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10th JUNE, 2024

53/1, Upper Ground Floor, Bada Bazar Road, Old Rajinder Nagar, New Delhi -110060

www.tathastuics.com

9560300770, 9560300554

enquiry@tathastuics.com



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72-MEMBER NDA MINISTRY-COM,CABINET

72-member NDA Ministry takes charge

61 Ministers are from the BJP and 11 are from its alliance partners in the NDA | 27 Ministers are from OBCs, 10 from SCs; five each from STs, minority communities | 24 States get representation; 43 Ministers are third-term MPs, five are former CMs

The Hindu Bureau
NEW DELHI

Narendra Modi took the oath of office as Prime Minister for a third successive term on Sunday, along with 71 other members of his Council of Ministers, at a ceremony held at the forecourt of the Rashtrapati Bhavan.

The new Ministry comprises 30 Cabinet Ministers, five Ministers of State with Independent Charge and 36 Ministers of State.

The team appears to be a mix of old and new. Sixty-one Ministers are from the BJP and 11 from its partners in the National Democratic Alliance.

Five leaders of the allies – former Karnataka Chief Minister and Janata Dal(S) leader H.D. Kumaraswamy; former Bihar Chief Minister and Hindustan Awam Morcha leader Jitan Ram Manjhi; Lok Janshakti Party leader Chirag Pas-



Begin again: President Droupadi Murmu with the newly sworn-in Ministers at the Rashtrapati Bhavan on Sunday. R.V. MOORTHY

wan; Ram Mohan Naidu of the Telugu Desam Party (TDP); and Rajeev Ranjan Singh "Lallan" of the Janata Dal(U) – have been given Cabinet berths.

Jayant Chaudhary of the Rashtriya Lok Dal and Pratap Rao Jadhav of the Shiv Sena Shinde faction have been appointed Ministers

of State (Independent charge). Anupriya Patel of the Apna Dal, Ram Nath Thakur of the Janata Dal (U), Chandrashekhar Pemasani of the TDP and Ram Das Athawale of the Republican Party of India, have been made Ministers of State. The All Jharkhand Students Union did not re-

ceive any representation.

The Ministers are drawn from 24 States, including the BJP's lone and first-ever Lok Sabha member from Kerala, Suresh Gopi. The choices also reflect caste and community representation with 27 Ministers belonging to the Other Backward Classes (OBC),

10 to the Scheduled Castes (SC), five to the Scheduled Tribes (ST) and five to minority communities.

Veterans return

At least 10 Ministers who have been in the government for the past 10 years have made a repeat entry into the government, in-

cluding Rajnath Singh, Nitin Gadkari, Nirmala Sitharaman, Piyush Goyal, Giriraj Singh and Kiren Rijju. The NDA government appears to be aiming at emphasising continuity and experience, with 43 Ministers being third-term MPs, and 39 having been Union Ministers before.

Former Chief Ministers too found a good representation with Shivraj Singh Chouhan from Madhya Pradesh, Manohar Lal Khattar from Haryana and Sarbananda Sonowal from Assam, apart from Mr. Majhi and Mr. Kumaraswamy, being sworn in.

Community representation and the upcoming Assembly polls in Maharashtra, Haryana and Jharkhand were also kept in mind.

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- ❖ Article 74 of the Constitution deals with the status of the council of ministers while Article 75 deals with the appointment, tenure, responsibility, qualification, oath and salaries and allowances of the ministers.
- ❖ The COM consists of three categories of ministers, namely, cabinet ministers, ministers of state, and deputy ministers. At the top of all these ministers stands the Prime Minister.
- ❖ **Cabinet Ministers:** These head the important ministries of the Central government like home, defence, finance, external affairs and so forth.
- ❖ Cabinet is the chief policy formulating body of the Central government.
- ❖ **Ministers of State:** These can either be given independent charge of ministries/ departments or can be attached to cabinet ministers.
- ❖ **Deputy Ministers:** They are attached to the cabinet ministers or ministers of state and assist them in their administrative, political, and parliamentary duties.
- ❖ At times, the COM may also include a deputy prime minister. The deputy prime ministers are appointed mostly for political reasons.



