



AUGUST - DECEMBER - 2024

POLITY CURRENT AFFAIRS

Supreme Court Ruling on High Court Judge Appointments

Why in News?

Supreme Court recently directed the **Himachal Pradesh HC collegium** to **reconsider** its initial recommendation of two judicial officers for elevation.

Process of Appointment of Judges

- The **Collegium for High Court Appointments** (established by the Supreme Court in the **Second Judges Case**) send recommendations and reasons to the **Chief Minister, Governor, and CJI**.
- The **Governor**, advised by the CM, forwards the proposal to the **Union Minister of Law and Justice**.
- The Minister conducts a background check and sends the material to the CJI.
- The CJI considers it with the rest of the **Supreme Court collegium**.

Collegium for Appointment of High Court Judges

- The collegium for High Court appointments includes the Chief Justice of India (CJI) and the two senior-most judges of the Supreme Court. This collegium is required to consult:
 - ❖ The Chief Justice and senior judges of the concerned High Court
 - ❖ The senior-most Supreme Court judge from that High Court
 - ❖ Any Supreme Court judges knowledgeable about that High Court

Grounds for Challenging Recommendations

- The Supreme Court specified two limited grounds on which a recommendation could be challenged:
 - ❖ Lack of "effective consultation" with relevant individuals or institutions.
 - ❖ If the candidate is not "eligible" to be a judge as per qualifications laid down in the Constitution.

EVM Debate and Need for Democratic Reforms

Why in News?

Despite introducing VVPAT machines to improve transparency, conspiracy theories and concerns over EVM integrity persist, diverting focus from critical electoral reforms.

Issues and Allegations around EVMs

- **Turnout Delays** in the ECI's announcement of turnout data led to suspicions of manipulation.



- **ADR Report (2019 & 2024):** Discrepancies between votes cast & counted were flagged in over 537 constituencies, with mismatches over 1,000 votes.
- **Vote for Democracy Report:** Alleged that 4.65 crore votes were added post-poll, potentially benefiting the ruling party by 79 seats, though this remains unverified.
- **Focus on EVM Mechanism:** Excessive attention is being given to the technical aspects of EVMs, sidelining more pressing issues such as electoral malpractices.
- **Lack of Election Commission (EC) Transparency:** The EC has failed to adequately address concerns like the turnout mismatch, fuelling further speculation and conspiracy theories.

Way Forward

- **Retaining EVMs with Improvements:** India should continue using EVMs but ensure more robust voter verification. The T.S. Krishnamurthy Committee recommended using VVPAT slips as the official record.
- **Increased Transparency:** The Indrajeet Gupta Committee on State Funding of Elections emphasised transparency in the electoral process.
- **Election Commission** must reconcile all data before declaring results and publish detailed voter information within a stipulated time frame.
- **Focus on Larger Electoral Reforms:** As per the Justice V.S. Malimath Committee on electoral reforms, addressing money power, media bias, and unequal access to state resources should be a priority.

Elections in Delhi

Why in News?

Former Delhi CM has requested early Assembly elections in Delhi.

Assembly elections decision in Delhi

- Under **Art 324** of the IC, the **ECI** has the powers of superintendence, direction, and control of elections. The ECI ensures that the election is completed before the end of the five-year term of the assembly.
- However, under **Section 15(2)** of the **Representation of the People Act, 1951**, the election **cannot be notified less than six months** before the end of the term of the Assembly — unless the Assembly is dissolved before it completes its term.

Can a Chief Minister force the ECI to hold an election before it is due?

- **Art 174(2)(b):** The Governor “may from time to time” dissolve the Legislative Assembly on the **recommendation** of the **Council of Ministers** before the end of its term. Once the Assembly has been dissolved, the ECI has to conduct fresh elections **within six months**.



- ❖ E.g. In September 2018, the Telangana Assembly, whose term was to end in June 2019, was dissolved, due to which Assembly elections were held in 2018.

Case in Delhi

- Delhi is not a **'full' state**. It is governed by the Government of National Capital Territory of Delhi Act, 1991.
- Under Section 6(2) (b) of the Act, the Lieutenant Governor (LG) may, from time to time, dissolve the Assembly; even if Delhi CM recommends the dissolution of the Assembly, the final say is with the LG.

Fundamental Right: Personal Liberty

Why in News?

The recent judicial trends reflect a commitment to **safeguarding personal liberty**.

The Vision of the Constituent Assembly

- **Article 21:** The framers enshrined the right to life and personal liberty as fundamental in Article 21.
- **Advocacy for Due Process:** K M Munshi, in the constituent assembly, emphasised that laws must not undermine fundamental rights, promoting due process protections.
- **Balancing Rights and Authority:** The Assembly aimed to ensure that state powers did not unjustly infringe on individual freedoms.
- **Enduring Constitutional Legacy:** Their vision established a foundation for future judicial interpretations prioritising personal liberty and due process.

Recent Judicial Rulings Safeguarding Individual Rights

- **Bail and Prolonged Detention:** The SC ruled that individuals **cannot be held indefinitely**, even under strict laws like the UAPA, emphasising that prolonged detention violates **Article 21** rights.
- **Judicial Discretion Affirmed:** Recent decisions assert that **constitutional courts** can grant **bail**, **regardless** of restrictive **statutory provisions**, when due process rights are at risk.
- **Alignment with Fundamental Rights:** The Court highlighted that statutory provisions must align with constitutional rights, reinforcing that the right to personal liberty supersedes bail conditions.
- **Revival of Pro-Bail Approach:** The rulings signal a shift back toward the principle that bail is the norm, reflecting a renewed commitment to protecting personal liberty within India's legal framework.
- **Due Process Emphasis:** SC emphasises that Statutes should not presume against bail, making deprivation of liberty exceptional.



Significance of Article 21

- **Fundamental Right to Life:** Article 21 guarantees the right to life and a dignified existence, emphasising that quality of life is integral to personal liberty.
- **Protection against Arbitrary State Action:** It safeguards against unlawful detention and state overreach, ensuring that individuals cannot be deprived of liberty without due process.
- **Judicial Activism:** Courts have expanded the scope of **Article 21** to include various rights, such as the right to privacy, health, and education, reflecting its dynamic application in contemporary issues.
- **Balancing Individual Rights and National Security:** In the face of laws like **UAPA** and **PMLA**, **Article 21** is a critical tool for protecting personal liberties while navigating national security.
- **Empowerment of Vulnerable Groups:** It has become a cornerstone for advocating the rights of marginalised communities, reinforcing their claims to protection and justice within the legal framework.

State Finance Commission

Why in News?

Kerala Cabinet clears proposal to constitute **seventh State Finance Commission**.

Constitutional Basis: The SFC was established under the 73rd and 74th Constitutional Amendments in **1992** which aimed to strengthen **local self-governance** in India by providing constitutional status to Panchayati raj institutions and municipalities.

- **Appointment:** The **Governor** of each state is responsible for appointing the **State Finance Commission every five years**, as mandated by **Article 243-I** of the Constitution.
- **Responsibilities:** Financial Assessment, Resource Allocation, Grants and Aid, Disaster Management, Policy Recommendations.

Challenges

- **Composition Issues:** The commission's effectiveness in addressing local governance complexities is limited by its bureaucratic dominance and minimal input from academicians, experts, and civil society.
- **Limited Authority and Influence:** The SFC's recommendations are advisory, meaning that state governments are not legally bound to implement them.
- **Overlap with Other Bodies:** The existence of other financial bodies, such as the Goods and Services Tax (GST) Council, creates overlapping jurisdictions.
- **Infrequent constitution:** Many states do not adhere to the constitutional mandate of constituting SFCs at regular intervals. For instance, only nine out of 26 states had constituted their sixth SFC by 2023, with many states lagging in establishing previous commissions, such as the fourth and fifth SFCs.



Sub-Classification of Reservations

Why in News?

The decision by the SC in **The State of Punjab and Ors. vs Davinder Singh and Ors.** to allow **sub-classification of reservations within the Scheduled Castes (SC)** category aligns with the principles of **social justice** and B.R. Ambedkar's vision of a more **equitable society**.

- The ruling advances **social jurisprudence**, using constitutional methods to deliver justice to the most marginalised Dalit groups. It aligns with B.R. Ambedkar's principles of **fraternity and Maitri**, promoting cooperation among SCs.
- However, some see the judgment's remarks on the varna system and the creamy layer as unnecessary.

B.R. Ambedkar's Struggle for Social Justice

- Ambedkar dedicated his life to **securing social and civil justice** for the most oppressed sections, including separate cultural rights for former untouchables.
- Ambedkar urged Scheduled Castes to recognise their responsibility in **eliminating internal divisions** while demanding the **removal of untouchability** from others.
- Ambedkar led movements such as the **Mahad Satyagraha** and the **Kalaram temple entry movement**, highlighting the ritual discrimination faced by Dalits.

Reality of Graded Discrimination

- Ambedkar's analysis of **caste complexities** is affirmed by Shahu Patole's observations of **graded inequality among SCs**, where Dalit groups like Mang and Mahar also face discrimination.
- It highlights the need for a nuanced social justice approach, which the Court's sub-classification judgment addresses by acknowledging the **diverse experiences of deprivation** within the SC community.

Struggles, Criticism and Support

- The demand for sub-classification arises from decades of **grassroots activism** by marginalised communities like the **Madigas in South India** and **Valmikis in the North**.
- The SC judgment reflects these struggles, aiming to address the needs of the most deprived SC groups. Historical successes, such as sub-classification in Punjab and Haryana before the **2004 Chinniah ruling**, show the effectiveness of these measures.
- Some leading segments of Dalits fear that sub-classification might **fragment the Dalit constituency** and weaken the collective Dalit movement.
- In South India, the sub-classification debate has largely been resolved, with most Dalit organisations supporting the demand for sub-categorisation among SCs.
- The criticism overlooks the reality of **intra-group caste differences** within the SC community.



- Sub-classification can help address these disparities and promote a more inclusive Ambedkarite movement. It also aligns with the **principles of equitable representation**, as leaders like **Kanshiram** advocated **representation based on numerical strength**.

