2011, China accounted for 97 per cent of world production of REEs. Critical mineral dependencies constitute a major geostrategic concern, and a high level of dependence on China poses huge risks for energy security for nations, a fact that not only India but most of the world is now realising. And not only lithium, there are several critical metals which are also essential for transition to the net-zero energy systems.

- Seventy-two countries, accounting for around 80 per cent of global emissions, have committed themselves to net-zero targets by 2050. A carbon-neutral world in 2050 will need 35m tonnes of green metals a year, which is likely to create a huge supply crunch. An IMF working paper estimates that for the world to reach net-zero emissions by 2050, revenues for lithium, copper, cobalt and nickel producers could raise four-fold to \$13trn between 2021 and 2040. This has the potential to reorder the geoeconomic and geostrategic realities in our world. The focus will turn to Latin America.
- Mexico is the world's biggest producer of silver, which is used in wind turbines and solar panels. Chile and Peru alone produce almost 40 per cent of the world's copper used in solar photovoltaics and also wind energy turbines, cables, and transformers. Brazil has a fifth of the world's known reserves of nickel, used in EV-batteries, though Indonesia is its largest producer. The Democratic Republic of Congo ~ one the ten poorest countries in the world and a failing state, holds more than 70 per cent of the world's reserves of cobalt, another metal used extensively in EVs. Another critical metal for greening is aluminium, of which China and India are the world's largest producers. Estimates by the International Energy Agency (IEA) show that while transitioning to net zero goals, by 2040 itself, the demand for these materials will rise sixfold. If the demands remain unmet, the transition will not happen.
- Energy is the key to development and use of a particular kind of it is a marker for human civilisation. The energy system underpins both the global economy and the geopolitical order. Of course, complete transition to clean energy is a chimera and will take many more years, but even a modest change in our energy basket may cause upheavals the world may not yet be prepared for. The net zero goal may also produce unintended geopolitical consequences that the world may not know how to handle; besides net zero may not mean the end of fossil fuels which will continue to be used at a reduced scale for a very long time. Even in the clean energy regime, it will remain the driver of the global economy and determinant of the new political order.
- Volatility in fossil fuel prices today benefits the petrostates, mainly OPEC members who now control most of the world's spare capacity and can create artificial scarcities whenever they choose to make wind-fall gains for themselves. In the clean energy regime, this dominance will pass on to the countries that control the supply chain for minerals critical for green energy technologies, and they will start exercising significant influence over geoeconomics and geopolitics. But just as the oil shock of the 1970s drove the world to search for new sources of oil, the same phenomenon may be seen again.
- Another determinant of the new dominance would be the ability to cheaply manufacture components for new technologies, like China that manufactures

two-thirds of the world's polysilicon today and 90 percent of the semiconductor "wafers" used to make solar power cells. A country can become a clean energy superpower by producing and exporting low-carbon fuels like hydrogen and ammonia which are critical in the transition to a net-zero world.

- IEA's "net zero by 2050" scenario anticipates trading in hydrogen and ammonia to rise to a third of all energy-related transactions, which today are practically zero. This will benefit the Petro-States in the Gulf which have vast quantities of cheap solar energy to transition into "Electro-States" by using solar-powered electrolyzers to split water into hydrogen and oxygen to produce green hydrogen at much lower costs. The same goes with "blue hydrogen", made from natural gas using carbon capture technology to reduce emissions. Countries such as Qatar and the US, which have cheap gas and good carbon dioxide storage capacity may become the top exporters of blue hydrogen or ammonia, wielding larger geopolitical influence in the new world.
- A decarbonized world will rely more on electricity ~ total electricity use is likely to increase manifold. Electricity is harder and more expensive to transport over long distances and also hard to stockpile and store to protect against-supply disruptions. Thus, most of the decarbonised electricity is likely to be produced locally. Getting to netzero world may thus accelerate the current trends of de-globalization and protectionism being witnessed across continents. Governments are already wresting back control of critical elements in their countries one by one.

### Educational priorities under G20

- India's G20 presidency is rightly being applauded for changing the global order based on consensus, collaboration and cooperation, Union Minister for Education, Skill Development and Entrepreneurship, Dharmendra Pradhan, said.
- Speaking about educational priorities under G20, Pradhan said that the New Delhi Leaders' Declaration, by prioritising deliberations on critical areas like Foundational Literacy and Numeracy (FLN), Tech-enabled learning, Building Capacities for Lifelong learning and the Future of Work and Strengthening Research and Innovation through Collaboration, has renewed the global resolve to work for an equitable and sustainable future through education and has provided a roadmap for the same. Pradhan said that under the G20 architecture India's education and skill ecosystem has gained global appreciation and endorsement for the major principles and priorities of our National Education Policy 2020.
- The Minister further added that the Leaders' Declaration resonates with the education working group priorities on the three identified accelerators of Digital Transformation, Just Green Transition, and Women-led Development. This is reflected in the commitment to enhancing women's meaningful participation as decision makers, including in quality education; focus on

developing Digital Public Infrastructure including in education, and promoting LiFE.

- The education minister further highlighted the following points on education that have been included in the Leaders Declaration:
- The importance of investment in supporting human capital development for transforming our education systems and responding to the challenges of the 21st century has been recognised.
- As part of commitment to SDG 4 (Quality Education), the role of schools and the need to increase enrolment and retention of all learners, particularly for vulnerable learners has been emphasised.
- The need for immediate and collective action to ensure all learners acquire foundational skills by 2030, reducing the percentage of children unable to read and do math by grade two or three, especially girls and children with disabilities was also reaffirmed. This is the essence of India's NIPUN Bharat programme
- The emerging trends, changing patterns in the use of digital and technological solutions in education, the transformative potential of digital technologies as an enabler for developing affordable and accessible learning resources and need for building the capacities of institutions and teachers has been recognised. The need to keep pace with emerging technologies, including AI, and focus on building Digital Public Infrastructure (DPI) in Education have also been highlighted. We are doing this through our programmes like SWAYAM, DIKSHA, among others.
- The resolve to advance life-long learning with a focus on skilling, reskilling, and upskilling has been emphasized in the Leaders Declaration recognizes the need for a unified framework for skill development aligned to Inclusive Growth, Sustainable Development, and Digital Transformation.
- It is being carried out by us through PMKVY, skill centres in universities and other programmes.
- The Leaders Declaration has also recognised the importance of strengthening collaborations in research and innovation among Higher Education Institutions through joint academic and research initiatives like Joint/Dual, Twinning degree programmes, enhanced mobility of students and faculty.
- Speaking on the follow up action being taken further to the G20 Education Working Group meetings, Pradhan informed that research collaborations are being actively done with several countries. This is being reflected through our joint initiatives such as the signing of MoUs between Council of Indian Institutes of Technology (IIT Council), and the Association of American Universities (AAU) to establish the India-U.S. Global Challenges Institute, that will bring together leading research and higher-education institutions from across our two nations, to advance new frontiers in science and technology, spanning collaboration in sustainable energy and agriculture, health and pandemic preparedness, semiconductor technology and manufacturing, advanced materials, telecommunications, artificial intelligence, and quantum science.
- Furthermore, many new emerging multi-institutional collaborative education partnerships have also been inked such as those between New York University-Tandon and IIT Kanpur Advanced Research Center, the Joint

Research Centers of the State University of New York at Buffalo and IIT Delhi, Kanpur, Jodhpur, and BHU, in the areas of critical and emerging technologies, IIT Bombay joining the Chicago Quantum Exchange and the start of the India-US Defence Acceleration Ecosystem (INDUS-X). Similarly, the ministry is exploring university level collaborations with other countries like Australia, UAE, Taiwan, UK and others in many critical areas.

- In the skill sector one of the key focus areas is the sanitisation of transnational standards with member countries by creating an International Reference Classification of occupations based on skill and qualification requirements, leading to better cross-country comparability and mutual recognition of qualifications. This commitment included a pledge to establish well-managed, regular, and skills-based migration pathways that mutually benefit origin and destination countries. To support these efforts, they focused on identifying global skill gaps and prioritising policies aimed at addressing them, which involved strengthening national statistical data and expanding the International Labor Organization (ILO) and OECD Skills for Jobs Databases to encompass G20 nations.
- ILO and OECD proposed 12 basic and 14 extended indicators for monitoring and measuring global skill gaps. These indicators have been agreed to by the G20 countries. Going forward, ILO and OECD would be responsible for implementing the intervention to monitor and measure global skill gaps in G20 countries basis the agreed indicators.

### Fight against bauxite mining in Odisha: the view from the hill

Proposal of Excavation on the Sijimali Bauxite Deposit Site: The Vedanta Group has proposed an excavation of 9 MTPA (million tonnes per annum) of ore over an area of 1,549.022 hectares on the Sijimali bauxite deposit site. The mine would contribute ₹2,511.6 crore per annum to the State and Central government exchequers by way of mining revenue. Bauxite deposits are known to store water, and if these sources are destroyed, it will unquestionably impact the lives of the local population.”

#### Tribes in Odisha

- Currently, there are 62 tribes and 13 are from the Particularly Vulnerable Tribal Groups (PVTGs).
- Power: All forest-dwelling communities are part of their village gram sabhas that take major decisions collectively.
- They function under the Forest Rights Act, 2006.
- The Panchayat Extension to Scheduled Areas (PESA) Act, 1996, also gives the sabhas power, declaring them competent to safeguard and preserve the people's traditions, customs, cultural identity, community resources, and community mode of dispute resolution.

#### Bauxite Reserves in Odisha

Over 95% of the State's bauxite reserves are concentrated in the East Coast Bauxite (Eastern Ghats Mobile Belt) region, particularly in the southern and western parts, including Koraput, Rayagada, Kalahandi, and Balangir districts, according to Odisha's Directorate of Geology.

## Bauxite

Important metals and their ores		
Metal	Ores	Chemical Formula
Sodium (Na)	Chile saltpeter	$\text{NaNO}_3$
	Trona	$\text{Na}_2\text{CO}_3 \cdot 2\text{NaHCO}_3 \cdot 3\text{H}_2\text{O}$
	Borax	$\text{Na}_2\text{B}_4\text{O}_7 \cdot 10\text{H}_2\text{O}$
	Common salt	$\text{NaCl}$
Aluminium (Al)	Bauxite	$\text{Al}_2\text{O}_3 \cdot 2\text{H}_2\text{O}$
	Corundum	$\text{Al}_2\text{O}_3$
	Felspar	$\text{K Al Si}_3\text{O}_8$
	Cryolite	$\text{Na}_3\text{AlF}_6$
	Alunite	$\text{K}_2\text{SO}_4 \cdot \text{Al}_2(\text{SO}_4)_3 \cdot 4 \text{Al}(\text{OH})_3$
	Kaolin	$3 \text{Al}_2\text{O}_3 \cdot 6 \text{SiO}_2 \cdot 2\text{H}_2\text{O}$
Potassium (K)	Nitre (salt peter)	$\text{KNO}_3$
	Carnalite	$\text{KCl} \cdot \text{MgCl}_2 \cdot 6 \text{H}_2\text{O}$
Magnesium (Mg)	Magnesite	$\text{MgCO}_3$
	Dolomite	$\text{MgCO}_3 \cdot \text{CaCO}_3$
	Epsom salt	$\text{MgSO}_4 \cdot 7 \text{H}_2\text{O}$
	Kieserite	$\text{MgSO}_4 \cdot \text{H}_2\text{O}$
	Carnalite	$\text{KCl} \cdot \text{MgCl}_2 \cdot 6 \text{H}_2\text{O}$

- It is a naturally occurring, heterogeneous material composed primarily of one or more aluminum hydroxide minerals, and various other impurities in minor or trace amounts.
- The region has 44 bauxite deposits.
- The Gandhamardan hill, with 207 million tonnes of reserves, has been declared a biodiversity heritage site, a no-go mining zone.
- Need for Aluminium: The demand for aluminium remains robust across four key sectors: transport (including automobiles), electrical, construction, packaging.

Economic development is a need of the hour but it should not be done by compromising the sustainability of the environment and emotions of the people. Similarly, the government is required to take people's view of the region and then come up with any result, otherwise it could result in serious consequences.

## “Age of Consent” Under the POCSO Act

The 283rd report of the Law Commission has recently brought to light recommendations suggesting the continuation of the present age of consent (18) under the POCSO Act. This report has generated debates, as many expected a change in the light of perceived injustices in statutory rape scenarios.

Overview of the POCSO Act: Introduced in 2012, the POCSO Act emerged as India's initial all-encompassing legislation to combat child sexual abuse. Overseen by the Ministry of Women and Child Development, it primarily focuses on safeguarding children from various forms of sexual exploitation, including assault, harassment, and exposure to pornography. A significant enhancement in the act's penalties came in 2019, reinforcing protection against abuse.

### Key Highlights of the Act:

- **Universality of Gender:** The act addresses any individual below the age of 18 as a child, irrespective of their gender.
- **Mandatory Reporting:** It becomes an offense if those running an institution neglect to report any incidents of sexual offenses involving their subordinates.
- **Flexibility in Reporting:** Victims aren't restrained by a time limit and can report incidents irrespective of when they occurred.
- **Confidentiality is Key:** Any form of public disclosure of a victim's identity is prohibited, barring court-sanctioned situations.

### Challenges Linked to the POCSO Act:

- **Adolescent Intimacy and the Law:** There's been a significant rise in criminal actions against teenagers participating in consensual sexual activities following the age of consent's shift from 16 to 18. This is especially problematic for marginalized youth.
- **Elevated Prosecution Rates:** With the revised age of consent, there's a surge in prosecutions, especially for those below 18. The existing legal frameworks, including the Indian Penal Code, stipulate a minimum decade-long sentence for statutory rape, without taking mutual consent into account.

### Law Commission's Observations:

- **Age of Consent:** The commission emphasizes that lowering the age might inadvertently fuel child marriage and trafficking.
- **Implicit Agreement:** The commission encourages amendments for instances where 16 to 18-year-olds might not provide legal consent but show passive approval.
- **Historical Precedents:** Debates persist between maintaining the age of consent at 16, incorporating close-in-age exceptions, and elevating it to 18.

### Critique of the Report:

- **International Comparisons:** The commission's report evaluates methods in countries like the US, Canada, and Japan, where the age of consent is comparatively lower.
- **Incomplete Consultation:** The feedback process didn't extensively encompass

insights from specialists in diverse fields.

- Mitigation Concerns: The report suggests judges should have the autonomy to determine sentences below the obligatory 10 years in specific contexts.

Road Ahead:

- Balancing Protection and Freedom: While POCSO focuses on safeguarding the young from sexual abuse, it's also vital to ensure their personal choices aren't penalized.
- Addressing Puberty and Sexual Awareness: Early marriages were once the norm, but with the growing consensus against them, fear of legal repercussions has now become the deterrent.
- Tailored Protection for Minors: As per the Convention on the Rights of the Child, individuals below 18 require varied protection levels, reflecting their developmental stages.

The recommendations by the Law Commission necessitate a more nuanced approach to the age of consent issue. It's imperative for the judiciary to handle such cases with finesse and a keen sense of justice, and the public discourse on the matter should continue.

## The Global Perspective on Sustainable Development

In 2015, the United Nations introduced the Sustainable Development Goals (SDGs) as a universal agenda to promote a more equitable and sustainable world. This collection of 17 goals, supported by 169 specific targets, represents a collaborative effort by all 193 member nations of the UN to address key challenges like poverty, environmental degradation, and inequality by 2030.

Interconnected Nature of the SDGs

Holistic Approach

- Understands interconnectedness of socio-economic and environmental issues.
- Aims to balance economic growth, social well-being, and environmental conservation.
- Targets include eradicating hunger, poverty, AIDS, and gender-based discrimination.

Accountability Mechanisms

- Voluntary National Review (VNR) submitted to UN's High Level Political Forum (HLPF).
- Voluntary Local Reviews (VLRs) for local implementation.

Barriers to Progress

### Global Setbacks

- COVID-19 pandemic.
- Growing threats from climate change.
- Geopolitical tensions, e.g., Russia-Ukraine conflict.
- Sluggish global economy.

### Impacted Regions

- Profound setbacks in Least Developed Countries.
- Countries like India facing challenges in SDG achievement.

### The Pivotal Role of Education in SDGs

#### Education-centric SDG

- Goal 4 emphasizes quality education.
- India's National Education Policy (NEP) 2020 aligns with SDGs.
- Highlights the transformation needed in higher education.

#### Value of Higher Education

- OECD study: Those with tertiary education have better employment prospects and higher salaries.
- Addresses challenges like poverty (SDG1), hunger (SDG2), health issues (SDG3), gender equality (SDG5), economic growth (SDG8), and reduced inequalities (SDG10).

### Revamping Higher Education for the SDGs

#### Strengthening Educational Approaches

- Enhanced integration between research and teaching.
- Emphasis on multidisciplinary approaches.
- Produce solutions for clean energy (SDG7), sustainable cities (SDG11), climate action (SDG13).

