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By **Shashank Tyagi**

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GEOPOLITICS AT GLANCE

PASSING AWAY OF IRANIAN PRESIDENT

RELEVANCE

□ Syllabus:

- **PSIR:** West Asia
- **GS2:** Effect of Policies and Politics of Developed and Developing Countries on India's interests,



INTRODUCTION

President Ebrahim Raisi, Foreign Minister Hossein Amirabdollahian, and several other Iranian officials recently perished in a helicopter crash. Raisi was instrumental in promoting a “resistance economy” and enhancing partnerships with countries opposed to the West, such as Russia and China.

CONSERVATISM VS. REFORMISM IN IRANIAN POLITICS

Since the 1979 Islamic Revolution, Iranian politics has been characterized by a significant divide between conservatives and reformists.

- **Conservatives:** They aim to strictly adhere to the principles of Twelver Shi'ism and enforce its religious codes throughout society.
- **Reformists:** While still loyal to the Revolution, they seek more flexibility in both domestic and international affairs. This includes advocating for greater rights for women, strengthening civil society, and pursuing more conciliatory relations with the West.

Current Balance of Power: Conservatives have generally dominated Iranian politics for most of the post-Revolution period, maintaining control despite facing economic difficulties and various protests.

POLITICAL STRUCTURE OF IRAN

- 1. The Supreme Leader:** The Supreme Leader is the head of state and holds the most power in Iran. He has significant influence over the selection of presidential candidates and overarching authority over the country's governance.
- 2. The President:** The President operates under the Supreme Leader's overall authority but has substantial power in managing the country's day-to-day functions, including key foreign policy decisions. For instance:
 - ❑ **Hassan Rouhani:** During his presidency, Rouhani played a pivotal role in negotiating the Joint Comprehensive Plan of Action (JCPOA).
 - ❑ **Ebrahim Raisi:** Raisi's administration saw significant achievements like the Iran-Saudi deal facilitated by China, and he promoted the 'Axis of Resistance,' a coalition led by Iran.
- 3. Clash of Authorities:** The Supreme Leader's authority is generally paramount, but conflicts have occurred, especially during reformist governments, where clashes between the Supreme Leader and the President have arisen.

IMPLICATIONS FOR IRANIAN POLITICS

- 1. Succession and Power Struggle:** Raisi was considered a protégé of the 85-year-old

Supreme Leader Khamenei, though he was not assured of becoming his successor. Raisi's death alters the succession landscape, potentially leading to a more contentious power struggle.

- 2. Appointment of Acting President:** Following constitutional procedures, Mohammad Mokhber has been appointed as the acting President.
- 3. Upcoming Election and Transition Efforts:** An election is set to occur within 50 days, with the establishment likely to focus on ensuring a smooth transition. Conservatives may attempt to bolster their influence during this period.
- 4. Policy Changes:** Significant policy changes are unlikely in the short term, as Acting President Mokhber is closely aligned with Raisi's policies.
- 5. Foreign Policy:** Raisi and Foreign Minister Amir Abdollahian had made Iran's foreign policy more confrontational, which Iran considered effective in challenging the West. There might be a temporary pause in this approach following Raisi's death.

Since Iran's power structure remains stable, international actors, whether allies or adversaries, are not expected to significantly alter their interactions with the country. Raisi's death is seen as a tragic event that Iran is capable of managing effectively, rather than a political crisis.

VIP HELICOPTER CLASHES

RELEVANCE

☐ Syllabus:

- **PSIR:** Key Concepts in International Relations: security and power
- **GS2:** Effect of Policies and Politics of Developed and Developing Countries on India's interests,



INTRODUCTION

On May 19, 2024, the tragic crash of a Bell 212 helicopter carrying the President of Iran, Ebrahim Raisi, and Foreign Minister, Hossein Amir-Abdollahian, highlighted the risks associated with helicopter travel. This incident is the most recent in a long history of helicopter crashes that have involved politicians and high-ranking officials over the past several decades.

FAMOUS HELICOPTER CRASHES INVOLVING MAJOR PERSONALITIES

Helicopter crashes have claimed the lives of several prominent individuals globally and in India. Here is a list of notable figures who have died in such accidents:

1. **January 2024** - Former Chilean President Sebastian Pinera:
 - ☐ Former Chilean President Sebastian Pinera died from drowning following a helicopter crash in a lake in southern Chile on February 6, 2024.

2. **December 2021** - CDS General Bipin Rawat:

- ❑ India's top defense official, Chief of Defence Staff (CDS) General Bipin Rawat, along with his wife and twelve other defense personnel, died in a helicopter crash near Tamil Nadu's Coonoor on December 8, 2021.

3. **April 2011** - Arunachal Chief Minister Dorjee Khandu:

- ❑ Arunachal Pradesh Chief Minister Dorjee Khandu died in a helicopter crash on April 30, 2011. His body was found in Luguthang, near the China border.

4. **September 2009** - Andhra Pradesh Chief Minister Y S Rajasekhara Reddy:

- ❑ Andhra Pradesh Chief Minister Y S Rajasekhara Reddy, known as YSR, was found dead after his helicopter went missing on September 3, 2009. He was flying a Bell 430 to Chittoor district in Andhra Pradesh.

5. **March 2005** - Haryana Cabinet Ministers O P Jindal and Surendra Singh:

- ❑ O P Jindal, Haryana's then-power minister and noted industrialist, along with state agriculture minister Surendra Singh, died when their helicopter developed a technical snag and crashed near Saharanpur in Uttar Pradesh on March 31, 2005.

6. **March 2002** - TDP Leader G M C Balayogi:

- ❑ Lok Sabha Speaker and Telugu Desam Party leader GMC Balayogi died in a helicopter crash on March 3, 2002, in Andhra Pradesh. An official probe attributed the crash to poor visibility, leading the pilot to mistakenly land on a pond.

7. **September 2001** - Congress Leader Madhavrao Scindia:

- ❑ Senior Congress leader and former Union Cabinet Minister Madhavrao Scindia died in a Cessna aircraft crash on September 30, 2001,

while en route to Kanpur in Uttar Pradesh for a public rally.

8. **August 1988** - President of Pakistan Muhammad Zia-ul-Haq:

- ❑ President of Pakistan Muhammad Zia-ul-Haq died in a plane crash on August 17, 1988.

9. **June 1987** - Prime Minister of Lebanon Rashid Karami:

- ❑ Prime Minister of Lebanon Rashid Karami was killed on June 1, 1987, when a bomb exploded aboard a military helicopter. The explosion also injured Interior Minister Abdullah Rassi and three other individuals on board

REASONS BEHIND HELICOPTER CRASHES IN INDIA

1. **Unsafe and Harsh Weather Conditions:**

- ❑ Adverse weather conditions such as thick fog, high-speed winds, and heavy rainfall can significantly endanger helicopter flights and landings. For instance, the helicopter accident involving CDS Bipin Rawat was attributed to an unexpected change in weather conditions, leading to the pilot's spatial disorientation and subsequent crash.

2. **Misjudgements Induced by Optical Illusions:**

- ❑ Visual and depth perception distortions caused by fog and heavy rain can create optical illusions, leading to pilot misjudgements. Several helicopter accidents have occurred due to these optical illusions.

3. **Tweaking with the GPS System:**

- ❑ While GPS technology has improved navigation in poor visibility conditions, military helicopters sometimes tweak their GPS systems to avoid enemy interception or identification. This practice increases the vulnerability of helicopter flights to fatal accidents.

4. **Violation of Flight Safety Rules:**

- ❑ Pilots sometimes violate safety rules set by the Directorate General of Civil Aviation, the

Airports Authority of India, and airlines. Such violations can lead to dangerous situations and crashes.

5. Pressure by the Owners:

- ❑ Instances have been reported where pilots were pressured by helicopter owners to fly in hazardous weather conditions. This undue pressure to operate flights despite poor weather has led to accidents.

6. Mechanical Failure:

- ❑ Mechanical issues, such as engine failure, rotor malfunction, and other critical component failures, have also been significant causes of helicopter crashes.

CONSEQUENCES AND IMPACT OF HELICOPTER CRASHES

1. Fatalities:

- ❑ Helicopter crashes often result in significant loss of life, including prominent politicians and leaders. For example, the death of Iranian President Ebrahim Raisi could lead to domestic turmoil and instability.

2. Economic Impact:

- ❑ Crashes can lead to substantial financial losses. These include the cost of the helicopter, legal liabilities, compensations to victims' families, and potential loss of productivity and reputation.

3. Environmental Damage:

- ❑ Crashes can cause significant environmental harm. For instance, the 2017 crash in the Brazilian Rainforest resulted in human casualties and environmental damage due to fuel spillage and wreckage debris, affecting the pristine ecosystem.

4. Trauma and Psychological Damage:

- ❑ Survivors of helicopter crashes often endure long-term psychological trauma, including post-traumatic stress disorder (PTSD). An example is the survivors of the 2009 Hudson

River helicopter crash, who required extensive psychological support.

MEASURES TAKEN IN INDIA TO AVOID HELICOPTER CRASHES

To prevent helicopter crashes and enhance safety, especially for VIP operations, India has implemented several measures through the Directorate General of Civil Aviation (DGCA). These measures were introduced following mishaps such as the one that killed former Andhra Pradesh Chief Minister YSR Reddy.

1. New Definition of VIP Flight:

- ❑ The DGCA defines a VIP flight as one carrying any of the following dignitaries: Lok Sabha Speaker, Rajya Sabha Deputy Chairperson, Cabinet Ministers, Chief Justice of India, Governors, Chief Ministers, State Cabinet Ministers, and SPG protectees with 'Z-plus' security.

2. Strict Adherence to Weather Advisories:

- ❑ Flights are not allowed to operate if weather conditions are not conducive to safe operations. VIP flights must operate with a multiple crew composition to enhance safety.

3. Pilot Experience Requirement:

- ❑ For helicopter pilots, the commander must have licenses with 2,000 hours of flying experience, including 500 hours as Pilot in Command (PIC) on the same aircraft type. They should also have a minimum of 10 hours of night flying experience.

4. Registration of State Aviation PSUs:

- ❑ State government aviation departments and PSUs must register with the DGCA for aircraft operations with a fee of Rs one lakh. They also need to apply for DGCA approval to import planes or helicopters. Permits are renewable every two years, contingent on meeting all necessary conditions.

5. Aircraft Maintenance and Repairs:

- ❑ Aircraft must be equipped with suitable instruments for instrument flying, and pilots should have valid instrument ratings. Regular maintenance and repairs are mandatory to ensure airworthiness.

6. Review of Standard Operating Procedures (SOPs):

- ❑ Helicopter operators from state governments and public sector units must review their SOPs concerning VIP sorties over difficult terrains such as dense forests, hilly areas, and large water bodies. This review ensures that operations are conducted safely under challenging conditions.

ADDITIONAL DGCA REGULATIONS

- ❑ **Comprehensive Regulations:** The DGCA has established detailed regulations covering airworthiness, operational safety, and pilot licensing.
- ❑ **Safety Audits:** Regular safety audits are conducted to ensure that helicopter operators comply with established safety standards. These audits help identify and mitigate potential risks.

By implementing these measures, India aims to enhance the safety of helicopter operations, particularly those involving VIPs, thereby reducing the risk of fatal accidents and ensuring the security of high-profile passengers

WAY FORWARD FOR ENHANCING HELICOPTER SAFETY

To further enhance helicopter safety in India, several steps can be taken:

1. Accountability of Helicopter Operators:

- ❑ Implement recommendations from reports such as the Kaushik Committee reports of 1991 and 2005, which call for increased accountability on the part of aircraft operators. Strict adherence to safety protocols and regulations must be ensured.

2. Advanced Weather Monitoring:

- ❑ Invest in improving weather monitoring and forecasting tools to provide accurate and timely information to pilots. This will enable them to avoid flying in adverse weather conditions, reducing the risk of accidents.

3. Technological Innovations:

- ❑ Embrace technological advancements such as better navigational aids, Terrain Awareness and Warning Systems (TAWS), crash-resistant fuel systems, and enhanced communication tools. These innovations can significantly improve safety and help prevent accidents.

4. Regulatory Oversight:

- ❑ Strengthen regulatory oversight by aviation authorities like the DGCA to ensure strict compliance with safety standards and regulations. Regular audits and inspections should be conducted to assess and monitor operator adherence to safety protocols and operational guidelines.

TECHNOLOGICAL ADVANCEMENTS

1. Terrain Awareness and Warning Systems (TAWS):

- ❑ The DGCA mandates the installation of TAWS in helicopters to prevent Controlled Flight Into Terrain (CFIT) accidents. TAWS provides pilots with terrain and obstacle awareness to help prevent collisions with the ground.

2. Helicopter Flight Data Monitoring (HFDM):

- ❑ HFDM systems continuously monitor and analyze flight data, enabling operators to identify and rectify potential safety issues proactively. This technology aids in improving operational efficiency and safety standards.

3. Weather Monitoring Systems:

- ❑ Advanced weather monitoring and forecasting tools are utilized to avoid adverse weather conditions that could lead to crashes. Accurate

weather information helps pilots make informed decisions and plan safe flight routes.

