

Social Morality vs. Constitutional Morality

Morality is defined as the subjective interpretation of a person or a society on what is right and wrong. In simple words, it can be termed as a set of rules and regulations that enables the people to

New Scorpene class submarines for the Navy

The Defence Acquisition Council, the apex decision-making body for the acquisition of military equipment for India's armed forces, cleared proposals worth thousands of crores to buy three additional Scorpene submarines and 26 Rafale Marine fighter.....

Economic openness in South Asia

The share of intra-regional trade in the Subcontinent's trade with the world has grown from about 2% in 1990 to about 6% in 2023, but it is nowhere near the potential or the achievements of other parts of Asia

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Caste has no place in a modern democracy

Caste-based violence in India is a form of discrimination and oppression that targets people belonging to Scheduled Castes (SCs) and Scheduled Tribes (STs), who are historically marginalized and disadvantaged groups in Indian society.

Despite the constitutional safeguards and special legislation, such as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 being in place, caste-based crimes continue to occur in various forms and regions, violating the fundamental and human rights of millions of people.

Caste-based Crimes in India

- Caste-based crimes can include physical assault, murder, rape, sexual harassment, torture, arson, social boycott, economic exploitation, land grabbing, forced displacement, and other forms of humiliation and violence.
- According to the Annual Crime in India Report 2019 published by the National Crimes Records Bureau, crime against SCs and STs has recorded an increase of over 7% and 26% respectively in the year 2019.
- The same report also produced that 88 rape cases are recorded every day in India. Some of the cases are related to caste-based crimes.

Regional Differences in Crime Rates and Charge Sheets:

- Caste-based crimes are also influenced by regional specificities and differences in the strategies employed by various states to fight them.
- For example, Madhya Pradesh (MP) had the highest crime rate against SCs in 2021.
- The state also had the highest crime rate against SCs in 2020 and was ranked second (behind Rajasthan) in 2019.
- But data also showed that the rate at which charge sheets were filed was higher in MP than in most Indian states.
- Its neighbour, Rajasthan, was far lower on this aspect, highlighting that state police needed to do a lot more.

Causes of Caste-Based Crimes in India

1. Caste System and Hierarchical Structure:
 - a. The caste system, an ancient social stratification based on descent and occupation, creates a rigid hierarchical structure where individuals are categorized into specific castes.

- b. This system fosters a sense of superiority among upper castes and a feeling of inferiority among lower castes, leading to discrimination and violence against the latter.
2. Social Norms and Cultural Beliefs:
 - a. Social norms and cultural beliefs, often passed down through generations, reinforce the notion of caste-based superiority and inferiority.
 - b. These norms normalize discriminatory attitudes and practices, making it challenging to break free from caste-based violence.
3. Economic Exploitation:
 - a. Caste-based violence is sometimes driven by economic motives. Lower caste individuals may be subjected to exploitation, forced labour, and economic oppression by dominant caste groups, leading to conflicts and violence.
4. Political Power Struggles:
 - a. Caste-based violence is also linked to political power struggles. Dominant caste groups may use violence to suppress the political aspirations and representation of lower caste individuals, maintaining their own dominance and influence.
5. Inter-Caste Marriages:
 - a. Inter-caste marriages, challenging the traditional caste boundaries, are sometimes met with hostility and violence from conservative sections of society, seeking to protect their caste purity.
6. Lack of Implementation of Laws:
 - a. Despite legal protections, the effective implementation of laws against caste-based violence remains a challenge in some regions, leading to a culture of impunity for the perpetrators.

Implications of Caste-Based Crimes

1. Human Rights Violations:
 - a. Caste-based violence results in severe human rights violations, including the right to life, dignity, equality, and liberty.
 - b. Victims of such violence suffer physical and psychological harm, leading to trauma and long-term emotional distress.
2. Social Fragmentation:
 - a. Caste-based violence deepens social divisions and creates animosity among different caste groups.
 - b. It hampers social cohesion and undermines the efforts towards building a harmonious and inclusive society.
3. Fear and Insecurity:

- a. Caste-based violence creates a climate of fear and insecurity among marginalized communities.
- b. The fear of violence and discrimination can lead to self-censorship and restrict the freedom of expression and movement of affected individuals.
4. Obstacles to Development and Empowerment:
 - a. Caste-based violence hinders the development and empowerment of marginalized communities.
 - b. It limits their access to education, healthcare, and economic opportunities, preventing them from realizing their full potential.
5. Loss of Trust in Institutions:
 - a. Caste-based violence erodes trust in state institutions, law enforcement agencies, and the justice system. Victims and their communities may be hesitant to seek justice or report incidents due to fear of further victimization or lack of faith in the system.
6. International Reputation:
 - a. The persistence of caste-based violence negatively impacts India's international reputation as a democratic and progressive nation.
 - b. It raises concerns among the global community about the prevalence of discrimination and violence based on caste identities.

Safeguards Provided against Caste Based Discrimination

1. Constitutional Provisions:
 - a. Article 15: The State shall not discriminate against any citizen on the basis of religion, race, caste, sex, place of birth or any of them.
 - b. Article 16: No citizen shall be disqualified for any office under the State on the basis of religion, race, caste, sex, descent, place of birth or any of them.
 - c. Article 335: Provides that the claims of the members of the SCs/STs shall be taken into account, along with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State.
 - d. Article 330 and Article 332: Reservation of seats for SCs/STs in the Lok Sabha and State legislative assemblies.
2. Constitutional Bodies:
 - a. National Commission for Scheduled Castes.
 - b. National Commission for Scheduled Tribes.
3. Statutory Provision:
 - a. Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2018.
 - b. Possible Solutions to Prevent and Redress Caste-Based Crimes in India
4. Strengthening Implementation of Laws:

- a. SC/ST Act, 1989; Protection of Civil Rights Act, 1955; Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
5. Enhancing State Institutions:
 - a. Police, Judiciary, Education, Health, and Welfare sectors to prevent, investigate, prosecute, punish, and rehabilitate offenders.
6. Promoting Awareness and Sensitization:
 - a. Among all stakeholders, including upper castes, lower castes, civil society organizations, media, academia, religious leaders, and political parties.
7. Empowering SCs and STs:
 - a. Through education, employment, land rights, political representation, social mobilization, legal aid, and counselling services.
8. Fostering Dialogue and Reconciliation:
 - a. Building trust and solidarity, challenging stereotypes and prejudices, and promoting respect for diversity and human dignity.

Over the borderline: on Pakistan and its security situation with Afghanistan

The terror attack in Pakistan's Khyber-Pakhtunkhwa region, which has claimed 54 lives and left over 200 injured, is a reminder of the worsening security situation in the country's border region with Afghanistan.

Terrorism:

- There is no universal agreement on the legal definition of terrorism.
- It generally refers to the unlawful use of violence and intimidation, especially against civilians, to achieve political and ideological aims.

Terrorism in Pakistan:

A Geopolitical Perspective

- Pakistan has been battling with terrorism for decades, particularly in its border region with Afghanistan.
- The rise of the Taliban in the early 1990s and its subsequent takeover of Afghanistan in 2021 have further exacerbated the security situation.

The Historical Support to Islamist Extremists:

The Afghan Civil War:

- Pakistan supported the Afghan Mujahideen during Afghanistan's anti-communist civil war, providing weapons and training to defeat the Soviet invasion.

The Emergence of the Taliban:

- Pakistan supported the emerging Taliban during the intra-Mujahideen civil war, facilitating their rise to power in the early 1990s.

Playing a Double Game:

War on Terror:

- Pakistan joined the US coalition in the War on Terror but was also accused of harboring Taliban and other extremist groups.

Safe Havens:

- Pakistan allowed safe havens to several terrorist groups, including the Haqqani Network, Lashkar-e-Taiba, and Jaish-e-Mohammed.

Radicalization and Security Threats:

Extremist Ideologies:

- Decades of civil war have radicalized Muslim youth in the Af-Pak region, leading to the growing support of extremist ideologies among Pakistani militants.

Bad Governance:

- The lack of governance, corruption, and power struggles have created the ideal breeding ground for radicalization and terrorism.

Combating the Pakistan Taliban:

Operation Zarb-e-Azb:

- Pakistan launched a military operation against the Pakistan Taliban in 2014-15 to crush the insurgency in the border region.

Rehabilitation Program:

- The government introduced a rehabilitation program to help Taliban fighters lay down their arms and reintegrate into society.

Victims of Terrorism Fund:

- Pakistan established a fund to provide financial assistance and rehabilitation to the victims of terrorism and their families.

Steps Need to be Taken to Counter Terrorism:

Strong and Reformed Institutions:

- There is a need to strengthen and reform the multilateral institutions and mechanisms to effectively deal with these emerging challenges.

Strengthen Intelligence Agencies:

- There is an urgent need to empower intelligence agencies with adequate funding and modern technologies.

Timely and Appropriate Action:

- To achieve positive results, international institutions and all countries need to take actions timely after receiving any intelligence input.

United Approach:

- A collaborative approach is a need of hour to overcome these challenges.

International Organizations against Terrorism:

The United Nations Office of Counter-Terrorism (UNOCT):

- It leads and coordinates an all-of-UN approach to prevent and counter-terrorism and violent extremism.

The UN Counter-Terrorism Centre (UNCCT):

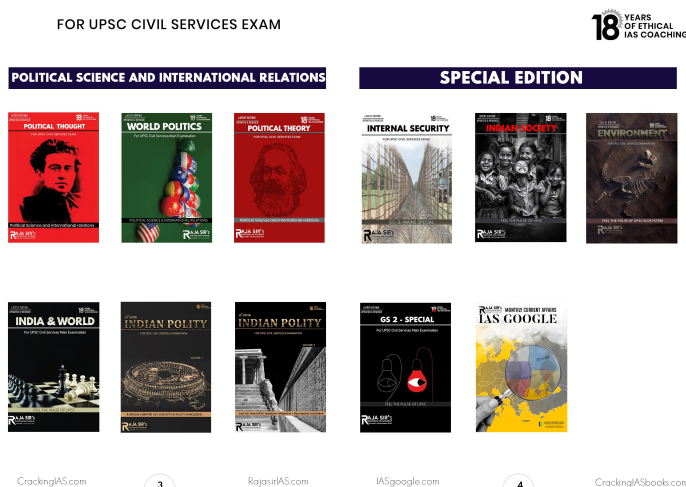
- It works under UNOCT that promotes international cooperation in the fight against terrorism and supports the Member States in implementing the Global Counter-Terrorism Strategy.

The Terrorism Prevention Branch (TPB):

- It works under the aegis of the United Nations Office on Drugs and Crime (UNODC).
- It works to assist the Member States, upon request, with the ratification, legislative incorporation and implementation of the universal legal framework against terrorism.

The Financial Action Task Force (FATF):

- It is a global money laundering and terrorist financing watchdog that aims to prevent the illegal activities and the harm they cause to society.

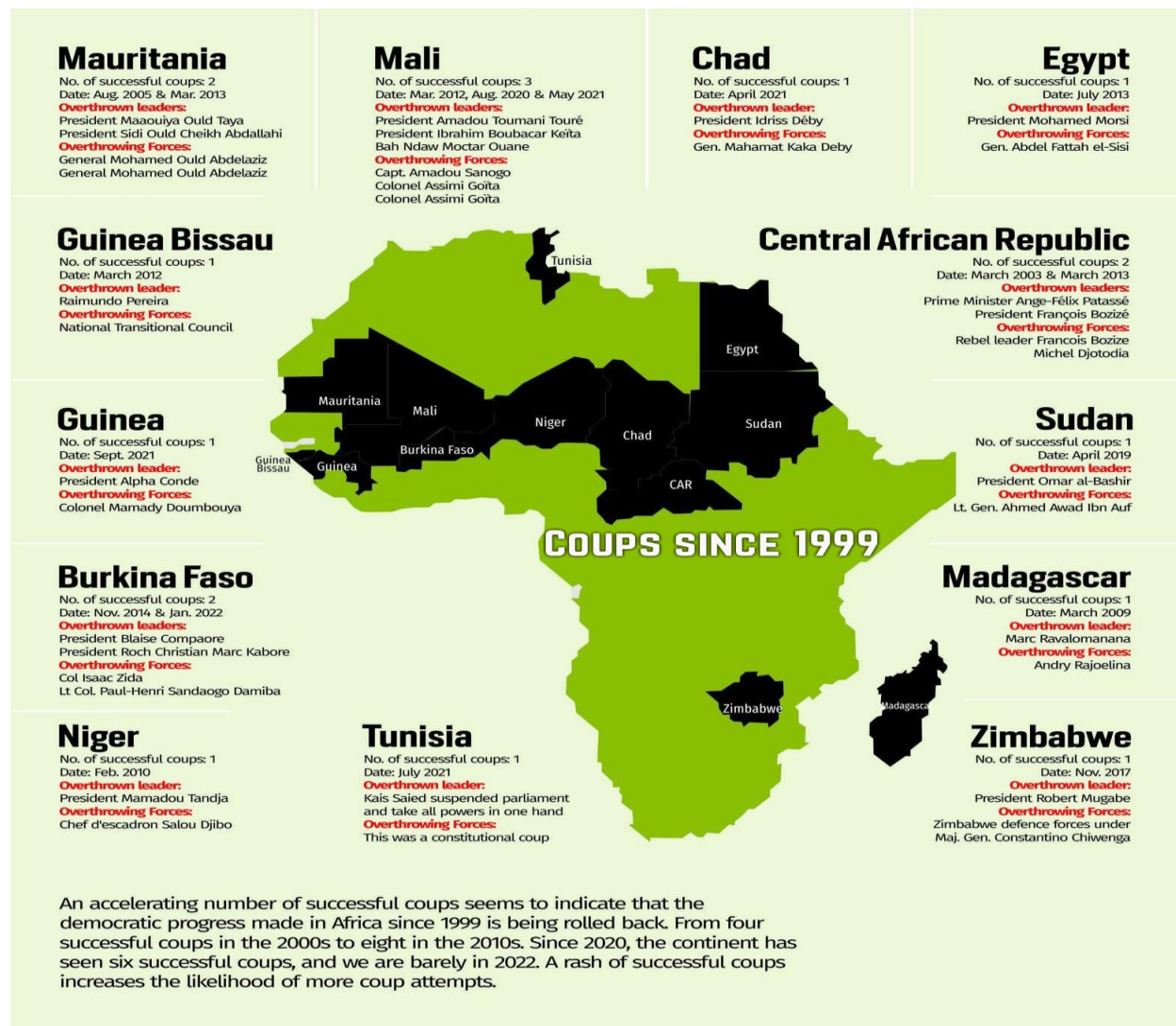


Africa's 'coup belt' - Democracy and Stability in question?

West African nations have given Niger's coup leaders one week to reinstate the country's democratically elected president and have threatened to use force if the demands aren't met.

Coup belt in Africa:

- **Seizure of Power:** Coup is generally described as a sudden, violent, and illegal seizure of power from a government.
- **Concerns for Democracy and Stability:** A chain of military coups has led to instability in six African countries spanning 5,600km across the continent.
- **The recent coup in Niger** has raised alarm about the setback to democracy in the continent.



Location of Niger:

- A Landlocked Country: Niger is a landlocked country located in West Africa.
- Bordering Regions: It is bordered by Libya to the northeast, Chad to the east, Nigeria to the south, Benin and Burkina Faso to the southwest, Mali to the west, and Algeria to the northwest.
- Over 80% of its land area lies in the Sahara (Sahel Region).

The Sahel and Jihadi Violence:

Hotspot for Violence:

- The Sahel region has been a hotbed of jihadi activity, with several areas controlled by armed groups.

Concerns for West:

- The West is worried about the implications of the coup on the fight against Islamist militants in the Sahel, particularly given the significant US military presence in Niger.

Overlap with Coup Belt:

- Many of the coup-ruled countries are located in the Sahel region, leading to further instability.

Russia's Influence:

- A potential US withdrawal could open doors for Russia, which has been gaining influence in some African countries, including those in the coup belt.

The Roots of Coup:

Responses to Militancy:

- These coups may be seen as a response to the increasing Islamist militancy in the region, with the need for strong authorities to tackle these groups.

Corruption:

- Public anger at corruption has been a major contributing factor to the military coups in these countries.

Weak States and Youth Bulge:

- The region's high youth unemployment and weak state structures add to its instability, making it more vulnerable to military coups.

Status of India in reference to Coup:

- While all our South Asian neighbors—Pakistan, Bangladesh, Burma and Sri Lanka—have experienced military coups, actual or attempted, the Indian comprehensive system of checks and balances proved as a 'coup-proof'.

Economic Community of West African States (ECOWAS):

- A Regional Bloc: A regional political and economic union of fifteen countries located in West Africa.
- Establishment: In 1975, with the signing of the Treaty of Lagos.
- Mandate: To achieve collective self-sufficiency for its member states by creating a single large trade bloc by building a full economic and trading union.

Public Order and Internet Access

- About 60% of Internet shutdowns across the world took place in India between 2016 to 2022.
- Internet shutdowns are any disruptions in access to Internet services.
- The government has imposed shutdown at least 84 times in the past year, which raises concern for the World's largest democracy.
- It is done in order to subdue situations that turn into riots or dissipate an ongoing disturbance.
- In Jammu & Kashmir, the government has stated in 2020 that it would whitelist some websites and allow access to them through 2G.
- This is impractical solution, as half of the websites don't load on 2G and even if there are whitelisted websites, it still cannot access the user data present in another domain.

Mechanism for Internet Shutdown:

- The government or entrusted entities have the power to ask Internet Service Providers (ISP) to restrict network connectivity in a certain region.
- ISPs can make the underlying Internet Protocol (IP) address of all websites and servers inaccessible.
- It makes use of phone number and location data to track and remove access.
- Domain Name System (DNS) Blocking: it is a mechanism that allows preventing access to certain web pages on the server.
- Other sophisticated methods include throttling, and blacklisting among others.

Reasons for Shutdown:

- The official reason for 40-50% of shutdowns is communal tensions.
- Some of the Shutdown are imposed during protests, or to prevent cheating during exams, or due to religious processions.
- Other reasons may also include to prevent the rapid spread of misinformation or provocative content during difficult times.
- Preventive shutdowns are imposed before an event takes place.
- For example, following the circulation of disturbing videos on communal or controversial issues that can anticipate a communal riot.

- A reactive shutdown is imposed after an event takes place and is the easiest way to control an escalating law and order situation.

The applicable judgements and legislations:

- Article 19 of the Constitution mentions freedom of speech and freedom to practise any profession.
- Article 21 of the Constitution protects the right to life and liberty, which also encompasses the right to education and the right to exercise one's freedom to access the Internet.
- Article 92 of the Constitution states for reasonable restrictions to be imposed wherever necessary.
- The grounds include a threat to the nation, to national sovereignty, integrity and defence, or to avoid incitement to, or commission of, a cognizable offence.

Anuradha Bhasin v/s Union of India, 2020:

- Supreme Court (SC) ruled that an undefined restriction of internet services would be illegal and that orders for internet shutdown must satisfy the tests of necessity and proportionality.
- The right to freedom of speech and expression under Article 19(1)(a), and right to trade or business under 19(1)(g), using the medium of internet is constitutionally protected.
- Shutdowns should be exercised only in situations of exceptional control and surveillance.
- It needs to be temporary, limited in scope, and under the prescribed law.

Faheema Shirin R. K v State of Kerala & Ors, 2019:

- The Right to use the Internet is associated with the Right to Education and Privacy under Article 21 of Indian Constitution.
- UN General Assembly has adopted the right to access the Internet based on the resolution by Human Rights Council.
- It requires the state to give access to the internet and communications for educational purposes.

Related Laws:

- The Information Technology Act, 2000 maintains that threats to national sovereignty or integrity or defense call for website blocking based on specified rules for safeguards.
- Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017:
- It provides for temporary shutdown of telecom services in a region on grounds of public emergency (up to 15 days at once).

- The Indian Telegraph Act, 1885 empowers the central government to regulate various types of telecom services including internet services and grant licenses for them.

Implications:

Basic services:

- The ability to access online services, avail the benefits of government schemes, and make digital payments is routinely impacted.
- India cannot drive change, including through the G20 presidency or be a leader of open societies if people are deprived of access to an open and secure internet.
- Mobile Internet Services used by the majority of Internet subscribers (more than 90%), remain suspended.
- It has greater penetration than broadband and wi-fi particularly in rural areas.
- People are unable to work, access telemedicine, study purposes and Internet for OTP (one-time password).

Digital Divide:

- The use of the permitted Internet Lease Line or Fibre to the home connections is limited to a small section (5%), and largely to urban institutional users.
- People are left with fewer resources and this deepens the digital divide.
- It contradicts the government's vision of a Digital India.

Accountability:

- Internet access is also conditional on MAC Address binding, static IPs, and a ban on Virtual Private Networks (VPNs).
- Media Access Control address (MAC address) is a unique identifier assigned to a network interface controller (NIC) for use as a network address.
- VPN describes the opportunity to establish a protected network connection on use of public networks.
- It disguises the online data traffic and protects from external access by hackers and cyber criminals.
- These measures enable monitoring of online activities and tracing of the user's location.
- It impedes the exercise of the rights to free expression, freedom of assembly, and privacy amid a crisis.
- It affects the flow of information from and to the state, weakens reporting, and the ability to bring those responsible for the ongoing disturbances to account.

Economy:

- Internet and social media restrictions have economic costs that impact individuals and the country.

- It leads to economic loss and unemployment.
- An estimate suggests that internet shutdown in 2022 caused a loss of over Rs 1,500 crore.
- Issues for unorganized sectors, especially amongst women are increased.

Arguments against Shut down:

- Various civil society organizations and human rights activists oppose shutdowns like a social media blockade or a complete blockade.
- This is because decisions are not made by following due process.
- Nobody below the level of a Joint Secretary can impose a shutdown, but often, district magistrates impose blanket shutdowns.
- To impose an Internet shutdown is to essentially curb fundamental rights.
- Rule 5 of the Temporary Suspension Rules states that a review committee has to be formed within five working days (of issue of directions for suspension of services).
- There are instances of ignoring the guidelines given in Anuradha Bhasin judgment.
- The accountability of the review committee is questioned on basis of transparency, members and favourism.
- There is a lack of public information, Impunity and lack of answers about a shutdown.
- Improper restoration of connectivity violates the fundamental right to free expression and access to information.
- The whitelisted websites allow access through 2G, which is an impractical solution.
- It is a strategy to permit browsers to access the list of approved Uniform Resource Locators (URLs) while blocking the rest of the websites.

Internet shutdowns in their current form prohibit access to all types of information and services on the Internet. The Department of Telecommunications (DoT) should formulate a policy to selectively restrict the use of certain services instead of banning the internet as a whole. This will ensure minimum inconvenience to the general public and meet the objectives such as curbing misinformation. The Standing Committee on Communications and Information Technology recommended conducting a study on the impacts and effectiveness in dealing with public safety and public emergency.

Urban Flooding on the Rise, the Pitfalls of Unplanned Urbanization

- Three major cities, Delhi, Ahmedabad and Mumbai, have been the victim of urban flooding almost each year.
- Delhi has seen four major flooding events between 2005 and 2023.
- Cities like Hyderabad (in 2000), Srinagar (in 2014), Chennai (in 2021) and Bengaluru (in 2022) have also seen some areas being submerged during heavy rainfall.
- A majority of urban resident's face water-logging and traffic congestion.
- Baroda has lost 30% of its wetlands between 2005 and 2018 whereas Delhi had lost 300 waterbodies since 1997.

Urban flooding

- Urban flooding is a manmade disaster that is marked by the flooding of land or property in a built environment of a densely populated cities where rainfall exceeds drainage systems" capacity.
- Urban flooding is caused not only by higher precipitation but also by unplanned urbanization, while rural floods are caused by heavy rain over a flat or low-lying area.

Factors leading to Urban flooding

Unplanned Urbanisation

- Rise in population leads to unplanned urbanization causing rise in construction activities especially in low-lying areas resulting in loss of water bodies.
- Cities are getting more concretized (via pavements, roads, and settlements), and hence rainwater percolation has reduced, leading to a rise in stormwater run-off.

Cities are situated beside a river

- Most Indian cities are situated beside a river, with extensive floodplains and wetlands.
- India has lost 40% of its wetlands in the past 30 years.
- With such a loss of natural "blue infrastructure", flooding risks have increased.
- Blue infrastructure relates to urban water infrastructure, including ponds, lakes, streams rivers and storm water provision.
- Similar patterns exist for other cities.

Solution

Understand the problem better

- Studies must be conducted in all cities to understand the catchment area and flooding risk associated with urban water bodies (including rivers) and land use.
- This can then be tied up with short, medium and long-term measures to rejuvenate water bodies.
- Lake and river management plans should be defined and include the participation of the local citizenry in upkeep and a push to remove encroachments.
- Geographic information systems (GIS) may be used to tag local water bodies, to help keep track of encroachments and understand their seasonality.

Increase investments

- Investments are required in more early warning systems (including Doppler radar) to enable real-time updates on changing weather patterns locally.
- A Doppler radar is a specialized radar that uses the Doppler effect to produce velocity data about objects at a distance.
- Local rainfall data can be integrated with the Central Water Commission and regional flood control efforts.
- As rainfall patterns change, simulations will be required, particularly for flooding hotspots.
- Ideally, this can be linked with flood risk maps and insurance products.
- There should be investment in city-wide databases that enable the provision of immediate relief in the event of a flooding-related disaster.

Revamp and expand drainage and stormwater networks

- Most of India's 5,000 plus cities and towns don't have a well-functioning sewerage network.
- For example, Delhi's drainage network can carry a maximum of 50mm in 24 hours, as significant parts require repair.
- Its stormwater drains are very old.
- Several areas have drains which have been incorrectly sloped against gravity.
- Other areas have no distinct drains for drainage and stormwater, often leading to overflowing.
- Most cities need to develop drainage master plans.
- Existing pipelines need to be surveyed (whether drain or stormwater), and water-logging locations shall be identified.
- Building this infrastructure should be given adequate attention.
- Stormwater networks should be kept separate from the drainage network.

Medium-to-long term urban planning has to improve

- In cities like Delhi, many civic agencies manage the city's drains, leading to coordination challenges, information not shared or shared with delay, leading to a lack of transparency.
- Coordination between agencies/institutions must improve.
- For example, Delhi, with its Jal Board, seeks to revive 155 water bodies in a piecemeal manner.
- All this when water bodies are regulated by institutions ranging from Delhi Development Authority (DDA), to Delhi Jal Board, Public Works Department, and municipal corporations.

Awareness about wetland/water body conservation must be improved

- The Wetland Authority of Delhi has received requests to delist 232 (of 1,045) waterbodies from institutions like the Delhi Development Authority, this highlights limited awareness.
- The progress made by the Centre for the National Mission for Clean Ganga, Census on Pan-India water bodies, guidelines for conserving water bodies, and increasing Ramsar sites were significant.
- However, India requires a well-defined urban water policy.
- Regulatory bodies like the Central Wetland Regulatory Authority can be granted statutory powers

Replicate local examples- Mangalore & Kaikondrahalli Lake

- Government should identify and replicate local examples.
- Example: in Mangalore until the mid-2000s wastewater from urban consumption would flow through open drains and into the city's water bodies, polluting the freshwater sources.
- The Mangalore City Corporation (MCC) has then established wastewater treatment plants with end-user linkages.
- Many industries were set up within the Mangalore Special Economic Zone Ltd (MSEZL) that faced a limited supply of water and, consequently, they ended up spending significantly on water sourcing.
- The MCC offered to supply treated effluent to MSEZL to meet its industrial need, with MSEZL-based private players sourcing about 70% of operations and maintenance costs of the pumps and the sewage treatment plant.
- Increasing demand for input water led to a ramp-up of two additional tertiary treatment plants, with the network expanding to cover 350 km of pipelines.
- Example: The Kaikondrahalli Lake in Bengaluru has suffered from severe sewage inflow, with silting and land formation due to eutrophication.
- Meanwhile, encroachment on the lake bed was a cause of concern, along with the dumping of debris and waste.
- BBMP adopted a community-driven approach to revive the lake in a phased manner as funds came by.

