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1. . National Testing Agency & India's Examination Integrity

- The **National Testing Agency (NTA)** has come across allegations of cheating, paper leaks and other irregularities impacting flagship examinations such as the **NEET (National Eligibility cum Entrance Test)** for undergraduate medical college admissions and the **UGC-NET for Ph.D** and assistant professor appointments.
- The **NEET-UG controversy** has spotlighted the widespread issue of paper leaks, a malpractice that has plagued India for years. In the past seven years, there have been **70 confirmed exam leaks across 15 states**, casting serious doubts on the **integrity of the nation's examinations.**

NATIONAL TESTING AGENCY

Background:

- In **2010**, a **committee comprising directors of IITs** recommended establishing an **autonomous and transparent body (NTA)** through legislation, modelled after the Educational Testing Service (ETS) of the US.
- Prior to the NTA's formation, various government bodies like the UGC, the CBSE, and central universities such as Delhi University and JNU conducted their own entrance examinations.

NTA:

- It was set up in **2017 as a specialist**, self-sustaining and autonomous organisation under the aegis of the Union Ministry of Education.
- It is registered under **the Societies Registration Act 1860**, and falls under the **Right to Information (RTI) Act.**
- Its **director general** and **governing body** are appointed by the Union government.
- As, it **is registered as a society** and is a **separate legal entity**, which raises questions about the government's legal liability for the NTA's actions.

- Its main mandate is to conduct efficient, transparent and international standard tests to assess the competency of candidates for admission, and recruitment purposes.
- Soon after it was established, the NTA took over the conduct of major all-India examinations, such as the **JEE** for engineering college admissions, **NEET-UG**, and **UGC-NET** (both of which had previously been conducted by the Central Board for Secondary Education or CBSE), as well as the entrance tests for **Jawaharlal Nehru University and Delhi University**.
- The **National Education Policy of 2020** envisaged a broader role, recommending that the NTA conduct an entrance or aptitude test for all universities across the country. In all, the NTA now has charge for more than 20 examinations.

Functions:

- To **identify partner institutions** with adequate infrastructure from the existing schools and higher education institutions that would facilitate the conduct of online examinations without adversely impacting their academic routine.
- To **create a question bank** for all subjects using modern techniques.
- To establish a **strong R&D culture** as well as a pool of experts in different aspects of testing.
- To collaborate with international organisations like **ETS (Educational Testing Services)**.
- To undertake any other examination that is entrusted to it by the Ministries/Departments of Government of India/State Governments.

Major Issues with the Indian Examination System

- **Lack of Credibility:** There is a lack of credibility and consistency in examinations conducted by different boards and universities.

- **Frequent Scandals:** There are frequent reports of scandals related to paper leaks, cheating, and fake degrees, which erodes public trust in the examination system.
- **Separate Assessment:** Employers often disregard university/board certificates and conduct their own assessments of candidates.
- **Overemphasis on Memory:** Exams tend to test only **rote learning and memory** instead of **higher-order skills** like application, analysis, critical thinking, etc.
- **Miss on Understanding:** It leads to teaching practices focused solely on making students memorize content instead of truly understanding concepts.
- **Flawed Assessments:** Question papers often have errors, ambiguous questions, test irrelevant content, etc.
- **Lack of Quality:** Evaluation of answer sheets is also not standardized and differences in student learning are not properly reflected in grades awarded. This shows a lack of quality control in setting papers and checking them.
- **Secrecy and Lack of Transparency:** The entire exam process from setting papers to evaluating answer sheets is highly confidential. This lack of transparency allows mediocre practices to continue and facilitates exam malpractices.
- **Inadequate Regulations:** Regulators promote academic autonomy for colleges but do not enforce enough oversight on them. The decentralized system has led to a lack of standardization in learning assessments across institutions.
- **Inadequate Penalties and Enforcement:** The existing laws which criminalize cheating have not led to convictions which demonstrates lack of effective enforcement and penalties.
- **Lack of Special Investigation Agency:** India **lacks a dedicated agency to investigate all types of examination offenses** and bring culprits to justice quickly.

Impacts of Frequent Paper Leaks in India

- **Emotional, Mental and Physical Fatigue:** With the cancellation of exams, there is an increase in the fatigue of students and the fear of a new generation of aspirants joining the queue.
- Also, students from remote rural backgrounds and **marginalized castes are disproportionately impacted** as they come from economically backward backgrounds and such a cancellation of exams impacts them a lot.
- **Disruption of Academic Calendars:** The postponement and cancellation of exams due to paper leaks throw the academic schedules into disarray and cause uncertainty for students.
- **Loss of Trust and Confidence:** The frequent paper leaks lead to students losing their faith in the fairness of exams and questioning the value of their efforts and education.

Public Examinations Bill 2024

- The Public Examinations Bill 2024 comes against the backdrop of the cancellation of a series of competitive tests such as:
 - Teacher recruitment exam in Rajasthan.
 - **Common Eligibility Test (CET)** for Group-D posts in Haryana.
 - Recruitment exam for junior clerks in Gujarat.
 - Public Examinations Bill Constable recruitment examination in Bihar following question paper leaks.
- According to estimates, there have been more than 70 cases of question paper leaks in the country between 2016 and 2023 and more than 1.5 crore students have been affected by paper leaks.

Major Highlights of Public Examinations (Prevention of Unfair Means) Bill, 2024

- **Objective of the Bill:** To bring greater transparency, fairness and credibility to the public examination systems and to prevent unfair means in the public examinations.

- **Serve as Model Draft:** The Bill will serve as a model draft for States to adopt at their discretion which will aid States in preventing criminal elements from disrupting conduct of their State level public examinations.
- **Defines Public Examinations:** It is defined as any examination conducted by a public examination authority listed in the Schedule of the Bill, or any such other authority as may be notified by the Central Government.
- **Schedule Lists Five Public Examination Authorities:** Union Public Service Commission (UPSC), Staff Selection Commission (SSC), Railway Recruitment Boards (RRBs), Institute of Banking Personnel Selection (IBPS), and National Testing Agency (NTA).
- **Unfair Means in Examination:** Bill lists at least 15 actions that amount to using unfair means in public examinations for monetary or wrongful gain, including:
 - Leakage of question paper or answer key, tampering with answer sheets, directly or indirectly assisting the candidate, conduct of fake examination, etc.

Punishment for Violations:

- **Person Resorting to Unfair Means:** Three to five years in prison, and a fine up to Rs 10 lakh.
- If the convict fails to pay the fine, additional punishment of imprisonment shall be imposed, as per the provisions of the **Bharatiya Nyaya Sanhita, 2023**.
- **Service Providers:** Those engaged to provide for the conduct of the examination can be fined up to Rs 1 crore, along with other penalties.
- **Organised Paper Leaks:** Imprisonment for a term **not less than five years**, may extend to ten years and a fine which shall not be less than one crore rupees”.
- **Does Not Target Candidates:** Candidates appearing for the exams have been left out of its purview.

- **National Technical Committee on Public Examinations:** The bill proposes a high-level committee that will make recommendations to make the computerised examination process more secure.

Anti Cheating Laws in States

- **Uttarakhand:** Uttarakhand Assembly passed the Bill to bar and penalise the use of unfair means in public examinations in March 2023.
- **Gujarat:** In 2023, the Gujarat Assembly passed a law to penalise cheating in public examinations.
- **Other States: Rajasthan (Act passed in 2022),** Uttar Pradesh (Act passed in 1998) and **Andhra Pradesh (Act passed in 1997)** also have similar laws.

Government Initiatives to Enhance Transparency in Examinations

- Introducing self-attestation.
- Shortening examination cycle (18-22 months to 6-10 months).
- Doing away with interviews for recruitment to **Group 'C' and 'D'**.
- Introduction of computer-based tests.
- Issuance of appointment letters through digital means under **"Rojgar Mela"**.

What Needs to be Done to Reform India's Examination Process?

Radhakrishnan committee: The high-level panel headed by former ISRO chief K. Radhakrishnan has been constituted to recommend-

1. Reforms in the examination process,
2. Improve data security protocols, and

	<p>3. Overhaul the NTA's functioning.</p> <p>Adding manpower and infrastructure to the NTA: To equip it to take on large-scale pen-and-paper examinations, as these are more equitable, especially for students in rural and remote areas with little access to technology.</p> <p>Road Ahead-</p> <ul style="list-style-type: none"> • Full operational transparency in NTA- The institution of full transparency on part of NTA in the conduct and publishment of result , can help it regain trustworthiness in the eyes of candidates. • Accountability and punishment of the guilty- The government should take steps to re haul the NTA's systems and personnel. This will ensure that the technical glitches, cheating scams, paper leaks, and proxy candidates that have plagued the exams this year are not allowed to happen again. • Dismantling the centralised structure of National Testing Agency- The centralised structure of the NTA should be dismantled. This may well curb the Union government's centralising tendencies leading to examinations of enormous scale that are harder to manage in a far-flung nation. • Taking help from the State government- For all-India examinations, the States should join the Central Govt in recovering the integrity of the beleaguered examination system. The state governments should also be shared some responsibilities for entrance examinations.
<p>2.</p>	<p>Integration of Princely States in Independent India</p> <p>At the time of Independence, India comprised British India and the Princely States. The Princely States covered about two fifths of the geographic territory and had 1/3rd of the population of the British Empire. These</p>

Princely States were littered all over India and the fate of 86 million people was at stake.

- **Shifting Alliance:** After sepoy mutiny of 1857, **Crown abandoned the policy of annexation** and **Princely states became natural allies** of the British rulers and were always willing to help their patrons in times of crisis such as war and intense nationalist mobilization.
- **The Indian Independence Act:** The Indian Independence Act **ceded control of British India to the Indian Government**, rulers of the Princely States were given the option to decide whether they wanted to **accede to India or Pakistan or to remain independent**.
- **Nehru's Assertion:** According to Nehru, Independent India would not accept **the divine right of kings** and any princely state which refused to join the Constituent Assembly would be **treated as an enemy state**.
- **Sardar Patel's Vision:** In these circumstances, **Sardar Patel along with V. P. Menon took up the monumental challenge of accession of the princely states** and integrating them into the Union of India.
- **The peaceful accession of over 560 Princely States** into the Union of India is one of Sardar Patel's most lasting legacies.
- **According to former Prime Minister Morarji Desai**, "The integration of the Princely states could be termed as the crowning achievement of Vallabhbhai Patel's life." But for him, this may not have been achieved easily and quickly.

Autocracy, Communalism, and Power Dynamics in Princely States-

- **Totalitarian Autocracies:** Most of the Princely states were run as totalitarian autocracies with absolute powers concentrated in the hands of the rulers or their favorites appointed in the patrimonial administration

Example: In Hyderabad's personalized autocracy, sarf khas was the Nizam's own estate, The income from this would directly meet the royal expenses.

- **Discretionary Revenue Policy:** The burden of **land-tax in princely states, was generally heavier than in British India.**
- The rulers generally enjoyed **Supreme control over the state revenues** for personal use at their own personal discretion.
- **Important Role of Jagirdars:** In some Princely states, **the Princes shared power with the jagirdars.** who controlled vast areas of land and resources because they were relatives or supporters of the rulers or both.

Example: In the Alwar state, about 1/3rd of the fertile lands were in the hands of the jagirdars who were close kinsmen of the Raja. The jagirs were concentrated in the southern tehsils of Alwar.

- **Army of Princely States:** The coercive arm of the Princely state was **generally small but effective in maintaining law and order.**

Example: A small army of **Maharaja Bhupinder Singh of Patiala** acted as personal bodyguards of the Prince and as the supplementary force for the preservation of law and order.

- **No Check on Arbitrary Powers:** They could freely use whatever little force the British allowed them against their subjects.
- **Nomination in Assembly:** Even when the “modernizing” princes of Mysore, Baroda, Travancore and Cochin legislative assemblies maintained **large nominated majorities in them.**
- **Communal Mobilization:** As the Princes and **their autocratic rule came under increasing attack during the 1930's,** these rulers turned more and more to religious revivalism and communal mobilization **to maintain a semblance of legitimacy and to strengthen their positions within their states.**
- Many Princes gave **monetary contributions to educational institutions** run by their own communities such as the Hindu University at Banaras, the Deccan Educational Society, the Sikh Khalsa College at Amritsar etc,

- Mysore, Cochin and Travancore supported the prominent Hindu institutions in order to maintain a prominent ritual position within their own states.
- **Bhupinder Singh, the Maharaja of Patiala tried to project himself as the leading figure of the Sikh community**
- **The Nizam's administration in Hyderabad** tried to project itself as a **Muslim state**, and established **Ittehad ul Muslimeen**, a communal organisation that tried to project Nizam as the **'Royal Embodiment of Muslim Sovereignty in Deccan'**

The Demise of Princely States

The intensification of the nationalist mobilisation brought a few princes into the political arena. They participated in the imperial conferences and the indigenous associations. **Initially, the British used them for seeking legitimacy for their rule in India.** The Indian leaders also turned to the princes for financial patronage.

- **Chamber of the Princes (1921):** The British promoted a deliberative assembly, the Chamber of the Princes.
- **The Chamber had no real power and evoked limited participation** of the Princes whose rivalries and concern for honor further reduced its potential effectiveness.
- **Resistance of Princes for Reforms:** The princes generally resisted the constitutional and political changes within their own states.
- **First Round Table Conference:** The nationalist leader **Tej Bahadur Saprú**, the liberal Indian leader, **called for the federation of British India and the princely states** at the First Round Table Conference (1930).

The idea did not materialise due to princely intransigence, British ambivalence and Congress opposition.

- He was also appointed a member of the **Privy Council** on 26 February 1934.
- **Congress Sided with Masses:** While the princes wished to gain from the British some sort of constitutional guarantee for their future existence, **the congress leadership** gradually sided with the popular aspirations against these feudal vestiges.
- **Haripura Congress Session (1938):** This session of congress **resolved to extend moral support to the popular movements against princes** and allowed participation of congressmen in individual capacity in such agitations.
- **Falling status of Princes:** It is doubtful whether the **lack of political and social reforms** affected their political viability and became the major cause for their inevitable demise.
- **British ended their Support:** When the imperial patron **unilaterally abrogated the relationship with them**, the only option available to the princes was their integration into the body politic of either India or Pakistan.
- **The British** in the post-war conditions were **not favorable towards the perpetual existence of the princes** as they denied their citizens democratic rights and institutions.
- However, They also tried **to secure for them a position commensurate with their 'historical status'** in the post-colonial polity.
- **Princely State as an Impediment:** The radical congressmen also considered the existence of the princely state to be **a major impediment in the way of rational economic planning and rapid industrialisation.**
- **Revival of Praja Mandals:** The local opposition to autocratic rule in the form of Praja Mandals affiliated to the **All India State People Conference** also got a boost when the prospects of transfer of power appeared as a distinct possibility.
- **Cabinet mission (1946):** The Cabinet mission tried to persuade the princes for accession.

- **Mountbatten Plan (1947):** Finally, Lord Mountbatten prevailed over the princes to sign the **instruments of accession in August 1947, leaving defence, foreign affairs and communications to the union.**
 - It declared that the **British suzerainty** over these kingdoms was **terminated.**
 - These were the areas over which the states had long ceased to exercise their jurisdiction and control.

The Complex Integration of Princely States in Post-Independence India

- **Princely States' Options:** During British rule, India was divided into British provinces and princely states.
- After the Indian Independence Act of 1947, **the princely states were given the option to join India, Pakistan, or remain independent,** resulting in the integration of most states into India through various means.
- **Unresolved Territories:** Of the **552 princely states** situated within the geographical boundaries of India, 549 joined India and the remaining **3 (Hyderabad, Junagarh and Kashmir) had not acceded to India by August 15, 1947.**
- Hyderabad, Jammu and Kashmir, and Junagadh **these states posed a challenge to the Government of India.**
- As a result, legally speaking Hyderabad and Jammu and Kashmir became **independent,**
- While **Junagadh chose to accede to Pakistan** defying public opinion in the state and **Junagadh was also not sharing border with Pakistan.**
- In these three states, **the ruler and the majority of the population did not share the same religion.**

- **Hyderabad and Junagadh had Muslim rulers** while the majority of the population was Hindu.
- The case was the exact **opposite in Jammu and Kashmir**.
- In course of time **these states acceded to India**,

1. Hyderabad by Means of Police Action (Operation POLO)

- Communal forces, **specially the Ittehadul-Muslimeen, known as the Razakars**, led by **Kasim Rizvi**, were strongly against Hyderabad coming to any agreement with the Indian government.
- **Oppressed by the Razakars**, The people's movement in the state led by the Hyderabad State Congress launched an agitation for integration of the state.
- **The Indian army** marched into Hyderabad on **September 13, 1948**.
- **The Nizam surrendered** after a few days of ineffective and ineffectual resistance and **Hyderabad became a part of India**.

2. Junagarh by Means of Referendum

- **The Nawab joined Pakistan** on 15 August 1947. In this state around 80 percent of the Population was of that Hindu but the Ruler was Muslim.
- Junagarh was surrounded on **all of its land borders by India**.
- The unsettled conditions with India, Junagadh had led to **a cessation of all trade with India**.
- In this crisis, **the Nawab was forced to flee to Karachi** with his family and his followers and there he established a provisional government.
- **People rose against the Nawab** and gathered in Bombay to liberate Junagadh from the Nawab.
- **Samaldas Gandhi** formed a government-in-exile (the Aarzi Hukumat) of the people of Junagadh.

- On the basis of misgovernance **Patel ordered the forcible annexation of Junagadh.**
- On November 9, 1947, India took over Junagadh, and in a **plebiscite held in February 1948 the people supported the accession to India.**

3. **Kashmir by the Instrument of Accession.**

- The crisis in Jammu and Kashmir was precipitated in October 1947 by a **tribal invasion of its territories from Pakistan which terrified the the Raja Harisingh**
- India agreed to help Raja Haringh, provided Raja Harisinh signed the instrument of accession with India.
- This instrument also had the provision that a **plebiscite would be held** after peace had been restored to ascertain the wishes of the people regarding accession
- **Raja Harinsh signed the instrument of accession**, Indian Army units were airlifted to Srinagar and the raiding forces were pushed back after a hard fought battle (First war between India and Pakistan)
- **An interim government** under Sheikh Abdullah had been formed in the meanwhile.

Diplomacy, Democratization, and the Evolution of Modern India

- **Treaties and Agreement: Patel and Menon** backed up their diplomatic efforts by producing treaties that were designed to be attractive to rulers of princely states. Two key documents were produced.
 1. **Standstill Agreement:** It confirmed the **continuance of the pre-existing agreements** and administrative practices.
 2. **Instrument of Accession:** With the agreement of Nehru and Sardar Patel the states would accede to India only with respect to **defence, external affairs and communications** was devised and with respect other subjects **internal autonomy was granted.**

- **Continuous Support of Centre:** The federal centre, however, occupied the political space left by the collapse of British paramountcy and **intervened in Princely state's internal matters on a regular basis** to engineer a great and relatively peaceful merger and democratisation process.
- **Ministry of States:** A separate Ministry of States was established by the Government of India in June-July 1947 to deal with matters related with the states.
- **Subordination with Union:** They were also completely subordinated to the federal centre by using democratisation as a means.
- **Merger with Existed states:** For this purpose, the smaller states were amalgamated into larger administrative units or merged with the erstwhile provinces of the union.

Example: Some of the **Eastern states and states of Chattisgarh were integrated into Orissa** after adivasi revolts against the princes.

- **The states of Kathiawar** were merged into a new state named Saurashtra.
- The states of the **Deccan and Gujarat were merged into the province of Bombay.**
- In March 1948, **merger of the Punjab** hill states as a centrally ruled unit resulted in the creation of Himachal Pradesh.
- In April 1948, **a new state of Madhya Bharat** was formed integrating Indore, Gwalior and the other Central Indian States.
- **Initiation of Democracy:** This territorial integration was the initiation of democratic reforms and **institution of popular accountable ministries in many of these states.**
- **Equality with Other Units:** The merger and democratization of the Princely polities made them analogous with the rest of the country as regards to the manner of governance.
- **New Instruments of Accession (April 1948):** This was signed with the princes ceding to the union the power to pass laws in respect of **all**

matters falling within federal and concurrent legislative lists including in the Seventh Schedule (Earlier centre had rights only in respect of defence, foreign affairs and communication).

