

# IAS GOOGLE



**IAS GOOGLE**  
Redefining your Google  
Led by Raja Sir's Cracking IAS



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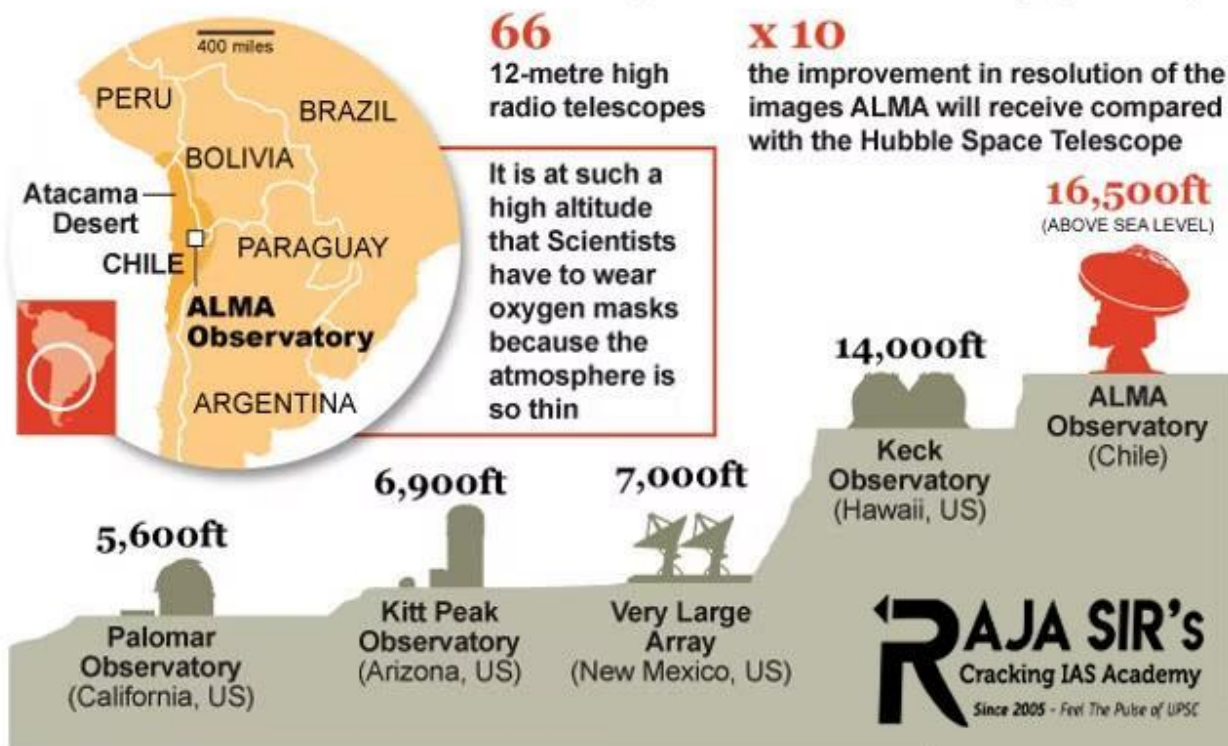
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**1. Fully functional since 2013, ALMA Telescope has helped astronomers make groundbreaking discoveries. What are its unique features? Why is it located in Chile? (Answer in 200 words) 15**

- ALMA is a **state-of-the-art telescope** that studies celestial objects at **millimetre and submillimetre wavelengths** — they can penetrate through dust clouds and help astronomers examine dim and distant galaxies and stars out there.
- ALMA is an international partnership of the **European Southern Observatory (ESO)**, the **S. National Science Foundation (NSF)** and the **National Institutes of Natural Sciences (NINS) of Japan**, together with NRC (Canada), MOST and ASIAA (Taiwan), and KASI (Republic of Korea), in cooperation with the Republic of Chile.

**The Atacama Large Millimetre Array (ALMA)** is the highest and most powerful telescope in the world and receives weak radiowaves emitted by sources as far as 13 billion light years away



**Properties**

- It also has **extraordinary sensitivity**, which allows it to detect even extremely faint radio signals.
- Each of its **66 antennas is equipped with a set of receivers** that are designed to detect **specific ranges of wavelengths on the electromagnetic spectrum**.
- To combine the data collected by each antenna into a single image, **ALMA uses a correlator**.

- The correlator is a **powerful supercomputer** that processes the vast amounts of data collected by the antennas and creates detailed images of celestial objects with exceptional resolution.
- This technology allows astronomers to study distant galaxies, stars, and other celestial bodies with a level of detail never before possible.
- **Discoveries Made by ALMA:**
  - In 2013, ALMA discovered **starburst galaxies** that existed earlier in the universe's history than previously thought.
  - ALMA also provided detailed images of a protoplanetary disc around a young star, **HL Tauri, in 2014**, which challenged existing theories about planetary formation.
  - In 2015, the telescope helped scientists observe the **Einstein ring phenomenon**, where light from a galaxy or star passes by a massive object on its way to Earth.

#### **Why is ALMA located in Chile's Atacama Desert?**

- It is situated at an **altitude of 16,570 feet (5,050 metres)** above sea level on the Chajnantor plateau in **Chile's Atacama Desert** as the **millimetre and submillimetre** waves observed by it are very **susceptible to atmospheric water vapour absorption** on Earth.
- Moreover, the **desert is the driest place in the world**, meaning most of the nights here are clear of clouds and free of light-distorting moisture — making it a perfect location for examining the universe.

**2. How does the right against self-incrimination works under Indian Constitution?.  
Discuss with relevant court rulings and example from recent news items.**

Individual's Right against Self-incrimination

- **Constitutional Provisions:**
  - **Article 20** grants protection against arbitrary and excessive punishment to an accused person, whether citizen or foreigner or legal person like a company or a corporation. It contains three provisions in that direction:
  - It contains provisions related to **No ex-post-facto law, No double jeopardy, No self-incrimination.**
    - **No self-incrimination: No person** accused of any offence **shall be compelled to be a witness against himself.**
      - The protection against self-incrimination **extends to both oral evidence and documentary evidence.**
      - However, it **does not extend to**
        - compulsory production of material objects,
        - compulsion to give thumb impression, specimen signature, blood specimens, and
        - compulsory exhibition of the body.
        - Further, it extends **only to criminal proceedings** and **not to civil proceedings** or proceedings which are not of criminal nature.
    - **Judicial Rulings:**
      - In 2019, the SC in its ruling in ***Ritesh Sinha versus State of Uttar Pradesh*** broadened the parameters of **handwriting samples** to include **voice samples**, adding that this **would not violate the right against self-incrimination.**
      - Earlier in 2010, in ***Selvi v State of Karnataka***, the SC held that a **narcoanalysis test without the consent of the accused would amount to violation of the right against self-incrimination.**
      - However, **obtaining a DNA sample from the accused is permitted.** If an accused refuses to give a sample, the court can draw adverse inferences against him **under Section 114 of the Evidence Act.**

Right to approach SC under Article 32

- **Article 32** confers the **right to approach SC for remedies for the enforcement of the fundamental rights of an aggrieved citizen.** It is a **basic feature of the Constitution.**

- In this regard the jurisdiction of the Supreme Court is **original but not exclusive. It is concurrent with** the jurisdiction of the **high court under Article 226.**
- Rights other than Fundamental rights are not entertained under article 32 but are within the scope of HC under Article 226.
- Since the right guaranteed by Article 32 is in itself a fundamental right, **the availability of alternate remedy is no bar to relief under Article 32.**
  - However, the Supreme Court has ruled that where relief through high court is available under Article 226, **the aggrieved party should first move the high court.**

In news recently

The **Supreme Court** refused to hear a bail plea by the Deputy CM of Delhi in the excise policy case, as he had approached the court directly under Article 32 of the Constitution instead of first seeking remedy in the High Court under Section 482 of the CrPC.

- SC argued that though in previous cases petitions were entertained directly under **Article 32**, those cases involved free speech issues while this case is about **Prevention of Corruption act.**
- Previously, Special CBI Judge had granted **Central Bureau of Investigation (CBI)** custody of Deputy CM on the ground that he **'failed to provide satisfactory answers.'**
  - The court had rejected the argument that it was a violation of **right against self-incrimination.**



### 3. The 1857 Revolt was more than a sepoy mutiny but not wholly a war of Indian National Independence. Examine the statement.

The Indian Rebellion of 1857, commonly known as the Sepoy Mutiny, is a significant event in the history of India. It marked the first major uprising against the British colonial rule in India. The uprising was initiated by the Indian soldiers, or the sepoys, who were serving in the British Indian Army. The events of 1857 have been a subject of historical debate, with some considering it as a mere mutiny of soldiers, while others view it as a war of independence against British colonialism.

#### Causes of the Revolt

- The causes of the 1857 Revolt were multi-faceted, ranging from economic and social to political and religious.
  - **Economic:** The Indian economy was suffering **due to the policies of the British East India Company, which had forced Indian artisans and traders out of business.**
    - The Company's **land revenue policies** had also led to **widespread poverty and famine** in many parts of India.
- **Social:** The British had **introduced reforms** that threatened the **traditional power structures and privileges** of the Indian nobility and upper-caste Hindus.
  - The introduction of **English education and Christian missionaries** also created a sense of cultural threat among the Indian elites.
- **Religion:** Religious factors also played a role in the rebellion. The introduction of new **religious reforms and practices** by the British threatened the religious beliefs of many Indians, particularly the sepoys, who were mostly Hindus and Muslims.
- **Political:** The British had **annexed many Indian states** and reduced the Indian princes to figureheads. Policies like the **Doctrine of Lapse**, introduced by Lord Dalhousie, was another policy that angered many Indian rulers as it allowed the British to annex any Indian state whose ruler died without a male heir.

#### Nature of the Revolt

- **Widespread Participation:** The 1857 Revolt was not merely a mutiny by sepoys but **involved various sections of Indian society.** The sepoys were the initial catalysts, but soon, the rebellion spread to **other parts of society, including peasants, artisans, and even some of the ruling elites.**
  - The rebellion was also not limited to northern India but spread to other parts of the country, including **Bengal, Bihar, and Madras.**
- **Assimilation of Alliances:** The rebels had a clear objective of overthrowing the British colonial rule and establishing an independent Indian state.



- They **formed alliances with various Indian rulers**, including the Nana Sahib of Kanpur and Rani Lakshmbai of Jhansi, who led their own uprisings against the British.
- The rebels also had a clear vision of what the independent Indian state would look like, with some leaders proposing a return to traditional Indian values and others advocating for modernization and westernization.

### Consequences of the Revolt

- The 1857 Revolt had significant consequences for both India and the British Empire.
  - **Policy of Divide & Rule:** The immediate consequence was the brutal suppression of the rebellion by the British, which resulted in the deaths of thousands of Indians.
    - The British also implemented **policies of divide and rule to weaken the Indian resistance** and prevent future uprisings.
  - **Transfer of Power to Britain:** The British Crown took over the administration of India from the East India Company, which was dissolved, and the British government **introduced various reforms** to address some of the grievances that had led to the rebellion.
  - **Major Reforms:** Economic policies were modified to provide greater protection to Indian industries, and land revenue policies were reformed to provide greater security to Indian peasants.
  - **Resurgence of Indian Nationalism:** The rebellion also had a significant impact on Indian nationalism, with many historians viewing it as the first significant step towards Indian independence.
    - The rebellion's leaders, including Bahadur Shah Zafar, became symbols of Indian resistance, and their legacy inspired later Indian nationalists, including Mahatma Gandhi.

The rebellion also had a profound impact on the British public and government, leading to a re-evaluation of British colonial policies and a shift towards a more conciliatory approach towards Indian demands. Therefore, it can be called as the **first war of independence** because it was **the first time** that many Indians from different regions, religions, and social groups **came together** to fight against British rule, as they wanted to **gain independence** from colonial oppression and restore their own rulers.

**4. Examine the problems of cotton textile industry in India and suggest few ways to deal with these challenges.**

**India is the world's second-largest producer of cotton**, and the decline in production has the potential to affect global prices and trade dynamics. Cotton production has been a critical component of India's agricultural economy for centuries.

So, **addressing the causes and implications of the decline in cotton production is crucial for policymakers, farmers, and consumers alike.**

Problems of the Cotton Sector in India

- **Pest Infestation:**
  - Cotton crops in India are prone to pest infestation, which can reduce the crop yield and quality.
  - There are several reasons of pests infestation in cotton crops such as Lack of crop rotation, Monoculture, Weather conditions, Poor soil quality, Lack of pest management, etc.
- **Low Productivity:**
  - India's cotton productivity per hectare is lower than that of other major cotton-producing countries. This is mainly due to the use of outdated farming practices, inadequate irrigation facilities, and poor seed quality.
- **Lack of Irrigation:**
  - Irrigation is essential for cotton cultivation, but many cotton farmers in India lack access to adequate irrigation facilities.
- **High Input Costs:**
  - The cost of inputs such as seeds, fertilizers, and pesticides is high in India, making it difficult for small-scale cotton farmers to afford them.
- **Dependence on Monsoon:**
  - India's cotton crop is largely dependent on the monsoon rains, which can be unpredictable and erratic, leading to crop failure.
- **Farmer Debt:**
  - Many cotton farmers in India are burdened with debt, which can lead to a cycle of poverty and indebtedness.
    - Cotton sustains the **livelihood of an estimated 5.8 million farmers**, with another 40-50 million people engaged in related activities such as cotton processing and trade.
    - Families, especially women and children, are often forced to engage in exploitative forms of work for survival.
    - Farmer suicides triggered by the mounting debt burden in cotton growing areas have also been witnessed.
- **Lack of Market Access:**

- Many cotton farmers in India have limited access to markets and are forced to sell their produce at low prices to middlemen.

### Suggestions

#### ■ **Changing Cropping System:**

- The cropping system of cotton must gradually undergo a systematic change to **High Density Planting System (HDPS)**.
  - HDPS is **anew cropping system of accommodating more plants per unit area** supported by technological inputs for weed management, defoliation and mechanical picking.
- The new cropping system requires an **entirely new plant type, shifting from hybrid to varietal seeds coupled with new age technologies for machine sowing**, weed management, defoliation and mechanical picking.
- **Farmers currently sow bushy, long duration hybrid cotton seeds in dibbling patterns at a large spacing** accommodating fewer plants per acre and harvest seed cotton three to four times in a season spanning 180 to 280 days.