PILOT TRAINING AND CERTIFICATION

1. Comprehensive Training Programs:

- ❑ Pilots undergo rigorous training programs that include simulation training to prepare them to handle various in-flight scenarios and emergencies. These programs ensure that pilots are well-equipped with the skills and knowledge necessary for safe helicopter operations.

2. Regular Re-certification:

- ❑ Pilots are required to undergo regular re-certification to ensure that their skills and knowledge remain up-to-date with the latest safety protocols and technologies. This ongoing training and evaluation process helps maintain high standards of pilot proficiency.

OPERATIONAL GUIDELINES

1. Standard Operating Procedures (SOPs):

- ❑ Operators develop and adhere to SOPs for various phases of flight, including takeoff, cruising, and landing. SOPs provide standardized procedures for pilots to follow, ensuring consistency and safety in helicopter operations.

2. Pre-Flight Inspections:

- ❑ Comprehensive pre-flight inspections are mandatory to ensure that the helicopter is in optimal condition before each flight. These inspections help identify any potential issues or discrepancies that need to be addressed before takeoff, enhancing overall safety.

By incorporating these technological advancements, implementing rigorous pilot training and certification programs, and adhering to operational guidelines, the aviation industry can significantly improve helicopter safety and mitigate the risk of accidents.

INDIA-CANADA RELATIONS

RELEVANCE

❑ Syllabus:

- **PSIR:** Recent developments in Indian Foreign Policy.
- **GS2:** India-Canada Relations.

INTRODUCTION

India-Canada relations have taken a significant hit following Canadian Prime Minister Trudeau's allegations that individuals associated with the Indian government were involved in the June 2023 killing of Canadian Khalistani leader Hardeep Singh Nijjar. Trudeau's statement has triggered a series of

actions, including Canada expelling a high-ranking Indian diplomat. In response, India has summoned the Canadian High Commissioner and reciprocated by expelling Canada's intelligence station chief. This diplomatic exchange has escalated tensions between the two nations.



HISTORY OF INDIA-CANADA RELATIONS

1. Diplomatic Relations Establishment (1947):

- ❑ India and Canada established diplomatic relations in 1947.
- ❑ The foundation of this relationship was built on shared values of democracy, pluralism, and strong interpersonal connections.

2. Deterioration in Political Domain:

- ❑ Despite economic engagement, regular high-level interactions, and long-standing people-to-people ties, India-Canada relations experienced a decline in the political arena.

3. Strong Relations During Stephen Harper's Tenure (2006-2015):

- ❑ The Conservative Party's Stephen Harper served as the Canadian Prime Minister from 2006 to 2015.

- ❑ This period witnessed a strengthening of ties between Canada and India, marked by 19 high-level visits from Canada to India.

- ❑ In 2011, both countries jointly celebrated the "Year of India in Canada."

4. Prime Minister Narendra Modi's Visit (2015):

- ❑ Prime Minister Narendra Modi's visit to Canada in 2015 marked a significant milestone.
- ❑ It was the first bilateral visit by an Indian Prime Minister since 1973.
- ❑ During this visit, India and Canada elevated their relationship from bilateral to a strategic partnership, with hopes of addressing longstanding issues like the Khalistan dispute.

5. Further Deterioration Since 2015:

- ❑ Unfortunately, India-Canada diplomatic relations have continued to deteriorate since 2015.

- ❑ The resurgence of Khalistan protests in recent times has been a major factor contributing to this decline.

SIGNIFICANCE OF INDIA-CANADA RELATIONS

Indo-Pacific Cooperation:

- ❑ Canada's Indo-Pacific Strategy recognizes India as a critical partner in the region.
- ❑ It identifies China as an increasingly disruptive global power.
- ❑ Emphasizes shared traditions of democracy and pluralism with India.

Trade and Commerce:

- ❑ Bilateral trade between India and Canada amounts to USD 5 billion.
- ❑ Over 400 Canadian companies have established a presence in India.
- ❑ More than 1,000 companies actively pursue business in the Indian market.
- ❑ Canadian pension funds have committed over USD 55 billion in investments.
- ❑ Ongoing negotiations for a Comprehensive Economic Partnership Agreement and a Foreign Investment Promotion and Protection Agreement (FIPA).

Development Cooperation:

- ❑ Canada invested nearly \$24 million in 2018-2019, supporting 75 projects in India through non-profit organizations like Grand Challenges Canada.

Energy Sector:

- ❑ A Nuclear Cooperation Agreement (NCA) was signed in 2010 between India and Canada.
- ❑ A Joint Committee on Civil Nuclear Cooperation was established.
- ❑ A uranium supply agreement was signed during PM Modi's 2015 visit.

Science and Technology, Space:

- ❑ ISRO and CSA (Canadian Space Agency) signed MOUs for cooperation in outer space exploration and utilization.
- ❑ ANTRIX, the commercial arm of ISRO, launched several Canadian satellites.

Education Sector:

- ❑ Since 2018, India has been the largest source country for international students in Canada.
- ❑ This has enabled Canadian universities and colleges to offer subsidized education to domestic students.

Indian Diaspora:

- ❑ Canada hosts one of the world's largest Indian diasporas, numbering 1.6 million (PIOs and NRIs).
- ❑ They constitute over 3% of Canada's total population.
- ❑ The Indian diaspora has made significant contributions across various sectors, including politics, with 22 Members of Parliament of Indian-origin in the present House of Commons.

ISSUES IN INDIA-CANADA RELATIONS

- 1. Khalistani Separatist Factor:** The prominent issue of Khalistani separatism stands as the most significant challenge in India-Canada relations. Canada's policy of attempting to balance Sikh demands with its ties to India has greatly complicated bilateral relations.
- 2. Attacks on Indian Assets:** Instances of attacks on Indian Consulates, temples, and the Indian Diaspora, particularly those not of Sikh origin, have intensified tensions between the two countries.
- 3. Trade Hurdles:** Indo-Canadian trade relations face substantial structural obstacles, including complex labor laws, market protectionism, and bureaucratic regulations. Negotiations for key agreements like the Comprehensive Economic Partnership Agreement (CEPA) and Investment Promotion and Protection Agreements (BIPPA)

have stagnated, leading to limited progress. Canada even unilaterally suspended trade negotiations with India prior to the G20 summit, further impeding trade.

4. **Close Canada-China Relationship:** The Canadian federal government's close ties with the Chinese Communist Party's government have also strained India-China relations, adding another layer of complexity to the India-Canada dynamic.

WAY FORWARD

1. **Engaging with the Sikh Diaspora:** India should proactively build constructive and enduring connections with the Sikh diaspora. This entails countering the misinformation disseminated by Khalistani separatists and highlighting the prevailing sense of contentment in Punjab.
2. **Revamping Cooperation:** It's essential to establish a fresh framework of cooperation that prioritizes pragmatic and mutually advantageous areas such as trade, energy, infrastructure, and transportation. These sectors should take precedence in the effort to enhance Indo-Canadian relations.

3. **Detangling Issues:** Both India and Canada need to disentangle their political disputes surrounding the Khalistan issue from their trade and investment ties. This separation is crucial for reinvigorating trade negotiations, particularly in the pursuit of a finalized Free Trade Agreement (FTA) between the two nations.

4. **Supporting Civil Society and Track II Diplomacy:** India and Canada should actively promote civil society organizations and Track II diplomacy initiatives. These initiatives can serve as vehicles for fostering people-to-people connections, facilitating constructive dialogues, and advancing conflict resolution efforts.

5. **Enhancing Media and Public Diplomacy:** To reinforce the relationship, it's imperative to encourage responsible reporting. This means ensuring that media coverage and public discourse accurately reflect the multifaceted nature of the relationship and the concerted efforts being undertaken to strengthen it.

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VIKSIT BHARAT

RELEVANCE

□ Syllabus:

- PSIR: Planning and Economic Development
- GS2-Government Policies



INTRODUCTION

This section enlists the requirements in order to achieve the goal of Viksit Bharat in the next 25 years.

Some notable international economic and diplomatic trends

- 1. Reconstruction of Supply Chains:** There is a global effort to reconstruct supply chains, particularly in critical sectors such as semiconductors, electric mobility, and green technologies, to ensure greater reliability and resilience.
- 2. Impact of Conflict and Climate Change:** Conflict and climate change are reshaping international relations, influencing how countries interact with each other. This is evident in efforts to

make supply chains and logistics more resilient in the face of disruptions, as seen in recent events like tension in the Red Sea and the blockage of the Suez Canal.

Key requirements for achieving the goal of Viksit Bharat in the next 25 years

- 1. Leveraging the International Environment:** Formulating foreign policies that capitalize on global resources, markets, technologies, and best practices to support the development of Viksit Bharat.
- 2. Strengthening National Capabilities:** Expanding manufacturing and adopting critical and emerging technologies are essential for India to establish itself as a leading power, building strong national capabilities.

3. **Diplomatic Engagement:** Effective diplomacy is crucial for fostering international collaboration and ensuring India's integration into global networks, particularly in competitive sectors like semiconductors, electric mobility, and green technologies.
4. **Ensuring Strategic Autonomy:** India must prioritize initiatives like 'Make in India' to maintain strategic autonomy, safeguarding national security and economic strength in the post-Covid world.
5. **Developing Skills and Talent:** Recognizing and harnessing Indian skills and talent, especially in digital domains, through expanded education and training aligned with Indian values and practices.

6. **Addressing Connectivity and Security Challenges:** Mitigating the effects of conflict and climate change on connectivity and logistics, with initiatives like the IMEC corridor, INSTC, and Trilateral Highway, to enhance connectivity and security.
7. **Active International Engagement:** India should actively participate in international forums and initiatives like Quad, BRICS, I2U2, SCO, and East Asia Summit to protect its interests and maintain a strategic balance.
8. **Effective Leadership:** Strong and effective leadership, characterized by a Vishwa Bandhu approach, is necessary to drive initiatives and partnerships forward to realize the goal of Viksit Bharat.

IRAN-ISRAEL AND INDIA- OPPORTUNITY OR CHALLENGE?

RELEVANCE

□ Syllabus:

- **PSIR:** India's position on the recent crises in West Asia
- **GS2-** Effect of Policies and Politics of Developed and Developing Countries on India's interests.



INTRODUCTION

The recent escalation of the Iran-Israel conflict has raised concerns for India's interests in the West Asian region. Iran's retaliatory strike, involving hundreds of drones and cruise missiles launched towards Israel, followed an attack on an Iranian diplomatic building in the Syrian capital of Damascus on April 1. This attack resulted in the death of a senior member of Iran's Islamic Revolutionary Guards and eight other officers. India has voiced its "serious concern" regarding the escalation of tensions and has called for an "immediate de-escalation" of the conflict.

HISTORICAL TIMELINE OF THE DISPUTE

Iran and Israel were once allies but turned into adversaries following the 1979 Iranian revolution. The relationship shifted from cooperation to conflict.

Cooperation Phase (1948-1979): During the rule of the Pahlavi Dynasty, Iran and Israel maintained close ties. Iran was the second Muslim-majority nation to officially recognize Israel in 1948, and Israel established a de facto embassy in Tehran. Economic, trade, military, and security cooperation flourished during this period.

Conflict Phase (After 1979 Iranian Revolution): After the 1979 Islamic Revolution, Iran's new supreme leader, Ayatollah Ruhollah Khomeini, adopted an anti-Israel stance, declaring Israel as the "Little Satan" and the US as the "Great Satan." Iran severed all ties with Israel, transforming the Israeli embassy in Tehran into a Palestinian embassy. Khomeini initiated Quds Day rallies in support of Palestinians across Iran.

Modern Conflict Phase: Proxy wars have emerged, with Iran supporting militias like Hezbollah (Lebanon), Hamas (Gaza), and the Houthis (Yemen) against Israel. Israel, in turn, supports groups like the Mojahedin-e Khalq (MEK) and Sunni organizations in Iran. Additionally, Israel has targeted Iran's nuclear program, including

cyberattacks and assassinations of Iranian nuclear scientists. The US withdrawal from the Iran nuclear agreement in 2018 exacerbated tensions, seen as a victory for Israel and a setback for Iran.

WHAT IS INDIA'S STAKE IN THE REGION WHICH WILL BE ENDANGERED BY THE RECENTLY ESCALATING IRAN-ISRAEL CONFLICT?

- ❑ **Indian Expatriate Community at Risk:** The recent escalation in the Iran-Israel conflict jeopardizes the safety and well-being of the significant Indian expatriate population residing in West Asia, including approximately 18,000 individuals in Israel, 5,000-10,000 in Iran, and around 9 million in the Gulf and other West Asian countries.
- ❑ **Threat to Energy Security:** The conflict escalation poses a significant threat to India's energy security, as the region accounts for approximately 80% of India's oil imports. Any disruption in the region could lead to adverse effects on India's energy supply and consequent impacts on energy prices domestically.
- ❑ **Economic Implications:** An escalation in the conflict could have adverse effects on India's economic growth trajectory. Increased oil prices resulting from the conflict would not only impact India's economic growth but also lead to inflationary pressures and disruptions in trade balance and current account deficit, thereby exerting pressure on the Indian rupee.
- ❑ **Impact on Financial Markets:** The Indian equity and bullion markets could face further pressure due to the conflict escalation, exacerbating existing challenges such as reduced foreign direct investment (FDI) and foreign portfolio investment (FPI) inflows resulting from interest rate hikes in the United States. This could lead to further increases in gold prices, similar to previous instances such as during conflicts involving Ukraine-Russia and Israel-Hamas.