- **Direct Intervention:** Government direct control of the territory when there is breakdown of law and order and when situations pose **threat to National Security**.

Example: The centre sent regional commissioners to **Rajkot and Sambalpur**, and asked **Princely States Holkar** to remove Kis Diwan, detained the Raja of **Faridkot**, took direct control over the administration of **Kutch, Tripura and Manipur** on grounds of security, invaded the Nizam's territories in **Hyderabad**, enforced a blockade on the Nawab of **Junagarh**.

- **Princes as a Governor:** Some of the princes were **absorbed in the new polity as governors and deputy-governors** (rajparamukhs and uprajparamukhs),
- However, they could not maintain their privileges and extraordinary status that they had enjoyed under British patronage.
- **Privy Purses:** In return for the surrender of their sovereignty, the rulers of the major states were also given privy purses amounting to Rs. 4.66 crores in 1949, **free of all taxes** that were later also **guaranteed by the constitution**.
- Later, these concessions were **abolished in 1969**.

Summing up

- **Policy of Aloofness:** In the history of India, Princely states tried to keep themselves aloof from British India and Indian National Congress in order **to protect their identity and their rule**.
- **Sardar Patel's Pivotal Role:** Post Independence, Sardar patel played a magnificent role in persuading princes and integration of princely states into India

	<ul style="list-style-type: none"> ▪ Survival and Transformation: The princes however managed to survive the transition to democracy. Many of them joined politics and served as ministers at the central and state level. Others became diplomats or joined the armed forces and the bureaucracy. ▪ End of an Era: In the 1970s, the constitution was amended to abolish the Privy Purses and the princely titles. With this politically contentious move, the princes finally vanished into the mists of history. ▪ Legacy Lives On: But as private individuals many of them continue to play a role in public life, as politicians, heritage and tourism enthusiasts, or nature conservationists.
<p>3.</p>	<p>Utility of affirmative action policies in India</p> <ul style="list-style-type: none"> • Affirmative action policies in India have been implemented to address historical discrimination and promote social justice. These policies, including reservations in education and employment, aim to uplift marginalized communities such as Scheduled Castes (SCs), Scheduled Tribes (STs), and Other Backward Classes (OBCs). Affirmative action in India has its roots in the Constitution, with provisions like Article 15(4) and Article 16(4), allowing for reservations in educational institutions and government jobs. The Mandal Commission report in 1980 further expanded reservation to include OBCs, reflecting a commitment to addressing caste-based disparities. <p><u>Effectiveness of Affirmative Action Policies:</u></p> <p>Socio-Economic Empowerment:</p> <ul style="list-style-type: none"> • Affirmative action has led to increased representation of marginalized communities in education and employment. • The representation of SCs, STs and OBCs in the posts and services under the Central Government, as on 01.01.2016, increased to 17.49%, 8.47% and 21.57% respectively. <p>Political Representation:</p>

- Affirmative action has facilitated political empowerment, with reserved seats in legislatures ensuring the representation of marginalized groups.
- For instance, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, aims to protect marginalized communities from discrimination and violence.

Educational Opportunities:

- Reservation policies have increased access to education for marginalized communities, contributing to their social mobility.
- The implementation of the Right to Education Act, 2009, has furthered this objective by ensuring free and compulsory education for children from disadvantaged backgrounds.

Challenges:

Creamy Layer and Elite Capture:

- The concept of the creamy layer has been criticized for allowing affluent individuals within reserved categories to benefit, leaving the truly marginalized at a disadvantage.
- Elite capture refers to the dominance of politically and economically powerful individuals within reserved categories, limiting the benefits to the most marginalized.

Quality vs. Quantity Debate:

- Critics argue that reservations compromise meritocracy and quality, leading to inefficiencies in educational and professional institutions.
- The mismatch between educational qualifications and job requirements has been a concern, impacting the effectiveness of affirmative action.

Social Stigma and Discrimination:

- Despite reservations, marginalized communities continue to face social stigma and discrimination, hindering their holistic development.
- The perpetuation of stereotypes and biases poses challenges to the integration of marginalized communities into mainstream society.

Resistance and Backlash:

- There is often resistance from dominant groups who perceive these policies as unfair, leading to social tensions and conflicts.

Potential Reforms:

Strengthening Implementation Mechanisms:

- Enhancing monitoring and evaluation mechanisms to ensure the effective implementation of affirmative action policies.
- Implementing stricter penalties for non-compliance with reservation norms to deter violations.

Addressing Creamy Layer and Elite Capture:

- Introducing income criteria to identify beneficiaries, ensuring that reservations benefit the economically disadvantaged within reserved categories.
- Promoting transparency in selection processes to prevent elite capture and ensure equitable distribution of benefits.

Promoting Social Inclusion and Awareness:

- Launching campaigns to raise awareness about the importance of social inclusion and the detrimental effects of discrimination.
- Implementing programs to promote interaction and understanding between different communities, fostering a culture of inclusivity.

Socio-Educational Index:

- A more nuanced approach that considers the socio-educational status of individuals, in addition to their caste, can ensure that the most marginalized within each group receive the benefits.

Diversification of Beneficiaries:

- Including other marginalized groups like religious minorities, transgender individuals, and the disabled in affirmative action policies can make them more inclusive.
- Affirmative action policies in India have played a crucial role in promoting social justice and empowering marginalized communities. However, challenges such as creamy layer issues, quality concerns, and social stigma persist. Addressing these challenges through reforms that strengthen

	<p>implementation, address elite capture, and promote social inclusion is essential to enhancing the effectiveness of affirmative action policies and realizing their goal of ensuring social justice for all.</p> <p style="text-align: center;">•</p>
<p>4.</p>	<p>Hype over reality – AI Washing</p> <p>Background for Artificial Intelligence Washing</p> <ul style="list-style-type: none"> • The release of OpenAI's ChatGPT in 2022 sparked an explosion of news and interest in generative AI. • Many tech companies and startups are now marketing AI products, claiming they will revolutionise consumer behaviour. • Rise in pitch by Startups: Startups mentioning AI in their pitches increased from 10% in 2022 to over 25% in 2023. • AI and earnings: According to a report by NBC News: Over 50% of S&P 500 companies referenced AI in their earnings calls last year. <p><u>Artificial intelligence(AI):</u></p> <ul style="list-style-type: none"> • It is a branch of computer science dealing with the simulation of intelligent behavior in computers. • It describes the action of machines accomplishing tasks that have historically required human intelligence. • It includes technologies like machine learning, pattern recognition, big data, neural networks, self algorithms etc. • Eg: Facebook's facial recognition software which identifies faces in the photos we post, the voice recognition software that translates commands we give to Alexa, etc are some of the examples of AI already around us. <p><u>Generative AI:</u></p> <ul style="list-style-type: none"> • Generative AI industry projected to increase global GDP by as much as \$7 to \$10 trillion, the development of generative AI solutions

- It is a **cutting-edge technological** advancement that utilizes *machine learning and artificial intelligence to create new forms of media, such as text, audio, video, and animation.*
- With the advent of advanced machine learning capabilities: It is possible to generate new and creative short and long-form content, **synthetic media**, and even **deep fakes with simple text**, also known as **prompts**.

AGI vs. AI

AGI is a subcategory of AI, and the former can be seen as an upgraded version of the latter:

Artificial intelligence is often trained on data to perform specific tasks or a range of tasks limited to a single context. Many forms of AI rely on algorithms or pre-programmed rules to guide their actions and learn how to operate in a certain environment.

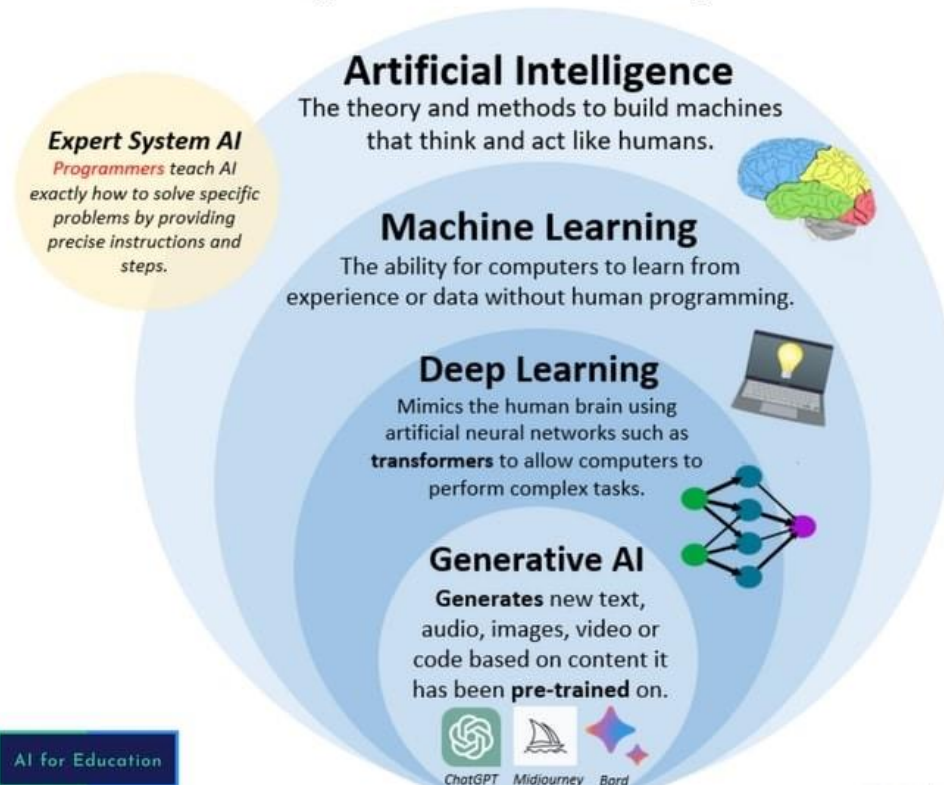
Artificial general intelligence, on the other hand, is **able to reason and adapt to new environments** and different types of data. So instead of depending on predetermined rules to function, AGI embraces a problem-solving and learning approach — similar to humans. Because of its flexibility, AGI is capable of handling more tasks in different industries and sectors.

AI innovations:

- **GANs** (Generative Adversarial Networks)
- **LLMs** (Large Language Models)
- **GPT** (Generative Pre-trained Transformers)
- Image Generation to experiment
- Create commercial offerings like **DALL-E** for image generation
- **ChatGPT** for text generation.
- It can **write blogs, computer code**, and marketing copies and even generate results for search queries.

Defining Generative AI

To understand generative artificial intelligence (GenAI), we first need to understand how the technology builds from each of the AI subcategories listed below.



Judgments touching AI:

- **Christian Louboutin Sas vs Nakul Bajaj and Ors (2018):** Delhi High Court held that safe harbor protection applies solely to “passive” intermediaries referring to entities functioning as mere conduits or passive transmitters of information.
- **Puttaswamy judgment (2017):** established a foundation for privacy jurisprudence in the country, leading to the enactment of the **Digital Personal Data Protection Act, 2023 (DPDP)**.
- The DPDP Act introduces the “**right to erasure**” as well as “**right to be forgotten**”.

- Once a GAI model is trained on a dataset, it cannot truly “**unlearn**” the information it has already absorbed.

Concept of AI Washing

- AI washing is a **deceptive marketing tactic** companies employ to **exaggerate** the amount of Artificial Intelligence (AI) technology they use in their products.
- **Goal of AI Washing:** The goal of AI washing is to make a company's offerings seem more advanced than they are and capitalise on the growing interest in AI technology.
- **Derived from:** AI washing is a term derived from **greenwashing**, where companies exaggerate their **environmental friendliness** to appeal to customers.

Some Components of AI Washing:

- **False Claims of AI Integration:** Businesses claiming to have integrated AI into their products while using less sophisticated technology.
- **Misleading Advertisements:** Advertisements that overstate the capabilities of a company's AI tools.
- Misleading consumers about features that are not yet operational in their AI products.
- **Coined by:** It is unclear who coined the term AI washing, it was popularised by the US Securities and Exchange Commission (SEC) when it levied fines against investment advisory firms **Global Predictions and Delphia** in March 2024.
- The securities regulator found that the companies had made false statements to their clients about providing '**expert AI-driven forecasts**' and using machine learning to manage retail client portfolios.

Reasons for AI Washing

- **Pressure to Advance Quickly:** The rapid advancement and vast potential of AI have pushed many companies, including a few tech giants, to cut corners when it comes to rolling out their AI-based products.
- **Capitalise the AI rush:** The rush to be branded as an AI business follows a long pattern of companies looking to capitalise on the hype surrounding new and emerging technologies.
- **Raising Funds:** AI washing often stems from the desire to raise funds by exaggerating AI capabilities to attract investors who view AI as a promising sector.

Reality of AI adoption

Discrepancy Between Claims and Practice:

- AI adoption often reveals a significant gap between what companies claim and what they actually implement.
- Many businesses tout AI integration in their operations but struggle to fully implement or utilise AI technologies effectively.
- A **US Census Bureau** survey in November last year found only **4.4%** of American businesses were actually using AI to produce goods and services.
- AI washing a Concern
- AI washing has multidimensional repercussions as it not only **erodes trust and transparency in technological claims** but also distorts market perceptions.
- **Diversion of Resources:** AI washing redirects management attention and resources away from genuine AI innovation.
- **Misguided Investments:** Companies may prioritise superficial AI enhancements over developing meaningful capabilities.

- **Slowed Progress:** The focus on superficial AI could hinder real technological advancements.
- **Impact on Consumers:** Misleading AI claims can lead to disillusionment and distrust among consumers.
- **Industry Implications:** AI washing undermines the credibility and progress of the broader tech industry in AI development, and subpar AI technology could pose data security and privacy risk
- **Complicate decision making:** AI washing can complicate decision making for businesses that are genuinely looking for valuable AI solutions. This can hinder their digital transformation efforts, stifle innovation, and jeopardise performance.

Guidelines to Avoid AI Washing

- There are several guidelines issued to avoid AI Washing. Some of them by the **Federal Trade Commission (FTC)** and **Securities and Exchange Board of India (SEBI)** are as follows:

Federal Trade Commission (FTC) Recommendations:

Assessment:

1. Businesses should assess if they are exaggerating their AI product's capabilities.
2. They should avoid claiming **superiority over non-AI products** unless substantiated.
3. Verification is essential to confirm if the product genuinely utilises AI technology.

Clarification on AI Labelling: Merely using AI tools in development does not qualify a product as **AI-powered**.

Securities and Exchange Board of India (SEBI) Circular:

- **Issued Caution:** SEBI's 2019 circular cautions companies about the risks associated with AI washing.
- **Transparency requirements:** Companies are advised to ensure transparency and accuracy in their AI-related claims.

- Financial gains from AI in financial products should be accurately represented: Artificial Intelligence(AI)/Machine Learning (ML) systems are **often opaque**, making it hard to understand their behaviour.
- Financial gains from AI in financial products should be accurately represented to avoid misleading investors.
- Intermediaries must be clear about **what AI can and cannot do** in their financial offerings to maintain trust and clarity.

Examples of AI Washing in real life

1.Google: Last year, Google unveiled **Gemini** with a video demonstrating its multimodal **AI chatbot's** ability to recognize pictures and objects.

In the video, Gemini correctly guesses a drawn animal as a duck.

However, Google later confirmed that the **video was not shot in real time** but was created using text prompts and stitched still frames.

2.Amazon: Amazon reportedly removed its cashier-less checkout systems from many grocery stores after Business Insider discovered that the **'Just Walk Out' technology**, which claimed to use AI and sensors, actually **relied on employees in India to review transactions.**

3.Misleading Apps: There has also been a wave of AI apps that boast of chatbot functionalities when in reality they are just ChatGPT wrappers, meaning that the underlying technology powering the apps is not theirs but belongs to **OpenAI.**

In India, **Ola founder Bhavesh Agarwal's** startup released a beta version of **Krutim AI** which was touted as being a **homegrown ChatGPT rival.**

However, many users started questioning if Krutim AI was a ChatGPT wrapper after the chatbot purportedly confirmed to them that it was **"created by OpenAI.**

5. What are Natural Rights?

Natural rights are those inherent, inalienable rights that are believed to belong to all individuals by virtue of their humanity. These rights are often contrasted with legal rights, which are granted and protected by governments, and which can be altered or revoked by those same governments.

The concept of natural rights has a long history, dating back to **ancient Greece and Rome**, but it was the **Enlightenment philosophers of the 17th and 18th centuries** who developed and popularized the idea in its modern form. In particular, thinkers such as John Locke, **Jean-Jacques Rousseau**, and **Thomas Paine** argued that certain rights were essential to human dignity and liberty and that these rights were not granted by any earthly authority, but rather derived from the very nature of human beings.

The most famous formulation of natural rights is found in the American Declaration of Independence, which declares that **“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”** This statement reflects the idea that natural rights are not granted by governments, but rather are inherent in all individuals by virtue of their humanity.

John Locke was the first significant proponent of **natural rights**. He famously asserted that everyone has the right to life, liberty, and property. Furthermore, no sovereign has the authority to infringe on another sovereign's rights. One of the motivating reasons for engaging in the **social contract**, according to Locke, is to protect individual rights. According to social contract theorists, respecting the law is justified and motivated by a collective agreement among society's members. The natural rights doctrine of John Locke had a huge impact. His philosophy, for example, was influential in the creation of the United States Declaration of Independence, which highlighted the rights to life, liberty, and

the pursuit of happiness. While Locke is seen as a pivotal player in the development of liberal democracies in the eighteenth and nineteenth centuries.

There are many different lists of natural rights, but some of the most commonly recognized include:

- **The Right to Life:** This is perhaps the most fundamental of all natural rights, as without life, none of the other rights is possible. The right to life is often interpreted broadly to include not only the right to physical existence but also the right to a certain quality of life, free from undue suffering/deprivation.
- **The Right to Liberty:** This refers to the right to be free from coercion or arbitrary interference in one's choices and actions. It includes not only freedom from physical restraint, but also freedom of thought, speech, and association.
- **The Right to Property:** This is the right to own and control one's own possessions, including land, money, and other forms of property. It is often seen as a natural extension of the right to liberty, as it allows individuals to use and dispose of their possessions as they see fit.
- **The Right to Equality:** This refers to the principle that all individuals are equal before the law, and should be treated with equal dignity and respect. It includes the right to equal treatment regardless of race, gender, religion, or other characteristics.

Need for Natural Rights

- **Protection of Human Dignity:** The concept of natural rights is often seen as a way to protect the inherent dignity and worth of every individual, regardless of their social status or position. This can help to ensure that all individuals are treated with equal respect and consideration.
- **Limitation on Government Power:** The idea of natural rights serves as a check on government power, by establishing certain principles and values that transcend any particular government or legal system. This

can help to prevent abuses of power and ensure that individuals are protected from arbitrary or unjust actions by the state.

• **Universal Values:** The concept of natural rights is based on universal values such as freedom, equality, and justice. These values are seen as essential to human flourishing, and are therefore not subject to negotiation or compromise.

• **Moral Grounding:** Natural rights provide a moral grounding for political and legal systems, by establishing a set of fundamental principles and values that guide decision-making and policy formation. This can help to ensure that government actions are grounded in ethical and moral considerations, rather than purely pragmatic or utilitarian concerns.

Difference between natural rights and legal rights

- Natural rights differ from legal rights in that one is **codified in law**, whereas the other is regarded as universal and morally granted to all people at birth.
- Natural rights are the safeguards that a human being wants to ensure dignity and equality in his or her life. On the other hand, legal rights are the **government's safeguards for the people** of a specific state.
- Natural rights are universally recognised, ensuring that everyone has access to them. On the same note as the basic rights, legal rights are state-wide, open to residents of a given region, and can even be changed by the government as needed.
- Natural rights are those that are not based on any culture's or government's laws or conventions. Legal rights are those that are granted to a person by a legal system, and they can be modified, abolished, or restricted by human laws.

