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1.

9th Schedule of Indian Constitution

The Ninth Schedule of the Indian Constitution contains a list of central and state laws which cannot be challenged in courts.

- It was added by the **Constitution (First Amendment) Act, 1951**. The 13 laws were added to the schedule through the first Amendment in 1951.
- The Ninth Schedule was added to the Constitution in 1951 through the **First Amendment Act** in response to the Supreme Court's decision in the Shankari Prasad case (1951), which had ruled that laws enacted by the Parliament could be challenged if they violated the fundamental rights guaranteed by the Constitution.
- The Ninth Schedule is a special provision in the Constitution of India that allows the legislature to **exempt certain laws from judicial review** through a constitutional amendment.
- The Ninth Schedule was brought by adding new Article 31B, which along with Article 31A enacted with the aim of protecting laws related to **agrarian reform and to abolish the Zamindari System**.
- The laws included in the Ninth Schedule are immune to being challenged in the court on the grounds of **inconsistency with the fundamental rights** guaranteed by the Constitution of India.

Features

Some of the salient features of the Ninth Schedule include

- **Article 31B:** It provides **protection to acts and regulations** included in the Ninth Schedule from being challenged and invalidated on the ground of contravention of any of the fundamental rights.

- **Wider in scope than Article 31A:** Article 31A protects **only five specific categories of laws** from being challenged on the grounds of contravention of the fundamental rights conferred by Article 14 and Article 19 of the Constitution.
- **Contains mainly land and reservation-related laws:** The laws are primarily related to **agriculture and land issues**, however, some laws related to reservation are also included. For instance, there is a law from Tamil Nadu in the Schedule that mandates **69% reservation** in the state.
- **Promotion of a just and equitable society:** The Ninth Schedule helps to **reduce economic inequality** and **promote social welfare** through protection of laws and policies such as reservation.
- **Preventing concentration of land among few:** Another objective of Ninth Schedule is to **reduce the concentration of land in a few hands** and share the land among farmers in order to fulfill the constitutional mandate of creating a just society.
- **Protection of laws aimed at achieving social and economic objectives:** Laws aimed at achieving social and economic objectives include laws related to land reforms, redistribution of wealth, labor laws, and laws related to taxes and revenue.

Criticisms

- **Violation of Fundamental Rights:** Ninth Schedule allows the government to enact laws such as reservations that violate the right to equality guaranteed by the Constitution.
- **Misuse of Power:** The government may add laws to the Ninth Schedule for political reasons or to protect vested interests, leading to a lack of accountability and transparency.

- **Lack of Judicial Oversight:** The inclusion of laws in the Ninth Schedule restricts the power of the judiciary to review their constitutionality, leading to a lack of judicial oversight.
- **Unequal Treatment:** The Ninth Schedule provides unequal treatment to different laws and policies. Some laws are protected from judicial scrutiny, while others are subject to judicial review.
- **Lack of Clarity:** The Ninth Schedule lacks clarity about the criteria for the inclusion of laws. This can create confusion and uncertainty about the constitutionality of laws and policies, leading to a lack of transparency and accountability.
- **Checks and balances:** The validity of the Ninth Schedule has been a subject of controversy, with some arguing that it undermines the principle of checks and balances and limits the power of the judiciary to protect the fundamental rights of citizens.
- **Arbitrary actions:** Arbitrary or unreasonable actions were taken by the various governments. For instance, Jharkhand's new bill seeks to increase the reservation in government posts to 77%, and also the Jharkhand government asked the central government for its inclusion in the Ninth Schedule to take effect.

Important cases dealing with 9th Schedule of Indian Constitution

The question of Laws in the Ninth Schedule completely exempt from judicial scrutiny has been resolved through various Supreme Court judgments, which are given as follows:

- **Keshavananda Bharati v. State of Kerala (1973):** The Supreme Court held that any law which violates "Basic structure of the Indian Constitution" can be declared unconstitutional by the court.
- **Waman Rao v. Union of India (1981):** In this significant decision, the Supreme Court ruled that the amendments made after 24th April 1973

in Ninth Schedule can be challenged on the grounds of constitutionality.

- **I R Coelho v. State of Tamil Nadu (2007):** The court ruled that any law enacted in Ninth Schedule after 24th April 1973 must be examined under Articles 14, 19, and 21. Furthermore, it stated that any act that is not in line with the basic structure of the constitution can be challenged and subjected to judicial review.

Appropriate use of the 9th Schedule of Indian Constitution

The appropriate use of the Ninth Schedule can be ensured by taking the following suggestions into consideration:

- **National Commission to Review the Working of the Constitution (NCRWC):** The protection from judicial review should be restricted to only those laws which relate to agrarian reforms, reservations, and the implementation of Directive Principles specified in Article 39(b) and Article 39(c).
- **Reservation:** Reservation is a vital measure, but it should be subject to judicial review to prevent any arbitrary or unreasonable actions taken by the executive or legislature.
- **Last resort:** The Ninth Schedule should be used as a last resort when there are no other means available to achieve the desired objectives. The government should exhaust all other options before resorting to the Ninth Schedule.
- **Transparent process:** The inclusion of laws in the Ninth Schedule should be a transparent process, and the government should provide clear reasons for why a particular law needs to be included.
- **Limited protection:** The protection provided by the Ninth Schedule should be limited and not absolute. The government should not use it as

a means to avoid judicial scrutiny altogether.

- **Review mechanism:** There should be a review mechanism in place to periodically review the laws included in the Ninth Schedule to ensure that they are still relevant and necessary.

PYQ

1. What was held in the Coelho case? In this context, can you say that judicial review is of key importance amongst the basic features of the Constitution? (2016)

Consider the following statements:(2018)

1. The Parliament of India can place a particular law in the Ninth Schedule of the Constitution of India.
2. The validity of a law placed in the Ninth Schedule cannot be examined by any court and no judgement can be made on it.

Which of the statements given above is/are correct?

(a) 1 only

(b) 2 only

(c) Both 1 and 2

(d) Neither 1 nor 2

2. The Ninth Schedule was introduced in the Constitution of India during the prime ministership of (2019)

(a) Jawaharlal Nehru

(b) Lal Bahadur Shastri

(c) Indira Gandhi

(d) Morarji Desai

2.

ABC of Fundamental Duties

In the context of a nation, the **Fundamental Duties of Indian Constitution** refer to a set of duties prescribed for the citizens of that nation. They act as a **reminder to the citizens** that in addition to the enjoyment of rights, they also have to perform certain duties towards the nation they live in. In essence, **Fundamental Duties** can be summarised as a **set of moral and ethical obligations** that citizens are expected to uphold towards a nation.

List of Fundamental Duties in India

Article 51A in Part IV-A provides **eleven Fundamental Duties** of Indian Constitution. These fundamental duties are mentioned below:

- To **abide by the Constitution** and respect its ideals and institutions, **the National Flag and the National Anthem,**
- To cherish and follow the **noble ideals that inspired the national struggle** for freedom,
- To uphold and protect the sovereignty, unity, and integrity of India,
- To **defend the country** and render **national service** when called upon to do so,
- To **promote harmony and the spirit of common brotherhood** amongst all the people of India transcending religious, linguistic, and regional or sectional diversities and to **renounce practices derogatory to the dignity of women,**
- To value and preserve the **rich heritage of the country's composite culture,**
- To **protect and improve the natural environment** including forests, lakes, rivers, and wildlife, and to **have compassion for living creatures,**

- To **develop a scientific temper, humanism, and the spirit of inquiry and reform,**
- To **safeguard public property and to abjure violence,**
- To strive towards **excellence in all spheres of individual and collective activity** so that the nation constantly rises to higher levels of endeavor and achievement, and
- To provide opportunities for education to his child or ward **between the age of six and fourteen years (added by the 86th Constitutional Amendment Act of 2002).**

Note: The Fundamental Duties in the Indian Constitution are inspired by the Constitution of the erstwhile USSR.

Evolution of Fundamental Duties in India

Originally, **the Indian Constitution did not contain Fundamental Duties.** However, their need and necessity were felt during the operation of the **internal emergency from 1975 to 1977.** Accordingly, steps were taken by the government that led to the incorporation and evolution of the Fundamental Duties in India:

Sardar Swaran Singh Committee

- In **1976**, the Government of India appointed the Sardar Swaran Singh **Committee** to make recommendations about Fundamental Duties.
 - The Committee observed that in addition to the enjoyment of rights, the citizens should also perform certain duties.
 - Accordingly, it recommended the inclusion of a separate chapter on Fundamental Duties in the Constitution, which would contain a list of 8 Fundamental Duties.

42nd Constitutional Amendment Act of 1976

- The **Central Government** accepted the recommendations of the **Sardar Swaran Singh Committee** and decided to incorporate a list of fundamental duties in the Constitution of India.
 - Accordingly, it **enacted the 42nd Constitutional Amendment Act in 1976**, which added a new part (**Part IVA**) to the Constitution. This new part consists of only one Article (**Article 51A**) which specifies a code of ten fundamental duties of the citizens of India.
 - It is to be noted that though the **Swaran Singh Committee** recommended the incorporation of eight Fundamental Duties, **the 42nd Constitutional Amendment Act included ten Fundamental Duties.**

86th Constitutional Amendment Act of 2002

- The **86th Constitutional Amendment Act of 2002** added one more Fundamental Duty (to provide opportunities for education to his child or ward **between the ages of six and fourteen years**).
- The list of Fundamental Duties in the Indian Constitution has been constant since then.

Features of the Fundamental Duties

The Fundamental Duties of Indian Constitution outlined in **Article 51-A** possess several distinct features which are as follows:

- **Non-Justiciable** – These duties are **non-justiciable**, meaning they are **not enforceable by law** through the judiciary. However, they serve as moral obligations and guiding principles for citizens.
- **Scope of Applicability** – These duties are **confined to citizens only** and do not extend to foreigners.

- **Derived from Various Sources**– These duties draw inspiration from various sources, including the **Constitution of the erstwhile Soviet Union, the thoughts of Mahatma Gandhi**, and other constitutional experts. They reflect a blend of national and international values.
- **Directive Nature** – These duties guide the behavior and conduct of citizens and serve as a moral compass for shaping a responsible and law-abiding society.
- **Codification of Indian Values** – They refer to values that have been a part of Indian traditions and practices. Thus, they essentially are a codification of tasks integral to the Indian way of life.
- **Moral and Civic** – Some of them are moral duties e.g. cherishing noble ideals of national freedom struggle, while others are civic duties e.g. respecting the Constitution.

Importance of Fundamental Duties

The significance of the fundamental duties of Indian Constitution lies in their role in fostering a sense of responsibility, patriotism, and social cohesion among citizens. The points highlighting their significance are:

- **Promotes Civic Consciousness** – These duties instill a **sense of civic consciousness and responsibility among citizens** toward the nation and society. For example, they remind them of their obligations to uphold the values enshrined in the Constitution.
- **Educational and Cultural Promotion** – Some Fundamental Duties emphasize the **importance of promoting education, scientific temper, and the development of scientific knowledge**, while also cherishing the rich cultural heritage of India.
- **Harmonization with Rights** – These duties complement the

Fundamental Rights enshrined in the Constitution. While Fundamental Rights **confer entitlements upon citizens**, Fundamental Duties **remind them of their reciprocal obligations towards society and the nation.**

- **Promotes People's Participation** – They **create a feeling among the citizens** that they are not mere spectators but active participants in the realization of national goals.
- **Preservation of National Unity and Integrity** – These duties emphasize the **importance of respecting the ideals of the Constitution and promoting a shared commitment** to the welfare of the country beyond individual interests.
- **Inculcation of Moral and Ethical Values** – These duties encourage the **cultivation of moral and ethical values among citizens** by promoting integrity, honesty, and respect for others.
- **Promotes Democratic Principles** – These duties reinforce the principles of democracy **through civic engagement and responsible citizenship**, essential for the functioning of a vibrant democracy.
- **Promotes Social Welfare** – These duties encourage citizens to **promote harmony and the spirit of common brotherhood, fostering social cohesion and inclusivity.**
- **Complements Fundamental Rights** – While fundamental rights empower individuals, fundamental duties remind citizens of their responsibilities towards society and fellow citizens. They **strike a balance between rights and responsibilities**, ensuring that individual freedoms are exercised responsibly.
- **Legal and Constitutional Framework** – These duties serve as **guiding principles for lawmakers and policymakers** in shaping laws and policies for the betterment of society.

- **Aids Judiciary** – As ruled by the Supreme Court, in determining the constitutionality of any law, if a court finds that the law in question seeks to give effect to a fundamental duty, it may consider such law to be 'reasonable' in relation to **Article 14 (equality before law) or Article 19 (six freedoms)**. Thus, they help the judiciary in examining and determining the constitutional validity of a law.
- **Global Recognition** – The inclusion of fundamental duties enhances India's standing on the global stage by showcasing its citizen's dedication to **democratic values and constitutional principles**.

Supreme Court's Views on Fundamental Duties

- **Shri Ranganath Mishra vs Union of India (2003)**: In this case, the Supreme Court stated that Fundamental Duties should be upheld **not merely through legal sanctions but also through social sanctions**. Furthermore, the court directed the implementation of **Justice J.S. Verma Committee's recommendations** regarding the widespread dissemination of knowledge about Fundamental Duties to the public.
- **In AIIMS Students Union v. AIIMS (2001)**: The Supreme Court ruled that Fundamental Duties hold the same level of importance as Fundamental Rights. The court observed that both being **designated as 'Fundamental'** underscores their equal significance.

Relation between Fundamental Rights and Fundamental Duties

The relationship between **Fundamental Rights and Fundamental Duties** can be summarised as **correlative and complementary**. The performance of Fundamental Duties by citizens is necessary for creating an enabling environment for others to enjoy their Fundamental Rights. Similarly, **rights are**

precursors to duties, and without fulfillment of rights, individuals can't perform their duties. e.g. **without fulfillment of the Right to Education**, it is difficult to expect the duty to respect the dignity of women.

The inseparable relationship between Fundamental Rights and Fundamental Duties is illustrated as follows:

Fundamental Rights

Article 19 provides for Freedom of Speech & Expression. However, it also provides that the state can impose reasonable restrictions on this right on the grounds of sovereignty and integrity of India, and security of the state among others.

Article 21 contains within its ambit the right of women to be treated with decency and dignity.

Article 21A guarantees free and compulsory education to all children of age 6-14 years.

Article 23(2) provides that the State can impose compulsory service for public purposes such as military service.

Fundamental Duties

Article 51A(c) casts a Fundamental Duty on citizens "to uphold and protect the sovereignty, unity, and integrity of India".

Article 51A(e) directs the citizens "to renounce practices derogatory to the dignity of women"

Article 51A(k) asks the citizens "to provide opportunities for education to his child/ward between the age of 6-14 years".

Article 51A(d) asks the citizens "to defend the country and render

national service when called upon to do so”.

Relation between Fundamental Duties and DPSP

Albeit **non-justiciable in nature**, the DPSPs also form a type of rights to be enjoyed by the citizens. Thus, the relationship between **DPSPs and Fundamental Duties** is also of a correlative and complementary nature.

The same is illustrated as follows:

Directive Principles of State Policies (DPSPs)

Fundamental Duties

Article 48A directs the state “to protect and improve the environment and to safeguard forests and wildlife”.

Article 51A(g) provides for a fundamental duty of citizens “to protect and improve the natural environment including forests, wildlife, etc.”

Article 45 directs the state “to provide early childhood care and education for all children until they complete the age of 6 years”

Article 51A(k) asks the citizens “to provide opportunities for education to his child/ward between the age of 6-14 years”.

Article 49 directs the state “to protect monuments, places, and objects of artistic and historic interest which are declared to be of national importance”

Article 51A(f) asks the citizens “to value and preserve the rich heritage of country’s composite culture”

Relation between Fundamental Duties and Preamble

The relationship between the **Fundamental Duties and the Preamble** is rooted in their mutual reinforcement of the ideals and aspirations enshrined in the Indian Constitution. While the Preamble outlines the objectives and guiding principles of the Constitution, the Fundamental Duties articulate the responsibilities of citizens towards achieving these objectives.

Fundamental Duties

Article 51A(a) states to abide by the Constitution and respect its ideals and institutions, the National Flag, and the National Anthem.

Article 51A(c) states “to uphold and protect the sovereignty, unity, and integrity of India”.

Article 51A(e) states “to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities”.

Criticism of the Fundamental Duties

- **Non-Justiciability** – Non-justiciability of Fundamental Duties raises

Preamble

The Preamble has mentioned the ideals of the Constitution as ‘**Justice**’, ‘**Liberty**’, ‘**Equality**’, and ‘**Fraternity**’. Therefore, in every word, deed, and thought we must remember and practice these ideals of the Constitution.

These core values have been mentioned in the **Preamble of India**.

The Preamble to the Constitution mentions about ‘**Fraternity**’ assuring the dignity of the individual and the unity and integrity of the nation.

questions about their **effectiveness and utility**, as there are no legal repercussions for failing to adhere to them.

- **Non-Exhaustive** – The list of duties **is not exhaustive** as it does not cover some very important duties such as casting votes, paying taxes, etc.
- **Subjectivity and Ambiguity** – Some critics argue that the language used to articulate fundamental duties is **vague, subjective, and ambiguous** which makes it challenging to determine the exact scope and nature of these duties. For example, different interpretations can be given to phrases like 'noble ideals', 'composite culture', etc.
- **Imbalance with Rights** – Critics argue that while the Constitution guarantees fundamental rights to citizens, the imposition of fundamental duties **creates an imbalance with the rights**. They argue that citizens should have enforceable rights without the imposition of corresponding duties, as duties may **infringe upon individual autonomy and freedom**.
- **Inadequate Promotion and Awareness** – Many citizens are **unaware of their duties or perceive them as secondary to their rights**, undermining their effectiveness in fostering a sense of civic responsibility.
- **Reduce Significance** – The inclusion of Fundamental Duties as an appendage to Part IV of the Constitution is seen as **reducing their value and significance**. Critics argue that they should have been added after Part III to keep them on par with the Fundamental Rights.

Despite some criticisms, the **Fundamental Duties of Indian Constitution** remain integral to fostering a sense of civic consciousness, patriotism, and social cohesion. By guiding the citizens towards responsible citizenship, they contribute to the collective well-being and progress of the nation. Overall, they

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| | aid in fulfilling the vision of a harmonious and democratic society envisioned by the framers of the Constitution. |
| 3. | <p>Why did the Centre alter its pension plan?</p> <p>Introduction</p> <p>The Union Cabinet recently approved a significant overhaul in pension provisions for Central government employees with the introduction of the Unified Pension Scheme (UPS), set to be implemented from April 1, 2025. The scheme is aimed at benefiting approximately 23 lakh Central government employees and offers an option for those under the National Pension System (NPS) to switch to the UPS. States may also opt to include their employees under this scheme, though they will need to secure funding independently.</p> <p>Key Components of UPS</p> <p>1. Pension Benefits</p> <ol style="list-style-type: none">a. Monthly Pension: Employees will receive 50% of their average basic pay from the last 12 months of service as a monthly pension for life after a minimum of 25 years of service.b. Proportional Benefits: For less than 25 years of service, the pension amount will be proportionately lower, with a minimum pension set at ₹10,000 for those with at least 10 years of service.c. Family Pension: A family pension equivalent to 60% of the employee's pension will be provided to dependents upon the employee's death. |

2. Inflation Protection

- a. Pension incomes will be adjusted in line with the consumer price index for industrial workers, similar to the dearness relief given to serving employees.

3. Superannuation Payout

- a. A lumpsum payout, in addition to gratuity, will be provided at retirement, amounting to 1/10th of the employee's monthly emoluments for every six months of service.

Differences from the Current System

1. Old Pension Scheme (OPS)

- a. **Coverage:** Employees who joined before January 1, 2004, are covered by OPS.
- b. **Pension Benefits:** OPS provided an assured pension of 50% of the last drawn salary plus dearness allowance, a family pension of 60% of the last drawn pension, and a minimum pension of ₹9,000 plus dearness allowance. It also allowed commuting 40% of the pension as a lumpsum and offered additional hikes for pensioners over 80 years of age.

2. National Pension System (NPS)

- a. **Coverage:** Employees who joined service on or after January 1, 2004, are covered by NPS.
- b. **Contribution-Based:** NPS operates on a **defined contribution basis** where both employee and employer contribute to a pension fund, which is invested in **market-linked securities**. Upon retirement, employees must buy an **annuity with 40%** of their accumulated corpus.
- c. **Uncertainty:** NPS does not guarantee a fixed pension amount,

contrasting with OPS's defined benefits.

3. Unified Pension Scheme (UPS)

- a. **Hybrid Model:** UPS combines the defined benefits of OPS with the defined contribution aspects of NPS. Employee contributions are fixed at 10% of salary, while government contributions are higher at 18.5%.
- b. **Government Liability:** The government will cover any shortfall between actual earnings on contributions and promised pension benefits. It remains unclear whether UPS will include future **Pay Commissions** or increased pensions for senior pensioners as OPS did.

Rationale for the Change

- **Employee Discontent:** The switch from OPS to NPS faced significant pushback from employees due to the loss of guaranteed pension benefits and discrepancies in benefits for different cohorts of employees.
- **Political and Electoral Considerations:** The decision to introduce UPS also responds to political pressures and electoral considerations, with opposition parties advocating for a return to OPS in several states.
- **Fiscal Responsibility:** The new scheme aims to balance employee expectations with fiscal prudence, as indicated by the review committee headed by former Finance Secretary **T.V. Somanathan**.

Reactions and Impact

- **Employee Reactions:** While employees have generally welcomed the UPS, there are concerns about the contributory nature of the scheme and the lack of a commutation option.

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| | <ul style="list-style-type: none">• State Reactions: States have expressed various degrees of interest in adopting UPS, though they will need to manage the financial implications independently.• Economic Impact: The initial cost of implementing UPS is projected to be ₹7,050 crore, with future expenditures tied to inflation adjustments. Economists see UPS as a potential long-term fiscal challenge but acknowledge it as a move towards reducing pension uncertainty for employees. <p>Conclusion</p> <p>The Unified Pension Scheme represents a major shift from the old pension system, aiming to merge the stability of OPS with the financial sustainability of NPS. The scheme reflects an attempt to address employee grievances while managing fiscal responsibilities, with its full impact yet to be evaluated as it comes into effect.</p> |
| <p>4.</p> | <p>International Space Station (ISS)</p> <ul style="list-style-type: none">• ISS is a large spacecraft in low Earth orbit.• It is habitable spacecraft that orbits Earth at an average altitude of approximately 420 kilometers (260 miles).• It serves as a unique and collaborative space laboratory, research facility, and living space for astronauts and cosmonauts from various countries. |

Features of ISS

- Construction and Ownership
 - The major partners include NASA (United States), Roscosmos (Russia), ESA (European Space Agency), JAXA (Japan Aerospace Exploration Agency), and CSA (Canadian Space Agency).
 - In 2022, Russia announced that it will pull out of ISS after 2024 and focus on building its own orbiting outpost.
 - These agencies have contributed modules, components, and resources to construct and maintain the station.
- Size and Structure
 - The ISS is quite large, with a mass of around 460 tons and a habitable volume roughly equivalent to the interior of a Boeing 747 aircraft.
 - It consists of various interconnected modules and components, including laboratories, living quarters, and docking ports.
- Orbit and Duration
 - It travels at 8 kilometers (5 miles) per second. This means it orbits Earth every 90 minutes.
 - It passes over our heads 16 times every 24 hours — travelling through 16 sunrises and sunsets.
 - Missions typically last six months, although some crew members may stay for shorter or longer durations.
- International Crew
 - The ISS is continuously inhabited by a rotating crew of astronauts and cosmonauts from different nations.
 - These crew members live and work on the station for several months at a time, conducting experiments, maintaining systems, and performing various tasks necessary to keep the station

operational.

Significance

- One of the primary purposes of the ISS is to conduct scientific research and experiments in the unique microgravity environment of space.
 - Microgravity is often referred to as near zero gravity or weightlessness.
- Researchers from around the world use the station to study a wide range of fields, including biology, physics, astronomy, and Earth sciences.
- The ISS has contributed to our understanding of topics such as human health in space, materials science, and climate change.
- Human beings have been living in space every day since the first crew arrived.

Launch

- The first segment of the ISS — the Zarya Control Module — was Russian and launched November 20, 1998.
 - Zarya supplied fuel storage and battery power, and served as a docking zone for other space vehicles arriving at the ISS.
- Later, in December 1998, the US launched the Unity Node 1 module. Together, the two modules were the start of a functioning space laboratory.
- Over the course of 42 assembly flights, the ISS became what it is today.

Scientific discoveries on the ISS have benefited life on Earth

- Astronauts have conducted hundreds of scientific experiments on the ISS.

- From Alzheimer's and Parkinson's disease to cancer, asthma and heart disease — it's all been studied in space.
- Scientists say some medical experiments are best done in space because cells behave in microgravity more like they do inside the human body, but it's difficult to recreate such conditions on Earth.
- There have been discoveries to benefit drug development, new water purification systems, methods to mitigate muscle and bone atrophy and those that have led innovations in food production.

Future of ISS

- Plans for the future operation of the ISS were thrown into uncertainty with the start of Russia's invasion of Ukraine in early 2022.
- Both the European Space Agency and national bodies withdrew from international collaborations with Russia.
- Later, Russia said it was leaving the ISS to build its own space station.
- Also, old and new space faring nations want to make an independent mark on space. They include Japan, China, India, the United Arab Emirates and others.
- The US and Europe have said they remain committed to the International Space Station through 2030.
- But plans are afoot for a post-ISS world, as well:
 - NASA is almost entirely focused on its Artemis program and plans to populate the moon.
 - ESA is working toward a new space station, which it is calling Starlab.

5.

India's neighbourhood watch, past and present.

Introduction: India's Overestimation of Influence

- **Self-Criticism:** India often engages in self-criticism when events in its neighborhood don't align with its expectations. This is partly because India tends to overestimate its influence on neighboring countries' internal developments.
- **Reality Check:** Despite its ambitions, India sometimes faces limits in its capacity to shape outcomes, particularly in complex and rapidly changing political environments.

Transformative Period (2008-2010)

1. Bangladesh (2008-2010):

- a. **Return to Democracy:** In December 2008, after years of military rule under **General Moeen U. Ahmed**, Sheikh Hasina became Prime Minister of Bangladesh in 2009. This transition was supported by India, particularly through the quiet diplomatic efforts of then External Affairs Minister Pranab Mukherjee.
- b. **India-Bangladesh Relations:** Over the next 15 years, India and Bangladesh developed a strong partnership, with Bangladesh displaying sensitivity to India's core interests.

2. Sri Lanka (2009):

- a. **Defeat of LTTE:** The Liberation Tigers of Tamil Eelam (LTTE), a militant organization, was defeated after 33 years, largely due to India's sustained engagement with Sri Lanka. This victory allowed India to pursue closer relations with a unified Sri Lanka.

b. **India's Role:** India's role in this process was significant but has not been widely acknowledged. The removal of the LTTE's threat allowed India to focus on deepening ties with Sri Lanka.

3. **Maldives (2008-2010):**

a. **Democratic Transition:** After 30 years of autocratic rule under **President Maumoon Abdul Gayoom**, the Maldives held its first multi-party democratic elections in 2008, leading to Mohamed Nasheed becoming President.

b. **India's Stabilizing Role:** India supported this democratic transition and continued to assist the Maldives in stabilizing its fledgling democracy. Despite political instability, the Maldives has seen three different Presidents over the past 16 years, reflecting a maturing democracy.

4. **Myanmar (2010):**

a. **End of Military Rule:** In 2010, Myanmar held elections after two decades of military rule. The military-backed Union Solidarity and Development Party (USDP) won, and **Daw Aung San Suu Kyi** was released from house arrest.

b. **India's Engagement:** India's engagement with Myanmar was instrumental in these developments, leading to subsequent landslide victories for Suu Kyi's National League for Democracy (NLD) in 2015 and 2020.

5. **Pakistan (2008):**

a. **Civilian Government:** Pakistan elected a civilian government in 2008, resulting in the exile of President Pervez Musharraf. This transition raised hopes for democratic stability in Pakistan.

India's Expanding Influence (2008-2010)

- **Development Assistance:** Between 2008 and 2010, India significantly increased its development assistance to its neighbors, marking a period of active diplomacy and support.
 - **Sri Lanka:** India contributed to the rebuilding of northern Sri Lanka, providing essential support in the post-war period.
 - **Bangladesh:** India extended its largest-ever line of credit at the time—\$1 billion—to Bangladesh, enhancing connectivity and infrastructure.
 - **Myanmar:** India funded various connectivity projects in Myanmar, fostering closer ties with its eastern neighbor.
 - **Maldives:** India provided budgetary support to the Maldives, helping stabilize its new democracy.
- **Competing with China:** For once, India could effectively counter China's "**chequebook diplomacy**" by matching or exceeding China's financial commitments in the region.

Challenges and Setbacks (2021-2024)

1. **Bangladesh (2024):**
 - a. **Collapse of Hasina Government:** In August 2024, Sheikh Hasina's government collapsed due to a combination of economic downturns, democratic deficits, and violent student protests. India's failure to engage sufficiently with Bangladesh's opposition and to anticipate these developments was a significant oversight.
 - b. **India's Misjudgment:** India's close ties with Hasina's government may have blinded it to the emerging challenges, resulting in a lack of preparation for the government's downfall.

2. Sri Lanka (2022):

- a. **Aragalaya Protests:** In 2022, mass protests led by an irate public and youth, known as the “Aragalaya,” forced President Gotabaya Rajapaksa to flee the country. The protests were primarily driven by economic hardships and government mismanagement.
- b. **India’s Response:** While India did not foresee these protests, it acted swiftly in the aftermath by providing a \$4 billion bailout package, which helped stabilize Sri Lanka’s economy. India’s engagement across the political spectrum in Sri Lanka positioned it well for future relations, regardless of who comes to power.

3. Maldives (2024):

- a. **Unexpected Election Results:** India was caught off guard by the electoral victory of President Mohamed Muizzu in 2024, having failed to engage with him beforehand.
- b. **Learning from Mistakes:** India is now attempting to rebuild relations with the new Maldivian leadership, drawing lessons from its earlier missteps in Bangladesh.

4. Myanmar (2021):

- a. **Military Coup:** The military took control of Myanmar again in February 2021, despite the NLD’s landslide victory in the 2020 elections. The situation in Myanmar has since deteriorated, with ongoing conflict threatening to spill over into India’s northeastern states.
- b. **India’s Dilemma:** India faces a difficult choice between continuing its engagement with the military to safeguard its security interests or supporting the opposition forces, including ethnic groups seeking greater autonomy.

5. Afghanistan (2021):

a. **Taliban Takeover:** The Taliban regained control of Afghanistan in August 2021 after the withdrawal of U.S. forces. India had anticipated this outcome and warned the U.S., but was excluded from direct engagement with the Taliban.

b. **India's Position:** With the U.S. focusing on Pakistan, India has been left to navigate its relationship with the new Taliban regime independently, focusing on protecting its geopolitical interests.

6. Pakistan (2022):

a. **Government Toppling:** Pakistan's civilian government was overthrown in 2022, likely orchestrated by the military. This continued the pattern of political instability in Pakistan, with the military maintaining significant control.

India's Strategic Responses

- **Successes and Failures:** India's responses to these crises have been a mix of successes and missteps. While India effectively supported Sri Lanka during its economic crisis and is working to repair relations with the Maldives, it has struggled with more complex situations in Bangladesh and Myanmar.
- **Developmental Diplomacy:** India's developmental projects have played a crucial role in maintaining influence. For example, even during the Taliban's reign, Indian projects in Afghanistan were largely untouched because they benefitted the local population.
- **Building Relationships:** India's strategy of engaging with political actors across the spectrum, as seen in Sri Lanka and the Maldives, has helped it maintain influence regardless of changes in leadership.

| | |
|------------------|---|
| | <p>Conclusion: The Need for Sustained Engagement</p> <ul style="list-style-type: none"> • Complex Regional Dynamics: The political dynamics in India's neighborhood are increasingly complex, with democratic processes facing significant challenges. India's influence is not as strong as it once perceived, requiring a more nuanced approach. • Future Strategies: India must engage more deeply and consistently with its neighbors, supporting democratic forces where possible while being pragmatic in dealing with non-democratic regimes. A focus on development and infrastructure projects remains key to maintaining influence. • Adapting to Change: India needs to adapt to the rapidly changing political landscape in its neighborhood, ensuring that it remains a key player while acknowledging the limits of its power. Sustained, strategic engagement, rather than episodic interventions, will be crucial for India's long-term influence in the region. |
| <p>6.</p> | <p>CAR T-Cell Therapy</p> <ul style="list-style-type: none"> • CAR-T cell Therapy, also known as Chimeric Antigen Receptor T-cell Therapy, is a type of immunotherapy that uses a patient's own immune system to fight cancer. • CAR T-cell therapy has been approved for leukaemias (cancers arising from the cells that produce white blood cells and lymphomas (arising from the lymphatic system)). • CAR-T cell therapies, often referred to as "living drugs". • Since 2017, six CAR T-cell therapies have been approved by the Food |

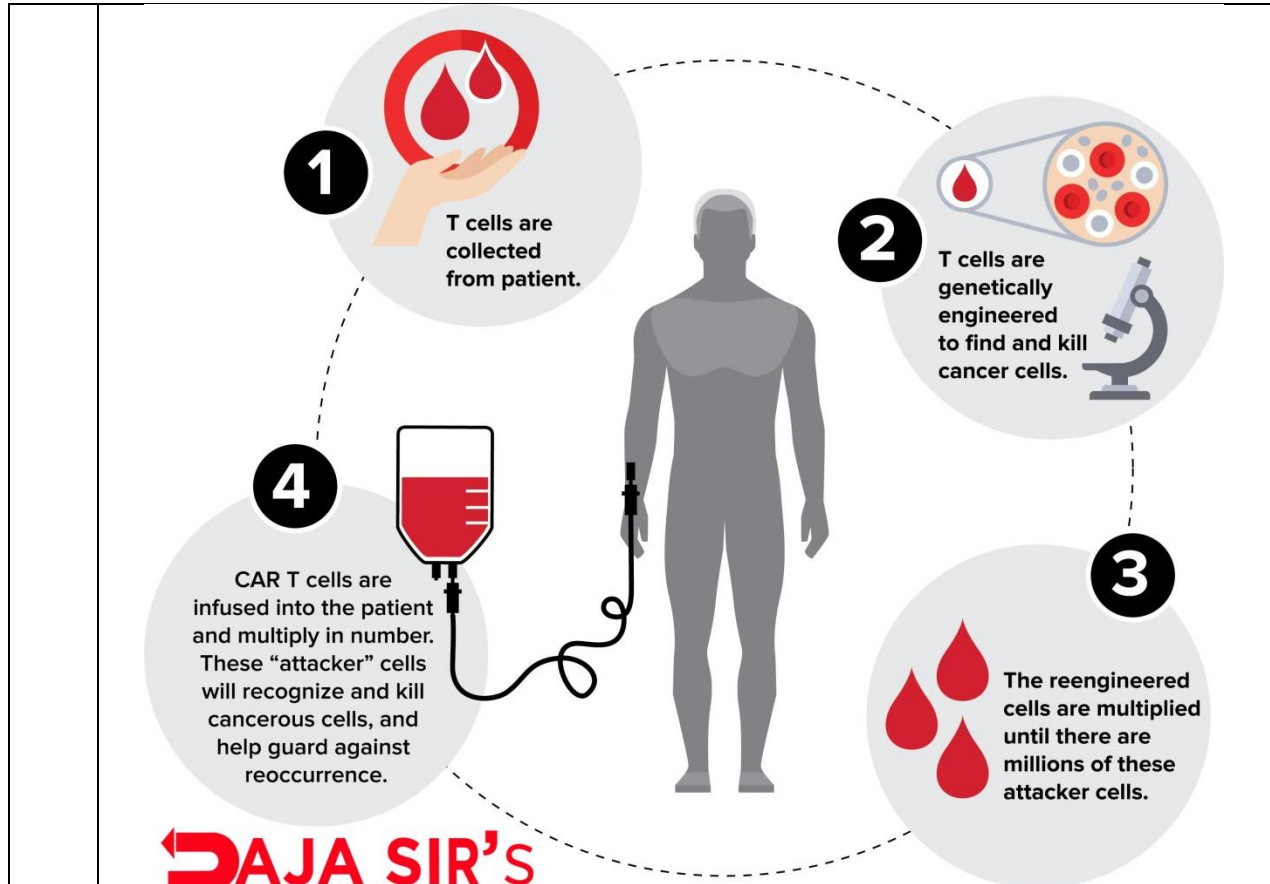
and Drug Administration (FDA).

- All are approved for the treatment of **blood cancers**, including **lymphomas**, some forms of **leukemia**, and, most recently, **multiple myeloma**.

Procedure:

It is a complex and personalized treatment process that involves:

- **Collecting T cells:** T cells, a type of **white blood cell** that helps fight infection, are extracted from the patient's blood through a process known as **Apheresis**.
- **Genetic Engineering:** In the laboratory, the T cells are **genetically modified** to express a special protein called a **Chimeric Antigen Receptor (CAR)** on their surface.
- This CAR is designed to recognise and bind to a specific antigen (marker) found on cancer cells.
- **Expansion:** The engineered T cells are multiplied in large numbers in the lab.
- **Infusion:** The expanded CAR-T cells are then infused back into the patient's bloodstream, where they can identify and attack cancer cells that express the targeted antigen.



The infographic illustrates the four-step process of CAR T-cell immunotherapy. At the center is a silhouette of a human figure. Step 1 shows a hand holding a red blood drop, representing the collection of T cells from the patient. Step 2 shows a petri dish with cells and a microscope, representing the genetic engineering of T cells. Step 3 shows three red blood drops, representing the multiplication of reengineered cells. Step 4 shows a blood bag connected to the patient, representing the infusion of CAR T cells. The RAJA SIR'S logo is at the bottom left of the infographic area.

1 T cells are collected from patient.

2 T cells are genetically engineered to find and kill cancer cells.

3 The reengineered cells are multiplied until there are millions of these attacker cells.

4 CAR T cells are infused into the patient and multiply in number. These “attacker” cells will recognize and kill cancerous cells, and help guard against reoccurrence.

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CAR T-Cell Immunotherapy

TURNING THE BODY INTO A CANCER FIGHTER.

A revolutionary, innovative immunotherapy was approved by the FDA, ushering in a new era in the treatment of cancer. CAR (chimeric antigen receptor) T-cell immunotherapy is a treatment in which a patient's T cells, the soldiers of the immune system, are genetically reprogrammed to find and kill cancer cells.

Development in India:

- **NexCAR19**, India's first indigenous **CAR-T cell therapy** for

cancer, was developed collaboratively by **ImmunoACT, Indian Institute of Technology Bombay (IIT-B), and Tata Memorial Hospital.**

- The commercial use of this therapy to treat certain blood cancers was approved by the **Central Drugs Standard Control Organisation (CDSCO)** in October 2023.
- **NexCAR19** is the first CAR-T cell therapy to get **CDSCO approval.**

- **Potential Benefits of CAR-T Therapy:**

- **High Remission Rates:** For some patients with advanced cancers who have not responded to other treatments, **CAR-T therapy** can lead to high rates of complete remission.
- **Targeted Treatment:** CAR T-cell therapy is highly targeted, as it specifically recognizes and attacks cancer cells expressing the **target antigen** while sparing healthy cells. This precision can lead to more effective treatment with fewer side effects compared to traditional chemotherapy and radiation therapy.
- **High Efficacy:** CAR T-cell therapy has shown remarkable efficacy, particularly in patients with certain types of blood cancers such as **Acute Lymphoblastic Leukemia (ALL), Chronic Lymphocytic Leukemia (CLL), and Non-Hodgkin Lymphoma (NHL).** It has achieved high rates of complete remission in some patients who have not responded to other treatments.
- **Single Treatment:** In many cases, CAR T-cell therapy involves a **single infusion of genetically engineered T cells**, which can provide long-lasting therapeutic effects. This contrasts with other treatments, such as **chemotherapy**, which may require multiple cycles of treatment over an extended period.

- **Personalized Medicine:** CAR T-cell therapy can be tailored to each individual patient by engineering T cells to target specific antigens present on their cancer cells. This personalized approach holds promise for treating a wide range of cancers and overcoming **tumor heterogeneity.**

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India's own CAR-T cell therapy

The drugs regulator has granted market authorisation to India's breakthrough CAR-T cell therapy for patients with B-cell lymphomas who didn't respond to standard treatments. What is this therapy?

EXPERT EXPLAINS

RAHUL PURWAR



The Central Drugs Standard Control Organisation (CDSCO) this month granted market authorisation for NexCAR19, India's first indigenously-developed CAR-T cell therapy, to ImmunoACT, a company incubated by IIT Bombay. This paves the way for the commercial launch of this therapy in India, where it is expected to be available to cancer patients at a tenth of the cost abroad.

What is CAR-T cell therapy, and how do CAR-T cells find and destroy cancer cells?

CAR-T is a revolutionary therapy that modifies immune cells, specifically T-cells, by turning them into potent cancer fighters known as CAR-T cells. T-cells are special cells (white blood cells that find and fight illness and infection) whose primary function is cytotoxic, meaning it can kill other cells. In CAR-T therapy, we genetically modify them into cancer-fighting cells. These supercharged cells are then put back into the body, and they go after cancer cells – especially in blood cancers like leukaemia and lymphomas.

How effective and different is this from other cancer treatments like, say, chemotherapy?

While chemotherapy and immunotherapy may add a few months or years to a cancer patient's life, cell-and-gene therapy is designed to cure and provide lifelong benefit. It makes treatment easier with a one-time therapy [unlike several sessions of chemotherapy] that can be truly transformative [for a patient]. It's a lifeline for non-responsive cancer patients.

Is NexCAR19 a type of CAR-T therapy?

NexCar19 is a type of CAR-T and gene therapy developed indigenously in India by ImmunoACT, which is a company incubated at IIT Bombay. Our therapy is designed to target cancer cells that carry the CD19 protein. This protein acts like a flag on cancer cells, which allows CAR-T cells to recognise and attach themselves to the cancer cells and start the process of elimination.

Even some developed nations don't have their own CAR-T therapies; they import them from the United States or Europe. India is now one of the first developing countries to have its indigenous CAR-T and gene therapy

TREATMENT FOR SPECIFIC B-CELL CANCERS

NexCAR19 is a prescription drug for B-cell lymphomas, lymphoblastic leukaemias when other treatments have been unsuccessful

PATIENT'S WHITE blood cells are extracted by a machine through a process called leukapheresis and genetically modified, equipping them with the tools to identify and destroy the cancer cells.

NEXCAR19 IS manufactured to an optimal dose for the patient, and typically administered as a single intravenous infusion. Prior to this, the patient is put through chemotherapy to prime the body for the therapy.

HOW NEXCAR19 WORKS



T-cells are naturally made by the body as an advanced defence against viruses and cancer cells.

As T-cells mature, they develop specific connectors (receptors) to target key signals on cancer cells.



However, cancers can limit the inbuilt extent and efficiency with which T-cells are able to seek and fight them. This results in an increase in cancer burden.

Source: ImmunoACT



Scientists have identified certain proteins that are abnormally expressed on the surfaces of specific types of cancer cells. Specially designed receptors can find and bind to these cells.



A safe shell of a virus is used to genetically engineer T-cells so they express Chimeric Antigen Receptors – connectors that target a protein called CD19 on B-cell cancer.

platform.

Who can get the NexCAR19 therapy?

The therapy is for people with B-cell lymphomas who didn't respond to standard treatments like chemotherapy, leading to relapse or recurrence of the cancer.

The patient's journey starts with a doctor's prescription at the clinic, followed by donation of blood by the patient at a transfusion centre. The blood goes to the lab, where the T-cells are genetically modified. In a week to 10 days, these cells return to the clinic for patient reinfusion. Essentially, patients only need to give a blood sample at their clinic, and come back in 7-10 days for reinfusion.

Recovery typically occurs within two weeks after one cycle of the treatment. In our data, approximately 70% of patients respond to the treatment, with variations between leukaemia and lymphoma cases. About 50% of these responsive patients achieve a complete response.

B-cell leukaemia is most common

among children. Are they eligible for the therapy too?

The paediatric trial phase is currently underway at the Tata Memorial Hospital, in collaboration with IIT-Bombay. Although the therapy for children will not be any different, for now, ImmunoACT has received CDSCO approval for use in patients aged 15 years and older.

Is India's indigenous CAR-T cell therapy any more or less effective than CAR-T cell therapies abroad?

Laboratory and animal studies have shown a unique quality of this product. Specifically, it leads to significantly lower drug-related toxicities. It causes minimal damage to neurons and the central nervous system, a condition known as neurotoxicity. Neurotoxicity can sometimes occur when CAR-T cells recognise the CD19 protein and enter the brain, potentially leading to life-threatening situations.

The therapy also results in minimal Cytokine Release Syndrome (CRS), which is

characterised by inflammation and hyper-inflammation in the body due to the death of a significant number of tumour cells, as CAR-T cells are designed to target and eliminate cancer cells. You can think of this like how the body responds to a virus such as SARS-CoV-2, where the immune response triggers an influx of certain proteins called cytokines, causing a lot of inflammation.

When will this therapy be available to patients in India?

We are in the process of obtaining licenses and onboarding hospitals. Tata Hospital is our preferred partner, and we've also got other hospitals like Nanavati, Fortis, and Jaslok in Mumbai on board. We have also added multiple hospitals in cities like Hyderabad, Pune, and Delhi.

The timeline for them to start offering CAR-T therapy may be a matter of weeks to a few months, contingent on final government approvals. Some minor approvals, including the manufacturing licence from the state government and approval of the label and pack insert by the Drugs Controller General of India, are still pending. Once these are secured, we aim to make CAR-T therapy accessible to everyone within a short time-frame.

How much will this treatment cost?

Currently, we are looking at a price range of Rs 30-40 lakh for CAR-T therapy, which we intend to hold. Even at this cost, it may not be accessible to everyone. Our ultimate goal is to bring the cost down to Rs 10-20 lakh. As technology matures and manufacturing processes improve, we anticipate that the cost will decrease. We're committed to making this therapy accessible to as many people as possible.

Will the treatment be covered by insurance?

When a therapy is approved by regulatory agencies like CDSCO or DCGI, it typically should be covered by national insurance schemes and private insurance companies. However, since this is an expensive treatment, the extent of coverage and accessibility to insurance may vary. We will engage in discussions with insurers and the government to clarify this further.

Dr Purwar is associate professor in the Department of Biosciences and Bioengineering at IIT Bombay and CEO of ImmunoACT. He spoke to Rupsa Chakraborty and Ritika Chopra.