#### ■ **Implementing Evidence-based Policies:**

- **The government-led policy paradigm on cotton must give way to progressive evidence-based policies on pricing of seeds** and safeguarding intellectual property, not only for biotech traits under **Indian Patent Act** but also ensuring the rights of breeders and farmers under the **Protection of Plant Varieties and Farmers' Rights Act (PPVFRA)**.
- Enforcement of IPR on new varieties suitable for HDPS while ensuring farmers' rights **must be strengthened to attract investment in R&D and breeding of high-density suitable genotypes**.

#### ■ **Strengthening Market Linkages:**

- Strengthening market linkages can **help farmers get a better price for their cotton**. The government can set up a robust procurement system for cotton, create price stabilization funds, and establish cotton grading and standardization mechanisms.

#### ■ **Increasing Value Addition:**

- **Encouraging value addition in the cotton sector can help increase income** and create employment opportunities. This can be done by promoting the production of cotton-based products such as textiles, clothing, and home furnishings.

#### ■ **Enhancing Research and Development:**

- **Investing in research and development can help develop new cotton varieties**, improve pest management practices, and develop innovative technologies to improve cotton farming.

#### ■ **Improving Infrastructure:**

- The government can **improve the infrastructure in cotton-growing areas by building roads, irrigation facilities**, and storage facilities. This can help farmers access markets, transport their produce, and store their cotton until prices are favorable.



**5. Discuss the issues w.r.t. Platform workers and suggest ways to address the same.**

- There have been **significant changes in the world of work due to technological innovations and digital platforms**, including the rise of **gig workers**. The gig workforce is expected to expand to 2.35 crore workers by 2029-30.
- The Indian G-20 presidency would **do well to foster greater international coordination and cooperation on the portability of benefits** (those connected to an individual, rather than an employer and can be carried from one job to another, without interruption), **thereby safeguarding worker wellbeing for platform work done across borders**.
- Therefore, the decision of **India's G20 presidency** to identify '**Gig and Platform Economy and Social Protection**' as a priority area for consideration is pertinent. Indisputably, the platform economy generates new avenues of employment. However, it also has potentially disruptive effects on labour markets.

Issues faced by the Platforms Workers

- **Classification as Employees:**
  - One of the main issues faced by platform workers is that they are **often classified as independent contractors instead of employees**. As a result, they are not entitled to certain benefits, such as minimum wage, overtime pay, and workers' compensation.
- **Accessibility Issues:**
  - Even though the **gig economy, with the wide variety of employment options it offers, is accessible to all those who are willing to engage in such employment**, access to internet services and digital technology can be a restrictive factor.
    - This has made the gig economy largely an urban phenomenon.
- **Occupational Safety and Health Risks:**
  - Workers engaged in employment with the digital platforms, particularly, women workers in the app-based taxi and delivery sectors, face various occupational safety and health risks.
- **Low Wages:**
  - Many platform workers in India **earn low wages, often less than the minimum wage**. This is partly due to the fact that platform companies compete on price and there is a large pool of workers willing to accept low-paying jobs.
- **Long Working Hours:**
  - Platform workers often have to **work long hours to make enough money to support themselves and their families**. This can lead to fatigue and burnout.
- **Lack of Social Protections:**

- Platform workers are **not entitled to social security benefits such as pensions or insurance**. This puts them at risk in case of accidents or illnesses.
- **Lack of Bargaining Power:**
  - Platform workers usually work alone and don't have the bargaining power that comes with being part of a union or collective bargaining agreement. This means that they can't negotiate for better pay or working conditions.
- **Discrimination:**
  - Some platform companies have been **accused of discriminating against certain groups of workers**, such as women or workers from lower castes.
    - Dalit gig workers, who belong to the lowest caste, face discrimination in terms of limited work opportunities, low wages, and social exclusion.
    - Some customers may refuse to use the services of Muslim delivery drivers or cancel their orders upon learning their religion.
  - **Lack of Regulation:**
    - There is currently no regulatory framework for platform work in India. This means that platform companies can operate without adhering to labor laws or standards.

### Protecting Platform Workers

- **Creating a New Legal Category:**
  - A new legal category called **“independent workers,” can be created for those who occupy the gray area** between employees and independent contractors merits careful deliberation.
  - In some respects, independent workers are like independent businesses as they have the freedom to choose when and where to work as well as the choice to work with multiple intermediaries simultaneously.
  - However, they are similar to traditional workers too, as the intermediary retains some control over the way independent workers, such as by setting their fees or fee caps.
- **Extending Social Security Coverage:**
  - Gig economy technology can be used to extend social security coverage to platform workers.
  - **Most transactions on the gig economy are done via the internet** and can thus be tracked.
    - For instance, **Indonesia has introduced a digital mechanism to securitise digital platforms** commonly used for motorcycle taxi rides in the country.
    - When using the application, **a small amount of the tariff is automatically deducted for accident insurance** of both the driver and the passenger for the length of the trip.

- **Collective Bargaining:**
  - Platform workers **should be allowed to collectively bargain with the platform owners to negotiate better pay**, benefits, and working conditions. Collective bargaining can help platform workers to have more leverage in negotiations and ensure that their voices are heard.
- **Access to Benefits:**
  - Platform workers **should have access to benefits such as health insurance, paid sick leave, and retirement plans**. This can be achieved through a combination of government regulations and private sector initiatives.
- **Fair Wages:**
  - Platform workers **should be paid fairly for the work they do**. Platforms should be required to disclose their payment structures and ensure that they are transparent and fair.
- **Protection against Discrimination:**
  - Platform workers **should be protected against discrimination based on their gender, race, ethnicity, religion, sexual orientation**, or disability. Platforms should have policies in place to prevent discrimination and provide a way for workers to report incidents of discrimination.
- **Right to Organize:**
  - Platform workers **should have the right to organize and form unions to protect their interests**. This can help them to negotiate better pay, benefits, and working conditions.
- **Regulation and Enforcement:**
  - Governments should **regulate the platform economy and enforce labor laws to protect platform workers' rights**. This can include monitoring platforms to ensure that they comply with labor laws and imposing penalties for violations.



**6. Discuss the significance of Emotional Intelligence(EI) for civil servants. How can it be developed among civil servants?**

Emotional intelligence is a set of skills that enable individuals to recognize, understand and manage their own emotions, as well as the emotions of others. The concept of emotional intelligence was first introduced by psychologists Peter Salovey and John Mayer in 1990, who defined it as "the ability to perceive, understand, and regulate emotions in oneself and others." Daniel Goleman later popularized the concept in his book "Emotional Intelligence: Why It Can Matter More Than IQ" (1995).

It is said to have **five main elements** which help in the following ways:

- **Self-awareness:** A self-aware person is in better position to understand the emotions of others.
- **Self-regulation:** It makes a person think before speaking/doing. It has many positive aspects including that of self-assessment and holding himself accountable for his actions.
- **Motivation:** It helps in achieving goals. A motivated person leads by example and is in a better position to influence others.
- **Empathy:** It helps in understanding a situation by putting oneself in the position of others. Those who can empathize with others earn respect.
- **Social skills:** It helps in communicating your point of view and builds rapport with others. It makes the relationship more comfortable.

Why EI is significant?

Emotional intelligence is valuable in a multicultural society as it brings the **following advantages:**

- Interpersonal skills, team work, negotiation, networking and other critical social skills
- People-oriented characteristics with a high sensitivity to diversity
- Attuned to cultural sensitivities and behavioural norms such as Integrity, honesty and trustworthiness
- Credibility and reliability rating in terms of commitments and pledges
- Personal learning skills, especially the ability to learn from, and help others learn from, experience.

The most effective civil servants tend to exhibit a high degree of emotional intelligence.

- **Managing family and work life:** A civil servant with balanced family and work life can contribute more to the system due to a relaxed state of mind owing to EI.
- **Mutually satisfying relationships:** An emotionally intelligent civil servant can reconcile the differences among co-workers or different factions of people and can resolve problems in a more constructive and effective manner.
- **Better work-culture:** An emotionally intelligent civil servant brings more energy to the system, thus influencing the working attitude of each employee.

- **Better decision making:** Being aware of one's wants and fears can help the civil servant in being neutral and impartial during conflict of interests.
- **Repose trust in the system:** Listening attentively to the problems of people, empathizing with their situation and bringing positive change in the work attitude of bureaucracy, EI can help in making the system more trustworthy in the eyes of citizens.

#### Developing EI among civil servants

- **Training** through practice and feedback, civil servants can learn from their mistakes using real life examples and reflection opportunities.
- **Support:** Coaching, encouragement and peer support can assist with lasting change and positive development of EI competencies
- **Experiential learning:** Emotional and behavioral changes require life activities which are primarily outside of the traditional classroom and is commonly referred to as experiential learning.
- **Learning transfer** it refers to how people use what they learn in training for performance improvement. Learning transfer seeks to reinforce and apply the information learned on the job immediately.

Emotional intelligence is the single best predictor of performance in the workplace and the strongest driver of leadership and personal excellence.

## 7. Examine the dynamics of Article 142 of the Indian Constitution to undo Injustice.

- Article 142 of Constitution of India deals with Enforcement of decrees and orders of the Supreme Court. It states that the Apex Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for doing “complete justice” in any case pending before it.
- Such orders of the Supreme Court are enforceable throughout the territory of India as prescribed by any law made by Parliament or order of the President of India.

### Article 142 enables superseding the executive and the legislative

- From Article 142, the Supreme Court derives overarching powers to perform the functions of Executive and legislative in order to bring about complete **justice**.
- In this pursuit, Article 142 is supplemented by the **Articles 32** (Right to constitutional remedies), **Article 141** (The law declared by the Supreme Court shall be binding on all courts within the territory of India) and **Article 136** (Special Leave petition).
- This is often termed as **judicial activism**. To do “complete justice” it has often overridden the laws made by Parliament such as in the following cases.
  - **Union Carbide Case:** In 1989, the Supreme Court invoked Article 142 to provide relief awarding the compensation of to victims affected in the Bhopal Gas Tragedy.
  - **Coal Block Allocation Case:** In 2014, the Supreme Court used the said provision of the constitution to cancel the allocation of coal blocks granted from 1993 onwards who were guilty of wrongdoing and imposed a penalty on coal mined illegally.
  - **Ban on liquor sale on highways case:** In 2016. under Article 142 the apex court banned the sale of alcohol within a stipulated distance of 500 metres from the outer edge of the highway. Such a decision was taken to avoid accidents due to drink and drive.

### Merits of Article 142

- Judiciary has used the powers under 142 for upholding citizens’ rights and implementing constitutional principles when the executive and legislature fails to do so.
- As the guardian of the constitution Article 142 provides its power to fill the statutory vacuum.
- It also sets out a system of **check and balance** and controls to the other branches of the government. For example:
  - In Vishakha v State of Rajasthan case, Supreme Court laid down the guidelines to protect a woman from sexual harassment at its workplace
  - Bandhua Mukti Morcha Case the Hon’ble Court gave its landmark judgment on bonded labour system of India
  - In Olga Tellis Case where Right to livelihood was declared part and parcel of the right to life.



### Demerits Of Article 142

- **Unaccountability:** One of the demerits of the powers of the Supreme Court under Article 142, is that unlike the executive and legislature, **it cannot be held accountable for its decisions.**
  - For example in one of the verdicts, the apex court banned e-rickshaws in certain parts of delhi without making provisions for alternative employment. However, it cannot be held accountable for violating the fundamental right to to carry on any occupation or trade.
  - In the coal block allocation case, The Supreme Court did not hear individuals and their particular facts, but only their associations were heard.
- **Judicial under-reach:** The problem of judicial under-reach arises where courts shirk its responsibilities, despite having the jurisdiction, resulting in injustice.
  - Like majority of the petitions/appeals filed before the Supreme Court under Article 136 of the Constitution of India are dismissed, but its judges are not liable to explain the reasons for such dismissal.
- Repeated interventions of courts can diminish the faith of the people in the integrity, quality, and efficiency of the government.

Thus, there is a need to strike a balance between three pillars of government without encroaching on each other's area. The powers under Article 142 being curative in nature cannot be construed as powers which authorise the court to assume the role of executive or legislature.

In the Bar association of **Supreme court vs. The Union of India Case** Supreme Court itself held that the power to do complete justice under Article 142 is in a way, corrective power, which gives preference to equity over law but it cannot be used to violate substantial rights.

**8. Given its global nature, multilateralism in international relations necessitates a growing global consensus on global challenges as well as rule-based international cooperation. Critically examine the statement.**

Multilateralism, as an approach encourages actors (states but also non-state entities) to collaborate to identify common problems (including global public goods and bads), to design methods to provide public goods, finance the provision or prevention and monitor the outcomes of common actions. Multilateralism is a core principle behind the institutional architecture of global governance.

#### Need for Multilateralism

- Due to persistent deadlocks, multilateralism has **lost the majority's trust**. Multilateralism is facing a **utility crisis**, where powerful member-states think it is **no longer useful** for them.
- Moreover, increasing **great-power tensions, de-globalisation, populist nationalism**, the pandemic, and climate emergencies added to the hardships.
- This impasse led states to seek other arenas, including bilateral, plurilateral and Mini lateral groupings, which subsequently contributed to further polarization of global politics.
- However, cooperation and multilateral reform is the need of the hour. Most of the challenges nations face today are **global in nature and require global solutions**.
- Pressing global issues such as conflicts, **climate change, migration**, macroeconomic instability, and **cybersecurity can indeed only be solved collectively**.
- Furthermore, disruptions such as the **Covid-19 pandemic** have **reversed the social and economic progress that global society made in the past** couple of decades.