Difference between natural rights and civil rights

- Civil rights are a type of legal right that tries to ensure that all people in a country are treated equally. A civic right, for example, **seeks to**

ensure equality of opportunities. These rights are the rights that are **granted by society.** They are **enacted and enforced by law.**

Regardless of colour, religion, or other personal qualities, civil rights, equal social opportunities, and equal legal protection are all guaranteed.

- The **right to vote**, the **right to a fair trial**, the **right to government services**, the **right to public education**, and the **right to utilise public facilities** are all examples of civil rights. Civil rights are a crucial component of democracy; when people are denied the right to participate in political life, they are being denied their civil rights.
- Civil rights differ from natural rights, and the distinction is explained below.
- Natural rights are regarded as universal to all human beings, whereas civil rights are derived from each country's constitutions or laws.
- Civil rights, unlike other rights such as human or natural rights, in which people gain rights naturally, such as from God or nature, must be given and secured by the state's power.
- In general, the major distinction between natural rights and civil rights is that human rights are **universally guaranteed** in all of the world's nations, whereas civil rights are protected on a broader and worldwide scale by international law.
- For instance, **free speech and due process** are two of the most valuable and highly treasured civil rights that encourage every individual and citizen of a country to express their views. Natural rights, on the other hand, include the right to life, liberty, and property, to name a few.

Natural Rights & Indian Constitution

Natural Justice, a reformed version of natural law, is the foundation of the Indian Constitution. Although the Constitution does not expressly mention the notion of natural justice or law, it is reflected in the provisions. The terms **"justice,"** which includes social, economic, and political justice as well as

equality of status and opportunity, illustrate that natural law principles are included in the Indian Constitution.

The concepts of natural justice have been used by courts to determine the constitutionality of reasonable limits. The obligation to act fairly is part of the fair procedure envisioned by Article 14 and Article 21. With the inclusion of **due process in Article 21 of the Constitution**, all of the fairness embodied in **natural justice principles** may be seen in Article 21 when a person's life and personal liberty are taken away.

In a way, all Fundamental Rights provided to the citizens of India are natural rights and to protect them, we have the **Right to Constitutional Remedies**.

The Supreme Court held in ***D.K. Yadav v. J.M.A. Industries Ltd.***

(1993) that, even if statutory standing orders empowered management to terminate the services of an employee who overstayed the leave period, doing so without a hearing would be a violation of Article 21 of the Constitution because a procedure established by law that deprives a person of his livelihood cannot be said to be just, fair, and reasonable under Article 21.

Criticism of Natural Rights:

- **Lack of Clarity:** The concept of natural rights is often criticized for being too vague and open to interpretation. Some argue that there is no clear consensus on what natural rights are, or how they should be defined or enforced.
- **Cultural Relativism:** Critics of natural rights argue that the idea is historically and culturally specific, and that different societies may have different ideas about what rights are fundamental and inalienable. This can lead to conflicts between different cultures and value systems.
- **Conflict with Legal Rights:** Another criticism of natural rights is that they can sometimes conflict with legal rights, which are granted and protected by governments. For example, the right to free speech may conflict with laws prohibiting hate speech, or the right to bear

arms may conflict with laws regulating gun ownership.

• **Unrealistic Expectations:** Some critics argue that the idea of natural rights sets unrealistic expectations for what governments can and should do to protect individual rights. In practice, governments often have to balance competing interests and values, and cannot always prioritize individual rights above all else.

In summary, while natural rights are subject to criticism and debate, they remain a powerful and influential concept in modern political philosophy. They provide a framework for protecting individual rights, limiting government power, and establishing universal values that transcend any particular culture or legal system. It serves as a reminder that there are certain principles and values that transcend any particular government or legal system, and that these principles and values should be protected and respected regardless of the circumstances

6. Assam's Annual Floods a Recurring Ravage

- According to the **Assam State Disaster Management Authority**, floods have claimed more than 50 lives and displaced 3,60,000 people this year.
- More than 40,000 hectares of crop area have been affected and large parts of Dibrugarh and Guwahati regions of Assam are under water.

Why Assam Gets Flooded Every Year?

Assam's vulnerability stems from a complex combination of **hydrological** and **climatic factors**. The state has more than **120 rivers**, several of which originate from the hills and mountains of extreme rainfall hotspots in Arunachal Pradesh and Meghalaya as well as in China and Bhutan. But it's also a fact that for nearly 70 years, the Centre and Assam government have not found ways to control the damage caused by rivers in spate. Despite flood after flood exposing the hazards of the embankment-

centred approach, the state's authorities have not course corrected. Most of these **flood control structures date back** to the 1960s and 1970s, when the hydrology of Assam's rivers, including the mighty Brahmaputra, was poorly understood.

1. **The Brahmaputra factor:**

- Assam is situated at the foothills of the Himalayas and comprises **two valleys** namely **Brahmaputra and Barak**.
- It flows through Assam over a length of around 650 km with an average width of 5.46 km, making it the principal river that crisscrosses the floodplains.
- Coming from the **Kailash range** (high elevation), the river gets **highly sedimented** by the time it enters Assam (low elevation).
- Due to this **flattening of the slope**, there is a sudden drop in velocity and the river **deposits huge quantities of sediment** and other debris collected from hilly terrains on the riverbed, **raising its level**.
- During summers, the **sedimentation increases as soil erodes** with the melting of glaciers.

2. **The Monsoon Factor:**

- The monsoon is intense in the **Northeast**.
- According to the **State Disaster Management Authority**, annual rainfall averages **around 2900 mm** with **maximum precipitation in June and July**.
- The Water Resources Ministry of Assam states that **85%** of the annual rainfall in the Brahmaputra basin takes place during the monsoon months.
- Besides, the valley gets a good amount of rainfall in April and May due to thunderstorm activities which account for flooding during heavy rain in June, when the soil is already saturated.

3. **Riverbank Erosion:**

- As sedimented rivers move through the state along with their tributaries, they take with them soil and sediment from banks.
- **Soil erodes and rivers expand** as it gets more area and this results in flooding. This erosion of the land alongside rivers has emerged as a serious problem for Assam.
- The width of Brahmaputra has increased up to 15 km due to bank erosion at some places in Assam.

4. **Human intervention:**

- i. *Construction of Embankments:* Embankments are constructed to confine the course of a river. This solution, however, has evolved to be an added challenge over time in Assam.
 - Construction of embankments first started in Assam in the 1960s to control floods.
 - Six decades later, most of these embankments have either outlived their utility or are in bad condition. Many others were washed away.
 - Every year, as floods follow monsoon, river water breaches these barriers and inundated houses and land.
- ii. *Dams:* One of the key causes of floods in the Assam region is the **unregulated release of water from dams** situated uphill.
- iii. *Population & Unplanned expansion of the urban areas:* From an estimated 11,000 people in 1901, Guwahati now is home to close to **1.1 million people**.
 - Rapid population growth has led to severe **encroachments of the wetlands**, low lying areas, hills and shrinkage of forest cover. Further a **poor drainage system** is also a key reason for water-logging in cities that eventually leads to flooding.
 - Guwahati is a bowl-shaped lowland, susceptible to water logging. Historically, marshes and water channels worked together to make the city habitable.

5. Climate change:

- A Report by the State government states that extreme rainfall events will increase by 38%.
- Heavy rainfall replacing continuous low or normal rainfall during monsoon combined with the melting of glaciers due to rising temperatures will mean:
- Rivers from the Himalayas will be carrying more water and sediment even before they enter Assam where smaller rivers are swelled up due to incessant rainfall.
- This increases the possibility of frequent flash floods in low-lying areas.
- Other Factors Worsened the Flood Situation: Deforestation, **Hill Cutting**, Encroachments, Destruction of Wetlands, Lack of Drainage System in the State, Unplanned Urban Growth, Construction of Dams, **Hydro Projects**, Irrigation Projects, etc.

OUR FM 3 TEST 23. QN. NO .24

1. It is a "drop-in" fuel. 2. Its conventional jet fuel.
3. It ... without modifications. Which of the above is/are true w.r.t. **Sustainable Aviation Fuel?** (a) .. (b) .. (c) .. (d) .. Unlike traditional fuels, it is produced from renewable sources such as **agricultural waste, municipal solid waste, and agroforestry residues.**

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.Consider the following materials:
1. Agricultural residues 2. Corn grain 3. Wastewater treatment sludge 4. Wood mill waste
Which of the above can be used as feedstock for producing **Sustainable Aviation Fuel?**
(a) .. (b) .. (c) .. (d) ..

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Flood

- A flood is an **overflow of water that submerges land** that is usually dry.
- In the sense of “flowing water”, the word may also be applied to the inflow of the tide.
- There are three common type of floods:
 1. **Flash Floods:** Caused by rapid and extensive rainfalls
 2. **River Floods:** Caused when consistent rain or snow melt forces a river to exceed capacity.
 3. **Coastal Floods:** Caused by storm surges associated with tropical cyclones and tsunami.

Adverse impacts of floods

- **Loss of Life:** The most devastating impact of floods is the loss of precious human lives. In the recent Assam Floods, the death toll has already reached 170.
- **Habitat Loss:** In many parts of the State, both rural and urban, shoals of water drove people from their homes and forced many of them to seek shelter for their livestock. So far, 1.38 lakh houses have been totally or partially damaged.
- **Deters Food Security:** In many places, people failed to save standing crops. Granaries were damaged and mud houses were filled with sand brought by the rivers in spate.
- **Economic Loss:** Numerous critical infrastructure like buildings, power lines, communication lines etc.. get damaged due to flooding. Roads get blocked due to which people are unable to carry out their livelihood. Thus it brutally impacts the economy of a region.
- **Environmental Degradation:** Not only humans but our pristine environment composed of a diverse variety of flora and fauna also faces the brunt of excessive flooding. Numerous animals die and trees get uprooted due to excessive flooding.

Existing Flood Management Mechanisms in India?

In India, there is a **two tier system** of flood management:

1. **State Level Mechanism:** The State Level Mechanism includes the Water Resources Departments, State Technical Advisory Committee and Flood Control Board. In some States, the **Irrigation Departments** and **Public Works Departments** look after flood matters.
2. **Union Government Mechanism:** The Union Government has set up multiple organizations and various expert committees to enable the

State Governments in addressing flood problems in a comprehensive manner.

- **Central Water Commission (CWC):** It was set up for achieving the goal of furthering and promoting measures of **flood control**. It also focuses on conservation and utilization of water resources throughout the country in the areas of irrigation, hydropower generation, **flood management** and river conservation.
- **Brahmaputra Board:** The Government of India set up the **Brahmaputra Board under the Brahmaputra Board Act, 1980** (46 of 1980) under the then **Ministry of Irrigation (now Ministry of Jal Shakti)**. The jurisdiction of the Board includes all NE States in the Brahmaputra and Barak Basin.
- **National Disaster Management Authority (NDMA):** The aim of the NDMA is to prevent and mitigate disasters including floods. It focuses on undertaking a holistic, coordinated and prompt response to any disaster situation. The Government of India has set up a **National Disaster Management Authority (NDMA) in 2005** under the Chairmanship of Hon'ble Prime Minister of India.

Advantages of Floods in the Assam/NE:

- **Raising of Lowlands:** Every year, the Brahmaputra and its tributaries transport billions of tonnes of sediment, mainly from the Eastern Himalayas. This raised the **lowlands and regularly adjusted** river beds.
- **Rejuvenation of Ecosystem:** Floods cause disruption and damage but they also generate a **bounty of fish** and **rejuvenate flood-plain ecosystems** all along the Brahmaputra, including in the Kaziranga.
- **Shaping of the State:** The entire Assam landscape has been shaped over millions of years with the help of an active monsoonal environment and mighty rivers that carry sediments weathered from the still-rising Himalayas.

Disadvantages of Floods on Assam:

- **Kaziranga National Park:** More than **15%** of the Kaziranga National Park has been inundated with the Brahmaputra flowing above the danger level, an official statement noted.
- **Effects on Infrastructure:** Train services got disrupted as water affected railway tracks at several places.
- All modes of transport went on halt except Boats, which charged as much as ₹100 per 100 m in some areas to make up for their inability to fish or ferry people to rivers for a living.
- Roads and bridges have suffered serious damage.
- **Effects on Animals:** Animals are also killed by poachers who take advantage of their vulnerability.
- Animals also move towards villages in floods, this leads to human-animal conflict.

Steps taken by the Government for flood management:

1. National Flood Commission (Rashtriya Badh Ayog): The Commission submitted its comprehensive report in March 1980. It contained a total of 207 recommendations covering the entire gamut of problems related to floods in the country.

2. R Rangachari Committee: It was set up by the Ministry of Water Resources, Government of India in **October 2001** to review the implementation of recommendations of the **National Flood Commission**.

National Water Policy (1987/ 2002/2012): The Government of India has laid significant emphasis on the management of floods under the policy.

Flaws in the flood management in India:

- The biggest shortcoming has been lack of implementation of the recommendations of the National Flood Commission. A report by the CAG in 2017 observed that **flood-prone States had not identified** or demarcated affected areas in spite of recommendations by multiple committees. Only two of the 17 audited States had verified **RBA's**

assessment of flood-prone areas. The data were to be used for drawing maps of areas affected by floods. This had also not been implemented.

- The **National Water Policy of 2012**, had specified preparation of **digital elevation models and frequency-based Flood inundation maps**. These have also not been prepared.
- The **Central Water Commission (CWC)** had circulated a **Model Bill for Flood Plain Zoning** among States for enactment in 1975. *Flood Plain Zoning demarcates zones or areas likely to be affected by floods of different magnitudes or frequencies the damage can be mitigated.* The CAG report observed that only 3 States (Manipur, Rajasthan and Uttarakhand) had enacted Flood Plain Zoning Acts.
- The **CAG Report** had observed that the damage to life and property in Uttarakhand (2013) and Chennai (2015) floods would have been much lesser, had the recommendations been implemented.

Recommendations of the Parliamentary Standing Committee on Water

Resources:

- **Strengthen embankments along the rivers:** Most flood protection structures in Assam are over 50-60 years old. These were constructed on the main stem of the Brahmaputra and its tributaries way back in the 1960s and have become weak now.
- **Dredging of Rivers:** Dredging is the removal of sediments and debris from the bottom of lakes, rivers, harbours, and other water bodies. It is a routine necessity in waterways around the world because sedimentation—the natural process of sand and silt washing downstream—gradually fills channels and harbors.
- **Improve Alert and Forecasting:** There is a need to set up modern weather stations in the upstream catchment of all dams in the North East and install sirens on river banks near dams. This would alert downstream populations in the event of floods.
- **Inclusion of river erosion in an admissible list of calamities:** The Government should consider inclusion of river erosion in the

admissible list of calamities for availing assistance under the **National Disaster Response Fund/State Disaster Response Fund.**

- **Address Vacancies in the Brahmaputra Board:** The Brahmaputra Board which has been functional since 1982 does not have enough manpower. The Report had asked the Board to fill up all vacant posts on a priority basis.
- **Enact Flood Zoning Bill:** Major flood-prone states such as **UP, Bihar, West Bengal, Assam, Odisha etc.** have not taken the initiative to enact the Flood Plain Zoning Bill. The Law must be enacted to regulate activities in the floodplains. This will help mitigate the damage to life and property.
- **Set up River Basin Organizations:** The report strongly recommended the setting up of River Basin Organizations or RBOs. These would effectively provide immediate, short-term and long-term solutions in addition to the overall development of the river basin.
- **Mitigation Measures:** Measures such as Afforestation and rejuvenation of wetlands should be taken to mitigate the impact of floods.

Measures Need to be Taken:

- **Information Communications:** It should be ensured that more credible information is made available so that preparedness can be improved and residents can be alerted.
- Experts have indicated that the region needs more institutionalized and technologically advanced systems to allow for credible and fast warning systems.
- **Protecting Kaziranga:** Emphasis needs to be put on securing animal corridors and ensuring a safe passage to the Karbi hills.
- Need for a landscape-scale conservation approach that recognises the value of the Karbi Anglong hills.

- The highlands of Karbi Anglong, where the animals take refuge, are the lifeline of the park during the floods.
- **Constructing Sluice Gates:** Sluice Gates should be constructed on tributaries of Brahmaputra and other rivers. It would prove to be an effective step.
- Sluice Gate's valves are designed to seal in one direction and commonly are used to control water levels and flow rates in rivers and canals.
- They also are used in wastewater treatment plants.
- **Other Measures:** A Centre for Disaster Management should be established in Assam to carry out studies for effective implementation of measures.

Road Ahead:

- **People's Resilience:** The rapid transformation in rainfall characteristics and flooding patterns demand building people's resilience.
- **Sustainable Land Management:** Construction projects that impede the movement of water and sediment across the floodplain must be reconsidered.
- Encouraging responsible land management practices, such as avoiding excessive excavation and deforestation, can help preserve the natural landscape and prevent soil erosion.
- **Early Warning Systems:** The region's historical experiences offer several valuable lessons in adaptation to floods. At the same time, climate-imposed exigencies demand new paradigms of early-warning and response systems and securing livelihoods and economies.
- **Improved Infrastructure and Drainage systems:** Investing in well-designed and adequately maintained infrastructure, including drainage systems, can help manage and redirect excess water during heavy rainfall events.

CONCLUSION

	<p>Assam and numerous other States in India are going to face increased flooding in future, especially considering the rapid climate change. The recent floods are a wakeup call to enact more robust policies for flood prevention and mitigation, prevention and response keeping in mind the spirit of Sendai Framework on Disaster Risk Reduction.</p>
7.	<p>India's demographic journey of hits and misses.</p> <p>Historical Context and Establishment of World Population Day</p> <ul style="list-style-type: none">Established in 1989 by the UN after concerns raised by demographer Dr. K.C. Zachariah.Challenges in the 1960s-70s with global population growth at 2%, predicting widespread poverty and hunger for India. <p>Changing Dynamics and Progress</p> <ul style="list-style-type: none">Global fertility rates declined rapidly post-1980s due to improvements in living conditions and healthcare.India's fertility rate dropped significantly from 3.4 to 2 between 1992 and 2021, now below replacement level.Increase in life expectancy due to robust healthcare system and better living standards. <p>Impact on Health Parameters</p> <ul style="list-style-type: none">Significant reductions in maternal mortality rate (MMR) from 384.4 in 2000 to 102.7 in 2020.Infant mortality rate (IMR) reduced from 66.7 deaths per 1,000 live births in 2000 to 25.5 in 2021. <p>Demographic Shift towards Ageing Population</p>

- Elderly population (aged 60 years and above) constituted 8.6% in 2011, projected to rise to 19.5% by 2050.
- Challenges in geriatric care and social security benefits for ageing population.

India's Journey Towards Sustainable Development Goals (SDGs)-

Introduction of SDGs

- Adopted in 2015 by the UN as a framework for global development.
- Core goals include "No Poverty", "Zero Hunger", "Good Health", "Gender Equality", and "Quality Education".

Progress and Challenges

- Poverty rate reduced from 48% to 10% between 1990 and 2019, supported by social welfare schemes like MGNREGA.
- Challenges in achieving "Zero Hunger" by 2030 despite improvements; India contributes a third of global malnutrition burden.

Health Sector Achievements

- Continued progress in reducing communicable diseases but challenges with rising non-communicable diseases (NCDs).
- Need for enhanced healthcare infrastructure and accessibility to meet SDG health targets.

Economic Disparities and Social Inclusion-

Income Inequality

- Top 10% of India's population holds 77% of national wealth, highlighting disparities.
- Importance of inclusive growth and equitable distribution of development benefits.

Nutrition and Health Challenges

- Challenges in addressing malnutrition, stunting, wasting, and anaemia rates despite government initiatives like POSHAN Abhiyaan.
- Increased budgetary allocation and stronger health programs required to improve nutrition and health outcomes.