#### Partnerships and New Educational Forms

- Collaborate with private sector for innovation (SDG9).
- Incorporate Value-Based Education.

### A Strategic Roadmap for the Future

#### Unified Response

- Attaining SDGs demands urgent, unified response.
- NEP 2020 provides a framework.
- More aggressive measures, like ranking universities based on SDG achievements, are essential.

#### Universities' Extended Role

- Engage in local community development.
- Endorse sustainable practices: community health, waste reduction, and resource management.

## Wood alcohol: A planet-friendly energy source?

- Methanol, often referred to as wood alcohol or methyl alcohol, is the simplest form of alcohol. A clear and flammable substance, methanol is popularly utilized as a solvent, antifreeze, and industrial fuel. Racing cars have especially recognized it for its use as an alcohol-based fuel. Furthermore, methanol stands as a primary ingredient in the production of chemicals, plastics, and biodiesel.

### Environmental Merits of Methanol:

- Renewably produced methanol, often termed as "Green Methanol," presents a promising alternative to traditional fossil fuels, especially in sectors like marine transportation where reducing carbon footprints is vital. Notably, a type of green methanol is generated from green hydrogen.

### Potential Benefits of Using Methanol:

- **Economical Production:** Methanol emerges as a cost-effective choice compared to other alternative fuels.
- **Safety Advantages:** Compared to gasoline, methanol has reduced flammability risks.
- **Environmental Advantages:** Methanol, when derived from sustainable methods like green hydrogen and carbon capture techniques, has the potential to significantly reduce greenhouse gas emissions.
- **Versatility:** Apart from its use in dedicated engines, methanol finds relevance in diverse blends, shipping, aviation, and even industrial power generation.
- **NITI Aayog's Vision for a Methanol Economy:**
- India's strategic initiative, the "Methanol Economy" program under NITI Aayog, aims to harness methanol's potential for energy, environment, and economic advancements.
- The program seeks to minimize India's reliance on imported oil, with a targeted 15% reduction in gasoline or crude oil imports by blending 15% methanol.
- Additionally, it underscores methanol's role in decreasing greenhouse gas emissions, optimizing domestic resources, and fostering employment.

### Methanol in the Indian Context:

India has taken several steps to bolster its methanol economy:

- The Methanol Economy Research Programme (MERP) launched in 2015, emphasizes novel methanol production techniques.
- The Methanol Cooking Fuel Programme by Assam Petrochemicals in 2018 introduces methanol as an eco-friendly cooking alternative, targeting a reach of 1 lakh households.

### Challenges Faced by India:

While methanol offers promise, India confronts several obstacles:

- Limited domestic reserves of natural gas.

- Abundant but high ash coal reserves.
- Infrastructure deficits for methanol production and consumption.
- Limited public awareness and acceptance.

Steering India Towards a Methanol-Driven Future:

To truly harness the potential of methanol, India must:

- Foster R&D in methanol production.
- Promote methanol in marine sectors.
- Innovate with methanol-based fuel cells.
- Partner with automobile sectors for methanol-adapted engines.
- Augment methanol distribution networks.
- Intensify public awareness campaigns and offer incentives for adoption.

### Rights of Women vs. Rights of the Unborn?

Recently, a split decision of two bench judges on the decision of a married woman to abort her 26-week pregnancy is highlighting the dilemma to prioritize rights of woman or unborn child. Unable to reach common ground, now the case is referred to the Chief Justice of India to form a three-judge Bench.

Unborn Child and Women's Rights: Arguments in Favor of Abortion

- Paramount Consideration to the Mother: Need to consider the mother's well-being, privacy, and dignity.
- Conscious Decision by the Woman: If any woman has taken a conscious decision not to have the baby, then this decision should be respected, taking into account the woman's mental condition and her inability to care for her unborn child.
- Justice B.V. Nagarathna emphasized that the woman's decision should be respected and consideration of the woman's socio-economic situation is must.
- She also points out that this is not a case of a viable baby being born or unborn, and the priority should be given to the interests of the woman.

Unborn Child and Women's Rights: Arguments against the Abortion

- Rights of the Unborn Child: Woman does not have an absolute right of autonomy to exercise her reproductive rights in a way that would compromise the rights of the unborn child.
- Reference to the MTP Act of 2021: The Medical Termination of Pregnancy (Amendment) Act of 2021, extended the deadline for abortion to 24 weeks in exceptional circumstances, which is allowed only if necessary to save the life of the mother or in cases of a fatal deformity detected in the fetus.
- Viable Baby and State Responsibility: If there is a viable baby, the relief cannot be one-sided. The State has a responsibility to protect the life of the child, especially since a medical opinion suggests a chance of survival.
- Parliament's Authority over Reproductive Rights: Parliament has the authority to regulate reproductive rights and determine the conditions under which

abortion is permissible.

- Justice Hima Kohli agrees that the woman should not be permitted to terminate the pregnancy. Her opinion aligns with the idea that the rights of the unborn child and the State's responsibility should be considered.

In recent years, the Supreme Court has expanded the horizons of abortion rights, it removed a distinction between married and unmarried women, recognised the rights of trans-people, and recognised that significant reliance in deciding such cases ought to be placed on a woman's own estimation of whether she is in a position to continue and carry to term her pregnancy. Now it's again the time to further expand the horizons of rights while maintaining a rational balance between the right to abortion of women and the right to life of the unborn future of India.

## A Selfie Called Caste Census

The recently released caste survey data by the Bihar government has once again brought the issue of caste census to the forefront. While the Census of India has been publishing data on Scheduled Castes and Scheduled Tribes, there has been no estimate for the population of Other Backward Classes (OBCs) and other groups.

Census and Socio Economic and Caste census (SECC)

Census in India:

- The origin of the Census in India dates back to the colonial exercise of
- Census is used by the government, policymakers, academics, and others to capture the Indian population, access resources, map social change, and conduct delimitation
- However, it has been criticized as a blunt instrument unsuited for specialized inquiry.

SECC (Socio-Economic and Caste Census):

- SECC was first conducted in 1931 which aimed to collect information on the economic status of Indian families, both in rural and urban areas, to identify indicators of deprivation.
- It also collects data on specific caste names to evaluate the economic conditions of different caste groups.

Difference Between Census & SECC:

- Census provides a general portrait of the Indian population, while SECC is used to identify beneficiaries of state support.
- Census data is confidential under the Census Act of 1948, while personal information in SECC is open for use by government departments to grant or restrict benefits to households.

The History of Caste-based Data Collection in India:

- Caste-based data collection has a long history in India, with information on castes being included upto 1931.
- Post 1951, the decision to stop collecting caste data was made to move away from a divisive approach and promote national unity.
- However, with changing socio-political dynamics and the need for accurate information, there has been a renewed call for a caste census.

### Significance of Caste Census

#### To Address Social Inequality:

- Caste-based discrimination is still prevalent in many parts of India. A caste census can help identify the disadvantaged groups and bring them to the forefront of policy making.
- By understanding the distribution of different caste groups, targeted policies can be implemented to address social inequality and uplift marginalized communities.

#### To Ensure Equitable Distribution of Resources:

- Without accurate data on the population of OBCs and other groups, it is difficult to ensure equitable distribution of resources.
- A caste census can help in this regard by providing insights into the socio-economic conditions and needs of different caste groups.
- It can guide policymakers in formulating policies that cater to the specific requirements of each group, thereby promoting inclusive development.

#### To Monitor the Effectiveness of Affirmative Action Policies:

- Affirmative action policies such as reservations for OBCs and other groups are aimed at promoting social justice. However, without proper data on the population, it becomes challenging to evaluate the impact and effectiveness of these policies.
- A caste census can help monitor the implementation and outcomes of such policies, enabling policymakers to make informed decisions regarding their continuation and modification.

#### To Provide a Comprehensive Picture of Indian Society:

- Caste is an integral part of Indian society, influencing social relationships, economic opportunities, and political dynamics.
- A caste census can provide a comprehensive picture of the diversity of Indian society, shedding light on the social fabric and interplay between different caste groups.
- This data can contribute to a better understanding of social dynamics.

#### Constitutional Mandate:

- Our Constitution too favours conducting a caste census. Article 340 mandates the appointment of a commission to investigate the conditions of socially and educationally backward classes and make recommendations as to the steps that should be taken by governments.

## Arguments against Caste Census

### Reinforces the Caste System:

- Opponents of a caste census argue that caste-based discrimination is illegal and that a caste census would only reinforce the caste system.
- They believe that focusing on individual rights and equal opportunities for all citizens should be prioritized over categorizing people based on their caste identities.

### Difficult to Define Castes:

- Defining castes is a complex issue, as there are thousands of castes and sub-castes in India. A caste census would require a clear definition of castes, which is not an easy task.
- Critics argue that this could lead to confusion, disputes, and further divisions within society.

### Leads to Further Social Divisions:

- Some argue that a caste census could lead to further social divisions and that it is better to focus on promoting social harmony instead.
- They believe that emphasizing commonalities among people rather than highlighting differences would be more beneficial for national integration.

## Government's Stand on a Caste Census

The Government of India in 2021 had stated in Lok Sabha that it has decided as a matter of policy not to enumerate caste-wise population other than SCs and STs in Census.

### Role of the Socio-Economic and Caste Census (SECC)

- The SECC conducted in 2011 was an attempt to collect comprehensive data on socio-economic indicators along with caste information.
- However, due to concerns over data quality and classification challenges, the raw caste data collected in the SECC has not yet been released or utilized effectively.
- An Expert Group was formed to classify and categorize the raw data, but its recommendations are still pending implementation.

### Road ahead

- Independent studies at district and state level can be conducted to acquire the data of castes and subcastes at those levels.
- The data must not become a weapon for deepening faultlines and increasing polarisation to win elections. It should not lead to the splintering and shrinking of the very notion of representation in a large and diverse democracy.
- Use of technologies such as Artificial intelligence and machine learning can help in analyzing data.
- Subcategorization of OBCs to provide representation to underrepresented subcastes of OBCs for which Justice Rohini commission had recently

submitted the report.

While there are arguments for and against a caste census, accurate data on the population of OBCs and other groups is necessary for promoting social justice and ensuring equitable distribution of resources. A caste census can also help monitor the effectiveness of affirmative action policies and provide a comprehensive picture of Indian society. It is crucial for policymakers to carefully consider the arguments of both the sides to provide for a more equitable and just society.

### Are biofuels a viable energy source?

As the world looks towards renewable energy sources to combat climate change, biofuels have emerged as a potential solution. Recently concluded G20 summit at New Delhi saw formation of Global Biofuels Alliance which is an India-led initiative. It aims to develop an alliance of governments, international organizations, and industry to promote the adoption of biofuels.

#### Biofuels

- Any hydrocarbon fuel that is produced from an organic matter (living or once living material) in a short period of time (days, weeks, or even months) is considered a
- They can be used to power vehicles, heat homes, and generate electricity. Biofuels are considered renewable because they are made from plants that can be grown again and again.
- Biofuels can be solid, liquid, or gaseous.
- Solid biofuels include wood, dried plant material, and manure.
- Liquid biofuels include bioethanol and biodiesel.
- Gaseous biofuels include biogas.
- Biofuels can replace or be used in addition to fossil fuels for various applications such as generating heat and electricity.
- Reasons for shifting to biofuels include rising oil prices, greenhouse gas emissions from fossil fuels, and interest in obtaining fuel from agricultural crops for the benefit of farmers.
- First Generation Biofuels:
  - Made from food sources such as sugar, starch, vegetable oil, or animal fats using conventional technology.
  - Examples include Bioalcohols, Biodiesel, Vegetable oil, Bioethers, Biogas.
  - But, use of food sources in production creates an imbalance in the food economy, leading to increased food prices and hunger.
- Second Generation Biofuels:
  - Produced from non-food crops or portions of food crops that are not edible and considered as wastes.
  - Examples include cellulose ethanol, biodiesel.
  - Thermochemical reactions or biochemical conversion processes are used for producing such fuels.
  - These fuels emit less greenhouse gases when compared to first generation

biofuels.

- Third Generation Biofuels:
- Produced from micro-organisms like algae. Example: Butanol
- Micro-organisms like algae can be grown using land and water unsuitable for food production, reducing the strain on already depleted water sources.
- But, the fertilizers used in production may lead to environmental pollution.
- Fourth Generation Biofuels:
- Crops genetically engineered to take in high amounts of carbon are grown and harvested as biomass.
- The crops are then converted into fuel using second generation techniques.
- The fuel is pre-combusted, and the carbon is captured. Then the carbon is geo-sequestered, meaning that it is stored in depleted oil or gas fields or in unmineable coal seams.
- Some of these fuels are considered carbon negative as their production pulls carbon out of the environment.

#### Pros of Biofuels

- Renewable: Biofuels can be produced by growing biomass and thus are renewable.
- Energy Security: Biofuels will help reduce dependence on foreign oil, which will also help in reducing import bills.
- Cleaner Energy: They emit less greenhouse gases than fossil fuels, making them a cleaner alternative.
- Increase in Farmer's Income: Biofuels contribute to additional income of farmers and have potential to contribute to the goal of doubling farmer's income.
- Abundant Availability of Biofuels: Biofuels can be produced from a variety of sources, including crops, waste, and algae.

#### Concerns about Viability of Biofuels

- One major concern is the amount of land and water resources required to produce them. In countries like India, where there is a lack of agricultural surplus, it may not be feasible to divert arable land to grow the crops needed for biofuel production.
- Additionally, the competition between biofuel production and food production for land and resources is a significant concern. If biofuels are produced at the expense of food production, it could lead to higher food prices and food insecurity.
- The production of some biofuels can actually result in higher greenhouse gas emissions than fossil fuels, particularly if they are produced from crops grown on land that was previously forested.

#### Global Biofuel Alliance

- Global Biofuel Alliance (GBA) was recently launched by world leaders to expedite the global uptake of biofuels, under India's G20 presidency. The alliance brings together major biofuel producers and consumers, such as the US, Brazil, and India.
- Nineteen countries and 12 international organizations have already agreed to

- join or support the GBA.
- The GBA aims to strengthen global biofuels trade for a greener sustainable future.

#### Significance of Global Biofuels Alliance for India

- Learning from Best Practices:
- GBA will facilitate transfer of technologies and mobilization of international climate funds.
- It will accelerate progress in the compressed biogas sector and third generation ethanol plant capacities
- E-20 Target:
- Having achieved the E10 target, India aims to achieve E20 by 2025-26.
- Learning from Brazil's success in achieving E-85 through the Global Biofuels Alliance.
- Adoption of Flex Fuel Vehicles in India:
- It may accelerate adoption of Flex Fuel Vehicles.
- It will contribute to reduction in emissions and India's crude oil import bill.
- Climate Action:
- Establishment of GBA reinforces the fight against climate change as it will help countries cooperate to reduce the usage of fossil fuels.
- Promotion of Biofuel Exports:
- It presents an opportunity for India to increase its share in biofuel production leading to greater energy independence for India.
- India has potential to become a major exporting nation alongside Brazil and the US.
- Increase in Employment Opportunities:
- Investments in the biofuel sector create employment opportunities
- It will contribute to the improvement of financial status of farmers and will assist in doubling farmers' income.

#### Concerns about Viability of Global Biofuels Alliance

- Transfer of Technology:
- Reluctance from the developed countries including US to share technology with other countries. Technological secrecy may hinder the objectives of the alliance.
- Geopolitical Contestation:
- Opposition from China and Russia to platforms led by western countries.
- Saudi Arabia and Russia may be concerned that the alliance could promote biofuels as a competitor to oil.
- India and China are major producers of coal as well as major consumers. They are unlikely to give up on using this resource any time soon despite its harmful impact on the environment.
- Funding Limitations:
- Structuring sustainable financing mechanisms for projects is crucial.
- Global institutions like WB and IMF do not have sufficient resources to invest in financing such groups.
- Import Restrictions on Biofuels:
- India's policies restrict import of biofuels, impacting global biofuels market

development

- Environmental Implications:
- Growing demand for biofuels can have environmental implications
- Water and land requirements may deter water-scarce countries from joining the alliance

Steps taken for Biofuels

- Indian Initiatives:
  - Pradhan Mantri JI-VAN Yojana, 2019: The objective of the scheme is to create an ecosystem for setting up commercial projects and to boost Research and Development in 2G Ethanol sector.
  - Ethanol blending: The 2018 Biofuel Policy has the objective of reaching 20% ethanol-blending and 5% biodiesel-blending by the year 2030.
  - Recently, instead of 2030, the Centre plans to move ahead with its ethanol blending target of 20% of petrol containing ethanol by 2025-26.
  - GOBAR (Galvanizing Organic Bio-Agro Resources) DHAN scheme, 2018: It focuses on managing and converting cattle dung and solid waste in farms to useful compost, biogas and bio-CNG, thus keeping villages clean and increasing the income of rural households. It was launched under Swachh Bharat Mission (Gramin).
  - Repurpose Used Cooking Oil (RUCO): It was launched by Food Safety and Standards Authority of India (FSSAI) and aims for an ecosystem that will enable the collection and conversion of used cooking oil to biodiesel.
  - National Policy on Biofuels, 2018: The Policy categorises biofuels as "Basic Biofuels" viz. First Generation (1G) bioethanol & biodiesel and "Advanced Biofuels" - Second Generation (2G) ethanol, Municipal Solid Waste (MSW) to drop-in fuels, Third Generation (3G) biofuels, bio-CNG etc. to enable extension of appropriate financial and fiscal incentives under each category.
- Global Initiatives:
  - Roundtable on Sustainable Biomaterials (RSB):
    - It is an international initiative that brings together farmers, companies, governments, non-governmental organisations, and scientists who are interested in the sustainability of biofuel production and distribution.
    - In April 2011, it launched a set of comprehensive sustainability criteria - the "RSB Certification System." Biofuels producers that meet these criteria are able to show buyers and regulators that their product has been obtained without harming the environment or violating human rights.
  - Sustainable Biofuels Consensus:
    - It is an international initiative which calls upon governments, the private sector, and other stakeholders to take decisive action to ensure the sustainable trade, production, and use of biofuels.
  - Bonsucro:
    - It is an international not-for-profit, multi-stakeholder organization established in 2008 to promote sustainable sugar cane.

