

UPSC Prelims 2026



Indian Polity & Constitution

Current Affairs

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Index

1.0 Constitutional Framework..... 1

1.1 Internet Shutdown	1
1.2 Inclusive Digital Access as Part of Article 21	1
1.3 Commercial and Prohibited Speech Not Protected under Article 19(1)(a)	2
1.4 Personal Data Protection (DPDP) Rules, 2025.....	2
Key Initiatives digital Data protection	2
Digital Personal Data Protection (DPDP) Act, 2023.....	3
1.5 Digital Constitutionalism	3
Sanchar Saathi App.....	3
1.6 Right to Die with Dignity	4
1.7 50th Anniversary of Sikkim's Statehood (2025).....	4
1.8 50 Years of National Emergency (1975-77)	4
Emergency Provisions in the Constitution of India	5
1.9 Rules for OCI Card Tightened.....	5
1.10 Indian and French Political Systems.....	5
1.11 Maternity Leave as Reproductive Right.....	6
Reproductive Rights	6
1.12 Martial Law in India.....	7

2.0 Executive, Legislature and System of Government..... 7

2.1 Nominations to Union Territory Assemblies.....	7
2.2 Election to the Office of the Vice-President of India	7
2.3 Whip System	8
2.4 SC- Review of TN Governor's Powers	9
2.5 Article 101.....	9
2.6 Panchayat Se Parliament 2.0.....	10
2.7 Free Speech	10
Criminal Defamation: -	10
2.8 Cabinet Secretary	10
2.9 Private Member's Bill	11
2.10 Supreme Court Ruling on Assent to State Bills	11
2.11 Presidential Reference on Assent to State Bills	12

2.12 Cabinet Committee on Security (CCS).....	12
Cabinet Committees	13
2.13 Committee on Petitions	13
2.14 Prime Minister's Office (PMO)	13
Prime Minister of India	13

3. Centre - State Relations..... 14

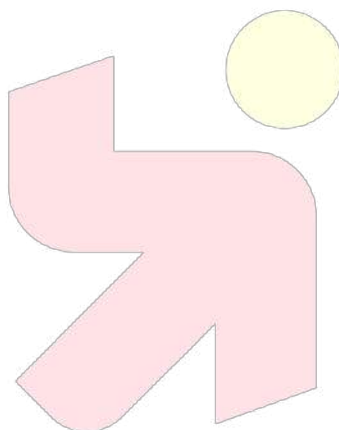
3.1 President's Rule in Manipur	14
3.2 Samagra Shiksha Scheme	15
National Education Policy 2020: -	16
3.3 Zonal Councils.....	18
Five Zonal Councils: -	18
North Eastern Council: Special Regional Body	19
3.4 Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA)	19
Fifth Schedule vs Sixth Schedule	19
3.5 Inner Line Permit (ILP).....	20
Protected Area Permit (PAP)/Restricted Area Permit (RAP): -	20
3.6 Sixth Schedule of the Indian Constitution	20

4.0 The Judiciary..... 21

4.1 Ad-Hoc Judges.....	21
4.2 Judicial Appointments in India	21
4.3 Removal of Judges in Higher Judiciary	22
4.4 In-House Judicial Inquiry Mechanism.....	23
4.5 Mediation Act 2023.....	24
4.6 Bharatiya Nyaya Sanhita 2023	24
4.7 Bharatiya Nagarik Suraksha Sanhita 2023.....	25
4.8 Bharatiya Sakshya Adhiniyam 2023	25
4.9 Public Examination (Prevention of Unfair Means) Rules, 2024.....	26
4.10 Tribunals.....	26
Tribunals in India	27
4.11 Legal Aid in India	27
Legal Services Authorities Act, 1987	27
4.12 Rule 36 of the Bar Council of India (BCI) Rules	28
Bar Council of India (BCI).....	28