Addressing Population Dynamics for SDG Achievement-

Gender Equality

- Women's empowerment crucial for achieving SDGs, including economic participation, political representation, and ending gender-based violence.
- Policies needed to enhance gender parity and empowerment across all sectors.

Future Directions

- Multi-sectoral collaboration and political will essential to meet SDG targets by 2030.
- Focus on harnessing demographic dividend through skill development and job creation.
- Strengthening social safety nets and healthcare systems to address evolving health needs and ensure inclusive development.

8. Indian government's electric vehicle (EV) policy

- Indian government's electric vehicle (EV) policy: focusing on its objectives, strategies, and the broader implications for the EV ecosystem in India:

Objectives of the EV Policy:

- **Promoting Local Manufacturing:** The primary goal of the policy is to encourage global automotive companies to localize their manufacturing operations in India. By doing so, the government aims to create a robust domestic manufacturing base for EVs and their components.
- **Cost Reduction and Economic Viability:** By achieving economies of scale through higher production volumes, the policy aims to lower the overall cost of EVs. This reduction is crucial to make electric vehicles more affordable and attractive to Indian consumers compared to traditional internal combustion engine vehicles.
- **Global Leadership in EV Transition:** India aims to position itself as a global leader in the transition from internal combustion engine vehicles to electric vehicles. This ambition is rooted in the country's status as the third-largest automotive market globally, providing a significant opportunity to influence global EV adoption trends.

Strategic Measures and Incentives:

- **Incentives for Local Production:** Initially, the policy required entities to set up local manufacturing facilities within three years to qualify for incentives. The revised policy extends benefits retrospectively to entities that have already invested in local production, thereby incentivizing early adoption and localization.
- **Import Duty Reduction:** To support local manufacturing, the policy significantly reduces import duties on completely built EV units (CBUs) valued above \$35,000. This reduction from 70%-100% to 15% aims to discourage imports and encourage local production of EVs.

- **Domestic Value Addition Requirements:** The policy mandates that at least half of the value addition in the overall manufacturing process must be done domestically within five years. This requirement is intended to ensure that local manufacturing contributes substantially to the EV supply chain.

Addressing Economic Challenges:

- **High Initial Costs of EVs:** The policy acknowledges that EVs currently have higher upfront costs compared to traditional vehicles. By promoting local manufacturing and reducing import duties, the government aims to bring down these costs over time, making EVs more accessible to Indian consumers.
- **Investment in Critical Components:** Recognizing the need for significant investments in critical components like EV batteries, the policy emphasizes the importance of attracting capital investments to build local manufacturing capabilities. This includes components such as battery cells, electrolytes, and other key EV technologies.

Implications for the EV Ecosystem:

- **Industry Growth and Employment:** A thriving EV ecosystem is expected to create job opportunities across various sectors, from manufacturing to research and development, contributing to economic growth and industrial development.
- **Technology Transfer and Innovation:** Local manufacturing is also seen as a catalyst for technology transfer and innovation in the EV sector. By establishing production facilities in India, global manufacturers are expected to bring advanced technologies and practices, benefiting the overall technological landscape.
- **Environmental Benefits:** Increased adoption of EVs aligns with global efforts to reduce carbon emissions and combat climate change. The policy's focus on transitioning to electric vehicles contributes to India's environmental sustainability goals.

	<p><u>Conclusion:</u></p> <ul style="list-style-type: none">• In conclusion, the Indian government's EV policy announced in March aims to leverage the country's market potential and industrial capabilities to foster a robust electric vehicle ecosystem. By incentivizing local manufacturing, reducing costs, and promoting technological advancements, the policy seeks to accelerate the adoption of electric vehicles in India while positioning the country as a key player in the global EV market.
	<p>9. Detailed Summary of the Public Distribution System (PDS) and its Impact on Household Consumption: Insights from HCES 2022-23</p> <p>Introduction to PDS and NFSA -</p> <ul style="list-style-type: none">• The Public Distribution System (PDS) in India, governed by the National Food Security Act (NFSA) 2013, aims to ensure food security by providing subsidised food grains to eligible populations. As of current statistics, up to 75% of rural and 50% of urban populations are entitled to receive subsidised food items through this program. <p>Objectives and Scope of HCES 2022-23 -</p> <ul style="list-style-type: none">• The Household Consumption Expenditure Survey (HCES) 2022-23, conducted by the National Sample Survey Office (NSSO), focuses on examining the impact of PDS consumption on household expenditure patterns across India. It covers both food and non-food items received by households through various social welfare programs.• Challenges in Data Interpretation -

- The survey acknowledges discrepancies between **administrative data and survey estimates**, highlighting common errors such as inclusion (ineligible households benefiting from PDS) and exclusion (eligible households not availing PDS benefits). Researchers use these insights to compare actual PDS coverage under NFSA guidelines with reported consumption patterns.

Imputation Methodology -

- To enhance accuracy in assessing household consumption, NSSO introduces **imputation techniques**. Imputation estimates the monetary value of free items received by households, thereby **enriching the Monthly Per Capita Consumption Expenditure (MPCE) calculations**. This approach enables comparisons between MPCE and MPCE adjusted for imputed values.

Imputed Value Analysis -

- The HCES 2022-23 reveals that a significant proportion of household consumption expenditure, particularly among lower-income groups, is attributed to free food items distributed via the PDS. For instance, imputed values indicate that in rural and urban areas, a substantial percentage of household consumption expenditure derives from free food items, influencing overall consumption patterns and expenditure.

Poverty Implications -

- Findings from the HCES 2022-23 prompt discussions on **redefining poverty thresholds**. Policymakers debate whether to include the imputed value of consumed free items when estimating household well-being and poverty levels. This consideration reflects the broader impact of in-kind social transfers on poverty alleviation strategies and welfare outcomes.

	<p>Conclusion</p> <ul style="list-style-type: none">• The HCES 2022-23 provides crucial insights into the complex dynamics of household consumption patterns influenced by in-kind social transfers like the PDS. It underscores the importance of nuanced data interpretation and policy formulation, particularly in assessing poverty and welfare at the household level. The survey's findings contribute significantly to ongoing policy debates and initiatives aimed at enhancing food security and socio-economic well-being across India.
	<p>10. Unheeded priorities of climate action</p> <p><u>Global Threat of Greenhouse Gases</u></p> <ul style="list-style-type: none">• Catastrophic Impact: Accumulation of greenhouse gases threatens significant and potentially irreversible changes in global climate conditions.• Global Cooperation: Addressing greenhouse gas emissions requires coordinated efforts at a global level and fair distribution of mitigation actions. <p><u>Paris Agreement and National Strategy</u></p> <ul style="list-style-type: none">• Voluntary National Plans: Countries under the Paris Agreement commit to formulating voluntary national plans to limit global temperature rise to 1.5-2°C.• India's Commitment: India pledges to achieve net-zero carbon emissions by 2070, focusing on energy transition, efficiency improvements, and enhancing carbon absorption through forest development.

Energy Transition

- Transition Away from Fossil Fuels
- **Renewable Energy Growth:** India's electricity production is increasingly shifting towards renewable sources like solar and wind power.
- **Beyond Electricity Production:** Emphasis on reducing direct fossil fuel use in other sectors, including transport (electric vehicles) and buildings (energy-efficient design).
- Institutional Reforms and Challenges
- **DISCOM Financial Health:** Ensuring financial viability of distribution companies crucial for efficient electricity market functioning.
- **Political and Social Challenges:** Political opposition in coal mining regions necessitates a phased approach to coal phase-out and alternative employment opportunities.

Industry Decarbonization

Focus Areas

- **Steel and Cement Industries:** Significant technological advancements needed to achieve carbon neutrality in heavy industries.
- **Technological Solutions:** Exploration of green hydrogen production and adoption of carbon capture and storage/use technologies essential for reducing industrial emissions.

Climate and Agriculture

Adaptation and Resilience

- **Impact on Agriculture:** Agriculture faces challenges from temperature rise, water scarcity, and extreme weather events necessitating adaptation measures.

- **Energy Use in Agriculture:** Transitioning to solar electricity for agriculture hindered by subsidized/free grid electricity in some states.

Innovative Approaches

- **Technological Innovations:** Promotion of nano-fertilizers and development of climate-resilient crop varieties to enhance agricultural sustainability and reduce emissions.

Urban Planning for Climate Resilience

- **Climate-Smart Cities:** Urban design focusing on mitigating urban heat islands, adapting to higher temperatures, and preparing for extreme weather events.
- **Infrastructure Requirements:** Emphasis on resilient infrastructure, efficient public transport systems, and urban green spaces to enhance climate resilience.

Integrated Policy Approach

- **Integrated Development:** Climate goals integrated into national, state, and local development policies to ensure comprehensive and coordinated action.
- **Stakeholder Engagement:** Engagement of corporations, households, and local communities crucial for effective implementation of climate policies.
- **Comprehensive Approach:** Integration of mitigation (reducing emissions), adaptation (adjusting to climate impacts), and resilience (building capacity to withstand climate effects) strategies across all sectors.

Conclusion

- **Global Cooperation:** Continued international cooperation essential for achieving global climate goals and mitigating the impacts of climate change effectively.
- **Holistic Strategy:** Effective climate management requires a holistic approach integrating policies, technologies, and societal actions across multiple sectors and governance levels.

11. Introduction to Karnataka's Draft Gig Workers Bill, 2024

The Karnataka government has introduced the draft **Karnataka Platform-based Gig Workers (Social Security and Welfare) Bill, 2024**, aimed at providing social security and welfare measures for platform-based gig workers in the state. This legislation follows a similar framework to the **Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023**, both focusing on a welfare board model.

Rise of Gig Economy

- The gig economy, characterized by **app-cab and retail delivery sectors**, has seen significant growth, providing livelihoods to millions amidst an overall employment crunch. Projections by NITI Aayog suggest an expansion to **23.5 million workers by 2030**, highlighting its growing significance in India's employment landscape.

Employment Issues in the Gig Economy

- Gig workers face challenges such as revenue sharing, working hours, and ambiguous employment conditions due to the platform-aggregator model. This model blurs traditional employer-employee relationships, presenting workers as independent contractors rather than employees.

Legal Framework and International Precedents

UK Supreme Court Ruling on Uber

- In the UK, the Supreme Court ruled that Uber drivers are employees, applying existing labor laws. This contrasts with India, where gig workers are categorized under the **informal self-employed** in the **Code on Social Security 2020**, without specific inclusion in other labor codes.

Analysis of Karnataka's Draft Bill

1. Welfare Board Model

Similar to Rajasthan's legislation, Karnataka's draft bill adopts a welfare board model. However, this model does not address fundamental employment relations, crucial for ensuring minimum wages, occupational safety, health standards, and collective bargaining rights.

2. Employment Relations and Legal Protections

The bill identifies aggregators as "aggregators" rather than employers, sidestepping crucial legal obligations associated with traditional employment relationships. This approach undermines the application of protective labor laws, leaving issues such as minimum wage and working hours unaddressed.

3. Core Issues and Omissions

Despite provisions for welfare schemes, the draft bill fails to integrate institutional social security benefits like provident fund and maternity benefits, standard for regular employees. Historical failures in implementing similar welfare board models, like the Construction Workers Welfare Act of 1996, raise concerns about the effectiveness of the proposed legislation.

4. Conclusion and Recommendations

The Karnataka Platform-based Gig Workers (Social Security and Welfare) Bill, 2024, represents a step towards acknowledging gig workers' rights. However, without addressing employment relations and ensuring comprehensive legal protections, it risks perpetuating the vulnerability of gig workers.

Recommendations include redefining employment relations within the gig economy framework and integrating core labor rights into future legislative efforts.

5. Implications for Policy and Future Directions

The discussion surrounding Karnataka's draft bill underscores the need for nuanced policy frameworks that balance innovation and worker protections in the evolving gig economy. Future legislative efforts must prioritize clarity on employment relationships and robust enforcement mechanisms to safeguard the rights and well-being of gig workers effectively.

12. BIG BROTHER TO BROTHER, A NEPAL INDIA RESET

Background and Context

- **Historical Context:** India and Nepal share a deep cultural and historical relationship, but political tensions have periodically strained bilateral ties.
- **2015 Constitutional Crisis:** Nepal's adoption of a new Constitution in 2015, despite reservations from India, triggered a significant downturn in relations.
- **Blockade Incident:** Following the adoption of the Constitution, India imposed a six-month blockade on Nepal, impacting daily life and creating long-lasting resentment

Political Dynamics and Leadership Influence

- **Leadership Impact:** Narendra Modi and Khadga Prasad Oli, both prime ministers during this period, have shaped bilateral relations through their policies and public statements.
- **Controversies:** Oli's provocative statements, including claims about the historical Ayodhya and criticisms of Indian policies, further strained relations.
- **Territorial Disputes:** The publication of India's political map in 2019, incorporating disputed territories, exacerbated tensions and led to amendments in Nepal's Constitution.

Geopolitical and Strategic Considerations

- **China's Influence:** Nepal's increasing engagement with China, including trade and infrastructure agreements, has been a response to perceived Indian interference and blockade.
- **Indian Influence and Interference:** New Delhi's involvement in Nepali governance, including political support to specific factions, has raised sovereignty concerns in Kathmandu.
- **Strategic Implications:** Both countries recognize the strategic importance of maintaining stable relations, given regional security and economic interdependence.

Economic Interdependence and Cultural Relations

- **Economic Ties:** Nepal's significant role as a remittance-sending country to India underscores economic interdependence despite political disputes.
- **Cultural Bonds:** Despite political tensions, cultural ties and people-to-people exchanges remain strong, contributing to mutual understanding.

Future Directions and Recommendations

- **Stability and Cooperation:** Calls for both countries to move towards stable and cooperative relations, focusing on mutual respect and non-interference.
- **Policy Adjustments:** Recommendations include refraining from interference in Nepal's internal affairs, respecting sovereignty, and enhancing economic cooperation.
- **Regional Cooperation:** Strengthening India-Nepal relations is crucial for broader South Asian cooperation and stability, including through initiatives like SAARC.

Conclusion

- **Complex Dynamics:** India-Nepal relations are characterized by a mix of historical grievances, geopolitical maneuvering, and economic interdependence.
- **Path Forward:** Both nations must navigate these complexities to foster a relationship based on mutual respect, stability, and regional cooperation.
- **Importance of Dialogue:** Continuous dialogue and diplomatic engagement are essential for resolving outstanding issues and building a constructive partnership.

13. Heatwaves are evaporating the right to play

Introduction to "Play" as a Universal Right

- Play is universally recognized as essential for children's development, encompassing social, physical, and mental aspects. According to UNICEF and the **United Nations Convention on the Rights of the Child (Article 31)**, play is not just leisure but a fundamental right that supports children in building social connections, developing physical and mental health, and enhancing creativity. The establishment of the **International Day of Play** underscores its significance globally.

Deprivation of Play Rights

- Despite its importance, many children are deprived of their right to play. The "**Value of Play**" report highlights staggering statistics: globally, one in five children does not have adequate time for play, and one in ten lacks outdoor play entirely. In India, access to leisure and public play spaces is often limited by socio-economic disparities and social identities such as caste, class, disability, and gender.

Climate Change as a Barrier to Play

- India faces significant challenges due to climate change, ranking **26th on UNICEF's Children's Climate Risk Index**. The country experiences frequent and severe heatwaves, floods, and droughts, impacting families and children disproportionately. Heatwaves, in particular, have made outdoor play increasingly unsafe, leading to school closures and restricted outdoor activities to protect children's health. This not only limits children's playtime but also poses severe health risks.

Impact on Disadvantaged Children

- Children from disadvantaged backgrounds are disproportionately affected by the lack of play opportunities. **Urbanization and environmental degradation** have reduced the availability of **safe play spaces**, especially in low-income communities where playgrounds are often non-existent or poorly maintained. Research indicates that limited access to safe play spaces hinders both physical and cognitive development, exacerbating existing inequalities and perpetuating cycles of poverty.

Solutions and Adaptive Measures

- To address these challenges, the article suggests implementing **bioclimatic** design principles in playground infrastructure and integrating urban planning strategies. This includes introducing green spaces and **cooling corridors** within cities to mitigate the **urban heat island effect** exacerbated by concrete constructions. Furthermore, expanding access to existing infrastructure like parks and playgrounds and ensuring they remain open during suitable times are crucial steps.

Community and Local Initiatives

- Community involvement is essential in creating safe play spaces. Local initiatives such as creating shaded areas in parks and involving communities in park management can provide opportunities for children, particularly in warmer climates. Addressing conflicts over park usage, such as age and socio-economic differences, is also crucial for ensuring **inclusive play spaces**.

Empowerment of Children

- The article emphasizes empowering children to become advocates for environmental sustainability. Engaging students in hands-on activities such as **biodiversity mapping** and environmental assessments not only educates them but also enables them to take concrete actions in their communities. Examples like carbon-neutral initiatives in Kerala demonstrate the potential impact of involving children in local environmental initiatives.

Conclusion

- The article stresses the urgent need to recognize and address the impact of climate change on children's right to play. By implementing inclusive policies, fostering community engagement, and empowering

children as advocates, societies can mitigate the adverse effects of climate change on children's development and well-being. Ultimately, addressing these issues ensures a generation better equipped to face the challenges of the future.

14. Intergenerational equity as tax devolution criterion

Introduction

- **Political and Economic Significance:** The distribution of Union tax revenue among States in India is a crucial issue discussed periodically, driven by political considerations and economic principles.
- **Role of Finance Commission (FC):** The FC revisits and determines the horizontal distribution formula every five years, emphasizing equity over efficiency in allocating resources among States.

Intergenerational Fiscal Equity

- **Concept Definition:** Intergenerational equity ensures that each generation pays for its public services without burdening future generations through excessive borrowing.
- **Current Scenario:** High-income States tend to finance a larger share of their expenditure through own tax revenue, whereas low-income States heavily rely on Union financial transfers. This disparity leads to varying levels of fiscal management and debt.

Intragenerational Equity

- **Objective:** Intragenerational equity aims to provide equitable public services per tax payment across all States, regardless of their economic status.
- **Indicators Used:** The FC uses indicators such as per capita income, population, and area to distribute Union financial transfers, reflecting states' differing needs and fiscal capacities.

Conflicting Equities Addressed by FC

- **Equity Variables:** Current distribution formulas prioritize per capita income, population, and area, which sometimes fail to accurately capture states' fiscal situations.
- **Need for Revision:** There is a call to include more fiscal variables to incentivize fiscal discipline and efficiency among States, thereby ensuring better utilization of Union financial transfers.

Fiscal Challenges and Recommendations

- **Fiscal Responsibilities:** Every state has a Fiscal Responsibility Act to limit deficits and manage public debt. However, reduced Union financial transfers sometimes force states to breach these legal limits.
- **FC's Role:** The FC should assign greater weight to fiscal indicators and incentivize tax efforts and expenditure efficiency through increased Union financial transfers.
- **Outcome:** This approach would promote intergenerational fiscal equity and sustainable debt management across states.

Conclusion

- **Balancing Equity and Efficiency:** The FC's role in balancing intragenerational and intergenerational equity is crucial for equitable development across states.
- **Recommendations:** By revising the distribution formula to include more fiscal indicators and incentivize fiscal discipline, the FC can effectively address conflicting equity issues and promote balanced development.

15. Role of the Finance Commission

Introduction to the Finance Commission

- The Finance Commission, a **constitutional body**, advises on the distribution of tax revenues between the Central government and State

governments. It is reconstituted **every five years** and operates independently to ensure equitable fiscal federalism.

Mandate and Function

- **Vertical Devolution:** Determines the share of Central tax revenue allocated to States. While not based on a fixed formula, recent Commissions have advocated for higher allocations to States.
- **Horizontal Devolution:** Distributes funds among States based on factors like population, income levels, and geographical considerations.
- The Commission's recommendations are crucial for maintaining fiscal balance and meeting State expenditure requirements.