Constitutional Provisions:

- ❖ **Article 74 (COM to aid and advise President):** The advice tendered by Ministers to the President shall not be inquired into in any court.
- ❖ The President may require the COM to reconsider such advice and the President shall act in accordance with the advice tendered after such reconsideration.
- ❖ **Article 75 (Other Provisions as to Ministers):** The PM shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the PM.
- ❖ The total number of ministers, including the Prime Minister, in the COM shall not exceed 15% of the total strength of the Lok Sabha.
- ❖ This provision was added by the 91st Amendment Act of 2003.
- ❖ A minister who is not a member of the Parliament (either house) for any period of six consecutive months shall cease to be a minister.

Responsibility of Ministers:

- ❖ **Collective Responsibility:**
 - ☛ Article 75 clearly states that the COM is collectively responsible to the Lok Sabha. This means that all the ministers own joint responsibility to the Lok Sabha for all their acts of omission and commission.
- ❖ **Individual Responsibility:**
 - ☛ Article 75 also contains the principle of individual responsibility. It states that the ministers hold office during the pleasure of the President, which means that the President can remove a minister even at a time when the COM enjoys the confidence of the Lok Sabha.
 - ☛ However, the President removes a minister only on the advice of the Prime Minister.

Question:

Q.1 With reference to Central Council of Ministers, consider the following statements:

1. Council of Ministers are collectively responsible to the President.
 2. Council of Ministers are collectively responsible to the House of the people.
- Resignation or death of an incumbent Prime Minister dissolves the Council of Ministers.
- (a) Only 2
 - (b) Only 2 and 3
 - (c) Only 3
 - (d) Only 1 and 3

Answer: (b) Only 2 and 3

- ❖ Council of Ministers are collectively responsible to Lok Sabha and individually responsible to President. President can dismiss Ministers individually on PM's advice. Hence, statement 2 is correct.
- ❖ Resignation or death of an incumbent Prime Minister automatically dissolves the Council of Ministers.



RECALCITRANT JUMBO-MPC

Recalcitrant jumbo

Anchoring inflation will be the base for long-term growth

The RBI's Monetary Policy Committee (MPC) has for an eighth consecutive meeting chosen to leave the benchmark repo rate unchanged at 6.50% on concern that 'elevated food inflation could derail' its efforts to ensure durable price stability. Governor Shaktikanta Das, who had just two months ago spoken of the 'elephant' of inflation having begun its journey back to the forest after going on a walkabout, flagged the risk that stubborn food price gains pose to the overall disinflation path as justification for the MPC's stand. Food inflation as measured by the Consumer Food Price Index accelerated to a provisional 8.7% in April, from March's 8.52%, and recent indicators such as Crisil's food plate costs suggest that price gains spurred by a surge in tomato, onion and potato prices may have quickened even further in May. The Centre for Monitoring Indian Economy (CMIE) forecast on June 8, that headline retail inflation likely increased by 31 basis points last month to 5.14%, driven almost entirely by a 40 basis points acceleration in food price gains to 9.1%. The MPC, which voted by a 4-2 majority to "remain focussed on withdrawal of accommodation to ensure that inflation progressively aligns to the target" of 4%, flagged the challenges it faces in achieving this goal as increasing adverse climate events trigger supply shocks that make it very hard to foresee the food price trajectory. The CMIE cited last month's heatwaves as the cause for the rise in the costs of fruits and vegetables.

The MPC is also only too aware that besides the threat from escalating food costs, which remain vulnerable to the precariously low water storage levels at the country's reservoirs as well as the ongoing exceptionally hot summer temperatures, rising prices of industrial metals could undermine the deflationary trend in core inflation. Add to the mix the uncertain outlook for crude oil prices given the tensions in West Asia and the output cuts being implemented by the OPEC+ producer nations, and it is a recipe for heightened uncertainty on the inflation path. The RBI's latest round of surveys underline precisely why price stability is the central concern for policymakers. While households surveyed in May expect inflation to quicken for all major product groups, both over the three months and one year ahead periods, consumer confidence too moderated from the March round of the survey with an increased majority of almost 80% of respondents expecting price gains to accelerate in one year's time. Governor Das is absolutely justified in maintaining an unwavering focus on anchoring inflation expectations, given that it is, as he put it, "the required foundation for sustained" long-term growth.