Road ahead

- The GBA should be utilized to enhance and fortify biomass supply chains.
- GBA should prioritize the efficient technology transfer for the production of

second-generation ethanol from agricultural residue.

- GBA should promote sustainable financial support for bioenergy projects and showcase pilot-scale production facilities for Sustainable Aviation Fuel (SAF). It has the potential to emulate the success of the International Solar Alliance (ISA) in the renewable energy sector, with India leading the way.

While biofuels have the potential to be a major energy source in the fight against climate change, their viability remains a concern. The Global Biofuel Alliance holds promise for a greener future, but it remains to be seen how effective it will be in practice. Biofuels may not be a viable major energy source in countries like India due to the lack of agricultural surplus, but they can still play a role in achieving a greener future through sustainable production and consumption practices.

### The Abraham Accords: A Three-Year Success?

Three years ago, in September 2020, the United States mediated the Abraham Accord between the United Arab Emirates, Bahrain and Israel, promising to normalize ties between these Arab Gulf states and Israel. Abraham Accord heralded greater political, economic and security integration not only in the Middle East but has also brought better opportunities for India.

- The Abraham Accords are a series of agreements signed in 2020 between Israel and several Arab states, marking a historic shift in diplomatic relations in the Middle East.
- The Accords were named 'Abraham Accords' in reference to the supposed common ancestor of the Jews and the Arabs, the biblical Abraham, and as an expression of brotherhood.

The primary countries involved in the Abraham Accords include:

- **Israel:** As a key party to the Accords, Israel agreed to normalize diplomatic relations with the participating Arab nations, marking a significant departure from the historically hostile relationships it had with many Arab states.
- **United Arab Emirates (UAE):** The UAE was the first Arab country to formally announce its normalization of relations with Israel under the Abraham Accords. This historic agreement includes the establishment of full diplomatic relations, as well as economic, technological, and cultural exchanges.
- **Bahrain:** Bahrain followed the UAE's lead by signing a similar agreement with Israel. The Bahrain-Israel Peace Agreement also encompasses diplomatic relations and cooperation in various sectors.
- **Sudan:** Sudan joined the Abraham Accords by agreeing to normalize relations with Israel. This marked a major shift in Sudan's foreign policy and led to the removal of Sudan from the U.S. list of state sponsors of terrorism.
- **Morocco:** Morocco, another Arab nation, joined the Accords with a commitment to normalize relations with Israel. This agreement included the United States' recognition of Morocco's sovereignty over Western Sahara in exchange for Morocco's engagement with Israel.

### Significance of the Accord

- The agreement shows how the Arab countries are gradually decoupling themselves from the Palestine question.
- Full diplomatic ties will be established between Israel, the United Arab Emirates and Bahrain which will have a positive impact on the entire region.
- The deal buys UAE a lot of goodwill in the US, where its image has been tarnished by its involvement in the Yemen war.
- In South Asia, it will put Pakistan in a bind, whether to follow UAE's steps (will be seen as giving up Islamic cause of Palestine) or not to follow the UAE (since it is already in feud with the Saudis over not taking up the Kashmir case, Pakistan cannot afford another hostile Islamic Country).

### Advancements since the Abraham Accords

- The Israeli embassy opened in Abu Dhabi in June 2021, UAE also opened its embassy in Tel Aviv.
- The trade between the UAE and Israel amounted to 900 million USD. There was also an agreement signed for a free trade area concerning government procurement and Intellectual property rights (IPR) endorsed in April 2022
- A three-way trade water accord signed between Israel, UAE and Israel would either build a new desalination plant or deliver water to member countries.
- When it comes to tourism, after direct flights were established, UAE hosted more than 67,000 Israeli tourists during the first month after the Accords.
- For many Israelis unhappy with the economic woes of their country, the UAE became a destination for job seekers” .
- Prosperity Green & Blue agreement between Israel, the UAE, and Jordan determined that a solar field to supply 600 megawatts of electricity to Israel.

### Shortcomings of the Abraham Accord

- Despite the initial goal of Arab organizers, cooperation among Israel and its Arab partners has failed to produce tangible improvements in the Israeli-Palestine calculus
- Major players in the Middle East are still out of the agreement such as Saudi Arabia has held its firm commitment to the pre-existing Arab Peace Initiative.
- Oman and Qatar declined to formalize their ties within this framework.

### Abraham Accords linked with Indian Interests

#### Diplomatic Ties:

- The Abraham Accords provides the atmosphere for India to foster stronger ties with Arab countries as well as Israel.
- Formation of I2U2 observed as an offspring of Abraham accords. It was also unofficially described as the “West Asian Quad” and the “Indo-Abrahamic construct.”

#### Investment opportunities:

- The grouping encourages joint investments in six mutually identified sectors which includes food security, health, transportation, space, water and energy
- Recently, the International Federation of Indo-Israel Chamber of Commerce (IFIICC) was established in Dubai.

#### Technological Cooperation:

- India's technological capabilities, finances from the UAE and Israel's innovative capabilities could lead to further cooperation among the three nations.
- In the first of these ventures, an Emirati project for a robotic solar panel was endorsed by Eccopia, an Israeli company, which has a manufacturing base in India.

#### Diaspora Relations:

- The vibrant Indian diaspora in the Gulf now has the convenience of direct flights between the UAE and Israel, as well as between Israel and Bahrain.
- Indian students are enjoying increased ease of travel, gaining improved access to our universities and the opportunity to explore international study programmes.

#### Challenges of the Abraham Accords

##### Palestinian Issue :

- Challenges concerning the Palestinian future and the opposition to these Accords from Iran and Qatar. 86% of Palestinians believe the normalization agreement with the UAE serves only Israel's interests and not their own

##### Lack of regional support:

- Bahrain, a small country that seeks protection and takes political cues from Saudi Arabia, has become a topic of concern for those hoping to normalize relations with Israel

##### Cultural Conflicts :

- Shia-Sunni rifts in the region may get wide and violent. Saudi Arabia (Sunni) and Iran (representing Shia) have a long history of enmity. .

##### Multilateral Power Struggle:

- The US may be a pre-eminent power in the Middle East, but Russia has made a space for itself, spending a lot less money. In recent years, China has indicated its willingness to play a larger role in this region, and is close to both UAE and Israel and, increasingly, Saudi Arabia

##### Funding Constraints:

- Abraham Fund was set up as a part of the Accord and it delegated approximately 3 billion USD to development initiatives in the Middle East. Change in administration in the US which has seemingly diluted the potential of the Accord.

#### Road ahead

##### Open Dialogue:

- Addressing the Palestinian issue by open and inclusive dialogue among all signatory parties including Israel and the participating states.
- Encourage diplomatic solutions for regional conflicts in Middle east particularly in Yemen, Syria and Libya

##### Counter Extremism:

- Avoid using land and resources for separatist movements and interfering into internal affairs of neighboring countries.
- Share intelligence and cooperate to counter extremist ideologies,

Multilateral Diplomacy:

- Continue to engage with multilateral diplomacy through United Nations, Arab League and others

Balancing Regional Relations:

- A balance between Shia and Sunni, between Persian and Arab, is key to sustainable peace.

Regional cooperation:

- Encourage collaborative efforts on economic development, technology, energy security, food security, health and cultural exchanges.

While it is clear that a good beginning has been made for closer Israel-Arab ties with the Abraham Accords, their success and extension to other countries will depend on a range of factors that are currently impacting the geopolitical environment, including the US-China rivalry and West Asia politics of alignments and realignment.

### Immunity of legislators

- The Supreme Court 20 September 2023 referred to a seven-judge bench on the question of whether the legal immunity of legislators under Articles 105(2) and 194(2) of the Constitution protects them from being prosecuted in a criminal court for the offence of offering or accepting a bribe.
- Observing the need to examine the “correctness” of its 1998 constitution bench ruling in PV Narasimha Rao vs. State, a five-judge Bench led by Chief Justice of India DY Chandrachud referred the verdict to a larger bench for fresh consideration. In its 1998 ruling, the top court had held that legislators have immunity against criminal prosecution on bribery charges for any speech or vote in Parliament.

What are the provisions that grant legislators immunity from prosecution?

- Broadly, Article 105 of the Constitution deals with the “powers, privileges, etc. of the Houses of Parliament and of the members and committees thereof”.
- Article 105(2) states, “No member of Parliament shall be liable to any proceedings in any court in respect of any thing said or any vote given by him in Parliament or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings.”
- In a nutshell, this provision exempts MPs from any legal action for any statement made or act done in the course of their duties. For example, a defamation suit cannot be filed for a statement made in the House.
- Additionally, this immunity extends to certain non-members, like the Attorney General of India or a Minister who may not be a member but speaks in the House. In cases where a member oversteps or exceeds the contours of

admissible free speech, the Speaker of the House will deal with it, as opposed to the court.

- Meanwhile, Article 194(2) extends this immunity to MLAs and states, “No member of the Legislature of a State shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Legislature or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of a House of such a Legislature of any report, paper, votes, or proceedings.”
- In the present case, the court has to decide if the legal immunity enjoyed by parliamentarians extends to prosecution for demanding or taking a bribe.

What is the current case with the SC?

- The case arose out of a plea filed by Sita Soren, a member of the Jharkhand Mukti Morcha (JMM), who was accused of accepting a bribe to cast her vote for a certain candidate in the Rajya Sabha elections of 2012.
- After these accusations came to the forefront, a complaint was filed before the Chief Election Commissioner of India to conduct a CBI probe in this case. Subsequently, the Central Bureau of Investigation (CBI) filed its chargesheet against Soren, accusing her of various offences under the IPC and the Prevention of Corruption Act, 1988, such as bribery, criminal conspiracy, and criminal misconduct by a public servant.
- Seeking to quash the chargesheet and the criminal proceedings against her, Soren approached the Jharkhand HC, contending that she was protected by the immunity granted to her by Article 194(2). However, her plea was rejected by the Jharkhand High Court in 2014. This led her to petition the apex court against the High Court's order.

What has the SC said?

- In 2014, when Soren approached the SC, a two-judge Bench had noted that since the issue was “substantial and of general public importance”, it should be placed before a larger Bench of three judges.
- On 7 March 2019, a three-judge Bench led by then CJI Ranjan Gogoi took up the appeal and observed that the Jharkhand HC judgement dealt with the 1988 Narasimha Rao verdict and hence should be referred to a larger Bench. In the 1988 case, the court held that parliamentarians are entitled to immunity from criminal prosecution when it comes to their speech and votes in the House.
- Finally taking up the matter, the 5-judge Bench, also comprising Justices AS Bopanna, MM Sundresh, JB Pardiwala, and Manoj Misra, said, “We are of the considered view that the correctness of the view of the majority in P V Narasimha Rao (case) should be reconsidered by a larger Bench of seven judges.” It said it is an “important issue that concerns our polity.”
- The court also added that the purpose of Articles 105(2) and 194(2) is to ensure that members of Parliament and state legislatures can discharge their duties in an atmosphere of freedom without fearing the consequences that may ensue for how they speak or exercise their right to vote on the floor of the House. “The object clearly is not to set apart the members of the Legislature as persons who wield higher privileges in terms of immunity from the

application of the general criminal law of the land,” the Bench said.

What was the 1998 ruling that the SC is referring to?

- The PV Narasimha Rao case refers to the 1993 JMM bribery case concerning Shibu Soren, who also happens to be the father-in-law of Sita Soren, the petitioner in the present case. In Shibu's case, he, along with some of his party MPs, was accused of taking bribes to vote against the no-confidence motion against the then PV Narasimha Rao government.
- Out of the five judges on the Bench in this case, two opined that protection under Article 105(2) or 194(2) and the immunity granted could not extend to cases concerning bribery for making a speech or vote in a particular manner in the House.
- However, the majority view was that while the court was “acutely conscious of the seriousness of the offence”, the Bench's “sense of indignation” should not lead to a narrow construction of the constitutional provisions, as this may result in hampering the guarantee of “parliamentary participation and debate”.

Thus, the top court in 1998 quashed the case against the JMM MPs, citing immunity under Article 105(2). Essentially, this five-judge bench ruling saved Soren from criminal prosecution.

### The Indian Himalayan Region needs its own EIA

- The Teesta dam breach in Sikkim and recent floods and landslides in Himachal Pradesh are stark reminders of our development model which is wreaking our environment and ecology, especially in the Himalayan region.

Indian Himalayan Region (IHR) is significant

- Origin of major Asian rivers: Glaciers of the Himalayas act as a feeding ground for rivers such as the Ganga, and the Brahmaputra. The rivers of the Himalayan region are considered the lifelines of India.
- Considered as a third pole of Earth: This so-called Third Pole (TP) encompasses the Tibetan Plateau, the Himalayas, the Hindu Kush, the Pamirs and the Tien Shan Mountains. Melt-water from ice and snow in the Third Pole feeds many of Asia's large lakes and rivers, including the Indus, Brahmaputra, Ganges, Yellow and Yangtze.
- Production of Hydroelectricity: With its abundant water bodies and ideal topography to utilize the resources for electricity generation, the Himalayan region is regarded as the powerhouse of India. Government estimates show that the Himalayas, with an installed capacity of 46,850 MW, have the potential to generate 115,550 MW.
- Source of Rich Biodiversity: The Himalayan forests are rich in biodiversity with 10,000 species of vascular plants, 13,000 species of fungi and 1100

species of lichens. They provide fuel wood and a large variety of raw materials for forest-based industries.

- Potential Minerals: There is a vast potential for mineral oils in tertiary rocks. Copper, zinc, cobalt, and antimony are known to occur in more than 80-90 locations.
- Safety valve: It has been protecting India since early times. In spite of advancements in modern technology, the defensive role of the Himalayas could not be neglected.

How can we assess the worthiness of any significant human development in terms of its impact on the Environment?

- Environment Impact Assessment (EIA): EIA evaluates the inter-related socio-economic, cultural and human-health impacts including both beneficial and adverse of a proposed project or development to be undertaken.
- Objective: To predict environmental impacts at an early stage in project planning and design, find ways and means to reduce adverse impacts, shape projects to suit the local environment and present the predictions and options to decision-makers.

Salient features of 2006 Amendments to EIA Notification:

The EIA Notification (2006) has categorized the environmental clearance projects into two categories,

- Category A (national level appraisal): 'Category A' projects are appraised at the national level by the Impact Assessment Agency (IAA) and the Expert Appraisal Committee (EAC) and Category B projects are appraised at the state level. Category A projects require mandatory environmental clearance and thus they do not undergo the screening process.
- Category B (state-level appraisal): State Level Environment Impact Assessment Authority (SEIAA) and State Level Expert Appraisal Committee (SEAC) are constituted to provide clearance to the Category B process. Category B projects undergo a screening process and they are classified into two types – projects that require EIA (B1 projects) and projects that do not require EIA (B2 projects).

Thus, Category A projects and Category B, projects undergo the complete EIA process whereas Category B2 projects are excluded from the complete EIA process.

What can be the role of EIA in protecting IHR?

- Scientific evaluation of Infrastructural Projects: The infrastructural projects could be scientifically evaluated based on the formula of EIA which help in mitigating man-made disaster.
- Early-Warning Systems: With the help of EIA, the government would be easily able to identify the origin of disasters and could deploy EWS to disseminate information and save lives.
- Pan-Himalayan Strategy: Given the seismic fragility of the region, the EIA can create a pan-Himalayan policy to design sustainable projects to maximize the utility of resources
- Sustainable Tourism: Appropriate mechanisms can be formulated to achieve

tourism sectoral growth in a sustainable manner.