- Between 2009 and 2011, BBMP demarcated the lake's boundaries to identify and stop encroachments.
- Encroachers were served eviction notices, and the lake was secured.
- Then, BBMP decided to tackle pollution, with sewage inflow diverted away via a tapping pipeline.
- Desilting of the lake was conducted to remove the vegetation growing in the lake and to increase the lake's depth by 1m (also its storage capacity by 54%).
- Restoration was carried out by developing inlets and outlets for the lake and creating embankments and a pathway around the waterbody.
- All of this was done with local participation.
- The original Detailed Project Report (DPR) was rather engineering-focused, pushing for creating gardens and fencing off the lake from the local underprivileged communities.
- Citizen engagement ensured that the DPR was modified to improve the local ecology, instead of mere aesthetics.
- The plan was modified to ensure the watershed area of the lake was preserved while indigenous trees were planted.

As India advances, the cities of India must lead on climate change, rather than simply reacting to untoward events. Instead of pursuing smart cities, the authorities should invest in developing infrastructure like rainwater harvesting and better drainage system to deal with Urban floods. It's time citizens of India get the basics right.

India Joined Minerals Security Partnership

- Two key developments aimed at harnessing India's critical minerals potential happened. First, India joined the Minerals Security Partnership (MSP), a US-led alliance of 14 developed countries. India is now the only developing country to become a part of the MSP, the elite critical minerals club set up in June 2022 to secure critical mineral supply chains. The second development that took place was India coming out with a comprehensive list of 30 critical minerals.
- Even as the world is scrambling to secure critical minerals, the two moves, along with a slew of other proposed policy initiatives, could be a shot in the arm for India in ensuring self-reliance and addressing vulnerability in the supply chain of minerals.
- India is dependent on China and other countries to meet its requirement of critical minerals including Rare Earth Elements (REE), which are the building blocks of modern day technologies. From aerospace to defence industry,

electronics (mobile phones, laptops) to electric vehicles, solar panels, semiconductors, wind turbines, high-tech industries, telecommunications, security technologies — critical minerals and REE are used in many industries.

- They are called critical as their lack of availability or even concentration of existence, extraction or processing in few geographical locations may lead to supply chain vulnerability and disruption, threatening economic development and national security.
- Experts have termed India's induction into the MSP "significant" as this is a group of countries with great technological capacities in geology and mining, mineral processing and metallurgy. India's inclusion also gives the group, which has had developed countries as members till now, an international balance.

What MSP means for India

- It was at the Prospectors and Developers Association of Canada convention, the largest mining event held in Toronto, Canada, that the US and its key partner countries — Australia, Canada, Finland, France, Germany, Japan, the Republic of Korea, Sweden, the United Kingdom, the United States, and the European Commission — announced setting up the Minerals Security Partnership. Italy joined the group in February this year.
- According to a media note issued by the US Department of State on 14 June last year, the goal of the MSP is to "ensure that critical minerals are produced, processed, and recycled in a manner that supports the ability of countries to realize the full economic development benefit of their geological endowments".
- The note added that the MSP will help catalyse investment from governments and the private sector for strategic opportunities — across the full value chain — that adhere to the highest environmental, social, and governance standards.
- It should enhance efforts for supply chain security, particularly because of China's current dominance over mining, processing, and refining of many key critical minerals. China produces 60 per cent of the world's rare earth elements. It has also become a dominant player in refining and processing critical minerals that it does not produce.
- The Ministry of Mines said becoming an MSP member will help India engage with countries using advanced exploration and extraction technologies and learning from their experience. It will help us prepare our roadmap at a time China has been gradually building up its critical minerals dominance.
- However, MSP is not the only global alliance that India has joined. With the government's thrust on securing the critical minerals supply chain, India entered into a partnership with Australia in April this year, jointly investing \$3 million each in five critical minerals exploration projects in Australia. Australia

produces almost half of the world's lithium is the second-largest producer of cobalt and the fourth-largest producer of rare earths elements.

Huge potential, not much work done

- Rishabh Jain, senior programme lead, Council on Energy, Environment and Water (CEEW), a Delhi-based policy research institution, said though India has huge geological potential and it has not necessarily worked a lot on the exploration aspects of the mining supply chain. There are 14 companies, that are accredited for exploration in India but the challenge is in finding the minerals.
- Even globally, many of the countries, including Congo, Australia, Chile, and Argentina, end up exporting or have historically exported these minerals from countries processing capabilities or with manufacturing raw material capabilities, said Jain, who leads the Market Intelligence vertical at the CEEW's Centre for Energy Finance.
- An April 2023 working paper "Assessing the Criticality of Minerals for India" released by Centre for Social and Economic Progress (CSEP), a public policy think tank working in the energy sector said critical minerals have complex global supply chains with a high concentration in the extracting and processing countries, resulting in high supply risks.
- For example, China produces 60 percent of the world's REEs and 34 percent of molybdenum. Around 69 percent of cobalt is mined in the Democratic Republic of Congo, with China having a majority in processing (65 percent) of the global mineral supply.
- The paper added, "Australia produces 52 percent of the world's lithium, with China being a major importer and processor of 58 percent of the global supply. South Africa mines 72 percent of the world's platinum output."

Low private sector engagement

- One of the problems in India, when it comes to critical minerals, is minuscule private sector participation.
- Rare earth permanent magnets are used in all electronic components. They are also used in electric vehicles since strong magnets are needed in the process to manufacture light electronic high-capacity motors.
- India still has a long way to go when it comes to exploiting its huge geological potential for critical minerals. That is why getting into alliances like MSP, along with policy initiatives like coming out with a list of critical minerals and finalising a critical mineral policy is so crucial for India's energy security.

What is Medium-Term Expenditure Framework (MTEF)?

Recently, the Ministry of Finance has conveyed its inability to release the Medium-Term Expenditure Framework (MTEF) statement, mandated by the Fiscal Responsibility and Budget Management (FRBM) Act of 2003.

- The ministry had cited “unprecedented global uncertainties that may adversely affect medium-term projections” to justify not placing fiscal projections for 2024-25 and 2025-26 in Parliament at the time of presenting the Union Budget.

Ministry of Finance Unable to Release MTEF

- Since the presentation of the Union Budget for FY 2023-24 in February, there has not been any significant and favourable change in global headwinds and associated risks.
- Therefore, amidst aforesaid facts, the medium-term projections are not feasible.
- The Finance Ministry emphasized the need for the government to maintain flexibility in fiscal management to effectively manage exogenous shocks and global uncertainties.
- This flexibility is seen as indispensable for the government to retain the necessary fiscal firepower to address unforeseen contingencies that may arise during periods of economic ambiguity.

Medium-Term Expenditure Framework (MTEF)

- The MTEF statement sets a three-year rolling target for expenditure indicators, along with specifications of underpinning assumptions and risks.
- This statement is presented in Parliament under Section 3 of the Fiscal Responsibility and Budget Management (FRBM) Act, 2003.
- The statement provides an estimate of expenditure for various sectors, including education, health, rural development, energy, subsidies and pension, and so on.
- This statement is presented in the session after the one in which the Budget is presented— usually, that is the monsoon session.
- Expenditure Commitments:
 - Data such as expenditure commitments spread across the various central ministries on salaries and pensions, major programmes, grants-in-aid for creation of capital assets, defence expenditure, interest payment and major subsidies, etc, besides other commitments of the government are considered while formulating this statement.
- Objective:

- The objective of MTEF is to facilitate a closer integration between FRBM statements and the Union Budget.

Fiscal Reduction and Management Act (FRBM)

- The FRBM Act is an act of the Parliament which was enacted in 2003 with the aim of ensuring fiscal discipline, transparency and accountability in government spending.
- The act requires the government to ensure that the Fiscal Deficit is reduced over a period of time and to eliminate revenue deficit, which is the excess of government's total expenditure over its total revenue.
- It limited the fiscal deficit to 3% of the GDP.

Provisions:

- **Fiscal Deficit Targets:** The act requires the government to reduce its fiscal deficit to a specified target over a period of time. The fiscal deficit would be brought down to below 4.5 per cent by 2025-26.
- **Elimination of Revenue Deficit:** The act requires the government to eliminate its revenue deficit, which is the excess of government's total expenditure over its total revenue.
- **Medium-term Fiscal Strategy:** The act requires the government to formulate and implement a medium-term fiscal strategy, which outlines the government's plans for reducing its fiscal deficit over a period of three years.
- **Annual Fiscal Reports:** The act requires the government to present an annual fiscal responsibility statement to Parliament, which outlines the government's progress in achieving its fiscal consolidation targets.

Statements:

- **Macro-Economic Framework Statement:** The Macro-Economic Framework Statement provides a detailed outline of the macroeconomic assumptions that form the basis of the budget estimates.
- It includes key economic indicators and projections that influence revenue and expenditure decisions. These assumptions help in understanding the economic context within which the budget is framed.
- **Medium-Term Fiscal Policy Statement:** This section outlines the government's medium-term fiscal policy objectives and the strategies to achieve them over a specific period (usually the next three years).
- It highlights the intended direction of fiscal policy, the rationale behind fiscal targets, and how these targets align with broader economic goals.
- As India continues to tread through a complex global landscape, the government's ability to manage its fiscal resources effectively stands as a crucial safeguard against potential economic disruptions.

Asymmetric federalism in India

The idea and arrangement of asymmetrical power-sharing can be unsettling if not utilised properly. Such features in our Constitution are neither marginal nor merely provisional. These features touch upon a considerably large number of States. And without these features and provisions, it would not have been possible to undermine the secessionist tendencies of a highly diverse society.

Asymmetrical federalism will continue to have its relevance in the future because to pave the way for cooperative federalism we must be able to accommodate various groups and provide them with a share in the governance of the country at the same time.

Asymmetry is justified because

- Firstly, generally, the federations are seen as “indestructible units” of “indestructible states”; and neither of the constituent unit has power to make inroads into the defined territory of other. In India, this is different. Here, India is considered to be an indestructible union of destructible states.” Only the union is indestructible and the states are not. Towards this end, there is considerable domination of the union over states, and the later have no territorial integrity defined. The reorganization of the states is one of the easiest task parliament of India can do {by passing an ordinary law}. The bill for this purpose has to be placed in parliament on commendation of the President and after it has been referred to the relevant state legislature for ascertaining their views. Their approval is not necessary.
- Secondly, with a view to prevent the evil of predominant influence of larger units over smaller units in a federation, most federations in the world have resorted to some constitutional mechanism like equal representation of units or states in the Second Chamber and ratification of all amendments to the Constitution by states. We don't find such provision of equal representation of states in the Rajya Sabha nor do the states have any substantial say over the amendments done to the Constitution from time to time. They are asked to ratify the laws only when their interest are involved.
- Thirdly, asymmetry is found among states also. For example, Article 371 makes special provisions for several states such as Andhra Pradesh, Arunachal Pradesh, Assam, Goa, Mizoram, Manipur, Nagaland and Sikkim as per various accession or statehood deals.

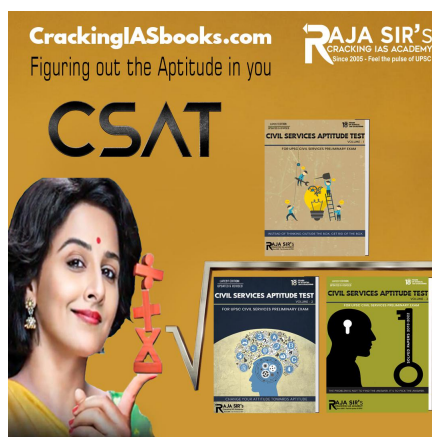
Kinds of asymmetries found in Indian federation

- Firstly, there is a universal asymmetry affecting all units. For instance, States in India are represented by Rajya Sabha not on the basis of formal equality between states {as in United States} but has on the basis of their population. Due to this while UP has 31 seats in Rajya Sabha, States like Meghalaya, Mizoram, Manipur and Goa, and UTs like Pondicherry have just one seat each. Some UTs have no representation in Rajya Sabha.
- Secondly, there are specific asymmetries with regard to the administration of tribal areas, intra-state regional disparities, law and order situation and fixation of number of seats in legislative assemblies in relation to states of Maharashtra, Gujarat, Assam, Manipur, Andhra Pradesh, Telangana, Sikkim, Arunachal Pradesh, Goa under article 371. The Fifth and the Sixth Schedules of the Constitution comprise numerous distinctive provisions for administration and protection of Scheduled Areas and Scheduled Tribes in any state (Fifth Schedule), and in the states of Assam, Meghalaya, Tripura, and Mizoram (Sixth Schedule).
- Thirdly, the Union Territories also represent a kind of asymmetry. They were created on varied reasons. They were either too small to be full states or too diverse and difficult to merge into the nearby states. Comparably, the union territories are less autonomous than the states and are coordinated in varying degrees by the union government. Some union territories are entirely administrated by the union without any local representation.
- Fourthly, asymmetries of sorts of de jure or constitutional asymmetries in terms of special position, powers, and protection enjoyed by the states of Nagaland (Article 371A of the Constitution), Sikkim (Article 371F), and Mizoram (Article 371G) as well as the former state of Jammu and Kashmir (Article 370 of the Constitution abrogated in August 2019) (Singh and Saxena 2013).
- Finally, another significant asymmetry is the fiscal arrangements enshrined in the Constitution. When transferring funds from the Centre to States, statutory transfers are made based on the recommendations of the Finance Commission. The cost of implementing Centrally sponsored schemes to bring about welfare is co-shared by both the Centre and sub-national units. In the NITI Aayog era, the Centre has considerably reduced the share of its revenue to implement the Centrally sponsored schemes.

Historical reasons

- There are several historical reasons for this asymmetry and go back to British Era when they unified the country under their rule and later the way in which the territories under the direct control of the British and various principalities were integrated in the Indian Union.

- While the territories ruled directly by the British were easily integrated into the Union, the treaties of accession signed by individual rulers covered the integration of different principalities.
- The provinces ruled directly by the British had autonomy and rudimentary form of parliamentary government as the British loosened the grip gradually from 1919 onwards. The original constitution classified the states into four categories. The provinces directly ruled by the British were classified as Part 'A' states.
- The princely states which had a relationship with the Government of India based on individual treaties signed were classified as Part 'B' states. These included the states of Hyderabad, Mysore, Jammu and Kashmir and newly joined unions of princely states. In the case of Jammu and Kashmir, the powers special powers were given in the terms of accession.
- The remaining princely states acceding to the union were grouped under Part 'C' states.
- Finally, the territories ruled by other foreign powers gaining independence (French and Portuguese) and areas not covered in the above three categories were brought under the direct control of the union to form Part 'D' states or Union Territories. Thus, the Union of India in 1947 began with a major asymmetry between British India and the princely states and even among the latter, the terms of accession differed depending on the bargaining strength. In almost all cases, the princely states surrendered whatever notional sovereignty they had to the new country of India, in exchange for guaranteed privy purses.
- The nature of this bargain was clear – security and money in exchange for giving up authority or residual control rights. This is close to the standard view of federation as a political bargain, with the difference that the successors of the British in India, the Indian National Congress, were in an extremely strong bargaining position, even relative to the coalition of the princes. This was illustrated in the case of the exceptions to voluntary accession, such as Hyderabad, where military force (the authority over which was also inherited from the British) ensured integration into the new union.



Jan Vishwas Bill, 2023

The Jan Vishwas (Amendment of Provisions) Bill, 2023 was passed in Parliament recently.

Background

- The Jan Vishwas (Amendment of Provisions) Bill, 2023, was initially introduced in the Lok Sabha in 2022. It was then referred to the Joint Committee of the Parliament.
- Along with the Legislative Department and Department of Legal Affairs, the Joint Committee on the Jan Vishwas (Amendment of Provisions) Bill, 2022 undertook thorough discussions with each of the 19 Ministries and Departments.

About Jan Vishwas (Amendment of Provisions) Bill, 2023

- The Jan Vishwas (Amendment of Provisions) Bill, 2023 seeks to improve both the quality of life and commercial accessibility.
- The Bill aims to turn many fines and penalties into 42 laws while decriminalising a number of acts.
- According to the seriousness of the offence, the law calls for the rationalisation of monetary penalties to support trust-based governance.

Benefits of the Amendment Bill

- The Amendment Bill will aid in the rationalisation of criminal laws and make sure that people, companies, and government agencies can do their affairs without being concerned about being imprisoned for inconsequential, technical, or procedural errors.
- The type of punishment for an offence should be appropriate given how serious the offence was.
- The Bill introduces suitable administrative adjudication mechanisms which will reduce undue pressure on the justice system, reduce the pendency of cases and help in a more efficient and effective justice dispensation.
- Decriminalising laws that pertain to citizens and specific groups of government workers will allow them to live free from the worry of being imprisoned for very minor offences.
- The passage of this legislation would signal a significant step in the process of rationalising regulations, removing obstacles, and supporting commercial growth.

- With the aim of saving time and money for both the government and businesses, this legislation would act as a model for future revisions to other laws.

Concerns Associated with the Amendments

- The Bill exempts manufacturers of Not of Standard Quality Drugs (NSQ) from harsh penalties even though these medications may have negative effects on patients.
- The Bill also lessens the consequences for pharmacy operators who disregard their license's restrictions.
- The Drugs and Cosmetics Act, 1940 amendments have generated the most debate. The Act controls the nation's medication and cosmetic manufacturing, distribution, and sales.

The Indian pharmaceutical sector, including manufacturing and pharmacies, is already subject to extremely loose supervision, as proven by the recent eruption of scandals worldwide linked to 'Made in India' drugs. Government should not give the business a literal "get out of jail free" card; instead, it should be tightening the regulatory screws. The laws should instil in businesses a deeper sense of social responsibility and sensibility rather than making them a cost of operating.

The grammar of commerce in a new age of geopolitics

The use of the Indian rupee for international transactions shifted due to the Ukraine-Russia war and sanctions. Russia and India settled trade payments in rupees amidst concerns over surpluses and currency stability.

- India's status as a favoured trading partner with substantial market potential has been evident since March 2018.
- A shift in the use of the Indian rupee for international transactions has emerged due to geopolitical events.

Amidst geopolitical changes, India and Russia turned to settling trade payments in Indian rupees, navigating the effects of the Ukraine-Russia war and resulting sanctions. This shift reflects a broader trend of local currency settlements and a potential shift in the global financial architecture.

Utilising Rupee for International Payments

- The Ukraine-Russia war and subsequent sanctions on Russia by the US and EU led to a change in international payment methods.
- India and Russia chose to settle trade payments in Indian rupees to navigate the sanctions.

Payment Modalities

- Payments from India or Russia are directed to Rupee Vostro accounts in Russian banks, managed by authorised Indian banks.
- Indian importers pay rupees to the Vostro account based on invoices from Russian suppliers.
- The arrangement covers items like mineral fuels, crude oil, and defence systems.

Challenges with Surpluses

- Despite the arrangement, Russia maintained a trade surplus with India, causing concerns about the stability of the Indian rupee.
- Russia hesitated to accumulate more rupees due to the currency's position in the global hierarchy and potential depreciation.

Payment Alternatives

- To address payment difficulties, Indian refiners began settling payments for Russian oil using the Chinese yuan, acceptable to Russia.
- Russia accepts yuan payments due to its oil transactions with China.

Historical Context

- Similar bilateral trade and clearing arrangements were used by India in the 1950s, notably with the former Soviet Union.
- Bilateral trade arrangements used rupees for handling trade and credit-related transactions.

Geopolitical and Goeconomic Shifts

- Current local currency settlements align with a trend of avoiding reliance on the hegemonic currencies of advanced economies.
- Agreements like the recent rupee-dirham pact between India and the UAE aim to avoid exchange risks and promote efficient transactions.

Prospects of New Financial Architecture

- The use of local currencies among South countries could lead to a new financial architecture.
- Institutions like the IMF, World Bank, and private capital might play a reduced role in these transactions.

Balancing Geoeconomics and Geopolitics

- Potential political and currency-related issues may arise, especially with China's role.
- However, geoeconomics might outweigh geopolitics in this evolving landscape.

What does "The US Chips Act" mean for India?

The Creating Helpful Incentives to Produce Semiconductors and Science Act of 2022 (CHIPS Act) in the United States, which has completed its first year as law, offers valuable lessons for India's semiconductor strategy. As industrial policies become increasingly significant for nation-states, the CHIPS Act exemplifies the essential capabilities and structures required for successful implementation.

Four crucial lessons for India to enhance its semiconductor strategy, drawing insights from the CHIPS Act.

Coordinated Government Efforts and Multi-Agency Approach:

- The CHIPS Act demonstrates the effectiveness of collaboration among various government entities. It establishes distinct funds, including the CHIPS for America Fund, which receives \$50 billion from the Department of Commerce, along with allocations of \$2 billion for Defense, \$0.5 billion for State, and \$0.2 billion for the National Science Foundation to promote the growth of the semiconductor workforce. This structure highlights the priority accorded to semiconductors.
- In India, the manufacturing, assembly, displays, and compound semiconductors schemes have been assigned to an independent division called India Semiconductor Mission (ISM) within a non-profit company set up by MeitY. The policy for chip design is being administered by C-DAC, an R&D organization again under the MeitY. The ISM Committee comprises largely MeitY bureaucrats. While the committee is a good beginning, ensuring that the

semiconductor strategy survives beyond government terms requires a whole-of-government approach along the lines of the CHIPS Act.

- India's semiconductor policy, primarily overseen by the Ministry of Electronics and Information Technology (MeitY), could benefit from a comprehensive approach similar to the CHIPS Act. By integrating efforts across different government departments, India can prioritize and execute its semiconductor strategy more efficiently.

Workforce Development and Collaborative Initiatives:

- Under the CHIPS Act, companies seeking funding are required to submit workforce development plans. Establishing the National Semiconductor Technology Center (NSTC) facilitates collaboration between industry and educational institutions.
- A competent semiconductor engineering workforce is India's quickest route to gaining leverage in the semiconductor industry. In India, the Chips2 Startup (C2S) program, in partnership with over 100 universities and colleges, seeks to scale up workforce expansion by supporting existing quality training programs. To further enhance workforce skills, C2S should emphasize certifying quality training programs offered by universities and private training institutes. Because in the Indian case, however, many private training centers prepare chip designers outside the conventional university system.

Enhancing Accountability and Transparency:

- The CHIPS Act introduces the CHIPS Program Office (CPO) responsible for assessing project financial viability and attracting private sector investments. Similarly, India needs to enhance transparency by publishing regular monthly progress reports on its semiconductor program. Transparent reporting not only manages expectations but also instills confidence in India's semiconductor plans, fostering stakeholder trust.

Investing in Future Research and Innovation:

- The CHIPS Act allocates substantial funding for future research, including \$11 billion focused on advanced technologies. Hence, it envisages a National Advanced Packaging Manufacturing Program (NAPMP) to help the U.S. gain a disproportionate competitive advantage in the future. Packaging was considered a labor-intensive and low-margin component of the supply chain only a few years ago. However, as downscaling transistors becomes difficult, researchers have zoomed in on advanced packaging techniques that combine multiple

semiconductors in a multi-dimensional arrangement on a single substrate, all in one package.

- While high-volume chip manufacturing may not be India's current focus, the CHIPS Act underscores the need to identify and invest in research on future technologies. India's semiconductor strategy should align with this approach, channeling resources into research areas with high growth potential.

The CHIPS Act serves as a valuable template for effective industrial policy in the semiconductor sector. By closely examining the administrative framework of the Act, India's semiconductor strategists can draw inspiration to refine their approach. Coordinated government efforts, workforce development, accountability, transparency, and future research are key components that India should adopt to strengthen its semiconductor strategy. By implementing these lessons, India can ensure the continuity and success of its semiconductor policy, contributing to its technological advancement and global competitiveness.

India Semiconductor Mission

Launched in 2021 under the Ministry of Electronics and IT (MeitY) umbrella, the India Semiconductor Mission (ISM) marks a significant stride with an allocation of Rs76,000 crore. This comprehensive initiative is dedicated to fostering a sustainable semiconductor and display ecosystem within the country.

Objectives of ISM are as under:

1. Formulate a comprehensive long-term strategy for developing sustainable semiconductors and display manufacturing facilities and semiconductor design eco-system in the country in consultation with the Government ministries/departments/agencies, industry, and academia.
2. Facilitate the adoption of secure microelectronics and develop a trusted semiconductor supply chain, including raw materials, specialty chemicals, gases, and manufacturing equipment.
3. Enable a multi-fold growth of the Indian semiconductor design industry by providing requisite support in the form of Electronic Design Automation (EDA) tools, foundry services, and other suitable mechanisms for early-stage startups.
4. Promote and facilitate indigenous Intellectual Property (IP) generation.
5. Encourage, enable, and incentivize the Transfer of Technologies (ToT).
6. Establish suitable mechanisms to harness economies of scale in the Indian semiconductor and display industry.
7. Enable cutting-edge research in the semiconductors and display industry including evolutionary and revolutionary technologies through grants, global

collaborations, and other mechanisms in academia/research institutions, industry, and through establishing Centres of Excellence (CoEs).

8. Enable collaborations and partnership programs with national and international agencies, industries, and institutions for catalyzing collaborative research, commercialization, and skill development.

Mission Components:

Semiconductor Fab Establishment Scheme:

This component offers fiscal incentives to eligible entities embarking on the establishment of Semiconductor Fabs. The objective is to lure substantial investments toward the creation of semiconductor wafer fabrication facilities within India.

Display Fab Establishment Scheme:

ISM extends fiscal support to qualified applicants for the creation of Display Fabs. This facet is strategically designed to attract significant investments toward the development of TFT LCD / AMOLED-based display fabrication facilities in the nation.

Compound Semiconductors / Silicon Photonics / Sensors Fab and Semiconductor Assembly, Testing, Marking, and Packaging (ATMP) Scheme:

With a comprehensive approach, this scheme offers a substantial fiscal boost of 30% of the Capital Expenditure. It targets Compound Semiconductors, Silicon Photonics (SiPh), Sensors (including MEMS) Fab, and Semiconductor Assembly, Testing, Marking, and Packaging (ATMP) facilities within India.

Design Linked Incentive (DLI) Scheme:

This innovative scheme offers financial incentives and design infrastructure support across various developmental phases of semiconductor design. It encompasses Integrated Circuits (ICs), Chipsets, Systems on Chips (SoCs), Systems & IP Cores, and semiconductor-linked design.

The bureaucracy as prosecutor and judge.

- The Constitution does not mandate a separation of powers between the judiciary and the executive but Article 50 directs the State to achieve it in due time.
- It took 20 years since the constitution came into effect, for several State legislatures to bring into effect the separation of power at the level of the criminal magistracy through laws such as The West Bengal Separation of Judicial and Executive Functions Act, 1970.
- The acts separated the roles of the judicial and executive magistrates in the Criminal Procedure Code, 1898.
- The saga of protecting judicial independence from the bureaucracy did not end with the separation of the criminal magistracy from the executive as the bureaucracy has tried different routes to capture judicial power.