#### Roadblocks

- **Global Power Politics:**
  - Multilateralism is deeply entrenched in global power politics. As a result, any action in reforming multilateral institutions and frameworks automatically transforms into a move that seeks changes in the current distribution of power.
  - Modifications in the distribution of power in the global **order are neither easy nor normal**. Moreover, it may have **adverse implications if not done cautiously**.
- **Considers a Zero-Sum Game:**
  - The status quo powers see multilateral reforms as a zero-sum game. For instance, in the context of the Bretton Woods system, the U.S. and Europe believed **reform would reduce their influence and dominance**.
  - This makes decisions about reform in these institutions, by consensus or voting, hard.
- **Multiplex Global Order:**

- Multilateralism **appears at odds with the realities** of the emerging multiplex global order.
- The emerging order seems **more multipolar and multi-centred**.
- Such a situation facilitates the formation of **new clubs, concerts and coalitions of the like-minded**, which makes the **reform of older institutions and frameworks more challenging**.

#### India Promote Multilateralism through G-20

- **Constitution of Engagement Group:**
  - Currently, the multilateralism reform narrative **lives only in elite circles and some national capitals**, particularly the emerging powers.
  - Therefore, the G-20 should first focus on **setting proper narratives of multilateral reform**.
  - G-20 may constitute an engagement group **dedicated to bringing the narrative to the forefront of global discourse**.
  - India should also urge the upcoming chairs of the grouping, **Brazil and South Africa, to place multilateral reforms as their presidential priorities**. Since both have global high-table ambitions, it would be an easier task for India.
- **Encouraging Minilateral Groupings:**
  - While supporting multilateral cooperation, G-20 should continue **encouraging minilateral groupings as a new form of multilateralism**.
  - Creating networks of issue-based minilateralism, particularly in areas related to the **governance of the global commons** will be helpful in preventing competitive coalitions where other actors play the same game to their advantage, leading to a more fragmented world order.
- **Being More Inclusive:**
  - The group needs to be more inclusive without sacrificing efficiency. For example, **including the African Union as a permanent member** and the UN Secretary-General and General Assembly President as permanent invitees would be **helpful to enhance its legitimacy**.
  - Similarly, to address the crisis of trust and utility, G-20 should put all its efforts into solving one or two pressing global issues and showcase it as the model of new multilateralism.
    - Food, fuel and fertilizer security can be one such issue. On the one hand, it falls under the 'low politics of world politics, so cooperation is more achievable.

## 9. Give a brief account on the contributions of Mughals to Art, Architecture and Literature in India.

The distinctive Mughal art and architecture flourished on the Indian subcontinent during the Mughal dynasty. The Mughal dynasty was established after the battle of Panipat in 1526. And after Babur, every emperor took a great considerable interest in the field of Mughal architecture. The Mughals were staunch supporters of their art and architecture.

### Fort Building

Under the patronage of Mughal emperors, the architecture of forts and tombs saw a striking resemblance to Islamic architecture.

- Persian and Indian styles were intelligently fused to create the works of quality and precision.
- Placed in the walled garden enclosure the forts had distinct domes, sleek towers at corners with the magnificent halls in the center supported by pillars and broad entrances.
- Delicate ornamentation with arches, decorative sections with fine geometrical designs and inscriptions were major highlights.
- The forts had arrangements for soldier barracks, private and public halls for meetings, horse and elephant stables, and gardens at the entrance. An example of which is the Red Fort by Shah Jahan.
- Use of decorated colored tiles, painted designs on walls and ceiling, profusely carved doorways show the beautiful detailing and taste of the Emperors.
- Extensive use of red sandstone and white marbles is seen in all the buildings of that time.

### Palace Building

The palaces that the rulers inhabited were beautiful synthesis of perfect craftsmanship and inspirations of Indo-Persian traditions.

- The entrance of the palaces had lush green gardens with symmetrically cut trees and small square structures for water fountains.
- The palaces stand up on an elevated platform, with staircases and passages for several directions cut in perpendicular manner.
- The passages of the palaces are broad with slender minarets that hold the domes and ceilings having miniature detailing and inscriptions.
- The semi-precious stone of varied colors were used on walls of the palaces and the windows are delicately fabricated with designing of stone.
- Ceilings were given special effect with pictures of flora and fauna in gold, silver and other precious stones.
- Borders with inscriptions decorated the main archways and rooms of the palaces were well designed to cater natural light and adequate ventilation.

## Building of Mausoleums

Mughal culture has seen several Mausoleums in the era like the Humayun tomb, Taj Mahal and others. The blend of artistic capacities with consciously envisioned structures highlights the features and details of these architectural masterpieces.

- The structure saw the Mughal influence with its pillars, beams and lintels and the blend of Indian architecture of Rajasthan with the decorative brackets, balconies, decorations and chatari or kiosk type structures.
- The entrance chamber dome is of a great height with detailing work with symmetrical designs on its inside.
- The arches at the upper center form balconies or viewing areas
- The entrance of the Mausoleums like the palaces, have an extensive green garden with walking passages and water courses.
- Arched lobbies connect the octagonal chambers inside the Mausoleums.
- Calligraphy on the walls, delicate plant motifs on the stone and the stones or marbles cut into delicate lattice give the monuments the most distinctive feature.
- Burial chambers employ the *Pietra Dura* or the technique of using cut polished stones to create images and twin Cenotaphs. Burials were placed in a manner that the head would face towards Mecca.

## Development of Mughal Paintings

Patronizing their Persian painters, the Mughals took keen interest in paintings that reflected a collaboration of Indo-Persian synthesis. Originating from the time of Turkish-Afghan Delhi Sultanate, paintings prospered under the rule, Akbar, Jahangir and Shah Jahan, the Mughal Rulers. The art of Mughal painting flourished with the time and developed into realistic portraiture.

- Paintings of the Mughal Era depict a theme from fables of Persian literature and Hindu Mythology, which gradually changed to realistic subjects like portraits of the royalty, events and details of the court life, wild life and hunting scenes, and battle illustrations.
- Abundant use of bright colors highlight glory of the era and fine drawing with calligraphic text descriptions on the border enhance the appeal of the artwork.
- Humayun's exposure to Persian miniature painting compelled him to get along accomplished Persian artists, *Sayyid Ali and Abdus Samad. Khamsa of Nizami*, his own commission has 36 illuminated pages, with different styles of various artists.
- Akbar inherited Humayun's library and court painters; he expanded the art by paying close personal attention to its output. Among the major art pieces of the time were *the Tutinama ("Tales of a Parrot")*, *The Gulistan*, *The Khamsa of Nizami*, *Darab Nama*, and *Hindu epics of Ramayana and Mahabharata*. Akbar hired many painters to develop and spread the Mughal style painting in the years 1570 AD to 1585 AD.
- Jahangir's artistic inclination developed the Mughal Paintings further and the oil paints began being used. He encouraged the single point perspective of European artists and paintings became focused on real life events. *The Jahangirnama*, his autobiography had several paintings.
- In Shah Jahan's reign the Mughal paintings developed but they were rigid with themes of lovers in intimate positions, musical parties etc



## Development of Literature

Literature received a boon during the Mughal Period. From the important source books, this period also witnessed the growth in different languages like Persian, Hindi and also contributed to Bengali and Punjabi literature.

- From the 'Tuzak-i-Baburi' (Memories of Babur) in Turki and 'Humayunnama' the biography of Humayun written by Gulabadan Begum, the period witnessed extensive literature growth in Akbar's reign because of his tolerant attitude. 'Navratans' (Nine Jewels) the great literary figures of his court contributed a lot.
- Abul Fazal (historian, philosopher and scholar of the period) wrote the 'Akbarnama' and 'Ain-i-Akbari'. Badauni, wrote the 'Muntakhab-ul-Tawarikh'. Nizam- ud-Din (noted historian) contributed with his work 'Tabaqat-i-Akbari' and the Hindu epics the Arthava Veda, the Ramayana, the Mahabharat were translated into Persian.
- Hindu poetry during the Mughal period was also significantly expanding as Akbar wholeheartedly patronized the Hindu poetry too. Sursagar by Sur Das, Ramcharitamanas by Tulsidas and the Persian-Sanskrit dictionary 'Parsi Prakash' were documented during this time.
- Jahangir's self written autobiography 'Tuzuk-i-Jahangiri' and other important literary works like 'Iqbalnam-i-Jahangir and 'Masir-i-Jahangir' were written during the Era.
- Aurangzeb's reign saw the important work 'Fatwa-i-Alamgiri'—a summary of Muslim law. 'Muntakhab-ul '-a famous history by Khafi Khan and 'Nuskho-i- Dilkusha' by Bhimsen were other important works.

Mughal architecture is a unique Indo-Islamic architectural style that flourished in northern and central India from the 16th to the 18th centuries under the patronage of Mughal monarchs. It's a stunningly symmetrical and ornate blend of Persian, Turkish, and Indian architecture.

**10. The 2023 Union Budget has allocated ₹19,700 crore for the National Green Hydrogen Mission to set the motion a programme that can position India as a green hydrogen super power. In this context identify the key priority areas for government and industries.**

India has committed to **50% electricity capacity** from non-fossil sources by **2030**. Most industrial greenhouse gas emissions in India come from **steel, cement, fertilizers and petrochemicals**. India is also geographically blessed to become **one of the lowest-cost producers** of green hydrogen. It has the potential of becoming **global super power in Green Hydrogen Technology**.

**Key Priority areas for government and industries**

**1. Domestic demand**

- National Green Hydrogen Mission introduces a Strategic Interventions for **Green Hydrogen Transition (SIGHT) fund** for five years, with ₹13,000 crore as direct support to consume green hydrogen.
  - This will encourage heavy industries to increase demand, offering economies of scale by which suppliers can reduce prices.
- **Blending mandates:** It can be another demand trigger for refineries.
  - Urea plants have been exempted.
  - Over time, targets can be ratcheted up with blending mandates rising (including for urea fertilizers).
- **Leveraging government procurement:** A share of government procurement of steel could be nudged towards green steel.
  - India could later position itself as a green steel exporter.
  - India is **second-largest steel producer** in the world, it can aspire to become largest green steel producer with reducing price by economies of scale and changes in production technologies.

**2. Domestic and Foreign Investment**

- India can be an **attractive destination** for domestic and foreign investment.
- Green hydrogen production projects announced/underway in India are far fewer compared to others.
- Green hydrogen is difficult and expensive to transport.
- The mission envisions **green hydrogen hubs** to consolidate **production, end use and exports**.
- A mission secretariat can ensure project clearance is **streamlined and reduce financial risks**.

**3. Electrolyser manufacturing**

- Electrolyser technology must be improved to achieve **higher efficiency goals**, specific application requirements, be able to use **non-freshwater, and substitute critical minerals**.
    - If India does not work on Electrolyser Capacity, **China** could end up controlling **38%** of electrolyser capacity by **2030**.
  - SIGHT fund offers **₹4,500 crore** to support **electrolyser manufacturing** under the performance-linked incentive (PLI) scheme.
  - Indian manufacturers are importing **stacks and assembling them**.
    - India must become **more competitive** with **targeted public funding** in manufacturing the most critical and high-value components of electrolyzers in India.
4. **Building resilient supply chains**
- Indian companies should consider joint projects in countries with **good renewable energy resources and cheap finance**.
  - Globally out of 63 emerged bilateral partnerships **Germany, South Korea and Japan** have the most.
    - Using **yen or euro** denominated loans for sales to **Japan or to the European Union**, respectively, could reduce the **cost of capital** and help India become export competitive.
  - **Technology transfer & Investment deals:** India must cooperate with like-minded countries on trade, value chains, research and development, and standards.
    - The mission allocates ₹400 crore for R&D, which can be leveraged to crowd in private capital into technology co-development.
5. **Rules for green hydrogen economy**
- Coordination between major economies to develop rules for a global green hydrogen economy is required in the absence of global common framework.
  - Attempts for rules and standards are being driven by **collectives of private corporations** rather than through **structured intergovernmental processes**.
  - There are already signs of **conflicting regulations and protectionist measures** in major markets.
    - These put **India's ambitions at risk**.

India's presidency of G20 is an opportunity for framing the rules for the global green hydrogen economy. India should promote a global network on green hydrogen via which companies could collaborate. Green hydrogen will be a critical industrial fuel of the 21st century. India is well-positioned to show leadership — in our collective interest and that of the planet.

## 11. The High Seas Treaty is an extraordinary Diplomatic Achievement. Discuss.

### High Seas

- According to the **1958 Geneva Convention on the High Seas**, parts of the sea that are **not included in the territorial waters** or the internal waters of a country are known as the high seas.
- It is the area beyond a country's **Exclusive Economic Zone** (that extends up to **200 nautical miles (370 km) from the coastline**) and till where a nation has jurisdiction over living and non-living resources.
- No country is responsible **for the management and protection of resources on the high seas**.
- *Significance:*
  - The high seas **account for more than 60% of the world's ocean area** and cover about **half of the Earth's surface**, which makes them a hub of marine life.
  - They are home to **around 2.7 lakh known species**, many of which are yet to be discovered.
  - They regulate the climate by playing a **fundamental role in planetary stability** by **mitigating the effects of climate change** through its **absorption of carbon** and by **storing solar radiation** and distributing heat around the globe.
    - Therefore, they are fundamental to human survival and well-being.
  - Moreover, the ocean **provides a wealth of resources and services**, including seafood and raw materials, genetic and medicinal resources, air purification, climate regulation, and aesthetic, scientific and cultural services.
- *Threats:*
  - They absorb heat from the atmosphere, are affected by phenomena like the **El Nino**, and are also undergoing **acidification** — all of which endanger **marine flora and fauna**.
    - Several thousand marine species are at risk of extinction by 2100 if current warming and acidification trends continue.
  - Anthropogenic pressures on the high seas include **seabed mining, noise pollution, chemical and oil spills and fires, disposal of untreated waste** (including antibiotics), overfishing, introduction of invasive species, and coastal pollution.
  - Despite the alarming situation, **the high seas remain as one of the least-protected areas, with only about 1% of it under protection**.

### High Seas Treaty

- In 1982, the **United Nations Convention on the Law of the Sea (UNCLOS)**, was adopted, which delineated rules to govern the oceans and the use of its resources.
  - However, there was **no comprehensive legal framework that covered** the high seas.