Constitution Museum

Why in News?

The **75th anniversary** of the **Indian Constitution** offers a timely opportunity to establish a **Constitution Museum**, honouring the vision of the Constitution framers.

- It would help citizens understand, appreciate, and engage with the core **principles of Indian democracy**.

On **November 26, 1949**, India's **Constituent Assembly** adopted the Constitution, which came into effect on **January 26, 1950**, now celebrated as **Republic Day**. In 2015, the government designated **November 26** as **Constitution Day**, previously known as **National Law Day**.

Key Objectives of a Constitution Museum

Building Constitutional Legacy

- A Constitution Museum should capture not only the **history of the document** but also the evolution of **rights and freedoms** enabled by the institutions it established.
- By showcasing these milestones, the museum can **inspire future generations** to appreciate their **civic duties** and the ongoing pursuit of **justice and equality** in Indian democracy.

Democratising Constitutional Knowledge

- The museum would make the Constitution **more accessible** to the general public.
- It would provide a comprehensive understanding of the document's history, evolution, important provisions, **and interpretations by courts and amendments**.
- It would facilitate the development of a vibrant **public discourse** that is both intellectually engaging and contributes to strengthening **democratic politics** in India.

Promoting Civic Education

- The museum should serve as a **platform for civic education**, empowering citizens to participate effectively in Indian democracy. It would take the first step towards **citizen empowerment**, helping individuals understand how the Constitution protects their rights and provides **remedies for justice**.

Celebrating the Constitution's Architects

- It would spotlight the **contributions of all members of the Constituent Assembly**, including the **15 exceptional women members** whose stories are often overlooked. The museum would also recognise the crucial role played by **Sir Benegal Narsing Rau**, the **Constitutional Advisor** to the Assembly.



Hindi Diwas

Why in News?

September 14 is observed as **Hindi Diwas** to commemorate the **Constituent Assembly** of India's making **Hindi** the **official language** of the Union government on **September 14, 1949**.

- It also celebrates the **birth anniversary** of **Beohar Rajendra Simha**, who worked tirelessly towards making Hindi the official language of India.

There is **no national language** in India.

Munshi-Ayyangar formula

- It was named after Drafting Committee members K M Munshi and N Gopalaswamy Ayyangar.
- As part of the Munshi-Ayyangar formula, Article 343 of IC, as adopted in 1950, said:
 - ❖ Hindi in Devanagari script will be the official language in India, along with English, for 15 years.
 - ❖ The form of **numerals** to be used for the official purposes of the Union shall be the **international form of Indian numerals**.
- Post **15-year period** facing resistance from non-Hindi-speaking states, Centre passed **Official Languages Act**, which stated that English would continue to be upheld as official language along with Hindi.

History of Hindi Diwas

- In **1918**, Hindi scholars and activists formed the Hindi Sahitya Sammelan (Hindi Literary Conference) to promote using **Hindi** as a national language.
- After independence, the Constituent Assembly of India accepted Hindi, written in Devanagari script, as an official language on September 14, 1949. The first Hindi Diwas was celebrated in **1953**.

How widely is Hindi spoken?

- **Hindi** is the most spoken language globally after **English** and **Mandarin Chinese**.
- In **India**, Hindi is the most widely spoken language, with **43.6%** of the population declaring it their mother tongue. The next highest is **Bengali (8%)** — less than **one-fifth** of **Hindi's count**.
 - ❖ Over **11%** of the population reported **Hindi** as their **second language**.
- In **1977**, former PM **Atal Bihari Vajpayee** became the **1st leader** to have addressed an international audience in Hindi.

World Hindi Day

- **World Hindi Day** (Vishwa Hindi Diwas) is celebrated on **January 10** every year. The day commemorates the first **World Hindi Conference** held in Nagpur in 1975, bringing delegates from 30 countries to promote the language globally. The World Hindi Day was celebrated for the **1st time** in **2006**.



India's First Digital Census

Why in News?

India's **2021 Census**, delayed due to the COVID-19 pandemic, is the first to adopt a digital format. However, it faces debates on its implications for governance, welfare, and resource allocation.

- Under the 2021 census, citizens can self-enumerate through a mobile app developed by the Office of the Registrar General, available in 16 Indian languages, potentially reducing costs and time.

Importance of Census Data

- **Development Planning and Resource Allocation:** Census data is crucial for development indicators, resource distribution, and planning. The lack of current data has affected schemes like the National Food Security Act, 2013, and PM Garib Kalyan Anna Yojana.
- **Delimitation and Political Representation:** India's population has grown significantly since 2011, yet there has been no delimitation of parliamentary and legislative constituencies, leading to underrepresentation in the Lok Sabha for states with rapid population growth.
- **Women's Reservation Act** is contingent on the completion of the census and subsequent delimitation of constituencies.

Challenges

- **Digital Divide:** Only about 50% of India's 1.4 billion population has access to smartphones. Women are half as likely to have internet access as men.
- **Delayed Execution:** Despite the pandemic being over, the delay in initiating the census has raised concerns, as critical welfare schemes depend on accurate and up-to-date demographic data.
- **Trust Deficit in Government Data Collection:** Citizens are often wary of sharing personal information with the government due to past incidents of data breaches. E.g. The **Aadhaar data breach** incident
- **Underrepresentation of Marginalized Groups** including women, tribal communities, and economically disadvantaged people, leading to potential underrepresentation in the census data.
- **Technological Infrastructure:** States like **Bihar** and **Jharkhand** face frequent power outages, impacting the functionality of digital census data collection.

Way Forward

- **Hybrid Model for Data Collection:** Implement a hybrid system combining digital and traditional (in-person) enumeration methods. E.g. Japan allows citizens to self-enumerate online but also sends enumerators for those unable or unwilling to use digital platforms.
- **Pilot Projects to Test Digital Platforms:** Conduct a pilot digital census in smaller districts to identify and rectify problems before a full-scale rollout.
- **Capacity Building and Digital Literacy Programs:** Launch widespread digital literacy programs in rural and underserved areas to familiarise citizens with digital platforms and the census process.



- **Enhancing Data Security and Privacy:** Adopt stronger data encryption and privacy protection measures to ensure citizens' trust. **E.g.** EU's General Data Protection Regulation (GDPR).
- **Digital Inclusion Measures:** Ensure targeted outreach programs to bring marginalised groups. **E.g.** Kenya's 2019 census involved special measures to ensure participation from nomadic tribes.

Telecommunications Rules, 2024

Why in News?

- ❖ The **Department of Telecommunications (DoT)** has recently notified the '**Telecommunications (Administration of Digital Bharat Nidhi) Rules, 2024**', which aim to enhance the management and implementation of the Digital Bharat Nidhi initiative.

The **Universal Service Obligation Fund (USOF)**, created under the Indian Telegraph Act of 1885, has been rebranded as the **Digital Bharat Nidhi** under Sec 24(1) of the Telecommunications Act of 2024.

Key Provisions of the New Rules

- The newly notified rules outline the administrator's powers and the criteria for **implementing and managing funds** for the schemes and projects under the Digital Bharat Nidhi.
- Funds will prioritise improving telecom services in **underserved and remote areas**, supporting women, persons with disabilities, and **economically weaker sections**.
- The rules encourage innovation, indigenous technology development, and sustainable practices, fostering collaboration between academia, research institutes, start-ups, and industry.
- **Implementers receiving funds** for establishing, operating, maintaining, or expanding a telecommunication network must provide telecommunication services on an open and non-discriminatory basis.

Impact of the DPDP Act on the RTI Act

The **Digital Personal Data Protection Act (DPDP), 2023** has sparked concerns about its potential to weaken the **Right to Information (RTI) Act**.

Key Concerns

- **Amendment to Section 8(1)(j) of RTI:** The proposed change **prevents disclosure of public officials' personal information** under the RTI Act, disregarding larger public interest.
- **Weakened Public Scrutiny:** Public Information Officers (PIOs) will lose discretion in determining whether personal information can be disclosed based on public interest.
- **Niti Aayog's Opposition:** Niti Aayog flagged that the amendment would weaken the RTI Act by removing the public interest clause and recommended revising the provision.

- **Government Justification:** The government argues that the right to privacy, being a fundamental right under the Constitution, should extend to public officials.
- **Opposition and Civil Society Criticism:** Opposition parties and activists criticised the amendment during consultations and parliamentary debates, arguing it undermines transparency.

Challenges

- **Reduced Transparency** limits public access to information that may reveal wrongdoing by public officials. E.g. Investigations into corruption may be hindered due to non-disclosure of personal information.
- **Weakened Accountability:** Public officials may evade scrutiny, reducing their accountability for actions taken in their official capacities.
- **Potential Misuse of Privacy Protections:** Privacy provisions may be misused to shield public officials from legitimate inquiries, affecting governance and trust.
- **Conflict between Privacy and Transparency:** Balancing the right to privacy with the need for transparency and accountability in governance remains a complex issue.
- **Weakening of RTI Framework:** The foundational principles of the RTI Act, which promote transparency, may be undermined, leading to reduced effectiveness.

Way Forward

- **Balance Privacy and Transparency:** Introduce **safeguards** that allow disclosure in cases where the **public interest clearly outweighs** privacy concerns. E.g. In **United Kingdom**, the **Freedom of Information Act** allows the disclosure of personal data if it serves a legitimate public interest.
- **Strengthen Oversight:** Allow independent bodies, such as the Information Commissions, to decide on cases where public interest may warrant disclosure. E.g. In **New Zealand**, the **Office of the Ombudsman** reviews requests for information under the Official Information Act.
- **Clarify Amendments:** Ensure amendments to the RTI Act clearly define conditions under which public officials' information can remain disclosed.
- **Public Consultation and Revision:** Reopen consultations to address stakeholder concerns and revise provisions to maintain the integrity of the RTI Act.
- **Enhanced Training for PIOs:** Equip Public Information Officers with training on how to navigate privacy and public interest conflicts under the new law.



Temple Governance in India

The **Tirupati laddoo issue** has reignited discussions about government control of temples.

