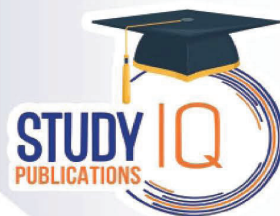


# PSIR PULSE

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# GEOPOLITICS AT GLANCE

## UK ELECTIONS AND INDIA

### RELEVANCE

#### □ Syllabus:

- **PSIR:** India and the Global Centres of Power
- **GS2:** Effect of Policies and Politics of Developed and Developing Countries on India's interests



### INTRODUCTION

The Labour Party has won the recent UK elections, and Indian Prime Minister Narendra Modi has swiftly taken steps to build a positive relationship with the new Labour government. Modi has invited the newly elected UK Prime Minister, Keir Starmer, to visit India. The focus is now on the future trajectory of India-UK relations.

#### Anticipated Changes in India-UK Relations under the Labour Party Government

**1. Expedited Conclusion of India-UK FTA:** With the Labour Party's strong majority in the UK, there is optimism for a swift finalization of the ambitious India-UK Free Trade Agreement (FTA). The Labour Party's manifesto emphasized

the importance of forging a new strategic partnership with India.

- 2. Promotion of a Free and Open Indo-Pacific:** The Labour Party aims to collaborate with India to foster a "free and open Indo-Pacific" rooted in a rules-based international order.
- 3. Enhanced Cooperation Across Sectors:** The Labour Party is dedicated to expanding cooperation with India in various domains, including technology, climate change, and education.
- 4. Advocacy for Multilateral Institution Reforms:** The new Labour government in the UK will advocate for multilateralism and seek reforms in institutions such as the World Trade Organization (WTO).



**5. Strengthened Defence and Security Partnership:** The defence and security partnership between India and the UK is expected to grow stronger, capitalizing on recent progress from the 2+2 dialogue mechanism. Additionally, the Labour Party has revised its position on Kashmir, now recognizing it as an internal matter between India and Pakistan.

#### Evolution of India-UK ties

- 1. Colonial Era (1858-1947):** Following the 1857 rebellion, India came under direct British rule in 1858, with the British monarch assuming the title of Empress/Emperor of India.
- 2. Post-Independence:** After gaining independence, India chose to remain a member of the Commonwealth of Nations upon becoming a Republic in 1950.
- 3. Phase of Strained Relationship:** During the Cold War, India-UK relations were tense. India adopted a non-aligned foreign policy, while the UK was a NATO ally of the US. The UK opposed India's wars with Pakistan and India's nuclear tests.
- 4. Phase of Improvement:** The end of the Cold War and economic reforms in India during the 1990s marked a shift, with the UK seeking to build stronger economic ties. This initiated a period of improvement in bilateral relations.
- 5. Phase of Strategic Partnership:** In 2004, the India-UK relationship was elevated to a Strategic Partnership, marked by regular high-level visits and dialogues. This strengthened cooperation in areas such as trade, investment, defence, and people-to-people connections.

Today, India and the UK enjoy a modern partnership characterized by strong historical ties and a shared membership in the Commonwealth. The two countries collaborate extensively across various sectors and aim to establish a comprehensive strategic partnership by 2030.

## AREAS OF COOPERATION BETWEEN INDIA AND THE UK

### 1. Geopolitical Cooperation

- The UK supports India's bid for permanent membership of the UNSC.
- The UK acts as a crucial interlocutor for India in the EU, G8, G20, and other global forums.
- Political cooperation is furthered through institutions like the India-UK Disarmament and Non-Proliferation Dialogue, the India-UK JWG on Counter-Terrorism, and the India-UK Foreign Office Consultations.

### 2. Economic Cooperation

- The Joint Economic and Trade Committee (JETCO) established in 2005 has deepened economic relations.
- Trade between India and the UK more than doubled between 2007 and 2019, with bilateral trade reaching USD 20.36 billion in 2022-23.
- In 2022, India was the UK's twelfth-largest trading partner, accounting for 2% of the UK's total trade.
- India has invested in 120 projects in the UK, creating over 5,000 jobs, making it the second-largest source of FDI in the UK, behind the United States.

### 3. Defense and Security

- The Defence and International Security Partnership (DISP) signed in November 2015 provides strategic direction for evolving India-UK defence relations.
- Approximately 70 companies in the UK supply goods for aircraft and related equipment, supporting platforms like the Jaguar, Mirage, and Kiran aircraft.

### 4. Nuclear Cooperation

- The Civil Nuclear Cooperation Declaration was signed in 2010 to promote and facilitate nuclear cooperation.

- In 2015, a Nuclear Collaboration Agreement was signed, enhancing collaboration on energy and climate change.

#### 5. Education

- The 'UKEIRI Mobility Programme: Study in India' launched in 2019 fosters collaboration between British universities and Indian partners, sending UK students to India.
- The UK is a favored destination for Indian students pursuing higher education, with around 50,000 Indian students currently studying in the UK.

#### 6. Health

- India and the UK have a close partnership in healthcare management.
- The collaboration between Oxford University, AstraZeneca, and the Serum Institute of India (SII) on the COVID-19 vaccine showcased the potential for joint international healthcare solutions.
- Both countries work together on pandemic preparedness, Antimicrobial Resistance (AMR), digital health, Ayurveda, alternative medicines, and health worker mobility.

#### 7. Climate and Environment

- The India-UK Green Growth Equity Fund mobilizes institutional investments in renewable energy, waste management, electric mobility, and environmental sub-sectors in India.

#### 8. Cultural Cooperation

- A Memorandum of Understanding on Cultural Cooperation was signed in 2010.
- The Nehru Centre (TNC) in London, established in 1992, serves as the cultural outreach arm of the High Commission of India in the UK.

#### 9. Diaspora Collaboration

- Around 1.5 million people of Indian origin reside in Britain, significantly contributing to British society.

- Representation of people of Indian origin has increased in the British Parliament.
- The outgoing UK Prime Minister was also of Indian origin.

### SIGNIFICANCE OF CLOSE INDIA-UK RELATIONS

#### 1. Geo-Strategic Importance

- Strengthening ties with the UK can aid India in countering China's influence in the Indian Ocean Region.
- The UK can view India as a viable alternative to China for investments, aligning with the 'China plus one strategy' which encourages diversification of business investments beyond China.

#### 2. Geo-Political Significance

- A robust India-UK relationship is crucial for enhancing cooperation in regions like the Indo-Pacific and Afghanistan, as well as in global forums like the UNSC, G20, and Commonwealth.
- For instance, India welcomed the UK's accession to the Indo-Pacific Ocean's Initiative under the Maritime Security pillar.

#### 3. Economic Benefits

- The India-UK Free Trade Agreement (FTA) is expected to significantly boost India's labor-intensive sectors, increase service exports, and diversify trade partners.
- For the UK, the FTA will benefit its beverage and automobile industries and enhance investment opportunities in India.

#### 4. Climate Change Collaboration

- Enhanced India-UK relations will support achieving the goals set by the Paris Agreement and the Glasgow Climate Pact.
- Both countries have agreed to work towards the early operationalization of the Global Green Grids-One Sun One World One Grid Initiative (OSOWOG) under the International Solar Alliance (ISA).

## CHALLENGES IN INDIA-UK RELATIONS

### 1. Delay in India-UK FTA Conclusion

- The India-UK Free Trade Agreement (FTA) has faced delays and missed deadlines, hindering potential mutual benefits and economic growth.

### 2. Divergent Stances on Russia-Ukraine Conflict

- The UK has openly criticized Russia's actions in Ukraine, while India's stance has been more cautious. This divergence could pose challenges in aligning on global geopolitical issues.

### 3. UK's Relationships with Pakistan and China

- The UK's relationships with Pakistan and China complicate efforts to deepen defence and security cooperation with India. Differing engagements in the Indo-Pacific region, including the Belt and Road Initiative, add complexity.

### 4. Khalistan Issue

- Allegations that the UK harbors issues related to Khalistan and Sikh separatism strain bilateral relations, particularly concerning security and counter-terrorism cooperation.

### 5. Slow Progress in Defence Ties

- Progress in enhancing defence ties has been slow, with differences in acquisition methods and strategic priorities posing obstacles to deeper collaboration.

### 6. Extradition Challenges

- Extradition processes between India and the UK have been cumbersome, highlighted by delays in cases involving high-profile fugitives such as Vijay Mallya and Nirav Modi.

### 7. Illegal Migration

- The presence of a large number of illegal Indian immigrants in the UK complicates bilateral relations. Lack of a migration and

mobility agreement hampers efforts to address this issue effectively.

### 8. Historical Resentment

- Lingering anti-colonial sentiments and unresolved historical issues, including those related to Partition and Kashmir, contribute to occasional strains in diplomatic relations.

## WAY FORWARD FOR INDIA-UK RELATIONS

### 1. Early Finalization of India-UK FTA

- Prioritize the swift conclusion of the FTA negotiations to boost economic ties, attract investments, and create jobs in both countries.

### 2. Joint Commitment to Multilateralism

- India and the UK should collaborate more closely in multilateral forums like WTO and UNFCCC, aligning on issues of global significance and supporting the interests of developing nations.

### 3. Migration and Mobility Agreement

- Explore agreements on migration and mobility to regulate legal movement and address challenges related to illegal immigration, benefiting both countries.

### 4. Streamlined Extradition Processes

- Enhance cooperation in extradition cases, ensuring timely and efficient processes to address legal obligations and facilitate justice.

### 5. Enhanced Defence and Security Cooperation

- Deepen engagement in defence and security, focusing on shared interests in the Indian Ocean region and promoting sustainable infrastructure projects.

### 6. Balanced Diplomacy

- Ensure that UK's relationships with China and Pakistan do not undermine its strategic partnership with India, fostering balanced and mutually beneficial diplomatic relations.

# PM MODI'S RUSSIA VISIT

## RELEVANCE

### □ Syllabus:

- **PSIR:** India and the Global Centres of Power
- **GS2:** Effect of Policies and Politics of Developed and Developing Countries on India's interests



## INTRODUCTION

PM Narendra Modi's recent visit to Russia marks his first bilateral visit of his third term in office. It's significant as it also marks the first in-person meeting between PM Modi and Russian President Vladimir Putin since Russia's invasion of Ukraine in February 2022.

This visit underscores India's strong commitment to its relationship with Moscow, highlighting it as a key priority in India's foreign policy agenda. It reaffirms the importance of deepening and strengthening India-Russia relations amidst evolving global dynamics.

### Key Highlights of the Recent 22nd India-Russia Annual Summit:

- Boosting Bilateral Trade:** India and Russia set a target to increase bilateral trade to \$100 billion by 2030, using national currencies to navigate Western sanctions.
- Enhanced Connectivity:** Agreements were reached on completing new connectivity routes like the Chennai-Vladivostok maritime route, Northern Sea Route, and the International North-South Transport Corridor via Iran.
- Increased Investment:** Both countries committed to boosting investments in key sectors such as energy, including nuclear energy, and infrastructure development.
- Institutional Collaborations:** Multiple MoUs were signed between Indian and Russian institutions covering areas such as climate



change, polar research, legal arbitration, and pharmaceutical certification.

**e. Strengthened Defence Cooperation:**

Discussions included overcoming delays in defence supplies and expanding co-production of defence equipment, exemplified by joint ventures like the one for assault rifles.

**f. Honouring Prime Minister:** Indian Prime Minister accepted Russia's highest civilian honour, the Order of St Andrew the Apostle, during the summit.

**Overview of the historical development of India-Russia relations**

**1. Early Years (1947-1955):**

- India established formal diplomatic ties with the Soviet Union in April 1947, just before gaining independence.
- Initially, relations were minimal due to ideological differences, as the Soviet Union under Stalin viewed India's independence movement cautiously.
- Relations began to improve in the 1950s, marked by visits of Indian PM Nehru to Moscow in 1955 and Soviet leader Khrushchev to India later that year.
- Key industrial projects like the steel plants at Bhilai and Bokaro were outcomes of these early interactions.

**2. Cold War Era (1955-1991):**

- India and the Soviet Union forged a strong strategic, military, economic, and diplomatic relationship during the Cold War.
- The Soviet Union emerged as a major supplier of arms and military equipment to India, significantly bolstering its defense capabilities.
- Soviet support was crucial during various conflicts, including the 1962 Sino-Indian War and the 1971 Indo-Pak War.

- The Treaty of Peace, Friendship, and Cooperation signed in 1971 solidified the bilateral relationship, including provisions for mutual security consultations.

**3. Post-Cold War (1991-2000):**

- Following the dissolution of the Soviet Union in 1991, India-Russia relations faced challenges due to economic transitions and shifts in the global order.
- The Treaty of Friendship and Cooperation signed in 1993 aimed to revive and redefine ties, although cooperation in many areas declined initially.

**4. Phase of Strategic Partnership:**

- The signing of the 'Declaration on the India-Russia Strategic Partnership' in 2000 marked a new phase, elevating bilateral ties to a strategic partnership.
- This partnership has facilitated deeper cooperation across political, security, defense, trade, economy, science, technology, and cultural domains.
- Annual summits between Indian and Russian leaders have become a cornerstone of bilateral engagement, further solidifying the relationship.

India-Russia relations have evolved from ideological caution to strategic partnership, characterized by mutual trust and extensive cooperation across various sectors. The historical ties continue to shape contemporary geopolitics, with both countries collaborating closely on regional and global issues of mutual interest.

**Areas of cooperation between India and Russia**

**1. Geopolitical Cooperation:**

- **Regional Forums:** Both countries engage closely in forums like BRICS, SCO, and G20.
- **UN Voting:** India often aligns with Russia on global issues and refrains from voting against Russian interests at the UN.

- **Multi-polar World Order:** Both countries advocate for a multi-polar world order, countering unilateralism.
- **Counter-terrorism:** India and Russia jointly condemn terrorism in all forms and support efforts to combat terrorist safe havens.