Current Commission's Work

- The 16th Finance Commission, headed by **Arvind Panagariya**, began its work by inviting public suggestions. It aims to submit recommendations by **October 2025**.
- These recommendations will govern the distribution of tax revenues from April 2026 for a five-year period.

Issues and Friction

- **Distribution Disputes:** Tensions arise between the Centre and States over the proportion of tax proceeds allocated to States. States argue for a higher share due to their responsibilities in delivering essential services like education and healthcare.
- **Under-Devolution:** States often receive less than the recommended share from the divisible pool due to the Centre's discretion, impacting their fiscal autonomy.

- **Cesses and Surcharges:** Non-shareable cesses and surcharges constitute a significant portion of the Centre's revenue, reducing the effective share States receive and creating fiscal disparities.

Impact on Local Bodies

- The 16th Finance Commission aims to enhance the revenue capacities of local bodies such as panchayats and municipalities.
- Currently, local bodies in India receive minimal funding compared to global standards, limiting their ability to deliver effective governance at the grassroots level.

Disparities and Criticisms

- **Fiscal Imbalance:** Developed States like Karnataka and Tamil Nadu argue they receive less funding than their contributions, leading to perceived inequities in fiscal transfers.
- **Independence Concerns:** Critics question the independence of the Finance Commission, noting its members are appointed by the Centre, potentially influencing its decisions.
- **Governance Impact:** The Commission's recommendations significantly impact governance and development across States, highlighting the need for fair and transparent fiscal policies.

CONCLUSION

- The Finance Commission's role in India's fiscal federalism is pivotal but fraught with challenges related to revenue distribution and governance effectiveness. Ongoing reforms are necessary to address disparities, enhance fiscal autonomy at all levels, and ensure equitable distribution of resources in line with constitutional mandates.

16. Living in denial about unemployment

Introduction

- The discussion revolves around conflicting reports and statements regarding the state of unemployment in India, particularly in recent years. This has sparked a debate between government sources, financial institutions, and private data-gathering agencies, leading to public confusion over the true extent of employment generation and unemployment rates.

Prime Minister's Assertion and RBI Report

- Prime Minister Narendra Modi cited a **Reserve Bank of India (RBI) report** claiming that **8 crore jobs** were created in the last 3-4 years. He used this data to counter opposition claims of rising unemployment, also highlighting upcoming infrastructure projects as potential sources of job creation. Modi's assertion aimed to portray a positive outlook on employment trends under his government.

Response from Financial Institutions

- Financial institutions like Citigroup presented reports in July suggesting that employment generation in India has been inadequate. These reports contradicted the RBI's optimistic figures and raised questions about the accuracy of government-provided employment data. The financial institutions' stance underscored concerns about economic realities versus official narratives.

State Bank of India's Counter Report

- The State Bank of India (SBI) released a counter report arguing that significant job creation had indeed occurred in the manufacturing and services sectors, especially between FY14-FY23. SBI's report aimed to challenge the negative perceptions fueled by financial institutions and to support the government's claims of substantial employment growth during specific periods.

Conflicting Data Sources

- The core issue revolves around the use of different methodologies and data sources to estimate employment in India. The **Centre for Monitoring Indian Economy (CMIE)** reported a rise in unemployment rates to an eight-month high of 9.2% in June 2024, contrasting sharply with government assertions. This discrepancy highlights the challenge of reconciling official data with independent assessments by private agencies.

Complexity of Indian Economy and Data Collection

- The Indian economy's complexity, characterized by a vast unorganized sector employing a significant majority (94%) of the labour force, poses challenges for accurate data collection. Official surveys such as the Periodic Labour Force Survey (PLFS) and Annual Survey of Unincorporated Sector Enterprises (ASUSE) rely on periodic census data, which may not reflect current economic realities due to the economy's dynamic nature and recent economic shocks.

Impact of Economic Shocks

- The period from 2016 to 2024 witnessed several economic shocks including demonetization, GST implementation, NBFC crisis, and the COVID-19 pandemic. These shocks severely impacted the unorganized sector, which constitutes a substantial portion of the labour force. The reliance on pre-shock data for current employment estimates may lead to skewed perceptions of actual employment levels.

Differences Between PLFS and CMIE Data

- PLFS and CMIE employ different methodologies and definitions to measure employment. PLFS includes individuals as employed even if they earn no income from their work, which can inflate employment figures. In contrast, CMIE adheres strictly to International Labour

Organization (ILO) definitions, accounting for discouraged workers and underemployment. This difference contributes to the significant variance in reported employment rates between the two sources.

Ground-Level Realities and Public Perception

- Despite official claims of employment growth, ground-level reports and public perception indicate widespread challenges for job seekers. Instances such as large-scale applicant numbers for limited vacancies in government exams underscore the discrepancy between official narratives and the realities faced by job seekers, particularly the youth.

Conclusion

- The conflicting reports on unemployment in India underscore the complexities of the economy and the challenges in accurately measuring employment levels. Discrepancies between government data, financial institutions' reports, and private agency assessments highlight the need for transparent and reliable data sources to address public concerns effectively. Addressing these issues is crucial to formulating policies that align with ground realities and mitigate the growing frustration among job seekers and the broader public.

17. Project Cheetah – Prospects and Challenges

- India's ambitious Cheetah reintroduction programme **Project Cheetah** completed one year on 17th September 2023. Project Cheetah is India's ambitious cheetah relocation program aimed at establishing a self-sustaining population of about 35 cheetahs in the country over the next decade. However the Project has faced several criticisms with the death of 9 cheetahs (6 adults and 3 cubs) out of the 20 translocated cheetahs from Namibia and South Africa.

Project Cheetah

<ul style="list-style-type: none"> • Project Cheetah-Project Cheetah is the world's first intercontinental large wild carnivore translocation project. The project aimed at the reintroduction of Cheetahs in the country which had become extinct in 1950s in the country. • Status of Project- 		
Incoming Cheetahs	Status of Cheetahs	Future Action
<p>First batch- 8 cheetahs from Namibia arrived on September 17, 2022 at Kuno Palpur National Park.</p> <p>Second batch- 12 cheetahs from South Africa arrived on February 18, 2023 at Kuno Palpur National Park.</p> <p>*In late March 2023, one of the females gave birth to a litter of four cubs which were conceived in India.</p>	<p>6 Cheetahs have died. 14 cheetahs are remaining. All the surviving 14 adult cheetahs and one cub are in captivity</p> <p>*3 of the 4 cubs have died and 1 cub is being hand reared as the mother has rejected it.</p>	<p>There is talk of them being radio-collared again and released once the winter sets in. The project authorities are talking of additional sites being prepared for releasing the cheetahs such as the Gandhi Sagar Wildlife Sanctuary and Nauradehi Wildlife Sanctuary, both in Madhya Pradesh.</p>

Historical Timeline of Project Cheetah

- **Earliest historical references of Cheetahs in India:**
 - They are found in classical Greek records of India, from Strabo, about 200 years before the Common Era.
 - In the **Mughal Period**, cheetahs were used very extensively for hunting. Emperor Akbar had 1,000 cheetahs in his menagerie.
 - Central India, particularly the Gwalior region, had cheetahs for a very long time. Various states including **Gwalior and Jaipur** used to hunt cheetahs.
- **Extinction of Cheetahs:**
 - The country's last spotted cheetah died in Sal forests of Chhattisgarh's Koriya district in 1948 and the **wild animal was declared extinct in the country in 1952.**
 - Maharaja Ramanuj Pratap Singh, the ruler of a small princely state in today's Chhattisgarh shot India's last 3 surviving cheetahs.
- **1st plan to reintroduce the cheetah**-First solid steps were taken in the 1970s, during negotiations with **Iran**, then under **Shah Muhammad Reza Pahlavi**. Iran's cheetahs were Asiatic, like India's extinct animals. **The plan was to exchange Asiatic lions for Asiatic cheetahs.**
- **2009**-Another attempt to source **Iranian Cheetahs** was made in 2009 without success. Iran would not permit even cloning of its Cheetahs.
- **2012**-Supreme Court ordered a **stay on the reintroduction project.**
- **2020**-South African experts visited four potential sites: **Kuno-Palpur, Nauradehi Wildlife Sanctuary, Gandhi Sagar Wildlife Sanctuary and Madhav National Park.**

- **2022-** Project Cheetah was officially launched by the Prime Minister.

Significance of Project Cheetah

Environmental Significance

- **Biodiversity restoration-**Reintroduction of cheetahs helps in restoring the natural balance of the ecosystem by **reintroduction of a top predator** in the food chain. Cheetahs will help in the **restoration** of open forestland grassland ecosystems in India and enhances the ecosystem services like water security, carbon sequestration and soil moisture conservation.
- **Conservation efforts of other species-**The success of Project Cheetah can serve as a **model for the reintroduction of other critically endangered species** which can motivate conservationists and governments to pursue similar efforts for other endangered species like the **Great Indian Bustard**.
- **Ecological research opportunities-** Reintroduction of cheetahs provides unique opportunity for scientists to **study cheetah behaviour and ecology** in a new environment.

Economic Significance

- **Enhancement of tourism-** The presence of cheetahs in Indian national parks **boosts wildlife tourism** and generates revenue. This has led to job creation like **Cheetah Mitras** and has benefited communities living around national parks and wildlife reserves by increasing their sources of income.

Social Significance

- **Social awareness about conservation-** Debates on success of Project Cheetah has **raised public awareness** about wildlife conservation and the importance of protecting endangered species.
- **Socio-cultural significance-** The reintroduction of cheetahs have also helped in **reviving their cultural importance** in India, as Cheetahs

have historically been symbols of strength and agility in Indian mythology and folklore.

What are the possible reasons behind high cheetah mortality in Project Cheetah?

- There has been death of 6 Cheetahs and 3 cubs which have highlighted the Drawbacks in the implementation of Project Cheetah.
- **Improper implementation of Livestock Importation Act 1898-** According to the Livestock Importation Act 1988 the **prescribed time period of quarantine of animals is 30 days**. However there was delay in release of Cheetahs from their quarantine. Cheetahs were released after 60 days of quarantine. This **prolonged confinement of cheetahs in quarantine** has had adverse effects on their ability to adapt and has led to psychological adjustment issues.
- **Improper Scientific Assessment-**The Action Plan of Project Cheetah mandated scientific assessment to establish the prevalence of **potential carnivore pathogens/diseases** at the release sites. Critics point to the lack of scientific assessment report in public domain. Also the three cheetah deaths have been attributed to **native pathogens**.
- **Improper Verification of Cheetahs selected for Translocation-** Action Plan of Cheetah Relocation laid down detailed guidelines for proper verification of Cheetahs for their relocation. However critics point to the laxity in following the detailed Verification guidelines as the cause of death of the first Cheetah has been attributed to **pre-existing renal disease**.
- **Improper implementation of stated release procedure-** The Action Plan of Cheetah reintroduction laid down proper guidelines for the **quarantine compartments of male-female, radio collaring and stated release procedure**. However the timelines prescribed and stated release procedures were not properly implemented.

Cheetah:

- The cheetah, *Acinonyx jubatus*, is one of the oldest of the big cat species.
- The cheetah is also **the world's fastest land mammal**.
- It is listed as **vulnerable** in IUCN red listed species
- The country's last spotted feline died in **Chhattisgarh in 1947**. Later, the cheetah was **declared extinct in India in 1952**
- The **Asiatic cheetah is classified as a "critically endangered" species** by the IUCN Red List, and is believed to survive only in Iran.
- Now they are being reintroduced to the **Kuno-Palpur Wildlife Sanctuary**, Madhya Pradesh

Classification of Cheetah:

Parameter	African Cheetah	Indian Cheetah
IUCN status	Vulnerable	Critically endangered
Numbers	Around 6500-7000	Only 40-50 found in Iran
Physical characteristics	Bigger in size than the Asian cheetah	Smaller and paler than African cheetah and looks more like a cat with smaller head and longer neck

Challenges being faced by Project Cheetah

- **Less protected area available for thriving Cheetah Population-**
Cheetahs are a low-density species with **1-2 Cheetahs existing in 100 sq kms**. Thus the newly introduced cheetahs will need about **5,000 sq km of good-quality habitat** to establish a viable population in India.

The country currently does not have this extent of habitat for the cheetahs.

- **Less Prey availability-** Experts have raised concerns about the cheetahs travelling **large distances to roam and hunt** which is not optimal in the current environment for their long-term survival.
- **Fragile Creatures-** Unlike tigers and leopards, Cheetahs are comparatively fragile creatures and are more **prone to sustaining fatal injuries** in the wild.
- **Climate change impacts-** Adapting to the impacts of climate change on the habitat and prey availability have posed challenges for the cheetah population's long-term survival.
- **Inter Species Competition-** Tigers from the **Ranthambore Tiger Reserve** in Rajasthan, 140 km away from Kuno, migrate to the park. The proximity of these predators in the same ecosystem has also posed a serious challenge for Project Cheetah.
- **Genetic Differences-** Many experts have expressed concerns over reintroduction of African Cheetahs instead of Asiatic cheetahs. They believe that **Asiatic cheetahs** would have been a **more suitable choice** considering historical survival of species in the region and their ability to quickly acclimatize.

Road ahead

- **Improvement of health monitoring-** Regular health checks and early detection of health issues can help prevent deaths like **Sasha's from kidney disease** and gastritis.
- **Strengthening collaboration-** Enhancement of cooperation between Indian authorities, international conservation organizations and experts to **share knowledge and best practices** for cheetah reintroduction.
- **Coordination with other countries-** Collaboration with countries like **South Africa and Namibia** to exchange knowledge and best practices in cheetah conservation.

	<ul style="list-style-type: none"> ▪ Expansion of habitat area- Preparation of additional sites for release of the cheetahs such as the Gandhi Sagar Wildlife Sanctuary and Nauradehi Wildlife Sanctuary so as to increase their habitat and prey areas. ▪ Establishment of a long-term monitoring plan- Development of a comprehensive plan to monitor the cheetah population, track their movements and evaluate the overall success of the reintroduction project. ▪ Encouraging community based conservation- Involvement of local communities in conservation efforts by providing economic incentives and opportunities for sustainable development such as ecotourism or community-led wildlife management. ▪ Government has initiated efforts in removing the anomalies of Project Cheetah by constituting a 11 member task force under the chairmanship of Rajesh Gopal. Success of Project Cheetah will be a landmark success for conservation efforts in India.
	<p>18. Reasonable accommodations and disability rights</p> <ul style="list-style-type: none"> • Reasonable accommodations (RA) under the RPwD Act refers to necessary adjustments that ensure Persons with Disabilities (PwD) can enjoy their rights on an equal basis with others. These accommodations encompass a wide range, including physical modifications (e.g., ramps, accessible facilities), provision of assistive technologies, adjustments in job roles and responsibilities, flexible work arrangements, and modifications in policies and procedures. • Exemption for Institutions - The RPwD Act allows public and private institutions to be exempt from implementing RA if they can demonstrate that the adjustments would cause them disproportionate or undue burden. This exemption is based on objective factors outlined

in the **CRPD**, such as the nature and cost of the accommodation in relation to the institution's resources.

Challenges Faced by Indian Institutions

- Despite legal mandates, Indian institutions often hesitate to implement RA due to concerns over financial implications. There is a prevalent belief that accommodating PwDs may be costly and could impact overall efficiency and productivity within the institution. This utilitarian approach sometimes leads institutions to invoke the undue burden defense more for reasons of convenience rather than genuine financial hardship.

Constitutional Obligations

- **Positive Obligation:** The Constitution of India imposes a positive obligation on the state to create conditions where every individual can effectively exercise their right to equality. This includes ensuring accessibility and removing barriers that prevent PwDs from participating fully in society and institutions.

Incentive and Cost-Sharing Model

- **Sensitization of Institutions:** To address financial reluctance, institutions need to be educated about the cost-effectiveness of many RA solutions. Many accommodations, such as accessible technologies and minor workplace adjustments, are affordable and contribute positively to workplace inclusivity.
- **Targeted Incentives:** The government can incentivize institutions through various means such as tax deductions, subsidies, or credits for expenditures related to RA implementation. These incentives aim to offset initial costs and encourage proactive accommodation measures.
- **Cost-Sharing:** Recognizing that some institutions genuinely face financial constraints, the state can share the burden of RA costs

through funding mechanisms. This approach ensures that financial limitations do not hinder the provision of necessary accommodations.

Utilization of National Fund

- **RPwD Act Provisions:** The RPwD Act includes provisions for the establishment of a National Fund for PwDs. This fund is intended to support initiatives that promote the rights and welfare of PwDs, including facilitating RA implementation.
- **Enhancing Fund Utilization:** Despite legal provisions, the National Fund remains underutilized. Measures such as designating it as a separate budgetary item and ensuring continuous funding flow can optimize its effectiveness in supporting RA initiatives across various institutions.

Welfare-Oriented Approach

- **Resource Assessment:** When institutions claim undue burden, they must undergo a rigorous assessment of their financial resources and capabilities. This inquiry ensures that exemptions from RA implementation are justified and not simply a result of cost avoidance.
- **National Fund Disbursement:** Institutions can apply to the National Fund for financial support in implementing RA. Applications undergo scrutiny to verify financial deficits and assess the availability of alternative, cost-effective accommodations.
- **Proportionality Assessment:** Guided by CRPD principles, the National Fund evaluates the proportionality of RA requests to ensure they are reasonable and necessary for enabling PwDs to exercise their rights effectively.

Conclusion

- **Overcoming Institutional Hesitance:** The proposed model aims to mitigate institutional reluctance by providing practical solutions to

financial concerns and demonstrating the long-term benefits of RA implementation.

- **Promoting Market Benefits:** By encouraging inclusivity and accommodation, institutions can potentially benefit from improved productivity, diverse talent pools, and enhanced public perception.
- **Ensuring Compliance:** Establishing uniform standards and rigorous assessment criteria for "undue burden" ensures that exemptions are granted only when justified, thereby safeguarding the rights of PwDs and promoting a fair and inclusive society.

19. Heat stress is more than a degree of concern

Global Perspective

- **Labour Efficiency and Productivity:** Climate change and environmental degradation significantly affect worker safety and health worldwide. Heat stress, exacerbated by rising temperatures, leads to reduced labour efficiency and productivity. This phenomenon is projected to **decrease total working hours globally** by 2.2% and impact global GDP by \$2,400 billion by 2030.
- **Health Effects:** Workers exposed to heat stress face various health risks including heat stroke, heat cramps, cardiovascular diseases, acute kidney injury, and physical injuries. These conditions are exacerbated when core body temperatures exceed 38°C, affecting both cognitive and physical capabilities.

Vulnerability of Workers

- **Sectoral Impact:** Agricultural and construction workers are most vulnerable to heat stress due to the nature of their work. Agricultural workers, for instance, face significantly higher risks compared to other occupations, with farmworkers being 35 times more susceptible to heat-related fatalities.
- **Regional Variations:** The Asia-Pacific region experiences the highest GDP losses due to heat stress affecting labor productivity. Countries

like Thailand, Cambodia, and India are expected to see substantial declines in GDP by 2030, with some regions projected to experience a nearly 5% decrease in working hours.

Specific Impacts and Examples

- **Impact in India:** India, with its large population and diverse climatic conditions, faces severe consequences from heat stress. By 2030, between 160 to 200 million individuals annually may be at risk of deadly heat waves. The country is expected to lose a significant percentage of working hours and productivity, particularly affecting sectors like agriculture and informal labor.
- **Social and Economic Consequences:** Heat stress exacerbates inequalities, particularly in regions like southern Asia and sub-Saharan Africa, where vulnerable populations and poor communities are most affected. The decline in labor productivity among small-scale farmers threatens household food security and economic stability.

Policy and Mitigation Strategies

National and International Efforts

- **National Guidelines:** Countries like India have developed comprehensive action plans, such as the "**Preparation of Action Plan – Prevention and Management of Heat Wave**", aimed at protecting the workforce from extreme heat events. These plans include provisions for education, hydration, managing work schedules, and ensuring medical facilities.
- **International Labour Standards:** Efforts are underway to strengthen implementation of international labor standards related to occupational safety and health. This includes providing suitable working conditions and promoting effective communication between workers and employers to manage and mitigate heat stress.