Issues with the Jan Vishwas Act, 2022:

- The Jan Vishwas Act, 2022 aims to improve “ease of doing business” in India by either decriminalizing or making “compoundable” offences across 42 legislations.
- The legislation has mostly replaced criminal imprisonment with penalties.
- It has transferred the power to impose these monetary penalties from the judiciary to the bureaucracy.
- The Jan Vishwas Act amends the Environmental (Protection) Act, 1986 and the Air (Prevention and Control of Pollution) Act, 1981 to replace imprisonment for certain offences with penalties of up to ₹15 lakh.
- This can be imposed by designated bureaucrats such as Joint Secretaries.
- Under amendments to the Indian Forest Act, 1927 forest officers can conduct an inquiry to determine the “damage done to the forest” by anybody and order the offender to pay a “compensation” for the damage.
- The act basically gives the bureaucracy, rather than the courts, the power to not just adjudicate a factual dispute but also penalize or order compensation which goes against the constitutional scheme of separation of powers.

Bureaucracy’s attempt to exercise judicial powers:

Creation of judicial tribunals:

- Different Ministries began creating judicial tribunals to take over various judicial functions hitherto exercised by the judiciary.
- Most of these tribunals were created in a manner to give bureaucrats an opportunity to be appointed to the tribunals as “technical members”.

Creation of a new class of statutory regulators:

The Union government began creating a new class of statutory regulators such as the Securities and Exchange Board of India, and the Competition Commission of India (CCI) which had powers to punish the private sector with punishing fines. Virtually all these regulators ended up being headed by senior bureaucrats.

Creation of the role of adjudicatory officers:

- The Union government has started creating the role of adjudicatory officers in a number of legislations such as the Prevention of Money Laundering Act, 2002, the Information Technology Act, 2001 and the Food Safety and Standards Act, 2006.
- These adjudicatory officers were always bureaucrats who were given powers to either confirm “attachment orders” for properties or impose penalties on businesses.
- The Jan Vishwas Act carries forward this specific model of creating “adjudicatory officers” within the bureaucracy to impose penalties.

Definition of “judicial function”:

- The constitutionality of tribunals such as the National Tax Tribunal and regulators such as the CCI has been challenged before the courts over concerns of the executive encroaching upon the judicial powers.
- The question essentially comes down to the definition of “judicial function” as the Supreme Court has clearly stated that a “judicial function” can be discharged only by an independent judicial authority and they are not under the control of the executive.
- There is does no significant judicial precedent on whether the imposition of a penalty is a “judicial function”.
- Any inquiry conducted for fact finding when followed by the application of law to the facts and determination of punishment or compensation is in essence a judicial function.
- The burden then should be on the government to prove its case before an independent judge who can guarantee the citizens a fair trial before imposition of any punishment.
- The government cannot be a prosecutor and judge in its own cause which is the essence of ‘rule of law’.

Legislations like Jan Vishwas Act allows bureaucrats in charge of enforcing the law to also conduct an inquiry and impose the statutory penalty on a finding of wrongdoing is constitutionally suspect.

The larger issue which the citizens of India must worry about is that the Republic of India is backsliding on the separation of powers because of constant efforts by the bureaucracy of the Union executive to encroach upon judicial powers.

Britain signs deal to join £12 trillion Indo-Pacific trade bloc

The United Kingdom formally signed a treaty to join a major Indo-Pacific bloc — what it said was the biggest trade deal since the country left the European Union at the beginning of 2020.

Business Minister Kemi Badenoch put her signature on the accession protocol for the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) in Auckland, New Zealand. This is a modern and ambitious agreement and our membership in this exciting, brilliant and forward-looking bloc is proof that the UK's doors are open for business, Badenoch said.

She later told Sky News that the pact meant that Britain has “a seat at the table in the fastest-growing region” and that other countries are queuing up to join the pact.

The broadcaster cited a government analysis that said the pact would boost UK exports by 1.7 billion pounds (€1.9 billion, \$2.23 billion), imports to the UK by 1.6 billion pounds and gross domestic product (GDP) by £1.8 billion pounds in the long term. The pact is expected to take effect in the second half of 2024.

What is CPTPP?

The CPTPP is a landmark pact agreed upon in 2018 that cuts trade barriers among 11 countries, including Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore and Vietnam. The pact requires countries to eliminate or significantly reduce tariffs and make strong commitments to opening services and investment markets.

It also has rules addressing competition, intellectual property rights and protections for foreign companies. CPTPP is seen as a bulwark against China's dominance in the region, although Beijing has applied to join, along with Taiwan, Ukraine, Costa Rica, Uruguay and Ecuador.

Politicians in several countries, including the UK and Australia, are lobbying to keep China out, while Beijing is trying to prevent Taiwan from joining.

Why is the CPTTP so important to the UK?

The UK government says CPTTP will cut tariffs for UK exports to Asia Pacific countries and with UK membership, the trading bloc will have a combined GDP of 12 trillion pounds and account for 15% of global trade. Britain is keen to deepen trade ties in the Pacific after Brexit in 2020.

London has been pushing a "Global Britain" strategy since it gave up EU membership after nearly 50 years, leaving the bloc's single market and customs union. Instead, former British Prime Minister Boris Johnson negotiated a trade deal called the EU-UK Trade and Cooperation Agreement.

Since Brexit, the UK has sought other trade deals with countries and trading blocs around the world that the government says have faster-growing economies than the EU. But London will likely struggle to achieve free trade deals with large powers like China in the near term and even its closest ally, the United States has said further trade liberalization with Britain is currently off the table.

Critics say CPTTP and other deals will struggle to compensate for the economic damage sustained by leaving the now-27-member EU — the world's largest trading bloc and collective economy.

The UK's long-term productivity is forecast to be reduced by 4% as a result of Brexit, according to the government's spending watchdog, the Office for Budget Responsibility. The UK already has trade deals with 10 of the 11 other CPTTP members and the eventual economic boost is likely to increase GDP by just 0.08% annually.

In 2022, Britain exported 340 billion pounds of goods and services to the EU, 42% of total UK exports. Badenoch told Sky News half of global growth is forecast to come from the Indo-Pacific by around the middle of 2030 and growth will continue into the middle of the century.

What else was announced at the CPTTP meeting?

Trans-Pacific trade pact members said they were gathering intelligence on those countries interested in joining the agreement to see whether they were able to meet the bloc's "high standards."

"The membership is currently undertaking an information-gathering process on whether aspirant economies can meet the CPTPP's high standards, taking into account their experience on their trade commitments," the members said in a joint statement. A decision on who will join and when will be made collectively, the statement added.

Approval voting without ballot restrictions

- India is a diverse and multi-party democracy with a vast number of parties participating in general elections and a significant number of parties holding seats in Parliament.
- The current electoral system in India, known as the First Past the Post (FPTP) method, has some drawbacks due to India's unique political diversity. The FPTP system tends to reward the splitting of votes among numerous parties and encourages opportunistic alliances among parties.

Various electoral systems

- The FPTP system is characterized by voters choosing a single candidate, and the candidate with the most votes wins, regardless of whether they have a majority.
- Alternative electoral systems, such as Proportional Representation (PR) systems, allocate seats based on the share of the popular vote received by each party.
- Ranked Voting Systems allow voters to rank candidates in order of preference, while Score Voting Systems involve scoring candidates on a numerical scale.
- Approval voting, on the other hand, allows voters to select as many candidates or parties as they wish from a list of options. The winner is the candidate or party with the highest number of approvals from voters. It differs from FPTP by allowing voters to support multiple options and does not require candidates to have a majority. It has been used in various elections, including within the United Nations, US party primaries, and sometimes for electing the Pope.

FPTP

In recent times, questions have been raised as in the 2014 election, NDA won only 31% of the total votes cast and, therefore, 69% of those who voted did not vote in favor. Due to this system, the groups of parties which managed to get less than 50% of the total votes polled have managed to get more than 75% of the total seats in the parliament. The argument is that due to FPTP, certain groups of people will never get a share in the power structure

Merits of the FPTP system:

1. Simplicity and candidate-centered voting.
2. Stability and potential for majority governments.
3. Encourages broad-based party participation and links between constituents and representatives.

Demerits of the FPTP system:

1. Exclusion of small or regional parties.
2. Discrepancy between vote share and seat share.
3. Inadequate representation for parties with significant vote shares.

Proportional Representation (PR) System in India

India is not new to PR system; in our country, the following elections are held on the basis of proportional representation:

- President
- Vice President
- Members of Rajya Sabha
- Members of state legislative council

Merits of Proportional Representation (PR):

- Ensures proportionate representation for smaller parties.
- Encourages broader participation and representation of diverse groups.
- Allows for more choices for voters and promotes inclusivity.

Demerits of Proportional Representation (PR):

- Can result in the formation of coalition governments, leading to potential instability.
- May weaken the direct connection between voters and individual candidates.
- Complexity in the voting process compared to other systems.

Electoral Alliances: A Response to First-Past-the-Post System

- Under the first-past-the-post (FPTP) electoral system in India, political parties often form alliances to prevent the splitting of votes.
- With more than 600 parties participating in general elections, the FPTP system has resulted in a fragmented political landscape.
- Parties strategically join forces to consolidate voter support and maximize their chances of winning seats. These alliances, while driven by the necessity to secure electoral success, may not always reflect ideological compatibility or shared values between participating parties.

The Need for a Better Electoral Method in India

- Given the complexities of India's political diversity and the limitations of the FPTP system, there is a need for a more effective electoral method.
- The proliferation of electoral alliances suggests that the current system does not adequately represent the diverse range of political views in the country.
- To address this, alternative voting methods can be explored to enhance voter choice and encourage a more inclusive and representative democratic process.

Introducing Approval Voting: Many Of The Above (MOTA)

- Approval voting, also known as Many Of The Above (MOTA), offers an alternative approach to voting.
- Unlike the FPTP system that limits voters to select only one candidate, approval voting allows voters to choose as many candidates as they approve of.
- In this system, a voter can support multiple parties, signaling their preference for a wider range of candidates. By expanding the options available to voters, approval voting reduces the need for complex and unstable electoral alliances.

Advantages of Approval Voting in a Multi-Party Democracy

- Approval voting has proven to be effective in multi-party democracies. Allowing voters to express support for multiple candidates, reduces voter fragmentation and encourages a more accurate reflection of public sentiment.
- Approval voting allows voters to choose multiple candidates or parties without fear of wasting their vote or helping their least preferred option. It can also

discourage post-election defections and political vote trading by minimizing the need for pre-poll alliances and seat-sharing arrangements.

- To implement approval voting in India, a new option called MOTA (Many Of The Above) could be added to the ballot, mirroring the existing NOTA (None of the Above) option. MOTA would enable voters to choose multiple candidates or parties, preserving the existing electoral system while promoting a more inclusive voting process.
- Approval voting offers several benefits for India, such as potentially increasing voter turnout and participation by providing more choices and freedom for expressing preferences. It could also reduce polarization by encouraging consideration of moderate and inclusive options. Additionally, it could enhance representation and accountability by forcing candidates and parties to appeal to a broader electorate.
- Research and experiences from other countries utilizing approval voting have shown that it produces outcomes that are acceptable to a greater majority of voters.
- This method promotes a more inclusive and representative political landscape, as it empowers voters to indicate their preferences without being constrained by the limitations of the FPTP system.
- Approval voting, also known as Many Of The Above (MOTA), offers an alternative approach to voting. Unlike the FPTP system that limits voters to select only one candidate, approval voting allows voters to choose as many candidates as they approve of. In this system, a voter can support multiple parties, signaling their preference for a wider range of candidates. By expanding the options available to voters, approval voting reduces the need for complex and unstable electoral alliances.

WHAT IS *Approval Voting?*

How it works: Voters check any number of candidates they would be okay with being elected. The candidate with the most cumulative votes wins.

For example: A family is voting on what to have for dinner:



- Pizza
 - Burgers
 - Soup
- This voter is okay with either pizza or soup for dinner.



Candidates - Votes

- **Pizza** - 4
 - Burgers - 1
 - Soup - 2
- The family will have pizza for dinner!

Challenges of Approval Voting

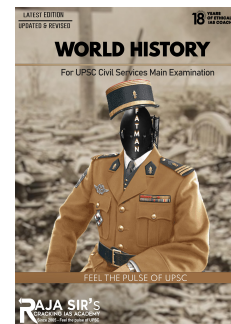
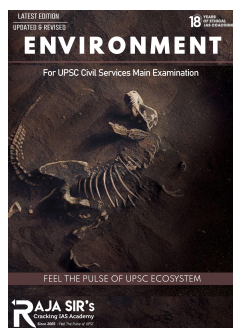
- However, implementing approval voting may face challenges. The concept is relatively new in Indian politics, requiring awareness campaigns and education to familiarize voters with the methodology.
- Established parties may resist the change, fearing it could disrupt their dominance or electoral dynamics.
- Fragmented results and legal considerations may also need to be addressed.

Transforming Indian Politics: From Opportunistic Alliances to Ideological Politics

- The implementation of approval voting in India can fundamentally transform the dynamics of political alliances. It reduces the reliance on opportunistic alliances formed solely to prevent the splitting of votes and encourages a shift toward ideological politics.
- Instead of parties entering into forced partnerships, voters can express their preferences for multiple candidates or parties, aligning with their beliefs and values.
- Approval voting provides a more nuanced and accurate representation of voter choices, fostering a political landscape that values ideological alignment over strategic alliances.

Looking Forward

- Steps can be taken to introduce and effectively implement approval voting in India. Promoting awareness and education, conducting pilot programs and case studies, engaging with political parties, seeking international collaboration and expert consultation, and fostering public discourse and debates can contribute to the successful adoption of approval voting.
- The introduction of approval voting in India has the potential to address the challenges posed by the FPTP system and the prevalence of electoral alliances. By expanding voter choice and reducing voter fragmentation, approval voting can lead to a more representative and inclusive democratic process. This shift can encourage parties to focus on ideology and values rather than opportunistic alliances, ultimately transforming Indian politics into a system that better reflects the diverse perspectives and aspirations of its citizens.



Social Morality vs. Constitutional Morality

- Morality is defined as the subjective interpretation of a person or a society on what is right and wrong. In simple words, it can be termed as a set of rules and regulations that enables the people to live cooperatively in society.
- Morality is the morals or ethics that distinguish between good and evil. It is the idea that a person's behavior is either right or wrong in a moral sense. Morals are learned from society and the family.
- When we add the terms like social and constitutional to morality, they are known as Social morality and Constitutional morality. The concept of social and constitutional morality has gained a lot of importance in recent times. If we look at various judgments of the Indian Judiciary, we can figure out that India has witnessed a mixed trend of social morality prevailing over constitutional morality and vice-versa.
- One such example of it is Naz Foundation vs. Government of NCT of Delhi & Ors., Suresh Kumar Koushal vs. Naz Foundation, and Navtej Singh Johar vs. Union of India. These three judgments are the classic example of both the concepts of Social morality and constitutional morality.
- In the Naz Foundation vs. Government of NCT of Delhi & Ors., and Navtej Singh Johar vs. Union of India, the constitutional morality prevailed over social morality, while in Suresh Kumar Koushal vs. Naz Foundation; the emphasis was given to social morality over constitutional morality.

Social Morality

- Social Morality is a set of values and norms that exist in society. These are the rules that govern the members of a society on how they should behave with each other for their welfare and well-being. Social Morality does not have an exact definition as it varies from culture to culture depending on various beliefs, practices, traditions, or customs prevalent in society.
- These are a set of values or conducts that are understood and accepted by members of society. Social Morality is important because it provides the guidelines for society to live in peace. It helps people live together in harmony and avoid conflict and tension among themselves. It is about how people behave towards others in their community. It can be done through social, economic, environmental, and political means.
- One of the most critical aspects of social morality is that it provides an ethical framework for evaluating people's actions. It also helps to address ethical questions that are often encountered in society. Social morality determines how we behave towards one another and how we treat our communities, environments, and societies as a whole. It includes such concepts as rights, justice, equality, and liberty.

The components of social morality are:

- Shared values: What we value in society determines how we judge right from wrong. Shared values consist of what people in a culture or society think are good or bad, desirable or undesirable.
- Norms: Norms are social rules that guide behavior in a culture or society. These norms may be written down in law or unwritten customs. They may vary from place to place within a culture or society. Sometimes, these norms may change over time as people's opinions about acceptable change with time.
- Philosophers have studied the concept of social morality for centuries to find out what makes people do what they do and why. The study of social morality combines psychology, anthropology, sociology, and ethics. The characteristics of social morality are being based on one's society, being based on one's culture, being based on one's family upbringing, and being based on one's personal experiences.

Social morality has various characteristics. These include, but are not limited to:

- The importance of reciprocity: It ensures that people will treat others how they want to be treated in return.
- The importance of hierarchy: Society needs some form of organization, so it's necessary for there to be a governing body.
- Social morality deals with how people are expected to behave in public or even in private settings, such as how one should act in a court, during a wedding ceremony, funeral, etc. Social morality also deals with what people are expected to say and do in these settings.
- Social morality is essential for two main reasons. First, society has evolved because of social morality. It has always been part of human culture to care about other people. This change can be seen in everything from politics to charitable organizations. Second, this field helps us understand how to be more empathetic by acknowledging that others have feelings like us.
- Gradually, this concept has got diverted from its essence. Its essence lies in being empathetic and acknowledging the feelings of human beings towards one another. But now, this concept is being used to traumatize the existence of minority groups. One such example is LGBTQ+. Therefore, to uphold their rights and existence in society, the concept of Constitutional morality came into being. The Indian Judiciary has started to recognize that social morality prevails over constitutional morality in their various judgments. So, let us understand the concept of constitutional morality in detail.

Constitutional Morality

- It is an undeniable fact that the Constitution of India is the supreme law of the land. It is seen as a living document that guides our Indian Judiciary in adjudicating various issues. It is an ever-evolving document meaning that the constituent assembly, while drafting it provided a certain amount of flexibility, so that it does not become outdated with the growing requirements and circumstances of our Indian society.
- Furthermore, the various principles such as liberty, equality, fraternity, and justice serve as a moral yardstick to the different branches of the Government. For example, the legislature is guided on what kinds of laws are to be made and how they are to be implemented by the executive. The judiciaries, i.e., courts, are guided by the Constitution to decide the issues before it. They interpret the Constitution and give various decisions based on the principles derived from the interpretation.
- Sometimes, the judiciary has to craft new inventions, i.e., doctrines, to tackle various issues to maintain justice in society. This is because, despite the fact the Constitution is the longest written document in the world, it is not possible for the living document to explicitly state all the principles with the changing needs of society.
- The term "Constitutional morality" hasn't been defined in the Constitution anywhere. Hence, it has been subjected to different interpretations by the Judges. Indirectly, the concept has been enshrined in the Constitution itself in the Part III-Fundamental Rights (Article 12-35), Part IV- Directive Principles of State Policy (Article 36-51), Preamble, and Fundamental Duties.

Evolution of the concept of Constitutional Morality

- The term "Constitutional Morality" was first used by the English Historian George Grote. He described it as popular sovereignty based on freedom and self-restraint. It also meant that citizens had the right to criticize public officials. This highlighted the limited power of the public officials and their duty to abide and respect the Constitution.
- According to him, the term Constitutional Morality is the "paramount reverence for the forms of the Constitution" of the land.
- In today's time, the term has been used in broader connotations and has acquired newer interpretations with time. It has essentially been described as the sentiment between the common masses and the government for establishing a peaceful and stable society.
- In India, the term was first used by the father of the Indian Constitution, i.e., Dr. B.R. Ambedkar. He used this term in the debate of Constituent Assembly to justify the importance and need of including the administrative powers and functions of the legislature. The doctrine of Constitutional Morality was given

much significance neither by the Constituent Assembly in their debates, nor was its meaning described in entirety by Ambedkar explicitly.

- On the whole, while drawing the work of George Grote, Ambedkar defined Constitutional morality as the "Effective coordination between the conflicting interests of different people and the administrative cooperation to resolve them amicably without any confrontation amongst the various groups working for the realization of their ends at any cost."
- Post Independence, the term found its reference in various judgments by the Indian Courts, but it also lacked in substance and its explicit meaning. The terms were just mentioned in the judgment but were not discussed in detail. Like in *Kesavananda Bharati v. State of Kerala*, two judges invoked the term Constitutional Morality but didn't deal with it in detail.
- Furthermore, in the *SP Gupta* case, also termed as the "First Judges" case, it was stated that there was a serious breach of Constitutional Morality. Later on, Justice S.B. Sinha and Justice Deepika Mishra used the term somewhere in *Islamic Academy of Education v. State of Karnataka* and *Niranjan Hemchandra Sashittal v. State of Maharashtra*, respectively but in a different context.

Supreme Court on Constitutional Morality

- In 2014, the term "Constitutional Morality" started to gain popularity, and various judges, especially of the Hon"ble Supreme Court, referred to this term in their judgments. There are multiple cases of the Supreme Court where Constitutional Morality has brought a revolution in our Indian society.
- In *Manoj Narula v. Union of India*, Justice Dipak Misra, while referring to Ambedkar's speech on the Constitutional Morality, said, "Constitutional Morality means to bow down to the norms of the Constitution and not act in a manner which would become violative of the rule of law of action in an arbitrary manner. It along with the commitment to the Constitution is a facet of Constitutional Morality".
- Likewise, in the case of *NCT of Delhi v. Union of India*, the Hon"ble Supreme Court presented a different interpretation. It equated the constitutional morality with the spirit of the Constitution itself as similar to the doctrine of basic structure.
- "Constitutional morality in its strictest sense implies a strict and complete adherence to the constitutional principles as enshrined in the various segments of the document. It is required that all constitutional functionaries to "cultivate and develop a spirit of constitutionalism" where every action taken by them is governed by and is in strict conformity with the basic tenets of the Constitution."

Navtej Singh V. Union of India: the case of Constitutional Morality prevailing over Social Morality

- The Navtej Singh Johar vs. Union of India is one of the landmark judgments of the Hon"ble Supreme Court, where the five-judge bench adopted a reformative and a revolutionary approach while reading down Section 377. While adjudicating the matter, the Court constructed the judgment around the three most essential principles of transformative constitutionalism, constitutional morality, and the right to privacy.
- Archaic Section 377 could not stand when it was put against these three principles. While observing the Navtej Singh Johar's case, the then Chief Justice of India Dipak Misra said that the concept of Constitutional morality doesn't restrict itself to the literal texts and provisions of the Constitution. The idea is not the "mere observance of the core principles of constitutionalism". Instead, it paves the way to make society more pluralistic and inclusive.
- Our Constitution of India aims to secure our fundamental rights that foster the spirit of growth and development of citizens in society. When our Indian Constitution was adopted, the concept of Constitutional morality was envisaged so that all the three organs of government, i.e., Judiciary, legislature, and Executive, would practice it to keep it alive to maintain heterogeneous fiber in the society.
- Any attempts to make society uniform, homogeneous with a standardized philosophy would undoubtedly violate the principle of Constitutional morality. Hence, it becomes the duty of the organs of the state to ensure that majoritarian principles do not affect the policy decisions in such a manner that one group is excluded and their rights are violated.
- In Government of NCT of Delhi v. Union of India and Ors., the Court observed that "Constitutional morality, appositely understood, means the morality that has inherent elements in the constitutional norms and the conscience of the Constitution. Any act to garner justification must possess the potentiality to be in harmony with the constitutional impulse."
- The Courts must uphold the principles emerging from Constitution and decide according to what the law says and not the society. It is the duty of courts to not get influenced by the majoritarian views prevailing in society. Section 377 of the Indian Penal Code challenges the notions of social morality and popular opinions that have no validity in law. Anything that is not legally valid should not be allowed to crush the spirit of Constitutional morality.
- The principle of Constitutional morality can guide the courts to decide in a just and fair manner for all the sections of the society, even if the population of that section is relatively small. The fundamental rights are guaranteed to every citizen of India, and the State must ensure that they are not being violated.

- In the Suresh Kumar Koushal case, the court upheld the validity of archaic section 377 of the Indian Penal Code. It stated, "A miniscule fraction of the country's population constitutes lesbians, gays, bisexuals or transgender." This statement indicates that how social morality was put over constitutional morality. Just because the LGBTQ+ constitute a small fraction of our society doesn't mean they do not have their fundamental rights. It is a clear violation of Articles 14, 19, and 21.
- It is the foremost duty of a court to uphold the principles of constitutional morality over social morality whenever there is a violation of any fundamental right. Only because of the prevalence of the concept of social morality, the members of LGBTQ+ have been from a long time living an isolated life. They are shunned from society as they are not recognized.
- It can be seen that in the Suresh Kumar Koushal case, the Hon'ble Supreme Court failed to protect the fundamental rights of an LGBTQ+ community. One of the aims of the Constitution of India is to prevent discrimination against the backward society. Hence, homosexuals are being recognized as one of the backward communities that deserve to be protected and covered under the ambit of the Indian Constitution.
- The social morality of people cannot be the justification for the violation of any community's fundamental rights. Any unjust treatment to any society must be rectified as early as possible because it is the constitutional morality that prevails and not the social morality.
- Law and modernization have an intense relationship inherent between them. The growing needs and suitability should always make the law of society. Similarly, the ever-increasing society should adapt to the new laws made, keeping in mind the inherent principles of our Supreme Law of land, i.e., the Constitution.
- Section 377 of IPC was drafted in the year 1860. It is a Victorian-era law that was made keeping in mind the morality prevailing at that time. But to maintain that provision of law in force in the 21st century is not relevant anymore. There is no strong reason due to which this law should be continued. Social morality, in no case, can be used as a weapon to criminalize intercourse between consenting adults. And hence, the court took a very liberal approach and struck down Section 377.
- In *S. Khushboo vs. Kanniamaal*, the court had already made it clear that "notions of social morality are inherently subjective and the criminal law cannot be used as a means to unduly interfere with the domain of personal autonomy. Morality and Criminality are not coextensive."
- Fundamental Rights are a part of our Indian Constitution under Part-II, Article 12-35. The subject of dignity and liberty of any individual does not come under the ambit of majoritarian governments. Hence, the Courts can apply constitutional morality to ensure that the rights of minorities are protected.

Every individual has the right to life and dignity protected under Article 21 of the Indian Constitution.

- Constitutional morality is a way to ensure that the particular view of the majority of people in the society, i.e., social morality, does not prevail in such a manner that it violates the rights of other persons in the community. The Law and the principles of the Constitution paved the way for justice and dignified life in society.
- Justice DY Chandrachud, one of the five judges in the case, stated that constitutional morality reflects how the struggle for the existence and ideals of justice should override any other prevailing notions of social acceptance. It is a balance against the popular public morality prevailing in society.
- The opponents believe homosexuality is against public morality and is unacceptable in our Indian society. Therefore, it is acceptable to criminalize it.
- In the case of Naz Foundation, the Hon'ble Delhi High Court rightly held that,
- "Thus, popular morality or public disapproval of certain acts is not a valid justification for restriction of the fundamental rights under Article 21. Popular morality, as distinct from a constitutional morality derived from constitutional values, is based on shifting and subjecting notions of right and wrong. If any type of "morality" can pass the test of compelling state interest, it must be "constitutional" morality and not public morality. In our scheme of things, constitutional morality must outweigh the argument of public morality, even if it be the majoritarian view."
- In our Indian Constitution or any other law, there is nowhere mentioned that LGBTQ+ are not the citizens of India. Hence, the LGBTQ+ community has the right to live a dignified life. Section 377 of Indian Penal Code, 1860 which read as, "Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with 1 [imprisonment for life], or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine" was struck down partially.
- Now, homosexuals have the right to sexual intercourse with their partners, but the only condition is that it should be consensual and between adults. We can see the hailing of constitutional morality over social morality. The LGBTQ+ community's rights were recognized in India only because of constitutional morality. If this concept hadn't been there, society's morality would have continued to invade the personal life of many homosexuals, which is clearly against the fundamental principles and objectives of our Indian Constitution.