## 2. Defense Cooperation:

- **Military Hardware:** Russia is a major supplier of defense equipment to India, including licensed production of T-90 tanks, Su-30 MKI aircraft, S-400 Triumf missile systems, MiG aircraft, and Kamov helicopters.
- **Joint Exercises:** Regular joint military exercises like 'INDRA' and 'Avia Indra' enhance interoperability.
- **Institutional Mechanisms:** The India-Russia Inter-Governmental Commission on Military Technical Cooperation (IRIGC-MTC) and the 2+2 Dialogue framework facilitate strategic defense collaboration.

## 3. Economic Cooperation:

- **Trade and Investment:** Bilateral trade is significant, with India importing Russian crude oil and both countries exploring avenues for economic diversification.
- **Russian Far East Cooperation:** India supports development projects in Russia's Far East, fostering economic ties and resource development.
- **Business Collaboration:** Indian companies invest in Russian sectors like coal, hydrocarbons, and minerals, while institutional frameworks like the CEO's Forum promote business partnerships.
- **Banking and Finance:** Efforts are underway to deepen financial ties, including initiatives like ruble-rupee trade and collaborations between financial institutions.

## 4. Scientific and Research Cooperation:

- **Civil Nuclear Energy:** Collaboration includes the Kudankulam Nuclear Power Plant and plans for future nuclear projects.
- **Space Relations:** India and Russia cooperate on space technology, including training Indian astronauts for space missions and satellite navigation technologies.
- **Healthcare:** India approved the Russian Sputnik V vaccine for emergency use, reflecting collaboration in healthcare research and technology.

## 5. Diaspora and Cultural Relations:

- **Cultural Exchange:** Indian cultural centers in Russia and educational institutions teach Indian languages and promote cultural activities.
- **Indian Diaspora:** The Indian diaspora in Russia contributes significantly to various sectors, including academia, business, and technology.
- **Development Support:** India has extended a line of credit for the development of Russia's Far East, further strengthening bilateral ties through economic cooperation.

India and Russia continue to deepen their strategic partnership across these diverse fields, reflecting a relationship rooted in mutual interests, historical ties, and shared objectives on the global stage.

## Significance of India-Russia relations

### 1. Geopolitical Significance:

- **Support on Critical Issues:** Russia backs India's aspirations for a permanent seat on the UN Security Council and has historically supported India's position on issues like Kashmir.
- **Counterbalancing Chinese Influence:** Amidst tensions with China, Russia serves as a potential partner for India to manage and reduce regional tensions, contributing to stability in the Indo-Pacific region.

## 2. Defense Cooperation:

- **Critical Defense Supplier:** Russia remains a primary supplier of defense equipment to India, accounting for a significant portion (60-70%) of India's defense inventory. This partnership is crucial for India's defense modernization efforts.
- **Diversification and Dependence:** Despite diversifying defense imports from other countries like the US and France, India maintains a strategic dependence on Russia, especially in light of security challenges along its borders, including with China.

## 3. Economic Benefits:

- **Energy Security:** India's purchase of Russian oil at discounted rates helps mitigate the impact of volatile global crude oil prices, ensuring energy security and stability in its economy.
- **Trade and Economic Agreements:** India is exploring avenues like a Free Trade Agreement (FTA) with the Eurasian Economic Union led by Russia, which could further enhance economic cooperation and bilateral trade.

## 4. Strategic Balancing and Negotiation Power:

- **Bargaining Power with Western Powers:** A strong relationship with Russia provides India with leverage in negotiations with Western powers, allowing it to strategically balance its international alignments based on its national interests.
- **Offsetting Chinese Influence:** Closer ties with Russia enable India to counterbalance China's regional influence in Eurasia and beyond, contributing to India's strategic autonomy and stability in the broader geopolitical context.

India-Russia relations continue to play a pivotal role in shaping India's foreign policy strategies, offering geopolitical, defense, economic, and

strategic advantages that bolster India's position on the global stage.

## CHALLENGES IN INDIA-RUSSIA RELATIONS

### 1. Shift in Defense Dynamics:

- **Deepening India-US Relations:** India's growing defense ties with the US, including major agreements and increasing arms purchases, have shifted its reliance away from Russia. This has prompted Russia to expand defense cooperation with China, potentially complicating India's strategic calculations.

### 2. Russia's Alignment with China:

- **Growing Dependence:** Russia's deepening economic and strategic ties with China raise concerns about Moscow becoming overly dependent on Beijing. This could influence Russia's stance on Indo-China relations and impact India's strategic interests.

### 3. Engagement with Pakistan:

- **Increasing Cooperation:** Russia's expanding economic and defense collaboration with Pakistan, including joint military exercises, creates a new dynamic that India views as potentially adversarial to its interests, especially in the context of regional stability.

### 4. Trade Imbalances:

- **Low Indian Exports:** Despite increasing bilateral trade volumes, India's exports to Russia remain disproportionately low compared to imports, leading to a significant trade imbalance.

### 5. Defense Procurement Delays:

- **Supply Chain Disruptions:** Delays in the delivery of critical defense equipment and spares, exacerbated by the Ukraine conflict, have strained India-Russia defense cooperation and impacted India's defense preparedness.

## 6. Ukraine Crisis:

- **Diplomatic Challenges:** India's stance of neutrality amidst the Russia-Ukraine conflict has drawn criticism and tested its diplomatic maneuvering, especially concerning energy cooperation and international perceptions.

## WAY FORWARD

### 1. Maintaining Neutrality in Ukraine Crisis:

- **Mediator Role:** India should continue to advocate for a peaceful resolution through dialogue and diplomacy, emphasizing adherence to international norms and urging both sides to seek peaceful solutions.

### 2. Strengthening Defense Ties:

- **Addressing Supply Chain Issues:** Establishing joint ventures for local production of defense spares and equipment can mitigate delays and enhance self-reliance in defense capabilities.

### 3. Enhancing Economic Cooperation:

- **Infrastructure and Trade:** Expediting projects like the International North-

South Transport Corridor and pursuing a Free Trade Agreement with the Eurasian Economic Union can bolster economic ties and diversify trade.

### 4. Focus on Eurasian Integration:

- **Regional Partnerships:** Exploring expanded partnerships within the Eurasian region, possibly including the Eurasian Economic Union, China, Pakistan, and Iran, can open new avenues for economic cooperation and geopolitical alignment.

### 5. Asserting Strategic Independence:

- **Clear Messaging:** India should assert its strategic autonomy and highlight the importance of its relationship with Russia to Western countries, emphasizing mutual interests in regional stability and global security.

By addressing these challenges and pursuing proactive measures, India and Russia can navigate their complex relationship effectively, leveraging mutual interests while managing divergent geopolitical pressures.

PUBLICATIONS





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### □ Syllabus:

- **PSIR:** India and South Asia
- **GS2:** India and its Neighborhood- Relations



### INTRODUCTION

The recent visit by Bangladesh Prime Minister Sheikh Hasina marked the first state visit by a foreign leader during Prime Minister Modi's third term. Over the last decade, Prime Ministers Sheikh Hasina and Narendra Modi have been relentless in advancing the bilateral relations between Delhi and Dhaka, turning India and Bangladesh into valuable partners. The productive outcomes of their commitment to strengthening ties have been hailed as marking a "golden chapter" ('sonali adhyay') in the history of India-Bangladesh bilateral relations.

#### Outcomes of the Recent India-Bangladesh Bilateral Meeting:

1. Unveiling the 'vision for a shared future', aimed at transforming the "extraordinary relationship"

of the last decade into a "transformational partnership".

2. Emphasis on the unfinished agenda of connectivity, including the easing of visa procedures, freer movement of goods, cross-border energy and electricity flows, and the construction of digital bridges.
3. Initiation of the long overdue negotiations on a comprehensive economic partnership agreement (CEPA) between India and Bangladesh.

### HISTORY OF INDIA-BANGLADESH RELATIONS

The India-Bangladesh relationship is civilisational, cultural, social, and economic, deeply rooted in

history. However, it has experienced both highs and lows over the years.

### **During Bangladesh Independence (Phase of High)**

The foundation of India's relationship with Bangladesh was laid during the 1971 Bangladesh Liberation War. India provided critical military and material support to assist Bangladesh in its fight for independence from Pakistan. The very first independent government of Bangladesh, led by Sheikh Mujibur Rahman, was formed and administered from Theatre Road in Kolkata.

### **During the Military Rule in Bangladesh (Phase of Low)**

India-Bangladesh relations soured within a few years as military regimes took control after the assassination of Sheikh Mujibur Rahman in 1975. Anti-India sentiment rose during the military rules of General Ziaur Rahman (1975-1981) and General H.M. Ershad (1982-1991) due to issues ranging from boundary disputes and insurgency to water-sharing conflicts.

### **After the Return of Parliamentary Democracy in Bangladesh in 1991 (Phase of Repair and Towards High)**

With the return of parliamentary democracy in 1991 and Sheikh Hasina coming to power in 1996, India and Bangladesh began a new chapter of cooperation. This period saw the signing of a treaty on the sharing of Ganga waters. Since then, India and Bangladesh have built cooperation in trade, energy, infrastructure, connectivity, and defence, marking significant progress in bilateral ties.

## **SIGNIFICANCE OF INDIA-BANGLADESH RELATIONS**

### **1. Geo-strategic**

Bangladesh holds significant geostrategic importance for India as its eastern neighbor. Bangladesh provides India with access to the Bay of Bengal and an important route for trade and connectivity with Southeast Asia. The country's

location enhances India's strategic reach in the region and supports its "Act East" policy aimed at strengthening ties with Southeast Asian countries.

### **2. Geo-political**

A stable and friendly Bangladesh is crucial for India's security. Geo-political cooperation on issues such as counter-terrorism and border security is vital for maintaining peace in the South Asian region. Additionally, Bangladesh's support is crucial in India's bid for permanent membership in the United Nations Security Council (UNSC). Strong bilateral ties help ensure a stable geopolitical environment conducive to mutual growth and security.

### **3. Economic**

Bangladesh is a critical economy for India's exports and bilateral trade. The deepening of the India-Bangladesh economic relationship is essential for India in achieving its goals under the new foreign trade policy and becoming a \$5 trillion economy. Bangladesh's growing economy presents significant opportunities for Indian businesses, and enhanced economic cooperation can drive mutual prosperity.

### **4. Cultural and Civilisational**

Bangladesh has a large Hindu Bengali population and numerous religious-cultural sites associated with India, such as the Ranir Bunglow Temple and Bhoj Vihara. The shared cultural and civilisational heritage fosters strong people-to-people ties and cultural exchanges, strengthening the social fabric of both nations.

### **5. International Cooperation**

Active cooperation between India and Bangladesh is crucial to the success of regional forums such as BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation) and SAARC (South Asian Association for Regional Cooperation). Additionally, collaboration in international platforms like the COPs to UNFCCC (Conference of the Parties to the United Nations



Framework Convention on Climate Change) enhances regional and global efforts to address common challenges, including climate change and sustainable development.

## AREAS OF COOPERATION BETWEEN INDIA AND BANGLADESH

### 1. Political Cooperation

India and Bangladesh maintain a close political relationship, characterized by frequent bilateral visits and strong ties between the heads of government. Examples include:

- ❑ Indian Prime Minister's visit to Bangladesh for their golden jubilee celebrations of independence.
- ❑ India awarding the Gandhi Peace Prize 2020 to Bangladesh's founding president Sheikh Mujibur Rahman.
- ❑ Bangladesh's Prime Minister Sheikh Hasina's visit to India to participate in the G-20 summit.

### 2. Land Boundary Agreement (2015)

The landmark agreement involved swapping disputed enclaves and allowing inhabitants to choose their country of residence, resolving a major long-standing dispute between the two nations.

### 3. Economic Cooperation

Bangladesh has emerged as India's largest trade partner in South Asia, while India is Bangladesh's second-biggest trade partner.

- ❑ Bilateral trade reached \$18 billion in 2021-2022, up from \$10.8 billion in 2020-21.
- ❑ A joint feasibility study on a Comprehensive Economic Partnership Agreement (CEPA) was concluded in 2022 to reduce or eliminate customs duties on traded goods.
- ❑ India has provided duty-free quota access to Bangladesh on all tariff lines except tobacco and alcohol under the South Asian Free Trade Area (SAFTA) since 2011.

### 4. Infrastructure Cooperation

India is a major development partner for Bangladesh, funding several infrastructure and connectivity projects.

- ❑ Lines of Credit worth over \$7 billion have been extended to Bangladesh since 2010.
- ❑ The Akhaura-Agartala rail link, connecting Bangladesh and the Northeast through Tripura, provides India access to Chattogram and Mongla ports, boosting small-scale industries in Assam and Tripura.
- ❑ The 'Maitri Setu' bridge, a 1.9 km bridge connecting Sabroom in India with Ramgarh in Bangladesh, has been inaugurated.
- ❑ The Kolkata-Dhaka-Agartala Bus Service, launched in 2015, has significantly reduced the travel distance between Kolkata and Agartala.

### 5. Energy Cooperation

Bangladesh imports nearly 2,000 megawatts of electricity from India. The India-Bangladesh Friendship Pipeline, connecting Siliguri in West Bengal and Parbatipur in Bangladesh, will transport one million Metric Tonnes Per Annum (MMTPA) of High-Speed Diesel to Bangladesh.

### 6. Defence Cooperation

India and Bangladesh share the longest land boundary that India has with any neighbor, spanning 4,096.7 km. Both countries conduct joint military exercises such as Exercise Sampriti (Army) and Exercise Bongosagar (Navy).

### 7. Tourism Sector

Bangladeshis constitute a significant portion of tourists in India. In 2017, the number of tourists from Bangladesh outnumbered those from Western Europe.

### 8. Medical Cooperation

Bangladesh accounts for more than 35% of India's international medical patients and contributes to over 50% of India's revenue from medical tourism.



## AREAS OF TENSION IN INDIA-BANGLADESH RELATIONS

### **1. Sharing of Transboundary River Waters**

India and Bangladesh share 54 common rivers, but only two transboundary river water-sharing treaties have been signed so far—the Ganga Waters Treaty and The Kushiara River Treaty. A major point of contention is the Teesta river water dispute. Bangladesh seeks equitable distribution of Teesta waters, which has not been agreed upon by India and its state of West Bengal.