- As climate change and global warming emerged as global concerns, a need was felt for **an international legal framework to protect oceans** and marine life.
- The **UNGA (United Nations General Assembly)** decided in 2015 to develop a legally binding instrument within the framework of UNCLOS.
  - Subsequently, the **IGC was convened to frame a legal instrument** on BBNJ.
- There were several hold-ups due to the **Covid-19 pandemic**, hampering a timely global response. In 2022, the European Union launched the High Ambition Coalition on BBNJ to finalize the agreement at the earliest.
- *Key Features:*
  - **Access and Benefit-sharing Committee:**
    - It will set up an access- and benefit-sharing committee to frame guidelines.
    - The activities concerning marine genetic resources of areas on high seas will be in the interests of **all States and for the benefit of humanity**.
    - They have to be **carried out exclusively for peaceful purposes**.
  - **Environmental Impact Assessments:**
    - Signatories will have to conduct **environmental impact assessments before the exploitation** of marine resources.
    - Before carrying out a planned activity, the member will have to undertake processes of screening, scoping, carrying out an impact assessment of the marine environment likely to be affected, identifying prevention, and management of potential adverse effects.
  - **Consent from Indigenous Community:**
    - Marine resources in areas beyond national jurisdiction that are held by indigenous people and local communities can only be accessed with their “free, prior and informed consent or approval and involvement”.
    - **No State can claim its right over marine genetic resources** of areas beyond national jurisdiction.
  - **Clearing-House Mechanism:**
    - Members will have to provide the Clearing-House Mechanism (CHM), established as part of the treaty, with details like the objective of the research, geographical area of collection, names of sponsors, etc.
  - **Funding:**
    - A special fund will be established as part of the pact which will be fixed by the conference of parties (COP). The COP will also oversee the functioning of the treaty.
  - *Significance:*
    - The treaty is significant in achieving the 30x30 target set at **UN CBD (Convention on Biological Diversity) COP15** under which the countries agreed to protect 30% of oceans by 2030.

Looking ahead



- National governments still need to **formally adopt and ratify this agreement** to enable the treaty to enter into force.
  - **Everyone in the global community across all sectors must act together**– for our own sake, as much as for that of ocean life – to celebrate, implement and monitor the effectiveness of the new High Seas Treaty.
- Without a doubt, **better protecting the high seas and imposing careful management of marine resources** will in turn mitigate the cumulative impact of activities bearing a potentially heavy toll, such as shipping and industrial fishing, in the virtuous circle of a **sustainable blue economy** that benefits people and nature alike.
  - It is high time the **ocean gets the protection it is due.**

**12. Account for the failure of manufacturing sector in achieving the goal of labour-intensive exports. Suggest measures for more labour-intensive rather than capital-intensive exports**

- Since the reforms initiated from 1978, China has transformed itself into a middle-income country and by 2010 the World Bank classified it as an upper middle-income country.
- In the process, China lost its advantage in low labour costs for exporting manufactured goods. Besides, China's one child policy has caused a gradual decline in its young population rendering its labour-intensive exports policy unsustainable.
- By contrast, India, leveraging its demographic dividend could have successfully replicated the labour-intensive export model, especially under the present government which is keen on pushing its 'Make in India' strategy.
- India's failure to achieve labour intensive exports is attributed to India's failure to emulate the China model to factor market distortions, infrastructure bottlenecks, substandard primary and secondary education, and delay in clearing of large scale investments.
- Successive governments have not invested enough on English medium education in the post reforms period which saw many MNCs entering the country.
- India also failed to attract labour intensive foreign direct investment and global value chains for employment generation and increasing the volume of trade and consequently growth.
- The increasing income and wealth inequalities in the country have made domestic demand and market segmented for differentiated goods and thereby constrained the scale economies' advantage in expanding intra-industry trade and international investments.
- The import substitution policy regime of the pre-reform period in India had led to entrenched monopolies in the domestic market.
- While domestic companies focussed on maximising profits in the domestic market, the relatively inefficient and capital intensive firms undertook exports! Given the factor market segmentation, small and medium firms had adopted labour intensive technologies.
- But these firms faced high transaction costs. Subcontracting between large and small firms was widespread in several engineering industries but the small firms were disadvantaged by high transaction costs. This drove some small firms that had reached a critical size and productive efficiency levels to branch out to exports, in the post reform period. For large firms, the intra-industry trade possibilities were minimal as unequal income distribution vertically segmented product differentiation and restricted them to realise scale economies despite availability of cheap labour.
- However, as India grew in the post reform period, the increased per capita incomes generated possibilities for realisation of scale economies and exports in some sectors

such as small cars, motorcycles, and electronics goods, which also had a high degree of exposure to MNCs.

- Larger firms have undertaken exports, entailing larger in-house R&D investments to ensure quality products and productive efficiencies. An export-led strategy has made firms, large and small, to gain access to world standards resulting in productivity gains. And imports have implied technology inflows with implications for productivity and quality boost.
- But the Indian economy still remains a high transaction cost one with low levels of ease of doing business. This has constrained the potential gains of economies of specialisation of greater degree in local and globally oriented supply chains.

### IT success story

Only in software and related services, India could leapfrog in exporting technology and human capital intensive goods and services. However, technologies are changing rapidly and flowing across the globe at greater speed. This has turned out to be a deterrent for Indian software firms in moving up the technology value chain even as India's higher educational institutions have failed to produce high quality graduates. Some Indian firms have invested in skill training and set up greenfield ventures in the developed countries to tap skilled workforce there.

### **Promoting labour-intensive exports**

- Easing of labour law regulations which include wide-ranging and complex labour laws, mandatory contributions made by low paid workers and lack of flexibility in case of part-time work. The government's decision to rationalise the labour laws by framing four labour codes is a positive step in this regard to encourage exporters.
- Promotion of labour-intensive sectors like leather, apparel and footwear sector which also has high export potential.
- Promotion of the role of Small and Medium enterprises as the labour intensity of the SMEs is four times higher than that of larger firms by the provision of adequate state support.
- Availability of Cheap power supply for labour-intensive manufacturers who operate on low-profit margins and for whom high electricity costs can result in operating issues.
- Further, there is a need to fill in the gap of skills for labourers, to help provide employment in case of the manufacturing sector.

### 13. Do you think that the logistics sector in India highly competitive?.

- The **Union Budget 2023** has doubled the **PM Gati Shakti National Master Plan** to States from Rs. 5,000 crore to Rs. 10,000 crore, and has announced an outlay of Rs. 2.4 lakh crore for the Indian Railways.
- The plan is a “**transformative approach for economic growth and sustainable development dependent on the engines of roads, railways, airports, ports, mass transport, waterways and logistics infrastructure**”.
- Providing the right platform to address the infrastructure challenges that have hindered the movement of freight by rail, **PM Gati Shakti sets the goal of increasing rail freight movement from 27% to 45% by 2030** and freight movement from 1.2 billion tonnes to 3.3 billion tonnes by 2030.
- So, improving the logistics system is essential for enhancing a country's competitiveness in logistics.

#### Challenges of India's Logistics System

- **Skewed Modal Mix:**
  - The modal mix in **India's freight movement is heavily skewed towards road transport**, with 65% of freight being moved by road. This has led to increased congestion, pollution, and logistics cost escalation on roads.
- **Loss of Rail Freight Share:**
  - Despite being a more cost-effective mode of transportation, **railways have been losing freight share to more flexible modes**, due to the convenience of road transport.
  - The **Indian Railways face infrastructural challenges such as the lack of necessary terminal infrastructure**, maintenance of good sheds and warehouses, and uncertain supply of wagons, absence of all-weather roads as a substantial part of the country is out of reach for railways.
    - This **results in high network congestion, lower service levels, and increased transit time.**
  - **Dominance of Bulk Commodities:**
    - **Coal, iron ore, cement, food grains, and fertilizers account for a significant share of India's freight movement**, while non-bulk commodities have a very small share in rail freight movement.
      - In 2020-21, **coal constituted 44% of the total freight movement of 1.2 billion tonnes, followed by iron ore (13%), cement (10%), food grains (5%), fertilizers (4%), iron and steel (4%), etc.**
      - Transportation of non-bulk commodities accounts for a very small share in the rail freight movement.
    - **Operational and Connectivity Challenges:**
      - **Increased transit time by rail, pre-movement and post-movement procedural delays, multi-modal handling, and the**

absence of integrated first and last-mile connectivity by rail are some of the operational and connectivity challenges faced by India's logistics system.

- **Lack of Skilled & Specialist Personnel:**
  - It has emerged as **one of the most prominent concerns, especially in the face of increasing volumes**, complex operations, and increasing work pressure with multi-tasking.
  - Availability of experienced human resources for mostly labor-intensive processes, demanding higher skills and expertise is a challenge for logistics companies.
- **Warehousing & Taxation Discrepancies:**
  - Logistics companies generally opt for warehousing because it enables them to store goods and move them closer to the customer when demand occurs. It helps to reduce the transit time.
  - However, warehousing is not free of cost and needs proper planning for optimum use.
- **Fragmentation:**
  - The logistics industry in India is highly fragmented, with many small and medium-sized players operating independently, leading to suboptimal utilization of resources and higher costs.
- **Inefficient Supply Chain Management:**
  - The lack of coordination between various players in the supply chain, including manufacturers, distributors, and retailers, leads to inefficiencies, delays, and increased costs.

#### Looking ahead

- **Need for Investment:**
  - **India needs to heavily invest in advanced rail infrastructure** for quick and low-cost container movement, like China, to improve its logistics competitiveness.
  - **Continuous monitoring of existing projects along with identification of new priority areas** will also help in achieving the targets of rail freight movement.
  - India needs to **focus on developing dedicated freight corridors** to ease the oversaturated line capacity constraints and improve the timing of trains.
    - The **upcoming Dedicated Freight Corridors along India's eastern and western corridors** and multimodal logistics parks will ease the oversaturated line capacity constraints and improve the timing of trains.
- **Encouraging Private Participation:**
  - Indian Railways should **encourage private participation in the operation and management of terminals**, containers, and warehouses to enhance the efficiency of the logistics system.
- **Establishment of a Special Entity:**



- Indian Railways should **establish a special entity in partnership with the private sector to handle intermodal logistics**, which could function as a single window for customers for cargo movement and payment transactions.
- **Integrated Logistics Infrastructure:**
  - An **integrated logistics infrastructure with first and last-mile connectivity is essential to make rail movement** competitive with roads and facilitate exports by rail to neighbouring countries such as Nepal and Bangladesh.
- **Collaboration with Neighbouring Countries:**
  - India should **collaborate with neighbouring countries to develop a seamless logistics network** that facilitates the efficient movement of goods across borders.
  - **Examples:**
    - Bangladesh-India can collaborate in the **Petrapole-Benapole integrated check post (ICP)** which has already improved trade facilitation between the two countries.
    - The **Kaladan Multi-Modal Transit Transport** Project between India-Myanmar aims to connect the Indian ports of Kolkata and Haldia with the Sittwe port in Myanmar, is a good example of such collaboration.
  - **Adoption of Digital Technologies:**
    - Adoption of digital technologies such as **blockchain, Internet of Things (IoT), and Artificial Intelligence** can help in enhancing the efficiency of the logistics system and reducing operational costs.
  - **Skilling and Training:**
    - **Skilling and training of the workforce in the logistics industry is crucial** to ensure the smooth functioning of the logistics system.
  - **Regulatory Reforms:**
    - India needs to **undertake regulatory reforms to simplify the regulatory framework** and remove barriers to the growth of the logistics sector.

**14. 'Constitutional Morality' is rooted in the Constitution itself and is founded on its essential facets. Explain the doctrine of 'Constitutional Morality' with the help of relevant judicial decisions. (Mains 2021)**

Constitutional morality in its strictest sense implies a strict and complete adherence to the constitutional principles as enshrined in the various segments of the document. It is required that all constitutional functionaries to “cultivate and develop a spirit of constitutionalism” where every action taken by them is governed by and is in strict conformity with the basic tenets of the Constitution. The concept of Constitutional Morality is present in the constitutional scheme, particularly in the Preamble, Part III (fundamental rights) and Part IV (Directive Principles of State policy).

In practice, constitutional morality is evident in various well-established rights that emanate from the Constitution, and include among others:

- Rule of law
- Individual liberty
- Right to equality
- Freedom of choice and expression
- Social justice
- Due process of law
- Procedure established by law

Society doesn't remain static, the changes that occur lead to new scenarios, and thus, the law and the constitutional setup have to keep up with the same. This aspect can be clearly understood through judicial pronouncements like *Navej Johar & Ors v. Union of India*, where the Supreme Court provided for an elaborate mechanism to affirm the rights of people who do not conform with a particular gender, thus ensuring their life, liberty, dignity and identity.

### **Constitutional Morality as per various Supreme Court Judgements**

1. **Government of NCT of Delhi Vs. Union of India** – All high functionaries need to follow constitutional morality and protect the constitutional values spelt out by the Constitution. Constitutional Morality acts as check on arbitrary use of power by high functionaries.
2. **Navej Singh Johar & Ors. Vs. Union of India** – Supreme Court opined that Section 377 violates the right of members of the LGBTQI community on the bedrock of the principles enunciated in Articles 14, 19 and 21 of the Constitution [dignity of individuals]
3. **Naz Foundation case**, the Supreme Court opined that only Constitutional Morality and not Public Morality should prevail
4. **Justice K.S. Puttaswamy & Anr. Vs. Union of India & Ors.** – SC upheld the constitutional validity of Aadhaar subject to certain limitations. Constitutional Morality ensures courts must neutralize the excesses of power by the executive and strike down any legislation or even executive action if it is unconstitutional.
5. **Indian Young Lawyer's Association v. State of Kerala [Sabrimala Case]**– SC opined that constitutional morality which includes values like justice, liberty, equality and

fraternity ought to be preferred over customary values, traditions and beliefs. It allowed the entry of women into sabrimala temple irrespective of their ages. [fighting perception, stereotype and prejudices]

Constitutional morality is crucial for constitutional laws to be effective. Without constitutional morality, the operation of the constitution tends to become arbitrary, erratic and capricious.