Cancer

- Cancer is a broad term used to describe a **group of diseases**

characterized by the **uncontrolled growth and spread of abnormal cells in the body.**

- These abnormal cells, known as cancer cells, can invade nearby tissues and organs, disrupting their normal function.
- Additionally, cancer cells can metastasize, or spread to other parts of the body through the bloodstream or lymphatic system, forming new tumors in distant locations.

Gene Therapy

- **Gene therapy** is a medical approach aimed at treating or preventing diseases by modifying the **genetic material** of a **patient's cells.**
- This technique involves **introducing genetic material** into a person's cells to either replace a **faulty gene** causing a disease or to provide a new function to the cells.
- Gene therapy holds promise for treating a wide range of genetic disorders, such as **cystic fibrosis, muscular dystrophy**, and certain types of **cancer.**
- **Types of Gene Therapy:**
 - **Gene Replacement Therapy:** This involves inserting a healthy copy of a gene into the cells to replace a defective or missing gene.
 - **Gene Editing:** Techniques like **CRISPR-Cas9** enable precise editing of genes, allowing for corrections of mutations or modifications of gene expression.
 - **Gene Addition:** In some cases, genes may be added to cells to help them function more effectively or to produce a beneficial protein.

- **Gene Silencing:** This approach involves inhibiting the expression of certain genes that may be causing disease by introducing molecules such as **small interfering RNA (siRNA) or antisense oligonucleotides.**

Vector

- **About:** In **gene therapy**, a vector is typically a **virus** or a **plasmid** that has been modified to carry and deliver therapeutic genes into target cells.
 - **Viral Vectors:** Viral vectors are derived from viruses that have been genetically engineered to remove their ability to cause disease while retaining their capacity to infect cells and deliver genetic material.
 - Examples of viral vectors used in gene therapy include **Lentiviruses, Adenoviruses, and Adeno-Associated Viruses (AAVs).**
 - **Plasmid Vectors:** Plasmid vectors are **small, circular DNA molecules** that can replicate independently within a host cell.
 - They are commonly used in laboratory settings and experimental gene therapy approaches.
 - Plasmid vectors can be introduced into target cells through methods such as electroporation or direct injection.

Challenges Regarding CAR T-Cell Therapy

- **Cytokine Release Syndrome (CRS):** CRS is a systemic inflammatory response triggered by the activation and proliferation of **CAR-T cells** in the body.

- Symptoms can range from mild, flu-like symptoms to severe manifestations such as high fever, low blood pressure, and organ dysfunction. In severe cases, CRS can be life-threatening if not promptly managed.
- **Cytopenias:** Treatment with CAR T-cell therapy can lead to **cytopenias**, including **low levels of red blood cells (anemia), white blood cells (neutropenia), and platelets (thrombocytopenia)**.
 - These conditions can increase the risk of **infections, bleeding,** and other complications.
- **Immune Effector Cell-Associated Syndrome (ICANS):** ICANS encompasses a range of neurological symptoms associated with CAR T-cell therapy, including **confusion, aphasia, and seizures**. ICANS can occur concurrently with CRS or independently and may require close monitoring and intervention.
- **Tumor Lysis Syndrome (TLS):** In some cases, rapid destruction of cancer cells following CAR T-cell therapy can lead to the release of intracellular contents into the bloodstream, causing metabolic abnormalities such as **hyperkalemia, hyperuricemia, and acute kidney injury**.

Road ahead

- **Cost Reduction:**
 - Explore strategies to reduce the high cost of CAR T-cell therapy, such as negotiating pricing agreements with manufacturers, implementing value-based pricing models, and investing in research and development to optimize manufacturing processes and increase efficiency.
- **Management of Cytokine Release Syndrome (CRS):**

| | |
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| | <ul style="list-style-type: none">○ Develop standardized protocols for the early detection and management of CRS, including the use of immunosuppressive medications (such as tocilizumab) to dampen the inflammatory response.○ Enhance healthcare provider education and training on recognizing and managing CRS, including the importance of close monitoring and timely intervention.● Management of Cytopenias:<ul style="list-style-type: none">○ Implement strategies to mitigate the risk of cytopenias associated with CAR T-cell therapy, such as supportive care measures (e.g., blood transfusions, growth factors) and dose optimization to minimize hematologic toxicity while maintaining therapeutic efficacy.● Management of Immune Effector Cell-Associated Syndrome (ICANS):<ul style="list-style-type: none">○ Develop standardized approaches for the assessment and management of ICANS, including neurological monitoring and interventions (e.g., corticosteroids) for symptomatic relief.○ Invest in research to better understand the underlying mechanisms of ICANS and identify predictive biomarkers to guide risk stratification and early intervention.● Prevention and Management of Tumor Lysis Syndrome (TLS):<ul style="list-style-type: none">○ Implement protocols for the prevention and early detection of TLS, including hydration strategies and the use of urate-lowering agents.○ Monitor patients closely for signs of TLS during CAR T-cell therapy and provide prompt intervention to mitigate metabolic abnormalities and prevent renal complications. |
|--|---|

7.

Part XX - Article 368

The procedure for amending the Constitution of India, outlined in **Part XX under Article 368**, serves as a crucial mechanism for adapting the **supreme law of the land** to changing societal needs and circumstances. This procedure delineates the **steps and requirements necessary** for altering various provisions of the Constitution, ensuring that amendments are **deliberated upon carefully** and reflect the **collective will of the people** and their representatives.

Amendment of the Constitution and the Doctrine of Basic Structure

- **Amendment Procedure:** The procedure for amending the Constitution is **neither flexible (Britain) nor rigid (USA)**.
 - It is the **synthesis of both**.
- **Kesavananda Bharati case, 1973:** It states that **Parliament may amend the Constitution** but can't amend those provisions which form the **basic structure** of the Constitution.
- **Article 368** has been amended by the **24th and 42nd Amendments in 1971 and 1976**, respectively.
- Amending the Constitution of India is the **process of making changes to the nation's fundamental law or supreme law**.

The amendment to the constitution feature is borrowed from the constitution of **South Africa**.

Procedure for the Amendment of the Constitution (Article 368)

- **Introduction of Bills:** A Constitutional Amendment Bill can be introduced only in **either house of Parliament**. [UPSC 2013]

- **Introduced by:** Either by a **minister or private** member.
- **No Prior Approval:** Prior **permission of the President is not required** to introduce the bill. **[UPSC 2022]**
- **Type of Majority needed: Special Majority:** Majority of the total membership of that house (50%) + by a majority of not less than 2/3 of the members of that house present and voting (2/3 of Present & Voting). **[UPSC 2022]**
 - Both houses need to pass the bill with a **special majority** separately.
- **No Joint Sitting:** There is **no provision** for a joint sitting in case of disagreement between the two Houses.
- **Role of State Government: While Amending federal provisions,** Special majority + ratification by the legislatures of half of the states by a simple majority.
- **Role of the President: 24th Constitutional Amendment:** It also amended Article 368 to expressly that Parliament has the power to amend any provision of the Constitution.
 - The amendment further made it **obligatory for the President to give his assent**, when a Constitution Amendment Bill was presented to him. **[UPSC 2022]**
 - **Limitations on Veto Power:** He can neither withhold his assent to the bill nor return the bill for reconsideration by the Parliament.
 - **After the president's assent**, the bill becomes an Act, and the **Constitution stands amended** in accordance with the terms of the Act.

Types of Constitutional Amendments

- **Article 368** provides for two types of amendments by a **special majority of Parliament** and **also through the ratification of half of the states**.
- Some other articles provide for the amendment of certain provisions of the Constitution by a **simple majority of Parliament**.
 - However these **amendments are not deemed to be amendments of the Constitution** for the purposes of Article 368.
- **Thus, the Constitution can be amended in three ways:**
 - Amendment by **simple majority** of the Parliament (Do not come under article Under Article 368)
 - Amendment by **special majority of the Parliament** (Under 368)
 - Amendment by **special majority of the Parliament and the ratification of half of the state legislatures**.(Under 368)

Simple Majority

- The majority of members of each house present and vote.
- This is similar to the ordinary law-making process.
- **Exclusions from Article 368:** Such amendments are **not considered under Art.368**.
- **Example:** Recently, the **number of SC judges was increased** from 31 to 34 by the Supreme Court (Number of Judges) Amendment Act, 2019.

- **Following provisions can be amended by simple majority**
- Admission/establishment of new states. (Art.2)
- Formation of new states and alteration of area, boundaries or names of existing states. (Art.3)
- Second Schedule (emoluments, allowances, privileges).
- Abolition/creation of legislative councils in states. (Art.169)
- Quorum in parliament. (Art.100)
- Salaries & allowances of members of the parliament. (Art.106)
- Rules of procedure in parliament. (Art.118).
- Use of English in parliament.
- Number of puisne judges in SC.
- Privileges of parliament, its members and committees. (Art.105)
- Conferment of more jurisdiction to SC. (Art.138)
- Use of official language. (Art.343)
- Citizenship. (Art. 5 – 11)
- Elections to Parliament and state legislatures.
- Delimitation of constituencies. (Art.82)
- UTs.
- Fifth Schedule. [Art. 244 (1)]
- Six Schedules. (Art. 244)

Special

| | |
|--|---|
| <p>Majority</p> | <ul style="list-style-type: none"> • Majority of the total (irrespective of the vacancies/absentees) membership of each house (more than 50%) and majority of two-thirds of the members of each house present and voting. • The majority of the provisions in the Constitution need to be amended by a special majority. • The expression 'total membership' means the total number of members comprising the House irrespective of fact whether there are vacancies or absentees. • Example: 103rd amendment to provide 10% reservation to EWS. • Following provisions can be amended by Special Majority • Fundamental Rights. • DPSPs. • All other provisions which are not covered by the first and third categories. |
| <p>Special Majority of Parliament & Consent of States</p> | <ul style="list-style-type: none"> • Special majority + Ratification of half (50%) of the state legislatures by a simple majority. • Most of the federal provisions are amended by this method. [UPSC 2013] • Half of States' Consent: If one or some or all the remaining states take no action on the bill, it does |

not matter; the moment half of the states give their consent, the formality is completed.

- **Absence of Time Limit for State Consent:** There is **no time limit** within which the states should give their consent to the bill.
- **Example: 101st Amendment** related to GST.
- The following provisions can be amended by this method,
 - Election of the President and its manner. (Article 54 and 55)
 - Extent of executive power of the Union and the states.
 - Supreme Court and High Courts. (Article 124 & 214)
 - Distribution of legislative powers between the Union & the states.
 - Goods and services Tax council
 - Seventh Schedule (3 lists). (Art. 246)
 - Representation of states in parliament.
 - Article 368 itself.

Supreme Court (Final Interpreter & Guardian of the Constitution)

- **Extensive Jurisdiction of SC:** The Constitution of India has **conferred a very extensive jurisdiction** and **vast powers** on the Supreme Court.
 - **SC is the final interpreter and guardian of the Constitution** and also the **guarantor of the fundamental rights** of the citizens.
- **Kesavananda Bharati Case (1973):**
- SC laid down a new doctrine of the **'basic structure'** of the Constitution.

- Therefore, any constitutional amendment that is ultra vires or goes against the 'basic structure' of the Indian Constitution can be nullified by the SC.

Criticism of the Amendment Procedure

- **Exclusive Authority of Parliament: States cannot initiate the amendment** (Only Parliament can).
 - States have **only one way to propose the amendment** i.e. create the legislative council in the state.
- **No Time Limit for States:** The Constitution does not mention the **time within which state legislatures ratify or reject the amendment.**
- **Silent on Withdrawal of States:** The Constitution is also silent on whether the states can withdraw their approval once given.
- **Absence of Special Amendment Body: No provision for a special body** for amendment + Only in a few cases, the consent of the state legislatures is required.
- **No Joint Sitting:** No provision for holding a **joint sitting.**
- **Expansive Judicial Review Potential:** Wide **scope for taking matters to the judiciary** due to vague provisions.

Amendment to the Constitution typically involves **multiple stages of consideration**, debate, and approval to ensure that proposed changes reflect the will of the people and have broad support across different segments of society. By requiring significant levels of consensus, the process helps safeguard the **integrity and stability** of the constitutional framework while allowing for necessary adaptations over time. Overall, the amendment procedure serves as a **crucial mechanism** for ensuring the relevance and responsiveness of the Constitution to evolving societal needs and values.

8.

The Disaster Management (Amendment) Bill is knotty

Introduction

On August 1, 2024, the central government introduced the **Disaster Management (Amendment) Bill** in the Lok Sabha. This Bill seeks to amend the existing **Disaster Management Act, 2005**, to better address climate-induced disasters. However, it has sparked debate due to its potential for increasing centralization and its handling of the definition of disasters.

Centralization of Disaster Management

1. Strengthening Existing Institutions:

- The Bill proposes giving statutory status to organizations like the **National Crisis Management Committee** and a **High-Level Committee** that were established before the Act.
- This move adds layers to the existing chain of command, potentially complicating the disaster response process.

2. Impact of Centralization:

- Centralization can delay disaster response efforts. The current Act's centralized approach has been linked to slow responses in past instances, such as the delayed disbursement of relief funds to Tamil Nadu, which were eventually provided to Karnataka first.
- A more centralized system may exacerbate delays and inefficiencies, contrary to the Act's goal of providing prompt and effective disaster management.

Financial Provisions and Concerns

1. Modification of National Disaster Response Fund (NDRF):

- a. The Bill proposes to alter the language regarding the purposes for which the NDRF can be used. This change could lead to a lack of clarity about how funds should be allocated during disasters.
- b. The Act has faced criticism for excessive centralization in financial decision-making, especially during severe disasters where immediate and clear funding decisions are crucial.

2. Challenges with Financial Devolution:

- a. While the Bill introduces new entities such as the '**Urban Disaster Management Authority**' for cities, it lacks provisions for financial devolution to these new authorities.
- b. This oversight means that despite the creation of new disaster management bodies, they may lack the financial resources necessary to perform effectively, thereby creating a mismatch between responsibility and resources.

Definition and Classification of Disasters

1. Restricted Definition Under the Act:

- a. The Act and the Bill maintain a narrow list of disasters eligible for assistance under the NDRF/State Disaster Response Fund, including cyclones, droughts, earthquakes, fires, floods, tsunamis, hailstorms, landslides, avalanches, cloud bursts, pest attacks, frost, and cold waves.
- b. The Bill does not expand this list to include climate-induced disasters such as **heatwaves**.

2. Global and Local Perspectives:

- a. Globally, heatwaves are increasingly recognized as climate-related disasters due to their severe impact on health and ecosystems.

The failure to classify heatwaves as disasters in India contrasts with this global trend.

- b. India's experience with heatwaves—evidenced by a high number of heatwave days and significant heat-related fatalities—highlights the inadequacy of the current disaster definition in addressing emerging climate risks.

3. Regional Variability and Impacts:

- a. The current definition does not account for regional variability. For instance, temperatures that are considered normal in some regions can be classified as heatwaves in cooler areas like the Himalayas.
- b. This rigidity limits the Act's effectiveness in responding to varying local conditions and the evolving nature of climate-induced disasters.

Relevant Issues and Questions

1. Power Dynamics and Federalism:

- a. The Bill's centralization raises questions about the balance of power between the central and State governments. States may find themselves dependent on the central government for crucial decisions and fund allocations, potentially undermining their autonomy in disaster management.
- b. The Bill does not sufficiently address how States can effectively manage disasters within their jurisdictions if they are heavily reliant on central decisions and resources.

2. Financial Preparedness and Response:

- a. The Bill's provisions do not adequately address financial

preparedness for disaster management. Effective disaster management requires not only structural and procedural reforms but also robust financial mechanisms to support timely and efficient responses.

- b. There is a need to move beyond a simplistic blame game between the central and State governments and focus on improving preparedness, management, and response strategies.

3. Need for Comprehensive Reforms:

- a. The proposed Bill does not fully learn from past shortcomings of the Disaster Management Act, 2005. It falls short in adapting to the lessons learned from previous disasters and the evolving nature of climate-induced threats.
- b. A more comprehensive reform approach is needed to address the gaps in financial allocation, disaster classification, and regional response capabilities.

Conclusion

The **Disaster Management (Amendment) Bill, 2024** seeks to modernize the existing disaster management framework but faces criticism for increasing centralization, inadequately addressing financial devolution, and failing to expand the definition of disasters. Effective disaster management in the context of climate change requires a more balanced approach that incorporates decentralization, financial adequacy, and updated definitions to handle both traditional and emerging disaster risks.

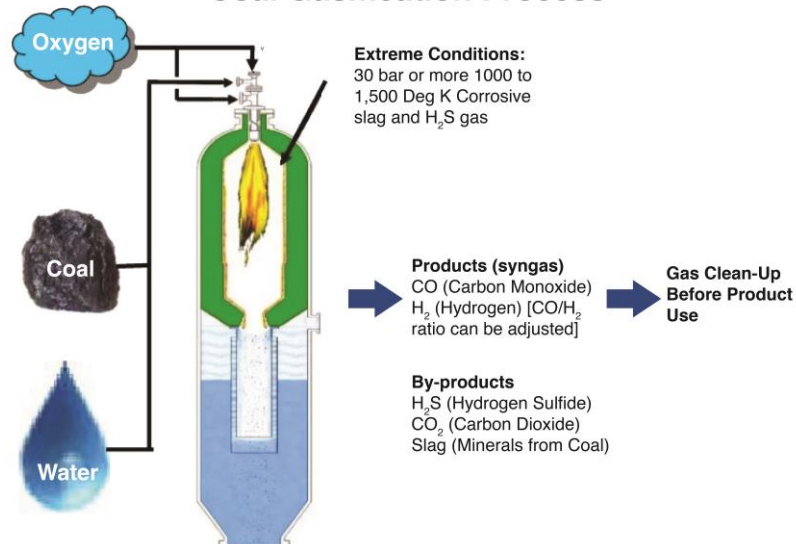
9.

Coal Gasification in India

Coal Gasification

- A **thermo-chemical process** that **converts coal into simple molecules, primarily carbon monoxide and hydrogen**, called **synthesis gas or syngas**.
- In the gasification process, **coal is partially oxidised by air, oxygen, steam, or carbon dioxide** under **controlled conditions** to produce a **liquid fuel known as syngas**.
- The combustion of this gas is **cleaner and more efficient than coal combustion since emissions are trapped at the gasification stage**.

Coal Gasification Process



Methods of Coal Gasification

- **In-situ Method:** In this, **oxygen is infused into the seam together with water** and **ignited at high temperatures**, causing coal to partly

oxidised into hydrogen, carbon monoxide (CO), carbon dioxide (CO₂), methane (CH₄), and hydrogen sulphide (H₂S).

- **Ex-situ Reactors:** It is designed to **simulate the gasification process** above the ground surface, where Sulphur in coal is transformed to H₂S and trace volumes of carbonyl sulphide (COS).

Need for Coal Gasification

- **A Proven Reserve of Thermal Coal:** India has the **second largest** coal reserve **in the world** after China and India contributes **more than 10% of the global coal production.**
- **Coal Gasification Target:** The government has launched the **National Coal Gasification Mission** to achieve **coal gasification and liquefaction of 100 MT of coal by 2030.**
- **Reducing Import Dependency:** India has a **huge dependency on imports of crude and natural gas-based products** which can be easily substituted by by-products derived from syngas.
- **Transition to Sustainable Energy:** India has huge reserves of coal, it would benefit India if it finds a **sustainable way** towards cleaner fuels in the wake of climate change.
- **Sustainable Usage of Coal:** The **demand for coal is projected to rise** from the current requirement of nearly one billion tonnes to **1.5 billion tonnes by 2029-30.**
- **Pharmaceutical Industry:** There is a **high potential for Syngas to make active pharmaceutical ingredients (APIs)** and methanol as a solvent as India plans to **produce API domestically.**
- **Cleaner and environmentally Friendly:** Coal gasification plants produce no scrubber sludge.

Challenges with Coal Gasification in India

- **Inferior Quality of Coal:** The high ash content 30-35% in Indian coal is a technical barrier.
- **Induced Subsidence of Surrounding Rocks:** Heating, quenching, water flux and potential roof and wall collapse may seriously compromise the integrity of the cavity, leading to a subsidence.
- **Occupational Hazard:** It cannot be controlled to the same extent as surface gasifiers, which poses the risk of high temperature and pressure, furthering the workers' risk.
- **Environmental Factors:** It generates more CO₂ than a conventional coal power station.
- **Groundwater Contamination:** It is a more water-intensive energy generation method.
- **Economy of Project:** Changes in the quantity and quality of gas produced has significant impact.
- **Technological Concern:** There is lack of availability of proven gasification technology.

Viability Gap Funding (VGF) for the Coal Gasification Scheme

- **Aim:** To support infrastructure projects that are economically justified but fall marginally short of financial viability.
- **Three Categories of Projects:**
 - **First category: Rs 4,050 crore for Public Sector Utilities (PSUs)** supporting up to three projects. This support will be extended through a lump sum **grant of Rs 1,350 crore or 15% of the capital expenditure**, whichever is lower.
 - **Second category: Rs 3,850 crore has been allocated for both**

government and private sector projects and each project will receive a lump sum grant of **Rs 1,000 crore or 15% of the capital expenditure**, whichever is lower.

- **Third Category: Rs 600 crore** has been provisioned for **demonstration projects (indigenous technology) or small-scale product-based gasification plants** and lump-sum grant of **Rs 100 crore or 15% of capex**, whichever is lower, will be given.
- **Selection of Entities:** By a **competitive and transparent bidding process** for categories II and III.
 - The grant will be paid to the selected entity in **two equal installments**.

Road ahead

- **Regulation on Ash Content:** The ash content of coal supplies needs to be enforced and Coal blending is a need, which is easy to handle and can be value-adding in themselves.
- **Dedicated Closed Coal Mines:** It is required for better coal quality consistency, sustained supply & closer mining & transportation cost control.
- **Viability Gap Funding:** Financial incentives from the government to support very high CAP of gasification projects needed to improve the viability of 'Energy Security' (Clean) projects.
- **Level Playing Field:** Exemption from currently applicable cess/duties on coal feedstock prices should be provided for environment-friendly Projects due to its Clean Technology adaptation.
- **National Policy on Coal Gasification & Liquefaction:** This should be urgently formulated and promulgated for faster and smoother implementation of Coal Gasification Projects.

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| | <ul style="list-style-type: none">• Blending Schemes and Policy Framework: Schemes for 'Blending Methanol, DME with Gasoline & LPG' should be implemented, along with a policy framework for all associated by-products.• Leveraging Global Gasification Technologies: India should leverage the gasification technology globally available for fast-track development of local coal for the chemical industry. |
| 10. | <p>Lok Sabha Ethics Committee</p> <ul style="list-style-type: none">• The Ethics Committee of the Lok Sabha is a relatively new committee which was set up in 2000, with a mandate to examine every complaint that 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.• However, the committee has not defined the term 'unethical conduct' anywhere. It is left entirely to the committee to examine a particular act of conduct and decide whether it is unethical or not.• It consists of not more than fifteen members and nominated by the Speaker. They shall hold office for a term not exceeding one year. <p>Functions</p> <ul style="list-style-type: none">• To oversee the moral and ethical conduct of the Members• To examine the cases referred to it with reference to ethical and other misconduct of the Members• Any person or member may make a complaint relating to unethical conduct of a member to the committee• In the case of the Ethics Committee, only an MP can be examined for misconduct |

Genesis

- The idea of ethics panels for the two Houses was first mooted in 1996 by Presiding Officers' Conference.
- Then Vice President and Rajya Sabha Chairman K R Narayanan constituted the Ethics Committee of the Upper House in 1997. It is to oversee the moral and ethical conduct of members and examine cases of misconduct referred to it. The Rules applicable to the Committee of Privileges also apply to the ethics panel.
- In the case of Lok Sabha, a study group of the House Committee of Privileges, after visiting Australia, the UK, and the US in 1997 to look into practices pertaining to the conduct and ethics of legislators, recommended the constitution of an Ethics Committee, but it could not be taken up by Lok Sabha.
- The Committee of Privileges finally recommended the constitution of an Ethics Committee during the 13th Lok Sabha.
- The late Speaker, G M C Balayogi, constituted an ad hoc Ethics Committee in 2000, which became a permanent part of the House only in 2015.

Procedure for complaints

- Any person can complain against a Member through another Lok Sabha MP, along with evidence of the alleged misconduct, and an affidavit stating that the complaint is not "false, frivolous, or vexatious". If the Member himself complains, the affidavit is not needed.
- The Speaker can refer to the Committee any complaint against an MP. The Committee makes a prima facie inquiry before deciding to examine a complaint. It makes its recommendations after evaluating the complaint.

- The Committee presents its report to the Speaker, who asks the House if the report should be taken up for consideration. there is also a provision for a half-hour discussion on the report.

Process of expulsion of MPs

- If an MP takes money for putting questions up in Parliament, they will be guilty of breach of privilege and contempt of the House. Such complaints are invariably referred to the Committee of Privileges for investigation.
- This committee, after a proper investigation, submits its findings in a report along with the recommendation for action against the MP in question.
- If a case involving illegal gratification for conducting parliamentary work is proven, the MP may even be expelled from the House.
- There have been such instances in the Lok Sabha where MPs were expelled from the House on this ground. For example, in 2005, a sting operation by a private channel showed 10 Members of the Lok Sabha accepting money for putting questions up in Parliament. Then, a special committee was appointed which found them guilty of conduct and recommended their expulsion, which was accepted by the House. All the MPs were expelled.
- Generally, complaints of MPs accepting money for parliamentary work are referred to the privileges committee or special committees appointed by the House for that purpose.
- However, the recent case has been referred to the Ethics Committee, although the allegation is about illegal gratification for doing parliamentary work.

Overlap with privileges committee:

- 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.**
- The mandate of the Privileges Committee is to **safeguard the “freedom, authority, and dignity of Parliament”.**
- These privileges are enjoyed by individual Members as well as the House as a whole.
- An MP can be examined for **Breach of Privilege**; a non-MP too can be accused of breach of privilege for actions that attack the authority and dignity of the House.
- However, the Ethics Committee can take up only cases of misconduct that involve MPs.
- If the recent case came out as illegal gratification, then the case becomes a case of breach of privilege and cannot be dealt with by the ethics committee.
- Since a public servant accepting a bribe is a criminal offence, it is normally investigated by the criminal investigative agencies of the government.
- 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

- **Proper regulation of the MPs:** MPs work and ethics should be properly

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| | <p>regulated for efficient functioning of the Parliament. Here, a dedicated units can be set up in the parliament to monitor the observance of the Code of Ethics. The unit should also be empowered to receive public complaints regarding violation of the Code of Conduct.</p> <ul style="list-style-type: none"> • Proper reporting: There is a need for proper reporting of the work of each member of the Parliament. In this case, an annual report with regard to the observance of these Codes should be submitted to the appropriate legislature with specific cases of violations. • Increasing the role of ethics committee: There is a need of increasing the role of ethics committee to ensure proper conduct of members of parliament. Also, clarity in defining 'unethical conduct' could enhance transparency. <p>Lok Sabha Ethics Committee plays a critical role in upholding the ethical standards of India's parliamentary members. Members of Parliament must adhere to the ethical code of conduct to ensure transparency and accountability within the Lok Sabha. This will create a responsible parliamentary system, ultimately benefiting the democratic process and the nation as a whole.</p> |
| <p>11.</p> | <p>A discourse on AI governance that India must shape</p> <p>1. The Summit of the Future (September 22-23, 2024)</p> <p>The Summit of the Future will be a pivotal event in global diplomacy and the international regulation of Artificial Intelligence (AI). Hosted by the United Nations, the summit will focus on advancing the Global Digital Compact (GDC), a framework aimed at:</p> |

- Bridging the digital divide.
- Promoting the Sustainable Development Goals (SDGs).
- Ensuring a secure and inclusive digital environment.
- Strengthening the international governance of emerging technologies like AI, aligning them with fundamental rights and values.

2. Geopolitical Contestation in AI Governance

Parallel to the GDC, recent UN General Assembly resolutions on AI highlight growing geopolitical tensions:

- **S.-Led Resolution:** Focuses on "Safe, Secure, and Trustworthy AI for Sustainable Development". It advocates for a harmonized approach to AI governance, promoting shared ethical principles, data protection, and transparency. This resolution aims to assert U.S. dominance in AI technology and global development standards.
- **China-Led Resolution:** Emphasizes "Enhancing Cooperation on Capacity Building of AI". It prioritizes equitable benefits, bridging the digital divide, and promoting an open business environment, positioning China as a significant player in global trade and technology standards.

These resolutions underscore the geopolitical contestation between the U.S. and China, influencing the direction of international AI governance.

3. India's Diplomatic and Historical Context

India's historical and diplomatic engagement provides a strong foundation for influencing AI governance:

- **Climate Negotiations:** India has championed Global South interests in climate negotiations, advocating for equity and differentiated responsibilities. This includes its role in shaping the UNFCCC and the

Kyoto Protocol.

- **Formation of Coalitions:** India has successfully formed alliances like the Green Group and BASIC Group to represent developing countries' interests.
- **G-20 and GPAI Engagements:** India has pushed for fair access to AI resources and equitable sharing of AI benefits in these forums.

4. India's Strategic Role in AI Governance

India's position as a significant Global South country offers unique advantages:

- **Advocacy for Fairness:** India should ensure that discussions on AI governance include considerations of equity, accessibility, and fairness.
- **UN Platform Utilization:** The UN provides a universal and inclusive platform to advance Global South interests. India can leverage this to advocate for equitable access to AI technology and inclusive institutional mechanisms.
- **Redefining the Multi-Stakeholder Model:** India can push for a more inclusive model that actively includes voices from marginalized and under-represented groups, including smaller NGOs and SMEs.

5. Addressing Global Disparities and Challenges

India must address the disparities between developed and developing countries:

- **Infrastructure and Resources:** Developed countries have advanced resources, while developing countries often lack basic infrastructure, internet access, and electricity essential for AI advancements.
- **Localised Understanding:** India's approach should address these

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| | <p>specific challenges to avoid ineffective global AI policies that exacerbate existing inequalities.</p> <p>Conclusion</p> <p>India's historical legacy, strategic diplomacy, and advocacy for Global South interests position it well to lead discussions on AI governance. By actively engaging at the UN and other international fora, India can help shape a balanced, inclusive, and equitable digital future.</p> |
| <p>12.</p> | <p>Sub-classification verdict through Ambedkar's ideals</p> <p>Introduction: Overview of the Judgment</p> <p>On August 1, 2024, the Supreme Court of India delivered a significant judgment in The State of Punjab and Ors. vs Davinder Singh and Ors. This ruling concerned the sub-classification of reservations within the Scheduled Castes (SC) category, a move that has substantial implications for social justice and the broader landscape of Indian jurisprudence. The judgment is seen as an effort to ensure that the benefits of reservations reach the most deprived and neglected sections within the SC community, which includes a majority of Dalit castes.</p> <p>The Vision of Social Jurisprudence</p> <p>The Supreme Court's judgment is rooted in the concept of social jurisprudence, which emphasizes using constitutional methods to achieve social justice. By recognizing the internal diversity within the SC category, the</p> |

Court has taken a step towards addressing the unique challenges faced by different sub-castes within this community. The judgment underscores the need to look beyond a one-size-fits-all approach to reservations, instead proposing a more nuanced system that acknowledges the varying levels of deprivation among different SC groups.

Alignment with Ambedkar's Ideals

Dr. B.R. Ambedkar, the architect of the Indian Constitution, spent his life advocating for the rights of the most oppressed sections of society, particularly the Dalits. He emphasized the importance of fraternity, or **Maitri**, within the SC community, advocating for cooperation and mutual respect among its members. The idea of sub-classification within reservations aligns with Ambedkar's principles, as it aims to reduce inequalities within the SC community by ensuring that the most marginalized sub-castes are not left behind.

Ambedkar's Struggle for Social and Civil Justice

Ambedkar's work extended beyond theoretical discourse; he led numerous movements aimed at dismantling the caste hierarchy. Movements like the **Mahad Satyagraha**, which fought for the rights of Dalits to access public water tanks, and the **Kalaram temple** entry movement, which challenged ritual discrimination, are examples of his commitment to social justice. Ambedkar's efforts were often met with resistance from the dominant Hindu caste order, but his persistence highlighted the deep-seated inequalities within Indian society.

The Reality of Graded Inequality

The concept of graded inequality, where different sub-castes within the SC community face varying degrees of discrimination, is central to understanding the need for sub-classification. This concept was also emphasized by Ambedkar in his sociological analysis of the caste system. Contemporary observations, such as those by **Shahu Patole**, a writer who documented the experiences of Dalits in Marathwada, further highlight this reality. Patole noted that even within the Dalit community, certain sub-castes are considered "lower" than others, illustrating the complex social hierarchy that exists.

The Court's Recognition of Internal Divisions

The Supreme Court's judgment recognizes that the SC category is **not a monolithic group** but consists of various sub-castes, or jatis, each with its own unique challenges and levels of deprivation. By acknowledging these internal divisions, the judgment seeks to tailor reservations more effectively to address the specific needs of these sub-castes. This approach moves away from the idea of caste essentialism, which views the SC category as a single, homogeneous entity, and instead recognizes the sociological realities of the community.

Criticism from Within the Dalit Community

Despite the progressive nature of the judgment, it has faced criticism from certain sections within the Dalit community. Leading segments of Dalits, who have historically benefited from reservations, fear that **sub-classification might dilute their political influence** and fragment the broader Dalit movement. There is concern that the judgment could weaken the collective

identity of the Dalit community by creating divisions among sub-castes.

The Misconception of a Unified Dalit Movement

The criticism from within the Dalit community often assumes the existence of a single, unified Dalit movement. However, sociological studies reveal that Dalit politics has always been diverse, with different sub-castes advocating for their own specific needs and rights. Movements such as the **Madiga Dandora** in South India and the mobilizations of the **Mang caste** in Maharashtra have their roots in Ambedkarite consciousness, even though their demands may differ from those of other Dalit groups.

The Role of Grassroots Activism

The judgment on sub-classification is not merely an imposition from the top but reflects years of grassroots activism by marginalized sub-castes within the SC community. Organizations such as the **Madiga Reservation Porata Samithi (MRPS)** in South India and various Valmiki movements in North India have long advocated for sub-categorization to ensure more equitable distribution of reservation benefits. The judgment is seen as a recognition of these ongoing struggles for justice.

The Case of Punjab and Haryana

The sub-classification model has historical precedent in the states of Punjab and Haryana, where it was successfully implemented before being challenged in the **Chinnaiah judgment of 2004**. The Supreme Court's 2024 judgment draws on these examples to illustrate how sub-classification can be effectively executed to achieve social justice.

Potential Benefits and Challenges

The judgment has the potential to significantly enhance social justice by addressing the specific needs of the most marginalized sub-castes within the SC category. However, its success will depend on its implementation across various states and the ability of the Dalit community to unite around this new approach. The judgment also highlights the importance of preventing political parties from exploiting sub-classification for their gain, which could undermine the broader goals of social justice.

Broader Implications for Social Justice

Moving forward, the Ambedkarite movement must broaden its focus beyond traditional reservation policies. Key initiatives should include advocating for the extension of reservations to the private sector, which remains a critical area for improving Dalit representation and economic empowerment. Additionally, land redistribution and other measures aimed at securing material benefits for Dalit communities must be prioritized. These steps are essential for advancing the overall representation and well-being of all Dalit sub-castes.

Conclusion: Towards an Inclusive Society

The Supreme Court's judgment on the sub-classification of reservations within the SC category is a milestone in the ongoing struggle for social justice in India. By embracing this judgment with the **spirit of fraternity**, as envisioned by Ambedkar, the Dalit community can move towards a more just and inclusive society. The judgment has the potential to democratize the reservation system and ensure that the benefits of social justice reach all sections of the SC

| | community, particularly those on the margins. | | | | | | | | |
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| 13. | <p>National Commission for Protection of Child Rights (NCPCR)</p> <p>The National Commission for Protection of Child Rights (NCPCR) has been constituted by the Government of India under the Commission for Protection of Child Rights (CPCR) Act, 2005, and is mandated to function for the protection and promotion of child rights.</p> <ul style="list-style-type: none"> • The Commission is further mandated to monitor the proper and effective implementation of <ul style="list-style-type: none"> ○ Protection of Children from Sexual Offences (POCSO) Act, 2012 ○ Juvenile Justice (Care and Protection of Children) Act, 2015 ○ Right to Free and Compulsory Education (RTE) Act, 2009 • India has acceded to the Convention on the Rights of the Child (CRC) in 1992 which is an international treaty that makes it incumbent upon the signatory States to take all necessary steps to protect children's rights enumerated in the Convention. <p>Composition of NCPCR</p> <table border="0" data-bbox="263 1491 1422 1869"> <thead> <tr> <th data-bbox="263 1491 617 1533">Members</th> <th data-bbox="617 1491 1153 1533">Eligibility</th> <th data-bbox="1153 1491 1422 1533">Term</th> </tr> </thead> <tbody> <tr> <td data-bbox="263 1701 617 1743">Chairperson</td> <td data-bbox="617 1638 1153 1785">Person of eminence and has done outstanding work for promoting the welfare of children.</td> <td data-bbox="1153 1575 1422 1869">3 years or till the age of 65 years. Provided not more than 2 terms.</td> </tr> </tbody> </table> | | | Members | Eligibility | Term | Chairperson | Person of eminence and has done outstanding work for promoting the welfare of children. | 3 years or till the age of 65 years. Provided not more than 2 terms. |
| Members | Eligibility | Term | | | | | | | |
| Chairperson | Person of eminence and has done outstanding work for promoting the welfare of children. | 3 years or till the age of 65 years. Provided not more than 2 terms. | | | | | | | |

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| <p>6 Members</p> <p>Note: At least two of the members should be women.</p> | <p>Person of eminence in the following fields:</p> <ul style="list-style-type: none"> • Education • Child health, care, welfare or child development • Juvenile justice or care of neglected or marginalized children or children with disabilities • Elimination of child labour or children in distress • Child psychology or sociology • Laws relating to children <p>3 years or till the age of 60 years.</p> <p>Provided not more than 2 terms.</p> <ul style="list-style-type: none"> • Appointment: <ul style="list-style-type: none"> ○ The Chairperson and Members of the Commission are appointed by the Central government. ○ The Chairperson shall be appointed on the recommendation of the three members committee constituted by the Central government under the chairmanship of the Minister of Education. • Removal: The Central Government may by order remove the Chairperson or any other Member from office if the Chairperson other Member: <ul style="list-style-type: none"> ○ Is adjudged insolvent. ○ Engages during his term of office in any paid employment outside the duties of his office. |
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- Refuses to act or becomes incapable of acting.
- Is of unsound mind and stands so declared by a competent court.
- Has so abused his office as to render his continuance in office detrimental to the public interest.
- Is convicted and sentenced to imprisonment for an offense, which in the opinion of the Central Government, involves moral turpitude.

Note: No person shall be removed until that person has been given an opportunity of being heard in the matter.

NCPCR Functions and Responsibilities

- The National Commission for Protection of Child Rights (NCPCR) has the following functions:
 - **Examine and review existing safeguards** for the protection of child rights and recommend measures for their effective implementation.
 - **Report** annually and at other intervals to the central government on the effectiveness of these safeguards.
 - **Investigate violations of child rights** and recommend legal proceedings in appropriate cases.
 - **Review existing policies**, programs, and activities related to child rights and make recommendations for their improvement.
 - **Promote research** in the field of child rights.
 - **Raise awareness of child rights** and available safeguards through various means, such as publications, media, and seminars.
 - **Inspect institutions** where children are detained or reside, including juvenile homes, and recommend remedial action if

necessary.

- **Investigate complaints** and take suo motu notice of issues related to the deprivation and violation of child rights and the non-implementation of laws protecting and developing children.

- Apart from the above functions, NCPCR has additional responsibilities. For instance:

- The Commission has been mandated under Section 31 of the **Right of Children to Free and Compulsory Education (RTE) Act, 2009** to examine and review the safeguards of the rights provided under the Act and to recommend measures for its effective implementation.
- It has been mandated under **POCSO Act, 2012** to monitor the designation of **Special Courts** by State Governments, to monitor the formulation of the guidelines described in **section 39 of the Act**.
- It also has been charged with the monitoring of **Child Care Institutions (CCIs)** and was instructed to carry out a **Social audit** of the same by the **Supreme Court**.

NCPCR Powers

- The Commission, while investigating, shall have all the powers of a **Civil court** in respect of the following matters:
 - **Summoning** and **enforcing** the attendance of any person from any part of India and examining him/her on oath.
 - **Requiring** the discovery and production of any document.
 - **Receiving** evidence on affidavits.
 - **Requisitioning** any public record or copy thereof from any court or office.

- **Issuing** commissions for the examination of witnesses and documents.
- After the inquiry, the Commission has the power to can take actions like
 - **Recommending** to the concerned Government or authority the initiation of proceedings for **prosecution** against the concerned person(s).
 - **Approaching** the **Supreme Court** or the **High Court** concerned for directions, orders, or **writs**.
 - **Recommending** to the concerned Government or authority for the **grant** of such interim **relief** to the victim or the members of the family.

Various initiatives taken by NCPDR to carry out its mandate

Here are some of the initiatives taken by NCPDR to carry out its mandate:

- **Protection of Children from Sexual Offences (POCSO) e-Box**
 - It is an online complaint box for reporting child sexual abuse.
 - It is an NCPDR initiative to help children report such crimes directly to the Commission.
 - The online complaint management system enables easy reporting and timely action against the offenders under the **POCSO Act, 2012**.
- **Samvardhan**
 - The Commission initiated an exercise of vulnerability mapping through the programme **Samvardhan** to Combat **Child Trafficking** along with other existing mechanisms.
- **MASI App**
 - The Commission has developed an application **“MASI”**- Monitoring App for Seamless Inspection for real-time monitoring of **Child Care Institutions (CCIs)** across the country.

- **GHAR - GO**

- NCPCR has developed and launched a portal, namely GHAR - GO Home and Re-Unite (Portal for Restoration and Repatriation of Child).
- The GHAR portal has been developed to digitally monitor and track the **restoration and repatriation of children**.

Challenges and Limitations

Some of the challenges and limitations include

- **Limited capacity to enforce recommendations:** While NCPCR can make recommendations to government agencies and other organizations, it may have limited capacity to ensure that these recommendations are implemented.
- **Limited resources:** NCPCR has limited financial and human resources, which can hinder its ability to effectively carry out its functions and mandate.
- **Lack of time frame for enquiries and investigations:** There is no set time frame for the completion of enquiries or investigations conducted by the NCPCR.
- **Limited capacity to address all issues:** Given the wide range of issues affecting children in India, NCPCR may not have the resources or capacity to address all of these issues effectively.

Key recommendations for the effective functioning of NCPCR

Some of the recommendations include:

- **Increase funding:** NCPCR should be provided with more financial resources to enable it to carry out its functions and mandate effectively.
- **Strengthen legal powers:** NCPCR should be granted more legal powers,

such as the power to issue binding orders and impose fines, to enable it to take more effective action in cases of violations of child rights.

- **Raise awareness:** NCPCR should work to increase awareness of its existence and the services it provides, particularly among disadvantaged and marginalized communities.
- **Enhance capacity to enforce recommendations:** NCPCR should be given more authority to ensure that its recommendations are implemented by government agencies and other organizations.
- **Empower children:** NCPCR should prioritize the participation and empowerment of children in its work and decision-making processes.

State Commission for Protection Of Child Rights

The state Government constitutes the State Commission for Protection of Child Rights to exercise the powers and to perform the functions assigned under the

Commission for Protection of Child Rights (CPCR) Act, 2005.

- The Chairperson and Members of the Commission are appointed by the State government.
- Provided that the Chairperson shall be appointed on the recommendation of a **three-member Selection Committee** constituted by the State Government under the Chairmanship of the **Minister in charge of the Department dealing with children.**
- The eligibility and term of the Chairperson and Members of the State Commission is similar to that of NCPCR.

14.

Questioning in Parliament

Question Hour

The **first hour of every parliamentary sitting** is slotted for the Question Hour. However, in 2014 the Question Hour **was shifted in the Rajya Sabha from 11 am to 12 noon.**

- During this one hour, Members of Parliament (MPs) ask **questions to ministers** and hold them accountable for the functioning of their ministries.
- The questions can also be asked to the **private members** (MPs who are not ministers).
- **Regulation:** It is regulated according to **parliamentary rules.**
 - The **presiding officers of the both Houses** (Rajya Sabha and Lok Sabha) are the **final authority** with respect to the conduct of Question Hour.

Procedure for Raising Questions in Parliament

- **Procedure:**
 - **Rules of Procedure and Conduct of Business in Lok Sabha:**

The procedure for raising questions is governed by **Rules 32 to 54 of the “Rules of Procedure and Conduct of Business in Lok Sabha”** and Directions 10 to 18 of the “Directions by the Speaker, Lok Sabha”.

 - To ask a question, an MP has to first **give a notice addressed to the lower house’s Secretary-General**, intimating their intention to ask a question.
 - The notice usually contains the text of the question, the

official designation of the Minister to whom the question is addressed, the date on which the answer is desired, and the order of preference, in case the MP tables more than one notice of questions for the same day.

- MPs can **submit up to five notices of questions (both oral and written) for a single day**. Notices exceeding this limit are considered for subsequent days within the same session.
- **Notice Period:** Typically, the notice period for a question is **not less than 15 days**.
 - MPs can submit their notices either through an online "Member"s Portal" or by using printed forms from the Parliamentary Notice Office.
 - The Speaker of Lok Sabha reviews the notices and determines their admissibility based on established rules.
- **Conditions for Question Admissibility:**
 - Questions must not **exceed 150 words** and should avoid containing arguments, defamatory statements, or references to personal conduct, except in an official or public capacity.
 - Questions that pertain to broad policy issues are not admissible due to the impracticality of addressing complex policies within a brief answer.
 - Questions cannot concern matters under judicial consideration or before parliamentary committees. They should also **avoid seeking information that could undermine national unity and integrity**.

In Rajya Sabha, the admissibility of questions is governed by **Rules 47-50 of the Rules of Procedure and Conduct of Business** in the Council of States.

Among various norms, the question “**shall be pointed, specific and confined to one issue only**”.

Categories of Questions

- **Starred Question:**
 - A starred **question is asked by an MP and answered orally** by the Minister-in-charge. Each MP is allowed to **ask one starred question** per day. When a question is answered orally, **supplementary questions can be asked thereon.**
- **UnStarred Question:**
 - The MP seeks a **written answer**, which is deemed to be laid on the table of the House by the concerned minister and **supplementary questions cannot be followed.**
- **Short Notice Question:**
 - These are on an urgent matter of public importance, and an **oral answer is sought**. For asking such a question, a notice of less than 10 days is prescribed as the minimum period.
- **Question to Private Member:**
 - A question can be addressed to a private member under Rule 40 of Lok Sabha’s Rules of Procedure, or under Rule 48 of Rajya Sabha’s Rules, provided that the question deals with a subject relating to some Bill, resolution or other matter for which that member is responsible.