History Temple Control in India

- **Ancient Patronage:** Temples served as cultural and economic centres, often funded by kings and wealthy patrons who donated land and resources, establishing them as significant societal institutions.
- **Colonial Interference:** The **British colonial government** viewed temples as sites of **wealth and influence**, enacting laws between **1810** and **1817** to gain oversight and control over their administration.
- **Religious Endowments Act of 1863:** This act addressed corruption and misappropriation of temple funds by transferring management from local leaders to government-appointed committees.
- **Madras Hindu Religious Endowments Act of 1925:** Formalised government oversight of temples in southern India, allowing for extensive regulation and control over temple finances and administration.
- **Post-Independence Continuity:** Independent India retained much of the legislative framework established during colonial rule, with various states enacting similar laws to maintain control over temples.
- **Social Integration Argument:** It was argued that oversight was necessary to ensure **inclusivity in temple access** & management and promote social harmony among different castes & community groups.

Current Governance Structure of Hindu Temples

- **State Control:** Many Hindu temples are managed by state governments, which have enacted laws to regulate temple administration and finances.
- **Dedicated Departments:** States like Tamil Nadu have established specific departments, such as the Hindu Religious and Charitable Endowments Department, to oversee temple operations.
- **Government-Appointed Boards:** Temples are often governed by boards or trusts that include government representatives or officials, giving the state significant influence over decision-making.
- **Revenue Sharing:** State governments typically share temple income from offerings and donations, using the funds for temple maintenance and various welfare activities.
- **Legal Framework:** Temple governance is guided by laws rooted in colonial legislation, with provisions for oversight and regulation under the Concurrent List of the Constitution.

Demands for Community Management

- **Historical Resolutions:** Hindu organisations have advocated for restoring temple control to local communities since 1959, emphasising grassroots governance.

- **Political Advocacy:** Hindutva groups have increasingly called for legislative changes to free temples from government oversight, framing it as a restoration of cultural heritage.
- **Protests and Campaigns:** Throughout the years, various protests led by religious leaders and local communities have highlighted grievances against government control and advocated for autonomy.
- **Recent Legislative Attempts:** Some state governments have initiated or withdrawn laws to loosen state control over temples in response to public pressure.
- **Public Sentiment:** Growing public sentiment against perceived government overreach in temple management has fueled calls for reforms, with many arguing for upholding religious freedoms.
- **Tirupati Controversy as a Catalyst:** The recent controversy surrounding the **Tirupati laddoo** has intensified demands for temple autonomy. Hindutva organisations use it as a rallying point to argue that government control undermines religious significance and local traditions.
- **Public Sentiment:** Growing public sentiment against perceived government overreach in temple management has fueled calls for reforms, with many arguing for upholding religious freedoms.
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Judicial Viewpoint

- **Reluctant Intervention:** Courts **typically avoid** interfering in temple management, upholding laws that permit state regulation.
- **Fundamental Rights:** The SC acknowledges religious denominations' fundamental right to manage their affairs, subject to reasonable state regulation.
- **Public Welfare Justification:** Courts often justify state oversight by citing concerns about mismanagement and corruption, emphasising the need for regulation in the public interest.
- **Status Quo Maintenance:** Recent rulings have supported existing government control, suggesting it helps temples serve broader societal needs.
- **Key Case Precedents:** Cases like the **Shirur Mutt case** established that laws removing management rights from religious groups can violate **Article 26** of the Constitution.



23rd Law Commission

The Union government of India has established the **23rd Law Commission** for a period of **three years** (2024 to 2027).

Composition of the Commission

- The Commission will have a full-time chairperson, four full-time members, ex-officio members, the Secretary of the Legal Affairs and Legislative Departments, and up to five part-time members.
- The government has **not yet appointed** (to be done by the Appointments Committee of Cabinet chaired by the Prime Minister) the members of the commission.
- The chairperson and members can be **serving judges of the Supreme Court or High Courts**, or other **qualified individuals**, as seen in previous Law Commissions. Usually, the chairperson is a **retired judge**.

Key Responsibilities of the 23rd Law Commission

- Identify **obsolete** laws which can be repealed to streamline the legal system.
- Conduct **audits of laws that affect the poor** to ensure that legislation is fair and beneficial to all.
- Provide its views on any law referred by the **Ministry of Law and Justice**.
- Examine existing laws in light of the **Directive Principles of State Policy**. It will suggest ways to improve and reform these laws and propose new legislation to implement the Directive Principles.
- Examine the **impact of globalisation on food security and unemployment**. It will recommend measures to protect the interests of marginalised groups in the face of these global trends.
- Reviewing the **judicial administration system** to make it more responsive to contemporary demands.

- The **22nd Law Commission**, set up in February 2020, had its chairperson and members appointed in November 2022. It was working on reports regarding the Uniform Civil Code and **simultaneous elections**, but these were not completed before its term ended on August 31, 2023.
- The 22nd Law Commission recommended **retaining Section 124A** of the Indian Penal Code, the **sedition law**, citing internal security threats like Maoism, militancy, terrorism, and the Khalistan movement. It also **proposed amendments** to clarify its usage.

About Law Commission

- A **non-statutory body** established by the Union Ministry of Law and Justice (gazette notification).
- Since Independence, 22 Law Commissions have submitted 289 reports, many of which have shaped key Indian laws. E.g. **the Code of Criminal Procedure (1973) and the Right to Education Act (2009)**.
- The recommendations of the commission are not binding on the government.



- The Law Commission is usually chaired by a retired **Supreme Court or High Court judge**. Its members include legal scholars and sometimes serving judges.

Rights of the Accused in Recent PMLA Cases

In a series of decisions, the Supreme Court has emphasised the rights of individuals accused of money laundering despite the strict arrest and bail provisions under the **Prevention of Money Laundering Act, 2002 (PMLA)**.

- In **Vijay Madanlal Choudhary vs. Union of India (2022)**, all challenged PMLA provisions were upheld, including restrictive bail conditions and the Enforcement Directorate's (ED's) broad powers. However, these powers have recently been limited through small interventions.

On the Grounds of Arrest

- **Section 19 of the PMLA** allows the ED to arrest someone if it has reason to believe they are guilty of money laundering. The accused must be promptly informed of the arrest grounds.
- In the **Vijay Madanlal case**, the court ruled that the ED is not required to give the accused a copy of the Enforcement Case Information Report, only to inform them of the arrest grounds.
- In **Pankaj Bansal v. Uoi (2023)**, the SC noted that arrest grounds were given orally or in writing. Under Article 22 of the Constitution, the court ruled that the accused has a fundamental right to be informed of the arrest grounds in writing; otherwise, the arrest is illegal.

On Bail for Undertrials

- **Section 436A of the Criminal Procedure Code, 1973**, mandates bail for anyone detained for half the maximum imprisonment time for their offence during trial or investigation.
- In the **Vijay Madanlal Case**, the bench ruled that this applies to PMLA cases, too. The court affirmed this in **Ajay Ajit Peter Kerkar vs. Directorate of Enforcement**.
- **Section 436A** has been replaced by **Section 479** of the **Bharatiya Nagarik Suraksha Sanhita, 2023**, which affects PMLA cases. E.g., a new section states that bail provisions do not apply if multiple offences or cases are pending, which is common in money laundering cases.

On 'Need and Necessity to Arrest'

- The SC granted interim bail to Delhi CM, who argued that his arrest under **Section 19** of the PMLA was illegal since the ED had the material in July 2023 but arrested him only in March 2024.
- As **Section 19(1)** provides that the ED must have "reason to believe" that the accused is "**guilty**", the court stated that these reasons must be strong and in the form of "**evidence admissible in court**".
- The court also referred to a five-judge bench on the issue of whether "**need and necessity to arrest**" is a valid ground for challenging an arrest under the PMLA.



On Relaxing 'Twin Conditions'

- **Section 45 of the PMLA** sets stringent “**twin conditions**” for bail, requiring the accused to prove they haven’t committed an offence (reversing the standard burden of proof in criminal cases) and won’t commit any while on bail.
- However, while granting bail to Delhi Deputy CM in the Delhi excise policy case, the SC held that these conditions could be relaxed if the accused has undergone a long period of incarceration.
- The SC stated that the **right to a speedy trial** and personal liberty are sacrosanct.

On Bail Exception for Women

- The SC granted bail to **K Kavitha** in the excise policy case and applied **Section 45 of PMLA**. Section 45 states that a person under 16, a woman, and the sick or infirm may be released on bail if the Special Court so directs.
- The SC bench rejected the Delhi HC’s bail denial for Kavitha based on her being “well-educated” and not a “vulnerable woman”.

On Confession to ED Officer

- **Section 50 of the PMLA** allows the ED to summon anyone for statements during an investigation.
- In the **Vijay Madanlal Case**, the court ruled that this does not violate the right against self-incrimination under **Article 20(3)** of the Constitution.
- Under Section 25 of the Evidence Act, 1872 (now **Section 23** of the **Bharatiya Sakshya Adhiniyam, 2023**), confessions made to police officers are **not admissible as evidence** during trial.
- In **Prem Prakash vs. Uoi (2024)**, the SC stated that a person in custody may not act with a free mind. It cited past SC judgments, which held that evidence obtained through **coerced testimony violates the right against self-incrimination**.

State Amendments to Rape Laws

The West Bengal Assembly has passed the **Aparajita Bill**, mandating the death penalty for rape cases, aligning with recent in Andhra Pradesh (**Disha Bill**) & Maharashtra (**Shakti Bill**).

Key Provisions of the Bills

- All three bills—**Aparajita, Disha, and Shakti**—introduce the death penalty as a potential punishment for rape, particularly in cases involving severe injuries or death to the victim.
- Each bill establishes **special courts and task forces** to handle these matters. The bills also impose strict timelines for completing investigations and trials.
- Beyond the death penalty, the bills also introduce various measures like **increased penalties for repeat offenders**, stricter regulations for social media platforms, and measures to **protect the identity of victims** to enhance the protection of women and children.



