



# Yojna IAS

योजना है तो सफलता है

## MARCH 2024

### WEEKLY CURRENT AFFAIRS

**YOJNA IAS WEEKLY CURRENT AFFAIRS**  
**18/03/2024 TO 24/03/2024**

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# CURRENT AFFAIRS

MARCH 2024

## UN REPORT ON CHILD MORTALITY

*THIS ARTICLE COVERS 'DAILY CURRENT AFFAIRS' AND THE TOPIC DETAILS OF "A REPORT BY THE UN AGENCY ON CHILD MORTALITY". THIS TOPIC IS RELEVANT IN THE "GOVERNANCE" SECTION OF THE UPSC CSE EXAM.*

### WHY IN THE NEWS?

The United Nations Inter-agency Group for Child Mortality Estimation has published a report titled "Levels and Trends in Child Mortality," revealing a significant decrease in the yearly count of global under-five fatalities in 2022. This decline, from 9.9 million to 4.9 million since 2000, marks a reduction of more than half, according to the report.

### SIGNIFICANT HIGHLIGHTS OF THE REPORT

#### PROGRESS MADE, BUT MORE NEEDED

1. The report offers encouraging news: the number of children dying before their fifth birthday has reached a **historic low of 4.9 million in 2022**.
2. This decline, representing a **drop of more than half since 2000**, is a testament to the collective efforts of governments, organisations, and individuals worldwide. However, the report cautions against complacency.
3. The **annual death toll** among children remains high, with over **4.9 million children under five dying in 2022 alone**. A significant portion of these deaths occurred within the first month of life (neonatal period), highlighting the need for continued focus on newborn care and preventing complications during pregnancy and childbirth.

#### A STAGGERING LOSS, A STARK REMINDER

The report reveals a sobering statistic:

1. An estimated **221 million children, adolescents, and youth died between 2000 and 2022 – a number nearly equal to Nigeria's entire population**. This emphasises the human cost of preventable child deaths. Furthermore, the report exposes significant inequalities.
2. A child's **chance of survival is heavily influenced by where they live, their socioeconomic background, and whether they live in a conflict zone**. These disparities underscore the need to address entrenched inequities within the system and ensure all children have a fair shot at

survival.

## REGIONAL DISPARITY THREATENS GLOBAL GOALS

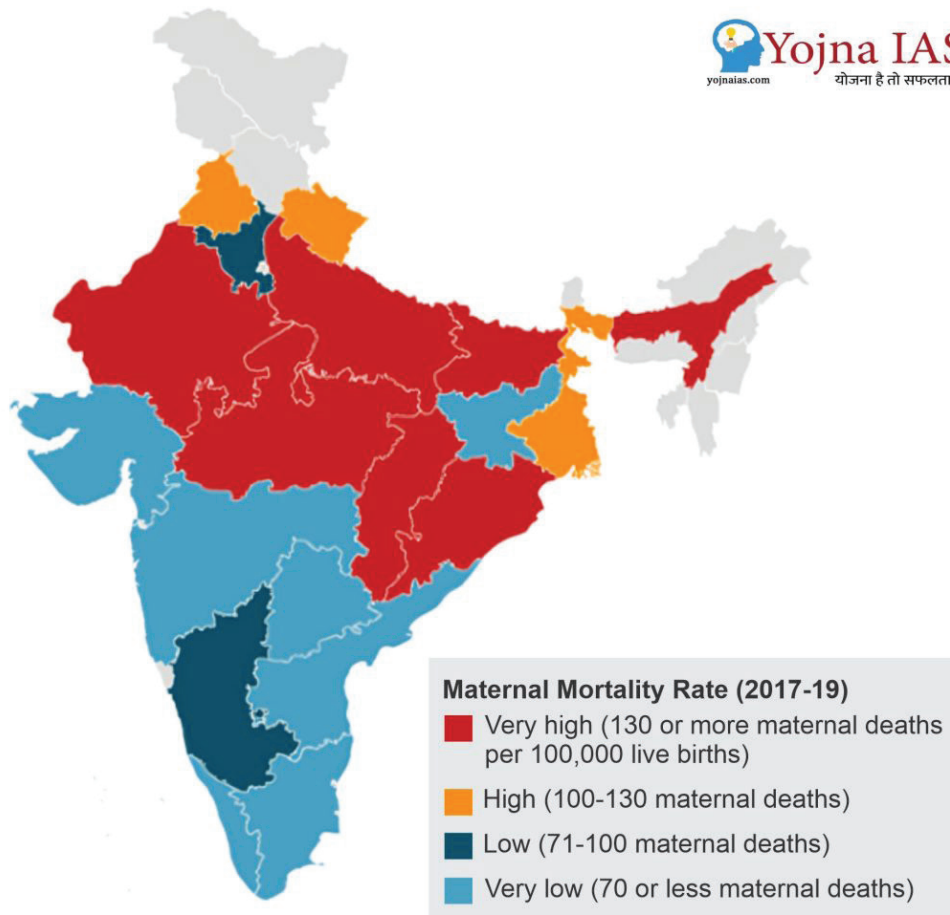
1. While global child mortality rates are **declining, sub-Saharan Africa faces a disproportionate burden**. Projections indicate the region is likely to bear the brunt of future child deaths unless significant improvements are made. This **necessitates targeted interventions and increased support for strengthening healthcare systems in these areas**.
2. The report raises concerns about many countries falling short of the UN's Sustainable Development Goals (SDGs) for child mortality reduction. If all countries achieved the SDG-5 vision of ending preventable under-five deaths, **an estimated 9 million more children would survive to age five**.

## INVESTING IN SOLUTIONS, SAVING LIVES

1. The report **emphasises the importance of investing in maternal, newborn, and child health (MNCH) programs**. This is supported by success stories of low- and lower-middle-income countries that have **dramatically reduced under-five mortality rates**, some slashing their rates by more than two-thirds since 2000.
2. These outcomes demonstrate a high return on **investment for MNCH programs and provide evidence** that strategic and sustained action, even in resource-constrained settings, can significantly improve child survival rates.
3. The report **highlights specific interventions like increasing access to family planning services and improving antenatal care**, along with better data collection and reporting systems. These measures, combined with continued investment in MNCH programs, offer a roadmap for further progress and ensure a brighter future for all children.

## RELATION BETWEEN CHILD MORTALITY AND MATERNAL MORTALITY

1. Child mortality and maternal mortality are intimately linked, forming a crucial indicator of a population's overall health and well-being. Maternal mortality, the death of a woman during pregnancy, childbirth, or within 42 days after delivery, often reflects deficiencies in healthcare systems, including access to skilled birth attendants, prenatal care, and emergency obstetric services.
2. When mothers die due to complications related to pregnancy or childbirth, it not only deprives families of caregivers but also **increases the risk of child mortality**. Children born to mothers who die in childbirth are more **vulnerable to death due to a lack of maternal care, breastfeeding, and immunizations**. Additionally, factors contributing to maternal mortality, such as poverty, inadequate nutrition, and limited access to healthcare, often overlap with those affecting child survival.
3. Addressing maternal mortality through improved maternal healthcare services, education, and socioeconomic development can lead to significant reductions in child mortality rates, highlighting the interconnectedness between maternal and child health outcomes.



### REASONS FOR HIGH CHILD MORTALITY

- **Complications during pregnancy and childbirth:** This includes factors like premature birth, low birth weight, maternal infections, and complications during delivery.
- **Neonatal health issues:** Conditions affecting newborns in the first month of life, such as respiratory problems, infections, and birth defects, contribute significantly to child mortality.
- **Limited access to healthcare:** In regions with weak healthcare infrastructure or limited access to medical professionals, children are more susceptible to preventable diseases and complications. This lack of access can also hinder essential interventions during pregnancy and childbirth.
- **Undernutrition:** Malnutrition, particularly among pregnant women and young children, weakens immune systems and increases the risk of infections and complications.
- **Unsafe water and sanitation:** Lack of access to clean water and proper sanitation facilities contributes to the spread of diarrheal diseases and other illnesses, particularly among children whose immune systems are still developing.
- **Geographic location:** Resource-limited settings and regions with high burdens of infectious diseases typically have higher child mortality rates.

### INDIA'S INITIATIVES AGAINST MALNUTRITION AND CHILD MORTALITY

- **National Nutrition Mission (POSHAN Abhiyaan):** This flagship program aims to achieve a "Malnutrition-Free India" by 2022. It focuses on improving the nutritional quality of food, ensuring proper testing by accredited labs, and strengthening delivery mechanisms. Additionally, the Poshan Tracker app leverages technology to enhance program governance.
- **Mission Saksham Anganwadi and Poshan 2.0:** Announced in the 2021-2022 budget, this integrated program aims to improve the effectiveness of POSHAN Abhiyaan. It strengthens Angan-

wadis (rural childcare centres) and expands the scope of nutritional support offered across all Indian states and territories.

- **Anaemia Mukh Bharat Abhiyan:** Launched in 2018, this mission tackles anaemia, a major public health concern in India. It aims to significantly reduce the national anaemia prevalence by accelerating its annual decline.
- **Mission Shakti:** This mission empowers women through **two sub-schemes:**
  1. **Sambal:** Focuses on safety and security for women, with initiatives like One-Stop Centers (offering comprehensive support services for women in distress) and Women Helplines (providing emergency assistance).
  2. **Samarthya:** Promotes women's empowerment through programs like Pradhan Mantri Matru Vandana Yojana (maternity benefit scheme) and skill development initiatives.
- **Integrated Child Development Services (ICDS) Scheme:** Launched in 1975, this program offers a holistic approach to child development and maternal health. It provides essential services like food, preschool education, healthcare, and immunisations for children under six and their mothers.

### PRELIMS PRACTISE QUESTION

**Q1. Which of the following are the objectives of the 'National Nutrition Mission'?**

1. To create awareness relating to malnutrition among pregnant women and lactating mothers.
2. To reduce the incidence of anaemia among young children, adolescent girls and women.
3. To promote the consumption of millets, coarse cereals and unpolished rice.
4. To promote the consumption of poultry eggs.

**How many of the statements above are correct?**

1. Only one
2. Only two
3. Only three
4. All four

**Answer: A**

### MAINS PRACTISE QUESTION

**Q1. What are the primary underlying factors contributing to the persistent regional disparities in child mortality rates, and what strategies could be implemented to alleviate these inequalities?**

## ELECTION COMMISSION OF INDIA – CURRENT RELEVANCE OF ITS FUNCTIONS AND POWERS

**SOURCE – THE HINDU AND PIB.**

**GENERAL STUDIES** – Indian politics and governance, election commission of india, chief election commissioner, election commissioner, appointment, service conditions and tenure of chief election commissioner bill 2023, ministry of law and justice, selection committee for appointment of election commissioners, leaders opposition.

## WHY IN THE NEWS ?



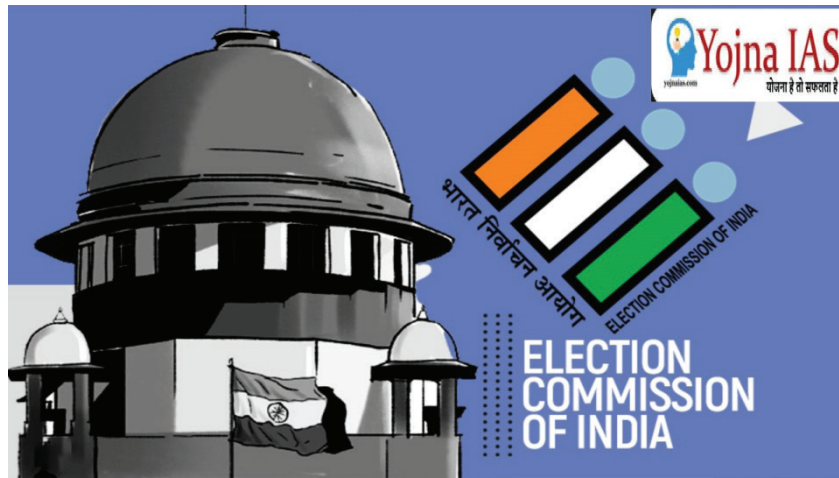
- Recently the Election Commission of India has released the dates for the upcoming 18th Lok Sabha General Election 2024.
- According to Rajiv Kumar, Chief Election Commissioner of the Election Commission of India, the general elections for the upcoming Lok Sabha will be conducted in seven phases and in a total of 44 days.
- The counting of votes for the general elections for the 18th Lok Sabha will be completed on 04 June 2024.
- Recently, Election Commissioner of India Arun Goyal resigned from the post of Election Commissioner even before the announcement of the dates of Lok Sabha elections to be held in India in the year 2024.
- Anup Chandra Pandey, the second Election Commissioner of India, retired from his post on 14 February 2024.
- After meeting with Prime Minister Narendra Modi and Law Minister Arjun Meghwal to fill the vacancies of Election Commissioners arising out of the retirement of Election Commission of India Anup Chandra Pandey and resignation of Arun Goyal, senior Congress leader Adhir Ranjan Chowdhury said that ' The names of former IAS officers Gyanesh Kumar and Dr. Sukhbir Singh Sandhu have been finalized for the new election commissioners.
- Recently the Central Government has announced the names of two Election Commissioners. A three-member selection committee headed by Prime Minister Narendra Modi has appointed former IAS officers Gyanesh Kumar and Sukhbir Singh Sandhu as the new Election Commissioners in the Election Commission. The Central Government has also issued a notification for this.
- Former IAS officer Gyanesh Kumar has been a 1988 batch IAS officer of Kerala cadre, while Dr. Sukhbir Singh Sandhu, former Chief Secretary of Uttarakhand, has been a 1988 batch IAS officer of Uttarakhand cadre.
- At present Chief Election Commissioner Rajiv Kumar was holding this post as the only member of the Election Commission of India.