Role of Green Jobs

- **Promoting Sustainable Employment:** Green jobs emerge as a sustainable solution to mitigate climate impacts on labor. These jobs **focus on protecting or restoring the environment** while supporting economic growth and social well-being. Implementing regulatory measures in heat-prone occupations and enhancing infrastructure are crucial steps towards ensuring worker safety and well-being.

Conclusion

- Climate change-induced heat stress poses significant challenges to global economies, worker health, and sustainable development goals. Addressing these challenges requires coordinated efforts at national, regional, and international levels, encompassing policy interventions, adaptation strategies, and investments in green and sustainable employment. By prioritizing the protection of vulnerable workers and promoting resilient infrastructure, countries can mitigate the adverse impacts of heat stress while advancing towards inclusive and sustainable economic growth.

20. A FIVE-YEAR ROADMAP

Fiscal Consolidation

- **Fiscal Deficit Target:** The budget sets a fiscal deficit target of 4.9% of GDP for the fiscal year 2024-25, with a goal to gradually reduce it to 4.5% in subsequent years. This indicates the government's commitment to fiscal discipline despite the challenges faced by the economy.
- **Debt to GDP Ratio:** The forecasted reduction in the central government's debt to GDP ratio from **58.2% to 56.8%** underscores efforts to manage public debt responsibly. This reduction is seen as a positive step towards maintaining economic stability and investor confidence.

- **Source of Fiscal Space:** The surplus expected from the Reserve Bank of India (RBI) is highlighted as a significant contributor to additional fiscal space. This surplus will not only aid in fiscal consolidation but also in funding developmental initiatives without compromising fiscal prudence.

Medium-Term Interventions

- **Economic Policy Framework:** The proposal to establish a comprehensive economic policy framework is aimed at providing clarity and consistency in economic reforms over the medium term. This framework is expected to guide future policy decisions and reforms, enhancing predictability for investors and stakeholders.
- **Employment and Skilling Initiatives:** Recognizing the importance of employment generation and skill development, the budget outlines initiatives to improve employability through skill training programs. Additionally, financial support for provident fund contributions aims to benefit workers and encourage savings.
- **Infrastructure Development:** The budget emphasizes infrastructure development as a crucial pillar for economic growth. Investments in infrastructure projects, including roads, railways, and airports, are intended to stimulate economic activity and address long-term developmental challenges.

Tax Reforms

- **GST Rationalization:** There is a proposal to rationalize GST rates and expand the tax base. This move aims to simplify the GST structure, reduce compliance burdens, and enhance revenue collection efficiency. The stability and predictability of the GST regime are expected to improve through ongoing reforms.
- **Customs Duties:** The continual recalibration of customs duties is mentioned to address varying economic concerns effectively. An

economic policy framework could provide stability and clarity in customs duty policies, promoting trade and economic growth.

- **Direct Taxes:** The budget highlights a review of the Income Tax Act to make it concise, easy to understand, and reduce litigation. The introduction of the "**Vivad se Vishwas, 2024**" scheme aims to resolve tax disputes and unlock revenue locked in litigation, thereby improving tax administration and compliance.
- **Capital Gains Tax:** The increase in taxes on capital gains, coupled with exemptions for retail investors, seeks to address income inequality concerns. This measure is expected to stabilize capital markets and reduce speculative activities in the short term.
- **Securities Transaction Tax (STT):** The enhancement of STT on futures and options transactions is aimed at regulating capital market activities and promoting long-term stability.

Economic Stability and Predictability

- **Policy Framework:** The proposal to establish a comprehensive economic policy framework aims to provide stability and predictability in tax and customs regimes. This framework is intended to guide policy decisions, foster investor confidence, and support sustainable economic growth.
- **Dispute Resolution:** Measures to reduce litigation and disputes in tax matters, including manpower augmentation for addressing backlogs, are aimed at improving ease of doing business and enhancing the tax administration's efficiency.

Conclusion

- The 2024 budget reflects a balanced approach towards fiscal consolidation, medium-term economic interventions, and comprehensive tax reforms. It addresses key economic challenges while laying the groundwork for sustainable growth and development. The emphasis on infrastructure, employment generation, and

simplification of tax laws underscores the government's commitment to economic stability and predictability. Overall, the budget aims to foster an enabling environment for investment, innovation, and inclusive growth in the country.

21. An outlining of urban transformation strategies

Urban Population Growth and Government Recognition

- India's urban population, currently at around **50 crores, constitutes 36% of the total population and is growing at an annual rate of 2% to 2.5%**. This rapid urbanization underscores the government's recognition in the Budget of cities as pivotal growth centres that require sustained investments. With urban areas becoming hubs of economic activity and housing a significant portion of the population, the Budget emphasizes the need for robust **urban infrastructure development and enhanced urban services** to cater to this demographic shift effectively.

Housing Initiatives

- The **Pradhan Mantri Awas Yojana (Urban)**, initiated in 2015, has been a cornerstone in addressing housing needs. It has already delivered **85 lakh housing units** targeting the Economically Weaker Sections (EWS) and Middle-Income Groups (MIG). Looking ahead, the Budget proposes an ambitious plan to construct an additional 1 crore housing units in urban areas, with **a substantial investment of 10 lakh crore**. This includes a significant 2.2 lakh crore commitment from the central government over the next five years, with an initial allocation of 30,171 crore for the current fiscal year. The initiative also includes provisions for interest subsidies to facilitate affordable loans, ensuring accessibility to housing for all urban residents.

Infrastructure Development

- Under the **Atal Mission for Rejuvenation and Urban Transformation (AMRUT)**, the government aims to improve basic urban infrastructure such as water supply, sewerage, urban transport, and parks. A budgetary allocation of 8,000 crore has been earmarked for AMRUT, focusing on enhancing the quality of life in urban areas. To encourage private sector participation in infrastructure development, projects can utilize **Viability Gap Funding (VGF) under the Public-Private Partnership (PPP) mode**. Additionally, the Budget allocates 11.11 lakh crore towards comprehensive infrastructure development across various sectors, including highways and urban infrastructure, reflecting a holistic approach to urban growth and development.

Smart Cities Mission and National Urban Digital Mission (NUDM)

- The Smart Cities Mission, originally **allocated 8,000 crores**, has been scaled down to 2,400 crore for 2024-25 to fulfil remaining commitments. This initiative focuses on transforming cities through enhanced infrastructure and technology integration, aiming to improve the quality of life for urban residents. In parallel, the **National Urban Digital Mission (NUDM)** has been introduced with a **1,150-crore allocation** to digitize property and tax records, enhancing financial management and transparency in urban governance. Together, these missions signify the government's commitment to leveraging technology for efficient urban management and development.

City Planning and Transit-Oriented Development

- **Transit-Oriented Development (TOD)** emerges as a strategic approach in city planning, aiming to create compact urban hubs around transit systems to minimize congestion and promote sustainable development. The Budget emphasizes the development of mobility solutions, including a **1,300-crore provision** for electric bus systems to enhance public transport efficiency and reduce

environmental impact. Despite challenges such as high initial costs, these initiatives are crucial steps towards building resilient and interconnected **urban ecosystems that can support India's growing urban population while ensuring environmental sustainability.**

Conclusion

- This detailed summary highlights the comprehensive approach outlined in the Budget to address the diverse challenges and opportunities presented by India's urbanization process. By focusing on housing, infrastructure, digitalization, and sustainable development, the government aims to foster inclusive growth and enhance the quality of life in urban areas across the country.

22. The 'geo-calculus' of the Moscow visit

Prime Minister Narendra Modi's visit to Russia was his first bilateral trip in his third term. This visit was highly significant due to its timing and the international context surrounding it. The trip followed a period of heightened scrutiny and criticism from the U.S. and European nations concerning Russia's ongoing conflict with Ukraine.

- **International Reactions** - The visit drew strong reactions from global leaders:
- **Ukraine:** Ukrainian President Volodymyr Zelenskyy expressed sharp criticism, viewing the warm relations between Modi and Russian President Vladimir Putin as detrimental to Ukraine's position.
- **United States:** The U.S. State Department, National Security Adviser, and Ambassador to India all issued statements expressing disappointment and concern over the apparent closeness between India and Russia.

Assessment of the Ukraine Conflict

- **Timing and Context:** Modi's visit came two years after the Russian invasion of Ukraine. Notably, India had previously refrained from holding the annual India-Russia summit in 2022 and 2023. The only notable statement from Modi regarding the conflict was his 2022 remark at the Shanghai Cooperation Organisation (SCO) summit where he told Putin that "this era is not of war."

Conflict Dynamics:

- **Initial Setbacks:** In the first two years of the war, Russia experienced significant setbacks, including a failed offensive on Kyiv, severe losses, and domestic unrest caused by military drafts. The resilience of Ukrainian defences and the effectiveness of NATO-supplied equipment also posed challenges for Russia.
- **Current Situation:** As of Modi's visit, Russia has stabilized its position in the eastern part of Ukraine and has incorporated these areas into its territory through constitutional amendments. This situation suggests that Russia is in a stronger position to maintain the status quo.

India's Perspective:

- **Frozen Conflict:** India seems to have concluded that a frozen conflict is the most probable outcome. This assessment is based on the current dynamics of the conflict and the potential need for substantial escalation by Ukraine, which would require significant additional support from Western nations.
- **U.S. Presidential Election:** India anticipated potential changes in U.S. policy with the possibility of Donald Trump challenging Joe Biden in the presidential race, who might adopt a different approach towards Ukraine and Russia.
- **Statements and Stance:** The joint statement from India and Russia referred to the conflict as "around Ukraine" rather than "in Ukraine," subtly aligning with Russian perspectives. Additionally, the statement expressed "appreciation" for peace proposals "in accordance with

international law and on the basis of the UN Charter,” indicating some common ground between the two nations.

- **UN Abstentions:** India has maintained a neutral stance by abstaining from multiple UN votes condemning Russia. This includes a recent vote on July 11, 2024, calling for a ceasefire after Russian missile attacks on Ukrainian targets, including a children's hospital.

Geopolitical Signalling

- **Moscow vs. Astana:** Modi's decision to visit Moscow instead of attending the **SCO Summit** in Astana highlighted India's strategic priority to bolster ties with Russia. This choice was significant given the ongoing tensions with China and the fact that Chinese President Xi Jinping attended the Astana summit.
- **China and the Quad:** India's focus on Russia underscores its strategy to balance tensions with China, especially along the Line of Actual Control (LAC). Modi's visit also reflects India's caution regarding U.S. strategic groupings and partnerships, such as **AUKUS and Quad Plus**.
- **U.S. Strategies:** The visit signals India's strategic autonomy and its intention to avoid over-reliance on Western alignments. The Biden administration's involvement in various regional partnerships and summits has prompted India to reassess its strategic priorities and relationships.

Geo-Economic Considerations

Trade and Energy Relations:

- **Oil Imports:** India's import of discounted Russian oil has significantly boosted bilateral trade, increasing from \$5 billion-\$10 billion annually to \$65 billion in the previous year. This growth continued into the first quarter of 2024.
- **Sanctions and Circumvention:** With Western sanctions on Russia expected to persist, India has focused on developing mechanisms to sustain oil imports and circumvent these sanctions. The Modi-Putin

summit addressed this by outlining action items to enhance trade, including cooperation in the Russian Far East and the **Chennai-Vladivostok maritime corridor**.

Investment and Trade:

- **High-Value Investments:** Significant investments have characterized the bilateral relationship. For instance, Rosneft's acquisition of Nayara Energy was a major foreign direct investment. Indian public sector units have also invested in Russian oil fields. The U.S. and Europe have allowed such transactions to proceed by treating processed Russian oil as "Indian products."
- **Connectivity and Infrastructure:** The focus on the Arctic North Sea route and potential connectivity through the INSTC and Chabahar project indicates strategic economic interests for India, especially as the U.S. may intensify restrictions on alternative connectivity routes.

Future Implications

- **Ongoing Variables:** The future of India-Russia relations will depend on several factors:
- **Conflict Progress:** Developments in the Ukraine conflict and Russia's economic resilience amid sanctions will influence bilateral ties.
- **U.S. Policy Changes:** The outcome of the U.S. presidential election and potential shifts in U.S. foreign policy will impact India's strategic calculations.
- **Economic Strategies:** Continued efforts to balance trade and investment, along with geopolitical manoeuvres, will shape the trajectory of India-Russia relations.
- **Enduring Message:** Modi's visit sends a clear message about India's commitment to sustaining and strengthening its strategic partnership with Russia despite global pressures and shifting international dynamics.

23. A new push in the Bay of Bengal

Overview

- India hosted **the 2nd BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation)** Foreign Ministers' Retreat in New Delhi earlier this month. The focus was on providing an informal platform to discuss cooperation and accelerate action in security, connectivity, trade, and investment within **the Bay of Bengal**. This retreat was in preparation for the sixth summit meeting scheduled for September, where BIMSTEC leaders will meet in person for the first-time post-pandemic. An expected outcome is the signing of the BIMSTEC Agreement on **Maritime Transport Cooperation** to improve regional connectivity.

Strengthening Regional Ties

- BIMSTEC is a regional organization with **five South Asian and two Southeast Asian countries**, cooperating across seven sectors. It enables New Delhi to engage multilaterally with countries in the Bay of Bengal region, crucial for India's economic development, security, and foreign policy. Strengthening ties with eastern neighbours is vital for India, especially in light of China's growing presence in the region. Improved relations with Bangladesh and Myanmar provide access to the sea for India's landlocked north-eastern region, while stronger ties with Myanmar and Thailand enhance India's presence in the Indo-Pacific. Thailand's role as a bridge between **BIMSTEC and ASEAN** was emphasized during the retreat.

Retreat Structure and Discussions

The retreat was divided into two parts:

Assessment of Regional Cooperation:

- Participants assessed the current state of regional cooperation within BIMSTEC, based on a presentation by India on the implementation of key outcomes from the 1st Retreat.
- Ideas included establishing Centres of Excellence in agriculture, disaster management, and maritime transport.
- India announced support for cancer research and e-visas for patients from BIMSTEC states, while Sri Lanka proposed including kidney disease.
- Discussions also covered the need for private sector involvement in trade, promoting young entrepreneurs, and addressing connectivity, cybersecurity, and trafficking of narcotics and arms.

Expectations for the Upcoming Summit:

- Each country shared its expectations for the forthcoming summit.
- Sri Lanka highlighted mapping mineral resources and creating opportunities for vertical integration within specific sectors.
- Bangladesh emphasized cooperation in the **Blue Economy** and suggested a fishing ban during the breeding season.
- Bhutan called for collaboration in tourism and cultural exchanges.
- Nepal advocated for a regional approach to leverage synergies and transform BIMSTEC into a results-oriented forum.
- Thailand stressed the need for cooperation in non-traditional security domains, while Myanmar added combating online scams to the agenda.

Bilateral Engagements

- The retreat also had bilateral merits for India. Foreign Minister S. Jaishankar met his counterparts on the side-lines:

- With Myanmar, he discussed concerns over the flow of displaced persons, narcotics, and arms across the border, and urged the return of unlawfully detained Indians.
- With Bangladesh, discussions included ensuring the smooth supply of daily essentials and sending a technical team for the **Teesta project**.
- At the retreat's conclusion, the Foreign Ministers called on Prime Minister Narendra Modi. This year marks a decade of **India's Act East** and Neighbourhood First policies, with BIMSTEC as a key manifestation of New Delhi's efforts to foster collaborative growth for regional well-being.

Future Prospects

- The retreat demonstrated the member states' intent to push forward with a bold vision for the region. The outcomes and proposals from this retreat will be presented to the heads of state at the September summit, reflecting a renewed commitment to regional cooperation and growth.

24. Symbolism of Bilkis Bano Case

- On January 8, the Supreme Court of India delivered a landmark ruling in the case of Bilkis Bano, a survivor of the 2002 Gujarat riots.
- The ruling quashed the remission granted to 11 convicts, highlighting the court's commitment to upholding the integrity of the legal process.
- While the decision has garnered applause, it also prompts a reflection on the justice system's effectiveness, especially for individuals with multiple subordinating identities.

The Symbolism of Bilkis Bano Case

A Symbol of Resilience

- For many years, her situation has been a symbol of strength and a representation of the larger fight for justice for those who have experienced sexual and communal violence.

- This case also highlights the various aspects that make up Ms. Bano's identity; being a Muslim woman in a society with biases against religious minorities and women and how this influences her access to justice.

Common Populace's Desire for a Strong Justice System

- The SC's decision to reject the reduction of sentence of convicted not only supports the fairness of the legal process but also emphasises the importance of consistently and impartially applying the law, regardless of the social and political situation.
- The positive response to the verdict shows that people collectively desire a justice system that stands firm against impunity.
- Highlights the Shortcomings of Justice System: While the ruling brings hope to the justice system, it also leads to a deep consideration of its shortcomings for individuals with multiple marginalised identities, especially when the state supports such crimes.

The Interplay of Justice and Intersectionality in Ms Bano's Case

Intersectionality in the Legal Context

- The legal system often addresses cases based on singular characteristics, such as gender or crime type, potentially overlooking the intersectional dimensions of an individual's identity.
- Bano's (being a survivor of sexual violence) case prompts an exploration of how her experiences intersect with other facets of her identity, such as religion, socio-economic status, and regional background.

Religious and Cultural Dynamics

- Considering Ms. Bano's association with a particular religious community, the case may have been influenced by the intersection of religious dynamics and legal proceedings.
- Therefore, understanding how religious and cultural factors intersect with the pursuit of justice becomes imperative in comprehending the nuances of her experience within the legal system.

Some Other Issues Highlighted During Bilkis Bano Case:

1. The Failure of Indian Prison System

2. Lack of Remorse and Celebratory Release

- Despite spending approximately 15 years behind bars, the released convicts in Ms. Bano's case displayed a shocking absence of remorse.
- Their jubilant reception, marked by garlanding and sweets from supporters and relatives, presented a disconcerting spectacle akin to celebrating returning heroes rather than individuals who had served time for a heinous crime.
- This celebratory release not only contradicts the intended purpose of incarceration, which is rehabilitation, but also highlights a profound disconnect between the legal system's ideals and the stark reality of the convicts' mindset upon release.

3. Systemic Failure to Instigate Genuine Rehabilitation

- The SC's reliance on Plato's curative theory of punishment seems misplaced when the prison system falls short of providing an environment conducive to genuine rehabilitation.
- The lack of essential resources and rehabilitation programs within Indian prisons undermines the prospects of personal evolution during incarceration.
- Bano's case becomes emblematic of this failure, as the convicted individuals, upon release, are unlikely to exhibit any meaningful

transformation, raising questions about the efficacy of imprisonment in fostering positive change.

4. Glaring Gap between Legal Theory and Prison Realities

- While the court's judgement may have invoked the principles of preventive punishment and reformation, the prison system often functions as a mere holding cell, lacking the necessary infrastructure and initiatives for effective rehabilitation.
- The discord between legal ideals and the operational shortcomings of the prison system brings into question the viability of imprisonment as a mechanism for societal betterment and individual reformation.

5. Lingering Trauma and Absence of Personal Evolution

- Bano's experience exemplifies the flaw in the system; the convicted individuals, even after serving their sentence, remain unreformed, leaving the survivor to grapple with a lingering sense of trauma.
- The brief impact of the judgment highlights the systemic failure to deliver permanent justice or sustainable relief for survivors, as the released convicts are ill-prepared to reintegrate into society as responsible citizens.

Broader Issues Associated with Indian Criminal Justice System for Rape Survivors:

Patriarchy in the Criminal Justice System

- The criminal legal system, starting from police encounters to interactions with medical officers and the judiciary, is deeply entrenched with patriarchy.

- This patriarchal influence contributes to survivors' reluctance to report cases, as the system often dismisses complaints and survivors have to go through insensitive questioning, exacerbating their trauma.