**15. Examine the significance of Data Empowerment and Protection Architecture (DEPA) in India and the associated challenges thereupon.**

Data Empowerment and Protection Architecture (DEPA)

- It is a **joint public-private effort** (launched by NITI Aayog in 2020) for an improved data governance approach that **creates a digital framework** allowing users to share their data on their own terms.
  - The data is shared through a third-party entity, namely the **Consent Mangers (CMs)** that individuals provide consent as per an innovative digital standard for every granular piece of data shared securely.
- DEPA enables consented sharing of consumer data from **Data Providers** (entities which collect or generate consumer data) to **Data Consumers** (other entities which wish to provide a service or a product based on the data) via Consent Managers.

Need For DEPA

- Currently, **data is in control of the giant companies** who have captured most of the marketplace all over the world and make profits more than the GDP of a few countries.
- This has **affected small scale enterprises** to survive in such a tech-savvy marketplace.
- Hence, to sustain competition in the market, NITI Aayog came up DEPA framework **to enable SMEs to utilise the existing data that is available in silos.**
  - That is with the existing players from the industry such as fintech, e-commerce, healthcare or insurance bringing out new products and services in the market.

Significance of DEPA

- **It empowers users** by giving them control over their data, allowing them seamless sharing while ensuring privacy and therefore could help to **build trust** in digital technologies and data governance.
- It also **replaces costly and cumbersome data access and sharing** practices that disempower individuals, such as physical submission, username/password sharing, and terms and conditions forms providing blanket consent.
- DEPA will also **induce competition** and **enable new services.**
  - For instance, with DEPA, individuals and small businesses will be able to use their digital records to access affordable loans, insurance, savings, and better financial management products.
- With DEPA, individuals can **seamlessly share their financial data** for the first time across banks, insurers, investors, tax collectors, and pension funds in a safe, secure, and consented manner.
  - This has the power to transform the availability and affordability of financial products.
  - Beyond the financial sector, DEPA also presents opportunities in health, jobs, and urban data.

- The innovation models like DEPA can be important **alternatives to proprietary solutions** that are governed by **big tech companies**.

#### Risks Associated with DEPA

- **Security concerns:** If the consent management tool is not properly implemented or managed, there is a risk that personal information could be **misused or misappropriated**.
  - **For example**, in the health sector, there is a risk that sensitive medical information could be misused or exploited for commercial purposes.
  - Also, in agriculture, there is a risk that market information could be manipulated for the benefit of certain actors.
- **Inconsistent application:** Concerns are being raised that DEPA implementation may be inconsistent across different sectors and jurisdictions, which could undermine its effectiveness and create confusion among citizens.
- **Operational issues:** There are also concerns related to issues of infrastructure, connectivity and the availability of **a skilled human workforce** for the DEPA framework.
- **Issue related to ownership and governance of data:** The questions related to rights of data providers and the responsibilities towards them also remain unaddressed.

#### Addressing Challenges Related to DEPA

- To realise the potential benefits of DEPA and minimise the risks, it should be implemented in a transparent, consistent, and secure manner.
  - This could be done by **close collaboration** between the government, the private sector, civil society, and other stakeholders and developing clear **effective regulations** and standards.
- The concerns related to data governance must be addressed by developing **ethical** and responsible **data governance practices**, effective and **accountable oversight mechanisms**, etc.

#### Other Concerns Related to Data Governance

- Many commentators argue for the **opening of data “silos”** to capture the potential wealth of data sharing between governmental offices, corporations and citizens.
  - However, while opening up some data silos may be useful in promoting citizen participation and increasing access to information, others **may jeopardise trust and security**.
  - In this milieu, **the issue of data sovereignty has gained significance**.
- **Data sovereignty** refers to the principle that a country has the right to control the collection, storage, and use of data within its borders and also to the informational self-determination of citizens over their data.

#### Find a Mid Way



- **The sharing of sensitive personal or financial information** may be harmful to individuals and society as a whole and may also lead to discrimination, exclusion, and unforeseen negative consequences.
- Therefore, it is important for India to navigate a **middle way between restrictive data sovereignty and limitless data flow**, and **define** which data, for which purposes, can be shared and used by whom.
- In doing so, India must **respect and protect the fundamental right to privacy** with a **robust data protection law**, and balance the interests of all stakeholders, including governments, businesses, and citizens.
- The **investment** should also be pursued in the necessary **digital infrastructure and skills** to ensure that data is collected, stored, and used in a responsible, secure and accountable manner so that a **resilient data governance regime** can be accomplished.
- **The advances in financial inclusion** and the successful implementation of the UPI in India must be replicated successfully in other areas such as health and agriculture.

#### Other Initiatives to Promote Digital Governance

- MeitY has proposed **India Data Management Office** (IDMO) to promote the development and implementation of open-source solutions, which will ensure that underlying data architectures are a social public good.
- **India Stack** is a unified software platform that provides digital public goods, application interfaces and facilitates digital inclusion.

As the world becomes increasingly digital, the G-20 has recognised the **need for international cooperation and collaboration** in addressing the challenges, opportunities and risks posed by the rapid growth of data and digital technologies. In this, **India has a unique opportunity** (as the G20's President) to develop and implement a data governance regime that can become a model for other countries.

**16. What problems were germane to the decolonization process in the Malay Peninsula?  
(GS 1 - MAINS 2017)**

Malay Peninsula was under the British influence since they first came in the late 18th century looking towards Southeast Asia for new resources. Since then the British East India Company traded and partly controlled the region. The growth of their China trade further increased the company's desire for bases in the region near it.

The decolonization of Malaya Peninsula was an extension of the series of decolonization movements going across the Asia and Africa and was influenced from this process which speeded-up after the World War-II.

- Malay Peninsula was a multi-racial, multi-cultural society with Malay Chinese and Indians forming major ethnic and interest groups which was a suitable condition for colonial powers to consolidate their regime.
- Fall of Singapore and Japanese advances in Malay Peninsula during the World War-II forced the British to consider reassessment of its non-interventionist policies in favour of ethnic cooperation and multiracial government in this region. But with the presence of diverse interest of different groups reaching to a consensus was a tough task.
- Cold War ideological rivalry was prevalent in Malayan Peninsula too where with the rise of communist aligned communist parties like Malayan Communist Party and Chinese Communist Organization, the fear of Malayan Peninsula falling to the Communists emerged. It was a nightmare for the liberal democracies/ colonial powers (i.e. British) which ensured transfer of power to ideologically friendly regimes.

The decolonization of Malayan Peninsula was largely a result of long reconciliation process between the Malayan nationalist and the European colonial powers. Their mutual compromise gave the British the confidence to speed up the process of decolonization through a smooth decolonization process.

## 17. What is a Floor Test?. Critically examine the powers of the Governor to Call for a Floor Test

- A floor test is done to ensure whether the government in position enjoys the support of the majority legislature.
- When a single party secures the majority of the seats in the house, the Governor appoints the leader of the party as the Chief Minister (CM).
- In case the majority is questioned, the leader of the party (CM) which claims majority has to move a vote of confidence and prove majority among those present and voting.
  - In case more than one person is claiming to form the government and the majority is not clear, the Governor may call for a special session to see who has the majority.
  - In case of a tie, the Speaker casts his vote.
- The CM has to resign if they fail to prove the majority in the house.
- Hence, a floor test is a **Constitutional mechanism** (Article 164) under which a CM appointed by the Governor can be asked to prove majority on the floor of the Legislative Assembly of the state.
- When the House is in session, the Speaker has the authority to call a floor test. When the Assembly is not in session, the Governor may call for a floor test under Article 163.
- The SC, in the **SR Bommai Case (1994)**, laid down certain guidelines so as to prevent the misuse of Article 356 of the Indian Constitution.
  - One such guideline is - The majority enjoyed by the Council of Ministers shall be tested on the floor of the House.

### Governor's Call for a Floor Test

- **Article 174** of the Constitution authorizes the **Governor to summon, dissolve and prorogue the state legislative assembly.**
  - Article 174(2)(b) of the Constitution gives powers to the Governor to **dissolve the Assembly on the aid and advice** of the cabinet. However, the Governor can apply his mind when the advice comes from a Chief Minister whose majority could be in doubt.
  - According to **Article 175(2)**, the Governor can summon the **House and call for a floor test** to prove whether the government has the numbers.
  - However, the Governor can exercise the above **only as per Article 163 of the Constitution** which says that the Governor acts on the aid and advice of the Council of Ministers headed by the Chief Minister.
  - When the House is in session, it is the Speaker who can call for a floor test. But when the Assembly is not in session, the Governor's residuary powers under Article 163 allow him to call for a floor test.
- **Governor's Discretionary Power**

- **Article 163 (1)** essentially limits any discretionary power of the **Governor only to cases where the Constitution expressly specifies** that the Governor must act on his own and apply an independent mind.
- The Governor **can exercise his discretionary power** under **Article 174**, when the chief minister has lost the support of the House and his strength is debatable.
- Generally, when doubts are cast on the chief minister that he has lost the majority, **the opposition and the Governor would rally** for a floor test.
- On numerous occasions, the courts have also clarified that when the majority of the ruling party is in question, **a floor test must be conducted at the earliest** available opportunity.

#### SC's Observations on the Governor's Floor Test Call

- In 2016, the SC in **Nabam Rebia and Bamang Felix vs Deputy Speaker** case (the Arunachal Pradesh Assembly case) said that the power to summon the House is not solely vested in the Governor and **should be exercised with aid and advice of the Council of Ministers** and not at his own.
- The Court highlighted the facts that the Governor is not an elected authority and is a mere nominee of the President, **such a nominee cannot have an overriding authority over the representatives of the people**, who constitute the House or Houses of the State Legislature.
- **In 2020**, the Supreme Court, in **Shivraj Singh Chouhan & Ors versus Speaker**, Madhya Pradesh Legislative Assembly & Ors, upheld the powers of the Speaker to call for a floor test if there is a prima facie view that the government has lost its majority.
  - The Governor is not denied the power to order a floor test where on the basis of the material available to the Governor it becomes evident that the issue as to whether the government commands the confidence of the House requires it to be assessed on the basis of a floor test.

**18. Globalization has given rise to significant new connections in the world but also a greater risk of fragmentation of international relationships. Comment**

- For decades, the benefits of **globalisation** have appeared to be obvious and unassailable; however, as the international order has come under strain in recent years, the **delinking of global trade and investment by companies and governments** has witnessed an increase in the pace.
- The **countries are increasingly turning to regional or bilateral trade agreements** to pursue their interests, rather than relying on global frameworks. This shift in the trend can be attributed to factors like **rising economic nationalism, increasing geopolitical tensions**, and the **failure of various multilateral institutions** to deliver on their promises.
- This fragmented form of globalisation has profound implications for the future of international trade and cooperation, with both opportunities and challenges for countries around the world.

**Globalisation**

What today is referred to as globalisation, gained recognition in India with the **end of the Cold war and the disintegration of the Soviet Union in 1991**.

- An offshoot of two systems — **democracy and capitalism**, globalisation **rooted for free trade** and increased **inter-country movement of capital and labour**.
- In a political sense, it refers to increasing global governance via international institutions or growing alignment of national policies.
- **Motivating Factors for Globalisation:** Broadly, economic, financial, political, technological and social factors paved the way to globalisation.
  - Economic factors such as **lower trade & investment barriers** and expansion of financial sector;
  - Political factors include the **reforms in the govt policies worldwide** to facilitate trade and commerce;
  - Social factors include **cultural convergence** along with significant **ease in transportation and communication**; and
  - Technology factors such as **ease in transmitting information worldwide**, and more recently, the **accelerating shift towards remote work** - made national borders seem largely irrelevant.

**Globalisation becoming Fragmented**

- **Advent of Fragmented Globalisation:** While globalisation made markets work better, policymakers lost sight of its **adverse distributional consequences**.
  - Many communities, countries were left behind contributing to a **widespread sense of marginalisation and alienation**.

- **Recent Upheavals in Globalisation:** The most recent example is the **invasion of Ukraine** which led to imposition of sanctions on Russia (a **G20** country) and the **weaponisation of the international payments system**.
  - The **United Kingdom's vote to leave the European Union** was one of the most visible political manifestations against globalisation.
  - Moreover, the **US entering a tariff war with China** has also deepened the divide between the two economic powers.
  - With climate change/environmental protection policies gaining recognition, there is a global race for cleantech innovations and **circular economy approaches**.
    - The mass rollout of green technologies from solar PV to electric vehicles is bringing **shifts to global supply chains and transferring manufacturing hubs to more 'suitable' countries**.
  - **Is De-Globalisation the Final Consequence:** Despite all these ongoing turmoils, the available data suggest that globalisation is not ending so much as it is changing.
    - Fragmentation of the global economy is now **resulting in the strengthening of regional economic areas, or globalisation of like-minded countries**, and not to a de-globalisation. Global trade will essentially remain an important pillar in global growth.
  - **Main Characteristics of Fragmented Globalisation:** This era of fragmented globalisation that has emerged, is **characterised by substitution** rather than negation.
    - In simpler words, the **countries, instead of not participating in global trade, are substituting their existing trade partners** with some other country.
    - For instance, the EU-US-led restrictions have not materially reduced **Russia's oil exports, rather redirected them to China and India**.
      - Additionally, the world is witnessing a **wave of de-dollarisation** with countries looking for ways to create a **parallel cross-border payments and settlement system**.

### India Benefitting

- **Advocating Regional Integration:** India can potentially play a significant role in shaping the future of globalisation, with its stance on issues related to trade, investment, and economic integration.
  - In recent times, India has benefited from globalisation and has **become a hub for outsourcing**, particularly in the IT and services sectors.
  - India has advocated for regional economic integration, such as through the **South Asian Free Trade Agreement (SAFTA)** and **BIMSTEC** initiatives and must continue to do so.
  - India's progress in making this forum a success will largely depend on factors like its own economic policies, geopolitical developments, and global economic trends.



- **Cooperation between Public/Private Sectors:** Companies in India must work with the Central/State governments to facilitate the **inherently tricky process of rewiring supply chains and to accelerate the green transition.**
  - Policymakers need to thoroughly revise how they think and operate, and long-term investors absolutely should incorporate **more sophisticated geopolitical, sociopolitical, and environmental analyses** into their allocation strategies going forward.
- **India as a Voice of Global South:** While India has also been a strong advocate for **free trade** and globalisation, pushing for the removal of barriers to trade and investment, **it has also been critical of some aspects** of globalisation, particularly regarding the **unequal distribution of benefits and the negative impacts on local industries and workers.**
  - India has also **argued for a more balanced and equitable approach** to globalisation that ensures the benefits are shared more widely and that there are adequate social and environmental protections.
  - As one of the emerging global powers, India can become “**voice of the Global South**”, that is **otherwise under-represented** in global forums.