INDIA-US TRADE DISPUTES, WTO, SPS MEASURES

Settling trade disputes through 'litigotiation'

Much of international diplomacy involves walking on eggshells. Major differences, especially on trade and commerce, are often allowed to hibernate while countries focus on the big picture of bilateral ties. Bold leaps of statecraft are sometimes needed to help industry on both sides to settle such trade frictions. Quite remarkably, India and the U.S. have managed to do exactly that in just under a year, burying differences in the seven-long outstanding trade disputes at the World Trade Organization (WTO).

In late March this year, the two countries settled their last lingering trade dispute on poultry products at the WTO. India and the U.S. notified the WTO of reaching a mutually agreed solution in the poultry dispute, withdrawing their respective pending WTO cases in the matter, following the settlement reached between the two countries last September. This comes on the heels of the settlement of six other WTO disputes between the two countries, following Prime Minister Narendra Modi's visit to the U.S. Yet the poultry dispute stands out for several reasons.

The dispute

To begin with, this dispute was filed more than a decade ago, relating to certain import restrictions taken by India against the imports of poultry products from the U.S. on grounds of avian influenza or bird flu. This is an unusually long time for a WTO dispute to remain unresolved, making it the oldest of the seven disputes between the two countries. Initiated by the U.S. in 2012, the dispute challenged India's import restrictions on poultry products on account of avian influenza which could potentially transmit to humans. This dispute marked one of the earliest instances where animal, and human health and safety-related measures, broadly referred to as 'sanitary and



James Nedumpara

is Professor and Head at the Centre for Trade and Investment Law, New Delhi. Views are personal



Shailja Singh

is Legal Consultant (Associate Professor) at the Centre for Trade and Investment Law, New Delhi. Views are personal

The artful settlement of complex disputes during litigation, or broadly 'litigotiation', was key to solving the long pending India-U.S. poultry dispute

phytosanitary (SPS) measures' initiated by a developing WTO member was brought before a WTO panel. The U.S.'s primary contention was that India, in deviating from internationally recognised standards set by the World Organization for Animal Health (formerly the OIE), failed to provide scientific justifications for its poultry measures, as mandated by the WTO's SPS Agreement.

Both the panel and the WTO Appellate Body ruled in favour of the U.S. Subsequently, India was given a year to modify or withdraw its inconsistent measures. The U.S. later alleged that India had still failed to meet its obligations, and filed a retaliation claim at the WTO. In response, India filed its own counter-dispute to establish that its revised measures conformed with WTO rules. Over the past decade, both these disputes have largely been kept in abeyance by the parties as they attempted to settle the matter mutually.

Now, with the fresh impetus and persistent efforts from both sides, India has dodged a yearly \$450 million claim, as part of the larger settlement of pending disputes between the two countries. In exchange, India has agreed to reduce tariffs on select products such as cranberries, blueberries, frozen turkey, and premium frozen duck meat destined for luxury hotels. This is a fair trade-off, given the overall balance of interests and the long pendency of the dispute.

While this dispute may not rank as the most economically significant for India, particularly when contrasted with some of the other WTO disputes settled with the U.S. involving challenges to various Indian foreign trade policy schemes such as special economic zones and export-oriented unit schemes, its resolution represents a significant diplomatic breakthrough. The uphill task for negotiators from both sides in resolving this dispute is evident from the fact that it could not be settled alongside the six other

pending disputes by mid-2023.

Collectively, the resolution of these seven disputes has achieved something unprecedented in international trade dispute settlement. It has demonstrated that despite complicated domestic compulsions, major trading partners can still rely on the advantages of diplomatic channels to effectively resolve sensitive trade matters. Along with India's participation in the U.S.-led Indo-Pacific Economic Framework, this puts wind in the sails of the India-U.S. partnership.

Takeaways from the outcome

Admittedly, settling disputes by arriving at a bilateral solution is not uncommon at the WTO. For example, the U.S. and the European Union's disputes over aircraft subsidies to Boeing and Airbus ultimately required a diplomatic resolution, despite several iterations of challenges before the WTO panels and the Appellate Body. In fact, WTO rules encourage countries to resolve disputes amicably, with litigation only to be pursued as a last resort. However, the significance of this settlement package lies in both the total number of disputes settled and the diversity and complexity of their subject matter – ranging from different types of subsidies to countervailing duties to SPS measures. In the absence of a functional Appellate Body (it became defunct in 2019), resolution of long-standing trade conflicts requires out-of-the-box solutions. It also points to a greater emphasis and thrust on using bilateral diplomatic channels to resolve such issues.

