

IAS GOOGLE



1. The lives of the urban poor can be improved while limiting emissions and adapting to climate change. Examine the statement.
2. Examine the issue of bitterness between states and Governors. Identify the efforts that have been made to address concerns over the alleged partisan role played by Governors.
3. Assess the role of Social Media in Elections.
4. Two-finger test on rape survivors patriarchal, sexist, unconstitutional and unscientific. Comment.
5. Do you think denial of "Voting Rights for Under trial Prisoners" is undemocratic?
6. SATAT initiative is highly fruitful in the form of environmental benefits, renewable energy, value addition to the economy, farmers' income and sustainability. Discuss.
7. Discuss the Causes of Criminalization in Politics. What would be its impact on Indian Democracy?.
8. Examine the the validity of the 103rd Constitutional Amendment which provides 10% reservation for the Economically Weaker Sections (EWS) among forward castes in government jobs and colleges across India.
9. The safeguards of Indian Democracy are crumbling under Electoral Bonds. Discuss.
10. What is greenwashing? Discuss the issues associated with it.

11. What do you understand by "Google's Antitrust Actions"?. How has the India's regulatory apparatus decided this issue in recent times?
12. Discuss the amendments made in the IT Rules, 2021 and the need for the co-regulatory intermediary law.
13. Should Chief Ministers have a say in the appointment of Governors?
14. Elucidate the role of Maulana Abul Kalam Azad's in India's Freedom Struggle and his contribution to the modern education system of India.
15. Governance and ethics are intertwined. Comment.
16. IR Coelho verdict puts limitations on the 'safe harbour' the 9th Schedule offers to laws. Discuss.
17. Examine the need for Anti-Conversion Laws in India.
18. Critically analyse the need for conducting caste based census in Indian society.
19. What is a Carbon Border Tax? Will it help achieve climate neutrality?. What are India's concerns w.r.t. Carbon Border Tax?.
20. What kind of behavioural norms would differentiate a Civil Servant from others?.
21. Trace the evolution of POCSO Law and place critical estimate on a decade long journey of POCSO.
22. Examine conscience as the ultimate moral decision-maker.
23. Identify the key outcomes of Cop27 climate summit.

24. Streamlining the work of quasi-judicial courts is essential for peoples' wellness. Discuss.
25. Explain the Advisory Jurisdiction & Quasi-Judicial Functions Election Commission of India. What imperfections do you find constitutionally w.r.t Election Commission of India?. How was the model code of conduct evolved by the Election Commission of India?.
26. Examine the root cause of Langpihp - Boko dispute that is seen in news and detail the recent developments in this case. How can this dispute be resolved?.
27. What is the cryosphere?. Why is this important?. How does it affect our life on planet Earth?.
28. What is a "Sibir" icebreaker?. Explain its significance. Would it boost India's Arctic Plans?.
29. Launched on 25th December, 2021, James Webb Space Telescope has been much in news since then. What are its unique features which makes it superior to its predecessor Space Telescopes? What are the key goals of this mission? What potential benefits does it hold for the human race? (Answer in 250 words). UPSC IAS Mains 2022 General Studies (Paper – 3)
30. Elaborate India's Policy roadmap to realizing India's green energy potential. (250 words)
31. Is Election Commission becoming a victim of judiciary-government crossfire over appointments?.

➤ The lives of the urban poor can be improved while limiting emissions and adapting to climate change. Examine the statement.

- Extreme weather events, accounting to the **climate crisis**, have become a common phenomenon in recent years. **Flooding in cities** like Mumbai, Hyderabad and Bengaluru can be often heard in the news. More recently, **north India was severely affected by heat waves that shrunk the wheat crop production** in the rabi season.
- Although these extreme climatic changes affect all, **they hit the poorest and the vulnerable the worst** and reduce their chances of improving their socioeconomic status.
- More than half of the world's population currently lives in cities and urbanisation continues to expand. With this growth, the **numbers of the urban poor are increasing**, particularly in developing countries. The **urban poor are especially vulnerable to climate change** because their homes are frequently located in hazardous areas.

Climate Change Affect the Urban Poor

- **Makes them More Prone to Disasters:** Poor people living in slums are at particularly high risk from the impacts of climate change and natural hazards.
 - **They live on the most vulnerable lands within cities;** typically areas that are **deemed undesirable by others** and are thus affordable and are **exposed to the impacts of landslides, sea-level rise**, flooding, and other hazards.

- **Socio-Economic Impacts:**The consequences of extreme weather events such as frequent flooding or heat waves is the **loss of workdays, livelihoods, housing and critical economic assets.**
 - The strong hit to the economy is coupled with adverse health impacts; increased morbidity and mortality from vector-borne diseases and heat strokes.
- **Loss of Housing and Assets:**Housing and asset loss and damages are other significant concerns, especially during floods.
 - This is further exacerbated by **overcrowded living conditions, lack of adequate infrastructure**and services, **unsafe housing, inadequate nutrition, and poor health.**
- **Impacts of Delayed Responses:** The speed of response remains the most critical factor for addressing the vulnerabilities of the poor. **Delayed response aggravates losses**and **protracts rehabilitation, adversely affecting resilience.**

Shield the Urban Poor from Climate Change

- **Insurance Scheme:** An insurance scheme can boost resilience at the household level. There are insurance products that cover both house and household assets, but not many people avail of them. Given the heterogeneity of the clientele, the industry must design products for specific segments.
 - The State may have to intervene to **address the needs of those with the lowest purchasing power.**
 - A **Prime Minister Grih Bima Yojna**for the poor must be **instituted on the lines of Prime Minister Fasal Bima Yojna.**
- **Minimising Response Time:**Reducing the time between exposure to climate risk and the accrual of benefit is necessary whether from the State or insurance firms.

- The **direct benefit transfer** architecture can be leveraged, expanding its scope in response to the policy action.
- The insurance industry can plug into the State delivery system along with a **simplified process of claim-making**.
- **Integrated Interventions in Key Areas:** Strengthening the resilience of urban poor will require integrated interventions across six policy areas (**social protection, public health, livelihood, housing, community infrastructure, and urban planning**) at different scales (**household, community, and city levels**).
 - Three enabling factors – capable, accountable, and **responsive governance; climate and urban data; and climate and urban finance** – need to be put in place to ensure that **pro-poor climate resilience solutions** promote transformational change to address the underlying drivers of vulnerability.
- **Data Capturing and Sharing:** Satellite imagery could be used to **identify flooded areas**, and government databases of such localities could be used to identify beneficiaries.
 - Insurance claims could be directly transferred without the beneficiary raising a claim. This can be made possible by a new **purpose-driven data-sharing agreement** between the State and the industry.
- **Role of Local Governments:** City governments are the drivers for addressing risks. **Local governments play a vital role in providing basic services** which are critical to improving the resilience of the urban poor.
 - City officials can build resilience by **mainstreaming risk reduction into urban management**.
 - Climate change adaptation and disaster risk reduction can be best addressed and sustained over time through integration with existing urban planning and management practices.
 - In this context, a major challenge would be financial dependence of the local governments on state and central

governments; hence, **significant financial support is needed.**

Sufficient response and synergies between the State's policy imperatives and the insurance industry are necessary for easing the vulnerabilities of the poor. Leveraging technology and partnerships between State and industry can facilitate speedy and timely responses to climate calamities and build the resilience of the urban poor.

- **Examine the issue of bitterness between states and Governors. Identify the efforts that have been made to address concerns over the alleged partisan role played by Governors.**

Friction Points in Governor-State Relations

- **Governor is envisaged as an apolitical head** who must act on the advice of the council of ministers. However, the Governor enjoys certain discretionary powers granted under the Constitution. **For example:**
 - **Giving or withholding assent to a Bill** passed by the state legislature,
 - **Determining the time needed** for a party to prove its majority, or **which party must be called first to do so**, generally after a hung verdict in an election.
- There are no **provisions laid down for the manner in which the Governor and the state must engage publicly** when there is a difference of opinion.

- The Governor has a 5-year tenure, he can remain in office only until the pleasure of the President.
 - In 2001, the National Commission to Review the Working of the Constitution, held that the Governor owes his appointment and his continuation to the Union.
 - There is the apprehension that he is likely to act in accordance with the instructions received from the Union Council of Ministers.
- In the Constitution, **there are no guidelines for exercise of the Governor's powers**, including for appointing a CM or dissolving the Assembly.
- There is **no limit set for how long a Governor can withhold assent to a Bill**.
- The Governor sends a report to the centre which forms the basis of the Union cabinet's recommendations to the President for invoking **Article 356 (President's Rule)**.

To Address Concerns over the Alleged Partisan Role Played by Governors

- **Changes regarding the Selection of Governors:**
 - The National Commission To Review the Working of the Constitution appointed by the Atal Bihari Vajpayee government in 2000 suggested that the **Governor** of a State should be **appointed by the President**, after consultation with the Chief Minister of that State.
- **Proposal by Sarkaria Commission:**
 - The Sarkaria Commission, set up in 1983 to look into Centre-state relations, proposed that the **Vice President of India and Speaker of Lok Sabha should be consulted by the Prime Minister** in the selection of Governors.
- **Punchhi Committee Proposal:**

- The Justice Madan Mohan Punchhi Committee, constituted in 2007 on Centre-state relations, **proposed in its report that a committee comprising the Prime Minister, Home Minister, Vice President, Speaker, and the concerned Chief Minister should choose the Governor.**
- The Punchhi Committee **recommended deleting the “Doctrine of Pleasure” from the Constitution,** but backed the right of the Governor to sanction the prosecution of ministers against the advice of the state government.
- It also **argued for a provision for impeachment of the Governor by the state legislature.**

Looking ahead

- While Governors may differ with the contents of a Bill and may exercise the available constitutional options, **they should not use their powers to stall legislation unpalatable to them.**
- It is time to implement the principle that the M.M. Punchhi Commission, which reviewed Centre-State relations, recommended that **Governors should not be burdened with the role of Chancellors.**
- Governors **seem to have an exaggerated notion of their own roles** under the Constitution. They are **expected to defend the Constitution and may use their powers** to caution elected regimes against violating the Constitution, but this does not mean that they can use the absence of a time-frame for decision-making and the discretionary space given to them to function as a parallel power centre.
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➤ **Assess the role of Social Media in Elections.**

Social media has changed the political game, allowing incumbents and newcomers alike to speak directly to voters on everything from their own vs opponents parties' policies. Almost all Indian political leaders have taken up social media, predominantly Facebook and Twitter, to express themselves without the filtering by conventional media.

Politicians have also chosen social media in an attempt to reach voters inhabiting the new media society in a more efficient manner. The 2008 U.S. presidential election was the first election to fully grasp the power and reach of the SNS to impact voters. The U.S. President Barack Obama's campaign used Facebook in an exceptional way to reach out to young voters. It proved to be successful; allowing him to win the votes of nearly 70% of voters that were under 25 years old. During the anti-corruption movement in 2012, social activist Anna Hazare used social media to connect people in New Delhi.

- **Pros:**

- **Planning Manifestos:**

- Digital strategies have become increasingly important in the planning of political rallies and party manifestos in recent years.
- And so far, anyone wanting to read the sentiment of the people, the pre-election survey has been replaced by a tweet survey.

- **Influence Public Opinion:**

- Social media helps the political parties in influencing the opinion of undecided voters, in giving the apathetic middle class a reason to go and vote.

- It also helps in garnering the support base to vote in large numbers and influencing others to vote.
- **Disseminating Information:**
 - Politicians are **increasingly adopting the new social media for campaigning, disseminating or retrieving information, or contributing** to rational and critical debate.
- **Addressing People Problems:**
 - Social media makes it easy for people to stay up to date on upcoming events, party schedules, and election agendas.
 - Assign a tech-savvy candidate to manage social media and use it to reach out to people and hear their concerns.
- **Cons:**
 - **Polarisation:**
 - Social media has become an **instrument for politicians that is utilized to create more noise and even is made a way to promote polarization.**
 - **Growing Misrepresentation:**
 - Social media is greatly utilized to **blame and criticize the opposition parties** and the information is misrepresented by misleading and incorrect facts.
 - The number of political minorities is growing, and they are using social media to create a political logjam.
 - **Influence Voters Opinion:**
 - Social media presence and advertising requires a lot of spending. Only affluent parties can spend that much and they can influence the majority of the voter base.
 - During elections, the spread of fake news on Social Media Platforms **influences the people's preferences.**

As per the latest survey by the Ministry of Information and Broadcasting, it was known that there are about 20 crore internet users in India and there are more than 18 crores mobile/cell phone internet users in India, most of them being within the age group of 18-35 years. There are around 10 crore voters voting for the first time who are within the age of 18-23 years. Thus, social media plays a very crucial role in opinion formation among people during elections. The use of social media for political activities influences peoples' political efficacy, political participation and political knowledge. The political parties use these social media pages to connect with the people and update them about their welfare activities, and also to compete with their rival parties. Social media is also helping in bringing out a new way through which people can share information, search and increase their awareness. It is hence creating more awareness about the election, development of the nation and various other issues among people in both urban as well as rural areas. Thus, having a very meaningful as well as a positive impact as it is increasing the voting percentage during elections.

➤ Two-finger test on rape survivors patriarchal, sexist, unconstitutional and unscientific. Comment.

- The two-finger test, carried out by a medical practitioner, **involves the examination of her vagina to check if she is habituated to sexual intercourse.**
 - The practice is unscientific and does not provide any definite information. Moreover, such 'information' has no bearing on an allegation of rape.
- A woman who has been **sexually assaulted undergoes a medical examination** for ascertaining her health and medical needs, collection of evidence, etc.

- A handbook released by the **World Health Organization (WHO)** on dealing with sexual assault victims says, “There is no place for virginity (or ‘two-finger’) testing; it has no scientific validity.”

Supreme Court’s Observation

- In 2004, a bench of Supreme Court stated that “**whether a woman is ‘habituated to sexual intercourse’ or ‘habitual to sexual intercourse’ is irrelevant** for the purposes of determining whether the ingredients of Section 375 (rape) of the IPC are present in a particular case.
- The court stated that it is **patriarchal and sexist to suggest that a woman cannot be believed** when she states that she was raped, merely for the reason that she is sexually active.
- In May 2013, the apex court had held that the **two-finger test violates a woman’s right to privacy** and asked the government to provide better medical procedures to confirm sexual assault.
- Invoking the **International Covenant on Economic, Social, and Cultural Rights 1966** and the **UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 1985**, the apex court said **rape survivors are entitled to legal recourse that does not re-traumatise** them or violate their physical or mental integrity and dignity.
- In April 2022, the **Madras High Court directed the state to ban the two-finger test.**
- Two finger test on rape victims violates her Right to Privacy a fundamental right under Article 21. Supreme Court of India (SCI) in Justice K.S. Puttaswamy (Retd) vs Union of India upheld the right to privacy.

Government’s Guidelines

- After the 2013 **Justice Verma Committee** report on amendments to criminal law for a faster trial, and enhanced punishment in sexual assault cases, the Union Health Ministry brought out detailed guidelines for the medical examination of victims of sexual assault in early 2014.
- According to the guidelines '**two-finger test**', **must not be conducted for establishing rape/sexual violence.**
- The guidelines state that a **rape victim's consent (or her guardian's, if she is minor/mentally disabled) is necessary for any medical examination.** Even if the consent is not provided, the victim cannot be denied medical treatment.
- **However, these are guidelines and are not legally binding.**

Looking ahead

- The guidelines issued by the Ministry of Health and Family Welfare **should be circulated to private and government hospitals.**
 - Workshops should be held for health providers to prevent the test from being conducted on rape survivors.
 - The issue can be addressed by widespread sensitization and training of both doctors and police personnel.
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- Do you think denial of "Voting Rights for Under trial Prisoners" is undemocratic?