## INTRODUCTION TO ELECTION COMMISSION OF INDIA :

- The Election Commission of India was established on 25 January 1950.
- That's why in India on 25th January is celebrated as National Voters' Day.
- The Election Commission of India is an autonomous constitutional authority/institution empowered under Article 324 of the Constitution of India to superintend, direct and prepare electoral rolls for elections to the Parliament of India, State Legislatures as well as to the offices of President and Vice-President of India. Provision has been made for the Election Commission in India to control and exercise control over it. Therefore, the Election Commission is the apex body

responsible for the elections held at both the central and state levels.

- The Constitution of India makes a separate provision for the State Election Commission to conduct the election processes of Panchayat and Municipality or Municipal Corporation in the states of India. Therefore, the State Election Commission of the respective state is the responsible institution for the elections of Panchayats and Municipalities in the states.



### **STRUCTURE OF ELECTION COMMISSION OF INDIA :**

- The Election Commission of India, formed in 1950, originally had only one Election Commissioner, but as a result of the Election Commissioner Amendment Act 1989, it has been made a multi-member body.
- The Election Commission also includes the Chief Election Commissioner (CEC) and other Election Commissioners, who are selected by the President from time to time.
- At present the Election Commission of India consists of a Chief Election Commissioner and two Election Commissioners.
- The Election Commission at the state level is assisted by the Chief Electoral Officer who is an IAS rank officer.

### **CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS (APPOINTMENT, CONDITIONS OF SERVICE AND TERM OF OFFICE) BILL, 2023**

- This Bill replaces the Election Commission (Conditions of Service and Conduct of Business of Election Commissioners) Act, 1991.
- This includes provisions related to the appointment of the Chief Election Commissioner and other Election Commissioners, their salary and their removal.

### **PROCESS OF APPOINTMENT ACCORDING TO THIS BILL :**

- The Chief Election Commissioner and other Election Commissioners of the Election Commission of India shall be appointed by the President of India on the recommendation of the Selection Committee.
- This selection committee will have the leader of the opposition in the Lok Sabha as a member and if no party in the Lok Sabha has been recognized as the leader of the opposition, then the leader of the largest opposition party in the Lok Sabha will be included in it.
- The recommendations of the selection committee will be valid even if there is a vacancy in this committee.



- The Bill proposes to establish a Search Committee to prepare a panel of five persons/members to consider the posts of the Chief Election Commissioner and other Election Commissioners.
- The search committee will be headed by the Cabinet Secretary and will also include two members not below the rank of Secretary and who should have knowledge and experience of election related matters.

### **CHANGES IN THE SALARY AND CONDITIONS OF THE CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS IN THIS BILL :**

- According to the Chief Election Commissioner and other Election Commissioners Bill 2023, the salary and service conditions of the Chief Election Commissioner and other Election Commissioners will be the same as that of the Cabinet Secretary.
- Under the 1991 Act, their salary was equal to the salary of a judge of the Supreme Court of India.

### **TENURE OF ELECTION COMMISSIONER :**

- There is no clear direction in the Constitution of India regarding the tenure of Election Commissioners, but as per the Election Commission Act of 1991 amending the Constitution of India, the tenure of the Chief Election Commissioner of Election Commissioner in India is for a maximum of six years or till the age of 65 years, whichever is earlier. You can remain on this post only till the earlier date. This tenure is counted from the date of assuming charge.
- They have equal status to the judges of the Supreme Court of India and receive the same salary and allowances.
- The Chief Election Commissioner in India is generally a member of the Indian Civil Service, often from the Indian Administrative Service. Those who get rights from Article 324 of the Constitution of India and their rights are protected.
- The Election Commission of India is one of the few constitutional authorities/institutions in India that function autonomously. Other such institutions include the Comptroller and Auditor General of India (CAG), the High Court and the Supreme Court and the Union Public Service Commission.

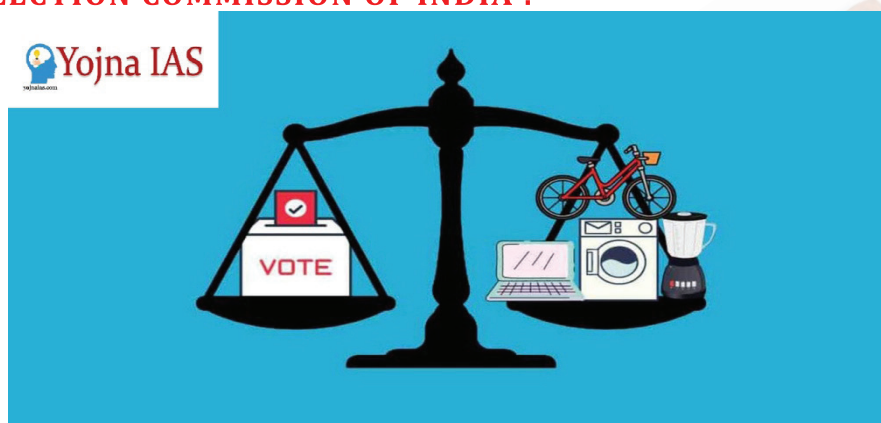
### **PROCESS FOR REMOVAL OF THE CHIEF ELECTION COMMISSIONER OF INDIA AND THE ELECTION COMMISSIONER :**

- The Chief Election Commissioner of India can be removed from his post in the same way as a judge of the Supreme Court.
- Removal of the Chief Election Commissioner of India from his office by impeachment requires a resolution passed by the Parliament of India with a two-thirds majority in both the Lok Sabha and the Rajya Sabha.
- Their removal can be done only on the basis of misbehavior, favoritism towards any political party or if they are proved incapable of completing their work.



- It is important to note that no Chief Election Commissioner has ever been impeached in India.
- Other Election Commissioners appointed as members of the Election Commission of India may be removed by the President of India on the recommendation of the Chief Election Commissioner.
- However, this provision has never been implemented in India yet.
- Before the Lok Sabha elections in 2009, Chief Election Commissioner N Gopalaswami had recommended the removal of Election Commissioner Naveen Chawla. The reason behind this recommendation was the potential conflict of interest due to Chawla's upcoming appointment as Chief Election Commissioner and his alleged biased political party dealings. However, President of India Pratibha Patil opined that such a recommendation was not binding on the President and she rejected it. Following Gopalaswami's retirement the following month, Chawla took over as Chief Election Commissioner and supervised and conducted the 2009 Lok Sabha general elections.

### POWERS OF ELECTION COMMISSION OF INDIA :



The powers of the Election Commission of India can be mainly classified into three categories –

1. Administrative powers
2. Advisory powers
3. Quasi - Judicial powers

### ADMINISTRATIVE POWERS OF ELECTION COMMISSION OF INDIA :

- The Election Commission of India is empowered to function in accordance with the Delimitation Commission Act and determine the territorial boundaries of electoral constituencies for various elections.
- It has the power to register and deregister any political party or entity.
- It is authorized to promulgate 'Model Code of Conduct' for election campaigns in India and ensure its implementation.
- This commission has the power to monitor election expenses of political parties, thereby ensuring a level playing field for all parties, irrespective of their size and spending capacity.
- It may appoint officers from various departments of the Civil Service of India as election observers and expenditure observers.

### ADVISORY POWERS OF ELECTION COMMISSION OF INDIA :

- The Election Commission of India has the power to advise the President of India in the matter of determining the qualifications and disqualifications of Members of Parliament and the con-

ditions for elections thereto.

- This Commission also advises the Governors of the concerned State on the disqualification of members of the State Legislatures.
- It advises the High Courts and the Supreme Court on matters relating to post-election disputes between candidates and political parties in general elections in India.
- Post-election disputes related to the election of the President and Vice President are referred to the Supreme Court. Disputes relating to Parliament and State Legislatures are referred to the High Courts.

### **QUASI - JUDICIAL POWERS OF THE ELECTION COMMISSION OF INDIA :**

- The Election Commission of India has the authority to settle disputes related to the recognition given to political parties and candidates in India.
- It has powers to act as a court for cases relating to disputes arising out of allocation of election symbols to political parties and candidates.
- Elections related to the elections of Panchayats and Municipalities held in the states are conducted under the supervision of the State Election Commission. State election commissions are advised by and accountable to the Election Commission of India.

**The powers of the Election Commission are enshrined in various articles of the Indian Constitution, including :**

**Article 324 :** It gives the ECI the responsibility to directly monitor, control and direct national and state-level elections.

**Article 325 :** This article stipulates that the inclusion and exclusion of names in the electoral roll should be on the basis of Indian citizenship. It states that no citizen of India above voting age should be excluded from the rolls or included in the special electoral roll on the basis of race, caste, religion or sex.

**Article 326 :** This article establishes universal adult suffrage as the basis for election to all levels of elected government.

**Article 327 :** It outlines the responsibilities of the ECI and the Parliament with respect to the conduct of national elections.

**Article 328 :** It defines the roles and responsibilities of state legislatures in relation to state-level elections.

**Article 329 :** It prohibits the court's intervention in election-related matters unless specifically asked to provide its views.

### **MAJOR ROLES AND RESPONSIBILITIES OF THE ELECTION COMMISSION OF INDIA :**



The Election Commission of India plays an important role in the democratic processes of the coun-

try. **Following are some of the major roles and responsibilities of the Election Commission of India -**

- 1. To ensure a fair electoral process :** The Election Commission of India is entrusted with the responsibility of conducting elections at various levels including national, state and local elections. It is responsible for monitoring the entire election process from announcement of election dates to declaration of results.
- 2. Voter Registration :** The Election Commission of India facilitates the voter registration process to ensure that eligible citizens can exercise their right to vote in India. It conducts voter registration drives and updates voter lists and issues voter identity cards to eligible persons.
- 3. Ensuring independence and impartiality :** With the aim of ensuring fair and balanced representation, The ECI delimits electoral boundaries. It periodically reviews and revises constituency boundaries based on population changes, attempting to maintain approximately the same number of voters in each constituency.
- 4. Announcing election schedule :** The Election Commission of India schedules elections in India, which includes announcing the dates for filing of nominations, voting and counting of votes. It ensures that the entire electoral process is conducted within a reasonable time frame.
- 5. Implementing Model Code of Conduct :** To maintain ethical standards and fair practices during elections in India, the Election Commission of India enforces a Model Code of Conduct. This code regulates the conduct of political parties and candidates, preventing abuse of power or unfair advantage.
- 6. Ensuring electoral laws and rules :** The Election Commission of India makes and enforces the electoral laws and rules that govern the conduct of elections. It strives to ensure transparency, fairness and adherence to the Constitution and relevant law throughout the electoral process.
- 7. Deploying election observers :** The Election Commission of India deploys election observers to monitor the conduct of elections in India. These observers oversee polling stations, observe the vote counting process and report any irregularities or violations to the ECI.
- 8. Scheduling voter education and awareness programs :** Recognizing the importance of a democratic and active citizenry in India, the Election Commission of India organizes voter education and awareness programmes. These programs aim to increase awareness among citizens about the importance of voting and their rights as voters, with the aim of ultimately increasing voting percentage and promoting informed decision making.
- 9. Granting recognition to political parties :** The Election Commission of India grants recognition to political parties in India based on specific criteria. It ensures that recognized parties comply with financial disclosure requirements, adhere to the code of conduct and meet other eligibility criteria to participate in elections.
- 10. To provide election monitoring and enforcement and election security :** The Election Commission of India gives priority to the security of the electoral process, collaborating with various law enforcement agencies in India. It takes measures to prevent electoral malpractices, maintain law and order during elections and provide a safe environment for voters.
- 11. Protecting democratic values :** The Election Commission of India is entrusted with the important responsibility of conducting elections at various levels including State Assemblies, Parliament, President, Vice President and local governing bodies. Therefore, its primary objective is to maintain democratic values by ensuring that the electoral process is conducted in a fair, transparent and democratic manner.
- 12. Technological Advancements :** The Election Commission of India has adopted technological advancements to streamline the electoral process and ensure accuracy and efficiency. Electronic Voting Machines (EVMs) have revolutionized voting, providing a secure and reliable way to cast and count votes during elections in India.

- India was an early adopter of electronic voting, implementing it nationwide during parliamentary elections in 2014. This was a significant achievement given India's large and diverse population, which also includes many rural areas with illiterate citizens.
- The importance of the office of the Chief Election Commissioner in the Indian political process became widely recognized during the tenure of T. N. Seshan from 1990 to 1996. Seshan is famous for his determined efforts to tackle corruption and manipulation in Indian elections.

### IMPORTANCE OF ELECTION COMMISSION OF INDIA :



- The Election Commission of India has played a vital role in successfully conducting national and state elections since 1952. Today, it actively works towards promoting greater participation of people in the electoral process. The Commission has effectively established discipline among political parties by threatening to revoke recognition if they fail to maintain internal party democracy. It upholds the constitutional values of equality, equity, fairness, independence and rule of law in its monitoring, direction and control over electoral governance.
- The Election Commission ensures that elections are conducted with the highest standards of credibility, fairness, transparency, integrity, accountability, autonomy and professionalism. It strives to create an inclusive and voter-centric environment while ensuring participation of all eligible citizens. The Commission engages with political parties and all stakeholders to serve the best interests of the electoral process. It also plays an important role in raising awareness about the electoral process and governance among stakeholders including political parties, voters, election officials, candidates and the general public. These efforts are aimed at increasing trust and confidence in India's electoral system.