This outcome demonstrates that paralysis within a multilateral body need not prevent large trading partners from resolving differences through focused bilateral negotiations within the framework of litigation. This bodes well for newer attempts at fostering a more stable international trade environment where trade disputes are not allowed to simmer.

Points to note

Context of the News - India-US trade dispute

WTO - SPS measures



About World Trade Organisation (WTO):

- ❖ WTO is the only global international trade organisation which deals with rules of trade between nations.
- ❖ It is governed by different agreements negotiated and signed by participating nations and ratified in their parliament. Historical Background Of WTO
- ❖ The WTO commenced operation on 1st January 1995, under the Marrakesh Agreement, signed on 15 April 1994 by 124 nations.
- ❖ It has replaced the General Agreement on Tariffs and Trade (GATT) which commenced in 1948.
- ❖ Most of the issues focused by WTO are derived from previous trade negotiations, especially from the Uruguay Round (1986-1994). Marrakesh Agreement
- ❖ Formally known as the Agreement establishing the WTO.
- ❖ It was signed in Marrakesh, Morocco, on April 15, 1994 by 123 nations
- ❖ It culminated in an 8-year round of multilateral trade negotiations.
- ❖ It paved the way for the creation of WTO, replacing GATT. Functions Of WTO
- ❖ **Promoting Free Trade:** Establishes and uphold trade rules like nondiscrimination and transparency. Also, it reduces barriers like tariffs and quotas.
- ❖ **Resolving Trade Disputes:** Offers a legal framework and process for settling trade disputes peacefully. It also provides a platform for negotiations and mediations between trading partners.
- ❖ **Supporting Economic Development:** Integrates developing countries into a global trading system. Offers special provisions and flexibilities for developing countries, famously known as special and differential treatment provisions.
- ❖ **Engaging in Global cooperation:** WTO collaborates with other international organisations like IMF and world bank to address broader economic challenges like poverty reduction etc

Organisational Structure Of WTO:

- ❖ **Ministerial Conference:** It is the highest decision making body of the WTO, meeting at least every two years.
- ❖ **General Council:** It oversees the WTO's day to day operation, and meets regularly at the Headquarters Geneva.
- ❖ It also acts as Trade Negotiations committee, the Dispute Settlement body, and the Trade policy review body.
- ❖ **Dispute Settlement Panels:** Established to examine specific trade disputes between WTO members and issue reports with findings and recommendations.
- ❖ **Appellate Body:** Reviews appeals from decisions by WTO dispute settlement panels. Its rulings play a vital role in interpreting and upholding WTO rules.

Issues at WTO

- ❖ **Issues with Public stockholding:**
 - ☛ **Distort Trade:** The WTO maintains that PSH programmes distort trade, especially when implemented without limitations.



- ❖ **Public Stockholding:** It is a policy in which the government purchases and stores food staples to ensure their availability at affordable prices. It is used as a tool by many developing countries to mitigate food crisis caused by price volatility and food insecurity
- ❖ **Example:** The MSP scheme.
- ❖ **Current WTO rules:** The Agreement on Agriculture (AoA) limits PSH programs to 10% of a country's production for domestic consumption.

About G33 Countries:

- ❖ The G33 (or the Friends of Special Products in agriculture) is a coalition of developing and least developed countries.
- ❖ There are currently 48 member nations including China, Cuba, India, Indonesia, Nigeria, Pakistan etc.
- ❖ **Objection by G33 countries:** The G33 countries object to the outdated method used by the WTO to calculate subsidy levels, which does not account for inflation.
 - ☛ **Outdated methodology:** This methodology of subsidy calculation is based on the price index of 1986-88, which does not take into account inflation.

Peace Clause

- ❖ It was the 9th ministerial conference held in Bali, Indonesia in 2013.

Peace Clause:

- ❖ It was put in place in 2013 under the Bali Agreement.
- ❖ It permits developing nations to exceed the 10 percent ceiling without facing legal action by other members.
- ❖ It resulted in the adoption of a series of agreements on several trade issues including the Peace Clause.
- ❖ **Issues with the peace clause**
 - ☛ Controversial Some developed countries argue that it gives developing countries an unfair advantage, and it could lead to trade distortions Others say it is crucial for developing countries to meet their food security.
 - ☛ **Flexibility in rules-based order:** WTO is a rules based organisation, and the peace clause is seen as a departure from those rules. The flexibility provided by WTO in the peace clause is leading to conflict of interest between developed and developing nations.