Hostile Environment during Rape Trials

- The rape trial in Indian criminal justice system has been termed as pornographic, emphasising the retraumatising nature of the questions survivors endure.
- Questions like Why were you out so late? or Why were you alone? perpetuate victim-blaming, insinuating that the survivor's actions somehow warranted the heinous crime against them.
- The questions survivors face during the legal process serve to gaslight them, implying that their choices or behaviour justified the crime committed against them.
- This culture of victim-blaming further erodes trust in the criminal justice system, discouraging survivors from seeking legal remedies and perpetuating a cycle of silence.

The Concept of Carceral Feminism and Its Drawback:

The Concept of Carceral Feminism

- Coined by **Elizabeth Bernstein**, carceral feminism explores the complexities of feminist advocacy within a punitive state.
- It raises questions about the potential alliance between feminism and the state, acknowledging the state's dual role as a potential ally of patriarchy and a depriver of liberties.
- **Drawback:** Carceral Feminists' Misplaced Demands
- In the context of India, feminist movements often call for stricter penalties under the law as a means to combat sexual violence.

- However, this approach overlooks the deep-rooted mistrust in the criminal justice system, which is entwined with pervasive patriarchy at every level.
- Carceral feminism's reliance on legal reforms and stricter penalties as a primary solution overlooks the deeper structural issues within the criminal justice system.
- Mere legal changes may not address the pervasive patriarchal attitudes that permeate every stage of the legal process.

Way Forward: Need for Holistic, Victim-Centred Approach

- Recognising the limitations of carceral feminism, there is a growing need for a more victim-centred approach that goes beyond punitive measures.
- Fostering a culture of empathy, understanding, and genuine rehabilitation for survivors should be prioritised over a singular focus on legal remedies.
- Striving for justice should involve hearing survivors' voices, acknowledging their pain, and validating their quest for justice in addition to relying on the legal system.
- The inadequacy of prisons and the pitfalls of carceral feminism underscore the urgent need for a more nuanced approach to justice.
- The celebration of Ms. Bano's triumph should serve as a catalyst for systemic changes, fostering a society where survivors are supported, and justice is comprehensive, dignified, and safeguarded against the limitations of punitive measures.
- The quest for justice must extend beyond legal avenues, promoting a culture of understanding, empathy, and genuine rehabilitation for a more just and compassionate society.

Refer - <https://www.thehindu.com/opinion/lead/reflecting-on-bilkis-banos-resilient-pursuit-of-justice/article67780767.ece>

	<p>25. Globalisation and religion</p> <ul style="list-style-type: none">• Globalisation is a process of interconnectedness, interdependence and integration of economics and societies. It is also a process of interaction and integration among the people, companies, and governments of different nations, a process driven by international trade and investment and enhanced by information technology. This process has effects on the environment, on culture, on religion, on political systems, on economic development and prosperity, and on human physical well-being in societies around the world.• Religion and globalisation have always shared a relation of struggle and conflict. Globalisation has generally been linked with economic and political interdependence which ultimately has brought people closer and effect of no event is isolated but is felt in far-off places too. It has shifted the cultural build up of the world and led to formation of a 'global culture'- a common minimum which is accepted by all.• Globalisation stands for increased and daily contact while religions are becoming more self-conscious for themselves as being the world religions. The basic tenets of globalisation stand against religious parochialism. By diminishing the barriers between different cultures, globalisation lands religion in a quagmire of conflicts which reinforce social identities as some do not accept the new realities and turn to religion to rediscover their own identity. Religion provides a sense of belongingness to a group in the world. Religion has stood the complexities and onslaught of the modern world and is seen to be further intensified under the conditions of contemporary development.• Although some groups have made religion as a weapon to both integrate and terrorise masses, generally people have become more tolerant of other

	<p>religious beliefs and practices and have come to associate all acts of terror as anti-religious.</p> <ul style="list-style-type: none">• In third world nations, where the vulnerable sections find themselves more marginalised by the forces of globalisation, religion takes a prime welfare role and acts as a cultural protector for these sections. Religion thus plays a social role by helping in social causes and successfully gets greater recognition. Here it presents a direct challenge to globalisation.• India is home to a massive rural population to whom the benefits of globalisation will take time to reach. In this fast pace life, religion acts as 'home' for personal peace and gives a message of peace in times of crisis. Urbanisation has attracted many rural youth and continues to bring them to cities for better life. Religion can use the new possibilities presented by the global forces to reach to more people and also rediscover the essence of other religions. All religions have fixed texts but none has fixed beliefs. Religions can come together and stand for increased peace in the world with mutual tolerance and respect.• The idea of religious identity in this era of globalisation that may hold in-line with Huntington's "clash of civilisation" thesis. He argued that the primary sources of conflict in the future will be along cultural and religious lines. He also argued that future conflicts are most likely to occur between "Muslims and non-Muslims", identifying the "bloody borders" between Islamic and non-Islamic civilisations.• Hence, globalisation brings challenges and negative impacts on religion. With the advancement of technology, media and the free flow of information, people are losing their own religious values and terror groups have used their political agendas by using religion as a tool to fulfil their political gains.
	<p>26. THE NEED FOR BETTER CRIMINAL LAWS AGAIN</p>

Introduction

- **Background:** The enactment of three new criminal laws as of July 1, 2024, has been criticized for reinforcing colonial-era provisions rather than modernizing the legal framework in line with democratic principles and contemporary liberal thought.
- **Government Mindset:** There is a perception that the government's approach to these laws is more damaging than that of colonial rulers, as it perpetuates and expands existing powers rather than reforming them.

Expansion of Police Powers

Extended Police Custody:

- **Previous System:** The Code of Criminal Procedure allowed police to detain an individual for **up to 15 days from the date of arrest**, subject to magistrate approval.

New Provisions:

- Under the **Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)**, police can now extend custody **up to 40 days** if a charge sheet is due within 60 days or 60 days if a charge sheet is due within 90 days.
- This extension of custody could effectively lead to **prolonged detention without bail**, as judges are unlikely to grant bail during ongoing investigations, even if the accused is eventually found innocent.

Jurisdictional Overreach:

- **Previous System:** Traditionally, police had jurisdictional limits and could only act within their area of authority.
- **New Provisions:**
- Police officers can now arrest individuals and investigate offenses **outside their territorial jurisdiction**.

- The investigation must be reported to a magistrate in the jurisdiction where the offense was committed, which complicates the legal process and raises concerns about **federalism and state autonomy**.

Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)

Extended Custody:

- **Detailed Provisions:**

- Police custody can be extended up to 40 days with a charge sheet to be filed within 60 days, or up to 60 days with a charge sheet due in 90 days.
- The extended period of police custody diminishes the likelihood of bail, impacting the accused's ability to contest detention.

Jurisdictional Authority:

- **New Powers:**

- Police can arrest and investigate offenses beyond their jurisdictional boundaries.
- This provision undermines the federal structure by centralizing investigative powers and complicating jurisdictional responsibilities.

Bharatiya Nyaya Sanhita, 2023 (BNS)

Broad and Vague Provisions:

Section 152:

- Provides for life imprisonment or up to 7 years for actions that excite secession, armed rebellion, or subversive activities, or that endanger national sovereignty and unity.
- The broad language allows for **potential misuse** and can target various forms of expression, including media and electronic communication.

Section 113:

- **Defines terrorist acts** as those threatening national unity, economic security, or causing damage to essential services.

- Acts like public protests or strikes resulting in property damage could be classified as terrorist acts, with severe penalties for those who harbor or support such acts.

Organized Crime:

Section 111:

- Targets ongoing economic offenses involving multiple people, with potential penalties ranging from death to life imprisonment.
- Applies to individuals with prior charges related to similar offenses, indicating a focus on repeat offenders and organized crime.

Issues with the New Laws

Potential Misuse:

- The broad and vague definitions in the new laws could be exploited to suppress dissent and target political opponents.
- Provisions overlap with existing laws like the **Unlawful Activities (Prevention) Act (UAPA)**, creating a complex and potentially contradictory legal framework.

Implementation Concerns:

- The laws could lead to arbitrary actions by law enforcement, with insufficient checks and balances to prevent abuse.
- The potential for misuse is heightened by the lack of clear guidelines and the broad discretion granted to police officers.

Legislative Process Criticism

Lack of Consultation:

- The laws were enacted without adequate consultation with legal experts and civil society groups.
- Critics argue that this reflects a disregard for democratic processes and the views of stakeholders.

Historical Context:

	<p>There is concern that these laws echo past practices used to suppress dissent and target those critical of the government.</p> <p>The laws are viewed as a continuation of authoritarian practices rather than a move toward progressive legal reform.</p> <p>Conclusion</p> <p>The new criminal laws are criticized for reinforcing colonial-era provisions, expanding police powers, and undermining democratic and federal principles.</p> <p>The legislation reflects an autocratic mindset, with broad provisions that could be used to stifle dissent and suppress political opposition, rather than modernizing the criminal justice system in alignment with contemporary democratic values.</p>
	<p>27. Any further delay in Census taking is perilous</p> <ul style="list-style-type: none">• The decennial Census, initially scheduled to commence in 2020, has faced multiple delays, with no fixed date for the start of fieldwork. This delay impacts the timely collection of demographic data crucial for policy-making and planning. The Budget for 2024-25 allocated ₹1,309.46 crore for Census operations, a substantial decrease from the ₹3,768 crore allocated in the 2021-22 budget. This reduction raises concerns about the feasibility of conducting the Census even after the delays. <p>Impact of the Delay</p> <ul style="list-style-type: none">• The lack of a recent Census since 2011 means that a significant portion of the population is excluded from accessing various government schemes, benefits, and services.• The implementation of the Women's Reservation Act, which mandates 33% reservation for women in Parliament and state

legislatures, is contingent upon accurate and updated Census data. The delay hampers progress in achieving gender representation goals.

Preparatory Work and Next Steps

- Preliminary activities for the Census involve preparing updated administrative maps, finalizing draft questionnaires, and training core and field staff. These preparations are crucial for ensuring the accuracy and efficiency of data collection.
- Census Directorates across States and Union Territories have been working on these preparations for years, anticipating the Census. This includes refining enumeration areas, pre-testing questionnaires, and planning logistics.

Anticipated Timeline

- The Census is now expected to be conducted in 2026, following the first phase of operations in 2025, which includes house listing and updating the **National Population Register (NPR)**. This timeline provides a framework for the necessary preparatory activities and ensures that the Census is conducted efficiently once a date is finalized.

Delimitation of Constituencies

- The **Constitution (Eighty-Fourth Amendment) Act of 2001** stipulates that delimitation of parliamentary and assembly constituencies should not occur until the first Census conducted after 2026. This provision aims to provide stability in electoral boundaries based on consistent demographic data.
- If the Census is further delayed until 2027, there will need to be new deadlines set for freezing administrative boundaries to comply with constitutional requirements.

National Population Register (NPR)

- The NPR was initially prepared during the **House listing and Housing Census phase of Census 2011** and updated in 2015. It records details of usual residents in villages, towns, and other areas.
- The forthcoming Census will include updating the NPR once again, incorporating changes such as births, deaths, and migration. The draft NPR form for the next Census includes new questions about mother tongue, and the place of birth of parents—questions not present in the 2011 NPR. This has raised concerns among some States and citizen groups, who fear that these questions could be used for the National Register of Citizens (NRC).
- The inclusion of new questions in the NPR draft has been contested, with some fearing it might be a precursor to the NRC. However, the Centre has clarified that NPR data will not be used for NRC preparation. The government needs to make a definitive decision on retaining or modifying these questions to address concerns and ensure transparency.

Caste Information in the Census

- There is growing demand from various quarters for a caste-based census to accurately assess the socio-economic conditions of marginalized communities. This would provide valuable data for targeted policy interventions and resource allocation.
- In an affidavit filed in the Supreme Court of India on September 23, 2021, the Union Government stated that conducting a caste census (beyond the traditional counts for Scheduled Castes and Scheduled Tribes) is administratively challenging and cumbersome.
- The government must decide whether to include caste information in the upcoming Census. This decision will significantly impact the

understanding of social and economic disparities and guide future policies aimed at addressing inequality.

Conclusion

The Census is a critical exercise for understanding demographic trends and guiding policy-making. The ongoing delays, budgetary constraints, and administrative challenges underscore the need for prompt action and clear communication from the government to ensure that the Census is conducted efficiently and effectively. The decisions made regarding the Census, NPR, and caste information will have long-term implications for governance and social equity.

28. ABC of 44th Constitutional Amendment Act, 1978

44th Amendment is an act that was introduced into the constitution by **45th Amendment Bill in the year 1978**. In 1976, with the introduction of the **42nd Amendment Act**, there were various provisions that were amended against the will of the citizens hence, to reverse those changes and safeguard the interests of the nation, 44th Amendment Act was called into action.

- The 44th Amendment Act, 1978 was introduced for achieving the following objectives:
- To ensure the **Fundamental Rights were not restricted** or taken away by a transient majority in Parliament, it was necessary to provide adequate safeguards against recurrence of such a contingency in the future.
- To ensure that the power to proclaim an emergency under Article 352, **must be used properly** and after due consideration and deliberation.
- To ensure that the basic features **ere not lightly interfered** with by Parliament in exercise of the power of constitutional amendment under Article 368.

Modification Made by the 44th Amendment Act, 1978

Fundamental Rights

- The **right to property** was removed from the list of fundamental rights and elevated to the **status of a legal right** under **Article 300A**.
- **Removal of Article 19(1)(f) and Article 31.**
- **Article 31(1) became Article 300A** which states that no person shall be deprived of his property saved by authority of law.
- The safeguard contained in Article 31(2) was **incorporated in Article 30**. Thus, a **new clause (1A)** has been added after Article 30(1) which states that -
 - **Article 30 (1A)**- In making any law providing for the **compulsory acquisition of any property** of an educational institution established and administered by a minority, referred to in clause (1), the State shall ensure that the amount fixed by or determined under such law for the acquisition of such property is such as would not restrict or abrogate the right guaranteed under that clause.

Power of President

- **Article 74(1) was revised**, and a clause was added which stated that the President may require the council of Ministers to reconsider the advice, either generally or otherwise, and the President shall act in accordance with the advice tendered after such reconsideration.
- Previously, the President **was required to act in accordance** with the Council of Ministers' advice.

Amendment to the Basic Structure

- Any modifications in the basic structure of the Constitution of India can only be enacted if the people of India **approve them by a majority** of votes cast in a referendum in which at least 51% of the voters participated. This has been ensured by **amending Article 368**.

Directive Principles of State Policy

- **Article 38 was added** which states that the state to secure a social order for the promotion of welfare of the people
- **Parliament and State Legislature**
- The term of the **Lok Sabha and the State Assemblies were restored to five years** by amending Articles 83 and 172 .
- **Article 361A was added** to the Constitution of India in order to ensure that no one was held liable to any civil or criminal proceedings in a court in respect of the publication in a newspaper of a substantially true report of any proceedings of either house of parliament or of a state legislature unless the publication of any report of the secret proceedings of a House.

Judiciary

- **Restored** some of the powers of the Supreme Court and high courts.
- It allowed for the **judicial review for the elections** of the President, Governors and speaker of the Lok Sabha.

Power of the Parliament

- The 44th Amendment introduced a new provision to **put a restraint on the power of Parliament** to extend a proclamation issued under Article 356 beyond one year.

Parliamentary Privileges

- **Articles 103 and 192** related to the decisions on questions of disqualification of members of Parliament and State Legislatures, **have been replaced** to provide that the President's decision on the question of disqualification will be based on the Election Commission's opinion.

National Emergency

- It was introduced to prevent the misuse of emergency power by the executive. It introduced a number of safeguards under Article 352 which are as follows:

- The internal disturbance was a vague one and could be misused by the executive.
- The Act, therefore, **introduced the expression "armed rebellion"** in place of internal disturbance.
- Prior to the 44th Amendment Act 1978, a proclamation of emergency could be issued on the grounds of war or external aggression or internal disturbance.
- The President can proclaim an emergency **only after a written recommendation from the Cabinet.**
- There **was no Parliamentary control**, once a proclamation of emergency was approved by it. But now a **special sitting of Lok Sabha** can take place for the purpose of considering disapproval.
- Under the provisions of Article 358, **Article 19 will be automatically suspended** when an emergency is declared on the basis of war or external aggression.
- During an emergency, enforcement of the rights conferred by **Article 20** and **Article 21 cannot be suspended.** Prior to the Act, enforcement of any or all the Fundamental rights could be suspended when an emergency was in force.

Federalism

- **Article 257A**, which dealt with the power of the Central Government to deploy its military forces or other union forces to deal with a grave crisis, **was removed.**
 - The 44th Amendment Act, 1978 intended to reform all the amendments that were made to the Constitution of India by the 42nd Amendment Act, 1976. This Amendment Act nullified several provisions and introduced a number of positive changes in the Constitution of India. However, this Amendment Act is often regarded as an attempt to institutionalize emergency in the country forever.

29. Significance of Article 32 of the Constitution of India

- **Article 32 of the Indian Constitution of India** confers the **Right to Constitutional Remedies** for the enforcement of the fundamental rights of an aggrieved citizen. It contains the following four provisions in this regard:
 - The **right to move to the Supreme Court** for enforcement of Fundamental Rights is guaranteed.
 - The **Supreme Court** shall have the **power to issue directions, orders, or writs** for the enforcement of any of the Fundamental Rights.
 - The **Parliament can empower any other court** to issue directions, orders, and writs of all kinds, without prejudicing the same powers of the Supreme Court.
 - Here, **the phrase 'any other court'** does not include the High Court, because **Article 226** has already conferred this power on the High Court.
 - The right to move to the Supreme Court shall not be suspended, except as otherwise provided for by the Constitution.
 - **President can suspend the right to move to any court** for the enforcement of Fundamental Rights during a **National Emergency**.

The following points are to be noted with respect things the Right to Constitutional Remedies:

- This right makes the right to get the Fundamental Rights protected itself a Fundamental Right, thus **making the Fundamental Rights real**.
- Its significance made **Dr. B.R. Ambedkar** hail this right as the **“heart and soul” of the Constitution**.
- This provision makes the Supreme Court the **defender and guarantor of Fundamental Rights**.

- It vests the Supreme Court with **'Original' and 'Wide', but 'Not Exclusive' powers** to enforce Fundamental Rights.
 - **Original Powers** – An **aggrieved citizen can directly go to the Supreme Court**, not necessarily by way of appeal.
 - **Wide Powers** – The **powers of the Supreme Court** in this regard **are not restricted** to issuing orders or directions, but also writs of all kinds.
 - **Not Exclusive Powers** – The **powers of the Supreme Court** in this regard **are concurrent with that of any other court** as empowered by the Parliament for this purpose. e.g. **the writ jurisdiction of High Courts under Article 226.**
- Only Fundamental Rights, and not any other rights, **can be enforced under Article 32.**

Supreme Court's Views On Right to Constitutional Remedies

- The Supreme Court has declared that **Article 32 of the Indian Constitution is a basic feature of the Constitution.** Thus, it cannot be abridged or taken away even by way of a Constitutional Amendment Act.

Writs

- In the context of **India**, Writs refer to **formal written orders** issued by a court empowered for the purpose, which aimed at enforcing fundamental rights and correcting legal wrongs.
- In India, the power to issue writs is conferred only to **the Supreme Court (Article 32) and the High Courts (Article 226).**
- It is to be noted that as per the provisions under Article 32, the Parliament can empower any other court to issue writs, without prejudicing the same powers of SC. However, no such provision has been made so far.
- The **features of 'Writs' in India** are borrowed from the **Constitution of the UK** where they are known as **Prerogative Writs.**

- A **writ petition** is a **formal written application** or request **submitted to the Supreme Court or a High Court** seeking the issuance of a writ. These petitions are filed by individuals, organizations, or entities to invoke the court's jurisdiction to protect their fundamental rights, enforce statutory rights, or challenge governmental or administrative actions.