### CURRENT CHALLENGES BEFORE THE ELECTION COMMISSION IN INDIA :

- The Election Commission of India is struggling to stem the rise in violence and electoral malpractices fueled by monetary influence, resulting in



the criminalization of politics.

- The Commission lacks sufficient authority and resources to effectively regulate political parties, including enforcing intra-party democracy and regulating party finances.
- There are concerns about the Election Commission's declining independence from the executive, which has negatively impacted its reputation.
- Allegations of electronic voting machines (EVMs) malfunctioning, hacking or failing to register votes have significantly eroded public confidence in the Election Commission.

## CONCLUSION/ WAY FORWARD :



- The Election Commission of India is instrumental in ensuring the integrity of elections and maintaining democratic principles. Through its efforts to conduct fair elections, promote voter awareness and education of the importance of their vote, and implement anti-corruption measures, it plays an important role in empowering Indian citizens and strengthening the country's democratic structure. . Therefore, to fulfill its underlying objectives, it should make the public aware and educated about the democratic electoral processes of India.
- The Election Commission of India is an important constitutional body entrusted with the responsibility of supervising, managing and controlling the electoral process in India. Therefore, it should ensure that India's electoral process is conducted in a fair and neutral manner.
- The Election Commission should remain alert and closely monitor any collusion within the lower levels of the civil and police bureaucracy that may favor the ruling party. This will help in maintaining the integrity and fairness of the electoral process.
- To regain public confidence amid the ongoing controversies over electronic voting machines (EVMs), the Commission should increase deployment of Voter Verifiable Paper Audit Trail System (VVPAT) in more constituencies.
- The mandate of the Commission and the procedures facilitating its functioning need to be provided with strong legal backing. This will increase its effectiveness and ensure smooth conduct of elections.
- We will also have to ensure such safeguards that only ethical and competent individuals hold leadership positions in the Election Commission and other public institutions in India. This will help in maintaining the credibility and relevance of the Commission.
- The report of the Second Administrative Reforms Commission (ARC) recommended the establishment of a collegium headed by the Prime Minister, which would include the Speaker of the Lok Sabha, the Leader of the Opposition in the Lok Sabha, the Law Minister and the Deputy Speaker of the State. As a member of the assembly. This collegium will make recommendations to the President for the appointment of the Chief Election Commissioner and Election Commissioners. This proposal should be considered to enhance the selection process for these posts and

ensure competent leadership within the Commission.

- While the Election Commission of India is right to defend electronic voting machines, it needs to do more to ensure public trust in these machines.
- In the light of the recent judgment of the Supreme Court of India in the conflict between the claim of right to privacy of those making donations through electoral bonds and the right to information of the voter, the evasive attitude of the ECI is completely inappropriate.
- The Election Commission of India should know that when it comes to assessing India, the world's largest democratic system, all eyes are on it, because in a democracy, fairness and transparency of voting by the public is of utmost importance. It is necessary so that India's democratic system can survive and we can become their leader and guide in teaching democratic values to the world as an inclusive and democratic country. Only then can the victory of democracy be truly ensured. We should also not forget that India was the first country in the world to have a republican system.

### **PRACTICE QUESTIONS FOR PRELIMINARY EXAM :**

**Q.1. Consider the following statements regarding the Chief Election Commissioner and Other Election Commissioners Bill, 2023.**

1. The salary and service conditions of the Chief Election Commissioner and other Election Commissioners will be the same as that of the Chief Justice of the Supreme Court In this bill.
2. The search committee will be chaired by the Prime Minister and will also include two members not below the rank of Cabinet Secretary In this bill.
3. The Election Commission of India was established on 25 May 1950.
4. This Bill replaces the Election Commission (Conditions of Service and Conduct of Business of Election Commissioners) Act, 1991.

**Which of the above statement / statements is/ are correct?**

- (A) Only 1 and 3
- (B) Only 2 and 4
- (C) Only 3
- (D) Only 4

**Answer - (D)**

### **PRACTICE QUESTIONS FOR MAIN EXAM :**

**Q.1. Underlining the current challenges faced by the Election Commission of India, Discuss whether the powers given to the Election Commission of India are relevant in solving the current challenges? give a logical answer.**

## **INTERNATIONAL NARCOTICS CONTROL BOARD REPORT, 2023**

THIS ARTICLE COVERS 'DAILY CURRENT AFFAIRS' AND THE TOPIC DETAILS OF "INTERNATIONAL NARCOTICS CONTROL BOARD REPORT, 2023". THIS TOPIC IS RELEVANT IN THE "INTERNAL SECURITY" SECTION OF THE UPSC CSE EXAM.

## WHY IN THE NEWS?

International Narcotics Control Board has released its Annual Report, 2023, in which it emphasised that the proliferation of online drug trafficking has heightened the accessibility of illicit drugs in the market.

## KEY POINTS FROM THE INTERNATIONAL NARCOTICS CONTROL BOARD REPORT

The International Narcotics Control Board (INCB) report paints a complex picture of the global drug landscape, highlighting both shifting production and trafficking patterns as well as emerging threats in the online space.

### SHIFTS IN THE GEOGRAPHY OF DRUG PRODUCTION

- **Afghanistan:** A significant decline in illicit opium poppy cultivation and heroin production offers a glimmer of hope. However, this could lead to a shift in production to other regions, requiring continued vigilance.
- **Asia:** South Asia's potential role as a transit route for Afghan-made methamphetamine to Europe and Oceania raises concerns about a new front in the global drug trade. Additionally, the Pacific Islands are transitioning from mere transit points to destinations for synthetic drugs, posing a significant challenge for their limited resources.
- **America:** North America continues to grapple with an opioid crisis fueled by synthetic opioids, while South America experiences a surge in coca bush cultivation, the key ingredient in cocaine. This highlights the need for multifaceted approaches that address both production and demand across the hemisphere.
- **Africa:** West and Central Africa are emerging as crucial transit regions for cocaine trafficking, demanding enhanced cooperation between countries in the region to disrupt these illicit networks.

### EMERGING CHALLENGES: THE RISE OF ONLINE DRUG TRAFFICKING

The INCB report emphasises the growing threat of online drug trafficking. Drug traffickers are exploiting the anonymity and ease of access offered by the internet to expand their reach and evade detection. This poses several challenges:

- **Increased Availability:** Illicit drugs of all kinds are readily available on the internet, creating a new avenue for addiction and overdose risks, particularly among young people.
- **Criminal Exploitation of Platforms:** Criminal groups are taking advantage of legitimate e-commerce platforms, social media, and the dark net to market and sell illegal drugs.
- **Challenges in Prosecution:** The use of encryption methods, anonymous browsing tools, and cryptocurrencies by criminals makes it difficult for law enforcement agencies to track and prosecute online drug trafficking activities.

### RECOMMENDATIONS

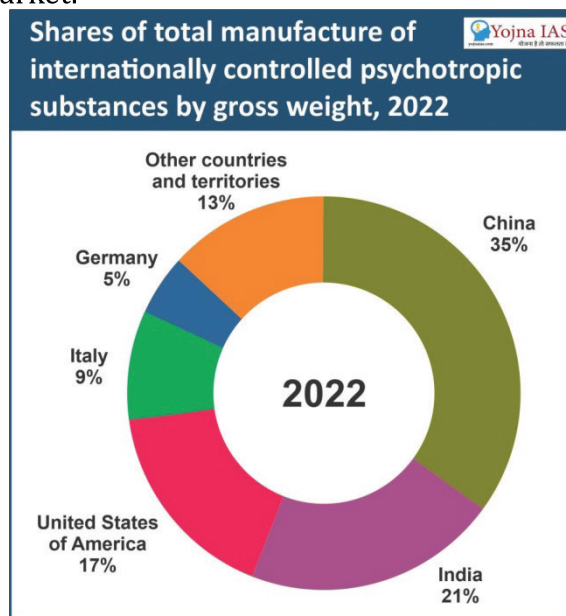
The INCB report doesn't solely focus on the problems; it offers a roadmap for tackling these challenges through a multi-pronged approach:

- **Harnessing Technology for Good:** Governments and law enforcement agencies can collaborate with social media platforms to utilise their reach for drug prevention campaigns and raise awareness about the dangers of drug abuse.
- **Telemedicine and Online Pharmacies:** Properly regulated use of telemedicine and online pharmacies could improve access to healthcare and treatment services for people struggling with drug dependence.
- **International Cooperation:** The report emphasises the importance of international collabora-



tion between governments, international organisations, and the private sector. Sharing information, developing coordinated strategies, and working together to identify new online threats are crucial for effectively combating this evolving form of drug trafficking.

- **Strengthening International Controls:** The INCB recommends placing specific precursor chemicals under stricter international control to disrupt the production of illicit drugs before they reach the online market.



### INITIATIVES TAKEN BY INDIA TO ADDRESS DRUG ABUSE

India has a well-established legal framework and a multi-pronged strategy to combat drug abuse:

- **Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985:** This act forms the legislative backbone of India's fight against drug trafficking and abuse. It strictly regulates the production, possession, sale, and consumption of narcotic and psychotropic substances.
- **Nasha Mukh Bharat Abhiyan (NMBA):** Launched in 2020, this national campaign adopts a three-pronged approach: supply control by the Narcotics Control Bureau, outreach and awareness efforts led by the Ministry of Social Justice and Empowerment, and treatment programs provided by the Health Department. This collaborative effort aims to address all aspects of the drug problem, from prevention to treatment and rehabilitation.
- **National Action Plan for Drug Demand Reduction:** Launched in 2018, this comprehensive plan focuses on prevention through education and awareness campaigns, early identification of drug use, and providing accessible treatment and rehabilitation services for those struggling with addiction. Additionally, it emphasises capacity building of service providers, ensuring they have the necessary skills and resources to handle drug-related issues effectively.
- **International Cooperation:** India actively participates in international treaties and conventions aimed at combating drug trafficking, such as the UN Convention on Narcotic Drugs and the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. This demonstrates India's commitment to working with the international community to address this global challenge.

### INTERNATIONAL NARCOTICS CONTROL BOARD

- The international fight against drug trafficking receives crucial support from the **International Narcotics Control Board (INCB)**. Established in **1968**, this independent body acts as a **watch-dog for the implementation of United Nations drug control conventions**.

- **Headquartered in Vienna, Austria**, the INCB monitors compliance and offers guidance to member states. India actively participates in this global effort through its own **Narcotics Control Bureau (NCB)**.

### **PRELIMS PRACTISE QUESTIONS**

#### **Q1. Consider the following statements:**

1. The United Nations Convention against Corruption (UNCAC) has a 'Protocol against the Smuggling of Migrants by Land, Sea and Air'.
2. The UNCAC is the ever-first legally binding global anti-corruption instrument.
3. A highlight of the United Nations Convention against Transnational Organized Crime (UNTOC) is the inclusion of a specific chapter aimed at returning assets to their rightful owners from whom they had been taken illicitly.
4. The United Nations Office on Drugs and Crime (UNODC) is mandated by its member States to assist in the implementation of both UNCAC and UNTOC.