Issues with Agricultural Subsidies Framework:

- ❖ **Subjectivity in Green Box Subsidies:** The categorization of subsidies into Green Box, deemed to cause minimal trade distortion, introduces subjectivity. Disputes often arise due to varying interpretations of the "minimal" level, causing tensions between nations.
- ❖ **Lack of Transparency in Calculations:** The criteria and calculations defining Green Box eligibility lack transparency.
- ❖ **Developing Country Exemptions:** While developing countries benefit from higher Amber Box limits, this creates an uneven playing field for developed nations. Concerns about fairness emerge as exemptions can potentially distort competition and trade dynamics.



Appellate Body:

About Appellate Body

- ❖ It was established in 1995, and is a standing body consisting of 7 members, each serving a limited 4-year term.
- ❖ Its primary function is to hear appeals from dispute reports issued by panels in cases brought forward by WTO member countries.
- ❖ **US Obstructionism:** The US has single-handedly blocked the appointment of new members to the Appellate Body (AB) since 2019, rendering the Dispute Settlement mechanism (DSM) ineffective.
- ❖ **WTO Toothlessness:** Without a functioning AB, countries can easily avoid complying with panel rulings, undermining the WTO's dispute resolution process.
- ❖ **De-judicialization:** The US's desire to de-judicialize its international trade relations raises doubts about the full restoration of the AB.
- ❖ **Special Safeguard Mechanism (SSM):** It is a tool to counter import surges that may put agricultural production in developing nations at risk.
- ❖ As per the current Agreement on Agriculture (AoA) design, only 39 members, predominantly developed countries, can use Special Safeguards (SSG).
- ❖ The SSM aims to extend similar measures to developing countries.

Criticism of WTO

- ❖ **Bias towards developed nations and corporations:** High agricultural subsidies in developed countries, intellectual property rules hindering access to essential medicines, and limited flexibility for developing nations to pursue development policies, makes it biased towards developed nations and cooperation.
- ❖ **Lack of Transparency and Accountability:** The dispute settlement system's complexity and cost are seen as barriers to holding powerful members accountable. All this creates a severe question on the credibility of transparency and accountability used in WTO.
- ❖ **Undermining National Sovereignty:** Some of the rules made by WTO infringe sovereignty by imposing rules that limit governments' ability to regulate their economies and protect their markets. For eg, conflicts are seen in agriculture subsidies by developing nations and the 10% cap given by WTO.

Way Forward

- ❖ **Modification of formula to calculate food subsidy cap:** India suggested measures like amendments to calculate the food subsidy cap and inclusion of programmes implemented after 2013 under the ambit of the 'Peace Clause.'
- ❖ **Update of the external reference price (ERP):** India emphasises on the need to update the external reference price (ERP) from 1986-88 levels to current market rates.
 - It should account for inflation when determining the MSP ceiling.
- ❖ **Three-year average price of a crop:** Using the three-year average price of a crop based on the preceding five-year period excluding the highest and lowest entries for that product.
 - Subsidy calculations need to be based on actual procurement rather than encompassing all eligible production.



- ❖ **Allowing PSH Programs:** Public stockholding programs designed for food security objectives should be permitted and deemed compliant with World Trade Organization rules under certain conditions. **These conditions include:**
 - Ensuring that stocks acquired through PSH do not distort trade or harm the food security interests of other World Trade Organization members.
 - Members should refrain from exporting stocks acquired, except for international food aid and non-commercial humanitarian purposes.
- ❖ **Special Safeguard Mechanism:** Countries should have the right to protect their domestic markets from dumping by other countries through the Special Safeguard Mechanism.
- ❖ **Joining MPIA:** Developing countries could join the European Union-led multi-party Interim Appeal Arbitration Arrangement (MPIA) to formalise an ad hoc appellate review. However, this lacks the binding nature and predictability of the original Appellate Body (AB).