Need for Presidential Assent

- Criminal law and criminal procedure are included in the **Concurrent List** (outlines subjects on which both the union and state governments can legislate) on the **7th schedule** of the constitution.
- When a state law amends a central law in a manner that conflicts or is inconsistent with the original legislation, it is considered "**repugnant**". It requires the President's assent to come into force.
- **Article 254** of IC stipulates that if a state law is inconsistent with a central law, the central law shall prevail. However, if the President gives his assent to the state law, it will take precedence over the central law to the extent of the inconsistency else it will be invalidated.

Development via District Mineral Foundation

India's mineral ecosystem is transforming, balancing economic growth with local welfare by establishing **District Mineral Foundations (DMFs)**.

Genesis of DMF

- In 2014, India's mineral allocation process came under scrutiny following a report by the CAG. This led to a significant policy shift in 2015 when the government amended the **Mines and Minerals (Development and Regulation) Act** and introduced the DMF.
- DMF is funded by contributions from **mining licensees** and **leaseholders** and was designed to address the vision of including **local communities as stakeholders** in natural resource-led development.

Progress of DMFs

- The primary goal of **PM Khanij Kshetra Kalyan Yojana (PMKKKY)** is to implement **development and welfare projects** in mining-affected areas. It aims to **minimise the negative impacts of mining** activities and ensure sustainable livelihoods for affected communities. The DMF has amassed a corpus of nearly **₹1 lakh crore**, funding approximately three lakh projects across 645 districts in 23 states.
- DMFs also foster **skill development and entrepreneurship**. E.g. In **Odisha**, women from SHGs are emerging as skilled artisans and budding entrepreneurs. In **Katni, Madhya Pradesh**, young individuals are mastering drone technology, which is opening up new employment opportunities.

Innovation and Cooperation

- As part of India's '**whole of government**' approach, DMFs are powerful tools for **inclusive governance**, transforming historically underserved regions by leveraging the country's mineral wealth.
- DMFs exemplify **cooperative federalism**, with District Collectors playing a pivotal role in fund allocation based on local needs. The introduction of **National DMF Portal** has **digitised administration** & oversight, enhancing transparency & operational efficiency.



- The government is aligning DMF operations with central & state schemes, especially in aspirational districts, to help achieve SDGs.

Right to disconnect

The idea of a "**Right to Disconnect**" law is gaining traction globally but faces challenges in India's competitive economy. The **Right to disconnect** law allows **employees to ignore communications after hours** if they choose to without fear of punishment from their bosses.

Challenges

- **Cultural Resistance:** In a competitive economy like India's, where work is often tied to identity and pride, there may be resistance to disconnecting from work.
- **Implementation Difficulties:** Ensuring compliance with the Right to disconnect could be challenging, especially in sectors where constant connectivity is expected.
- **Potential Impact on Performance:** Critics argue that disconnecting could hinder productivity and innovation, especially in high-performance environments where constant engagement is valued.
- **Lack of Legislative Framework:** Currently, **India lacks specific legislation** recognising the Right to disconnect, making it difficult to enforce such a policy effectively.
- **Sector-Specific Variations:** The effectiveness of the Right to disconnect may vary across different sectors, with some industries more reliant on after-hours communication than others.
- **Need for Tailored Solutions:** A one-size-fits-all approach may not work; solutions need to be tailored to India's unique economic and cultural context, considering the diverse nature of its workforce.

Benefits

- **Improved Work-Life Balance:** Empowers employees to set boundaries between work and personal life, allowing them to prioritise well-being and family time.
- **Increased Productivity:** Adequate rest and downtime can lead to higher productivity during working hours, as they return refreshed and focused.
- **Better Focus and Creativity:** Time away from work allows individuals to engage in activities that foster creativity and personal growth, enhancing overall performance.
- **Employee Retention and Satisfaction:** Organizations prioritising work-life balance through the Right to disconnect are more likely to attract and retain talented employees, resulting in higher job satisfaction.

Rule 170 of the Drugs and Cosmetics Rules, 1945

The Supreme Court **stayed** an AYUSH Ministry **notification that "omitted" Rule 170 of the Drugs and Cosmetics Rules, 1945.**



- The SC stated that the notification directly contradicted an SC order in a case that originated from misleading ads by Patanjali Ayurveda, which directed advertisers to submit self-declarations ensuring no false claims before media promotion.

What is Rule 170?

- **Rule 170** was introduced by Government of India in 2018 to **regulate the manufacture, storage, and sale of Ayurvedic, Siddha, and Unani medicines** and **control inappropriate advertisements**.
- The rule requires AYUSH drug manufacturers to **obtain approval** and a **unique ID from the state licensing authority before advertising**. The manufacturers must provide details, including textual references, rationale, evidences of safety, effectiveness, and drug quality.
- The rule states that applications will be **rejected if**:
 - ❖ The manufacturer does not provide their contact details
 - ❖ If the contents of the advertisement are obscene or vulgar, promote sexual organ enhancement products, depict photographs or testimonials from celebrities or government officials, refer to any government organisation, give false impression or make misleading or exaggerated claims.

Challenges to Regulate AYUSH Drugs

- While allopathic drugs require extensive trials for approval (Phases I-III) as per the Drugs and Cosmetics Act, such **trials** are **not necessary** for **AYUSH drugs** for approval.
- Most AYUSH drugs can be approved based on authoritative texts, **except for** those with about **60 specific ingredients** (like **snake venom, snakehead, and heavy metals** such as arsenic and mercury and compounds such as **copper sulphate**), which require safety and effectiveness-proof.

Universal Basic Income Debate in India

The idea of a **Universal Basic Income (UBI)** is debated, especially due to **jobless growth**.

- The International Labour Organisation (ILO)'s recent **World Employment and Social Outlook** links decreased job growth and increased **automation** and **artificial intelligence (AI)**.

Jobless growth → Rise in output and labour productivity without a proportional increase in employment.

UBI in India

- It is a universal system covering **basic needs**, providing a **base income** regardless of employment status.
 - ❖ India currently implements various forms of "semi-UBI": Cash transfer schemes for farmers and women
 - ❖ State-level cash transfers for unemployed youth



The Arguments: UBI or Social Safety Nets?

- As people lose jobs or don't have adequate incomes, **demand decreases**, which stunts economic growth.
- UBI addresses this by providing income to those without employment, thus stimulating demand.
- UBI can help bridge the gap in **income inequality**, particularly in the face of technological disruptions. **Increasing direct taxes** could fund such a program. India's **direct tax-to-GDP ratio** is **6.25%**, much lower than in developed countries. Raising this ratio is feasible and necessary.

For Social Safety Nets

- Giving money without work could harm the dignity of individuals and create societal divisions. **Generating employment should remain a priority** to maintain dignity and social harmony.
- India may not be ready for a full-fledged UBI but should instead focus on **universalising social safety nets**, which are currently uneven across states. The multiplier effect of rural housing schemes in creating employment and stimulating core sectors like steel and cement.
- The failure to generate employment is a flaw, leading to the need for **social safety nets**.

Supreme Court's Reference to CBI as a 'Caged Parrot'

Supreme Court has used the metaphor of a "**caged parrot**" twice in the last decade for **CBI**.

- In granting bail to Delhi CM in the **CBI's Delhi liquor policy case**, Justice Ujjal Bhuyan urged the agency to dispel this perception, calling for it to be seen as an "**uncaged parrot**."

'Caged Parrot' Metaphor

- Originated from the Supreme Court's **2013 Coalgate case hearings**, where **Justice R M Lodha** criticised the **CBI** for alleged **political influence**.
- The case stemmed from a **2012 CAG report** revealing **coal block allocations** between 2004 and 2009 without competitive bidding, leading to a presumptive loss of ₹1.86 lakh crore.
- Following a complaint, the **CVC** ordered a **CBI probe**, and a **2013 Parliamentary report** flagged **unauthorised allocations** from 1993 to 2008, prompting the SC to set up a special court for the cases.

It was revealed that the **CBI had shared its draft report** with political leaders and officials from the Ministry of Coal and PMO. The **CBI Director's affidavit** disclosed that the Law Minister and others made significant changes to the report.

Criticism of the Functioning of CBI

- **Political influence:** Criticised for being influenced by ruling party leaders, undermining its independence.
- **Outdated Legal Framework:** Inefficiencies due to the absence of a modern governing framework.



- **Public Scrutiny:** Criticised for handling high-profile cases poorly, leading to a loss of public trust.
- **Agency's involvement** in controversial cases, such as the **Bofors scandal** and the **Coalgate scam**, has raised questions about its integrity, transparency, and effectiveness.
- **Credibility:** In **2018**, a public feud between its director and his deputy exposed corruption and bribery allegations, severely damaging the agency's **credibility**.

Reforming the Process of Judicial Appointments

According to the **Department of Justice** report, as of April 2024, over **60 lakh cases** were pending in various High Courts, with **30% of judicial seats vacant**.

Collegium System vs. NJAC

- The Supreme Court struck down the **National Judicial Appointments Commission (NJAC) Act, 2014**, and the **99th Constitution Amendment**, arguing that they would undermine judicial independence.
- NJAC proposed replacing the collegium system. However, NJAC was struck down by the Supreme Court, raising concerns about **judicial independence**, **compromising impartiality**, and **government control**.

Article 50 of the Indian Constitution (under **DPSP**) requires the state to separate the judiciary from the executive in public services.

International Models of Judicial Appointments

- **United Kingdom:** The Judicial Appointments Commission, established by the Constitutional Reform Act (2005), includes 15 members from the judiciary, legal professions, etc., ensuring balanced nominations.
- **South Africa:** The **Judicial Service Commission (JSC)** advises the President on appointments and comprises the Chief Justice, the President of the Supreme Court of Appeal, the Minister of Justice, legal professionals, representatives from the National Assembly and the President.
- **France:** Judicial appointments are managed by the **High Council of the Judiciary**, with lower court appointments also involving consultation with the **Minister of Justice**, incorporating diverse stakeholders.

Reworking the NJAC

- The NJAC had the potential to **streamline judicial appointments** through its democratic structure. In contrast, the current collegium system **lacks transparency** and may allow **favouritism**. Reworking the NJAC could offer a more efficient method of appointing judges while maintaining judicial independence.
- It is essential to incorporate judiciary, executive, and civil society feedback to balance efficiency and integrity in judicial appointments.