Conclusion

- When the Hon'ble Supreme Court pronounced the judgment against Section 377, some people were not satisfied. For instance, in the media, Rashtriya Swayamsevak Sangh (RSS) leader Arun Kumar said, "Gay marriage and

relationship are not compatible with nature and are not natural, so we do not support this kind of relationship. Traditionally, India's society also does not recognize such relations".

- Similarly, many people have expressed their opinions and termed homosexual relations unacceptable in society. They term it as something that is "neither natural nor desirable".
- It is interesting to note that the ancient Vedic system recognized the marriage between homosexuals. Now, if the marriages were recognized in ancient India, it directly implies that the community was also recognized.
- The Sanskrit texts from ancient and medieval India prove that homosexuals and the third gender were not only in our Indian society but also widely accepted²².
- The early sculptures also depict that besides accepting sexual relations between males and females, the intimacy between the same sexes was also accepted. US-based techie Hrishikesh Sathawane said, "If you think homosexuality is a western concept, go to Khajuraho". It is debatable if these things were socially acceptable in India, but they existed".
- But the present-day society is reluctant to accept homosexual relations. And this thinking in the Indian society that admits homosexuality as an unnatural offense is precisely the concept of social morality. The public has their own opinion on one or the other stance. Every man in this universe has their own idea. They have the right to freely express it but only to that extent when it does not violate the rights of others.
- But here, the personal morality and thoughts of our Indian society were indeed violating the rights of LGBTQ+. Why don't they have the right to live a life according to their own will when they are recognized as citizens?
- Neither Constitution nor any law says that homosexuals are not citizens. Then why the public should be allowed to invade the principles of law. Law is always above the people. It is made for society, and hence every citizen living in this society should feel that it is a part of it.
- To make this possible, the role of the Constitution becomes utmost important. It is the sole document that forms the basis of law. From it, originates the other laws. The constitution protects the fundamental rights of an individual. The principles of the Indian constitution serve as a guiding light to pave the way for justice in society.
- As the then Chief justice of India, Justice Dipak Misra, stated, the Constitution aims to provide an inclusive and pluralistic society. It is only constitutional morality that can help uphold the principles of our Indian Constitution.
- The Judgment of Navtej Singh Johar vs. Union of India has given a new dimension to the concept of constitutional morality. This has created a revolution, and it is hoped that in the coming future as well, the Indian Judiciary will incorporate the principles of constitutional morality in their

judgments, so that the people can live happily and cooperatively in Indian society without violating each other's fundamental rights. Justice should prevail, and it must be the main objective of the state to maintain it.

New Scorpene class submarines for the Navy

- The Defence Acquisition Council, the apex decision-making body for the acquisition of military equipment for India's armed forces, cleared proposals worth thousands of crores to buy three additional Scorpene submarines and 26 Rafale Marine fighter jets for the Navy.
- The decision coincides with Prime Minister Narendra Modi's two-day Paris trip. The DAC decision has paved the way for an announcement on procuring the submarines during PM Modi's trip to France.
- The three additional Scorpene submarines will be procured under Buy (Indian) category and will be built by the Mazagon Dock Shipbuilders Limited (MDL) in Mumbai.

The new submarines

- The MDL is building six Scorpene class submarines under the Project-75, as part of a \$ 3.75 billion deal signed in October 2005, which allowed for transfer of technology from the French defence firm, Naval Group. Of these, five have already been commissioned and the last one will likely be commissioned early next year. This project saw significant delays, with the first submarine originally slated for delivery in 2012.
- The fifth submarine under this project, INS Vagir, was commissioned in January this year. The others — INS Kalvari, INS Khanderi, INS Karanj and INS Vela were commissioned between 2017 and 2021. In May this year, the sixth submarine Vagsheer began her sea trials.
- Now, the DAC has given clearance for three additional Scorpene submarines to be built by the MDL. These are likely to have the same specifications as the ones before.

The need for the three additional submarines

- Officials privy to the development said the need to procure the three additional submarines was felt in the backdrop of the delayed deliveries of submarines under Project 75, as well as to bolster India's dwindling submarine fleet.

- Currently, the Navy has 16 conventional submarines in service – seven of the Sindhughosh class (Russian Kilo class), four of the Shishumar class (modified German Type 209) and five of the Kalvari class (French Scorpene class). However, to carry out its full spectrum of operations the Navy needs at least 18 such submarines.
- Moreover, at any given time, around 30 per cent of the submarines are under refit, thus further bringing down the strength of operational submarines. Even the latest Kalvari-class submarines are scheduled to go for upcoming refits very soon.
- As per the Defence Ministry, the procurement of additional submarines, with higher indigenous content, will not only help in maintaining required force level and operational readiness of the Navy, but also create significant employment opportunities in the domestic sector.
- It will also help the MDL in further enhancing its capability and expertise in submarine construction.

What are the capabilities of the Scorpene submarines?

- The Scorpene submarines are conventional attack subs, meaning that they are designed to target and sink adversary naval vessels. Capable of launching a large array of torpedoes and missiles, they are also equipped with a range of surveillance and intelligence-gathering mechanisms.
- They are around 220 feet long and have a height of approximately 40 feet. They can reach the top speeds of 11 knots (20 km/h) when surfaced and 20 knots (37 km/h) when submerged.
- Scorpene class submarines use diesel electric propulsion systems, with an endurance – ability to operate independently without refuelling – of approximately 50 days. This sort of propulsion system alternates between using diesel (for functioning on the surface) and electric (for functioning underwater).
- However, these electric batteries need to be recharged by the diesel engine after prolonged submersion, meaning that the submarine has to periodically surface to continue operating.

How do they compare with nuclear submarines?

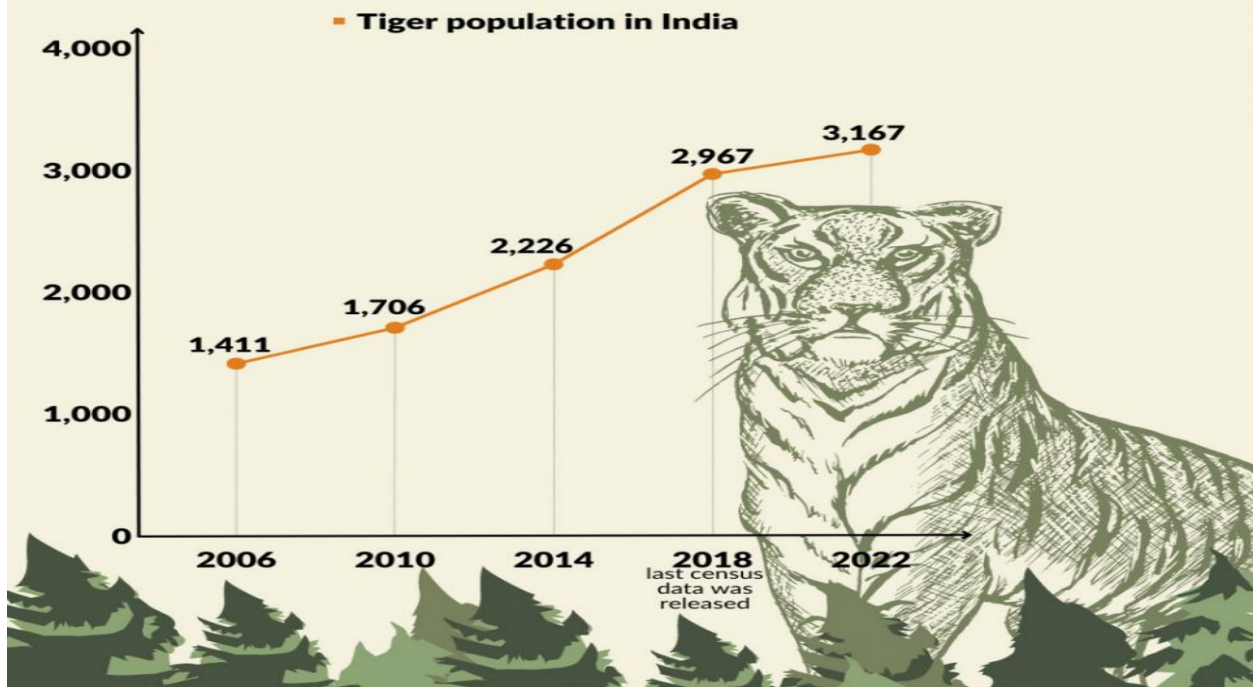
- Nuclear submarines are coveted due to their theoretically unlimited endurance – a nuclear reactor on a submarine has an operational life of up to 30 years. As they are not propelled by batteries, these submarines only need to come to the surface for replenishing supplies for the crew. They are also able to move much faster than conventional submarines.
- However, this is not to say that a navy should only choose to procure nuclear submarines. First and foremost, nuclear submarines are expensive and require

a significant amount of specialised experience to operate. Second, with advancements in diesel electric technology, the range of conventional submarines as well as their stealth has gone up significantly.

- As per a paper by the US Naval institute, “When operating on batteries, AIP-equipped submarines are almost silent, with the only noise coming from the shaft bearings, propeller, and flow around the hull.” The Indian navy will retrofit all of its Scorpene class submarines with air independent propulsion or AIP systems, beginning in 2024. This will boost their endurance as well as stealth.
- Currently, India has 2 nuclear-powered submarines (SSBMs) of the Arihant class in service.

Rising Tiger population escalating Man-Animal Conflict

PM Narendra Modi releases latest tiger census figures to mark 50 years of completion of Project Tiger



- There are 3,167 tigers in the wild, as per the fifth cycle of India's Tiger Census released in 2022. It has risen to 200 in the past four years, from 2,967 in 2018.

India has the highest number of Royal Bengal Tigers among 13 tiger range countries. The pan-India exercise steered by the Wildlife Institute of India (WII) and National Tiger Conservation Authority (NTCA) has set a Guinness Record for being the world's largest camera trap wildlife survey.

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- India has the highest number of Royal Bengal Tigers among 13 tiger range countries.
- The pan-India exercise steered by the Wildlife Institute of India (WII) and National Tiger Conservation Authority (NTCA) has set a Guinness Record for being the world's largest camera trap wildlife survey.
- Their numbers are expected to increase steadily.
- However, the intensity and frequency of human-animal conflict and associated deaths have been increasing every year.

What is human-animal conflict?

- Human-wildlife conflict is when encounters between humans and wildlife lead to negative results, such as loss of property, livelihoods, and even life.
- Defensive and retaliatory killing may eventually drive these species to extinction.
- It results in suffering for both people and wildlife immediately impacted by the conflict and also has a global reach.
- The long-term survival of species like elephants and tigers, is at risk from an escalating threat of human-wildlife conflict.
- People and wildlife interact and compete for resources due to increased human populations and demand for space.
- It has far-reaching impacts beyond the wildlife and communities immediately affected by it.
- Human-wildlife coexistence is strongly linked and important to sustainable development activities.
- If it is not effectively managed, has the potential to negatively affect activities and conservation in significant manner.

What are causes of the conflict?

Habitat availability:

- Tigers have a large range of requirements to survive, including high-quality habitat composed of core forest.

- Every reserve has a core zone and a buffer zone, where core zones have no human intervention, the buffers are the adjoining areas.
- Villagers living on the periphery of the reserves graze their cattle in the buffer areas.
- Competition between tigers and humans for space is the main factor causing conflicts.
- Human society has continued to dominate the landscape by moving beyond the edges of cities and into wild habitats.
- This incursion of humans and habituation of some wildlife species, has resulted in increased potential for human-wildlife encounters.
- Forest degradation, fragmentation, and habitat loss are incoherent with decreasing tiger habitat and tigers' prey habitat.

Wild prey availability and territorial wars:

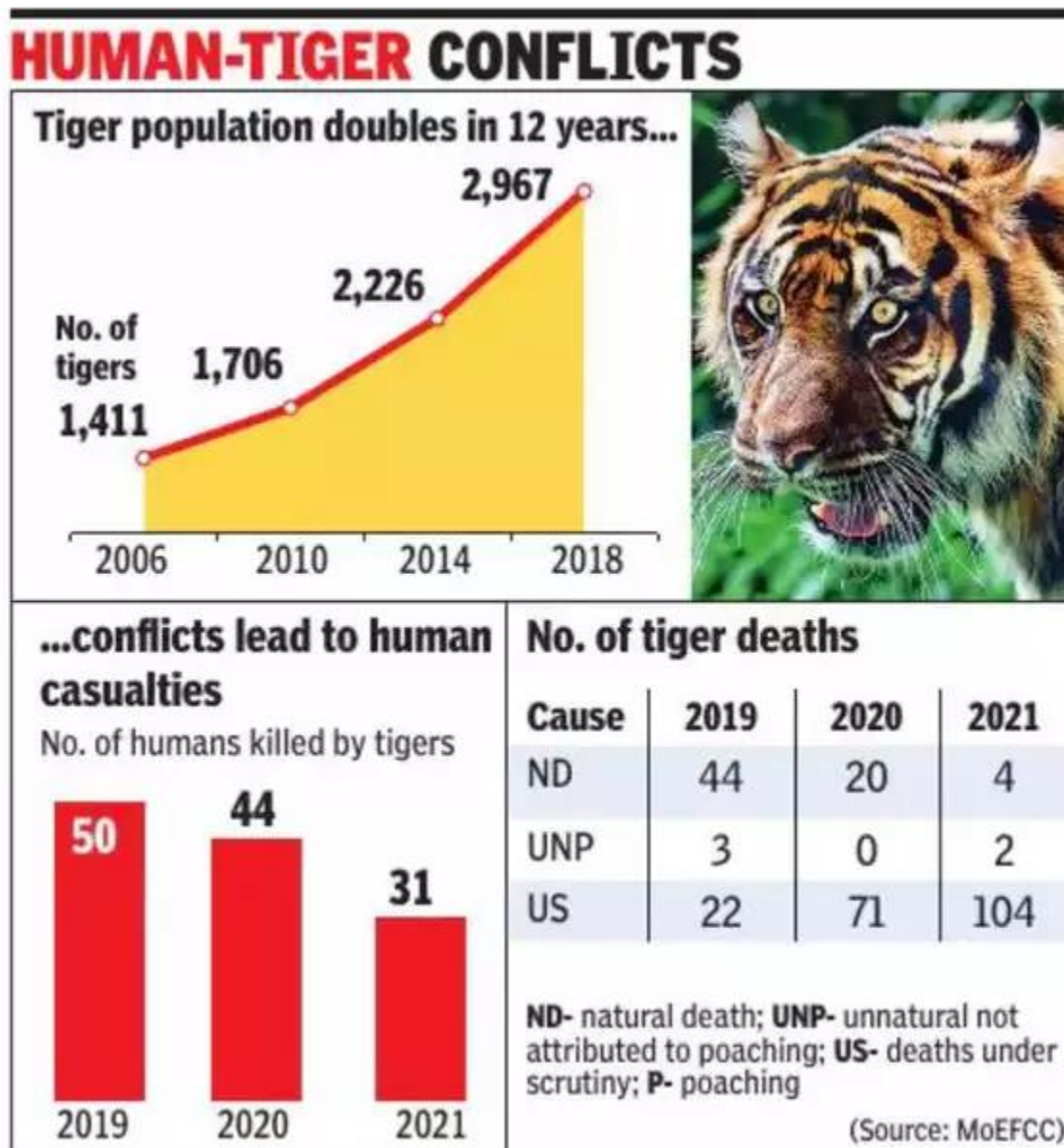
- The depletion of prey by hunting and competition with livestock and other tigers for land are serious threats to tigers over large parts of their range.
- There has been a steady increase in population in the core areas.
- Tigers are solitary and territorial creatures, so with an increase in population, territories overlap, and result in conflict between the cats.
- A dominant male drives out the weaker one and it moves in search of new territory, to the buffer zones, or stray into human landscapes.
- In multiple-use forests, tigers approach villages in search of food.
- Tigers contribute to the death of about 12% of the livestock herds annually.

Human behaviour and activity patterns:

- Activities like herding livestock or tending crops, increase the risk of tiger attacks on people that enter the tiger habitat.
- Humans who entered tiger-established territories in search of wood, honey, or fish, were attacked by Man-eating tigers.
- It was historically documented that individual tigers begin to view human beings as a 'prey species' like tigers of the Sundarban delta.
- Illegal access into the core areas by tourists, poachers, and locals for minor forest produce.
- Hunting activities on tigers and other wild species also increase the risk level of tiger attacks.
- A century ago, there were an estimated more than 100,000 wild tigers across Asia but were hunted as trophies and for parts like nails, fur, whiskers, tails and bones.
- Accidental mauling or killing of humans by tigers is rare and usually occurs when angry mobs surround tigers that enter human settlements for livestock.

Socio-economic determinants:

- The factors like attitudes, perceptions, belief systems, educational and value systems, religion, and the economic importance of livestock to communities, led to increased issues.
- People perceive negative attitudes towards certain predator species and tend to prevent future damage by killing the 'problem animal'.



Project Tiger: India celebrated 50 years of Project Tiger, by initiatives of National Tiger Conservation Authority (NTCA), and state forest departments. It got statutory backup

after the creation of NTCA Act, 2006, leading to a change in role by fund disbursing body to an authority for active management of tiger reserves across the country.

Project Tiger Status and Challenges in India:

Project Tiger:

- India celebrated 50 years of Project Tiger, by initiatives of National Tiger Conservation Authority (NTCA), and state forest departments.
- It got statutory backup after the creation of NTCA Act, 2006, leading to a change in role by fund disbursing body to an authority for active management of tiger reserves across the country.
- It was launched at Uttarakhand's Jim Corbett National Park, and later in tiger reserves of Assam, Bihar, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Uttar Pradesh and West Bengal.
- Now, it covers 53 such protected areas which span to 75,800 sq km.
- The minimum tiger estimates have been collected based on camera trap images, and direct and indirect evidences.

Challenges:

- The tiger corridors are prone to hindrances due to linear infrastructure and other developmental activities, resulting in an impediment in the movement of tigers and the diversion of forest lands.
- The villages near Bandipur and Nagarahole reserves have a large livestock population.
- The further increase in tiger population may escalate the man-animal conflict, especially in habitats with elephants.
- Local communities suffer crop damage (by elephants) and human deaths (due to tiger and elephant attacks).
- A high prey base will reduce the range of the resident tigers and their propensity to stray into human habitats.
- The stimulation for a higher density would be dangerous as it may have reached saturation point in terms of its tiger and prey population.
- The situation beyond the carrying capacity could adversely impact the population of other co-predators like leopards and dholes.
- A long-term challenge is to protect potential tiger habitats with low densities.

Sustainability and Future Directions:

- Caution is advised against artificial intervention or habitat manipulation to augment the population of tiger prey.

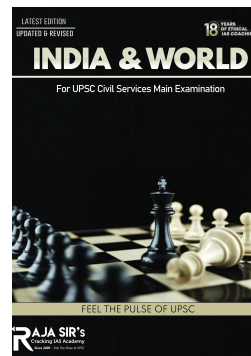
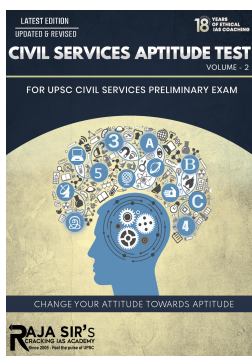
- It is difficult to secure the future amidst developmental pressure and dilution of forest conservation laws.
- There is a need for global cooperation, concerted actions, and distribution of resources.
- Facilitating the dispersal of tigers in ranges where the forests are contiguous.
- For example, the Malai Mahadeshwar Hills Wildlife Sanctuary, is said to be ideal as a sink to absorb the surplus tiger population.
- It is linked to the Cauvery Wildlife Sanctuary (Karnataka) to its north and east, the Sathyamangalam Tiger Reserve (Tamil Nadu) to its south, and Biligirirangana Hills Tiger Reserve (Karnataka) to its west.

Project Tiger: India celebrated 50 years of Project Tiger, by initiatives of National Tiger Conservation Authority (NTCA), and state forest departments. It got statutory backup after the creation of NTCA Act, 2006, leading to a change in role by fund disbursing body to an authority for active management of tiger reserves across the country.

What are the Mitigation measures against the conflict?

1. Strengthening corridor connectivity.
2. Providing viable wildlife habitat and creating additional space for tigers.
3. Ensuring strict implementation of Eco-Sensitive Zone rules.
4. Reducing anthropogenic pressure on existing habitats.
5. Taking the local populace into confidence.
6. Allaying fears of displacement for tribal communities.
7. Adopting approaches that identify and address underlying causes of conflict while developing systemic, context-specific solutions.
8. Participation of affected communities as active and equal role in the process.

Human-wildlife conflict management strategies can create opportunities and benefits not only for biodiversity and, but for society, sustainable development, production, and the global economy at large. In order to reduce human-wildlife conflict, we must reassess the relationship between people and wildlife to improve our coexistence, which is both possible and attainable.



Economic openness in South Asia

- The share of intra-regional trade in the Subcontinent's trade with the world has grown from about 2% in 1990 to about 6% in 2023, but it is nowhere near the potential or the achievements of other parts of Asia.
- India's trade volumes with its neighbours are impressive.
- Bangladesh, for example, is the fourth-largest destination for Indian exports.
- India's exports to Sri Lanka at about \$6 billion are comparable with India's exports to Japan.
- India's exports to Nepal are more impressive at \$8.5 billion.
- Regional groupings like South Asian Association for Regional Cooperation (SAARC) are becoming defunct due to rivalry of India and Pakistan.

South Asia is least integrated region and least connected to the world:

- The post-colonial and partitioned Subcontinent deliberately chose economic autarky and devalued regional integration.
- Endless conflict in the region reinforced the lack of political appetite for cross-border commercial engagement.
- The trans-regional connectivity inherited from the British Raj steadily withered as the newly-independent economies focused on import substitution.
- The liberalization and globalization of the South Asian economies, which began in the 1990s, saw the injection of the language of regionalism in the Subcontinent and a new interest in trade and connectivity.
- Economic reform was uneven across the region and tentative even in the capitals, with some support for change.
- It was hard to mobilize support for cross-border connectivity projects amidst multiple political disputes among the South Asian sovereigns that exacerbated the region's security challenges.
- The 21st century has seen considerable improvement within the Subcontinent and in the connections between South Asia and the world.

Road to regional integration in the Subcontinent must necessarily run through the SAARC:

- The fact that SAARC is moribund, its last summit was held in 2014.
- It has not made any progress in regional economic integration.
- SAARC would have been the vehicle for reconnecting the region but Pakistan is not interested in such an outcome.
- Pakistan's priority has been to wrest concessions from India on Kashmir.
- It is in no mood to open its economy for mutually beneficial cooperation with India.

- That has not come in the way of the rest of the region moving forward through bilateral, sub-regional, and trans-regional mechanisms outside of SAARC.
- A successful SAARC is not a precondition for thriving economic regionalism.

Factors that are accelerating regional economic integration

Renewed pressure to undertake economic reform:

- The recent economic crises in Sri Lanka and Pakistan are compelling them to embark on serious and painful economic change.
- Nepal and Sri Lanka are more open to trade, investment and connectivity with India.
- Both the countries are aiming for deeper economic integration with India.
- The entrenched political resistance to commercial engagement with India appears to be giving way to the pursuit of enlightened economic self-interest in both countries.
- Pakistan is turning to the Gulf to end its dependence on loans and bailouts.
- Pakistan announced a list of 28 major projects, worth billions of dollars, that will be open for investment from the United Arab Emirates, Saudi Arabia and Qatar.
- Pakistan is willing to take the political risk of confronting a potential popular backlash against sweeping economic change.

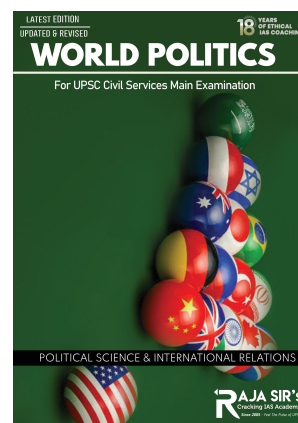
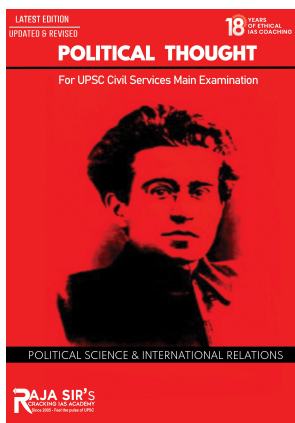
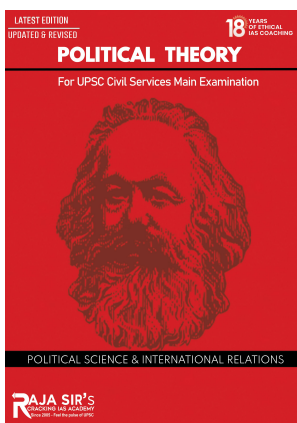
The region is looming larger in India's economic calculus:

- As India's relative economic weight in the world has grown, its commercial ties with neighbours have increased.
- The logic of economic geography is beginning to unfold in India's relations with most of its neighbours, except Pakistan.
- India's trade potential with Pakistan has been estimated to be as high as \$37 billion which is unlikely, though, to be realised any time soon.
- India can promote exports to Pakistan through third countries, example through the Gulf, instead of waiting to negotiate bilateral trade liberalization with Pakistan.
- Major initiatives for cross-border connectivity now complement India's growing trade volumes with its neighbors.
- Trans-border projects to promote rail, road, energy, power, financial, and digital connectivity have all gained new impetus in India's engagement with its neighbors.
- The regional connectivity that began with Bangladesh a few years ago is rapidly expanding to cover other neighbors.

Renewed great power rivalry:

- Renewed great power rivalry between the US and China on the one hand and the deepening conflict between India and China on the other have altered the Subcontinent's geo-economic template.
- In de-risking their commercial ties with China, the US and its allies now actively promotes economic and technological engagement with India.
- They are also promoting economic integration between India and its smaller neighbors.
- The US, for example, helped Nepal's energy and road connectivity with India with the \$500 million Millennium Challenge Grant.
- Nepal approved it despite considerable opposition from China.
- Japan is promoting sub-regional connectivity between India and Bangladesh that can potentially transform the economic map of the eastern subcontinent and the Bay of Bengal.
- Japan's visit to Sri Lanka and Maldives is part of Tokyo's strategy to raise its strategic profile in the Indian Ocean and offer viable alternatives to China's Belt and Road Initiative, which has been widely embraced in South Asia.
- Japan and France have also joined hands with India to help Sri Lanka navigate out of its economic crisis.