Significance of Raising Questions

- **Parliamentary Right:**
 - Asking questions is an inherent and **unrestricted parliamentary**

right of MPs, serving as a tool for legislative control over executive actions.

- **Functions of Questioning:**

- This exercise allows MPs to **acquire information on government activities**, critique policies, highlight government shortcomings, and prompt ministers to take steps for the common good.

- **Government's Perspective:**

- For the government, questions provide insight into public sentiment regarding policies and administration. They can lead to the formation of parliamentary commissions, inquiries, or the enactment of legislation.

Road ahead

- Under Article 75 of the constitution, asking questions in parliament is a constitutional right of a member of the House. Viewed from this angle, the Question Hour in parliament stands on a different footing.
- In a way, every Question Hour is the manifestation of a direct kind of democracy in operation, in the sense that representation of the people directly questions the government on matters of governance, and the government is duty bound to answer the questions in the House.
- The concerned officials also should give a good reason on why a question should be disallowed. The reason also cannot be accessed through **RTIs (Right to Information) due to privilege of the House** — tough to take it to court as well.

15.

The Food Security Act has revamped the PDS

Introduction

The discussion surrounding the National Food Security Act (NFSA), 2013 highlighted concerns about guaranteeing food security through the Public Distribution System (PDS) due to its poor track record. According to **National Sample Survey (NSS)** data from 2011-12, leakages in the PDS were alarmingly high at 41.7% at the all-India level.

Improvements in PDS through State Reforms

Despite the initial concerns, the argument for continuing with the PDS was bolstered by evidence from states that had undertaken reforms. Between 2004-05 and 2011-12, states like Bihar, Chhattisgarh, and Odisha saw significant reductions in PDS leakages, with Bihar reducing its leakage from 91% to 24%, Chhattisgarh from 52% to 9%, and Odisha from 76% to 25%. This improvement was attributed to a package of PDS reforms that were later mandated by the NFSA 2013.

Analysis of NSS Household Consumption Expenditure Survey (HCES) 2022-23

The HCES 2022-23 provided a comprehensive look at the impact of the NFSA on the PDS. The survey, which is the first large-scale nationally representative survey post-NFSA implementation, revealed that PDS leakages had decreased to 22% in 2022-23.

Methodology for Estimating Leakages

PDS leakages are calculated by comparing NSS data on household PDS

purchases with the “offtake” data from the Food Ministry's **Monthly Food Grain Bulletin**. During the survey period (August 2022 to July 2023), ration card holders received NFSA grain and **Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY)** grain till December 2022. However, the survey acknowledged that these estimates could be underestimates due to factors like transport losses and lags in supply.

Impact of NFSA on PDS Coverage

One of the key reforms under the NFSA 2013, was the expansion of PDS coverage to reduce exclusion errors, which inadvertently helped reduce leakages. The coverage of the PDS improved significantly over the years—from 24% in 2004-05 to 40% in 2011-12. The NFSA further increased this to 70% by 2022-23. However, the Centre is still falling short of the NFSA-mandated coverage, with only 59% of households accessing the PDS as NFSA beneficiaries, according to administrative data and HCES.

Role of PDS Reforms in Reducing Leakages

Reforms undertaken by states like Chhattisgarh and Odisha included measures like reducing PDS prices, doorstep delivery of food grains, digitization of records, and management of PDS outlets by local bodies. These reforms, which were later incorporated into the NFSA 2013, contributed to a significant reduction in leakages. For example, Rajasthan, which had high leakages in the past, saw a reduction to 9% by 2022-23.

Controversy over Aadhaar-based Biometric Authentication (ABBA)

The integration of Aadhaar into the PDS, particularly through **Aadhaar-based biometric authentication (ABBA)**, is often credited with reducing leakages. However, primary survey data, including studies conducted in Jharkhand in 2017, do not support this claim. These studies found that leakages were already low before ABBA was introduced and that the purchase-entitlement ratios were similar in both offline and ABBA villages.

Challenges and Future Directions

Despite improvements, the PDS still faces challenges. In states where the PDS traditionally worked well, like Tamil Nadu, leakages have actually increased from 12% in 2011-12 to 25% in 2022-23. The PDS remains vulnerable to various "innovations" like cash transfer experiments and the imposition of Aadhaar-based technologies, which could potentially derail the system. Instead of focusing on these measures, there is a need to expedite the delayed Census, which is excluding over 100 million people from the PDS, and to include more nutritious items like pulses and edible oil in the PDS offerings.

Conclusion

The PDS has evolved into a critical instrument of social policy, providing food security to a significant portion of the population. However, it remains under threat from various ill-conceived innovations. To ensure its continued success, the focus should be on addressing the remaining challenges, such as expanding coverage and including more nutritious food items, rather than on experimenting with potentially disruptive technologies.

16.

Challenges of India's Anti-Defection Law

After long years of legislative meanderings, Parliament enacted the anti-defection law (10th Schedule) to curb political defection. The volume, intensity, recklessness and uncontrolled venality seen in defections in the 1960s and thereafter almost came to a stop after this. Defections not only caused the frequent fall of governments but also caused great instability in political parties with power-seeking politicians wreaking havoc on political parties.

Anti Defection Law

- The **anti-defection law** (found under the Tenth Schedule of the Constitution) was **enacted to curb frequent floor-crossing** by legislators.
 - It was added to the Constitution through 52nd Amendment Act in 1985.
- It provides for the disqualification of elected legislators from the legislature in instances where they voluntarily switch parties or vote against the party's direction.
- **Ground for Disqualification:**
 - If he or she **voluntarily gives up** his or her membership of a political party.
 - in **Ravi S. Naik versus Union of India (1994)**, the **Supreme Court** clarified that **an MP/MLA need not formally resign from their party to attract disqualification** under the anti-defection law.
 - The SC had said: "The expression 'voluntarily given up his membership' is **not synonymous with 'resignation'**... Even in the **absence of a**

formal resignation from membership an inference can be drawn from the conduct of a member that he has voluntarily given up his membership of the political party to which he belongs.”

- In **Rajendra Singh Rana vs. Swami Prasad Maurya and Others (2007)**, the SC held that the act of giving a letter requesting the governor to call on the leader of the other side to form a government would amount to an act of voluntarily giving up membership of the previous party.
- If he or she **votes or abstains from voting in the House**, contrary to any direction issued by his or her political party or anyone authorized to do so, without obtaining prior permission.
- If any member who is **independently elected joins any political party**.
 - In **Balchandra L. Jarkiholi Vs. B.S. Yeddyurappa (2010)**, the Supreme Court made it clear that **independent MLAs joining the Ministry in a coalition govt., without joining the ruling party, will not sacrifice their independent identity**. Hence joining Council of Ministers doesn't amount to disqualification.
- **Exceptions to the anti-defection law:**
 - A member will not be disqualified if:
 - His or her original political party merges with another party, and he or she and at least two-thirds of the

members of the original party agree to the merger.

- Under the **91st Amendment to the Constitution in 2003**, the exemption from disqualification if one-third of the members form a separate group (the rule prior to the amendment) was removed.
 - He or she or any other member of his or her party has not accepted the merger and opts to function as a separate group.
 - He or she makes a split from his or her original party, but does not join any other party.

Issues with the Anti Defection Law

- **Undermines the Idea of Democracy:** It undermines the representative and parliamentary democracy by **restricting the legislators' freedom of speech and expression**, and making them accountable to their party leaders rather than the people who elected them.
- **Doesn't set any time frame:** It does not provide a clear and timely mechanism for deciding the cases of defection, and leaves the power to disqualify the members to the discretion of the presiding officers of the houses, who may be biased or influenced by political pressures.
 - However, the Supreme Court in **Keisham Meghachandra Singh vs The Hon'ble Speaker Manipur Legislative Assembly & Ors (2020)** ruled that Speakers of assemblies and the Parliament must decide disqualification pleas within a period of three months except in extraordinary circumstances.
- **Still Allows Defection:** It allows a group of members to **defect to another party without penalty, if they constitute at least two-thirds of their original party**. This creates a loophole for opportunistic and

unethical mergers and splits of parties, and undermines the stability and integrity of the political system.

- This way it **encourages the practice of “horse-trading”** or buying and selling of legislators.
- **Doesn't address the Root Cause:** It does not address the root causes of defection, such as lack of intra-party democracy, corruption, and electoral malpractices. It also does not prevent the parties from enticing or accepting the defectors, and thus fails to deter the phenomenon of defection.

Strengthen the Anti Defection Law

- **Addressing Procedural Issues:**
 - **Shifting Adjudication Power:** The current practice of Speakers of the House deciding on defection cases raises concerns about bias and political influence. Shifting adjudication power to an independent body like the **Election Commission** could enhance impartiality.
 - The **2nd ARC recommended** that the issue of disqualification of members on the grounds of **defection should be decided by the President/Governor** on the advice of the Election Commission.
 - **Time-bound Decisions:** Setting a strict timeframe for adjudicating defection cases would prevent prolonged uncertainty and political manipulation.
 - **Judicial Recourse:** Allowing direct appeals to the Supreme Court or High Courts in certain cases could provide additional safeguards against arbitrary decisions.
- **Strengthening Party Accountability:**

- **Internal Democracy:** Introducing regulations to enforce internal party democracy and transparency could reduce disillusionment among legislators, potentially curbing defection motivated by discontent within parties.
- **Party Funding Reforms:** Making party funding more transparent and accountable could diminish the influence of money power in politics, which can incentivize defections.
- **Anti-Poaching Measures:** Prohibiting or penalizing attempts to induce defections through offers of positions or benefits could discourage such practices.
- **Balancing Stability and Accountability:**
 - **Exempting Mergers:** Exempting defections due to bona fide mergers of parties could encourage political restructuring without undermining stability.
 - **Public Interest Considerations:** Introducing a mechanism to assess the public interest in cases of defection, allowing for disqualification only when it demonstrably harms public good, could strike a balance between stability and accountability.
 - **Right to Dissent:** Recognizing the right of legislators to dissent on specific issues without triggering disqualification could promote healthy debate and independent thought within legislatures.

Other Countries dealing with Defections

- **UK:** Political defections in the UK are not explicitly prohibited by law, but defectors may face repercussions from their party and constituents. Consequences may include losing party privileges, facing disciplinary action, and risking legal challenges such as recall petitions or by-

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| | <p>elections.</p> <ul style="list-style-type: none">• USA: Similarly, the USA lacks a specific law against political defections. While rare, defections may occur for ideological or strategic reasons. Backlash from the former party, constituents, and media is possible, but defectors may also gain new support. Running for re-election under the new party label presents both challenges and opportunities, depending on the political climate. <p>The Anti-Defection Law in the Indian Constitution aims for democratic stability by curbing political defections. Despite its importance, challenges such as restricting legislators' freedom and procedural issues underscore the necessity for reforms. Inspired by international experiences, proposed steps aim to balance stability and accountability. Recognizing exemptions for party mergers and public interest, the law must evolve to remain relevant in India's dynamic political landscape, ensuring a robust democracy.</p> |
| <p>17.</p> | <p>With or without Chinese companies is the question</p> <p>Introduction: Prime Minister Modi's Manufacturing Vision</p> <ul style="list-style-type: none">• Modi's Commitment Post-2024 Elections: After securing a coalition government following the 2024 general elections, Prime Minister Narendra Modi remains resolute in his decade-long objective to transform India into a global manufacturing powerhouse. This ambition, central to his economic strategy, seeks to elevate India's position in global supply chains.• Key Initiatives – "Make in India" and PLI Scheme: The cornerstone of this strategy has been the "Make in India" initiative launched in 2014. It |

aimed at fostering a robust manufacturing base within the country by encouraging both domestic and foreign investments. The **Production Linked Incentives (PLI) scheme**, introduced later, serves as a further enticement for companies to establish manufacturing operations in India, offering financial incentives based on production targets.

Union Budget 2024-25: A Financial Boost for Manufacturing

- **PLI Scheme Funding:** The 2024-25 Union Budget significantly reinforces the government's commitment to large-scale electronics manufacturing. The allocation for the PLI scheme has been increased to ₹6,125 crore, a substantial rise from the ₹4,499.04 crore allocated in the 2023-24 Budget (with ₹4,489.46 crore according to revised estimates). This financial boost is designed to accelerate the production capacities of domestic and foreign manufacturers operating in India.
- **Investment in Research and Development:** Recognizing the importance of building technological expertise, the budget also allocates ₹1,148 crore for research and development (R&D) in the electronics and IT sectors. This represents a significant increase from the previous year's ₹600 crore allocation (₹1,000 crore in revised estimates), indicating a strategic focus on fostering innovation and developing high-tech industries within the country.

The Paradox of Chinese Dominance in the Indian Electronics Market

- **Chinese Companies' Market Control:** Despite India's drive to promote local manufacturing, Chinese smartphone companies have established a dominant presence in the Indian market. By the end of 2023, four of the

top five best-selling smartphone brands in India were Chinese, collectively controlling over 50% of the market. This dominance highlights a paradox in India's manufacturing ambitions, where foreign (particularly Chinese) entities continue to outpace local competitors.

- **Indian Consumer Preferences:** The large and growing base of Indian smartphone users, particularly those using Android devices (which held a 70% market share in 2023), has provided a lucrative market for Chinese brands. These companies have effectively tailored their products to meet the diverse preferences of Indian consumers, integrating applications and features that cater specifically to local tastes.

The Impact of India-China Relations on Manufacturing

- **Resilience Amidst Diplomatic Tensions:** Over the past decade, Chinese companies have managed to maintain their market dominance in India, even amidst fluctuations in bilateral relations. However, the 2020 Galwan Valley incident marked a significant turning point, leading to a surge in nationalist sentiment and calls to boycott Chinese products in India.
- **Government Scrutiny and "Indianisation" Policies:** In response to these tensions, the Indian government has intensified its scrutiny of Chinese investments, particularly focusing on tax compliance and operational transparency. Additionally, there has been a concerted effort to "Indianise" the operations of Chinese companies by encouraging the inclusion of Indian equity partners, the appointment of Indian executives in leadership roles, and the involvement of local contract manufacturers in production and assembly processes. This strategy mirrors China's own approach to developing home-grown manufacturing capabilities by

initially integrating foreign expertise and gradually localizing operations.

Indianisation Efforts: The Role of Tata Electronics and Others

- **Tata Electronics as a Case Study:** Tata Electronics' entry into the smartphone manufacturing sector exemplifies the growing trend of Indianisation within the industry. Tata began by acquiring the Indian operations of Wistron, a Taiwanese supplier for global tech giant Apple, and has since advanced in negotiations to take over Pegatron, another major Apple supplier. These moves are part of a broader strategy to establish a strong domestic manufacturing base capable of competing on a global scale.
- **Chinese Companies' Adaptation Strategies:** Faced with increasing regulatory pressures, Chinese companies have gradually complied with Indian government directives. This includes partnering with local distributors, streamlining their operational structures by creating separate sales and marketing divisions for each brand, and collaborating with domestic manufacturers to qualify for the PLI scheme's benefits. By adapting to these new requirements, Chinese companies aim to sustain their market presence while mitigating risks associated with geopolitical tensions.

Infrastructure and Technological Challenges in Building a Manufacturing Ecosystem

- **Need for Ancillary Industries and Robust Infrastructure:** While India is making strides towards becoming a global manufacturing hub, significant challenges remain. The development of a fully integrated manufacturing ecosystem requires not just large-scale production facilities but also the establishment of ancillary industries. These

include suppliers of components and materials, technological clusters for knowledge-sharing, and a reliable infrastructure providing uninterrupted power and water supply. Additionally, improving working and living conditions for the workforce is crucial to attracting and retaining skilled labor.

- **Technology Transfer Hesitations:** A major obstacle to India's manufacturing ambitions is the reluctance of Chinese companies to share their advanced technologies without clear and favorable terms regarding equity participation. This hesitancy hinders the transfer of critical knowledge and expertise needed to develop high-tech industries domestically.

Strategic Balancing Act: FDI and China Plus One Strategy

- **Easing Visa Norms for Chinese Technicians:** In a move that underscores the complexity of India's manufacturing strategy, the Ministry of Electronics and Information Technology, along with the Ministry of Commerce and Industry, recently eased visa norms for Chinese technicians. This decision highlights the government's recognition of the need for specialized expertise to achieve its manufacturing goals, even if it means softening its stance on foreign involvement.
- **Economic Survey and FDI Approach:** The Government's Economic Survey, released just before the 2024 Budget, advocates for a pragmatic approach to foreign direct investment (FDI) from China. Rather than adhering rigidly to the **China Plus One** diversification strategy—where multinational companies reduce dependence on China by diversifying their supply chains—India is encouraged to continue attracting Chinese

investments while simultaneously developing domestic capabilities. This balanced approach is seen as essential for achieving the country's long-term manufacturing objectives.

Conclusion: The Path Forward for India's Manufacturing Ambitions

- **Striking a Delicate Balance:** The article concludes by emphasizing the need for a delicate balance between fostering home-grown manufacturing capabilities and allowing continued Chinese investment. While the Indian government is committed to developing a robust domestic manufacturing sector, the sheer scale and complexity of this task require collaboration with foreign entities, including Chinese companies. Maintaining this balance will be crucial for realizing Modi's vision of transforming India into a global manufacturing hub while navigating the geopolitical and economic challenges that lie ahead.

18. Whip

- Under the **Tenth Schedule** (anti-defection law) a political party has a constitutional right to issue a whip to its legislators.
- SC in **Kihoto Holohan vs Zachillhu case, 1992** held that the application of the Tenth Schedule is limited to a vote on "motion of confidence" or "no-confidence" in the government or where the motion under consideration relates to a matter which was an integral policy and programme of the political party.
 - Paragraph 2(1)(b) provides for a lawmaker's disqualification "if he

votes or abstains from voting in such House contrary to any direction issued by the political party to which he belongs”.

Whip

- The concept of the whip was inherited from colonial British rule. It is used in parliamentary parlance often for floor management by political parties in the legislature.
- A whip is a written order that political party issue to its members for being present for an important vote, or that they vote only in a particular way. The term is derived from the old British practice of “whipping in” lawmakers to follow the party line.
- They are vital in maintaining the links between the internal organisation of the party inside the Parliament. A whip is also an important office-bearer of the party in the Parliament.
- In India, all parties can issue a whip to their members. Parties appoint a senior member from among their House contingents to issue whips. This member is called a Chief Whip, and he/she is assisted by additional Whips.
- **Constitutional status:** The office of ‘whip’, is mentioned neither in the Constitution of India nor in the Rules of the House nor in a Parliamentary Statute. It is based on the conventions of the parliamentary government.
- **Non-applicability of Whip:** There are some cases such as **Presidential elections** where whips cannot direct a Member of Parliament (MP) or Member of Legislative Assembly (MLA) on whom to vote.

Types of Whips

- **The One-line whip** to inform the members about a vote. It allows a member to abstain in case they decide not to follow the party line.
- **The Two-line whip** is issued to direct the members to be present in the House at the time of voting. No special instructions are given on the pattern of voting.
- **The Three-line whip** is issued to members directing them to vote as per the party line. It is the strictest of all the whip.

Functions of Whip

- The whip plays a crucial role in ensuring the smooth and efficient conduct of business on the floor of the House.
- He is charged with the responsibility of ensuring the attendance of his party members in large numbers and securing their support in favour of or against a particular issue.
- He ensures discipline among party members in the House.
- He identifies the signs of discontent among MPs and informs the respective leaders of their party.
- He or she acts as a binding force in the party and responsible for maintaining the internal party organisation in the Parliament and.
- **Violation of whip:** If an MP violates his party's whip, he faces expulsion from the House under the Anti Defection Act.
 - The only exception is when more than a third of legislators vote against a directive, effectively splitting the party.

19.

Policy paralysis, a weakened public health sector

Public Health Needs and Policies

1. Diverse Public Health Needs

- Public health needs in a population are diverse and vary across social strata. These needs can be broadly categorized into felt needs (experienced by people) and projected needs (identified by experts).

2. Critique of Public Health Policies

- The Union Budget and public health policies over the last decade have been critiqued for inadequate focus on the social sector, especially public health. There has been a perceived paralysis in policy-making, with little attention to the felt needs of the population.

Categories of Public Health Needs

1. Diseases of Poverty

- Includes tuberculosis, malaria, undernutrition, maternal deaths, and water-borne infections like typhoid and diarrheal diseases.
- Addressing these issues also involves tackling related livelihood challenges.

2. Problems of the Middle Class

- Environmental pollution, poor infrastructure, market regulations, road traffic accidents, and chronic illnesses.
- These issues impact both the middle class and the poor but may not be prioritized equally.

3. Curative Care Needs

- Encompasses primary, secondary, and tertiary care.

- Primary care is essential for the poor and vulnerable; secondary care has been historically neglected, while tertiary care is now focused on under schemes like PMJAY under Ayushman Bharat.

Evolution of Indian Public Health Policies

1. National Rural Health Mission (NRHM) and National Health Mission (NHM)

- The NRHM (2005) and NHM (2013) were significant shifts from the 2002 National Health Policy, focusing on strengthening public health care and primary health institutions.

2. Shift to Publicly Funded Health Insurance Schemes (PFHI)

- Since 2018, the focus has shifted to schemes like PMJAY under Ayushman Bharat, which benefits private sector healthcare, sidelining the strengthening of secondary and tertiary public healthcare.

The Role of Private Health Care

1. Dominance of the Private Sector

- PFHI schemes primarily benefit the private sector by covering only hospitalization expenses, leaving a significant portion of the population dependent on expensive, commercialized private care.

2. Outsourcing of Healthcare Services

- The government's outsourcing of secondary and tertiary care to the private sector reflects its failure to strengthen public healthcare, forcing many to rely on costly private services.

Transformation of Public Health Institutions

1. Health and Wellness Centres (HWCs)

- Sub-centres, PHCs, and CHCs were transformed into HWCs in 2018, with a new focus on curative care. This shift undermined the original mandate of primary health institutions to provide preventive and promotional health services.

2. Renaming of HWCs

- The 2023 directive to rename HWCs as 'Ayushman Arogya Mandir' has raised questions about the relevance and secular nature of the name, especially for non-Hindi speaking populations.

Threats to the Public Health System

1. Neglect of Vulnerable Populations

- The vulnerable and poor rely heavily on basic primary and secondary curative care. However, the government's focus on curative care has led to the weakening of preventive and promotional health activities.

2. Loss of Trust in Healthcare Providers

- Overcrowding, inadequate infrastructure, and commercial interests have led to a loss of trust in both public and private healthcare providers.

3. Weakening of Primary Healthcare

- The transformation of primary healthcare institutions into curative care centres, driven by popularity and branding, has undermined their fundamental role in delivering preventive and promotional health services.

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| | <p>Conclusion</p> <p>The government's focus on publicly funded health insurance schemes, coupled with the neglect of primary and secondary public healthcare, poses a significant threat to India's public health system. There is a need to realign policies to address the diverse and felt needs of the population, especially the poor and vulnerable.</p> |
| <p>20.</p> | <p>Funds for Union Government</p> <p>The financial framework of the Central Government of India is structured around three primary funds – the Consolidated Fund of India, the Contingency Fund of India, and the Public Account of India. Each of these funds serves distinct purposes and is essential for the fiscal management of the country. This article aims to study in detail these three types of funds for the Union Government, their structure, composition, purpose, and critical roles in Indian public finance.</p> <p>Funds for Union Government</p> <ul style="list-style-type: none">• In order to cater to the diverse financial needs and priorities of the Union Government and ensure effective resource utilization, the Indian Constitution provides for the following three types of specialized funds for the Union Government.<ul style="list-style-type: none">○ Consolidated Fund of India○ Contingency Fund of India, and○ Public Account of India• They allow the Union Government to maintain transparency, accountability, and efficient utilization of public resources in pursuing its developmental and administrative objectives. |

- They also help to strike a balance between the government's need for flexibility and the legislative oversight required for the responsible use of public funds.

Constitutional Provisions Related to Funds for Union Government

The Constitutional Provisions related to the Funds for Union Government can be seen as follows:

Article 266(1) in Part XII

- **Article 266(1)** in Part XII of the Indian Constitution provides for the establishment of the **Consolidated Fund of India**.

Article 266(2) in Part XII

- **Article 266(2)** in Part XII of the Indian Constitution provides for the establishment of the **Public Account of India**.

Article 267 in Part XII

- **Article 267** in Part XII of the Indian Constitution provides for the establishment of the **Contingency Fund of India**.

Each of these funds has been discussed in detail in the following sections.

1. Consolidated Fund of India

The Consolidated Fund of India is the primary fund for the Union Government to which **all receipts are credited and all payments are debited**.

Sources of Revenue for Consolidated Fund of India

The sources of revenue for Consolidated Fund of India include:

- **All revenues received** by the Government of India,
- **All loans raised** by the Government by the issue of treasury bills, loans or ways and means of advances, and

- **All money received** by the government in repayment of loans.

Expenditures from Consolidated Fund of India

All the **legally authorized payments on behalf of the Government of India** are made out of this fund.

Operation of Consolidated Fund of India

The Consolidated Fund of India is **operated as per Parliamentary law**. It means that no money out of the Consolidated Fund of India can be appropriated (issued or drawn) except in accordance with the parliamentary law.

2. Public Account of India

The Public Account of India is the fund for the Union Government to which all other public money (i.e. **public money other than those that are credited to the Consolidated Fund of India**) received by or on behalf of the Government of India is **credited**.

Sources of Revenue for Public Account of India

The sources of revenue for Public Account of India include:

- Provident Fund Deposits,
- Judicial Deposits,
- Savings Bank Deposits,
- Departmental Deposits,
- Remittances, etc.

Expenditures from Public Account of India

- The Public Account of India includes **funds that the government holds on behalf of other entities**, including individuals, institutions, and other governments.

- These funds are separate from the government's revenues and are **not available for general governmental expenditure.**
- Thus, **expenditures** from the Public Account of India involve disbursements made to **return funds to their rightful owners** or to meet specific obligations.
 - They are mostly **in the nature of banking transactions.**

Operation of Public Account of India

The Public Account of India is **operated by Executive Action**, which means, that the payments from this account can be made **without the parliamentary appropriation.**

3. Contingency Fund of India

The Contingency Fund of India acts as a **reserve for emergency expenditures**, providing the government with financial flexibility **to address unforeseen situations.**

Sources of Revenue for Contingency Fund of India

Amounts determined as per the **Contingency Fund of India Act, 1950** are credited to the Contingency Fund of India, from time to time.

Expenditures from Contingency Fund of India

The fund is used for urgent and unforeseen expenditures.

Operation of Contingency Fund of India

- The Contingency Fund of India is **operated by Executive Action, pending its authorization by Parliament.**
- The Fund is **placed at the disposal of the President of India and is held by the Finance Secretary** on behalf of the President of India.

Significance of Funds for Union Government

Significance of Consolidated Fund of India

- **Promotes Legislative Oversight:** By requiring parliamentary approval for all withdrawals, the Consolidated Fund of India promotes transparency and prevents unauthorized expenditure.
 - This, in turn, promotes legislative oversight of public finances.
- **Promotes Expenditures Planning:** Expenditures from the Consolidated Fund of India through budgetary appropriation facilitates structured financial planning.
 - This, in turn, enables effective allocation of resources, aligning spending with national priorities and legal mandates.

Significance of Contingency Fund of India

- **Financial Flexibility:** The Contingency Fund of India provides critical financial flexibility, allowing the government to respond swiftly to unforeseen expenditures or emergencies.
 - This ensures that urgent needs are met without procedural delays, stabilizing government functions during crises.
- **Rapid Response Capability:** The **Contingency Fund of India** allows for immediate financial intervention in case of natural disasters, economic crises, or other unexpected events, enabling the government to address emergencies promptly without waiting for parliamentary approval.

Significance of Public Account of India

- **Efficient Management of Public Fund:** The Public Account of India ensures proper management of public funds, maintaining public trust and accountability.
- **Dedicated Handling of Special Funds:** The Public Account of India supports the efficient operation of financial transactions involving public money held in trust, providing clear segregation from the main government revenue stream and ensuring that these funds are used appropriately.

Overall Significance of Funds for Union Government

- **Enhanced Financial Clarity** – By maintaining a clear distinction between the three funds for Union Government – **Consolidated Fund of India, Contingency Fund of India, Public Account of India** – the financial framework enhances clarity and accountability in the use of government and public funds, fostering trust in government financial practices.

The three funds for the Union Government – Consolidated Fund of India, Contingency Fund of India, and Public Account of India – form vital components of the country's financial architecture. Collectively, they ensure that the Union Government's financial operations are conducted efficiently and transparently. This robust financial architecture not only supports the government in meeting its financial obligations but also fosters public confidence by upholding principles of accountability and responsible governance in the management of national finances.

Charged Expenditure

The government expenditures from the Consolidated Fund of India consist of two types of expenditures:

- **Expenditures 'Charged' upon the Consolidated Fund of India** – Also known as Charged Expenditures, they are non-votable by the Parliament.
 - They can only be discussed by the Parliament, but cannot be voted upon.
- **Expenditures 'Made' from the Consolidated Fund of India** – Also known as Non-Charged Expenditures, they have to be voted upon by the Parliament.

List of Charged Expenditures

The list of the charged expenditures is as follows:

- Emoluments and allowances of the President and other expenditures relating to his/ her office.
- Salaries and allowances of the Chairman and the Deputy Chairman of the Rajya Sabha and the Speaker and the Deputy Speaker of the Lok Sabha.
- Salaries, allowances, and pensions of the judges of the Supreme Court.
- Pensions of the judges of High Courts.
- Salary, allowances, and pension of the Comptroller and Auditor General of India.
- Salaries, allowances, and pension of the chairman and members of the Union Public Service Commission.
- Administrative expenses of the Supreme Court, the office of the Comptroller and Auditor General of India, and the Union Public Service

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| | <p>Commission including the salaries, allowances, and pensions of the persons serving in these offices.</p> <ul style="list-style-type: none">• The debt charges for which the Government of India is liable, including interest, sinking fund charges, redemption charges, and other expenditures relating to the raising of loans and the service and redemption of debt.• Any sum required to satisfy any judgment, decree, or award of any court or arbitral tribunal.• Any other expenditure declared by the Parliament to be so charged. |
| <p>21.</p> | <p>Regulatory reform stuck in a loop in Health Ministry</p> <p>Introduction</p> <ul style="list-style-type: none">• Policy Initiatives: The DCGI, under the Ministry of Health and Family Welfare, announced reforms on three critical issues impacting public health: drug recall guidelines, good distribution practices, and the regulation of similar brand names.• Objective: These measures are intended to safeguard public health by ensuring the safety and efficacy of drugs, preventing errors in prescription, and improving distribution standards. <p>Policy Initiatives and Their Importance</p> <ul style="list-style-type: none">• Drug Recall Guidelines:<ul style="list-style-type: none">○ Purpose: To swiftly remove drugs failing quality tests from the market to prevent potential harm to patients.○ Significance: Ensures that unsafe or substandard drugs do not |

reach consumers, thereby protecting public health.

- **Good Distribution Practices (GDP):**
 - **Purpose:** To regulate the storage and distribution of drugs during transit and sale.
 - **Significance:** Ensures that drugs are stored and handled properly, maintaining their efficacy and safety until they reach the consumer.
- **Regulation of Similar Brand Names:**
 - **Purpose:** To avoid confusion caused by similar drug names, which can lead to prescription errors and harm to patients.
 - **Significance:** Reduces the risk of medication errors by ensuring that drug names are distinct and not misleading.

Historical Context and Persistent Issues

- **59th Report of the PSC (2012):**
 - **Focus:** Evaluated the functioning of the Central Drugs Standard Control Organisation (CDSCO) and identified issues with drug recall guidelines, drug storage standards, and confusing brand names.
 - **Historical Flagging:**
 - **Drug Recall Guidelines:** Initially flagged by the **Drugs Consultative Committee (DCC) in 1976.**
 - **Storage Standards:** Identified by the Supreme Court in 1974.
 - **Brand Name Confusion:** Raised by the Court in 2001.

Implementation Challenges

- **Non-Binding Nature of Guidelines:**
 - **Current Status:** Recent drug recall guidelines (2012, 2017, 2024) announced by the DCGI lack legal enforceability.
 - **Issue:** The DCGI cannot create binding laws; only the Ministry of Health can, resulting in ineffective enforcement.
- **Storage Guidelines:**
 - **Proposal History:** Proposal to adopt WHO's GDP guidelines and make them binding was discussed in 2013.
 - **Challenges:** Resistance from stakeholders and anticipated pushback from trade associations due to cost implications of implementing the guidelines.
 - **Recent Developments:** Despite acknowledging the problem, the government has yet to finalize and enforce binding GDP guidelines.
- **Brand Name Regulation:**
 - **Existing Rule:** Companies are required to self-declare that their brand names are not similar to existing ones.
 - **Shortcomings:** The rule is inadequate as it relies on self-regulation and does not address the issue of misleading or confusing names effectively.

Repeated Delays and Bureaucratic Stagnation

- **Drug Recall Guidelines:**
 - **Cycle:** Guidelines have been proposed multiple times but lack enforceability due to their non-binding nature.
- **Good Distribution Practices:**

- **Delay Reasons:** The proposal to make GDP guidelines legally binding faces delays due to logistical concerns and opposition from trade associations.
- **Brand Name Regulation:**
 - **Ineffective Measures:** Government responses have included administrative actions rather than substantial reforms, resulting in continued issues with confusing drug names.

Root Causes of Ineffectiveness

- **Leadership and Expertise Issues:**
 - **Role of Joint Secretary:** The Joint Secretary heading the Drug Regulation Section often lacks domain expertise and institutional knowledge.
 - **Impact:** Frequent changes in leadership and lack of expertise contribute to ineffective policy formulation and implementation.
- **Bureaucratic Resistance:**
 - **Stakeholder Pushback:** Pharmaceutical and trade associations resist reforms that require additional investments or operational changes.
 - **Bureaucratic Tactics:** The use of repeated consultations and discussions serves to delay action and avoid making binding decisions.

Recommendations for Reform

- **Strengthening Legal Framework:**
 - **Drug Recall Guidelines:** Should be made legally binding with clear enforcement mechanisms to ensure compliance.

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| | <ul style="list-style-type: none">○ Good Distribution Practices: GDP guidelines need to be mandated as law to ensure proper storage and handling of drugs.○ Brand Name Regulation: Introduce rigorous vetting by the regulator to prevent misleading or confusing drug names.● Enhanced Regulatory Oversight:<ul style="list-style-type: none">○ Regulatory Empowerment: DCGI and other regulatory bodies should have the authority and resources to enforce compliance and prevent violations.● Direct Intervention:<ul style="list-style-type: none">○ Prime Minister's Office: To break the cycle of inaction, higher-level intervention from the Prime Minister's Office may be necessary to ensure adherence to reforms and overcome bureaucratic resistance. |
| <p>22.</p> | <p>Hydrogen Fuel Cells</p> <p>Hydrogen fuel cells, a type of Fuel Cells, offer immense promise as sources of clean energy for the future. These generate electricity by combining hydrogen (as a fuel) and oxygen electrochemically, producing only water and heat as byproducts. Hydrogen fuel cells are much quieter than gasoline or diesel vehicles and can be easily scaled up by increasing the fuel supply, unlike batteries, which require heavier components.</p> <p>With their high efficiency, reliability, and zero emissions, hydrogen fuel cells can accelerate India's move to renewable energy, energy security, and a reduction in oil imports, aligning with the UN Sustainable Development Goals.</p> |

Working of Hydrogen Fuel Cells

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CrackingIASbooks.com

Electrolysis:

Anode Reaction: $2\text{H}_2\text{O} \rightarrow \text{O}_2 + 4\text{H}^+ + 4\text{e}^-$

Cathode Reaction: $4\text{H}^+ + 4\text{e}^- \rightarrow 2\text{H}_2$

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CRACKING IAS ACADEMY
Since 2005 - Feel the pulse of UPSC

Inputs:

Membrane Electrode Assembly:

- Membrane (Electrolyte):
 - Conducts Hydrogen ions
 - Made of Nafion (perfluorosulfonic acid)
- Catalyst Layers (coating on anode and cathode):
 - Made of nanometer thin Platinum, Carbon paper
- Electrodes:
 - Made of Carbon paper, platinum (coating)
 - Nafion ionomer, Teflon to bind
- Gas diffusion layers (GDL):
 - Transport reactants into catalyst layers, remove waste water
 - Made of Carbon paper
 - Coated with PTFE (Teflon)/
 - Inner surface coated with high surface area carbon mixed with PTFE

Hardware used to incorporate Membrane Electrode Assembly into Fuel cell:

- Gaskets (seal)
 - Made of silicone Rubber
- Bipolar plates
 - 80% of the weight, 50% cost
 - Made of graphite, metal (stainless steel, aluminum, titanium)

Outputs:

The companies that produce these materials, particularly DuPont, have a track record of fines and environmental violations. Teflon is made with carcinogenic compounds, that pollute drinking water around factories.

Mining in general carries consequences that can be ecosystem destroying, including habitat removal and contamination of local water sources. It also creates a ton of waste and CO2 emissions. Graphite mining is especially bad as it is not well regulated and it coats towns in layers of soot, causing respiratory problems. Platinum mining turns water acidic, emits both CO2 and SO2 (which causes respiratory disease), and emits particulate matter (which causes cancer and lung damage).

When the fuel cell is operating properly, it should only produce water vapor as a byproduct. If hydrogen gas escapes it can act as a secondary greenhouse gas, as well as an ozone depleter. There are not currently enough fuel cells to make recycling economically viable. Some of the materials can be quite toxic, or cannot be recycled at all.

DESADA Research Project W2018
The Life Cycle of Hydrogen Fuel Cells
Group members:
Scottie (Sarah Scott)
Kyle Goff
Kris Tian

A hydrogen fuel cell converts the chemical energy stored in hydrogen into electrical energy via an electrochemical reaction with oxygen.

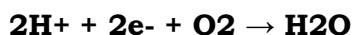
- Hydrogen fuel (H₂) enters the fuel cell at the anode side and oxygen (O₂) enters at the cathode side.
- At the anode, the hydrogen molecules come into contact with a platinum catalyst, which causes them to split into protons (H⁺) and electrons (e⁻). This process is called **oxidation**.



- The protons can pass through the Proton exchange membrane (example- **Nafion**), while the electrons travel along an external circuit creating current.
- At the cathode, the oxygen molecules interact with the platinum catalyst and split into oxygen atoms with a negative charge. This process is called **reduction**.



- The oxygen atoms then combine with the protons passed through the electrolyte and the electrons from the external circuit to produce water.



- The reactions happen continuously, generating power as long as fuel and oxidants are supplied. The only byproducts are **water** and **heat**.
- The voltage generated by a single cell is about **0.7 V**. To increase the voltage, many such cells are stacked together in a fuel cell stack.

In essence, hydrogen and oxygen gases are continuously fed to produce electricity sustainably, as long as fuel is supplied. The modular architecture also allows easy scaling of power capacity.

Methods for Producing Hydrogen Fuel

There are three main methods of producing hydrogen fuel:

- **Steam Methane Reforming (SMR)** - Hydrogen is produced by reacting natural gas with high-temperature steam. This is the most common production method currently, contributing around 95% of global hydrogen. However, it uses fossil fuels and emits carbon dioxide.
- **Electrolysis** - Water is split into hydrogen and oxygen by passing an

electrical current. This allows the production of very pure hydrogen. Electrolyzers can be coupled with renewable electricity to generate "green" hydrogen sustainably.

- **Thermochemical Processes** - High-temperature heat is used to extract hydrogen from water and hydrocarbons. Thermochemical cycles require multiple chemical reactions, often using heat from nuclear plants or solar concentrators.
- In addition, hydrogen can be produced as a byproduct of industries like **oil refining** and **chlorine production**.
- Research is also aimed at developing **biological** and **photobiological** processes for clean hydrogen generation.
- Currently, steam reforming of methane dominates, but bringing down the costs of water electrolysis powered by renewables can make green hydrogen viable on a large scale.

Applications of Hydrogen Fuel Cells

Hydrogen fuel cells have diverse applications, from vehicles to electronics to backup power. Some major current examples are:

Electric vehicles:

- **Fuel cell electric vehicles (FCEVs)** powered by hydrogen have a much higher range and faster refuelling than battery EVs.
- FCEVs combine gasoline cars' range and refuelling convenience with the environmental benefits of battery EVs.
- Leading auto manufacturers have demonstrated FCEV models and hydrogen refuelling infrastructures are expanding in several regions.
- Recently, Indian Railways unveiled a hydrogen fuel cell train with a top speed of **160 kmph** and a range of **600 km per fill**.

Stationary power:

- Stationary fuel cell systems can efficiently provide clean backup, off-grid and supplemental power for facilities, telecom towers, data centres etc.
- Large multi-megawatt installations can also feed power to electric grids. Their low-noise operation makes fuel cells suitable for hospitals, schools and urban areas.
- **Bloom Energy** installed fuel cells at a **Tata Power data centre** in India, producing over 1 MW of reliable clean energy.
- **Apple** uses fuel cells at its data center in North Carolina made by Bloom Energy.

Portable power:

- Small fuel cell systems can power portable electronic devices like smartphones, laptops and tablets for days without recharging.
- **Fuel cartridge replacement** provides instant recharging. Their miniaturisation, quiet operation and low heat make them ideal embedded power sources.
- **UPS and DFA Aviation** provide small fuel cells for military applications to power soldier equipment and unmanned aerial vehicles.

Benefits of Hydrogen Fuel Cells

Some key advantages driving research and adoption of hydrogen fuel cell technology are:

- **Clean energy:** Hydrogen Fuel cells have water vapour only as byproducts, hence are clean energy devices.
- **High efficiency:** Fuel cells can achieve electrical efficiency exceeding 60%, much higher than heat engines like internal combustion engines which have theoretical limits of around 25-30%.
- **Reliable backup power:** Fuel cell systems offer highly reliable and

resilient backup power due to modular architecture. Easy hydrogen storage and instant refuelling provide an advantage over batteries.

Challenges in Adoption of Hydrogen Fuel Cells

Despite their benefits, certain key barriers need addressing for mass adoption of fuel cells:

- **Cost barriers:** Fuel cells currently have high costs due to their specialised materials like platinum catalysts.
 - Mass manufacturing can reduce costs in future.
- **Hydrogen storage issues:** Effective, safe and economical hydrogen storage, especially onboard vehicles, remains an active research area.
 - Options like high-pressure tanks, liquid hydrogen and metal hydrides are attractive alternatives.
- **Lack of distribution in infrastructure:** A vast network of pipelines, carriers and refuelling stations is needed for widespread fuel cell adoption, especially in transportation.

India's Initiatives on Hydrogen Fuel Cells

Both government and private sector efforts are underway to build capabilities and infrastructure for hydrogen-based transport and energy.

- **Green hydrogen clusters** with integrated renewable capacity are being developed across India.
- R&D is being focused on electrolyzers, hydrogen storage materials, fuel cells and applications.
- Tata Motors and Ashok Leyland have developed hydrogen fuel cell buses demonstrated under the **FAME** scheme.
- Indian Railways is experimenting with hydrogen-powered trains and locomotives.

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| | <ul style="list-style-type: none">• Research institutions like IITs along with CSIR labs are active in fuel cell R&D and technology development. |
| 23. | <p>UAE-India ties are rooted in affinity, trust and respect</p> <p><i>Introduction and Overview</i></p> <p>Sheikh Khaled, the Crown Prince of Abu Dhabi, recently visited Delhi, an event of great symbolic significance for UAE-India relations. His visit underscores the growing strategic partnership between the two nations, cemented over generations. The highlight of the visit was his participation in a tree-planting ceremony at Rajghat, which echoed similar gestures by his father and grandfather, signifying the enduring ties between the UAE and India.</p> <p><i>Symbolism of Tree Plantation at Rajghat</i></p> <p>During his visit to Rajghat, Sheikh Khaled planted a Cassia fistula (amaltas tree) in honor of Mahatma Gandhi, following in the footsteps of his father, Sheikh Mohamed bin Zayed, who planted a Mimusops elengi (moulsari tree) in 2016, and his grandfather, Sheikh Zayed, who had done so in 1992. The planting of these trees by three generations of UAE leaders over the span of three decades signifies the deeply rooted and growing bilateral relationship between India and the UAE. The three trees represent the intertwining histories of the two nations, firmly grounded in the past, yet focused on a future of cooperation and growth.</p> |

Historical Perspective of UAE-India Relations

At first glance, the UAE and India may appear vastly different in terms of geography, population, and economy. India, being almost 40 times larger than the UAE in size and the world's most populous country, contrasts with the UAE, which has a much smaller population. Economically, India's foundation is rooted in agriculture, while the UAE's economy is driven primarily by oil and services, with agriculture making up less than 1% of its GDP. Despite these differences, the two countries share a history of trade, diplomacy, and cultural exchanges that have spanned millennia, highlighting a mutual respect and understanding.

Trade and Economic Relations: A Legacy of Millennia

The UAE-India relationship has been one of **people and progress**, driven by centuries of trade and cultural exchanges. The first trade links between the Arabian Gulf and India date back thousands of years, with archaeological evidence in Abu Dhabi connecting the region to the Indus Valley Civilization. These links have laid the foundation for contemporary economic cooperation. In modern times, trade between the two countries has blossomed, with the UAE becoming a significant trading partner for India. The Comprehensive Economic Partnership Agreement (CEPA), signed in February 2022, was a milestone in this relationship. Notably, CEPA was negotiated and agreed upon within just six months, a process that usually takes years or even decades for other nations. This rapid negotiation reflects the high level of trust, mutual affinity, and cooperation between the two countries. The agreement led to a **15% increase in bilateral trade** in its first year of operation, demonstrating the success of this collaboration. Billions of rupees in further investments are also planned, paving the way for future economic growth.

The Strength of the Indian Expatriate Community in the UAE

A crucial element of UAE-India relations is the Indian expatriate community in the UAE. With over **3.5 million Indians**, they represent the largest expatriate community in the country and contribute significantly to its economy. The success of this community in the UAE is a reflection of the nation's commitment to **tolerance, inclusion, and empowerment**. The UAE's policies have allowed Indian nationals to integrate seamlessly, fostering a dynamic workforce and helping to build bridges between the two nations. The **1,500 weekly flights** between the UAE and India reflect the deep connectivity and constant flow of people, goods, and ideas.