Question:

Q.2 Which of the following are the main functions of WTO? (UPSC ESE 2020 Paper 1)

1. To organize meetings of member countries to arrive at trade agreements covering international trade
 2. To ensure that member countries conduct trade practices as per agreement agreed upon and signed by the member countries
 3. To provide a platform to negotiate and settle disputes related to international trade between and among member countries.
- (a) 1 and 2 only
(b) 1 and 3 only
(c) 2 and 3 only
(d) 1, 2 and 3

Answer: (d) 1, 2 and 3



IS IT TIME FOR PROPORTIONAL REPRESENTATION?

Is it time for proportional representation

Which are the countries which follow proportional representation in their electoral democracies? Will it work in a large and diverse country like India? What is mixed member proportional representation?

EXPLAINER

Rangarajan R.

The story so far:

The results of the Lok Sabha elections were declared last week. The ruling National Democratic Alliance (NDA) has won 293 seats with a 43.3% vote share while the Opposition bloc INDIA (including Trinamool Congress) has secured 234 seats with a 41.6% vote share. Other regional parties and independents polled around 15% but ended up with only 16 seats in total.

What is first past the post system?

We follow the First Past the Post System (FPTP) in our elections to the Lok Sabha and Legislative Assemblies. Under this system, the candidate who polls more than any other in a constituency is declared elected. This is the system that is followed for elections in democracies like the U.S., the U.K. and Canada. The primary advantage of the FPTP system is that it is simple and the most feasible method in a large country like India. Secondly, FPTP provides greater stability to the executive in our parliamentary democracy because the ruling party/coalition can enjoy a majority in the Lok Sabha/Legislative assembly without obtaining majority of the votes (more than 50%) across constituencies.

The issue with FPTP is that it may result in over or under representation of political parties when compared to their vote share. In the first three elections after independence, the Congress party won close to 75% of seats in the then Lok Sabha with a 45-47% vote share. Table 1, depicts a sample of this scenario after the general elections of 2014 and 2019.

What is proportional representation?

The Proportional Representation (PR) system ensures representation of all parties based on their vote share. The most commonly used PR system is the 'party list PR' where voters vote for the party (and not individual candidates) and then the parties get seats in proportion to their vote share. There is usually a minimum threshold of 3-5% vote share for a party to be eligible for a seat. India is a federal country and this principle if implemented should ideally be carried out at each State/Union Territory (UT) level. The scenario as it would have played out after the 2024 election results based on applying the PR system at each State/UT level is summarised in Table 2.

As can be seen, the PR system would have resulted in representation of parties according to their vote share. For example, in Gujarat, Madhya Pradesh and Chhattisgarh, totalling 66 seats, the NDA won 64 seats with a vote share of 62%, 60% and 53% respectively. Under the PR system, the INDIA bloc would have secured 23 seats in these States. The Biju Janata Dal (classified in 'Others') with a 42% vote share in Odisha would have secured nine seats as against no representation at present under the FPTP system. Similarly, the NDA and the All India Anna Dravida Munnetra Kazhagam (classified in 'Others') would have had representation in Tamil Nadu where the INDIA bloc secured all 39 seats with a 47% vote share under the FPTP system.

The main criticism against the PR system is that it could potentially result in instability as no party/coalition may obtain a majority to form the government in our parliamentary democracy. Further, it may result in the proliferation of political parties based on regional, caste, religious and linguistic considerations that

An alternative seat-sharing mechanism

A Proportional Representation (PR) system ensures representation of all parties based on their vote share. The most commonly used PR system is the 'party list PR' where voters vote for the party, and the parties get seats in proportion to their vote share

Table 1: The results of the 2014 and 2019 general elections

Political party (predominant State)	2014		2019	
	% of votes	No. of seats	% of votes	No. of seats
Bharatiya Janata Party (All India)	31%	282	37.3%	303
Indian National Congress (All India)	19.3%	44	19.5%	52
Bahujan Samaj Party (BSP) (Uttar Pradesh)	4.1%	0	3.6%	10
Samajwadi Party (Uttar Pradesh)	3.4%	5	2.6%	5
Trinamool Congress (West Bengal)	3.8%	34	4.1%	22
All India Anna Dravida Munnetra Kazhagam [AIADMK] (Tamil Nadu)	3.3%	37	1.4%	1
Dravida Munnetra Kazhagam [DMK] (Tamil Nadu)	1.7%	0	2.3%	24
Telugu Desam Party (Andhra Pradesh)	2.6%	16	2%	3
YSR Congress Party (Andhra Pradesh)	2.6%	9	2.5%	22
Shiv Sena (Maharashtra)	1.9%	18	2.1%	18
Biju Janata Dal [BJD] (Odisha)	1.7%	20	1.7%	12
All other parties/independents	24.6%	78	20.9%	71
Total	100%	543	100%	543

Note: The conversion of vote share to seats is calculated at each State/UT level and aggregated. It is an overall calculation without the exclusion of smaller parties based on any threshold. *SKM has been added to the NDA.