India, which was complacent about China's growing economic presence in the region a few years ago, has offered a measure of competition in the Subcontinent with its own bouquet of regional infrastructure projects. India is now working with its like-minded partners to offer credible economic alternatives to its neighbours that until now had seen China as the only game in town. India has a long way to go before it can radically restructure South Asia's economic architecture, but it now has economic heft and political purpose to pursue that ambition. Together the three trends: the region's new economic openness, India's vigorous neighbourhood policies, and Western support for an India-centred regionalism in South Asia could transform the Subcontinent's geo-economic landscape. India's rising economic tide could help lift all boats in South Asia.



European Sky Shield Initiative

- In a sign of changing dynamics within Europe, Austria and Switzerland — known for their strong traditions of foreign policy neutrality — have joined a regional grouping that seeks to develop a common air defence shield in the wake of Russia's attack on Ukraine.
- The grouping is known as the 'European Sky Shield Initiative' (ESSI) for air defence, and both countries signed for it on in Bern, Switzerland. This comes after two Nordic countries — Denmark and Sweden — became part of the initiative.
- Austrian foreign minister Klaudia Tanner said that Austria would be protected against short-and medium-range missiles starting in 2024 and its airspace will be fully covered in 2025. However, both countries made it clear that joining the initiative does not take away their neutrality. The initiative was last year spearheaded by Germany after Russia invaded Ukraine, pushing other European countries to worry about their own security.
- In October last year, defence ministers from 14 North Atlantic Treaty Organisation (NATO) members — Belgium, Bulgaria, Czech Republic, Estonia, Germany, Hungary, Latvia, Lithuania, the Netherlands, Norway, Slovakia, Slovenia, Romania and the UK — came together with the Nordic country of Finland to form such a project. Today, the number of ESSI members has gone up to 19.

What is the purpose of initiative?

- The initiative aims to create a European air and missile defence system through the common acquisition of air defence equipment and missiles by European nations to strengthen NATO's Integrated Air and Missile Defence (IAMD).
- At the time of the signing of the letter of intent in October last year, NATO Deputy Secretary General Mircea Geomană said: "This commitment is even more crucial today, as we witness the ruthless and indiscriminate missile attacks by Russia in Ukraine, killing civilians and destroying critical infrastructure. In this context, I strongly welcome Germany's leadership in launching the European Sky Shield Initiative."
- He added that the new assets, fully interoperable and seamlessly integrated within the NATO air and missile defence system, would significantly enhance the grouping's ability to defend the alliance from all air and missile threats. Interestingly, NATO member France is not part of the initiative and has actually spoken against it.
- The French government reportedly believes that since the new system relies largely on US and Israeli defence industry, the project doesn't adequately preserve European sovereignty. The ESSI encourages the member countries to

jointly develop an air and missile defence system using interoperable, off-the-shelf solutions.

- If faced with air and missile threats in the wake of Russia's invasion of Ukraine, the initiative aims to leverage the already existing NATO cooperation framework and defend member states against missile threats. NATO, terming it a "multinational and multifaceted approach", said it offers a flexible and scalable way for nations to strengthen their deterrence and defence in an "efficient and cost-effective way".
- Multinational acquisition for the ESSI will be conducted through a Rapid Acquisition Track within NATO's Modular Ground-Based Air Defence High Visibility Project, as decided by 10 allied defence ministers in February, according to a NATO release.

What about neutrality?

- Switzerland, a landlocked mountainous country located at the confluence of western, central and southern Europe, is bordered by Austria, France, Germany, Italy and Liechtenstein. One of the stark features of Switzerland's foreign policy was the 'Neutral' status the country endowed upon itself in the Treaty of Paris in 1815.
- It adheres to the principle of not involving itself in any armed conflict between other states. Under the policy of neutrality, the country cannot allow other states to use its territory for war purposes. Reportedly, there is an internal debate in the country about its neutral status. With the Russia-Ukraine war, which is happening too close for comfort for Switzerland, it is believed that the country — with participation in the ESSI — has started moving into the NATO fold in order to preserve its security.
- Switzerland, however, is not a member of the NATO alliance, which requires mutual action and assistance in times of war. In March this year, when Germany asked Switzerland to sell mothballed Leopard 2 tanks to increase military aid to Ukraine, the country declined, despite Germany's assurance that the tanks would not be transferred to Ukraine.
- Switzerland is no exception to the neutrality question. Austria also considers itself a neutral state — a feature of its foreign policy currently undergoing a test. Sweden and Finland also upheld neutrality until May 2022, when they simultaneously handed their official letters of application to join NATO to its Secretary General Jens Stoltenberg.
- NATO heads of state and government extended an invitation to Finland and Sweden to join the alliance at the Madrid Summit on 29 June, 2022.

Metagenome sequencing

The genome is the entire set of genetic material within an organism's cells, and it contains all the information necessary for the growth, development, functioning, and reproduction of that organism. Metagenomics is the study of microbes in their natural living environment, which involves the complex microbial communities in which they usually exist.

- The study examines the genomic composition of an entire organism, including each of the microbes that exist within it. It facilitates direct sequencing of patient samples, removing the need for prior knowledge of the infectious agent.
- For instance, a single gram of soil consists of 4000 to 5000 different species of microbes, while human intestines consist of 500 different types of bacteria.
- It enables us to understand the diversity, abundance, and interaction of microbes in any system.
- It is different from conventional sequencing methods, which requires culturing or isolating individual species before sequencing their genomes.

Applications

- **Microbial Community Dynamics:** Longitudinal metagenome studies can reveal how microbial communities change in response to environmental perturbations or human interventions.
- **Biodiversity Studies:** Metagenomics allows researchers to study the diversity of microorganisms in different ecosystems, such as oceans, soil, freshwater, and extreme environments like hot springs.
- **Human Microbiome Research:** Metagenomics has revolutionized our understanding of the human gut microbiome and its impact on digestion, metabolism, and overall health.
- **Bioremediation and Environmental Cleanup:** It can identify microorganisms with the ability to degrade pollutants and toxic compounds, which can be harnessed for bioremediation purposes.
- **Drug Discovery and Biotechnology:** It can uncover novel genes and pathways responsible for the production of bioactive compounds, potentially leading to the discovery of new drugs and therapeutic agents.
- **Agriculture and Plant-Microbe Interactions:** Understanding the microbial communities in agricultural soils can help optimize nutrient cycling and enhance crop productivity.

Genome Sequencing

- Genome sequencing is the process of determining the complete DNA sequence of an organism's genome.
- DNA (deoxyribonucleic acid) is composed of a sequence of nucleotides, which are represented by the letters A, T, C, and G, corresponding to the four nucleotide bases: adenine, thymine, cytosine, and guanine.
- Genome sequencing involves identifying the order of these nucleotides along the DNA strands.
- Genomic Surveillance and Covid-19 Pandemic: The global response to the Covid-19 pandemic prompted scientists to leverage genome sequencing technologies for surveillance purposes.
- The establishment of platforms like GISAID facilitated the submission and sharing of SARS-CoV-2 genome data, aiding high-throughput genome surveillance activities.
- High-throughput' refers to sequencing techniques that can parse large quantities of DNA at the same time, including a whole genome at once.
- Potential: Genome sequencing's potential extended to seasonal viruses like Zika and dengue, as well as diseases like lumpy skin disease in cattle and drug-resistant tuberculosis.

Zero FIR in Manipur violence

Just days before a Zero FIR was filed in connection to an incident in the state's Thoubal district, another Zero FIR was filed at the same police station. In this case also, it took the authorities more than a month to transfer the complaint to the relevant police station in Imphal East.

Zero FIR

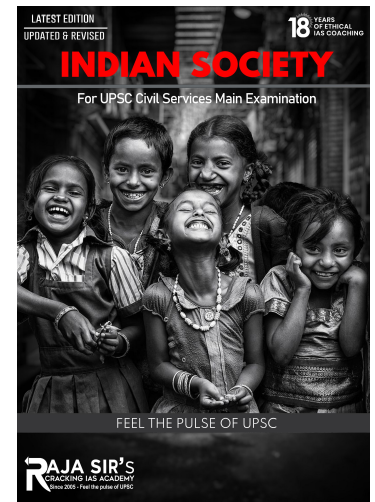
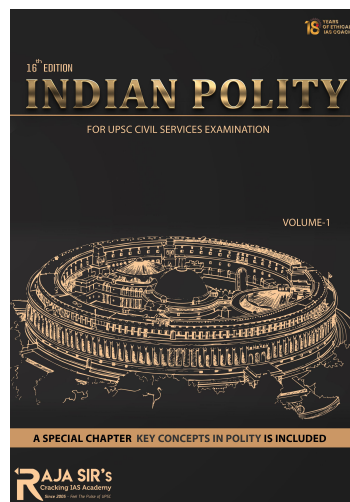
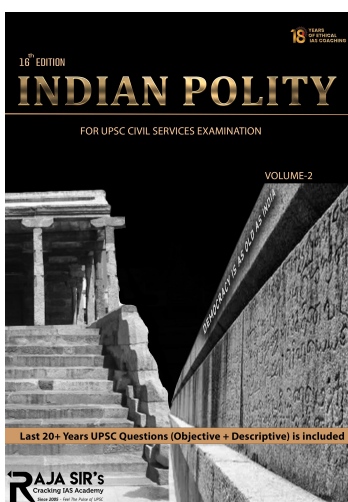
- When a police station receives a complaint regarding an alleged offence that has been committed in the jurisdiction of another police station, it registers an FIR and then transfers it to the relevant police station for further investigation.
- This is called a Zero FIR. No regular FIR number is given. After receiving the Zero FIR, the relevant police station registers a fresh FIR and starts the investigation.
- The provision of Zero FIR came up after the recommendation in the report of the Justice Verma Committee, which was constituted to suggest amendments to the Criminal Law in a bid to provide for faster trial and enhanced punishment for criminals accused of committing sexual assault against women, according to

a 2020 circular released by the Puducherry government. The committee was set up after the 2012 Nirbhaya gangrape case.

- “The provision says: “A Zero FIR can be filed in any Police Station by the victim, irrespective of their residence or the place of occurrence of crime,” the circular added.
- The objective of a Zero FIR is to ensure the victim doesn't have to run from pillar to post to get a police complaint registered. The provision is meant to provide speedy redressal to the victim so that timely action can be taken after the filing of the FIR.

FIR

- The term first information report (FIR) is not defined in the Indian Penal Code (IPC), Code of Criminal Procedure (CrPC), 1973, or in any other law, but in police regulations or rules, information recorded under Section 154 of CrPC is known as First Information Report (FIR).
- Section 154 (“Information in cognizable cases”) says that “every information relating to the commission of a cognizable offence, if given orally to an officer in charge of a police station, shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may prescribe”.
- Also, “a copy of the information as recorded...shall be given forthwith, free of cost, to the informant”. In essence then, there are three important elements of an FIR: (1) the information must relate to the commission of a cognizable offence, (2) it should be given in writing or orally to the head of the police station and, (3) it must be written down and signed by the informant, and its key points should be recorded in a daily diary.



India needs a new economic policy

- The National Statistical Office (NSO) data states that the GDP growth rate was - 23.8% during Covid-19 when compared to GDP of the same period in 2019-20.
- The imports had recorded their slowest growth in 2023 since 2020, primarily because of easing crude oil prices bringing down India's import bills.
- Private consumption, the largest component of India's final demand, with a modest growth of 7.5% in FY2022-23, had emerged as the weakest link in overall growth.
- The share of private consumption in GDP was the lowest in the past seven quarters, dragged down by weak rural demand.

Need for New Economic Policy:

- Based on NSO data growth rate of GDP, since 2015-16 declined annually, referred to by economists as The Hindu Rate of Growth at 3.5% growth rate in GDP.
- The Hindu Rate of Growth refers to the annual growth rate of India's economy before the economic reforms of 1991, which averaged 4% from the 1950s to the 1980s.
- The government widely publicized development but achieved the Hindu rate of growth similar to the socialist period of 1950-77.
- GDP growth rates rose for the first time to between 6% to 8% per year over the period of 1991-96 and 2004-2014.
- It had reduced state participation and increase incentives for capital and labour providers and achieved a higher and faster growth of the economy.

Challenges:

Economic issues:

- There is a potential deterioration of banks' asset quality, delays in fiscal consolidation, difficulties in trade agreements, and the impact of below-normal monsoon seasons.
- The economy has been impacted by moderating demand and high inflation, leading to a slowdown in economic activity.
- Weakening credit-supported demand for capital goods indicates a decline in business investment.
- The services exports are insufficient to offset the trade imbalance in goods.
- Low labor productivity affects the competitiveness of Indian goods and participation in global value chains.

Inflation:

- CPI-based retail inflation is projected at 5.4% for FY24.
- The Reserve Bank of India (RBI) expects headline inflation to witness a spike in the near months on account of supply disruptions due to adverse weather conditions.
- Headline inflation is a measure of the total inflation within an economy, including commodities such as food and energy prices, which are volatile and prone to inflationary spikes.
- Constraints like weak global demand and monetary policy tightening to manage inflationary pressures, would limit real GDP growth to 6%.
- Inflation, especially for energy and food, has reduced purchasing power and household consumption, particularly in urban areas.

Global issues:

- There is anticipation that runaway inflation, aggressive policy rate hikes, and high commodity prices might topple a few major economies into recession in 2023.
- The growth moderation for India is premised on an ongoing global economic slowdown, tight monetary conditions, and elevated oil prices.
- Geopolitical tensions and weather-related shocks are key risks to India's economic outlook.
- India's growth prospects are strongly influenced by global developments, such as the increased import of energy and fertilizers from Russia.
- China's easing of monetary policy has led to a depreciation of the Renminbi and cheaper products could increase India's dependence on China for critical inputs and increase deficit.

Steps to be taken:

- There should be clear implementation economic objectives and priorities assigned to it.
- There ought to be a strategy on what should be incentivized and what should be deleted or discontinued.
- Resources by the government should be mobilized through indirect taxes and by liberal printing of currency notes.
- This is circulated by paying wages to the employment generated in extensive public works.
- The annual interest paid on fixed-term savings in bank accounts should be changed to increase purchasing power of the middle classes.
- Interest rates on loans to small and medium industries should be no more than 6% of the loans to in these sectors.

Accountability: increase production and employment

- The market system is not a free-for-all or an ad hoc measure as it has a structure with rules for transactions.
- Market system capitalism works as the principal driver of incentive and capital and its use for innovation raises factory productivity and the growth rate of GDP.

Deregulations:

- A totalitarian state like China allowed the socialist economic system to die and bring an economic market-based system.
- Deregulations does not mean rejecting government intervention for safety nets, affirmative action, market failure and creating a level-playing field.
- Democratic institutions have to be empowered to guard against public disorder arising from rapid de-regulation, like Russia post-1991.

Stake for the poor:

- The trade-off between the public sector, de-regulation and the sale of loss-making units causes decline in GDP.
- It can be tackled by increasing employment, through affirmative action and providing easy access to social security, and safety net.
- This creates a level-playing field in a competitive system, and ensures transparency, accountability, and trusteeship (philanthropy).
- Steps to reduce monopolistic tendencies will help in the formation of a democratic and harmonious society.
- It will enhance corporate governance to legitimize profit-making smoothly which drives the market system.

Environmental issues:

- Targeted policies are needed to address climate change and reduce emissions.
- India is vulnerable to extreme heatwaves, which cause loss of lives and economic costs.
- Reduce greenhouse gas emissions and improve infrastructure to prevent flooding.

Gender Equality:

- Gender equality requires progress in health, education, and access to capital for women.
- Policy efforts should incorporate gender considerations, and measures like childcare assistance, vocational training, and land rights enforcement to empower women economically.
- It can facilitate climate adaptation and mitigation investments.

India needs a new economic policy that is based on clear objectives, priorities, has a strategy to achieve targets, and spell out an intelligent and transparent resource mobilization plan to finance policies. India's economic outlook involves navigating challenges to achieve sustainable growth. Addressing poverty, gender gaps, and climate change through targeted policies and investments will be crucial for India's long-term development.

Why the minimum age for Indian MPs must be brought down to 21?

Recently, the 132nd Report on Election Process and Reform, presented to the Rajya Sabha in August 2023, recommends reducing the minimum age for candidacy with the voting age of 18.

However, the Election Commission does not favor reducing the age requirement and feels that such age persons do not possess the necessary experience and maturity for these responsibilities.

Constituent Assembly Debate:

- Date: May 18, 1949
- Focus Issue: The debate was on the issue of the insertion of an Article that set guidelines for the minimum age for entering the Lok Sabha and the Rajya Sabha.
- Original Proposal: 25 years for Lok Sabha and 35 years for Rajya Sabha.
- Amendment Proposal by Durgabai Deshmukh: Reduction of the minimum age to enter Rajya Sabha from 35 to 30.
- Basis of this Age Reduction: Wisdom does not depend solely on age.
- Modern education is good enough to make the youth aware towards their civic rights and duties.
- Supported By: Socialist leader H V Kamath supported lowering the minimum age for entering either House of Parliament (age of 21).
- Example: William Pitt entered the UK parliament at 21 and became the Prime Minister of the country at 24.

- Other Supporters:
- Shibban Lal Saxena (arrested for organizing a hartal in Kanpur to protest the Jallianwala Bagh massacre).
- Tajamul Hussain (barrister and two-time Rajya Sabha MP).
- Outcome: Amendment accepted
- Article 84 and 173 of the Indian Constitution prescribes 25 and 30 years as the lower limit for entry into the lower and upper houses respectively at both the Centre and in State Assemblies.

Requirement of Minimum Age in India for Following Offices to Hold:

Requirement of Minimum Age in India for Following Offices to Hold:

Name of the Position	Minimum Age Required
To become President of India	35
To become Vice-President of India	35
To become Prime Minister of India	25
To become Member of Rajya Sabha	30
To become Member of Lok Sabha	25
To become Governor of State	35
To become Member of Legislative Assembly	25
To become Member of Legislative Council	30
To contest for Panchayat Elections	21

Global Youth Participation:

- Young people are proactive about their rights and responsibilities.
- Example: International movements such as “Fridays for Future” that advance climate change dialogue globally were started by young activists like Greta Thunberg at 15 showing youth knowledge and responsibilities.

Indian Youth Participation:

- In 1979, Laxmi Shankar Ojha got elected to the Allahabad University Students Union (AUSU) at the age of 52.

- Lyngdoh Committee (2012) Recommendations: Set upper age limits for student union elections. The average age of student leaders in 2019 was 22.5 years.
- Panchayat Level: Younger individuals (21 years and above) finding representation across states at the level of Village Pradhan, Member of Zilla Parishad, Block Pramukh, etc.
- Parliament Representation: Decline in young MPs (25-40 years): 26% in the first Lok Sabha to 12% in the 17th Lok Sabha.

Challenges Faced by Youths:

- Report by the United Nations Human Rights Council:
- Challenge in Accessing Rights: Its 2018 report highlights challenges faced by youth in accessing their civil, political, social, economic and cultural rights.
- Very Less Representation: Less than 2% of parliamentarians worldwide are under 30, indicating a lack of youth representation.
- No alignment with the Minimum Voting Age: The age of candidacy for national parliaments, and especially for higher office, is not always aligned with the minimum voting age.

Need Involvement of Youth Participation:

- Innovative Ideas & Fresh Perspectives: Countries like the UK, Australia, and Canada have embraced young candidates with innovative ideas and fresh perspectives.
- Raise Contemporary Issues: They tend to raise topical issues that are of contemporary relevance such as the advent of artificial intelligence, the flight of large numbers of India's young citizens to foreign countries, and the unemployment crisis in India.
- Lowering of Minimum Age Requirement: European nations such as Bulgaria, the Czech Republic, and Ireland have set lower minimum age requirements for candidates.
- Impact: Greater representation brings visibility to specific issues.
- Women, SC/ST, minorities have changed discussions with representation.
- Argument for Youth: 21-year-olds making decisions for our nation, serving as urban councilors or village heads, manning the borders and gallantly protecting the nation, winning accolades for us in sports, providing jobs as employers in unicorns and startups, taking decisions for their family as married adults or even as parents.
- The legal age of marriage is 21 years for men and the Prohibition of Child Marriage (Amendment) Bill, 2021 aims to legalize age of women for marriage is 21 at par with men.
- Most importantly at 21 years, our youth is voting.

- A Private Member's Bill was introduced in the Rajya Sabha in Dec 2022.
- It seeks to amend Article 84 and Article 173 of the Constitution to reduce the minimum age to contest elections to 21 years from the current 25 years at the Centre and state.

The Road Ahead:

- Like other modern democracies worldwide, India should revisit age requirements.
- The age of candidacy has long been a topic of debate. The historical decisions laid a foundation, current global and national contexts need a re-evaluation.
- It is the moment for the biggest democracy in the world to harness the energy, aspirations, and perspectives of its youth for a more inclusive, progressive, and representative democracy.

Election Panel's Independence

The Union government's introduction of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023 in the just-concluded monsoon session of the Parliament has caused significant controversy. A large part of the discussion is focussed on the fact that the bill replaces the mechanism for selection of the Chief Election Commissioner (CEC) that was devised by the Supreme Court in *Anoop Baranwal vs Union of India (2023)*, a verdict delivered a few months ago.

What did the Supreme Court say in the Anoop Baranwal Case?

In that order, the Supreme Court held that the selection of the CEC must be done by a three-member committee comprising:

1. The Prime Minister (PM)
2. The Leader of Opposition
3. The Chief Justice of India (CJI)

However, the supreme court itself noted that this arrangement was temporary, until Parliament passed a law in this regard.

Constitution say

Clause 2 of the Article 324 of the Constitution vests the power of appointment of the CEC and other Election Commissioners in the President, subject to any law that Parliament might make.

- However, the Parliament didn't pass any Law which effectively made the President's (i.e., the executive's) powers permanent to appoint CEC and ECs.
- The supreme court then found in the aforesaid case that giving the executive the power to appoint the CEC was incompatible with the independence of ECI.
- The reason for this is obvious: In a parliamentary system, the executive is drawn from the ruling party, and is, hence, a player in the electoral game.
- Giving the executive the power to appoint the CEC, therefore, is akin to giving a player the power to appoint the referee.

So, What is the issue with Respect to the new Election Commissioners bill?

- Provides Executive Supremacy: The Election Commissioners bill replaces the CJI with a cabinet minister nominated by the PM. Which again gives the Executive a clear majority — and, therefore, a decisive say — in the appointment of the Election Commissioners.
- Now, the selection committee will consist:
 - The prime minister (chairperson)
 - The leader of opposition in the Lok Sabha (member)
 - A Union cabinet minister nominated by the prime minister (member)
- Against the Will of the Constitution Framers:
 - The intention of the framers of the Constitution was to secure and guarantee the independence of ECI. Which is why they provided the President (executive) the power to appoint ECs as a stop-gap arrangement, in the expectation that Parliament would enact a law that would secure and guarantee the independence of ECI.
 - The bill giving the executive more power submerges the idea of an Independent ECI as envisioned by the framers of the Constitution.
- An Umpire who is Subordinate to the Team Captain: A former chief election commissioner said that the most concerning aspect of the new legislation is the downgrading of the status of election commissioners as well as the CEC from being at par with Supreme Court judges to that of cabinet secretary.
- He also said, "The cabinet secretary is directly under the government. So a constitutional body like the election commission, that is supposed to call even the ministers and prime minister to discipline if it comes to it, how can you equate that office with the cabinet secretary who is clearly subordinate to the government?"

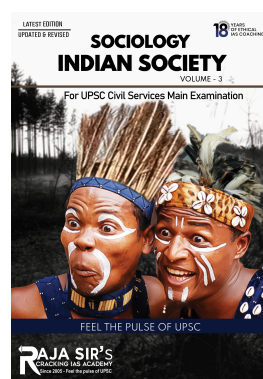
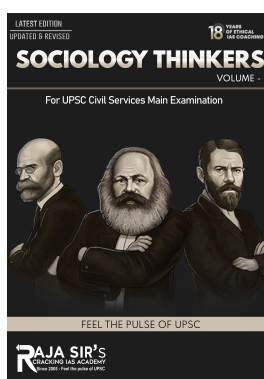
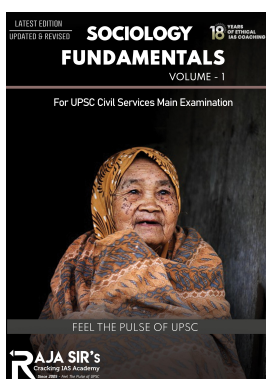
Necessity of Independence of the Election Commissioner in India

- **Impartiality and Fairness:**The Election Commissioner is responsible for overseeing the entire electoral process, including the conduct of elections, delimitation of constituencies, voter registration, and more. It is important that this office remains impartial and free from political influence to ensure that all political parties and candidates have an equal and fair opportunity to participate in the electoral process.
- As former US President Barack Obama said, “The right to vote is sacred. It’s how we choose our leaders and determine our destiny.” So, impartial and fair elections are very crucial in a democracy.
- **Prevention of Manipulation:**An independent Election Commissioner helps prevent any manipulation or bias in the electoral process. If the office is influenced by the ruling party or any other political entity, it could lead to electoral malpractices such as voter suppression, gerrymandering, or tampering with the election results.
- For example, in 2018, Pakistan’s Election Commission faced allegations of rigging and interference from the military establishment, which cast doubt on the legitimacy of the election results.
- **Public Confidence:**An independent Election Commissioner helps build and maintain public confidence in the electoral process. When people believe that elections are conducted fairly and transparently, they are more likely to participate and accept the results, even if their preferred candidate or party does not win.
- For example, in 2007, Kenya witnessed post-election violence that killed over 1,000 people and displaced over 600,000 people, after a disputed presidential election that was marred by irregularities and fraud.
- **Rule of Law:**The independence of the Election Commissioner upholds the principle of the rule of law. It ensures that electoral procedures are carried out according to established laws and regulations, rather than being subject to arbitrary decisions or political pressure.
- **Checks and Balances:**In a democracy, the separation of powers and the presence of checks and balances are essential. An independent Election Commissioner acts as a check on the powers of the executive and legislative branches of government, ensuring that elections are not manipulated for political gain.
- **Long-Term Stability:**An independent Election Commissioner can help ensure the long-term stability of the electoral process. If the office is subject to frequent changes or political interference, it could undermine the credibility of elections and lead to instability.
- For example, N. Seshan, who served as the Chief Election Commissioner of India from 1990 to 1996, is widely credited for ushering in electoral reforms that changed the face of Indian elections.

- He enforced the authority of the Election Commission as per its powers laid out in the Constitution and introduced a list of 150 malpractices during elections, such as distribution of liquor, bribing voters, ban on writing on walls, use of religion in election speeches etc.
- He also challenged the political parties and candidates who violated the election rules and took strict actions against them.
- His legacy as an independent and fearless Election Commissioner has inspired many others to follow his footsteps and uphold the integrity and stability of the electoral process in India.
- International Standards: The concept of an independent election commission is upheld as a best practice internationally. Many democratic countries have established independent bodies to oversee elections, and India's Election Commission aims to align with these global standards.

Road ahead

- The government should review the composition of the Selection Committee and consider making it more balanced. This might involve giving the opposition more balanced power to ensure a fair decision-making process.
- For example, the opposition could have equal seats, veto power, or rotating chairmanship in the Selection Committee. This would ensure that the selection process is not biased or influenced by the ruling party.
- To enhance the credibility of the selection process, the government should involve independent experts, jurists, and civil society representatives in the Search Committee or as observers in the Selection Committee. Their presence could help maintain the integrity of the process.
- By involving these stakeholders, the government could increase the transparency, accountability, and public trust in the selection process. They could also provide valuable insights, feedback, and recommendations to improve the quality and suitability of the candidates.
- Before finalizing the Bill, the government should engage in thorough consultations with opposition parties, legal experts, and stakeholders to gather diverse perspectives and ensure that concerns are addressed adequately.