Types of Writs

- In India, the Supreme Court, the High Courts or any other courts empowered for the purpose can issue the following five types of writs:

1. Habeas Corpus
2. Certiorari
3. Prohibition
4. Mandamus
5. Quo Warranto

Habeas Corpus

- The literal meaning of this term is – **'to have the body of'**.
- It is an order issued by the court to a person who has detained another person to produce the body of the latter before it. The court then examines the **cause and legality of detention**. It would set the detained person free if the detention was found to be illegal.
- Thus, this writ is the **bulwark of individual liberty against arbitrary detention**.

This writ can be issued **against both public authorities and private individuals**. However, it is **not issued in cases** where:

1. detention is lawful,
2. the proceeding is for contempt of a legislature or a court,
3. detention is by a competent court,
4. detention is outside the jurisdiction of the court.

Mandamus

- The literal meaning of this term is – **‘we command’**.
- It is a command issued by the court to a public official, asking him **to perform his official duties** that he has failed or refused to perform.
- It can be issued to a **public official, a public body, a corporation, an inferior court, a tribunal, or the government** for the same purpose.

This writ **cannot be issued:**

1. against a private individual or body,
2. to enforce departmental instruction that does not possess statutory force,
3. when the duty is discretionary in nature,
4. to enforce a contractual obligation,
5. against the President of India, the State Governors, and the Chief Justice of a High Court.

Prohibition

- The literal meaning of this term is – **‘to forbid’**.
- It is issued by a **higher court to a lower court or tribunal** to prevent the latter from exceeding its jurisdiction or usurping a jurisdiction that it does not possess.
- Thus, while the writ of **‘Mandamus’** directs **activity**, the writ of **‘Prohibition’** directs **inactivity**.
- The writ of prohibition can be issued only **against judicial and quasi-judicial bodies** and **cannot be issued against administrative authorities, legislative bodies, or private entities**.

Certiorari

- The literal meaning of this term is – **‘to be certified’ or ‘to be informed’**.

- It is issued by a **higher court to a lower court or tribunal** either to transfer a case pending with the latter to itself or to squash the order of the latter in a case.
- This writ is issued on the grounds of **excess of jurisdiction or lack of jurisdiction or error of law**.
- Thus, while the **writ of 'Prohibition'** is **only preventive**, the **writ of 'Certiorari'** is **both preventive as well as curative**.
- It can be **issued against judicial, quasi-judicial, as well as administrative authorities, but not available against legislative bodies, private individuals or bodies, etc.**

Quo-Warranto

- The literal meaning of this term is – **'by what authority or warrant'**.
- It is issued **by the court** to inquire into the legality of a claim of a person to a public office.
- Hence, it **prevents illegal usurpation of public office by a person**.
- Unlike the other writs, this can be sought by any interested person and not necessarily by the aggrieved person.
- This writ can be issued only in the case of substantial public office of a permanent character created by a statute or by the Constitution. It **cannot be issued in the case of ministerial or private offices**.

Writ Jurisdiction of Supreme Court and High Court

The writ jurisdiction of the Supreme Court differs from that of the High Courts in three respects:

Parameters	Supreme Court	High Court
Scope	The Supreme Court can issue writs only for the enforcement of Fundamental Rights .	The High Court can issue writs not only for the enforcement of Fundamental Rights but also for any other purposes . Thus, the writ

	<p>Territorial Jurisdiction</p> <p>The Supreme Court can issue writs against a person or government throughout the territory of India.</p> <p>Discretion</p> <p>A remedy under Article 32 is in itself a Fundamental Right and hence Supreme Court cannot refuse to exercise its writ jurisdiction.</p>	<p>jurisdiction of the High Court is broader than that of the Supreme Court.</p> <p>The High Court can issue writs against a person residing or against a government or authority located within its territorial jurisdiction only or outside its territorial jurisdiction only if the cause of action arises within its territorial jurisdiction. Thus, the territorial jurisdiction of the Supreme Court to issue writs is wider than that of a High Court.</p> <p>A remedy under Article 226 is discretionary, and hence a High Court may refuse to exercise its writ jurisdiction.</p>
<p>Significance of Writs In the Indian Constitution</p> <p>Writs, by their very nature, hold immense significance in the context of India. Some of their significance can be seen as follows:</p> <ul style="list-style-type: none"> ▪ Protection of Fundamental Rights – These writs provide individuals with a swift and effective means to seek judicial intervention when their rights are infringed upon by the state or any other authority. 		

	<ul style="list-style-type: none">▪ Judicial Review – These writs enable the judiciary to exercise its power of judicial review over the actions of government bodies, administrative authorities, and other institutions. This ensures that governmental actions are lawful, within the scope of their authority, and consistent with constitutional provisions.▪ Checks and Balances – These writs allow courts to review and potentially overturn decisions or orders of lower authorities. This contributes to maintaining a system of checks and balances within the system.▪ Prevention of Abuse of Power – Writs such as mandamus, prohibition, certiorari, and quo warranto act as preventive measures against the arbitrary exercise of authority by public officials or bodies. They compel adherence to legal procedures, fairness, and transparency in decision-making processes.▪ Ensuring Administrative Accountability – Writs hold administrative and judicial bodies accountable for their actions or omissions. They help rectify errors of law or excesses of jurisdiction thereby promoting administrative accountability and integrity.▪ Promotion of Justice and Equity – Writs contribute to the promotion of justice and equity by providing individuals with access to timely and effective remedies against injustice, oppression, or unlawful deprivation of rights. They uphold the rule of law and ensure equal protection under the law for all citizens.▪ In conclusion, the Right to Constitutional Remedies stands as a cornerstone of democracy and justice. By enabling individuals to seek redressal of violations of their fundamental rights, they foster a just and equitable society. Thus, the Right to Constitutional Remedies serves as a bulwark against tyranny and injustice, embodying the essence of a vibrant and inclusive democracy.
	<p>30. Autonomous District Councils</p> <ul style="list-style-type: none">▪ The Sixth Schedule provides a list of ten tribal areas in Assam (3), Meghalaya (3), Tripura (1) and Mizoram (3).

- Each of **these tribal areas constitutes an autonomous district. Each autonomous district has an Autonomous District Council (ADC).**
- **Membership: ADCs have up to 30 members with a term of five years, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.**
- **Tenure:**Term of the District Councils is for **five years from the date of their constitution.**

Functions: The functions of ADCs as defined in schedule 6 of the constitution included –
making laws on land,
management of forests, except reserved forests,
appointment of traditional chiefs and headmen,
making rules regulating the inheritance of property, marriage, divorce,
the constitution of village courts,
It can **establish, construct or manage primary schools, dispensaries, markets,** ferries, fisheries, roads and so on in the district.
It can also make regulations for the control of money lending and trading by non-tribals. But such regulations **require the assent of the governor.**

Revenue source: The main Revenue Sources of ADCs, as specified in the Sixth Schedule, were:
taxes on professions, trades, callings and employment;
taxes on animals, vehicles and boats;
taxes on the entry of goods into a market and sale therein, and tolls on passenger and goods carried on ferries; and
taxes for the maintenance of school, dispensaries or roads.

Sixth Schedule

- The Sixth Schedule of the Constitution deals with the administration of the tribal areas in the four northeastern

states of Assam, Meghalaya, Tripura and Mizoram as per **Article 244**.

- The Governor is empowered to increase or decrease the areas or change the names of the autonomous districts. While executive powers of the Union extend in Scheduled areas with respect to their administration in Vth schedule, the **VIth schedule areas remain within executive authority of the state**.
- The acts of Parliament or the state legislature do not apply to autonomous districts and autonomous regions or apply with specified modifications and exceptions.
- The Councils have also been endowed with **wide civil and criminal judicial powers**, for example establishing village courts etc. However, the jurisdiction of these councils is subject to the **jurisdiction of the concerned High Court**.
- The sixth schedule to the Constitution includes **10 autonomous district** councils in **4 states**. These are:
 1. Assam: Bodoland Territorial Council, Karbi Anglong Autonomous Council and Dima Hasao Autonomous District Council.
 2. Meghalaya: Garo Hills Autonomous District Council, Jaintia Hills Autonomous District Council and Khasi Hills Autonomous District Council.
 3. Tripura: Tripura Tribal Areas Autonomous District Council.
 4. Mizoram: Chakma Autonomous District Council, Lai Autonomous District Council, Mara Autonomous District Council.

Recently, a **demand has been raised in Parliament to include the Union Territory (UT) of Ladakh in the Sixth Schedule** of the

Constitution to safeguard land, employment, and cultural identity of the local population.

The Jammu and Kashmir Reorganisation Act, 2019 was introduced to bifurcate the State into two separate union territories of Jammu and Kashmir (with legislature), and Ladakh (without legislature).

Issues Associated with the ADCs

- Granting special provisions to certain minority tribal groups have led to further demands by other groups for such provisions under the 6th schedule. This has created disparity among the people and resulted in the rise of conflict between various groups.
- In terms of financial autonomy, the members across the ADCs in North Eastern states share the same view that the ADCs are at the mercy of the state governments. There exists a huge gap between the approved budget and the funds received from the State Government which has had a direct impact on the development of these tribal communities.
- They are also dependent upon state governments for decisions regarding undertaking of developmental activities in their region.
- Due to the extensive corruption, development in these regions is seen to be a non-existing phenomena.
- Lack of coordination between the States governments and Department of Planning and Development, Hill Areas Department and the Autonomous councils has resulted in the lackadaisical implementation of the development work.
- Absence of any efficient Committee for the purpose of monitoring, evaluation and keeping a record of the funds received and utilized has led to extensive corruption and under development of these regions under the Autonomous Councils.

- Members of the **Chakma, Lai and Mara Councils** of Mizoram are of the view that funds coming from the Central Government is not sufficient enough, and believes that funds should be granted to different councils on the basis of backwardness of the councils and not on the basis of population.
- The State government justifies this position by stating that the ADCs have been holding on to their traditional roles of protecting the tribal identity in the region which abstains the State from various developmental activities.
- At the same time the ADCs have small amount of funds which they receive as taxes and land revenues, however they have to depend on the Central government for more funds.
- In terms of representation of members in the Autonomous Council, Bodoland Territorial Council is the only council which has 46 members, which is the highest representation and also the only council which has members from the Non-tribal community represented in the Council.
- Time to time different ADCs have demanded an increase in the number of members in the ADCs.
- Unlike the Panchayati Raj System where **the 73rd amendment** allows reservation of one third of all the Panchayat seats for women at different levels, both Fifth and Sixth Schedules have no mention of women representation and gender equality.
- The relationship to land is the basis of tribal or indigenous identity and that the culture and identity of indigenous people cannot be preserved without maintaining control over land and natural resources, as these factors to a large extent determines the lifestyle and culture of the indigenous people.

- Generally tribal or indigenous cultural practices community land ownership, while some other tribes practice individual with clan ownership, however modern land relations and formal law recognizes only individual ownership of land.
- It was under colonial rule that the process of turning land into commodity began for their own interest, in the name of development. Post independence, large tracts of lands were given away to the immigrants and other settlers.
- The autonomy and power of the District Councils lie in the hands of a small group of elites who govern the functioning of the Autonomous District Councils.
- There is clear lack of interest and pursuit on the part of the District Council members in taking initiative and planning and monitoring developmental activities at the micro level.
- The absence of involvement of local stakeholders in the process of development and in the decision making process has deprived the common masses from their democratic rights.
- The Sixth Schedule also vests enormous powers to the Governor. Members of the various ADCs, in this context are of the opinion that the Governors are mere puppets in the hands of the Ministers.
- A major gap in the functioning of the ADCs is the lack of interaction at the village and field level. There is an absence of efficient village councils or regional councils.

Changes can be Brought

- The government and other agencies need to win the confidence of non scheduled area population and bring a sense of security and belongingness to them.

- There has to be a proper coordination or adjustment between traditional practices and usages with changes that have occurred within the tribal society today.
- The issue on representation needs to be seriously reconsidered, which still has limited participation of women in the decision making process, and also excludes the non-tribals of the State.
- Adequate accountability and transparency of funds generated should be entrusted to authorities such as the Comptroller-General and Auditor-General of Accounts to prevent misuse.
- Documentation and codification of traditional laws is an essential step through which actual aim of the Sixth Schedule that is protection of tribal cultural identity can be fulfilled.
- Measures should be taken in order to ensure that the Autonomous Councils have well defined legislations which clearly identify the powers of the village level bodies, release of funds by the government, transparency in the allocation and utilization of funds.
- Stringent laws regarding frequent reviewing of financial position of the ADCs like the Panchayati Raj System will enhance the status of the ADCs.
- There is a need for inclusive development and capacity building of ADCs by introducing ideas from the PRI setup.
- Strengthening and empowering the local self-governance, which would also include Village and Tribal Councils.
- Empowerment of civil society bodies would contribute immensely in the monitoring of the developmental activities and progress rate across diverse sectors undertaken by the councils.
- Traditional forms of governance must be promoted with self governance.

- To make ADCs platform of governance broader and capable of dealing with a changing world at both the national and international levels, there is a need for inclusion of democratic elements like gender justice into these institutions.
- To get a positive outcome the members of the ADCs should be trained, as capacity building of the ADCs members is vital for healthy governance and helps one to be more alert about the responsibilities assigned and the overall functioning.
- The functioning of the ADCs should be amended to make them accountable through the insertion of a clause that makes mandatory the creation of village councils/ bodies with a degree of representation to the traditional institutions of chiefs.
- Creation of effective watch dog with the powers of Lokayukta in monitoring and keeping a track of the activities undertaken by the ADCs should be given priority as this will help in maintaining transparency in matters of finance and other developmental plans and activities.
- Regular and assured financial assistance from governments an efficient monitoring system are two major factors which will determine the success of such provisions, along with awareness and active participation of the other stakeholders.

Way Forward

- The ADCs in the past decades have been successful to a certain extent in **preserving the tribal identity** and attained statehood for some of the tribes who had been struggling for a separate state in the North Eastern part of India.
- However, in the present context where the states have been witnessing various changes in terms of development, upgradation of administrative setups, welfare programmes and policies and also

	<p>changes in the demographic structure it is time that the provisions under the Sixth Schedule needs to be enhanced in order to cope up with the changing mechanisms and demands of the local communities.</p> <ul style="list-style-type: none"> ▪ Under the prevailing setup, not only the existing powers and functions of the traditional bodies are extremely limited, but also their access to resource allocation is severely poor. ▪ The tribes in other parts of India are faced with problems of development as well as identity. Hence it is worth exploring extension of such systems in other parts of tribal India.
	<p>31. Constitutionally guaranteed judicial independence</p> <ul style="list-style-type: none"> ▪ The concept of an independent judiciary is a fundamental pillar of democracy. It allows courts and judges to execute their responsibilities free from external influences. This principle plays a pivotal role in preserving the rule of law. It also safeguards the rights and freedom of individuals. This is essential for preserving the essence of democracy within a nation. ▪ Judicial Independence ▪ Security of Tenure: Judges hold office until the age of 65 for Supreme Court judges (Art. 124(2)) and 62 for High Court judges (Art. 217(1)). ▪ Removal of Judges: Supreme Court and High Court Judges can only be removed by a process of impeachment for proven misbehavior or incapacity as given under Article 124(4). ▪ Salaries and Allowances of Judges: Judges enjoy independence as their salaries, allowances, and pensions are charged on the Consolidated Fund of India. ▪ Powers and Jurisdiction of Supreme Court: Parliament may expand the powers and jurisdiction of the Supreme Court, but cannot diminish them.

- **Power to Punish for Contempt:** Article 129 empowers the Supreme Court to punish for contempt of itself, while Art. 215 grants every High Court the same power for contempt of itself.
- **Separation of the Judiciary from the Executive:** Article 50 mandates that the state must take measures to separate the judiciary from the executive in public services of the state.
- **A Prerequisite of Democracy**
- **Checks and Balances:** The Independent Judiciary plays a vital role in ensuring that the executive and legislative branches of the government do not violate the Constitution or encroach upon the rights of the people.
 - For instance, in the case of *Kesavananda Bharati vs State of Kerala*, the Supreme Court held that the Parliament cannot amend the basic structure of the Constitution.
- **Protection of Rights:** The Independent Judiciary has been a staunch defender of the fundamental rights and freedoms guaranteed by the Constitution to all citizens. The Court has expanded the scope of these rights through various landmark judgements, such as *Indira Sawhney vs Union of India*, which upheld the reservation policy for backward classes and *Navtej Singh Johar vs Union of India*, which decriminalized homosexuality and recognized the right to sexual orientation as a part of the right to privacy.
- **Fair and Impartial Justice:** The Independent Judiciary strives to deliver justice without fear or favor, regardless of the status or identity of the parties involved. The Court has demonstrated its commitment to fair and impartial justice by taking up cases suo motu, entertaining public interest litigation (*Hussainara Khaton vs. State of Bihar*), and appointing amicus curiae (friends of the court) to assist it in complex matters.
- **Conflict Resolution:** In a democratic society, disputes and conflicts are inevitable. An independent judiciary provides a peaceful and lawful

means to resolve conflicts, reducing the likelihood of social unrest and chaos.

- The Court has also exercised its extraordinary powers provided by the Constitution under Article 142 to pass any order necessary for doing complete justice in any case or matter pending before it.
 - Some examples of conflict resolution by the Supreme Court are S.R. Bommai vs Union of India, which laid down guidelines for imposition of President's rule in states; and Ayodhya Judgement, which settled a long-standing dispute over a religious site.
- **Protection of Minority Rights:** Democracy is not just about majority rule; it also entails protecting the rights of minorities. An independent judiciary can safeguard minority rights by preventing the majority from oppressing or discriminating against minority groups.
 - The Court has also intervened to protect minorities from discrimination, violence, or persecution, such as in Mohd. Ahmed Khan vs Shah Bano Begum, which granted maintenance to a Muslim woman divorced by her husband; and John Vallamattom vs Union of India, which struck down a discriminatory provision in the Indian Succession Act applicable to Christians.
- **Ensuring Accountability and Good Governance:** Constitutionally guaranteed security of tenure imparts judicial independence that acts as a check on the executive and legislature. Independent judiciary confidently promotes good governance, without fear or fervour, by ensuring that government actions align with constitutional principles.
- **Interpretation of the Constitution:** An independent judiciary is essential to serve as the final authority in constitutional matters,

ensuring that the Constitution is upheld as the supreme law of the land.

- For example, in **Kesavananda Bharati vs. State of Kerala case**, the Supreme Court established the basic structure doctrine, interpreting the impervious aspects of constitution
- **Upholding the Rule of Law:** Judicial independence ensures that all actions, including those of the government, are bound by legal principles and the Constitution. This prevents arbitrary exercises of power.
 - In **Nandini Sundar and Others Vs. State of Chattisgarh**, Hon"ble Supreme Court has iterated the majesty of rule of law in upholding democracy.
- **Safeguarding Individual Rights and Liberties:** Only an impartial and independent judiciary can ensure that citizens receive equal justice and are shielded from potential abuses by the government.
 - For instance, in **KS Puttaswamy Judgement**, the judiciary has delivered landmark judgment strengthening the protection of fundamental rights like Right to privacy.
- **Prevention of Autocracy and Authoritarianism:** Judicial independence acts as a safeguard against the concentration of power, preventing the executive from dominating all branches of government.
 - For instance, in **Minerva Mills case (1980)**, Supreme Court adjudged the limited power of Parliament to amend the constitution
- **Ensuring Checks and Balances:** To ensure that no branch oversteps its constitutional authority, the judiciary has the power of **judicial review** over the actions of the executive and the legislature. The judiciary can strike down any law if it is unconstitutional or arbitrary as per **Article 13** (if it violates Fundamental Rights).
- The independence of the judiciary, a fundamental pillar of the Indian Constitution, was affirmed in **S.P. Gupta v. Union of India**. The court emphasized that this principle is not only significant but also integral to

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the constitutional framework, forming the bedrock of India's democratic system. Entrusted with the crucial role of ensuring all state organs adhere to legal boundaries, the judiciary vitalizes the essence of the rule of law in the nation.

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