- A reformed NJAC could **foster better communication** between the different branches of government and address the perceived drawbacks of the collegium system.

One Nation, One Election (ONOE)

One nation, one election (ONOE) refers to holding simultaneous elections across country.

- This means that:
 - ❖ **Lok Sabha** and **all state assemblies** elections across India will be held simultaneously.
 - ❖ Voters will vote for LS and the state assemblies' elections on a **single day**, simultaneously (or in a phased manner, as the case may be).

Present Status of Elections in India

Currently, elections to the state assemblies and the LS are held **separately**, i.e., after the incumbent government's five-year term ends or when it is dissolved for various reasons.

History of Simultaneous Elections in India

- Lok Sabha and state legislatures went to polls together in **1952, 1957, 1962** and **1967**. The synchronised cycle was **first broken in Kerala** in July **1959**, when the Centre imposed the **President's rule**.
- The premature dissolution of some SLAs in 1968 and 1969 again disrupted the cycle. At present, SLA elections in **Andhra Pradesh, Odisha, Arunachal Pradesh, and Sikkim** are held **together** with LS polls.

Arguments in Favour of Simultaneous Elections

- Reduces enormous **costs** involved in separate elections.
- Boosts **voter turnout** as it will be more convenient for them to cast votes simultaneously.
- Helps ruling parties to **focus on governance** instead of being constantly in election mode.
- Increases **efficiency** in administration as administrative duties are affected by elections.
- Reduces the negative impact on governance due to the **Model Code of Conduct**.

Arguments against Simultaneous Elections

- **Against multi-tiered governance system:** Elections for different levels allow voters to hold their representatives accountable for their specific grievances.
 - Reduce the government's **accountability** to the people, as elections will occur once every five years.
 - **Regional parties** may **not compete** with **national parties** in terms of election expenditure and election strategy. It contradicts India's **federal** nature.
 - Complications would arise:
 - ❖ If any of the governments were to collapse before completing its term.



- ❖ If the Parliament dissolves before its five-year term.

Proposed two bills

First Bill

- This includes holding simultaneous Lok Sabha and Assembly elections.
- **Constitutional Amendment:** According to the **Kovind panel**, this bill would require a "**special majority**" in both the Lok Sabha and Rajya Sabha. This means that the bill would need to be passed by two-thirds of the members present and voting in each house.
- **No Ratification Required:** This bill would not require ratification by the state assemblies. This is a departure from the usual procedure for constitutional amendments, which typically require the approval of at least half of the states.

Second Bill

- This bill seeks to mandate that local body elections are held within 100 days, ensuring timely elections and preventing delays.
- **Constitutional Amendment:** Like the first bill, it requires a "**special majority**" in both the Lok Sabha and Rajya Sabha.
- **State Approval:** Unlike the first bill, this requires ratification by **more than half of India's states**, emphasising the significance of local self-governance and state involvement in local election matters.

Appointment of Chief Justice of India (CJI)

Justice Sanjiv Khanna will be the next **51st** Chief Justice of India (**CJI**).

- Though the office of the **CJI** is constitutionally mandated under Article **124 (1)**, it **does not specify** a detailed procedure for appointing the CJI.
- **Convention:** The outgoing CJI traditionally recommends their successor strictly based on seniority—not age, but the duration of service in the Supreme Court.
- **Government's Role:** The Central government does not directly appoint the CJI. The Union Law Minister seeks the incumbent CJI's recommendation and forwards it to the PM, who then advises the President.
- **Eligibility for CJI:**
 - ❖ Must be an Indian citizen
 - ❖ Must have at least five years of experience as an HC Judge or in succession across multiple HCs OR at least ten years of experience as an advocate in an HC or succession across multiple HCs Or must be a distinguished jurist, in the President's opinion.
- **Appointment:** CJI is appointed by the President under Article 124(2) of the Constitution.



- ❖ Whenever there is any doubt about the senior most Judge's fitness to hold the office of the CJI, consultation with other Judges, as envisaged in Article 124 (2) of the Constitution, would be made for the appointment of the next CJI.
- **Tenure:** IC does not specify a fixed tenure for SC judges. However, it states that a judge serves until the age of 65. Any questions regarding a judge's age are to be determined by an authority and manner provided by Parliament.
- **Removal:** The CJI can only be removed by an order from the President following an address by Parliament, supported by a special majority (i.e., a majority of the total membership of each House and at least two-thirds of the members present and voting).
- ❖ **Grounds for removal:** Proven misbehaviour or incapacity (Article 124(4)).

⇒ In 2019, the SC ruled that the office of Chief Justice of India (CJI) comes under the Right to Information (RTI) Act, 2005.

Assam Accord & Section 6A

A **five-judge Constitution Bench** of the SC **upheld** by a **4-1 majority** the unique process for granting **citizenship** to migrants who entered **Assam until March 24, 1971**.

- **Articles 5-11 (Part II)** of IC define **citizenship** at the commencement of the Constitution.
- **Assam Accord (1985)** is a historic agreement signed between the **Government of India** and **Assamese leaders** to address concerns about illegal immigration from Bangladesh.
- **Cut-off Date for Citizenship:** Migrants who entered between **January 1, 1966**, and **March 24, 1971**, were **allowed conditional stay** but faced **temporary exclusion** from **electoral rolls**.
- **Section 6A of the Citizenship Act (1955):** According to **Section 6A**, **any person** migrating to Assam **after March 24, 1971**, is considered an **illegal immigrant** and is **ineligible for Indian citizenship**.

Pros of Assam Accord and Section 6A

- **Cultural Protection:** **Clause 6** of the **Assam accord** specifically mandates constitutional safeguards to protect their **cultural, social, and linguistic identity**.
- **Legal Framework for Citizenship:** **Section 6A** of the **Citizenship Act (1985)** clearly defines citizenship in Assam, establishing **March 24, 1971**, as the cut-off date.
- **Parliamentary Authority:** The **2024 Supreme Court ruling** affirmed **Parliament's power** under **Article 11** to legislate on citizenship matters. **Cultural Protection:** **Clause 6** of the **Assam accord** specifically mandates constitutional safeguards to protect their **cultural, social, and linguistic identity**.
- **Legal Framework for Citizenship:** **Section 6A** of the **Citizenship Act (1985)** clearly defines citizenship in Assam, establishing **March 24, 1971**, as the cut-off date.



- **Parliamentary Authority:** The **2024 Supreme Court** ruling affirmed **Parliament's power** under **Article 11** to legislate on citizenship matters.

Challenges of Assam Accord and Section 6A

- **Implementation Issues:** Only **1.9 million** of **3.3 million NRC applicants** were recognised as citizens.
 - **Outdated Provisions:** Justice Pardiwala described **Section 6A** as "**temporally unreasonable**", citing the changing dynamics of migration and arguing that "**laws must evolve with the times**".
 - **Post-1971 Migrants** are treated as **illegal immigrants** as per section 6. Reports indicate that approximately **1.3 million** individuals face the risk of statelessness due to this cut-off.
 - **Potential for Discrimination:** SC acknowledged that "**differential treatment must be justifiable**" under section 6A, challenging **Article 14's** guarantee of equality before the law.
 - **Conflicts with Other Laws:** CAA 2019 introduced **Section 6B**, granting **citizenship** to **non-Muslim migrants** from Pakistan, Afghanistan, and Bangladesh, with a **cut-off date of December 31, 2014**.

Way forward

- **Strengthening Implementation Mechanisms:** Establish a robust mechanism for detecting illegal immigrants to improve enforcement of Section 6A. E.g. **Israel's biometric** data usage on the border.
- **Regular Review and Updating of Laws:** Justice Pardiwala emphasised the "**Doctrine of Temporal Unreasonableness**" suggesting that laws must evolve.
- **Addressing Humanitarian Concerns** by Introducing legal provisions to **assist migrants excluded after 1971**, balancing humanitarian needs with national security.
- **Harmonizing CAA and Section 6A:** Resolve legal contradictions between **Section 6A** and the **Citizenship Amendment Act (CAA)** through legislative review or constitutional amendment.
- **Implement constitutional safeguards** under **Clause 6** of the **Assam Accord** to protect Assamese culture while promoting national integration, Such as the protections granted to **Sikkim** under **Article 371F**.
- **Completion of NRC and Regular Updates:** Ensure the National Register of Citizens (NRC) process is completed transparently, with regular updates for accuracy.
- **Enhanced Border Management:** Secure and **modernise Assam's international borders** to prevent illegal immigration while fostering **legitimate trade with Bangladesh**.

Overseas Citizen of India (OCI)

MEA dispels rumours over additional restrictions on OCI cardholders.

Who is an OCI?

- The OCI Cardholder is a foreign national holding passport of a foreign country and is not a citizen of India. Thus, an OCI shall not be entitled to **the rights conferred on a citizen of India**.



- The OCI Scheme was introduced by amending the **Citizenship Act, 1955, in 2005**. The Person of Indian Origin (PIO) category was merged with the OCI category in 2015.
- There are 45 lakhs registered OCI card holders in 2023, with the maximum from the USA, followed by the UK, Australia and Canada.

Eligibility

- **A foreign national:**
 1. Who was a citizen of India on January 26, 1950, or was eligible to become a citizen on said date.
 2. Who belonged to a territory that became part of India after 15th August 1947.
 3. Who is a child or a grandchild or a great-grandchild of such a citizen.
 4. Who is a minor child of such persons mentioned above.
- **Spouse of foreign origin** of an Indian citizen or **spouse of foreign origin** of an OCI Cardholder and whose marriage has been registered and subsisted for a continuous period of not less than two years immediately preceding the application's presentation.

Who cannot become an OCI?

- An applicant, if his parents or grandparents have ever been a citizen of Pakistan or Bangladesh.
- Foreign military personnel, either in service or retired.