### **2. Deportation of Rohingyas**

India and Bangladesh have mutual but conflicting interests in the deportation of Rohingyas to mainland Myanmar. India seeks to prioritize deportation from its mainland first and then later facilitate deportation from Bangladesh to Myanmar.

### **3. Cross-Border Terrorism and Infiltration**

Cross-border terrorism and infiltration through the Bangladesh border have raised significant internal security concerns for India. Issues include armed dacoity in border districts, fake currency transfer, cattle smuggling, and prostitution, which add to the security challenges.

### **4. Drug Smuggling & Trafficking**

According to a 2007 International Narcotics Control Board (INCB) report, drug trafficking through India from Bangladesh remains a significant issue. Bangladesh is a prime transit point for trafficking heroin from South Asia to Europe, exacerbating the problem of drug smuggling and trafficking in the region.

### **5. Growing Chinese Influence in Bangladesh**

Bangladesh is an active partner in the Belt and Road Initiative (BRI). China has made substantial investments in Bangladeshi infrastructure, building 12 highways, 21 bridges, and 27 power and energy projects. China's increasing involvement with

Bangladesh potentially undermines India's regional standing and impedes its strategic aspirations.

### **6. Attacks on Minorities Across Both Borders**

Ethnic attacks on Bangla-speaking Hindus in Bangladesh and attacks on Bangladeshis in India have strained India-Bangladesh people-to-people (P2P) and cultural relations, contributing to tension between the two nations.

## WAY FORWARD FOR INDIA-BANGLADESH RELATIONSHIP

### **1. Early Resolution of Transboundary River Water Disputes**

Resolving the Teesta river water dispute is crucial for enhancing India-Bangladesh relations. A tripartite committee comprising representatives from India, Bangladesh, and West Bengal could be formed to address and resolve the issues amicably.

### **2. Early Conclusion of India-Bangladesh Free Trade Agreement (FTA)**

With Bangladesh set to lose its Least Developed Country (LDC) status after 2026, leading to the loss of duty-free and quota-free market access in India, it is essential to finalize a Free Trade Agreement (FTA) between India and Bangladesh. This agreement should ensure that it is not misused by China to dump goods in India through the Regional Comprehensive Economic Partnership (RCEP) agreement, of which Bangladesh is a member.

### **3. Establishment of Joint Task Forces and Smart Border Management**

Creating joint task forces comprising law enforcement agencies from both countries is necessary to effectively combat cross-border drug smuggling, human trafficking, and illegal immigration. Smart border management practices should be implemented to enhance security and efficiency.

#### **4. Establishment of Digital Connectivity Corridor**

A digital connectivity corridor focusing on high-speed internet connectivity, digital services, and e-commerce should be established between India and Bangladesh. This can open new avenues for trade, collaboration, and technological exchange, fostering closer economic ties.

#### **5. Restoration of Global Image of Bangladesh**

India should assist in restoring Bangladesh's global image, which has been tarnished due to U.S. sanctions on account of 'democratic backsliding' and 'human rights violations'. India must work

closely with Bangladeshi law enforcement agencies to reduce ethnic attacks on Bangla-speaking Hindus and promote a positive global perception.

#### **6. Development of North-East India and Regional Connectivity**

Deepening India-Bangladesh relations is crucial for the development of North-East India, improving connectivity to Southeast Asian countries, and exploring the Indo-Pacific region. Enhanced cooperation in infrastructure, trade, and connectivity projects can significantly contribute to regional development and economic growth.

## INDIA-AUSTRIA RELATIONSHIP

### RELEVANCE

#### □ Syllabus:

- **PSIR:** India and the Global Centres of Power
- **GS2:** International Relations



### INTRODUCTION

The recent visit of Indian Prime Minister Narendra Modi to Austria is noteworthy, marking the first

visit by an Indian PM to the country since Indira Gandhi's trip in June 1983, making it the first in 41 years. This year also celebrates the 75th anniversary

of diplomatic relations between India and Austria. Modi's choice to visit Vienna immediately after his meeting with President Vladimir Putin in Moscow is significant, given that Austria is a European nation outside of NATO.

#### Highlights of PM Modi's Visit to Austria:

a. **Enhanced Economic and Technological Cooperation:** PM Modi and Chancellor Nehammer emphasized the importance of stronger economic and technological ties between India and Austria. They welcomed the first high-level bilateral Business Forum and explored opportunities for collaboration in green and digital technologies, renewable energy, and water management.

b. **India-Austria Startup Bridge:** The India-Austria Startup Bridge was launched to promote innovation and entrepreneurship between the two countries.

c. **Alignment on Global and Regional Issues:** Both nations reaffirmed their commitment to a free and open Indo-Pacific region and the peaceful resolution of the Ukraine conflict.

d. **Cooperation on Climate Action and Sustainability:** India and Austria agreed to collaborate on renewable energy, focusing on Austria's Hydrogen Strategy and India's Green Hydrogen Mission. They also expressed support for the EU's climate neutrality target by 2050, Austria's goal for 2040, and India's aim for net zero emissions by 2070.

e. **Strengthening Cultural and People-to-People Ties:** The leaders appreciated the rich tradition of cultural exchanges and the growing interest in yoga and Ayurveda in Austria. They encouraged efforts to enhance bilateral cultural ties and tourism.

f. **Coordination on Global Governance:** Both leaders reiterated their commitment to comprehensive reforms of the United Nations, including the Security Council. India supported Austria's UNSC candidature for 2027-28, while Austria backed India's candidature for 2028-29.

India also invited Austria to join the International Solar Alliance.

### HISTORY OF EVOLUTION OF INDIA-AUSTRIA RELATIONS

- 1. Establishment of Diplomatic Relations:** Diplomatic relations between India and Austria were established in 1949 by India's first Prime Minister Jawaharlal Nehru and Austria's first post-World War II Chancellor Leopold Figl.
- 2. India's Intervention in the State Treaty of Austria:** In 1953, India supported Austria during its negotiations with the Soviet Union on the State Treaty of Austria, leading to Austria's independence in 1955.
- 3. State Visits:**
  - **Prime Ministerial Visits:** Nehru visited Austria in 1955, Indira Gandhi visited in 1971 and 1983.
  - **Austrian Chancellor Visits:** Bruno Kreisky visited India in 1980, Fred Sinowatz in 1984.
  - **Presidential Visits:** President K.R. Narayanan visited Austria in 1999, President Pratibha Patil in 2011.
- 4. Recent State Visit:** In the recent state visit, PM Modi and Chancellor Nehammer discussed enhancing bilateral partnerships in areas such as infrastructure, renewable energy, e-commerce, fintech, and media.

### AREAS OF COOPERATION BETWEEN INDIA AND AUSTRIA

- 1. Political Cooperation:**
  - High-level political exchanges by heads of state.
  - Ministerial and parliamentary level engagements and visits.
- 2. Economic Cooperation:**
  - **Indo-Austrian Joint Economic Commission (JEC):** Established in 1983, it provides a platform for bilateral interaction between

governmental ministries and Chambers of Commerce and Industry.

- **Bilateral Trade:** In 2022, bilateral trade reached USD 2.84 billion, a 14.97% increase from 2021. Indian exports to Austria included electronic goods, apparel, textiles, footwear, rubber articles, vehicles, railways parts, electrical machinery, and mechanical appliances. Key imports from Austria were machinery, mechanical appliances, railway parts, iron, and steel.
- **Investment:** Key Austrian investors in India include Plassner & Theurer, Andritz, and AMS Semiconductors. Key Indian investors in Austria include Wipro Technologies, Shilpa Medicare, VA Tech Wabag Ltd, and KTM-Bajaj Auto. In December 2021, Indian Edutech company Byju's acquired Austrian start-up Geogebra for about USD 100 million.

### 3. Science and Technology Cooperation:

- Austria's first two satellites, TUGSAT-1/BRITE and UniBRITE, were launched by India's PSLV-C20 from Satish Dhawan Space Centre, Sriharikota in 2013.

### 4. Cultural Cooperation:

- **Historical Ties:** Dating back to the 16th century with Balthasar Springer's travels.
- **Visit of Rabindranath Tagore:** Tagore visited Vienna in 1921 and 1926, delivering his famous lecture "The Religion of the Forest."
- **Contemporary Culture:** There is significant interest in contemporary Indian literature, theater, Ayurveda, and Yoga in Austria.

- 5. **Diaspora Connection:** Over 31,000 Indians live in Austria, primarily from Kerala and Punjab. The diaspora consists mainly of professionals in healthcare, employees in multilateral UN bodies, businessmen, and self-employed individuals.

## SIGNIFICANCE OF INDIA-AUSTRIA RELATIONS

### 1. Geo-political Significance:

- Both countries share values of democracy and pluralism and have cooperated on global issues like UN Security Council reforms.
- Austria has supported India's bid for a permanent UNSC seat, recognizing India's growing global role.

### 2. Economic Significance:

- Austria, one of the wealthiest countries in the European Union, serves as an important link for India in its relations with Europe, particularly with central and Eastern European nations.

### 3. Technological Significance:

- Austria's expertise in Green Hydrogen and renewable technologies is significant for India's Green Hydrogen Mission and its goal of achieving net zero emissions by 2070.

### 4. Shared Global Perspectives:

- Both countries maintain balanced approaches to the Russia-Ukraine conflict, preserving diplomatic and commercial relations amidst global tensions.
- Austria's neutral stance, established by the 1955 Austrian State Treaty, aligns with India's diplomatic strategies.

## CHALLENGES IN INDIA-AUSTRIA COOPERATION

### 1. Geographical Distance:

- The significant geographical distance between India and Austria limits the frequency and depth of bilateral engagements.

### 2. Trade Imbalance:

- A significant trade imbalance exists in favor of Austria. India primarily imports high-value goods like machinery, pharmaceuticals, and



chemicals, while exporting relatively fewer goods.

### 3. Differences in Economic Structures:

- India’s economy is driven by services and agriculture, whereas Austria has a strong industrial and manufacturing base, leading to low trade penetration between the two countries.

### 4. Delay in Visa Issues:

- Slow and delayed visa policies and procedures for travel between the two countries impact people-to-people contacts, business travel, and tourism.

## WAY FORWARD

### 1. Mobility Partnership Agreement:

- Signing a “Comprehensive Migration and Mobility Partnership Agreement” between India and Austria will help address visa and mobility issues.

### 2. Enhancement of Cooperation:

- India and Austria should enhance cooperation in areas such as renewable energy, technology, and education.

### 3. Enhancing Geopolitical Coordination:

- Both countries should align on promoting a free, open, and rules-based Indo-Pacific region and support peace efforts in Europe and the Middle East.

### 4. Leveraging Complementarities:

- India should leverage Austria’s position as a neutral European power and its role as a geopolitical bridge-builder for mutual benefit.
- Exploring synergies between India’s development priorities and Austria’s technological and industrial capabilities can enhance cooperation.

## INDUS WATER TREATY

### RELEVANCE

#### □ Syllabus:

- **PSIR:** India and South Asia: (a) Regional Co-operation
- **GS2:** India and its Neighborhood- Relations



## INDUS WATERS TREATY (IWT)

## INTRODUCTION

The Indus Water Treaty, negotiated in 1960 between India and Pakistan, is a significant transboundary water-sharing mechanism. However, disagreements have persisted between the two nations over the treaty.

India called for amendments to the treaty last year, expressing dissatisfaction with the dispute resolution process and attributing issues to Pakistan's continued "intransigence" in implementing the treaty. Pakistan, on the other hand, has raised objections regarding India's construction of the Kishenganga and Ratle hydroelectric projects.

### History Behind the Introduction of the Indus Water Treaty

**Before** partition, the six rivers of the Indus basin (Indus, Sutlej, Beas, Ravi, Jhelum, and Chenab), originating in the Himalayas/Tibet, formed a common network for both India and Pakistan.

**At the Time of Partition** The partition of India raised questions about the distribution of water between the two nations. Since the rivers flowed from India, Pakistan felt threatened by the potential control of river waters by India.

**Inter-Dominion Accord (May 4, 1948)** The Inter-Dominion Accord of May 4, 1948, stipulated that India would release sufficient water to Pakistan in exchange for annual payments from Pakistan. However, this arrangement soon proved problematic, necessitating the search for an alternative solution.

**Indus Water Treaty 1960** India and Pakistan signed the Indus Water Treaty in 1960, facilitated by the World Bank. The treaty provided specific details on the distribution of water between the two nations.

### Main Provisions of the Indus Water Treaty

#### 1. Water Allocation

- The treaty allocated the three eastern rivers (Ravi, Beas, and Sutlej) to India.

- The three western rivers (Indus, Jhelum, and Chenab) were allocated to Pakistan.

#### 2. Usage Rights

- India was granted rights to use the waters of the western rivers for non-consumptive uses such as navigation, power generation, and agriculture, provided it does not affect the flow of water to Pakistan.

#### 3. Construction and Projects

- The treaty allowed India to construct storage works on the western rivers up to a cumulative volume of 3.6 million acre-feet and limited agricultural use from these rivers.
- Pakistan was allowed to construct projects on the western rivers, with the stipulation that these should not interfere with the flow of water to India.

#### 4. Dispute Resolution Mechanism

- The treaty established a Permanent Indus Commission, consisting of one commissioner from each country, to oversee implementation and resolve disputes.
- Disputes unresolved by the commission could be referred to a neutral expert or the International Court of Arbitration.

#### 5. Financial Provisions

- India agreed to provide financial assistance for the construction of replacement canals and storage facilities for Pakistan to compensate for the water allocated to India.

#### 6. Monitoring and Data Exchange

- Both countries agreed to exchange data and cooperate in monitoring the flows of the rivers to ensure adherence to the treaty's provisions.

### Main Provisions of the Indus Water Treaty

#### Eastern Rivers with India

- All waters of the three eastern rivers—Ravi, Sutlej, and Beas (with a mean annual flow of

33 Million Acre-feet (MAF)—are allocated to India for exclusive use.

#### Western Rivers with Pakistan

- ❑ Pakistan has control over the three western rivers—Chenab, Indus, and Jhelum (with a mean annual flow of 80 Million Acre-feet (MAF)).