- The right to vote is a **constitutional right under Article 326** of the Constitution.
- Under **Section 62(5) of the Representation of the People Act, 1951**, individuals in the lawful custody of the police and **those serving a sentence of imprisonment after conviction cannot vote**. Undertrial prisoners are also excluded from participating in elections even if their names are on the electoral rolls.
- Only those under **preventive detention** can cast their vote through postal ballots.
- Recently, the **Supreme Court** has decided to examine a petition challenging a provision in the election law that imposes a blanket ban on under trials, persons confined in **civil prisons and convicts serving their sentence in jails** from casting their votes.

Implications

- **Disenfranchises a Large Segment of the Population:**
 - The latest **National Crime Reports Bureau (NCRB)** report of 2021 shows that a total of 5,54,034 prisoners were confined as on 31st December, 2021 in various jails across the country.
 - The number of convicts, undertrial inmates and detenues were reported as 1,22,852, 4,27,165 and 3,470, respectively, accounting for 22.2%, 77.1% and 0.6% respectively at the end of 2021.
 - There was a hike of 14.9% in the number of undertrial prisoners from 2020 to 2021.
- **Undermine Respect for Law and Democracy:**
 - Denying penitentiary (a prison) inmates the right to vote is **more likely to send messages that undermine respect for the law and democracy** than messages that enhance those values.
- **Deprive from Right:**

- Denying the right to vote does not comply with the requirements for legitimate punishment.
 - If a convicted person can vote if she is out on bail, why is the **same right denied to an under trial** who is not yet found guilty of a crime by a court of law.
 - Even a judgment-debtor (a person who has not paid his debt despite a court verdict) who has been arrested and detained as a civil person is deprived of her right to vote. Detainment in civil prisons **is unlike imprisonment for crimes.**
- **Lacks Reasonable Classification:**
- The ban lacks reasonable classification based on the nature of the crime or duration of the sentence imposed unlike in countries like South Africa, United Kingdom, France, Germany, Greece, Canada, etc.
 - This lack of classification is anathema to the fundamental right to equality under **Article 14 (right to equality).**
- SATAT initiative is highly fruitful in the form of environmental benefits, renewable energy, value addition to the economy, farmers' income and sustainability. Discuss.
- The beginnings of a **renewable energy revolution** rooted in agriculture are taking shape in India by the establishment of the **first bio-energy plant** by a private company in Sangrur district of Punjab.
 - It will produce **Compressed Bio Gas (CBG)** from paddy straw, thus converting agricultural waste into wealth.

- Although despite such efforts from private as well as government entities, **farm fires are still prevalent across India**, especially in northern India.

CBG

- The Gas produced through the process of anaerobic decomposition of various waste/Bio-mass sources is called **Compressed Bio Gas (CBG)**.
 - The waste/Bio-mass sources include:
 - Agricultural residue,
 - Cattle dung,
 - Sugarcane press mud,
 - Municipal solid waste,
 - Sewage treatment plant waste.
- **Supply process of CBG:**
 - The Bio-Gas is purified to remove hydrogen sulphide (H₂S), carbon dioxide (CO₂), water vapor and compressed as **CBG**.
 - The CBG has methane (CH₄) content of more than 90%.
- **Why to utilize CBG?**
 - **CBG** has calorific value and other properties similar to **CNG** and hence can be utilized as green renewable automotive fuel.
 - Thus, it can replace **CNG** in automotive, industrial and commercial areas, given the abundance of biomass availability within the country.

Impact of agricultural waste in environment

- The farmers in **Punjab, Haryana** and western **Uttar Pradesh** are following common practice for preparing their fields for next crop like:
 - Disposing of Paddy stubble in to the field
 - Setting all the biomass on fire after the crop is harvested
- This isn't limited to the single field as it is spread over millions of hectares.
 - The resultant clouds of smoke produced from burning the waste engulfs the entire **National Capital Territory of Delhi** and **neighboring States**, giving rise to air pollution in the states.
- This plays havoc with the **environment and affects human and livestock health**.

Government Initiative

- The **Government of India** has put in place several measures and spent a lot of money in tackling the problem of farm fires.
- The **Commission for Air Quality Management (CAQM)** had developed a framework and action plan for the effective prevention and control of stubble burning.
 - This action plan is to be implemented in **National Capital Region** and **Adjoining Areas**.
 - The framework/action plan includes:
 - **In-situ management:**
 - Incorporation of paddy straw and stubble in the soil using heavily subsidized machinery
 - It is supported by **crop residue management (CRM)** Scheme of the Ministry of Agriculture and Farmers Welfare.
 - **Ex-situ CRM management:**
 - Usage of paddy straw for:
 - Biomass power projects and co-firing in thermal power plants,
 - As feedstock for 2G ethanol plants,
 - As a feed stock in CBG plants,
 - Fuel in industrial boilers,
 - Waste-to-energy (WTE) plants,
 - For packaging of materials.
- Additionally, measures are in place to ban stubble burning, to monitor and enforce this, and initiating awareness generation.

Challenges

- Despite the efforts taken by the government, the farm fires continued unabated.
- The **paddy stubble burning** in northwest India has received a lot of attention because of its severity of pollution.
 - The reality of the crop residue burning is spreading even to rabi crops and the rest of the country.

Project in Progress

- The **NITI Aayog** approached **FAO** India in 2019 for:
 - Exploring & converting paddy straw and stubble into energy
 - Identifying possible ex-situ uses of rice straw to complement the in-situ programme
- According to a study published by **FAO**, the development of a crop residue supply chain in **Punjab** can lead to:
 - The collection, storage and final use of rice straw for other productive services
 - Specifically for the production of renewable energy
 - It suggests that it can also lead to:
 - Mobilization of 30% of the rice straw produced in **Punjab**,
 - An investment of around ₹ 2,201 crore (\$309 million) would be needed to collect, transport and store it within a 20-day period.
 - This would reduce **greenhouse gas (GHG)** emissions by about 9.7 million tonnes of CO₂ equivalent
 - Reduction of around 66,000 tonnes of **PM 2.5**.
- Further, depending on market conditions, farmers can expect to earn between ₹ 550 and ₹ 1,500 per ton of rice straw sold, depending on market conditions.
- A techno-economic assessment of energy technologies suggested that rice straw can be cost-effective for producing **CBG and pellets**.
 - Pellets can be used in thermal power plants as a substitute of coal and CBG as a transport fuel.
- With 30% of the rice straw produced in Punjab, a 5% CBG production target set by the Government of India scheme, "**Sustainable Alternative Towards Affordable Transportation (SATAT)**"
 - It could also increase local entrepreneurship, increase farmers' income and reduce open burning of rice straw.
 - **Punjab, Sangrur, Ludhiana** and **Barnala** were recommended as the most promising districts for these interventions.
- **A private company** got approval from the Punjab government in April 2018 to set up a **bio-CNG project**.
 - This will utilize about 2.1 lakh tonnes of a total of 18.32 million tonnes of paddy straw annually.
 - The plant will use one lakh tonnes of paddy straw produced from approximately 16,000 hectares of paddy fields.
- **Paddy residue** will be collected from this year to produce 33 tons of CBG and 600-650 tonnes of fermented organic manure/slurry per day.
 - For reducing up to 1.5 lakh tonnes of CO₂ emissions per year.

Benefits of CBG

- As per the **SATAT (Sustainable Alternative Towards Affordable Transportation) scheme**, **CBG** valued at **₹ 46 per kg** will be produced from paddy stubble
 - Paddy straw from one acre of crop can yield **energy output (CBG)** worth more than ₹ 17,000 — an addition of more than 30% to the main output of grain.
 - This initiative is an ideal example of a 'wealth from waste' approach and circular economy.
- The slurry or fermented organic manure from the **plant (CBG)** will be useful as compost to replenish soils heavily depleted of organic matter
 - That reduces dependence on chemical fertilizers.
- The plant will also Sustainable Alternative Towards Affordable Transportation to rural youth in the large value chain, from paddy harvest, collection, baling, transport and handling of biomass and in the **CBG** plant.
 - This will Sustainable Alternative Towards Affordable Transportation
- It is pertinent to mention that straw from many other crops contains higher energy than paddy straw.

This initiative is replicable and scalable across the country and can be a game changer for the rural economy.

➤ Discuss the Causes of Criminalization in Politics. What would be its impact on Indian Democracy?.

- The criminalization of politics means the **participation of criminals in politics which includes that criminals can contest in the elections** and get elected as members of the Parliament and the State legislature.
- It takes place primarily due to the nexus between politicians and criminals.
- **Legal Aspects of Disqualification of Criminal Candidates:**
 - In this regard, **Indian Constitution does not specify as to what disqualifies a person** from contesting elections for the Parliament, Legislative assembly or any other legislature.

- The **Representation of Peoples Act (RPA) 1951** mentions the criteria for disqualifying a person for contesting an election of the legislature.
 - **Section 8 of the act**, e., disqualification on conviction for certain offences, according to which an individual punished with a jail term of **more than two years cannot stand in an election for six years** after the jail term has ended.
- **Protection against Disqualification:**
 - Under Section 8(4) of the RPA, **legislators could avoid immediate disqualification until 2013.**
 - Members of Parliament or state legislators will **not be disqualified for three months**, according to the provision.
 - If within that period, the it will not take effect until the disposal of the appeal or application.
 - In **Lily Thomas vs. Union of India, 2013**, the **Supreme Court struck down clause (4) as unconstitutional**, thus removing the protection enjoyed by lawmakers.
- **Related Supreme Court's Power:**
 - The Supreme Court has the **power to stay not only the sentence, but also the conviction of a person**. In some rare cases, conviction has been stayed to enable the appellant to contest an election.
 - However, the **SC has made it clear that such a stay should be very rare and for special reasons**. The RPA itself provides a remedy through the **Election Commission (EC)**. Under Sec. 11 of the Act, the EC may record reasons and either remove or reduce the period of, a person's disqualification.

Causes for Criminalization of Politics

- **Lack of Enforcement:** Several laws and court judgments have not helped much, due to the lack of enforcement of laws and judgments.
- **Vested Interests:** Publishing of the entire criminal history of candidates fielded by political parties may not be very effective, as a major chunk of voters tend to vote through a narrow prism of community interests like caste or religion.

- **Use of Muscle and Money Power:** Candidates with serious records seem to do well despite their public image, largely due to their ability to finance their own elections and bring substantive resources to their respective parties.
 - Also, sometimes voters are left with no options, as all competing candidates have criminal records.

Impact of Criminalization of Politics

- **Against the Principle of Free and Fair Election:** It limits the choice of voters to elect a suitable candidate.
 - It is against the ethos of free and fair election which is the bedrock of a democracy.
- **Affecting Good Governance:** The major problem is that the **law-breakers become law-makers, this affects the efficacy of the democratic process** in delivering good governance.
 - These unhealthy tendencies in the democratic system reflect a poor image of the nature of India's state institutions and the quality of its elected representatives.
- **Affecting Integrity of Public Servants:** It also **leads to increased circulation of black money during and after elections**, which in turn increases corruption in society and affects the working of public servants.
- **Causes Social Disharmony:** It introduces a **culture of violence in society** and sets a bad precedent for the youth to follow and reduces people's faith in democracy as a system of governance.

Looking ahead

- **State Funding of Elections:** Various committees (Dinesh Goswami, Inderjeet Committee) on the electoral reforms have recommended **state funding of elections** which will curb use of black money to a large extent and thereby will have a significant impact on limiting criminalization of politics.
- **Strengthening Election Commission:** Regulating the affairs of a political party is essential for a cleaner electoral process. Therefore, it is imperative to strengthen the **Election Commission of India**.

- **Vigilant Voters:** Voters also need to be vigilant about misuse of money, gifts and other inducements during elections.
- **Proactive Role of Judiciary:** Given the reluctance by the political parties to curb criminalisation of politics and its growing detrimental effects on Indian democracy, Indian courts must now seriously consider banning people accused with serious criminal charges from contesting elections.

➤ Examine the the validity of the 103rd Constitutional Amendment which provides 10% reservation for the Economically Weaker Sections (EWS) among forward castes in government jobs and colleges across India.

- The 10% EWS quota was introduced under the 103rd Constitution (Amendment) Act, 2019 by amending **Articles 15 and 16**.
 - It inserted Article 15 (6) and Article 16 (6).
- It is for economic reservation in jobs and admissions in educational institutes for Economically Weaker Sections (EWS).
- It was enacted to promote the welfare of the poor not covered by the 50% reservation policy for **Scheduled Castes (SCs), Scheduled Tribes (STs) and Socially and Educationally Backward Classes (SEBC)**.
- It enables both the Centre and the States to provide reservations to the EWS of society.

Significance

- **Addresses Inequality:**
 - The 10% quota is progressive and could address the issues of educational and income inequality in India since the economically weaker sections of citizens have remained

excluded from attending higher educational institutions and public employment due to their financial incapacity.

- **Recognition of the Economic Backwards:**
 - There are many people or classes other than backward classes who are living under hunger and poverty-stricken conditions.
 - The proposed reservation through a constitutional amendment would give constitutional recognition to the poor from the upper castes.
- **Reduction of Caste-Based Discrimination:**
 - Moreover, it will gradually remove the stigma associated with reservation because reservation has historically been related to caste and most often the upper caste looks down upon those who come through the reservation.

Supreme Court, in a majority verdict has recently upheld the constitutional validity of EWS quota.

Concerns

- **Unavailability of Data:**
 - The Union or state governments have no such data to prove that 'upper' caste individuals, who have less than Rs 8 lakh annual income, are not adequately represented in government jobs and higher educational institutions. There is a strong possibility that they are actually over-represented in these places.
- **Arbitrary Criteria:**
 - The criteria used by the government to decide the eligibility for this reservation is vague and is not based on any data or study.
 - Even the SC questioned the government whether they have checked the GDP per capita for every State while deciding the monetary limit for giving the EWS reservation.
 - Statistics show that the per capita income in states differs widely - Goa is the state having the

highest per capita income of almost Rs. 4 lakhs whereas Bihar is at the bottom with Rs.40,000.

Looking ahead

- It is high time now that the Indian political class overcame its tendency of continually expanding the scope of reservation in pursuit of electoral gains, **and realised that it is not the panacea for problems.**
- Instead of giving reservation based on different criteria, the government should focus on **quality of education and other effective social upliftment measures.** It should create a spirit of entrepreneurship and make them job-givers instead of a job seeker.

- The safeguards of Indian Democracy are crumbling under Electoral Bonds. Discuss.

Electoral Bonds are bearer banking instruments that can be used to donate to political parties. One can read this Factly article to understand in detail about the electoral bond system. The major issues with electoral bonds are as below:-

- **Contradicting its Basic Idea:**
 - The central criticism of the electoral bonds scheme is that it does the exact opposite of what **it was meant to do: bring transparency to election funding.**
 - For example, critics argue that the anonymity of electoral bonds is only for the broader public and opposition parties.
- **Possibility of Extortion:**
 - The fact that such bonds are sold via a government-owned bank (SBI) leaves **the door open for the government to know exactly who is funding its opponents.**

- This, in turn, allows the possibility for the **government of the day to either extort money, especially from the big companies,** or victimise them for not funding the ruling party — either way providing an unfair advantage to the party in power.
- **A Blow to Democracy:**
 - Through an amendment to the **Finance Act 2017**, the Union government has exempted political parties from disclosing donations received through electoral bonds.
 - This means the voters will not know which individual, company, or organization has funded which party, and to what extent.
 - However, in a representative democracy, citizens cast their votes for the people who will represent them in Parliament.
- **Compromising Right to Know:**
 - The **Supreme Court of India** has long held that the “right to know”, especially in the context of elections, is an integral part of the **right to freedom of expression (Article 19)** under the Indian Constitution.
- **Against Free & Fair Elections:**
 - The bonds provide no details to the citizens but said anonymity does not apply to the government, which can **always access the donor details by demanding the data from the State Bank of India (SBI)**.
 - This implies that the government in power can leverage this information and disrupt free and fair elections.
- **Crony Capitalism:**
 - The electoral bonds scheme **removes all pre-existing limits on political donations** and effectively allows well-resourced corporations to fund elections, subsequently paving the way for crony capitalism.
 - Crony Capitalism is an economic system characterized by close, **mutually advantageous relationships between business leaders and government**

Looking ahead

- There is a **need for effective regulation of political financing** along with bold reforms to break the vicious cycle of corruption and erosion of quality of democratic polity.
- It is crucial to **plug the loopholes in the current laws** to make the entire governance machinery more accountable and transparent.