Benefits of OCI Cardholders

- OCI cardholders are granted **multiple entry**, multipurpose, lifelong visas for visiting India.
- **Exemption** from registration with the **Foreign Regional Registration Officer (FRRO)** or Foreign Registration Officer (FRO) for any length of stay in India.
- Entitled to general parity with NRIs for inter-country adoption of Indian children, for airfares in the domestic sector and for practising professions such as doctors, CAs, advocates and architects.
- Can appear for all India entrance tests such as NEET.
- Parity with domestic Indian visitors regarding entry fees for visiting national parks and wildlife sanctuaries in India.

OCI cardholder is not entitled to

- To vote
- To be a member of the Legislative Assembly/Legislative Council or Parliament.
- Cannot hold Constitutional posts such as President, Vice President, Judge of SC or High Court. **Not** entitled for appointment to **public services** & posts in connection with the affair of the Union/State.
- **Cannot** acquire **agricultural land** or farmhouse or plantation properties in India.

Latest rules regarding OCIs

- The 2021 notification placed the following restrictions on OCIs:



1. Requirement for OCIs to secure a special **permit to undertake “any research”**, to undertake any **“missionary” or “Tablighi” or “journalistic activities”** or to **visit any area in India notified as “protected”, “restricted” or “prohibited”**.
2. Puts OCIs at par with **“foreign nationals”** in respect of “all other economic, financial and educational fields” for purposes of Foreign Exchange Management Act, 2003. (Earlier, they were equated to NRIs).

Indian and American Constitution

India, the **largest democracy**, and the **USA**, one of the **oldest democracies**, demonstrate how their constitutions effectively act as a guide for their political systems.

Similarities between Indian and American Constitutions

- **Foundation of Democratic Governance:** India’s **Preamble** emphasises justice, liberty, equality, and fraternity, while the US’s Preamble outlines the purposes of **governance** for the people.
- **Framework for Fundamental Rights:** Articles 12-35 of the Indian Constitution detail Fundamental Rights, and the US **Bill of Rights** enumerates specific protections for individual freedoms.
- **Federal Structure:** Both constitutions embody a **federal system**, delineating powers between central and state governments and facilitating a division of responsibilities.
- **Separation of Powers: Article 50 (DPSP)** of the IC emphasises the **separation of the judiciary**, and Articles I-III of the **U.S.** Constitution define the roles and powers of each government branch.
- **Amendment Process** allowing for legal adaptations over time. **Article 368** of Indian Constitution and **Article V** of U.S. Constitution describes the amendment process.
- **Independent Judiciary:** Indian Constitution’s **Articles 124-147** outline the structure and powers of the Supreme Court and High Courts and U.S. Constitution: **Article III** establishes the **judiciary**.
- **Bicameral Legislature: Article 79** Indian Constitution establishes the Parliament, consisting of **Lok Sabha** and **Rajya Sabha** and US’s **House of representative** and **Senate**.
- **Both affirm national sovereignty** and the supremacy of their constitutions as the highest law of land.

Key Differences between Indian and American Polity

- **Political System:** While India operates under a **multi-party system** reflecting its diverse society, the U.S. primarily functions as a **two-party system** dominated by the Democratic and Republican parties.
- **Fundamental Rights** India guarantees **social and economic rights** alongside civil liberties in Articles **12-35**. The U.S. focuses mainly on **individual freedoms** through the Bill of Rights.



- **Emergency Provisions:** The Indian constitution contains **explicit provisions (Articles 352, 356, 360)** for declaring emergencies, while the U.S. lacks formal emergency provisions.
- **Judicial Structure:** India has a **unified judiciary** with the Supreme Court at the top, while the U.S. has a **dual court system** comprising federal and state courts.
- **Judicial Appointments:** Judges are **appointed by the President** based on collegium recommendations, while U.S. Federal judges are **nominated by the President** and confirmed by the Senate.
- **Role of Religion:** The Indian Constitution recognises **secularism** but allows for personal laws based on religion, but the U.S. Constitution mandates **strict separation of church and state**.

Industrial Alcohol regulation

SC (9-judge bench) upheld the **States' power to regulate industrial alcohol**.

Highlights of judgement

- **States' Right to Regulate:** SC upheld **States' authority** to regulate industrial alcohol under **Entry 8** of the **State List**, expanding "**intoxicating liquor**" to include industrial alcohol.
- **Dismissed the Centre's claim of exclusive control** under **Entry 52** of the **Union List**, affirming that states retain legislative competence over alcohol regulation, which is crucial for public health.

Challenges

- **Regulatory Overlap:** Conflicts arise between Union and State authorities over control.
- **Enforcement Challenges:** In 2021, over 20,000 illegal alcohol production cases, illustrating enforcement gaps and the need for stronger state regulations.
- **Judicial Interpretations:** The ruling overturned previous limitations on states' powers, reaffirming their authority to regulate industrial alcohol for public health.
- **Supply Chain Regulation:** States like Bihar, with prohibition laws, face challenges preventing industrial alcohol's illicit use, with significant seizures in 2023, underscoring regulatory gaps.

Implications of Industrial Alcohol Regulation

- **States with Alcohol regulatory authority** could more effectively combat illegal liquor production. For instance, Bihar seized over 11 lakh litres of illegal liquor in 2021 following its strict alcohol ban.
- **Taxation and Revenue:** Alcohol **excise duties** are crucial for state finances. In 2022, Karnataka earned ₹36,000 crore from alcohol taxes.
- **Industry Conflicts:** The **pharmaceutical sector**, valued at **\$42 billion** in 2020, relies on industrial alcohol. Stricter regulations could disrupt industrial output, affecting this critical industry.
- **Public Health Risks:** Stricter state regulations could prevent tragedies similar to the **2022 Gujarat Hooch tragedy**, which resulted in 40 deaths from illicit alcohol.



- **Federalism:** Allowing states to regulate industrial alcohol could enhance **cooperative federalism**, affirming their legislative rights under the State List and preserving the **federal balance** in India.

Way Forward

- **Establish Clear Regulations:** Create a legal framework defining Centre and State powers over industrial alcohol, avoiding overlaps and ensuring state autonomy.
- **Promote Cooperative Federalism:** States like Kerala and Maharashtra have highlighted the need for **joint strategies addressing public health** without central overreach.
- **Public awareness campaigns** like **Nasha Mukht Bharat Abhiyaan** about dangers of industrial alcohol.

MLA-LAD Scheme

The Delhi govt hiked MLA Local Area Development (MLALAD) funds by Rs. 5 crore.

About MLA-LAD Scheme

- The MLA-LAD Scheme is the **state-level** counterpart to the central government's Members of Parliament Local Area Development Scheme (**MPLAD**). Its primary objective is to address local needs by creating public infrastructure and utility assets while reducing regional development imbalances.

Key Features

- **Coverage:** Both rural and urban areas within a state.
- **Fund Allocation:** MLAs do not receive direct financial transfers under this scheme. Instead, the government allocates funds directly to local authorities responsible for executing projects.
- **Role of MLAs:** Legislators can only recommend specific developmental works within their constituencies, adhering to a set of pre-established guidelines provided by the state. District authorities manage the execution of these projects, ensuring compliances.
- **Varying Fund Allocation:** The amount allocated to each MLA varies from state to state.
- **Guideline Differences:** Each state may define its own guidelines for using MLA-LAD funds.

SARTHIE 1.0 Initiative

The **Department of Social Justice and Empowerment (DoSJE)** and the National Legal Services Authority (NALSA) jointly launched the **SARTHIE 1.0** initiative.

- It seeks to align with the **UN SDGs**, primarily concerned with **ending poverty, reducing inequality, and advancing social protection programs**.
- Additionally, it will empower the following groups: transgender people, senior folks, victims of alcoholism and other drugs, SC, ST, OBC, Denotified and Nomadic tribes, beggars, etc.

Features:

- As part of this collaboration, State Legal Service Authorities (**SLAs**) and District Legal Service Authorities (**DSLAs**) will organise public awareness campaigns across the country.
- It will raise awareness of **five significant Acts** such as:
 1. Protection of Civil Rights Act, 1955.
 2. Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
 3. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
 4. The Transgender Persons (Protection of Rights) Act, 2019.
 5. Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.

Constitutional, Statutory, and Non-Statutory Bodies

In the past decade, opposition parties have raised concerns about constitutional bodies' reputation, autonomy, and integrity.

Constitutional Bodies

- These are bodies **explicitly mentioned** in the **Constitution of India**, established to oversee essential functions and maintain checks and balances in governance.
- **Characteristics:**
 - ❖ It was **created directly** by the **Constitution**.
 - ❖ Can only be modified or dissolved through a **constitutional amendment**.
 - ❖ Operates **independently** and enjoys a high degree of **autonomy**.
- **Examples:**
 - ❖ Election Commission of India (ECI): Ensures free and fair elections.
 - ❖ Comptroller & Auditor General (CAG): Audits govt expenditures & ensures financial accountability.
 - ❖ Union Public Service Commission (UPSC): Oversees merit-based recruitment for civil services.
 - ❖ Finance Commission: Recommends tax revenue distribution between the Centre and states.
 - ❖ National Commissions for SCs, STs, and Minorities: Promotes social justice for vulnerable groups.

Statutory Bodies

- These bodies are established through a specific **law or act** of **Parliament** or **state legislatures** and perform regulatory or advisory roles within defined frameworks.



- **Characteristics:**

- ❖ It is established by a **statute (law)**, **not** directly by the **Constitution**.
- ❖ Their powers, duties, and functions are detailed in the act or statute that establishes them.
- ❖ It can be modified or dissolved through an amendment to the act.

- **Examples:**

- ❖ SEBI: Regulates the securities market and safeguards investor interests.
- ❖ National Green Tribunal (NGT): Enforces environmental protection laws.
- ❖ IRDAI: Monitors and regulates the insurance sector.
- ❖ **Central Vigilance Commission (CVC):** Investigates corruption in public administration.
- ❖ Telecom Regulatory Authority of India (TRAI): Regulates telecommunications & digital transactions.

Non-Statutory Bodies (or Executive Bodies)

- These are created by **executive resolution** or **order of the government**, not by the IC or a legislative act.

- **Characteristics:**

- ❖ The government establishes it for specific purposes.
- ❖ It can be modified, reconstituted, or dissolved by a government decision without legislative changes.
- ❖ Typically, they have an advisory or policy-implementing role rather than regulatory power.