Himalayas under Climate Change: According to a recent IPCC report, the Himalayas are melting at a faster rate and would continue to do so, if adequate mitigating steps are not taken. Given the innumerable benefits originating from the Himalayas, there is a dire need to protect the fragile ecosystem.

The unique intricacies of Indian Himalayan Region because of which the conventional EIA process is not applicable:

- Loopholes in the law: The EIA 2006 notification has categorized projects under various heads such as mining, extraction, of natural resources and power generation, and physical infrastructure. Unfortunately, the threshold limit beyond which EIA is warranted for all these projects is the same across the country. Even the draft EIA 2020 notification was floated for the public decision not to consider IHR differently.
- Geographical and state-wise consideration: Despite all levels of government being acutely aware of the special needs of the Indian Himalayan Region (IHR), the region's vulnerabilities and fragility have not been considered. Some industries mentioned in the schedule for the notification cannot be set up in the IHR states due to the industrial policies of their respective states.
- Flaws in current Graded-approach: The Indian regulatory system uses a graded approach where a differentiated risk management approach just depends on whether a project is coming up within a protected forest, a reserved forest, a national park, or a critical tiger reserve.
- Remains merely a 'box ticking' mechanism: In many cases, the EIA is considered as a mere formality that needs to be done for Environmental clearance before the project can be started. Secondly, there is no regulator at the national level, as suggested by the Supreme Court in 2011 in the N Godavarman case to carry out an independent, objective and transparent appraisal and approval of the projects of Environmental clearances.

Road Ahead

- Need for Strategic Environmental assessment: Policymakers can do well to explore other tools such as the strategic environmental assessment which takes into account the cumulative impact of development in an area to address the needs of the IHR as a fundamental policy.
- Need for the categorization of projects and decision-making: While categorizing developmental projects it is important that the impacts of all such projects and activities are seen in the IHR in the context of this region's fragility and vulnerability considering its ecology and environment.
- Need for a different set of Environmental standards: Climate change has added another layer of vulnerability to the glacial ecosystem. Understanding the fragility and vulnerability of the Himalayas, there is a need for a different set of environmental standards if the project is located in IHR.

Climate Risk Minimization in Agriculture

- Water is a critical input for agricultural production and plays an important role in food security.
- Irrigated agriculture represents 20% of the total cultivated land and contributes 40% of the total food produced worldwide.
- Irrigated agriculture is at least twice as productive per unit of land as rainfed agriculture, allows for more production intensification and crop diversification.
- Population is expected to increase to over 10 billion by 2050, and whether urban or rural, this population will need food and fiber to meet its basic needs.
- It is estimated that agricultural production will need to expand by approximately 70% by 2050.
- The future demand for water by all sectors will require about 25-40% of water to be reallocated from lower to higher productivity and employment activities, particularly in water-stressed regions.
- Currently, agriculture accounts for 70% of all freshwater withdrawals globally and a higher share of “consumptive water use” due to the evapotranspiration of crops.

#### World Food Day:

- October 16 is observed as World Food Day to mark the founding of the United Nations Food and Agriculture Organisation (FAO) in 1945.
- FAO is a specialized agency of the United Nations responsible for international efforts to defeat hunger and improve nutrition and food security in the aftermath of World War II.
- Theme for 2023 is “Water is Life. Water is Food”.
- While ample food is being produced on this planet that can easily feed eight billion people, its access is quite skewed across nations.

#### Food Security in India:

- India went through a journey of “ship to mouth” in mid-1960s but exported 85 million tonnes (MT) of cereals, mainly rice, wheat, and corn in the last three years (2020-21 to 2022-23).
- This was achieved after providing free food (rice or wheat) to more than 800 million people under the PM Garib Kalyan Yojana.
- India’s milk production increased from 17 MT in 1951 to 222 MT in 2022-23, making India the world’s largest producer.
- Since 2000-01, poultry and fishery production has been growing at a fast rate.
- Apart from green (agriculture) and white (milk) revolution, India has ushered in an era of pink (poultry) and blue (fishery) revolution.
- But almost 16.6% of population is malnourished (2020-22), 35% children below 5 years of age are stunted (low height-for-age) and 32% are underweight (low weight-for-age), based on National Family Health Survey 5 (2019-21).
- The progress towards achieving Sustainable Development Goal (SDG) of zero hunger (including malnutrition) by 2030 is slower than needed.

Use of water resources in Agriculture:

- India has almost 18% of the world's population but only 4% of global freshwater resources.
- The India's Central Water Commission (CWC) states that 78% of water is used in agriculture, while FAO estimates it at 90%.
- CWC is a Technical Organization attached to the Ministry of Jal Shakti, responsible for initiating and coordinating schemes for control, conservation and utilization of water resources in India.
- With rising population, and income of people, the need for food and saving water resources for drinking, manufacturing, and urbanization would increase.
- The government lacks enough funds for irrigation, as food and fertilizer subsidies cost more than Rs 4 lakh crore.
- There is a lack of political will to charge for power used in groundwater irrigation by state governments.
- A study at Indian Council for Research on International Economic Relations (ICRIER) on water productivity of 10 major crops revealed that the land productivity of rice is one of the highest in Punjab, its irrigation water productivity is the lowest.
- Punjab also emits the highest levels of carbon emissions (CO<sub>2</sub>eq), almost 5 tonnes/ha of paddy cultivation.

Challenges for efficient water usage:

- Structural challenges: Key public and private institutions like agricultural and water ministries, basin authorities, and FPOs (Farmer Producer Organization), often lack the capacity and environment needed for efficiency.
- Major loopholes include deficient policies, inadequate institutional performance, inefficient water allocations to all stakeholders, favoring capital-intensive schemes etc.
- Economic challenges: Distorted incentive frameworks for farmers and inadequate investment in irrigation system maintenance hinder positive developments in the sector.
- Maintenance: Most governments and water users fail to invest in the maintenance of Irrigation and Drainage (I&D) systems, resulting in declined performance and the subsequent need for rehabilitation.
- This enhances the "build-neglect-rehabilitate-neglect" cycle commonly observed in the sector.

Steps for mitigation of water in Agriculture:

- India needs to adopt a two-pronged strategy with respect to water in agriculture.
- For Supply-side reforms, buffer stocking of water in reservoirs (during the monsoon season), and groundwater recharge through check dams and watersheds must be augmented.
- The demand must be fulfilled by rational allocation and efficient use of water across crops.
- The irrigation sector needs institutional reforms, pricing of water and power

for irrigation.

- At least 75% of India's gross cropped area must be irrigated to cope with weather vagaries associated with climate change, as compared to current rate of 50%.
- There is need for huge investments, especially from the private sector for reservoirs and canal networks as water is almost free.
- Climate risk can be mitigated by a paradigm shift from land productivity to water productivity, in order to identify the inefficiencies in the allocation and use of water in agriculture.
- A revamping of policies, farm practices, and products, must be done keeping water at the centre of agriculture.
- Incentives can be introduced for the farmers who switch from water-guzzling crops like paddy and sugarcane to less water-intensive crops like millets, pulses and oilseeds through green-water credits.
- This will create a level playing field across crops, contribute to the environment and nutrition and save Punjab from water disaster as 78% of its blocks over-exploit groundwater.
- Farming practices like Direct Seeded Rice (DSR) and Alternate Wet and Dry (AWD) irrigation, or zero till, etc., can be rewarded for saving water.
- Practice of drip irrigation, especially in sugarcane can save half the water.

Unless we use water efficiently, ensuring sustainable food security is difficult. As the agriculture sector shifts towards a more modern and sustainable approach, use of resilient water services, resource sustainability, and risk management shall be emphasized. This transformation involves governance and service provision reforms, watershed management, and environmental considerations, facilitated by improved incentives, innovation, accountability, and responsible practices.

Secularism is an ideology that emphasizes the separation of religion and the state and the neutrality of the government with respect to religious beliefs..

It has broadly two meanings:

- Separation of religion from the state i.e. Dharm Nirpekshata.
- Equal respect to all religions by state i.e. Sarva Dharma Samabhava.

The Indian constitution aims for a secular state where all religions are treated equally

### Constitutional provisions

At the outset of the making of the Constitution, the concept of secularism was not expressly mentioned in the Indian Constitution. However, the Indian Constitution has spelled out several provisions in Part III(Fundamental Rights), Part IV(Directive Principles of State Policy), and Part IVA(Fundamental Duties) that reflect the existence of secularism.

Article 14	<ul style="list-style-type: none"> <li>It provides equality before the law and equal protection of laws to all.</li> </ul>
Article 16 (1)	<ul style="list-style-type: none"> <li>It guarantees equality of opportunity to all citizens in matters of public employment and reiterates that there would be no discrimination on the basis of religion, race, caste, sex, descent, place of birth, and residence.</li> </ul>
Article 25	<ul style="list-style-type: none"> <li>It provides 'Freedom of Conscience', that is, all persons are equally entitled to freedom of conscience and the right to freely profess, practice, and propagate religion.</li> </ul>
Article 26	<ul style="list-style-type: none"> <li>Every religious group or individual has the right to establish and maintain institutions for religious and charitable purposes and to manage its own affairs in matters of religion.</li> </ul>
Article 27	<ul style="list-style-type: none"> <li>It provides that the state shall not compel any citizen to pay any taxes for the promotion or maintenance of any particular religion or religious institution.</li> </ul>
Article 28	<ul style="list-style-type: none"> <li>It allows educational institutions maintained by different religious groups to impart religious instruction.</li> </ul>
Articles 29 and 30	<ul style="list-style-type: none"> <li>They provide cultural and educational rights to minorities.</li> </ul>
Article 51A Fundamental Duties	<ul style="list-style-type: none"> <li>It obliges all the citizens to promote harmony and the spirit of common brotherhood and to value and preserve the rich heritage of our composite culture.</li> </ul>
42nd Constitutional Amendment Act, 1976	<ul style="list-style-type: none"> <li>The word secular was inserted in the Preamble. It stated that "secular" means a republic in which there is equal respect for all religions.</li> </ul>

Apart from the Constitution, Judiciary has also helped shape Secularism in India.

- Kesavananda Bharati v. State of Kerala (1973): The Supreme Court held that secularism was a part of the basic structure of the Constitution.
- Bommai v Union of India (1994): The Supreme Court elaborated on the meaning of secularism. The Court said that secularism means equal treatment of all religions.

Indian Secularism different from Western Secularism

Western Secularism	Indian Secularism
The Western concept of secularism connotes a complete separation between religion and the state.	Indian Constitution embodies the positive concept of secularism, i.e. giving equal respect to all religions.
The state cannot give financial support to educational institutions run by religious communities. Nor can it hinder the activities of religious communities as long as they are within the broad limits set by the law of the land.	The Indian Constitution permits partial financial support for religious schools, as well as the financing of religious buildings and infrastructure by the state.
It has no place for the idea of state-supported religious reform.	Indian secularism is compatible with the idea of state-supported religious reform. <b>Example:</b> The Constitution bans untouchability, the government has enacted laws abolishing child marriage, etc.
In western secularism, individual rights are at the forefront.	Indian secularism deals not only with religious freedom of individuals but also with the religious freedom of minority communities.

### Criticisms of the Indian model of Secularism

Indian secularism has been subjected to various criticisms. Some of these are:

- **Anti-religious:** It has been argued by some that secularism threatens religious identity.
- However, secularism is against institutionalized religious domination. This is not the same as being anti-religious.
- **Western import:** Another criticism is that secularism is linked to Christianity, that it is western and, therefore, unsuited to Indian conditions.
- However, the mutual exclusion of religion and state, which is supposed to be the ideal of western secular societies, is not the defining feature of all secular states.
- **Minoritism:** It is argued that Indian secularism advocates minority rights.
- However, the constitution protects the most fundamental interest of minorities
- **Interventionist:** It is claimed that secularism is coercive and that it interferes excessively with the religious freedom of communities.
- However, Indian secularism follows the concept of principled distance, which also allows for non-interference.
- **Vote Bank Politics:** There is the argument that secularism encourages the politics of vote banks.

Factors that threaten India's secular fabric

- **Political interference in religion:** Increasing interference of religion in politics is a major challenge facing the secular state.
- Candidates for elections are selected based on religious considerations, and votes are cast based on religious sentiments.
- **Non-separation of religion from politics:** Events in the past like the demolition of the Babri Masjid, anti-Sikh riots in 1984, Mumbai riots in 1992 and 1993, Godhra riots in 2002, etc., have shown the well-established problem of communalism raising its head now, and then.
- **Exclusion of minorities:** There are feelings of insecurity in religious minorities still today. This makes it difficult to create a secular society.

- Sachar Committee had reported, “while Muslims constitute 14 percent of the Indian population, they comprise only 2.5 percent of the Indian bureaucracy”.
- Growing radicalization: In recent years, there have been stray incidences of youth being inspired and radicalized by groups like ISIS, posing a threat to the secular fabric of the nation.
- Religious intolerance: Religious intolerance is also on the rise recently.
- Example: Delhi riots 2020.

Measures to help India become a truly secular state

The Indian constitution aims for a secular state. To strengthen its ideas further following steps can be taken:

- Education as a tool: Education is a means to effect change in the mindset of people. Individual examples of sharing and mutual help could reduce prejudice and suspicion between communities.
- Social Reforms: Movements for social reform, like Uniform Civil Code, will have to be organized and public opinion mobilized. Also, Minorities should be encouraged to participate in the mainstream of national life.
- Move towards secular politics: Communal politics and vote bank politics need to be replaced by secular politics to ensure religious tolerance.
- Combating religious extremism: Strong measures need to be taken to combat religious extremism and promote a culture of tolerance and mutual respect.
- Protecting minority rights: It includes ensuring equal access to education, employment, and other opportunities, as well as protecting minority communities from violence and hate crimes.

India has come a long way since independence to make a secular society. However, steps like social reforms, religious tolerance, etc., need to be further strengthened to achieve the goal of Constitution makers.

## India's economy, on the upswing

According to recent reports, the International Monetary Fund (IMF) has raised India's GDP growth forecast to 6.3% for the year 2023-24, which is 40 basis points higher than its earlier forecast in April. However, the Reserve Bank of India (RBI) has kept its forecast unchanged at 6.5%. Despite the recent geopolitical tensions in West Asia, it is believed that the Indian economy could still grow at a faster pace than expected. The growth projection for the full year is estimated to be around 6.7%.

### Potential for Surpassing RBI's Growth Projections

- While the RBI is projecting growth at 6.5%, tracking of the latest leading indicators suggests the possibility of the economy growing at a faster pace.
- The long-term trends suggest that whenever the percentage of leading indicators showing acceleration in a quarter crosses the threshold value of 70%, the GDP growth numbers surprise on the upside.
- Currently, this is at 80%, increasing the possibility of growth surpassing 6.5% in Q2 FY24.
- The nominal GDP growth could well be in the range of 8-8.5% and given that the GDP deflator is currently tracking at 1.5-2%, a 6.5% or higher growth looks eminently achievable.

### Compelling Factors Driving Economic Optimism

- **Monsoon:** While the overall rainfall was 6% below the expected during the monsoon season (due to 36% deficit rains in August), the spatial distribution is quite even. Out of 36 states/UTs, 29 received normal/above-normal rains.
- **The SBI Monsoon Impact Index**, which considers the spatial distribution, has a value of 89.5, faring much better than the full season index value of 60.2 in 2022.
- **Continuous Thrust on Capital Expenditure:** During the first five months of the current year (2023), the capital expenditure of the states as a percentage of the budgeted target is at 25%, while the Centre's is at 37%.
- Nearly all states are on a spending spree, with Andhra Pradesh leading the pack, spending as much as 51% of the budgeted amount.
- **New Company Registrations:** The robust new companies' registration depicts strong growth intentions. Around 93,000 companies were registered in the first half of 2023-24 as compared to 59,000 five years back.
- It is interesting to note that the average daily registration of new companies increased to 622 in 2023-24 (an increase of 58%) from 395 in 2018-19.
- **Credit Growth:** All scheduled commercial banks' (ASCB's) credit growth (year-on-year) has been accelerating since early 2022. Aggregate deposits grew by 13.2% and credit by 20% till September. In the coming months, we expect credit demand to remain robust due to the festive season.

### Reasons behind Growth of Credit in the Banking Sector

- **Significant Growth in Credit:** Over the nine-year period ending in March, there has been substantial growth in both assets and liabilities of banks (ASCB) in India, amounting to Rs 186 lakh crore.
- This growth is significantly higher than the previous decade, which saw an

incremental growth of Rs 119 lakh crore.