- Voters can also help bring in substantial changes by demanding awareness campaigns. If voters reject candidates and parties that overspend or bribe them, democracy would move a step higher.

➤

➤ **What is greenwashing? Discuss the issues associated with it.**

- The term greenwashing was first used in 1986 by Jay Westerveld, an American environmentalist and researcher.
- Greenwashing is the practice in which firms and governments **mark all kinds of activities as climate-friendly**, as something that would lead to emissions reduction, or avoidance of emissions.
 - Many of these claims are **unverifiable, misleading, or dubious**.
 - While it helps in boosting the image of the entity, **they do nothing in the fight against climate change**.
 - Several multinational corporations, including oil giants like Shell and BP, and Coca Cola have faced accusations of greenwashing.
- Greenwashing is prevalent across a whole range of environmental activities.
 - Developed countries are often accused of **greenwashing their normal business investments in developing countries** by highlighting climate co-benefits of the financial flows, sometimes with very little justification.
- **Impact of Greenwashing:**
 - Greenwashing presents a **false picture of the progress being made on the climate change front**, pushing the world towards disaster, while at the same time, rewarding entities for irresponsible behaviour.
- **Challenges in Regulating:**
 - The processes and products that can potentially cut emissions are so many that it is **practically impossible to monitor and verify all**.
 - The processes, methodologies and institutions to measure, report, create standards, verify claims and grant certifications are still being set up.
 - Large number of organisations have sprung up claiming expertise in these areas and offering their services for a fee. Many of these

organisations lack **integrity and robustness**, but their services are still availed by corporations because it makes them look good.

Greenwashing Affect Carbon Credits

- **Carbon Credit:**
 - **A carbon credit** (also known as carbon offset) is a **credit for greenhouse emissions reduced or removed** from the atmosphere by an emission reduction project, which can be used by governments, industry, or private individuals to **compensate for the emissions** they generate elsewhere.
 - Those that cannot easily reduce emissions can still operate, **at a higher financial cost**.
 - Carbon credits are based on the "**cap-and-trade**" model that was used to reduce sulfur pollution in the 1990s.
 - One carbon credit is equal to **one metric ton of carbon dioxide**, or in some markets, **carbon dioxide equivalent gases** (CO₂-eq).
- **Effect of Greenwashing on Carbon Credit:**
 - **Informal Markets:**
 - There are **now credits available** for all kinds of activities such as for growing trees, for planting a certain kind of crop, for installing energy-efficient equipment in office buildings.
 - The credits for such activities are often certified by unofficial third-party companies and sold to others.
 - Such transactions have been flagged for lack of integrity and double counting.
 - **Credibility:**
 - Countries like India or Brazil had accumulated huge carbon credits under the **Kyoto Protocol** and wanted these to be transitioned to the new market being set up under the **Paris Agreement**.
 - But many developed countries resisted this, questioning the integrity of the credits and claiming they did not accurately represent reductions in emissions.
 - Carbon offsets from forests are one of the most controversial.

Looking ahead

- Corporations pursuing **net zero targets must not be allowed** to make fresh investments in fossil fuels.
 - They must also be asked to present short-term emission reduction goals on the path to achieving net zero.
- Corporations **should also use offset mechanisms at the start of their journey** to net-zero status.
- Priority should be focused towards the **creation of regulatory structures and standards** to monitor greenwashing.

➤ What do you understand by "Google's Antitrust Actions"? How has the India's regulatory apparatus decided this issue in recent times?

- The **Competition Commission of India (CCI)** has imposed a provisional **penalty of Rs 1,337.76 crore (\$162 million) on Google** for “**abusing its market dominant position**” in multiple categories related to the Android mobile device ecosystem in the country.
- The **antitrust watchdog** said Google had **abused its dominance in the licensing of its operating system** for smart mobile devices, app store market for Android smart mobiles, general web search services, non-operating system-specific mobile web browsers, and online video hosting platforms.

Issue

- **Android operating system (OS):**
 - According to Counterpoint research, **97% of India's 600 million smartphones are powered by Google's Android OS.**

- Google operates and manages the **Android OS and licenses other Google proprietary applications such as Chrome and Play Store.**
- **Original Equipment Manufacturers (OEMs)** or smartphone companies like Samsung then use this OS and through it, Google's apps on their mobile phones.
- Now, while the **Android source code** is openly accessible and covers the basic features of a smartphone, it **does not include Google's proprietary applications.**
- To access and use these applications in their mobile handsets, manufacturers have to enter into **agreements with Google that govern their rights and obligations** such as the **Mobile Application Distribution Agreement (MADA), Anti-fragmentation Agreement (AFA), etc. Android Compatibility Commitment Agreement (ACC), Revenue Sharing Agreement (RSA), etc.**
- **Dominance in the app store market:**
 - Google is the **dominant player in the app store market** for Android OS worldwide (except in China).
 - According to the EU, the Google Play Store accounts for **more than 90% of apps downloaded on Android devices globally.**
 - The CCI held that through the mandatory pre-installation of the Google Suite (which includes Play Store), consumers **did not have the option of side-loading or downloading apps outside of the play store.**
- **Dominance in the internet search market:**
 - The company has **dominance in the general internet search market and the non-OS specific browser market (meaning engines like Chrome, Firefox, etc.).**
 - As of last year, Google has a **92% share in the global search engine market.** Therefore, by having **Revenue Sharing Agreements (RSAs) with mobile manufacturers,** Google was able to “**secure exclusivity**” for its search services to the “**total exclusion of competitors**”.

CCI action

- Apart from the “**cease and desist**” order against Google for indulging in anti-competitive practices, the CCI has directed it to take certain measures

with regard to the Android OS ecosystem. **Some of the major directions include:**

- Smartphone makers should be allowed to choose which of Google's proprietary apps they want to install and **should not be forced to pre-install the whole bouquet.**
- The **licensing of Play Store** to manufacturers should **not be linked with requirements to pre-install Google search services, Chrome browser, YouTube, Google Maps, Gmail, or any other Google apps**
- Google **should allow users**, during the initial device setup, to **choose their default search engine for all search entry points, etc.**
- Google shall **not deny access to its Play Services APIs** (which allow two programs to interact with each other) to disadvantage manufacturers, app developers, and its existing or potential competitors. This, the Commission said, would ensure interoperability of apps between Google Android OS as well as alternate versions or forks of Android, and by virtue of this remedy, the app developers would be able to port their apps easily onto Android forks.
- Google **should not offer any monetary/ other incentives** to OEMs such as those given in **revenue-sharing agreements** for ensuring **exclusivity for its search services.**
- Google shall **not impose anti-fragmentation obligations** on OEMs, which means those manufacturers **using an alternate Android version** should be able **to get access to Google's proprietary apps and vice versa.**
- Google shall **not restrict uninstalling of its pre-installed apps by the users.**

This decision, both the penalty and the regulator's direction **to Google "to modify its conduct"**, will be **welcomed by everyone who realizes the power of the big IT platforms to shut out competition and, therefore, choice for the users.**

- While the **option of legal review is open**, it is to **the regulator's credit that Google's anti-competitive practices have been called out.**
- What the mobile users of a potential digital powerhouse such as **India need is an environment of real choice.**

Additional Information

Competition Commission of India (CCI)

- Competition Commission of India (CCI) is a **statutory body of the Government of India** responsible for enforcing the **Competition Act, 2002**, it was duly constituted in March 2009.
- The **Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act)** was repealed and replaced by the Competition Act, 2002, on the recommendations of the Raghavan committee.
- **Composition:**
 - The Commission **consists of one Chairperson and six Members** who shall be appointed by the Central Government.
 - The commission is a **quasi-judicial body** which gives opinions to statutory authorities and also deals with other cases. The Chairperson and other Members shall be whole-time Members.
- **Eligibility Criteria of Members of CCI:**
 - The Chairperson and every other Member shall be a person of ability, integrity and standing and who, has been, or is qualified to be a judge of a High Court, or, has special knowledge of, and professional experience of not less than fifteen years in international trade, economics, business, commerce, law, finance, accountancy, management, industry, public affairs, administration or in any other matter which, in the opinion of the Central Government, may be useful to the Commission.

Competition Act, 2002

- The **Competition Act was passed in 2002** and has been amended by the Competition (Amendment) Act, 2007. It follows the philosophy of modern competition laws.
- The **Act prohibits anti-competitive agreements**, abuse of dominant position by enterprises and regulates combinations (acquisition, acquiring of control and M&A), which causes or likely to cause an appreciable adverse effect on competition within India.
- In accordance with the provisions of the Amendment Act, the Competition Commission of India and the Competition Appellate Tribunal have been established.

- Government replaced Competition Appellate Tribunal (COMPAT) with the National Company Law Appellate Tribunal (NCLAT) in 2017.

- Discuss the amendments made in the IT Rules, 2021 and the need for the co-regulatory intermediary law.

- IT Rules, 2021 mandate platforms to establish a **grievance redressal mechanism** to resolve user complaints within fixed timelines.
- The government recently amended the rules and established **Grievance Appellate Committees (GACs)**. This will act as appeals over the platforms' grievance redressal decisions.
- This shows that the government has tightened the rules for online speech resembling Section 69A of the IT Act.
- **Section 69A of the IT Act** provides the government with the power to issue directions for blocking public access to any information through any computer resource.
- However, it will be difficult for the government to control the online speech as users have increased along with the increase in illegal and harmful content. Therefore, there is a need for the **intermediary law** that works on co-regulation.

Intermediary law

- An intermediary law is where the government orders intermediaries to remove the content that does not comply with the law.

- There is need for an intermediary law that empowers online platform for the moderation of the social media content under broad government guidelines. **For example**, the Digital Services Act (DSA) of the European Union (EU).

Therefore, coming up with co-regulatory intermediary law is important.

First, it will help platforms to retain some amount of **autonomy** over their terms of service.

- It will give flexibility to the online platform to come up with **evolving standards** for harmful content. This will promote **free online speech** without the need of private censorship.

Second, co-regulation aligns government and platform interests. **For example**, platforms took measures to tackle disinformation during the pandemic which also helped the government.

Third, co-regulatory mechanisms allows the state to outsource content regulation to platforms which are better at tackling modern content moderation challenges.

Looking ahead

- **First**, online platforms must follow **due process and be fair** to the user while removing content or redressing user grievances.
- **Second**, co-regulation should give autonomy along with making online platforms **accountable**. Accountability can be increased through **algorithmic transparency** as platform often use tools to hide sensitive contents from being challenged.

➤ **Fourth**, GAC should be removed because they concentrate censorship powers in the hands of the government.

➤ Should Chief Ministers have a say in the appointment of Governors?

- The post of **Governor of a State** is of immense importance in our political system. The Governor acts as a **bridge between the Centre and the States**. It is considered as one of the **pivotal parts of cooperative governance that our democracy is proud of**.
- But for a long time, the **role, powers, and discretion of the Governor's office** in multiple states have been hotly debated in the **political, constitutional, and legal realms**.
- Governor-State friction has recently flared up. The **power spat** between the Delhi government and the Lieutenant Governor over the **appointment of bureaucrats** and deadlock between the **Tamil Nadu government and Governor's assent to the National Eligibility cum Entrance Test (NEET) exemption Bill** are instances of a tussle.
- To advance towards **cooperative federalism**, this topic needs closer scrutiny, considering different aspects from **detached perspectives**.

Origin of the office of Governor

- **Before Independence:**
 - Since **1858**, when India was administered by the **British Crown**. Provincial Governors were **agents of the crown**, functioning under the supervision of the **Governor-General**.
 - With the **Government of India Act, 1935**, the governor was now to act in accordance with the advice of Ministers of a province's

legislature, but **retained special responsibilities** and discretionary power.

- **Post-Independence:**
 - The post of the governor was extensively debated in the **Constituent Assembly**, which decided to **retain it while re-orienting its role** from the British era.
 - Currently, under the parliamentary and cabinet systems of governance adopted by India, the **Governor was envisaged to be the Constitutional Head of a State.**

Constitutional Provisions w.r.t. Governor

- **Article 153** says that there shall be a Governor for each State. One person can be appointed as Governor for two or more States.
 - The **Governor is appointed by the President** by warrant under his hand and seal and holds office under the pleasure of the **President (Article 155 and 156).**
- **Article 161** states that the governor has the power to grant **pardons, reprieves, etc.**
 - The **Supreme Court** stated that the sovereign power of a Governor to pardon a prisoner is actually **exercised in consensus with the State government** and not the Governor on his own.
 - The **advice of the government binds the Head of the State.**
 - **Article 163** states that there is a **council of ministers** headed by the Chief Minister to aid and advise the Governor in the exercise of his functions, **except some conditions for discretion.**
 - Discretionary powers include:
 - **Appointment of a chief minister when no party has a clear majority in the state legislative assembly**
 - **In times of no-confidence motions**
 - **In case of failure of constitutional machinery in the State(Article 356)**
 - **Article 200** gives power to the Governor to **give assent, withholds assent, or reserves the bill for the consideration of the President** passed by the Legislative Assembly.
 - **Article 361** states that the Governor of a State, **shall not be answerable to any court for the exercise and performance of the powers** and duties.

Issues Related to the Post of Governor

- **Affiliation Based Appointment:** Politicians and former bureaucrats **affiliated with the ruling party** have been appointed in several instances as Governors.
 - This has led to questions about the **post's impartiality and non-partisanship**. Also, the convention of consulting the Chief Minister before appointing the Governor is often ignored.
- **From Centre's Representative to Centre's Agent:** Critics refer to governors as the **'agents of the Centre'**
 - In 2001, the **National Commission to Review the Working of the Constitution**, held that the Governor **owes his appointment and his continuation to the Union**. Apprehensions exist that he will follow instructions given by the Union Council of Ministers.
 - This goes **against the constitutionally mandated neutral seat** and has resulted in bias.
 - **Misuse of Discretionary Powers:** The discretionary powers of governor have been misused in many instances.
 - For instance, it has been argued by critics that the Governor's recommendation for President's Rule in a state has not always been based on **"objective material", but on political whim or fancy**.
 - **Removal of Governors:** Having **no written grounds** or procedures for removing governors, several times governors were removed arbitrarily.
 - **No Clear Distinction Between Constitutional and Statutory Role:** The constitutional mandate to act on advice of the council of ministers is not clearly distinguished from the **statutory authority as chancellor**, resulting in many conflicts between the governor and the state government.
 - For instance, there was a recent appointment of a **Vice Chancellor in a university by the Kerala Governor**, bypassing government nominations.
 - **Constitutional Loopholes:** In the **Constitution**, there are **no guidelines for exercise of the governor's powers in-case of appointment of Chief Minister** or dissolving the Assembly.
 - Also, there is no limit set for how long a Governor can withhold assent to a Bill.
 - As a result, **friction between the governor and concerned state governments is likely to arise**.

Reforms suggested by Various Commissions

- **Punchhi Commission:** The impeachment procedure for the **President** can be adapted to impeach governors as well.
 - The **Convention of Governors serving as Chancellors** of Universities and holding other statutory positions should be abolished because it **opens their office to controversies and public criticism.**
- **2nd Administrative Reforms Commission:** The **Inter-State Council** should formulate guidelines on how governors should exercise discretionary power.
- **Rajamannar Committee:** The **Rajamannar Committee** emphasised that the governor of the state should not consider himself as an agent of the centre but play his role as the constitutional head of the State.
- **Sarkaria Commission:** In its report, the Commission recommended that **Article 356 should only be used in very rare instances** when it is impossible to prevent a breakdown of constitutional machinery within a State.
- **Venkatachaliah Commission:** It recommended allowing Governors to complete their five-year terms ordinarily.
 - The **central government should consult with the Chief Minister** before removing them before the end of their term.