Election fervour: Supporters of the Samajwadi party celebrate after the counting of votes for the Lok Sabha elections, in Lucknow on June 4. GETTY IMAGES

Table 2: If the PR system is applied for the 2024 election

Political formation	% of votes	Actual number of seats	Seats as per PR
National Democratic Alliance (NDA)	43.3%	293*	243
INDIA bloc	41.6%	234	225
Others/independents	15.1%	16	75
Total	100%	543	543



Complete sweep: TDP supporters celebrate in Hyderabad on June 4; a Trinamool Congress supporter celebrates in Kolkata on June 4. NAGARA GOPAL,ANI



What?

Advantage

Issue

What?

Advantage

Issue

THE GIST

The First Past the Post System (FPTP) is followed in our elections to the Lok Sabha and Legislative Assemblies. Under this system, the candidate who polls more than any other in a constituency is declared elected.

In order to maintain balance between stability and proportionate representation, the system of Mixed Member Proportional Representation (MMPR) can be considered. Under this system, there is one candidate who is elected through the FPTP system from each territorial constituency. There are also additional seats that are filled based on various parties' percentage of votes.

The law commission in its 170th report, 'Reform of the electoral laws' (1999), had recommended the introduction of the MMPR system on an experimental basis.

may promote casteist or communal voting patterns. However, the second criticism is not well founded since the present FPTP system has also not inhibited the formation of parties based on caste or communal considerations. This issue can be addressed by specifying minimum threshold for votes polled in order to make a party eligible for seats in legislative houses.

SSM
In order to maintain balance between stability and proportionate representation, the system of Mixed Member Proportional Representation (MMPR) can be considered. Under this system, there is one candidate who is elected through the FPTP system from each territorial constituency. There are also additional seats that are filled based on various parties' percentage of votes.

What are international practices? Presidential democracies like Brazil and Argentina have the party list PR system. So do parliamentary democracies like South Africa, the Netherlands, Belgium and Spain. In Germany, that follows the MMPR system, out of the 598 seats in the Bundestag (their equivalent of our Lok Sabha), 299 seats (50%) are filled from

constituencies under the FPTP system. The voters also provide their preference for a party in the ballots. The balance 299 seats (50%) are filled by apportioning them amongst parties, that secure at least 5% votes, based on their percentage of votes. Similarly, in New Zealand, out of the total 120 seats in the House of Representatives, 72 seats (60%) are filled through the FPTP system from territorial constituencies. The balance 48 seats (40%) are allotted to various parties, that secure at least 3% votes, based on their vote share.

This system is likely to provide the required stability in a parliamentary democracy like India while also ensuring representation for all parties based on their vote share.

What can be the way forward? The law commission in its 170th report, 'Reform of the electoral laws' (1999), had recommended the introduction of the MMPR system on an experimental basis. It had suggested that 25% of seats may be filled through a PR system by increasing the strength of the Lok Sabha. While it had recommended to consider the entire nation as one unit for PR based on vote

share, the appropriate approach would be to consider it at every State/UT level considering our federal polity. It is also pertinent to note that the delimitation exercise for increasing the number of seats is due based on the first Census to be conducted after 2026. The population explosion that happened in our country during the last five decades has been uneven among various regions.

Determining the number of seats in Lok Sabha solely in proportion to population may go against the federal principles of our country and may lead to a feeling of disenchantment in the States that stand to lose through such representation.

However, in the event of increasing the seats during the delimitation exercise, the MMPR system may be considered for incremental seats or at least 25% of the total seats to be filled from each State/UT. This could assuage the apprehension of southern, northeastern and smaller States in the northern region by limiting the domination of larger States with increased seats solely through the FPTP system.

Rangarajan R is a former IAS officer and author of 'Polity Simplified'. He currently trains civil-service aspirants at Officers IAS Academy. Views expressed are personal.