Educational and Technological Cooperation

Another vital aspect of the growing UAE-India relationship is cooperation in education and technology. Sheikh Khaled's visit saw the inauguration of the **Indian Institute of Technology (IIT) Delhi's first overseas campus** in Abu Dhabi. This historic development underscores the UAE's commitment to expanding educational ties with India and investing in knowledge-based sectors. The partnership in education reflects the shared vision of both nations to nurture innovation and prepare future generations for leadership roles in science, technology, and business.

Additionally, the UAE and India have signed multiple agreements focusing on **health innovation, renewable energy, and civil nuclear technology**. This collaboration extends into critical sectors that will shape the future of both countries and the world. For example, India's research in **nuclear desalination** technology—vital for providing clean drinking water in desert environments like the UAE—highlights the mutually beneficial nature of the partnership. The collaboration between the two countries aims to achieve advancements in green

energy, medical technology, scientific research, agriculture, and industrial development.

Civil Nuclear Cooperation

One of the key agreements expected to be signed during Sheikh Khaled's visit is related to **civil nuclear technology**. The UAE has made significant strides in developing nuclear technology for peaceful purposes, and India's advancements in this sector offer new areas for collaboration. One notable project is India's research in nuclear desalination, which can provide clean drinking water, a critical need for the arid UAE. The partnership in civil nuclear technology marks a new chapter in scientific cooperation, aligning with global sustainability goals.

Symbolism of the Amaltas and Mousari Trees

The choice of trees planted by Sheikh Khaled and his forebears is rich in symbolism. The **amaltas tree (Cassia fistula)**, planted by Sheikh Khaled, grows quickly and symbolizes **opportunity and renewal**. This represents the future-oriented approach of the UAE-India relationship, focusing on rapid development and innovation. On the other hand, the **mousari tree (Mimusops elengi)**, planted by Sheikh Mohamed bin Zayed, grows more slowly and symbolizes **stability and patient trust**. These two qualities—opportunity and stability—reflect the complementary nature of the relationship. The UAE and India are not just focusing on immediate gains, but on building a partnership that will endure for generations.

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| | <p>Conclusion: A Growing and Enduring Partnership</p> <p>The UAE-India relationship is one built on respect, trust, and mutual interests. It has evolved from ancient trade routes to a modern strategic partnership that spans various sectors, including trade, education, energy, and technology. As Sheikh Khaled's visit to Delhi demonstrates, this relationship is both deeply rooted in history and poised to grow even stronger in the future. With initiatives like the CEPA, increasing investments, and growing collaboration in key sectors, the UAE and India are set to further enhance their partnership, benefiting not just their nations, but also contributing to global progress in sustainability, technology, and development. The symbolism of the trees planted by three generations of UAE leaders captures this essence—a relationship grounded in history, reaching toward a future of shared prosperity and innovation.</p> |
| <p>24.</p> | <p>QUAD - Past, Present and Future</p> <p>QUAD, also known as the Quadrilateral Security Dialogue or simply the Quad, is a strategic forum comprising four countries: the United States, Japan, India, and Australia.</p> <ul style="list-style-type: none"> • The Quad is aimed at promoting regional security and economic cooperation in the Indo-Pacific region. • The four countries share a common interest in maintaining a free and open Indo-Pacific, promoting democracy, human rights, and the rule of law, and countering China's expanding influence in the region. • The Quad has held several meetings at the ministerial and leaders' level to discuss issues such as maritime security, infrastructure |

development, and supply chain resilience.

- The Quad is seen as a mechanism for **balancing China's influence in the region**, although its members have stressed that it is not a military alliance and is open to other countries who share their values and interests.

Outcomes of the Quad Summit 2024

Maritime Security

1. MAITRI maritime initiative- It is a new regional maritime initiative for training the Quad Partners to monitor and secure their waters, enforce their laws and deter unlawful behaviour. The inaugural symposium will be hosted by India in 2025.

2. Indo-Pacific Partnership for Maritime Domain Awareness (IPMDA)- The Quad will expand this partnership to enhance regional capabilities against illicit maritime activities through improved training and resources.

3. Quad Coast Guard Cooperation- This initiative seeks to improve interoperability among coast guard forces of member nations. Also, a Quad-at-Sea Ship Observer Mission has been scheduled for 2025.

Humanitarian Assistance and Disaster Relief

1. **Indo-Pacific Logistics Network Pilot-**A joint airlift capability will be developed to enhance the efficiency of humanitarian assistance and disaster response operations in the Indo-Pacific region.
2. **Aid and Assistance for Cyclone Yagi-**\$4 million in humanitarian assistance has been announced for Vietnam following Typhoon Yagi.

Health Initiatives

3. **Quad Cancer Moonshot Initiative-** This initiative aims to combat cervical cancer by promoting increased HPV vaccinations, expanding

access to screenings, and enhancing treatment options across the Indo-Pacific region.

Education and Research

1. **Quad Scholarships-** India has announced a new initiative offering fifty scholarships worth \$500,000 for students from the Indo-Pacific to pursue education in various fields.
2. **Quad BioExplore Initiative-** This Quad initiative will focus on joint research of utilizing AI for agricultural advancements across member countries.

Infrastructure and Connectivity

1. **Centre for Cable Connectivity and Resilience-** This centre will focus on developing and managing undersea cable networks critical for global data traffic, enhancing regional digital infrastructure.
2. **Quality Infrastructure Development-** The Quad is committed to improving connectivity through sustainable infrastructure projects, including training initiatives for telecommunications readiness in South Pacific nations.

Climate Change and Clean Energy

- **Quad Climate Change Adaptation and Mitigation Package (Q-CHAMP)-** The Q-CHAMP initiative aims to enhance resilience against climate impacts across the region.

Genesis

- **2007:** The Quad was initially formed in 2007 during an informal meeting of leaders from the Association of Southeast Asian Nations (ASEAN). It was Japanese Prime Minister Shinzo Abe who first proposed the idea of creating the Quad.

- **2012:** The Japanese Prime Minister highlighted the concept of the "**Democratic Security Diamond**" in Asia, which includes the US, Japan, India, and Australia.
- **2017:** Once again confronted with the growing danger posed by China, the four nations revitalized the Quad by expanding its goals and devising a system that aimed to gradually establish an international order based on rules.
 - India, Japan, USA, and Australia held the first "Quad" talks in Manila ahead of the **ASEAN Summit 2017**.
- **2020:** The trilateral India-US-Japan **Malabar naval exercises** expanded to include Australia, marking the first official grouping of the Quad since its resurgence in 2017 and the first joint military exercises among the four countries in over a decade.
- **2021:** The Quad leaders met virtually and later released a joint statement titled '**The Spirit of the Quad**'.

QUAD Functions

- The Quad is a **loose grouping** rather than a formal alliance. It does not have a decision-making body or a secretariat, or a formal structure like NATO or the United Nations.
- The alliance is maintained through **summits, meetings**, information exchanges, and military drills.
- The Quadrilateral **met five times in 2017–2019**. During the Raisina Dialogue in New Delhi in 2018, the navy chiefs of Japan, US, Australia, and India came together, one of the first indications of the revival of the Quad's security structure.
- Since March 2021, member states of the Quad and their leaders have

hosted regular “**Leaders Summits**”, which have been both online and in-person.

- In the month of March 2021, the Quad leaders **met virtually for the first time**. In September 2021, the first in-person meeting of Quad leaders was held. A similar summit of Quad leaders is being hosted by Japan.

Prospects of the QUAD grouping

The QUAD (Quadrilateral Security Dialogue) grouping, which comprises Australia, India, Japan, and the United States, has several important prospects, including

- **Strengthening regional security:** The QUAD aims to enhance security and stability in the Indo-Pacific region by promoting a rules-based order, freedom of navigation, and respect for international law.
- **Countering China's rise:** The QUAD is seen as a response to China's growing assertiveness in the region. The member countries seek to balance China's rise and prevent it from altering the status quo in the region.
- **Promoting economic cooperation:** The member countries are major economies in the region and seek to promote economic cooperation. In May 2022, Quad countries decided to allocate \$50 Billion for infrastructure in the Indo-Pacific region.
- **Building maritime security capacity:** The member countries have been conducting joint naval exercises and maritime patrols to enhance their maritime security capacity and interoperability.
- **Strengthening people-to-people ties:** The QUAD aims to promote people-to-people ties through academic and cultural exchanges and

enhance disaster relief and humanitarian assistance capabilities.

Example:

- **Cooperation in debt management:** Resolving debt issues under the G20 Common Framework through the "Quad Debt Management Resource Portal".

QUAD Significance

The significance of QUAD for India can be analyzed through

- **Strategic importance:** It is a platform to discuss and address the common challenges faced by the Indo-Pacific region, such as the rise of China and its increasing assertiveness in the region through 'String of pearls' theory.
- **Economic significance:** The member countries have launched several initiatives like the **Asia-Africa Growth Corridor, the Blue Dot Network, and the Supply Chain Resilience Initiative** to promote economic development in the region. India is mostly at the receiving end of investments by QUAD countries.
- **Maritime security:** QUAD is useful for Indian maritime security by conducting joint naval exercises and coordinating on issues like freedom of navigation, piracy, and illegal fishing.
- **Regional stability:** QUAD is significant for India in promoting regional stability in the Indo-Pacific region. It is based on the principles of a free, open, and inclusive Indo-Pacific and aims to promote a rules-based international order.
- **Post-COVID diplomacy:** Due to disruptions in the supply chain during the pandemic, Japan and the US want to shift their manufacturing companies out of China in order to curb their imperialistic behaviour,

which could be capitalized on by India as well.

QUAD Outcomes

- **Mixed Global response:**

- **Russian response:** Russian foreign minister calls it "**Asian NATO**". Russia had sharply criticized the Quad as part of a US-led 'persistent, aggressive and devious' policy.
- **Chinese response:** China has decried the grouping as an "**Indo-Pacific NATO**" accusing it of "trumpeting the Cold War mentality" and "stoking geopolitical rivalry."
- **Western countries:** They reaffirm the Quad's commitment to supporting Indo-Pacific countries' efforts to advance a free and open Indo-Pacific – a region which is inclusive and resilient, and in which states strive to protect the interests of their people, free from coercion.

- **Quad Initiatives:**

- **QUAD fellowship:** for pursuing a doctorate in STEM courses.
- **Quad Vaccine Partnership:** to boost vaccine partnership.
- **Covid-19 Global Action Plan** to enhance coordination in recovery efforts during the Covid pandemic.
- **Quad Vaccine Experts Group:** for cooperation in vaccine strategy.
- **Quad Senior Cyber Group:** for adoption and implementation of shared cyber standards.
- **Cooperation in the space sector:** Sharing satellite data.
- **Quad Climate Working group:** for adaptation to climate change and to build capacity in other Indo-Pacific.
- **Critical and emerging technologies:** cooperation in critical

technologies essential for digital economies globally.

- The Quad members in the 2022 summit decided to counter **non-traditional security challenges**, such as illegal fishing.

QUAD Group Limitations

Here are some limitations and challenges of the QUAD grouping with subheadings:

- **Lacks definitive structure:** The QUAD grouping lacks a formal structure with a secretariat or any permanent decision-making body.
- **Difficulty in addressing China's concerns:** The QUAD grouping is viewed with suspicion by China, which sees it as an attempt to contain its rise. This makes it challenging for the group to engage with China in a constructive manner, which may cause tension between the member countries.
- **Imbalanced cooperation:** The members do not have the same levels of financial resources, strategic awareness, and military capabilities in the Indian Ocean. This creates an imbalance in cooperation, which might create problems in the future.
- **Limited military capabilities:** The QUAD members have varying levels of military capabilities, with the US being the most powerful and Australia being the least. This could limit the group's ability to take action if needed.
- **Domestic politics:** Domestic political considerations could limit the ability to cooperate with one another. For example, India's domestic politics could make it difficult for the country to align itself too closely with the US.
- **Geopolitical challenges:** The challenges such as territorial disputes,

regional tensions, and non-traditional security threats, will require a coordinated and sustained effort from the QUAD members, which may be difficult.

- **Lack of coherent actions:** The QUAD grouping has not taken any concrete action to address the issues in the Indo-Pacific region. The lack of coherent actions can undermine the group's credibility and effectiveness in addressing regional challenges.

“Quad Plus” process

The launch of the Indo-Pacific Economic Framework (IPEF) coincided with the Quad summit, signifying the essence of the Quad and its extension as a “plus” grouping.

IPEF complement the “Quad Plus” process

- The IPEF complements the **“Quad Plus” process**. It brings **together seven critical countries** of the Association of Southeast Asian Nations (ASEAN), all Quad states, and dialogue partners, including South Korea, solidifying a case for the **“plus” characterisation of the Quad process**.
- The **IPEF strongly imbibes a Quad Plus** character at a time when two of the largest economies of the world, namely India and the US, are not a part of the **China-led or ASEAN-led Regional Comprehensive Economic Partnership (RCEP)** or the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP; China is still an applicant).
 - Thus, it is an encouraging sign that the Quad countries are investing their **strategic orientation in this regard**.
- It would potentially **represent an amalgamation of the eastern and western** “like-minded” countries. Even in its current abstract

framework, it includes a wide array of states (which also comprise the IPEF) — developing and developed economies as well as middle and major powers that are committed to maintaining an **inclusive, rules-based and liberal institutional order**.

- The IPEF covers fair trade, supply chain resilience, infrastructure, clean energy, and decarbonisation, among others .
 - It is likely to complement the other **Indo-Pacific projects** like the **Supply Chain Resilience Initiative (SCRI)**, founded by the three Quad states, Japan, Australia, and India) that also seeks to **build resilient and secure trade linkages by reducing dependence on China**.

Issues / Challenges

- China has formally intimated its displeasure over the QUAD meetings.
 - The narrative of the Quad as an anti-China tool (with a range of epithets, from “sea foam” to “Asian NATO”) promoted by China along with its belligerent tactics in the neighbourhood .
 - Japan and India are closest to China, and both face belligerent Chinese claims to territory
- QUAD’s coherence may suffer due to
- India’s bid to balance QUAD and RIC (Russia, India and China),
- The reluctance shown by Australia for QUAD in past,
- Japan and the US are seeking their own economic interests with China.
- Also there is a lack of coherence on the definition of Indo-Pacific.
- **Russia’s invasion of Ukraine** has shaken up the old world order, reshaping geopolitics across the world.
 - As the leader of the Western alliance against Russia, the US is

now deeply engaged with the war

- This might adversely impact US commitment to the Quad and the Indo-Pacific.
- The war in Ukraine also poses an internal challenge in the Quad.
 - Three members — US, Japan and Australia — have taken an unequivocal stand against Russia's aggression, while India's position has been one of studied neutrality that calls for respect of territorial sovereignty and integrity and the UN charter, but does not criticise Russia.
- A Quad "plus" framework based more on a shared commitment to the existing international order rather than "**democratic values**" that are **harder to define** and **more exclusive in nature**.

The Quad Plus should **strengthen cooperation** on critical topics in the **Quad's agenda** (for instance, security, critical technology, global health, climate action). Countries must envision a broad, all-embracing, and comprehensive framework that can stand as a **pillar for regional security and stability, multilateralism, and defence of global institutionalism and the status quo**. The expanded grouping and the related Quad initiatives will build a **comprehensive and integrated approach to combating shared challenges** arising out of Xi Jinping's push to promote manoeuvres that achieve his ultimate goal of rejuvenating China's glorious past and transforming it into an absolute great power.

Future prospects of QUAD

- **Strengthening commitment and engagement:** Holding regular meetings of leaders, officials, and working groups, Expanding engagement with other countries in the region.

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| | <ul style="list-style-type: none">• Communicating clear intentions: Communicating clear intentions that the grouping is not directed against any particular country, Emphasizing the shared interests and benefits for all countries in the region.• Delivering concrete outcomes: Developing joint infrastructure projects to promote regional economic integration, Addressing common challenges such as climate change or maritime security, and Promoting connectivity and digital cooperation.• Building a consultative mechanism: Building a consultative mechanism with ASEAN and other regional organizations to promote coordination and cooperation, Sharing information and intelligence on shared challenges and threats.• Strengthening military and strategic cooperation: Expanding cooperation in the areas of cybersecurity, space, and emerging technologies, Developing joint capabilities and defense interoperability, Strengthening military-to-military cooperation and information sharing.• QUAD Plus: In 2020, the intent for the Plus format was strengthened when the United States hosted a meeting of Quad nations, which also included Brazil, Israel, and South Korea, to discuss a global response to COVID-19. |
| <p>25.</p> | <p>Ordinances</p> <p>Article 123 of the Constitution of India grants the President certain law-making powers to promulgate ordinances when either of the two Houses of Parliament is not in session, in urgent situations.</p> |

- Hence, it is not possible for the ordinances to be issued by Parliament.
- When an ordinance is promulgated but the **legislative session is yet to commence, the ordinance remains in effect as law.** It has the same force and effect as an Act of the legislature.
 - But it requires subsequent **ratification by Parliament within six weeks of its reassembly.**
- An ordinance promulgated by the President has a maximum **validity of six months and six weeks from the date of its promulgation.**
- The **Governor of a state can also issue ordinances under Article 213** of the Constitution of India, when the **state legislative assembly is not in session.**
- If the two **Houses start their sessions on different dates, the later date is considered (Articles 123 and 213).**
- **Enactment:**
 - In the process of enacting an ordinance, the **decision to bring forth the ordinance lies with the government,** as the **President acts on the advice of the Council of Ministers.**
 - If the **President deems it necessary, s/he may return the Cabinet's recommendation for reconsideration.**
 - However, if it is sent back (with or without reconsideration), the President must promulgate it.
- **Withdrawal:**
 - The **President can withdraw an Ordinance,** and both Houses of Parliament can pass resolutions to disapprove it, potentially

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| | <p>leading to its lapse. Rejection of an ordinance would, however, imply the government has lost majority.</p> <ul style="list-style-type: none"> • However, If an Ordinance enacts a law that falls outside the purview of Parliament's competence, it is considered void. • Repromulgation of Ordinance: <ul style="list-style-type: none"> ○ When an Ordinance lapses, the government can choose to re-promulgate it if necessary. ○ In a 2017 case, the Supreme Court ruled that repeated re-promulgations without legislative consideration would be unconstitutional and a violation of the legislature's role. <ul style="list-style-type: none"> • The court emphasised that the power to issue an Ordinance should be treated as an emergency measure and not as a means to bypass the legislature. <p>An ordinance like any other legislation can be retrospective i.e., it may come into force from a back date. It may also modify or repeal any act of Parliament or another ordinance.</p> | |
| | Merits | Demerits |
| | They allow quick and effective action on urgent matters. | They bypass the democratic process of law-making and reduce parliamentary oversight. |
| | They enable policy implementation without legislative hurdles. | They undermine the principle of separation of powers and encroach on the domain of the legislature. |
| | They provide legal certainty and clarity in case of a judicial gap or | They create legal instability as they are temporary and subject to change |

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| <p>ambiguity.</p> <p>They reflect the responsiveness and accountability of the executive branch.</p> | <p>or repeal.</p> <p>They may be misused for political or personal gains or to avoid public scrutiny or debate.</p> |
| <p><u>Judicial Pronouncements on Ordinances</u></p> <ul style="list-style-type: none"> • R.C. Cooper v. Union of India (1970): This case challenged the Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1969, which nationalised 14 major banks in India. <ul style="list-style-type: none"> ○ The Supreme Court held that the President's satisfaction regarding the necessity of an ordinance is not immune from judicial review and can be challenged. ○ The Court also held that an ordinance is subject to the same constitutional limitations as an Act of Parliament and cannot violate any fundamental rights or other provisions of the Constitution. • A.K. Roy v. Union of India (1982): This case challenged the National Security Ordinance, 1980, which provided for preventive detention of persons for up to one year without trial. <ul style="list-style-type: none"> ○ The Supreme Court upheld the validity of the ordinance but laid down some safeguards for its operation, such as periodic review by an advisory board, communication of grounds of detention to the detenu, and opportunity for representation against detention. ○ The Court also observed that an ordinance should not be used as a substitute for parliamentary legislation and should be resorted to only in cases of extreme urgency or unforeseen emergency. | |

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| | <ul style="list-style-type: none">• D.C. Wadhwa v. State of Bihar (1987): This case challenged a series of ordinances issued by the Governor of Bihar between 1967 and 1981 on various subjects, some of which were promulgated several times without being placed before the state legislature.<ul style="list-style-type: none">○ The Supreme Court struck down all the ordinances as unconstitutional and held that re-promulgation of ordinances is a fraud on the Constitution and a subversion of the democratic legislative process.○ The Court also held that an ordinance lapses automatically if it is not approved by the legislature within six weeks of its reassembly and cannot be continued by repromulgation. |
| <p>26.</p> | <p>Devices of Parliamentary Proceedings</p> <p>Devices of Parliamentary Proceedings refers to the various procedural tools, mechanisms, and practices employed within a parliamentary system to facilitate the conduct of the business of the legislature. These devices are essential for the efficient and orderly functioning of the parliament, allowing legislators to discuss, debate, and make decisions to address public issues effectively.</p> <p>Legislative bodies in India, including the Parliament and the State Legislatures, employ various devices to run their parliamentary proceedings. Key devices of parliamentary proceedings used in India are discussed in detail as follows.</p> <p>Question Hour</p> |

- Question Hour is a **scheduled period** where **Members of Parliament (MPs)** have the opportunity to ask questions to ministers regarding **various matters of public interest** during a parliamentary session.
- This period usually occurs at the **first hour of every sitting in both the Lok Sabha (Lower House) and the Rajya Sabha (Upper House)** of the Indian Parliament.
- The different types of questions asked to ministers during the Question Hour are as follows:

Starred Questions

- These questions require **oral answers** from the ministers.
- MPs who submit starred questions are allowed to ask **supplementary questions**.
- These are printed in **green color**.

Unstarred Questions

- These questions require **written answers** from the ministers.
- MPs who submit unstarred questions do not have the opportunity to ask **supplementary questions**.
- These are printed in **white color**.

Short Notice Questions

- These questions can be asked by giving a **notice of less than 10 days**.
- They are answered **orally**.
- These are printed in light **pink color**.
- In addition to ministers, questions can also be asked to private members regarding some matters related to them.
 - These questions are printed in yellow color.

Zero Hour

- It refers to a scheduled period that **starts immediately after the**

Question Hour and lasts until the agenda or the regular business for the day is taken up.

- It is used to **raise matters without prior notice.**
- It is not mentioned in the Rules of Procedure. Thus, it is an **informal device.**
- It is an **Indian innovation** in the field of parliamentary proceedings.

Motions

- A Motion refers to a **formal proposal** made by a **member of the legislature** to initiate discussion on a matter of general public importance.
- It can be moved **either by ministers or private members.**
- **No discussion on such a matter can take place** except on a motion made with the consent of the presiding officer.
- The House expresses its decisions or opinions on such issues through the adoption or rejection of motions.
- The motions moved by the members fall into three principal categories:

Substantive Motion

It is a **self-contained independent proposal** that deals with very important matters such as the impeachment of the President.

Substitute Motion

- It refers to a motion that is **moved in substitution of an original motion** and proposes an alternative to it.
- If a Substitute Motion is adopted by the House, **it supersedes the original motion.**

Subsidiary Motion

- It refers to a **motion which in itself has no meaning and cannot state the decision of the House** without reference to the original motion or

proceedings of the House.

- There are three subcategories of Subsidiary Motions:

Ancillary Motion

- It is used as the **regular way of proceeding** with various kinds of business.

Superseding Motion

- It is **moved in the course of a debate on another issue** and seeks to supersede that issue.

Amendment Motion

- It seeks to **modify or substitute only** a part of the original motion.
 - Some special types of motions are discussed below in detail.

Closure Motion

- It is a motion moved by a member **to cut short the debate on a matter before the House**. If the motion is approved by the House, the debate is stopped and the matter is put to vote.
- There are four kinds of closure motions:

Simple Closure

- It states that the **'matter, having been sufficiently discussed, be now put to vote'**.

Closure by Compartments

- In this case, the **clauses of a bill or resolutions** are grouped into parts before the commencement of the debate.
- The debate, then, **covers the part as a whole and the entire part is put to vote**.

Kangaroo Closure

- Under this type, **only important clauses are taken up for debate and voting** and the intervening clauses are skipped over and taken as

passed.

Guillotine Closure

- This is one **when the undiscussed clauses of a bill or a resolution are also put to vote** along with the discussed ones due to paucity of time.

Privilege Motion

- It is moved by a member when he feels that a **minister has committed a breach of the privilege of the house** or its members by withholding facts or by giving wrong facts.
- Its purpose is **to censure the concerned minister.**

Calling Attention Motion

- This motion is used by a member **to call the attention of a minister to a matter of urgent public importance** and seek an authoritative statement from him thereupon.
- Like Zero Hour, it is also an **Indian innovation** in the parliamentary procedure.
- However, unlike Zero Hour, **it is mentioned in the Rules of Procedure.**

Adjournment Motion

- It is introduced in the Parliament **to draw the attention of the House to a definite matter of urgent public importance.**
- It needs the support of **at least 50 members to be admitted.**
- It interrupts the normal business of the House. Thus, **it is an extraordinary device.**
- It involves an **element of censure against the government** and hence Rajya Sabha is not permitted to make use of this device.
- The discussion on an adjournment motion **should not be less than two hours and thirty minutes.**
- This motion is subject to the following restrictions:

- It should raise a matter that is **definite, factual, urgent, and of public importance.**
- It should **not cover more than one matter.**
- It should be **restricted to a specific matter of recent occurrence.**
- It should **not be framed in general terms.**
- It should **not raise a question of privilege.**
- It should **not revive discussion on a matter** that has been discussed in the same session.
- It should **not deal with any matter that is under adjudication by the court.**
- It should **not raise any questions that can be raised separately through distinct motions.**

No-Confidence Motion

- This is a motion **moved by a member to express a lack of confidence of the Lok Sabha in the government.**
 - This motion is moved in accordance with the provisions **under Article 75**, which says that the **Council of Ministers shall be collectively responsible to the Lok Sabha.** It means that the Government stays in office only as long as it enjoys the confidence of the majority of the members of Lok Sabha.
- It can be **moved only in the Lok Sabha.**
- It needs the **support of 50 members to be admitted.**
- The motion, if allowed by the Speaker of the Lok Sabha, **is debated upon and then put to vote.** If it gets passed by the House by a Simple Majority, **the government has to resign.**

Censure Motion

- This motion is moved **to seek the disapproval of certain policies of**

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| <p>the government.</p> <ul style="list-style-type: none"> • It seeks to censure the government for its 'lapses'. • It can be moved only in the Lok Sabha and not in the Rajya Sabha. • The difference between a Censure Motion differs from a No-Confidence Motion can be seen as follows: | |
| <p>Censure Motion</p> <p>It should state the reasons for its adoption.</p> <p>It can be moved against an individual minister, a group of ministers, or the entire Council of Ministers.</p> <p>It is moved for censuring the Council of Ministers for specific policies and actions.</p> <p>If it is passed in the Lok Sabha, the Council of Ministers need not resign from office.</p> <p>Motion of Thanks</p> <ul style="list-style-type: none"> • The first session after each general election and the first session of every fiscal year is addressed by the president, wherein the president outlines the policies and programs of the government in the preceding year and ensuing year. This address of the president is discussed in both the Houses of Parliament on a motion called the 'Motion of Thanks'. • At the end of the discussion, the motion is put to vote. | <p>No-Confidence Motion</p> <p>It need not state the reasons for its adoption.</p> <p>It can be moved against the entire Council of Ministers only.</p> <p>It is moved to ascertain the confidence of the Lok Sabha in the Council of Ministers.</p> <p>If it is passed in the Lok Sabha, the Council of Ministers must resign from office.</p> |

- This motion must be passed in the House. Otherwise, **it amounts to the defeat of the government.**

No-Day-Yet-Named Motion

- It refers to a motion that has been admitted by the Speaker but **no date has been fixed for its discussion.**
- The Speaker, in consultation with the leader of the House or on the recommendation of the Business Advisory Committee, allots time for the discussion of such a motion.

Point of Order

- A member **can raise a point of order** when he/she feels that the proceedings of the House do not follow the normal rules of procedure.
- It suspends the proceedings before the House. Hence, **it is an extraordinary device.**
- **No debate is allowed on a point of order.**

Half-an-Hour Discussion

- It is **meant for discussing a matter of sufficient public importance**, which has been subjected to a lot of debate and the answer to which needs elucidation on a matter of fact.
- The Speaker can **allot three days a week** for such discussions.
- There is **no formal motion or voting before the House** for such discussions.

Short Duration Discussion

- The time allotted for such discussions shall not exceed two hours. Hence, it is **also known as Two-Hour Discussion.**
- The members of the Parliament can raise such discussions on a matter of urgent public importance.
- The Speaker can **allot two days a week** for such discussions.

- There is **no formal motion or voting before the House** for such discussions.

Special Mention (Rajya Sabha)

- A matter that is **not a Point of Order or that cannot be raised** using the above-discussed devices or under any rule of the House can be raised under the Special Mention in the Rajya Sabha.
- Its equivalent procedural device in the Lok Sabha is known as **'Notice (Mention) Under Rule 377'**.

Notice (Mention) under Rule 377 (Lok Sabha)

- A matter **that is not a Point of Order** or that cannot be raised using the above-discussed devices or under any rule of the House can be raised under the **Notice (Mention) under Rule 377 in Lok Sabha**.
- It is equivalent to the Special Mention device used in Rajya Sabha for a similar purpose.

Resolutions

- A resolution is a **formal statement or proposal** to draw the attention of the House or the government to matters of general public interest.
- The discussion on a Resolution is strictly relevant to and within the scope of the Resolution.
- A member who has moved a **resolution or amendment to a resolution cannot withdraw it** except by the leave of the House.
- Resolutions are classified into three categories:

Private Members Resolution

- It is moved by a **private member**.
- It is discussed only on **alternate Fridays** in the afternoon sittings.

Government Resolution

- It is moved by a **minister**.

- It can be taken up on any day **from Monday to Thursday.**

Statutory Resolution

- It can be moved **either by a private member or a minister.**
- It is always tabled in pursuance of a **provision of the Constitution or an Act of Parliament.**

Difference between Resolutions and Motions

All resolutions are **substantive motions.** All motions may not be substantive.

All motions are **not necessarily put to vote.** All resolutions **are required to be put to vote.**

Importance of Devices in Parliamentary Proceedings

The devices of parliamentary proceedings hold significant importance in ensuring the orderly conduct of legislative business and fostering democratic deliberation. These devices serve several crucial functions:

- **Facilitate Discussion and Debate** – The devices **such as motions, resolutions, and adjournment motions** provide platforms for lawmakers to discuss and debate various issues, policies, and legislative matters.
- **Ensure Decision-Making**– They enable lawmakers to **propose, deliberate, and make decisions on important matters** affecting the country, including laws, policies, and budget allocations.
- **Promote Accountability**- They hold governments and officials accountable by allowing lawmakers to **question them, seek clarifications, and scrutinize their actions and policies.**
- **Represent Public Interests** – They allow lawmakers to **represent the interests, concerns, and grievances of their constituents,** ensuring

that diverse viewpoints are heard and considered.

- **Ensure Transparency** – Devices like **Question Hour and Zero Hour** provide opportunities for lawmakers to seek information from the government, enhancing transparency in governance and decision-making processes.
- **Foster Consensus-Building** – Parliamentary debates and discussions help in **building consensus among lawmakers**, leading to the formulation of policies and laws that reflect the broader interests of society.
- **Uphold Democratic Principles** – These devices uphold democratic principles such as **freedom of speech, equality, and the right to dissent** by providing a forum for open debate, dialogue, and expression of diverse opinions.
- **Promote Good Governance** – By facilitating effective legislative processes, parliamentary devices contribute to the promotion of **good governance, accountability, and responsiveness** to the needs of the people.
- **Ensure Checks and Balances** – These devices serve as a mechanism for **maintaining checks and balances** on the government's powers, preventing abuse of authority, and ensuring **adherence to the rule of law**.
- **Empower Citizens** – These devices empower citizens by allowing their **elected representatives to voice their concerns**, advocate for their interests, and participate in decision-making processes that **shape the nation's future**.

In conclusion, the **devices of parliamentary proceedings** serve as the backbone of democratic governance, providing essential mechanisms for debate, decision-making, and accountability within legislative bodies. By

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| | <p>ensuring smooth parliamentary proceedings, the devices of parliamentary proceedings facilitate effective governance and democratic discourse. They embody the spirit of dialogue, deliberation, and decision-making that is essential to the democratic ethos.</p> |
| 27. | <p>Cabinet and Cabinet Committees</p> <p>In a parliamentary democracy, the Cabinet is the highest decision-making body in the government, consisting of the Prime Minister and other senior ministers who are appointed by the head of state, usually a President or Monarch.</p> <ul style="list-style-type: none">• The Cabinet is the pivot around which the whole political machinery revolves.• Cabinet ministers are typically members of the majority party or coalition in the parliament. The Cabinet is responsible for making and implementing policy decisions, and for coordinating the work of the government.• Cabinet ministers typically meet regularly to discuss and decide on important issues facing the country. The Cabinet is responsible to the Parliament, and its members are accountable to the Parliament for their actions.• The concept of cabinet in parliamentary democracy is important as it represents the executive branch of the government, responsible for implementing laws and policies and ensuring the smooth functioning of the administration. <p>Constitutional Status</p> |

The word "cabinet" was added to **Article 352** of the Constitution in 1978 by the **44th Constitutional Amendment Act**.

- It was not present in the original text of the Constitution. Article 352 only mentions the Cabinet as "the council consisting of the **Prime Minister and other Ministers of Cabinet rank** appointed under Article 75", and does not elaborate on its powers and functions.
- The cabinet's role in the political and administrative system is based on **parliamentary government conventions** developed in Britain.

Role and Functions of the Cabinet

The Cabinet in India is the highest authority for decision-making in the country's political and administrative system.

- It serves as the primary body for **formulating government policy** at the Central level.
- The cabinet is the **ultimate executive authority** of the central government.
- It also acts as the main coordinator of the Central administration.
- The cabinet acts as an **advisory body** to the President, and its advice is binding on the President.
- The cabinet is responsible for managing crisis situations and dealing with emergencies.
- It handles significant **legislative and financial matters**.
- The cabinet exercises control over **high-level appointments**, such as those for constitutional positions and senior secretariat administrators.
- The cabinet is also responsible for handling all **foreign policies** and foreign affairs.

Kitchen Cabinet

The cabinet, a small group made up of the Prime Minister as its leader and several key Ministers, is the highest decision-making body in a formal sense.

- However, an even smaller group known as the "**Inner Cabinet**" or "Kitchen Cabinet" holds significant power and influence.
- This informal group comprises the **Prime Minister and a few trusted colleagues** with whom he can discuss important issues and make crucial decisions.
- It may also **include outsiders such as friends and family members** of the Prime Minister. Almost every Prime Minister in India has had a close group of advisors in the past.

Main principles of the cabinet form of government in India

Principle of Collective Responsibility

- The principle of collective responsibility is a cornerstone of the cabinet form of government. This principle holds that all members of cabinet being members of the Council of Ministers are **jointly responsible to the Lok Sabha**, meaning they must work as a team and take responsibility for their actions as a group.
- When the Lok Sabha passes a **motion of no confidence** against the council of ministers, all members of the council including cabinet must resign.
- Additionally, the principle of collective responsibility also means that **all cabinet ministers, as well as other ministers, are bound by decisions** made by the Cabinet, even if they disagreed with them during the Cabinet meeting.

Principle of Individual Responsibility

- In addition to the principle of collective responsibility, **Article 75** also includes the principle of individual responsibility.
- Individual responsibility means that cabinet ministers also serve at the **pleasure of the President** and can be removed by the President at any time, regardless of whether the council of ministers has the confidence of the Lok Sabha.
- However, such a removal would only occur on the advice of the Prime Minister. If the Prime Minister has a **difference of opinion** or is unhappy with the cabinet minister's performance, he/she can request the resignation of the Cabinet Minister or advise the President to dismiss him/her.

Central role of the Prime Minister

- A prime minister is the **head of the cabinet** and the leader of the ministers in the executive branch of government, often in a parliamentary system. He/She presides over the meetings of the Cabinet.
- The Prime Minister can ask the President to **reshuffle the portfolios** of Cabinet Ministers.
- The **Prime Minister can impose his/her decision** if there is any difference of opinion between the Prime Minister and other Cabinet Ministers.
- The Prime Minister acts as a **linchpin** between the President and cabinet. He communicates the decisions of the Cabinet to the President.

Political Homogeneity

- Political homogeneity in a parliamentary system refers to a situation where all cabinet members are from the same political party.

- Political homogeneity allows for efficient decision-making by the ruling government officials, who are held accountable for policies and actions within the legislature.
- Conversely, in a coalition government, where no single party holds power, political homogeneity is reduced.

Cabinet committees

Cabinet committees are **extra-constitutional** in nature. They are not mentioned in the Constitution. However, These are established under the Rules of Business.

- Cabinet committees are of two types—**standing and ad hoc**. Standing committees are of a permanent nature, while the latter is of a temporary nature. Ad hoc committees are established from time to time to deal with special problems.
- Cabinet committees are **set up by the Prime Minister** according to the exigencies of the time and requirements of the situation. Hence, their number, nomenclature, and composition vary from time to time.
- They not only **sort out issues and formulate proposals** for the consideration of the Cabinet but also make decisions. However, the Cabinet can review their decisions.
- They are an organizational device to **reduce the enormous workload of the Cabinet**. They also facilitate in-depth examination of policy issues and effective coordination. They are based on the principles of division of labour and effective delegation.

Classification

There is a total of **eight cabinet committees** which are as listed below:

- Appointments Committee of the Cabinet.

- Cabinet Committee on Economic Affairs.
- Cabinet Committee on Political Affairs.
- Cabinet Committee on Investment and Growth.
- Cabinet Committee on Security.
- Cabinet Committee on Parliamentary Affairs.
- Cabinet Committee on Employment & Skill Development.
- Cabinet Committee on Accommodation.

Composition

- The composition of cabinet committees in India can range from **three to eight members**, which typically consist of only Cabinet Ministers.
- However, **non-cabinet ministers may also be appointed** as members. Additionally, senior ministers, who are not in charge of the subjects discussed in the committee, may also be included.
- The **Prime Minister usually chairs the committee**, but in some cases, other Cabinet ministers such as the Home Minister or the Finance Minister may assume the role. However, If the Prime Minister is a committee member, he will be the head of the committee.
- In the present scenario, **All committees except** Cabinet Committee on Accommodation and Cabinet Committee on Parliamentary Affairs are usually headed by the Prime Minister.
- Moreover, the Cabinet Committee on Accommodation is headed by the Home Minister and Cabinet Committee on Parliamentary Affairs is headed by the Defence Minister.

28. Perils of decentralisation with Chinese characteristics

Introduction:

China's economic model of decentralization once played a crucial role in driving its economic growth. However, over time, this model has run into significant issues that have slowed down its progress and contributed to overcapacity. In contrast, India's Prime Minister recently urged competition among its states to attract investment, illustrating a sharp divergence between the two nations' approaches.

Decentralization in China vs. India:

While decentralization in China contributed to its economic rise, the extent of decentralization differs significantly between the two countries:

- **China's Sub-provincial Spending:** In China, 51% of government spending occurs at sub-provincial levels. Local governments are tasked with a broader range of responsibilities, including unemployment insurance and pensions, which are often managed by the national government in India.
- **India's Subnational Role:** India's city-level governments account for less than 3% of total government spending.

China's Extreme Decentralization and Its Effects:

China's decentralization does not make it a federal country, as higher-level governments can retract the powers of local governments at will. In the **Tax-Sharing Reform of 1994**, China's central government restricted local governments' ability to raise funds. As a result, local governments sought

alternative sources of revenue, prioritizing industrial construction to fuel economic growth, often at the expense of public services.

Structural Overcapacity and Competitive Growth:

The investment-led growth model that China adopted is prone to **structural overcapacity**:

- **Cheap Land and Industrial Growth:** Local governments offered industrial land at discounted rates to attract investments, hoping for increased regional growth and future tax revenues.
- **Export-Led Growth:** Firms took advantage of these cost benefits, producing goods at low rates and exporting them globally. This boosted regional growth but also led to overcapacity, with industries producing more than domestic and international markets could absorb.

Benefits of the Model:

Despite its flaws, this model worked well during China's earlier growth phases, particularly during the **Hu Jintao period**, for two key reasons:

1. **Broad Central Directives:** The central government's directives were flexible enough to allow local governments to experiment with different ways of achieving growth.
2. **Favorable Geopolitical Climate:** Foreign markets absorbed China's excess capacity, especially in sectors like steel, where China became the **world's largest steel exporter** by the early 2010s.

Challenges Under Xi Jinping:

When **Xi Jinping** came to power, the flaws of the model became more

apparent:

- **Ineffective Investments:** Between 2009 and 2013, half of all investments were deemed ineffective, leading to a waste of nearly \$6.9 trillion.
- **Increased Central Control:** Xi's administration began tightening control over local governments, limiting their ability to invest freely. Central directives became more specific, particularly in sectors such as **semiconductors**, which were prioritized for self-sufficiency. However, China has yet to master the production of advanced chips, and many local firms continue to rely on government funding.

Geopolitical and Economic Struggles:

China's overcapacity is now seen as a **national security threat** by other nations. This is evident in industries like **telecom equipment** and **electric vehicles**, where geopolitical tensions have increased scrutiny of Chinese products. China's deteriorating international relationships have also worsened perceptions of its exports and investments.

Belt and Road Initiative (BRI) Shortcomings:

Xi Jinping's strategy to shift away from western markets by boosting domestic demand and expanding into new markets through the **Belt and Road**

Initiative (BRI) has faced significant setbacks:

- **Domestic Demand:** Increasing domestic demand has proven difficult, as China's economy is more supply-side driven.
- **BRI Challenges:** The countries participating in the BRI are often economically weak and cannot generate the demand needed to offset the loss of western markets.

| | |
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| | <p>Conclusion:</p> <p>China's decentralized economic model, once a source of rapid growth, has reached its limits due to structural overcapacity and poor international relations. If China fails to transform its political and economic relations with major world powers, it risks facing an economic decline, despite occasional surges in exports from certain sectors.</p> |
| <p>29.</p> | <p>Elections of Rajya Sabha</p> <ul style="list-style-type: none">• As per Article 80 of the Constitution, representatives of each State to the Rajya Sabha are elected indirectly by the elected members of their Legislative Assembly.• The polls for Rajya Sabha will be required only if the number of candidates exceed the number of vacancies.• Till 1998, the outcome of Rajya Sabha elections was usually a foregone conclusion, the parties with a majority in the state assembly often had their candidates win unopposed due to a lack of competition.• However, the June 1998 Rajya Sabha elections in Maharashtra witnessed cross-voting that resulted in the loss of a Congress party candidate. <p><u>Amendment to the Representation of the People Act, 1951:</u></p> <ul style="list-style-type: none">• In order to rein in the MLAs from such cross-voting, an amendment to the Representation of the People Act, 1951 was |

carried out in 2003.

- **Section 59 of the Act** was amended to **provide that the voting in elections to Rajya Sabha** shall be through an open ballot.
- The MLAs of political parties are required to show their ballot paper to the authorised agent of their Party.
- Not showing the ballot paper to the authorised agent or showing it to anyone else will **disqualify the vote**.
- Independent MLAs are barred from showing their ballots to anyone.

Process of Election in Rajya Sabha:

- **Seat Allocation:** The Rajya Sabha has a strength of **250 members representing States and Union Territories** including Delhi and Puducherry.
 - Out of the total, **12 are directly nominated by the President** from the fields of art, literature, science, Social Service.
 - Rajya Sabha seats are distributed among states based on their population. For example, Uttar Pradesh **has a quota of 31 Rajya Sabha seats while Goa has just one**.
- **Indirect Election System:** The Members of the state legislative assemblies choose **Rajya Sabha members through an indirect election** system of proportional representation by means of a **Single Transferable Vote (STV)**.
 - In this system, the voting power of each **MLA is determined by the population of their respective**

constituencies.

- **Quotas:** To be elected, a candidate must secure a **specific number of votes known as quotas**. The quota is determined by dividing the total valid votes by the **number of seats available plus one**.
 - In states with multiple seats, the initial quota is calculated by multiplying the number of MLAs by 100, as each MLA's vote is valued at 100.
- **Preferences and Surplus:** When filling out the ballot paper with names of candidates from various parties, MLAs **rank their preferences against each candidate** — with 1 indicating the top preference (the first preferential vote), 2 for the next, and so forth.
 - If a candidate receives enough first preferential votes to meet or exceed the quota, they are elected.
 - If a winning candidate has surplus votes, those votes are transferred to their second choice (marked as number 2). If multiple candidates have surpluses, the **largest surplus is transferred first**.
- **Elimination of Fewer Votes:** To prevent wasted votes, if the required number of candidates are not elected after surplus transfers, the candidate with the **fewest votes is eliminated**, and their unexhausted ballot papers are redistributed among the remaining candidates.
 - An "exhausted paper" refers to a ballot paper with no further preferences recorded for continuing candidates.
 - This process of surplus vote transfers and eliminations continues until enough candidates reach the quota to fill all available seats.

NOTE-

Shailesh Manubhai Parmar v Election Commission of India Case, 2018:

- SC denied the **None Of The Above (NOTA)** option to the electors in the Rajya Sabha election.
- The SC stated that making NOTA applicable in Rajya Sabha elections is contrary to **Article 80(4) of the constitution**.
 - Article 80(4) states that the representatives of each state in the Council of States shall be elected by the elected members of the legislative assembly of the state in accordance **with the system of proportional representation** by means of the single transferable vote.

JMM bribery case, 1998:

- The SC had to interpret the provisions of **Article 105(2) of the Constitution**, which provides immunity to lawmakers for their speech and votes in Parliament or any committee thereof.
 - The Supreme Court, laid down in the **JMM bribery case judgment of 1998**, that **lawmakers who took bribes were immune from prosecution** for corruption if they go ahead and vote or speak in the House as agreed.
- **In March 2024, a Seven-judge Bench overruled the judgment by a five-judge Bench in a 25-year-old JMM bribery case**, declaring that **parliamentary privilege or immunity will not protect legislators who take bribes to vote or speak in Parliament** or State Legislative Assemblies from criminal prosecution.
 - Privileges and immunities are not gateways to claim exemptions from the general law of the land.

Anti-Defection Law Apply to Rajya Sabha Elections?