Looking ahead

- **Reimagining Appointment Procedure:** It would be appropriate to devise a committee comprising the **Prime Minister, the Home Minister, the Speaker of the Lok Sabha and the Chief Minister of the State concerned** to select the Governor.
- **Neutral Constitutional Stand:** The Governor is supposed to be an **independent, non-partisan person.** He/she is supposed to **keep the interests of the State in mind** and also ensure that the link between the State and the Centre is maintained in a smooth way.
- **Framing a Code of Conduct:** There is a need to devise a "Code of Conduct" that should define certain "**norms and principles**" that should **guide the governor's discretion** and constitutional mandate.
 - Discretion must be a **choice dictated by reason**, actuated by good faith and tempered by caution.

➤ Elucidate the role of Maulana Abul Kalam Azad's in India's Freedom Struggle and his contribution to the modern education system of India.

- Maulana Abul Kalam Azad, an Independent India's first education minister was born on 11 November 1888 in Mecca and is popularly known as Maulana Azad. The word maulana refers to master and Azad was his pen name. After the 1857 revolt, his family moved to Mecca and then returned in 1898 to Calcutta, India. As the youngest Congress member, Azad gained a lot of popularity. The Gandhian approach is central to his philosophies. His great mind and personality make him a successful journalist and politician. In 1911, he also started a magazine named Al-Hilal which becomes widely popular among people because of its revolutionary and patriotic articles. Apart from his intellect and thinking, he was a keen supporter of **Hindu-Muslim Unity**.
- Azad never supported the politics of divide and rule, he criticized the Britisher's racial policies. In certain phases influence of revolutionaries like Aurobindo Ghose and Shyam Sundar Chakraborty can also be seen in Azad's philosophies. In India, the birth anniversary of Maulana Abul Kalam Azad is celebrated as **National Education Day**. In **1992, he received the noble prize**

Role of the Maulana Abul Kalam Azad in Freedom Struggle

Abul Kalam Azad worked tirelessly to unite the Hindu and Muslim communities.

- During pre Independence, at an early age, his interest was in writing and journalism. He published an Urdu weekly newspaper **Al-Hilal in Calcutta in 1912** in which he highlighted the Harsh British policies towards Indians along with underlining the challenges faced by common people in everyday life, which was banned by **Press Act in 1914**.
- He spread nationalism feeling among Indians especially the Muslim community via his writings and always tried to keep them united with Gandhi's ideology as kalam Azad was a true supporter of Mahatma Gandhi, a man behind spreading Gandhi's non-violence and satyagraha to a person sitting on the edge of colonial India.
- He strongly supported the **Khilafat Movement** and believed it was every Muslim's religious duty to participate in politics against oppressors and colonists.
-
- During the conduction of the first election, Azad was the one who organized the election campaigns and rallies, raised funds, and selected candidates for election. Not contesting the election for himself but arranging everything for the smooth coordination between provinces sparked his habit of working behind the scenes.
- To Keeping Indians United was his foremost priority as even during the congress split, he worked as a bridge between supporters of congress and the one who criticized congress for being a soft corner for the British.
- Whether it's about bridging the congress or two different communities, it's never been an easy task for Azad as many criticized him for being too close to the congress and putting the Muslim community in a cliff-hanging situation, furthermore, Jinnah once called him a '**Congress Showboy**'. Besides being humiliated a lot by his own community, Azad always thirst for India's unity.
- Been in jail for many years in Ahmednagar along with other leaders, yet that zeal for liberating India had ignited in his heart a very long time before in his teen. After coming out, he travelled across India for encouraging people to rebel and to heal relations between Hindus and Muslims.
- One could easily understand that he was doing double work, one-struggling for liberating India from the cage of British rule and second himself belonging to the Muslim community, trying to unite Hindus and Muslims together for a single enemy.

Contribution of the Maulana Abul Kalam Azad to Education

After hitting up that most awaiting day **15th august 1947**, Azad was a bit sad witnessing the horrible partisan of India.

- He hadn't left a single stone unturned by going to each affected border area lines of **Bengal, Punjab, and Pakistan** encouraging peace and calm to remain in India and shouldn't fear for their safety and security.
- He got education ministry in Nehru's government and in that he played an important and remarkable role in framing national policies for education. He once stated that "We must not for a moment forget, it is a birthright of every individual to receive at least the basic education without which he cannot fully discharge his duties as a citizen".
- Since childhood, he was very much inclined towards education and skill-gaining. After being elected twice in Lok Sabha, he gave thrust to universal primary education, compulsory education for all children up to 14, girls' education, vocational training, and adult literacy.
- We all must hear about University Grants Commission (UGC) under which all graduates did their graduation is the one established under his tenure being education minister.
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- Along with this, under his leadership, India witnessed its **first Indian Institute of Technology (IIT) as IIT Kharagpur**.
- He focused more on education foundation as India had just been released from the Western Cage, promoting education among Indians became the first priority to Azad therefore he laid the foundation of Aligarh Muslim University (AMU) which is today one of the most prominent universities in India.
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- Apart from this, Writing is something he always enjoys doing- in the last year of his life, Abul wrote 'India wins Freedom', published in 1959.
- In 1989, the central government set up **Maulana Azad Education Foundation**, a ministry of minorities that provides that fellowship after his name.
- National Education Day is celebrated on 11 November every year on his birth anniversary to celebrate his vision for educating every individual irrespective of their religion.

- He left us with all his immortal work behind in 1958. For his selfless service, he received Bharat Ratna in 1992.

His heart always beats for India's unity, always supported secular India, and never wanted separate electorates based on religion. **Maulana Abul was truly an Indian who keep on working his entire life for India's welfare despite being criticized by many Muslims.** It's not always about the main actor, the role of the person playing behind the scenes also adds bricks to the building of a nation.

➤ Governance and ethics are intertwined. Comment.

Ethical Governance

- Ethical governance is a **way of governing which infuses high standards of moral values** and behaviour in the governance process.
 - **For example**, a bureaucrat is bound to serve the people that come to his office, but he couldn't be penalized if he doesn't make provisions for a glass of water to an elderly couple who might be tired after waiting too long in the queue. Those will be the ethics of public service and altruism that will make him do that.
 - Similarly, an official should allow disbursement of **Public Distribution System (PDS)** ration to beneficiaries particularly for women and senior citizens, even if there is a failure of Aadhaar identification due to mismatch of biometric data. It is important to understand that denial of such services may cost a person his life. Hence, **compassion and human dignity forms the basis of ethical governance.**

- **Ethical governance is the much-needed approach for establishing trust** and mutual cooperation between citizens and public servants.

Elements of Ethical Governance

- Ethical governance means **governance based on a certain value premise**, which is also “good”. For example, **probity, integrity, compassion, empathy, responsibility**, social justice etc. without which ethical issues can't be upheld.
 - **Probity would ensure that the sole purpose of administration is public interest**, thereby devoid of any wrongdoing.
 - **Responsibility**, not merely accountability, ensures the inculcation of internal accountability for every act of omission or commission in the form of judgement based on one's conscience. If this is attained then there would be no question of corruption.
- In order for a nation to compete globally, **eliminating corruption is not just a moral imperative, but also an economic necessity.**
- **Rule of law should be one of the most important elements of ethical governance** in order to eliminate corruption and reduce bureaucratic delays.
 - Rule of law checks arbitrariness in governance, thereby reducing chances of misusing discretion.

Ethical Issues in the Indian Governance

- **A Violation of Authority or Rank Position:** Officials make actions that are out of their position, responsibilities and rights that, finally, **cause damage to the interests of the state or certain citizens.**
- **Negligence:** A public official either does not perform his professional responsibilities or performs them in a delinquent manner, causing damage to the state or community.
- **Bribery:** Corruption and bribery have become acceptable parts of society, lubricating the wheels of commerce.
- **Complacency:** There is a core of exceptionally hardworking, dedicated and conscientious officers, but they are overwhelmingly outnumbered by the complacent, who are obsessed with status, rank, and emoluments and addicted to habits of personal luxury.

- **Patronization:**The post-retirement assignment of senior officers to Regulatory bodies and other important posts is largely done on patronage with no set guidelines.
- **Administrative Secrecy:**The purpose of administrative secrecy is to serve the public interest while maintaining private interests. Therefore, transparency is one of the most important virtues of ethical governance
- **Nepotism:**Neglecting the merit principle by appointing relatives or friends to public positions may degrade the quality of public services.
- **Lack of Compassion:**Indifference towards the feelings or the convenience of individuals and by an obsession with the binding and inflexible authority of departmental decisions, precedents, arrangements or forms, regardless of how badly or with what injustice they work in individual cases.

Looking Ahead

- **Effective Laws:**Effective laws will require civil servants to give reasons for their official decisions.
- **New Management Approaches:**To encourage all public officials and civil servants to deal positively with corruption and unethical practice when encountered.
- **Strengthening the Whistle-blower Protection Regime:**Whistle-blower' protection law to protect appropriate "public interest disclosures" of wrongdoing by officials.
- **Ethics Audits:**To identify risks to the integrity of the most important processes.
- **Second ARC Recommendation:**In Its wide-ranging recommendations, it has suggested partial state funding of elections; tightening of anti-defection law and code of ethics for ministers, legislatures, judiciary and civil servants.
- **To Check Corruption:**Second Administrative Reforms Commission (ARC) proposed tightening the provision of Prevention of Corruption Act,1988 making corrupt public servants liable for paying damages, confiscation of property illegally acquired and speedy trials.

- IR Coelho verdict puts limitations on the 'safe harbour' the 9th Schedule offers to laws. Discuss.

Jharkhand Reservation of Vacancies in Posts and Services (Amendment) Bill, 2022 raises reservations to 77%. Within the reserved category, the Scheduled Castes will get a quota of 12 %, up from 10%; 27% for OBCs, up from 14%; 28% for Scheduled Tribes, a 2 % increase; and 10% for Economically Weaker Sections (EWS). The bill proposes that the state will urge the Centre for changes in the Ninth Schedule of Constitution.

Ninth Schedule

- The Schedule contains a list of **central and state laws which cannot be challenged in courts** and was added by the **Constitution (First Amendment) Act, 1951**.
 - The first Amendment added **13 laws to the Schedule**. Subsequent amendments in various years have taken the number of protected laws to 284 currently.
- It was created by the new Article 31B, which along with Article 31A was brought in by the government to protect laws related to **agrarian reform and for abolishing the Zamindari system**.
 - While Article 31A extends protection to 'classes' of laws, Article 31B shields **specific laws or enactments**.
 - While most of the laws protected under the Schedule concern agriculture/land issues, the list includes other subjects.
- Article 31B also has a retrospective operation which means that if laws are inserted in the Ninth Schedule after they are declared unconstitutional, they are **considered to have been in the Schedules** since their commencement, and thus valid.
- Although Article 31B excludes judicial review, the apex court has said in the past that even laws under the Ninth Schedule would be **open to scrutiny if they violated Fundamental Rights or the basic structure of the Constitution**.

Ninth Schedule completely Exempt from Judicial Scrutiny?

- **Keshavananda Bharati v. State of Kerala (1973):**The court upheld the judgement in Golaknath and introduced a new concept of “**Basic structure of the Indian Constitution**” and stated that, “all provisions of the constitution can be amended but those amendments which will abrogate or take away the essence or basic structure of constitution which included **Fundamental Rights are fit to be struck down by the court**”.
- **Waman Rao v. Union of India (1981):**In this important judgement, the SC ruled that, “those amendments which were made in the constitution before 24th April 1973 (date on which judgement in Keshavananda Bharati was delivered) are valid and constitutional but those which were made after the stated date are open to being challenged on the ground of constitutionality.
- **I R Coelho v. State of Tamil Nadu (2007):**It was held that every law must be tested under Article 14, 19 and 21 if it came into force after 24th April 1973.
 - In addition, the court upheld its previous rulings and declared that any act can be challenged and is **open to scrutiny by the judiciary if it is not in consonance with the basic structure of the constitution.**
 - In addition, it was held that if the constitutional validity of any law under the ninth schedule has been upheld before, in future it cannot be challenged again.

Looking ahead

- Although reservation is necessary, it should **also be open to judicial scrutiny** in order to ensure any abrupt or irrational policy initiative by the Executive or the Legislature.
- Any loophole or shortcomings in reservation policy **must be addressed by involving various stakeholders.**The need of the hour is not to go to extremes of either scrapping or shielding reservation policy, rather a rational framework on this **contentious policy must be developed.**
-

➤ [Examine the need for Anti-Conversion Laws in India.](#)

- Religious conversion is the **adoption of a set of beliefs identified with one particular religious** denomination to the exclusion of others.
- Thus "religious conversion" would describe the **abandoning of adherence to one denomination** and affiliating with another.
 - For example, Christian Baptist to Methodist or Catholic, Muslim Shi'a to Sunni.
- In some cases, religious conversion "marks a **transformation of religious identity** and is symbolized by special rituals".

Need for Anti-Conversion Laws

- **No Right to Proselytize:**
 - The Constitution confers on each individual the fundamental right to profess, practice and propagate his religion.
 - Proselytizing is the act of trying to convert another individual from the convertee's religion to the converter's religion.
 - The individual right to freedom of conscience and religion **cannot be extended to construe a collective right to proselytize.**
 - For the right to religious freedom belongs equally to the person converting and the individual sought to be converted.
- **Fraudulent Marriages:**
 - In the recent past, several instances have come to the notice that whereby people **marry persons of other religion by either misrepresentation or concealment** of their own religion and after getting married they force such other person to convert to their own religion.
- **SC Observations:**
 - Recently, the Supreme Court took judicial notice of instances of people marrying by either misrepresentation or concealment of their own religion.

- According to the court, **such incidents not only infringe the freedom of religion of the persons** so converted but also militate against the secular fabric of our society.

Status of Anti-Conversion Laws in India

- **Constitutional Provision:**
 - The Indian Constitution under **Article 25 guarantees** the freedom to profess, propagate, and practice religion, and allows all religious sections to manage their own affairs in matters of religion, subject to public order, morality, and health.
 - However, no person shall force their religious beliefs and consequently, no person should be forced to practice any religion against their wishes.
- **Existing Laws:**
 - There has been **no central legislation restricting or regulating religious conversions.**
 - However, since 1954, on multiple occasions, **Private Member Bills** have been introduced in (but never approved by) Parliament, to regulate religious conversions.
 - Further, in 2015, the Union Law Ministry stated that Parliament does not have the legislative competence to pass anti-conversion legislation.
- **Anti-Conversion Laws in Various States:**
 - Over the years, **several states have enacted 'Freedom of Religion'** legislation to restrict religious conversions carried out by force, fraud, or inducements.
 - Orissa Freedom of Religion Act, 1967, Gujarat Freedom of Religion Act, 2003, Jharkhand Freedom of Religion Act, 2017, Uttarakhand Freedom of Religious Act, 2018, The Karnataka Protection of Right to Freedom of Religion Act, 2021.

Issues Associated with Anti-Conversion Laws

- **Uncertain and Vague Terminology:**

- The uncertain and vague terminology like misrepresentation, force, fraud, allurements presents a serious avenue for misuse.
- These terms leave room for ambiguities or are too broad, extending to subjects far beyond the protection of religious freedom.
- **Antithetical to Minorities:**
 - Another issue is that the present anti-conversion laws focus more on the prohibition of conversion to achieve religious freedom.
 - However, the broad language used by the prohibitive legislation might be used by officials to oppress and discriminate against minorities.
- **Antithetical to Secularism:**
 - These laws may pose a threat to the secular fabric of India and the international perception of our society's intrinsic values and legal system.

Looking Ahead

- The governments implementing such laws need to ensure that these **do not curb one's Fundamental Rights or hamper the national integration** instead, these laws need to strike a balance between freedoms and malafide conversions.