#### **How many of the statements above are correct?**

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All four

**ANSWER: B**

#### **Q2. Which initiative launched in 2020 aims to address drug abuse in India through a three-pronged approach?**

- (a) National Action Plan for Drug Demand Reduction
- (b) Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985
- (c) International Cooperation on Drug Trafficking
- (d) Nasha Mukta Bharat Abhiyan (NMBA)

**Answer: D**

### **MAIN PRACTISE QUESTION**

- Q1. How does the Narcotic Drugs and Psychotropic Substances (NDPS) Act of 1985 contribute to India's efforts in combating drug trafficking and abuse?**

## **THREE – LANGUAGE FORMULA IN THE CONTEXT OF ENDANGERED LANGUAGES**

**SOURCE – THE HINDU AND PIB.**

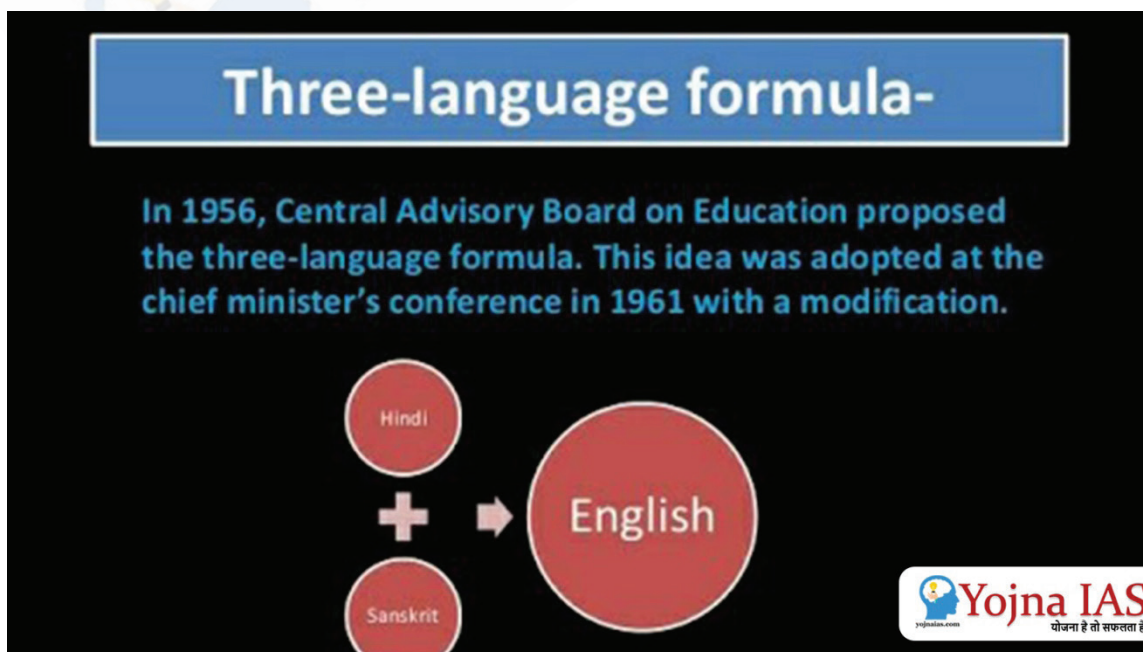
**GENERAL STUDIES – INDIAN POLITICS AND GOVERNANCE SYSTEM, MOTHER TONGUE, EIGHTH SCHEDULE OF THE CONSTITUTION, OFFICIAL LANGUAGE, OFFICIAL LANGUAGE, KOTHARI COMMISSION AND THREE-LANGUAGE FORMULA, OFFICIAL LANGUAGE RESOLUTION 1968 AND THREE – LANGUAGES FORMULA, NATIONAL EDUCATION POLICY 2020.**

## WHY IN THE NEWS ?



- Recently, The Home Minister of India, Amit Shah, while underlining the importance of mother tongue in the Parliament, stressed on the importance of imparting education to children in their mother tongue at the school level in India and called for the National Education Policy 2020 to be adopted by all the states of the country. Said.
- Recently, the whole world has celebrated every year on 21st February with the aim of promoting linguistic and cultural diversity in the world and to bring awareness towards the mother tongue. It is celebrated as '**International Mother Language Day**'.
- Some states of India, especially states like Tamil Nadu, Puducherry and Tripura, have opposed the implementation of the three-language formula contained in the National Education Policy 2020 and have talked about forceful imposition of Hindi.
- According to the recently released UNESCO Atlas of Endangered Languages in many countries of the world, currently 577 languages are listed as critically endangered.

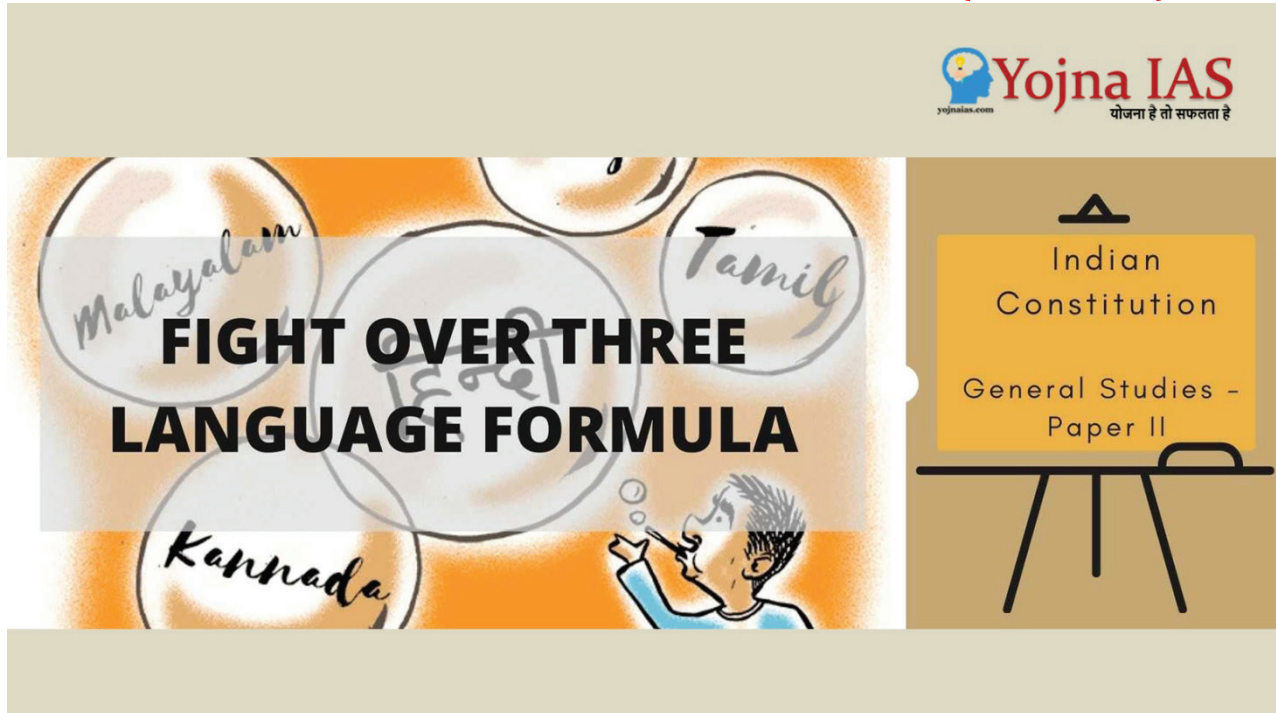
## INTRODUCTION TO THE THREE LANGUAGE FORMULA :



After independence in India, the three language formula was first mentioned by the National Education Commission (Kothari Commission) in the policy of the year 1968. **Which are as follows –**

- (1) First language- The first language to be studied is the mother tongue or regional language.
- (2) Second language – Hindi speaking state – Any other modern Indian language or English  
Non-Hindi speaking states – Hindi or English
- (3) Third language – Hindi speaking state – Third language is English or any modern Indian language (which is not taken as second language).  
Non-Hindi speaking states – Third language: English or any modern Indian language (not taken as second language)

### **KOTHARI COMMISSION AND THREE - LANGUAGES FORMULA (1964-1966) :**



- The National Education Commission itself is known as Kothari Commission.
- It was presided over by Daulat Singh Kothari, who was the then Chairman of the University Grants Commission of India and also the Chairman of the National Education Commission, hence it is also known as Kothari Commission.
- It was an apex commission set up by the Government of India to examine and advise on all aspects of the educational sector in India.
- Kothari Commission itself had recommended that in Hindi speaking areas, in addition to Hindi and English, there should be provision for study of a modern Indian language or one of the languages of South India and in non-Hindi speaking states, there should be provision for study of Hindi along with state languages and English. Arrangements should be made. This system is known as the three-language formula.

### **OFFICIAL LANGUAGE RESOLUTION 1968 AND THREE LANGUAGE FORMULA :**

- To implement the recommendations of the Kothari Commission, a resolution was passed by the Parliament of India which was 'known as '**Official Language Resolution 1968** '
- According to the Official Language Resolution 1968 – To maintain the spirit of unity and integrity of India and to facilitate communication among the people in different parts of the country, it is necessary to implement the three-language formula prepared by the Central Government of India in consultation with the State Governments. Will be fully implemented in all states.

- Therefore, in this resolution, it was passed that in addition to Hindi and English, in Hindi speaking areas, there should be a provision for study of a modern Indian language or one of the languages of South India and in non-Hindi speaking states, there should be a provision for study of Hindi along with state languages and English. Arrangements should be made.

### NEW EDUCATION POLICY, 2020 AND THREE - LANGUAGE FORMULA :

भाषा	प्रथम भाषा बोलने वाले	प्रथम भाषा बोलने वाली कुल जनसंख्या प्रतिशत में	दूसरी भाषा बोलने वाले	तीसरी भाषा बोलने वाले	कुल वक्ता	कुल जनसंख्या के प्रतिशत के रूप में कुल वक्ता
हिन्दी	528347193	43.63	139000000	24000000	692000000	57.1
अंग्रेज़ी	259678	0.02	83000000	46000000	129000000	10.6
बंगाली	97237669	8.3	9000000	1000000	107000000	8.9
मराठी	83026680	7.09	13000000	3000000	99000000	8.2
तेलुगू	81127740	6.93	12000000	1000000	95000000	7.8
तामिल	69026881	5.89	7000000	1000000	77000000	6.3
गुजराती	55492554	4.74	4000000	1000000	60000000	5
उर्दू	50772631	4.34	11000000	1000000	63000000	5.2
कन्नड़	43706512	3.73	14000000	1000000	59000000	4.94
ओडिया	37521324	3.2	5000000	390000	43000000	3.56
मलयालम	34838819	2.97	500000	210000	36000000	2.9
पंजाबी	33124726	2.83	2230000	720000	36600000	3
संस्कृत	0	0	1230000	1960000	3190000	0.19



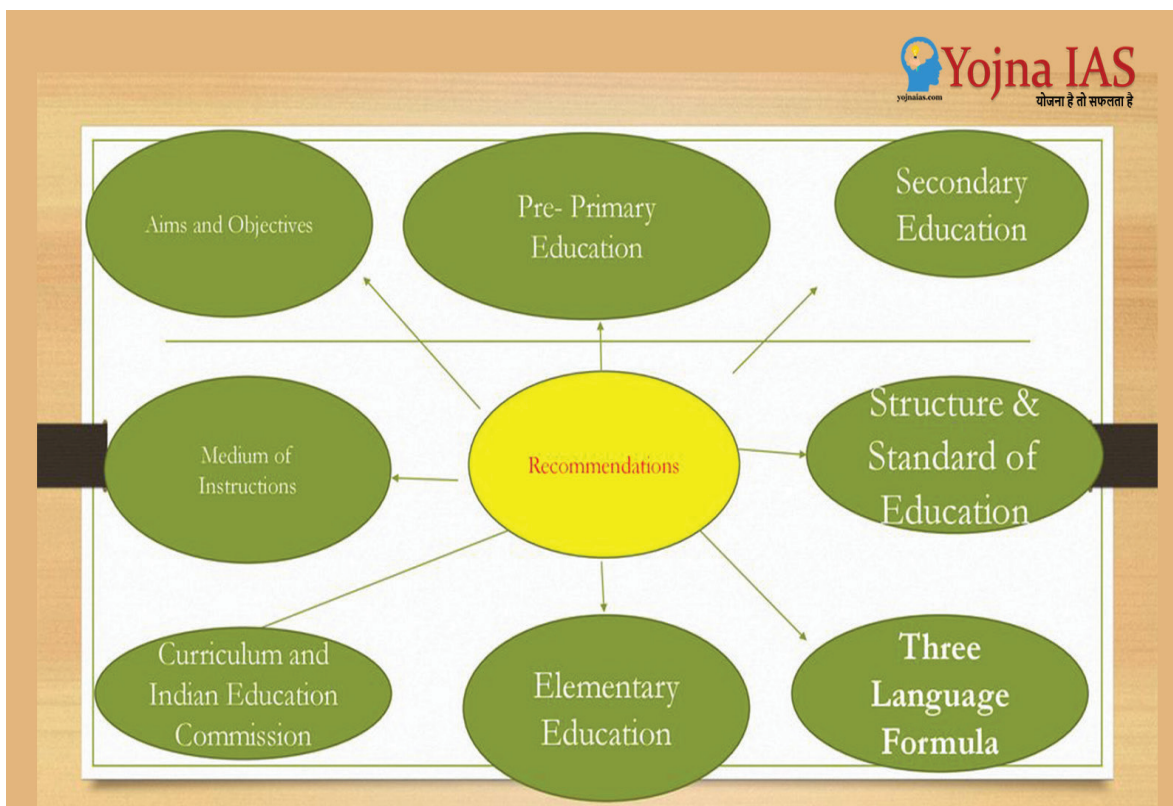
- For the new National Education Policy 2020, a committee was constituted by the Central Government under the chairmanship of Dr. Kasturirangan, President of the Indian Academy of Sciences Bangalore and General Secretary of the Indian Science Congress and a renowned scientist of India. Since the three language formula could not be fully implemented in practice, it was also mentioned in the new National Education Policy 2020 that the above mentioned three language formula will be implemented. Many states have objected to this and have also raised objections.

#### According to the National Education Policy -

- Education in mother tongue or local or regional language - It states that the medium of instruction up to grade 5 will be the home or local or regional language or at least the mother tongue which may be extended to grade 8 or beyond.
- Study of 2 Indian languages - The student will have to study 2 Indian languages out of the three.
- While implementing the three-language formula, the aspirations of the state, the general public and the people will be kept in mind. No language will be imposed on any state.
- States, any region of India and even students are free to choose three languages.

- Students studying in class 6 or 7 can change one or more of those three languages.
- This will promote multilingualism and national unity.
- There is no specific language that can be imposed on any state. It is for the State to decide whether – “ **What is their preferred language?** ”

## **IMPLEMENTATION OF THREE - LANGUAGE FORMULA IN THE NEW NATIONAL EDUCATION POLICY 2020 :**



- Under the new National Education Policy 2020, a broad base has been provided for implementing the three language formula for imparting education at the school level in India. Following are the main points of this policy:

### **EMPHASIS ON ELEMENTARY EDUCATION :**

- This policy emphasizes the importance of early childhood education in helping children learn languages. It suggests that children between the age of 3 to 8 years should study in their native language or regional language.