- **Tenth Schedule and "Anti-Defection" Law:**
 - The **Tenth Schedule** of the Constitution, introduced by the **52nd Constitutional Amendment Act in 1985**, contains provisions related to the **"anti-defection" law**.
 - It states that a member of Parliament or a state legislature who voluntarily gives up the membership of their political party or votes against the instructions of their party is **liable for disqualification from the House**.
 - This instruction regarding voting is **usually issued by the party whip**.
- **Applicability of Tenth Schedule:**
 - However, the Election Commission clarified in July 2017 that the provisions of the Tenth Schedule, including the **anti-defection law, are not applicable to Rajya Sabha elections**.
 - Therefore, political parties cannot issue any whip to their members for Rajya Sabha elections, and members are not **bound by party instructions in these elections**.

Cross Voting

- **Background:**
 - Rajendra Prasad Jain won a seat in Bihar through **cross-voting by Congress MLAs (in exchange for bribes) later, Jain's election was declared void by the Supreme Court in 1967**.
- **About Cross Voting:**
 - Cross voting refers to a situation in which **a member of a legislative body**, such as a Member of Parliament or a Member of a Legislative Assembly, belonging to one political party, **votes for a candidate or a party other than their own** during an election

or any other voting process.

- In the context of Rajya Sabha elections in India, cross voting can occur when members of a political party vote for candidates from other parties instead of the candidates nominated by their own party.
- This can **happen due to various reasons**, including disagreement with the party's candidate selection, inducements or pressures from other parties, personal relationships with candidates from other parties, or ideological differences.

Implications of Cross Voting

- **Negative Implications:**

- **Undermining Representation:** Cross-voting can undermine the **representation of the electorate**.
 - MLAs are expected to vote in alignment with the **party's interests or the will of their constituents**. When they deviate from this, it can lead to the election of candidates who may not have the support of the majority.
- **Corruption:** Cross-voting often occurs due **to bribery or other corrupt practices**, as illustrated in the example of **Rajendra Prasad Jain's election**. This undermines the integrity of the electoral process and erodes public trust in democracy.
 - Jain won a seat in Bihar through cross-voting by Congress MLAs (in exchange for bribes) later Jain's election was declared void by the Supreme Court in 1967.
- **Party Discipline:** Cross-voting reflects a **lack of party discipline**, indicating internal divisions within political parties. It **weakens party cohesion** and stability, making it difficult for parties to pursue coherent policy agendas.

- **Democratic Values:** Cross-voting goes against the democratic principle of accountability, where representatives are expected to **uphold the interests of their constituents** and the broader public good. It prioritizes personal gain or party politics over democratic principles.
- **Potential Positive Implications:**
 - **Independence:** Cross-voting can signal a **degree of independence among elected representatives**, allowing them to vote according to their conscience or the interests of their constituents rather than strict party lines.
 - This can lead to more nuanced decision-making and representation.
 - **Checks and Balances:** Cross-voting, if driven by genuine differences in opinion or ideology, can serve as a **check on the dominance of a single party or faction within the legislative body**.
 - It can prevent the concentration of power and promote greater balance and diversity of viewpoints.
 - **Accountability:** In some cases, cross-voting may reflect dissatisfaction with party leadership or policies, forcing parties to **introspect and address internal grievances**. This can ultimately lead to greater accountability and responsiveness to the electorate.

SC's Ruling Related to the Tenth Schedule and Rajya Sabha Election

- ***Kuldip Nayar vs. Union of India, 2006:***
 - The **Supreme Court (SC) upheld the system of open ballot for Rajya Sabha elections.**

- It reasoned that if secrecy becomes a source for corruption, then transparency **has the capacity to remove it.**
- However, in the same case the court held that an elected MLA of a political party would not face disqualification under the **Tenth Schedule for voting against their party candidate.**
- He/she may at the most attract disciplinary action from their political party.
- **Ravi S. Naik and Sanjay Bandekar vs. Union of India, 1994:**
 - The SC held that **voluntarily giving up membership** under the Tenth Schedule is **not synonymous with only formally resigning** from the party to which the member belongs.
 - The conduct of a member both inside and outside the house can be looked into to infer if it qualifies as voluntarily giving up membership.

Road ahead

- Implementing stricter laws and regulations to combat electoral malpractices, including bribery and corruption.
- This could involve increasing penalties for offenders, enhancing transparency in campaign financing, and empowering independent electoral bodies to enforce compliance.
- Encouraging political parties to adopt internal **mechanisms for promoting discipline and accountability among** their members.
 - This could include strengthening party leadership, promoting intra-party democracy, and fostering a culture of ethical conduct.
- Raising awareness among voters and stakeholders about the importance of electoral integrity and the consequences of cross-voting. This could involve public education campaigns, media coverage of electoral issues, and civic engagement initiatives to empower citizens to hold their

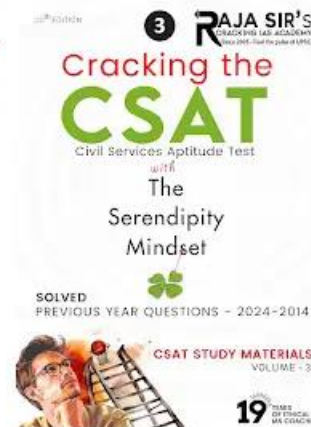
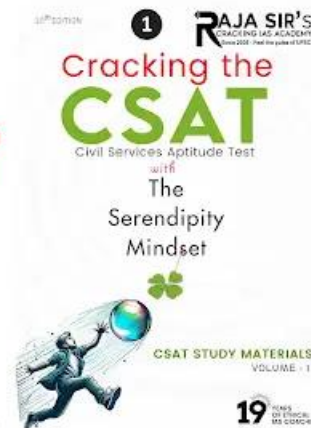
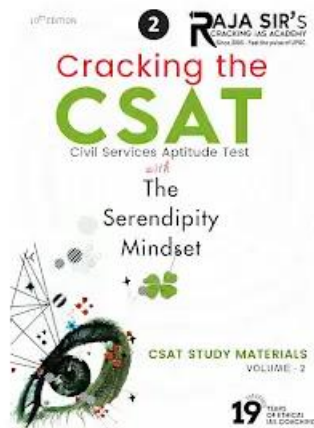
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| | representatives accountable. |
| 30. | <p>Motion of Thanks</p> <ul style="list-style-type: none">• The Motion of Thanks is a parliamentary procedure in which a formal motion is presented to express gratitude or appreciation for the President's Address to both Houses of Parliament.<ul style="list-style-type: none">○ The President's Address is a statement of policy of the Government and, as such, is drafted by the Government. It contains a review of various activities and achievements of the Government during the previous year and sets out the policies, projects and programmes which the Government wishes to pursue concerning important national and international issues.• Article 87 of the Constitution of India states that the President will address both Houses of Parliament at the beginning of the first session after each general election and at the beginning of the first session of each year. The President will also inform Parliament of the reasons for its summons.<ul style="list-style-type: none">○ The rules that govern the procedure of either House will make provisions for the allotment of time for discussion of the matters referred to in the address.○ Such an Address is called a "special address", and it is also an annual feature.• The address of the president, akin to the "speech from the Throne" in Britain, is discussed in both Houses of Parliament through a motion called the "Motion of Thanks."<ul style="list-style-type: none">○ If any of the amendments are put forward and accepted then the |

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| | <p>Motion of Thanks is adopted in the amended form.</p> <ul style="list-style-type: none"> ▪ Amendments may refer to matters contained in the Address as well as to matters which, in the opinion of the member, the Address has failed to mention. <ul style="list-style-type: none"> ○ At the end of the discussion, the motion is put to vote. • The discussion is concluded by the reply of the Prime Minister or any other Minister. Immediately thereafter, the amendments are disposed of and the Motion of Thanks is put to vote and adopted. • The Motion of Thanks must be passed in the House. Otherwise, it amounts to the defeat of the government. It is one of the ways through which the Lok Sabha can also express a lack of confidence in the government. • The limitation of motion of thanks is that the members cannot refer to matters that are not under the direct responsibility of the Central Government or mention the name of the President in the debate. |
| <p>31.</p> | <p>First legally binding international treaty on Artificial Intelligence</p> <p>According to the Council of Europe, the first legally binding international treaty on Artificial Intelligence (AI) will be open for signing by the participating nations, including European Union members, the United States, and the United Kingdom.</p> <p>Council of Europe (COE)</p> <ul style="list-style-type: none"> • The Council of Europe (COE) is an international organisation founded |

in 1949 and headquartered in Strasbourg, France.

- It is distinct from the European Union (EU) and consists of **46 member states**, including most European countries.
- The COE's primary mission is to **uphold and promote democracy, human rights**, and the **rule of law** across its member states.

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Artificial Intelligence(AI)


AI is the simulation of human intelligence in machines programmed to think and learn like humans, capable of problem-solving, reasoning, and adapting to new information.

AI Timeline - Major Milestones

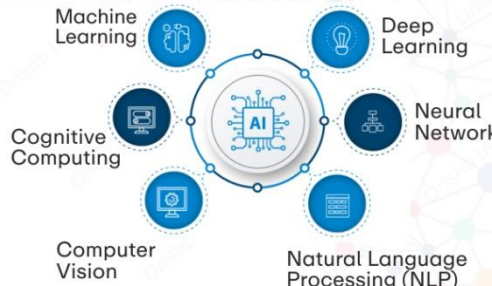
- 1950s Turing Test Proposed; First AI Programs Developed
- 1956 Dartmouth Conference Coins "Artificial Intelligence"
- 1960s Eliza Chatbot Created; Early Neural Networks Emerge
- 1996 Deep Blue - a Chess-Playing Program
- 2012 Deep Learning Breakthrough in Image Recognition
- 2014 Generative Adversarial Networks (GANs) Introduced
- 2020 GPT-3 Demonstrates Advanced Language Generation
- 2022 Chatgpt Launches, Bringing Conversational AI to Masses
- 2023 Generative AI Boom; Major Tech Companies Release AI Models

Applications of AI

- **Healthcare:** Personalised medicine
- **Finance:** Algorithmic trading
- **Transportation:** Autonomous vehicles
- **Marketing & Customer Service:** Targeted advertising, chatbots
- **Education:** Adaptive learning systems, personalised tutoring
- **Agriculture:** Crop monitoring
- **Cybersecurity:** Threat detection
- **Energy:** Smart grid management, consumption forecasting



KEY COMPONENTS OF AI



Concerns


- Deepfakes & misinformation
- Algorithmic bias
- Automation & job displacement
- Privacy issues
- Data ownership & liability issue
- Ethical decision-making complexes

Regulating AI

- **Global Partnership on AI (GPAI)** launched in 2020
- **Bletchley Declaration (2023):** Enhance Global Collaboration on AI
- **G20 New Delhi Leaders' Declaration (2023):** Harnessing AI responsibly for good and for all
- **Hiroshima AI Process (2023)** by G7

India and AI

- **National Strategy For AI 2018**
- **AI For All:** Self-learning online program
- **GPAI Summit 2023** hosted by India
- **IndiaAI Mission 2024**
- **US India Artificial Intelligence (USIAI) Initiative:** AI cooperation in critical areas
- **AIRAWAT** (AI Research, Analytics and Knowledge Assimilation Platform): Supercomputer



AI Convention

- **“The Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law”**, primarily emphasises the protection of human rights for individuals impacted by AI systems and operates independently of **the EU AI Act**.
 - The EU AI Act establishes comprehensive regulations **governing the development, deployment, and use of AI** systems within the EU's internal market.
- The AI Convention has been **under development for several years** and was **adopted in May 2024** following deliberations among 57 countries.
- It aims to **mitigate the risks associated with artificial intelligence** while fostering responsible innovation.
- **The Conditions for the Treaty:**
 - **Human-Centric AI:** The treaty mandates that **AI systems** must be designed and operated **in alignment with human rights principles**, ensuring they support and uphold democratic values.
 - **Transparency and Accountability:** The treaty stipulates that AI systems, particularly those interacting with humans, must **operate transparently**.
 - It also **requires governments to provide legal recourse when AI systems** infringe on human rights.
 - **Risk Management and Oversight:** The treaty establishes frameworks for assessing and managing the risks associated with AI, along with oversight mechanisms to **ensure adherence to safety and ethical standards**.
 - **Protection Against Misuse:** The treaty incorporates safeguards

to **prevent AI from being used to undermine democratic processes**, including the preservation of judicial independence and ensuring public access to justice.

• **Key Enforcement Mechanisms:**

- **Legal Accountability:** Signatory nations are required to **enact legislative and administrative measures** to ensure AI systems adhere to the treaty's principles like human rights and accountability in AI deployment.
- **Monitoring and Oversight:** The treaty establishes **oversight mechanisms to monitor compliance** with AI standards.
- **International Cooperation:** The treaty promotes **collaboration among signatories** to harmonise AI standards, share best practices, and address transnational AI issues, recognizing the global nature of AI technologies.
- **Adaptability:** The framework is **designed to be technology-neutral**, enabling it to evolve alongside advancements in AI, ensuring that standards remain relevant and enforceable as AI technologies rapidly progress.
- **Exception in the Treaty:** The **treaty applies to all AI systems except** those used in **national security or defense**, though it still requires that these activities respect international laws and democratic principles.

Significance of the AI Convention

- **Comprehensive Drafting:** The treaty was **meticulously drafted adopting a risk-based approach** to the design, development, use, and decommissioning of AI systems.
- **Broad Applicability:** It **applies to AI systems across** both the **public sector, and the private sector**, with enforcement across various geographical regions.

- **Global Legal Standard:** The Framework Convention on Artificial Intelligence represents a **first-of-its-kind, globally binding treaty designed to** respond to the need for an international legal standard endorsed by states across different continents with shared values.
- **Balancing Innovation and Risk:** The treaty aims to **promote the responsible use of AI** by harnessing its benefits while effectively mitigating associated risks, ensuring that AI development aligns with human rights, the rule of law, and democratic principles.

Issues and Concerns of the AI Convention

- **Concerns Over Enforcement:** Despite being labelled as "**legally binding,**" the treaty has raised concerns due to its **lack of provisions for punitive sanctions, such as penalties or fines,** which weakens its deterrent effect from an enforcement perspective.
- **Reliance on Monitoring:** Compliance with the treaty is primarily ensured through "**monitoring**" mechanisms, which **may not be sufficient to effectively enforce the treaty's provisions.**
- **Balancing Regulation and Innovation:** Striking the right balance between stringent regulations and fostering innovation is a critical concern. **Excessive regulatory burdens may stifle the development of AI technologies,** particularly for small and medium-sized enterprises (SMEs) and start-ups, thereby affecting competitiveness in the global AI market.
- **National Sovereignty vs. International Standards:** The convention's provisions may conflict with national laws, creating **tensions between state sovereignty.**
- **Addressing National Security Concerns:** While the convention attempts to balance AI governance with national security interests, the

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| | <p>intersection of AI with defense and intelligence activities presents challenges. Ensuring that national security is not compromised while maintaining ethical AI practices requires a delicate balancing act, which the convention may struggle to achieve.</p> <p>“The Framework Convention on Artificial Intelligence and Human Rights, Democracy, and the Rule of Law” marks a pivotal advancement in the global governance of artificial intelligence. By engaging with the critical interplay between AI, human rights, democracy, and the rule of law, it addresses a vital deficiency in current regulatory structures. Its comprehensive scope, including provisions for national security considerations, establishes a benchmark for responsible AI governance, fostering international cooperation and setting standards that could resonate both regionally and globally.</p> |
| <p>32.</p> | <p>Golden Langur</p> <ul style="list-style-type: none"> • It is an Old-World monkey found in a small region of Western Assam, India and in the neighboring foothills of the Black Mountains of Bhutan. • The golden langur was first brought to the attention of the Western world by the naturalist Edward Pritchard Gee in the 1950s. <p>Conservation status</p> <ul style="list-style-type: none"> • IUCN STATUS-Endangered • CITES – Appendix I • Schedule 1 of Wildlife Protection Act 1972. <p>Subspecies</p> <p>There are two subspecies of this species:</p> |

- Trachypithecus geei geei
- Trachypithecus geei bhutanensis

Physical Description

- The coat of the adult golden langur ranges from **cream to golden**, on its flanks and chest the hairs are darker and often rust colored while the **coats of the juveniles and females are lighter, silvery white to light buff.**
- **Gee's golden langur exhibits sexual dimorphism:** Males are larger and more robust than females.

Distribution

- Gee's golden langur is found in the region bounded by **Brahmaputra River (South), Manas River (east), Sankosh River (west), in Assam, India,** and on the north by the **Black Mountains of Bhutan.**
- **Ripu Reserve Forest** hosts the highest number within the northern sub-population, while the **Chakrashila Wildlife Sanctuary** in Kokrajhar district harbors the most significant number within the southern fragmented range.
- In India 93% of the population is found in forest **reserves (Chirang, Manas and Ripu)** and the western part of Manas National Park, and the remaining occur in several small, isolated fragments.

Behavior

- The **langur is confined to high trees** where its **long tail serves as a balancer** when it leaps across branches.
- **Herbivores in diet.**
- It generally **lives in troops of about 8**, with a **ratio of several females to each adult male.**
- The smallest golden langur troop was composed of four individuals,

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| | <p>while the largest had 22, giving an average value of 8.2 individuals per troop.</p> <ul style="list-style-type: none">• The adult gender ratio was 2:3 females to every male, although the majority of groups had only one adult male. |
| 33. | <p>Turkmenistan-Afghanistan-Pakistan-India (TAPI) pipeline</p> <ul style="list-style-type: none">• The TAPI pipeline is a major infrastructure project designed to transport natural gas from the Galkynysh gas field in Turkmenistan through Afghanistan, Pakistan, and India.<ul style="list-style-type: none">○ The pipeline will span approximately 1,814-kilometres and is expected to deliver around 33 billion cubic metres (BCM) of natural gas annually.○ It will supply gas to Afghanistan (5%), Pakistan (47.5%), and India (47.5%) during its 30-year operational period.○ The pipeline is also known as the 'Peace Pipeline' due to its potential to foster regional cooperation and stability.○ The project's origins trace back to the 1990s, with significant progress made in 2003, supported by the Asian Development Bank (ADB). India joined the initiative in 2008, marking a major milestone in its development.○ The TAPI Pipeline Company Limited (TPCL), is responsible for the construction and operation of the pipeline. The company is a joint venture of Turkmenistan, Afghanistan, Pakistan, and India, each holding shares in the project. |

TURKMENISTAN-AFGHANISTAN-PAKISTAN-INDIA (TAPI) GAS PIPELINE PROJECT

The map shows the TAPI gas pipeline route starting from the Galkynysh Gas Field in Turkmenistan, passing through Herat in Afghanistan, Nimruz in Pakistan, and then through Quetta, Dera Ghazi Khan, Multan, and Fazilka in Pakistan, finally reaching India. Key cities like Mary, Kabul, Islamabad, and Jammu & Kashmir are also marked. A scale bar indicates 100 miles and 100 km. A 'Disputed border' is shown between India and China. The map is titled 'TURKMENISTAN-AFGHANISTAN-PAKISTAN-INDIA (TAPI) GAS PIPELINE PROJECT' and includes the IAS GOOGLE logo and 'Led by Raja Sir's Cracking IAS'.

Significance:

- **Environmental Impact:** The pipeline offers a **crucial alternative to coal, reducing carbon dioxide emissions** compared to coal-fired energy.
 - For **India, which relies heavily on coal**, TAPI could facilitate a **transition to cleaner energy sources** and help meet its ambitious **emission reduction goals(Net-Zero Emissions Target)**.
 - TAPI pipeline has the potential to alleviate **air pollution issues in major cities** like Delhi, Mumbai, Karachi, and Islamabad by providing a cleaner energy alternative.
- **Economic Benefits:** Beyond energy supply, the pipeline offers opportunities for economic growth in Afghanistan and Pakistan through

transit fees and job creation. It could also spur investment in **renewable energy** sources in these countries.

- **Strategic Influence:** TAPI is a key element in the broader geopolitical competition for influence in Central Asia. The US sees the pipeline as a strategic counter to the **Iran-Pakistan-India (IPI) pipeline**, which is supported by Iran and Russia.
 - For Turkmenistan, TAPI represents a chance to diversify its export markets and reduce dependency on existing routes to China and Russia.
 - China's investment in the **CPEC** highlights the competitive nature of energy infrastructure projects in the region. TAPI could serve as a **counterweight to Chinese influence, particularly in Pakistan.**
 - The pipeline enhances cooperation among Central and South Asian countries, potentially fostering collaborations in energy, communication, and transportation.
 - For India the pipeline positions **Turkmenistan as a crucial energy partner**, enhancing **India's connectivity with Central Asia.** It aligns with India's broader strategy of improving regional connectivity and energy security.

Challenges Regarding the TAPI Pipeline

- **Security Concerns:** Most of the pipeline will traverse Afghanistan, a region known for its challenges like **political instability**, and **humanitarian crisis.** Ensuring the smooth implementation of the project has been a recurring issue.
- **Financing and Administration:** Securing **adequate funding remains a major hurdle.** The Asian Development Fund is expected to contribute a

small portion, with the rest to be sourced from private investors.

- Additionally, the administration of the pipeline is complicated by the involvement of four separate pipeline companies, one for each participating country.
- **Investment Climate:** Turkmenistan's closed economy and limited integration into the global market pose significant obstacles to attracting investment. **Corruption and governance issues** further complicate the investment landscape.
- **India's Conflicts with Pakistan:** India's own conflicts with Pakistan raise questions about its long-term commitment to the TAPI pipeline. **Political tensions between the two countries could hinder cooperation** and smooth operation of the project.
- **Environmental Concerns:** While natural gas is cleaner than coal (natural gas emits 50 to 60% less CO₂ than coal burned in a comparable plant), it is not without environmental issues.
 - The extraction and transportation of natural gas involve risks such as water and soil pollution, and the potential for earthquakes from fracking.

India's Other Bilateral/Multilateral Energy Infrastructure Projects

- **India-Bangladesh Friendship Pipeline**
- **Motihari-Amlekhgunj Pipeline (India-Nepal)**
- **Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC)**
- **International North-South Transport Corridor (INSTC)**

India Enhancing its Influence in Central Asia

- **Securing Trade Routes:** Central Asia's strategic location makes it a focal point for global powers. India's involvement aims to enhance its **regional influence and secure vital trade routes.**
 - The region's resources are crucial for India's growing economy, and strengthening ties with **Central Asian countries aligns with its economic interests and long-term growth strategies.**
- **Enhancing Economic Presence:** The 10-year **Chabahar Port Agreement with Iran** enables India to bypass traditional maritime chokepoints, facilitating trade through Iran to the **South Caucasus and Central Asia.**
 - This strategic move aims to improve logistical efficiency and expand economic ties in the region.
 - India is pursuing a free trade agreement with the **negotiations with the Eurasian Economic Union (EAEU)** to strengthen economic relations and access Eurasian markets.
 - This effort reflects India's commitment to integrating more deeply into regional trade networks and leveraging economic opportunities with EAEU member states.
 - Global crises such as **Covid-19**, the **political instability in Afghanistan**, and the **Russia-Ukraine Conflict** have prompted India to reassess its trade routes and strategies.
 - The development of the **International North-South Transport Corridor (INSTC)** and potential EAEU membership are central to India's efforts to diversify and secure trade routes.
- **Military and Security Initiatives:** India maintains military bases in Tajikistan (Farkhor Air Base, and Ayni Air Base) and conducts regular

joint exercises with countries like Uzbekistan (**Exercise DUSTLIK**), highlighting its strategic interests in the region and efforts to build defence partnerships.

- **Challenges and Geopolitical Considerations:** China's **Belt and Road Initiative (BRI)** poses a challenge with its extensive infrastructure projects in Central Asia, potentially overshadowing India's investments.
 - China's growing trade relations with Central Asian countries, may impact India's competitive edge in the region.
 - Strained relations with neighbouring rivals Pakistan and China limit India's overland trade routes, necessitating reliance on alternative maritime paths and regional alliances.

Road ahead

- Explore alternative funding sources beyond the Asian Development Fund, such as private sector investment, international financial institutions, and government grants.
 - Provide **tax breaks, subsidies, and other incentives** to attract foreign investment. **Clear and stable regulatory frameworks** will also boost investor confidence.
- Promote **industrial development along the pipeline route** to create jobs, generate economic activity, and diversify regional economies.
- Strengthen regional security cooperation to address common issues and ensure the safety of the pipeline. Establish a **central coordinating body to oversee the project, ensuring streamlined decision-making** and efficient management.
 - Foster positive relationships with local communities along the pipeline route to gain their support and minimise security risks.
- Implement best practices for natural gas extraction and transportation to **minimise environmental impact** and prevent pollution.

34. Doctrine of Sovereignty of Parliament

The **Doctrine of Sovereignty of Parliament** is a fundamental principle that has shaped the constitutional frameworks of various democracies. While some nations like the United Kingdom have embraced the concept in its entirety, others, including India, have adopted a more nuanced approach that balances Parliamentary Sovereignty with constitutional supremacy and judicial oversight.

The Doctrine of Sovereignty of Parliament means the **Parliament is the supreme power within the State** and there are **no 'legal' restrictions** on its authority and jurisdiction.

Salient Features of the Parliamentary Sovereignty

Major features of the Doctrine of Parliamentary Sovereignty can be seen as follows:

- **Supreme Legal Authority**– Parliament holds the highest legal authority within the country's legal system. It has the power to create, amend, or repeal any law without constraints from other branches of government.
- **Legislative Supremacy**– Parliament's enactments are supreme and cannot be overridden by executive orders, judicial decisions, or other legal authorities. Laws passed by Parliament take precedence over all other sources of law, including common law and treaties.
- **Absence of Legal Limits**– Parliament is not bound by any higher law, written constitution, or previous legislation. It has the authority to amend or repeal any law, including constitutional provisions, through the ordinary legislative process.
- **Unlimited Jurisdiction**– Parliament's legislative power extends to all

matters of policy and governance. There are no areas that are outside the scope of its authority.

- **Judicial Non-Intervention**– The courts cannot question the validity or legality of Acts of Parliament. They must give effect to the will of Parliament as expressed through legislation.

Doctrine of Parliamentary Sovereignty in Britain

- The **most prominent example** of the Doctrine of Sovereignty of Parliament is the polity of **the UK**.
- The Sovereignty of Parliament is a cardinal feature of the British constitutional system and the **British Parliament is the supreme authority in the polity of Great Britain**.
- As per the British jurist AV Dicey, the principle of ‘Sovereignty of Parliament’ in the United Kingdom has the following **three implications**:
 - The British Parliament can make, amend, substitute, or repeal any law.
 - The British Parliament can make constitutional laws by the same procedure as ordinary laws.
 - In other words, there is no legal distinction between the constituent authority and the legislative authority of the British Parliament.
 - The laws made by the British Parliament cannot be declared invalid by the Judiciary as being unconstitutional.
 - In other words, there is no system of Judicial Review in Britain.

Status of Parliamentary Sovereignty in India

- The framers of the Indian Constitution have preferred a proper synthesis between the British Principle of Parliamentary Sovereignty and the

American Principle of Judicial Supremacy.

- Thus, the **Indian Parliament is not a sovereign body** in the sense in which the British Parliament is a sovereign body.
- Unlike the British Parliament, the authority and jurisdiction of the Indian Parliament are defined, limited, and restrained by various factors as explained in the section that follows.

Factors Limiting Sovereignty of Indian Parliament

The factors that limit the Sovereignty of the Indian Parliament are explained in detail as follows:

- **Limited Jurisdiction** – The Indian Constitution has defined the authority and jurisdiction of all three organs of the Union Government, including the Indian Parliament. The Parliament has to operate within the limits prescribed by the Constitution.
- **Limitations on Legislative Power** – As per the constitutional distribution of legislative powers, the law-making authority of the Parliament is confined to the subjects enumerated in the Union List and Concurrent List and does not extend to the subjects enumerated in the State List. Accordingly, in normal circumstances, it can legislate only on subjects mentioned in the Union List and Concurrent List, and not the State List.
- **Limitations on Constituent Power** – The Indian Constitution makes a legal distinction between the legislative authority and the constituent authority of the Parliament. Thus, the Indian Parliament cannot amend the Constitution by the same procedure as Ordinary Laws. Moreover, to effect certain amendments to the Constitution, the ratification of half of the states is also required.
- **Fundamental Rights** – The authority of the Parliament is also restricted by the incorporation of a code of justiciable fundamental rights under

Part III of the Constitution. Article 13 prohibits the State from making a law that either takes away totally or abrogates in part a fundamental right.

- **System of Judicial Review** – In India, the Judiciary can review laws made by the Parliament and declare them null and void if they violate the Constitution.

Note: Thus, it can be said that the Indian Parliament is similar to the American Legislature (known as Congress). In the USA also, the sovereignty of Congress is legally restricted by the written character of the Constitution, the federal system of government, the system of judicial review, and the Bill of Rights.

Comparison of Indian and British approaches to Parliamentary Sovereignty

| Aspect | British Approach | Indian Approach |
|---------------------------------|---|--|
| Constitutional Framework | The UK has an uncodified or unwritten constitution. | India has a written constitution. |
| Amendment Process | The British Parliament can amend the Constitution through a simple majority. | The Constitution of India is neither rigid nor flexible but a synthesis of both. Some amendments can be done by a Simple Majority, and some others by a Special Majority. Few others require a Special Majority as well as |

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| <p>Separation of Powers</p> | <p>The UK does not adhere to a formal Separation of Powers doctrine.</p> | <p>ratification by half of the State Legislatures.</p> <p>In India, a well-defined Separation of Powers prevails within the Constitution.</p> |
| <p>Federal vs Unitary State</p> | <p>Britain functions as a Unitary State, hence, all powers are vested in the Centre.</p> | <p>India operates as a Federal State, where authority is distributed between the Union Government and State Government.</p> |
| <p>Judicial Review</p> | <p>There is no system of Judicial Review. The British Courts have to apply the Parliamentary laws to specific cases without examining their constitutionality, legality, and reasonableness.</p> | <p>India's judiciary holds the power of judicial review, permitting the examination and, when necessary, the annulment of laws enacted by Parliament or State Legislatures in cases of constitutional violations.</p> |
| <p>Basic Structure Doctrine</p> | <p>The UK does not have the concept of the Basic Structure Doctrine.</p> | <p>India has embraced the Basic Structure Doctrine, empowering its judiciary to assess and strike down constitutional amendments that compromise the</p> |

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| | <p>Fundamental Rights</p> <p>There is no codification of justiciable Fundamental Rights in the Constitution. The British Parliament has also not made any law that lays down the Fundamental Rights of the citizens. Thus, there is no charter guaranteeing rights, but the citizens enjoy maximum liberty in Britain due to the existence of the Rule of Law.</p> <p>Thus, even though the nomenclature and organizational pattern of the Indian Parliament is similar to that of the British Parliament, there is a substantial difference between the two. Several restrictions and limitations on the Indian Parliament, as defined by the Constitutional provisions, mean that unlike the British Parliament, the Indian Parliament is not a sovereign body.</p> | <p>fundamental structure or essence of the Constitution.</p> <p>The Indian Parliament's authority is restricted by the incorporation of fundamental rights under Part III by the Constitution. Article 13 prohibits the State, including the Parliament, from enacting laws that abrogate or infringe upon these fundamental rights. As a result, any parliamentary legislation that contravenes the fundamental rights enshrined in the Constitution shall be deemed void by the judiciary.</p> |
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35.

What are the powers of the Speaker?

- The Speaker is the **constitutional and ceremonial head** of the House.
- Each House of Parliament has its **own presiding officer**.
- There is a **Speaker and a Deputy Speaker** for the Lok Sabha and a **Chairman and a Deputy Chairman** for the Rajya Sabha.
- The Speaker is **assisted by the Secretary-General of the Lok Sabha** and senior officers of the Secretariat on parliamentary activities, practice and procedure.
- In the **absence of the Speaker**, the **Deputy Speaker** discharges the functions.
- A member from the **panel of Chairmen** presides over the House in the absence of both the Speaker and the Deputy Speaker. However, member of the **panel of chairpersons cannot preside** over the house, when the **office of the Speaker or the deputy speaker is vacant**.
- **Election:**
 - The House **elects** its presiding officer by a **simple majority** of members present, who vote in the House.
 - Usually, a **member belonging to the ruling party** is elected as speaker whereas deputy speaker is elected from opposition party .
 - There are also **instances when members not belonging to the ruling party** were elected to the office of the Speaker.
 - **GMC Balayogi and Manohar Joshi belonging to the**

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| | <p>non-ruling party served as the Speaker in the 12th and 13th Lok Sabha.</p> <ul style="list-style-type: none">• When the Lok Sabha is dissolved, the Speaker remains in his office till the first meeting of the new assembly when the new speaker is elected.• Removal:<ul style="list-style-type: none">• The Constitution has given the Lower House authority to remove the Speaker if needed.<ul style="list-style-type: none">▪ The House can remove the Speaker through a resolution with notice of 14 days, passed by an effective majority (more than 50% of the effective strength (total strength-vacancies) of the house present and voting) as per Articles 94 of the Indian Constitution.• The Speaker can also be removed on getting disqualified from being a Lok Sabha member under sections 7 and 8 of the Representation of the People Act, 1951.• A speaker can also give his resignation to a Deputy Speaker.• Sources of Power and Duties:<ul style="list-style-type: none">• The Speaker of the Lok Sabha derives his powers and duties from three sources:<ul style="list-style-type: none">▪ Constitution of India,▪ Rules of Procedure and Conduct of Business of Lok Sabha,▪ Parliamentary Conventions (residuary powers that are unwritten or unspecified in the rules)• Provisions to Ensure Independence and Impartiality of Speaker:<ul style="list-style-type: none">• He is provided with a security of tenure. He can be removed |
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only by a resolution passed by the Lok Sabha by a effective majority.

- His **salaries and allowances** are **charged on the Consolidated Fund of India** and thus are not subject to the annual vote of Parliament.
- His **work and conduct cannot be discussed** and criticised in the Lok Sabha except on a substantive motion.
- His **powers of regulating procedure** or conducting business or maintaining order in the House are **not subject to the jurisdiction of any Court**.
- He cannot vote in the first instance. He can only exercise a **casting vote** in the event of a tie. This makes the position of speaker impartial.
- He is placed at **sixth rank** in the **order of precedence** along with the **Chief Justice of India**.

Pro Tem Speaker

- When the **Speaker of the last Lok Sabha vacates** his office immediately before the first meeting of the newly-elected Lok Sabha, the **President appoints a member** of the Lok Sabha as the Speaker Pro Tem (usually, the **senior most member**).
- The **President himself administers oath** to the Speaker Pro Tem.
- He/She **presides over the first sitting of the newly-elected Lok Sabha** and has all the powers of the Speaker.
- The main responsibility is to **administer oaths to the new members** and to enable the House to elect the new Speaker.
- When the new Speaker is elected by the House, the office of the Speaker

Pro Tem ceases to exist.

Roles and Responsibilities of the Speaker

- **Presiding Over House Proceedings:**

- The Speaker **oversees the sessions** of the Lower House, **ensuring discipline and decorum** among members.
- The Speaker decides the **agenda for parliamentary meetings** and interprets procedural rules. He/she permits motions such as **adjournments, no-confidence and censure motions**, ensuring orderly conduct.
- The Speaker is the **final interpreter of the provisions** of (a) the Constitution of India, (b) the Rules of Procedure and Conduct of Business of Lok Sabha, and (c) the parliamentary precedents, within the House.

- **Enforcing Quorum and Disciplinary Action:**

- In the absence of a **quorum**, the Speaker adjourns or suspends meetings until the required attendance is met.
- The speaker has the **power to punish unruly behaviour** and even disqualify members on grounds of defection under **10th schedule** of the constitution.

- **Constitution of Committees:**

- The Committees of the House are constituted by the speaker and function under the speaker's overall direction.
- The Chairmen of all Parliamentary Committees are **nominated by Speaker**.
- Committees like the **Business Advisory Committee, the General Purposes Committee and the Rules Committee**, work directly under his Chairmanship.

- **Privileges of the House:**

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| | <ul style="list-style-type: none">○ The Speaker is the guardian of the rights and privileges of the House, its Committees and members.○ It depends solely on the speaker to refer any question of privilege to the Committee of Privileges for examination, investigation and report.○ He can allow a 'secret' sitting of the House at the request of the Leader of the House. When the House sits in secret, no stranger can be present in the chamber, lobby or galleries except with the permission of the Speaker.● Administrative Authority:<ul style="list-style-type: none">○ As head of the Lok Sabha Secretariat, the Speaker manages administrative affairs and security arrangements within the Parliament Estate. They control alterations and additions to parliamentary infrastructure.● Inter-Parliamentary Relations:<ul style="list-style-type: none">○ The Speaker serves as the ex-officio President of the Indian Parliamentary Group, facilitating inter-parliamentary relations. He/she leads delegations abroad and chairs the Conference of Presiding Officers of Legislative Bodies in India. <p><i>Constitutional Provisions Related to Speaker/Deputy Speaker</i></p> <ul style="list-style-type: none">● Article 93/178: Appointment of the Speaker and Deputy Speaker of the Lok Sabha/ Legislative Assembly.● Article 94/179: Vacation/resignation/removal from the offices of Speaker and Deputy Speaker of the Lok Sabha/Legislative Assembly.● Article 95/180: Power of the Deputy Speaker or other person(s) to perform the duties of the office of or to act as the Speaker of the Lok Sabha/Legislative Assembly. |
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- **Article 96/181:** The Speaker or the Deputy Speaker not to preside while a resolution for his removal from office is under consideration.
- **Article 97/186:** Salaries and allowances of the Speaker and Deputy Speaker.

Judicial Provisions Related to Speaker/Deputy Speaker

- In ***Kihoto Hollohan versus Zachilhu case, 1993***, the **Supreme Court** declared that the **decision of the presiding officer** is **not final** and can be questioned in any court. It is **subject to judicial review** on the grounds of malafide, perversity, etc
- Supreme Court in ***Keisham Meghachandra Singh vs The Hon'ble Speaker Manipur Legislative Assembly & Ors Case, 2020***, ruled that **Speakers** of assemblies and the Parliament **must decide disqualification pleas within a period of three months** except in extraordinary circumstances.
- In ***Nabam Rebia vs Deputy Speaker Case, 2016***, the SC held that a **speaker will be disabled** from deciding disqualification petitions under the **anti-defection law (10th schedule of the constitution) if a notice for their removal is pending**.
- In other words, this judgement **stopped a Speaker facing removal notice from deciding disqualification pleas** against members of legislatures under anti-defection law.
- Also, in 2023, the **Supreme Court** in ***Subhash Desai v Principal Secretary, Governor of Maharashtra Case, 2023***, directed the **Maharashtra Assembly Speaker**, to set a timeline for deciding pleas for the disqualification of MLAs.

Issues Associated With the Office of the Speaker

- **Partisanship Issue:** The Speaker, often belonging to the ruling party, are **accused of bias**. Supreme Court in ***Kihoto Hollohan versus Zachilhu case*** highlighted the instances where speakers have allegedly acted in favour of their party.
 - For example, **discretionary powers** of speakers with political affiliations in **deciding money bill and political defection cases** is one such example.
 - In 2017, **the Manipur legislative assembly anti-defection case**, the court gave a reasonable period of four weeks but the **defection complaint was pending for years**.
- **Prioritising Party Interests over National Interest:** Speakers have the power to **restrict debates or discussions** that could potentially affect the agenda of the political parties, if those discussions are crucial for the nation's well-being.
- **Increased Disruptions and Stalling of Proceedings:** A Speaker **perceived as biased** can lead to **frustration and disruptions from the opposition**, ultimately hindering the functioning of Parliament.
- **Bypassing Committees and Scrutiny:** Rushing through bills without proper committee review can lead to **poorly crafted legislation** that hasn't received sufficient deliberation.
 - **Example:** The instance of the **passing of 3 farm laws in 2020** without referring it to parliamentary committee has been **cited as the reason by opposition for widespread protest and later their withdrawal**.

Road ahead

- **Maintaining Stability:** The Speaker's **impartiality and fairness** are critical, as they have to balance the complex dynamics of diverse

political interests

- Their decisions on issues such as the **admission of no-confidence motions, the allocation of time for debates, and the recognition of members** can have a significant impact on the government's stability.

- **Role in Resolving Disputes:**

- In the case of a coalition government, where multiple parties with **different ideologies and agendas** come together, conflicts and disputes are inevitable.
- The Speaker should uphold impartiality in **mediating these disputes** and finding solutions that are acceptable to all stakeholders.

- **Impact on Legislative Outcomes:** By controlling the legislative agenda, the Speaker can **influence the passage of bills** and the **overall policy direction** of the government.

- **Pranab Mukherjee, former President of India**, noted, "*The Speaker's role is not just about running the House; it's about being a bridge between the government and the opposition, and ensuring that the democratic process is upheld.*"

- **Ensuring Non-Partisanship:** The practice of the **Speaker who resigns from their political party to ensure complete non-partisanship** can be explored further to uphold the Constitution's **principle of separation of powers**.

- The example of **N. Sanjiva Reddy resigning from his party upon becoming Speaker in 1967** sets a positive precedent of non-partisanship.
- In Britain, the speaker is strictly a **nonparty member**. There is a convention that the **speaker has to resign from his party and**

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| | <p style="text-align: center;">remain politically neutral.</p> <p>The Speaker of Lok Sabha is not just a presiding officer, they wield significant power in shaping the functioning of the House and influencing the balance between the ruling party and the opposition, especially in the case of coalition government. The Speaker's decisions and actions can have far-reaching consequences for the functioning and stability of the government.</p> |
| <p>36.</p> | <p>Creation of new districts</p> <p>Historically the district, in some form or the other, has been the most important unit of administration in the Indian sub-continent. According to “Know India”, a website run by the Government of India, there are 718 Districts in India at present. This is more than double the number of districts in India in the 1971 Census. Further, new districts are getting added to the Indian political map every year by citing governance and administration-related issues.</p> <p>According to the 2011 Census, between 2001-2011 alone as many as 46 districts were added within that time. Since the 2011 Census, approximately 100 districts were added in India. Recently Punjab Chief Minister has declared Malerkotla as the 23rd district of the Punjab State. In this article, we will explain the procedure, pros, and cons of creating new districts in India.</p> <p>Present status of creation of new districts</p> <ol style="list-style-type: none">1. Since the 1971 Census, the average district size is getting smaller and smaller. In 1981 Census India has only 412 districts, with the average size of the district was 7,788 sq. km. But in the 2011 Census, India had 640 districts with the average size of the district just 4,948 sq. km. |

2. The trend shows that the states want smaller districts. This trend is in continuation since the 2011 Census also. The 2021 Census is yet to happen. However, as per reports, since the 2011 Census, approximately 100 new districts were added.
3. The surge in a number of districts is mostly due to the bifurcation of Andhra Pradesh into A.P. and Telangana in 2014. Telangana at present has 33 districts and A.P. has 13 districts.

The trends in creation of new district in India

1. The idea behind creating new districts is generally to provide effective governance. However, it is sometimes driven by local demands.
2. The number and size of districts vary from state to state.
3. The larger states predictably have a higher number of districts. For example, Uttar Pradesh has the highest number of districts (75). This is followed by Madhya Pradesh (52).
4. The smallest state, Goa has the least number of districts(2).
5. However, the number of districts in a state is not always a function of the area of the state, or of its population. For example, Andhra Pradesh is the 7th largest state by area but has only 13 districts. On the other hand, Arunachal Pradesh has 25 districts.
6. Most of the Northeastern states have smaller districts.

Procedure for creation of new districts in India

1. The power to create new districts or alter or abolish existing districts rests with the **State governments**. This can either be done through an executive order or by passing a law in the State Assembly.
2. The many States prefer the executive route by simply issuing a notification in the official gazette.

3. Role of Center in the creation of Districts:

- a. The **Centre has no role to play** in the alteration of districts or creation of new ones. States are free to decide on this matter.
- b. If the state government wants to change the name of a district or a railway station, then the Home Ministry comes into the picture.
- c. The State government will propose a new name to a district and forward the proposal to the Home ministry. The Home Ministry will forward the proposal to other departments.
- d. After that, the departments such as the Ministry of Earth Sciences, Intelligence Bureau, Department of Posts, Geographical Survey of India Sciences, and the Railway Ministry, provide their clearance to the proposal of the state government.
- e. After examination of their replies, the state government receives a no-objection certificate. Then the name of the district stand changed.

Advantages of creation of new districts in India

1. **Better administration and governance:** This is one of the foremost advantages stated by state governments during the creation of new districts. To some extent, it is also true.
2. **The smaller district ensures better governance:** New districts will host a range of administrative machinery in the district. This will result in better implementation of government schemes, proper fund utilisation, enhanced people coverage of scheme, etc. All this will improve governance in the new district.
3. **Service to the increased population:** Since 1981, the average district area has become 44% smaller in 2019. But, the average number of people in a district has risen from 16.6 lakh to 18.6 lakh in 2019. So the

new districts can ensure better service delivery for the increased population.

4. **Bring administration closer to the people:** Bigger districts hinder the administration process in some areas of that district itself. For example, before the bifurcation of the Amravati district, the **farthest taluka was around 150 km from the district headquarters.** So, people, administrative officers in taluka has to travel nearly 3 hours to district headquarters. A new district can bring administration closer to the people.
5. **District-specific government initiatives:** New districts might attract more district-specific schemes. For example, the government can set up an agricultural research and assistance centre or a residential school for gifted children. The state government can provide better funding for backward districts. This will benefit the local population.
6. **Increase employment:** Since the new district will require new officials from top-down, this will increase the employment in government directly. It will also spur employment opportunities indirectly. For example, government tender and associated employment for locals, new shops and services near government buildings, etc.

Challenges in the creation of new districts in India

Creating a number of districts without any rationale can be challenging. This is due to various reasons such as,

1. **The very process of creating one district is challenging:** The government has to find office space for different departments and fill many new positions. All this will require a **huge government exchequer.** The government will also face challenges with land acquisition.

2. **Substitute for genuine decentralisation:** Zilla parishad and the Panchayat samitis do not enjoy a lot of powers in many states. So, these officials **take most of their grievances to the collector**. Creating smaller districts without empowering these bodies is against decentralisation in the real sense.
3. **The increased cost of living in new districts:** The growth centres created in new district headquarters will also make the **land rates and other service costs go up**. This will increase the cost of living in the new district headquarters in long run.
4. **Political motive:** Many states reorganise the existing districts and form new ones due to political motive. For example, new districts containing a support base of the ruling party can increase will be advantageous for it.
5. **Under utilisation of administration:** If the district is too small, then the administration and associated machinery will be underutilized. Further, the creation of more and smaller districts will also make the management of districts harder for states.

The **2nd Administrative Reforms Commission** stated that the political gains from forming a new district are a “**minor dividend**” and not the major one.

Suggestions

1. **Ensure proper decentralisation:** Instead of creating new districts every time, the State governments might **reform their decentralisation policy**. As the Panchayats and Zillas face many challenges in their functioning. If the state government provide more powers this will improve better functioning of Panchayats and Zilla Parishad. For example,
 - a. Creation of SFCs (**State Finance Commission**) properly and allocating funds properly.