RBI studies on economic momentum

- Two RBI studies suggest that economic momentum is sustaining.
- State of The Economy report examines a range of high-frequency indicators.
- Another study by conducted by economists at the central bank, looks at investment intentions financed through various sources, providing some indications.

Key findings of State of the Economy Report

- The economy is likely to have grown at 8 per cent during the April-June period.
- The economic momentum (on a quarter-on-quarter basis) is likely to have remained healthy even as the global recovery is slowing down as per the State of the Economy report by the RBI.

Export Contraction Impact

- Contraction in exports will drag down growth.
- Merchandise exports declined by around 16 per cent, falling to a nine-month low \$32.25 billion.
- Growth in private consumption and investment activity is expected to offset the decline in growth due to contraction in exports.

Signs of Growth:

- Several indicators of both demand and supply show healthy signs.
- E-way bill volumes have registered growth.
- Fast-moving consumer goods (FMCG) sales have also improved.
- Cargo at major ports, as well as railway freight traffic, has picked up pace.
- Steel and cement consumption have registered healthy growth.

Signs of weakness in the economy:

- Automobile sales, with the exception of three-wheelers, remain weak.
- Demand for work by households/individuals under MGNREGA is higher.
- Non-oil imports are lower indicating weak domestic demand.

Gross fixed capital formation (GFCF):

- GFCF is a component of the expenditure on gross domestic product (GDP) that indicates how much of the new value added in an economy is invested rather than consumed.

- It measures the value of acquisitions of new or existing fixed assets by the business sector, governments, and "pure" households (excluding their unincorporated enterprises) minus disposals of fixed assets.

Key findings of Study on Private Investment Intentions

- Investment intentions closely track actual investments (as measured by the gross fixed capital formation of private corporates), this serves as a useful indicator of gauging the private investment cycle.
- In 2022-23, investment plans were made for 982 projects with a capital outlay of Rs 3.5 lakh crore.
- In comparison, in 2021-22, plans were drawn up for 791 projects worth Rs 1.96 lakh crore.
- Around 60 per cent of these projects financed by banks and financial institutions are in the infrastructure sector power, roads and bridges, SEZs, industrial biotech and IT park.
- Most are for investment in green field projects.
- Uttar Pradesh, Gujarat, Odisha, Maharashtra and Karnataka account for more than half of the total project cost.
- While greater clarity on the extent of a pick in the investment cycle will emerge in the quarters ahead, stronger bank and corporate sector balance sheets, improving demand conditions and rising capacity utilisation rates, do bode well for the capex cycle.

LHS IS EQUAL TO RHS

<p>UPSC PRELIMS 2023 QUESTION</p> <p>Consider the following statements: Statement-I: The soil .. is rich in nutrients. Statement-II: The high temperature .. Which one of the following is correct in respect of the above statements? (a) (b) (c) (d)</p>	<p>OUR TEST BATCH QUESTION</p> <p>If a tropical rain forest is removed, it does not regenerate quickly as compared to a tropical deciduous forest. This is because (a) the soil of rain forest is deficient in nutrients. (b) propagules (c) the rain f (d) Exotic species</p> <p>Tropical rain forests are a hot, moist biome found near the earth's equator TEST NO 6, Q NO 48 TEST NO 12, Q NO 46</p>
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The anti-NEET movement in Tamil Nadu is misguided

- Recently, the Tamil Nadu government passed Tamil Nadu Admission to Undergraduate Medical Degree Courses Bill, 2021 to exempt the state from National Eligibility and Entrance Test (NEET), but the Tamil Nadu Governor has refused to give his assent to it. This has created a deadlock between the state and the Centre and raised serious concerns about the future of medical education and health services in Tamil Nadu.
- Tamil Nadu has opposed the NEET since it was made compulsory in 2017. The exam is seen as a threat to the state's autonomy, healthcare system, social justice, and educational quality.
- The National Eligibility Entrance Test (NEET), formerly the All-India Pre-Medical Test (AIPMT), is the qualifying test for MBBS and BDS programmes in Indian medical and dental colleges.
- It was introduced in 2013 by the Central Board of Secondary Education (CBSE) and is now conducted by the National Testing Agency (NTA).

Advantages of NEET Exam

- **Single Entrance Test:** NEET exam is a single entrance test for admission to medical and dental courses in India. It replaces the multiple state-level and private exams that were conducted before. This saves the time, money and effort of the students and the colleges. The students do not have to apply for multiple exams and pay multiple fees. The colleges do not have to conduct separate exams and counselling sessions.
- **Fairness and Transparency:** NEET reduces the possibility of corruption, malpractice and leakage of question papers that were prevalent in some state-based and independent exams. It also eliminates the need for donations or capitation fees for securing seats in private colleges. Admission is based on the merit and rank of the students in NEET exam.
- **Equal Opportunity:** NEET exam provides equal opportunity for all the students across the country. It does not affect the reservation policies of the states or the central government. The states can apply their own reservation system based on the merit list prepared by NTA. The students can also apply for admission under the state quota or all India quota based on their preference and eligibility. The students from rural or remote areas can also compete with the students from urban or metropolitan areas on an equal footing.
- **Language Options:** NEET exam is conducted in 13 languages, including English, Hindi, Assamese, Bengali, Gujarati, Kannada, Malayalam, Marathi, Odia, Punjabi, Tamil, Telugu, and Urdu. This gives the students the option to choose their preferred language of examination. It also helps them to overcome the language barrier and perform better.

Issues Associated with NEET Exam

- **High Risk Factor:** NEET exam is a highly competitive exam with lakhs of students appearing every year. The students have only one chance to clear the exam in a year and secure a seat in their desired college. If they fail to do so, they have to wait for another year or opt for other courses. This can cause stress, anxiety and depression among the students who have high expectations of themselves and their parents.
- **CBSE Syllabus:** NEET exam is based on the CBSE syllabus, which may not be suitable for all the students. The students who have studied under different state boards may find it difficult to cope with the syllabus and the level of difficulty of the exam.
- **Cost Factor:** NEET exam is not cost friendly for all the students. The exam fee is Rs 1500 for general category candidates and Rs 800 for reserved category candidates. Apart from that, the students have to bear other expenses such as coaching fees, study materials, travel expenses, etc. These costs may be unaffordable for some students from poor or rural backgrounds. They may have to compromise on their quality of education or drop out of their dream courses due to financial constraints.
- **Language Barrier:** As NEET is conducted only in 13 languages, some students may face difficulty in understanding the questions or expressing their answers in a language that is not their mother tongue or medium of instruction. This can affect their comprehension and accuracy.
- **Social and Economic Factors:** Some students may face challenges due to their social and economic background, such as lack of access to quality education, coaching, resources, or guidance. These factors can hamper their preparation and performance in NEET.

Tamil Nadu Oppose NEET Entrance

- **Violation of Federalism:** NEET has also dismantled the state's in-service quota for medical graduates in the government sector, which, according to critics, has undermined quality healthcare.
- The state has its own admission system based on the marks obtained in the Class 12 board exams, which is considered more inclusive and equitable than NEET.
- NEET, on the other hand, is imposed by the Centre without consulting the state governments and disregards the diversity and needs of different regions.

Denies Opportunities to Disadvantaged Students:

- According to A.K. Rajan committee (appointed by the Tamil Nadu Government In 2021, to study the impact of NEET on medical admissions in Tamil Nadu), NEET harms the rights and interests of poor and disadvantaged students who want to become doctors.
- The Committee's report concluded that the NEET disproportionately benefited repeaters (71% in 2021) and coached students (99% in 2020) and discriminated against first-time applicants.
- Promoting Coaching Culture: The report condemned the NEET as promoting a coaching culture rather than learning, and as perpetrating cultural, regional, linguistic, and socio-economic biases that go against disadvantaged groups.
- It was alleged to favour CBSE students who attend coaching classes, study in private English-medium schools and are from affluent urban backgrounds.
- Student Suicides: NEET has also been linked to several cases of student suicides in Tamil Nadu, which have sparked outrage and protests across the state. Many students who have performed well in their board exams or have a passion for medicine have lost hope and confidence after failing to clear NEET.

Recent Plea to Supreme Court Related to NEET Exam

- The Tamil Nadu government in February 2023, moved the Supreme Court challenging the constitutional validity of NEET, alleging NEET violates the principle of federalism, which is part of the Basic Structure of Constitution.
- The Tamil Nadu government also claimed that NEET takes away the autonomy of states to make decisions regarding education.
- The petition is filed under Article 131 of the Constitution, which allows the Supreme Court to adjudicate disputes between the Centre and state/s.
- The plea alleged that NEET violates right to equality under Article 14 of the Constitution as it "discriminates against students from rural areas and state boards".
- The state said NEET is modelled on CBSE/NCERT syllabus, which puts rural students at a loss.
- The state alleged that students from rural parts lack economic resources to afford coaching classes which puts them at a greater disadvantage despite good scores in their state boards.
- The Tamil Nadu government sought a declaration from the Supreme Court to hold Section 14 of the National Medical Commission Act, 2019 prescribing NEET as "ultra vires" the Constitution on multiple grounds.

Road ahead

- Moving education to the State List: Education can be shifted from the Concurrent List to the State List of the Constitution, which would give more

autonomy and flexibility to the states to decide their own admission policies and criteria.

- This would also enable the states to design their education system according to their regional needs and aspirations and avoid conflicts with the Centre over common entrance tests like NEET.
- Balancing equity and quality: A possible solution could be to devise a more inclusive and holistic admission process that considers both NEET scores and Class XII marks, as well as other factors such as aptitude, socio-economic status, regional diversity, and rural service. This would ensure that merit and social justice are not compromised, and that students from different backgrounds have equal opportunities to pursue their dream of becoming doctors.
- Reservation for under-represented communities, a constitutionally enshrined goal, must be protected at all costs.

Suspensions of MPs - Concerns

- The Presiding Officer (Speaker of Lok Sabha and Chairman of Rajya Sabha) must maintain order in the house so that the functions can run smoothly.
- The Speaker or Chairman is empowered to suspension of MPs from the House to maintain discipline and ensure the proceedings.
- The 16th Lok Sabha has lost 16% of its allotted time due to disturbances.

Suspension of MPs:

Suspension is resorted to as a last step:

- The chair can't name a member if he refuses to sit down when asked to, as this is not under disregard of the authority of the chair.
- Willful and persistent obstruction of the business alone qualifies for the naming and suspension of a member.
- A very aggravated form of defiance and obstruction can leave the Chair with no option other than suspension of the member.

Suspension is a temporary punishment:

- It can be revoked even the next day.

- There are numerous instances in both Houses when suspension has been revoked within a day or two, even though the members were initially suspended for the remainder of the session.
- It is because the House does not want to be deprived of the services of its members for a long time.
- The basic principle is that the House needs the uninterrupted services of all its members and so suspension is to be a last resort.

Rules for suspension of MPs in Lok Sabha and Rajya Sabha:

Suspension of MPs in Lok Sabha:

Rule 373 of the Rules of Procedure and Conduct of Business:

- The Speaker may direct a member to withdraw immediately from the House if he thinks that the conduct of the Member is grossly disorderly
- Any member so ordered to withdraw shall do so forthwith.
- They shall remain absent during the remainder of the day's sitting.

Rule 374:

- The Speaker may name a member who disregards the authority of the Chair or abuses the rules of the House by persistently and wilfully obstructing the business thereof.
- If a Member is named by the Speaker, the Speaker shall, on a motion being made forthwith put the question that such member be suspended from the service of the House for a period not exceeding the remainder of the session.
- The house may anytime resolve that such suspension is terminated on a motion being made.

Rule 374A:

- It was incorporated in the Rule Book in 2001.
- The intention was to skirt around the necessity of moving and adopting a motion for suspension.
- In the event of serious disorder brought on by a member entering the House well or abusing the Rules of the House by repeatedly and purposefully.
- Such Member shall, upon being named by the Speaker, stand automatically suspended from the service of the House for five consecutive sittings.
- Suspension can be for the remainder of the session, whichever is shorter.
- The House can be resolved that such suspension be terminated.

- On the Speaker announcing the suspension under this rule, the Member shall forthwith withdraw from the precincts of the House.

Suspension of MPs in Rajya Sabha:

- The Chairman of Rajya Sabha is empowered under Rule 255 of its Rule Book to direct any Member whose conduct is grossly disorderly to withdraw immediately from the House.
- On suspension, the member is required to immediately leave the House or will be forcefully removed.
- The right to punish a member is vested in the House only, and not in the Chair.
- The rules also provide for the termination of suspension at any time.

Consequences of Temporary Disqualification:

- The member is temporarily disqualified in as much as he is not allowed to attend the meetings of the House or any meeting of the committees of which he may be a member, during his suspension.
- He won't be allowed to give any notice of questions, motions or resolutions.
- He is compelled to remain a non-member during this period.
- Parliamentary Rules & Procedures and Constitution:
- Rules of the House of Parliament are mentioned in Article 118 of the Constitution and must adhere to constitutional provisions.
- Houses must follow these rules to regulate activities.
- Suspension of a member follows rules 374 and 256.
- Residuary powers in Rajya Sabha (Rule 266) apply when no explicit rules cover a matter.
- Chairman's residuary powers cannot be used for suspension, as Rule 256 covers it.

Supreme Court ruling on suspension of MPs:

Ashish Shelar vs Maharashtra Legislative Assembly (2022):

- Any suspension beyond the period prescribed in the rules is unconstitutional.
- If the resolution passed by the House was to provide for suspension beyond the period prescribed under the said rule, it would be substantially illegal, irrational and unconstitutional”.

MPs must maintain discipline and parliamentary etiquette, refraining from shouting slogans, interrupting speeches, or interjecting during debates. Long-term suspension of MPs is unconstitutional; instead, opposition parties play a pivotal role in

maintaining balance. The turmoil in legislative houses, caused by political factors, must be resolved by the political class. They should seek solutions beyond just disciplinary actions to restore harmony. The solution lies in identifying and implementing effective approaches for the nation's supreme legislative body.

Issues with the Registration of Births and Deaths Act

- The Registration of Births and Deaths (RBD) Act, 1969 provides for compulsory registration of births and deaths under a uniform law across India.
- The experience of its working underscores the need for amendments.
- The Registration of Births and Deaths (Amendment) Bill, 2023, which recently received presidential assent, addresses this for the first time since its inception.
- The amendment's objective is to create a National and State level database of registered births and deaths which would help in updating other databases resulting in efficient and transparent delivery of public services and social benefits.

Significance of Databases and Practical Implications

- The Bill makes it compulsory that the Registrar General of India maintains a national-level database of births and deaths.
- The Chief Registrar of births and deaths in every State is required to maintain a State-level database of registered births and deaths 'using the portal approved by the Registrar General of India'.
- These databases are to provide information to update National Population Register, Aadhaar database, electoral rolls, ration cards, passports, and other databases.

Aadhaar Amendments:

- In the case of birth collecting the Aadhaar number of the parents.
- Nothing is mentioned about the Aadhaar number of the deceased.
- Updating many of the databases would require removing the names of the deceased from the database.
- If the Aadhaar number of a deceased person is not collected, it would be impossible to achieve this objective.
- This reduces the efficient and transparent delivery of public services and social benefits.

Registrar General's Role:

- The maintenance of the central database is being added to the Registrar General of India's functions.
- The Chief Registrars are the executive authorities for the matters relating to registration of births and deaths in the States.
- They need to maintain a database for efficient delivery of services of providing birth and death certificates.

National Database Management and Governance:

- The national database is a collection of State-level databases, except for some data items that some States may have in addition to the national standards prescribed by the Registrar General of India.
- It is possible to design a system wherein the required data flow to their databases on a daily basis or even on a real-time basis from the State-level database.
- The Registrar General of India needs to specify the standards for the data structures and transfer protocols.
- Authorities needing data from registered births and deaths database for updates require changes in laws or executive orders.
- The RBD Act requires a provision to share information from the database, but this might not be needed as birth and death registers are public records.
- Suggesting databases for Parliament's consideration and allowing future additions by the government can undermine Parliament's authority.
- New additions not approved by Parliament might be riskier than the listed ones.
- For instance, the government could decide to create a list of women with third or higher-order births for the Family Welfare Department's family planning programs.

Certificate of Cause of Death and its Problems

Issuance of Cause of Death Certificate:

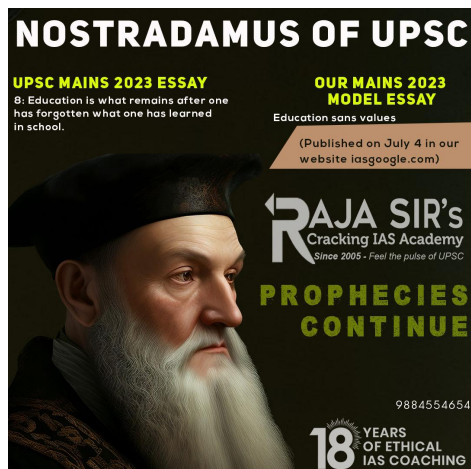
- Currently, the State government could decide that a certificate of cause of death should be issued by the medical practitioner who attended the deceased person so that the certificate can be sent along with the death report.
- Mandatory issuance of the certificate of cause of death varies across States but is generally restricted to deaths in medical institutions.
- The amendments make it compulsory for all deaths in medical institutions.

- These must be reported to the Registrar of Births and Deaths and a duplicate of the certificate must be given to the nearest family member.

Problems with Death Certification:

- Uncertain Diagnoses in Demise: The medical practitioner may not have always arrived at a definite diagnosis before the person died.
- Alignment with World Health Organization (WHO) Guidelines: The forms for cause of death that are being used are in conformity with WHO recommendations.
- If the deceased was attended by a practitioner of the AYUSH (Ayurveda, Yoga and Naturopathy, Unani, Siddha, Sowa Rigpa and Homoeopathy) systems of medicine, the cause of death recorded may not be usable for the cause of death statistics since they may not be classifiable under the International Classification of Diseases.
- Variation in Cause of Death: Person can die of an entirely different cause outside a medical facility when the medical practitioner was not available for consultation.
- Contradictions in Legislation: While Section 17 of the Act prevents the inclusion of the cause of death on any issued certificate, it now mandates furnishing the cause of death certificate to the deceased person's family member.
- Contradictions arises as the cause of death in the death register originates from the same certificate provided by the medical practitioner.

Whenever natural disasters or accidents happen, a number of individuals are declared missing, and some of them might have passed away. Authorities stop looking for them after a while. Yet, the families of these individuals have to wait for seven years before they can apply for a document stating "presumed dead". It would be beneficial if there was a rule allowing for the registration of a "presumed death" when it's logically likely that the person perished in the disaster or accident. This adjustment would speed up the process of obtaining death certificates for the affected families.



Overhauling Indian Criminal Justice System - Bharatiya Nagarik Suraksha Sanhita Bill, 2023

- The department-related Parliamentary Standing Committee on Home Affairs in its 146th report had recommended that there is urgent need for a comprehensive review of the criminal justice system of the country.
- The Parliamentary Standing Committee in its 111th and 128th reports had highlighted the need for reforms in criminal laws by enactment the whole legislation instead of piecemeal amendments in existing acts.
- The judgments of the Supreme Court (SC) in the 2012 Nirbhaya gang-rape has highlighted the need of amendments to the three main existing criminal laws.
- Prof. Ranbir Singh committee formed in 2020 to suggest reforms in the criminal laws lacked diversity, transparency, and was an all-male committee.
- It also lacked other vulnerable groups such as Dalits, religious minorities, adivasis, LGBTQ persons, or persons with disabilities.

What are the three new bill and what will they replace?

- The Union Government has introduced three new Bills in the Lok Sabha to change the country's criminal justice system.
- The three Bills will replace the Indian Penal Code (IPC), 1860; the Code of Criminal Procedure (CrPC), 1973 and the Indian Evidence Act, 1872.
- The IPC was introduced by the British in the year 1860, and it has governed India's criminal justice system for more than 160 years.
- The IPC will be replaced by the Bharatiya Nyaya Sanhita, 2023 (BNS).
- The CrPC of 1973 will be replaced by the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).
- The Indian Evidence Act of 1872 will be replaced by the Bharatiya Sakshya Bill, 2023 (BS).

Criminal law reforms committee:

- The Ministry of Home Affairs had constituted a committee in 2020 headed by Prof. Ranbir Singh to recommend reforms in the criminal laws of the country, which ensures the safety and security of the individual, the community and the nation.
- Prof. Ranbir Singh committee have to recommend the reforms that prioritises the constitutional values of justice, dignity and the inherent worth of the individual.
- Earlier formed panels like the Bezbaruah Committee, Viswanathan Committee, Malimath Committee and Madhav Menon Committee had recommended for general reforms in the criminal justice system.

Has the offence of sedition been repealed?

- The new Bill on IPC completely repeals the offence of sedition, which is present in Section 124A of the IPC.
- The provision on sedition has been reintroduced under a new name and with a more expansive definition for the offence.
- Part VII of the Bharatiya Nyaya Sanhita Bill is titled 'Of Offences against the State' and includes Section 150 which criminalises acts that may endanger sovereignty, unity and integrity of India.
- Punishment for such a crime under new law is imprisonment for life or with imprisonment which may extend up to seven years along with the fine.
- Section 150 enhances the alternative punishment to 7 years imprisonment from the 3 years imprisonment provided under Section 124A of the IPC.
- The new Section 150 criminalises aiding through financial means any acts of 'subversive activities or those encouraging 'feelings of separatist activities.'
- This was recommended by the 22nd Law Commission of India.
- The BNSS, 2023 includes a corresponding provision for Section 150 in the form of Section 127 that outlines the procedure for when an Executive Magistrate receives information regarding 'dissemination of any seditious matters' as punishable under Section 150.

Recommendations of the 22nd Law Commission on sedition:

- The sedition should be retained but with certain amendments to curb its misuse.
- Section 124A of the IPC shall include the words 'with a tendency to incite violence or cause public disorder' and such term shall be defined as a 'mere inclination to incite violence or cause public disorder rather than the proof of actual violence or imminent threat to violence.'

Supreme Court's judgements on sedition:

- The sedition law under Section 124A of the IPC must be suspended until the Union government reconsiders the provision.
- The Centre and the State governments shall refrain from registering any First Information Reports (FIRs) under Section 124A IPC while the provision was under re-consideration.

Provisions of the Bharatiya Nyaya Sanhita Bill, 2023:

New provision and changes:

- This Bill seeks to replace the IPC by repealing its 22 provisions, changing its 175 existing provisions and by introducing eight new sections.
- It contains a total of 356 provisions.
- New provisions include-
 - Section 109: Organised crime
 - Section 110: Petty organised crime or organised crime in general
 - Section 111: Offence if terrorist act
 - Section 150: Acts endangering sovereignty, unity and integrity of India
 - Section 302: Snatching

Rape provisions:

- The punishment for all types of gang rape will include 20 years of imprisonment or life imprisonment.
- The punishment for the rape of a minor will include the imposition of the death penalty.
- Sexual offences such as rape have been defined under the Bill as an act by a man against a woman or a child.
- The marital rape is not criminalised and Section 63 of IPC, which defines the offence of rape has been retained.
- Section 63 of IPC states that the sexual intercourse or acts by a man with his own wife, the wife not being under 18 years of age, is not rape.
- Section 375 of the IPC, which provides an exception to non-consensual matrimonial sex from the offence of rape is still pending before the court.

Mob lynching & deceitful marriage:

- First time capital punishment has been introduced in the Section 101 for the offence of mob lynching which is now punishable with more than 7 years of imprisonment or life imprisonment and fine.
- The Bill criminalises sexual intercourse under the false pretext of marriage or by deceitful means under Section 69 with a maximum of 10-year imprisonment and fine.
- IPC did not have an explicit clause that dealt with the instances of sexual intercourse based on a false promise of marriage.
- Rather such acts were covered under Section 90 of the IPC, where consent obtained through a 'misconception of fact' was deemed invalid and accused can be charged under Section 375 for the offence of rape.
- The 'deceitful means' defined under Section 69 will include the false promise of employment or promotion, inducement or marrying after suppressing one's identity.

Homosexuality and adultery:

- The provision for the offence of adultery has been omitted in line with the Supreme Court's ruling in the 2018 case of Joseph Shine v. Union of India, where Section 497 of the IPC that criminalized adultery was held unconstitutional.
- The new legislation does not include any punishment for 'unnatural sexual offences against men.'
- The Supreme Court had held Section 377 of the IPC unconstitutional as it had criminalised same-sex relations between consenting adults in Navtej Singh Johar v. Union of India (2018).
- Provisions of the Bharatiya Nagarik Suraksha Sanhita Bill, 2023:

New provision and changes:

- The Bill will replace the CrPC by repealing 9 provisions, changing 160 provisions and by introducing 9 new provisions.
- It contains a total of 533 sections.
- Section 230 has been introduced to ensure that a copy of the FIR is made available to the accused and the victim free of cost and within 14 days from the date of production or appearance of the accused.
- The Bill permits the filing of a zero FIR from any part of the country under which when a police station receives a complaint regarding an offence not coming in its jurisdiction, it can register an FIR and transfer it to the relevant police station for further investigation.
- Other changes in procedure include the facility for an accused person to be examined through electronic means, like video conferencing.
- Summary trials are made mandatory for petty and less serious cases.
- The magisterial system has also been streamlined.
- Provisions of the Bharatiya Sakshya Bill, 2023:
- It will replace the Indian Evidence Act by changing 23 provisions and introducing 1 new provision.
- The Indian Evidence Act has been repealed as it had failed to address the technological advancement of the country during the last few decades.
- It contains 170 sections in total.
- The electronic or digital record as evidence is admissible and will have legal validity as documentary evidence.
- The secondary evidence includes: copies made from the original by mechanical processes, copies made from the original, documents against the parties who did not execute them and oral accounts of the contents of a document given by a person who has himself seen it.

Three bills introduced in Lok Sabha

<p style="text-align: center;">Indian Penal Code (IPC), 1860 TO BE REPLACED BY Bharatiya Nyaya Sanhita Bill, 2023</p> <ul style="list-style-type: none"> It will have 356 sections (instead of 511 sections in IPC) 175 sections have been amended 8 sections have been added, and 22 sections have been repealed 	<p style="text-align: center;">Code of Criminal Procedure (CrPC), 1973 TO BE REPLACED BY Bharatiya Nagarik Suraksha Sanhita, 2023</p> <ul style="list-style-type: none"> It will have 533 sections (instead of 478 sections in CrPC) 160 sections have been changed 9 sections have been added, and 9 sections have been repealed 	<p>"From 1860 to 2023, the country's criminal justice system functioned as per the laws made by the British. I can assure the House that these bills will transform our criminal justice system. The aim will not be to punish, it will be to provide justice." — AMIT SHAH</p> 
<p style="text-align: center;">Indian Evidence Act, 1872 TO BE REPLACED BY Bharatiya Sakshya Bill, 2023</p> <ul style="list-style-type: none"> It will have 170 sections (instead of 167 sections in IEA) 23 sections have been changed 1 section has been added, and 5 sections have been repealed 	<p>WHAT NEXT The three bills will be studied by the standing committee on home affairs, which is chaired by BJP MP Brijlal (who is a ret'd IPS officer).</p>	



Significant modifications made by all the Bills:

- The Bills have several modifications including linguistic adjustments for gender inclusivity and replacement of terms such as 'insanity' with 'mental illness'.
- The Information and communications technology (ICT) applications are integrated with the criminal justice process.
- The trial in absentia and the introduction of community service are commendable.
- The attempted suicide is excluded from the definition of crime as per the SC directions.
- The use of forensic experts will be made compulsory in all cases where there is provision of jail term of seven or more years.
- This will be accompanied by strengthening forensic science infrastructure in all states and UTs.