- If the trends continue in 2023-24, the total growth for the current decade could reach Rs 225 lakh crore, marking a 1.9-fold increase from the last decade.
- Formalization of the Economy: The growth in credit is attributed to the formalization of the Indian economy over the past decade. People with no previous credit history are increasingly becoming integrated with the banking system.
- Approximately 40% of new credit accounts added in the last nine years are from individuals who had no prior credit history.
- This group contributes to at least 10% of the incremental credit growth.
- Government Initiatives: Programs like the Pradhan Mantri Street Vendor's AtmaNirbhar Nidhi (PM SVANidhi) and Jan Dhan Yojana have played a role in extending financial access to households that were previously outside the formal banking sector.
- These initiatives, along with the aspirations of such households, are contributing to sustained credit growth.

Steps to Make this Growth more Robust and Sustainable

- Reaping the Demographic Dividend: India has a large and young population that can provide a huge potential workforce for the economy. However, this also requires creating enough jobs, improving the quality of education and skills, and increasing the labor force participation, especially of women.
- Boosting Private Investment: Private investment is a key driver of economic growth, as it increases productivity, innovation and competitiveness. The government has taken several initiatives to improve the ease of doing business, reduce corporate tax, provide credit guarantees, and attract foreign direct investment.
- However, more reforms are needed in areas such as land, labor and logistics to reduce the cost and risk of doing business in India.
- Increasing Competitiveness: India needs to enhance its competitiveness in the global market by diversifying its exports, improving its infrastructure, promoting innovation and digitalization, and integrating with regional and global value chains.
- The government has announced several schemes to support manufacturing, such as Production Linked Incentive (PLI), Phased Manufacturing Programme (PMP), and Make in India.
- However, these schemes need to be complemented by trade liberalization and regulatory simplification to ensure a level playing field for domestic and foreign firms.
- Promoting Green Growth: India has committed to reduce its carbon intensity and increase its renewable energy capacity as part of its climate change goals. The government has also introduced green bonds to finance green infrastructure projects.
- However, more efforts are needed to address the environmental challenges such as air pollution, water scarcity, waste management and biodiversity loss that pose a threat to India's growth and well-being.
- Maintain Stability in the Economy: India could maintain a stable and low

inflation rate, which can foster confidence and investment. India could also ensure adequate liquidity and credit availability for productive sectors, especially for small and medium enterprises. India could also develop its financial markets and institutions to facilitate savings and investment.

- Increase Integration with the Global Economy: India could increase its integration with the global economy by reducing trade barriers, diversifying its export basket, and enhancing its competitiveness. India could also pursue regional and bilateral trade agreements that can create new markets and opportunities for its products and services.
- Promote the Key Sectors: India could promote the development of key sectors that have high potential for growth, employment, and innovation, such as manufacturing, services, agriculture, and renewable energy.

India's economic prospects for the fiscal year 2023-24 are characterized by optimism and a promising growth trajectory. Various factors, including favorable monsoon patterns, increased capital expenditure, robust new company registrations, and sustained credit growth, contribute to this positive outlook. Furthermore, government initiatives have formalized the economy and extended financial access to previously underserved segments. To ensure the continued robust and sustainable growth of the Indian economy, a strategic approach encompassing fiscal, monetary, trade, industrial, and institutional policies is crucial. This comprehensive strategy can further unlock India's immense economic potential and support its journey towards prosperity.

### Climate Justice in a Warming India

- Any energy transition initiative embraces two normative ideals:
- Internalizing costs ensuring that those responsible for greenhouse gas (GHG) emissions bear the social and environmental burdens.
- Climate justice requires compensation for those who are harmed.
- There is a need to rectify the inherent carbon injustice by shifting the financial responsibility for the energy transition towards the richer countries or the affluent classes within a nation.

#### Climate Justice

- Common But Differentiated Responsibilities (CBDR) allow developing countries in the global south to prioritise economic growth and development over climate mitigation.
- The primary goal of India should be economic growth because of lower emissions in comparison to many industrialized nations.
- This approach evades concerns about climate justice in India, affecting inequalities across class, caste, and region.
- The communities that have caused the least contribution to climate change, are the ones that will suffer its most prominent consequences.

#### Inequality and Climate Change

- Climate change and the shift towards clean energy sources disproportionately impact impoverished communities worldwide.
- The climate-induced problems and droughts have compounded the agriculture crisis and allied economic activities.
- Variations in rainfall, temperature, and extreme climate events directly impact agricultural productivity, compounding farmers' income loss.
- Rising ocean temperatures deplete fish stocks, adversely impacting fishing communities.
- Addressing environmental and socio-economic disparities simultaneously is crucial for sustainable and fair development.
- Less equitable societies tend to have higher emission outputs per unit of economic activity.
- More uneven environments make it more difficult for society to respond to climate change such as through public action and state capability.
- To achieve a sustainable and just future, it is imperative to recognize and mitigate the obstacles posed by these inequality matrices to effective climate action.

### India's Energy Transition: Contribution & Challenges

#### Nationally Determined Contributions (NDC):

- India's updated Nationally Determined Contributions (NDC) aim to ensure that 50% of the total installed power generation capacity is clean energy.
- India targets to achieve net-zero emissions by 2070.
- Net zero is a situation where a country's greenhouse gas emissions are offset entirely, either by absorption of carbon dioxide through natural processes or through removal of greenhouse gases using modern technologies.
- This ambitious target necessitates careful study of its implications.
- As of 2021, coal was the major contributor to the total energy supply in India (accounting for 56.1%), followed by crude oil (accounting for 33.4%).
- The industrial sector was the largest consumer of energy, using (51%) of the total final energy consumption, followed by transport (11%), residential (10%), and agriculture (3.6%) sectors.
- Manufacturing is more energy- and carbon-intensive than agriculture and services.
- Thus, any increase in energy price can lead to a contraction of manufacturing.
- India is already at a low manufacturing level.

#### Common But Differentiated Responsibilities (CBDR)

- The CBDR principle states that all states have a shared obligation to address environmental destruction but denies equal responsibility of all states about environmental protection.
- It is based on the polluter-pays principle.
- It was formalized in the United Nations Framework Convention on Climate Change (UNFCCC) of the Earth Summit in Rio de Janeiro, 1992.
- The more industrialized country is more likely to contribute to climate change.

- Contribution to climate change and respective ability to combat climate change become measures of responsibility for environmental protection.
- Objectives of differential treatment:
  - To bring substantive equality in a framework for justice,
  - To foster cooperation among states, and
  - To provide incentives for states to implement their obligations.

### Challenges in India's Energy Transition

#### Regional Disparities in Energy Sources:

- India faces a stark divide in terms of energy sources and economic inequality, closely tied to regional disparities.
- Regions heavily reliant on coal production lose both revenue and livelihoods.
- Coal reserves, being the cheapest source of energy, are concentrated in the economically disadvantaged eastern and central regions.
- However, prosperous southern and western India are hubs for renewable energy generated from wind and solar photovoltaic (PV) technologies.

#### Importance of Coal:

- Despite causing environmental harm, the public sector mining industry, responsible for 85% of coal production, remains a major revenue source for Odisha, Jharkhand, and Chhattisgarh.
- This revenue comes from taxes, royalties, mining fees, and employment opportunities.
- India's strategy for transitioning to cleaner energy must address these regional inequalities.
- It should involve transferring funds to states heavily dependent on coal and designing specific programs to reskill and rehabilitate local communities.

#### Green federalism

- It is important to establish a federal approach as part of India's Green Deal.
- India's federal governance structure implies that sub-national governments play a significant role in addressing climate concerns.
- However, state governments have different priorities compared to the central government.
- State governments sometimes execute policies that are at odds with the development goals of the States, such as those concerning climate justice, adaptation, and disaster management given out by the Union government.
- It is important to understand the relationship between fiscal federalism and climate mitigation to foster policy alignment and cooperation across all levels of government.

In a warming India, achieving climate justice requires a multi-faceted approach, addressing regional disparities, economic inequalities, and the intricate interplay of federal governance. Recognizing the unique challenges and opportunities at state levels is vital for a more sustainable and equitable future.

## OBCs and subcategories - a hot-button issue for long

- Since 2002, the issue of sub-categorisation of Other Backward Classes (OBCs) within the larger caste grouping has been a heated issue, leading to political tensions, especially near the election period.
- There has been a stir in various states like Bihar, and Uttar Pradesh to study the caste dynamics and caste interplay which house a dominant OBC population.
- The priority is given to a caste census to determine the numerical standing of each caste group for better serving the people of India.

### Other Backward Classes (OBCs)

- The expression 'OBC' was coined to denote backward/ marginalised communities and castes that were not Scheduled Castes (SCs) or Scheduled Tribes (STs).
- It is recognized that social backwardness in India has traditionally been a direct consequence of caste status and that other types of backwardness have flowed from this system.
- The Indian Constitution mandates affirmative action for OBCs under Article 15(4) and Article 16(4) to provide special provisions and reservations to uplift socially and educationally backward classes.
- Article 29 (2) states for non-discrimination with regard to admission into state educational institutions on grounds of religion, caste, etc.
- This shall prevent the State from making any special provision for the advancement of any Socially and Educationally Backward Classes of citizens.

### Further discrimination among OBCs

- OBCs have been generally identified on the basis of their occupation: cultivation of own land, tenant farming, agriculture labour, cattle-rearing, pottery, carpentry, blacksmith, oilseeds crushing, etc.
- Many castes among the OBCs are at different levels of marginalization by emergence of two broad categories within the OBCs- those who own land (like Yadavs and Kurmis in Bihar and Uttar Pradesh), and those who do not.
- The demand for reservation for the "backwards among OBCs" has increased owing to a few "upper" OBCs having grabbed most of the benefits of the 27% reservation.
- Reservation in India emerged through the implementation of the Mandal Commission recommendations more than 30 years ago (1990).

### Impact of OBC classification

- The Bihar caste survey identified 27% of the population as backward, and 36% as Extremely Backward Classes, or EBCs).
- Based on this, two lists of OBCs were released by Bihar government in 1951, which was declared unconstitutional by the Patna High Court.
- The Mungeri Lal Commission (1970), named 128 "backward" communities, 94 of which were identified as "most backward".
- Its recommendations were implemented through the Karpooori Thakur Formula and provided 26% reservation, under the categories OBC,

economically backward classes among the OBCs, women got 3%, and the upper castes poor.

- The upper OBCs and backward OBCs (mainly artisan castes) were divided as BC-I, BC-II, and OBC Women.
- Like the EBCs, a category of “Mahadalits” has been identified among the Scheduled Castes.

### Appointment of OBC Commissions

#### First OBC Commission

- The panel, headed by Kaka Kalelkar, was constituted by the government in 1953, and submitted its report in 1955.
- It adopted the following criteria to identify socially and educationally backward classes-
- Low social position in the traditional caste hierarchy of Hindu society;
- Lack of general educational advancement among the major section of the caste/ community;
- Inadequate or no representation in government service;
- Inadequate representation in trade, commerce and industry.
- This prepared a list of 2,399 backward castes or communities in the country, categorized 837 of them as “most backward”.
- It recommended for enumerating castes in the 1961 census, providing 25-40% reservation at different levels of government jobs, and 70% reservation for admission to technical and professional institutions.
- The report was never discussed in Parliament and never implemented as the government decided that any all-India list drawn up by the Central Government would have no practical utility.

#### Second OBC Commission

- The B P Mandal Commission was appointed in 1979 but its implementation was announced only in 1990 by the government.
- It identified 3,743 castes and communities as OBCs, estimated their population at 52%, and recommended 27% reservation in government jobs and admissions to all government-run scientific, technical, and professional institutions.
- No subcategories were recognized within the 27% OBC quota, but one of the members recommended OBC split into intermediate backward classes and depressed backward classes.
- The government stated that within the 27% reservation for SEBCs, preference shall be given to candidates belonging to the poorer sections of the SEBCs.
- The quota has always been implemented by treating the entire OBC population as one block after excluding the “creamy layer” of affluent candidates on the basis of criteria fixed after a Supreme Court ruling under Indra Sawhney vs Union of India case, 1992.
- If the income of parents is drawn from salaries or income from other sources (other than salaries and agricultural) and exceeds the limit of Rs. 2.5 lakh per annum for three consecutive years, their children shall be treated to fall in creamy layer.

### Subcategories in states

- State governments have applied their own criteria to distribute quota benefits among the various categories of OBCs, before the Mandal recommendations were implemented at the Centre.
- Different states consider different sub- categories of division for OBCs like Aboriginal tribes, vimukt jatis, nomadic and semi-nomadic tribes, Professional group like tappers, weavers, carpenters, etc; SC who were converted to other religions, etc.
- Some states favoured caste census for better understanding of numerical strength and formulating planned welfare policies.
- The Social Justice Committee was appointed in Uttar Pradesh to subcategorize SCs and OBCs to provide quotas within quotas.
- The Hukum Singh Committee declared Yadavs as 'forwards' among backwards and ranked them more influential communities like Jats below them, and put Jatavs at the top among SCs.
- The report was challenged before the Supreme Court, which cancelled its implementation.
- The bid for sub-categorization aimed to cater land-owing OBCs who were deserted earlier and led shift of power to the backward and most backward castes.
- The Ministry of Social Justice and Empowerment has asked the National Commission for Backward Classes (NCBC) to examine the matter of subcategorization of OBCs in the central list.
- NCBC headed by Justice V Eswaraiah, suggested that OBCs should be subcategorized into Extremely Backward Classes, More Backward Classes, and Backward Classes.
- The recommendation was not implemented and, a new commission was constituted in 2017, under Justice G Rohini, the recommendations of which are yet to be made public.

The enumeration of castes and sub-categorization OBCs would ensure equity in the distribution of reservation benefits, but may lead to deepening social inequalities among different stakeholders.

## Does India need to relook the Dam Safety Act?

India has almost 6,000 big dams, the largest number after USA and China, about 80% of them are more than 25 years old.

There are many major dams and hydroelectric projects, in the Himalayan region that play an important part in supplying India's energy demands.

A glacial lake outburst flood (GLOF) in North Sikkim's South Lhonak Lake washed away one of the biggest hydropower projects in India, the Teesta III dam at Chungthang.

Dam Safety Act, 2021:

- The Dam Safety Act was tabled in the Parliament, as a response to deficient surveillance and maintenance causing dam failure-related disasters.
- It listed key responsibilities and mandated that national and State-level bodies be established for implementation.
- Role of States: To classify dams by hazard risk, create emergency plans and flood warning systems.
- Safety reviews and periodic risk assessment studies shall be undertaken and incidents of dams failures must be recorded.
- Central Government can regulate some aspects of dam safety, despite It being a state subject under Schedule 7 of the Constitution.
- The existing dam safety regulations are part of the Environmental Impact Assessment (EIA) notifications issued under the Environment Protection Act, 1986.
- Specific provisions for Non-compliance with guidelines would be punishable by imprisonment and fines, especially if lives are at risk.

Bodies for implementation of the act:

- National Committee on Dam Safety to oversee dam safety policies and regulations.
- National Dam Safety Authority for implementation and resolving State-level disputes.
- The Chairman of the Central Water Commission (CWC) would head dam safety protocols at the national level.
- State Committee on Dam Safety (SCDS) and State Dam Safety Organisation (SDSO).

Concerns and Challenges to Dam Safety:

- Dam failure has multiple instigating factors, both man-made (bad design, ineffective monitoring, bad operations, maintenance etc.) and natural (heavy rains, landslides, etc.).
- Poor dam management was a significant aggravating factor in the 2018 Kerala floods, and the Chennai flood in 2015.
- Inadequate risk management was reported as a major reason for 2013 floods by the Chopra Committee Report in 2014.
- Some reports revealed the lack of early warning systems, risk assessment or preventive measures in place as required under the Dams Safety Act.
- The act instills unequal political-executive power and legal arrangements,

which will result in greater disharmony and instability among centre–states relations and interstate issues.

- There is inadequate transparency and access to information as Government employees and engineers oversee the safety and compromise objectivity.
- Many settlements typically tend to grow around dams, because of regular water supply but the disaster risk may change, highlighting upgrades or decommissioning.
- While spillway capacity and other parameters ideally need periodic five-year reviews, such reviews are often neglected or not made public.
- The Act mandates comprehensive evaluations by dam builders, yet the analysis and reporting of potential failures lack standardization, leading to inconsistencies.
- The Act requires dam builders to conduct comprehensive dam safety evaluations, but there is no standardisation of how the failure is analyzed and reported.
- The CWC keeps a record but the list is not updated regularly.

Dam Safety Measures:

Features of dam safety:

- Design and construct dams that adhere to safety margins
- Maintain and operate dams as per guidelines
- Record data in real-time in an accessible format
- Forecast hazardous events and instituting emergency plans

Factors to be considered:

- Hazard risk is sensitive to various factors such as climate change, urbanization, and water usage, necessitating regular reassessment.
- These evaluations should bring updated inundation maps and rule curves that influence dam reservoir capacities, enhancing downstream safety.