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| | <p>b. Widening their tax base and provide access to the Capital market to raise funds.</p> <p>c. State Governments should provide local bodies with the power to recruit personnel to fulfill their functions properly.</p> <p>2. Guidelines for the formation of new districts: With new districts are added every year, the Center may prescribe certain criteria for the formation of a new district. For example, the Center may release a guideline that contains the minimum area of the district, its population, etc.</p> <p>3. Work on other alternatives: Instead of creating new infrastructure the States may conduct special camps, frequent field visits from officials. This will not only save the government exchequer but also serve the majority of the administrative and governance targets.</p> <p>Districts are the third tier of India's governance structure, after the Centre and the state. Smaller districts are definitely better in terms of service delivery. But there is always a limit in the formation of new districts for solving administrative and governance issues. After the enactment of the 73rd and 74th Constitutional Amendments, Panchayats and Zillas became the de-facto third tier. So, the state governments have to focus on providing adequate powers to them for solving the administrative and governance challenges. This will not require any additional funding for creating infrastructure and can provide administration to the doorstep.</p> |
| <p>37.</p> | <p>Putting the brakes on 'bulldozer justice'</p> <p>Introduction: Need for Pan-India Guidelines on Demolitions</p> <p>The Supreme Court of India has invited suggestions to frame comprehensive</p> |

pan-India guidelines on extra-legal demolitions. This follows increasing instances of demolitions carried out without due process, often targeting vulnerable groups, and leaving affected individuals without legal recourse. These demolitions raise concerns about the violation of the right to housing, exacerbating inequality, and marginalizing certain communities. The necessity to re-imagine the legal framework surrounding such demolitions is emphasized to ensure alignment with human rights, constitutional values, and social justice.

The Issue of Illegal and Punitive Demolitions

Over recent years, demolitions of properties of individuals accused of crimes have become increasingly common. These actions, taken without following proper legal procedures, have been carried out under the guise of removing encroachments or unauthorized constructions, often after communal clashes or riots. Examples include the Jahangirpuri demolitions in Delhi, and the post-riot demolitions in Nuh (Haryana) and Khargone (Madhya Pradesh). These demolitions, justified by municipal laws, disregard constitutional due process, as outlined in Supreme Court rulings like ***Sudama Singh & Ors. vs. Government of Delhi*** and ***Ajay Maken & Ors. vs. Union of India***.

This arbitrary state action undermines fundamental rights and amplifies oppression against marginalized groups, creating an environment of fear and distrust.

The Dangers of a "Tough on Crime" Approach

Many State governments have adopted a "tough on crime" approach, using demolitions as a form of collective punishment for alleged rioters. This politicization of demolitions as a response to public infrastructure damage,

without due legal processes, has become a concerning trend. These actions violate fundamental rights, and the Court's intervention is seen as crucial to halting such punitive demolitions and ensuring compliance with the rule of law.

Need for a Structured and Phased Process for Demolitions

To address the larger issue of displacement and demolitions, the Supreme Court is tasked with formulating a comprehensive, multidimensional set of guidelines. Demolitions must only occur in exceptional cases, following strict adherence to the law and due process. These guidelines should clearly categorize the types of structures that can be demolished and the specific circumstances under which demolitions can take place. Additionally, understanding patterns of past demolitions will help highlight gaps in existing frameworks.

Phase 1: Pre-Demolition Process

In the pre-demolition phase, the burden of proof should shift from affected individuals to the authorities. The authorities must demonstrate why demolition is the only option and how the human rights of affected persons are protected. A reasoned notice should be widely publicized, allowing enough time for affected parties to seek legal advice and respond. An independent committee should review large-scale demolitions and offer technical assistance.

Vulnerable groups must be given special consideration, and a minimum notice period of one month should be provided before any demolition

Phase 2: During Demolition Process

During the demolition phase, force should be minimized, and the use of heavy machinery, such as bulldozers, should be avoided. Government officials not involved in the demolition process should be present to oversee actions, and any surprise demolitions should be punishable. The demolition should be pre-planned and executed transparently.

Phase 3: Post-Demolition and Rehabilitation

After demolitions, affected persons must be provided with adequate rehabilitation to prevent homelessness. A grievance redress mechanism should be in place to allow affected persons to challenge demolition decisions. Remedies, including compensation, restitution, or return to original homes, must be incorporated into the legal framework to safeguard the rights of the displaced.

Affixing Personal Liability for Illegal Demolitions

One of the significant issues with demolitions in India is the impunity given to officials through "good faith" clauses in municipal laws, which shield them from judicial action. The new guidelines should address this by holding officials personally accountable for illegal demolitions. Additionally, proper sensitization of law enforcement to existing legal directives is necessary to ensure lawful and just conduct in all future demolition cases.

Conclusion: Towards a Just and Lawful Approach

The formulation of pan-India guidelines by the Supreme Court is an essential step toward regulating demolitions and ensuring they are carried out only within the bounds of law and justice. These guidelines will help prevent

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| | <p>arbitrary and oppressive state actions and protect vulnerable communities, ensuring that the right to housing and due process are upheld.</p> |
| <p>38.</p> | <p>Neuromorphic Computing</p> <ul style="list-style-type: none"> • Neuromorphic computing is a process designed to mimic the structure and function of the human brain using artificial neurons and synapses. • It represents a significant shift from traditional binary computing to neuromorphic computing, allowing systems to learn from the environment. • Working Mechanism: <ul style="list-style-type: none"> • It involves the use of Artificial Neural Networks (ANN) made up of millions of artificial neurons, similar to those in the human brain. • These neurons pass signals to each other in layers, converting input into output through electric spikes or signals, based on the architecture of Spiking Neural Networks (SNN). <ul style="list-style-type: none"> ▪ This allows the machine to mimic the neuro-biological networks in the human brain and perform tasks efficiently and effectively, such as visual recognition and data interpretation. • Key Features: <ul style="list-style-type: none"> • Brain-Inspired Design: Neuromorphic systems replicate the brain's architecture, particularly the neocortex, which is |

responsible for higher cognitive functions such as **sensory perception and motor commands**.

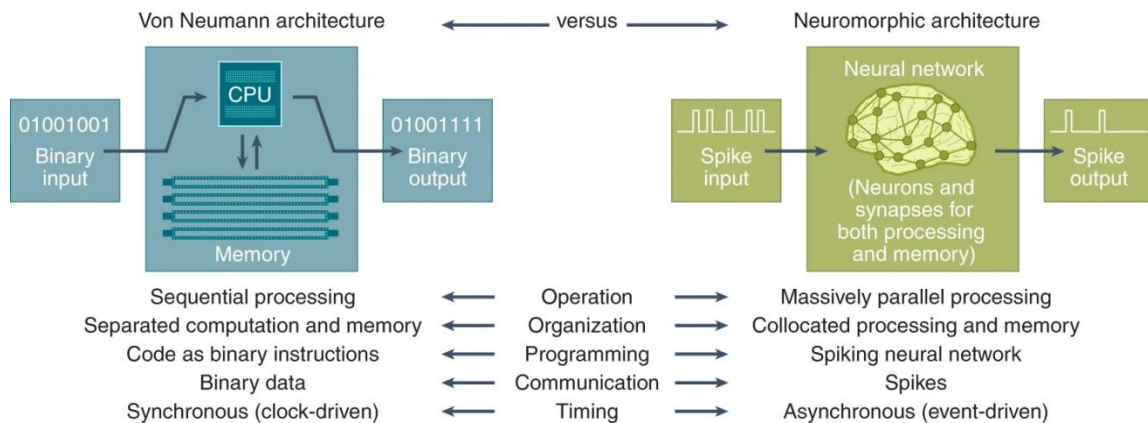
- **Spiking Neural Networks:** These systems use spiking neurons that communicate through electrical signals, closely resembling biological neuronal behavior. This design allows for parallel processing and real-time learning.
- **Integration of Memory and Processing:** Unlike traditional von Neumann architecture, which separates memory from processing, neuromorphic systems integrate these functions, enhancing computational efficiency.
- **Advantages:**
 - It **allows computers to process information more efficiently**, enabling **faster problem-solving, pattern recognition, and decision-making** compared to traditional computing systems.
 - It has the ability to **revolutionise AI hardware, enabling complex tasks** like training **Large Language Models (LLMs)** on personal devices, addressing hardware limitations and energy inefficiencies.
 - Current **AI tools** are restricted to **resource-heavy data centers** due to a **lack of energy-efficient hardware**.
- **Integration with Molecular Film:**
 - **Molecular films** are ultrathin layers of molecules that can be engineered to **exhibit specific electrical and optical properties**, enabling the creation of brain-inspired data storage and processing devices.
 - This film acts as a neuromorphic accelerator, simulating brain-like parallel processing to quickly handle complex tasks

like matrix multiplication and improve computer performance when combined with silicon chips.

- The recent advancement involves a molecular film offering **16,500 possible states**, surpassing traditional binary systems.
 - This film utilizes **molecular and ionic movements** to represent memory states, mapped via precise electrical pulses, creating a "**molecular diary**" of states.

A neuromorphic chip imitates the brain through elements that implement “neurons”, nodes that process information, and “axons”, connections with weights between the nodes that transfer electrical signals using analog circuitry.

• **Differences from Traditional Computing:**



- **Parallel Processing:** Neuromorphic computers can **process multiple streams of information simultaneously**, unlike traditional computers that operate sequentially.
- **Energy Efficiency:** They **consume less power** by computing only when relevant events occur, making them ideal for applications requiring real-time data processing.

- **Traditional binary computing** operates with **bits in two states: 0 or 1**, similar to a light switch being on or off. In contrast, **analog computing uses continuous values**, similar to a dimmer switch with a range of brightness levels.

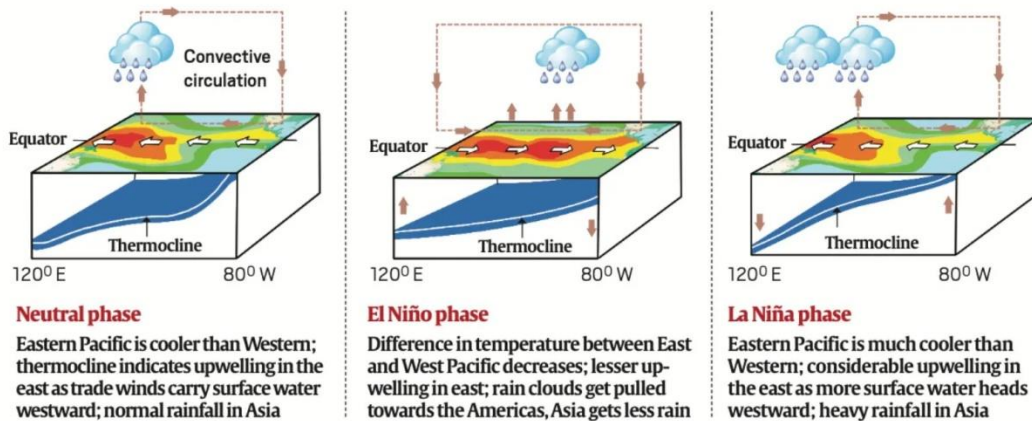
39. La Nada

The El Niño-Southern Oscillation (ENSO) is a natural climate cycle characterized by periodic variations in sea surface temperatures and atmospheric conditions in the tropical Pacific Ocean. ENSO has three phases: El Niño (warm phase), La Niña (cool phase), and ENSO neutrality (neutral phase).

ENSO neutrality, also known as “La Nada,” occurs when the Pacific Ocean’s water temperature is neither significantly warmer nor cooler than average. During this phase, water temperature anomalies in the eastern and central Pacific are between 0.5 °C and -0.5 °C.

THE THREE PHASES OF EL NIÑO SOUTHERN OSCILLATION (ENSO)

The illustrations show the Pacific Ocean around the equator and the trade winds above it. The heat shows water temperature. Thermocline is the layer of water separating the warmer surface water and cooler water below



Key Characteristics

- Sea Surface Temperatures (SST): Close to average, with anomalies between 0.5 °C and -0.5 °C.
- Tropical Precipitation: Near-normal rainfall distribution.
- Wind Patterns: Typical wind patterns without significant anomalies.

Impacts of ENSO Neutrality

ENSO neutrality affects global weather patterns, similar to the more extreme phases of ENSO, but usually results in more typical seasonal weather.

In the United States

- **Winter Weather:** Normal winter weather patterns, with cold temperatures in the Midwest and warm, wet conditions in the South.
- **Hurricane Activity:** Normal levels of hurricane development.

Global Weather

ENSO neutrality influences weather patterns across the tropics and other parts of the world, impacting precipitation and temperature distribution.

The ENSO Cycle

ENSO is a coupled ocean-atmosphere phenomenon, meaning changes in sea temperatures affect atmospheric conditions and vice versa. This interaction between the ocean and atmosphere in the tropics results in the different phases of ENSO:

- **El Niño:** Characterized by warmer-than-average sea surface temperatures in the central and eastern tropical Pacific, leading to reduced rainfall in Indonesia and increased rainfall in the central and eastern tropical Pacific.
- **La Niña:** Opposite of El Niño, with cooler-than-average sea surface temperatures, increased rainfall in Indonesia, and reduced rainfall in the central and eastern tropical Pacific.
- **ENSO Neutrality:** The transitional phase with near-average conditions, occurring between the El Niño and La Niña phases.

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| | <p>Frequency</p> <p>El Niño and La Niña typically occur every 3-7 years, with ENSO neutrality often acting as a transitional phase between these extremes.</p> <p>ENSO neutrality, or La Nada, represents a balanced state in the ENSO cycle, with near-average sea surface temperatures, precipitation, and wind patterns. Understanding ENSO neutrality helps in predicting more typical seasonal weather patterns and recognizing the broader impacts of the ENSO cycle on global climate systems.</p> |
| <p>40.</p> | <p>Parliamentary Privileges</p> <ul style="list-style-type: none">• Parliamentary privileges are special rights, immunities and exemptions enjoyed by the members of the Parliament and their committees.• These privileges are defined in Article 105 of the Indian Constitution.• Article 194 guarantees same privileges to the Members of Legislative Assemblies of states.• Under these privileges, the members of Parliament are exempted from any civil liability (but not criminal liability) for any statement made or act done in the course of their duties. <p>Parliament has not made any special law to exhaustively codify all the privileges. They are rather based on five sources:</p> <ul style="list-style-type: none">• Constitutional provisions• Various laws made by Parliament• Rules of both the Houses• Parliamentary conventions |

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| | <ul style="list-style-type: none">• Judicial interpretations• Privileges of Individual Member:<ul style="list-style-type: none">○ Freedom of Speech in Parliament (Article 105(1))○ Immunity to a Member from any proceedings in any court in respect of anything said or any vote given by him in Parliament or any Committee thereof [Article 105(2)].○ Immunity to a person from proceedings in any court in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings (Article 105(2)).○ Prohibition on the Courts to inquire into the validity of any proceedings in Parliament on the ground of any alleged irregularity of procedure. [Article 122(1)].○ Freedom from arrest of Members in civil cases during the continuance of the meeting of the House or of a Committee thereof and forty days before its commencement and forty days after its conclusion (Section 135A of the Code of Civil Procedure, 1908).• Collective Privilege of House:<ul style="list-style-type: none">○ Right of the House to receive immediate intimation of the arrest, detention, conviction, imprisonment and release of a Member.○ Immunity from arrest and service of legal process within the precincts of the House without obtaining the permission of the Chairman/ Speaker.○ Protection of publication of the proceedings of a secret sitting of the House. |
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- The evidence tendered before a Parliamentary Committee and its report and proceedings cannot be disclosed or published **by anyone until these have been laid on the Table of the House.**
- Members or officers of the House **cannot give evidence or produce in courts of law**, documents relating to the proceedings of the House without the permission of the House.

Note

- The Supreme Court in the ***State of Kerala Vs. K. Ajith Case, 2021***, observed, that **“privileges and immunities are not gateways to claim exemptions from the general law of the land**, particularly as case of, the criminal law which governs the action of every citizen.”
- In July 2021, the **Supreme Court rejected the Kerala government’s plea to withdraw criminal cases against its MLAs** who were charged in the assembly.

P V Narasimha Rao Case and Recent Ruling of Supreme Court

- **Case Background:**
 - In the **1993 P V Narasimha Rao case**, certain members (**MPs**) of the **Jharkhand Mukti Morcha (JMM)** were accused of accepting **bribes in exchange for voting against a No-Confidence motion.**
 - This case highlighted allegations of corruption within the parliamentary system, raising concerns about the integrity of legislative processes and the accountability of elected representatives.
- **Court’s Observation in 1998 Case:**
 - The Supreme Court's ruling in **1998 established immunity for MPs (Members of Parliament) and Member of Legislative**

Assembly (MLAs) from prosecution in bribery cases as long as they fulfilled their end of the bargain.

- The Supreme Court held that the bribe takers who cast their vote against the no-confidence motion were immune from criminal prosecution under **Parliamentary Privilege (Article 105(2))**.
- This decision underscored the importance of stability in governance and the **functioning of parliamentary democracy**.
- The court's observation prioritised the smooth operation of the government over individual accountability, suggesting that **prosecuting lawmakers** for bribery could **potentially disrupt the stability of the government**.
- **Court's Observation in 2024 Case:**
 - The **7-Judge Constitution Bench** overturned the 5-Judge Bench verdict of **P.V. Narasimha Rao v. State Case, 1998**.
 - Wherein it was established that the Member of Parliaments and Member of Legislative Assemblies enjoyed immunity if they cast vote in the House after taking bribes for it.
 - The SC emphasised the detrimental **impact of bribery on democratic principles** and governance.
 - The court highlighted that **accepting a bribe is a separate criminal act**, unrelated to the core duties of lawmakers within the Parliament or legislative assembly.
 - The **Section 7 of the Prevention of Corruption Act**, deals with 'offence relating to public servant being bribed'.
 - Therefore, the immunity provided under **Articles 105 and 194 of the Constitution** does not extend to cases of bribery.
 - This decision signifies a shift towards prioritising

accountability and integrity in governance over stability alone, **aiming to uphold the ideals of a responsible, responsive, and representative democracy in India.**

International Practices Regarding Parliamentary Privileges

- **The United Kingdom:**

- The Parliament at Westminster **enjoys similar privileges**, including freedom of speech, immunity from arrest, and the right to regulate its own proceedings.
- These privileges are established through a combination of statute, common law, and precedent.

- **Canada:**

- The Parliament of Canada also has **established privileges for its members**, including freedom of speech, immunity from arrest, and the right to punish breaches of privilege.
- These privileges are outlined in the Constitution Act, 1867 and the Parliament of Canada Act.

- **Australia:**

- The Parliament of Australia follows similar principles, with privileges enshrined in its Constitution. Members enjoy freedom of speech, immunity from arrest, and the right to regulate their own proceedings.

Need to Codify Parliamentary Privileges

- **Need to Codify Parliamentary Privileges:**

- **Clarity and Precision:** Codification would provide a clear and **precise definition of parliamentary privileges**. It would specify what constitutes a violation of privileges, eliminating any ambiguity.

- A statute would establish a precise threshold beyond which no penalty may be meted out for privilege violations.
- **Enhanced Accountability:** Clearer guidelines for parliamentary privilege would **facilitate better accountability mechanisms**, enabling parliamentarians to exercise their privileges responsibly while also subjecting them to appropriate scrutiny and oversight.
- **Modernization and Adaptation:** Codifying parliamentary privilege would provide an opportunity to **update and modernize existing laws** to reflect contemporary governance practices and societal norms, ensuring that legislative privileges remain relevant and effective in a rapidly evolving political landscape.
- **Checks and Balances:** Codification would introduce checks and balances on privileges, **preventing their misuse**. It would **curb unnecessary curtailment** of press freedom.
- **Need not to Codify Parliamentary Privileges:**
 - **Risk of Encroachment on Parliamentary Autonomy:** Codifying parliamentary privilege could potentially lead to encroachments on the autonomy of the legislature **by subjecting parliamentary affairs to greater judicial scrutiny** or government intervention.
 - **Against Constitutional Mandate:** Article 122 deals with the **restrictions on courts not to inquire into proceedings of Parliament**. It further states the following: The validity of any proceedings in Parliament shall not be called in question on the ground of any alleged irregularity of procedure.
 - **Loss of Flexibility:** Codification may restrict the flexibility of parliamentary privilege, making it **challenging to adapt to unforeseen circumstances or changing political dynamics** that may require a more nuanced approach to legislative affairs.

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| | <ul style="list-style-type: none"> ○ Complexity and Lengthy Process: The process of codifying parliamentary privilege could be complex and time-consuming, requiring extensive deliberation and consensus-building among stakeholders, including legislators, legal experts, and civil society organizations. <p>Parliamentary privileges are given to members to ensure smooth functioning. However, these privileges must align with fundamental rights, as MPs represent citizens. If privileges conflict with these rights, democracy loses its essence. MPs should use privileges responsibly and avoid misuse.</p> |
| <p>41.</p> | <p>Lokpal and Lokayukta</p> <ul style="list-style-type: none"> • The Lokpal and Lokayukta Act, 2013 provided for the establishment of Lokpal for the Union and Lokayukta for States. • These institutions are statutory bodies without any constitutional status. • They perform the function of an "ombudsman" and inquire into allegations of corruption against certain public functionaries and for related matters. <p><u>Need for Lokpal</u></p> <ul style="list-style-type: none"> • Maladministration is like a termite which slowly erodes the foundation of a nation and hinders administration from completing its task. Corruption is the root cause of this problem. • Most of the anti-corruption agencies are hardly independent. Even Supreme Court has been termed CBI as a "caged parrot" and "its master's voice". |

- Many of these agencies are advisory bodies without any effective powers and their advice is rarely followed.
- There is also the problem of internal transparency and accountability. Moreover, there is not any separate and effective mechanism to put checks on these agencies.
- In this context, an independent institution of Lokpal has been a landmark move in the history of Indian polity which offered a solution to the never-ending menace of corruption.

Genesis

- In 1809, the institution of ombudsman was **inaugurated officially in Sweden**.
 - In the 20th century, Ombudsman as an institution developed and grew most significantly after the Second World War.
 - **New Zealand and Norway adopted this system in the year 1962** and it proved to be of great significance in spreading the concept of the ombudsman.
- In 1967, on the recommendations of the **Whyatt Report of 1961, Great Britain adopted the institution of the ombudsman** and became the first large nation in the democratic world to have such a system.
 - In 1966, Guyana became the first developing nation to adopt the concept of the ombudsman. Subsequently, it was further adopted by Mauritius, Singapore, Malaysia, and India as well.
- In India, the concept of constitutional ombudsman was **first proposed by the then law minister Ashok Kumar Sen in parliament in the early 1960s**.
 - The term Lokpal and Lokayukta were **coined by Dr. L. M. Singhvi**.
- **In 1966, the First Administrative Reforms Commission**

recommended the setting up of two independent authorities- at the central and state level, to look into complaints against public functionaries, including MPs.

- In 1968, Lokpal bill was passed in Lok Sabha but lapsed with the dissolution of Lok Sabha and since then it has lapsed in the Lok Sabha many times.
 - Till 2011 eight attempts were made to pass the Bill, but all met with failure.
 - In 2002, the Commission to **Review the Working of the Constitution headed by M.N. Venkatachaliah recommended the appointment of the Lokpal and Lokayuktas**, also recommended that the PM be kept out of the ambit of the authority.
 - In 2005, the **Second Administrative Reforms Commission chaired by Veerappa Moily** recommended that the office of Lokpal should be established without delay.
- In 2011, the government formed a Group of Ministers, chaired by Pranab Mukherjee to suggest measures to tackle corruption and examine the proposal of a Lokpal Bill.
 - "India Against Corruption movement" led by Anna Hazare put pressure on the United Progressive Alliance (UPA) government at the Centre and resulted in the passing of the Lokpal and Lokayuktas Bill, 2013, in both the Houses of Parliament.
 - It received assent from President on 1 January 2014 and came into force on 16 January 2014.

Key Provisions of the Lokpal and Lokayuktas (Amendment) Act, 2016

- It amended the Lokpal and Lokayukta Act, 2013.
- It also amended section 44 of the 2013 Act that deals with the provision

of furnishing of details of assets and liabilities of public servants within 30 days of joining the government service.

- It replaces the time limit of 30 days, now the public servants will make a declaration of their assets and liabilities in the form and manner as prescribed by the government.

Structure of Lokpal

- Lokpal is a multi-member body, that consists of one chairperson and a maximum of 8 members.
- Chairperson of the Lokpal should be either the former Chief Justice of India or the former Judge of Supreme Court or an eminent person with impeccable integrity and outstanding ability, having special knowledge and expertise of minimum 25 years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.
- Out of the maximum eight members, half will be judicial members and minimum 50% of the Members will be from SC/ ST/ OBC/ Minorities and women.
- The judicial member of the Lokpal either a former Judge of the Supreme Court or a former Chief Justice of a High Court.
- The non-judicial member should be an eminent person with impeccable integrity and outstanding ability, having special knowledge and expertise of minimum 25 years in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.
- The **term of office for Lokpal Chairman and Members is 5 years or till the age of 70 years.**

- The **members are appointed by the president** on the recommendation of a Selection Committee.
- The selection committee is composed of the Prime Minister who is the Chairperson, Speaker of Lok Sabha, Leader of Opposition in Lok Sabha, Chief Justice of India or a Judge nominated by him/her and One eminent jurist.
- For selecting the chairperson and the members, the selection committee constitutes a search panel of at least eight persons.

Lokpal Search Committee

- Under the Lokpal Act of 2013, the Department of Personnel & Training (DoPT) is supposed to put together a list of candidates interested to be the chairperson or members of the Lokpal.
- This list would then go to the proposed eight-member search committee, which would shortlist names and place them before the selection panel headed by the Prime Minister.
- The selection panel may or may not pick names suggested by the search committee.
- In September 2018, the **government had constituted a search committee headed by former Supreme Court judge Justice Ranjana Prakash Desai.**
- The 2013 Act also provides that all states should set up the office of the Lokayukta within one year from the commencement of the Act.

Jurisdiction of Lokpal and its Powers

- Jurisdiction of Lokpal **includes Prime Minister, Ministers, members of Parliament, Groups A, B, C and D officers and officials of Central**

Government.

- Jurisdiction of the Lokpal included the Prime Minister except on allegations of corruption relating to international relations, security, the public order, atomic energy and space.
- The Lokpal does not have jurisdiction over Ministers and MPs in the matter of anything said in Parliament or a vote given there.
- Its jurisdiction also includes any person who is or has been in charge (director/ manager/ secretary) of anybody/ society set up by central act or any other body financed/ controlled by central government and any other person involved in act of abetting, bribe giving or bribe taking.
- The Lokpal Act mandates that all public officials should furnish the assets and liabilities of themselves as well as their respective dependents.
- It **has the powers to superintendence over, and to give direction to CBI.**
 - If Lokpal has referred a case to CBI, the investigating officer in such case cannot be transferred without the approval of Lokpal.
- The Inquiry Wing of the Lokpal has been **vested with the powers of a civil court.**
- Lokpal has **powers of confiscation of assets, proceeds, receipts and benefits arisen or procured by means of corruption** in special circumstances.
- Lokpal has the **power to recommend transfer or suspension of public servant** connected with allegation of corruption.
- Lokpal has the **power to give directions to prevent the destruction of records** during the preliminary inquiry.

Lokpal and Lokayukta (Amendment) Act 2016

The amendment changes the Lokpal and Lokayuktas Act 2013 with regard to the reporting of assets and liabilities by public officials.

- Allows the **leader of the largest opposition party** in the Lok Sabha, in the absence of a recognized Leader of Opposition, to be a member of the selection committee that chooses the ombudsman.
- The bill modifies **section 44 of the Act**, which originally dealt with the requirement for public officials to report their assets and liabilities within 30 days of starting their government service.
- The amendment **eliminates the 30-day time frame in section 44**, and public officials will report their assets and liabilities as outlined by the government.

Changes with respect to the functions of the CVC

The enactment of the Lokpal and Lokayuktas Act will help the Central Vigilance Commission work in an independent and assertive manner:

- **Sections 8A and 8B** were added in CVC Act, 2003 empowering the commission to enquire into references made by the Lokpal in respect of members of Group "B", "C", "D" services of the central government and such level of officials or staff of the corporations, companies, societies and local authorities owned by the central government.
- The CVC also has been bestowed with the powers of **superintendence over the CBI** in so far as it relates to the investigation of offenses alleged to have been committed under the Prevention of Corruption Act, 1988, to ensure greater objectivity and accountability in its functioning.

Existing governance framework to check corruption in India

- **Prevention of Corruption Act, 1988:** It is the main law for

addressing corruption in India. It provides for the punishment of public servants who engage in corrupt practices.

- **Central Bureau of Investigation (CBI):** Main agency responsible for investigating corruption cases involving public servants.
- **Central Vigilance Commission (CVC)** and State Vigilance Commission: Handle citizens' grievances related to corruption.
- **National Human Rights Commission (NHRC):** Citizens can file complaints if they feel that their rights have been violated.
- **The All-India Services (Conduct) Rules, 1968** prohibit government employees from engaging in any activities that may compromise their integrity or impartiality, such as accepting gifts or bribes, engaging in partisan political activities, or disclosing confidential information.
- **The Central Civil Services (Conduct) Rules, 1964** prohibit central government employees from engaging in activities that may compromise their integrity or impartiality.
- **Administrative tribunals such as** Central Administrative Tribunal (CAT) are specialized courts that hear and decide disputes related to the administrative actions of government agencies related to matters of corruption.

Effectiveness of the institutions of Lokpal and Lokayuktas

Some major issues regarding the implementation of the Lokpal and Lokayuktas Act, 2013 include

- **Selection Committee:** The Lokpal and Lokayukta Act of 2013, despite being passed in 2014, was not implemented due to the absence of a Leader of Opposition (LoP) in the 16th Lok Sabha.
 - However, the Supreme Court clarified that this absence should

not stall the appointment process for the Lokpal.

- In addition, a **Parliamentary Standing Committee** in 2015 submitted a report supporting the amendment to replace the LoP with the leader of the single largest opposition party in the Lok Sabha.

- **Lokayukta:** According to a report by **Transparency International**

- Out of the total states and UTs, nine -- Assam, Bihar, Chhattisgarh, Delhi, Goa, Jharkhand, Kerala, Madhya Pradesh, and Uttar Pradesh -- have not amended their Lokayukta Acts to bring them in line with the Lokpal and Lokayukta Act of 2013.
- **Only four states** -- Bihar, Manipur, Odisha, and Tamil Nadu have appointed judicial and non-judicial members of the anti-corruption ombudsman Lokayukta.

Limitations

- The institution of lokpal has tried to bring a much needed change in the battle against corruption in the administrative structure of India but at the same time, there are loopholes and lacunae which need to be corrected.
- Five years have passed since the Lokpal and Lokayuktas Act 2013 was passed by parliament, but not a single Lokpal has been appointed till date indicating the **lack of political will**.
 - The Lokpal act also called upon states to appoint a Lokayukta within a year of its coming to force. But only 16 states have established the Lokayukta.
- Lokpal is **not free from political influence** as the appointing committee itself consist of members from political parties.
- The appointment of Lokpal can be manipulated in a way as there is no criterion to decide who is an 'eminent jurist' or 'a person of integrity.'

- The 2013 act **did not provide concrete immunity to the whistle blowers**. The provision for initiation of inquiry against the complainant if the accused is found innocent will only discourage people from complaining.
- The biggest lacuna is the **exclusion of judiciary from the ambit of the Lokpal**.
- The Lokpal is **not given any constitutional backing** and there is no adequate provision for appeal against the Lokpal.
- The specific details in relation to the appointment of Lokayukta have been left completely on the States.
- To some extent, the need for functional independence of the CBI has been catered to by a change brought forth in the selection process of its Director, by this Act.
- The complaint against corruption cannot be registered after a period of seven years from the date on which the offence mentioned in such complaint is alleged to have been committed.

Road ahead

- In order to tackle the problem of corruption, the **institution of the ombudsman should be strengthened** both in terms of functional autonomy and availability of manpower.
- **Greater transparency, more right to information and empowerment of citizens and citizen groups** is required along with a good leadership that is willing to subject itself to public scrutiny.
- Appointment of Lokpal in itself is not enough. The government should address the issues based on which people are demanding a Lokpal. Merely adding to the strength of investigative agencies will increase the size of the government but not necessarily improve governance. The

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| | <p>slogan adopted by the government of “less government and more governance”, should be followed in letter and spirit.</p> <ul style="list-style-type: none"> • Moreover, Lokpal and Lokayukta must be financially, administratively and legally independent of those whom they are called upon to investigate and prosecute. • Lokpal and Lokayukta appointments must be done transparently so as to minimize the chances of the wrong sorts of people getting in. • There is a need for a multiplicity of decentralized institutions with appropriate accountability mechanisms, to avoid the concentration of too much power, in any one institution or authority. |
| <p>42.</p> | <p>Constitutional doctrine evolves with society</p> <p>Recently, the Chief Justice of India (CJI) D.Y. Chandrachud emphasised the dynamic nature of the Constitution, asserting that no single generation can claim a monopoly over its interpretation.</p> <ul style="list-style-type: none"> • CJI emphasised the Constitution's relevance in its ability to adapt to changing social, legal, and economic contexts, contrasting this with the United States doctrine of originalism. <p><u>Constitutional Doctrine Evolve with Society</u></p> <ul style="list-style-type: none"> • Constitution as a Living Document: CJI highlighted the concept of a "living Constitution," which means the interpretation of the document must change with evolving societal norms. <ul style="list-style-type: none"> ○ This allows constitutional courts to find solutions for new and novel problems that arise over time, keeping the document relevant. |

- **Different Social Contexts:** According to CJI, **no two generations** read the Constitution in the same social, legal, or economic context.
 - As society evolves, new challenges arise that require fresh interpretations of the Constitution to address contemporary needs, such as **legalising adultery**.
- **Contrast with Originalism:** CJI Chandrachud referenced the **2022 Dobbs v. Jackson Women's Health Organisation** ruling by the US Supreme Court as an example of originalism, where the right to **abortion** was denied because it is not explicitly mentioned in the US Constitution.
 - He contrasted this with India's evolving approach, noting that originalism can lead to a **rigid and restrictive interpretation of citizens' rights**.
- **Inflexibility:** CJI Chandrachud pointed out that rigid adherence to the framers' original intent makes the Constitution inflexible. He emphasised that it was meant as broad, **not iron-clad rules, which should evolve with the times**.
 - Over-reliance on subjective interpretations can lead to **conservative readings, limiting future generations' ability** to address new challenges.

Constitutional Flexibility Play in Governance

- **Support for Progressive Reform:** The Constitution's adaptability allows for reforms that meet current societal demands, from **technological advancements to evolving human rights standards like data protection laws, such as data protection laws**.
- **Fostering Innovation in Law:** A living Constitution creates room for **innovative legal interpretations** that can address emerging challenges, such as **privacy concerns in a digital age**.

- **Safeguarding Citizens' Rights:** A dynamic interpretation of the Constitution helps safeguard rights against conservative readings that could otherwise restrict freedoms.
- **Adaptability:** A flexible constitutional doctrine ensures **institutions remain relevant in a rapidly evolving world**, particularly in a growing **knowledge economy**.
- **Inclusion of New Realities:** The living Constitution doctrine allows the courts to incorporate **new social, economic, and legal contexts** into their interpretations, ensuring that rights evolve with societal advancements.

Nature of the Indian Constitution

- **Hybrid Structure:** The Indian Constitution **incorporates features of both rigid and flexible constitutions**. This hybrid nature allows for **adaptability while maintaining stability** in the fundamental structure of the Constitution.
 - **Protecting Fundamental Values:** Rigidity ensures the protection of **fundamental rights and basic structure** against arbitrary changes.
 - **Preserving Federalism:** While the federal structure is rigidly defined, necessary changes can be made to adapt to new realities, such as the **concurrent list**.
 - **Balancing Welfare:** The combination of rigid rights and flexible **Directive Principles of State Policy (DPSP)** helps balance individual liberties with collective welfare.
 - **Ensuring Stability:** Rigidity fosters stability by requiring consensus for significant changes, preventing hasty amendments.
 - **Fostering Democracy:** Flexibility in legislative processes

promotes democratic governance by allowing elected representatives to respond to public needs while adhering to constitutional limits.

- **Amendment Procedures:**

- **Article 368 Delineates Two Main Methods of Amendment:**

- **Special Majority of Parliament:** Certain provisions like amending Fundamental Rights require a **special majority** of **Parliament** for amendment, which entails a **two-thirds majority of the members present and voting in each House**, along with a majority of the total membership of each House.

- This ensures that significant changes garner substantial parliamentary support.

- **State Ratification:** Other provisions like **election of the President and its manner** necessitate both a **special majority in Parliament and ratification by at least half of the total states**.

- This process underscores the **federal structure of India, ensuring that states have a voice in substantial constitutional changes** that affect their governance.

- **Simple Majority Amendments:** Some provisions like **formation of new states** can be amended by a simple majority in Parliament, following the same procedure as ordinary laws.

- These amendments **do not fall under the purview of Article 368**, indicating that certain aspects of the Constitution can be altered with relative ease.

Cases Related to the Flexibility of the Indian Constitution

- ***Golak Nath vs. State Of Punjab Case, 1967:*** The **Supreme Court of India** ruled that Article 368 only lays down the procedure for amending the Constitution, stating that Parliament **cannot curtail the fundamental rights of citizens and that all amendments are subject to judicial review.**
- ***Kesavananda Bharati v. State of Kerala Case, 1973:*** The Supreme Court ruled that while Parliament has the power to amend the Constitution, it cannot alter its **basic structure.**
 - This case exemplifies flexibility as it allows for amendments while ensuring that **fundamental principles**, like democracy and secularism, **remain intact.**

| Aspect | Flexible Constitutions | Rigid Constitutions |
|--|---|---|
| Amendment Procedures | Amendments may become more easy and similar to passing ordinary laws as seen in the United Kingdom's constitution. | Amendments require a complex, specialised procedure, as seen in the United States. |
| Adjustability to Changing Needs | Easily adapts to societal changes and evolving circumstances. It is viewed as a living document that evolves with societal progress | Resists changes, prioritising stability over adaptability |
| Reflection of Public Opinion | Reflects changing public opinion and societal perspectives. | More likely to reflect the framers' views, less responsive to changes. |

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| | <p>Assumption of Perfection Assumes no constitution is perfect and open to change.</p> <p>Adaptability in Federal Systems Accommodates the diverse needs of federal units, fostering cooperation.</p> <p>Protection of Minority Rights Frequent changes, sometimes influenced by mobocracy(domination by the masses), can negatively impact minority rights.</p> <p>The balance between a rigid and flexible constitution is crucial for fostering a dynamic legal framework that remains relevant and responsive to contemporary challenges. Ultimately, embracing constitutional flexibility is essential for promoting justice, equality, and democratic governance in an ever-changing society.</p> | <p>Assumes the constitution is a perfect guide for all times.</p> <p>Provides stability and checks to maintain balance in federal systems.</p> <p>Offers stronger protection, ensuring minority rights are safeguarded.</p> |
| <p>43.</p> | <p>Organ on a chip</p> <ul style="list-style-type: none"> • Organ-on-a-chip is a microfluidic device that aims to mimic the structure and function of specific human organs or tissues in vitro. • It is a small, transparent chip made of biocompatible materials such as silicon, glass, or polymers, and contains tiny channels lined with living | |

cells.

- The living cells are derived from human tissues and can be cultured to replicate the microenvironment of the specific organ being modelled.

· Most of the materials used to create organ-on-a-chip devices need to be optically clear for viewing and imaging purposes, although whether they are stiff or flexible depends on the use of the device. The materials must also have the right chemistry and reactivity so as to not improperly affect the system. Glass and silicone have been used as materials for microfluidic devices. A commonly used soft, synthetic polymer is polydimethylsiloxane (PDMS). It is optically clear, easy to stretch and easy to fabricate and has high oxygen permeability. Organ-on-a-chip systems that need to be mechanically stable can use thermoplastics such as polystyrene. They are stiff materials with stable surface chemistries. Other synthetic polymers used in making organ-on-a-chip systems are PMMA and polycarbonate. Natural materials, such as collagen, in the form of hydrogels have been used in organ-on-a-chip systems to assist cell organization. In some cases, biodegradable materials are desired as scaffolds in the system. Materials such as PLGA and polydioxanone (PDO) are thus used.

· A major requirement for the materials used in organ-on-a-chip systems is that they need to be able to be manufactured with small details. A major technique for manufacture is soft lithography, which normally uses PDMS as the material for chips. Hot embossing and injection molding are also used to make devices from thermoplastics. 2D printing now appears promising for constructing organ-on-a-chip systems.

How does it work?

- **Microfluidic channels simulation:** Each organ-on-a-chip contains a

complex network of microfluidic channels and chambers that can simulate the mechanical and chemical environment of a specific organ.

- **Mimics the blood flow:** The microfluidic channels can mimic the flow of blood and air, while the living cells provide a realistic environment for drug testing and disease modelling.

Potential applications of organ-on-a-chip

- Organ-on-a-chip technology has numerous potential applications, including drug development, disease modelling, and toxicity testing.
- By replicating the structure and function of human organs, researchers can study how organs interact with drugs and other compounds.
- This could lead to the development of more effective and personalized treatments for a variety of diseases.
- Additionally, organ-on-a-chip technology provides a more ethical and effective approach to testing drugs and other compounds, reducing the reliance on animal testing.

Examples

Several examples of organ-on-a-chip technology have been developed, including-

- **Lung-on-a-chip** mimics the air-blood interface in the lungs
- **Heart-on-a-chip** mimics the mechanical and electrical properties of the heart
- **Liver-on-a-chip** replicates the metabolic activity of the liver
- **Brain-on-a-chip** models the blood-brain barrier and neural activity in the brain

Future prospects

- Organ-on-a-chip technology is a promising and rapidly evolving field that offers numerous advantages over traditional drug development and testing methods.

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| | <ul style="list-style-type: none"> • It provides a more ethical and effective approach to testing drugs and other compounds, reducing the reliance on animal testing. • Furthermore, it has the potential to revolutionize the field of drug development by enabling more personalized and effective treatments for a variety of diseases. |
| <p>44.</p> | <p>The shock of crumbling infrastructure and the solution</p> <p><i>Importance of Infrastructure Development</i></p> <p>Economic Driver: Infrastructure development is critical for India's economic growth. The government's aspiration to elevate India to a developed nation by 2047 is heavily dependent on advancements in infrastructure.</p> <p>Notable initiatives include:</p> <ul style="list-style-type: none"> • PM Gati Shakti National Master Plan (NMP): Aims to streamline project planning and execution by integrating multiple stakeholders on a common platform. • National Logistics Policy: Focuses on improving logistics efficiency and reducing costs, thus boosting economic competitiveness. • Smart Cities Mission: Seeks to enhance urban infrastructure through technological innovation and improved urban management. <p>Budget Allocation: The government has demonstrated its commitment by increasing the capital expenditure allocation to ₹11.11 lakh crore (3.4% of GDP) in Budget 2024.</p> <p>Challenges in Infrastructure Projects</p> <p>Time Delays:</p> |

- **Delayed Projects:** As of March 2024, 779 projects were delayed, with 36% running behind schedule for 25 to 60 months, 26% for 1 to 12 months, 23% for 13 to 24 months, and 15% for over 60 months.
- **Impact:** Time delays result in increased costs and inefficiencies, affecting project viability and delivery.

Cost Overruns:

- **Extent:** 431 infrastructure projects, each with investments exceeding ₹150 crore, experienced a cost overrun totaling ₹4.82 lakh crore as of December 2023.
- **Consequences:** Cost overruns strain government budgets and reduce funds available for other projects.

Project Management Issues:

- **Planning and Execution:** Many projects, particularly government-sponsored ones, suffer from poor planning and execution. Key issues include insufficient attention to project planning, inadequate management by urban local bodies, and limited capacity of local self-government institutions.
- **Expenditure Burden:** Inefficiencies and management gaps lead to additional costs, divert funds from other crucial projects, and increase procurement expenses.

Need for Modernization in Project Management

Outdated Practices: Traditional project management practices are no longer sufficient. Modern infrastructure projects require:

- **Integration of Modern Tools and Techniques:** Utilize real-time data management and advanced analytics to improve decision-making and project tracking.

- **Policy Framework:** Develop and implement policies that align with global best practices in project management to ensure effective execution in both public sector and public-private partnership projects.

Global Examples:

- **UK's Infrastructure and Projects Authority:** Emphasizes rigorous processes and standards for project completion.
- **China and Saudi Arabia:** Have established specialized agencies to oversee and ensure successful project delivery from start to finish.

PM Gati Shakti National Master Plan

Objective: The PM Gati Shakti NMP aims to:

- **Integrate Stakeholders:** Break down silos between government ministries and departments to foster collaborative project planning and execution.
- **GIS-Based ERP Portal:** The initiative uses a GIS-based ERP portal to track real-time progress and integrate various departmental inputs via APIs. This tool provides a visual representation of the NMP and helps in monitoring project milestones.

Implementation Challenges:

- **Quality and Integrity:** Successful execution of PM Gati Shakti depends on the quality of project implementation and the integrity of the oversight teams.

Program Management Approach

Systematic Coordination:

- **Application:** Used in large-scale projects such as the Shendra-Bidkin

industrial corridor development, which involves managing multiple project packages simultaneously.

- **Methodology:** Requires disciplined coordination of human resources, time, money, and information to deliver projects in a unified manner.

Benefits:

- **Efficient Resource Utilization:** Ensures that significant resources are managed effectively and that diverse activities are integrated for cohesive project delivery.

Establishing a Professional Project Management Agency

Training and Standards:

- **Professional Courses:** Establishing an agency to offer structured professional courses in project management, akin to The Institute of Chartered Accountants of India, will enhance project management skills and ethical standards.
- **Ethics and Responsibilities:** Developing a workforce with a strong ethical foundation and professional responsibilities will improve project oversight and execution.

Goals:

- **Develop Expertise:** Equip project managers with the skills needed for effective project planning and implementation.
- **Improve Project Delivery:** Address current inefficiencies and ensure that projects are completed on time and within budget.