#### Western River Water Utilization Permitted for India

- ❑ **Limited Irrigation Use:** India is allowed to use the waters of the western rivers for limited irrigation purposes.
- ❑ **Non-consumptive Use:** India can use the waters for applications such as power generation and navigation. This includes the generation of hydroelectricity through run-of-the-river projects (without storing water) on the western rivers, subject to specific criteria for design and operation.
- ❑ **Storage Level Permitted:** India is permitted to store up to 3.75 MAF of water from the western rivers for conservation and flood storage purposes.

#### Water Division Ratio

- ❑ The treaty allocates 20% of the water from the Indus River System to India and the remaining 80% to Pakistan.

#### Dispute Resolution Mechanism

- ❑ The Indus Water Treaty provides a three-step mechanism for resolving disputes:
  - 1. Permanent Commission:** Disputes can be resolved at the Permanent Commission or taken up at the inter-government level.
  - 2. Neutral Expert (NE):** For unresolved questions or 'differences' between the countries on water-sharing, either party can approach the World Bank to appoint a Neutral Expert (NE) to make a decision.

- 3. Court of Arbitration:** If either party is dissatisfied with the Neutral Expert's decision or in cases of 'disputes' regarding the interpretation and extent of the treaty, matters can be referred to a Court of Arbitration.

### SIGNIFICANCE OF THE INDUS WATER TREATY

- 1. Only Cross-Border Water Sharing Treaty in Asia:**
  - The Indus Water Treaty is unique as it stands as the only cross-border water-sharing agreement between two nations in Asia.
- 2. Generous Towards Lower Riparian State:**
  - The treaty is notable for compelling an upper riparian state (India) to defer to the interests of a downstream state (Pakistan). Pakistan receives 80% of the river water system, a volume significantly greater than other international water-sharing agreements, such as the 1944 pact between the US and Mexico.
- 3. Passed the Crisis Test:**
  - The Permanent Commission, part of the treaty's dispute resolution mechanism, has continued to meet even during periods of war between India and Pakistan (1965 and 1971), underscoring the treaty's resilience.
- 4. India's Generosity:**
  - Despite facing multiple terrorist attacks, India has chosen not to invoke the Vienna Convention on the Law of Treaties to withdraw from the Indus Water Treaty, showcasing India's commitment to trans-boundary river agreements.
- 5. Successful Model:**
  - The Indus Water Treaty serves as a successful model of cooperation, demonstrating how two rival countries can manage shared water resources peacefully.

## CONCERNS WITH THE INDUS WATER TREATY

### India's Concerns:

#### 1. Most Generous Treaty:

- The treaty has been criticized for its unequal sharing of waters, with India allotted only 20% of the resources.

#### 2. Prevents India from Building Storage Systems on Western Rivers:

- Pakistan has frequently blocked India's attempts to construct storage systems on Western Rivers, even though such projects are permitted under specific conditions by the treaty.

#### 3. Dispute Over India's Hydroelectric Projects:

- Disputes over projects like Kishenganga and Ratle have intensified, with Pakistan bypassing treaty-compliant proceedings and seeking arbitration directly at The Hague.

#### 4. Climate Change Impact:

- The Indus basin, ranked as the world's second most over-stressed aquifer by NASA in 2015, is heavily impacted by climate change. India seeks amendments to the treaty to address these issues.

#### 5. Economic Loss to Indian States:

- States in the Indus River Basin, particularly Jammu & Kashmir, suffer significant economic losses due to the treaty. Reports indicate losses amounting to hundreds of millions annually.

### Pakistan's Concerns:

#### 1. Lower Riparian Concerns:

- As a downstream state, Pakistan fears that India's infrastructure projects will reduce downstream water flows.

#### 2. Accusations of 'Water Terrorism':

- Pakistan has accused India of "water terrorism" for projects like the Shahpurkandi

barrage, despite their compliance with the IWT.

#### 3. Environmental Flow Issues:

- Pakistan insists on maintaining environmental flows, supported by the 2013 Permanent Court of Arbitration ruling on India's obligation to release flows downstream of the Kishanganga project.

## CONCERNS WITH TERMINATION OR ABROGATION OF THE IWT

#### 1. Escalation of Geopolitical Tensions:

- Renegotiating or terminating the treaty could escalate political tensions and increase the risk of water conflicts between nuclear-armed neighbors.

#### 2. Threat to Regional Stability:

- Instability in the IWT could affect water cooperation in the wider region, impacting India, Pakistan, China, and Afghanistan.

#### 3. Damage to India's International Standing:

- Unilaterally withdrawing from the treaty could harm India's image as a responsible global power and complicate future water treaty negotiations with other countries.

## WAY FORWARD

#### 1. Integration of Ecological Perspectives:

- Incorporate Environmental Flows (EF) to sustain Indus Valley ecosystems, as recommended by the Brisbane Declaration and the 2013 Permanent Court of Arbitration ruling on Kishanganga.

#### 2. Recognition of Climate Change Impacts:

- Develop strategies to manage the impacts of climate change. India should consider using climate change as a basis for renegotiating the treaty.

#### 3. Enhanced Water Data-Sharing:

- Establish a World Bank-supervised, legally binding data-sharing framework to monitor



water quality and flow changes, ensuring accurate and dependable data for both nations.

#### 4. Incorporation of International Legal Standards:

- Align treaty provisions with the 1997 UN Watercourses Convention and the 2004 Berlin Rules on Water Resources for sustainable water use.

#### 5. Proactive Utilization of Allocated Water Share:

- Repair and enhance canal systems in Punjab and Rajasthan to fully utilize India's entitlement of waters from Western Rivers.

#### 6. Use of Pressure Tactics:

- In case of future hostilities, India can consider suspending Permanent Commission meetings, effectively halting the dispute redressal process as suggested by some experts.



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# INDIAN GOVERNMENT AND POLITICS (IGP)

## SPOTLIGHT ON PWDS

### RELEVANCE

#### □ Syllabus:

- PSIR: Human rights
- GS2- Welfare Schemes for Vulnerable Sections



### INTRODUCTION

The Supreme Court, in a landmark ruling, has issued detailed guidelines to prevent the stereotyping and discrimination of persons with disabilities (PwDs) in visual media, such as films and documentaries. These guidelines were established while hearing a plea to ban the film *Aankh Micholi* for its derogatory portrayal of people with disabilities.

### SC GUIDELINES TO PREVENT STEREOTYPING AND DISCRIMINATION OF PERSONS WITH DISABILITIES

**1. Avoiding Derogatory Language:** The court emphasizes avoiding words that promote

institutional discrimination, such as “cripple” and “spastic,” as well as terms like “afflicted,” “suffering,” and “victim,” which individualize the impairment and overlook disabling social barriers. These words contribute to negative self-image and perpetuate discriminatory attitudes.

**2. Focus on Accurate Representation:** The court mandates that stereotyping differently abled persons in visual media and films must end. Creators should provide an accurate representation of disabilities, avoiding mockery. The principle of “nothing about us, without us” should be followed, involving persons with

disabilities in the creation and assessment of visual media content.

### 3. Creative Freedom vs. Marginalizing Portrayals:

The court clarifies that filmmakers' creative freedom does not include the freedom to lampoon, stereotype, misrepresent, or disparage marginalized communities. If content infringes on the rights of Persons with Disabilities (PwDs), the right to creative freedom will not be protected.

### 4. Collaboration with Disability Advocacy Groups:

The court emphasizes collaboration with disability advocacy groups for insights and guidance on respectful and accurate portrayals. Training programs for writers, directors, producers, and actors must be developed to highlight the impact of portrayals on public perceptions and experiences of PwDs.

## WHO ARE CLASSIFIED AS PERSONS WITH DISABILITIES?

According to The United Nations Convention on the Rights of Persons with Disabilities (UN CRPD), persons with disabilities are those who have long-term physical, mental, intellectual, or sensory impairments, which hinder their full and effective participation in society on an equal basis with others.

## STATUS OF DIFFERENTLY ABLED PEOPLE IN INDIA

The Rights of Persons with Disabilities Act, 2016, uses the same definition as the UN CRPD and further defines a "Person with Benchmark Disability" as a person with not less than 40% of a specified disability.

## EXPANSION OF DISABILITIES

The Rights of Persons with Disabilities Act, 2016, has expanded the types of disabilities from 7 (under the Person with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act,

1995) to 21. The act also empowers the Union Government to add more types of disabilities.

## DATA ON DISABILITY IN INDIA

### Number of Persons with Disabilities

- ❑ **Total Population:** Around 26.8 million persons with disabilities, constituting about 2.21% of India's total population (2011 Census).
  - **Men:** Approximately 14.9 million (2.41% of men).
  - **Women:** Approximately 11.9 million (2.01% of women).
- ❑ **Age Distribution:** Highest in the age group 10-19 years (46.2 lakh people).
- ❑ **Rural Population:** 69% (18 million) of persons with disabilities reside in rural areas.

### Disability % Distribution

- ❑ **Movement Disability:** 20%
- ❑ **Visual Impairment:** 19%
- ❑ **Hearing Impairment:** 19%
- ❑ **Multiple Disabilities:** 8%

## PROVISIONS FOR PERSONS WITH DISABILITIES IN INDIA

### Constitutional Provisions

- ❑ **Preamble:** Ensures social, economic, and political justice, along with equality of status and opportunity for all citizens, including persons with disabilities.
- ❑ **Fundamental Rights:** Guarantee dignity and fundamental rights to persons with disabilities.
- ❑ **Directive Principles:**
  - **Article 41:** Urges the State to make provisions for the right to work, education, and public assistance in cases of disability.
  - **Article 46:** Promotes educational and economic interests of weaker sections and protects them from social injustice.
- ❑ **Schedules of the Constitution:**



- **Seventh Schedule:** Relief of the disabled is a State Subject (Entry 9 in List II).
- **Eleventh and Twelfth Schedules:** Include provisions for the welfare of the disabled and mentally retarded.

### Legal Provisions

- ❑ **The Mental Health Act, 2017:** Replaces the 1987 Act, aiming to provide mental healthcare and protect the rights of persons with mental illness.
- ❑ **The Rights of Persons with Disabilities (RPwD) Act, 2016:**
  - **Reservations:** Increased reservation from 3% to 4% in government jobs and from 3% to 5% in higher education.
  - **Accessibility:** Mandates accessibility in public buildings within a prescribed time frame.
- ❑ **The Rehabilitation Council of India Act, 1992:** Regulates and monitors services for persons with disabilities and standardizes syllabi for rehabilitation professionals.
- ❑ **The National Trust Act, 1999:** Constitutes a body for the welfare of persons with autism, cerebral palsy, mental retardation, and multiple disabilities, promoting independent living and providing guardianship.

### Welfare Programs

- ❑ **Accessible India Campaign:** Aims to create a barrier-free environment in built-up areas, transportation, and ICT for persons with disabilities.
- ❑ **Deendayal Disabled Rehabilitation Scheme (DDRS):** Provides financial assistance to NGOs for rehabilitation projects.
- ❑ **Assistance to Disabled Persons for Purchase of Aids and Appliances (ADIP):** Assists needy disabled persons in procuring durable appliances to enhance their economic potential.

- ❑ **Indian Sign Language Research and Training Centre:** Promotes the use of sign language and develops human resources in the field.
- ❑ **National Institute of Mental Health Rehabilitation (NIMHR):** Focuses on capacity building and community-based rehabilitation for persons with mental illness.

## CHALLENGES FACED BY PEOPLE WITH DISABILITIES IN INDIA

### 1. Social Challenges

- ❑ **Discrimination and Inequality:** People with disabilities (PwDs) face various forms of discrimination, including reluctance to hire them for employment.
- ❑ **Loss of Social Status:** Lack of opportunities leads to unemployment, financial instability, and a decrease in social status.
- ❑ **Inhuman Treatment:** Individuals with mental illness or mental retardation often face social exclusion.
- ❑ **Loss of Identity:** PwDs' identities can become solely associated with their disabilities, making them subjects of pity.

### 2. Barriers to Education

- ❑ **Lack of Special Schools and Trained Teachers:** There are insufficient special schools and trained teachers for children with learning disabilities.
- ❑ **Inadequate Educational Materials:** Persons with visual impairments lack necessary educational materials.
- ❑ **School Admission Issues:** Children with learning disabilities are often shunned and not admitted to schools.

### 3. Lack of Adequate Healthcare Facilities

- ❑ PwDs often lack access to quality healthcare facilities, further marginalizing them and exacerbating their conditions.



#### **4. Prevalence of Unemployment**

- Lower Employment Rates:** Disabled persons have lower employment rates compared to the general population.
- Private Sector Reluctance:** There is a reluctance to hire PwDs in the private sector due to stereotypes and stigma.
- Financial Independence:** This reluctance impacts their ability to be financially independent and self-sufficient.

#### **5. Accessibility Issues**

- Physical Infrastructure:** There is a lack of appropriate disabled-friendly physical infrastructure.
- Public Transportation:** PwDs find it difficult to commute in public transportation.
- Building Access:** Accessibility to buildings and public spaces is often inadequate.

### **WAY FORWARD FOR ADDRESSING CHALLENGES FACED BY PEOPLE WITH DISABILITIES**

#### **1. Accommodation and Inclusion**

- Education:** Provide better educational opportunities by establishing more special schools and training teachers to support children with disabilities.
- Employment:** Ensure equal job opportunities and encourage employers to hire PwDs through incentives and supportive policies.

- Social and Political Participation:** Initiate programs that encourage PwDs to take an active part in social and political decision-making processes.

#### **2. Greater Social Sensitization**

- Overcoming Stigma:** Focus on educating and sensitizing society about the challenges faced by PwDs to facilitate their better integration into the mainstream.
- Positive Terminology:** Promote respectful and empowering language, such as using “Divyangjan” to address persons with disabilities, to foster a positive self-image and societal perception.

#### **3. Preventive Measures for Early Detection**

- Newborn Screening:** Scale up the Comprehensive Newborn Screening (CNS) program under the Rashtriya Bal Swasthya Karyakram to detect and prevent disabilities early on.