India's dam safety efforts need to evolve to ensure the safety of these critical structures and downstream communities. Successful implementation demands a focus on risk-based decision-making, transparency, and standardized safety evaluations. A collective commitment from all stakeholders, including the government, engineers, and the public, is imperative to fortify India's dam safety framework.

## Cooperative vs Competitive Federalism

Federalism is derived from the Latin word foedus, which means agreement. In fact federation is an agreement between two types of governments sharing power and controlling their respective spheres. Thus a federation is a system of national and local governments, combined under a common sovereignty with both national as well as federating units having autonomous spheres assigned to them by the constitution.

- India opted for quasi-federal structure after independence. The term “federal” has not been mentioned in the constitution but the working of Indian democracy is essentially federal in structure. However, it is the practical working style of federalism, which brought the concept of cooperative federalism and competitive federalism in India.
- The present government is stressing on the need to leverage the potential of cooperative and competitive federalism for achieving all round inclusive development in India. In this context there is a need to examine the concepts of cooperative and competitive federalism.

## Cooperative vs Competitive Federalism

Based on the relationship between the central and state government—the concept of federalism is divided into- Co-operative federalism and Competitive federalism.

- In Cooperative federalism the Centre and states share a horizontal relationship, where they “cooperate” in the larger public interest.
- It is an important tool to enable states’ participation in the formulation and implementation of national policies.
- Union and the states are constitutionally obliged to cooperate with each other on the matters specified in Schedule VII of the constitution.
- In Competitive federalism the relationship between the Central and state governments is vertical and between state governments is horizontal.
- This idea of Competitive federalism gained significance in India post 1990s economic reforms.
- In a free-market economy, the endowments of states, available resource base and their comparative advantages all foster a spirit of competition. Increasing globalisation, however, increased the existing inequalities and imbalances between states.
- In Competitive federalism States need to compete among themselves and also with the Centre for benefits.
- States compete with each other to attract funds and investment, which facilitates efficiency in administration and enhances developmental activities.
- The investors prefer more developed states for investing their money. Union government devolves funds to the states on the basis of usage of previously allocated funds.
- Healthy competition strives to improve physical and social infrastructure within the state.
- Competitive federalism is not part of the basic structure of Indian constitution. It is the decision of executives.

### Constitutional Position

- Article 1 of the Constitution states, "India, that is Bharat, shall be a Union of States". While the Constitution doesn't mention the term "federal", it does provide for a governance structure primarily federal in nature.
- It provides for separate governments at the Union and in the states. Further, it specifies and demarcates the powers, functions and jurisdictions of the two governments. Lastly, it details the legislative, administrative and financial relations between the Union and the states.
- The distribution of legislative powers has been divided into three lists: the Union List, the State List and the Concurrent List. The Union List, comprising the "vital interests of the State", is the longest."
- On the Union List, Parliament has exclusive powers to legislate. While the state has exclusive powers to legislate on the State List, in certain situations, Parliament can also do so.
- As per the Concurrent List, the issue is more complex.
- In case of a conflict between a state and a Central legislation, the parliamentary legislation shall prevail.
- This, coupled with the fact that residuary powers of legislation are vested in the Union, gives a "unitary" tilt to federalism in India.
- A disconcerting trend has been observed since 1950. While the Union and Concurrent Lists have expanded, the State List seems to have shrunk. This has led many to question the structure of Indian federalism and to propose its remodelling.

### Steps toward Competitive Federalism

- The acceptance of the 14th Finance Commission's recommendations, apart from significantly enhanced devolution (devolution of 42% of the divisible pool to states during 20015-16 to 2019-20, against 32% suggested by the previous commission), enables states to design and implement programmes better suited to their needs.
- Competitive federalism is not yet embraced by all the states. But a handful of states are clearly taking steps to strengthen their business environments, including initiating difficult reforms on land acquisition and labour flexibility.
- Federalism is no longer the fault line of Centre-State relations but the definition of a new partnership of team India.
- The Central government has promised decentralisation of power and minimum interference in the State affairs.
- With the roll out of the GST, this federal structure is further cemented.
- Government has abolished Planning Commission and replaced it with NITI Aayog. One of the mandates of the NITI Aayog is to develop competitive federalism. Under it;
- State governments would not look towards centre for policy guidelines and fiscal resources.
- Share of states in central tax revenue has been increased from 32% to 42% after the recommendation of the finance commission.
- States have freedom to plan their expenditure based on their own priorities.
- States would work with centre on a shared vision of national objectives.
- Restructuring of centrally sponsored schemes.

- Financial sector bailout programme under UDAY scheme.
- Swachh Bharat Ranking system.
- Most of the state now organizes investors meet to showcase facilities in their state to attract business and investment. This has led to improvement in business environment in various states.
- State wise Ease of Doing Business ranking to build a huge sense of competition.

#### Role of NITI Aayog in Promoting Co-Operative, Competitive Federalism

- In 2017, the Niti Aayog called out for competitive “cooperative federalism” stressing that this formula would redefine the relationship between the Centre and the States.
- Former vice chairman of Niti Aayog Arvind Panagariya put the onus on the States to reimagine brand India.
- Chief secretaries of States in one of the meetings even showcased the best practices being incorporated in their respective States, a move aimed at promoting cross fertilisation of ideas.
- There appears to be a silver lining in the functioning of the Aayog in enabling states competing with each other to promote governance initiatives in the spirit of “co-operative, competitive federalism”.
- An important objective of NITI Aayog is to establish a dynamic institutional mechanisms where ‘eminent individuals outside the government system’ could contribute to policy making.
- The priorities for the Aayog are evident with the suggestions for rationalisation of 66 central schemes on skill development and making Clean India a continuous program leading to the formation of three CM sub-committees.
- In a subtle manner, NITI Aayog not only puts the onus on Chief Ministers to hasten implementation of projects for the betterment of the state, but also make the state an attractive investment destination – a kind of competitive federalism.
- Given the greater scope for states to work together and learn from each other, it is obvious that for federalism to work well, these states must also fulfil their role in promoting the shared national objectives.
- It is true that India cannot advance without all its states advancing in tandem but it may so happen that by not granting the statutory status for the NITI Aayog, government has made it vulnerable to future ambush under a different political dispensation.

#### Hindrances for Competitive federalism

- Several issues such as trust deficit and shrinkage of divisible pool plague Centre-State relations. Together, they make total cooperation difficult
- Trust deficit between Centre and States is widening. Most state governments believe the thrust on federalism is limited to lofty ideas and big talks. Many States have shown their displeasure with the way the Centre has been dealing with the States.
- On one hand the Centre has increased the States’ share of the divisible pool but in reality States are getting a lesser share. The allocation towards various

social welfare schemes has also come down, affecting the States' health in turn.

- The present inter-state competition in attracting investment is too early to determine whether it will really encourage competitive patterns of investment on a continuous basis.
- The socio-economic parameters and development of each State in India is different and while a few have made substantial progress in terms of employment, literacy and creating a conducive environment for doing business and investments, there are a few which are lagging.
- There are varied economic patterns in different states. There are deficit states or the backward regions or the states under debt. Those states should not be treated on par with the well-off states.
- The states like West Bengal, Bihar, Orissa, and Assam have protested against the uniform approach in funding because of their special situations in which the central government has to provide special funds to these states. Without special funding these states cannot imagine their participation in competitive federalism.
- Though the states are provided with financial independence, it is a fallacy to assume that all the states would perform uniformly in the process of development because while some states have favourable factors like skilled labour, capital and infrastructure, innovative service industries other states lagging behind.
- The opposition of few well-off states with respect to revenue loss in implementation of GST system points that there is a lack of will in participating in the process of competitive federalism.

#### Suggestions

- Efforts at cooperative and competitive federalism have commenced but need to be strengthened.
- NITI Aayog concentrates on the broader policy framework instead of micro resource-allocated functions. So there is a need to take some further steps.
- Reactivation of the Centre-State Council: Under Article 263, this council is expected to inquire and advice on disputes, discuss subjects common to all states and make recommendations for better policy coordination.
- The NITI Aayog can't replace the council's functions as it is the only recognised constitutional entity for harmonising the actions of the Centre and states. Its effective utilisation would lend legitimacy to cooperative federalism.
- On contentious issues like land, labour and natural resources, the state should promote best practices.
- This will enable greater investment and economic activity in states with a favourable regulatory framework. Enactment by states must secure expeditious Central approval.
- The World Bank's Ease of Doing Business index reflected competition between states has generated interest, this must be a continuing exercise.
- But states not doing well on the index complain of infirmities of process and procedure. These needs to be made more acceptable and transparent.
- On issues like international treaties, WTO obligations, or the environment an institutional mechanism must be evolved where important decisions are

appropriately discussed with states.

- As India becomes globally more interdependent, these potential contentious issues must be resolved.

India needs a mix of Competitive and Cooperative federalism

- There needs to be a mix of competitive and cooperative federalism for India to move ahead.
- The future for India is cooperative and competitive federalism. Competitive federalism provides the dynamism that needs to be unleashed.
- We need cooperative federalism to balance competitive federalism.
- Constitution needed to catch up with economics to “favour integration over granting sovereignty” to promote Indian internal integration.
- GST which seeks to introduce the concept of one nation-one tax, in order to economically unify the country for the first time, is described this as “pooled sovereignty”, which would bring a big change in the working of federalism in the country.

Road ahead

- Cooperative and competitive federalism are not mutually exclusive. They have the same basic principle underlying i.e. development of the nation as a whole.
- Cooperative and competitive federalism may be two sides of the same coin as the competition alone cannot give the best results, it is competition with cooperation that will drive the real change.
- Centre's support would be required by some states to participate in competitive federalism. Strong states make strong nation and to realise this vision, it requires a “Team India” approach to work for India's development.
- The passage of GST Bill does usher in a new era in cooperative fiscal federalism and a growing political consensus for economic reforms.
- Further, the government's structural reforms particularly for land and labour, are now widely seen as necessary for realising the potential of the economy.
- While all policy-makers and economists believe that “true” cooperative federalism is the way forward, they underline the need for the Centre to include states more aggressively in the decision-making process.
- Most state finance ministers also feel that the Centre's fund allocation to States must be done more judiciously.

## Scaling up Climate Finance

- Climate finance refers to local, national or transnational financing—drawn from public, private and alternative sources of financing—that seeks to support mitigation and adaptation actions that will address climate change.
- The Convention, the Kyoto Protocol and the Paris Agreement call for financial assistance from Parties with more financial resources to those that are less endowed and more vulnerable.

### Significance

- It is critical to addressing climate change because large-scale investments are required to significantly reduce emissions, notably in sectors that emit large quantities of greenhouse gases.
- It is equally important for adaptation, for which significant financial resources will be similarly required to allow societies and economies to adapt to the adverse effects and reduce the impacts of climate change.

### Global Position on Climate Finance & role of Private Sector

- Paris Pact for People and Planet:
- Recently, more than 100 countries as well as representatives from global private sector entities gathered in Paris to affirm a single goal: No country should have to choose between fighting poverty and fighting for the planet.
- The Paris Pact for People and Planet proposed actions aimed at scaling up private capital flows to transform emerging and developing economies.
- Shift from billions to trillions:
- Much discussion and controversy have focused on the public sector, especially the commitment by developed countries to provide USD 100 billion in climate finance per year between 2020 and 2025.
- This goal is now expected to be met in 2023 for the first time.

### Challenges of private climate financing

#### Underperformance of private sector:

- The OECD 2020 data shows that the mobilisation of private climate finance has underperformed against the expectations of developed countries.
- The SCF (Standing Committee on Finance) report notes that it is unclear:
- to what extent this was due to a lower-than-expected potential to mobilise private finance or
- to a relatively lower proportion of projects with mobilisation potential in the overall climate finance portfolio.

#### Demands of developing countries:

- Developing countries have for a long time insisted that a significant portion of climate finance should come from public funds as private finance will not address their needs and priorities especially related to adaptation.

#### Issues with adaptation priorities:

- Adaptation is unlikely to offer commercially profitable opportunities for private

financiers.

- Vulnerable, debt-ridden and low-income countries with poor credit ratings needing adaptation finance the most, find it challenging to access private finance.

Contradictory claims:

- Many developed countries and multilateral development banks have emphasised the importance of private finance mobilised in their climate finance strategies, including by de-risking and creating enabling environments.
- According to the reports, these efforts have not yielded results at the scale required to tap into the significant potential for investments by the private sector and deliver on developed countries' climate ambition.

Road Ahead

Building & reviewing climate-finance architecture:

- The need is to engage in a review of the global vertical climate funds in order to optimise the use of their resources.
- It is also needed to increase partnerships between peers and with the rest of the climate-finance architecture.

Structural requirements:

- More simplicity and consistency in the rulebook is required to lower risk and risk perception for global investors who fund sustainable projects in developing countries.
- Providing the right signals and labels to invest in sustainable projects, maintaining a stable and transparent environment, and promoting investment opportunities are also essential.

Role of Credit-rating agencies:

- Credit-rating agencies must be included in the reform agenda of multilateral development banks (MDBs).
- Rating agencies should take into account the innovative blended finance schemes we are designing and use the new data on actual defaults.
- This new data shows that in many developing economies, contrary to most OECD countries, projects with good multilateral guarantees are less prone to default than companies, which are less likely to default than sovereigns.

Country-led, multi-actor partnerships:

- There is a need to push further the thinking on the "green finance" framework to make the most of the global savings pool.
- The objective is to align the financial sector with the objectives of the Paris Agreement.
- In this respect, country-led, multi-actor partnerships such as Just Energy Transition Partnerships are the right way to raise the required investments.
- These partnerships are already operative in Indonesia, Vietnam, South Africa and Senegal.

- We should do more with countries willing to phase out coal from their electricity mix.

Addressing debt vulnerabilities:

- Unlocking private sector finance for the green transition does not exonerate governments from addressing debt vulnerabilities in developing countries.
- Too many low-and middle-income countries face unsustainable debt trajectories.
- All major creditors in the region should now avoid contributing further to debt vulnerability.
- On many of these issues, India's G20 Presidency has enabled path breaking progress.
- We now need to jointly support the G20 Brazilian presidency to bring this agenda to the finish line.
- India has a crucial role to play because of its economic size, but more than that, because of its unique capacity to build bridges rather than stir up divisions within the international community.
- India's Vasudhaiva Kutumbakam, must guide our efforts to make the global financial system more efficient and more just.
- In order to address the overlapping challenges of poverty reduction, climate change and biodiversity protection, we need a shift from billions to trillions in global investments.

Far fetched to say there is no fundamental right to marry: SC

- The Supreme Court recently issued its much-anticipated decision rejecting requests to legalise same-sex unions and went into greater detail about the Special Marriage Act of 1954's provisions.
- All five judges have chosen to leave it to the legislature to enact such a law. Court's refusal to grant legal recognition to marriages between persons of the same sex is a huge legal setback to the queer community in the country.

The Petition Before the Supreme Court Regarding Same Sex Marriage

- The petitioners had requested the Court to reimagine the contours of the Special Marriage Act (SMA) 1954 to embrace same-sex unions.
- The petitioners had requested to declare SMA unconstitutional on the ground that it downgrades the diverse LGBTQIA+ community to the margins.

Special Marriage Act 1954 and its Salient Features

The SMA 1954

- The Act governs a civil marriage where the state sanctions the marriage rather than the religion.
- Issues of personal law such as marriage, divorce, adoption are governed by religious laws that are codified.
- These laws, such as the Muslim Marriage Act, 1954, and the Hindu Marriage Act, 1955, require either spouse to convert to the religion of the other before

marriage.

- In the Indian system, both civil and religious marriages are recognised. However, the SMA enables marriage between inter-faith or inter-caste couples without them giving up their religious identity or resorting to conversion.

#### Key Features of SMA 1954

- The applicability of the Act extends to the people of all faiths, including Hindus, Muslims, Sikhs, Christians, Sikhs, Jains, and Buddhists, across India.
- The minimum age to get married under the SMA is 21 years for males and 18 years for females.
- However, once married as per the secular law, under Section 19 of the Act, any member of an undivided family who professes the Hindu, Buddhist, Sikh, or Jain religion shall be deemed to affect their severance from the family.
- This would affect rights, including the right to inheritance, of the persons choosing to marry under the SMA.

#### The Verdict and Observations Made by the SC

##### Out of Court's Jurisdiction

- The Court firmly expressed its reluctance to engage with any innovative and creative interpretative exercise.
- Also, the court cited the limits of its jurisdiction and emphasised the exclusive legislative authority over such matters.
- The top court said it is for Parliament & state legislature to formulate laws on it.
- Refused to Declare SMA, 1954 Unconstitutional
- The Court emphasised the SMA is inherently secular and progressive nature and rejected to declare it unconstitutional.
- The court underscored the potential regression that might transpire if such a measure were adopted.
- CJI D.Y. Chandrachud and Justice Sanjay Kishan Kaul ruled that queer couples have a right to seek recognition for their union, but declined to read down the provisions of the SMA to that effect.
- On the other hand, Justices S. Ravindra Bhat, Hima Kohli and P.S. Narasimha rejected the position holding that any such recognition can only be based on statute.
- Marriage is Not a Fundamental Right Under the Constitution: Despite dissenting opinions articulated by the CJI and Justice Sanjay Kishan Kaul, the bench was unequivocal in asserting that there is no fundamental right to marriage under the Indian Constitution.