- **Examples:**

- ❖ **NITI Aayog:** Replaced the Planning Commission to foster cooperative federalism.
- ❖ **National Task Force for COVID-19:** Formed to coordinate efforts in managing the COVID response.
- ❖ **Expert Committees and Task Forces:** Temporary bodies addressing issues like economic reform, social development, and crisis management.

Right to Information Act 2005

Satark Nagrik Sangathan's report (2023-24) has highlighted the **issues of the RTI act**, drawing attention to the urgent need for reforms.

- The **Right to Information (RTI) Act, 2005** empowers citizens to seek information from public authorities, promoting transparency, accountability, **participatory governance**, and curbing corruption.



Significance of the RTI Act 2005

- **Expose corruption, nepotism, and favouritism:** Information obtained through RTI revealed major scams, such as the **Commonwealth Games (CWG) scam** and the **Coal Allocation scam**.
- **Enhancing executive transparency** in government operations, such as the **PDS in Uttar Pradesh**, helped expose inefficiencies and leakages in the distribution of essential goods.
- **Democratic participation** grants citizens the right to question public authorities and demand accountability. Over **6 million RTI applications** are filed annually.
- **Shifting Governance from Secrecy to Openness** mandates proper record maintenance & information sharing. Many departments now regularly publish records to **pre-empt RTI queries**.
- **Strengthening Judicial Oversight** The judiciary has used RTI to strike down laws violating citizens' information rights, such as the challenge to the **electoral bonds scheme**.

Challenges to RTI Act

- **Delayed Disposal of Appeals** like that in **14 commissions**, resolving an appeal or complaint would take over a year, with fresh appeals in **Chhattisgarh or Bihar** only being addressed by **2029**.
- **Lack of Penalty Imposition:** Information commissioners impose penalties **in only 5% of eligible cases**, undermining accountability and discouraging compliance with the RTI Act.
- **Retired Bureaucrats and Political Patronage:** Many information commissioners are retired officials or politically connected individuals, leading to a reluctance to enforce transparency.
- **Vacancies in the Information Commission** hinder the functioning of RTI. According to the report, **seven out of 29 commissions** were defunct last year.
- **Exploitation of RTI** for personal gain, harassment, or to pressure public authorities rather than serving the public interest. Individuals may file **frivolous RTI requests** to gain publicity or harass officials.
- **RTI vs. Official Secrets:** Certain government functions require confidentiality for national security and public order. For example, the demand for details about the **Rafale aircraft procurement** could have exposed sensitive military information, which hostile nations might exploit.
- **Conflicts between RTI and the right to privacy** have arisen, leading to contentious policies. The government defended withholding information on electoral bonds by claiming it protects donors' privacy.
- **Low Public Awareness** among marginalised groups such as rural women and SC/ST/OBC populations. A 2019 study found that **only 15% of rural women** knew their RTI rights.
- **Executive Apathy:** The **RTI Amendment Act of 2019** reduced the autonomy of Information Commissions, reflecting the executive's indifference toward RTI.
- **Exclusion of Political Parties from RTI** undermines transparency by blocking access to crucial information on their finances and operations.

Way Forward

- **Reaffirmation of RTI as a Democratic Virtue:** The **Supreme Court** must consistently uphold the RTI as a fundamental aspect of democracy, as seen in its **verdict on electoral bonds**.
- **Local Language Accessibility:** All RTI-related information should be available in local languages to enhance comprehension and engagement among India's diverse population.
- **Mandatory Education on RTI:** Incorporating RTI education into **school curricula** will promote responsibility and active citizenship, fostering a **culture of accountability** among future generations.
- **Inclusion of Political Parties under RTI** to enhance transparency in their operations and finances, which are crucial for democratic integrity.
- **Establishment of a Code of Conduct for Information Commissioners** to guide Information Commissioners, ensuring accountability and ethical standards in their decision-making processes.
- **Maintaining the Autonomy of Information Commissions** is essential for upholding democratic values and effectively implementing the RTI Act.
- **Proactive Public Disclosures:** Government departments should embrace transparency by proactively disclosing information through official websites and other public platforms, making it readily accessible.
- **Strengthening the Election Commission's Role:** Enhancing the powers and responsibilities of the Election Commission can lead to greater accountability in political funding and processes.
- **Filling Vacancies** in information commissions at both central and state levels, following the Supreme Court's directive to ensure functional transparency bodies.

Aadhaar is Not Proof of Date of Birth

The SC ruled that Aadhaar cards **cannot be used** as **proof of date of birth (DOB)**. The case was related to compensation in cases of death under the Motor Vehicles Act, 1988 (MVA).

*The **age** is used to determine the **multiplier**. This **numerical value** reflects the deceased's future contributions to the dependents based on their potential earning capacity and life expectancy.*

Key highlights of recent judgement

- **2018 Constitutional Bench Ruling:** The SC referred to the 2018 judgment that Aadhaar primarily serves as **proof of identity, not age**. **Section 9** of the **Aadhaar Act 2016** specifies that Aadhaar does **not** establish **citizenship** or domicile rights.
- **Juvenile Justice Act, 2015: Section 94** specifies that the **matriculation** or equivalent certificate, **not Aadhaar**, should be used to determine **age**, especially in **juvenile cases**.



Legal Clarifications on the Use of Aadhaar as an Identity Document

- **Bombay High Court (2022):** In the **State of Maharashtra vs. UIDAI**, the court clarified Aadhaar's limited use as proof of identity and residence only—not citizenship or date of birth.
- **Ministry of Electronics and Information Technology (MeitY, 2018):** MeitY issued a memorandum stating that Aadhaar is **not** inherently **proof of date of birth**, as it relies on supporting documents.
- **Employees' Provident Fund Organisation (EPFO, 2024):** The EPFO removed Aadhaar from its accepted list of documents for date of birth verification in its retirement fund administration.

Evolution of Aadhaar's Mandate

- **Initial Concept:** Originally introduced by the UPA government, Aadhaar aimed to provide unique IDs to economically weaker sections to streamline access to government schemes.
- **Expansion and Legislative Journey:**
 - ❖ **Early Legislative Challenges:** Political and administrative disagreements initially delayed Aadhaar's adoption. The **National Identification Authority of India (NIAI) Bill** faced rejections and was withdrawn, primarily due to security concerns and issues over illegal immigration.
 - ❖ **2016 Passage as Money Bill:** The **Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill** was introduced in 2016 as a money bill.

Current Status

- **Voluntary Registration:** Despite being '**voluntary**', Aadhaar registration has expanded significantly.
- **Private Entities:** These are used by companies like Amazon for identity verification.
- **Mandatory for Employment:** Aadhaar made mandatory for workers under the MGNREGS.

Are Election-Time DBT Schemes Voter Bribes?

The **Mukhyamantri Majhi Ladki Bahin Yojana** in Maharashtra offers ₹1,500 monthly financial aid to poor women, raising debates about its timing and implications for electoral fairness.

Key Features of Mukhyamantri Majhi Ladki Bahin Yojana

- **Launched:** July 2024, **four months before elections.**
- **Eligibility:** Women aged **21–65** with **annual incomes below ₹2.5 lakh.**
- **Mechanism:** Direct Benefit Transfer (**DBT**) for financial assistance.
- **Comparison:** Similar to election-timed schemes in Madhya Pradesh.

Need for Such Schemes

- **Economic Independence:** Addresses financial vulnerabilities of underprivileged women and promotes reduced dependency on male family members.
- **Acknowledgement of Unpaid Work:** Recognizes domestic labour contributions.



- **Health and Nutrition:** Supplements family income to improve food and healthcare access.
- **Democratic Responsiveness:** Reflects voter concerns through tangible benefits.

Benefits of Election-Timed Welfare

- **Immediate Relief:** Provides critical support to marginalized groups.
- **Fills Welfare Gaps:** Addresses missing benefits, such as maternity aid.
- **Political Engagement:** Enhances focus on marginalized issues during elections.
- **Simplified Delivery:** DBTs are easier to implement than material-based welfare.

Need to Address Election-Timed DBT Schemes

- **Resource Misallocation:** Diverts funds from critical sectors like healthcare and education.
- **Targeting Flaws:** Weak beneficiary identification mechanisms lead to inefficiencies.
- **Corruption Risks:** Middlemen undermine the intended directness of DBT.
- **Democratic Fairness:** May give incumbent parties an undue advantage.
- **Short-Term Focus:** Prioritizes visible benefits over systemic improvements.
- **Gender Norms:** Reinforces traditional roles by compensating unpaid domestic work.

Judicial Precedents

- **S. Subramaniam Balaji Case (2013):** SC urged EC to frame guidelines for free & fair elections
- **Ashwani Kumar Case (2019):** Questioned legality of pre-election promises using public funds.

Challenges of DBT-Centric Welfare

- **Limited Livelihood Impact:** Cash transfers don't generate sustainable employment. E.g: MNREGA offers double the income compared to DBTs.
- **Banking Infrastructure:** Rural banking gaps hinder fund accessibility.
- **Inadequate Compensation:** Aid provided often fails to significantly impact lives.
- **Fiscal Burden:** Large allocations compromise other welfare initiatives.

Way Forward

- **Enhance Targeting:** Use technology for better beneficiary identification.
- **Invest in Sustainable Welfare:** Prioritize programs like MNREGA over short-term transfers.
- **Expand Welfare Budgets:** Balance DBTs with funding for health, education, and employment.
- **Voter Awareness:** Campaigns to educate voters on ethical choices.
- **Financial Oversight:** Recommendations for states' fiscal evaluation by Finance Commission.
- **Combat Corruption:** Implement audits and monitoring mechanisms.
- **Promote Gender Equity:** Focus on employment and skill development rather than compensation.



Relevant Examples and Best Practices

- **Tamil Nadu's DBT Scheme:** Acknowledges unpaid domestic work while aiding nutrition.
- **MNREGA:** Provides sustainable livelihood with a robust targeting mechanism.
- **National Food Security Act:** Lifecycle-based benefits like maternity aid and child nutrition programs.