- ❑ **Setback for Regional Economic Projects:** The escalation of the conflict threatens to derail India's efforts to advance regional economic initiatives, such as the India-Middle-East-Europe Economic Corridor (IMEC). Any disruption in diplomatic relations and economic stability in the region could hamper progress on such projects, which hold strategic and economic significance for India.
- ❑ **Diplomatic Challenges:** India faces diplomatic challenges in maintaining a delicate balance in its strategic ties with both Iran and Israel amid escalating tensions. The worsening conflict complicates India's position, requiring careful navigation of diplomatic relations to avoid being drawn into the conflict while safeguarding its strategic interests.

ISRAEL'S RELEVANCE FOR INDIA

1. **Economic Partnership:** India maintains a robust economic relationship with Israel, serving as its third-largest trade partner in Asia. Bilateral trade has grown substantially since 1992, reaching USD 6.35 billion, excluding defence trade.
2. **Defence Collaboration:** India imports crucial defence technologies from Israel, with approximately 41% of Israel's defence exports directed to India. Indian armed forces utilize various Israeli defence systems, including Phalcon AWACS and Barak anti-missile defence systems.
3. **Energy Cooperation:** India has secured exploration licenses for natural gas extraction from Israel's Tamar and Leviathan gas fields, indicating a shift towards energy collaboration alongside defence ties.
4. **Technological Innovation:** Both countries have established the India-Israel Industrial R&D and Technological Innovation Fund (I4F) to foster joint industrial research and development projects, enhancing technological cooperation.

5. **Space Collaboration:** India and Israel signed a cooperative agreement in 2002 to promote space collaboration. India has successfully launched Israeli radar imaging satellites TecSAR and RISAT-2 using ISRO's PSLV.

IRAN'S SIGNIFICANCE FOR INDIA

1. **Energy Security:** Iran has historically been a significant supplier of crude oil to India, contributing to its energy security. However, this relationship has faced challenges due to US sanctions in recent years.
2. **Shared Geopolitical Concerns:** India and Iran share common concerns regarding terrorism originating from Pakistan and Afghanistan. Both countries are wary of the Taliban's treatment of minorities and advocate for an inclusive government in Kabul.
3. **Strategic Partnerships:** India's development of the Chabahar port in Iran is a crucial strategic project facilitating access to Afghanistan and Central Asia, underscoring the importance of India-Iran collaboration.

WAY FORWARD

- ❑ **Clarity in India's Stance:** India has already emphasized the need for an immediate de-escalation and a return to diplomacy to address the Iran-Israel conflict.
- ❑ **Balanced Engagement:** India should maintain a balanced approach in its interactions with key regional players in the Middle East, including Egypt, Iran, Israel, Qatar, Turkey, Saudi Arabia, and the United Arab Emirates. These countries often have diverse orientations and interests in the region's conflicts.
- ❑ **Non-Ideological Cooperation:** India should prioritize pragmatic and non-ideological engagements in the Middle East to align with its expanding interests in the region. This approach will help India navigate the complexities of Middle Eastern dynamics effectively.

INDIAN GOVERNMENT AND POLITICS (IGP)

NHRC STATUS DEFERRAL BY GANHRI

RELEVANCE

□ Syllabus:

- **PSIR:** Statutory Institutions
- **GS2-** Statutory, Regulatory and various Quasi-judicial Bodies.



GANHRI

Global Alliance of National Human Rights Institutions

INTRODUCTION

Recently, the Global Alliance of National Human Rights Institutions (GANHRI), a prominent international body focusing on human rights, deferred the “A” status accreditation of India’s National Human Rights Commission (NHRC). This decision was made by GANHRI’s Sub-Committee on Accreditation (SCA). It marks the second consecutive year that India’s “A” status accreditation has been deferred by GANHRI.

GANHRI

The Global Alliance of National Human Rights Institutions (GANHRI) is a worldwide network comprising National Human Rights Institutions (NHRIs). GANHRI’s primary objective is to advance and safeguard human rights. Representing 120 NHRIs globally, GANHRI operates under the affiliation of the UN High Commissioner for Human Rights.

GANHRI’s mission is to unite, promote, and strengthen NHRIs to operate in accordance with the UN Paris Principles.

Paris Principles

- The Paris Principles outline internationally recognized minimum standards that NHRIs must adhere to in order to be considered credible. These principles include:
 - 1. Mandate and Competence:** NHRIs must possess a clear mandate and be competent in promoting and protecting human rights.
 - 2. Autonomy from Government:** NHRIs should operate independently from government influence or interference.
 - 3. Independence Guaranteed by a Statute or Constitution:** NHRIs must be established and maintained through legal frameworks that guarantee their independence.
 - 4. Pluralism:** NHRIs should be representative of the diversity of society and its various segments.
 - 5. Adequate Resources:** NHRIs must be provided with sufficient resources to carry out their functions effectively.

6. Adequate Powers of Investigation: NHRIs should have the authority to conduct investigations into human rights violations.

ACCREDITATION PROCESS FOLLOWED BY GANHRI

- GANHRI assesses NHRIs against the Paris Principles to determine their accreditation status.
- Accreditation is granted based on the extent to which an NHRI meets the standards outlined in the Paris Principles.
- The accreditation process involves a thorough review of the NHRI's mandate, structure, independence, resources, and effectiveness in promoting and protecting human rights.
- Accreditation status is categorized into three levels: "A" status, "B" status, and "C" status, with "A" status being the highest level of accreditation.
- NHRIs are periodically reviewed to ensure ongoing compliance with the Paris Principles, and accreditation status may be revised accordingly.

ACCREDITATION PROCESS CONDUCTED BY GANHRI

- Who Conducts the Accreditation:** GANHRI's Sub-Committee on Accreditation (SCA) conducts the accreditation process. The SCA employs a unique peer-review-based approach to assess NHRIs' compliance with the Paris Principles.
- When is the Accreditation Conducted:**
 - A NHRI is reviewed by the SCA when:
 - It applies for initial accreditation.
 - It applies for re-accreditation every five years.
 - The circumstances of the NHRI change in any way that may affect its compliance with the Paris Principles.
- Criterion for Accreditation:**

- Accreditation is awarded based on the extent of an NHRI's adherence to the Paris Principles.
- NHRIs that fully comply with the Paris Principles are accredited with 'A status'.
- NHRIs which partially comply are accredited with 'B status'.
- Utility of 'A' Status Accreditation:**
 - 'A' status accreditation grants the NHRI participation in the works of GANHRI, the Human Rights Council, and other UN mechanisms.
- Appeal Mechanism:**
 - An appeal process is available for NHRIs to ensure greater transparency and due process in the accreditation process.

INDIA'S ACCREDITATION OVER THE YEARS

- India's National Human Rights Commission (NHRC) received 'A' status accreditation for the first time in 1999. It retained this status in 2006 and 2011.
- In early 2017, the SCA placed the NHRC in the deferral category, but this was lifted after a review later that year, allowing India to retain its 'A' status.
- However, the suspension of 'A' status for two consecutive years (2023 and 2024) marks a significant setback for India's human rights record and its international standing. This underscores the importance of addressing any shortcomings and ensuring the NHRC's compliance with the Paris Principles to regain accreditation.

ISSUES LEADING TO NHRC'S DEFERRAL BY GANHRI

- 1. Lack of Transparency in Member Appointments:**
 - GANHRI has expressed concerns regarding the amendments to the NHRC Amendment

Act 2019, citing a lack of transparency in the process of appointing members to the NHRC. Transparency in appointment and functioning of NHRC is crucial for ensuring credibility and impartiality in human rights investigations and interventions.

2. Inadequate Gender and Minority Representation:

- ❑ GANHRI has highlighted the insufficient representation of gender and minority groups in NHRC's member panel. Inclusivity is essential for ensuring that diverse perspectives are considered in addressing human rights issues effectively and promoting equality and fairness.

3. Appointment of Police Officers for Human Rights Investigations:

- ❑ GANHRI has raised objections regarding the appointment of police officers to oversee human rights investigations by the NHRC. This practice may raise concerns about the independence and integrity of investigations,

potentially compromising the NHRC's credibility and raising doubts about the impartiality of its actions.

IMPACT OF DEFERRAL OF 'A' STATUS ON NHRC

- Disrepute to the Human Rights Body:** The deferral of 'A' status by GANHRI tarnishes the prestige of the Indian human rights watchdog. It raises concerns about the NHRC's credibility and effectiveness in promoting and protecting human rights within the country.
- Hindrance in Participation in UN Bodies:** The downgrade and deferral of status restrict the NHRC's active participation in the works of GANHRI, the Human Rights Council, and other UN mechanisms. This limitation impedes the NHRC's ability to engage with international human rights discussions, share best practices, and contribute to global efforts in promoting human rights.

UPSC IAS (MAINS)

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By Shashank Tyagi

NHRC: NATIONAL HUMAN RIGHTS COMMISSION

RELEVANCE

□ Syllabus:

- PSIR: Statutory Institutions
- GS2- Statutory, Regulatory and various Quasi-judicial Bodies.



NATIONAL HUMAN RIGHTS COMMISSION

INTRODUCTION

The National Human Rights Commission (NHRC) is a statutory body established under the Protection of Human Rights Act, 1993. It serves as the watchdog of human rights in India and is entrusted with the responsibility of protecting and promoting human rights across the country. The Commission operates as a multi-member body comprising a chairperson and five members.

□ Chairperson:

□ The Chairperson is typically a retired Chief Justice of India or a judge of the Supreme Court.

□ Members:

□ One member who is a current or former judge of the Supreme Court.

- One member who is a current or former Chief Justice of a High Court.
- Three members appointed from individuals with expertise and practical experience in human rights matters, including at least one woman.
- **Appointment:** The Chairperson and members are appointed by the President based on the recommendations of a six-member committee. This committee is chaired by the Prime Minister and includes the Speaker of the Lok Sabha, the Deputy Chairman of the Rajya Sabha, the Leaders of the Opposition in both Houses of Parliament, and the Central Home Minister.
- **Tenure:** The Chairperson and members serve a term of three years or until they reach the age

of 70, whichever is earlier. They are eligible for reappointment.

The NHRC is mandated to investigate and inquire into complaints of human rights violations, take suo motu cognizance of such violations, promote human rights awareness, and monitor the implementation of human rights safeguards across various sectors of society. Through its interventions, the NHRC aims to ensure the protection and promotion of human rights for all individuals within India's jurisdiction.

MANDATE OF NHRC: NATIONAL HUMAN RIGHTS COMMISSION

- 1. Investigation:** NHRC is tasked with investigating complaints or instances of human rights violations, whether initiated suo moto or upon receiving petitions from individuals. It has the authority to probe allegations of rights infringement by public officials or entities.
- 2. Prevention and Safeguard:** NHRC is responsible for monitoring the living conditions of individuals in custodial settings, such as prisons or detention centers, and making recommendations to improve their welfare. Additionally, it reviews statutory safeguards and international treaties related to human rights protection to ensure compliance and effectiveness.
- 3. Intervention:** NHRC has the authority to intervene in legal proceedings involving allegations of human rights violations, subject to the approval of the relevant court. This intervention aims to ensure that justice is served and human rights are upheld in legal proceedings.
- 4. Human Rights Promotion:** NHRC examines various factors, including acts of terrorism, that may impede the enjoyment of human rights. It formulates recommendations for appropriate

remedial measures to address these challenges and uphold human rights standards.

- 5. Awareness and Education:** NHRC plays a vital role in promoting human rights literacy and awareness among different segments of society. It disseminates information about human rights safeguards through publications, media campaigns, seminars, and other educational initiatives, empowering individuals to understand and assert their rights effectively.

PROVISIONS FOR PROTECTION OF HUMAN RIGHTS IN INDIA

- 1. Universal Declaration of Human Rights (UDHR):** India has adopted the principles of the UDHR to guarantee human rights, including the rights to life, liberty, equality, and dignity.
- 2. Right to Equality (Articles 14-18):** The Constitution guarantees equality before the law, prohibits discrimination based on religion, race, caste, gender, or place of birth, and ensures equality of opportunity in employment. It also abolishes untouchability and titles.
- 3. Right to Freedom (Articles 19-22):** The Constitution guarantees various freedoms, including freedom of speech and expression, assembly, association or union, movement, residence, and profession or occupation. It also protects the rights to life, liberty, and safeguards against conviction in offenses and arbitrary arrest and detention.
- 4. Right Against Exploitation (Articles 23 and 24):** The Constitution prohibits forced labor, child labor, and trafficking of human beings in any form.
- 5. Bandhua Mukti Morcha v. Union of India (1984):** In this landmark case, the Supreme Court held that Article 21 guarantees the right to life, which includes a life with human dignity.