#### Criticisms of the SC Verdict on Same Sex Marriage

##### Majoritarian Morality Influenced the Judgement

- The decision appears to have been influenced by the majoritarian morality rather than often repeated "constitutional morality."

- The judgment would certainly become a classic case of judicial restraint and any government would justifiably celebrate.

Restricts the Scope of Puttaswamy Judgement (2017)

- The Court has even restricted the scope of the nine-judge bench in Puttaswamy (2017) by holding that it merely upheld the right to privacy but not to marry.
- The privacy judgment upheld decisional privacy or privacy of choice, which should ideally include the choice of entering a matrimonial relationship.

Contrary Views by the CJI

- The CJI declined to interpret the SMA to include same-sex couples within its ambit. However, this position seems problematic given the interpretation in Article 15(1) of the term sex to include sexual interpretation.

The CJI quoted Shafin Jahan (2018) case but reached a contrary conclusion.

- In Shafin Jahan case, the Court accepted that our choices are respected because they are ours.
- Social approval for intimate personal decisions is not the basis for recognising them. Indeed, the Constitution protects personal liberty from disapproving audiences.

The Reluctance of the Bench to Interpret SMA, 1954

- The weakest aspect of the verdict which was consistent in both the minority and majority opinions was the reluctance to engage in an interpretative analysis of SMA due to apprehensions about encroaching on legislative prerogative.
- However, such interpretation has not been an unfamiliar terrain for the constitutional courts.
- Previous cases have witnessed the judiciary instilling diverse terms with distinct meanings, thereby extending the reach of statutes, and amplifying the expanse of rights safeguarded under the Constitution.
- For instance, in NALSA (2014), the word sex was interpreted to give it a wider meaning: The expression 'sex' used in Articles 15 and 16 is not just limited to the biological sex of male or female, but intended to include people who consider themselves to be neither male or female".
- Moreover, various rights, including the right to self-determination of gender, right to information, rights to privacy, etc which are considered inherent to Article 21, were not explicitly mentioned in the text of Constitution.
- The judiciary's liberal interpretation of the right to life and liberty led to the recognition of these valuable rights.

Conclusion

In concluding that there is no fundamental right to marry, the Court has negated the expectation that it would not allow discrimination against same-sex couples in the marital domain to continue.

The LGBTQIA+ community may now have to take hope from the Court's direction that the government should form a committee to decide the rights and entitlements of queer couples.

## India did Nothing Wrong

- Already strained India-Canada bilateral relations, have worsened with Canada's latest accusation that India has unilaterally revoked the diplomatic immunity of Canadian diplomats based in India.
- Canada has claimed that India has violated the international law and Vienna Convention on Diplomatic Relations (VCDR).

### The Series of Events Leading to the Current India-Canada Diplomatic Standoff

#### Death of the Khalistan Tiger Force (KTF) Chief

- Hardeep Singh Nijjar, wanted by the Indian government, was killed in a shooting in June this year. He was shot dead outside a gurdwara in Surrey.
- In 2022, the National Investigation Agency (NIA) declared a Rs 10 lakh reward on Nijjar. This was after he was accused of conspiring to kill a Hindu priest in Punjab's Jalandhar.

#### Issue Raised on the Sidelines of G20 Summit

- On the sidelines the G20 Summit in Delhi, Canadian PM and the Indian PM had discussed Khalistani extremism.
- Canadian PM also raised the issue of foreign interference in this murder and asked India for cooperation in the investigation.
- On the other hand, during the meeting, the Indian PM had expressed his deep concerns to Canadian PM about the ongoing anti-India activities being carried out by extremist elements in Canada.

#### Canadian PM's Statement in Canadian Parliament and Expulsion of Indian Diplomats

- Canada's PM accused "agents of the Indian government" in the killing of prominent Khalistani leader.
- Canadian government did not stop at just accusations and expelled the top Indian diplomat, the head of the Research and Analysis Wing (RAW) from Canada.
- In a tit-for-tat move, the Government of India also summoned the High Commissioner of Canada to India and expelled a senior Canadian diplomat from India.
- India Invoked the Issue of Parity in Diplomatic Representation: Subsequently India had asked Canada to withdraw some of its diplomatic staff and threatened to remove their immunity if they remained in the country after the deadline.

#### Canada's Latest Accusation

- Canadian PM said that India's decision to revoke diplomatic immunity for his country's diplomats is against Vienna convention.
- He further said that India's decision is against a very fundamental principle of international law and diplomacy.

#### Vienna Convention on Diplomatic Relations (VCDR)

- It is an international treaty that provides the framework for the conduct of diplomatic relations between independent countries.
- VCDR strives to balance the interests and imperatives of receiving states (the host country where a diplomatic mission is based) and sending states (the country that sends the diplomatic mission to another country).

#### Factual Assessment of Canada's Accusations

##### Canada's Charge About Revoking Diplomats' Immunity is Wrong

- India did not revoke the immunity of Canadian diplomats. India asked Canada to cut down the size of its mission by taking back several diplomats based on the principle of parity.
- India's demand was communicated to Canada through regular diplomatic channels, and Canada was given adequate time to perform this task.
- At the most, it can be argued that had these diplomats continued to stay in India, they would have lost their diplomatic immunities.
- But this would be a logical outcome of the sending state (Canada) not taking back these diplomats despite the receiving state's (India) demand.

##### India's Action Does Not Violate the International Law

- India's actions are different from Canada's charge that India has revoked diplomatic immunities.
- India did not declare any of these diplomats, persona non grata (unacceptable person).
- However, as the receiving state, India has the right to do so under Article 9 of VCDR without explaining its decision to the sending state (Canada).

##### Does India Have the Right to Ask Any Country to Cut Down the Size of its Mission?

- Yes, India's Action is Fully Consistent with the Parity Clause
- As per Ministry of External Affairs, India's action is in accordance with Article 11(1) of the VCDR.
- This provision regulates the issue of the size of a mission and provides that the receiving state may require that the size of a mission be kept within limits considered by it to be reasonable and normal.
- The test laid down in Article 11(1) of VCDR is subjective not an objective one.
- It gives the receiving state the right to unilaterally determine what is reasonable and normal considering the domestic circumstances.
- India has the Right to Unilaterally Decide
- As per MEA, India believes that the much higher number of Canadian diplomats in India, and their continued interference in (India's) internal affairs necessitates a parity in the mutual diplomatic presence in both countries.
- International law gives India the right to make this determination unilaterally and come to the conclusion that it has reached.
- Under Article 41(1) of the VCDR, persons enjoying diplomatic privileges and immunities are obliged not to interfere in the internal affairs of the receiving state.
- Thus, if these Canadian diplomats were interfering in India's internal affairs, it is a breach of the VCDR by Canada. This can also be grounds to restrict or

withdraw diplomatic immunities.

- In Line with India's Diplomatic Relations Act of 1972
- India enacted this law to give effect to the VCDR. Section 4 of this Act empowers the central government to restrict diplomatic privileges and immunities to a country that fails to comply with its obligations under the VCDR.

#### International Precedents That Support India's Action

- The UK Imposed a Ceiling on Soviet Mission
- The United Kingdom imposed a ceiling on the Soviet Union mission in the UK when it found several Russian diplomats engaged in inadmissible activities.
- The UK cited Article 11 of the VCDR to back its decision.
- USA Action on Iranian Mission: In 1979, the United States used its power to limit the number of Iranian diplomats based in Washington.
- Estonia and Moldova's Action on Russian Mission
- Earlier this year, Moldova and Estonia asked Russia to downsize its mission based on the principle of parity. Both Moldova and Estonia relied on Article 11 of the VCDR to justify their actions.
- Moldova alleged the involvement of Russian diplomats in destabilising the internal situation in Moldova and Estonia contended that Russian diplomats were actively undermining Estonia's security.

#### Conclusion

- India's actions are consistent with its international law obligations. But the larger picture is a lack of trust between Ottawa and New Delhi today.
- Both sides need to work towards adopting confidence-building measures. Allegations of breaching international law will only take bilateral relations to a new low.

## Judicial Overreach, Judicial Restraint and Judicial Activism in India

In India, the power to examine the constitutionality of laws rests with the Supreme Court and the High Courts. If a law is found to be inconsistent with the provisions of the constitution, the court can declare it unconstitutional. It is important to note that subordinate courts lack the authority to review the constitutionality of laws.

### Judicial Activism:

- Judicial activism signifies the proactive role of the Judiciary in protecting the rights of citizens.
- The practice of Judicial Activism first originated and developed in the USA.
- In India, the Supreme Court and the High courts are vested with the power to examine the constitutionality of any law, and if such a law is found to be inconsistent with the provisions of the constitution, the court can declare the law as unconstitutional.
- It has to be noted that the subordinate courts do not have the power to review constitutionality of laws.

### Origin:

- The term judicial activism was coined by historian Arthur Schlesinger, Jr. in 1947.
- The foundation of Judicial Activism in India was laid down by Justice V.R Krishna Iyer, Justice P.N Bhagwati, Justice O.Chinnappa Reddy, and Justice D.A Desai.

### Criticism:

- Judicial Activism has led to a controversy in regard to the supremacy between Parliament and Supreme Courts.
- It can disturb the delicate principle of separation of powers and checks and balances.

### Judicial Restraint:

- Judicial Restraint is the antithesis of Judicial Activism.
- Judicial Restraint is a theory of judicial interpretation that encourages judges to limit the exercise of their own power.
- In short, the courts should interpret the law and not intervene in policy-making.
- Judges should always try to decide cases on the basis of:
  1. The original intent of those who wrote the constitution.
  2. Precedent – past decisions in earlier cases.
  3. Also, the court should leave policy making to others.
- Here, courts “restrain” themselves from setting new policies with their decisions.

### Judicial Overreach:

- When Judicial Activism goes overboard, and becomes Judicial Adventurism, it is referred to as Judicial Overreach.
- In simpler terms, it is when the judiciary starts interfering with the proper

- functioning of the legislative or executive organs of the government.
- Judicial Overreach is undesirable in a democracy as it breaches the principle of separation of powers.
  - In view of this criticism, the judiciary has argued that it has only stepped when the legislature or the executive has failed in its own functions.

Why is it Required?

Judicial Activism:

- Judicial activism has arisen mainly due to:
- The failure of the executive and legislatures to act.
- Since there is a doubt that the legislature and executive have failed to deliver the desired results.
- It occurs because the entire system has been plagued by ineffectiveness and inactiveness.
- The violation of basic human rights has also led to judicial activism.
- Due to the misuse and abuse of some of the provisions of the Constitution, judicial activism has gained importance.

Necessity of Judicial Activism:

- To understand the increased role of the judiciary, it is important to know the causes that led to the judiciary playing an active role.
- There was rampant corruption in other organs of government.
- The executive became callous in its work and failed to deliver results required.
- Parliament became ignorant of its legislative duties.
- The principles of democracy were continuously degrading.
- Public Interest Litigations brought forward the urgency of public issues.
- In such a scenario, the judiciary was forced to play an active role. It was possible only through an institution like judiciary which is vested with powers to correct the various wrongs in society. In order to prevent the compromise of democracy, the Supreme Court and High Courts took the responsibility of solving these problems.
- For example, in *Satyannarayana vs Eastern Power Distribution Company (2004)*, Justice Gajendragadkar ruled that a mandatory enquiry should be conducted if a worker is dismissed on the ground of misconduct, and be provided with an opportunity to defend himself. This judgement added regulations to labour law which was ignored by legislation.
- Similarly, *Vishaka vs State of Rajasthan (1997)* is an important case that reminds the need of Judicial activism. Here, the SC laid down guidelines that ought to be followed in all workplaces to ensure proper treatment of women. It further stated that these guidelines should be treated as a law until Parliament makes a legislation for enforcement of gender equality.

Some other famous cases of Judicial Activism include -

- *Kesavananda Bharati case (1973)*: The apex court of India declared that the executive had no right to intercede and tamper with the basic structure of the constitution.
- *Sheela Barse v. State of Maharashtra (1983)*: A letter by Journalist, addressed to the Supreme Court addressing the custodial violence of women prisoners in

Jail. The court treated that letter as a writ petition and took cognizance of that matter.

- C. Golaknath & Ors vs State Of Punjab & Anrs. (1967):The Supreme Court declared that Fundamental Rights enshrined in Part 3 are immune and cannot be amended by the legislative assembly.
- Hussainara Khatoon (I) v. State of Bihar (1979):The inhuman and barbaric conditions of the undertrial prisoners reflected through the articles published in the newspaper. Under article 21 of the Indian Constitution, the apex court accepted it and held that the right to speedy trial is a fundamental right.
- K. Gopalan v. State of Madras (1950):The Indian Supreme Court rejected the argument that to deprive a person of his life or liberty not only the procedure prescribed by law for doing so must be followed but also that such procedure must be fair, reasonable and just.

#### Judicial Restraint:

- Judicial restraint helps in preserving a balance among the three branches of government, judiciary, executive, and legislative.
- To uphold the law established by the government in the legislature.
- To show solemn respect for the separation of governmental problems.
- To allow the legislature and the executive to follow their duties by not reaching in their arena of work.
- To mark a respect for the democratic form of government by leaving the policy on policymakers.
- Trends in Judicial Restraint:
- R. Bommai v Union of India (1994) is a famous example often stated to show restraint practiced by Judiciary. The judgement stated that in certain cases the judicial review is not possible as the matter is political. According to the court, the power of article 356 was a political question, thus refusing judicial review. The court stated that if norms of judiciary are applied on matters of politics, then it would be entering the political domain and the court shall avoid it.
- Similarly, in Almitra H. Patel Vs. Union of India (1998) the Supreme court refused to direct the Municipal Corporation on the issue of assigning responsibility for cleanliness of Delhi and stated that it can only assign authorities to carry out duty that is assigned as per law.

#### Judicial Overreach:

- The direct effect of legislative and executive negligence or inability is "judicial overreach".
- Weak and injudicious results, not only in the making of laws, but also in their application.
- The Indian judiciary has been criticized by many legal scholars, lawyers and judges themselves, for playing an exceedingly activist role and overreaching.
- Impact of Judicial Overreach:
- Since the legislature is lagging behind in its function, the judiciary tends to Overreach from its function causing a conflict between legislature and judiciary. The clear impacts from such an Overreach of Judiciary are as follows:

- There is a threat to the doctrine of separation of powers which undermines the spirit of the constitution. There is a lack of harmony between legislature and judiciary and an impression on the public of inaction by the legislature.
- In certain scenarios like that of environmental, ethical, political, expert knowledge is required which the judiciary might not possess. If it renders judgement while having no experience in these domains, then it not only undermines expert knowledge but also can prove harmful to the country.
- Judicial Overreach can lead to an expression of disregard by the judiciary in the elective representation. This can decrease the faith of the public in the institution of democracy.
- Hence, It is an obligation on the part of courts to remain under their jurisdiction and uphold the principle of separation of powers. The Supreme court has itself reminded other courts, in 2007, to practise Judicial restraint. It stated "Judges must know their limits and must try not to run the government. They must have modesty and humility, and not behave like emperors." Further, it said, "In the name of judicial activism, judges cannot cross their limits and try to take over states which belong to another organ of the state".

Examples of Judicial Overreach:

- A famous case of Judicial Overreach is censorship of the Film Jolly LLB II. The case was filed as a writ petition, and alleged that the film portrayed the legal profession as a joke, making it an act of contempt and provocation. The Bombay High Court appointed a three person committee to watch the movie and report on it. This was viewed as unnecessary, as the Board Of Film Certification already exists and is vested with the power to censor. On the basis of the report of the committee, four scenes were removed by the directors. It was seen as violative of Article 19(2), as it imposed restriction on freedom of speech and expression.
- On a PIL about road safety, the Supreme Court banned the Sale of Liquor, at retail shops, restaurants, bars within 500m of any national or state highway. There was no evidence presented before the court that demonstrated a relation of ban on liquor on highways with the number of deaths. This judgement also caused loss of revenue to state governments and loss of employment. The case was seen as an Overreach because the matter was administrative, requiring executive knowledge.

How is it Manifested?

Judicial Activism:

Through Judicial Review

- Judicial review is the doctrine under which legislative and executive actions are subject to review by the judiciary.
- Judicial review is an example of check and balances in a modern governmental system.
- Judicial review is adopted in the Constitution of India from the Constitution of the United States of America.

- It gives power to the Supreme Court to examine the constitutionality of any law and if such a law is found to be inconsistent with the provisions of the Constitution, the Court can declare the law as unconstitutional.