### **RESILIENCE :**

- This new policy allows a wide range of options for language learning. The third language can be English or any other language of the student’s choice, while the first two languages must be native Indian languages of their state or region. In non-Hindi speaking states, where there are concerns about the imposition of Hindi, this provision is unlikely to create opposition to this formula.

### **TEACHERS TRAINING :**

- Under the policy, emphasis has been laid on the need for trained teachers to successfully implement the three language formula. It suggested that teachers should be given training in multilingualism and efforts should be made to find teachers fluent in local languages.

### **CHANGES IN THE EXAMINATION SYSTEM AND OVERALL EVALUATION METHOD OF STUDENTS :**

- This as per the policy, students should be assessed on the basis of their command over all the three languages including English.

### **AVAILABILITY OF ONLINE TEXTBOOKS AND OTHER LEARNING MATERIALS :**

- To enable students to learn in their mother tongues, the policy encourages the creation of on-line resources and learning materials in native Indian languages.

### **PRESENT NEED OF TRILINGUAL FORMULA IN INDIA :**



- According to the report of this committee, language learning is an important part of a child's cognitive development. Therefore, its primary objective at the school level in India is to promote multilingualism and national harmony across the country.

### **PROBLEMS ARISING IN THE IMPLEMENTATION OF THE THREE - LANGUAGE FORMULA IN INDIA :**

- States like Tamil Nadu, Puducherry and Tripura are not ready to teach Hindi in their schools. Nor has any Hindi-speaking state included any South Indian language in its school curriculum.
- State governments in India often do not have sufficient resources available to implement the three-tier linguistic formula. Inadequacy of resources is also a significant hindering aspect in implementing the three-language formula at the school level in India.

## CONSTITUTIONAL PROVISIONS RELATED TO LANGUAGE IN THE INDIAN CONSTITUTION :

<b>Languages of India</b>					
<b>Schedule 8 of the Constitution of India</b>					
<b>As per Articles 344(1) and 351 of the Indian Constitution, the eighth schedule includes the recognition of the following 22 languages</b>					
<b>Sr.</b>	<b>Language</b>	<b>SR</b>	<b>Language</b>	<b>SR</b>	<b>Language</b>
<b>1</b>	<b>Assamese</b>	<b>8</b>	<b>Kashmiri</b>	<b>15</b>	<b>Odia</b>
<b>2</b>	<b>Bengali</b>	<b>9</b>	<b>Konkani</b>	<b>16</b>	<b>Punjabi</b>
<b>3</b>	<b>Bodo</b>	<b>10</b>	<b>Maithili</b>	<b>17</b>	<b>Sanskrit</b>
<b>4</b>	<b>Dogri</b>	<b>11</b>	<b>Malayalam</b>	<b>18</b>	<b>Santhali</b>
<b>5</b>	<b>Gujarati</b>	<b>12</b>	<b>Manipuri (Meitei)</b>	<b>19</b>	<b>Sindhi</b>
<b>6</b>	<b>Hindi</b>	<b>13</b>	<b>Marathi</b>	<b>20</b>	<b>Tamil</b>
<b>7</b>	<b>Kannada</b>	<b>14</b>	<b>Nepali</b>	<b>21</b>	<b>Telugu</b>
<b>22</b>	<b>Urdu</b>				



- Language and culture have a deep and complementary relationship because language and culture are not contradictory to each other but both are linked to the mutual identity of the people.
- The Eighth Schedule of the Indian Constitution deals with the provisions on the language of India.
- There are 22 official languages listed in the Eighth Schedule of the Indian Constitution.
- Education in India is a state subject. Therefore, the states of India have the right to make policy for education at the school level.
- Article 29 of the Indian Constitution states that – No person shall be discriminated against on grounds of religion, race, caste, language or any of them in India.
- This article states that – **“Any section of citizens “having their own distinct language, script or culture shall have the right to preserve it.”**
- **Article 343** : This article of the Indian Constitution Belongs to the official language of the Union of India. According to this article, Hindi should be in Devanagari script and the international form of Indian numerals should be followed in terms of numbers. This article also states that English will continue to be used as the official language for the first 15 years after the adoption of the Constitution.
- **Article 346** : This article provides for the official language for communication between the States in India and between the Union and the State. According to the article, for the said work **“Authorized”** Language will be used. However if two or more states agree that the language of communication between them will be Hindi, then Hindi can be used as the official language.
- **Article 347** : Special provisions with respect to the language spoken by any part of the population of a State. This article empowers the President to select a language as the official language of a State and, if a substantial section of the population of a State desires that the language spoken by it be recognized by the State, he may direct Such language may also be



given official recognition throughout that State or in any part thereof for such purpose as it may specify.

- **Article 350 (A)** : There is a provision under this article that Provides facilities for education in mother tongue at primary level.
- **Article 350 (B)** : This article provides for the appointment of a special officer for linguistic minorities in India. The special officer to be appointed for linguistic minorities will be appointed by the President. It will investigate all matters relating to the protection of linguistic minorities and submit its report directly to the President of India. The President of India can present that report before each House of the Parliament or send it to the respective State/State Governments.
- **Article 351** : Under this article of the Indian Constitution Provides power to the Central Government to issue directions for the development of Hindi language.

### **MOST ENDANGERED LANGUAGES IN THE WORLD :**

- Before any language or dialect becomes extinct, it goes through several stages. The first of these stages is potentially endangered, which occurs when a foreign language becomes the dominant language of business and education while the potentially endangered language continues to be spoken by both adults and children at home. As the dominant language makes the potentially threatened language less and less useful, the language moves into endangered status.

**In terms of language, before any language becomes extinct, it goes through the following stages:**

1. **critically endangered language,**
2. **Dying language,**
3. **Extinct language.**

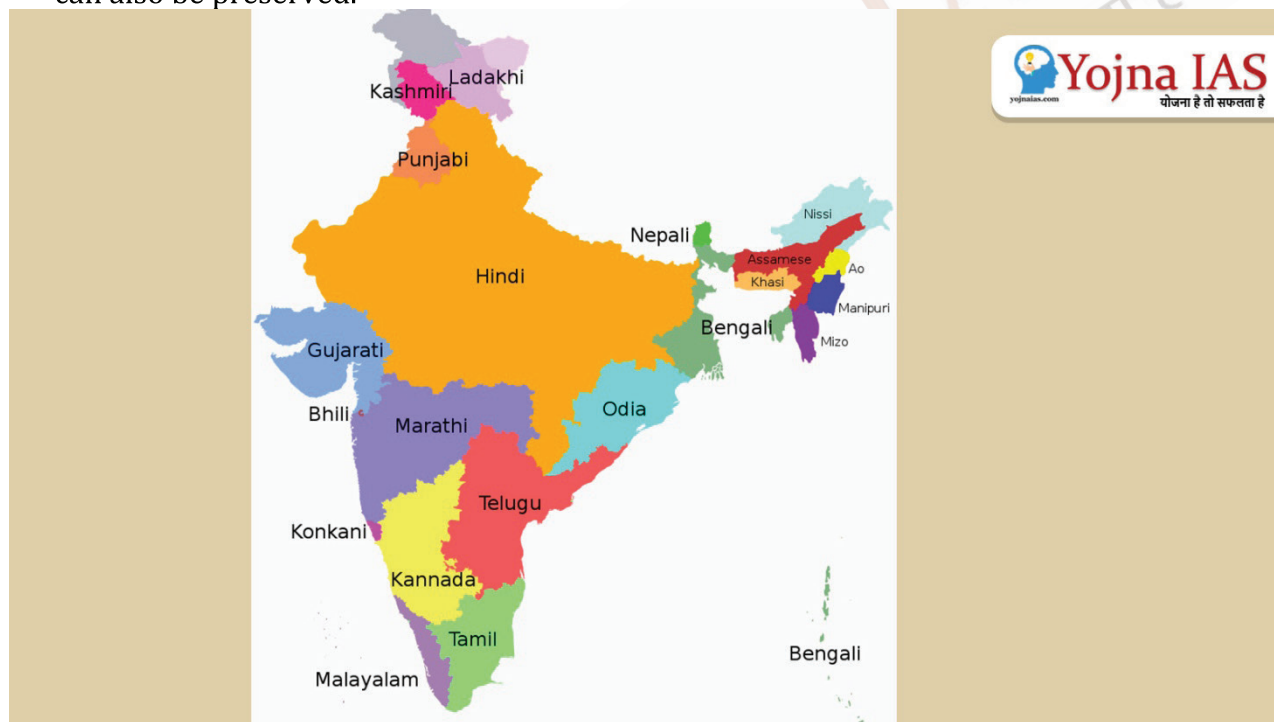
- According to the UNESCO Atlas of the World's Endangered Languages, there are currently 577 languages listed as critically endangered. This classification means that there are only a few people in the oldest living generation who can speak or understand that language and many of these people are not even fully fluent in that language.
- About 537 of the world's languages are considered critically endangered, meaning they are used only by the oldest surviving generation.
- Of these 577 critically endangered languages, many have only one speaker left and many have become extinct many years ago.
- Some of the most criticized languages include Yamana (spoken in Chile), Taje (spoken in Indonesia), Pemono (spoken in Venezuela), Laua (spoken in Papua New Guinea), Kulon- Pazeh (spoken in Taiwan), Caixana (spoken in Brazil), Dai Hoi (spoken in Brazil), Dumpelas (spoken in Indonesia), Bikya (spoken in Cameroon), and Apiaka (spoken in Brazil spoken). The sole remaining speaker of these languages has not, in many cases, been heard from for many years.
- In fact, some linguists believe that most of these languages have become extinct many years ago, with the exception of Kulon- Pazeh, which is still spoken as a second language by a small population.

### **CONCLUSION / PATH TO SOLUTION :**

- If the three language formula of the new National Education Policy 2020 is fully implemented in the education system of India, Hindi and other Indian languages will get an opportunity to prosper and multilingualism and cultural harmony will increase in India.
- In the context of the extinction of the language, the unity and integrity of the country can be ensured by the three-language formula and along with Hindi, other Indian languages will also

develop as a language of communication among the people in different parts of the country.

- In the three-language formula, provision has also been made for the study of English language in Hindi speaking and non-Hindi speaking states. We all know that today the English language dominates all branches of knowledge and science in higher education and it is still lacking in Hindi and other Indian languages.
- Therefore, through the three-language formula, the subjects of all branches of knowledge in higher education can be translated into Indian languages and education can be provided to the students in their mother tongue or in the regional languages related to that state or even in Hindi language. The biggest example of which is the use of Hindi language as the language of medical studies in Madhya Pradesh.
- In the era of globalization, Hindi language or other Indian languages should also include words related to law or science and technology as core words so that the language can become more prosperous.
- If any language is spoken in the folklife or is used by the local people, then that language or dialect will always survive, otherwise the existence of that language may be in danger or may become extinct because Kabir, a thinker of folk sensibility, It is also said that – **“Well water is cultured, well water is flowing.”** Therefore, instead of getting involved in opposition to the linguistic power, we should accept the words of the folk language as it is and include them in the Indian language so that it can become more rich and useful to the people and its existence can also be preserved.



### **PRACTICE QUESTIONS FOR PRELIMINARY EXAM :**

#### **Q.1. Consider the following statements regarding language.**

1. The Eighth Schedule of the Indian Constitution deals with language, in which a total of 24 official languages are mentioned.
2. Article 351 of the Indian Constitution empowers the Central Government to issue directions for the development of Hindi language.
3. Inadequacy of teaching resources in India is also an important hindering aspect in implementing the three-language formula at the school level.

4. There is no relation between language and culture because language and culture are contradictory to each other.

**Which of the above statement / statements is/are correct?**

- (A) Only 1 and 3  
(B) Only 2 and 4  
(C) Only 1 and 4.  
(D) Only 2 and 3

**Answer - (D)**

### **PRACTICE QUESTIONS FOR MAIN EXAM :**

**Q.1. What do you understand about the three - Language formula? Discuss logically how the three-language formula under the provisions of the National Education Policy 2020 strengthens India's democracy by tying together India's unity, integrity and cultural identities ?**

## **PANDAVULA GUTTA AND RAMGARH CRATER DESIGNATED AS GEO-HERITAGE SITES**

THIS ARTICLE COVERS 'DAILY CURRENT AFFAIRS' AND THE TOPIC DETAILS OF "PANDAVULA GUTTA AND RAMGARH CRATER DESIGNATED AS GEO-HERITAGE SITES". THIS TOPIC IS RELEVANT IN THE "HISTORY AND CULTURE" SECTION OF THE UPSC CSE EXAM.

### **WHY IN THE NEWS?**

Pandavula Gutta, an ancient geological wonder that precedes the formation of the Himalayan range, has received official recognition as the exclusive Geo-heritage site in Telangana. Similarly, the Rajasthan government has bestowed the designation of a geo-heritage site upon the Ramgarh Crater located in the Baran district.

### **ABOUT PANDAVULA GUTTA**

Pandavula Gutta, a geological marvel in Telangana, isn't just about rocks and stones. It's a portal to the past, brimming with historical significance.

### **UNVEILING PREHISTORIC LIVES**

This site holds immense value for archaeologists and historians with its numerous **prehistoric habitation sites**.

The Palaeolithic **cave paintings adorning the walls**.