4.13 Judicial Practice Mandate Reinstated.....	28	Key Initiatives to Strengthen Cooperatives in India: -	42
4.14 Contempt of Court in India	28	7.3 Bharatiya Beej Sahakari Samiti Limited.....	43
4.15 Furlough and Parole	29	Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act 2001: -	44
Parole.....	29	International Union for the Protection of New Varieties of Plants (UPOV)	45
Furlough.....	29	National Gene Fund	45
Furlough vs Parole.....	29	7.4 Jarawa Tribe	45
4.16 Nari Adalats	30	7.5 EmpowHER Biz Initiative.....	46
5.0 Local Government.....	30	Women Entrepreneurship Platform (WEP) ...	46
5.1 Panchayat Devolution Index.....	30	7.6 NAKSHA Initiative	46
5.2 Renaming districts by Maharashtra Cabinet ...	31	Survey of India (SoI)	47
6.0 Constitutional & Non-Constitutional Bodies	31	7.7 Prime Minister's Internship Scheme	47
6.1 Attorney General of India.....	31	7.8 New Passport Rules 2025	47
6.2 100 Years of Union Public Service Commission (UPSC)	32	Types of Passports:.....	48
6.3 National Commission for Backward Classes (NCBC)	32	Difference Between Passport and Visa:.....	48
6.4 Enforcement Directorate (ED)	32	7.9 Assisted Dying	48
6.5 10 Years of NITI Aayog	33	7.10 ASHA Workers.....	49
6.6 1st Foundation Day of Lokpal	34	National Health Mission (NHM)	49
Lokpal and Lokayuktas Act, 2013.....	34	7.11 Amendments to Waqf Bill, 2024	50
6.7 Election Commission of India (ECI)	35	7.12 Zero FIR.....	50
Chief Election Commissioner and Other Election Commissioners Act, 2023: -	35	7.13 Sub-Classification of Schedules Castes	50
6.8 Delimitation	36	Meaning of SC and ST Sub-classification: - ...	51
Delimitation Commission.....	36	7.14 World Press Freedom Index (WPFI) 2024	51
6.9 Postal Ballot.....	37	7.15 Caste Census	52
6.10 Chief Electoral Officer (CEO)	37	7.16 Rohingyas and Provisions Related to Refugees and Deportation.....	52
6.11 Electors Photo Identity Card (EPIC)	37	UNHCR (United Nations High Commissioner for Refugees)	53
6.12 None of the Above (NOTA)	38	7.18 National Standards for Civil Service Training Institutes (NSCSTI)	53
6.13 One Candidate, Multiple Constituencies (OCMC).....	38	7.19 National Sports Governance Act, 2025.....	53
6.14 CAG	39	7.20 Visakhapatnam Declaration.....	54
6.15 State Consent for CBI	39	7.21 Tribal Governance – Tribal Village Vision 2030	54
6.16 National Commission for Safai Karamcharis..	39	About Adi Karmayogi Abhiyan	54
6.17 Quality Council of India (QCI)	40	7.22 Regulation of India's Pharmaceutical Sector ..	54
6.18 National Medical Commission (NMC)	40	Central Drugs Standard Control Organisation (CDSCO)	55
7. Miscellaneous	41	National Pharmaceutical Pricing Authority (NPPA).....	55
7.1 National Anthem	41	7.23 Crime in India Report, 2023	55
7.2 Cooperatives.....	42	Cognizable vs Non-Cognizable Offences.....	55
Cooperatives in India: -	42		

National Crime Records Bureau (NCRB)	56	United Nations Office on Drugs and Crime (UNODC).....	60
Crime and Criminal Tracking Network & Systems (CCTNS).....	56	7.29 Cantonments	60
7.24 Prison Reforms in India.....	56	7.30 Health Security se National Security Cess	60
7.25 Land Registration System in India	57	GST Compensation Cess	60
Land Registration System in India	57	7.31 Official Secrets Act, 1923	61
SVAMITVA Scheme	57	7.32 National Anti-Doping (Amendment) Act, 2025	61
7.26 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013)	57	7.33 Juvenile Justice (Care and Protection of Children) Act, 2015	62
7.27 Prevention of Sexual Harassment (PoSH) Act, 2013	58	Juvenile Justice Board (JJB)	62
7.28 United Nations Convention against Corruption (UNCAC).....	59	UN Convention on the Rights of the Child (UNCRC).....	62



PRAYAAS

1.0 Constitutional Framework

1.1 Internet Shutdown

Context: -

- According to data from the Internet Shutdown Tracker maintained by Software Freedom Law Centre, India recorded 60 mobile internet shutdowns in 2024, the lowest in 8 years.