## 19. Examine the Crisis of Under-representation of Women in Indian Parliament and State Legislatures.

- Women represent **5% of the total members of the Parliament.**
- The scenario for women **Members of Legislative Assemblies (MLAs)** across all state assemblies in India is even worse, **with the national average being a pitiable 9%.**
- In the last 75 years of independence, **women's representation in Lok Sabha has not even increased by 10%.**

### Causes

1. *Lack of Political Education:*
  - **Education influences the social mobility of women.** Formal education such as provided at educational institutions creates opportunities for leadership, and impart leadership essential skills.
  - Because of a **lack of understanding of politics**, they do not know about their basic and political rights.
2. *Stereotypes:*
  - The role of **managing household activities has been traditionally assigned to women**
3. *Work and Family:*
  - **Uneven distribution of family care responsibilities** means that women spend far more time than men in home and child-care.
4. *Lack of Resources:*
  - Because of their low proportion in the inner political party structure of India, women fail to gather resources and support for nurturing their political constituencies.
5. *Unfriendly Environment:*
  - Rise in **criminalization, corruption, insecurity has driven women out of the political arena.**
6. *Absence of gender-neutral language*
  - For instance – in the **Rajya Sabha, the Rules of Procedure continue to refer to the Vice-President of India as the ex-officio Chairman**, stemming from the lack of gender-neutral language in the Constitution of India
  - The alarming degree of **usage of masculine pronouns assumes a power structure biased towards men.**
7. *Lack of gender-neutral Acts*
  - Acts have made references to women not as leaders or professionals (such as policemen), but usually as victims of crimes.

### Government measures

1. *Reservation for Women in Panchayati Raj Institutions:*

- Article **243D of the Constitution ensures participation of women in Panchayati Raj** Institutions by mandating not less than one-third reservation for women out of total number of seats to be filled by direct election and number of offices of chairpersons of Panchayats.
- 2. *Parliamentary Committee On Empowerment Of Women:*
  - The **Committee on Empowerment of Women was constituted** for the first time in 1997 during the 11th Lok Sabha of the Parliament for improving the status of women.
- 3. *Rules of Procedure of the Lok Sabha*
  - In 2014, under the leadership of the then Speaker of the Lok Sabha, Meira Kumar, and the **Rules of Procedure of the Lok Sabha were made entirely gender neutral.**
  - Since then, each Lok Sabha Committee Head has been referred to as Chairperson in all documents.
- 4. *The Women's Reservation Bill 2008:*
  - It **proposes to amend the Constitution of India to reserve 1/3rd of all seats in the Lower house of Parliament of India**, the Lok Sabha, and in all state legislative assemblies for women.

#### **Looking ahead**

- Bring women quotas in political parties
- Promoting Inner party democracy
- Passage of Women's Reservation Bill
- Fighting stereotypes
- Bringing gender neutral languages

The pre-requisite of inclusive society is inclusive parliament, the need of the hour is to have equal participation of all the sections of society in mainstream political activity and decision making.

**20. Discuss the extent of the fake news menace and the threat it poses to the Indian democracy. Do you think stronger laws can curb fake news?.**

- In the age of the internet, fake news has become the new social evil that is haunting us.
- Recently, a fake video was spread in which a migrant worker in Tamil Nadu was being attacked.
- Concerned about the ongoing situation, the Tamil Nadu government said that those who spread rumours that migrant workers are being attacked in Tamil Nadu are against the Indian nation and they cause harm to the integrity of the country.
- In 2020, the number of cases filed against people "circulating fake/false news/rumours" under Section 505 of the **Indian Penal Code (IPC)** has **increased by 214%**, according to the **National Crime Records Bureau**.
- There is **also a need for stronger laws against fake news in India** and media organisations need to make fact-checking a routine practice and create greater public awareness.

Challenges in Curbing Fake News in India

- **Low Digital Literacy:**
  - India's digital literacy rate is still low, which makes it easy for fake news to spread, as people often do not have the skills to verify the authenticity of news sources.
    - According to the **India Inequality Report 2022: Digital Divide**, approximately 70% of the population has poor or no connectivity to digital services.
    - Among the poorest 20% households, only 2.7% have access to a computer and 8.9% to internet facilities.
  - **Political Use:**
    - **Fake news is often used for political purposes in India**, especially during elections. Political parties use fake news to manipulate public opinion, which makes it challenging to control the spread of fake news.
  - **Limited Fact-Checking Infrastructure:**
    - India has limited fact-checking infrastructure, and many of the available fact-checking organizations (PIB fact check units) are small and poorly funded.
  - **Lack of Penalties:**
    - There are **currently no strict penalties for the spread of fake news in India**, which makes it difficult to deter people from creating and disseminating fake news.
  - **Opacity of Social Media Platforms:**

- Social media platforms are increasingly becoming the primary ground for public discourse over which a handful of individuals have inordinate control.
  - One of the biggest hurdles in being able to curb misinformation is the lack of transparency by social media platforms.
  - Even when platforms have disclosed certain kinds of information, the data is often not presented in a manner that facilitates easy analysis.
- **Anonymity:**
  - The most famous reason for anonymity is to **be able to speak the truth against vindictive governments or to not let the views be tagged to the real person** being spoken about, in the offline world.
    - Despite helping people share their views without any insecurity, it does more harm in the sense that they may spread false information without any repercussions.

#### Initiatives taken in this Regard

- **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021:**
  - The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 **proposes that social media platforms are required to remove content that has been fact-checked** by the Press Information Bureau's fact check unit and deemed false.
  - This rule aims to curb the spread of fake news and misinformation on social media platforms.
- **IT Act 2008:**
  - Section 66 D of the **IT Act 2008** regulates offences related to electronic communication.
  - This includes **punishing individuals who send offensive messages through communication services** or social media platforms. This act can be used to penalize those who spread fake news through electronic communication.
- **Disaster Management Act 2005:**
  - The **Disaster Management Act 2005** and the **Epidemic Diseases Act 1897** (especially during Covid-19) regulate the circulation of fake news or rumours that can cause panic among citizens.
- **Indian Penal Code of 1860:**
  - It **regulates fake news that causes riots and information** that causes defamation. This act can be used to hold individuals accountable for spreading fake news that incites violence or defames someone's character.

#### Looking ahead

- **Promote Media Literacy:**

- Education and awareness are **critical tools in combating fake news**. People need to be taught how to verify sources, fact-check claims, and understand the difference between reliable and unreliable news sources.
- **Strengthen Laws:**
  - India has some laws against fake news, but they need to be more robustly enforced. Laws need to be updated to address the rapidly evolving online media landscape.
- **Encourage Responsible Journalism:**
  - Journalists need to adhere to ethical standards and be accountable for their reporting. Media organizations can play a role in promoting responsible journalism and fact-checking.
- **Encourage Social Media Companies to Act:**
  - **Social media platforms need to be more proactive in identifying and removing fake news**. They can use artificial intelligence tools to identify fake news and work with fact-checking organizations to verify news stories.
- **Encourage Fact-Checking Organizations:**
  - **Fact-checking organizations can play a critical role in verifying news stories** and educating people about fake news. These organizations need to be encouraged and supported by the government and media.
    - The fact checks unit of the **Press Information Bureau (PIB)** busted 1,160 cases of false information since its inception in November 2019.
  - **Encourage Responsible Social Media Use:**
    - **Individuals need to take responsibility for their social media use**. They need to avoid sharing unverified news stories and be more critical of what they see online.
  - **Foster a Culture of Critical Thinking:**
    - **Critical thinking skills need to be fostered in schools** and in society in general.
    - People need to be encouraged to question what they read and hear and to seek out reliable sources of information.



## 21. How can we use the ethical principles in moral reasoning about the environment policies?.

Policy-makers must take more seriously the value assumptions and conflicts connected to environmental issues, and state explicitly on what values their own proposals and decisions are based and why these should be accepted.

### ■ **Incorporating Ethical Considerations into Environmental Policy-making:**

- Ethical considerations should be an integral part of environmental policy-making, as policies are intended to promote the well-being of society and the environment. There are several ways in which ethical considerations can be incorporated into environmental policy-making, as follows:
  - **Stakeholder Engagement:** One of the most effective ways to incorporate ethical considerations into environmental policy-making is by engaging with stakeholders.
    - Stakeholders can include **local communities, civil society organizations, and industry representatives**. Stakeholder engagement ensures that the concerns and values of all parties are taken into account, and policies are designed to promote the common good.
      - For example, in 2019, the Indian government launched the **National Clean Air Programme (NCAP)**, which aims to reduce air pollution in 102 cities.
  - It was developed through a **participatory approach, involving stakeholders from various sectors**, including government, civil society, and academia.
    - The engagement of stakeholders ensured that the policy was designed to address the concerns and values **of all parties**.
  - **Precautionary Principle:** The Precautionary Principle is a key ethical principle that should be incorporated into environmental policy-making.
    - The principle **states that in the absence of scientific certainty, precautionary measures should be taken to prevent harm to the environment and public health**.
  - This principle ensures that policies are designed to protect the environment and public health, even in the face of uncertainty.
    - For example, in 2017, the Indian government implemented a **ban on the sale and use of firecrackers in the National Capital Region (NCR) during the Diwali festival**, due to concerns over air pollution.
      - The ban was implemented based on the precautionary principle, as there was scientific evidence linking firecrackers to air pollution and public health impacts.

- **Sustainable Development Goals:** The Sustainable Development Goals (SDGs) provide a framework for incorporating ethical considerations into environmental policy-making.
  - The SDGs are a **set of 17 goals adopted by the United Nations in 2015**, aimed at promoting sustainable development and addressing global challenges, including climate change and environmental degradation.
    - For example, the Indian government has incorporated the SDGs into its policy-making, with a focus on sustainable development.
      - In 2018, the **government launched the National Action Plan on Climate Change (NAPCC)**, which includes measures to reduce greenhouse gas emissions, promote renewable energy, and promote sustainable agriculture.
- **Environmental impact assessments:** Environmental impact assessments (EIAs) can be used to **assess the potential environmental impacts of policies before they are implemented**.
  - This ensures that policymakers are aware of the potential environmental consequences of their policies and can take steps to mitigate them.
- **Environmental Justice:** Environmental justice is the **fair treatment and meaningful involvement of all people** regardless of race, color, national origin, or income in the development, implementation, and enforcement of environmental laws, regulations, and policies.
  - Environmental justice **ensures that the benefits and burdens of environmental protection are shared fairly** among all members of society.

Environmental ethics, specifically the considerations of rights, justice, utility, and care, provide the underpinnings for many of our current environmental laws. As our relationship with the environment is viewed in moral terms, sound legal policy follows.

**22. The scourge of terrorism is a grave challenge to national security. What solutions do you suggest to curb this growing menace? What are the major sources of terrorist funding? (UPSC MAINS GENERAL STUDIES 2017)**

Terrorism is a systematic use of strategy and force to threaten a population or a government for bringing about political, religious and ideological change. Terrorism has struck almost all nations of the world in form or another. India has been hit by terrorism for a long time, like, 1993 Bombay blasts, attack on Parliament in 2011, the 26/11 Mumbai attacks, Pathankot attacks etc.

- State-sponsored terrorism: many nations are resorting to use of terrorism to achieve strategic or diplomatic goals.
  - It creates an **environment of fear** and insecurity among people.
  - It leads to **increased expenditure on state security machinery diverting precious resources** from social and economic development.
  - Countries struck by menace of terrorism fail to attract foreign investors and their domestic economy to faces decline.
- Technology used: Terrorist groups such as ISIS, Al-Qaeda are becoming more sophisticated with time adopting social media, cryptocurrency, ransomware to further their agenda.

#### **Solutions to curb the growing menace of terrorism**

- Stability in government: It is often seen that regions with unstable government become fertile ground for terrorist groups. Example Iraq came under ISIS control after the civil war in Syria.
- **Acknowledge and address the circumstances which lead to the spread of terrorism**, make the best use of UN strategies of conflict prevention, negotiation, peacekeeping, promotion of dialogue among civilisations.
- **Cooperation between intelligence and security agencies** of different nations,
- Countries should agree on “**UN-backed Comprehensive Convention on International Terrorism**” as soon as possible.
- **Countries should refrain from supporting any rebel or terrorist activity** or create any proxies to effect regime change in other nations.
- Empowering and engaging with civil society and local communities can help in **countering radicalization and to stop the spread of violent extremism**.
- Enhancing security presence along the international boundaries and **seal the porous borders**.
- Terrorist organizations have successfully taken advantage of the Internet and social media. Hence, **countering radicalization on digital media must be given priority**.

#### **Major sources of funding for terrorist activities are:**

- NGO, charities and donations collected in the name of religious appeal, coercion or fears of victimization.

- Collaboration of terrorist groups with organised crime and arms smuggling.
- Drug financing is also a major source of terrorism financing.
- Counterfeiting of Indian currency not only funds terrorism but, more importantly, it is used as a tool by neighbouring states to destabilize the Indian economy.
- Extortion is another important tool for financing terrorist activities.

#### **Steps taken to curb terror**

- **FATF – Financial Action Task Force** is an intergovernmental organization founded in 1989 on the initiative of the G7 to develop policies to combat money laundering.
- **RATS – Regional Anti-Terrorist Structure (RATS)** of the Shanghai Cooperation Organisation.

Terrorism is increasingly becoming a global menace for the internal security of nations. There is an urgent need for global collaboration to curb the fundamental causes giving rise to terrorism.

**23. Gender responsive budgeting argues that gender equality principles should be incorporated into all stages of the budget process. Discuss.**

- Gender responsive budgeting (GRB) is a fiscal innovation in that it translates the gender commitments into fiscal commitments through applying a 'gender lens' to the identified processes, resources and institutional mechanisms; and arrives at a desirable benefit incidence.
- GRB is not a separate budget for women, or budget which spend the same amount on women and men, but budgets which recognise the different situation and needs of women and men and aim to promote gender equality. Spending and taxation can have very different impacts on women and men because of their different situations, needs and priorities.
- Policies which appear neutral on the surface may have the impact of increasing gender inequality, or may not work in the way they were intended because of these different impacts.