These **ancient artworks**, dating back to a time before recorded history, offer a glimpse into the lives of the people who once called this place home.

### **A CANVAS OF THE PAST**

The cave paintings aren't just random doodles. They depict a rich tapestry of the past, **showcasing wildlife like bison, antelope, tigers, and leopards**.

**Symbolic shapes and weapons** also find their place on the canvas, providing valuable clues about the beliefs and practices of these early inhabitants.

## RECOGNITION FOR A TREASURE TROVE

The **Geological Survey of India** (GSI) recently organised a Geo-heritage walk at Pandavula Gutta, highlighting its significance. Pandavula Gutta was officially recognised as a Geo-heritage site, acknowledging its scientific, educational, cultural, and aesthetic value. This recognition ensures the protection and preservation of this irreplaceable window into the past.

## ABOUT RAMGARH CRATER

- Ramgarh Crater, situated in **Rajasthan**, was formed approximately **165 million years ago** following a **meteor impact**. Spanning a **diameter of 3 kilometres**, this crater plays a crucial role in providing essential ecosystem services, thereby **contributing significantly to the ecological balance and biodiversity of the region**.
- The significance of Ramgarh Crater extends beyond its geological formation. It holds **immense value for its ecosystem services, biodiversity, as well as cultural and heritage significance for the local communities and society at large**. Recognising its importance, **Ramgarh Crater** has been designated as a Conservation Reserve known as the **Ramgarh Conservation Reserve under the Wildlife (Protection) Act 1972**.
- Moreover, the **presence of Pushkar Talab** within the crater adds to its allure. This lake serves as a **source of both saline and alkaline water**, enhancing the beauty and diversity of the area. Notably, **these lakes** have been officially **recognised as wetlands** under the Wetland (Conservation & Management) Rules, 2017.

## GEO-HERITAGE SITES

Geoheritage sites are natural landscapes or geological formations that possess significant scientific, educational, cultural, and aesthetic value. These sites often showcase geological processes, ancient rock formations, fossil remains, or other unique geological features that have developed over millions of years.

### SIGNIFICANCE OF GEOHERITAGE SITES

- **Scientific Importance:** Geoheritage sites provide valuable insights into **Earth's geological history**, allowing scientists to study past environments, climate change, and the **evolution of life on our planet**. These sites serve as natural laboratories for research in geology, palaeontology, and environmental science.
- **Educational Value:** Geoheritage sites **offer educational opportunities for students and the public** to learn about Earth's geological processes and natural history. Visiting these sites allows people to appreciate the Earth's dynamic nature and understand the forces that shape our planet.
- **Cultural and Historical Significance:** Many geoheritage sites hold **cultural and historical importance for local communities and indigenous peoples**. These sites may have spiritual or traditional significance, and their preservation helps maintain cultural heritage and traditions.
- **Tourism and Recreation:** Geoheritage sites **attract tourists and outdoor enthusiasts, contributing to local economies** through tourism-related activities such as hiking, birdwatching, and guided tours. By promoting sustainable tourism practices, these sites can support conservation efforts and community development.

## MAINS PRACTISE QUESTIONS

- Q1. Analyse the impact of Geo-Heritage sites on tourism and local economies. How do the preservation and promotion of these sites benefit cultural tourism and sustainable development?
- Q2. Explore the connection between Geo-Heritage sites and indigenous cultures. How do in-

indigenous peoples perceive and interact with these sites, and what efforts are made to protect their cultural significance?

## INDIA – BHUTAN BILATERAL MULTIDIMENSIONAL RELATIONS

SOURCE – THE HINDU AND PIB.

GENERAL STUDIES – INTERNATIONAL RELATIONS, INDIA – BHUTAN BILATERAL MULTIDIMENSIONAL RELATIONS, REGIONAL AND GLOBAL GROUPINGS AND AGREEMENTS AFFECTING INDIA'S INTERESTS, FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA, DOKLAM STANDOFF BETWEEN INDIA AND CHINA, SUSTAINABLE DEVELOPMENT.

WHY IN THE NEWS ?



- Tshering Tobgay, who recently took over as the Prime Minister of Bhutan in January 2024 at the invitation of Indian Prime Minister Narendra Modi, paid a five-day maiden official visit to India starting from March 14, 2024.
- The official visit included Bhutan's Prime Minister Tshering Tobgay along with four cabinet ministers as well as senior officials of the Royal Government of Bhutan.
- Apart from this official meeting between the President of India Draupadi Murmu and the Prime Minister of Bhutan Tshering Tobgay, he also held talks with the Prime Minister of India Narendra Modi on bilateral and multidimensional relations.
- After Tshering Tobgay also met Indian External Affairs Minister S Jaishankar and other dignitaries from India, she also traveled to Mumbai to meet business leaders to discuss increasing investment from India into Bhutan and the two countries have also visited Also signed agreements.
- The visit proved to be an important and historic moment to strengthen bilateral and multi-dimensional cooperation and address mutual concerns. This official meeting provided an important opportunity to both India and Bhutan to review the progress in their partnership and discuss ways to enhance cooperation.
- This enduring friendship and mutual relationship between India and Bhutan in South Asia serves as a strong foundation for mutual prosperity and regional stability.
- India's Finance Minister Nirmala Sitharaman in the interim budget of 2024 – 25 '**Neighbourhood**

**First Policy** Bhutan has been provided the largest share of the economic assistance portfolio in line with. An allocation of Rs 2,068 crore has been made to Bhutan in the year 2024 - 25 as compared to the allocation of Rs 2,400 crore in the year 2023 - 24.

- The Ministry of External Affairs (MEA) of India has been allocated Rs 22,154 crore by the Finance Ministry of India for the financial year 2024 - 25.



**INTRODUCTION TO IMPORTANT FACTS RELATED TO BHUTAN :**

- It is situated between India and China and is surrounded by “**land locked ‘Bhutan’**” It is an important country of South Asia.
- The area of Bhutan is only 8,394 square kilometers and its population is only 7.7 lakh, which is much smaller than the area and total population of any major district of any state of India, but Bhutan is a sovereign nation.
- Bhutan is a country surrounded by an abundance of mountains and valleys.
- The capital of Bhutan is Thimphu.
- At present, Bhutan has become a democratic country after the first democratic elections were held in



Bhutan in the year 2008.

- Despite being a country with a democratic system, the King of Bhutan is the head of that nation.
- official name of bhutan '**Kingdom of Bhutan**' which in Bhutanese language is '**Druk Gyal Khap**' 'which means –'**Land of Thunder Dragon**'.

#### **LONGEST RIVER OF BHUTAN :**

- The longest river of Bhutan is Manas River whose length is 376 km. More than.
- The Manas River forms the border between southern Bhutan and India in the Himalayan foothills.

#### **IMPORTANT AREAS OF BILATERAL MULTIDIMENSIONAL RELATIONS BETWEEN INDIA AND BHUTAN:**



Following are the important areas of bilateral multi-dimensional relations between India and Bhutan –

#### **BILATERAL FOOD SECURITY COOPERATION BETWEEN INDIA AND BHUTAN :**

- The Food Safety and Standards Authority of India and the Food and Drugs Authority of Bhutan have signed a bilateral agreement to cooperate and assist each other in mutual food safety measures.
- This bilateral agreement will make bilateral trade between the two countries easier and convenient by ensuring compliance with food safety standards and reducing the cost of compliance with food safety standards.

#### **PETROLEUM AGREEMENT BETWEEN INDIA AND BHUTAN :**

- India and Bhutan have signed an important agreement on the supply of petroleum products to promote economic cooperation and development in the hydrocarbon sector and to ensure reliable and continuous fuel supply from India to Bhutan. The bilateral and multi-dimensional relations between India and China have become even stronger.

#### **SIGNING OF BILATERAL AGREEMENT FOR ENERGY EFFICIENCY AND ITS CONSERVATION :**

- India and Bhutan have also signed an MoU to enhance and conserve energy efficiency, which reflects the commitment towards sustainable development within the mutual relations between the two countries.
- This memorandum of understanding According to India aims to assist Bhutan at all levels in en-

hancing energy efficiency in households in Bhutan, promoting the use of energy efficient appliances in Bhutan and developing standards and labeling schemes.

### **TO BE OF UTMOST IMPORTANCE FOR REGIONAL SECURITY AND IN RESOLVING THE DOKLAM AREA BORDER DISPUTE :**



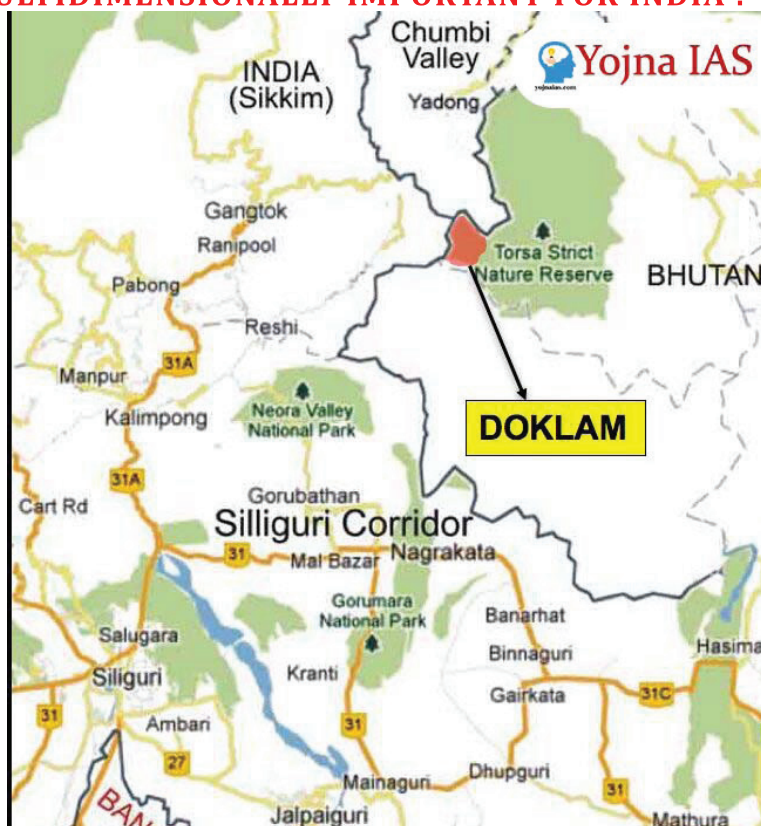
- This is the first official visit of Bhutanese Prime Minister Tshering Tobgay to India. And it is also linked to the ongoing talks to resolve the border dispute between China. Whose main objective is to establish regional security in South Asia, especially in resolving the border dispute of Doklam area, which is very important.
- China and Bhutan to resolve their mutual border dispute A plan was agreed upon in the month of August 2023.
- This agreement, after the ongoing conflict between India and China that started in 2017 due to China's attempt to build a road in the area associated with the Doklam area, four years later, in the month of October 2021, an agreement was formally signed between the two countries. Was signed.

### **GELEPHU MINDFULNESS CITY TO BE BHUTAN'S REGIONAL ECONOMIC HUB :**

- Having a regional economic center of Bhutan in Gelephu is an important step towards regional development and connectivity of Bhutan.
- Launched by the King of Bhutan in December 2023, the project aims to establish a "Gelephu Mindfulness City" spread over 1,000 square kilometers.
- Unlike traditional financial centers featuring skyscrapers, Gelephu prioritizes sustainable development, focusing on non-polluting industries such as IT, education, hospitality and health care.
- Located at the intersection of India's "Act East Policy" and emerging connectivity initiatives in South-East Asia and the Indo-Pacific region, Gelephu holds a key strategic importance in promoting economic integration and trade facilitation.



## **BHUTAN BEING MULTIDimensionally Important for India :**



### **ENVIRONMENTAL IMPORTANCE :**

- Bhutan is one of the few countries in the world that has pledged to remain carbon-neutral and India has been a major help in helping Bhutan achieve this goal.
- India has provided assistance to Bhutan in areas such as renewable energy, forest conservation and sustainable tourism.

### **CULTURAL IMPORTANCE BETWEEN INDIA AND BHUTAN :**

- Both India and Bhutan are predominantly populated by Buddhists. Therefore, India and Bhutan have an important cultural relationship, both historically and culturally, which mutually strengthens the shared cultures between the two countries.
- India has also provided significant assistance to Bhutan in preserving its cultural heritage.
- Some Bhutanese students have also always been coming to India to pursue higher education.

### **BHUTAN BEING STRATEGICALLY IMPORTANT FOR INDIA:**

- Bhutan shares borders with both India and China and its geographical location makes it a strategically important buffer state or buffer center for India's external border security.
- India has provided significant assistance to Bhutan in developing sectors such as defense, infrastructure and communications, which has helped Bhutan maintain its sovereignty and territorial integrity.
- India has also provided significant assistance to Bhutan in building and maintaining border infrastructure such as roads and bridges to strengthen its defense capabilities and ensure its territorial integrity.
- During the Doklam standoff between India and China in 2017, Bhutan played a key role in allowing Indian troops to enter its territory to oppose Chinese incursions. Therefore, Bhutan is a very

important country for India from a strategic and security point of view.

### **ECONOMICALLY IMPORTANT FOR INDIA :**

- India is Bhutan's largest trading partner and Bhutan's major export destination. Both the countries have deep relations both in terms of mutual import and export.
- Bhutan's hydropower potential is an important source of its revenue and India has also provided significant assistance, both technical and economic, in developing Bhutan's hydropower projects.