Provisions for internet shutdowns in India: -

- Code of Criminal Procedure (CrPC), 1973:**
 - Up to 2017, internet shutdowns were primarily issued under Section 144 of erstwhile CrPC (Section 163 of Bharatiya Nagarik Suraksha Sanhita).
 - Section 144 gave District Magistrate the powers to prevent unlawful gathering and direct any person to abstain from a certain activity.
- The Indian Telegraph Act, 1885 (amended in 2017):** It allows internet shutdowns under the Temporary Suspension of Telecom Services (Public Emergency & Public Safety) 2017 rules **for up to 15 days**.

Grounds for shut down:

- Such shutdown order could be issued on grounds of 'public emergency' or 'public safety'
- However, public emergency and public safety are **not defined under the act** or rules.
- Order issuing authority:** Such orders could be **issued only by union/state home secretary**.
- Review of order:** A 3-member review committee headed by cabinet secretary/chief secretary at national/state level has to be constituted within 5 days to review the orders
- Article 19 (2):** It allows the government to impose reasonable restrictions on freedom of speech and expression for security of the state, public order, etc.

Case Name	Details
Faheema Shirin v. State of Kerala (2019)	Recognized the Right to Internet Access as a fundamental right under Article 21, as it is integral to the Right to Education and Right to Privacy.
Shreya Singhal v. Union of India (2015)	Struck down Section 66A of the IT Act, ruling that online speech is protected under Article 19(1)(a) and cannot be restricted by vague laws.
Justice K.S. Puttaswamy v. Union of India (2017)	Declared Privacy as a fundamental right, providing the constitutional basis for data protection and digital autonomy.
Anuradha Bhasin v. Union of India (2020)	Ruled that freedom of speech and trade over the internet is protected under Article 19, and indefinite internet shutdowns are illegal.
Foundation for Media Professionals v. UT of J&K (2020)	Directed the government to set up a "Special Committee" to review internet speed restrictions, balancing national security with the right to health and education.
Amar Jain v. Union of India (2025)	Formally recognized the "Right to Digital Access" as a necessity for a dignified life under Article 21 in an increasingly digital-first society.

1.2 Inclusive Digital Access as Part of Article 21

Context

- In **Amar Jain v. Union of India and Others**, the **Supreme Court** held that inclusive and meaningful **digital access** to e-governance and welfare systems forms part of **Article 21**.

About the Judgment

- The Court recognised **inclusive digital access** as an essential component of the **right to life and personal liberty under Article 21**.
- It directed revision of **digital Know Your Customer (KYC) norms** to ensure accessibility for:
 - Persons with **facial disfigurement due to acid attacks**
 - Persons with **visual impairment**
- The judgment relied on the **Rights of Persons with Disabilities Act, 2016** and issued multiple directions to make the **e-KYC process accessible**.

- The Court invoked the **principle of substantive equality**, emphasizing that digital transformation must be **inclusive and equitable**.

1.3 Commercial and Prohibited Speech Not Protected under Article 19(1)(a)

Context

- The **Supreme Court**, while hearing a case against social media comedians for insensitive remarks about persons with disabilities, observed that certain categories of speech are not protected under **Article 19(1)(a)**.

About the Judgment

- The Court clarified that **freedom of speech and expression under Article 19(1)(a)** does not extend to **prohibited speech**, including **hate speech** that incites enmity, hatred, or violence.
- **Commercial speech**, such as advertising with economic intent, does not enjoy absolute protection.
- Emphasised greater **accountability of social media influencers** with large public reach.
- Suggested proportionate **penal action and compensation** in appropriate cases.
- Directed the government to consider framing comprehensive **guidelines for online content regulation**.