Conclusion

To achieve its infrastructure goals and ensure efficient use of resources, India

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| | <p>must:</p> <ul style="list-style-type: none"> • Adopt a Robust Program Management System: Implement modern project management practices and tools to enhance efficiency and effectiveness. • Prevent Cost Overruns and Delays: Address existing challenges to avoid repeated failures and budget overruns. • Create Future-Ready Infrastructure: Focus on building infrastructure that meets future needs and contributes to the country's economic and social development. |
| <p>45.</p> | <p>Public Accounts Committee</p> <p>Recently, the Public Accounts Committee (PAC) has taken suo-moto initiative to review the performance of regulatory bodies such as Securities and Exchange Board of India (SEBI) and Telecom Regulatory Authority of India (TRAI).</p> <p>Why has the PAC Initiated the Review of Regulatory Bodies?</p> <ul style="list-style-type: none"> • The review aims to enhance the effective use of public funds and improve governmental oversight. • The decision was made amid a political controversy over allegations of conflict of interest against the SEBI chief. • The panel has chosen 5 subjects for suo-motu investigations, including "performance review of regulatory bodies established by Act of Parliament" and "levy and regulation of fees, tariffs, user charges etc. on public infrastructure and other public utilities". <p><u>Public Accounts Committee (PAC)</u></p> |

- **None of the members of the CAG** committee can hold positions as government **ministers**.
- The **PAC** is a committee of selected **members of Parliament**, **constituted by the Parliament** of India, for the purpose of **auditing the revenue and the expenditure** of the Government of India.
- **Parliamentary committees** draw their authority from **Article 105** and **Article 118 of the Constitution**. PAC is one of the three Financial Parliamentary committees, the other two are the **Estimates Committee** and the **Committee on Public Undertakings**.
- **Background:**
 - It is **constituted every year** under **Rule 308** of the **Rules of Procedure and Conduct of Business in Lok Sabha**.
 - The PAC was introduced in **1921** after its first mention in the **Government of India Act, 1919** also called **Montford Reforms**.
- **Composition:** It presently comprises **22 members (15 members elected by the Lok Sabha Speaker, and 7 members elected by the Rajya Sabha Chairman)** with a **term of 1 year only**.
 - The Chairman of the Committee is appointed by the **Speaker of Lok Sabha**.
- **Powers and Functions:**
 - The **CAG assists the committee** during the investigation.
 - **Examine accounts** showing the appropriation of funds granted by the House for expenditure and the annual Finance Accounts of the government.

- **Review other accounts presented to the House** that the Committee deems appropriate, except those related to Public Undertakings assigned to the **Committee on Public Undertakings**.
- Committee **reviews various CAG Audit Reports on revenue receipts, government expenditure by different Ministries/Departments**, and accounts of autonomous bodies.
- **Recommendations:**
 - The PAC's recommendations are **advisory and not binding on the government**, as it is an executive body that **cannot issue orders**, and only Parliament can take a final decision on the committee's findings.

Regulatory Bodies in India

These agencies **may operate with or without direct executive supervision**. Regulatory bodies are **independent government entities** established to **set and enforce standards in specific fields** of activity or operations.

- **Functions:**
 - Creating regulations and guidelines
 - Reviewing and assessing activities
 - Issuing licences
 - Conducting inspections
 - Implementing corrective actions
 - Enforcing standards
- **Examples:**
 - **Established:** 1992
 - **Headquarters:** Mumbai
 - **Role:** Regulates securities markets, protects investors, and ensures market integrity.

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| | <ul style="list-style-type: none"> ○ Structure: Board with Chairman, whole-time, and part-time members. Appeals handled by Securities Appellate Tribunal (SAT), with further appeals to the Supreme Court. ○ Functions: Drafts regulations, conducts inquiries, imposes penalties. Overseas venture capital funds, mutual funds, and addresses fraudulent practices. ○ Established: 1997 ○ Headquarters: New Delhi ○ Role: Regulates telecom services, revises tariffs, ensures service quality, and advises the government on telecom policy. ○ Structure: Chairperson, up to two whole-time and two part-time members. ○ Appellate Authority: Telecommunications Dispute Settlement and Appellate Tribunal (TDSAT), established in 2000, handles disputes and appeals from TRAI's decisions. ○ Securities and Exchange Board of India (SEBI) ○ Telecom Regulatory Authority of India (TRAI) ○ Other Regulatory Bodies: Reserve Bank of India (RBI), National Bank for Agriculture and Rural Development (NABARD), Small Industries Development Bank of India (SIDBI), Food Safety and Standards Authority of India (FSSAI), Central Drugs Standard Control Organisation (CDSCO), and Competition Commission of India (CCI). |
| <p>46.</p> | <p>World Bank's Analysis of India Opting out of the RCEP</p> |

Recently, the **World Bank's** latest **India Development Update: India's Trade Opportunities in a Changing Global Context** suggested India to re-consider joining **Regional Comprehensive Economic Partnership (RCEP)**.

- An Indian think tanks **rejected the idea** saying it is based on **flawed assumptions** and **outdated projections**.

World Bank's Analysis of India Opting out of the RCEP

- **Income Gains:** According to a World Bank study, India's income will **increase by USD 60 billion annually** if it rejoins the agreement and will **fall by USD 6 billion** if it does not.
 - These gains would span **various sectors**, including raw materials, light and advanced manufacturing, and services.
- **Export Growth:** Expected **export gains** from joining RCEP could include **17% in services** like computing, finance, and marketing.
- **Denial of Economic Gains:** RCEP (without India) will add **USD 186 billion** to the world economy and **increase the GDP** of its members by **0.2% on a permanent basis**.
 - The major beneficiaries would be **China (USD 85 billion)**, Japan (USD 48 billion), and South Korea (USD 23 billion).
 - India will miss a major portion of economic gain which may accrue from RCEP.
- **Trade Diversion Risks:** By staying out of RCEP, **India could face trade diversion**, as the trade bloc members could shift supply chains and **increase competition among themselves**, potentially **harming India's exports to RCEP countries**.
- **Potential New Members:** South Asian countries such as **Bangladesh and Sri Lanka**, have recently indicated interest in joining **RCEP**.

- In effect, India cannot fully remain out of the influence of RCEP as India has an **FTA with countries like Sri Lanka**.

World Bank's Evaluation of India's Export Strategy and Trade Policy

- **Need for Export Diversification:** Over the years, India's **trade in goods** as a **percentage of GDP has declined**, and its participation in **Global Value Chains (GVCs)** has decreased.
 - **Diversification** can be achieved by expanding into more labour-intensive sectors such as **textiles, apparel, leather and footwear**.
 - India's share in global exports of Apparel, Leather, Textiles, and Footwear (ALTF) initially grew from **0.9% in 2002** to a peak of **4.5% in 2013**, but it subsequently declined to **3.5% in 2022**.
- **Increased GVC Participation:** By integrating into **GVCs**, India can:
 - **Expand the variety** of what it produces by participating in the production of higher-added value goods.
 - Enhance its **competitiveness** by gaining access to advanced technologies and global markets.
 - Increase flows of **FDI** by multinationals seeking to produce in India.
- **Balancing Liberalisation and Protectionism:** India's trade policy includes both **liberalising and protectionist** measures. For instance, initiatives like the **National Logistics Policy 2022** and **digital reforms** aim to lower logistics costs and improve trade facilitation.
 - Conversely, there has been a resurgence in protectionist measures, such as increased **tariffs and non-tariff barriers**, which restrict India's trade openness.

- **Trade Agreements:** Recent **Free Trade Agreements (FTAs)** with countries like the UAE and Australia indicate a shift towards **preferential trade agreements**. However, India has avoided joining large trade blocs, like the **Regional Comprehensive Economic Partnership (RCEP)**, despite potential benefits.
- **Reevaluating India's Tariffs and Industrial Policies:** India has become a **net exporter of mobile phones** as exports have surged amid falling imports due to policies like **National Electronics Policy 2019**, **Production Linked Incentives (PLI) scheme 2020**.
 - However, recent **hikes in import tariffs on key intermediary inputs**, which brought average tariffs from 4% to 18% between 2018 and 2021, **threaten the sector's competitiveness**.
- **Opportunities for India:** Heightened perceptions of **geopolitical risks** have prompted companies to diversify their sourcing strategies.
 - This presents an opportunity for countries like India with an **abundant workforce** and a growing **manufacturing base**.

India Hesitant to Reconsider Joining RCEP

- **Flawed Assumptions in World Bank's Suggestion:** The World Bank study projected income gains of **USD 60 billion by 2030**, but it does not consider that most of these **gains** would come from **increased imports**, leading to **trade imbalances**.
- **Trade Deficits Among RCEP Members:** Since the RCEP became operational, **ASEAN's** trade deficit with China grew from **USD 81.7 billion in 2020 to USD 135.6 billion in 2023**.
 - Similarly, **Japan's** trade deficit with China increased from **USD 22.5 billion** in 2020 to **USD 41.3 billion** in 2023.
 - South Korea may also face a trade deficit with China for the first

time in the year 2024.

- **Overdependence on China-Centric Supply Chains:** The rising trade deficits of RCEP members highlight a growing dependence on **China-centric supply chains**.
 - This dependency presents significant risks, especially in the context of global supply chain disruptions, such as those experienced during the **Covid-19 pandemic**.
- **Unfair Competition:** By not joining RCEP, India maintained the flexibility to explore other trade agreements that do not disproportionately favour China or threaten its **economic interests**.
 - India's trade deficit with China rose to **USD 85 billion** in 2023-24
- **Alternative Trade Agreements:** India already has several functional **Free Trade Agreements (FTAs)** with 13 out of 15 RCEP members, **except New Zealand and China**.
- **"China Plus One" Strategy:** India's decision to not join RCEP aligns with the global trend of adopting the **"China Plus One" strategy** to mitigate risks associated with dependence on China.

Regional Comprehensive Economic Partnership (RCEP)

- RCEP is a **trade agreement** between the **10 ASEAN countries** and their five Free Trade Agreement (FTA) partners: **China, Japan, South Korea, Australia, and New Zealand**.
- RCEP was introduced during the **19th ASEAN Summit in November 2011**, and negotiations began in **November 2012**.
 - RCEP entered into force on **1st January 2022**.
- It is the **world's largest FTA** when measured by **combined GDP (26 trillion dollars), population (2.27billion)** and **total export value (5.2 trillion dollars)** of signatory parties.

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| | <p>Road ahead</p> <ul style="list-style-type: none">• Bilateral Free Trade Agreements (FTAs): Negotiations for a comprehensive FTA with new partners like the United Kingdom and European Union should be concluded at earliest.• Trade Agreements with Gulf Countries and Africa: India should actively negotiate and expand trade agreements with Gulf Cooperation Council (GCC) countries and African nations, focusing on energy, infrastructure, and digital cooperation.• Strengthening Existing Regional Groupings: India should continue to advocate for regional trade integration within SAARC and focus on strengthening BIMSTEC, which connects South and Southeast Asia.• Indo-Pacific Economic Framework (IPEF): India should complement its "Act East Policy." by actively participating in IPEF to enhance regional cooperation in four key areas: trade, supply chain resilience, clean energy, and fair economy.• Self-Reliant India: Government should enhance domestic manufacturing capabilities and exports by boosting domestic manufacturing. Schemes like Make in India 2.0 and Production Linked Incentive (PLI) Schemes should be given a renewed push. |
| <p>47.</p> | <p>A human touch to India's mineral ecosystem</p> <p>Introduction and Legislative Background</p> <ol style="list-style-type: none">1. Judicial and Regulatory Catalyst:<ol style="list-style-type: none">a. Coal Block Allocation Scandal: The spotlight on the allocation of |

coal blocks, driven by the Comptroller and Auditor General (CAG) of India's 2012 report, revealed significant irregularities in coal block allocations between 2004 and 2009. The scandal led to a major reassessment of the allocation processes and highlighted the need for more transparent and accountable mechanisms.

- b. **2015 Amendments:** In response to the scrutiny, the Narendra Modi government amended the Mines and Minerals (Development and Regulation) Act in 2015. This reform introduced mandatory auctions for mineral allocations to ensure fair competition and reduce the potential for corruption.

2. **Creation of District Mineral Foundations (DMFs):**

- a. **Purpose and Mandate:** As part of the legislative changes, District Mineral Foundations (DMFs) were established. These foundations were designed to channel funds from mining operations directly into community development projects. The Prime Minister's vision emphasized that local communities, directly impacted by mining, should benefit from the exploitation of mineral resources.

Financial Growth and Development Impact

1. **Financial Accumulation:**

- a. **Corpus Development:** Over the past decade, DMFs have accumulated a significant corpus of nearly ₹1 lakh crore. This substantial financial resource is used to support community-centric development projects in mining-affected regions.
- b. **Project Implementation:** DMFs have facilitated the sanctioning of about 300,000 projects across 645 districts in 23 states. These projects range from infrastructure development to health and

education improvements, showcasing a major shift from previous losses to substantial gains in community development.

2. Pradhan Mantri Khanij Kshetra Kalyan Yojana (PMKKKY):

- a. **Objective:** The PMKKKY scheme aims to implement developmental and welfare projects in mining-affected areas. It works in conjunction with existing State and central government schemes to minimize the adverse impacts of mining, enhance local infrastructure, and promote sustainable livelihoods.
- b. **Scope:** The scheme focuses on mitigating the negative effects of mining and ensuring that affected communities have access to long-term, sustainable benefits.

Success Stories and Innovations

1. Empowerment and Skill Development:

- a. **Self-Help Groups:** In Odisha, DMFs have supported the creation of self-help groups, empowering women to become entrepreneurs and artisans. These groups have gained skills and resources to improve their economic status and contribute to local development.
- b. **Youth Skill Development:** In Katni, Madhya Pradesh, DMFs have funded programs to train youth in advanced technologies like drones. This initiative has led to job placements and opened new career opportunities for young people in the region.

2. Alignment with National Initiatives:

- a. **National Critical Minerals Mission:** The DMF initiative aligns with India's broader national goals, such as the National Critical Minerals Mission, which aims to secure the nation's supply of

strategic and critical minerals.

- b. **Khanij Bidesh India Ltd. (KABIL):** DMFs also complement India's global mineral strategy through KABIL, which focuses on expanding India's footprint in the international mineral market.

Operational Efficiency and Innovation

1. Management and Transparency:

- a. **National DMF Portal:** The establishment of the National DMF Portal has enhanced the transparency and efficiency of DMF operations. This digital platform allows for better management, oversight, and accountability of DMF funds and projects.
- b. **Leadership Role:** District Collectors play a pivotal role in overseeing the implementation of DMF projects. Their involvement ensures that funds are allocated effectively based on local needs and priorities.

2. Innovative Practices:

- a. **Inclusive Governance:** Some DMFs have adopted inclusive governance models by including elected and non-elected representatives in their decision-making bodies. This approach helps ensure that a diverse range of perspectives is considered.
- b. **Dedicated Departments:** Certain DMFs have established dedicated engineering departments and engaged personnel from the State Public Works Department to improve the implementation and quality of projects.
- c. **Strategic Planning:** DMFs are developing three-year plans to set clear goals and ensure targeted outcomes. This long-term planning approach helps in avoiding fragmented project

implementation.

Future Directions and Strategic Goals

1. Integration with Existing Schemes:

- a. **Convergence with Central and State Schemes:** DMFs are encouraged to align their activities with ongoing central and State government schemes, particularly in aspirational districts. This alignment enhances the overall impact of DMF projects and contributes to achieving Sustainable Development Goals (SDGs).
- b. **Augmenting Livelihoods:** Future initiatives include projects aimed at improving the livelihoods of forest dwellers through activities such as medicinal herb cultivation and processing.

2. Development of Sports Infrastructure:

- a. **Support for Rural Athletes:** DMFs are also focusing on developing sports infrastructure and identifying talented rural athletes. This initiative aims to foster sports development and provide opportunities for youth in mining-affected areas.

Significance and Impact

1. Exemplifying Cooperative Federalism:

- a. **Convergence Advantage:** DMFs represent a model of cooperative federalism by aligning resources and goals across central, State, and local levels. This alignment ensures that national priorities are effectively met while addressing local needs.
- b. **Whole of Government Approach:** DMFs embody a “whole of government” approach, integrating various levels of governance to address developmental challenges in mining regions.

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| | <p>2. Global Example of Resource Management:</p> <p>a. Balancing Growth and Welfare: India's DMF initiative serves as a global example of how resource management can be balanced with social welfare. It demonstrates how mineral wealth can be used to drive local development and improve the quality of life for historically underserved communities.</p> <p>Conclusion</p> <p>The District Mineral Foundation initiative represents a transformative approach to managing and utilizing mineral resources for community development. By channeling funds from mining operations into targeted development projects, DMFs have turned resource exploitation into a catalyst for local progress. This model not only empowers marginalized communities but also sets a benchmark for balancing economic growth with social welfare on a global scale.</p> |
| <p>48.</p> | <p>PM-WANI (Prime Minister WIFI Network Interface) scheme</p> <p>On the proposal of Department of Telecom (DoT) to proliferate broadband through public wi-fi networks cabinet approved the PM-WANI framework. This framework takes forward the goal of National Digital Communications Policy, 2018 (NDCP) of creating a robust digital communications infrastructure. The PM-WANI framework envisages provision of Broadband through Public Wi-Fi Hotspot providers. It will consist of elements such as Public Data Office (PDO), Public Data Office Aggregator (PDOA), App Provider and Central Registry.</p> |

Objectives

- This framework aims to proliferate broadband access through public Wi-Fi networks, with a focus on creating a robust digital communications infrastructure in India.
- One of the primary objectives of PM-WANI is to simplify the process of providing public Wi-Fi services.
- The spread of public Wi-Fi broadband promises better internet service, especially in rural areas where BharatNet is setting up hotspots.

Features

- **Public Data Offices (PDOs)**
 - Last-mile public Wi-Fi providers, known as PDOs, do not require licenses or registration, and they are not obligated to pay fees to the DoT.
 - This removes bureaucratic hurdles and encourages local shops and small establishments to become Wi-Fi providers.
- **Public Data Office Aggregators (PDOAs)**
 - The entities that aggregate last-mile providers, known as PDOAs, only need to register, and no fees are charged for this registration.
 - The process is streamlined, with registration typically completed within seven working days of receiving applications.
- **App Providers**
 - The PM-WANI framework encourages the participation of App Providers who offer services for registering and authenticating users.
 - These apps facilitate user access to public Wi-Fi hotspots and enhance the overall user experience.
- **Central Registry**
 - Central Registry will maintain the details of App Providers,

PDOAs, and PDOs.

- It is currently maintained by the Centre for Development of Telematics (C-DoT).

Benefits

• **Connectivity:**

- PM-WANI aims to provide ubiquitous digital connectivity across the country.
- By creating a network of interoperable public Wi-Fi hotspots (PDOs), it offers a last-mile distribution of broadband at affordable prices, making internet access accessible to even the remotest areas.

• **Affordability:**

- The packages of Rs 5-10 for Wi-Fi access make Wi-Fi affordable, especially for low-income households and rural communities.
- This makes high-speed internet affordable, bridging the digital divide that has long persisted.

• **Simplified Operations:**

- PM-WANI eliminates the need for licenses or permits to operate public Wi-Fi hotspots.
- This simplifies the process for entrepreneurs and startups, promoting innovation and competition in the digital connectivity space.

• **Open and Scalable Framework:**

- Like the success of the Unified Payments Interface (UPI) in the financial sector, PM-WANI provides an open and scalable framework for internet distribution.
- This encourages the participation of various entities, including

PDOs, PDOAs, and app providers, creating a dynamic ecosystem.

- **Business Opportunities:**

- The framework allows for the unbundling of internet distribution at the last mile, reducing the need for additional licensing fees.
- This opens business opportunities for aggregators, enabling them to play a crucial role in delivering affordable internet access.

- **Local Entrepreneurship:**

- PM-WANI nurtures the growth of local entrepreneurs, who can set up PDOs in small shops, local establishments, and even households.
- This empowers these entrepreneurs to augment their monthly earnings while promoting internet usage in their communities.

- **Utilization of Existing Infrastructure:**

- PM-WANI can make better use of existing infrastructure laid out by major companies like RailTel and GAIL, which is currently underutilized.
- It encourages Internet Service Providers (ISPs) and Telcos to expand their reach to underserved areas by turning their end customers into retailers of internet services.

- **Interoperability and Scalability:**

- PM-WANI's unique Indian approach to interoperability, openness, and scalability makes it well-suited to address the diverse connectivity needs of the country.
- It can grow organically and adapt to changing technology landscapes.

- **Digital Empowerment:**

- PM-WANI contributes to the digital empowerment of citizens by providing them with affordable and accessible internet access.

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| | <ul style="list-style-type: none">○ This empowers individuals with the knowledge and opportunities that the digital world offers. |
| 49. | <p>OPEC and OPEC+</p> <ul style="list-style-type: none">• OPEC, an acronym for the Organization of the Petroleum Exporting Countries, is an international governmental organization comprising 13 member countries. It was established in Baghdad on September 14, 1960, by the initial five members (Iran, Iraq, Kuwait, Saudi Arabia, and Venezuela). Despite its main headquarters being in Vienna, Austria, since 1965, Austria itself is not a member state of OPEC.• The thirteen member countries collectively accounted for approximately 44% of global oil production and 81.5% of confirmed oil reserves worldwide. This significant share has empowered OPEC to exert substantial influence on global oil prices, previously determined by the “Seven Sisters,” a group of multinational oil companies.• Since its inception, OPEC has played a pivotal role in the crude oil and derivative markets, controlling petroleum prices and production arrangements. The organization aims to coordinate oil policies among its member countries to ensure stability in global oil prices. Additionally, OPEC seeks to maintain the relationship between manufactured goods prices and oil prices, protecting oil-exporting nations that depend on a steady income for development. Furthermore, OPEC safeguards these nations from economic impacts caused by consuming countries and addresses factors that could lead to oil price deterioration to prevent adverse effects on global markets. |

- OPEC was established in response to the actions of some oil-producing countries and multinational corporations acting as a cartel, manipulating and controlling oil prices. OPEC's formation allowed oil-producing nations to assert their opinions and intervene by setting pricing ceilings, thus granting OPEC a significant role in global oil markets.
- OPEC gained prominence after the 1973 Arab Israeli War when Iran and Saudi Arabia, along with their allies, decided to use oil as a weapon by reducing production and exports. Since then, OPEC has been able to influence oil prices and implement its oil policies globally, breaking the monopoly previously held by major corporations.
- Due to the substantial gap between declared oil prices and state revenues starting in 1974, OPEC decided to ensure member countries' oil revenues ranged between \$10 and \$12 per barrel, considering production costs for each member. The goal was to standardize oil prices.

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






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Established in 1960 by      at the Baghdad Conference

To Coordinate and unify petroleum policies to secure prices, supply, and returns.

1960s

Formation and initial growth, emphasis on sovereignty over natural resources.

September 1960
Formation

1961
Qatar joined OPEC.

1962
Indonesia & Libya joined OPEC.

1967
UAE joined OPEC.

1969
Algeria joined OPEC.

1970s

Control of domestic petroleum industries, establishment of OPEC Fund for International Development (1976).

1971
Nigeria joined OPEC

1973
Ecuador joined OPEC.

1975
Gabon joined OPEC.

1980s

Market Crash Recovery, introduction of group production adjustment and Reference Basket for pricing.

1990s


Market volatility, Southeast Asian economic downturn, increased globalization and producer-consumer dialogue.

1992
Ecuador suspended membership

January 1995
Gabon terminated membership.

2000s

Market volatility, financial crisis response, adoption of long-term strategy (2005).



The OPEC Fund for International Development (OFID), established in 1976, provides financial aid to developing countries for infrastructure, education, and healthcare projects.

OPEC and the Environment

Advocacy

- Promotes responsible environmental stewardship.
- Supports sustainable development alongside fossil fuel usage.

Commitment

All Member Countries are signatories to the UNFCCC

OPEC Plus Members

OPEC Members
Algeria, Congo, Equatorial Guinea, Gabon, Iran, Iraq, Kuwait, Libya, Nigeria, Saudi Arabia, UAE, Venezuela

Non-OPEC Members
Azerbaijan, Bahrain, Brunei, Kazakhstan, Malaysia, Mexico, Oman, **Russia**, South Sudan, Sudan

Objective

Respond to falling oil prices due to increased U.S. shale oil output.

Key Member

Russia (world's 3rd-largest oil producer in 2022 with 10.3 million b/d).

40%

OPEC+ pumps around 40% of the world's crude oil.

India's Petroleum Exports and Crude Oil Imports (Apr-Jan 2024)

Petroleum Exports

\$70.13B

| Country | Share | Value |
|--------------|--------|---------|
| South Africa | 4.56% | \$3.2B |
| Australia | 4.99% | \$3.5B |
| USA | 7.13% | \$5B |
| UAE | 7.70% | \$5.4B |
| Singapore | 8.13% | \$5.7B |
| Netherlands | 15.54% | \$10.9B |
| Europe | 26.24% | \$18.4B |

Crude Oil Imports

\$84.88B

| Country | Share | Value |
|--------------|--------|----------|
| Venezuela | 0.21% | \$0.179B |
| USA | 5.54% | \$4.7B |
| Saudi Arabia | 20.85% | \$17.7B |
| Russia | 45.82% | \$38.9B |
| Iraq | 27.56% | \$23.4B |

• Despite sanctions, Russia remained the dominant supplier to India.

2010s

Market stability challenges, Paris Agreement participation, Declaration of Cooperation (2016).

2020

Historic production adjustments to stabilize the market, even in COVID-19.

Oct 2007 Ecuador rejoined OPEC.

2009 Indonesia suspended its membership.

2010s Market stability challenges, Paris Agreement participation, Declaration of Cooperation (2016).

July 2016 Gabon rejoined OPEC.

2017 Equatorial Guinea joined.

2018 Congo joined OPEC.

2019 Qatar terminated its membership

2020 Ecuador withdrew membership.

• In September 2016, an agreement in Algeria, involving 23 oil-exporting

countries, including 13 OPEC members, aimed to reduce oil production to improve market prices. This agreement was termed OPEC Plus.

- OPEC Plus includes major oil-producing nations such as Russia, Azerbaijan, Kazakhstan, Bahrain, Malaysia, Mexico, Sudan, and Oman. Despite being around 50 years younger than OPEC, OPEC Plus is more powerful due to its control over the richest global oil and natural gas reserves.
- OPEC Plus controls approximately 35% of global oil supplies and 82% of the world's oil reserves. Both OPEC and OPEC Plus strive to achieve several objectives, including coordinating and unifying petroleum policies, providing balanced and stable prices for oil-producing nations, regulating oil supply to consuming countries, ensuring global oil price stability, and providing a steady income for oil-producing nations.
- In conclusion, OPEC's crucial role in global oil markets involves operating within an appropriate price framework that balances supply and demand. This becomes especially important amid economic and geopolitical uncertainties, conflicts, and wars in oil-producing countries. Even in OPEC's absence, a regulatory body is necessary to stabilize oil prices to meet global demand.

How do OPEC decisions affect the global economy?

- Some of the production cut decisions have had significant effects on the global economy.
- During the 1973 Arab-Israeli War, Arab members of OPEC imposed an embargo against the United States in retaliation for its decision to re-supply the Israeli military, as well as other countries that supported Israel. The embargo banned petroleum exports to those nations and introduced cuts in oil production.
- The oil embargo pressured an already strained U.S. economy which had

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| | <p>grown dependent on imported oil. Oil prices jumped, causing high fuel costs for consumers and fuel shortages in the United States. The embargo also brought the United States and other countries to the brink of a global recession.</p> <ul style="list-style-type: none">• In 2020, during COVID-19 lockdowns around the world, crude oil prices slumped. After that development, OPEC+ slashed oil production by 10 million barrels a day, which is equivalent to around 10% of global production, to try to bolster prices. |
| <p>50.</p> | <p>Indian military export to Israel - aiding genocide</p> <p>Background of the Case</p> <p>The case Ashok Kumar Sharma and Others vs Union of India involved a petition filed by former civil servants, academics, and activists, seeking to suspend arms exports to Israel amidst the ongoing conflict in Gaza. The petitioners argued that exporting military equipment to Israel violated international humanitarian law, particularly in light of alleged genocide and war crimes committed by Israel in Gaza.</p> <p>Supreme Court's Judgment</p> <p>The Supreme Court of India dismissed the petition, stating that it would not rule on the merits of the case. The Court acknowledged the complexities involved in judicial review over foreign policy decisions, particularly in matters relating to international humanitarian law. However, the judgment raised important questions regarding India's obligations under international law.</p> |

International Law Context

The petitioners argued that India, as a signatory to international conventions such as the **Genocide Convention and the Geneva Conventions**, was obligated to prevent genocide and war crimes by halting arms exports to Israel. This argument was based on the International Court of Justice's (ICJ) provisional measures against Israel in January, which ordered a halt to killings and destruction in Gaza. UN experts also warned that continued arms transfers could lead to state complicity in international crimes.

Court's Key Reasons for Dismissal

1. **Lack of Jurisdiction Over Israel's Conduct:** The Supreme Court stated that since Israel was not a party to the case, it could not pass judgment on Israel's conduct. This reasoning was criticized as the relief sought was against the Indian government's actions, not Israel.
2. **Contractual Obligations:** The Court expressed concerns over potential breaches of contracts between the Indian government and arms companies. The petitioners, however, argued that these contracts could be suspended under the force majeure principle due to the ongoing conflict and allegations of genocide.
3. **Judicial Restraint in Foreign Policy Matters:** The Court cited its self-imposed restraint in interfering with foreign policy decisions, a position that has faced criticism. The petitioners argued that India's international obligations should supersede such concerns, as these laws are binding under both international and domestic legal frameworks.

India's International Obligations

India is a signatory to multiple international treaties, including the **Genocide**

Convention, which obligates states to prevent genocide. Article III of the Convention criminalizes complicity in genocide, while the Geneva Conventions impose obligations on states to prevent war crimes. The ICJ has consistently held that states must not render aid or assistance in maintaining unlawful situations, such as Israel's occupation of Palestinian territories.

Criticism of the Judgment

The judgment has been criticized on multiple grounds:

- **Failure to Acknowledge International Obligations:** India's obligations under international conventions were not adequately considered, despite past Supreme Court rulings that have held international treaties to be binding.
- **Misplaced Focus on Contracts:** The Court's focus on the potential breach of contracts with arms companies was seen as misplaced, as suspension of arms exports in situations of genocide is justified under international law.
- **Lack of Intervention in Foreign Policy:** The Court's reluctance to intervene in foreign policy matters has been seen as contradictory to its own rulings, where it stated that constitutional provisions should align with global human rights norms.

The Fallout of the Decision

The dismissal of the petition could have significant implications:

- **Impact on India's International Standing:** India's failure to adhere to its international obligations could damage its reputation as a responsible global actor committed to upholding international humanitarian law.
- **Continued Military Exports to Israel:** Without judicial intervention,

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| | <p>arms exports to Israel will likely continue, raising concerns about India's complicity in potential war crimes and genocide in Gaza.</p> <ul style="list-style-type: none">• Humanitarian Crisis in Palestine: The ongoing conflict in Gaza, characterized by allegations of genocide, is likely to worsen without a concerted international effort to halt the supply of arms to Israel. <p>Conclusion</p> <p>The Supreme Court's dismissal of the petition has sparked a debate about the role of the judiciary in ensuring that India complies with its international obligations. The Court's reluctance to interfere in foreign policy matters, despite clear international legal frameworks, has raised concerns about the limits of judicial review in cases involving grave violations of international humanitarian law.</p> |
| <p>51.</p> | <p>Kyoto Protocol and Paris Agreement</p> <ol style="list-style-type: none">1. The problem of climate change was brought to light at an international level by the first Intergovernmental Panel on Climate Change (IPCC) Assessment Report in 1990 which highlighted the issue as a subject in need of a political platform.2. Consequently, in United Nations Framework Convention on Climate Change (UNFCCC) was adopted in 1992 which sets the framework for negotiating specific agreements, such as the Kyoto Protocol and the Paris Agreement. <p>1st agreement on Climate Change- The Kyoto protocol</p> <p>In 1997, the Kyoto Protocol was adopted which aimed to achieve a legally</p> |

binding emissions reduction by industrialised countries.

Key elements of Kyoto Protocol:

1. Target-

- Reduction of collective Greenhouse gas (GHG) emissions by 5.2% from the 1990 level by 2012. This is known as the “first commitment period”
- Second commitment period (2013-2020) to reduce emissions by 18% was adopted by the Doha Amendment (2012)

2. Approach: Equity and Common but differentiated responsibilities and respective capabilities (CBDR)- Legally binding targets for 39 developed countries. No legally binding targets for developing countries.

3. Mechanisms:

1. **Clean Development mechanism:** It involves investment in emission reduction or removal enhancement projects in developing countries that contribute to their sustainable development
2. **Joint implementation:** It enables developed countries to carry out emission reduction or removal enhancement projects in other developed countries.
3. **Emission trading:** It allows countries that have emission units (carbon dioxide) to spare (emissions permitted them but not “used”) to sell this excess capacity to countries that are over their targets.

Failures of Kyoto Protocol:

- **Exclusion of developing countries** from emissions reduction targets notably Brazil, South Africa, India and China (BASIC) made the Kyoto Protocol inequitable.
- **Disagreement on the strategies** to achieve emissions reduction targets and poorly designed mechanisms which did not effectively reduced GHG emissions.
- A very **low number** of member countries **ratified**- For example: USA never ratified
- **Poor compliance** by member countries- For example: Japan failed to meet their obligations, and chose not to participate in the second commitment period.
- **Top down approach**- The Kyoto Protocol had a top-down approach as it had legally binding targets providing very less flexibility to member countries

2nd Agreement on Climate Change: Paris Agreement

- As the Kyoto Protocol ultimately failed to induce significant emission reductions on a global scale, the Paris Agreement was adopted at the COP21 held in Paris.
- It aims to strengthen the global response to the threat of climate change and specifies long-term goals regarding global average temperatures, adaptation to climate change and finance flows

Differences between Kyoto Protocol and Paris Agreement



The UN Climate Agreements

Kyoto Protocol & Paris Agreement

| Kyoto Protocol | Paris Agreement |
|--|--|
|  Was created in 1997 and ratified in 2005. Had two periods from 1997-2020. |  Signed in November of 2016. New commitments are due every 5 years |
|  Legally binding agreement to decrease GHG |  Not legally binding commitment to reduce emissions, increase accountability |
|  Original commitment to decrease overall emissions by 5% from 1990 levels |  Overall goal to limit global temperatures to 1.5 degrees celcius above pre-industrial levels |
|  Only required developed nations to reduce emissions |  Asked all nations to reduce emissions |
|  Targets are set but no determined time frame |  New set of targets declared after 5 years (these are now due in 2020) |

Key aspects of Paris agreement

Goals:

1. **Temperature:** hold warming below 2°C above pre-industrial levels with effective efforts to limit warming to 1.5°C

2. **Adaptation:**Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development

3. **Low Emission Finance flows:**Making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development

Approach:

Intended Nationally Determined Targets: Unlike, the Kyoto Protocol, the Paris Agreement gives flexibility to both developed and developing countries to determine their own targets. The INDCs set out each country's plan for addressing climate change, including a target for reducing GHG emissions, and how the countries intend to achieve that target.

Development after Paris agreement

1. **COP22:** The COP22 was held in Marrakech, Morocco in 2016 to discuss and implement plans about combatting climate change in the lines of Paris Agreement

2. **COP23:** The COP 23 was held in Bonn, Germany in 2017. A major outcome of the COP was the **Talanoa Dialogue**. It is an inclusive and participatory process that allows countries, and non-Party stakeholders, to share experiences and showcase best practices in order to urgently raise ambition in nationally determined contributions (NDCs).

3. **COP 24:** The COP 24 was held in Katowice, Poland in 2018. The biggest achievement was the adoption of the Paris Rulebook which establishes the rules and processes needed to provide the operational guidance for fulfilling the ambition of the Paris Agreement.

Paris Agreement Rulebook

It includes details on several fronts:

- How the emissions from every country should be measured
- How these measurements should be reported and verified
- Kinds of financial flows – loans, concessions, grants-that can be classified as climate finance,
- The manner in which financial flows should be accounted
- the information that every country needs to provide regarding their climate actions
- The mechanisms for diffusion of appropriate technologies to developing countries
- How collective efforts will be reviewed, leading to scaled-up actions and support every five years (Global Stocktake)

Persistent Issues and Challenges with Paris agreement

Enforcement Issues:

- As the Paris agreement is not legally binding, there are no penalties to be imposed in case of non-compliance. Further, it lacks mechanism to ensure accountability and verify claims of carbon reductions

Targets and commitments:

- Environmentalists have raised concerns that the 2°C target of limiting global warming is inadequate to address the current pace of climate change and curtail sea-level rising which will impact the island states most.
- Also, the Paris Rulebook falls short of the radical action to address climate change and does not include any firm commitments by countries to reduce carbon emissions despite the recent report of U.N. Intergovernmental Panel on Climate Change (IPCC)

IPCC 6th Assessment Report, 2018:

1. The report states that the world has become 1°C warmer because of human activities, causing greater frequency of extremes and obstruction to the normal functioning of ecosystems.

2. Notes that limiting global warming at 1.5 °C above preindustrial levels rather than 2 degrees can soften climate impacts

3. Warns that the world has to reduce net carbon emissions by 45% by 2030 and bring them down to zero by 2055, if it wanted to keep the planet liveable in the 21st century.

Mitigation Centric Approach:

- Critics have opined that the Paris agreement through its rulebook has adopted primarily a mitigation-centric approach and the urgent adaptation needs of the developing countries are not prioritised.

Common but differentiated responsibilities

- Egypt, Africa group and the association of small island states have alleged the principle of common but differentiated responsibilities has been compromised in the Paris rulebook in its global stocktake and thus the burden to climate change has been put inequitably on the developed and developing nations who lack both technology and finance.

Methodolgy:

- The countries that have ratified the Paris Agreement are required to set a target for emissions reduction through their INDCs, however, there is no threshold or minimum emissions reduction it must achieve.
- The key question of how countries will step up their targets on cutting emissions also remains unaddressed by the Paris rulebook.

Finance:

- According to Centre for Science and Environment (CSE), Delhi the rulebook does not include provisions to assess the reporting of financial

grants or review whether it is adequate

- Under the Paris Rulebook, countries are allowed to count all sorts of non-grant instruments, including commercial loans, as 'climate finance'. This raises concerns over a poor country repaying debt on commercial loans provided as climate finance. Further, there are no proper rules for accounting when the loans are repaid.
- According to critics, rulebook does not put adequate emphasis on the adaptation finance needed for developing countries and 'loss and damage' finance which is crucial for poor and island nations
- Further, the rulebook does not incorporate any mechanism to examine the utilization of climate finance flowing to developing nations.

Technology:

- Critics allege that the Paris climate agreement inadequately address the pressing need of developing environment-friendly technology and transfer of technology to ill-equipped nations.

Market mechanism on carbon:

- A major issue riddling climate negotiation has been carbon credit mechanism which witnessed a major setback after most of the developed nations did not commit to the 2nd period of Kyoto Protocol which resulted in accumulation of large amount of unsold carbon credits. A key element of the rulebook was supposed to be the governance framework for a new carbon market. However, consensus on carbon credit market could not be reached due to contradicting views between developing nations like Brazil and developed nations

Development Dilemma:

- Developing countries face the dual challenge of reconciling their rapid fuel-based economic growth with a pressing need to address climate

change. This raises concerns over the successful implementation of the Paris agreement.

Exclusion of Private players:

- The climate change conferences do not incorporate corporate players like Facebook or Google who have huge potential to help fund projects and take part in mass awareness.

Consumer Behaviour

- A major challenge in successful implementation of any climate change agreements is tweaking the consumer behaviour. For example; for switching to low-carbon economy it is important to nudge people to adopt energy efficient behaviour

Implementation:

- Critics have raised doubts about effective implementation of the Paris Agreement. This is because the UNFCCC has become primarily a platform to collect and synthesise information and a forum to discuss and debate but lacks tools to drive global collective action against climate change.

Withdrawal of USA

- Climate change negotiations have more of an economic negotiation rather than collaborative environmental initiative. This can be clearly seen from US's decision to withdraw from Paris agreement owing to vested economic interests.

India's stance on Paris Rulebook

1. India has welcomed the Paris Rulebook and stated that it addresses the concerns of all stakeholders and provides roadmap for effective implementation of the Paris Agreement.
2. However, India also opined that provisions of global stocktake did not

adequately reflect the principles of equity and differentiated responsibilities.

3. India has been largely satisfied with the finance aspect dealt by the Rulebook-primarily the transparency in climate finance flows

4. However, a certain section in India has advocated that India being the 'face' of developing nations should have bargained on the quantum of climate finance

Conclusion:

Both the Kyoto Protocol and the Paris Agreement have been criticized for various reasons. Some argue that the Kyoto Protocol did not go far enough in reducing emissions, while others believe that the Paris Agreement is too weak and not ambitious enough to tackle climate change. Despite these criticisms, both agreements represent important steps towards global cooperation to address climate change and promote sustainable development.

In conclusion, while the Kyoto Protocol and the Paris Agreement share a common goal of reducing greenhouse gas emissions, there are significant differences in their approach and implementation. The Kyoto Protocol had mandatory targets for industrialized countries and included a market-based approach to emissions reduction, while the Paris Agreement allows countries to set their own targets and focuses on global cooperation to achieve its goals. Regardless of their differences, both agreements represent important steps towards addressing the complex issue of climate change and promoting a sustainable future.

1. **Multi-level engagement:** Non-state actors such as business and financial organisations, cities and other subnational governments, intergovernmental organisations and non-governmental organisations should be actively engaged for implementing climate change agreements
2. **Cooperation:** Dissenting voices and their concerns must be assuaged and subsequently incorporated into this concerted effort to deal with

climate change through effective and meaningful bilateral and regional engagements

3. **Lessons from Montreal:** Lessons should be learnt from the successful Montreal Protocol which shows one of the finest examples of international collaboration to address environmental concerns
4. **Domestic Policies:** It is important for governments to align domestic policies with respective INDCs in order to effectively implement the Paris agreement. For example: India's Zero Defect Zero Effect Policy which aims at ensuring zero environmental effect through manufacturing process.
5. **Sectoral Convergence:** The focus should not only be on fossil-fuel based industries but Governments will need to scale up climate action in the agriculture, forestry and other land-use sectors.
6. **SDGs and Paris Climate Deal:** It is important to align and intertwine the sustainable development goals (SDGs) with the Paris deal for an efficient method to reduce carbon emissions. For example: Ethiopia addresses both climate and development challenges, with changes to agricultural practices, replanting forests and introducing low-carbon technologies for its infrastructure.
7. **R&D:** Research and development in new technology (such as carbon capture and storage, negative emissions technologies and electricity storage) is crucial for a better transition to low carbon economies
8. **Role of Individuals:** The most important dimension for success of any environmental policy is the individual. Thus, it is important to raise awareness and educate people about climate change- the biggest challenge of 21st

52.

The continuing distribution of the death penalty

The Persistence of the Death Penalty in India

The death penalty in India, though debated and challenged, continues to be a part of the country's legal system. Like a phoenix, it revives in various forms, adapting to different circumstances. The recent **Aparajita Woman and Child (West Bengal Criminal Laws Amendment) Bill, 2024**, introduced by the West Bengal government, seeks to amend key laws such as the **Bharatiya Nyaya Sanhita, 2023**, and the **Protection of Children from Sexual Offences Act, 2012**, to include the death penalty for rape. This was prompted by the brutal rape and murder of a doctor in Kolkata. While the bill passed the Bengal Assembly, the Governor referred it to the President for consideration.

Crime Data and Context

India has a high incidence of sexual violence. In 2022, the **National Crime Records Bureau (NCRB)** recorded **31,516 rapes**, with Rajasthan, Uttar Pradesh, and Madhya Pradesh reporting the highest numbers. Additionally, 248 cases of murder involving rape or gang rape were registered. These numbers highlight the prevalence of violent crimes against women, pushing states toward harsher legal measures.

Globally, **Amnesty International** reports that three-quarters of countries have abolished the death penalty in law or practice. However, India remains one of the **55 retentionist countries** along with others like Afghanistan, Pakistan, and Bangladesh. In 2023, **Project39A** recorded 120 death sentences in India, with 561 individuals on death row, marking a consistent rise in the death row population.

Procedural Flaws and Social Biases

Many death row prisoners face severe mental and physical health issues, often spending years awaiting justice. There are also procedural flaws and societal biases related to caste, class, and religion that affect the criminal justice system. Overcrowded prisons and inhumane conditions exacerbate the suffering of prisoners, most of whom come from marginalized communities.

The Impact of Death Penalty on Violence Against Women and Children (VAWC)

Despite increased use of the death penalty, sexual violence persists. Cases involving rape and murder often evoke public outcry, with demands for capital punishment for the perpetrators. However, this framing creates an "othering" effect, portraying the accused as inhuman and justifying their execution. This mindset is rooted in cultural and religious narratives that glorify the destruction of evil.

Public discourse often overlooks the victim's autonomy, focusing instead on the honor of the family, community, and nation. There is also a normalization of violence against women, with little public intervention to address everyday occurrences of violence.

The Justice Verma Committee Recommendations

The **Justice Verma Committee** recommended against the death penalty for sexual offenses, arguing that it does not act as an effective deterrent. The Union Cabinet, however, did not accept these recommendations. Abolitionist feminists argue that the criminal justice system must focus on structural and societal causes of violence rather than punitive measures.

The Need for Broader Reforms

The abolitionist movement must address societal inequalities by focusing on land and wealth redistribution, better representation of marginalized communities, and improved access to public education and healthcare. A key concern is to provide targeted support for rape survivors, helping them access education, employment, and healthcare.

Victim-Centered Reforms

There must be procedural and institutional reforms that are victim-centered. A policy shift that moves away from patriarchal norms, which tie family honor to female bodies, is crucial. Additionally, societal engagement with human rights-based language is necessary for creating awareness about the limitations of the death penalty.

Conclusion: The Path Forward

The abolition of the death penalty and the creation of a safer environment for women and children are complex challenges. It requires public discourse on intersectional violence based on caste, race, religion, and gender. Public and judicial awareness campaigns are essential for debunking the myth that the death penalty reduces sexual violence. True societal change requires a shift from punitive measures to comprehensive legal, social, and economic reforms.

53. In Wilmington, juxtaposing immediacy with legacy

Overview of the Summit

The Quad (Australia, India, Japan, and the U.S.) will hold their fourth summit in **Wilmington, Delaware**, on September 21, 2024. This marks a significant milestone in the strategic partnership of these four nations, symbolizing a full-circle moment since the first in-person summit hosted by U.S. President Joe Biden in 2021. The meeting takes place during a time of global challenges, leadership transitions, and on the sidelines of the United Nations General Assembly (UNGA) and the **Summit of the Future**.

Significance of Leadership Transitions

Both President Joe Biden and Japanese Prime Minister Fumio Kishida face political changes. Biden has announced that he will not seek re-election, and Japan's ruling **Liberal Democratic Party (LDP)** under Kishida is confronting a possible political defeat. These transitions highlight the urgency of consolidating the Quad's strategic goals before leadership dynamics change.