#### **4. Interventions in Public Policy**

- Increased Budget Allocation:** Allocate a larger portion of the budget specifically for the welfare of people with disabilities.
- Disability Budgeting:** Implement a budgeting approach for people with disabilities, similar to the gender budget, to ensure adequate funding and resources are directed towards their needs and development.

# LANDMARK JUDGMENT ON THE RIGHT TO MAINTENANCE OF MUSLIM WOMEN

## RELEVANCE

### □ Syllabus:

- **PSIR:** Gender Justice
- **GS2-** Government Policies



### INTRODUCTION

In *ac*, the Supreme Court bench of Justice B.V. Nagarathna and Justice Augustine George Masih declared that a divorced Muslim woman can seek alimony from her husband under Section 125 of the Code of Criminal Procedure (CrPC). The court affirmed that Section 125 of CrPC is a “religion-neutral” provision applicable to all married women, including Muslims.

Following the enactment of The Muslim Women (Protection of Rights on Divorce) Act 1986, which granted maintenance rights to Muslim women

during the Iddat period, there was ambiguity regarding whether Muslim women could seek remedy under Section 125 of the CrPC. Different High Court judgments varied on whether Muslim women should use Section 3 of the 1986 Act or Section 125 of CrPC.

The Supreme Court’s verdict clarifies this issue by ruling that the 1986 Act’s codification of maintenance rights for Muslim women was supplementary and not a replacement for their right to seek maintenance under Section 125 of the CrPC, similar to women of any other religion.

## HISTORICAL BACKGROUND OF THE EVOLUTION OF LAWS ON MUSLIM WOMEN'S RIGHT TO MAINTENANCE

1973

- ❑ **Section 125 of the CrPC:** Codified laws governing maintenance for destitute wives, children, and parents. It allows a divorced woman to seek maintenance/monthly allowance from her husband until her remarriage. It is a religion-neutral provision, universally applicable to all women from different religions.

1985

- ❑ **Shah Bano Case:** The Supreme Court upheld a Muslim woman's right to seek maintenance from her divorced husband under Section 125 of the CrPC. This verdict was perceived by many as an affront to religious personal laws.

1986

- ❑ **The Muslim Women (Protection of Rights on Divorce) Act, 1986:** Enacted to overturn the SC verdict in the Shah Bano Case. It is a religion-specific law providing a procedure for a Muslim woman to claim maintenance during divorce.

### – Section 3 of the Act:

- ✓ **Period of Maintenance:** Guarantees the payment of maintenance to a divorced Muslim woman by her former husband during the iddat period (usually three months after divorce or husband's death before remarriage).
- ✓ **Maintenance Amount:** Equal to the amount of mahr or dowry given at the time of marriage or any time after.
- ✓ **Recourse after the Iddat Period:** After the iddat period, a woman can approach a first-class magistrate for maintenance if she has not remarried and cannot financially support herself.

2001

- ❑ **Danial Latifi v. Union Of India:** The Supreme Court upheld the constitutional validity of

the 1986 Act but reduced the period of maintenance to the completion of iddat.

2009

- ❑ **Shabana Bano v. Imran Khan:** The Supreme Court reiterated that a divorced Muslim woman could claim maintenance under Section 125 of the CrPC until her remarriage, extending such relief even after the iddat period.

2019

- ❑ **Patna HC Verdict:** Emphasized that a divorced Muslim woman has the option to avail of maintenance both under the CrPC and the 1986 Act.

There was ambiguity about whether Muslim women could claim maintenance rights under Section 125 of the CrPC after claiming their rights under Section 3 of the Muslim Woman's (Protection of Rights on Divorce) Act, 1986.

### Supreme Court Verdict

- ❑ Muslim women can claim remedy under Section 125 of the CrPC, despite claiming the remedies provided under Section 3 of the 1986 Act.
- ❑ A Muslim woman's right to claim maintenance under criminal law (CrPC) cannot be extinguished even if she has claimed her rights in personal law (1986 Act).
- ❑ A parallel remedy in law that applies universally (CrPC) cannot be taken away by religious custom, despite the latter being codified as legislation.

## FOUR MAIN PILLARS OF THE SUPREME COURT VERDICT

1. **Social Justice Measure Insulated from Personal Laws** The Supreme Court emphasized that Section 125 of the CrPC was introduced as a social justice measure to protect women and children. This provision reflects the constitutional commitment to social justice under Article 15(3), which allows for special

measures to ensure a life of dignity for women at all stages. Therefore, claims under Section 125 CrPC are maintainable irrespective of the parties' personal laws.

- 2. Equivalent Rights of Maintenance** The Court held that both the secular provision of Section 125 of the CrPC and the personal law provision of Section 3 of the 1986 Act provide equivalent maintenance rights in their respective domains. The 1986 Act does not undermine or dilute the relief available under Section 125 of the CrPC. The intention behind the 1986 Act was to offer an additional remedy for divorced Muslim women.
- 3. Harmonious Interpretation** The Supreme Court asserted that conflicting statutes should be interpreted harmoniously and purposively. It ruled that a divorced Muslim woman could seek recourse under either or both provisions. The choice lies with the woman: she can apply for maintenance under Section 125 of the CrPC if she cannot support herself, or under the 1986 Act for maintenance during the iddat period if she is financially independent.
- 4. Relief for Women Divorced through Triple Talaq** The Court held that Muslim women divorced through illegal methods, such as triple talaq, are entitled to maintenance under Section 125 of the CrPC.

### SIGNIFICANCE OF THE VERDICT ON MUSLIM WOMEN'S RIGHT TO MAINTENANCE

- 1. Primacy of Secular Law over Personal Law** The judgment firmly establishes that the religion-neutral provisions of secular law take precedence over personal law. It reaffirms the supremacy of the Constitution and secular law in gender equality matters, overriding restrictive personal law interpretations.

- 2. Maintenance as a Right, Not a Charity** The court framed maintenance as a facet of gender parity and enabler of equality, not charity, for all married women, including Muslim women. This shift from viewing maintenance as a religious obligation to a legal right has far-reaching implications.

- 3. Benchmark for Challenging Discriminatory Practices** The verdict can serve as a precedent for challenging discriminatory practices in other personal laws, potentially leading to reforms aligning personal laws with constitutional principles of equality. This could impact laws such as the Hindu Succession Act, Christian personal laws, and Parsi personal laws.

- 4. Upholding Constitutional Values** The judgment upholds the Constitution's promise of equality, guaranteed by Article 14, and the values of social justice for women provided by Article 15(1), Article 15(3), and Article 39(e) of the Constitution.

- 5. Socio-Economic Safety Net for Women** The verdict offers a socio-economic safety net to married women who often sacrifice employment opportunities for family responsibilities, child-rearing, and elder care.

### CONCLUSION

The Supreme Court's verdict demonstrates the Court's ability to use harmonious interpretation to expand rights and secularize access to remedies. This decision neutralizes the perception that Muslim women's right to seek maintenance under secular provisions was extinguished since 1986. The ruling significantly strengthens the rights of divorced Muslim women and is likely to impact the future trajectory of personal laws in India, potentially leading to more challenges to discriminatory practices and greater alignment with constitutional principles of equality and justice.



# REVAMP OF THE CRIMINAL JUSTICE SYSTEM

## RELEVANCE

### □ Syllabus:

- PSIR: Principal Organs of the Union Government
- GS2- Dispute Redressal Mechanisms



# BHARATIYA NYAYA SANHITA BILL 2023



## INTRODUCTION

In December of last year, the Indian Parliament passed three significant Bills: the Bharatiya Nyaya Sanhita (BNS), the Bharatiya Nagrik Suraksha Sanhita (BNSS), and the Bharatiya Sakshya Adhinyam (BSA). These Bills replace the Indian Penal Code (IPC) of 1860, the Criminal Procedure Code (CrPC) of 1973, and the Indian Evidence Act of 1872, respectively.

## ADDITION OF NEW PROVISIONS IN THE BHARTIYA NYAY SANHITA (BNS)

**Mob Lynching** Clause 103 codifies offenses linked to mob lynching and hate-crime murders. It is applicable for cases when a mob of five or more individuals commits murder based on factors

such as race, caste, community, language, place of birth, or personal belief. The provision includes punishments ranging from life imprisonment to death.

**Organised Crime** Clause 111(1) codifies organized crime and terrorism. Organized crime and terrorism have been brought under the realm of ordinary criminal law for the first time. The Unlawful Activities Prevention Act was used for terrorism, and state-specific laws such as the Maharashtra Control of Organised Crime Act were used for organized crime.

**Deceitful Promise to Marry** Clause 69 criminalizes 'deceitful' promises to marry. 'Deceitful means' shall include false promises of employment

or promotion, inducement, or marriage after suppressing identity. It will be punished with imprisonment for up to 10 years and a fine.

**Attempt to Suicide** It criminalizes attempts to commit suicide with intent to compel or restrain any public servant from discharging official duties. This provision could be invoked to prevent self-immolations and hunger strikes during protests.

**Snatching** Clause 304 (1) adds snatching as a 'new' crime. It has been made distinct from theft. Both theft and snatching have a punishment of up to three years in jail.

### MAJOR DELETIONS IN THE BHARTIYA NYAY SANHITA (BNS)

**Unnatural Sexual Offences** Section 377 of the IPC, which criminalized homosexuality among other 'unnatural' sexual activities, has been repealed under the Bhartiya Nyay Sanhita (BNS).

**Adultery** The offense of adultery, which was struck down by the Supreme Court as unconstitutional in 2018, has been omitted under the Bhartiya Nyay Sanhita (BNS).

**Thugs** Section 310 of the IPC criminalizes those who have been 'habitually associated with committing robbery or child-stealing' and labels them as thugs. This provision is criticized for attaching colonial notions of criminality to certain tribes. The BNS has fully omitted this provision.

### CHANGES IN THE BHARTIYA NYAY SANHITA (BNS)

**Gender Neutrality** Bhartiya Nyay Sanhita (BNS) has tweaked other laws, especially those dealing with children, to bring gender neutrality. Earlier offenses like the offense of outraging the modesty of women (354A of the IPC) and voyeurism (354C) have now become gender-neutral for the accused under the BNS. This means that women can also be booked under the law.

**Fake News** The BNS introduces a new provision under the BNS which deals with hate speech, criminalizing the publishing of false and misleading information.

**Sedition** The BNS introduces the offense of sedition under a new name and with a wider definition. It changes the name of the offense from 'rajdroh' to 'deshdroh'. The new provision adds the following crimes to the offense of sedition: a. Aiding through financial means, acts of 'subversive activities' b. Encouragement of 'feelings of separatist activities'.

**Community Service** The BNS also provides for community service as a punishment for petty offenses. It will be part of the penal code for the first time.

### MAJOR CHANGES IN THE BHARATIYA NAGRIK SURAKSHA SANHITA (BNSS)

**Expansion of Detention in Police Custody** There has been an expansion of detention in police custody from the 15-day limit in the CrPC to up to 90 days.

**Victim Being Given an Opportunity of Being Heard** The BNSS states that in cases where the punishment is seven years or more, the victim shall be given an opportunity of being heard before the withdrawal of the case by the government.

**Trials in Absentia** According to this provision added in the BNSS, a person accused of a crime can be tried and convicted in his absence, as if he was present in court and has waived his right to a fair trial for all offenses.

**Removal of Statutory Bail Provisions** The BNSS removes the provision for statutory bail if an accused has more than one offense against his name. Earlier under the CrPC, an accused could be granted statutory bail if he had served at least half of the maximum sentence prescribed for the offense.

## SIGNIFICANCE OF BHARTIYA NYAY SANHITA (BNS), BHARATIYA NAGRIK SURAKSHA SANHITA (BNSS), AND BHARATIYA SAKSHYA ADHINIYAM (BSA)

### 1. Decolonisation of Laws

- The passage of these new sanhitas represents a significant shift towards laws formulated by and for Indians, reflecting contemporary societal values and aspirations.

### 2. Revamping of Criminal Justice System in India

- These laws incorporate recommendations from various committees aimed at modernizing the criminal justice system, aligning it with present-day dynamics and needs.

### 3. Incorporation of Supreme Court Judgments

- The new laws integrate landmark Supreme Court decisions, such as the repeal of Section 377 on homosexuality, demonstrating alignment with constitutional principles and societal progress.

### 4. Gender Neutrality

- Introducing gender neutrality in certain provisions, like crimes against women, reflects an update to the IPC that aligns with modern societal norms and values.

### 5. Community Service as an Alternative Punishment

- Introduction of community service provides a progressive alternative to incarceration, particularly for minor offenses, aiming to reduce prison overcrowding and promote rehabilitation.

### 6. Acknowledgment of Hate Crimes

- By addressing offenses like mob lynching and hate crimes, the sanhitas acknowledge and legislate against contemporary societal challenges, enhancing justice delivery mechanisms.

## CONCERNS WITH THESE SANHITAS

### 1. No Break from Colonial Legacy

- Critics argue that these sanhitas retain colonial-era practices such as long-term imprisonments and vague definitions, which may not fully align with modern principles of justice.

### 2. Ambiguity in Definitions

- Ambiguous provisions, like those related to sedition and new offenses, lack clear definitions, potentially enabling misuse and curtailing dissent.

### 3. Lack of Transformational Changes

- While significant updates have been made, critics contend that the sanhitas do not sufficiently overhaul existing laws, instead making incremental adjustments.

### 4. Lack of Legislative Scrutiny

- Concerns exist over the passage of these laws without adequate parliamentary scrutiny, raising questions about democratic oversight and thorough deliberation.

### 5. Potential Misuse by the State

- Provisions such as trials in absentia and broad definitions of terrorism raise concerns about potential misuse by state authorities, compromising fair trial rights.

### 6. Marital Rape Exclusion

- The absence of criminalizing marital rape continues to be criticized as a significant omission that fails to protect victims within intimate relationships.

## WAY FORWARD

### 1. Modernization and Clarity

- Ensure that the sanhitas are clear, concise, and accessible, promoting understanding among legal professionals and the public alike.



## 2. Victim-Centric Approach

- Strengthen provisions to safeguard victims' rights, including better support systems, compensation, and enhanced participation in legal processes.