- Critically analyse the need for conducting caste based census in Indian society.

Caste based census was first conducted in 1931. The first such census in independent India was conducted during 2011. India is home to thousands of castes with subcastes and the polity is still dominated by caste calculations. SECC (socio economic caste-based census) thus holds a crucial position.

Merits

- **Helpful in Managing Social Equity Programmes:**

- **India's social equality programmes** cannot be a success without the data and a caste census would help fix that.
- Due to the lack of data, there is **no proper estimate for the population of OBCs, groups within the OBCs and more.**
 - The **Mandal Commission** estimated the OBC population at 5% while some others have pinned the OBC population from 36 to 65%.
- The census would "**besides resolving the needless mystery** about the size of the OBC population, census enumeration would yield a **wealth of demographic information** (sex ratio, mortality rate, life expectancy), educational data (male and female literacy, ratio of school-going population, number of graduates) and policy relevant information about economic conditions (house-type, assets, occupation) of the OBCs".
- **Bring a Measure of Objectivity on Reservation:**
 - A caste-based census **could go a long way in bringing a measure of objectivity** to the debate on reservations.
 - According to the **Rohini Commission**, which was formed to look into equitable redistribution of the 27% quota for OBCs, noted that there are around 2,633 castes covered under the OBC reservation.
 - However, the Centre's reservation policy from 1992 doesn't take into account that there exists within the OBCs, a separate category of Extremely Backward Castes, who are much more marginalised.

Demerits

- **Repercussions of a Caste Census:**
 - Caste has an **emotive element and thus there exist the political and social repercussions** of a caste census.
 - There have been concerns that counting caste may help solidify or harden identities.

- Due to these repercussions, nearly a decade after the SECC 2011, a sizable amount of its data remains unreleased or released only in parts.
- **Caste Is Context-specific:**
 - Caste has **never been a proxy for class or deprivation in India**, it constitutes a distinct kind of embedded discrimination that often transcends class. For example:
 - People with Dalit last names are less likely to be called for job interviews even when their qualifications are better than that of an upper-caste candidate.
 - They are also less likely to be accepted as tenants by landlords. Thus, difficult to measure.
 - Marriage to a well- educated, well-off Dalit man still sparks violent reprisals among the families of upper-caste women every day across the country.

Looking ahead

- A caste census may not sit well with the goal of a casteless society, but it **may serve as a means of addressing inequities in society**.
- Caste data will enable independent research **not only into the question of who does and does not need affirmative action** but also into the effectiveness of this measure.
 - Impartial data and subsequent research might save the bona fide attempts of the uplift of the most backward classes from the shadow of caste and class politics and be informative to people on both sides of the spectrum – for and against reservation.
 - It is **not reservation that creates the current divide in our society** but the misuse or the perceived misuse of reservation.

○

- What is a Carbon Border Tax? Will it help achieve climate neutrality?. What are India's concerns w.r.t. Carbon Border Tax?.
- Recently, a consortium of countries that includes India has jointly opposed the Carbon Border Taxes proposed by the **European Union (EU)** at 27th edition of the **Conference of Parties (COP)** in Sharm El Sheikh, Egypt.

Carbon Border Tax

- A carbon border adjustment tax is **a duty on imports based on the amount of carbon emissions** resulting from the production of the product in question. As a price on carbon, it discourages emissions. As a trade-related measure, it affects production and exports.
- The proposal is part of the European Commission's European Green Deal that endeavours to make Europe the first climate-neutral continent by 2050.
- A carbon border tax is **arguably an improvement from a national carbon tax**.
 - A national carbon tax is a fee that a government imposes on any company within the country that burns fossil fuels.

Reasons Behind Imposing Carbon Tax

- **EU and Climate Change Mitigation:**The EU has declared to cut its carbon emissions by at least 55% by 2030 compared to 1990 levels. Till date, these levels have fallen by 24%.
 - However, emissions from imports contributing to 20% of the EU's CO₂ emissions are increasing.
 - Such a carbon tax would incentivise other countries to reduce GHG emissions and further shrink the EU's carbon footprint.
- **Carbon Leakage:** The Emissions Trading System of the EU makes operating within the region expensive for certain businesses.
 - The EU authorities fear that these businesses might prefer to relocate to countries that have more relaxed or no emission limits.
 - This is known as "carbon leakage" and it increases the total emissions in the world.

Concerns

- **Response of the BASIC Countries:**The **BASIC (Brazil, South Africa, India and China) countries** grouping had opposed the EU's proposal in a joint-statement terming it "discriminatory" and against the principles of equity and "**Common but Differentiated Responsibilities and Respective Capabilities**" (CBDR-RC).
 - These principles acknowledge that richer countries have a responsibility of providing financial and technological assistance to developing and vulnerable countries to fight climate change.
- **Impact on India:** The EU is India's third largest trading partner. By increasing the prices of Indian-made goods in the EU, this tax would make Indian goods less attractive for buyers and could shrink demand.
 - The tax would create serious near-term challenges for companies with larger greenhouse gas footprint.
- **Non-Consensual with Rio Declaration:**The EU's notion of having a uniform standard all over the world for the environment is not borne out by the global consensus contained in the **Article 12 of the Rio Declaration** which says that the standards applicable to developed countries cannot be applied to developing countries.
- **Change in the Climate-Change Regime:**The greenhouse content of these imports would also have to be adjusted in the greenhouse gas inventories of the importing countries which essentially implies that GHG inventories

would have to be reckoned not on the production basis but at the point of consumption basis.

- This would turn the entire climate change regime upside down.
- **Protectionist Policy:** The policy can also be regarded as a disguised form of protectionism.
 - Protectionism refers to government policies that restrict international trade to help domestic industries. Such policies are usually implemented with the goal of improving economic activity within a domestic economy.
 - There is the risk that it becomes **a protectionist device, unduly shielding local industries from foreign competition** in so-called "green protectionism".

Looking ahead

- India is not the target of this policy of the EU, the target is Russia, China and Turkey which are large emitters of carbon and major exporters of steel and aluminium to the EU.
 - There is little reason **for India to be at the forefront of the opposition**. It should rather talk directly to the EU and bilaterally settle the issue.
 - A mechanism like Carbon Border Tax for charging imported goods at borders may spur adoption of cleaner technologies.
 - But if it happens without adequate assistance for newer technologies and finance, it would rather become disadvantageous for the developing countries.
 - As far as India is concerned, it must assess the advantages and disadvantages that it is likely to face with the imposition of this tax and talk to the EU with a bilateral approach.
-
- What kind of behavioural norms would differentiate a Civil Servant from others?.

In a modern democracy, a civil servant is an official in the service of the people and is recruited based on predetermined qualifications. Civil servants are bureaucrats who need to be familiar with the laws and regulations of the country and are expected to act in the best interests of the country and its citizens. They are responsible for managing the resources given to them by the government and making use of them efficiently and effectively. A sound parliamentary system of government requires civil servants to maintain their integrity, fearlessness, and independence. One of the most important functions of the civil service, as stated by the head of the Canadian Public Service, is to “speak truth to power.”

The crisis of ethics and accountability in civil servants exposes many issues related to the structure of the code of conduct, constitutional protection, the politician-bureaucratic nexus, and their political victimisation. To address these issues and maintain integrity and discipline amongst civil servants, various reform committees such as the Santhanam Committee (1964), Hota Committee (2004), and the most recent Second Administrative Reform Committee Report (2005) have been formed.

Code of conduct for civil servants

In the 1930s, a collection of instructions containing “do’s and don’ts” was published under the title “Conduct Rules.” The All India Services Rules, 1955, separated the compendium into separate rules. The Santhanam Committee (1964) recommended significantly broadening such rules, which resulted in the 1964 version. These rules were later revised to incorporate additional behavioural norms.

According to the All India Services (Conduct) Rules, 1968, every member of the service shall maintain:

- Integrity and honesty;
- Political neutrality;
- Promoting of the principles of merit, fairness and impartiality in the discharge of duties;
- Accountability and transparency;
- Responsiveness to the public, particularly to the weaker section;
- Courtesy and good behaviour with the public.

Code of ethics vs code of conduct rules

In India, there is no code of ethics for civil servants, though such codes exist in other countries. We have a number of conduct rules that prohibit a variety of common activities. These conduct guidelines serve a purpose, but they are not a code of ethics. While the Conduct Rules contain some general norms such as “maintaining integrity and absolute devotion to duty” and not engaging in “conduct unbecoming of a government servant,” the code of conduct is generally aimed at cataloguing

specific activities deemed undesirable for government servants. There has recently been a concern that more “generic norms” should be added to the list of acceptable conduct.

A draft “Public Service Bill” proposed by the Ministry of Personnel, Public Grievances, and Pensions in 2007 seeks to establish a set of generic expectations of civil servants known as “values.” The following are the key “values” envisioned in the Bill:

- Allegiance to the various ideals enshrined in the preamble to the Constitution
 - Apolitical functioning
 - Good governance for the betterment of the people to be the primary goal of civil service
 - Duty to act objectively and impartially
 - Accountability and transparency in decision-making
 - Maintenance of the highest ethical standards
 - Merit to be the criteria in the selection of civil servants consistent, however, with the cultural, ethnic and other diversities of the nation
 - Ensuring economy and avoidance of wastage in expenditure
 - Provision of a healthy and congenial work environment
 - Communication, consultation and cooperation in the performance of functions that is the participation of all levels of personnel in management.

The draft Bill also includes provisions for a public service code and a public service management code, which define more specific duties and responsibilities. Violations of the code would result in penalties similar to the current major and minor penalties imposed by the heads of institutions and organisations. A ‘Public Service Authority’ is also envisaged to oversee the implementation of the code and the values mentioned above, as well as to provide advice on the values and the code.

- Trace the evolution of POCSO Law and place critical estimate on a decade long journey of POCSO.

Evolution of POCSO

- The Constitution of India has incorporated several provisions to protect the rights of children and India has also been a signatory to landmark international instruments.
- However, India lacked any dedicated provision against child sexual abuse.
- Cases would be tried under different provisions of the Indian Penal Code, which was found to be ill-equipped.
- In the 1990s, a child sexual abuse racket was busted in Goa, following which the state government enacted a law to promote child rights in 2003.
- Also, the Special **Expert Committee under Justice VR Krishna Iyer** presented a draft code for child rights in India – the Children’s Code Bill, 2000.
- These two initiatives established the basis for dedicated legislation against child sexual abuse.
- In 2005, the Department of Women and Child Development prepared a draft bill to address different offences targeted against children.
- Contrary to the general perception then, the overall percentage of boys reporting experiencing sexual abuse was much higher than that of girls.
- In September 2010, the Ministry of WCD prepared a **draft Protection of Children from Sexual Offences Bill, 2010**.
- This after several rounds of revisions came into force as the POCSO Act on **Children’s Day – 14 November, 2012**.

Features of the Act

- **Gender neutrality:** The Act is gender neutral and regards the best interests and welfare of the child. The Act calls for mandatory reporting of sexual offences. A false complaint with intent to defame a person is punishable under the Act.

- **Definition of Child:** The Act defines a child as any person below eighteen years of age.
- **Definitions of sexual abuses:** It defines different forms of sexual abuse, including penetrative and non-penetrative assault, as well as sexual harassment and pornography.
- **Prevents child trafficking:** People who traffic children for sexual purposes are also punishable under the provisions relating to abetment in the Act.
- **Preventing re-victimization of child:** Adequate provisions are made to avoid re-victimization of the Child at the hands of the judicial system.
- **Sensitization of Police:** The Act assigns a policeman in the role of child protector during the investigation process.
- **Child friendly investigation:** The Act stipulates that such steps must be taken which makes the investigation process as child-friendly as possible.
- **Speedy disposal:** The Act provides for the establishment of Special Courts for the trial of such offences and stipulates that the case is disposed of within one year from the date of reporting of the offence.

Rationale behind the legislation

- **Multiple facets of crime:** New forms of child abuse like online bullying, harassment and Child Pornography have emerged to a greater extent.
- **Exception handling:** As per the last available data from the National Crime Records Bureau of child rape cases came up before the courts under the POCSO Act read with Indian Penal Code Section 376.
- **Larger conviction:** Less than three per cent cases ended in convictions, pointing to the need for better access to justice for all, and not just more stringent conviction in a small percentage of cases.
- **Deterrence against crime:** There is the belief that harsher punishments will deter people from committing child rape.
- **Zero-tolerance:** Lastly, the disgust for the crime makes the perpetrator 'deserving' of death penalty.

Issues with the Law

- **Recurrence of such crime:** In the context of child rape, many preventive measures and policies do have a definitive impact on preventing child rape.

- **Lower conviction:** The conviction rates are low under the Protection of Children from Sexual Offences Act, 2012.
- **Investigation bottlenecks:** There is lack of specialised investigators, prosecutors, judges, mental health professionals, doctors, forensic experts and social workers.
- **Protection bottlenecks:** Inadequate child protection and rehabilitation services, lack of compliance with child-friendly legal procedures are some other concerns.
- **Under-reporting:** A large proportion of perpetrators are family members or those close to or known to the family. This results in massive underreporting of such crimes.
- **Protection of convicts:** This concern will only intensify with death penalty, as the child's family often settles a case of known person preventing him to the gallows.
- **Vulnerability:** The arbitrariness of the death penalty in India also arises from the discriminatory impact of the choice of what constitutes 'rarest of rare'.
- **Delay of trials:** The Kathua Rape case took 16 months for the main accused to be convicted whereas the POCSO Act clearly mentions that the entire trial and conviction process has to be done in one year.
- **Communal Politicization:** Considering rapes on communal angles is another challenge. The Unnao rape case and Kathua rape case are some of the examples.

Study of POCSO implementation

- The analysis, titled 'A Decade of POCSO', was carried out by the **Justice, Access and Lowering Delays in India (JALDI) Initiative**.
- It was held in collaboration with the **Data Evidence for Justice Reform (DE JURE) program** at the World Bank.
- It analysed a total of 230,730 cases from 486 districts spanning 28 states and Union Territories, from 2012 to February 2021.
- Case laws, policy interventions and case metadata was collected from the eCourts, the digital platform which gives information on pending cases, court orders, etc.

Key findings on crimes against children

- **Low conviction rate:** The analysis has found that 43.44% of trials under POCSO end in acquittals while only 14.03% end in convictions. For every one conviction in a POCSO case, there are three acquittals.
- **Accused were close kin:** Out of 138 judgements looked at in detail by the study, only in 6% of the cases were the accused people strangers to the victim.

Quality of justice under POCSO

- **Huge delay:** The study has found on average, it takes 509.78 days for a POCSO case to be disposed of – whereas it has been stipulated under the Act that such cases need to be disposed of within a year.
- **High pendency:** Though the pendency of POCSO cases was increasing gradually over the years, there was a sharp increase in the number of pending cases between 2019 and 2020, that could be attributed to the COVID-19 pandemic.
- **Frequent transfer of cases:** A total of 22.76% of cases were disposed of by virtue of transfers from one court to another, and one-fifth of the cases in this dataset ended in transfers. Since POCSO cases are supposed to be tried by the Special Court.

Gaps in implementation

- **Support persons are not being appointed in most cases:** The Supreme Court had also noted that in 96% of cases, a support person was not provided to the victim.
- **POCSO courts have not been designated in all districts:** As of 2022, 408 POCSO courts have been set up in 28 States as part of the Government's Fast Track Special Court's Scheme.
- **There is a lack of Special Public Prosecutors:** They should be appointed specifically to handle POCSO cases, and even when they are appointed they are often employed for non-POCSO cases.

Looking ahead

- The social menace of child rape requires sustained planning, engagement, and investment of resources by the government.
- The need of the hour is to prioritise prevention activities against abuse, creating safe (physical and online) environments for children.
- Developing a comprehensive outreach system to engage parents, schools, communities, NGOs partners and local governments as well as police and lawyers is needed.
- This will ensure better implementation of the legal framework, policies, national strategies and standards.