SUCCESSSES AND FAILURES OF NHRC IN HUMAN RIGHTS PROTECTION IN INDIA

Successes:

- ❑ NHRC has played a crucial role in investigating and addressing numerous cases of human rights violations across India.
- ❑ It has intervened in cases involving custodial deaths, extrajudicial killings, and other forms of abuse, leading to justice for victims and their families.
- ❑ NHRC's efforts have resulted in the formulation of guidelines and recommendations to improve the protection of human rights in various sectors, such as policing, prisons, and healthcare.

Failures:

- ❑ Despite its efforts, NHRC faces challenges in effectively enforcing its recommendations and ensuring accountability for human rights violations, particularly in cases involving state authorities.
- ❑ There have been criticisms regarding delays in the resolution of cases and the perceived lack of adequate powers to enforce its directives.
- ❑ NHRC's ability to address systemic issues and structural inequalities contributing to human rights violations remains limited, highlighting the need for broader institutional reforms and stronger legal frameworks.

ACHIEVEMENTS OF NHRC

a. Campaigns against Discrimination of HIV Patients:

- ❑ NHRC has actively campaigned against the discrimination faced by HIV patients, advocating for their rights and combating stigma and prejudice.

b. Intervention in Cases of Child Sexual Abuse and Violence:

- ❑ NHRC has intervened in cases of child sexual abuse and violence, such as the notorious

Nithari Village case in Noida, Uttar Pradesh. Its efforts have contributed to the investigation and prosecution of perpetrators, ensuring justice for victims.

c. Suo-Moto Cognizance in Cases of Police Violence:

- ❑ NHRC has taken suo-moto cognizance in instances of police violence and excessive use of force, as seen in the case of the killing of 10 people in police firing during the Anti-Sterlite protest in Tuticorin, Tamil Nadu. Its intervention has led to inquiries and accountability measures to prevent future violations.

d. Intervention in Journalist's Killing:

- ❑ NHRC intervened in the case of the killing of Rising Kashmir editor Shujaat Bukhari, following an appeal by a network of editors and media practitioners. Its actions have contributed to raising awareness about attacks on journalists and advocating for their safety and protection.

FAILURES OF NHRC IN HUMAN RIGHTS PROTECTION

Despite its efforts, the National Human Rights Commission (NHRC) has faced challenges and limitations in effectively protecting human rights in India. Some of the failures include:

1. Existence of Custodial Torture and Extrajudicial Killings:

- ❑ Instances of custodial torture, such as the recent Sathankulam case in Tamil Nadu, highlight the persistence of human rights abuses within law enforcement agencies. Extrajudicial killings, including fake encounters and mob lynching, continue to occur, indicating a failure to prevent and address such violations effectively.

2. Arbitrary Arrest and Detention:

- ❑ NHRC and State Human Rights Commissions (SHRC) have been unable to effectively control arbitrary arrests and detentions due to limitations in their powers and resources. The

prevalence of such practices undermines the right to liberty and due process for individuals.

3. Prevalence of Gender-Based Violence:

□ Gender-based violence, including rape, murder, sexual abuse, and discrimination against women and children, remains pervasive in India. NHRC's efforts to address these issues have been insufficient, leading to ongoing human rights violations and the denial of justice for victims.

4. Continued Practice of Manual Scavenging:

□ Despite legislative measures and NHRC's recommendations, manual scavenging persists in India. The prevalence of insanitary latrines and the lack of effective enforcement mechanisms contribute to the perpetuation of this dehumanizing practice, reflecting a failure to eliminate systemic human rights violations.

These failures underscore the need for stronger enforcement mechanisms, enhanced powers, and greater accountability for NHRC to effectively protect and promote human rights in India. Addressing these challenges requires comprehensive reforms and a concerted effort to uphold the fundamental rights of all individuals within the country.

LIMITATIONS/CHALLENGES FACED BY NHRC IN INDIA

The National Human Rights Commission (NHRC) in India encounters various limitations and challenges in fulfilling its mandate effectively. Some of these include:

1. Status as a Recommendatory Body: NHRC lacks the power to enforce its decisions, as it functions primarily as a recommendatory body. The absence of authority to ensure compliance may result in the disregard or outright rejection of its recommendations by concerned authorities.

2. Lack of Effective Investigation Powers: NHRC faces limitations in conducting independent investigations into complaints due to the absence of an independent investigative machinery. Moreover, restrictions under the Protection of Human Rights Act, 1993, such as the one-year time limit for filing complaints, hinder its ability to address many genuine grievances.

3. Jurisdictional Limits: NHRC's jurisdiction does not extend to human rights violations committed by private entities, limiting its scope of action. Additionally, it cannot investigate violations involving the armed forces without relying on reports from the central government.

4. Lack of Effective Enforcement Powers: NHRC lacks the authority to penalize authorities that fail to implement its orders, reducing the effectiveness of its interventions in addressing human rights violations.

5. Post-Retirement Club: NHRC often becomes a post-retirement destination for judges, police officers, and bureaucrats with political influence, leading to a composition that resembles a court-like structure. This may affect the independence and impartiality of the commission.

6. Inadequate Funds and Functionaries: NHRC faces challenges due to insufficient funds, staffing, and bureaucratic procedures, which can hamper its effectiveness in addressing human rights violations and delivering timely interventions.

WAY FORWARD FOR NHRC IN INDIA

1. Enhanced Enforcement Powers: Empower NHRC with enforceable decisions by the government to ensure compliance with its recommendations and orders. This would significantly enhance the commission's efficacy in addressing human rights violations.

- 2. Revamping the Membership Structure:** Reform the composition of NHRC to include diverse representation from civil society, human rights activists, minorities, and other stakeholders, rather than solely relying on ex-bureaucrats. Transparency in the selection process must be ensured through a transparent search cum selection committee.
- 3. Independent Staffing:** Ensure NHRC's independence by recruiting its investigating staff directly, instead of relying on deputation from other government departments. This would enhance the commission's autonomy and effectiveness in conducting impartial investigations.

- 4. Development of Scientific Human Rights Framework:** Explore the development of a comprehensive and scientifically informed human rights framework tailored for the Indian context. Such a framework would provide a systematic approach to addressing human rights issues and guide NHRC's interventions more effectively.

By implementing these measures, NHRC can strengthen its capacity to address human rights violations, promote accountability, and advocate for the protection of human rights for all individuals in India.

STUDY IQ

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By Shashank Tyagi

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SUPREME COURT JUDGEMENT ON VVPAT

RELEVANCE

☐ Syllabus:

- PSIR: Election Commission
- GS2- Elections



INTRODUCTION

The recent Supreme Court judgment on VVPAT reaffirmed confidence in the existing electoral process, which incorporates both Voter Verifiable Paper Audit Trail (VVPAT) and Electronic Voting Machine (EVM). The court dismissed a petition seeking 100% verification of VVPAT slips with EVM counts, indicating trust in the current system's integrity.

Recent Supreme Court VVPAT Judgement

1. Voting process remains unchanged, using EVMs with 100% attachment to VVPAT units. Verification of VVPAT slips from five randomly selected segments will continue.
2. Supreme Court directs the Election Commission to adopt new post-poll procedures, including

sealing and storing symbol loading units (SLUs) for 45 days after result declaration.

3. Candidates can request EVM verification; those coming second or third can verify burnt memory semi-controllers in 5% of EVMs per Assembly segment.
4. Supreme Court urges the Election Commission to explore machine counting of VVPAT slips, possibly using barcodes for speed enhancement.

History of EVMs and VVPATs

- ☐ EVMs introduced in Kerala's 1982 general election and used nationwide in the 2004 Lok Sabha elections.

- ❑ VVPATs introduced after the Subramanian Swamy Case (2013) directive, with funds allocated for procurement.

Advantages of EVMs

1. Cost-effective, eliminating the need for paper ballots and reducing transportation and storage expenses.
2. Elimination of booth capturing, increasing the time required for false voting.
3. Administrative convenience and faster, error-free counting process.
4. Time-saving, reducing the time taken for elections and result declaration.

Advantages of VVPAT

1. **Vote verification:** VVPAT allows voters to verify that their vote has been accurately recorded for their intended candidate, enhancing confidence in the electoral process.
2. **Direct Recording Election System (DRE):** VVPAT operates within a Direct Recording Election system, enabling the detection of fraud and malfunctioning within the election system.
3. **Enhanced transparency:** VVPAT adds an extra layer of transparency to the electoral process by enabling manual counting of votes in case of disputes, providing assurance to voters and political parties about the integrity of the election.

Challenges with EVMs

1. **Vulnerability to hacking:** EVMs are susceptible to manipulation and hacking, raising concerns about the integrity of election results if tampered with.
2. **Lack of transparency:** The confidential nature of EVM source code limits public scrutiny, making it difficult to assess their security and reliability.
3. **Security risks:** Unauthorized access, physical tampering, or cyberattacks pose threats to the integrity of the voting process and may lead to unreliable results.

Challenges with VVPAT usage

1. **Limited sample size:** The current practice of checking only five VVPAT slips per assembly constituency may not be sufficient to detect faults or discrepancies in EVM counts.
2. **Technological issues:** VVPATs may encounter malfunctions due to weather conditions, sensitivity to light, paper jams, ink running out, or battery depletion.
3. **Voter intimidation:** Counting VVPAT slips assembly-wise may expose voters to profiling and intimidation by political parties based on booth-wise polling behavior.
4. **Storage and integration concerns:** Proper storage and integration of VVPAT machines with EVMs raise logistical challenges and security concerns.

WEALTH TAX DEBATE

RELEVANCE

□ Syllabus:

- PSIR: Planning and Economic Development
- GS2- Government Policies



INTRODUCTION

The ongoing election campaign has intensified the debate on wealth redistribution, sparking heated exchanges between the ruling government and the Opposition. Adding to the discussion, the Supreme Court (SC) has formed a nine-judge Bench to interpret the Directive Principles of State Policy (DPSP) regarding ownership and control of material resources.

Constitutional Provisions for Redistribution of Wealth

Preamble: The Preamble of the Constitution aims to secure social and economic justice, liberty, and equality for all citizens.

Fundamental Rights: Part III of the Constitution guarantees fundamental rights such as liberty and equality.

Directive Principles of State Policy (DPSP): Article 39(b) and (c) of DPSP advocate for economic justice by distributing ownership and control of material resources to serve the common good, preventing concentration of wealth to the detriment of society.

Historical Application of Wealth Redistribution:

Curtailed of Right to Property: Various amendments, such as the 1st Amendment in 1951, curtailed the right to property to facilitate land reforms and public welfare. The 25th Amendment in 1971 provided primacy to DPSP principles, protecting laws made to fulfill these principles from

being void on grounds of violating fundamental rights.

Abolition of Right to Property as Fundamental Right: The 44th Amendment Act in 1978 abolished the right to property as a fundamental right, making it a constitutional right under Article 300A to minimize litigation.

Adoption of Socialistic Model of Economy: Policies like nationalization of banking and insurance, high direct tax rates (up to 97%), estate duty on inheritance, and the Monopolies and Restrictive Trade Practices Act, 1969 aimed at reducing inequality and redistributing wealth. However, these measures led to stifled growth and revenue generation below administrative costs.

GOVERNMENT POLICY FOR WEALTH DISTRIBUTION

- 1. Liberalization and Globalization:** The government opened up the economy to private players and reduced barriers to trade and investment, allowing for greater participation in the global economy.
- 2. Industrial Policy Reform:** The adoption of a new industrial policy in 1991 aimed to empower market forces, enhance efficiency, and address structural deficiencies in the industrial sector.
- 3. Repeal of MRTP Act:** The Monopolies and Restrictive Trade Practices (MRTP) Act was repealed and replaced with the Competition Act, 2002, to promote competition and prevent monopolistic practices.
- 4. Tax Reforms:** Income tax rates were reduced significantly to encourage investment and economic growth. Estate duty was abolished in 1985, followed by the abolition of wealth tax in 2016.

These policies have led to the emergence of a market-driven economy, resulting in increased government resources that have helped alleviate poverty. For instance, there has been a significant

decline in multidimensional poverty in India, from 29.17% in 2013-14 to 11.28% in 2022-23.

However, despite these efforts, there remains a growing problem of inequality in India, with wealth becoming concentrated in the hands of a few. Addressing this challenge requires further policy interventions aimed at promoting inclusive growth and equitable wealth distribution.

NEED FOR WEALTH REDISTRIBUTION IN INDIA

- 1. Rising Inequality:** Wealth and income inequality have been on the rise in India, particularly since the liberalization period. The top 10% of the population holds a disproportionate share of the country's wealth and income, while the bottom 50% have limited access to resources.
- 2. Lack of Inclusive Growth:** Despite economic growth, the benefits have not been distributed equitably among all sections of society. Many marginalized groups continue to face barriers to economic opportunities and social advancement, exacerbating inequality.
- 3. Meritocratic Society:** Redistributing wealth can contribute to the creation of a more meritocratic society by reducing disparities in access to resources and opportunities. It helps level the playing field, allowing individuals to succeed based on their abilities and efforts rather than their socioeconomic background.
- 4. Inter-Generational Equity:** Inheritance tax and other redistribution measures promote inter-generational equity by preventing the concentration of wealth in the hands of a few privileged families across generations. This ensures that future generations have a fair opportunity to thrive and contribute to society.