## 3. Focus on Rehabilitation

- Emphasize rehabilitative justice alongside punitive measures, promoting alternatives to imprisonment and fostering offender reintegration into society.

## 4. Technology Integration

- Utilize technology to streamline legal processes, enhance investigation capabilities, and improve evidence management for more effective justice delivery.

## 5. Public Awareness and Education

- Conduct regular awareness campaigns and educational initiatives to inform citizens about their legal rights and responsibilities.

## 6. Consultation and Stakeholder Involvement

- Foster inclusive reform processes by engaging stakeholders, including legal experts, law enforcement agencies, NGOs, and affected communities, to ensure diverse perspectives and inclusive outcomes.

Reforming India's criminal laws is a complex endeavor that requires continuous dialogue, transparency, and commitment to upholding justice in a rapidly evolving society.

# NEWFOUND REVERENCE FOR THE CONSTITUTION

## RELEVANCE

### □ Syllabus:

- **PSIR:** Salient Features of the Indian Constitution
- **GS2-** Indian Constitution





## INTRODUCTION

The recent trend where many MPs have included “Jai Samvidhan” (Hail the Constitution) in their oath during parliamentary sessions, symbolizes a newfound respect for the Indian Constitution among political leaders. However, there’s a noted complexity highlighted by Article 99, which mandates that every Member of Parliament must pledge allegiance to the Constitution of India. This requirement sometimes creates confusion because it implies that parliamentary laws are supreme, while in reality, the Constitution itself establishes the framework within which parliamentary laws must operate and their validity is determined.

This trend reflects a positive shift towards emphasizing constitutional values and principles in India’s parliamentary proceedings, acknowledging the foundational importance of the Constitution in guiding the country’s governance and legal framework.

## PERSPECTIVES ON NEWFOUND REVERENCE FOR THE CONSTITUTION

### Cynics’ Perspective:

- 1. Political Legitimacy vs. Constitutional Duties:** Critics argue that the recent trend of adding “Jai Samvidhan” to parliamentary oaths is more about enhancing political legitimacy than a genuine commitment to upholding constitutional duties, including Directive Principles and individual rights. They view it as a symbolic gesture rather than substantive action towards constitutional governance.

### Realists’ Perspective:

- 2. Embrace of Constitutionalism:** Realists view this trend positively, seeing it as an embrace of constitutionalism by voters and political leaders alike. It reflects a recognition of the Constitution’s role in safeguarding freedoms against uncertain political futures. However, they acknowledge the paradox where elected officials, who take constitutional oaths,

sometimes fail to fully represent or empower marginalized groups in society.

## JUDICIAL OATH IN THE INDIAN CONSTITUTION

**Judicial Oath (Third Schedule of Indian Constitution):** The oath for Justices of the Supreme Court and High Courts includes: “I will duly and faithfully and to the best of my ability, knowledge and judgment perform the duties of my office without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws.”

### Significance of the Judicial Oath:

- 1. Invitation to Innovate and Uphold:** The judicial oath invites judges to innovate in interpreting the rule of law and to improve governance through reasoned judgments and corrective measures.
- 2. Guiding Principle:** Since the Kesavananda Bharati decision, this oath has been a guiding principle for judicial actions in India, emphasizing impartiality and fidelity to the Constitution and laws.

## SIGNIFICANCE OF THE KESAVANANDA BHARATI DECISION

- 1. Doctrine Elements:**
  - **Forensic Freedoms:** Ensures robust legal arguments and independence of the Bar.
  - **Judicial Independence:** Upholds the judiciary’s independence as crucial for maintaining constitutional checks and balances.
- 2. Supremacy and Accountability:** The decision established that constitutional powers are supreme within their designated spheres but are also accountable and constrained by the Constitution.
- 3. Limitations on Powers:** It underscored that no powers, including judicial authority and constitutional review, are absolute. Most constitutional amendments post-Kesavananda

Bharati respect the Basic Structure doctrine, preserving fundamental constitutional principles.

### WAY FORWARD

1. **Embrace the Essence and Values:** The Constitution should be viewed not merely as a legal document but as embodying essential

values and principles that guide governance and protect rights.

2. **Protect Fundamental Structure:** Safeguarding the fundamental structure and core principles of the Constitution should be paramount. Any future amendments should uphold these foundational aspects, with consensus from all political parties to ensure legitimacy and inclusivity.

## 49 YEARS OF EMERGENCY

### RELEVANCE

#### □ Syllabus:

- PSIR: Salient Features of the Indian Constitution
- GS2- Indian Constitution



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## PRESIDENT PROCLAIMS EMERGENCY

### Internal Security In Danger, Says P.M.

**NEW DELHI, June 26.**—The President, Mr Fakhruddin Ali Ahmad, declared a state of emergency this morning on account of threat to the security of the country due to "internal disturbances", reports PTL. A number of arrests have been made.

The proclamation itself gave no reason for the fresh declaration of emergency which is in addition to the 1971 emergency relating to external aggression still in force.

The Prime Minister, Mrs Gandhi, in a broadcast to the nation referred to the incitements to the military and police by "certain persons" and their proposed programme of action "to disrupt normal functioning" to justify the emergency. She said, however, there was "no need for panic".

Mrs Gandhi said: "The nation's integrity demands firm action".

Though the Prime Minister herself did not name the persons inciting the Armed Forces and police, Mr Jayaprakash Narayan at a meeting here last night repeated statements he had been making earlier, asking the Army, police and Government employees not to obey any order they consider illegal. Mr Narayan had also challenged the Home Minister to prosecute him for this.

The emergency declared today was to be laid before the two Houses of Parliament and will

expire this morning that the proclamation of emergency was to meet "the threat to internal stability".

She spoke of "certain people inciting our armed forces to mutiny and our police to rebel".

No Government worthy the name could stand by and allow the country's stability to be imperilled when "forces of disintegration were in full play" and communal passions were being aroused threatening the country's unity.

Mrs Gandhi's broadcast came immediately after the proclamation of a state of emergency by the President, Mr Fakhruddin Ali Ahmad, and the pre-dawn swoop by police to round up Mr Jayaprakash Narayan, Mr Morarji Desai and several prominent non-CPI Opposition leaders.

Mrs Gandhi said the proclamation was "nothing to panic about" and that it would in no way affect the rights of law-abiding citizens.



Mother Teresa, one of the official delegates from Calcutta at the International Women's Year Conference in Mexico City. (See also page 5)

UNION INFORMATION OFFICER SAYS

### Consortium Meets In Paris Pledges Of New Aid For India Reported

**PARIS, June 26.**—The Aid India Consortium meeting opened today amidst reliable indications that the Consortium's pledges of new aid for the next year to help promote India's economic development would total around \$1,000 million, reports PTL.

This together with \$650 million under the chairmanship of Mr William Diamond of the World Bank and discussed India's economic developmental problems in the light of the Bank's report and her requirements of aid next year. Last night Mr Diamond had informal consultations with the Indian delegation led by Mr M. G. Kaul.

At this morning's opening session after Mr Diamond's preliminary remarks, Mr Kaul made a survey of India's economic scene. He is understood to have told the Consortium that India, which had successfully brought down inflationary level from 31% to 7%, was now poised for economic growth. He also listed

### Arafat Rules Out Interference In Lebanese Affairs

**BEIRUT, June 26.**—The Palestine Liberation Organization leader, Mr Yasser Arafat, last night ruled out any interference in internal Lebanese affairs and said that the Palestinian revolution respected Lebanese sovereignty, reports AFP.

Lebanese radio and television interrupted their late night programmes to broadcast a 20-minute "message on Lebanese-Palestinian brotherhood" from Mr Arafat.

Mr Arafat split out a number of sentences for both sides to observe, including Palestinian "unconditional respect for Lebanese sovereignty" and Lebanon's recognition of the "right of the Palestinian revolution to exist on its soil" in line with agreements already reached.

Referring to the bloody clashes here between Palestinians and Right-wing Christians "Mr Arafat said that Lebanon was undergoing "not only a crisis but a veritable tragedy". He said that there was a plot in existence aiming to destroy Lebanon and inflict a finishing blow to the Arab nation in order to harm "Islamic-Christian solidarity".

The Palestinian revolution was not involved in the country's internal problems, was not a political force backing one party or another, and was not a Lebanese "community" and did not wish to be.

"Coexistence among the communities is the principal objective which the revolution intends to achieve in the Palestine of the future."

### Thai & Cambodian Troops Clash:

### INTRODUCTION

This year marks the beginning of the 50th year since the imposition of the Emergency on June 25,

1975. The Emergency, declared in 1975, is widely regarded as one of the darkest chapters in India's democratic history. This period serves as a stark

reminder of the importance of safeguarding the rights and freedoms of individuals.

The Emergency period (1975-1977) witnessed severe restrictions on civil liberties, censorship of the press, and the arrest of political opponents. It highlighted the vulnerabilities within the democratic framework and underscored the need for constant vigilance to prevent the abuse of power. As we commemorate this significant milestone, it is essential to reflect on the lessons learned and renew our commitment to upholding democratic principles and protecting individual rights.

### CONSTITUTIONAL PROVISIONS FOR THE IMPOSITION OF EMERGENCY

The emergency provisions in the Indian Constitution are detailed in Part XVIII, encompassing Articles 352 to 360. These provisions empower the Central government to respond effectively to abnormal situations.

#### Types of Emergencies

1. **National Emergency:** Declared under Article 352.
2. **Constitutional Emergency:** Also known as President's Rule, declared under Article 356.
3. **Financial Emergency:** Declared under Article 360.

#### Instances of National Emergency

1. **1962:** During the war with China.
2. **1971:** During the war with Pakistan.
3. **1975:** Imposed by Prime Minister Indira Gandhi, considered the most infamous in India's democratic history.

The National Emergency declared in 1975 was based on the grounds of "internal disturbances," as cited by President Fakhruddin Ali Ahmed under Article 352 of the Constitution. This period is often seen as a critical juncture that highlighted the

potential for abuse of emergency powers and the importance of safeguarding democratic principles.

### IMPORTANT CONSTITUTIONAL AMENDMENTS ENACTED DURING THE EMERGENCY

#### 38th Amendment Act, 1975

- ❑ **Non-Justiciability of Emergency Declaration:** Made the President's declaration of Emergency non-justiciable, barring judicial review of such proclamations whether for external, internal, or financial threats (under Article 360).
- ❑ **Enhanced State Powers:** Codified and enlarged the state's power to suspend fundamental rights of citizens during emergencies.

#### 42nd Amendment Act, 1976

- ❑ **Reduced Judicial Power:** Significantly curtailed the power of the Supreme Court and High Courts to rule on the constitutional validity of laws.
- ❑ **Unrestrained Parliamentary Power:** Granted Parliament unrestrained power to amend any part of the Constitution without being subject to judicial review.

#### Post-Emergency Reforms

- ❑ **43rd and 44th Amendments:** Enacted by the Janata Party government after coming to power in 1977 to partially restore the pre-Emergency constitutional framework and curb the extensive powers conferred by the 42nd Amendment.

### RATIONALE BEHIND THE IMPOSITION OF EMERGENCY IN INDIA

The rationale behind incorporating emergency provisions in the Indian Constitution is to:

1. **Safeguard Sovereignty and Security:** Protect the sovereignty, unity, integrity, and security of the country.



**2. Protect the Democratic System:** Ensure the stability and functioning of the democratic political system and the Constitution itself.

**Specific Articles:**

- Article 352 (National Emergency):** Allows for emergency declaration due to war, external aggression, or armed rebellion.
- Article 356 (Constitutional Emergency):** Introduced to safeguard against extreme emergencies and protect legislative processes.
- Article 360 (Financial Emergency):** Added by Dr. B.R. Ambedkar to address drastic financial crises and protect foreign currency reserves.

**FAMOUS SUPREME COURT JUDGMENTS REGARDING EMERGENCY IN INDIA**

**Minerva Mills Ltd. vs Union of India (1980)**

- Judicial Review During Emergency:** The Supreme Court held that the power of judicial review cannot be suspended even during an emergency. The basic structure of the Constitution, including judicial review, cannot be abrogated.

**S.R. Bommai vs Union of India (1994)**

- Judicial Review of President's Rule:** The Court ruled that the imposition of President's Rule under Article 356 is subject to judicial review. It laid down guidelines and limitations on the use of Article 356 to prevent misuse.

**Bhut Nath Mete vs State of West Bengal (1974)**

- Suspension of Fundamental Rights:** The Court held that the suspension of fundamental rights under Article 359 does not mean all legal remedies are barred. Writs can still be filed on grounds of non-compliance with statutory provisions.

These judgments illustrate the Supreme Court's evolving stance on balancing the need for strong central authority during emergencies with the protection of individual rights and the rule of law. The Court has sought to limit the misuse

of emergency powers while upholding their constitutional validity.

**reasons for the imposition of Emergency in 1975**

- 1. Economic Crisis:** The country was facing a severe economic crisis characterized by high unemployment, sluggish industrial growth, rising prices of essential commodities, and widespread public discontent.
- 2. Student Unrest in Gujarat and Bihar:** In 1974, student agitations against rising prices and corruption began in Gujarat and spread to Bihar, leading to significant unrest and protests.
- 3. JP Movement:** The movement led by Jayaprakash Narayan, known as the JP Movement, demanded the dismissal of the Congress government in Bihar and gained national support. It was backed by opposition parties like the Jana Sangh and Bhartiya Lok Dal, mobilizing masses against the regime.
- 4. Railway Strike:** The nationwide railway strike led by George Fernandes in 1974 disrupted the nation. The strike focused on better service conditions and workers' rights.
- 5. Conflict with the Judiciary:** Persistent conflict between the government and the judiciary over fundamental rights, the basic structure of the Constitution, and the appointment of the Chief Justice created a stalemate.
- 6. Lack of Internal Democracy:** Concentration of power in the hands of a single leader, lack of democratic functioning, sycophancy, and corruption within the vital organs of the state contributed to the decision to impose Emergency.
- 7. Allahabad High Court Verdict:** On June 12, 1975, the Allahabad High Court nullified the election of Prime Minister Indira Gandhi to the Lok Sabha, citing misuse of official machinery for electoral gains. This judgment was the immediate trigger for the proclamation of Emergency two weeks later.