### **IMPORTANT CHALLENGES OF MULTIDIMENSIONAL RELATIONS BETWEEN INDIA AND BHUTAN :**

#### **INDIA – CHINA BORDER DISPUTE AND DOKLAM STANDOFF :**

- There is a 699 kilometer long border line between India and Bhutan, which has remained peaceful till present. However, in recent years there have also been some incidents of incursions by the Chinese army on its border.
- The Doklam standoff at the India-China-Bhutan tri-junction was a major flashpoint of conflict until 2017. Therefore, even in the present times, the increase in any kind of border related dispute may create tension in the relations between India and Bhutan.

#### **CHINA'S INCREASING INFLUENCE INSIDE BHUTAN :**

- China's growing presence in Bhutan, especially along the disputed border between Bhutan and China, has raised concerns for India from a strategic perspective.
- India has been Bhutan's closest ally and has played an important role in protecting Bhutan's sovereignty and security.
- Bhutan and China have not yet established any diplomatic or strategic relations, but the two countries have maintained friendly relations with each other. Which may become a matter of concern for India in future.



#### **HYDROPOWER PROJECTS FORM A MAJOR PILLAR OF BHUTAN'S ECONOMY :**

- Bhutan's hydropower sector is a major pillar of its economy and India has been a major partner in its development. However, there are concerns over the terms of some hydropower projects in Bhutan, which are considered very favorable to India.
- Indian involvement in this sector in Bhutan has also been opposed by some Bhutanese citizens due to the terms of some hydropower projects being considered very favorable for India.

#### **ISSUES RELATED TO BUSINESS :**

- India is Bhutan's largest trading partner, accounting for more than 80% of Bhutan's total imports and exports. Although there are some concerns in Bhutan regarding trade imbalance, Bhutan imports more goods from India than it exports from India.
- Bhutan has always sought greater access to the Indian market for its products, which could help

it reduce its trade deficit.

### **CONCLUSION / SOLUTION :**

- Visa-free movement of people between India and Bhutan can strengthen sub-regional cooperation.
- India can help Bhutan boost its economy by investing in infrastructure development, tourism and other sectors. This will not only help Bhutan become self-reliant but will also generate employment opportunities for the people there.
- India and Bhutan can promote cultural exchange programs to promote greater understanding and appreciation of each other's culture, art, music and literature.
- India and Bhutan can strengthen their strategic cooperation to address common security concerns. They can work together to combat terrorism, drug trafficking and other international crimes.
- India – Bhutan relations are characterized by a unique blend of historical ties, strategic cooperation and shared values. The enduring friendship between these two countries has stood the test of time. It has evolved into a multidimensional partnership covering various areas of cooperation. As India and Bhutan grapple with the complexities of the 21st century, they must build on their past achievements. They will have to find new ways to collaborate and connect. By promoting economic growth, promoting cultural exchange and strengthening strategic cooperation, India and Bhutan can realize their shared vision of peace, prosperity and mutual respect.
- Frequent high-level exchanges between India and Bhutan have laid a strong foundation for the development partnership between India and Bhutan.
- During this bilateral and multilateral meetings between India and Bhutan, PM Tobgay of Bhutan has invited PM Modi to visit Bhutan, highlighting the mutual trust and equal partnership between the two countries.
- This official visit of Bhutan PM Tshering Tobgay has strengthened the commitment between India and Bhutan to deepen cooperation in various fields, strengthen long-term relations and pave the way for a brighter future together. Which is strategic for India. This is a sign of a bright future between the two countries from a cultural, economic and trade point of view.

### **PRACTICE QUESTIONS FOR PRELIMINARY EXAM :**

**Q.1. Consider the following statements in the context of bilateral and multi-dimensional relations between India and Bhutan.**

1. India is Bhutan's largest trading partner, accounting for more than 50% of Bhutan's total imports and exports.
2. official name of bhutan' Kingdom of Bhutan ' which in Bhutanese language is' Druk Gyal Khap' ' It is called, which means –'Land of Thunder Dragon'.
3. At present Bhutan is a democratic country, whose head is the Prime Minister of Bhutan.
4. India has provided the largest share of the economic assistance portfolio to Bhutan in line with India's 'Neighbourhood First' policy in the Interim Budget 2024-25.

**Which of the above statement / statements is/ are correct ?**

- (A) Only 1 and 3
- (B) Only 2 and 4
- (C) Only 1 and 4
- (D) Only 2 and 3

**Answer – (B)**

## PRACTICE QUESTIONS FOR MAINS EXAM :

**Q.1. In the context of India's 'Neighbourhood First' policy, highlight the various aspects of bilateral and multidimensional relations between India and Bhutan and discuss what could be the solution to the Doklam standoff between India and China. Present a logical solution.**

# PROFITS AND POVERTY: THE ECONOMICS OF FORCED LABOUR

THIS ARTICLE COVERS 'DAILY CURRENT AFFAIRS' AND THE TOPIC DETAILS OF "PROFITS AND POVERTY: THE ECONOMICS OF FORCED LABOUR". THIS TOPIC IS RELEVANT IN THE "ECONOMY" SECTION OF THE UPSC CSE EXAM.

## WHY IN THE NEWS?

A recent report titled 'Profits and poverty: The economics of forced labour', published by the International Labour Organization (ILO), reveals that forced labour yields illicit profits totalling USD 36 billion annually.

## ABOUT FORCED LABOUR OR BONDED LABOUR

- Forced labour, also known as **involuntary servitude or bonded labour**, is a form of exploitation where individuals are coerced to work against their will, often under threat of violence or other forms of punishment.
- This egregious **violation of human rights** persists in various forms across the globe, affecting millions of people, including men, women, and children.
- One of the most concerning aspects of **forced labour** is its **prevalence in multiple industries, including agriculture, manufacturing, construction, domestic work, and the sex trade.**
- Victims of forced labour may be trafficked across borders or exploited within their own countries, trapped in situations of debt bondage, coercion, or outright slavery.

## IMPORTANT FINDINGS OF THE REPORT

### THE ALARMING RISE OF FORCED LABOUR PROFITS

- Forced labour is a horrific global injustice, generating a **staggering \$36 billion in illegal profits annually.** This represents a **37% increase since 2014**, highlighting a growing problem with devastating human consequences.
- The surge in **profits is fueled by two factors:** a significant **increase in** the number of **victims** being forced into labour and a **rise in** the level of **exploitation** each victim endures.

### GEOGRAPHIC DISTRIBUTION OF ILLEGAL PROFITS

The distribution of these illegal profits is uneven across regions. **Europe and Central Asia have the highest total, with a shocking \$84 billion**, followed by Asia and the Pacific, the Americas, Africa, and the Arab States.

## PROFITS PER VICTIM

The estimated profits per victim are equally concerning, with **criminals making nearly \$10,000 per person**. This number has risen significantly over the past decade. Perhaps most disturbing is that forced commercial **sexual exploitation accounts for the vast majority (73%) of illegal profits** despite representing only 27% of total forced labour victims.

## INDUSTRIES WHERE FORCED LABOUR THRIVES

Beyond sexual exploitation, forced labour permeates various sectors of the global economy. Here's a breakdown of some of the most impacted industries:

- **Industry:** This includes mining, manufacturing, construction, and utilities. These sectors generate an estimated \$35 billion in illegal profits through forced labour.
- **Services:** This broad sector encompasses activities like wholesale trade, hospitality, and transportation. Forced labour in these services is estimated to generate \$20.8 billion in illegal profits.
- **Agriculture:** This sector includes forestry, farming, and fishing. The estimated illegal profits from forced labour in agriculture are around \$5 billion.
- **Domestic Work:** This involves work performed in private households and generates an estimated \$2.6 billion in illegal profits.

## A GROWING NUMBER OF VICTIMS

The number of people trapped in forced labour is also on the rise. There were an estimated **27.6 million people** in forced labour on any given day in 2021, **representing a worrying 2.7 million increase since 2016**. This paints a grim picture of the expanding reach of forced labour and the urgent need for global action to eradicate it.

## RECOMMENDATIONS GIVEN BY THE REPORT

- **Dismantling Forced labour:** The report exposes the brutal reality of forced labour, highlighting its devastating impact on human dignity and its role in perpetuating poverty. In response to this injustice, the report calls for a united international effort to eradicate forced labour.
- **Combating Illegal Profits:** A central recommendation is to curb the flow of illegal profits. This requires significant investment in enforcement measures to hold perpetrators accountable and disrupt these financial lifelines.
- **Strengthening Legal Frameworks:** The report emphasises the need to bolster legal frameworks. This includes:
  1. Strengthening legislation to combat forced labour.
  2. Training law enforcement officials to identify and address forced labour cases.
  3. Expanding labour inspections to focus on high-risk sectors.
  4. Enhancing coordination between labour and criminal justice systems.
  5. Beyond Enforcement: A Holistic Approach
- **Promoting Worker Rights:** The report identifies fair recruitment practices as crucial in preventing forced labour. Abuses during recruitment often pave the way for exploitation. It also emphasises the importance of freedom of association and collective bargaining. When workers have a voice and can organise, they are better equipped to resist forced labour practices.

## MAINS PRACTISE QUESTIONS

- Q1. What constitutional provisions and legal safeguards exist in India to protect individuals from forced labour and ensure their right to fair and humane working conditions?
- Q2. To what extent do socio-economic factors, such as poverty, caste-based discrimination,

and lack of access to education, contribute to the prevalence of forced labour in India, and how does this intersect with constitutional principles of equality and social justice?

## ETHICAL IMPLICATIONS OF JUDGES ACCEPTING OFFICIAL POSITION AFTER RETIREMENT

SOURCE - THE HINDU AND PIB.

GENERAL STUDIES - INDIAN POLITY AND GOVERNANCE, ARTICLE 217 OF THE INDIAN CONSTITUTION, JUDICIAL PROPRIETY, JUDICIAL IMPARTIALITY AND INTEGRITY OF THE JUDICIARY, COLLEGIUM SYSTEM, EVOLUTION OF THE COLLEGIUM SYSTEM AND ITS CRITICISM, OFFICIAL RESIGNATION OF THE CHIEF JUSTICE OF INDIA (CJI) ETHICAL IMPLICATIONS OF ACCEPTING OFFICE.

WHY IN THE NEWS ?



- Recently, after the announcement of the dates of 2024 Lok Sabha general elections in India, former Calcutta High Court judge Abhijit Gangopadhyay has resigned from his post and has joined a major national political party of India.
- After former Kolkata High Court judge Abhijit Gangopadhyay joined a major political party in India soon after resigning from his post, yet again such steps have been taken by a judge of the High Court and Supreme Court in India. Discussion has started again on the appropriateness and importance of lifting.
- There was talk in India after President of India Ramnath Kovind nominated Chief Justice Ranjan Gogoi of the division bench of the Supreme Court, which gave the verdict in the case of construction of Ram temple in Ayodhya, as a member of the Rajya Sabha after his retirement. After this, are the moral implications of accepting any kind of official position by the judges of the Supreme Court of India or the judges of the High Courts, right or wrong?
- In 1967, former Chief Justice of India (CJI) Koka Subba Rao resigned three months before his retirement to contest the presidential elections as an opposition candidate.
- Justice Baharul Islam of the Supreme Court of India tendering his resignation to contest the Lok

Sabha elections in 1983, six weeks before his retirement, also brought into focus the ethical implications of judges accepting official positions after retirement.

### **ETHICAL CONCERNS RELATED TO A JUDGE ACCEPTING ANY KIND OF OFFICIAL POSITION AFTER HIS RESIGNATION FOR POLITICS IN INDIA :**



- The concerns arising from the resignation of a judge from the judiciary to join active politics in India have some significant ethical implications which affect the perception of judicial propriety and judicial impartiality and integrity of the judiciary in India. **Which are as follows –**

#### **JUDICIAL INDEPENDENCE OF THE JUDICIARY IN INDIA :**

- Law in India or Judicial independence is extremely important to ensure the rule of law and democracy.
- In India, a judge joining a political party soon after retirement raises questions about the independence of the judicial decisions delivered by him while holding the office of a judge and raises concerns regarding the influence of political views on the functioning of the judiciary. Does.
- In a democratic country like India, it is extremely important for judges to remain free from interference or influence from any outside party, including political institutions.

#### **JUDICIAL IMPARTIALITY TOWARDS JUSTICE OF THE JUDICIARY IN INDIA :**

- Any judge in India is expected to be neutral in ensuring justice and to give his decision only on the basis of facts and law without being influenced by his personal biases or any kind of external pressures and he should Ensure fairness.
- Any judge in India being involved in any kind of controversies after joining any political party has been questioned over his impartiality while hearing the cases involving political matters by the decisions of the judges currently holding the post of judge. Keeps rising.
- Any former judge holding any kind of official position reduces the confidence of the people of India in the ability of the judiciary to deliver justice impartially and gives rise to many types of doubts.

#### **TO ENSURE THE CONFIDENCE AND TRUST OF THE INDIAN PUBLIC TOWARDS THE JUDICIARY :**

- Due to the democratic form of governance in India, the Indian judiciary depends on the trust and confidence of the Indian public towards the judiciary to fulfill its role in the Indian society.
- Involvement of any judge in India in accepting any official position undermines the perception

of judicial integrity and impartiality of the Indian Judiciary which greatly affects the public confidence in the entire judicial system in India. Is.