Addressing wealth inequality through redistribution measures is essential for fostering inclusive and sustainable development, promoting social cohesion, and building a more equitable society in India.

CHALLENGES IN OVERCOMING WEALTH INEQUALITY

- 1. Political Resistance:** Powerful interest groups often resist redistributive policies, fearing loss of wealth or influence. Overcoming political resistance requires strong political will and leadership committed to equitable wealth distribution.
- 2. Informal Economy:** A significant portion of India's workforce operates in the informal economy, where wages are low and job security is limited. Redistributive policies must find ways to reach these workers and provide them with adequate social protection.
- 3. Deep-rooted Social Inequalities:** Social inequalities based on caste, gender, religion, and ethnicity exacerbate economic disparities. Redistributive efforts should address these underlying social inequalities to ensure that marginalized groups have equal access to resources and opportunities.
- 4. Capacity Constraints:** India's institutional capacity to implement redistributive policies is often hampered by bureaucratic inefficiencies, corruption, and inadequate infrastructure. Strengthening governance mechanisms and enhancing institutional capacity are essential for effective implementation of redistribution measures.

WAY FORWARD

- 1. Introduction of Inheritance Tax:** Implementing an inheritance tax with a higher threshold can generate significant revenue for wealth redistribution. This tax should target the ultra-rich while ensuring that it does not burden middle-income families.
- 2. Strengthening Institutional Capacity:** Efforts should be made to strengthen governance mechanisms, plug leakages in welfare schemes, and improve the efficiency of service delivery. This requires investment in infrastructure, technology, and capacity building.
- 3. Building Socio-Political Consensus:** Creating socio-political consensus on progressive taxation and welfare programs is crucial for overcoming resistance to redistributive policies. Public awareness campaigns and dialogue among stakeholders can help build support for equitable wealth distribution.
- 4. Reframing Government Policies:** Government policies should be aligned with the goal of equitable wealth distribution without stifling innovation and growth. Resource-based development policies can ensure that the benefits of economic growth are shared more equitably among all sections of society.

VACCINE REGULATIONS IN INDIA

RELEVANCE

□ Syllabus:

- **PSIR:** Statutory, Regulatory and various Quasi-judicial Bodies
- **GS2-** Government Policies



INTRODUCTION

The recent acknowledgment by global pharmaceutical manufacturer AstraZeneca regarding the rare side effect of blood clotting and low platelet count associated with its Covid-19 vaccine has raised concerns. In India, this vaccine is administered under the brand name Covishield, manufactured by the Serum Institute of India, based in Pune. With 175 crore doses of Covishield administered in India, the spotlight has shifted to vaccine regulations in the country.

VACCINE REGULATIONS IN INDIA

In India, vaccine regulations are governed by the New Drugs and Clinical Trial Rules, which were notified in March 2019. These regulations outline the process for the approval of new drugs, including vaccines.

1. Vaccine Approval Process:

- Identification and development of a safe and immunogenic vaccine strain.
- Full characterization of the vaccine strain through in-vitro experiments.
- Pre-clinical studies in small and large animals to determine safety, efficacy, and dosage.

- ❑ Phase-I human clinical trials on a small number of individuals to establish safety.
- ❑ Phase-II human clinical trials on a larger scale to determine immunogenicity.
- ❑ Phase-III human clinical trials on a significant number of individuals to determine vaccine efficacy.
- ❑ Regulatory approval is granted upon successful completion of phase III studies.
- ❑ Phase-IV clinical trials involve post-marketing surveillance for long-term decision-making.

2. Clinical Trials Conduct:

- ❑ Clinical trials for vaccines must be conducted within India, from phase-I to phase-III.
- ❑ Guidelines provided by the Indian Council of Medical Research (ICMR) address ethical issues during all phases of vaccine studies.
- ❑ Licenses and permissions for vaccine manufacture are obtained under the Drugs and Cosmetics Act, 1940.
- ❑ Clinical study reports for each phase of the trial are submitted to the Central Drugs Standard Control Organisation (CDSCO).

3. Regulatory Bodies:

- ❑ The Indian Council of Medical Research (ICMR) sets guidelines for clinical trials.
- ❑ The Central Drugs Standard Control Organisation (CDSCO) oversees the licensing and permissions for vaccine manufacture.
- ❑ Manufacturers file a market authorization application upon successful completion of all three phases of trials.

CHALLENGES

1. **Clinical Trial Challenges:** Clinical trials in India face issues of mistrust, arbitrary decrees, opacity, and lax regulations. Instances of animal cruelty during trials have raised concerns.
2. **Approval Delays:** Regulatory approval processes in India are often time-consuming,

leading to delays. Bureaucratic and regulatory hurdles pose challenges, especially during urgent situations like epidemics.

3. **Foreign Approval Focus:** India's regulatory framework often relies on foreign regulatory approvals for vaccine assessment, such as Emergency Use Authorizations (EUA). This approach may not always align with India's specific needs.
4. **Inadequate Regulation:** Poor regulation of vaccines can lead to the proliferation of low-quality and counterfeit medications. Insufficient standards for efficiency, safety, and potency pose risks to patients' lives.
5. **Monitoring and Surveillance:** Inadequate monitoring of adverse drug reactions and post-market surveillance systems hinder the detection and mitigation of potential risks associated with vaccines. Issues such as the controversy surrounding the Covishield vaccine highlight the importance of robust monitoring mechanisms.

WAY FORWARD

1. **Strengthen Regulatory Oversight:** India should allocate more resources and focus on capacity building within regulatory agencies like CDSCO and the Drug Controller General of India. This will enhance their ability to conduct thorough regulatory scrutiny.
2. **Pandemic-Specific Guidelines:** Clear guidelines should be established outlining the process for vaccine approval during emergencies and pandemics. This will ensure a streamlined approach to regulatory approvals during critical situations.
3. **Establishment of a Single Regulatory Body:** Creating a single regulatory agency for drug and vaccine approvals would streamline the oversight process and accelerate approval timelines. This consolidation would reduce bureaucratic hurdles and enhance efficiency.

4. Enhance Post-Market Surveillance: Implementing robust post-market surveillance systems similar to VAERS in the United States would enable India to swiftly detect and respond to rare adverse events associated with vaccines. This proactive approach ensures timely interventions to address emerging safety concerns.

5. Strengthen Pharmacovigilance: India should prioritize the development of effective pharmacovigilance programs aimed at monitoring vaccine safety and efficacy post-approval. Encouraging transparency and accountability within the regulatory framework will bolster confidence in vaccine regulations.

INHERITANCE TAX

RELEVANCE

Syllabus:

- **PSIR:** Planning and Economic Development
- **GS2-** Government Policies



INTRODUCTION

Recently, amid Lok Sabha election campaigning, the proposal to introduce an Inheritance Tax in India sparked a significant political controversy. While some view Inheritance Tax as a means of achieving

more equitable wealth distribution, others raise concerns about its potential exploitation for symbolic purposes and its portrayal as a populist measure under the guise of a “Robin Hood Tax.”

INHERITANCE TAX AND ITS HISTORY IN INDIA

Inheritance Tax, also known as an estate tax or death tax, is a levy imposed on the assets inherited by individuals from a deceased person's estate. The tax rate typically depends on the value of the property received by the heir and their relationship to the deceased. It is a means of redistributing wealth and addressing economic inequality.

In India, the history of Inheritance Tax can be traced back to the Estate Duty, which was introduced in 1953. This tax was applicable to the market value of all immovable properties within India, as well as movable property inherited by successors upon an individual's death. However, due to numerous litigations and high administrative costs, the Estate Duty was abolished by the Rajiv Gandhi Government in 1985.

In the United States, inheritance tax is imposed on money or property inherited from a deceased person's estate. It is paid by the beneficiary and is implemented in six states: Iowa, Kentucky, Maryland, Nebraska, New Jersey, and Pennsylvania. Globally, there has been a growing call to tax billionaires and address wealth inequality. Some proposed measures include implementing a global minimum corporate tax rate, imposing a minimum 25% tax on taxpayers with wealth exceeding a certain threshold (e.g., \$100 million), and advocating for a G20 declaration on taxing the super-rich, as seen in efforts by France and Brazil. These initiatives aim to create more equitable societies and reduce disparities in wealth distribution.

REASONS OF GROWING DEMAND OF INHERITANCE TAX

1. Rising wealth and income inequality: In the post-liberalization era, wealth and income inequality have surged in India. Reports indicate that a small percentage of the population holds a disproportionately large

share of the nation's wealth, while the majority has minimal assets. This disparity underscores the need for measures to redistribute wealth more equitably.

- 2. Lack of inclusive growth:** Despite economic growth, India has struggled with inclusivity, leading to a widening wealth gap. The Gini wealth coefficient, a measure of wealth inequality, has increased over the years, signaling the need for policies that promote more inclusive growth and address disparities.
- 3. Endowments to social sector institutions:** Inheritance Tax could provide a significant source of revenue for social sector institutions such as hospitals and universities. Funds generated from such taxes could be utilized to support these institutions and contribute to social welfare initiatives.
- 4. Need for additional direct taxes:** The government's fiscal deficit has expanded in the aftermath of the COVID-19 pandemic. To address this shortfall and meet fiscal targets outlined in the Fiscal Responsibility and Budget Management (FRBM) Act, exploring new sources of direct taxation like inheritance tax becomes imperative.
- 5. International precedents:** Several developed countries and India's regional counterparts have implemented inheritance tax as a means of wealth redistribution and revenue generation. Drawing from international practices, proponents argue that India could benefit from similar measures to address wealth inequality and enhance fiscal sustainability.

ADVANTAGES OF INHERITANCE TAX

- 1. Reduction of inequalities:** By preventing the accumulation of wealth and assets within a select few families, inheritance tax helps reduce intra-generational inequality and promotes inter-generational equity. This ensures a fairer distribution of resources across society.

2. **Greater financial resources for the government:** With a significant portion of wealth concentrated among older individuals, inheritance tax can serve as a stable and substantial source of revenue for the government. This additional revenue can be allocated to fund public welfare programs and social sector initiatives.
3. **Enhanced funding for public welfare:** Revenue generated from inheritance tax can be directed towards expanding social sector programs and initiatives, including universal health insurance, education, and poverty alleviation efforts. This contributes to the overall welfare of society by addressing critical needs and gaps in service delivery.
4. **Creation of a meritocratic society:** By reducing the advantage enjoyed by individuals born into wealthy families, inheritance tax promotes meritocracy and equal opportunity. It levels the playing field by redistributing initial endowments and fostering a more equitable society based on individual merit and effort.
5. **Progressive nature:** Inheritance tax is inherently progressive, as it imposes a higher tax burden on wealthy individuals and families. By taxing inheritances based on their value, the tax system ensures that those with greater financial resources contribute proportionally more towards public revenue, thus promoting economic fairness and social justice.

CHALLENGES IN THE IMPLEMENTATION OF INHERITANCE TAX

1. **Difficulty in evaluation:** Valuing inherited property and assets accurately can be complex and resource-intensive for the government. Ensuring fair and transparent valuation processes requires significant expertise and investment in administrative infrastructure.
2. **Risk of closure of businesses:** Inheritance tax may impose financial burdens on less profitable

or family-owned businesses, potentially leading to liquidity issues or distress sales. This could adversely affect entrepreneurship and economic growth, particularly among small and medium-sized enterprises.

3. **Flight of capital and entrepreneurs:** High inheritance tax rates may incentivize individuals to relocate or transfer assets offshore to avoid taxation. This could result in the loss of entrepreneurial talent and financial resources, undermining investment and innovation within the country.
4. **Dampening of capital asset creation and high inflation:** Inheritance tax may discourage savings and investment by reducing the after-tax returns on capital assets. This could lead to increased consumption and inflationary pressures in the economy. Additionally, the tax may deter individuals from accumulating wealth through capital formation, potentially hampering long-term economic growth.
5. **Secondary taxation and double taxation:** Inheritance tax is often criticized for its potential to result in double taxation, as the inherited property or assets may have already been subject to taxation as earned income or capital gains. This secondary taxation could be perceived as unfair and may disincentivize wealth accumulation and intergenerational transfers.

WAY FORWARD

1. **Introduction of higher threshold:** If the government intends to introduce inheritance tax, it should consider setting a higher threshold to minimize the impact on smaller estates and middle-income families.
2. **Making provisions for donations to hospitals and universities:** Exempting endowments to social sector institutions such as hospitals and universities from inheritance tax calculations

can incentivize philanthropy and support crucial sectors of society.

3. Improving the government's tax administrative capacity: Enhancing the capacity of tax authorities through the adoption of advanced technology and data analytics tools can streamline tax administration and compliance monitoring. Leveraging initiatives like Project Insight of the Central Board of Direct Taxes can help reduce administrative costs and enhance efficiency.