### Significant and far-reaching effects on India

- 1. Suspension of Civil Liberties:** The Emergency allowed the government to suspend fundamental rights such as freedom of speech, assembly, and movement. This led to a severe crackdown on political opposition and dissent.
- 2. Arrest of Opposition Leaders:** Prominent opposition leaders like Jayaprakash Narayan, Morarji Desai, Atal Bihari Vajpayee, and L.K. Advani were arrested and jailed under laws like the Maintenance of Internal Security Act (MISA). It is estimated that over 100,000 people were arrested during the Emergency.
- 3. Censorship of the Media:** The media was heavily censored, with the government clearing all news reports before publication, leading to a complete breakdown of press freedom. For example, the Indian Express published a blank editorial in protest.
- 4. Constitutional Amendments Curtailing Judiciary Powers:** The 38th and 42nd Amendments were passed, reducing the judiciary's power to review the constitutional validity of laws and expanding the central government's powers at the expense of the states.
- 5. Forced Sterilization Program:** The government launched a coercive family planning program involving forced mass sterilizations, which led to widespread public resentment.
- 6. Economic Impact:** Strikes, protests, and political instability during the Emergency severely damaged the Indian economy, resulting in high inflation, slow growth, and a decline in living standards.
- 7. Political Backlash:** The excesses of the Emergency led to a massive public backlash, resulting in the Congress party's defeat in the 1977 elections. This marked the first time the ruling party had lost power since independence.

### Several key judgments and commissions criticizing the imposition of Emergency

- 1. ADM Jabalpur v. Shivkant Shukla (1976):** This controversial Supreme Court judgment during the Emergency, by a 4:1 majority, upheld the government's position that the right to life and personal liberty could be suspended during an Emergency. The sole dissenting judge was Justice H.R. Khanna, who was later superseded for the position of Chief Justice. The judgment was widely criticized for undermining fundamental rights.
- 2. Puttaswamy v. Union of India (2017):** In this landmark judgment, a 9-judge bench of the Supreme Court unanimously overruled the ADM Jabalpur judgment. The court ruled that the right to life and personal liberty is an inalienable human right that existed even before the Constitution, and cannot be suspended even during an Emergency.
- 3. Shah Commission Report (1978):** The Shah Commission, headed by Justice J.C. Shah, was set up after the Emergency to inquire into the "excesses" committed during that period. The commission's report was highly critical of the government's actions, including the mass arrest of opposition leaders, censorship of the media, and the forced sterilization program.

### The lessons drawn from the Emergency period

- 1. Avoiding Despotism:** Democratic governance should be based on people's participation, wider consultations, consensus, adherence to the Constitution, and compliance with laws made by the legislature. Despotism has no place in democracy, and elected leaders must govern within the constitutional framework, avoiding personal interest and aggrandizement.
- 2. Avoid Conflict with Judiciary:** The executive must maintain a harmonious relationship with the judiciary. Judicial decisions should be interpreted by the executive with a broader

perspective. Narrow interpretations, as seen in reactions to judgments like Golaknath, Kesavananda Bharati, and the Allahabad High Court judgment, should be avoided.

- 3. Protecting Fundamental Rights:** The government must uphold and protect fundamental rights, such as freedom of speech and the right to life. Infringements on these rights are fiercely contested by the people through electoral verdicts, highlighting

the importance of respecting constitutional guarantees.

- 4. Greater Responsibility of Media and Civil Society:** The media and civil society have a crucial role in safeguarding democracy. During the Emergency, the media was criticized for its compliance. As L.K. Advani remarked, "You were asked only to bend, yet you crawled." Thus, media and civil society must act responsibly and vigilantly to prevent the recurrence of such events in the future.



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# MAINS PRACTICE QUESTIONS

## **Q. “Real Laws give birth to real rights”- Bentham. Critically Examine**

Harold Laski defined rights as the essential conditions required for individuals to reach their full potential. Political theorists have offered various interpretations regarding the source of rights and the role of the state, with Bentham’s Legal Theory of Rights being particularly influential.

Jeremy Bentham, a British philosopher and legal theorist, famously asserted that rights are “creatures of law.” He explored the relationship between law and rights, arguing that it is the state, through its laws, that defines and establishes the Bill of Rights. Consequently, rights exist only as far as they are acknowledged and protected by the legal system. As a utilitarian, Bentham believed that legal rights are created to promote the greater good of society.

Bentham opposed the Natural Rights Theory of Social Contractualism, contending that tracing nature as the source of rights is abstract and merely “anarchical fallacies.” He maintained that rights are neither prior nor subsequent to the state, as the state is the source of law. For instance, the right to freedom of speech is enshrined in many countries’ constitutions, but without legal recognition and protection, individuals might not be able to exercise it without fear of persecution. Additionally, if the law changes, the substance of the right also changes, as exemplified by the Right to Property under the Indian constitution.

For Bentham, rights are not innate or natural but are instead created and defined by laws. Moreover, rights are not absolute and can be limited or curtailed if necessary for the greater good of society.

Bentham’s perspective overlooks the fact that many rights exist independently of the law. For example, the right to life is a fundamental human right that is not created by law but is rather recognized and protected by it. Therefore, while the state can recognize rights, it cannot be the source of rights, as the legal system can be biased and discriminatory, failing to protect the rights of all individuals equally and privileging a few.

Additionally, social philosophers like Gandhi argue that the true source of rights is duty, a concept almost completely ignored by the Legal Theory of Rights. Gandhi believed that “every right comes with a responsibility,” and if everyone fulfilled their responsibilities instead of insisting on their rights, the rule of law would be established among people immediately.

Bentham’s view of rights was legalistic and utilitarian. Despite being contradicted by many, his ideas had a significant influence on the development of modern legal systems and on ensuring ways to safeguard basic human rights.

## **Q. Comment on the paradoxes faced by Indian democracy in its development.**

Democracy is often celebrated as a robust system of governance that promotes representation, inclusivity, and accountability. Lord Bryce described it as the rule of people expressing their sovereign will. However, democracy is rarely a straightforward process, and India’s experience underscores various challenges and paradoxes inherent in democratic systems.

While democracy involves formal institutions such as elections, political parties, and the judiciary, it is also about the values and practices underpinning these structures. In India, the democratic journey has been marked by significant obstacles, including socio-economic inequalities, disparities in access to basic resources, corruption, and the influence of money and muscle in politics.

The paradoxes of Indian democracy arise from its diverse social, economic, and political fabric. Despite predictions of failure, India has managed to conduct regular and peaceful elections while dealing with fundamental challenges like voter awareness. Although India is known as the world's largest democracy, the quality of its democracy is questioned due to persistent issues such as poverty, corruption, and social inequality.

Dr. Ambedkar advocated for socio-economic democracy alongside political democracy to address these issues. The Indian democratic system also faces challenges of identity politics and social exclusion, with the Constitution guaranteeing equality but still grappling with caste, religion, and language-based divisions.

The structure of political parties in India, while resembling Western models in organization, reflects unique Indian characteristics that can lead to paradoxical outcomes. India's rapid economic growth contrasts with ongoing poverty and unemployment, a situation highlighted in debates between Lee Kuan Yew and Amartya Sen about freedom and democracy.

Moreover, the tension between regionalism and national unity, given India's vast diversity, has led to regional movements seeking greater autonomy or independence. This tension contributes to political instability and violence, suggesting that deeper democratization might be needed to resolve these issues.

As India approaches the centenary of its independence, it's essential to recognize that despite its challenges, Indian democracy remains vibrant and resilient. It continues to reflect the aspirations and struggles of its diverse population, embodying both the progress made and the work still required. As P.B. Mehta noted, democracy is not just a form of government but a dream of achieving dignity and justice for all.

**Q. M.N. Roy eloquently represented a band of Indian thinkers whose initial fascination with Marxism could not last long.**

MN Roy was an Indian Communist revolutionary, radical activist and political theorist, philosopher in the 20th century. Roy was a founder of the Mexican Communist Party and the Communist Party of India.

In the aftermath of World War II Roy moved away from orthodox Marxism to the philosophy of radical humanism, attempting to chart a third course between liberalism and communism. Lenin described Roy as the 'Symbol of revolution in the East'.

M.N. Roy found the ideology of Marxism problematic on various fronts. According to Roy, although Marx believed in 'Man as the root of the mankind', his theory suffers from the economic determinism. Marxism justifies proletariat dictatorship. It neglects the role of middle class and tends to overshadow the identity of an individual under the collective burden of 'class'. Roy also criticized Marx giving primacy to Violence.

Roy concluded that the two dominant existing political philosophies of liberalism and communism have fulfilled only the partial needs of human. This led to his transition from communism to a new philosophy primarily centered around human life, human rationality and individual freedom. He developed the philosophy of 'Radical Humanism'

According to Roy, radical humanism is a philosophy of social life which is based on the philosophy of nature. He aims to create a new society where men can achieve freedom in real sense. The components of radical humanism includes Reason, Ethics and Freedom . Freedom of men is the ultimate objective of radical humanism. Freedom emerges from Man's struggle for self-protection, survival and reproduction. He believed that the crisis of modern civilization is due to the lack of integrated view of human nature.



Roy stresses that neither Capitalism nor Parliamentary System can solve the problems of mankind. Therefore, the concept of Radical Humanism as given by M.N. Roy can be regarded as the philosophy of freedom because the theory revolves around human emancipation.

**Q. Critically evaluate Kautilya's concept of "danda" (coercion) in the context of maintaining internal security and external relations.**

Kautilya's Arthashastra, a seminal text on statecraft, posits "danda" (coercion) as a key pillar of state power. While essential for maintaining internal security and navigating external relations, a critical evaluation reveals both its strengths and limitations, raising questions about its compatibility with contemporary democratic principles.

**Strengths**

- Internal Security:** Danda acts as a deterrent against crime and rebellion, ensuring stability and order within the kingdom. Kautilya outlines a meticulous system of law enforcement, espionage, and surveillance, aimed at preventing internal threats and punishing transgressors.
- External Relations:** Danda enables a state to deter aggression, defend its borders, and enforce treaties. Kautilya advocates for strategic alliances, vyuha formations for warfare, and skillful diplomacy, all backed by military prowess. This pragmatic approach to foreign policy allowed the Mauryan empire to expand its territory and command respect on the international stage.
- Effective Governance:** Danda, when exercised judiciously, can be a tool for social justice and efficient administration. Kautilya prescribes graded punishments for different offenses, ensuring proportional justice. He also suggests utilizing danda to enforce fair taxation and protect vulnerable sections of society.

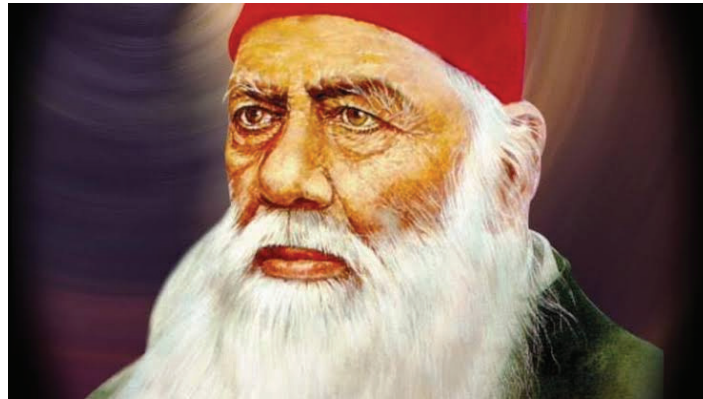
**Limitations**

- Potential for Abuse:** Unchecked danda can morph into tyranny and oppression. The emphasis on coercion and surveillance can stifle dissent, freedom of expression, and individual liberties.
- Moral Implications:** Kautilya's danda, while pragmatic, often blurs the lines between ethical and ruthless statecraft. This raises concerns about whether the ends justify the means, especially in a contemporary context.
- Contextual Relevance:** The rigid hierarchical structure and harsh punishments prescribed by Kautilya's danda might not be compatible with modern democratic societies. Contemporary approaches to security and diplomacy emphasize dialogue, cooperation, and international law, rendering Kautilya's purely coercive methods outdated in certain aspects.

Kautilya's danda remains a fascinating concept that offers valuable insights into statecraft and diplomacy. However, a critical evaluation reveals its potential dangers and limitations. In a contemporary world that values democracy and human rights, it's crucial to acknowledge the need for alternative approaches to security and international relations that prioritize dialogue, cooperation, and the rule of law.

# SCHOLAR DIGEST: KNOW YOUR SCHOLARS

## SIR SYED AHMED KHAN



### INTRODUCTION

Sir Syed Ahmed Khan (1817-1898) was a pivotal figure in the socio-political landscape of 19th century India. He was a visionary reformer, educationist, and statesman, who played a significant role in the intellectual and social upliftment of Muslims in India. His contributions laid the foundation for modern education among Indian Muslims and were instrumental in shaping the future of the community.

### EARLY LIFE AND EDUCATION

Sir Syed Ahmed Khan was born on October 17, 1817, in Delhi, into a family with strong Mughal connections. His early education was deeply rooted in traditional Islamic learning. He studied Arabic and Persian, which were the languages of administration and culture at the time. His curiosity and thirst for knowledge led him to study a wide range of subjects, including mathematics and medicine. This diverse educational background helped shape his progressive outlook and laid the foundation for his future endeavors.

### CAREER AND EARLY REFORMS

Sir Syed started his career as a clerk in the East India Company, where he quickly rose through the

ranks to become a judge. His exposure to British administration and legal systems influenced his thinking and approach to social reform. The events of the 1857 Revolt profoundly impacted him, highlighting the need for educational and social reforms within the Muslim community. He realized that the backwardness of Muslims in education and their alienation from modern sciences were major obstacles to their progress.

### EDUCATIONAL REFORMS

One of Sir Syed's most significant contributions was in the field of education. He believed that the upliftment of Muslims could only be achieved through modern education. To this end, he founded the Muhammadan Anglo-Oriental College in Aligarh in 1875, which later became Aligarh Muslim University (AMU). The college aimed to provide Western-style education while preserving Islamic culture and values. Sir Syed emphasized the importance of scientific knowledge and rational thinking, encouraging Muslims to embrace modern sciences and English education.