Legal Framework for Online Content Regulation in India

- **Article 19(2)** permits reasonable restrictions on free speech in the interests of sovereignty, public order, decency, morality, etc.
- **Information Technology Act, 2000** provides the statutory basis for regulation of online content.
- **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021** prescribe due diligence obligations for intermediaries.
- **Cinematograph Act, 1952** regulates certification and exhibition of films.
- In **Shreya Singhal v. Union of India (2015)**, the Supreme Court struck down Section 66A of the IT Act and held that online speech can be restricted only when it involves **incitement to imminent lawless action**.
- In **Amish Devgan v. Union of India (2020)**, the Court distinguished between protected speech and **hate speech**, emphasising responsible expression.

1.4 Personal Data Protection (DPDP) Rules, 2025

Context

- The Government of India notified the **Digital Personal Data Protection (DPDP) Rules, 2025**, operationalising the **Digital Personal Data Protection Act, 2023**.

About DPDP Rules, 2025

- Notified by the **Ministry of Electronics and Information Technology (MeitY)**.
- Prescribe obligations for **Data Fiduciaries** regarding consent, notice, grievance redressal, and data security safeguards.
- Provide for establishment and functioning of the **Data Protection Board of India**.
- Mandate safeguards for processing of **children's data** and sensitive personal information.
- Provide an **18-month phased compliance period** for organisations to align systems and adopt responsible data practices.

Key Initiatives digital Data protection

- **K.S. Puttaswamy v. Union of India (2017)**: The Supreme Court recognised the **Right to Privacy** as a **Fundamental Right under Article 21**, laying the foundation for a statutory data protection regime.
- **Justice B.N. Srikrishna Committee (2017)**: Constituted to examine issues relating to data protection and recommend a comprehensive legal framework; led to drafting of data protection legislation.
- **Digital Information Security in Healthcare Act (DISHA)**: Proposed framework aimed at protection and confidentiality of **electronic health data**.
- **Computer Emergency Response Team - India (CERT-In)**: Issued **Cyber Security Directions (April 2022)** mandating:
 - Reporting of certain cyber incidents within **6 hours**.
 - Maintenance of **ICT system logs** for a specified duration.

Digital Personal Data Protection (DPDP) Act, 2023

- Enacted to regulate **processing of digital personal data**, balancing privacy rights and lawful data use
- Applies to **digital personal data processed in India** and outside India if offering goods/services in India
- Does **not apply** to personal/domestic use or publicly available data

7 Core Principles

- Consent & Transparency
- Purpose Limitation
- Data Minimisation
- Accuracy
- Storage Limitation
- Security Safeguards
- Accountability

Key Definitions

- **Data Principal** – Individual to whom data relates
- **Data Fiduciary** – Entity (company/government) determining purpose and means of processing
- **Consent Manager** – Registered entity enabling consent management, under **Data Protection Board of India**

Consent & Exemptions

- Processing requires **free, informed, specific consent**
- Consent not required for **legitimate uses** such as government benefits, medical emergencies

1.5 Digital Constitutionalism

Context

- The controversy over the proposed mandatory pre-installation of the **Sanchar Saathi** app revived debates on **digital constitutionalism**, particularly regarding consent, privacy, surveillance, and state overreach.

About Digital Constitutionalism

- **Digital constitutionalism** refers to the application of **constitutional principles and Fundamental Rights** to governance and regulation in the digital space.
- It ensures that state action involving digital platforms complies with **Article 14 (equality)**, **Article 19 (freedom of speech)**, and **Article 21 (right to life and privacy)**.
- Emphasises safeguards such as **proportionality, transparency, accountability, and consent-based data processing**.
- Seeks to prevent **arbitrary surveillance and excessive state control** in cyberspace.