The POCSO (Amendment) Act, 2019 (ADDITIONAL INFORMATION)

The amendment act has a number of provisions to safeguard children from offences of sexual assault and sexual harassment.

- The act aims at making offences against children gender-neutral.
- The definition of 'Sexual Assault' has been extended to incorporate administration of hormones or chemical substances to children to attain early sexual maturity for the purpose of penetrative sexual assault.
- The Act is critical because it clearly defines child pornography and makes it punishable.
 - The Act defines child pornography as any visual depiction of sexually explicit conduct involving a child including photograph, video, digital or computer generated image indistinguishable from an actual child.
 - The amendments also penalize the transmitting of pornographic material to children and propose to synchronise it with the Information Technology Act.
- The Act seeks to enhance punishment for sexual offences against children, with a provision of death penalty.
 - According to the amendment act, those committing penetrative sexual assaults on a child below 16 years of age would be punished with imprisonment up to 20 years, which might extend to life imprisonment as well as fine.
 - In case of aggravated penetrative sexual assault, the act increases the minimum punishment from ten years to 20 years, and the maximum punishment to death penalty.

- To curb child pornography, the Act provides that those who use a child for pornographic purposes should be punished with imprisonment up to five years and fine.
- However, in the event of a second or subsequent conviction, the punishment would be up to seven years and fine.

The government has also sanctioned over one thousand fast track courts for speedy disposal of pending cases under POCSO.

- The new act defines child pornography as: “any visual depiction of sexually explicit conduct involving a child which includes a photograph, video, digital or computer-generated image (that is) indistinguishable from an actual child.”
- Additionally, “an image created, adapted, modified” to depict a child would also be treated as child pornography. This would also include cartoons, animated pictures, etc.
- The Cabinet has also enhanced the fine for possessing child porn but not deleting or reporting it to 5,000 from the earlier proposal of Rs. 1,000. If a person stores such content for distributing it further, except for when presenting it in court as evidence, he could face a punishment of upto three years.
- Henceforth, there will be zero tolerance for child pornography.
- Some of these provisions were also contained in the Protection of Children from Sexual Offences (POCSO) Amendment Act, 2019, but lapsed.

Significance:

- So far, there had been no definition of child pornography in Indian law.
- It was a big lacuna which could be used to evade the law.
- Neither Section 67 of the IT Act nor Section 293 of the Indian Penal Code defines child pornography.
- Its definition derived from what constitutes pornography, which is defined as “any material which is lascivious or appeals to the prurient interests or if its effect is such as to tend to deprave or corrupt the minds of those who are likely to see, read and hear the same.”

- “Child porn” has now been redefined to ensure that the punishment can be implemented properly.
- The amended law will also apply to pornographic content where adults or young adults pretending to be children.

➤ **Examine conscience as the ultimate moral decision-maker.**

- Conscience can be defined as having two things – **what a person believes is right and how a person decides what is right**. More than just gut instinct, our conscience is a moral muscle.
- By informing us of our values and principles, it becomes the standard we use to judge whether or not our actions are ethical. But unlike other social science concepts, conscience cannot be operationised – there is no way of discovering it or knowing how it works in actual practice.
- For example, attitudes can be studied using methods of social science research. But we cannot study conscience that way.
 - **Joseph Butler’s view on conscience:**
 - Joseph Butler is the most prominent writer on the subject of conscience. According to Butler, conscience is a God-given ability to reason, our ‘natural guide’ with ultimate authority. It should be the **final authority for human actions**.
 - **Conscience is a reflective principle:** It judges morally what we did and want to do. All ordinary human beings have a sense of right. According to Butler, **it is an aspect of human reason or of sentiments**.
- **Conscience as individual’s moral insight:** Conscience is closely **connected to autonomy of individual’s moral insight**. It signifies the motivation by our inner sense of moral rightness and wrongness, and not by external considerations such as moral law, duty, obligation, or virtue. It is **uninfluenced by fear of punishment or hope of reward**.
- **Conscience as a superior principle:** Conscience is a **principle superior to and governing particular passions, emotions, and instincts**. There are

various parts to human nature, and these are organized hierarchically. The part of human nature that is at the top of this hierarchy is conscience.

- The **two principles of human nature at work are:**
 - **Self-love**, that is, is a **desire for happiness in the self.**
- Benevolence, that is, desire or hope for happiness in other people.
- Conscience adjudicates between these two principles. This is an intrinsic part of human nature. This guidance is intuitive. It is a gift from God, and as such, its guidance is not an option. It has universal authority in all moral judgments.
- **Criticism of Butler's view:**
 - There have been many objections to Butler's ideas and some of these criticisms are essentially against the very concept of conscience like:
 - Conscience really is neither an independent nor a distinct moral principle. Suppose it is reasonable to obey conscience. Then "the rules prescribed by conscience" are either reasonable on their own or they are "the dictates of an arbitrary authority". If the latter, how can one justify the arbitrary authority. But if the former, there is no independent moral authority for conscience. Conscience becomes another name for reason.
- Further, there is **no clear justification for the supremacy of conscience.** Intuition is not infallible – the conscience could be misinformed or even wrong. Without an appeal to external, objective moral yardsticks, therefore Butler's idea may lead to moral anarchy.

The appeal to intuitive conscience is self- authenticating or self-certifying. It has its authority from within itself. It is, however, possible to rebut this criticism by pointing out that men are altruistic and benevolent and will not use conscience in support of immoral actions.

➤ Identify the key outcomes of Cop27 climate summit.

- While the developing and vulnerable nations continue to demand climate finance at COP27, **it is important to realise that the lives have also been severely affected by global catastrophes, especially in the year 2022.**
- **It has often been said climate action is moving from target-setting into the implementation phase.** What COP27 shows is that, as the implementation phase begins, integrity and accountability will be ever more critical, as the voices of the vulnerable economies and the youth remind the world time and time again.
- **“Loss and Damage” Fund for Vulnerable Countries:**
 - The United Nations Climate Change Conference COP27 **signed an agreement to provide "loss and damage" funding to vulnerable countries.**
- **Technology:**
 - At COP27, a **new five-year work program was launched to promote climate technology solutions** in developing countries.
- **Mitigation:**
 - A mitigation work programme was **launched aimed at urgently scaling up mitigation ambition and implementation.**
 - The **work programme will start immediately following COP27** and continue until 2030, with at least two global dialogues held each year.
 - Governments were also **requested to revisit and strengthen the 2030 targets** in their national climate plans by the end of 2023, as well as accelerate efforts to phase down unabated coal power and phase-out inefficient fossil fuel subsidies.
- **Global Stocktake:**
 - Delegates at the UN Climate Change Conference COP27 wrapped up the second technical dialogue of the first global stocktake, a mechanism to raise ambition under the **Paris Agreement.**
 - Prior to the conclusion of the stocktake at COP28 next year, the UN Secretary-General will convene a "climate ambition summit" in 2023.
- **Sharm-El-Sheikh Adaptation Agenda:**
 - It outlines **30 Adaptation Outcomes to enhance resilience** for 4 billion people living in the most climate vulnerable communities by 2030.
- **Action on Water Adaptation and Resilience Initiative (AWARe):**
 - It has been launched to reflect the importance of water as both a key climate change problem and a potential solution.
- **African Carbon Market Initiative (ACMI):**
 - It was launched to support the growth of carbon credit production and create jobs in Africa.

- **The Global Renewables Alliance:**
 - It brings together, for the first time, **all the technologies required for the energy transition in order to ensure an accelerated energy transition.**
 - As well as ensuring targets are met, the Alliance also aims to position renewable energy as a pillar of sustainable development and economic growth.

COP27 has seen the global leaders take desperately needed action to address loss and damage – the symptoms of climate change – but still refuse to name, let alone address, the root cause.

➤ Streamlining the work of quasi-judicial courts is essential for peoples' wellness. Discuss.

- A **quasi-judicial body** is “an organ of Government **other than a Court or Legislature**, which affects the **rights of private parties** either through adjudication or rulemaking”.
- It is **not mandatory** that a Quasi-Judicial Body has to necessarily be an organisation **resembling a Court of Law**.
 - For example, the **Election Commission of India** is also a Quasi-Judicial Body but **does not have its core functions as a Court of Law**.
- **Some examples of Quasi-Judicial Bodies in India are:**
 - **National Green Tribunal**
 - **Central Information Commission (CIC)**
 - **Lok Adalat**
 - **Finance Commission**
 - **National Consumer Disputes Redressal Commission**
 - **Income Tax Appellate Tribunal**
 - **Railway Claims Tribunal**

Role in Governance

- In the **conventional judicial process**, a large section of the populace for the fear of expenditure may hesitate from approaching the Courts, thus defeating the purpose of justice.
 - **Quasi-judicial bodies**, on the other hand, have an **overall low-cost** which **encourages people to seek redressal for their grievances**.
- Tribunals and other such bodies **do not follow any lengthy or complex procedure** for submitting application or evidence etc.
- Quasi-judicial bodies, while taking up specific matters, **majorly help by sharing the massive workload of the Judiciary**.
 - Like the **National Green Tribunal** adjudicating the matters related to environment and
- Quasi-judicial bodies are accessible, free from technicalities, expeditious and proceed more rapidly and efficiently as manned by experts.

Challenges

- Data on the **level of pendency or the speed of disposal** is not compiled in many states.
- There is a class of quasi-judicial agencies that are not discussed in conversations on the pendency of cases.
 - These are generally **handled by the revenue authorities** and largely relate to **land, tenancy, excise, arms, mining, or preventive functions** under the **Criminal Procedure Code**. Usually, many of these offices are understaffed.
 - Their engagement with duties such as law and order, protocol, coordination and other administrative functions **leaves them with much less time for court work**.
 - Their access to **court clerks and record keepers is limited**. Computers and video recorders are not available in many of these courts.
 - Several of the presiding officers lack proper knowledge of law and procedures, which has landed many civil servants in deep

trouble in sensitive matters such as those related to arms licenses.

Suggestions to Improve Quasi-judicial Courts

- The government should make the **efficient functioning of these agencies a priority** and clearly articulate **its position on the issue**.
- **Detailed data** on the functioning of these agencies must be collected and published from time to time, at least annually.
 - These should be **laid before the concerned legislatures**.
 - These results should be the **basis of decisions regarding the rationalising of staff strength**.
- An **electronic platform** should be established to handle all ancillary work related to the administration of justice, such as filing of complaints, issue of summons, movement of case records between courts, issuing copies of the judgments and so on.
 - It could establish a sound basis for analysing the functioning of these bodies and facilitate the publication of statistics.
- **Annual inspections of the subordinate courts** should be made mandatory.
 - This should be an important indicator for assessment by the superior authority. The inspections could become the basis of customised training of presiding officers.
- **Interdisciplinary research on the functioning of these courts** should be encouraged.
 - This would identify the areas of improvement such as legal reforms or issue of clear guidelines.
- Regular **training and orientation** of the adjudicating authorities should be taken up from time to time.
- The **state index of performance of these quasi-judicial courts** be made and published.
 - It would draw the attention of the states to their performance in comparison to others and help them identify areas of weakness.
- Important decisions, guidelines and directions **could be compiled and published on the portal of the apex adjudicating** forum such as the Board of Revenue.
 - These would be helpful to lower-level agencies.

- More **rigorous induction training of officials** handling judicial work would be helpful.
 - The importance of judicial work should be instilled among the trainees and the skill and confidence in handling them should be developed.
 - **Procedural reforms** such as minimising adjournments, mandatory filing of written arguments and other such reforms proposed by bodies like the Law Commission for reform of the Civil Procedure Code should be adopted by these adjudicating bodies.
 -
- Explain the Advisory Jurisdiction & Quasi-Judicial Functions Election Commission of India. What imperfections do you find constitutionally w.r.t Election Commission of India?. How was the model code of conduct evolved by the Election Commission of India?.
- Election Commission of India is a permanent Constitutional Body. The Election Commission was established in accordance with the Constitution on 25th January 1950. Originally the **commission had only one election commissioner** but after the Election Commissioner Amendment Act 1989, it was made a multi-member body.
 - The **Election Commission shall consist of the Chief Election Commissioner (CEC)** and such number of other election commissioners, if any, as the President may from time-to-time fix.
 - Presently, it consists of the CEC and two Election Commissioners.
 - At the state level, the election commission is helped by the Chief Electoral Officer who is an IAS rank Officer.

Advisory Jurisdiction & Quasi-Judicial Functions

- Under the Constitution, the **Commission has advisory jurisdiction** in the matter of post-election disqualification of sitting members of Parliament and State Legislatures.
 - The opinion of the Commission in all such matters is binding on the President or, as the case may be, the Governor to whom such opinion is tendered.
- Further, the **cases of persons found guilty of corrupt practices at elections which come before the SC and High Courts are also referred to the Commission for its opinion** on the question as to whether such person shall be disqualified and, if so, for what period.
- The **Commission is vested with quasi-judicial power** to settle disputes relating to splits/ mergers of recognised political parties.
- The Commission has the power to disqualify a candidate who has failed to lodge an account of his election expenses within the time and in the manner prescribed by law.

Imperfections

- The Constitution has **not prescribed the qualifications** (legal, educational, administrative or judicial) of the members of the Election Commission.
- The **Constitution has not specified the term of the members of the Election Commission.**
- The **Constitution has not debarred the retiring election commissioners** from any further appointment by the government.

Evolution of MCC

- The model code refers to a set of norms laid down by the Election Commission of India, with the consensus of political parties. It is not statutory. It spells out the dos and don'ts for elections. Political parties, candidates and polling agents are expected to observe the norms, on matters ranging from the content of election manifestos, speeches and processions, to general conduct, so that free and fair elections take place.

- The EC traces its introduction to the 1960 Assembly elections in Kerala. During simultaneous polls to the Lok Sabha and Assemblies in several States in 1962, the EC circulated the code to all recognised parties, which followed it “by and large”. In October 1979, the EC came up with a comprehensive code that saw further changes after consultations with parties.
-

- Examine the root cause of Langpihp - Boko dispute that is seen in news and detail the recent developments in this case. How can this dispute be resolved?.

Recently, six people were **killed and several others injured during an alleged clash** between the **Assam Police** and a mob in an area bordering the **West Karbi Anglong district of Assam** and **Mukroh village in Meghalaya's** West Jaintia Hills.

- The killings come ahead of the **second phase of talks between the two states** to resolve their **boundary dispute**.