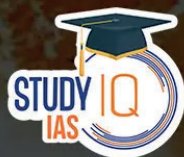
4. Changes in complementary taxes: The government should review and revise complementary taxes such as wealth tax and gift tax to ensure that inheritance tax is not circumvented through tax planning strategies like the creation of family trusts. Strengthening regulations and enforcement mechanisms can prevent tax evasion and promote fairness in the tax system.

MODEL CODE OF CONDUCT- A DETAILED EXPLANATION

RELEVANCE

Syllabus:

- **PSIR:** Election
- **GS2-** Government Policies



MODEL CODE OF CONDUCT

INTRODUCTION

The Delhi High Court recently received a petition accusing Prime Minister Narendra Modi of breaching the Model Code of Conduct (MCC) by

allegedly seeking votes based on religion during his speech in Pilibhit, Uttar Pradesh. The petitioner is advocating for a strict penalty, proposing a six-year prohibition on Prime Minister Modi's electoral

participation. This plea has sparked renewed debates on the adherence of political parties and campaigners to the MCC.

WHAT IS THE MCC

- ❑ The Model Code of Conduct (MCC) is a set of guidelines established by the Election Commission of India (ECI) to regulate the conduct of political parties and candidates during elections. It aims to ensure free and fair elections by maintaining decorum and ethical standards in campaigning. The MCC outlines a series of do's and don'ts for political leaders and parties to adhere to during the election period.
- ❑ The MCC is in effect from the date the election schedule is announced until the declaration

of results. It does not have statutory backing but has gained significant importance due to its strict enforcement by the ECI. While the MCC itself cannot be legally enforced, certain provisions may be enforced through corresponding provisions in other statutes such as the Indian Penal Code, Criminal Procedure Code, and Representation of the People Act.

- ❑ Violations of the MCC can result in various penalties imposed by the Election Commission, ranging from warnings to filing FIRs against the offending party or candidate. Over the years, the MCC has evolved to address new challenges and maintain the integrity of the electoral process.

MODEL CODE OF CONDUCT

Legislative backing

- Though the MCC does not have any statutory backing, it has come to acquire strength due to strict enforcement by the EC.
- Certain provisions of the MCC may be enforced through invoking provisions under IPC 1860, CrPC 1973, and RPA 1951.



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EVOLUTION OF MCC

The Model Code of Conduct (MCC) has evolved over several decades to ensure fair and ethical conduct during elections in India:

- ❑ **1960:** The MCC traces its origins back to the Assembly elections in Kerala in 1960 when the state administration introduced a 'Code of Conduct' for political actors to maintain decorum during campaigning.
- ❑ **1962:** The Election Commission of India (ECI) formally circulated the Model Code of Conduct to all recognized political parties and state governments. It was first implemented during the Lok Sabha Elections in 1962.
- ❑ **1991:** In response to repeated violations of election norms, the ECI decided to enforce the MCC more strictly. This marked a significant step towards ensuring adherence to ethical standards in election campaigning.
- ❑ **2014:** The ECI issued updated guidelines aimed at preventing parties from making promises that could unduly influence voters. Additionally, the ECI recommended that election manifestos include details on how parties plan to fulfill their promises, promoting transparency and accountability.

Throughout its evolution, the MCC has been refined to address emerging challenges and uphold the principles of free and fair elections in India.

KEY PROVISIONS OF MCC

The Model Code of Conduct (MCC) encompasses several key provisions aimed at ensuring fair and ethical conduct during elections:

General Conduct:

1. Parties and candidates must refrain from activities that may aggravate existing differences or cause tension between different communities.
2. Prohibition on corrupt practices such as bribing voters, intimidation, impersonation,

canvassing near polling stations, and holding public meetings within 48 hours of polling.

3. Avoidance of criticism of private aspects of opponents' lives unrelated to their public activities.

Meetings:

1. Informing local police authorities in advance about the venue and time of proposed meetings.
2. Obtaining permission or license for the use of loudspeakers or other facilities for meetings.

Processions:

1. Deciding the time, place, and route of processions in advance.
2. Ensuring no blockage of traffic during processions.
3. Prohibition on carrying or burning effigies representing members of other political parties.

Polling Day:

1. Cooperation with election officers to ensure peaceful polling.
2. Prohibition on serving or distributing liquor on polling day and 48 hours preceding it.
3. Issuance of plain identity slips to voters by authorized party workers at polling booths.

Polling Booth:

1. Reporting problems regarding election conduct to appointed observers.

Party in Power:

1. Ministers must refrain from combining official visits with election work or using official machinery for election purposes.
2. Avoidance of advertising at public expense or using official mass media for publicity to improve electoral chances.
3. Prohibition on announcing financial grants or promising construction projects during the election period.

4. Public spaces and rest houses should be accessible to all parties, not monopolized by the party in power.

Election Manifestos:

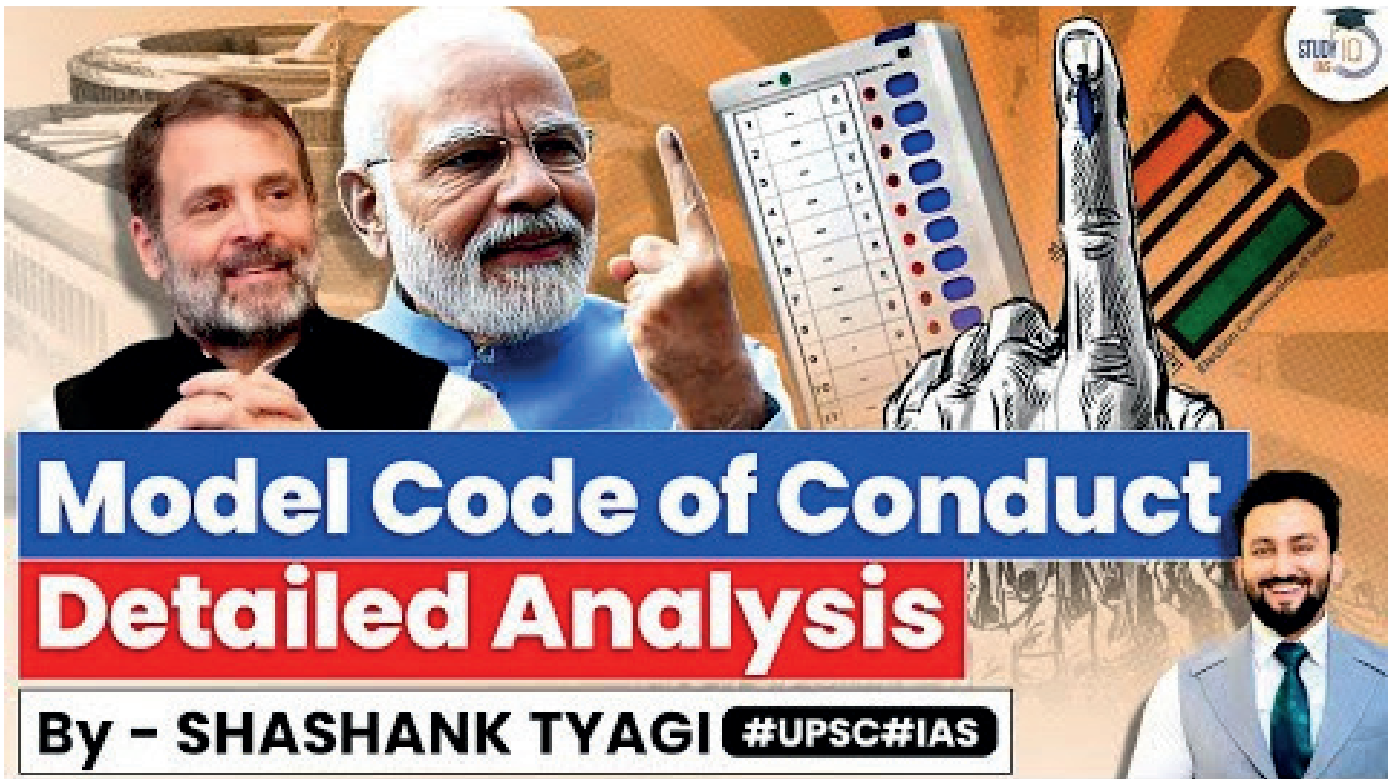
1. Manifestos must align with the ideals and principles enshrined in the Constitution.
2. Avoidance of promises likely to vitiate the election process or unduly influence voters.
3. Manifestos must provide rationale for promises and indicate ways to meet financial requirements.
4. Prohibition on releasing manifestos during the prohibitory period before elections.

SIGNIFICANCE OF MCC

1. **Ensuring free and fair elections (Article 324):** The Model Code of Conduct (MCC) aims to tackle electoral malpractices and ensure that elections are conducted in a fair manner, as stipulated in Article 324.
2. **Addressing electoral inequalities:** MCC seeks to reduce inequalities by prohibiting the use of government resources by the ruling party to promote its achievements.
3. **Ensuring social harmony:** MCC strives to maintain social harmony by preventing political parties and candidates from engaging in activities that could escalate tensions among different social groups.
4. **Encouraging transparency and accountability:** MCC promotes transparency and accountability by requiring political parties to justify their electoral promises and outline how they plan to fulfill them.

CHALLENGES WITH MCC

1. **Lack of legal enforceability:** MCC lacks legal backing, making it difficult to enforce its guidelines effectively.
2. **Ineffectiveness in Curbing Malpractices:** Despite its objectives, MCC has not been successful in preventing various electoral malpractices, such as hate speech and voter intimidation.
3. **Challenges from evolving technologies:** MCC faces challenges from new technologies like AI and social media, which facilitate the spread of misinformation and propaganda.
4. **Vague Clauses:** Some clauses in the MCC are subjective and open to interpretation, leading to potential misinterpretation.
5. **Reliance on Political Cooperation:** The effectiveness of MCC depends on the cooperation of political parties and governments, which may not always comply with its guidelines.
6. **Lack of Enforcement Capacity of Election Commission:** The Election Commission of India may struggle to enforce the MCC due to limited resources and manpower.
7. **Interference with Governance:** Early application of MCC may interfere with governance activities, such as policy decisions and welfare schemes.
8. **Lack of Awareness and Compliance:** Many stakeholders may not fully understand the provisions of the MCC, leading to non-compliance.



WAY FORWARD

- 1. Enhanced Awareness and Training:** Conducting regular awareness programs and training sessions for political parties, candidates, and their agents to ensure a better understanding of the MCC and its implications.
- 2. Strengthening Enforcement Mechanisms:** Strengthening the enforcement mechanisms of the Election Commission of India (ECI) to ensure swift and effective action against violations of the MCC, including setting up dedicated teams and helplines for reporting violations.
- 3. Transparency and Accountability:** Ensuring transparency and accountability in the enforcement of the MCC by regularly publishing reports on violations and actions taken by the ECI, thereby fostering public trust in the electoral process.
- 4. Engagement with Civil Society:** Engaging with civil society organizations, media, and citizens to actively monitor and report violations of the MCC, thereby supplementing the efforts of the ECI in enforcing compliance.
- 5. Continuous Review and Revision:** Regularly reviewing and revising the MCC to address emerging challenges and incorporate best practices, with inputs from stakeholders, experts, and civil society organizations.
- 6. Political Consensus:** Fostering political consensus among all political parties on the importance of adhering to the MCC and upholding ethical standards in election campaigns, transcending partisan interests for the larger goal of ensuring free and fair elections.
- 7. International Cooperation:** Exploring avenues for international cooperation and knowledge exchange on best practices in election management and enforcement of codes of conduct, drawing upon the experiences of other countries facing similar challenges.

CHANGES TO COMPETITION LAW IN INDIA

RELEVANCE

☐ Syllabus:

- **PSIR:** Planning and Economic Development
- **GS2-** Government Policies

INTRODUCTION

The Competition Commission of India (CCI) has recently implemented several changes to competition law in India, following the Competition Law Amendment Act of 2023. These changes include the introduction of guidelines for monetary penalties, regulations for settlements and commitments, the establishment of new thresholds, and the introduction of 'leniency plus' provisions. The CCI chief has stated that these newly notified guidelines will apply to cases currently under investigation by the CCI.

LATEST CHANGES

The Competition Law in India has recently undergone significant changes, introduced through the Competition Law Amendment Act of 2023. These changes aim to enhance competition in the Indian market and address anti-competitive practices. Here are the latest amendments:

1. New Threshold for Acquisitions and Mergers:

- ☐ Transactions valued at more than Rs 2,000 crore now require approval from the Competition Commission of India (CCI).
- ☐ The CCI has a reduced timeline of 150 days to pass an order on such transactions, down from 210 days previously.

2. Penalties for Competition Law Violations:

- ☐ Penalties for violations are now based on a company's global turnover, rather than just its turnover in India.
- ☐ The penalty can be as high as 30% of the average relevant turnover or income, capped at 10% of the company's global turnover.

3. Introduction of 'Leniency Plus' Provisions:

- ☐ The CCI can grant additional waiver of penalties to an applicant who discloses the existence of another cartel in an unrelated market.

4. Expedition of Clearances for Mergers and Acquisitions:

- ☐ CCI clearance for mergers and acquisitions must now be granted within 150 days, with a possible extension of 30 days.