Status of Gender Budgeting in India

- Gender Budget Statement (GBS) was first introduced in the Indian Budget in 2005-06. This GB Statement comprises two parts—
  - Part A reflects Women Specific Schemes, e. those which have 100% allocation for women.
  - Part B reflects Pro Women Schemes, e. those where at least 30% of the allocation is for women.
- India's gender budgeting efforts stand out globally because they have not only influenced expenditure but also revenue policies (like differential rates for men and women in property tax rates and reconsideration of income tax structure) and have extended to state government levels.
- Gender budgeting efforts in India have encompassed four sequential phases: (i) knowledge building and networking, (ii) institutionalizing the process, (iii) capacity building, and (iv) enhancing accountability.
- Various ministries and department provide information to finance ministry based on which Gender Budget Statement is prepared.
- Also, it was instructed to all the ministries and departments, to open Gender Budgeting Cell (GBC).
- But it has been little more than a decade but progress of gender budgeting is not very encouraging:
  - Only 57 Ministries/departments so far have established GBC.
  - Over the last decade the allocation for women as a proportion of total budget has remained constant at 5.5 per cent.
  - Only about 30% of all the demand for grant presented to union government are reported in gender budgeting statement.

- About 85% of the budget of the Ministry of Women and Child Development is allocated to 1CDS leaving only 15% for other schemes meant for women.
- National Women Commission have budget allocation sufficient enough to meet revenue.

#### Limitations

- Not only has the magnitude of the gender budget as a proportion of the total expenditure of the Union Budget decreased, the budgetary allocations for promoting gender equality and women's empowerment have also shown a decline.
- There are only a few "big budget" women exclusive schemes of the Ministry of Women and Child Development (MWCD) like the Nirbhaya Fund and the Beti Bachao Beti Padhao campaign.
- Lack of dedicated human resources to implement the interventions identified by the GBCs.
- Monitoring remains one of the weakest links in the GRB work with no designated mechanism for monitoring it at the national level.
- Assumptions behind reporting allocations under Part B of the GBS remain questionable.

#### Looking ahead

- An assessment of gender responsive budgeting in India reveals a mixed picture.
- There are number of positive developments, such as changes in select planning and budgeting processes and creation of gender budget cells.
- However, restricted reach of GB and stagnant or even declining allocations for the gender agenda are stumbling blocks.
- The adoption of the GB should be accompanied by multifaceted and interrelated improvements to budgets in general and the gender sensitivity of budgets.
- There needs to be shift from mere "reporting" of gender allocations to "purposive planning" with wider participation of women.



## 24. Why India is so specific about modifying The Indus Waters Treaty?.

The Indus Waters Treaty is a water-sharing treaty between India and Pakistan, brokered by the World Bank, and signed in 1960. It allocates the use of the Indus River and its tributaries, which originate in India and flow through Pakistan, to the two countries.

Under the treaty, India controls the eastern rivers (the Sutlej, Beas, and Ravi) and Pakistan controls the western rivers (the Indus, Chenab, and Jhelum). A permanent Indus Waters Commission to resolve any disputes that may arise has also been established.

India can ensure run-off of the river hydroelectric projects on the western rivers alongside having complete rights over eastern rivers. However, there are differences between India and Pakistan due to which India decided to modify the treaty:

- **Pakistan is intransigent in implementing the treaty** and has raised objections to the construction of hydel projects on the Indian side. The treaty has a **graded and sequential mechanism in case of differences**- first the Indus Commissioners of both sides in case of difference, then the Neutral Expert of the world bank, and only then the Court of Arbitration.
  - But Pakistan ignored the neutral expert and directly requested the WB to appoint a judge of the court of arbitration. Whereas India requested a neutral expert. India objects to two simultaneous dispute resolution mechanisms needing a revision in Treaty.
- **Thousand cuts strategy by Pakistan** through means of state sponsor terrorism hurting India. Just after differences arose over Kishenganga and Rattle projects, there was the Uri attack leading to demands to use water as a strategic leverage.
  - The Prime Minister also mentioned that **blood and water cannot flow together** highlighting the level of tensions between the two countries.
- India is criticized for being a **responsible upper riparian state** despite Pakistan never budging on any tension issues such as on Kashmir. This creates pressure to seek to **narrow down the accommodation being given in the original treaty**.

The modification will provide certain **benefits** due to which it should be deliberated such as **fulfilling India's energy and water needs** for development, **addressing flood mitigation**, and providing storage in dry season through dam construction, etc.

### Implications on India-Pakistan relations

- Under **Article XII (3)** of the treaty these amendments can be enforced when ratified by the two governments. If Pakistan refuses to respond within a notice period of 90 days, **Article XII (4)** provides for its termination through ratification by both sides.
- India could spell out further conditions for the treaty and **increase its leverage** in the context of already **significant challenges internally in Pakistan**.
- India could also **put certain conditions on terrorism and Kashmir** although China being an all-weather friend of Pakistan may also toughen its stance on the Brahmaputra which is already underway.

- It could further strain the relations also with the **closing of dialogue channels** with the help of Indus commissioners and neutral experts.
- Cancellation of the treaty might lead to a **race for the construction of hydel projects** in this region for a **prior appropriation of resources** leading to a greater Chinese role in the Pakistani economy.

Overall, there should be proper deliberation and formation of a high-level task panel for India's next move about putting out the concrete modifications we need in the treaty without leading to water wars in South Asia in the future as many lives on both sides depend on the Indus.

**25. Examine the laws under which Rahul Gandhi has been disqualified. How is the Lily Thomas judgement implicated in this disqualification?**

Rahul Gandhi had made a remark about the “Modi” surname during the 2019 Lok Sabha elections saying “Why do all thieves, be it Nirav Modi, Lalit Modi or Narendra Modi, have Modi in their names?”

- The judges used Section 500 of the Indian Penal Code (IPC) which prescribes for defamation a simple imprisonment for a “term which may extend to two years, or with fine, or with both.”
- The court also allowed his bail on a surety of Rs 15,000 and suspended the sentence for 30 days for further appeal.

**Disqualification criteria w.r.t. Rahul Gandhi**

Indian Constitution

There are three disqualification criteria:

- Using Articles 102(1) and 191(1) – The grounds here are holding an office of profit, being of unsound mind or insolvent or not having valid citizenship.
- Using the Tenth Schedule of the Constitution – disqualification of the members on grounds of defection.
- The Representation of The People Act (RPA), 1951 provides for disqualification for conviction in criminal cases.

Representation of The People Act

- Section 8(3) of the RPA states: “A person convicted of any offense and sentenced to imprisonment for not less than two years shall be disqualified from the date of such conviction and shall continue to be disqualified for a further period of six years since his release.”
- This section has been applied to the current case based on other factors.

How does the disqualification operate?

- The disqualification can be reversed if a higher court allows a stay on the conviction or decides the appeal in favour of the lawmaker.
- In a 2018 case in ‘Lok Prahari v Union of India’, the Supreme Court ruled that the disqualification “will not operate from the date of the stay of conviction by the appellate court.”

Lily Thomas verdict

Famously known as the Lily Thomas judgement is a 2013 ruling by the SC in the Lily Thomas vs Union of India case. The apex court struck down, as "unconstitutional", Section 8(4) of the Representation of The People Act. As per the section of the RP Act, a sitting member of the House

will not be disqualified from holding membership of the House if he/she is convicted of an offence punishable by more than two years in prison but files an appeal within three months of the conviction.

With the verdict, the SC declared that an MP or an MLA would stand disqualified immediately upon his or her conviction. The Lily Thomas verdict meant that lawmakers would not be able to retain membership by simply filing an appeal but would need to secure a stay on their conviction in the case.

### **Looking ahead**

While the political score setting is always at play in party politics and representative democracies, the underlying currents need to be understood. The lawmakers at times do sway and get carried away during election heats and make derogatory remarks against others which should be avoided as far as possible.

**26. Compare and contrast between the code of ethics and code of conduct.**

**Code of Ethics:** It is a set of guidelines containing core ethical values, principles and ideals of the organization. It gives a general idea of what types of behavior and decisions are acceptable and encouraged at a business or organization.

- For example, adhering to a code of ethics in a Public Office ensures that the public receives what it needs in a fair manner.

**Code of Conduct:** specifies the standards of integrity and conduct to be observed by public officials, to help them meet those standards and to inform the public of the conduct it is entitled to expect of public officials.

- For example, The public official should never take undue advantage of his or her position for his or her private interest.

<b>Code of Ethics</b>	<b>Code of Conduct</b>
It is general and broad in nature.	It is specific and narrow in range.
It governs decision making.	It governs actions.
It is focused on values and principles.	It is focused on compliance and rules etc
It is publicly available and addressed to anyone with an interest in an institution's activities.	It is generally addressed to and intended for employees alone.
They are wide-ranging and non-specific, enable employees to make independent judgments about the most appropriate course of action.	They generally require little judgment; One has to obey or incur a penalty, and the code provides a fairly clear set of expectations about which actions are required, acceptable or prohibited.

Similarities

- Both are similar as they are used in an attempt to encourage specific forms of behaviour by employees.
- Code of Conduct originates from the code of ethics, and it converts the rules into specific guidelines that must be followed by the members of the organization.

- Both can serve as a guide to handle situations like avoiding conflict of interest, protecting the organization's assets, anti-bribery and corruption and improving work culture ethics. Hence, there is a significant overlap between the two codes.

#### Summing up

- There is a need to set up appropriate **institutional mechanisms** to promote and enforce the values and code of conduct and to evaluate the extent to which they are incorporated and upheld throughout any organization.
- The Code of conduct for civil servants does not have a **statement of values** which should guide the civil servants in the discharge of their duties. There is an urgent need that a Code of Ethics be drawn up for civil servants incorporating the core values of integrity, merit and excellence in public service as recommended by **Hota Committee** report 2004.



## 27. Examine the power & pitfalls of AI in Indian Justice system.

- In the Indian context, one of the greatest applications of AI can be **adapted to the Indian judiciary**.
- **China** has already implemented **Xiao Zhi 3.0 ('Little Wisdom')**, which claims to have helped to cut a **judge's average workload by over a third** and saved Chinese citizens **1.7 billion** working hours from **2019 to 2021**.

### Need for use of AI in the judiciary

India's mechanisms for dispute resolution and contract enforcement are abysmal.

- There are **47 million pending cases**, with a million added every year.
- India ranks **136th out of 190 countries** in the **enforcement of contracts**. This is significantly lower than **China (46th)**. (World Bank's Doing Business Report 2020).
- **Average time to enforce a contract** is nearly **four years (1,445 days)**, more than four times the **global average of 358 days**.

### *1. Friction in economic transactions*

- India's lack of effective contract enforcement means a **breakdown of transactional trust**.
- India copes with the risk of a **counter-party reneging on a contract** in other ways. This either leads to **additional costs or decreases the volume** and velocity of transactions.
- **Example: The property rental market.**
  - Landlords in Bangalore often ask for **obscenely high-security deposits** and many choose to leave their houses vacant in fear of squatters (implying a market breakdown).

### *2. Vicious cycle that limits state capacity*

- The legislative arm of the government **makes laws and policy commitments** that are **beyond the capacity of the executive arm** of the government to deliver.
- This leads to the **judiciary** holding the executive in contempt of the legislature.
- The time spent by the executive in addressing the judiciary's **attempt to hold them accountable** further reduces their **time and attention to deliver services**.
- The three arms of the government are each doing their job as they see it, but end up tying the system in **knots** and further **reducing the overall capacity to deliver**.

### *3. Lack of understanding of the nature of languishing cases*

- From petitions and court proceedings to judgments, everything is **well documented** for at least the past **75 years**.
- However, it still **lacks a clear understanding** of the nature of **languishing cases**.
- To know what type of disputes, account for most pending cases? and what the different categories are, how they're changing, or what their root causes are would require an **analysis of millions of judgments and tens of millions of petitions**.

## AI help solve these problems

### 1. Analyse and categorize cases

- AI can analyze both **rulings and filings** to identify the major categories in which disputes arise.
- It can even be used to provide **in-depth root-cause analysis** for these disputes, which in turn could inform **procedural and substantive changes**.
- **Example:** If most disputes are over **land** and mostly involve **compensation**, then our dispute resolution mechanism could be changed to **include arbitration or a specific ombudsman** for such common cases.

### 2. Provide a feedback loop

- Feedback loop between the judiciary and legislature lies broken.
- If **clear data can be presented** on the caseload impact of every new piece of legislation in near real-time, it would provide needed information on **how to improve the design of a scheme**.

## Challenges of using AI in the Judiciary

- Relevant data must be available in a **machine-readable format**.
- There are several domain and **language-specific nuances** that AI needs to be trained for.
- However, optical character recognition and Indic language translation tools have matured.
- **Example:** Researchers at the **Centre for Policy Research** and the **Open Nyai initiative** have already **applied AI-focused methodologies** successfully to research projects in the **Indian legal domain**.
- The **killer co-pilot app in India** might be one built to help judges and clerks in courts improve the speed at which rulings are delivered.

Using AI in the judiciary is necessary for India, and also India has a Chief Justice of India with a clear **two-year term** who is widely expected to implement significant reforms in the judiciary. The positive link between **judicial pendency and economic growth** is not easy, but an estimate suggests that even a **10% improvement in judicial efficiency** could help unlock at least **₹4,000 crores for India's GDP**.

## 28. Explore the nature and evaluate the impact of 'Remote Work'

- A report by **ADP Research Institute (Global thought leader for Labor Market and People and Performance Research)** reveals that over **three-fourth of Indian employees would be ready to take a pay cut to have flexibility of working remotely or hybrid** and to have control over their work timings.
- Over the past few months, **numerous companies have been recalling their employees to return to physical workspaces**, leading to discussions on the effectiveness of hybrid work arrangements and their impact on career prospects. This has **transformed the act of returning to a traditional workplace into a matter of mindset**.
- So, the need of the hour is to **evolve the new model and companies that embrace this change and use it to create more flexibility and autonomy for their employees** will be better positioned to attract and retain top talent.