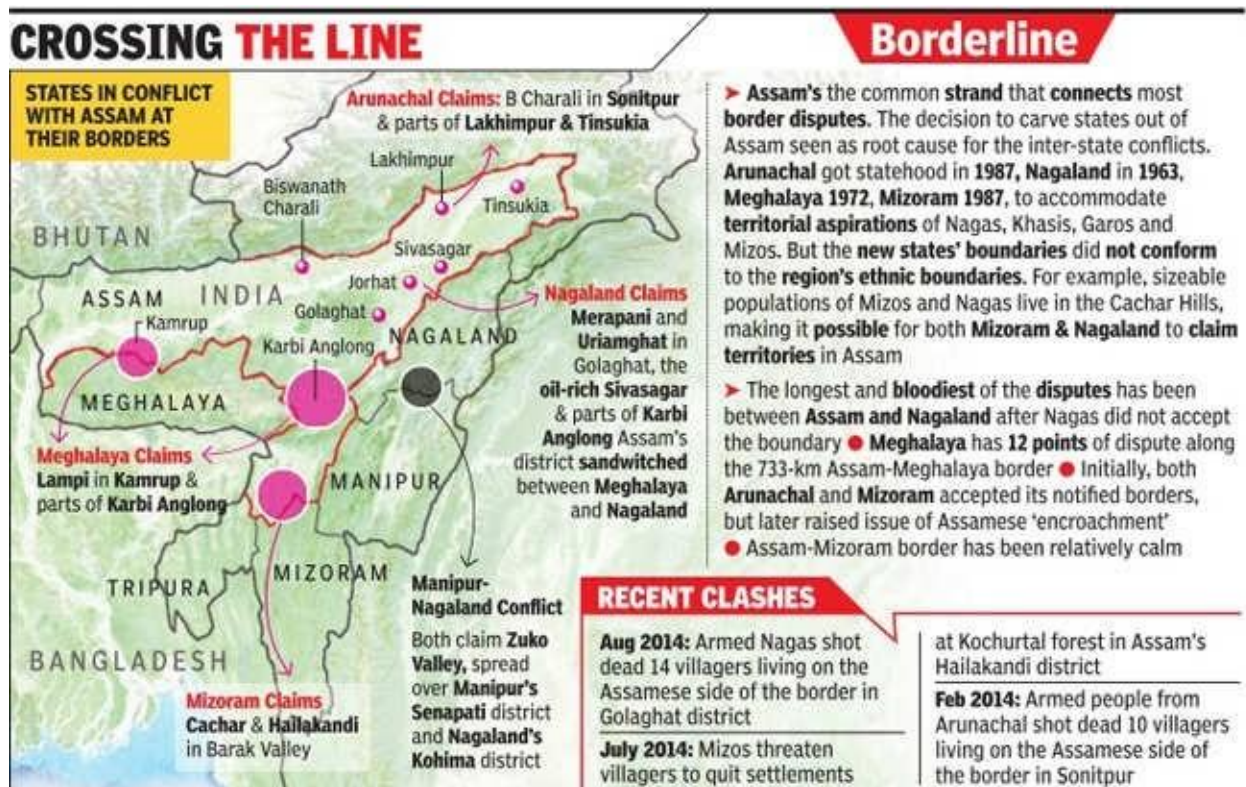
Assam-Meghalaya Border Dispute

- **Assam and Meghalaya** have a longstanding dispute in **12 stretches of their 884-km shared border**.
- **The Assam-Meghalaya border dispute are the areas of** Upper Tarabari, Gazang reserve forest, Hahim, Langpih, Borduar, Boklapara, Nongwah, Matamur, Khanapara-Pilangkata, Deshdemoreah Block I and Block II, Khanduli and Retacherra.
- During British rule, undivided Assam included present-day **Nagaland, Arunachal Pradesh, Meghalaya and Mizoram**.

- Meghalaya was **carved out in 1972**, its boundaries demarcated as per the **Assam Reorganisation (Meghalaya) Act of 1969**, but has held a **different interpretation of the border since**.
- In 2011, the Meghalaya government had identified **12 areas of difference with Assam**, spread over approximately 2,700 sq km.
- **Major Point of Concern:**
 - A major point of contention between Assam and Meghalaya is the **district of Langpih in West Garo Hills** bordering the **Kamrup district of Assam**.
 - Langpih was part of the **Kamrup district during the British colonial period** but post-Independence, it became **part of the Garo Hills and Meghalaya**.
 - Assam considers it to be **part of the Mikir Hills in Assam**.
 - Meghalaya has questioned **Blocks I and II of the Mikir Hills** - now **Karbi Anglong region** - being part of Assam.
 - Meghalaya says **these were parts of erstwhile United Khasi and Jaintia Hills**
 - **Attempts to Resolve Dispute:**
 - In 1985, under the Assam chief minister and Meghalaya chief minister, an **official committee was constituted** under the former **Chief Justice of India Y V Chandrachud**.
 - However, **a solution was not found**.
 - Both state governments identified **six out of 12 disputed areas for resolution** in the first phase:
 - Three areas contested between **West Khasi Hills district** in Meghalaya and **Kamrup in Assam**, two between **RiBhoi in Meghalaya** and **Kamrup-Metro**, and one between **East Jaintia Hills** in Meghalaya and **Cachar in Assam**.
 - After a series of meetings and visits by teams to the disputed areas, **both sides submitted reports** based on five mutually agreed principles:
 - Historical perspective, ethnicity of local population, contiguity with boundary, peoples' will and administrative convenience.
 - **A final set of recommendations were made jointly:**
 - Out of 36.79 sq km of disputed area taken up for settlement in the first phase, **Assam would get**

full control of 18.46 sq km and Meghalaya of 18.33 sq km.

- In March 2022, a Memorandum of Understanding was signed based on these recommendations.
- The second round of discussions for the remaining six phases is to **commence by the end November 2022.**



Suggestions to Resolve the Dispute

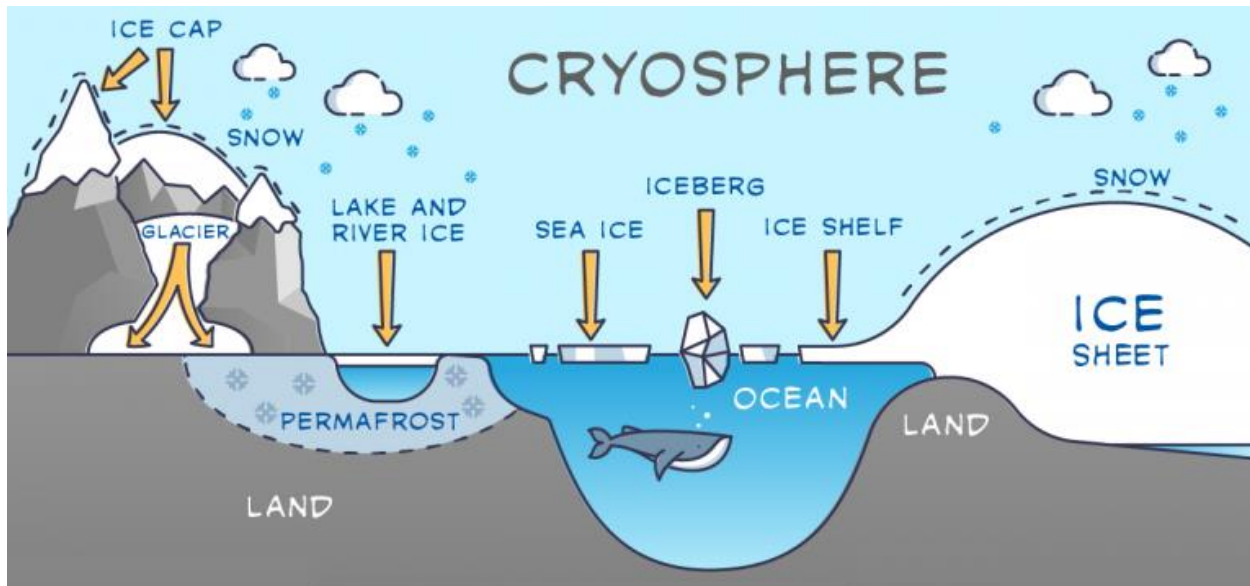
- Boundary disputes between the states can be settled by using **satellite mapping of the actual border locations.**
- Reviving the **Inter-state council** can be an option for resolution of an Inter-state dispute.
 - Under **Article 263 of the Constitution**, the Inter-state council is **expected to inquire and advise** on disputes, discuss subjects common to all states and make recommendations for better policy coordination.

- Similarly, **Zonal councils** need to be revived to discuss the matters of common concern to states in each zone—matters relating to social and economic planning, border disputes, inter-state transport, etc.
- India is the epitome of unity in diversity. However, in order to strengthen this unity furthermore, both the centre and state governments, need to imbibe the ethos of **cooperative federalism**.
-

➤ What is the cryosphere?. Why is this important?. How does it affect our life on planet Earth?.

Cryosphere

- The cryosphere is the part of the **Earth's climate system that includes solid precipitation, snow, sea ice, lake and river ice, icebergs, glaciers and ice caps**, ice sheets, ice shelves, permafrost, and seasonally frozen ground.
- The term "cryosphere" traces its origins to the **Greek word 'kryos' for frost or ice cold**.
- The cryosphere extends globally, existing seasonally or perennially at most latitudes, not just in the **Arctic, Antarctic, and mountain regions, and in approximately one hundred countries**.
 - The largest continental ice sheets are found in Antarctica.
- Approximately **70% of the Earth's freshwater exists as snow or ice**.



Significance of Cryosphere

- The components of the cryosphere play an important role in the Earth's climate. Snow and ice reflect heat from the sun, helping to regulate our planet's temperature. Because polar regions are some of the most sensitive to climate shifts, the cryosphere may be one of the first places where scientists are able to identify global changes in climate.
- Naturally, in the winter months, regardless of if we live in the Northern or Southern Hemisphere, we can expect to see an increase of colder weather and more snow and ice. And while some people may not like snowy winter days and freezing temperatures, this aspect of the cryosphere is essential to cooling down the Earth.
- Not only does the cryosphere help to control the planet's temperature, but it also controls the global sea levels. It affects ocean currents and storm patterns around the world, and the melting snow and ice provides freshwater for human consumption and irrigation of our crops.
- Changes in the ocean and cryosphere occur naturally, but the speed, magnitude, and pervasiveness of the global changes happening right now have not been observed for millennia or longer. Evidence shows that the majority of ocean and cryosphere changes observed in the past few decades are the result of human influences on Earth's climate.

Impact on Global Climate

➤ **Albedo:**

- Snow and ice have high **albedo**. They reflect most of the light without being absorbed and helps in cooling of the earth. Thus, presence or absence of snow and ice affects the **heating and cooling of Earth's surface**.
- This influences the **entire planet's energy balance**.

➤ **Feedback Loop:**

- Melting of ice **reduces the reflective surface**, and, the ocean and land are darker in color, which absorb more solar radiation, and then **release the heat to the atmosphere**.
- This **causes more warming and so more ice melts**. This is known as a feedback loop.

➤ **Permafrost:**

- Permafrost is potentially a major source of **methane** and carbon dioxide.
- The **permafrost** of the polar region has trapped **tons of carbon inside its soil**.
- If 'feedback loop' aggravates, the carbon is released **in form of methane- a powerful greenhouse gas**- which causes the global warming.
- Permafrost contains about 1,400 to 1,600 billion tons of carbon.
 - In terms of **carbon budgets**, in the 1.5°C climate warming scenario, the melting of permafrost is **estimated to result in a range of 150–200 Gt CO₂-eq emissions, while at 2+°C** degrees would result in at about 220–300 Gt CO₂-eq by 2100, comparable to the total emissions of countries like Canada or the entire EU.
- **Melting of Cryosphere:**
 - Melting of cryosphere affects the volume of water in oceans. Any changes in the water cycle, **affects global energy / heat budget, and thereby global climate**.
 - The emission of GHGs and changes in albedo from a melting Arctic are projected to more than double the Arctic's contribution to global warming by 2100.

- What is a "Sibir" icebreaker?. Explain its significance. Would it boost India's Arctic Plans?.

Russia has launched a new nuclear powered icebreaker 'Sibir'. This icebreaker will support the growing fleet of icebreakers to keep the Northern Sea Route open for year-round shipping through the Arctic and enable a wider presence of India in the arctic region.

Significance of the Russian Icebreakers

- **To Strengthen Russia's Status as a Great Arctic power:**
 - Both icebreakers were laid down as part of Russia's large-scale, systematic work to re-equip and replenish the domestic icebreaker fleet, to **strengthen Russia's status as a "great Arctic power."**
 - In the last two decades, Russia has reactivated several Soviet era Arctic military bases and upgraded its capabilities.
 - **For Studying Arctic Region:**
 - For Russia, it is essential to study and develop the Arctic, **to ensure safe, sustainable navigation in this region, and to increase traffic along the northern sea route.**
 - **Cut Down Time to Reach Asia:**
 - The development of this most important transport corridor will **allow Russia to more fully unlock its export potential** and establish efficient logistics routes, including to South East Asia.
 - For Russia, the opening of the Northern Sea Route will cut down time to reach Asia by up to two weeks compared to the current route via the Suez Canal

Significance of the Arctic Region

- **Economic Significance:**
 - The Arctic region has **rich deposits of coal, gypsum and diamonds** and also substantial reserves of zinc, lead, placer gold and quartz. **Greenland** alone possesses about a quarter of the world's rare earth reserves.
 - The Arctic already supplies the world with **roughly 10% of its oil and 25% of its natural gas**, mostly from onshore sources. It is also

estimated to hold 22% of the Earth's undiscovered oil and natural gas reserves.

- **Geographical Significance:**The Arctic **helps circulate the world's ocean currents**, moving cold and warm water around the globe.
 - Also, Arctic Sea ice acts as a **huge white reflector at the top of the planet**, bouncing some of the sun's rays back into space, helping keep the Earth at an even temperature.
- **Strategic Importance:**
 - The **Arctic is taking on greater strategic significance** due to **climate change**, as a shrinking ice cap opens up new sea lanes.
 - There has been **arace among Arctic states and near-arctic states to augment their capabilities** in a bid to be ready to capitalize on the melting Arctic.
 - **Eg: North Atlantic Treaty Organization (NATO)** has been conducting regular exercises in the region.
 - **China, which calls itself a near-Arctic state**, has also announced an ambitious plan for a polar silk route to connect to Europe.
 - **Environmental Significance:**
 - The Arctic and the **Himalayas**, though geographically distant, **are interconnected and share similar concerns**.
 - The Arctic meltdown is **helping the scientific community to better understand the glacial melt in the Himalayas**, which has often been referred to as the 'third pole' and has the largest freshwater reserves after the North and South poles.

India's stand w.r.t. Arctic

- Since 2007, **India has an Arctic research programme** with as many as 13 expeditions undertaken till date.
- In March 2022, **India unveiled its first Arctic policy** titled: 'India and the Arctic: building a partnership for sustainable development'.
 - **The policy lays down six pillars:** strengthening India's scientific research and cooperation, climate and environmental protection, economic and human development, transportation and connectivity, governance and international cooperation, and national capacity building in the Arctic region.

- India is also one of the **13 Observers in the Arctic Council**, the leading intergovernmental forum promoting cooperation in the Arctic.
 - The Arctic Council is an intergovernmental body that promotes research and facilitates cooperation among Arctic countries on issues related to the environmental protection and sustainable development of the **Arctic region**.

Looking ahead

- As the earth further heats up, which is more profound at the poles, **the race for the Arctic is set to accelerate which makes the Arctic the next geopolitical hotspot** with all interests converging on it – environmental, economic, political and military.
 - India's Arctic Policy is timely and is likely to provide a direction to India's policy-makers on contours of India's engagement with the region.
 - There is **a need to promote safe and sustainable resource exploration and development in the arctic region**, with efficient multilateral actions taking into account cumulative environmental impacts.
-
- Launched on 25th December, 2021, James Webb Space Telescope has been much in news since then. What are its unique features which makes it superior to its predecessor Space Telescopes? What are the key goals of this mission? What potential benefits does it hold for the human race? (Answer in 250 words). UPSC IAS Mains 2022 General Studies (Paper – 3)
-
- James Webb telescope is the result of an international collaboration between NASA, the **European Space Agency (ESA)** and the Canadian Space Agency which was launched in December 2021.

- It is currently at a point in space known as the **Sun-Earth L2 Lagrange point**, approximately 1.5 million km beyond Earth's orbit around the Sun.
- It's the largest, most powerful infrared space telescope ever built.
- It's the **successor to Hubble Telescope**.
- Its advanced equipment can look backwards in time to just after the Big Bang (birth of universe) by looking for distant galaxies that are so far away that the light has taken many billions of years to get from those galaxies to our telescopes.