### LITERARY CONTRIBUTIONS

Sir Syed was also a prolific writer and intellectual. He wrote extensively on various subjects, including

history, politics, religion, and education. His works, such as “Asar-us-Sanadid,” a comprehensive study of Delhi’s monuments, and “Tahzib-ul-Akhlaq,” a journal aimed at social reform, reflect his deep concern for the moral and intellectual revival of the Muslim community. His writings advocated for a rational approach to Islam, promoting an interpretation that harmonized with modern values and scientific thought.

### SOCIAL AND POLITICAL ACTIVISM

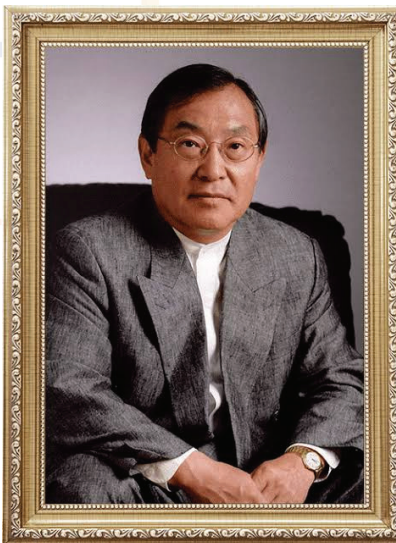
Apart from his educational endeavors, Sir Syed was also actively involved in social and political matters. He was a strong advocate for Hindu-Muslim unity and believed that the future of India depended on the cooperation and mutual respect between its diverse communities. However, he also recognized the unique challenges faced by

Muslims and worked tirelessly to address their concerns. He founded the All India Muhammadan Educational Conference, which aimed to promote education and socio-political awareness among Muslims.

### LEGACY

Sir Syed Ahmed Khan’s legacy is vast and enduring. He is remembered as a pioneer of modern education in India and a visionary leader who foresaw the importance of education in the socio-economic development of the Muslim community. Aligarh Muslim University stands as a testament to his vision and dedication, continuing to be a leading institution of higher education in India. His efforts laid the groundwork for future generations, contributing significantly to the intellectual and cultural renaissance of Indian Muslims.

## KENICHI OHMAE



Kenichi Ohmae is a renowned Japanese management consultant, author, and strategist known for his influential work in the field of business strategy and globalization. Born on February 21, 1943, Ohmae has been a leading figure in shaping contemporary thinking on corporate strategy, competitive advantage, and international business.

Ohmae rose to prominence in the 1980s and 1990s as a key proponent of the concept of “The Borderless World.” In his seminal book of the same name, published in 1990, Ohmae argued that advances in technology, telecommunications, and transportation were eroding traditional barriers to trade and investment, leading to the emergence of a new global economy characterized

by interconnectedness and interdependence. According to Ohmae, in this borderless world, national borders are becoming increasingly irrelevant, and companies must adapt to a new reality where competition is truly global.

One of Ohmae's central insights was the importance of strategic thinking and flexibility in navigating the complexities of the global marketplace. He emphasized the need for companies to focus on their core competencies, leverage their strengths, and continuously innovate in order to maintain a competitive edge in an increasingly dynamic and interconnected world. Ohmae's ideas have had a profound impact on corporate strategy, influencing how companies approach international expansion, market positioning, and strategic partnerships.

Ohmae's work also extended beyond the realm of business strategy to encompass broader issues of economic development and public policy. He advocated for a more decentralized approach to economic management, arguing that regional economies should have greater autonomy and flexibility to respond to local conditions and challenges. Ohmae's ideas on regionalism and decentralization have been influential in shaping debates about economic governance and regional integration.

In addition to his work as a management consultant and strategist, Ohmae has authored numerous

books and articles on a wide range of topics, including globalization, innovation, and leadership. His writings are characterized by their clarity, depth of insight, and practical relevance, making them accessible to both academics and practitioners alike. Ohmae's ability to distill complex ideas into simple, actionable principles has made him a highly sought-after advisor and speaker on issues related to business and economics.

Throughout his career, Ohmae has been a vocal advocate for bold, forward-thinking approaches to business and management. He has encouraged companies to embrace change, take calculated risks, and constantly adapt to evolving market conditions. Ohmae's ideas have resonated with executives and entrepreneurs around the world, inspiring them to think creatively, act decisively, and strive for excellence in everything they do.

In recognition of his contributions to the field of management and business strategy, Ohmae has received numerous awards and honors throughout his career. He continues to be actively involved in consulting, writing, and speaking engagements, sharing his insights and expertise with audiences around the globe. Ohmae's enduring legacy as a visionary thinker and strategic advisor underscores the importance of innovation, adaptability, and strategic vision in an ever-changing world.

## KENNETH WALTZ





Kenneth Waltz, an influential figure in the field of international relations, left an indelible mark on the study of political science with his groundbreaking theories and insightful analyses. Born on June 8, 1924, in Ann Arbor, Michigan, Waltz's intellectual journey paved the way for new perspectives and paradigms in understanding global politics.

Waltz's academic pursuits began at Oberlin College, where he earned his undergraduate degree in 1948. He furthered his studies at Columbia University, obtaining a master's degree in 1949 and a doctorate in political science in 1954. Throughout his career, Waltz's work reflected a deep commitment to scholarly rigor and analytical precision.

One of Waltz's most influential contributions to the field of international relations is his neorealism theory, outlined in his seminal work "Theory of International Politics," published in 1979. Neorealism, also known as structural realism, posits that the anarchic nature of the international system, characterized by the absence of a central authority, is the primary determinant of state behavior. According to Waltz, states operate in a self-help environment, where their primary goal is to ensure survival in the face of potential threats from other actors. Neorealism emphasizes the distribution of power among states as the key factor shaping their interactions, with the balance of power serving as a stabilizing force in the international arena.

Waltz's neorealism theory challenged prevailing assumptions in international relations, particularly the dominant school of thought known as classical realism. While classical realists focused on human nature and individual leaders' motivations, Waltz shifted the focus to the systemic level, arguing that the structure of the international system fundamentally shapes state behavior. Neorealism offered a more parsimonious explanation of international relations, emphasizing the structural constraints that limit state action.

In addition to neorealism, Waltz made significant contributions to nuclear deterrence theory. In his work "The Spread of Nuclear Weapons: More May Better," published in 1981, Waltz controversially argued that the proliferation of nuclear weapons could contribute to stability rather than increase the likelihood of conflict. He contended that nuclear weapons deter aggression by raising the costs of war, leading to a state of mutually assured destruction (MAD) that incentivizes states to avoid direct confrontation. While this argument sparked debate among scholars and policymakers, it underscored Waltz's willingness to challenge conventional wisdom and explore unconventional ideas.

Waltz's intellectual legacy extends beyond his theoretical contributions to international relations. He was a prolific writer and educator, mentoring generations of scholars and shaping the academic discourse on global politics. Waltz taught at prestigious institutions such as Columbia University, the University of California, Berkeley, and the University of Chicago, leaving a lasting impact on his students and colleagues.

Throughout his career, Waltz received numerous accolades and honors for his scholarly achievements, including the prestigious Johan Skytte Prize in Political Science in 1987. His work continues to inspire scholars and practitioners alike, offering valuable insights into the complexities of international politics.

Kenneth Waltz's enduring legacy lies in his relentless pursuit of intellectual inquiry and his ability to challenge conventional wisdom. By introducing innovative theories and reshaping the discourse on international relations, Waltz cemented his reputation as one of the most influential scholars in the field. As the world grapples with evolving geopolitical challenges, Waltz's insights remain as relevant and insightful as ever, serving as a guiding beacon for future generations of scholars and policymakers alike.



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# SAMUEL P. HUNTINGTON



## INTRODUCTION

Samuel P. Huntington was an American political scientist known for his role as a consultant to several U.S. government agencies and his significant contributions to national discussions concerning U.S. foreign policy during the late 20th and early 21st centuries. He was born on April 18, 1927, in New York, N.Y., and passed away on December 24, 2008, on Martha's Vineyard, Massachusetts.

## CLASH OF CIVILIZATION THESIS

"The Clash of Civilizations" is a thesis put forth by American political scientist Samuel P. Huntington, which posits that in the post-Cold War world, cultural and religious identities will be the primary sources of conflict. According to Huntington, wars in this new era will not be fought between countries, but rather between different cultures.

Huntington's line of thought began by examining various theories about the nature of global politics in the post-Cold War era. Some thinkers argued that human rights, liberal democracy, and the capitalist free market economy had become the sole remaining ideological options for nations. Francis Fukuyama, for instance, suggested that the world had reached the 'end of history' in a Hegelian sense.

However, Huntington contended that the age of ideology had concluded, and the world had returned to a more typical state of affairs characterized by cultural conflicts. In his thesis, he proposed that cultural lines would be the primary source of conflict in the future.

Huntington went on to predict and describe major clashes that would occur among different civilizations. He anticipated potential cooperation between Islamic and Sinic cultures in opposition to the West, identifying three key issues that separated the West from the rest. These issues included the West's ability to maintain military superiority by controlling the proliferation of emerging powers, the promotion of Western political values like human rights and democracy, and the restrictions on non-Western immigrants and refugees entering Western societies. Non-Western countries saw these actions as Western attempts to impose and preserve their cultural dominance.

In one of his chapters, titled "The Global Politics of Civilizations," Huntington foresaw a "small, fault line war" between Islam and the West, as well as the potential for an "intercivilizational war of core states" between the United States and China.

# ENRICH YOUR ANSWER

Q. Hobbesian Idea of Political Obligation.

## Introduction

Explain the concept of political obligation using various thinkers

- Plato
- Aristotle
- Marx etc.

body → Background of Hobbes  
↳ reasoning for absolute obligation

→ Explain Hobbesian concept of state absolutism

→ Give criticism → Subjugates individual  
→ totalitarian state

Conclusion → Give defence → concern for life

→ Give relevance → COVID (China)



Q. Explain the evolution of the doctrine of basic structure and what are the criticisms levelled against it.

Q Explain the evolution of doctrine of Basic structure and what are the criticism levelled against the doctrine of basic structure?

Approach

(Intro): Define the doctrine of Basic structure

(Body): Discuss the evolution of the doctrine

→ Champokam Dorairajon Case 1951

→ 1<sup>st</sup> Constitutional Amendment Act

→ Shankari Prasad Case (1951)

→ Sajjan Singh Case 1965

→ Goloknath Case 1967

→ 24<sup>th</sup> Constitutional Amendment Act 1971

→ Keswanand Bhanu Case 1973

→ 42<sup>nd</sup> Constitutional Amendment Act

→ Minerva Mills Case 1980

(Criticism)

→ No Unanimity in the bench on doctrine

→ Judiciary oversteering leathers of constitution and inventing its soul

→ It brings judicial sovereignty from Constitutional morality.

Q. Discuss the challenges that India faces in harnessing its soft power potential.

### Approach to Answer

Intro: Define soft power  
ie ability of a country to persuade others to do what it wants through persuasion and attraction.

### Body

→ Discuss India's soft power potential  
ie spiritualism, yoga, movies, television soaps, principles of Non-violence, democratic institutions, plural society etc.

→ Mention challenges to India's soft power:

eg \* Lack of diversification in diaspora engagement.

\* India's negative perception for widespread corruption, violence against women & minorities etc

\* Lack of state's efforts to harness soft power etc

### Conclusion

Give way forward for harnessing India's soft power potential.

Q. Analyze the concept of ideology from various viewpoints and distinguish between the ideas of the "End of Ideology" and the "End of History."

### Approach to Answer

Intro: Define ideology  
of coherent set of ideas that provides the basis for organised political action which is intended to either preserve, modify or overthrow the existing political order.

### Body

① Give different perspectives on ideology.

↳ Marxist perspective

- linked ideology to delusion & mystification
- Gramsci linked it to hegemony.

↳ Liberal Perspective

\* ideology as 'closed system of thoughts'

↳ Conservative Perspective

\* ideology is equated with dogmatism of beliefs that are divorced from complex real world.

② Distinguish between 'End of Ideology' and

End of History

End of Ideology

Daniel Bell

\* Economics has triumphed over politics and political ideology has come to an end

End of History

Francis Fukuyama

\* With triumph of liberalism, the history of ideas has ended.



# PRELIMS PRACTICE QUESTIONS

- 1. Which of the following initiatives has been undertaken by India to promote the international use of the Indian Rupee (INR)?**
  - (a) Establishment of the International Financial Services Centre (IFSC).
  - (b) Adoption of a fixed exchange rate regime for the INR.
  - (c) Imposing strict capital controls to limit INR flows across borders.
  - (d) Encouraging the use of foreign currencies for trade transactions.
- 2. The Cauvery River dispute primarily involves which Indian states, each vying for a fair share of its waters?**
  - (a) Andhra Pradesh and Karnataka
  - (b) Karnataka and Tamil Nadu
  - (c) Tamil Nadu and Kerala
  - (d) Kerala and Karnataka
- 3. The Election Commission of India consists of how many members, including the Chief Election Commissioner?**
  - (a) One
  - (b) Two
  - (c) Three
  - (d) Four
- 4. Which article of the Indian Constitution outlines the provisions for the Election Commission of India?**
  - (a) Article 320
  - (b) Article 340
  - (c) Article 324
  - (d) Article 330

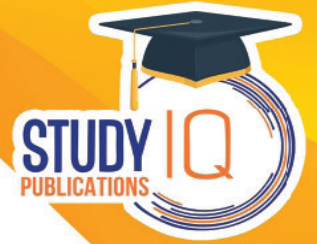
## ANSWERS

- 1. (a)** Establishment of the International Financial Services Centre (IFSC).
- 2. (b)** Karnataka and Tamil Nadu
- 3. (c)** Three
- 4. (c)** Article 324



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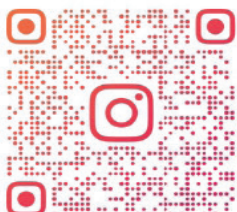
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