Sanchar Saathi App

- Launched in **January 2025** by the **Department of Telecommunications** as a citizen-centric mobile security platform
- Enables users to **track, block and trace lost/stolen phones** using IMEI services and verify mobile connections issued in their name
- Includes **Chakshu feature** to report fraud calls, SMS, WhatsApp scams, digital arrest scams and international spoofed (+91) calls
- Verifies authenticity of **mobile handsets** to prevent circulation of counterfeit devices
- Since launch, has **blocked 42+ lakh devices**, traced 26 lakh phones and facilitated return of 7.23 lakh devices
- Operates on **voluntary user consent**, aligned with **Information Technology Act, 2000** and **Digital Personal Data Protection Act, 2023**, collecting minimal data

CEIR (Central Equipment Identity Register)

- Initiative of the **Department of Telecommunications** to combat mobile theft
- Allows users to **block lost/stolen mobile phones using IMEI number**
- Prevents blocked devices from working across **all telecom networks in India**
- Facilitates **tracking and recovery** of stolen devices

Chakshu Feature (under Sanchar Saathi)

- Citizen reporting module to flag **fraud calls, SMS, WhatsApp scams and digital arrest scams**
- Enables reporting of **international spoofed calls masked as Indian (+91) numbers**
- Supports proactive action against **telecom-related cyber fraud**

1.6 Right to Die with Dignity

Context: -

- Karnataka implemented SC's ruling on passive euthanasia, becoming the **second State after Kerala to do so**.

Passive Euthanasia: -

- Withholding or withdrawing life-sustaining treatment to allow a terminally ill patient to die naturally.
- **International Practices:** Netherlands, Belgium and Canada allow euthanasia under strict conditions.
- **Legal in India as per SC rulings in 2018 & 2023, under strict medical and legal conditions.**
- Ministry of Health and Family Welfare issued draft guidelines titled "Guidelines for Withdrawal of Life Support in Terminally Ill Patients."
- **Goa (June 2024) became the first state to register a living will.**
- A living will is a legal document specifying an individual's preferences for medical treatment if they become incapacitated. It must be signed by the individual in the presence of two witnesses and countersigned by a **Judicial Magistrate of First Class (JMFC)**.

SC's Directives on Passive Euthanasia: -

- **Aruna Shanbaug Case, 2011:** Allowed passive euthanasia for Aruna Shanbaug, a nurse who remained in a vegetative state for decades after a brutal assault. The SC made a distinction between active and passive euthanasia, permitting the latter under specific conditions.
- **Legal Recognition (2018 & 2023): Right to die with dignity under Article 21** of the Constitution, allowing the withdrawal of life support in terminal cases contingent upon presence of a 'living will.'
- **Conditions:** Allowed for terminally ill, vegetative state, or prolonged suffering.
- **Advance Directive (Living Will):** Any adult can predefine treatment choices, with two representatives.
- **Simplified Process (2023):** Streamlined withdrawal of life support with legal-medical guidelines.

Approval Process for Life Support Withdrawal: -

- **Medical Boards:** Primary and Secondary Medical Boards (each with three senior doctors) must be set up.
- **District Health Officer:** Must be involved in evaluating the case.
- **Judicial Oversight:** Final decision requires approval of JMFC and submission to High Court Registrar.

1.7 50th Anniversary of Sikkim's Statehood (2025)

- Sikkim became the **22nd State of India** on **16 May 1975**
- Integration followed a **referendum (1975)** abolishing the Chogyal monarchy
- Enabled by the **36th Constitutional Amendment Act, 1975**
- Inserted **Article 371F** providing special provisions for Sikkim
- 2025 marks **50 years of statehood (Golden Jubilee)**

1.8 50 Years of National Emergency (1975-77)

Context

- The year **2025** marks **50 years** since the proclamation of the **National Emergency** on **25 June 1975**, which continued until **21 March 1977**.

About National Emergency (1975-77)

- Proclaimed under **Article 352** on the ground of **internal disturbance**.
- Declared by the **President** on advice of the **Council of Ministers** headed by Prime Minister **Indira Gandhi**.
- Resulted in suspension of **Fundamental Rights**, press censorship, and extension of the **Lok Sabha's tenure**.
- Marked by concentration of executive power and curtailment of judicial review.