- Resignation of judges from the judiciary in India for active participation in politics may create a situation of doubt among the public about the independence and integrity of the Indian judiciary.

### SITUATION OF CONFLICT OF MUTUAL INTERESTS :

- Supreme Court or High Courts in India Judges or any judge are expected to avoid conflicts of interest and maintain the integrity of the judicial process.
- The involvement of judges in India in political activities, particularly their controversial statements and judgments while serving on the Court, has raised concerns regarding their personal conflicts of interest.

### ISSUE OF APPOINTMENTS TO OFFICIAL POSTS AFTER RETIREMENT FROM THE POST OF JUDGE :

**WHAT YOU NEED TO KNOW TODAY**  
**Oct 16, 2015**  
 > Supreme Court on Friday quashed two acts. It declared **unconstitutional a law to replace the collegium system** in higher judiciary  
 > It also **quashed the National Judicial Appointments Commission (NJAC) Act**, that laid down how the NJAC would function  
 > Verdict delivered by **5-judge Constitution bench** comprising justices J S Khehar, J Chelameswar, MB Lokur, Kurian Joseph and AK Goel  
 > It also rejected Centre's plea to refer matter to a larger bench  
 > Bench said it was willing to take suggestions to **improve existing system**; posted hearing for Nov 3

**WHAT THE TWO BODIES ARE**  
**COLLEGIUM SYSTEM** | CJI and four senior-most SC judges recommend appointments and transfers of judges. In effect since 1993, this system referred to as 'judges-selecting-judges', is **not in the Constitution** but was created by two SC judgements in 1990s  
**NJAC** | Body to replace Collegium system of appointing judges. To consist of 6 people  
 1) CJI, 2) two senior-most SC judges, 3) law minister and 4) 2 'eminent persons'. Eminent persons nominated for three-year term by Chief Justice, PM & Leader of Opposition (LS)

**CRITICISMS**  
**OF THE COLLEGIUM SYSTEM**  
 > Centre said the system created an "imperium in imperio" (**empire within an empire**) within Supreme Court  
 > It was criticised on grounds that it created a **"give-and-take" culture**  
 > It was said that **politicians/actors** would get easy relief from courts while commoners would struggle  
**OF THE NJAC**  
 > Court on Friday held **executive involvement in appointment of judges impinges** upon independence of judiciary  
 > It **violates principle of separation of powers** between the **executive and the judiciary**, that is a basic feature of the Constitution

**HOW THE NJAC CAME ABOUT**  
**2002** | Justice Venkataswami Committee set up by NDA-1 in its report for the first time suggested a National Judicial Commission for the appointment of judges  
**Aug 2014** | Govt passes NJAC  
 Act through a constitutional amendment  
**Dec 31, 2014** | Act gets Pranab Mukherjee's assent  
**April 13, 2015** | The NJAC Act is notified  
 SC Advocates on Record Association and others filed batch of petitions in Supreme Court challenging NJAC, claiming NJAC infringed on judiciary's independence  
**Oct 16** | Apex court scraps NJAC Act. Back to collegium system

**SOME SHARP TAKES EITHER SIDE**  
**April 30, 2015**  
 “How does an eminent person determine the ability and integrity of an advocate practising in J&K or TN and his suitability for appointment as a judge? Tell us some names whom the government considers eminent” —SC  
 “Take for example M S Swaminathan. Why can't he be chosen as an eminent person? Government wants every section of society to have a say” — A-G ROHATGI  
**June 11, 2015**  
 “The collegium did not follow the principle of meritocracy in appointing judges and hence, many undeserving persons got appointed as judges” — A-G ROHATGI  
 “Mistakes will be there, whether this system or that system... Question is how serious are they” —SC

**Friday's apex court judgment strikes down a 15-year quest spearheaded by the Law Commission, Parliament, 20 states, successive govts and different public forums to change the process of appointing judges**

**Yojna IAS**  
 योजना हे तो सफलता हे

- The last few years, some retired judges had accepted government posts after retirement in India. This practice of retired judges assuming official positions after retirement completely blurs and doubts the concept of clear demarcation between the judiciary and the executive of India.

### POST-RETIREMENT TASKS FOR JUDGES IN INDIA :

- The Indian Constitution does not explicitly prohibit judges from taking up post-retirement assignments, but to minimize potential conflicts of interest between them. **'Cooling-off period applies'** Suggestions have been given to do so.
- Regarding the post-retirement cooling-off period for judges in India, former CJI of the Supreme Court of India, R.M. Lodha had recommended a cooling-off period of at least 2 years.
- **'Cooling-off period'** concept of any kind in India Officers retiring from sensitive posts are generally debarred from accepting any other appointment for two years.



- Someone high and sensitive in India In case of holding posts, this cooling-off period is based on breaking the connection between the previous appointment and the new appointment through a sufficient period of time.

### INTERNATIONAL SYSTEMS OF REAPPOINTMENT OF JUDGES TO OFFICIAL POSTS OUTSIDE INDIA :

- Outside India, judges of the Supreme Court in the United States never retire in their lifetime but remain in office for life to prevent conflict of interest between the judiciary and the executive.
- In the United Kingdom, there is no law preventing judges from taking any type of jobs after retirement, but no judge has yet done so, which would suggest a different view on the issue of their post-retirement roles. Explains the concept of.

### CONCEPT OF RESTATEMENT OF VALUES OF JUDICIAL LIFE :

EVOLVING SYSTEM	
<b>Pre-1993</b> Law minister selected judges in 'consultation' with judiciary	been associated with that particular HC in the past.
<b>Post-1993</b> Judiciary assumed 'primacy' by creating collegiums in Supreme Court and high courts. HC judge is appointed after a collegium of judges of that court suggests his/her name, which then has to be cleared by a three-member SC collegium. The 3 judges include the CJI and at least one SC judge who has	<b>SC appointments cleared by 5-member collegium</b> including CJI and 4 other seniormost judges
	<b>2014</b> Proposed judicial appointments commission seeks to make selection process more transparent. To have <b>6 members, including law minister, CJI, 2 SC judges and 2 'eminent persons'</b> . At least 5 members will have to agree on each judge's appointment

- The Supreme Court of India in the year 1997 outlined the ethical standards and principles for judges. '**Concept of Restatement of Values of Judicial Life**' Was adopted. **Following are the main provisions of the 'Restatement of Values Concept of Judicial Life':-**
- Judges in India must be neutral and impartial: not only must justice be done, but justice must also be seen to be done. The conduct of judges should also reaffirm the faith and trust of the people of India in the impartiality of the judiciary.
- Judges in India should also avoid establishing close relations with individual members of the Bar Council.
- In India, if any member of a judge's family is a lawyer by profession, that judge should refrain from hearing cases related to his family member and also should not participate in public debates on political matters.
- Judges in India should not seek any means of financial gain and should not speculate in shares or engage in any kind of trade or business.
- Judges in India must always be conscious of the fact that their lives and their judicial decisions are always under public scrutiny.
- Therefore, the actions of judges in India should not benefit even the high position they hold.

### SOLUTION TO THE PROBLEM :

**The following constitutional and judicial reforms can be made as a solution to the problem of judges accepting official position after retirement -**

## IMPLEMENTATION OF THE RECOMMENDATIONS OF THE 14TH LAW COMMISSION:

- The recommendations of the 14th Law Commission Report, 1958 have suggested a solution to this type of problem with judges in the Indian Judiciary which lays emphasis on developing such a system.
- The recommendations of the 14th Law Commission Report, 1958 ensure providing financial security to the judges without compromising the independence of the Indian judiciary in any way.

## TO INCREASE TRANSPARENCY IN THE JUDICIARY OF INDIA :

- There should be greater transparency in the process of appointing retired judges to official posts after retirement in India .
- The selection criteria for appointing judges to post-retirement official positions in India should be strictly transparent, ensuring open competition throughout the appointment process, as well as public disclosure of the reasons behind each appointment.

## TO ENSURE PROMOTION OF HIGH JUDICIAL ETHICS AND HIGH STANDARDS IN THE JUDICIARIES OF INDIA :

- Strengthening ethical guidelines and standards for judges during their tenure and after retirement can help maintain the integrity and impartiality of the judiciary in India.
- Judges should be encouraged to give priority to public confidence in the judiciary over personal interests.

## IT SHOULD BE MANDATORY TO IMPOSE COOLING-OFF PERIOD IN INDIA :

- Based on the recommendations suggested by former Chief Justice of the Supreme Court of India, R.M. Lodha, there should be a mandatory cooling-off period between the retirement of a judge and his eligibility for any post-retirement assignment.
- Having this mandatory cooling-off period in India will help ensure impartiality while reducing potential conflicts of interest of judges or other high officials. This will promote fairness and transparency in the high level judiciary or even the high level executive in India.

## CONCLUSION :

The infographic is set against a light blue background with a central image of the Supreme Court of India building. It is divided into two main columns of text. The left column is titled 'WHAT'S COLLEGIUM SYSTEM' and lists four points: 1. Collegium system based on Three Judges Cases; 2. Under it, appointment of judges are made by Chief Justice of India and four most senior Supreme Court judges; 3. Has no constitutional backing; 4. Constitution of India's Article 124 says appointments to be made by President in consultation with judges as President may deem necessary; 5. Critics say it is a closed-door system which lacks transparency. The right column is titled 'WHAT'S NJAC' and lists three points: 1. NJAC was a body created to end the two-decade-old Supreme Court Collegium system of judges appointing judges; 2. Was passed by Lok Sabha on August 13, 2014. Was passed by Rajya Sabha a day later; 3. Will consist of six people - CJI, two senior-most Supreme Court judges, Law Minister and two 'eminent' persons; 4. Critics say judges in NJAC will need support of others to push a name through. They fear judicial independence being compromised. In the top right corner, there is a logo for 'Yojna IAS' with the tagline 'योजना है तो सफलता है' and the website 'yojanaias.com'.

WHAT'S COLLEGIUM SYSTEM	WHAT'S NJAC
<ul style="list-style-type: none"><li>• Collegium system based on Three Judges Cases</li><li>• Under it, appointment of judges are made by Chief Justice of India and four most senior Supreme Court judges.</li><li>• Has no constitutional backing.</li><li>• Constitution of India's Article 124 says appointments to be made by President in consultation with judges as President may deem necessary.</li><li>• Critics say it is a closed-door system which lacks transparency</li></ul>	<ul style="list-style-type: none"><li>• NJAC was a body created to end the two-decade-old Supreme Court Collegium system of judges appointing judges.</li><li>• Was passed by Lok Sabha on August 13, 2014. Was passed by Rajya Sabha a day later.</li><li>• Will consist of six people - CJI, two senior-most Supreme Court judges, Law Minister and two 'eminent' persons.</li><li>• Critics say judges in NJAC will need support of others to push a name through. They fear judicial independence being compromised.</li></ul>

- The resignation of a former judge of the Calcutta High Court and his decision to enter politics raises significant ethical concerns regarding judicial impartiality, independence, conflict of interest, public trust and professional responsibility in the high level judiciary in India. Expresses.
- The main reason for these concerns in India is the far-reaching impact it has on the integrity and credibility of India's judiciary, underscoring the importance of maintaining high ethical standards in justice and administration in India.
- The impartiality and judicial activism of the judiciary in India, even after the division bench of the Supreme Court that delivered the verdict in the case of construction of Ram temple in Ayodhya and the nomination of Chief Justice of India Ranjan Gogoi as a member of the Rajya Sabha by the President of India Ramnath Kovind A question was raised regarding. So in India There is a need to clearly define the ethical implications of judges accepting official positions after retirement and to ensure judicial impartiality, transparency and judicial neutrality, so that the Indian public has confidence in the higher judiciary and does not have to worry about what happens to it. Courage can be generated to protest against any injustice or violation of fundamental rights and Indian citizens can say against any kind of injustice that – **"I will see you in court."**
- **"I will see you in court"** It is not just a slogan or quotation but it is a symbolic belief of the Indian people in the justice that will be done to them and the trust they have in the higher judiciary of India. Therefore, before the judges in India accept the official post after retirement, it should be considered that the Indian public still has faith in the higher judiciary of India. What has to be done is that even today the basic elements of democracy and the faith and trust of the people of India towards the judiciary still exist in India. It is on the shoulders of the higher judiciary and the higher executive to keep this trust and confidence of the Indian people alive. So that democracy remains in India and people have faith in justice. This is the victory of democracy in the true sense.

### **PRACTICE QUESTIONS FOR PRELIMINARY EXAM :**

**Q.1. Consider the following statements regarding judges accepting official positions after retirement in India.**

1. Regarding the post-retirement cooling-off period for judges in India, former CJI of the Supreme Court of India, R.M. Lodha had recommended a cooling-off period of at least 2 years.
2. The recommendations of the 14th Law Commission Report, 1958 ensure providing financial security to the judges without compromising the independence of the Indian judiciary in any way.

**Which of the above statement / statements is/are correct ?**

- (A) Only 1
- (B) Only 2
- (C) Neither 1 Nor 2
- (D) All of the above.

**Answer-(D)**

### **PRACTICE QUESTIONS FOR MAIN EXAM :**

**Q.1. Highlighting the various dimensions/aspects of judges accepting official post after retirement in India, discuss whether it is constitutional and appropriate for judges to accept official post after retirement in India or unconstitutional and inappropriate ? present rational thoughts.**