India's Role in Deferring to the U.S.

India was originally scheduled to host this year's summit but deferred the hosting to the U.S., aligning with practical needs due to Biden's packed election cycle after his recent visit to India for the G-20 summit. India will now host the next Quad summit.

Quad's Indo-Pacific Strategy and Maritime Domain Awareness (MDA)

A key goal of the summit is to strengthen the Quad's maritime domain awareness (MDA) framework, crucial for integrating regional security, supply chains, infrastructure, and technological initiatives. The Quad Foreign Ministers' July 2024 meeting in Tokyo announced an expansion of the **Indo-Pacific Partnership for Maritime Domain Awareness (IPMDA)** to the Indian Ocean region, aiming to standardize regional laws and ensure accountability

for maritime norm violations.

UNCLOS and Freedom of Navigation

The United Nations Convention on the Law of the Sea (UNCLOS) remains a foundation for ensuring freedom of navigation and operational capabilities. The Wilmington summit will likely explore launching the **Quad Maritime Legal Dialogue** to provide robust legal frameworks, benefitting not only Quad members but also other regional countries.

India's Role in the South Asia Program

India's **Information Fusion Centre for the Indian Ocean Region (IFC-IOR)** is pivotal for real-time information sharing, reflecting India's expanding leadership role in the MDA. IFC-IOR currently hosts 12 international liaison officers, furthering international cooperation for a free and open Indo-Pacific.

Key Focus Areas of the Summit

The Quad has a broad agenda spanning 16 working groups addressing issues such as:

- Climate Change
- Critical and Emerging Technologies
- Infrastructure and Connectivity
- Health, Humanitarian Assistance, and Disaster Relief
- Maritime Security
- Counterterrorism

Operational and Technological Initiatives

The summit will focus on reviewing several initiatives, including:

1. **Open-Radio Access Network (RAN)** deployment in Palau.
2. The development of a space-based climate warning system in Mauritius.

3. Advancement of off-grid solar projects in Indo-Pacific islands.
4. Outcomes of the Quad's first STEM (science, technology, engineering, and mathematics) cohort.

Evolving Role of the Quad Amid Geopolitical Shifts

The Quad is increasingly playing a key role in ensuring regional peace and stability in the Indo-Pacific amidst shifting geopolitical landscapes. This is particularly relevant as regional supply chains and infrastructure networks adapt to the rise of hostile actors and ongoing conflicts such as the Russia-Ukraine war, and instability in West Asia.

China's Assertiveness and Security Challenges

China's increasingly assertive behavior, which often breaches international norms, has amplified security challenges in the Indo-Pacific. The Quad sees a pressing need for a united response, enhancing regional security and promoting economic resilience through diversified supply chains. The global supply chain restructuring, particularly away from reliance on China, presents an opportunity for the Quad to strengthen regional economies.

Outlook of the Quad and the Global Governance Framework

The Quad summit is seen as a precursor to the United Nations Summit of the Future, which seeks to reform global governance and address critical issues like sustainable development, peace, security, and technological advancement. In this regard, the Quad already reflects a regional microcosm of global aspirations for cooperation and stability.

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| | <p>Future Initiatives</p> <p>As the Quad continues to mature, this summit provides an opportunity to review its progress and lay the groundwork for future initiatives, especially in relation to international metrics on similar global issues.</p> <p>Conclusion</p> <p>The Quad summit in Wilmington signifies an important moment for the evolving partnership between Australia, India, Japan, and the U.S. Against the backdrop of changing global and regional dynamics, the summit aims to strengthen the Quad's role in promoting peace, security, and economic resilience in the Indo-Pacific region.</p> |
| <p>54.</p> | <p>India's defense exports and humanitarian law</p> <p>India's growing defense sector, driven by indigenization and self-reliance, has thrust the nation into the global arms market, raising important legal and ethical issues. The Supreme Court's dismissal of a case against arms exports to Israel, despite allegations of war crimes, exposed a gap in India's legal framework, as there is no clear requirement to assess the International Humanitarian Law (IHL) compliance of recipient nations. Unlike countries like the Netherlands and the UK, India's current regulations, including the Foreign Trade Act, lack provisions for IHL reviews, raising concerns about its commitment to international law.</p> <p>As India aspires to be a major arms exporter, establishing comprehensive legislation that mandates IHL compliance reviews would not only safeguard India's reputation but also support global efforts to prevent the misuse of</p> |

weapons. Clear guidelines for defense manufacturers would further ensure ethical standards in the indigenization process, aligning India's defense ambitions with its international obligations.

Current Status of India's Defense Exports

- **Recent Performance:** In the first quarter of **FY 2024-25** (April–June 2024), India's defense exports reached **₹6,915 crore**, marking a substantial **78% increase** compared to ₹3,885 crore during the same period in **FY 2023-24**.
- **Growth Trajectory:** India's defense exports have **grown more than 12 times** since FY 2017 and an impressive 31-fold since FY 2013-14.
 - This rapid expansion **positions India as a rising player in the global arms market.**
 - India now ranks among the **top 25 arms-exporting nations**, supplying defense products to approximately 85 countries.
- **Export Products:** India's export portfolio covers a diverse range of defense equipment, including aircraft like the **Dornier-228, artillery guns, BrahMos missiles, PINAKA rockets** and launchers, radars, simulators, armored vehicles, personal protective gear, and surveillance systems.

Growth Drivers of India's Defense Exports

- **Policy Reforms and Government Initiatives:** The Indian government has implemented significant policy reforms to boost defense exports, including the introduction of the **Defence Production and Export Promotion Policy (DPEPP) 2020**.
 - This policy aims to achieve a turnover of **USD 25 billion** in defense manufacturing by **2025**, including exports of **USD 5 billion.**
 - The government has also streamlined licensing procedures,

increased **FDI limits to 74% under the automatic route**, and introduced schemes like "**Make in India**" and "Atma Nirbhar Bharat" to promote indigenous manufacturing.

- Record **75% of the defense capital procurement budget** was earmarked for domestic industry in FY 2023-24, up from **68% in 2022-23**.
- Domestic defense production has also seen a strong performance, reaching **₹1.27 trillion in FY 2024**.
- Recently, the Ministry of Defence has notified the **fifth Positive Indigenisation List (PIL)** consisting of **346 items**, further boosting domestic defense manufacturing.
- The **Standard Operating Procedure (SOP) for the Defence Export Promotion** Scheme in India establishes guidelines and procedures for certification and testing of defense exports
- **Increased Private Sector Participation:** The opening up of the defense sector to private players has been a significant driver of export growth.
 - The government has encouraged private sector participation through various measures, including the **Innovations for Defence Excellence (iDEX) initiative**.
 - As a result, as against **215 Defence licenses issued till 2014**, the number of **Defense licenses issued went up to 440 by March 2019**.
 - Notable examples include **Tata Advanced Systems Limited's export of aerospace components to Boeing**.
 - This increased participation has led to a more diverse and competitive defense manufacturing ecosystem, driving innovation and export growth.
 - India has also established two Defence Industrial Corridors - **one**

in Uttar Pradesh and another in Tamil Nadu.

- **Focus on Research and Development:** India has significantly **increased its focus on R&D in the defense sector**, leading to the development of advanced indigenous technologies that are attractive in the global market.
 - The **Defence Research and Development Organisation (DRDO)** has been at the forefront of this effort, with its budget of **Rs 23,855 crore in FY 2024-25**
 - This investment has resulted in the development of exportable products like the **BrahMos missile system, Akash air defense system, and the Advanced Light Helicopter (ALH)**.
 - For example, in January 2022, the **Philippines** concluded a \$375 million deal with India for three batteries of shore-based anti-ship variant of the BrahMos supersonic cruise missiles
- **Strategic Partnerships and Government-to-Government Agreements:** India has been actively **pursuing strategic partnerships and G2G agreements to boost defense exports**.
 - These agreements provide a framework for collaboration in defense production and export to third countries.
 - A prime example is the **India-Japan Acquisition and Cross-Servicing Agreement (ACSA) signed in 2020**, which facilitates reciprocal provision of supplies and services between the armed forces of the two countries.
 - Similarly, India has defense cooperation agreements with **over 53 countries.**, opening up new markets for Indian defense products.
- **Competitive Pricing and Quality:** Indian defense products have gained a reputation for **offering good quality at competitive prices**, making

them attractive to many developing and middle-income countries.

- This is partly **due to lower manufacturing costs in India** and the focus on developing cost-effective solutions.
- For instance, the Indian-made Akash surface-to-air missile system is priced **significantly lower than comparable systems from other countries**, making it an attractive option for countries like **Armenia**.
- **Offset Policies and Technology Transfer: India's offset policy**, which requires foreign defense companies to invest a **portion of their contract value in India**, has played a crucial role in promoting exports.
 - This policy has led to the establishment of **joint ventures and technology transfers**, enhancing India's manufacturing capabilities and export potential.
 - For example, the **Tata-Lockheed Martin joint venture to produce F-16 wing sets in India** has not only served the offset requirements but also positioned India as a part of the global supply chain.

How Do Other Countries Handle Defence Exports?

1. **Netherlands:** A Dutch court blocked the export of F-35 fighter jet parts to Israel. This decision was based on a European Union regulation that prohibits military exports to countries at risk of violating International Humanitarian Law (IHL).
2. **United Kingdom:** The UK government reviewed Israel's compliance with IHL. It found a clear risk that certain arms exported to Israel would facilitate serious IHL violations. This review was conducted under the UK's **Export Control Act**.
3. Both countries enforce legal measures to ensure military exports align

with international law, preventing potential violations of IHL.

What Is the Legal Framework in India Regarding Defence Exports?

1. India regulates defense exports through the Foreign Trade Act (FTA), 1992, and the Weapons of Mass Destruction (WMDA) Act, 2005.
2. These laws allow the government to restrict exports for reasons like national security and international obligations.

How Does International Law Influence India's Defence Exports?

1. **Arms Trade Treaty (ATT):** The ATT prohibits exporting arms if there is knowledge they would be used to commit war crimes. India is not a signatory to the ATT, so it is not bound by its provisions. However, some ATT elements reflect customary international law.
2. **Geneva Conventions:** India is bound by Common Article 1 of the Geneva Conventions, requiring countries not to supply arms to nations likely to violate international humanitarian law (IHL).
3. **Case Example:** The International Court of Justice in *Nicaragua vs United States* highlighted the obligation to avoid supplying weapons if there is knowledge they may breach the Conventions.
4. **Legal Gaps in India:** India's current laws, like the Foreign Trade Act and Weapons of Mass Destruction Act, do not mandate IHL compliance checks for arms exports.

What Should India Do to Improve Its Defence Export Policies?

1. India should update its laws to include mandatory IHL compliance assessments for countries purchasing Indian defense goods.
2. The **Supreme Court** has previously incorporated **international law** into **domestic law** when gaps existed, such as in the **Vishakha vs State of Rajasthan** case, where international conventions on women's rights were used to address the absence of specific domestic

laws on workplace harassment.

3. Similarly, in this defense export situation, the court could use **international humanitarian law** to fill gaps in Indian law regarding **arms export controls**, ensuring that India's exports comply with **international obligations**.
4. This approach shifts the issue from foreign policy to a legal matter, addressing India's international responsibilities.

Major Issues Related to India's Defence Sector

- **Dependence on Imports:** Despite recent strides in indigenous production, **India remains one of the world's largest arms importers**, highlighting a persistent dependence on foreign technology and equipment.
 - According to the Stockholm International Peace Research Institute (SIPRI), between 2019 and 2023, the country accounted for a significant **9.8% of the total global arms imports**.
 - For instance, major import deals like the **USD 5.43 billion** contract for **S-400 air defense systems** from Russia in **2018** underscore this issue.
 - This dependence **not only strains foreign exchange reserves** but also poses potential risks to national security in times of geopolitical tensions.
- **Slow Procurement Process:** India's defense procurement process is often criticized for being **lengthy, complex, and bureaucratic**, leading to delays in modernization efforts.
 - The **Defence Procurement Procedure (DPP)**, despite periodic revisions, still involves multiple stages.

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| | <ul style="list-style-type: none">○ A notable example is the procurement of 126 Medium Multi-Role Combat Aircraft (MMRCA), which began in 2007 but was eventually scrapped in 2015 due to complications.● Limited Private Sector Participation: While private sector participation in defense manufacturing has increased, it still faces significant challenges.<ul style="list-style-type: none">○ According to data from the Department of Defence Production, private sector companies contributed only 22% in FY24.○ Barriers include high entry costs, long gestation periods for returns on investment, and preference often given to public sector units for major contracts.○ The dominance of Defense Public Sector Undertakings (DPSUs) in major projects continues to limit opportunities for private players.● Inadequate Research and Development: Despite increased budget allocations, India's defense R&D still lags behind global leaders.<ul style="list-style-type: none">○ India's defense spending trajectory in 2023 reflected a 4.2% increase, yet it continues to lag behind major global powers like the US, China, and Russia in absolute terms.○ This underfunding has led to delays and cost overruns in critical projects.○ The Kaveri engine, a project conceived in the 1980s to propel India's indigenous Light Combat Aircraft (LCA) Tejas, remains unavailable even after decades of development.● Technology Gaps: India faces significant technology gaps in critical areas such as engine development, advanced materials, and high-end electronics for defense applications.<ul style="list-style-type: none">○ This is evident in the continued reliance on foreign suppliers for |
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key components.

- For example, despite developing the Tejas fighter jet indigenously, India still imports its **engine (GE F404) from the United States**.
- These technology gaps not only affect self-reliance but also limit India's ability to export advanced defense systems..
- **Offset Policy Implementation Challenges:** While the offset policy was designed to boost domestic defense manufacturing and technology absorption, its implementation has faced significant challenges.
 - The **Comptroller and Auditor General (CAG)** has reported poor performance of India's Defense Offset Policy.
 - Of the **46 offset contracts** valued at **₹66,427 crore (2005–2018)**, only **₹11,396 crore has been claimed**.
- **Lack of Robust Arms Export Control Legislation:** India's arms export control framework, primarily governed by the **Foreign Trade Act 1992 and the Weapons of Mass Destruction Act 2005**, lacks specific provisions for assessing the human rights records or IHL compliance of recipient countries.
 - This legislative gap was highlighted when the **Supreme Court dismissed a PIL seeking** to stop defense exports to Israel amid allegations of war crimes in Gaza.
 - India's laws do not mandate a comprehensive review of the end-use of exported arms.
 - This absence of stringent checks could **potentially implicate India in international law violations** and damage its reputation as a responsible arms exporter.

Measures that can India Export to Revamp its Defence Sector

- **Enhance International Collaborations and Joint Ventures:** India should actively **pursue more strategic partnerships and joint**

ventures with leading global defense manufacturers to access **cutting-edge technologies** and expand its export potential.

- This could involve **setting up co-production facilities in India**, technology transfer agreements, and collaborative R&D projects.
- Such partnerships would not only boost India's technological capabilities but also **provide access to established global supply chains and markets**.
- **A prime example is the recent agreement between Hindustan Aeronautics Limited (HAL) and General Electric (GE) to co-produce F414 engines in India**, which could potentially lead to exports of these engines or aircraft equipped with them.
- **Establish a Robust Export Financing Mechanism:** To compete effectively in the global arms market, India needs to develop a **comprehensive export financing mechanism specifically tailored for defense exports**.
 - This could include **government-backed loan guarantees**, competitive credit lines, and insurance coverage for political and commercial risks.
 - Such a mechanism **would make Indian defense products more attractive to potential buyers**, especially in developing countries.
- **Implement a Comprehensive IHL Compliance Framework:** India should establish a **robust International Humanitarian Law (IHL) compliance** framework for its arms exports.
 - This would involve creating a **dedicated body to assess the human rights records** and IHL compliance of potential recipient countries before approving arms exports.
 - The framework should include **regular monitoring of end-use**

and provisions for suspending or canceling contracts in case of violations.

- Implementing such a framework would **not only align India with international best practices** but also **enhance its reputation as a responsible arms exporter.**
- **Invest in Niche Technologies and Indigenous Innovation:** To carve out a unique position in the global arms market, India should **focus on developing niche technologies and promoting indigenous innovation.**
 - This could involve increased funding for defense startups, establishing defense innovation hubs, and incentivizing private sector R&D in emerging technologies like **AI, quantum computing, and hypersonic systems.**
 - For example, **India's success with the BrahMos supersonic cruise missile**, developed jointly with Russia, demonstrates the potential of focusing on advanced niche products.
- **Streamline Defense Production and Export Processes:** India needs to significantly streamline its defense production and export processes to enhance efficiency and competitiveness.
 - This could involve creating a **single-window clearance system for defense exports**, simplifying licensing procedures, and **establishing dedicated export promotion cells** within defense PSUs and major private sector companies.
 - Additionally, the government should work on reducing the time taken for testing and certification of defense products meant for export.
 - A successful example of streamlining defense acquisition procedures, which have reduced procurement timelines. Similar

efficiency improvements in the export process could significantly boost India's competitiveness in the global market.

- **Develop a Strong Offset Management System:** India should revamp its offset policy and develop a robust offset management system to leverage defense imports for boosting exports.
 - This could involve creating a dedicated offset management agency, developing a transparent online platform for offset opportunities, and aligning offset requirements with export-oriented projects.
 - The system should focus on technology transfer and co-development projects that can enhance India's export capabilities. For instance, India could take inspiration from Israel's successful offset program, which has significantly contributed to its defense industrial base and export capabilities.
- **Establish Regional Service and Maintenance Hubs:** To **enhance the attractiveness of Indian defense exports**, the country should establish regional service and maintenance hubs in strategic locations.
 - These hubs would provide **after-sales support, maintenance, and upgrades** for Indian defense equipment sold to foreign countries.
 - This approach would not only generate additional revenue but also build long-term relationships with customer countries.
 - For example, **India could set up such hubs in friendly nations like Vietnam or the UAE**, which could serve as centers for maintaining and upgrading Indian-made equipment in Southeast Asia and the Middle East respectively.

As India strives to become a significant player in the global defense market, addressing legal and ethical gaps, particularly **concerning International**

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| | <p>Humanitarian Law (IHL) compliance, is crucial. By implementing comprehensive legislation and fostering innovation, India can enhance its reputation as a responsible arms exporter while ensuring that its defense ambitions align with global standards. This strategic approach will not only bolster national security but also reinforce India's position as a leader in the international defense landscape.</p> |
| <p>55.</p> | <p>Effect of Emergency Provisions on Centre-State Relations</p> <p>The recent violence in Manipur has reignited debate on Centre-State relations and the use of emergency provisions.</p> <ul style="list-style-type: none">• Constitutional Basis: Articles 355 and 356, located in Part XVIII of the Indian Constitution (from Article 352 to 360) define the roles of the Centre and State governments during emergencies.<ul style="list-style-type: none">○ Article 355: Mandates that the Centre protect States from external and internal disturbances (internal crises) and ensure that State governments operate constitutionally.○ Article 356: Allows imposition of President's rule in a State when its government is unable to function according to the Constitution, thus enabling the Centre to assume control directly. <p>India is a federation with governments at the Centre and the States. The Seventh Schedule to the Indian Constitution distributes the power between the Union and the States.</p> <ul style="list-style-type: none">• "Police" and "Public Order" are State subjects under the Seventh Schedule to the Constitution of India, and therefore, it is the primary duty of the State Governments to prevent, detect, register and investigate crime and prosecute the criminals. |

Emergency Provision Apply to the Situation in Manipur

- Severity of the Crisis: The widespread violence in Manipur, including attacks on civilians and the looting of police armouries, indicates that the situation surpasses a typical breakdown of law and order.
 - This severity suggests that the circumstances might justify the invocation of emergency provisions.
- Non-Imposition of President's Rule: Despite the critical nature of the violence, the President's rule under Article 356 has not been imposed.
 - The non-application of Article 356 raises concerns about whether political factors are affecting the response to the crisis.
- Application of Article 355: The Centre has been taking steps under Article 355, which requires it to ensure that States are protected and governed constitutionally.
 - However, critics argue that the actions so far may not be sufficient to address the scale of the crisis effectively.
 - The application of Article 355 in this case highlights the need for more decisive measures to restore order and address the ongoing violence.

Judgements Regarding the Articles 355 and 356

- Historical Misuse: Dr. B.R. Ambedkar, a key architect of the Indian Constitution, hoped that Articles 355 and 356 would remain unused and become "dead letters."
 - Despite this intention, Article 356 has been misused on several occasions, leading to the dismissal of elected State governments under various pretexts, including political motivations and law

and order issues.

- *S R Bommai Case, 1994*: This landmark Supreme Court of India judgement significantly restricted the misuse of Article 356. The Court ruled that President's rule should be imposed only in cases of a breakdown of constitutional machinery, not merely for law and order issues.
 - It also established that such impositions are subject to judicial review, ensuring that Article 356 is not used for political purposes.
 - The Supreme Court stated that the breakdown of constitutional machinery meant that carrying out administration in a state was a genuine impossibility, not a simple hardship.
- **Expansion of Article 355**: While Article 356 faced judicial restrictions, the scope of Article 355 has been expanded. Initially, the Supreme Court's interpretation of Article 355 was narrow, often linking it to the employment of Article 356.
 - However, in cases like *Naga People's Movement of Human Rights Vs Union of India, 1998*, *Sarbananda Sonowal Vs Union of India, 2005*, and *H.S. Jain Vs Union of India, 1997*, the Court broadened the interpretation.
 - The revised view allows the Union to take a wider range of actions to protect States and ensure their governance aligns with constitutional principles.

Recommendations Regarding Article 355 and Article 356

- **Sarkaria Commission (1987)**: This Commission headed by Justice Ranjeet Singh Sarkaria recommended that Article 356 be used very cautiously, only in the rarest of rare scenarios and as a last remedy after

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| | <p>exhausting all possible alternatives to resolve and avert any circumstance where the constitutional machinery has collapsed in a state.</p> <ul style="list-style-type: none"> • National Commission to Review the Working of the Constitution (2002) and Punchhi Commission (2010): Have opined that Article 355 imposes a duty on the Union and grants it the power to take necessary actions, and that imposition of the President's rule under Article 356 must be used as a last resort. <ul style="list-style-type: none"> ○ The Punchhi commission proposes "localising emergency provisions" under Articles 355 and 356, allowing localised areas, like a district or parts of it, to be placed under Governor's rule instead of the entire state. This localised emergency should not last more than three months. <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; vertical-align: top;"> <p>President's Rule (Article 356)</p> <p>It can be proclaimed when the government of a state cannot be carried on in accordance with the provisions of the Constitution due to reasons which may not have any connection with war, external aggression or armed rebellion</p> <p>During its operation, the state executive is dismissed and the state legislature is either suspended or dissolved.</p> <ul style="list-style-type: none"> • The president administers the </td> <td style="width: 50%; text-align: center; vertical-align: top;"> <p>National Emergency (Article 352)</p> <p>National Emergency can be proclaimed only when the security of India or a part of it is threatened by war, external aggression or armed rebellion.</p> <p>During its operation, the state executive and legislature continue to function and exercise the powers assigned to them under the Constitution.</p> </td> </tr> </table> | <p>President's Rule (Article 356)</p> <p>It can be proclaimed when the government of a state cannot be carried on in accordance with the provisions of the Constitution due to reasons which may not have any connection with war, external aggression or armed rebellion</p> <p>During its operation, the state executive is dismissed and the state legislature is either suspended or dissolved.</p> <ul style="list-style-type: none"> • The president administers the | <p>National Emergency (Article 352)</p> <p>National Emergency can be proclaimed only when the security of India or a part of it is threatened by war, external aggression or armed rebellion.</p> <p>During its operation, the state executive and legislature continue to function and exercise the powers assigned to them under the Constitution.</p> |
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| <p>state through the governor and the Parliament makes laws for the state.</p> <ul style="list-style-type: none"> • In brief, the executive and legislative powers of the state are assumed by the Centre. <p>Under this, Parliament can delegate law-making power for the state to the President or another specified authority.</p> <ul style="list-style-type: none"> • Typically, the President makes laws for the state in consultation with its members of Parliament (MPs). These laws are called President's Acts. <p>There is a maximum period prescribed for its operation, that is, three years.</p> <ul style="list-style-type: none"> • Thereafter, it must come to an end and the normal constitutional machinery must be restored in the state <p>Under this, the relationship of only the state under emergency with the</p> | <ul style="list-style-type: none"> • Its effect is that the Centre gets concurrent powers of administration and legislation in the state. <p>The Parliament can make laws on State List subjects only by itself and cannot delegate this power to any other body or authority.</p> <p>There is no maximum period prescribed for its operation.</p> <ul style="list-style-type: none"> • It can be continued indefinitely with the approval of Parliament for every six months. <p>Under this, the relationship of the Centre with all the states undergoes</p> |
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| | <p>Centre undergoes a modification.</p> <p>Every resolution of Parliament approving its proclamation or its continuance can be passed only by a simple majority.</p> <p>It has no effect on Fundamental Rights of the citizens.</p> <p>It can be revoked by the President only on his own.</p> <p>The violence in Manipur has spotlighted the debate on Centre-State relations and emergency provisions. While Article 355 allows the Centre to act in crises, Article 356 provides for President's rule but should be used cautiously. The situation in Manipur highlights the need for decisive action to address severe violence while respecting constitutional guidelines.</p> | <p>a modification.</p> <p>Every resolution of Parliament approving its proclamation or its continuance must be passed by a special majority.</p> <p>It affects fundamental rights of the citizens.</p> <p>Lok Sabha can pass a resolution for its revocation.</p> |
| <p>56.</p> | <p>India's place in Russia-Ukraine peace-making</p> <p>Introduction</p> <p>India's foreign policy stance on the Russia-Ukraine war has remained neutral, focusing on maintaining relationships with both sides while abstaining from UN votes against Russia. However, speculation is growing that India may play a more active role in helping to resolve the conflict. This summary outlines India's potential peacemaking role and the challenges it faces in navigating this complex geopolitical situation.</p> | |

India's Advantages in the Geopolitical Arena

- **Neutral Stance:** India has maintained its long-held non-alignment and strategic autonomy, abstaining from voting against Russia at the UN and refusing to impose Western sanctions on Moscow. This positions India as a potential "**honest broker.**"
- **Global South Leadership:** During its G20 presidency, India prioritized outcomes that affect the developing world, such as energy and food security, rather than focusing on the war itself.
- **Increased Trade with Russia:** India's significant increase in Russian oil imports has been viewed as an assertion of its principles rather than opportunism, further supporting its neutral stance.

Historical Context and India's Legacy

India's aspiration to act as a mediator could build on its past achievements, such as Prime Minister Jawaharlal Nehru's successful diplomatic efforts in the Cold War era. Nehru mediated between the USSR and Austria and led UN efforts on wars in Korea, Vietnam, and Cambodia. Prime Minister Narendra Modi's potential role as a global mediator would add to India's long-standing tradition of diplomatic intervention.

Assessment of the War Situation

India's first step would involve a thorough understanding of the war's current status. Russian forces hold about one-sixth of Ukrainian territory, while Ukrainian troops maintain their positions elsewhere. Any significant change in this status quo would require either a massive escalation or a negotiated

settlement.

International Proposals for Conflict Resolution

- **Brazil-China Proposal:** Brazil and China's joint six-point de-escalation proposal, which focused on nuclear safety, humanitarian access, and prisoner exchanges, was rejected by Ukraine.
- **Other Proposals:** Hungary's ceasefire proposal and previous mediation efforts by China between Iran and Saudi Arabia serve as examples of failed attempts to negotiate peace.

India's Approach

Foreign Minister S. Jaishankar outlined a four-point principle for India's role:

1. This is not the era of war.
2. Solutions cannot be found on the battlefield.
3. Russia must be included in peace talks.
4. India is engaged and concerned about finding a resolution.

India's Diplomatic Engagements

India's engagement with both Ukraine and Russia is evidenced by Prime Minister Modi's visits to Moscow and Kyiv, as well as diplomatic efforts by key officials like National Security Adviser Ajit Doval and External Affairs Minister S. Jaishankar. These interactions highlight India's intent to actively engage in discussions related to the conflict.

Potential Challenges for India

- **Internal Conflicts:** India faces significant internal issues, such as the

conflict in Manipur and regional instability, which may divert attention from foreign mediation efforts.

- **Consistency in Foreign Policy:** India's refusal to engage in dialogue with Pakistan raises questions about the consistency of its peace-oriented message.
- **Resource Allocation:** India must carefully assess whether it can afford to divert resources towards resolving a European conflict when other regions, such as **Gaza and Sudan**, face higher civilian casualties.

Conclusion: The Timing of India's Foray into Diplomacy

India's unique position, straddling both the Global North and South, and its membership in international groups like BRICS and the Quad, provides it with a valuable diplomatic platform. However, the success of its role as a peacemaker depends on timing and the ability to offer a concrete, balanced proposal. As history has shown, nations often turn to diplomacy only after exhausting all other alternatives, and India's potential entry into this field will be carefully watched.

57. A fresh look at water policy

Introduction to the National Water Policy 2020

The **Mihir Shah-led Committee** submitted the National Water Policy (NWP) draft in 2019, but it has not been made public. Delays in its release prevent India from adopting state-of-the-art approaches to water governance, which are crucial for future challenges and the India Water Vision 2047.

Conflict Between Water Governance Paradigms

India's water governance is torn between two contrasting paradigms:

- The colonial engineering paradigm focuses on structural interventions like dams and barrages to augment water supply.
- The Integrated Water Resources Management (IWRM) paradigm emphasizes a holistic, socially and ecologically informed approach to water management, using a system-wide perspective.

Integrated Water Resources Management (IWRM)

- IWRM includes various natural and social sciences, focusing on a systems approach that integrates water, energy, and food. It encourages water demand management over supply augmentation, aligning with global trends.

Global Trends in Water Management

- Several countries have shifted away from large structural interventions.
- EU's **Water Framework Directive** (2000) led to the decommissioning of around 500 dams to restore natural hydrological flows.
- The US decommissioned over 1,000 dams to rejuvenate basin ecosystems.
- Market-based approaches to water governance in Chile and Australia have been implemented to enhance water productivity.
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India's Resistance to the Global Shift

- Indian water technocracy has largely resisted these global reforms,

continuing to follow the colonial engineering paradigm. However, some initiatives, like the Draft National Water Framework Bill 2016 and Model Bill for Groundwater Management 2016, indicate a shift toward comprehensive governance.

Challenges with India's Traditional Water Policies

1. India's reliance on structural interventions has caused ecological and social issues:
2. Cauvery river disputes
3. Flooding in Bihar due to the Farakka Barrage
4. Unsustainable hydropower projects in the Himalayas
5. Concerns over river interlinking projects.

Key Recommendations for a New Water Governance Paradigm

- **Eco-Hydrological Approach:** Water should be treated as a dynamic element within the eco-hydrological cycle, not just a resource for human use.
- **Valuation of Water's Intrinsic and Ecological Value:** Recognize the economic and ecological functions of water.
- **River Basin as the Governance Unit:** Watershed-level governance is vital for water management.
- **Demand Management Over Supply Augmentation:** Shifting focus to water-saving methods rather than increasing supply for economic growth.
- **Interdisciplinary Knowledge Base:** Water management should involve engineering, natural and social sciences, and decision sciences.
- **Droughts and Floods as Natural Events:** These are part of the

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| | <p>hydrological cycle, not extreme events to be feared.</p> <ul style="list-style-type: none">• Gender Considerations: Women's central role in water management must be recognized, as emphasized by the Dublin Statement. <p>Conclusion</p> <ul style="list-style-type: none">• The draft National Water Policy must be debated and revised with further knowledge to address India's growing water security challenges. Delaying its release puts India at risk of not meeting its water needs for both human and environmental security. |
| 58. | <p>Kovind committee report: dead on arrival</p> <p>Government's True Intention</p> <ul style="list-style-type: none">• The formation of the High-Level Committee on Simultaneous Elections by the government had a predetermined agenda.• The first Term of Reference (ToR) directed the Committee to "examine and make recommendations for holding simultaneous elections." This implies that the Committee's mandate was to explore how simultaneous elections could be held for both the Lok Sabha and the 28 state legislative assemblies.• The Committee was not empowered to suggest that simultaneous elections might be undesirable or impractical for India's democratic structure.• Thus, the true intent of the government was to gather support for the concept rather than to explore its feasibility objectively. |

Composition of the Committee

The composition of the Committee revealed a significant bias. Out of the **nine members**, only one was a constitutional expert, and another had expertise in parliamentary procedures without having practiced or taught law. The remaining members included **two politicians and three bureaucrats-turned-politicians**. The Chairman, **Ram Nath Kovind**, was appointed more as an adornment to lend the Committee gravitas but was not himself a scholar of constitutional law. This lack of constitutional expertise raised concerns that the study was not grounded in sound legal and democratic principles. The Committee was not constituted as a body of constitutional scholars capable of evaluating such a critical issue objectively.

Absence of Global Precedents

The idea of simultaneous elections is not found in any large federal democratic nation. For example:

United States: Elections to the House of Representatives are held every two years, the Presidential election every four years, and Senate elections occur every six years in a staggered manner.

Germany: Some states (like **Thuringia and Saxony**) hold elections according to their own election cycles, separate from elections to the Bundestag (national parliament).

These countries respect the federal structure, allowing each level of government to have its own electoral cycle. India, with its complex and diverse democracy, has no historical precedent or global model that aligns with simultaneous elections.

Contradiction with Federal and Parliamentary Democracy

- The Committee's recommendation for simultaneous elections contradicts the very essence of India's federal and parliamentary democracy.
- In a parliamentary system, the government is accountable to the legislature and, by extension, to the people on a daily basis. Unlike a presidential system, there is no fixed term for the executive, which can fall due to loss of confidence.
- India's Constitution-makers debated this issue during the drafting process and rejected the Presidential system in favor of a parliamentary model, as they believed it was more suitable for India's diversity and complex political structure.

Constitutional Amendments Required

- To implement simultaneous elections, multiple constitutional amendments would be necessary.
- New articles such as **82A, 83(3), 172(3)**, and amendments to **Articles 327** and others would be required. These changes would synchronize the terms of state legislative assemblies with the Lok Sabha's five-year cycle.
- However, this synchronization would mean that several state assemblies, elected between 2025 and 2028, would have their terms cut short by 1 to 4 years in the lead-up to a simultaneous election in 2029.
- For example, if a state assembly is elected in 2027, it would serve only two years, and an assembly elected in 2028 would serve just one year. This situation could lead to political instability and dissatisfaction among voters and political parties.

Political Manipulation Risks

- Simultaneous elections could also open doors for political manipulation.
- In situations where a government falls mid-term, or there is a hung assembly, fresh elections would have to be held for the remainder of the term, which could be as short as a few months. Such truncated elections would be farcical and would primarily benefit well-funded political parties.
- Furthermore, chief ministers could use the threat of mid-term elections to control dissatisfied party members, maintaining internal stability through coercion.

Historical Perspective on Election Stability

- India has seen electoral stability over the past two decades. While there was instability between 1981 and 2000, the period since 1999 has been characterized by most state governments and the Lok Sabha completing their full five-year terms.
- The staggered election system has not hindered India's economic growth.
- For example, the UPA government achieved an average **growth rate of 7.5%** during its 10-year tenure, and the current NDA government claims to have performed even better. Hence, the claim that staggered elections impede governance and growth is not supported by historical evidence.

Conclusion: One Nation, One Election is Flawed

The article concludes that the One Nation, One Election proposal is impractical, unnecessary, and fundamentally opposed to India's federal and parliamentary democratic system. The proposed amendments would create

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| | <p>instability, allow political manipulation, and diminish the voice of diverse states in the Indian union. It is unlikely that the proposal will gain sufficient support in Parliament, and the author expresses hope that it will be rejected.</p> |
| <p>59.</p> | <p>Tirupati Laddu Row</p> <p>Tirupati Balaji Temple</p> <ul style="list-style-type: none">• The Tirumala Venkateswara Temple, also known as the Tirupati Balaji Temple, is a hindu temple situated in the hill town of Tirumala at Tirupati in Chittoor district of Andhra Pradesh.• The temple is situated at a height of 853 m above sea level and is positioned on Venkata Hill, which is one of the saptagiri (seven hills) of Tirumala Hills.• It is dedicated to Lord Sri Venkateswara, an incarnation of Vishnu.• It has been mentioned in holy scriptures such as the Garuda Purana, Brahma Purana and many others.• History:<ul style="list-style-type: none">○ The temple's ancient roots can be traced to the Pallava dynasty, which had a strong influence on the region during the 9th century.○ Subsequently, the Chola dynasty played a crucial role in further developing and patronizing the temple.○ Later on, during the reign of the Vijayanagara Empire, the temple received significant contributions and endowments, solidifying its place in the religious landscape of South India.○ One of the defining moments in the temple's history was when the famous saint, Ramanuja, played a pivotal role in reviving the temple and its rituals in the 12th century. |

- It is **one of the richest temples** in the world in terms of donations received and wealth.
- A **popular practice** in the temple **is the donation of hair** and various riches in order to please the god.
- **Tirupati Laddu**: The renowned sweet, Tirupati Laddu, **given as a prasad** at the temple, has the **Geographical indication (GI) tag**.

Geographical indication (GI) tag

- It is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. This is typically used for agricultural products, foodstuffs, wine and spirit drinks, handicrafts and industrial products. The Geographical Indications of Goods (Registration and Protection) Act, 1999 seeks to provide for the registration and better protection of geographical indications relating to goods in India. This GI tag is valid for 10 years following which it can be renewed.
- GI status helps in protecting the authenticity of the Tirupati Laddu against imitation and ensures that only laddus made at the Tirumala Temple using traditional methods are sold under this name. It supports local economies by ensuring that production benefits are accrued to local producers.
- The ingredients of the Tirupati laddu include Bengal gram, clarified butter (cow ghee), sugar, cashew nuts, raisins, and almonds. All laddus are prepared within the temple kitchen, known as "Potu." To meet rising demand, an additional boondi potu was opened near the temple complex.

Architecture

- The Temple is constructed in **Dravidian architecture** and is believed to be constructed over a period of time **starting from 300 AD**.

- Three entrances lead to the sanctum sanctorum - the first is called Mahadwaram.
- A **gopuram (gateway)**, measuring 50 ft, is placed **infront of the entrance**.
- There are two circumambulation (parikrama) paths.
- The **main shrine houses a gold-plated tower** that is **called Ananda Nilayam**, and a temple inside the tower houses the main deity.
- The temple's vast courtyards, pillars, and halls are adorned with exquisite sculptures and designs that capture the essence of Hindu spirituality.

Controversy

A controversy has erupted in Andhra Pradesh after the Telugu Desam Party (TDP) claimed that ghee used to prepare Tirupati laddus, offered at Tirumala Venkateswara Temple, contains "beef tallow," "lard," and other substandard ingredients. The allegation is backed by a lab report where the samples of the Tirupati laddus were sent for testing.

A R Dairy Food Pvt Ltd has been blacklisted after its ghee, used for making the iconic Tirupati laddus, was allegedly found to contain "foreign fats". These fats included palm, coconut, soyabean, sunflower, rapeseed, and other vegetable oils, as well as animal fats (beef tallow, pork lard, and fish oil).

β -sitosterol in ghee can indicate that it has been adulterated with vegetable fats.

S-values are a set of mathematical equations that can be used to detect adulterated milk fat. The ISO/IDF (2010) has specified S-value limits for cow milk fat. Adulterated fat samples will have at least one S-value that is outside

of the reported limits. The range of each S-value for pure milk fat remains in the vicinity of 100 (Table 2). When foreign fat is mixed with milk fat, it causes deviation in triglyceride profile of the milk fat beyond the natural variation, which in turn causes large shift in its S- value(s).

Beef Tallow

- Tallow is made by removing, simmering and clarifying the fatty tissue of beef. Beef tallow is typically used for cooking at high temperatures such as deep frying and roasting. It is also used in the production of soaps and candles and seasoning cast iron utensils.
- Tallow is primarily composed of saturated and monounsaturated fats, with a small percentage of polyunsaturated fats. Liquid fats such as olive oil, peanut oil and canola oil are mainly unsaturated fats.
- Tallow can be stored for a long time without refrigeration due to its stable composition.
- Saturated fats tend to linger longer in the stomach, leading to a feeling of fullness or heaviness. This could trigger nausea or acid reflux, especially if the individual has a sensitive digestive system. Those with gallbladder issues may also find that tallow consumption exacerbates their symptoms due to its high-fat content”.
- Excessive intake of saturated fats raises LDL cholesterol, increasing cardiovascular risk, which is concerning for individuals mindful of fat intake.
- Additionally, beef tallow is calorie-dense, informs Chakraborty, with around 110-120 calories per tablespoon, potentially contributing to weight gain if consumed frequently. While the inclusion of beef tallow may slightly alter the taste and texture, giving laddoos a distinct richness, it also raises cultural concerns.

Tallow consists of these fats in the following ratios:

- 50% saturated fat
- 42% monounsaturated fat
- 4% polyunsaturated fat.

Fish Oil

- Fish oil is widely consumed as a supplement for its omega-3 fatty acids, particularly EPA (eicosapentaenoic acid) and DHA (docosahexaenoic acid), which are beneficial for heart health, reducing inflammation, and supporting brain function.
- While not used as commonly for cooking as tallow, certain cultures incorporate fish oil in small amounts in traditional dishes. However, the taste can be quite strong and is typically not preferred for general culinary use.
- Fish oil is used in the production of animal feed, particularly for aquaculture, where it serves as a source of omega-3 fatty acids to promote healthy growth in farmed fish.

Ghee: Made by boiling butter and removing milk solids, ghee is rich in saturated fats like tallow, but it also contains **short-chain fatty acids and butyrate**, which are beneficial for gut health. Ghee has been widely used in traditional Indian cooking and Ayurvedic practices.

Vegetable Oils: Commonly used oils like sunflower, canola, or olive oil contain more polyunsaturated fats, which are considered heart-healthy. These oils are also lower in saturated fats compared to tallow and ghee, which makes them a healthier choice for cardiovascular health, according to studies on lipid profiles.

Lard

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| | <ul style="list-style-type: none">• Lard is basically pork fat. Lard is made by separating fat from the pig's muscle by rendering or melting it, and then typically filtering or processing it to remove impurities and give it a neutral, not overly “porky” flavour.• Lard is solid and white or ivory when cold or in room temperature, and becomes a clear liquid when heated.• Lard is used for cooking, baking and frying. It can be used almost in any place where butter is used. Unlike butter, lard has a high smoke point, making it a preferred fat for deep-frying, roasting and even grilling. <p>Both the ingredients are fit for human consumption but their use to make "prasadam" has kicked up the controversy. Other main ingredients of the laddu are chickpea gram flour, sugar, small sugar cubes, cashew nut, cardamom, camphor, and raisins.</p> |
| <p>60.</p> | <p>India needs a ‘National Security Strategy’</p> <p>Introduction</p> <ul style="list-style-type: none">• Current Context: India faces increasing pressures to develop a coherent national security strategy. Geopolitical shifts, regional tensions, and ongoing global conflicts (e.g., Ukraine and Gaza) necessitate a reassessment of security priorities.• Economic Ambitions: India aims to become a \$4 trillion economy. However, this ambition may face significant challenges due to external factors that could hinder global growth and, subsequently, India’s economic progress. Economic health is pivotal for national security, impacting everything from health to defense funding. |

Defining National Security

- **Ambiguity of the Term:** National security encompasses various elements and differs in meaning across countries and contexts.
 - **United States Perspective:** The U.S. defines national security through a mix of its values and interests. The National Security Strategy (NSS) focuses heavily on maintaining leadership and economic dominance, reflecting a pragmatic approach where support for authoritarian regimes may coexist with democratic ideals.
 - **United Kingdom's Approach:** The UK positions itself as a global power through alliances, emphasizing collaboration with allies despite its economic limitations. The Integrated Review of 2021 showcases this ambition.
 - **France's Strategy:** France's national security considerations, especially following the Ukraine crisis, highlight its nuclear capabilities and aspirations for European leadership, illustrating the strategic re-evaluations that come with geopolitical upheavals.

The Need for India's National Security Strategy

- **Holistic Integration:** India requires an NSS that coherently integrates various sectors, including defense, finance, climate change, and economic growth. This integration is essential to create a unified approach to national security.
- **Secrecy as a Necessity:** Crafting the NSS must be conducted discreetly to effectively articulate national threats without compromising strategic advantages. A transparent process might expose vulnerabilities.

Multi-Alignment Strategy

- **Shift from Non-Alignment:** Historically rooted in the Non-Aligned Movement, India's current strategy has transitioned to "multi-alignment." This allows India to forge relationships with multiple nations based on shared interests and strategic necessities.
- **Engagement in Strategic Alliances:**
 - **Quad:** Comprising Australia, India, Japan, and the U.S., this grouping focuses on security and freedom of navigation in the Indo-Pacific, demonstrating India's willingness to collaborate with powerful nations.
 - **BRICS:** In contrast, BRICS, led by China and including Brazil and Russia, reflects India's need to diversify partnerships, especially given the complexities of its relationship with China.

Threat Assessment and Resource Allocation

- **Identifying Threats:** A comprehensive assessment of external and internal threats is vital for prioritizing national security needs. Currently, public discourse often neglects explicit references to threats in economic policies.
- **Resource Allocation Challenges:** With limited resources, prioritization becomes crucial. The NSS must clarify which defense capabilities require strengthening and identify existing gaps, particularly in naval power compared to China.

Transparency vs. Secrecy

- **Public Messaging Dilemma:** An open national security document must balance the need for transparency with the imperative of maintaining strategic secrecy. Effective communication is necessary to inform the public while protecting sensitive information.
- **Domestic and International Implications:** Politically, a robust NSS could face scrutiny and demands for assertiveness from the public and opposition parties. Internationally, it must reflect India's nuanced foreign policy, particularly its balanced stance in ongoing global conflicts.

Integration with Economic Strategy

- **Linking Security and Economy:** National security is intrinsically linked to economic health. The NSS should provide a framework that guides industrial development and financial planning, ensuring that economic resilience supports security objectives.
- **Streamlined Directive Issuance:** The NSS should aim for clarity and cohesion, directing various ministries and sectors towards common security and economic goals. This approach could foster greater alignment among diverse government functions.

Conclusion

- **Critical Need for an NSS:** Developing a comprehensive national security strategy is an urgent necessity for India. It must encompass defense, economic priorities, and internal coherence while maintaining the discretion required for effective governance.
- **Strategic Recommendations:**
 - **Conciseness and Focus:** The NSS should be straightforward,

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| | <p>prioritizing key areas without overwhelming detail.</p> <ul style="list-style-type: none">○ Protecting Sensitive Information: Keeping the strategy confidential is essential to safeguard national interests and maintain strategic advantages |
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