Disadvantages of the bill:

- It is not certain whether the fundamental tenets of criminal jurisprudence are being upheld throughout this process.
- It can potentially infringe individual liberties as the bill lacks equilibrium between state security imperatives and individual freedoms.
- Criminal laws generally fail to discharge their public function as a protective tool for its subjects, which is not been covered under the new Bill.

- The principles of criminalisation may not be taken into account as it has not considered the harm or the moral or legal offence caused by such criminalised conduct.
- It has failed to take into account the principle of equality and equitability as criminal laws in India is divisive in nature as the rich and the resourceful get better access to justice rather than the marginalised and the vulnerable.
- The level of leniency or severity of laws does not shape public confidence in the criminal justice system and thus it will fail to in bridge the gap between rhetoric of the law and its reality.

It is too early to state that whether the Bills will bring in some form of substantial changes in the legal landscape. The success or failure of criminal law reforms also significantly depends on their inception, formulation, and approach to their longevity and oversight. The primary principle for such an adjudication remains to the extent to which reforms address the needs and the concerns of the people impacted by crime and justice, especially in terms of enforcement of fundamental and statutory rights. The efficiency of the revised laws hinges on its capacity to curtail any potential misuse by law enforcement agencies effectively.

Chandrayaan-3

Chandrayaan-3 has made history by becoming the first mission to soft-land on the lunar south pole, a region that has never been explored before. The mission aimed to demonstrate safe and soft lunar landing, rover mobility, and in-situ scientific experiments.

- India now joins the United States, Russia, and China as one of the few countries to successfully land on the Moon.

How did Chandrayaan-3 Prevail Over Obstacles Encountered in the Previous Mission?

- Chandrayaan-3's successful landing came after the setback of the Chandrayaan-2 mission's landing failure in 2019.
- The Vikram lander of Chandrayaan-2 had lost control and communication during descent, leading to a crash on the lunar surface.
- Lessons from the Chandrayaan-2 mission were applied to Chandrayaan-3, focusing on a "failure-based" design approach to anticipate and mitigate potential issues.

- Critical changes included strengthening the lander's legs, increasing fuel reserves, and enhancing landing site flexibility.

What are the Intended Actions for Chandrayaan-3 after its Landing?

- Chandrayaan-3 is expected to operate for at least one lunar day (14 Earth days) on the lunar surface.
- The Pragyan rover will move around the landing site within a radius of 500 meters, conducting experiments and sending data and images to the lander.
- The Vikram lander will relay the data and images to the orbiter, which will then transmit them to Earth.
- Lander and Rover modules are collectively equipped with advanced scientific payloads.
- These instruments are designed to conduct comprehensive investigations into diverse facets of lunar characteristics, encompassing terrain analysis, mineralogical composition, surface chemistry, atmospheric attributes, and crucially, the exploration for water and potential resource reservoirs.
- The propulsion module that carried the lander and rover configuration till 100 km lunar orbit also has a Spectro-polarimetry of Habitable Planet Earth (SHAPE) payload to study the spectral and Polarimetric measurements of Earth from the lunar orbit.

What are ISRO's Future Expeditions?

- Chandrayaan-4: Navigating the Path of Lunar Evolution
- Building upon past missions, Chandrayaan-4 emerges as a potential candidate for a sample return mission.
- If successful, it could mark the next logical step after Chandrayaan-2 and 3, offering the capability to retrieve lunar surface samples.
- The mission holds promise for advancing our understanding of the Moon's composition and history.
- LUPEX: Lunar Polar Exploration (LUPEX) mission, a collaborative effort between ISRO and JAXA (Japan), is poised to explore the Moon's polar regions.
- It will be specifically designed to venture into permanently shaded areas.
- Investigating the presence of water and assessing the potential for a sustainable long-term station are among LUPEX's objectives.
- Aditya-L1: Aditya L1 will be the first space-based Indian mission to study the Sun.
- The spacecraft shall be placed in a halo orbit around the Lagrange point 1 (L1) of the Sun-Earth system, which is about 1.5 million km from the Earth.
- Observing the sun's corona, emissions, solar winds, flares, and coronal mass ejections are the primary focus areas of Aditya-L1.

- XPoSat (X-ray Polarimeter Satellite): It is India's first dedicated polarimetry mission to study various dynamics of bright astronomical X-ray sources in extreme conditions.
- The spacecraft will carry two scientific payloads in a low earth orbit.
- NISAR: NASA-ISRO SAR (NISAR) is a Low Earth Orbit (LEO) observatory being jointly developed by NASA and ISRO.
- NISAR will map the entire globe in 12 days and provide spatially and temporally consistent data for understanding changes in Earth's ecosystems, ice mass, vegetation biomass, sea level rise, ground water and natural hazards including earthquakes, tsunamis, volcanoes and landslides.
- Gaganyaan: Gaganyaan mission aims to send humans to space and return them safely to Earth. The mission will consist of two unmanned flights and one manned flight, using the GSLV Mk III launch vehicle and a human-rated orbital module.
- The manned flight will carry three astronauts, including a woman, for up to seven days in low Earth orbit.
- Shukrayaan 1: It is a planned mission to send an orbiter to Venus, the second planet from the Sun. It is expected to study Venus's geological and volcanic activity, emissions on the ground, wind speed, cloud cover, and other planetary characteristics.

Section 8(4) of the Representation of People Act and Lily Thomas vs Union of India (2013)

- Members of Parliament can be disqualified from parliament after being convicted and sentenced to two years imprisonment.
- The instant disqualification was because of the Supreme Court of India's judgment in Lily Thomas vs Union of India (2013).
- Through this judgment, the Court invalidated Section 8(4) of the Representation of People Act 1951, which had allowed a three-month period within which to appeal.

Representation of the People Act (RPA), 1951:

- It is an act of Parliament of India to provide for the conduct of election of the Houses of Parliament or Houses of the Legislature of each State.

- The qualifications and disqualifications for membership of those Houses, the corrupt practices and other offences related to elections and the decision of doubts and disputes arising out of or in connection with such elections.
- It was introduced in Parliament by law minister Dr. B.R. Ambedkar.
- It was enacted by the provisional parliament under Article 327 of Indian Constitution, before the first general election.

Provisions that deal with disqualification under the RPA:

- Disqualification is triggered for conviction under certain offences listed in Section 8(1) of The Representation of The People Act.
- This includes specific offences such as promoting enmity between two groups, bribery, and undue influence or personation at an election.
- Section 8(2) also lists offences that deal with hoarding or profiteering, adulteration of food or drugs and for conviction and sentence of at least six months for an offence under any provisions of the Dowry Prohibition Act.
- Section 8(3) states that a person convicted of any offence and sentenced to imprisonment for not less than two years shall be disqualified from the date of conviction and shall continue to be disqualified for six years since his release.

Provisions for Reversal:

- The disqualification can be reversed if a higher court grants a stay on the conviction or decides the appeal in favour of the convicted lawmaker.
- Significantly, the stay cannot merely be a suspension of sentence under Section 389 of the Code of Criminal Procedure (CrPC), but a stay of conviction.
- The law of disqualification has changed over the years.
- Under the RPA, Section 8(4) states that the disqualification takes effect only after three months have elapsed from the date of conviction.
- Within that period, lawmakers could file an appeal against the sentence before the High Court.
- In the landmark 2013 ruling in Lily Thomas v Union of India, the Supreme Court struck down Section 8(4) of the RPA as unconstitutional.

Lily Thomas vs. Union of India case (2013):

- In 2013, Lily Thomas won a landmark verdict from the Supreme Court that struck down a provision in the Representation of the People Act (1951).
- SC held Section 8(4) of the RPA as unconstitutional.
- The SC held that a person who has been convicted of a criminal offence and sentenced to a minimum of two years in prison would be disqualified from contesting elections or holding public office from the date of conviction.

- In 2005, Thomas challenged Section 8(4) of the Representation of the People Act in the Supreme Court.
- While Section 8(3) dealt with the action to be taken in case of conviction, Section 8(4) provided protection to politicians.
- In 2013, a Supreme Court declared Section 8(4) of the RP Act as unconstitutional.
- The court clarified that the membership of a convicted parliamentarian or legislator would no longer be protected by Section 8(4) of the Act.

Impact of the ruling:

- The ruling made it clear that upon conviction, politicians would be immediately disqualified from contesting elections or continuing as members of Parliament.
- The verdict was hailed as a significant step towards cleaning up Indian politics and preventing convicted criminals from holding public office.

Article 102 and 103 of the Indian Constitution:

Article 102:

- The President has the final authority to decide whether a member of either House of Parliament has become subject to any of the disqualifications.
- Before giving any decision on any such question, the President shall obtain the opinion of the Election Commission and shall act according to such opinion.
- Article 102(1) does not permit differentiation between disqualified legislators and the candidates.

Article 103:

- It provides that in the case of sitting legislators, the question of disqualification under Article 102(1) will be decided by the President.

Restoration of Section 8(4) of the Representation of People Act:

- Politicians belonging to the powerful ruling may be able to get a conviction stayed within a few hours, thus saving themselves from instant disqualification.
- It shows that Section 8(4) needs to be restored and protected constitutionally in order to protect the careers of India's legislators from abrupt convulsions caused by court orders.
- A suitable amendment in Article 102 can restore the invalidated Section 8(4).

Any Member of Parliament (MP), Member of the Legislative Assembly (MLA) or Member of a Legislative Council (MLC) who is convicted of a crime and given a minimum of two years imprisonment, loses membership of the House immediately. It emphasized the importance of transparency in candidates' records. It directs that all candidates contesting elections must disclose their criminal antecedents, if any, to the Election Commission, political parties, and the public.

Rape an Offence, Marital Rape an Exception

- The 4th National Family Health Survey (NFHS)- 2015-16 revealed that prevalence of Intimate Partner Violence (IPV) against women ranges between 3% to 43% in different states.
- The 5th round of the survey NFHS 5 (2019-20) had suggested that 1 in 3 women in India aged 18-49 have experience spousal violence and 83% have stated their current husband as perpetrator.
- 5.6% of married women were physically forced to have sexual intercourse with their husbands, and 3.7% were forced to perform sexual activities against their will.
- Married women are 17 times more likely to face sexual violence from their husbands rather than from the outsiders.
- It has been criminalized in 150 countries, but in India it only applies to wives aged 12 and 18 years under the Indian Penal Code (IPC).

Marital Rape

- The term refers to non-consensual intercourse by a man with his wife, obtained by force, threat of force or abuse, physical and psychological violence, or when she is unable to give consent.
- Section 375 of the IPC makes it punishable for a man to have sex with a woman if it is against her will or without her consent.
- It covers all forms of penetration (anal, vaginal, or oral) perpetrated against the woman.

Marital Rape Exception (MRE)

- The sexual acts or intercourse by a man with his wife without her consent is not considered rape.

- The proposition reflected in Exception 2 to Section 375 of the IPC is referred to as the marital rape exception (MRE).
- The law is based on the archaic patriarchal notion that a woman is the property of her husband, and through marriage, a woman gives irrevocable consent for life.
- This puts women in a vulnerable position within a marriage, leaving scope for an abusive spouse to force sex on his wife through intimidation, threat, force, and other forms of abuse.
- The sexual autonomy of women is compromised.

Need to legalize Marital Sex:

- The omission of MRE is violative of constitutional guarantees of equality to women and India's obligations under the Convention on Elimination of All forms of Discrimination Against Women (CEDAW).
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) states that the definition of violence against women shall include marital rape.
- The non-recognition of marital rape contributes to the invisibilization of the trauma and the mental, physical, sexual, and reproductive health implications experienced by the survivor.

Legal provisions:

Article 21 of the Constitution:

- My body, my right is an integral part of the right to personal liberty for every woman.
- Marital rape is a serious infringement violates a wife's Right to life, dignity and bodily privacy.

Indian Penal Code (IPC) 1860:

- Section 319, 320, 321, 322: Causing bodily pain, disease or infirmity to any person is said to cause hurt.
- Section 339: wrongful restraint
- Section 349: A person is said to use force if he causes motion, change of motion, or cessation of motion to that other.
- Section 351: Any gesture or preparation that uses criminal force to that person, is said to commit an assault.
- Section 375: A man is said to commit rape by sexual intercourse with a woman under different circumstances

- Section 498A: Criminal remedies for the victim

Significant Judgements:

- Hrishikesh Sahoo v. State of Karnataka (2022):
- The Karnataka High court declined to quash the charge of rape framed under Section 376 of IPC against a man accused of raping and keeping his wife as a sex slave.
- The MRE was an unequal provision and marital status should not be an excuse in cases of the sexual assault.
- Dimesh Desai v. State of Gujarat (2018):
- The Gujarat High court held that the MRE did not make the offence rape, but held that a woman could prosecute her husband for unnatural offences (Section 377).
- Independent thought vs. union of India (2017):
- It criminalizes unwilling sexual contact with a wife between 15-18 years of age.
- Right to abstain from sexual intercourse is a question of personal liberty under Article 21.
- Exception 2 created an artificial distinction between a married girl and an unmarried girl.
- This arbitrary classification between minor girls on the basis of their marital status violates Article 14.
- Justice K.S. Puttuswamy v. Union of India, (2017):
- The Supreme court reasoned that privacy is an incident of fundamental freedom or liberty guaranteed under Article 21 which provides that no person shall be deprived of his life or personal liberty except according to procedure established by law.
- Privacy included the right to make choices for oneself, autonomy over integrity (reproductive rights), and personal and intimate relations.
- State of Karnataka v. Krishnappa case (2004):
- The Supreme Court (SC) has held that sexual violence is a dehumanizing act and unlawful intrusion of the right to privacy and sanctity of a female.
- It also said that non-consensual sexual intercourse amounts to physical and sexual violence.
- Suchita Srivastava v. Chandigarh Administration:
- The right to make choices related to sexual activity with rights to personal liberty, privacy, dignity, and bodily integrity fall under article 21.

Arguments to criminalize MRE:

- Every woman subject to rape should be able to file a criminal case, regardless of the identity of the perpetrator.

- There is viable intelligible differentia between a married couple and two people who are not married.
- Consent is an agreement to participate in a sexual activity and shall be given freely, without pressure, manipulation or under the influence of alcohol.
- Asking for consent is important as it respects the personal boundaries of the partner.
- Without consent, sexual activity must be considered as sexual assault or rape.
- Preservation of the institution of marriage has been used in the past to turn a blind eye to violations of women's rights in the private sphere.

Arguments in favour of MRE:

- Marriage is a unique relationship that may justify differential treatment, carrying with it a legitimate expectation of sex.
- Sex between husband and wife is sacred and immune from interference by allegations of rape, especially as denial of sex without reason could amount to cruelty under family law.
- This would adversely affect the institution of marriage if husband is considered as the wife's rapist.
- The test for whether there is intelligible differentia with the object sought to be achieved would be an unreasonable classification.
- It is an obligation of the judiciary to preserve the marriage and to make all efforts to save the matrimonial bond.
- While some argue that there can be flaws against criminalizing marital rape.
- It is arbitrary and thus violative of Article 14, which guarantees equality before the law and equal protection of the law.

In the absence of a law that protects women against marital rape, women who are forced into having non-consensual sex with their husbands are left with no means of legal remedy or relief. The law reforms must be spearheaded by the legislature to address issues like penalties for marital rape. In the absence of legislative intervention, courts must step in to propose interventions against MRE.

India's Growth and Unemployment Challenge

- India, recognized for its rapid economic growth, grapples with the paradox of high youth unemployment.
- The majority of the population is young, with over 50% under 25 years and 65% under 35.

Balancing Economic Growth, Unemployment, and Infrastructure in India

Economic Growth vs. Unemployment

- The juxtaposition of high growth and unemployment is attributed to skewed development policies.
- India's youthful demographic, a potential global asset, remains underutilized due to insufficient job opportunities.

Infrastructure and Employment

- While India has advanced in physical infrastructure, it lags in human infrastructure, particularly education and skills.
- Urban-centric investments contrast the shift of the manufacturing sector to rural areas for cost benefits.
- The rural sector's inadequate infrastructure hinders manufacturing growth.

Challenges in Indian Economic Growth, Unemployment, and Education

Education and Skill Enhancement

- India houses the world's largest illiterate population, with significant adult illiteracy.
- The nation's potential in human capital acceleration is vast, with high returns on educational investments.
- Rural education faces multifaceted challenges, from access and quality to outdated teaching methodologies.

Spatial Development and Employment

- Urban-focused infrastructure has led to uneven spatial development.
- Manufacturing is transitioning from urban to rural areas, but growth is hampered by rural infrastructure deficits.
- It is due to cheaper land prices, lower pollution restrictions, weaker congestion and other spatial factors.

- The divergence between urbanization and industrialization paths poses significant policy.

Facts:

- Over 50% of India's population is below 25 years.
- India has the world's largest concentration of illiterate adults.
- The potential returns on primary education investments are nearly 20%.

Conclusion

- To capitalize on its young demographic, India must emphasize education and skill development.
- Policymakers should adopt a holistic approach to rural transformation, integrating agriculture and manufacturing.
- Strengthening the urban-rural link can propel job creation and sustainable economic growth.

Can Artificial Intelligence (AI) be ethical and moral?

- AI is becoming more vital in the increasingly interconnected world ranging from self-driving cars to automated customer service agents.
- AI is slowly but surely changing how we live and work.
- As AI is becoming sophisticated, the ethical implications of its use are also becoming increasingly complex.
- Several key issues regarding AI ethics, such as data privacy, algorithmic bias, and socio-economic inequality are the biggest challenge to the moral fabric which underpins civilized society.
- Government agencies and policy makers are leveraging AI-powered tools to analyze complex patterns, forecast future scenarios, and provide more informed recommendations.

AI ethics

- Ethics is a set of moral principles which helps us discern between right and wrong.

- AI ethics is a multidisciplinary field that studies how to optimize AI's beneficial impact while reducing risks and adverse outcomes.
- AI ethics issues include data responsibility, privacy, fairness, explainability, robustness, transparency, environmental sustainability, inclusion, moral agency, value alignment, accountability, trust, and technology misuse.

Categories of machine agents:

- Machines can be ethical agents responsible for their actions or autonomous moral agents.
- It is categorized by Moore's classification in 2006:
- Ethical impact agents: machines with ethical consequences that do not make ethical decisions but pose ethical considerations like altering sport's dynamics such as robot jockeys.
- Implicit ethical agents: machines with embedded safety or ethical guidelines, which follow set rules without actively deciding what is ethical such as safe autopilot system in planes.
- Explicit ethical agents: It goes beyond set rules, using formal methods to estimate the ethical value of options, like systems that balance financial investments with social responsibility.
- Full ethical agents: capable of making and justifying ethical judgments, including reasonable explanations.
- An adult human is a fully ethical agent, and an advanced AI can have similar understanding of ethics.

Ethical challenges:

Philosophical overview:

- Immanuel Kant's ethical philosophy emphasizes autonomy, rationality, and the moral duty of individuals.
- However, its application to the use of AI in decision-making within governance could lead to serious concerns.
- If decisions that were once the purview of humans are delegated to algorithms, it could threaten the capacity for moral reasoning.
- Isaac Asimov's 'Three Laws of Robotics' implies that a person or institution using AI could be considered to be abdicating their moral responsibility.
- These laws were designed to govern robotic behaviour for ethical actions but can lead to unexpected and often paradoxical outcomes.
- The attempts to codify ethics into rules for robots or complex AI-driven governmental decision-making, are challenging to convert human moral complexity into algorithmic form.

- The intertwining of Kant's insistence on rational moral agency with Asimov's fictional exploration of coded ethics illustrates delegating human functions to artificial entities.

Complexity of decision making:

- AI will be used in governance decisions for example decision-making algorithms are used in some countries to determine the beneficiaries of social sector schemes, but it cannot guarantee that decisions assisted by machines remain ethical and moral.
- For example, the programming of a computer to be ethical is much more difficult than programming a computer to play world-champion chess.
- Chess is a simple domain with well-defined legal moves, but Ethics operates in a complex domain with some ill-defined legal moves.
- Governments can delegate a few rudimentary decisions to the machines, but decisions based on machine predictions could be immoral or unethical.
- Artificial Moral Agent (AMA) refers to systems that are more than excellent computers as systems that actually 'think'.
- The liability of an unethical decision would fall on the developer of the AI system as it is impractical to punish a machine.

Technological advancement:

- Artificial agents are still far from being able to replace human judgment in complex, unpredictable, or unclear ethical scenarios from a technological standpoint.

Bounded ethicality:

- The ability to make ethical choices is often limited because of internal and external pressures, this is bounded ethicality.
- The human patterns of moral disengagement could translate into machine-bounded ethicality.
- Machines may engage in immoral behaviour if framed in a way that detaches ethical principles, similar to humans.
- Moral disengagement in bounded ethical decision-making, allows people to act against their ethics without guilt through moral justifications.
- Many machine predictions are deployed to assist in decisions where a human decision-maker retains the ultimate decision-making authority.

Principles for Ethical AI:

- Policymakers should translate the core values and principles into action with respect to key areas.
- It includes data governance, environment and ecosystems, gender, education and research, health and social well-being.
- UNESCO produced global standard on AI ethics as “Recommendation on the Ethics of AI” which include principles like:
 - Proportionality, Fairness and Do no harm
 - Right to Privacy and Data Protection
 - Multi-stakeholder approach by adaptive governance & collaboration
 - Respect International law & national sovereignty
 - Responsibility and Accountability
 - Awareness and Information Literacy
 - Based UN’s Sustainable Development Goals
 - AI’s benefits should be accessible to all

The protection of human rights and dignity is based on the advancement of fundamental principles such as transparency and fairness. Responsible AI is an approach to developing and deploying AI from an ethical and legal point of view. Programming ethics into machines is complex, and the world must proceed cautiously. The importance of human oversight of AI systems must be acknowledged at every step of an advancing AI revolution.

India- UK Relations

- The United Kingdom has long held the belief in trade as a force for growth and prosperity.
- The UK is looking forward to forging trade deals with booming economies such as India.
- The UK aiming to Collaborate on issues such as global value chain resilience and digitalisation of trade documents because it is key to harnessing the true value of global trade.
- India’s middle class will increase to a quarter of a billion middle-class consumers by 2050, any improvements on the India-U.K. trading relationship could be a huge boost for U.K. businesses.

India-U.K. Trade Relations

- The U.K. and India share a thriving trading relationship, which was worth £36 billion in 2022.
- India-U.K. trade and investment relationship goes both ways.
- India retained its position as the U.K.'s second largest source of investment projects in 2022 (U.K.'s Department for Business and Trade).
- U.K. was chosen as the home of Tata Group's first gigafactory outside India, in a move set to create thousands of jobs and bring a huge boost to the U.K.'s automotive sector.
- India's sixth largest investor, between 2000 and 2023, the U.K. has invested \$34 billion in India in foreign direct investment.
- India- United Kingdom Free Trade Agreement (FTA) talks are yet to address issues on areas including goods, services, and investment.

Relationship beyond trade:

- The U.K. and India's strong partnership extends into culture, sport, education and tourism.
- Indian diaspora of over 1.6 million people makes a significant contribution across all walks of life in the U.K., from education through to the workforce, with Indian students making up one of the U.K.'s largest groups of international students.
- Indian diaspora with over 1.6 million people, contributes significantly to education and workforce.
- Indian students form the U.K.'s largest group of international students.

Alive with Opportunity campaign

- U.K. is launching 'Alive with Opportunity' which is a £1.5 million marketing campaign designed to showcase the bond between U.K. and India.
- The campaign builds on the continuous exchange of people, ideas and culture.
- As part of the U.K.'s ambitions to double trade with India by 2030, the campaign aims to:
 - Stimulate interest and demand for U.K. goods and services
 - Increase the U.K.'s ability to grow their business through trade with India
 - Attract new Indian inward investment.

People to people exchange between India-U.K.

- India and U.K. signed Migration and Mobility Partnership (MMP) agreement with the intention to address easy movement of working professional between the two countries.
- PM of India and U.K. announced young professional scheme.

- Under the scheme, 3000 visa will be provided every year to graduates between the age of 18-30.
- They will get 2-year visa to live and work in each other's country.

China take Kuril Islands claimed by Japan

- As Russia's invasion of Ukraine drags on, Moscow is forced to funnel more and more of its military and economic resources to its western border. In Tokyo, conservative voices are hinting the war could give Japan a chance to take control of what the Japanese call the Northern Territories. The strategically located islands are known as Kuril Islands in Russia, and were seized by Soviet forces in the closing days of WWII.
- Moscow and Tokyo have held talks about the Iturup (Etorofu in Japanese), Kunashir (Kunashiri), Shikotan and Habomai Islets several times in the past, but failed to agree on a solution. This led to the two sides never formally signing a peace treaty to end the war.
- Modern Japan has no plans of using military force to resolve the dispute. Still, there are those who hope that Vladimir Putin's regime might weaken enough that changes could be made possible with diplomatic and economic incentives. But even if the Ukraine conflict escalates to the point that it actually jeopardises the Kremlin's hold on the remote region, Russia's ally China might have plans of its own.

Kuril Islands kerfuffle between Russia and Japan

Post Russia's invasion of Ukraine, Japan has elevated its claim over the Kuril Islands which is currently under the control of Russia. On April 22, Japan's Diplomatic Bluebook for 2022 described the Kuril Islands as being under Russia's "illegal occupation."



Moscow pressured by sanctions and insubordination

- Japan's nationalist paper Sankei Shimbun recently published articles pointing to the war in Ukraine and the dramatic-but-short-lived Wagner rebellion as indicators of Russia's decline.
- According to the paper, the rebellion showed that "a small ground force equipped with tanks and anti-aircraft weapons" could prompt concerns about the defense of Moscow. If that was the case with the capital, doesn't that mean that Russia's frontiers are essentially standing defenseless?" the Sankei Shimbun asked. Japan must now prepare just in case we should see the collapse or breakup of Russia, the article said, according to the translation provided by Japan Forward website.
- In a different article, the paper suggests that further military setbacks or civil unrest could topple Putin's regime. That, in turn, could lead to a breakup of the country as remote federal republics seek independence from Moscow. In this scenario, Japan might be able to strike a deal with the new government that administers the disputed islands, offering economic assistance for the return of the territory.
- Even if Putin is not deposed, the thinking goes, he may be willing to exchange the islands for assistance if international sanctions remain in place for years.

Echoes of the Yeltsin era

- When Boris Yeltsin was the Russian leader, Japan came very close to reaching an agreement that would have seen at least some of the islands returned to Japanese control in return for economic assistance, but it fell through, said Yoichi Shimada, a professor of international relations at Fukui Prefectural University.
- So there is certainly precedent for this scenario, he told DW. "And it is certainly conceivable that if Russia does descend into chaos that whoever takes over in Moscow inherits so many economic and diplomatic problems that they are willing to discuss the Northern Territories once again."
- He concedes, however, that any diplomatic initiative launched by Tokyo could very quickly be redundant should China decide to use military force to seize territory in the Russian Far East, something that Japan could simply not contemplate.