Special Features of James Webb:

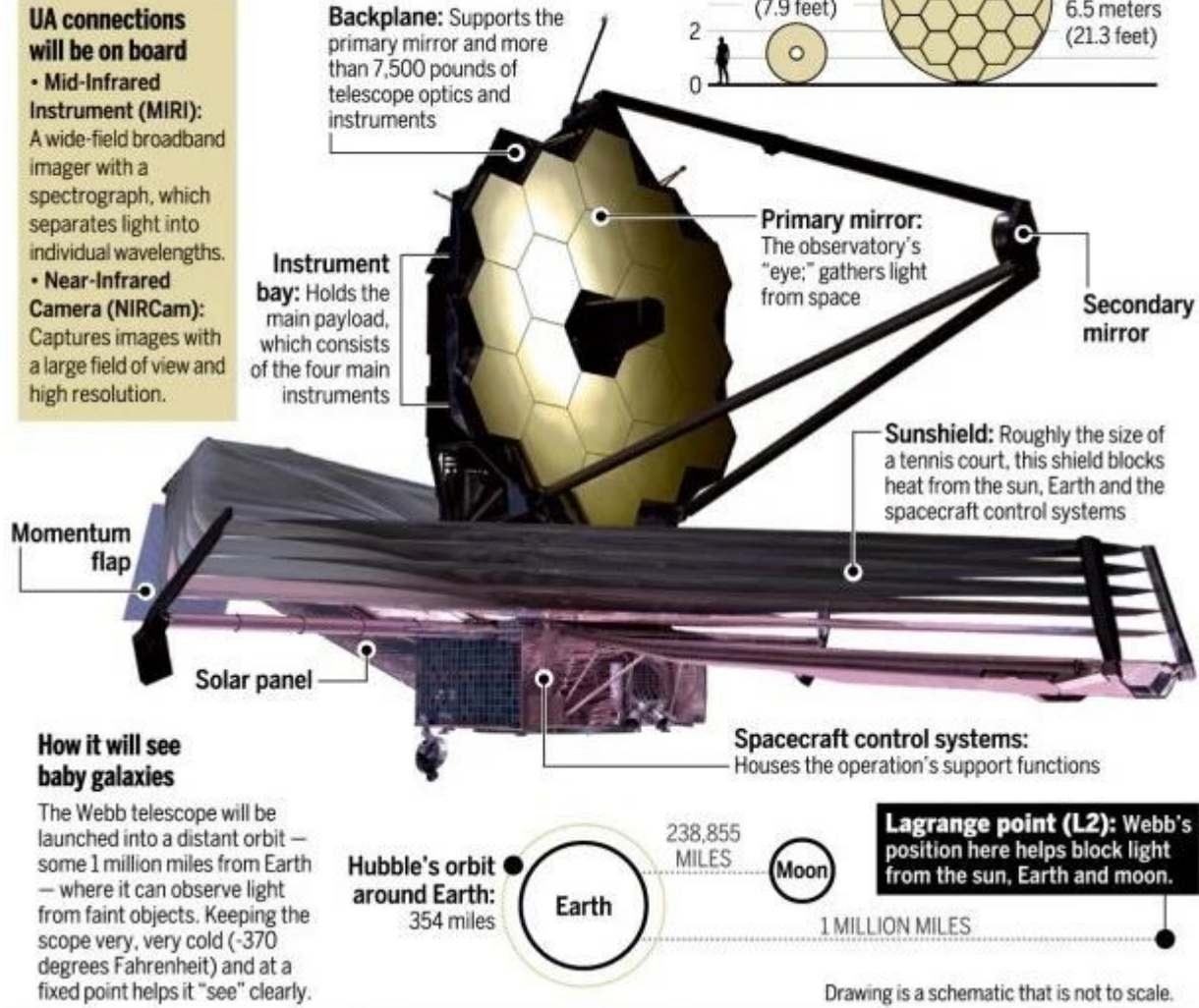
- The JWST will **observe primarily in the infrared range** and provide coverage from 0.6 to 28 microns.
- The instruments on its predecessor **Hubble telescope see mainly in the ultraviolet and visible part of the spectrum**. It could observe only a small range in the infrared from 0.8 to 2.5 microns.
 - Whereas, Webb's primary mirror has a **diameter of 6.5 metres while** Hubble's mirror was much **smaller – 2.4 metres in diameter**.

James Webb Space Telescope

With plans to launch in 2014, the Webb telescope will extend the discoveries of the Hubble telescope by using infrared to scan the universe and find galaxies created after the Big Bang.

UA connections will be on board

- **Mid-Infrared Instrument (MIRI):** A wide-field broadband imager with a spectrograph, which separates light into individual wavelengths.
- **Near-Infrared Camera (NIRCam):** Captures images with a large field of view and high resolution.



Key goals of the James Webb telescope:

- It will **examine every phase of cosmic history:** from the Big Bang to the formation of galaxies, stars, and planets to the evolution of our own Solar System.
- The goals for the Webb can be grouped into four themes.
 - The first is to **look back around 13.5 billion years** to see the first stars and galaxies forming out of the darkness of the early universe.
 - Second, to compare the faintest, earliest galaxies to today's grand spirals and understand how galaxies assemble over billions of years.

- Third, to see where stars and planetary systems are being born.
- Fourth, to observe the atmospheres of extrasolar planets (beyond our solar system), and perhaps find the building blocks of life elsewhere in the universe.

Potential benefits to humans:

- It will **reveal new and unexpected discoveries**, and help humanity understand the origins of the universe and our place in it.
- The telescope will study the atmospheres of a **wide diversity of exoplanets**.
- It will **also search for atmospheres like Earth's**, and for the signatures of key substances such as methane, water, oxygen, carbon dioxide, and complex organic molecules, in hopes of finding the building blocks of life.

James Webb's state of the art instruments make it ideal to search for evidence of potentially life-supporting atmospheres around many of the newly documented exoplanets and to observe worlds of Mars and Saturn's icy moon Titan, thus, making it open a whole new world of information about the universe and will bring about a revolution in the astronomical world.

➤ Elaborate India's Policy roadmap to realizing India's green energy potential. (250 words)

- **Climate change** is an existential threat that has the potential to change the course of human history for the worse. **Green energy** is a term for **energy that comes from renewable sources**. Green energy is often referred to as **clean, sustainable, or renewable energy**. The **production of green energy does not release toxic greenhouse gases** into the atmosphere, meaning it

causes **little or no environmental impact**. Some important green energy sources include power produced by **solar, wind, geothermal, biogas, low-impact hydroelectricity, and certain eligible biomass sources**.

India Facilitating the Green Energy Transition

- India is the **world's third-largest energy consuming country**. Energy use has doubled since 2000, with **80% of demand still being met by coal, oil and solid biomass**.
 - On a per capita basis, **India's energy use and emissions are less than half the world average**.
- **Efforts Towards Green Energy Transition:**
 - In **2019** India announced that it would take up its installed capacity of **renewable energy to 450 GW by 2030**.
 - The **Production Linked Incentive Scheme (PLI) scheme** is another initiative of the Government of India with respect to enhancing the **manufacturing sector for the production of raw materials for renewable energy**.
 - The **PM-KUSUM (Pradhan Mantri-Kisan Urja Suraksha evam Utthaan Mahabhiyan)** aims to provide financial and water security to farmers through harnessing **solar energy capacities of 25,750 MW by 2022**.
 - **Solarisation of water pumps** is a step in distributed power provided at the doorstep of the consumer.
 - The **Ministry of New and Renewable Energy** on its website also hosts **Akshay Urja Portal** and **India Renewable Idea Exchange (IRIX) Portal**.
 - IRIX is a platform that **promotes the exchange of ideas among energy conscious Indians** and the Global community.

Other Initiatives Shaping India's Energy Transition

- **Pradhan Mantri Sahaj Bijli Har Ghar Yojana (SAUBHAGYA)**
- **Green Energy Corridor (GEC)**

- **National Smart Grid Mission (NSGM) and Smart Meter National Programme**
- **Faster Adoption and Manufacturing of (Hybrid &) Electric Vehicles (FAME)**
- **International Solar Alliance (ISA)**

Challenges w.r.t. India's Energy Sector

- **Energy Poverty and Inequality:** Access to energy is a tremendous problem in India and major inequalities of access plague the country. **Around 77 million households in India still use kerosene for lighting.**
 - The problem is even more acute in rural India where up to **44% of households lack access to electricity.**
 - While India has undertaken various programs and initiatives to address **energy poverty**, they have been faced with **logistical problems and inadequate implementation locally.**
- **Import Dependence and Weaponization of Supply Chain:** India's crude oil import bill **surged 76%** to **USD 90.3 billion** in the first half of **2022-23** and total import quantity increased by 15%.
 - With its growing dependency on **imported oil, India's energy security is under severe strain**, and the current **disrupted global supply chain due to disturbed geopolitics** is compounding the problem.
 - In terms of renewable energy, India is also largely dependent on foreign countries like China for **solar modules.**
 - **Backward integration in the solar value chain** is absent as India has currently **no capacity for manufacturing solar wafers** and polysilicon, which is hindering clean energy transition.
 - **Climate Change Induced Energy Crisis:** Climate change directly affects **fuel supply, energy requirement** as well as the **physical resilience of current and future energy infrastructure.**
 - **Heatwaves and disturbed monsoon** due to climate change are **already putting existing energy generation under stress**, making it even more **important to reduce fossil fuel emissions.**
 - **Women's Health at Risk:** Women tend to take an active part in household activities and are at risk when long-term household energy

- is derived from non-clean resources such as **firewood, coal, and cow dung**.
- **The use of non-clean energy sources increases women's risk of respiratory, cardiovascular, and psychological diseases and also increases maternal and infant mortality.**
 - **Widening Gap Between Demand and Supply of Coal:** Data from the **Ministry of Coal in 2021**, reveal that the **gap between demand and domestic supply of coal is widening**.
 - Despite the availability of adequate reserves, coal extraction has been declining in the larger coal producing States.
 - **Owing to the rising prices and unresolved pending contractual issues with power plants is worsening the issue.**
 - **Increasing Demand, Increasing Energy Cost:** With an **increasing rate of urbanisation and industrialisation**, the **International Energy Agency** said in its **World Energy Outlook report** that the need for energy in India alone would rise by more than 3% annually.
 - At the same time, **there is a sharp increase in costs of petroleum globally.**

Looking ahead

- **Interlinking Women Empowerment with Green Energy: Women's empowerment and leadership in the energy sector could help accelerate the transition to a low-carbon economy by promoting clean energy.**
 - The **"just transition"** should also include a **gender perspective**, to **guarantee equal opportunities in green jobs for both men and women** in the workforce.
 - Particularly in the household as responsible **mothers, wives and daughters**, women can also play an important role in the green energy transition in **entrepreneurship and policy making**.
- **Diversifying Green Supply Chain:** Supply chains for clean energy need to be diversified to a much larger number of countries rather than just confined to developed countries.
 - In this regard, **COP27's agenda of climate finance can be used as a carrier**. As traditional energy sources get replaced, **revenues and employment will shift from certain geographies to others** and this will **need to be carefully managed**.

- **Incentivising in Least-Cost Energy Solutions:** India can encourage **university-level innovations that help India pursue an economically viable clean energy transition.** Thus, **India's demographic dividend can also be utilised** and students will be pushed more toward research and innovation than traditional education.
 - For example, the **Unnat Jyoti by Affordable LEDs for All (UJALA) program** decreased the unit cost of LED bulbs by over 75%.
 - The **Ministry of Environment, Forestry and Climate Change**, along with the **United Nations Development Programme (UNDP)**, jointly launched **'In Our LiFEtime'**, a campaign that both urges and encourages young people between the **ages of 18 to 23 years to adapt and promote sustainable lifestyles is also a good step in this direction.**
- **Focusing on Green Transport:** There is a need to **rethink and restore confidence in public transport**, including the procurement of more buses, the **adoption of e-buses**, bus corridors and **bus rapid transit systems with digitization of public transport.**
 - **Emission norms should be tightened as well as biofuels should replace fossil fuels.**
 - The development of **several electric freight corridors to promote electrification is also crucial** to reaping the benefits of electric vehicles.
- **Multisectoral Approach to Energy Transition:** In India, **future growth will demand resilience on multiple fronts**, such as energy system design, urban development, industrial growth and internal supply-chain management, and the livelihoods of the underprivileged.
 - India can gradually **reduce its exposure to commodity imports and foreign supply chains** through **distributed energy systems and the promotion of domestic manufacturing.**
 - **India's manufacturing prowess and technology leadership** present an opportunity to leverage **Make in India to turn India into a more self-sufficient green economy and globally competitive green energy export hub over time.**
 - **Circular economy solutions linked with green energy** should become a core feature of India's future economy.
 -

➤ Is Election Commission becoming a victim of judiciary-government crossfire over appointments?.

- The **Election Commission of India (ECI)** is an **autonomous and permanent constitutional body** responsible for organising **free and fair elections** in the **Union and States of India**.
- The **Constitution grants the ECI** with the **power of direction, superintendence, and control of elections to Parliament, State legislatures, the office of President of India and the office of Vice-president of India**. The ECI does not deal with the elections to the urban bodies such as **Municipalities and Panchayats** in the states.
- The **ECI has been caught in several controversies** in the recent past over its **independence and credibility** as the **guardian body of elections** in India especially in regard to the **appointment of the Chief Election Commissioner (CEC)**, which **needs special attention**.

Challenges Before Election Commission of India

- **Truncated Tenure of CEC:** The Supreme Court of India has recently pointed out that **“No Chief Election Commissioner has completed a six-year tenure since 2004”**, and because of the **truncated tenure**, the **CEC is unable to do anything substantial**.
 - **Silence of the Constitution: Article 324** of the Constitution talks about the appointment of ECs. It, however, **only envisages the enactment of a law to this effect and does not lay down any procedure for these appointments**.
- **Executive Influence in Appointment:** The Election Commissioners are appointed by the current government and are therefore **potentially obligated to the government** or may feel that they are **held to a specific level of loyalty**.
 - The **Supreme Court** has remarked that **while an election commissioner may be proficient, competent, completely honest and armed with an outstanding record of service, they may also**

- have personal political leanings**, compromising the institution's neutrality.
- Also, the **Constitution has also not debarred the retiring election commissioners from any further appointment by the government**, so they might try to remain in good books.
 - **Dependence on Centre for Finance:** Despite several provisions designed to make the ECI an independent body, the Union Government still controls its finances. **The expenses of EC are not charged on the Consolidated Fund of India.**
 - **Lack of Independent Staff:** Because **ECI does not have its own staff**, it has to **rely on staff from Central and State Governments** whenever elections are held.
 - As a result, the **administrative staff is also responsible for ordinary administration, as well as electoral administration**, which is not conducive to the Commission's impartiality and efficiency.
 - **No Statutory Backing for Enforcing Model Code of Conduct (MCC):** In regard to the **enforcing Model Code of Conduct (MCC) and other election-related decisions**, there is **no clarity regarding the scope and nature of the powers** available to the Election Commission of India (ECI).
 - **Limited Power to Regulate Inner-Party Democracy:** The ECI is limited to advising parties on internal elections and has **no authority to enforce inner-party democracy or regulate party finances.**

Looking ahead

- **Reimagining Appointment of Election Commissioners:** Various committees like **Justice Tarkunde Committee (1975)**, **Dinesh Goswami committee (1990)**, **Law Commission (2015)** have recommended that **Election Commissioners be appointed on the advice of a committee comprising the Prime Minister, the Lok Sabha Opposition Leader and the Chief Justice of India.**
 - Also, the **2nd Administrative Reforms Commission** recommended that the **Law Minister and the Deputy Chairman of the Rajya Sabha** should also be included in such a Collegium.
 - The **Anoop Baranwal v. The Union of India (2015)** case also raised the **demand for a Collegium system for the ECI.**
 - **Equality Among Commissioners:** **Equal Constitutional protection** should be given to **all members of the ECI in matters of**

removability from office. Curbing reappointment for ECs. And bringing in a **dedicated election management cadre and personnel system.**

- **Backing Model Code of Conduct:** It is necessary to provide statutory backing for the ECI Model Code of Conduct, especially when it comes to **election-related politicisation of social media.**
- **Law Commission 255th Report on Electoral Reforms:** The report recommends that **Article 324 of the Constitution be amended to provide for an independent and permanent Secretariat for the Electoral Commission of India (ECI)** along the lines of the **Lok Sabha/Rajya Sabha Secretariats.**
 - In addition, **state election commissions can be provided with similar provisions to guarantee their autonomy** and fairness in their elections.