FPTP	Proportional Representation (PR system)
A candidate who gets one vote more than the other candidate in a constituency is a winner in First Past the Post (FPTP) system. It is also known as the simple majority system.	Proportional representation (PR) is a political system in which the number of seats won by a political party or group should be proportionate to the number of votes received, i.e., seats are assigned per the number of votes received.
In FPTP, the division of the country is done into geographical units known as constituencies.	In the PR system, the large geographical areas are said to be known as constituencies.
First Past the Post is used in direct elections to the Lok Sabha and State Legislative Assemblies.	Proportional representation is used to elect the President of India, Vice President, members of the Rajya Sabha, etc.
Votes are cast for candidates in FPTP.	Votes are cast for the party in the PR system.

Proportional Representation

- ❖ The Proportional Electoral System is an electoral system where the political parties get as much representation (number of seats) in the legislature as much share of votes they get in the elections.
- ❖ Proportional representation (PR) is a voting system that aims to fairly represent political parties based on their share of the vote. Unlike the First Past the Post (FPTP) system, Proportional Representation ensures that every vote counts towards allocating seats in Parliament or other elected bodies.

Types of Proportional Representation in India:

1. Single Transferable Vote (STV):

- ❖ The single transferable vote allows a voter to rank his/her candidate in order of preference, i.e., by providing backup references and casting only one vote.
- ❖ Proportional Representation By Single Transferable Vote enables voters to choose the most preferred candidate of the party and vote for independent candidates.
- ❖ The President of India is elected through the PR system with a single transferable vote (STV), where a secret ballot system is used to elect the President. The electoral college, which consists of the Legislative Assemblies of the States, Council of States, and members of Rajya Sabha and Lok Sabha, elects the Indian president through a proportional representation system utilizing an STV.

2. Party-list PR:

- ❖ It is a type of Proportional representation where the political parties define the candidate list, and voters vote for a list.
- ❖ The list can be closed or opened. The open list allows voters to indicate individual candidate preferences and vote for independent candidates.



3. Mixed-member proportional representation (MMP):

- ❖ It is a mixed system of election process where the registered votes are taken into consideration for the local elections and for the total number of votes of a party as well.
- ❖ There are instances where in some of these systems, the voters are entitled to two kinds of votes.
- ❖ One vote is meant for the political party and one for a single representative (MP) for their constituency.
- ❖ New Zealand, South Korea, and Germany are examples of countries where MMP is operational.

Advantages of Proportional Representation System

- ❖ Firstly, PR ensures that every vote counts towards allocating seats in Parliament. This means that voters have a greater sense of participation in the democratic process.
- ❖ Secondly, PR allows for a more diverse and representative government. Smaller parties and minority groups are more likely to be represented under a PR system, which can lead to a more diverse range of perspectives and ideas in Parliament.
- ❖ Thirdly PR systems tend to be less prone to gerrymandering, as the allocation of seats is based on the percentage of votes received rather than arbitrary constituency boundaries.

Gerrymandering

- ❖ It is the practice of dividing or arranging a territorial unit into election districts in a way that gives one political party an unfair advantage in elections.

Disadvantages of Proportional Representation

- ❖ One of the main criticisms of PR systems is that they can lead to unstable governments. As smaller parties and minority groups are more likely to be represented, it can be difficult to form stable coalitions and govern effectively.
- ❖ Secondly, PR systems can be more complex than FPTP systems, making them more difficult for voters to understand and for governments to implement.
- ❖ Thirdly, it is expensive in nature as it becomes costly to operate. A majority of the amount and resources is utilized to conduct elections.

Question:

Q.3 Consider the following statements:

1. There are two kinds of proportional representation, namely, single transferable vote system and list system.
2. In India, the list system is adopted for the election of members to the Rajya Sabha and state legislative council.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Answer: A



Notes:

Explanation:

- ❖ The system of proportional representation aims at removing the defects of territorial representation.
- ❖ Under this system, all sections of the people get representation in proportion to their number.
- ❖ Even the smallest section of the population gets its due share of representation in the legislature.
- ❖ There are two kinds of proportional representation, namely, single transferable vote system and list system.
- ❖ In India, the first kind is adopted for the election of members to the Rajya Sabha and state legislative council and for electing the President and the Vice-President.