### Benefits of the Remote Work

- **Flexibility:**
  - Remote work allows **employees to have more control over their work schedule and environment**. This can lead to increased job satisfaction and a better work-life balance.
- **Access to a Wider Pool of Talent:**
  - Remote work allows **companies to hire employees from anywhere in the world**, increasing the pool of available talent and potentially leading to a more diverse workforce.
- **Reduced Commuting Time and Costs:**
  - By eliminating the need for employees to commute to and from the office, remote work can save time and money on transportation.
- **Environmental Benefits:**
  - With fewer people commuting to the office, remote work can reduce carbon emissions and have a positive impact on the environment.
- **Increased Autonomy:**
  - Remote work often **requires employees to take more responsibility for their work and manage their time effectively**. This can lead to increased autonomy and a greater sense of ownership over one's work.
- **Reduced Stress and Burnout:**
  - By eliminating the need for a daily commute and allowing employees to work in a comfortable environment, **remote work can reduce stress and burnout**.

### Challenges with the Remote Work

- **Interpersonal Skills and Communication:**
  - Working remotely can be **challenging when it comes to integrated and acceptable interpersonal skills and communication**.
- **Misunderstandings:**

- In a remote work setting, **it is crucial to address any team miscommunications promptly** to prevent them from escalating into significant issues.
- **Self-Discipline and Self-Starting:**
  - Remote work **requires employees to be self-disciplined and self-starters**, which can be difficult in a cluttered living context.
- **Productivity:**
  - Productivity **challenges can arise in a remote work world**, especially in the absence of a proper workplace environment.
    - A study by Stanford of 16,000 workers over 9 months found that **working from home increase productivity by 13%**.
    - This **increase in performance was due to more calls per minute attributed to a quieter more convenient working environment** and working more minutes per shift because of fewer breaks and sick days.
    - In this same study **workers also reported improved work satisfaction, and attrition rates were cut by 50%**.
  - **Confidentiality:**
    - Not all jobs can be done remotely, and some companies may still prefer to have their employees work in a physical office to maintain confidentiality of the work being handled.
  - **Collaboration:**
    - Collaboration can be harder when everyone is working from different locations. It can be challenging to brainstorm ideas, work on projects together, and provide feedback.
  - **Isolation:**
    - Remote workers may feel isolated or disconnected from their colleagues and the company culture, which can impact morale and productivity.
  - **Technology Issues:**
    - **Technical difficulties can be more challenging** to resolve when everyone is working remotely. IT support may not be readily available, and remote workers may not have the same equipment and software as they would in the office.
  - **Time Management:**
    - Remote workers **must be self-motivated and able to manage their time effectively** to ensure that they meet deadlines and achieve their goals.

#### Looking ahead

- **Establish Clear Policies and Guidelines:**
  - Remote work requires clear policies and guidelines to ensure that employees know what is expected of them. This includes guidelines on work hours, communication, productivity, and other relevant areas.
- **Invest in Technology:**

- To support remote work, **organizations need to invest in technology that enables remote collaboration, communication, and productivity.** This includes **video conferencing tools, project management software,** and other relevant tools.
- **Focus on Employee Well-Being:**
  - Remote work can be isolating and lead to burnout. Therefore, **it's important for organizations to focus on employee well-being by promoting work-life balance,** providing mental health resources, and encouraging regular breaks.
- **Emphasize Communication and Collaboration:**
  - Remote work **requires a different approach to communication and collaboration.** Organizations **need to emphasize communication and collaboration by establishing regular check-ins,** providing opportunities for social interaction, and encouraging knowledge sharing.
- **Consider Hybrid Work Models:**
  - A hybrid work model combines remote work and in-person work. This allows **employees to work from home some days and come into the office on others.**
  - A **hybrid work model can provide the best of both worlds** and may be a good option for many organizations.
- **Assess and Adjust:**
  - **Organizations need to assess their remote work policies** and make adjustments as necessary.
  - **This includes evaluating productivity, employee satisfaction,** and other relevant factors to ensure that remote work is working effectively for everyone involved.

## 29. Ordinances as procedural device out manoeuvre Parliament in Indian polity.

### Comment

The Constitution of India lays down the powers of the executive, legislature, and judiciary. The legislature is responsible for enacting laws, and the executive is responsible for implementing them.

However, in recent times, the Indian polity has witnessed a **growing trend of using ordinances to bypass the legislative process.**

- **Article 123 of the Indian Constitution** grants the President the power to promulgate ordinances.
  - An ordinance is a **law promulgated by the President of India on the advice of the Union Cabinet, when the Parliament is not in session.**
- The increasing use of ordinances undermines the role of the legislature in law-making, erodes democratic principles, and harms the accountability of the government to the people.

### Reasons for the increased use of ordinances:

- The Indian government has been using ordinances to bypass the legislative process for several reasons.
  - Firstly, ordinances can be **used to respond quickly to emergencies**, such as natural disasters or security threats.
- Secondly, ordinances can be **used to avoid delays in the legislative process** caused by disagreements or obstructionism by the opposition parties.
- Thirdly, ordinances can be **used to implement policy decisions that are controversial** and may not pass in the legislature.
- Finally, ordinances can be used to **bypass the scrutiny of the Rajya Sabha**, the upper house of the Parliament, **where most of the time the government does not have a majority.**

### Impact on democracy and governance:

- The increasing use of ordinances has several negative impacts on democracy and governance in India.
  - Firstly, it **undermines the role of the legislature in law-making.** Ordinances are meant to be temporary measures and should be ratified by the Parliament within six weeks of the reassembly of the Parliament.
    - However, the government has been using ordinances as a **regular method of law-making, bypassing the legislature altogether.**



- This undermines the principle of separation of powers and weakens the accountability of the government to the people.
  - Secondly, the increasing use of ordinances **erodes democratic principles.**
  - The Constitution of India envisages a system of **checks and balances**, where the executive, legislature, and judiciary have separate powers, and **no single entity can dominate the other.**
    - The increasing use of ordinances undermines this principle and concentrates power in the hands of the executive.
- Thirdly, the increasing use of ordinances **harms the accountability of the government to the people.**
  - Ordinances are promulgated **without the scrutiny and debate of the legislature**, which is the forum where elected representatives of the people can question and hold the government accountable.
- The bypassing of the legislature through ordinances **erodes the trust of the people in the democratic process** and makes the government less accountable to the people.

The increasing use of ordinances to bypass the legislative process is a worrying trend in the Indian polity. Ordinances are meant to be temporary measures to respond to emergencies, but the government has been using them as a regular method of law-making. This undermines the role of the legislature in law-making, erodes democratic principles, and harms the accountability of the government to the people. The government should use ordinances sparingly and only in cases of emergencies and should rely on the legislative process to enact laws that reflect the will of the people.

### 30. Discuss the Ethical arguments against Custodial violence.

Custodial violence basically means torturing or inflicting violence on an individual or group of persons while in the custody of the police or judiciary.

#### Ethical Arguments against Torture

##### 1. Immanuel Kant's theory

- For Kant, actions are right if they respect what he calls the Categorical Imperative. The **categorical imperative** is a moral principle which denotes that you should act a certain way only if you're willing to have everyone else act the same way too. Torture is unjustified as it consists of intentional infliction of severe physical, mental or emotional suffering on the other person. Here the word 'intentional' is the defining parameter as ethical reasoning is applicable only when the actions of the moral agents are out of their free will.
- Under Kant's **practical imperative**, using any individual as a means to an end is immoral. Therefore, torture is immoral under Kant's practical imperative on the grounds that it treats the suspect as a means in order to satisfy the goal of the interrogators.

##### 2. Human Rights

Torture of human beings consists of curtailment of individual autonomy. Right against an inhuman torture is absolute. (i.e) it must never be limited or restricted in any way. For example, a police authority can never justify an accusation that it has tortured someone in an inhuman or degrading way for whatsoever the reason.

##### 3. Doctrine of Double effect

The doctrine of double effect is used to justify actions that have intended "good" effects and unintended "bad" effects. Torture is unjustified even by using the doctrine of the double effect.

##### 4. Consequentialist Arguments

- **Torture is a slippery slope**— each act of torture makes it easier to accept the use of torture in the future.
- **Torture is an ineffective interrogation tool** as there is no guarantee that the person who is being tortured will give the correct information because under torture a prisoner will eventually say anything to stop the pain.

##### 5. Institutional Code of Ethics

- Torture damages the institution that carries it out. It damages the reputation and moral authority of the institution. Its use is likely to produce internal dissent among the members and so damages the integrity of the institution. The Police should recognize and respect the limitations of their powers and functions.

- Using torture provides “**the enemy**” with something they can exploit for propaganda. For example, the terrorist organizations like ISIS use state brutalities as an excuse to radicalize the youths to pick up arms.

#### 6. Constitutional Ethics

- Protection from torture is a fundamental right enshrined under Article 21 (Right to Life) of the Indian constitution.
- The right to counsel is also a fundamental right under Article 22(1) of the India constitution.
- Indian Constitutional law in Article 20 (3) says, “no person accused of any offence shall be compelled to be a witness against himself. Thus, compelled testimony is not limited to physical torture or coercion, but extends also to techniques of psychological interrogation which cause mental torture in a person subject to such interrogation.

#### Looking Forward

1. **Though, torture is unjustified** from many ethical perspectives, but **there may be situations** when the unity and integrity of the State is under threat or the lives of innocent people may be in danger. Under such situations, a law enforcement officer or a person with noble intentions **might feel compelled to undertake any means necessary** to protect the country or to save the lives. It is important to note here that the actions of the officer in such a scenario are **guided by the supreme value of nationalism and saving lives**.
2. The issue of torture is complicated and needs to be discussed in public domain to evolve a consensus on the same.
3. **India should ratify the UN Convention Against Torture:** It will mandate a systematic review of colonial rules, methods, practices and arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment. It will also mean that exclusive mechanisms of redress and compensation will be set up for the victim besides institutions such as the Board of Visitors.
4. **Police Reforms:** Guidelines should also be formulated on educating and training officials involved in the cases involving deprivation of liberty because torture cannot be effectively prevented till the senior police wisely anticipate the gravity of such issues and clear reorientation is devised from present practices.
5. **Access to Prison:** Unrestricted and regular access to independent and qualified persons to places of detention for inspection should also be allowed. CCTV cameras should be installed in police stations including in the interrogation rooms. Surprise inspections by Non-Official Visitors (NOVs) should also be made mandatory which would act as a preventive measures against custodial torture which has also been suggested by Supreme Court **in its landmark judgment in the DK Basu Case in 2015**.
6. **Implementation of Law Commission of India's 273rd Report:** The report recommends that those accused of committing custodial torture – be it policemen, military and

paramilitary personnel – should be criminally prosecuted instead of facing mere administrative action establishing an effective deterrent.

7. **Apply Mind:** By applying tactics like Prisoner Dilemma Game, police officers can bring out the truth instead of resorting to custodial torture.

**31. What are the salient features of 'inclusive growth'? Has India been experiencing such a growth process? Analyze and suggest measures for inclusive growth. (UPSC MAINS GS 3 - 2017)**

Inclusive growth is economic growth that is distributed fairly across society and creates opportunities for all. The definition of inclusive growth entails direct connections between macroeconomic and microeconomic economic factors and economic growth. The microeconomic dimension captures the significance of structural transformation for economic diversification and competition, whereas the macroeconomic dimension refers to changes in economic aggregates such as gross national product (GNP) or gross domestic product (GDP), total factor productivity, and aggregate factor inputs.

Salient Features

- Economic growth acts as a precondition for inclusive growth, though the nature and composition of growth have to be in line with inclusion.
- Inclusive growth is the inclusion of the poor and lagging socio-economic groups i.e. ethnic/ tribal groups, weaker sections as well as lagging regions as partners and beneficiaries of economic growth.
- The Inclusive growth addresses the limitations of the excluded and the marginalized. It creates ample opportunities and possibilities for them to be partners in growth.
- It should be non-discriminatory and favorable for the excluded. This implies that inclusive growth has to be broad-based in terms of coverage of regions, and labor-intensive in terms of creating large-scale productive employment opportunities in the economic environment.
- Inclusive growth has the ability to reduce poverty faster in the sense that it has to have a higher elasticity of poverty reduction.
- Inclusive growth has to ensure access of people to basic infrastructure and basic services/capabilities such as basic healthcare and elementary education. This access should ensure quality as well as quantity of these basic services.
- Inclusive growth should reduce vertical as well as horizontal discrepancies in incomes and assets.

Inclusive Growth in India

Over the last 15 years, India has made remarkable progress in terms of economic growth, with more than 271 million people lifted out of poverty. High growth rates, on the other hand, have not translated into equitable development, especially for the most marginalised and disadvantaged communities. Further, the COVID-19 pandemic has resulted in widening of inequities and reversed the progress made in poverty alleviation.

Challenges for Inclusive Growth

1. Poverty – Although several steps have been taken by the government of India, more than 300 million Indians suffer from poverty.
2. Unemployment – It is one of the major challenges for Inclusive Growth. Due to the lack of skills and education, employment is still a serious problem.
3. Agriculture Backwardness – The agricultural field is not flourishing the way it should be due to declining soil degradation, climate change, and scarcity of water.
4. Regional disparities – The cast system and regional disparities contribute to the wealth gap and are key contributors to regional disparities. It is another challenge for Inclusive Growth.

### Suggestions

Promoting inclusive growth requires policymakers to address both growth and income distribution, so it requires an understanding of the relationships between growth, poverty and inequality. Economic growth is a prerequisite for poverty reduction when income distribution is held constant. The acknowledgment that inequality affects the impact of growth on poverty reduction has led to a broad agreement that it is necessary to look beyond a 'growth-first' agenda in order to successfully deliver inclusive growth.

A robust inclusive growth strategy will complement policies to stimulate economic growth with those that foster equality of opportunity, alongside a social security net to protect the most vulnerable. As such, economic policies to promote structural transformation and create productive employment for poor people will need to be complemented by investments in human capital and other programmes to support social inclusion and equal access to jobs.