5. Decriminalization of Certain Offences:

- ☐ Certain offences under the competition law are now decriminalized, with punishments changed from fines to civil penalties.
- ☐ These offences include failure to comply with orders of the CCI and directions of the Director General related to anti-competitive agreements and abuse of dominant position.

What are the purported advantages of the changes in the Competition Law In India?

1. **Facilitation of Business Operations:** The changes in the Competition Law are anticipated to facilitate ease of doing business in India by reducing regulatory hurdles and providing clearer guidelines for businesses. This could streamline operations and reduce compliance burdens.

2. **Increased Clarity and Accountability:** Including global turnover in the definition of "turnover" is expected to enhance transparency and accountability in the Indian market. This broader scope may offer a more comprehensive understanding of a company's financial standing and market influence.

3. **Strengthened Deterrence Against Anti-competitive Practices:** By incorporating penalties based on global turnover, the amendments aim to create a stronger deterrent against anti-competitive behavior. This ensures that companies cannot evade penalties for violations by manipulating revenue sources.
4. **Expanded Coverage of Anti-competitive Activities:** The introduction of “leniency plus” provisions broadens the scope of anti-competitive agreements, enabling authorities to target entities facilitating cartelization. This expansion enhances the ability to identify and address various forms of anti-competitive behavior.
5. **Prevention of Market Monopoly:** Revised thresholds for mergers and acquisitions aim to prevent market monopolies by holding large firms accountable for anti-competitive actions. The amendments empower the CCI to take prompt corrective measures in cases of potential market dominance, thereby fostering a more competitive business environment.

WHAT ARE THE CHALLENGES ASSOCIATED WITH THE COMPETITION LAW IN INDIA?

1. **Limited Penalty Recovery:** Despite penalties imposed for anti-competitive behavior, the rate of recovery has remained low, standing at only 0.4% over the past five years. Additionally, the Competition Commission of India (CCI) has faced challenges in successfully defending its decisions at appellate tribunals and higher courts.
2. **Concerns About Foreign Direct Investment (FDI):** Provisions linking penalties to global turnover may raise concerns about the impact on companies with global operations. Firms operating in multiple markets worldwide may be deterred by fines imposed based on their

global turnovers, potentially affecting FDI inflows into India.

3. **Capacity Constraints of CCI:** The CCI faces limitations in terms of manpower and resources, which hinder its ability to effectively monitor and regulate anti-competitive practices, particularly in sectors dominated by large technology companies.
4. **Risk of Stifling Emerging Sectors:** There are apprehensions that the introduction of stringent penalties could negatively impact emerging industries in India, such as semiconductors, electronics, electric vehicles, renewable energy, avionics, and defense equipment. The fear is that these penalties may hinder the growth and innovation potential of these sunrise sectors.

WHAT SHOULD BE THE WAY FORWARD?

- ❑ **Strengthening CCI:** The institutional framework of the Competition Commission of India (CCI) should be strengthened through the creation of specialized divisions or cells dedicated to addressing digital anti-competitive practices. Additionally, there should be an increase in technical manpower to enhance the CCI's capacity to regulate such practices effectively.
- ❑ **Establishment of Specialized Bench:** The government should expedite the establishment of a specialized bench within the National Company Law Appellate Tribunal (NCLAT) to handle anti-competitive cases. This will facilitate the swift adjudication of cases and ensure timely resolution. Section 39 of the Competition Act, which enables the recovery of penalty amounts under the Income Tax Act, could be leveraged post-appeal finalization.
- ❑ **Scrutiny for Penalties Based on Global Turnovers:** Before imposing fines based on global turnover levels, the CCI should implement a rigorous scrutiny process similar to that of the

European Union and Germany. Factors such as the nature of infringement, market share, and consequential harm should be considered to ensure proportionate penalties.

- ❑ **Implementation of Checks and Balances:** Mechanisms should be put in place to ensure effective checks and balances to prevent any abuse of discretionary powers by regulatory authorities. Transparency and accountability in decision-making processes are crucial for maintaining trust in the regulatory framework.

- ❑ **Balancing Enforcement with Economic Growth:** The CCI must strike a balance between regulating anti-competitive behavior and fostering growth in emerging sectors of the economy, often referred to as sunrise sectors. Enforcement actions should be aligned with the objectives of promoting ease of doing business and encouraging innovation in these sectors.



UPSC IAS (MAINS)

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MAINS PRACTICE QUESTIONS

Q. Explain the role of political parties in a parliamentary democracy

In the framework of parliamentary democracy, competitive political parties play a pivotal role in shaping public opinion, nominating candidates, and participating in elections with the aim of securing a substantial number of seats in the legislative body, thereby positioning themselves to establish governments. Those parties that do not achieve an outright majority of seats in the parliament assume the role of the opposition, engaging in constructive critique of the ruling party's policies and actions.

In the context of political systems, the two-party system emerges as an optimal configuration for facilitating the effective functioning of parliamentary democracy. This arrangement fosters clear and streamlined decision-making processes, enhancing governance through the focused policy agendas of the two primary competing parties.

Conversely, in a multi-party system, the prospect of any single party securing an absolute majority often remains elusive. As a result, several parties forge coalitions to collectively form a government, pooling their mandates to reach the required majority. The remaining parties, not involved in the coalition, assume the role of the opposition, providing alternative perspectives and critical analyses.

A contrasting model, the one-party system, is typically associated with totalitarian states. This structure involves the dominance of a single political party that is frequently synonymous with the state itself. The absence of competitive opposition hinders the checks and balances intrinsic to democratic systems, potentially enabling rulers to wield authoritarian power without meaningful dissent.

Thus, the dynamics of parliamentary democracy are intricately linked to the roles and interactions of political parties. While the two-party system promotes streamlined governance, multi-party systems often necessitate coalition building for effective governance. On the other hand, the one-party system, prevalent in totalitarian contexts, centralizes power and suppresses pluralistic political engagement.

Q. Trace the origins of realism to its present utility in the field of international relations.

Realism is indeed considered one of the dominant theories in international relations. It offers an explanation for the state of war, which is seen as a regular condition in the international system. Realism is based on several fundamental assumptions, including state centrism, the anarchical structure of international relations, the security dilemma, and power as the primary driving force.

The history of realism can be traced back to intellectual precursors in both the West and the East. Some notable precursors in the West include Thucydides, Machiavelli, and Thomas Hobbes. Thucydides, an ancient Greek historian, emphasized the role of fear and power in driving conflicts between states. His concept of the "Thucydides trap" suggests that war can arise from the fear associated with a shift in the balance of power.

Machiavelli's work, particularly in "The Prince," revived realism by highlighting the importance of protecting and consolidating political power. He argued that rulers should prioritize their own interests and use any means necessary to maintain their authority. Similarly, Hobbes explored human nature and the pursuit of power, which he believed led to anarchy and a security dilemma in international relations.

In the East, Kautilya (also known as Chanakya), an ancient Indian scholar, viewed international relations as a jungle where the strength of the lion (state) prevails. He emphasized the need for states to constantly seek power. Sun Tzu, the author of “The Art of War,” provided strategic insights and various types of warfare, including guerrilla warfare.

The resurgence of realism as a dominant theory in international relations occurred with the works of Hans Morgenthau and other scholars. Morgenthau’s book “Politics Among Nations” became a seminal work in realism, outlining key principles such as the primacy of national interest, the pursuit of power, and the role of the balance of power in international relations.

Overall, the precursors of realism laid the foundation for its development as a dominant theory, with subsequent scholars contributing to its revival and further elaboration. Realism continues to be influential in analyzing and understanding international relations, particularly in explaining state behavior and the dynamics of power in the global arena.

Q. Discuss the impact of economic globalization on sovereign states.

In the current global context, international politics, and evolving interpretations of sovereignty and autonomy due to globalization, the concept of the state is undergoing significant changes. The core question in the globalization debate revolves around whether it is reshaping the power, function, and authority of nation-states.

Peter Willetts argues that individual countries can no longer be seen as having self-contained economies. The intricate interdependence among states has greatly diminished their ability to exercise control over two crucial aspects of sovereignty: currency and foreign trade.

Schotte suggests that globalization has given rise to a form of governance known as “post-sovereign,” indicating a decline in the autonomy and sovereignty of states. The economic and political aspects of globalization have led to a process of “state retreat.”

A prominent feature of economic globalization is the emergence of “supra-territoriality,” where the significance of territorial boundaries, geographical distance, and state borders is diminishing. Ohmae describes this as an increasing number of economic activities taking place within a “borderless world.”

In the past, sovereign control over economic affairs was feasible within discrete national economies. However, economic globalization has led to the incorporation of national economies into a single global economy, limiting economic sovereignty. Susan Strange argues that, unlike in earlier times when states held mastery over markets, contemporary markets have become the masters of states and governments.

However, David Held argues that states have not lost their sovereignty entirely and still play a crucial role in driving economic modernization. He suggests that the contemporary globalized world system operates through overlapping authorities and multiple legal frameworks, resulting in multiple forms of sovereignty.

Realists contend that the impact of globalization, in its economic, political, and cultural dimensions, has been exaggerated, asserting that states remain the decisive and dominant actors. They argue that states willingly engage in the global economy driven by their national self-interest.

Overall, the discourse surrounding the effects of globalization on state sovereignty and autonomy varies, with perspectives ranging from a significant decline in state power to the assertion that states continue to hold essential roles in a complex global system.

Q. Fascism is by no means a systematic doctrine. It is a queer mixture of incongruous elements. In the light of the above statement throw light on the liberal and Marxist critique of fascism

Fascism is a complex ideology that incorporates various elements and has been subject to criticism from both liberals and Marxists.

From a liberal perspective, fascism is criticized for its totalitarian nature and rejection of democratic principles and human rights. Liberals argue that fascism undermines individual liberty by subordinating individuals to the absolute authority of the state and reducing them to mere instruments to serve the state's goals. Fascism also emphasizes irrationality, in contrast to liberalism's focus on individual freedom and rationality. Additionally, fascism rejects the idea of natural and social equality, instead promoting hero-worship, elitism, and racist doctrines. Moreover, fascism undermines the pluralistic nature of society by establishing a monopoly of power through a single political party, eliminating free and open competition for political power. Lastly, fascism demolishes constitutional government, which is seen as essential for human freedom, progress, and the functioning of liberal democracy.

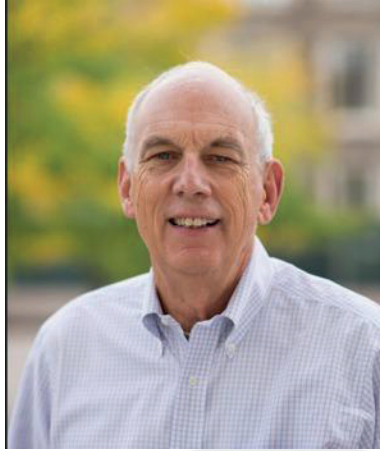
From a Marxist perspective, fascism is seen as an attempt to preserve capitalism, particularly during its decadent phase. Marxists argue that fascism creates a nationalistic myth to suppress class conflict and prevent international movements towards communism. Figures like Leon Trotsky have argued that the mass support for fascism comes from desperate and rootless middle-class individuals. Critics suggest that the widespread fear and uncertainty during times of crisis provide fertile ground for the rise of authoritarianism in fascist countries.

Thus, both liberals and Marxists criticize fascism for its rejection of democratic principles, human rights, and individual liberties.



SCHOLAR DIGEST: KNOW YOUR SCHOLARS

ROBERT O. KEOHANE



INTRODUCTION

Robert Owen Keohane, born on October 3, 1941, in Chicago, Illinois, USA, is a prominent American political scientist, educator, and scholar in the field of international relations. He is renowned for his contributions to neoliberal institutionalism, a perspective in international relations that highlights how states employ international organizations to advance their interests through collaborative efforts.

MAJOR WORKS

Keohane rose to prominence following the release of “Power and Interdependence” (1977), a collaborative effort with Harvard’s political scholar Joseph S. Nye. This publication significantly contributed to the establishment of international political economy (IPE) as a specialized field within the realm of international relations.

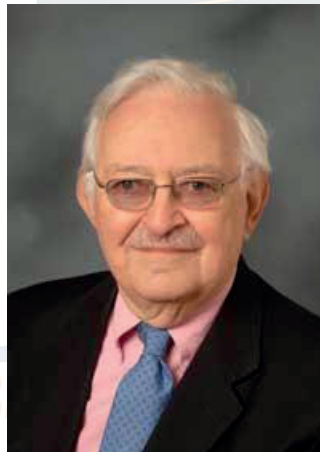
CONCEPT OF INTERDEPENDENCE

Keohane placed a strong emphasis on the concepts of interdependence and collaboration within global politics. He offered a critical perspective on the neorealist approach to international relations, which posits that interactions between nations are primarily marked by suspicion and rivalry. Unlike the neorealist viewpoint, Keohane argued that states don’t consistently view each other’s successes with alarm; rather, they often seek to foster cooperation for mutual gain. He contested the neorealist notion that international relations are a zero-sum game, asserting that collaboration can lead to shared benefits rather than a one-sided win or loss.