China's ticket to the Pacific

- Much of what is today the Russian Far East was until the mid-1800s part of Chinese Manchuria and it is likely that the Chinese government would be interested in accessing the reserves of energy and raw materials that lie beneath Russia's vast steppes.

- Japanese analysts note that Beijing has recently started to refer to Russian Far East cities by their former Chinese names. This includes the port city of Vladivostok and the island of Sakhalin. The island, with its 7 million Russian inhabitants, would stand little chance of resisting a potential Chinese invasion on its own.
- Beijing would also have strategic incentives to assume control of the territory. China is hemmed into the relatively shallow coastal waters by the line of islands formed by Japan, Taiwan and the Philippines, all of which are hostile to Beijing's expansionist plans.
- According to professor Yoichi Shimada, taking over the Kuril islands would give China "access to the Arctic region as well as naval ports directly onto the North Pacific." As the possibility of chaos in Russia grows, we have to be careful about China, he said.

Splintering of Russia 'not all that likely'

- Yakov Zinberg, a professor of international relations at Tokyo's Kokushikan University, says that despite Japan's ambitions for the Northern Territories, Chinese action to secure the Russian Far East "is a far more realistic possibility."
- Even if Russia did enter into negotiations with Japan over the Kuril Islands, Beijing would quickly intervene and make use of the "close alignment" to arrange a solution that was more favorable to China, said Zinberg, who is originally from St Petersburg.
- "For me, the hope for a complete Russian collapse and the splintering of Russia is not all that likely," said Zinberg. Yes, Russia could be economically weakened, but I do not think it would be to the point that Moscow would have to consider giving its territory away to Japan.

Climate change is altering the colour of the oceans

- The colour of the Earth's oceans has significantly altered over the past two decades, most likely due to human-induced climate change, according to a new study. Over 56 per cent of the oceans, more than the total land area on the planet, has experienced the shift in colour, it added.
- The study, 'Global climate-change trends detected in indicators of ocean ecology', was published earlier in July in the journal Nature. It was carried out

by BB Cael and Stephanie Henson of the United Kingdom-based National Oceanography Centre, Kelsey Bisson of the Oregon State University (USA), Emmanuel Boss of the University of Maine (USA), and Stephanie Dutkiewicz of the Massachusetts Institute of Technology (USA).

- Although the change in colour of the oceans doesn't impact marine life directly, it indicates that marine ecosystems are in a state of flux and they could completely go out of balance in the future, severely affecting ocean life and humans dependent on them. BB Cael, lead author of the study, said that changes in these ecosystems could impact how productive they are, "which could, in turn, affect how much carbon the ocean stores and how much food supply there is for fisheries."

But what makes the oceans colourful in the first place?

- In most regions across the world, the oceans appear blue or navy blue for a reason. This happens due to "the absorption and scattering of light," according to a report by NASA. When the sunlight falls on deep and clear water, colours with longer wavelengths, such as red, yellow and green, are absorbed by the water molecules but blue and violet, which have a much shorter wavelength, are reflected back.
- "When sunlight hits the ocean, some of the light is reflected back directly but most of it penetrates the ocean surface and interacts with the water molecules that it encounters. The red, orange, yellow, and green wavelengths of light are absorbed so that the remaining light we see is composed of the shorter wavelength blues and violets," the report explained.
- But when the water isn't deep or clean, an ocean can appear to be of a different colour. For instance, along Argentina's coastline, where major rivers merge into the Atlantic Ocean, the ocean exudes a brown tint because of dead leaves and sediments spewing from the rivers. In other parts of the world, the oceans appear green, which happens due to the existence of phytoplankton on the upper surface of the water.
- Phytoplanktons are microscopic marine algae that contain the green-coloured pigment chlorophyll. The pigment helps them absorb sunlight, which they use to capture carbon dioxide from the atmosphere and convert it into sugars. Moreover, chlorophyll absorbs the red and blue portions of the light spectrum — or photosynthesis — and reflects green light.
- "So, the ocean over regions with high concentrations of phytoplankton will appear as certain shades, from blue-green to green, depending upon the type and density of the phytoplankton population there," the report added.

What methods were used to carry out the study?

- To conduct the study, Cael and his team first analysed data from Moderate Resolution Imaging Spectroradiometer (MODIS), aboard NASA's Aqua satellite, which has been monitoring ocean colour since 2002— the measurements are taken in terms of the amount of light coming off the surface of the oceans, at all seven of the different wavelengths of light, from violet to red. The examination of 20 years worth of data indicated that in more than 50 per cent of the world's oceans, the colour has changed.
- Then, to check if the phenomenon has occurred due to climate change, researchers used a climate model— a computer representation of the Earth. According to a report by MIT, “this model simulated the planet's oceans under two scenarios: one with the addition of greenhouse gases, and the other without it. The greenhouse-gas model predicted that a significant trend should show up within 20 years and that this trend should cause changes to ocean colour in about 50 percent of the world's surface oceans — almost exactly what Cael found in his analysis of real-world satellite data.”

Why is the colour of the oceans changing?

- The study says one of the most affected areas is the Tropical ocean regions, near the equator, where the water is turning from blue to green. But this doesn't mean that the rest of the affected areas are also turning greener.
- “The colour changes are complex and different in different locations. In general, we see an increase in the amount of green light coming off the ocean, but in some places, we see more change in some green wavelengths than others, in some places we see increases or decreases in different red or blue wavelengths,” Cael said. The researcher added that although the study couldn't determine “what” exact changes are happening in the oceans, it could point out “why” the changes are probably happening.
- The findings suggest that a shift in colour is happening in those regions where the oceans are getting more stratified. Ocean stratification is the natural separation of an ocean's water into horizontal layers by density, with warmer, lighter, less salty, and nutrient-poor water layering on top of heavier, colder, saltier, nutrient-rich water. Usually, ocean ecosystems, currents, wind, and tides mix these layers, creating smoothed temperature and salinity transitions between them.
- But because of climate change, stratification has increased, making it harder for water layers to mix with each other, which has severe consequences— oceans are able to absorb less carbon dioxide from the atmosphere and the oxygen absorbed isn't able to mix properly with cooler ocean waters below, threatening the survival of marine life. Moreover, nutrients aren't able to travel up to the surface of the oceans from below. This directly impacts

phytoplankton, which thrives, as mentioned before, on the upper surface of the oceans.

- “This decrease in the nutrient supply should favour smaller plankton, which tends to fare better in lower-nutrient conditions, which would result in changes in the composition of the plankton (a diverse collection of organisms found in water) community, which would have signatures in the colour,” Cael explained.
- Changes in the composition of the plankton population have larger effects on the marine ecosystem. Plankton has two major types: phytoplankton, which are plants, and zooplankton, which are animals. Phytoplankton are eaten by zooplankton, which are then eaten by other marine animals such as crabs, fish and sea stars, and therefore, plankton are critical in supporting marine and freshwater food webs. Any alteration in their population could throw off the whole marine ecosystem.
- “The colour of the oceans has changed,” Stephanie Dutkiewicz, co-author of the study, said in a statement. “And we can’t say how. But we can say that changes in colour reflect changes in plankton communities that will impact everything that feeds on plankton. It will also change how much the ocean will take up carbon because different types of plankton have different abilities to do that. So, we hope people take this seriously. It’s not only models that are predicting these changes will happen. We can now see it happening, and the ocean is changing.”

New WMO report on climate change impacts

- According to a new report, released by the World Meteorological Organization (WMO), Asia is the world’s most disaster-prone region and it experienced 81 weather, climate and water-related disasters in 2022. These events directly affected more than 50 million people with about 5,000 getting killed and economic damage worth \$ 36 billion, the report added.
- Although, in 2021, the continent had been affected by around 100 natural disasters, the extent of these hazards was more prominent in 2022— the number of people and facilities affected, and economic damage have increased.
- The report came out when a super typhoon hit China after pummeling Taiwan and the northern Philippines, causing the death of at least 25 people. Just days ago, China also experienced its highest-ever temperature, 52 degree Celsius, on record on 18 July 2023.

Key takeaways from the report

- According to the report, while the mean temperature over Asia in 2022 was about 0.72 degree Celsius above the 1991–2020 average, it was about 1.68 degree Celsius above the 1961–1990 average. This rise in temperatures has had some severe fallouts, including an uptick in the occurrence of extreme weather events.
- For instance, droughts ravaged numerous parts of Asia in 2022. China particularly suffered the most as last year, the Yangtze River Basin, located in the country's southwest, experienced the worst drought in the last six decades. This not only affected crops and vegetation, as well as the drinking water supply but also caused an economic loss of about \$ 7.6 billion.
- Many other regions were hit by severe floods and extreme monsoon rainfalls. Pakistan is the most notable example – it received 60 percent of normal total monsoon rainfall within just three weeks of the start of the 2022 monsoon season, and the heavy rains resulted in urban and flash floods, landslides, and glacial lake outburst floods across the country. More than 33 million people were affected, over 1,730 people died and almost eight million people were displaced, according to the report.
- In India, heavy rainfalls “lasting from May to September triggered multiple landslides and river overflows and floods, resulting in casualties and damage,” it added. In total, this flooding resulted in over 2,000 deaths and affected 1.3 million people — the disaster event caused the highest number of casualties of any disaster event in 2022 in India.
- The report also said economic loss due to disasters relating to floods exceeded the average for the 2002–2021 period. Pakistan incurred a loss of over \$ 15 billion, followed by China, over \$ 5 billion, and India, over \$ 4.2 billion.
- Another extreme weather event that became a mainstay in Asia last year was heat waves. The report noted that India and Pakistan experienced “abnormally warm conditions” in the pre-monsoon season (March–May), the report mentioned. China, Hong Kong and Japan also saw the mercury rising to record high levels in 2022.
- The occurrence of such incidents doesn't come as a surprise to scientists and experts. According to the 2023 annual report from the American Meteorological Society (AMS), climate change is making the weather around the world get more extreme with more frequent floods, heat waves and droughts.
- Speaking to NPR, Stephanie Herring, one of the authors of that report and a scientist at the National Oceanic and Atmospheric Administration (NOAA), said: “Extreme heat events are more extreme than ever... Research is showing they're likely to become the new normal in the not so distant future.”
- The WMO report also noted that the rise in frequency and severity of extreme weather events has particularly impacted the agriculture sector in Asia. “For climate-related disasters such as floods, droughts, and tropical storms, more

than 25 per cent of all damage and losses is associated with the agriculture sector,” it added.

- Apart from natural disasters, climate change has exacerbated glaciers melting in Asia due to high temperatures and dry conditions. Four glaciers in the High Mountain Asia region, centred on the Tibetan Plateau, have recorded significant mass losses, with an accelerating trend since the mid-1990s. “At the same time, these four glaciers show an overall weaker cumulative mass loss than the average for the global reference glaciers during the period 1980–2022, the report said.
- Even the sea surface temperatures in Asia are getting warmer than ever before. The report pointed out that in the north-western Arabian Sea, the Philippine Sea and the seas east of Japan, the warming rates have exceeded 0.5 degree Celsius per decade since the 1980s. It is about three times faster than the global average surface ocean warming rate.

Stapled Visa

- Recently, India lodged a strong protest against China's decision to revive the practice of issuing "stapled visas" instead of normal visas to Indian sportspersons from Arunachal Pradesh.
- The visas were given to three "Wushu" martial arts athletes who were part of a 12-member team bound for the World University Games in Chengdu.
- China's use of "stapled visas" implies its contention that Arunachal Pradesh is disputed territory, a stance that India strongly opposes.

What is a Stapled Visa?

- A stapled visa is an unstamped piece of paper attached to a page of the passport using pins or staples. It can be easily torn off or detached at will.
- This differs from a regular visa, which is affixed to the passport by the issuing authority and stamped directly onto it.
- This attached paper serves as the official visa and is referred to as the Stapled Visa.

Controversy over Stapled Visas

- It was stated that China began to refer to Arunachal Pradesh as “South Tibet” from 2005 onward.

- The Chinese signalled their intention by refusing to give a visa to an Indian government official who was serving in Arunachal Pradesh in late 2006.
- Subsequently, they started the practice of issuing 'stapled' visas.
- China previously employed the practice of issuing "stapled visas" to Indians from Jammu Kashmir (then including Ladakh) and Arunachal Pradesh between 2011 and 2013.
- India had raised objections at the highest levels, leading to a cessation of the practice for some years.
- The issue also reflected a deeper mistrust between India and China, who have a long-standing border dispute and a history of political and economic competition.

China's Intention

- They claim that Arunachal Pradesh is part of their territory and refer to it as "Zangnan" or "South Tibet" in Chinese.
- They do this by issuing official lists with Chinese names for places in Arunachal Pradesh and using tricks like stapled visas to undermine India's control over the area.
- This disagreement over the region's boundaries is at the core of Chinese claims over the Line of Actual Control (LAC) and leads to tensions and occasional conflicts between the two countries.

India's Stand on the Stapled Visa Issue

- India has been consistent in its stance on the stapled visa issue, maintaining that it does not accept China's policy.
- It urges China to respect India's sovereignty and territorial integrity. India has also engaged in diplomatic efforts to resolve the issue, including high-level talks and diplomatic exchanges.
- India has also taken measures to strengthen its own position in the region, including the development of infrastructure in the northeastern states and increasing economic engagement with neighboring countries.

India-China Relations

- India and China have a long history of relations, both as friends and rivals. Both countries were founding members of the Non-Aligned Movement and have been strategic partners since 2005.
- However, border disputes and military conflicts have caused tension between them, like the 1962 war.

- One of the major points of contention is the border issue, with both countries claiming territories along the Himalayan border.
- Despite the challenges, India and China have made efforts to strengthen their relations.
- They have collaborated on various multilateral platforms, including BRICS, Shanghai Cooperation Organisation (SCO), and the G20.
- Recently, their rivalry has grown due to changing global dynamics and China's BRI project.
- The two countries have been engaged in a race for regional supremacy, with India strengthening its alliances with other Asian powers, such as Japan and the United States.

Union and State - Public Service Commissions

- As per Article 312 of the Indian Constitution, the Parliament is entitled to create one or more All India services (including an All India Judicial Service) common to the Union and the States.
- The recruitment to all these services is made by the Union Public Service Commission (UPSC).
- For administrative services at the state level, the recruitment is made by the State Public Service Commission (SPSC).
- The Union Public Service Commission (UPSC) is the central recruiting agency in India.
- It is an independent constitutional body.
- The provisions regarding the composition of UPSC, appointment and removal of its members and the powers and functions of UPSC are provided in Part XIV of the Indian Constitution under Article 315 to Article 323.
- Parallel to the UPSC at the Centre, there is a State Public Service Commission (SPSC) in the state.
- The provisions regarding the composition of SPSC, appointment and removal of its members and the powers and functions of SPSC are provided in Part XIV of the Indian Constitution under Article 315 to Article 323.

Constitutional Provisions

- Article 315: Constitution of Public Service Commissions (PSC) for the Union and for the States of India.
- Article 316: Appointment and term of office of members of UPSC as well as SPSC.



- Article 317: Removal and suspension of a member of both the UPSC or SPSC.
- Article 318: Power to make regulations for the conditions of service of members and staff of the Commission.
- Article 319: Prohibition of holding the office by members of Commission upon ceasing to be such members.
- Article 320: States the functions of Public Service Commissions.
- Article 321: Power to extend the functions of Public Service Commissions.
- Article 322: Expenses of Public Service Commissions.
- Article 323: Reports of Public Service Commissions.

Composition of Union Public Service Commission

- Appointment of Members: The Chairman and other members of the UPSC are appointed by the President of India.
- Term of Office: Any member of the UPSC shall hold office for a term of six years or till the age of 65 years, whichever is earlier.
- Reappointment: Any person who has once held the office as a member of a Public Service Commission is ineligible for reappointment to that office.
- Resignation: A member of the Union Public Service Commission may resign from his/her office by submitting the written resignation to the President of India.
- Removal/Suspension of Members: The Chairman or any other member of UPSC shall only be removed from his/her office by order of the President of India.
- The President can suspend the Chairman or any other member from his/her office in respect of whom a reference has been made to the Supreme Court.
- Conditions for Removal: The Chairman or any other member of UPSC may be removed if he/she:
 - is adjudged an insolvent.
 - engages during his/her term of office in any paid employment outside the duties of his/her office.
 - is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.
- Regulating the Conditions of Service: In the case of the UPSC, the President of India shall:
 - Determine the number of members of the Commission and their conditions of service.
 - Make provisions with respect to the number of members of the staff of the Commission and their conditions of service.
- Restriction of Power: The conditions of service of a member of UPSC shall not be amended after his/her appointment that may lead to his/her disadvantage.
- Power to Extend Functions: The Legislature of a State may provide for the exercise of additional functions by the UPSC or the SPSC as respects the services of the Union or the State and also as respects the services of any local

authority or other body corporate constituted by law or of any public institution.

- Expenses of UPSC: The expenses of the UPSC including salaries, allowances and pensions of the members or staff of the Commission are charged on the Consolidated Fund of India.
- Submission of Reports: The UPSC shall present an annual report to the President of India containing the work done by the Commission.
- The President shall provide a memorandum explaining the cases where the advice of the Commission was not accepted.
- The reasons for such non-acceptance are presented before each House of Parliament.

State Public Service Commission

- Appointment of Members: The Chairman and other members of the SPSC are appointed by the Governor of the State.
- Term of Office: A member of the SPSC shall hold office for a term of six years or till the age of 62 years, whichever is earlier:
- Reappointment: Any person who has once held the office as a member of a Public Service Commission is ineligible for reappointment to that office.
- Resignation: A member of a State Public Service Commission may resign from his/her office by submitting the written resignation to the Governor of the State.
- Removal/Suspension of Members: The Chairman or any other member of SPSC shall only be removed from his/her office by order of the President of India.
- The Governor of the state shall suspend the Chairman or any other member from his/her office in respect of whom a reference has been made to the Supreme Court.
- The conditions for removal of members are the same as those of the UPSC.
- Regulating the Conditions of Service: In the case of the SPSC, the Governor of the State performs the same duties that are performed by the President of India in case of UPSC.
- Restriction of Power: The conditions of service of a member of SPSC shall not be amended after his/her appointment that may lead to his/her disadvantage.
- Power to Extend Functions: The conditions for the power to extend functions are the same as those of the UPSC.
- Expenses of SPSC: The expenses of the SPSC are charged on the Consolidated Fund of the State.
- Submission of Reports: The SPSC shall present the annual report of its work to the Governor of the State.
- The Governor shall also provide a memorandum explaining the cases where the advice of the Commission was not accepted.

- The reasons for non-acceptance are presented before the Legislature of the State.

Eligible Appointments After End of Term of Service

- Chairman (UPSC):The Chairman of the UPSC shall be ineligible for any further employment either under the Government of India or under the Government of a State.
- Chairman (SPSC):The Chairman of a SPSC shall be eligible for appointment as the Chairman or any other member of the UPSC or SPSC, but not for any other employment either under the Government of India or under the Government of a State.
- Other Members (UPSC):A member of UPSC (other than the Chairman) shall be eligible for appointment as the Chairman of UPSC or a SPSC
- He/She is not eligible for any other employment either under the Government of India or under the Government of a State.
- Other Members (SPSC):A member of the SPSC (other than the Chairman) shall be eligible for appointment as the Chairman or any other member of the UPSC or the SPSC.
- He/She is not eligible for any other employment either under the Government of India or under the Government of a State.

Functions of UPSC and SPSC

- Conducting Exams:It shall be the duty of the Union and the State Public Service Commissions to conduct examinations for appointments to the services of the Union and the services of the State respectively.
- Assistance to SPSC:It shall be the duty of the UPSC to assist the States upon their request in framing and operating schemes of joint recruitment for any services for which candidates possessing special qualifications are required.
- Consultations with the PSCs:The UPSC and SPSC shall be consulted:
- On all matters relating to methods of recruitment to civil services and for civil posts.
- In making appointments to civil services and posts and in promotions and transfers from one service to another depending upon the suitability of candidates.
- On all disciplinary matters affecting a person serving under the Government of India or the Government of a State.
- It shall be the duty of a Public Service Commission to advise on any matter referred to them by the President of India or the Governor of the State.
- Difference between U.P.S.C. and S.P.S.C.

- Though many provisions regarding powers and functions of U.P.S.C. and S.P.S.C. overlap, there are still certain differences that distinguish both of them. The following table discusses the difference between U.P.S.C. and S.P.S.C.

Provisions	U.P.S.C.	S.P.S.C.
No. of members	Decided by the President of India.	Decided by the Governor of State.
Appointment of chairman and members	Appointed by the President.	Appointed by the Governor.
Conditions of Service	Decided by the President of India.	Decided by the Governor of State.
Age of retirement	Until 65 years of age.	Until 62 years of age.
Appointment of Acting Chairman	Appointed by the President.	Appointed by the Governor.
Suspension for misbehaviour	Suspended by the President.	Suspended by the Governor.
Expenses	Charged on Consolidated Fund of India.	Charged on the Consolidated Fund of State.
Further employment of Chairman	No further employment.	Chairman or member of U.P.S.C. or Chairman of any other S.P.S.C.
Further employment of Members	Chairman of U.P.S.C. or any S.P.S.C.	Chairman or member of U.P.S.C. or as chairman of the same S.P.S.C. or member or Chairman of any other S.P.S.C.
Conducting the Examination	All India Examinations and National level examinations.	State-level Recruitment examinations.
Submission of report	Submitted to the President.	Submitted to the Governor.
Providing advice	Advises the President and the central government.	Advises the Governor and the State legislature.

Joint State Commission

- Constitution: As per Article 315 of the Indian Constitution, two or more States may agree that there shall be one Public Service Commission for that group of States.
- The resolution to such an agreement shall be passed by each House of the Legislature of each of the States.
- Only then, the Parliament may by law provide for the appointment of a Joint State Public Service Commission (JSPSC).

- Appointment of Officers: The Article 316 of the Indian Constitution states that the Chairman and other members of JSPSC shall be appointed by the President of India.
- A member of Joint Commission shall hold the office for a term of six years or till the age of 62 years, whichever is earlier
- Resignation: Under Article 317, a member of a JSPSC may submit a written resignation to the President of India to resign his/her office.
- The President is empowered to suspend the Chairman or any other member of the Commission from his/her office after a reference about the same has been made to the Supreme Court.
- Powers: As per the Article 318 the President of India is empowered to:
- Determine the number of members of the Commission and their conditions of service
- Make provision with respect to the number of members and their conditions of service:
- Reports: As per Article 323, it shall be the duty of the JSPSC to present the annual report to the Governor of each of the States which have together formed the Commission.
- The Governor of each of the states is responsible for providing a memorandum explaining the cases the advice of the Commission was not accepted
- The reasons for nonacceptance are laid before the Legislature of each of the States.

Summing up

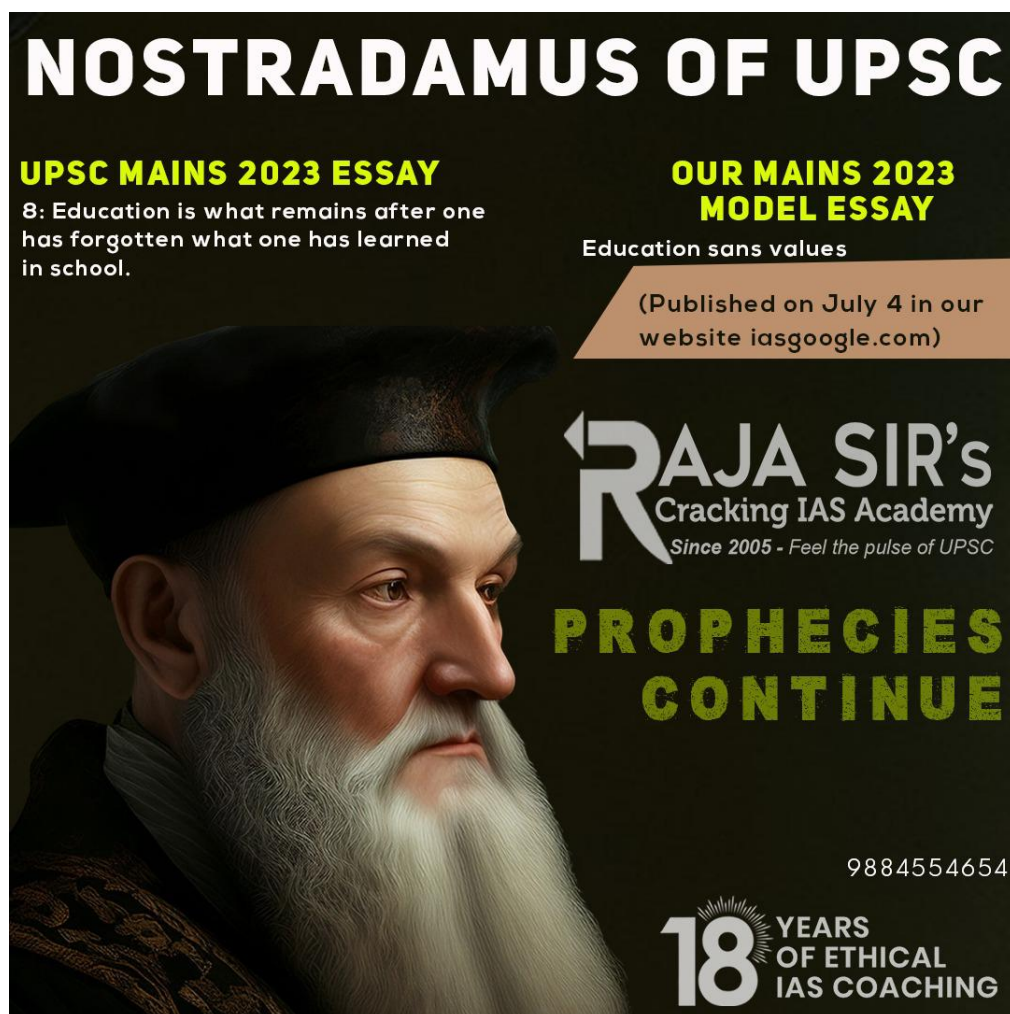
- The Public Service Commissions form a basic structure that ensures and protects the meritorious nature of the Indian civil services. However, there could be some changes and reforms to modify these commissions to work more efficiently.

Some reforms that can be brought about are:

- Commission to serve as a think-tank on personnel issues: The commissions should go beyond the role of recruiting candidates in answering the issues relating to civil services and their role in a rapidly changing society.
- Involvement of Research Institutes and Universities in the functioning of U.P.S.C. and S.P.S.C.: P.S.C. and S.P.S.C. should associate with advanced institutions to conduct specially designed courses for administration and to keep the services in touch with new developments in technology and knowledge.
- The need for Decentralisation: The U.P.S.C. and S.P.S.C. are often burdened with a huge workload and they also receive and manage applications that are million in numbers. Such a huge workload often leads to depreciating the

efficiency of the organisation. Hence, it becomes utmost necessary to decentralize the functions of these commissions, so as to make them work at a greater pace.

- Keep in sync with changing times: P.S.C. and S.P.S.C. so far have worked with remarkable competence, impartiality and integrity. However, a new world based on openness, accountability and delivery has emerged and U.P.S.C. and S.P.S.C. need to be in sync with these changes.
- It is undoubted that our Public Service Commissions have performed their role with utmost efficiency and will continue to perform them at a much higher level of proficiency if such reforms are introduced.



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UPSC MAINS 2023 ESSAY
8: Education is what remains after one has forgotten what one has learned in school.

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