#### Through Public Interest Litigation:

- Public interest litigation means a suit filed in a court of law for the protection of public interest.
- Judicial activism in India acquired importance due to public interest litigation. It is not defined in any statute or act.
- In India, PIL initially was resorted to towards improving the lot of the disadvantaged sections of the society who due to poverty and ignorance were not in a position to seek justice from the courts.
- Justices P.N. Bhagwati and V.R. Krishna Ayerhas played a key role in promoting this avenue of approaching the apex court of the country.

#### Through Constitutional Interpretation:

- Constitutional interpretation comprehends the methods or strategies available to people attempting to resolve disputes about the meaning or application of the Constitution.
- The possible sources for interpretation include the text of the Constitution, its "original history," including the general social and political context.

#### Through Access to international statutes for ensuring constitutional rights:

- The court refers to various international statutes in its judgements.
- This is done by the apex courts to ensure the citizens of their rights.
- International Law is referred to by Supreme Court's judgments in many cases. Example: Recently, SC reaffirmed the rights of disabled person to live with dignity in *Jeeja Ghosh v. Union of India*. The court underlined the Vienna Convention on the law of treaties, 1963 which requires India's internal legislation to comply with international commitments.

#### Judicial Restraint:

- Through referring to the original intent of those who wrote the constitution:
- Judges look to the original intent of the writers of the Constitution.
- Judges refer to the intent of the legislatures that wrote the law and the text of the law in making decisions.
- Any changes to the original Constitution language can only be made by constitutional amendments.

#### Through Precedent:

- Precedent means past decisions in earlier cases.
- Judicially-restrained judges respect stare-decisis, the principle of upholding established precedent handed down by past judges.

#### Through leaving the legislature and executive to decide policies:

- Judicial Restraint is practised when the court leaves policy making to others.
- The courts generally refer to interpretations of the constitution by the Parliament or any other constitutional body.

How do they Differ?

<b>JUDICIAL REVIEW</b>	<b>JUDICIAL ACTIVISM</b>	<b>JUDICIAL OVERREACH</b>
Power of the judiciary to examine the constitutionality of legislative enactments and executive orders of both the Central and State governments.	Denotes proactive role played by the judiciary in the protection of the rights of citizens and the promotion of justice in society.	When the judiciary oversteps the powers given to it, it may interfere with proper functioning of the legislative or executive organs of government.
<u>Example:</u> Striking down of the Section 66A of the IT Act as it was against the Fundamental rights guaranteed by the constitution	<u>Example:</u> Invented mechanisms which have no constitutional backing (Eg: Suo moto (on its own) cases, PIL, new doctrines etc).	<u>Example:</u> The higher judiciary deciding on Diwali fireworks, banning liquor on highways etc.



Judicial Activism VS Judicial Restraint:

- On basis of Meaning:
- Judicial activism: interpretation of the constitution to advocate contemporary values and conditions.
- Judicial restraint: limiting the powers of the judges to strike down a law.

On basis of Goals:

- Judicial restraint: the judges and the court encourage reviewing an existing law rather than modifying the existing law, whereas in judicial activism: it gives the power to overrule certain acts or judgments.
- On the basis of Intent:
- Judicial activism judges should look beyond the original intent of the framers.
- In Judicial restraint, Judges should look to the original intent of the writers of the Constitution.

On basis of Power:

- In Judicial activism, the judges are required to use their power to correct any injustice especially when the other constitutional bodies are not acting.
- Judicial restraint is limiting the powers of the judges to strike down a law.

On basis of their Role:

- Judicial activism has a great role in formulating social policies on issues like protection of the rights of an individual, civil rights, public morality, and political unfairness.
- Judicial restraint helps in preserving a balance among the three branches of government, judiciary, executive, and legislative.
- In India, Judiciary has played an active role through its activism, especially through PIL. This has restored the rights of disadvantaged sections of the society.
- The Supreme Courts and the High Courts have worked in favour of

progressive social policies and citizens hold a high regard for the institution of judiciary.

- However, in a democracy, it is important to maintain the principle of separation of powers and uphold the legitimacy of the three organs of government.
- It can be possible only when the executive and legislature are attentive and functional.
- At the same time, the Judiciary should be cautious of stepping into spheres of activity that does not belong to it.

### The impact of marriage and children on women labour market participation

- Women's labor market participation is closely linked to improved economic prospects and greater decision-making power within households.
- On a macroeconomic level, a lower women's labor force participation rate (LFPR) has significant implications for both women's bargaining power within and between households and the overall economic development of a nation.
- Claudia Goldin, who was awarded the Nobel Prize in Economics, has contributed to understandings of women's labor market outcomes.
- Her research has shed light on various aspects of gender disparities in the labor market, identified historical factors contributing to these gaps, and highlighted the ongoing inequalities that persist in the modern era.

#### Labour force participation rates (LFPR)

The LFPR is the share of the working-age population (aged 15 years and above) that is employed or unemployed, willing and looking for employment.

It is calculated as the labour force divided by the total working-age population.

#### Data on low female labor participation:

- Globally, the level of female labour force participation remains relatively low.
- World Bank estimates from 2022 show that worldwide labor force participation rate for women was 47.3% in that year.
- Despite the progress observed in many global economies, there has been a persistent decline in the LFPR of women in developing nations.
- In the case of India, estimates indicate that female labor force participation decreased from 28% to 24% between 1990 and 2022.
- This decline has hindered the growth of women and their ability to reach their full potential.
- Gender-based disparities in labor market participation continue to be a significant global issue.

#### Work of Claudia Goldin:

- Economist Claudia Goldin points out that the LFPR of adult women follows a

U-shaped pattern as economies grow.

- She explained that the initial decline in the participation rate is primarily driven by the shift of production from the household, family farms, and small businesses to the broader market, along with a strong income effect.
- However, over time, the income effect weakens, and the substitution effect (the inclination to participate in paid work outside the home) becomes more influential.

### Challenges in female labor force participation

#### Effects of marriage:

- The LFPR among married women tends to decline after marriage due to several factors.
- These include lower educational attainment, reduced mobility resulting from increased family responsibilities, and societal disapproval of women working outside the home.
- The institution of marriage often amplifies women's domestic obligations while simultaneously subjecting them to various social and cultural barriers that hinder their participation in the workforce.
- These challenges can make it difficult for married women who wish to be part of the labor market.

#### Individual and societal factors:

- The reduced labor force participation of married women or their tendency to leave the workforce after marriage is influenced by several factors.
- Women's entry into the labor market is shaped by a variety of individual and societal factors, which may have a greater impact on married women than unmarried ones.
- Multiple variables play a role in restricting women's labor force participation, including their religious and caste affiliations, geographical location, household wealth, and societal norms regarding women's employment outside the home.
- These factors can make it challenging for married women to remain engaged in the workforce.

#### Other Challenges:

- When women decide to rejoin the workforce after marriage, they often prefer employment opportunities that offer flexibility and are close to their homes.
- Women also face gender-based career costs as a result of several societal constraints, resulting in gender disparities in premarital career selections, income inequality, age at marriage, and family planning decisions.
- In some cases, women from more privileged backgrounds may conform to traditional societal roles by focusing on domestic responsibilities, while women from disadvantaged backgrounds are more likely to participate in the labor market due to economic constraints arising from poverty.

#### Analyzing the Female LFPR in India

- Analyzing the Female LFPR in India's NSSO Periodic Labour Force Survey

(PLFS) survey for women aged 25 to 49, it is observed that there is significant difference in employment rates for married women when comparing Usual Principal Status (UPS) and Usual Principal and Subsidiary Status (UPSS) categories.

- UPS approach assesses a person's activity status over the 365 days preceding the survey date. The activity status in which a person has spent a significant portion of that period (183 days or more) is considered their usual principal activity status.
- UPSS Approach is a hybrid one which takes into consideration both the major time criterion and shorter time period (30 days or more in any economic activity).
- The data highlights that marital status has a substantial impact on women's labor market participation.

Female labor force participation rate among married women:

- In 2022-23, there has been a decrease of 5% in the female LFPR among married women aged 25 to 49 years, with a decline from 50% in 2004-05 to 45% in 2022-23.
- The decline in the female LFPR is primarily concentrated within the age group of 25-29.
- Married women tend to have lower LFPR compared to unmarried women.
- An analysis of the impact of educational attainment on the labor force participation of married women reveals that women with lower literacy skills are more likely to participate in the labor force after marriage, in contrast to their well-educated counterparts.
- Research on the distribution of female labor across different industry sectors in India indicates that agriculture remains the predominant sector for female employment.

Road ahead

- Research on female LFPR highlights the significant influence of social and cultural factors on women's decisions regarding their entry into the labor market.
- This analysis primarily focuses on the relationship between women's marital status and their outcomes in the Indian labor market.
- The results suggest that married women have the lowest levels of labor force participation compared to widowed, divorced, and unmarried women.
- Given the substantial representation of married women in the working-age population, their non-participation in the workforce has a significant economic impact.
- It is essential to find appropriate solutions to empower women in the face of high economic growth. The lack of sufficient day-care services often discourages female LFPR.
- Therefore, it is crucial to improve the quality and accessibility of day-care services and creches for working women across various socio-economic backgrounds, including both the formal and informal sectors.
- The government has introduced initiatives like the National Creche Scheme for the Children of Working Mothers.

- It's crucial to implement such schemes in both the public and private sectors, especially to increase the participation of married women in the labor force.
- Creating workplaces that prioritize women's needs and well-being, offering safe transportation options, and expanding part-time job opportunities can act as catalysts for greater female participation in the Indian labor market.
- The declining labor force participation of married women in India has significant economic implications. Factors such as reduced educational attainment, increased family responsibilities, and societal barriers contribute to this trend. To address this issue, it is crucial to improve the accessibility of day-care services, create female-friendly workplaces, and expand part-time job opportunities. Recognizing and empowering the substantial working-age population of married women is essential for India's economic development and gender equality.

### Parliamentary Ethics and the Conduct of an Indian MP

- The Lok Sabha Ethics Committee's proceedings against the All India Trinamool Congress Member of Parliament (MP) from West Bengal, Mahua Moitra, have resulted in much public debate.
- A MP lodged a complaint with the Speaker alleging that Ms. Moitra had received money from a businessman for putting questions up in Parliament with a view to promoting the person's business interests.
- The Speaker in turn referred the complaint to the Ethics Committee for examination.

#### Provision

- Article 105 of the Constitution gives MPs the freedom to say "anything" in the House.
- Against the Values: If an MP takes money for putting questions up in Parliament, they will be guilty of breach of privilege and contempt of the House.
- Investigation by Committees: Such complaints are referred to the Committee of Privileges for investigation, which after a proper investigation, submits its findings in a report along with the recommendation for action against the MP.
- Expulsion on Guilty: If a case involving illegal gratification for conducting parliamentary work is proven, the MP may even be expelled from the House.
- Instances: There have been such instances in the Lok Sabha where MPs were expelled from the House on this ground.
- In 1951, H.G. Mudgal, an MP of the Provisional Parliament, was found guilty of promoting the interests of a business association in return for financial benefits by putting questions up. He resigned before he was expelled by the House.
- In 2005, a sting operation by a private channel showed 10 Members of the Lok Sabha accepting money for putting questions up in Parliament and after finding them guilty by a special committee, all the MPs were expelled.

## Parliamentary Probe and Judicial Probe

Judicial probe	Parliamentary probe
1) A judicial probe is conducted by judicially trained persons. 2) The judiciary does not have the power to direct investigation. 3) A judicial body probes a matter as in the statutes. 4) The rules of evidence under the Indian Evidence Act are applicable to a judicial probe.	1) Parliamentary committees consist of Members of Parliament who are not experts. 2) The Parliament possesses investigative power also. 3) Parliament does the investigative work through its committees which function under the Rules of the House. 4) The Indian Evidence Act is not applicable to a probe by a parliamentary committee. The question of the relevance of the evidence is finally decided by the Speaker.

### The Ethics Committee of the Lok Sabha

- **Formation and Mandate:** A relatively new committee set up in 2000, with a mandate to examine every complaint related to the unethical conduct of MPs referred to it and to recommend action.
- It was also tasked with formulating a code of conduct for MPs.

### Origin

- 1996: Presiding Officers' Conference suggested ethics panels for both houses.
- 1997: Ethics Committee constituted in Rajya Sabha
- 13th Lok Sabha: Committee of Privileges recommends Lok Sabha Ethics Committee
- 2000: Ad hoc Ethics Committee established in Lok Sabha.
- 2015: Ethics Committee becomes a permanent part of Lok Sabha.

Members: 15

Appointed by: The Speaker appoints members of the committee for one year.

Functions:

1. To examine every complaint relating to unethical conduct of a Member of Lok Sabha referred to it by the Speaker and make recommendations
2. To formulate a code of conduct for Members
3. To suggest amendments or additions to the code of conduct from time to time.

The work of the Ethics Committee and the Privileges Committee often overlap. An allegation of corruption against an MP can be sent to either body, but usually more serious accusations go to the Privileges Committee.

A non-MP too can be interrogated by the privilege committee for actions that attack the authority and dignity of the House. The Ethics Committee can take up only cases of misconduct that involve MPs.

### Concerns

- **Undefined Term:** The term 'unethical conduct' has not been defined anywhere and is left entirely to the committee to examine.
- **Limited Scope:** More serious cases involving serious misconduct are not dealt with by the ethics committee.
- Rather dealt with by either the Committee of Privileges or special committees.
- **Lack of Criminal Investigation:** Parliamentary committees do not deal with criminal investigation. They decide on the basis of evidence whether the conduct of the MP is a breach of privilege or contempt of the House and punish them accordingly.

### Road ahead

- Framing of Rules: The Lok Sabha needs to frame rules to regulate the online submission of questions.
- Clear Definitions: Undefined terms like 'unethical conduct' should be made defined.
- Clear Demarcation: There is a need to make distinction between parliamentary discipline and criminal investigations in handling serious allegations.

### Implications of SC ruling in AAP vs L-G fight

- Stating that in a democracy, "the real power of administration must reside in the elected arm of the state" the Supreme Court in GNCTD vs LG Delhi, 2023, held that the elected government in Delhi has the power to make decisions on all matters that fall within the purview of the Delhi legislative assembly.
- It reiterated that in the light of Article 239AA of the Constitution and the 2018 Constitution Bench judgment, the LG is bound to act on the aid and advice of the elected government of Delhi on all subjects except for public order, police and land (Entries 1, 2 and 18 of List II to Schedule VII). The LG has no power to independently take decisions or circumvent the elected government in Delhi.

### Positive implications:

- Reaffirmation of the constitutional status of Delhi as a union territory and special status to the city.
- Enhanced powers to the elected government of Delhi for making executive decisions on various subjects.
- Better coordination between the elected government and the LG can ensure efficient and effective governance.
- Reduction of the ongoing power struggle between the Delhi government and the central government, which can lead to better policy-making.
- The judgment is a step towards fulfilling the long-standing demand for Delhi's statehood, which could bring more autonomy and control over the administration to Delhi.
- Strengthening the democratic institutions in Delhi and empowering the elected government to work for the welfare of the citizens.
- Greater accountability and transparency in the administration of Delhi, as the ruling clarifies the roles and responsibilities of the different stakeholders.
- Potential for faster decision-making and implementation of policies and programs, which could benefit the people of Delhi.
- Increased motivation and morale of the elected government and its officials, could lead to greater efficiency and effectiveness in governance.
- Inspiring other states and union territories to revisit their governance structures and ensure a more equitable and participatory system of

administration.

Negative implications:

- The political landscape in Delhi may become more polarised and fraught with tensions, as different stakeholders seek to assert their interests and influence over the governance of the city.
- The ruling may lead to confusion and conflicts between the elected government and LG regarding the division of powers and responsibilities, which could potentially hamper efficient governance in the city.
- The central government may feel compelled to assert its authority in the administration of Delhi, which may adversely impact the autonomy of the elected government.
- The ruling may create a delay in the decision-making and implementation of policies and programs, as the respective powers of different stakeholders have to be re-negotiated and clarified.
- There may be legal challenges or amendments to the law that may seek to modify the ruling in the future, further complicating the governance issues in Delhi.
- The ruling may create ambiguity around the division of responsibilities between the elected government and the LG, which could cause delays and confusion in decision-making.
- The central government may perceive the ruling as a loss of its power and authority over Delhi, which could lead to political tensions and disagreements.
- The ruling may not necessarily address the underlying issues of corruption and inefficiency in the governance of Delhi, which could hamper progress and development in the city.
- The ruling may not be implemented effectively or may not result in significant changes unless there is strong political will and commitment from all stakeholders involved.

Thus, the judgment reaffirms the federal nature of the Indian polity and recognizes the importance of cooperative federalism. The judgment could set a precedent for resolving disputes between the centre and the states in India and could have far-reaching implications for the relationship between the Centre and the states.