In addition to addressing security concerns, Keohane highlighted that states actively engage in endeavors that are advantageous to all parties involved, such as trade partnerships and environmental conservation efforts. Notably, he broadened the scope of analysis beyond just state actors, recognizing the significance of transnational entities like multinational corporations and international trade unions. By acknowledging these factors, Keohane challenged the conventional focus on nation-states in the realm of international relations, particularly in light of the complex processes of globalization.

In his most renowned work, “After Hegemony: Cooperation and Discord in the World Political Economy” (1984), Keohane embraced the core idea of neorealism that states act as rational egoists. However, he put forth the notion that self-interest can actually pave the way for cooperation. Challenging the neorealist perspective that cooperation between countries necessitates a dominant military power or hegemon to enforce it, Keohane contended that this stance was not entirely supported by historical evidence. He pointed out that international cooperation persisted even after the waning of U.S. hegemony in the 1970s. Keohane attributed this continuity of international cooperation to the establishment of what he termed “international regimes,” exemplified by institutions like the International Monetary Fund (IMF) and the General Agreement on Tariffs and Trade (GATT). These international regimes, in Keohane’s view, encompass a collection of implicit or explicit norms, institutions, and decision-making mechanisms that enable states to calibrate their expectations and uphold avenues of collaboration. Keohane’s argument was that states subscribed to these regimes due to their ability to mitigate the risks and expenses associated with cooperation, while simultaneously safeguarding the benefits achieved through collective negotiation.

IMMANUEL WALLERSTEIN



INTRODUCTION

Immanuel Maurice Wallerstein (September 28, 1930 – August 31, 2019) was an American sociologist and economic historian, renowned for pioneering the world-systems approach within sociology.

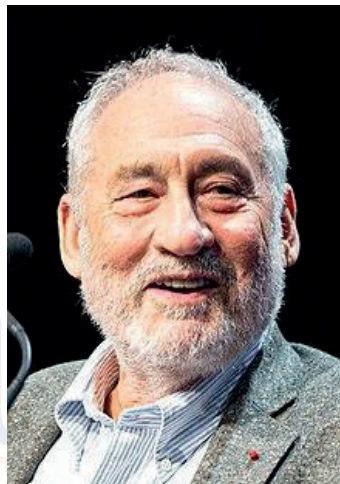
WORLD SYSTEM THEORY

World-systems theory, developed by American sociologist and historian Immanuel Wallerstein (1930–2019) in his 1974 work “The Modern World System,” presents a contrasting perspective to modernization theory. While modernization theory posits that economic development will eventually spread globally, Wallerstein’s theory argues that economically powerful regions primarily benefit themselves at the expense of peripheral areas. This concept can be traced back to a notion proposed by Vladimir Ilyich Lenin (1870–1924), the leader of the Bolshevik Revolution (1917), who suggested that class struggles in capitalist Europe had, to some extent, shifted into the international economic arena, with Russia and China representing proletarian countries. Wallerstein’s focus was on the period when European capitalism first expanded into Africa and the Americas, but he also emphasized that world-systems theory could be applied to earlier systems where Europeans did not hold dominance.

In line with Wallerstein's perspective, German-born American economist André Gunder Frank (1929–2005) argued for the existence of an ancient world system, indicating an early tension between core and periphery. He further extended the application of world-systems theory to the 20th century, asserting that “underdevelopment” wasn't just a matter of falling behind but resulted from the exploitative economic power wielded by industrialized nations. This idea, often referred to as the “development of underdevelopment” or “dependency theory,” offered an alternative narrative for world history, one that lacked a positive outcome for the majority of humanity.

Similar to modernization theory, world-systems theory has faced criticism for its Eurocentric perspective. Additionally, many economists have questioned the empirical evidence supporting it. While the theory has been productive in raising important questions, its proposed answers have generated significant controversy.

JOSEPH STIGLITZ



INTRODUCTION

Joseph Eugene Stiglitz, born on February 9, 1943, in Gary, Indiana, USA, is an American economist renowned for his pioneering work on the theory of markets characterized by unequal access to information. Alongside A. Michael Spence and George A. Akerlof, he was awarded the Nobel Prize for Economics in 2001 for his contributions to this field.

CONCEPT OF INFORMATION ASYMMETRY

Joseph Stiglitz is renowned for his significant contributions to the field of information economics, a sub-discipline of microeconomics that explores the impact of information and information systems on economic dynamics and decision-making. His groundbreaking work on information asymmetry played a pivotal role in securing him the Nobel Prize in Economics in 2001.

Information asymmetry refers to an unequal distribution of information between participants in an economic exchange. In such situations, one party involved in the transaction may possess more comprehensive information compared to the other party. For instance, a buyer might be better informed than a seller, or a borrower could have greater insights into their ability to repay a loan compared to the lender.

One of Joseph Stiglitz's notable contributions is the development of the screening technique, a method designed to bridge the information gap necessary for optimizing economic transactions in markets. Stiglitz's screening technique has found widespread application, particularly in industries such as insurance and lending.



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By Shashank Tyagi

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ENRICH YOUR ANSWER

Q. India should reconsider its stated position of shared interest with China in view of China's repeated rebuffs in international fora. Comment

Q: "India should reconsider its stated position of shared interest with China in view of China's repeated rebuffs in international fora" - Comment.

Approach

Intro

Talk about India-China relationship & India's stated position.

Body

Tell about repeated rebuffs of China in International fora for India.

→ Issues with NSG membership

→ Issues with respect to India's UNSC membership.

→ Issues with respect to Pakistan.

Analyse whether India should reconsider its position vis-a-vis China and its strategy

Conclusion

Suggest some strategies and foreign policy ideas to tackle China.

Q. Discuss the features of asymmetrical federalism.

Q: Discuss the features of Asymmetrical federalism

Approach

(Intro): Define federalism and Asymmetrical federalism.

(Body) Give features of Asymmetrical federalism

→ Article 371 to 371 J in Part XXI of Constitution contain special provisions for eleven states.

→ Special responsibility of Governor for the development of certain areas of particular states.

→ Presence of Union Territories in India.

→ Unequal representation of States in Rajya Sabha (eg UP 31 seats, Goa-1 seat)

→ Presence of 5th and 6th schedule to accommodate scheduled and tribal areas.

(Conclusion): Give justification of Asymmetrical federalism.

eg: to protect diversity without sacrificing unity or imposing uniformity.

Q. How does the government's philosophy of maximum governance and minimum governance coincide with the idea of competitive and cooperative federalism? Give reasons.

Q: How the government's philosophy of 'maximum governance and minimum government' coincide with the idea of competitive and cooperative federalism? Give reasons?

Ans

Approach

Intro

→ Define 'maximum governance and minimum government'.

Body

→ Elaborate on idea of competitive and cooperative federalism.

→ Give steps taken by Government based on this principle

eg * NITI Aayog replaced Planning Comm.
* Enhanced financial devolution to states
* Rationalisation of centrally sponsored schemes.

Conclusion: give some suggestions.

eg Reform 7th schedule list in the direction of empowerment of states

PRELIMS PRACTICE QUESTIONS

1. Consider the following statements:

With reference to the Constitution of India, the Directive Principles of State Policy constitute limitations upon

1. legislative function.
2. executive function.

Which of the above statements is/are correct?

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

2. Consider the following statements :

1. The Parliament of India can place a particular law in the Ninth Schedule of the Constitution of India.
2. The validity of a law placed in the Ninth Schedule cannot be examined by any court and no judgement can be made on it.

Which of the statements given above is/are correct ?

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

3. In the federation established by The Government of India Act of 1935. Residuary Power were given to the

- (a) Federal Legislature
- (b) Governor General
- (c) Provincial Legislature
- (d) Provincial Governors

4. With reference to the “G20 Common Framework”, consider the following statements

1. It is an initiative endorsed by the G20 together with the Paris Club.
2. It is an initiative to support Low Income Countries with unsustainable debt.

Which of the statements given above is/are correct?

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

5. “To uphold and protect the Sovereignty, Unity and Integrity of India” is a provision made in the

- (a) Preamble of the Constitution
- (b) Directive Principles of State Policy
- (c) Fundamental Rights
- (d) Fundamental Duties

6. The ideal of Welfare State’ in the Indian Constitution is enshrined in its

- (a) Preamble
- (b) Directive Principles of State Policy
- (c) Fundamental Rights
- (d) Seventh Schedule

7. Consider the following statements regarding the Directive Principles of State Policy:

1. The Principles spell out the socio-economic democracy in the country.
2. The provisions contained in these Principles are not enforceable by any court.

Which of the statements given above is / are correct?

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

8. Which principle among the following was added to the Directive Principles of State Policy by the 42nd Amendment to the Constitution?

- (a) Equal pay for equal work for both men and women

- (b) Participation of workers in the management of industries
- (c) Right to work, education and public assistance
- (d) Securing living wage and human conditions of work to workers

9. In the federation established by The Government of India Act of 1935. Residuary Power were given to the

- (a) Federal Legislature
- (b) Governor General
- (c) Provincial Legislature
- (d) Provincial Governors

10. With reference to the “G20 Common Framework”, consider the following statements

1. It is an initiative endorsed by the G20 together with the Paris Club.
2. It is an initiative to support Low Income Countries with unsustainable debt.

Which of the statements given above is/are correct?

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

11. In which one of the following groups are all four countries members of G20?

- (a) Argentina, Mexico, South Africa and Turkey
- (b) Australia, Canada, Malaysia and New Zealand
- (c) Brazil, Iran, Saudi Arabia and Vietnam
- (d) Indonesia, Japan, Singapore and South Korea

12. The Parliament of India acquires the power to legislate on any item in the State List in the national interest if a resolution to that effect is passed by the

- (a) Lok Sabha by a simple majority of its total membership
- (b) Lok Sabha by a majority of not less than two-thirds of its total membership
- (c) Rajya Sabha by a simple majority of its total membership

Answers:

1. (d) The term ‘Directive Principles of State Policy’ refers to the guiding principles that the State should consider when creating policies and passing laws. These principles serve as constitutional directives or recommendations to the State in legislative, executive, and administrative affairs. Prominent constitutional scholar Granville Austin characterizes DPSP as the “affirmative duties” of the state. Contrary to the initial statements, the correct answer is (d).
2. (a) The first statement correctly states that the 1st Amendment to the Constitution in 1951 introduced new Articles 31A and 31B along with the Ninth Schedule, which aimed to secure the constitutional validity of zamindari abolition laws and similar legislation. These provisions specified that such laws could not be challenged on the grounds of violating Fundamental Rights. Subsequent governments have also added other progressive laws to the Ninth Schedule through parliamentary action, thus confirming the accuracy of the first statement.
However, the second statement is incorrect. In the I.R. Coelho case of 2007, the Supreme Court did indeed rule that there cannot be a blanket immunity from judicial review for laws included in the Ninth Schedule. Therefore, the second statement is inaccurate.
3. (b) Residuary powers were in the hands of Governor General.
4. (c)
5. (d) The idea behind incorporation of fundamental duties was to remind the citizens of the country that they have certain obligations towards the country and society. The recommendations of the Swaran Singh Committee. There were ten fundamental duties at the time of incorporation but the eleventh was inserted by the 86th Amendment in 2002. To uphold and protect the sovereignty, unity and integrity of India is one of the fundamental duty mentioned in the constitution.
6. (b) A welfare state is a concept of the government in which the state plays a key role in the protection and promotion of the economic and social well-being of its citizens. The Directive Principles of State Policy (DPSP) provides guidelines to the central and the state governments of India, to be kept in mind while framing laws and policies.

The concepts behind DPSP is to establish a “Welfare State” rather than a “Police State” Such as of colonial era. In other words, motive behind inclusion of DPSP is to establish social and economic democracy rather than political democracy.

7. (c) Socio-economic democracy is spelt out because it provides for the idea of a welfare state. For e.g. consider Article 39 (b) and (c) which provide for minimizing inequalities in income and wealth; and ensuring that the wealth is not concentrated in the hands of few. While other article provide for the health of children, rights of working women etc. DPSP is not enforceable by courts. Only fundamental rights can be enforced by the courts.
8. (b) The 42nd Amendment Act of 1976 introduced four additional Directive Principles to the existing ones, mandating the State to:
 1. Ensure the well-being and healthy growth of children (Article 39).
 2. Foster equal access to justice and offer free legal assistance to the underprivileged (Article 39 A).
 3. Facilitate the involvement of workers in the administration of industries (Article 43 A).
 4. Preserve and enhance the environment while safeguarding forests and wildlife (Article 48 A)
9. (b) Residuary powers were in the hands of the Governor General.
10. (c)
11. (a)
12. (d) If the Rajya Sabha declares that it is necessary in the national interest that Parliament should make laws on a matter in the State List, then the Parliament becomes competent to make laws on that matter. Such a resolution must be passed by the Rajya Sabha by a majority of not less than two-third of its members present and voting.

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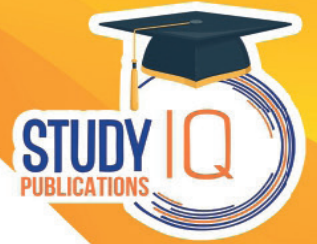
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