Re-evaluating the Safe Harbour Clause

Government emphasizes revisiting Safe Harbour provisions under **Section 79 of IT Act** for a balanced & accountable digital ecosystem, aligned with India's "Viksit Bharat 2047" vision.

- ⇒ **Section 79 of the IT Act, 2000** provides a "**Safe Harbour**" provision, granting immunity to intermediaries like social media platforms from liability for user-generated content, provided they follow due diligence requirements.
- ⇒ **Safe Harbour Clause:** Grants intermediaries (e.g., social media platforms) immunity from liability for user-generated content, provided they comply with due diligence.
- ⇒ **Significance:** Enacted to promote digital growth in the 2000s, shielding platforms like X, Telegram, and Instagram from legal repercussions for third-party content.

Key Issues in Digital Media

- **Fair Compensation:** Traditional media needs fair remuneration due to digital platforms' dominance.
- **AI and Intellectual Property:** AI uses creators' data without compensation.

Government Initiatives for Media

- **National Press Day 2024** highlighted India's 35,000 registered newspapers and strong digital infrastructure with affordable data rates.
- **The Press Council of India (PCI)** promotes journalistic integrity through awards and initiatives to raise awareness among aspiring journalists.
- **PIB's Fact Check Unit** to combat fake news and Press and Registration of Periodicals Act 2023, to modernize media regulations.

Need to Revisit the Safe Harbour Clause

- **Misinformation and Fake News:** Platforms spread unchecked false information, undermining democracy and societal trust, with real-world consequences like riots and terrorism.
- **Algorithm Bias:** Algorithms promote sensational and divisive content, **increasing polarization.**
- **Impact on Democracy:** Biased content threatens democratic values and social harmony, highlighting the need for stronger accountability.
- **Localized Responsibility:** India's cultural diversity demands stricter platform responsibilities, moving beyond global norms for better regulation.



Advantages of Revisiting Safe Harbour

- **Increased Accountability:** Platforms adhere to ethical practices, reducing harmful content.
- **Strengthened Trust:** Governments and users gain confidence in a regulated ecosystem.
- **Enhanced Social Stability:** Curtailing divisive content strengthens national unity.

Challenges in Revisiting Safe Harbour

- **Balancing Regulation with Innovation:** Over-regulation could **hinder India's digital economy** and creative growth.
- **Impact on Free Speech:** Over-regulation may lead to censorship, affecting democratic expression.
- **Practical Enforcement:** Monitoring billions of real-time interactions poses logistical challenges.
- **Operational Costs:** Higher compliance & moderation expenses impact smaller players.
- **Global Comparisons:** Diverse legal frameworks worldwide complicate the implementation of unique accountability standards in India.

Way Forward

- **Replace outdated provisions of the IT Act** with the Digital India Bill for a modern regulatory framework.
- Ensure **algorithm transparency** to reveal how content is prioritized and its societal impact.
- **Define platform responsibilities** in content moderation and misinformation prevention with penalties for non-compliance.
- **Ethical algorithm design** to minimize harm by reducing biased or divisive content amplification.
- Establish ethical AI frameworks to strike a **balance between innovation** and **safeguarding creator recognition**.
- **Foster collaboration** between government, tech firms, and civil society to **create balanced solutions** and **encourage self-regulation**.
- Implement **revenue-sharing policies** to fairly compensate conventional media and original content creators.
- Develop global/ national AI policies to **address intellectual property violations** & protect creator rights.



Enhancing Public Policy Education in India

Governance in India lags behind private sector management in efficiency and effectiveness, largely due to the lack of formal training in public policy and public management.

Current State of Public Policy Education in India

- **Limited Institutions:** Only around 130 universities offer public administration programs & just 29 institutions provide public policy courses.
- **Low Demand and Batch Size:** Public policy courses often have **small batch sizes** of 20-60 students, with limited career opportunities, discouraging both students and institutions.
- **Theoretical Focus:** Public policy education **relies heavily on Western frameworks** and case studies, neglecting India's unique social, cultural, and political context.
- **Lack of Practical Exposure:** Civil servants receive **minimal training in public management** before service, with departmental induction focusing more on roles than on effective policymaking.

Why Public Policy Education is neglected?

- **Inadequate Focus:** Insufficient integration of public management education at undergraduate and postgraduate levels.
- **Minimal Exposure for Civil Servants:** Few opportunities to study public management, both pre-service and in-service.
- **Concentration of Executive Power:** Centralization of policymaking limits the role of policy analysts and commentators.
- **Weak Ecosystem:** Limited access for academia, think tanks and civil society to influence policy, coupled with instability in public life and **shifting power dynamics**.

Implications of Neglecting Public Policy Education

- **Inefficient Governance:** Poorly crafted policies hinder economic growth and public welfare.
- **Limited Citizen Participation:** Lack of awareness and understanding of policymaking processes.
- **Policy Disconnected from Local Realities:** Overreliance on top-down approaches that overlook grassroots dynamics.
- **Weak Global Standing:** India lacks globally recognized institutions like Harvard Kennedy School or London School of Economics.

Benefits of Improving Public Policy Education

- **Enhanced Governance:** Training future leaders to craft effective, adaptive policies while developing empathetic professionals attuned to local realities.
- **Economic Growth & Innovation:** Entrepreneurs with policy knowledge can navigate regulations and foster innovation.
- **Cross-Sector Collaboration:** Bridging academia, government, and civil society for holistic solutions.

- **Empowered Citizens:** Better public understanding of policies fosters engagement and accountability.

Suggestions to Boost Public Policy Education

- **Policy-Centric Ecosystem:** Facilitate a stable policy ecosystem unaffected by political regime changes.
- **Undergraduate and Postgraduate Inclusion:** Incorporate public policy education across disciplines for foundational learning.
- **Curricular Integration:** Make public management a compulsory UPSC CSE subject to incentivize academic institutions.
- **Enhanced Civil Servant Training:** Revise induction training to include comprehensive public management modules.
- **Case Study Repositories:** Create a bank of India-specific case studies for practical, contextual learning.
- **Specialized Roles and Institutions:** Develop policy analyst positions and establish a premier public policy school tailored to India's socio-political realities.
- **Innovative Learning:** Introduce **immersive programs, hybrid learning models, and intensive summer schools** for hands-on, cross-disciplinary learning.
- **Collaborative Networks:** Build partnerships across academia, civil society, bureaucracy, and media.

One Nation One Subscription (ONOS)

The Union Cabinet approved the One Nation One Subscription scheme to provide nationwide access to high-impact international scholarly research and journal publications.

- It aligns with India's vision of Viksit Bharat@2047, Atmanirbhar Bharat, and NEP 2020.
- It is Central Sector Scheme for 2025, 2026 & 2027. It responds to the PM's call for "Jai Anusandhan" to emphasise the importance of research and innovation in the Amrit Kaal.

Key Features of ONOS

- **Access to High-Impact Journals:** This includes providing access to publications from various major international journal publishers. Beneficiaries include Higher Education and central government R&D institutions.
- **Digital Access via INFLIBNET:** The Information and Library Network (INFLIBNET), an autonomous inter-university centre under the University Grants Commission (UGC), will be the central access coordinating agency. The process is designed to be entirely digital through a unified portal.
- **Target Audience:** It will benefit students, faculty members, and researchers from government institutions across tier 2 and 3 cities.



- **Promotion of Interdisciplinary Research:** The scheme will encourage core research and interdisciplinary studies by providing access to quality resources.
- **Centralised Coordination:** Department of Higher Education will administer ONOS through a portal.
- **Usage Review:** The ANRF will periodically monitor the scheme's usage and assess the output regarding publications and research contributions by Indian authors.

⇒ The Anusandhan National Research Foundation (ANRF) is a complementary initiative that promotes a research-oriented ecosystem.

US Presidential Elections

Donald J Trump was elected the 47th president of the US defeating incumbent Vice President Kamala Harris.

- The US President is both the **head of state** and the **head of government** of the United States of America. In addition, S/he is the **head of the executive branch** of government and the **commander-in-chief** of the **United States Armed Forces**.
- **Eligibility for US President:**
 - ❖ **Natural-born citizen** of the country
 - ❖ 35 years of age or older
 - ❖ Resident of the U.S. for **14 years**
- **Tenure of US President: Four Years.** In the US, a person can be the President for only **two terms**.

US Presidential Elections

- The **two main parties** (Democrats & Republicans) nominate a **presidential candidate** by holding a series of votes called state primaries and caucuses. Independent candidates, too, run for the post of President.
 - ❖ The **Democrats** are a **liberal political party** whose agenda is defined largely by its push for civil rights, a broad social safety net, and measures to address climate change.
 - ❖ The **Republicans**, known as the Grand Old Party, is a **conservative political party**. It advocates for lower taxes, shrinking the size of the government & tighter restrictions on immigration and abortion.
- US citizens who are aged 18 or over. Every state **except North Dakota** requires people to register before they can vote. U.S. votes for its President on the **first Tuesday of November**, every **four** years.

Election Process

Primaries and Caucuses

- Primaries are **State-level elections** in which political parties select their presidential candidates. They are usually held **6-9 months before** the general election, and voters choose their candidates anonymously through **secret ballots**.
- Caucuses are run by **political parties**. Here, party members select the “best candidate” through voting.

National Conventions

- National conventions are where parties select their **presidential** and **vice-presidential** candidates.
- State delegates confirm their choices through votes, and the person who gets the majority becomes the party’s presidential candidate. In case no candidate gets the majority, convention delegates participate in additional rounds of voting to choose a nominee.
- The chosen presidential candidate also announces their running mate – the **vice-presidential candidate** – at the national convention.

General Election

- Candidates of major political parties are listed on the ballot.
- Registered voters can participate in the general election even if they did not vote in the primary elections. They can also vote for any candidate, their registration with the party does not matter.

Electoral College

- The President is not elected through the votes cast by citizens but through the **electoral college** process.
- It consists of **electors from each state** who officially elect the President and Vice President.
- The number of electors from each state corresponds to its **congressional representation** (Senators and Representatives). A candidate must secure a **majority of electoral votes (270)** to win the presidency.