Major Constitutional Amendments during Emergency

- **38th Constitutional Amendment Act, 1975** made the proclamation of Emergency non-justiciable.
- **39th Constitutional Amendment Act, 1975** placed disputes relating to election of the Prime Minister beyond judicial scrutiny.
- **42nd Constitutional Amendment Act, 1976** expanded Parliament's powers, curtailed judicial review, and added **Fundamental Duties**.

Emergency Provisions in the Constitution of India

- Contained in **Part XVIII (Articles 352-360)**.
- Three types of Emergencies:
 - **National Emergency (Article 352)**
 - **President's Rule (Article 356)**
 - **Financial Emergency (Article 360)**
- National Emergency can be declared on grounds of **war, external aggression, or armed rebellion**.
- Requires **Parliamentary approval within one month**.
- After the **44th Constitutional Amendment Act, 1978**, **Articles 20 and 21 cannot be suspended** during Emergency.

1.9 Rules for OCI Card Tightened

Context

- The **Ministry of Home Affairs** issued a notification under **Section 7D of the Citizenship Act, 1955**, tightening provisions related to cancellation of **OCI registration**.

Overseas Citizen of India (OCI) Card

- Introduced through the **Citizenship (Amendment) Act, 2005**.
- Provides **multiple-entry, lifelong visa** for visiting India.
- Grants parity with **Non-Resident Indians (NRIs)** in economic, financial, and educational fields, except certain rights.
- OCI is **not dual citizenship** and does not confer political rights.

Eligibility for OCI Registration

- Foreign nationals who were **citizens of India on or after 26 January 1950**.
- Persons eligible to become citizens on **26 January 1950**.
- Persons belonging to territories that became part of India after **15 August 1947**.
- Children, grandchildren, and great-grandchildren of such persons.
- Minor children with one or both parents as Indian citizens.
- Spouse of an Indian citizen or OCI cardholder, if marriage is registered and subsisting for at least **two years**.
- Citizens of **Pakistan, Bangladesh, and other notified countries** are not eligible.

Grounds for Cancellation (Section 7D)

- If the OCI cardholder is sentenced to **two years or more of imprisonment**.
- If a **charge sheet** is filed for an offence punishable with **seven years or more of imprisonment**.
- If registration was obtained by **fraud or concealment of facts**.
- If actions are prejudicial to the **sovereignty and integrity of India**.

1.10 Indian and French Political Systems

Context

- The **French Parliament** recently voted to remove the government along with the Prime Minister, highlighting features of France's **semi-presidential system** and inviting comparison with India's political system.

Comparison between Indian and French Political Systems

Aspect	India	France
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Constitutional Model	Parliamentary Republic with a single executive led by the Prime Minister ; President largely ceremonial	Semi-presidential system with dual executive: President + Prime Minister
Election of President	Indirect election by an Electoral College using proportional representation (single transferable vote) and secret ballot	Direct election by universal adult suffrage
Appointment of Prime Minister	Appointed by the President; must enjoy confidence of the Lok Sabha	Appointed by the President; must retain confidence of the National Assembly
Removal of Government	Government falls if it loses majority in Lok Sabha	Government can be removed by National Assembly through vote of no confidence
Federal Design	Quasi-federal ; division of powers between Union and States	Unitary state ; centralized authority with administrative decentralisation
Secularism	Positive secularism ; State may intervene for social reform	Laïcité ; strict separation of religion and State
Legislature	Bicameral : Lok Sabha and Rajya Sabha	Bicameral : National Assembly and Senate

1.11 Maternity Leave as Reproductive Right

Context

- In *K. Umadevi v. Government of Tamil Nadu*, the Supreme Court held that denial of maternity leave for a third child violates constitutional protections.

About the Judgment

- Recognised maternity leave as a component of **reproductive rights under Article 21** (Right to Life and Personal Liberty).
- Held that State service rules cannot override the **Maternity Benefit Act, 1961** due to repugnancy under **Article 254**.
- Affirmed that reproductive rights are linked to dignity, health and non-discrimination, consistent with international human rights principles.

Legal Framework Governing Maternity Benefits

- Maternity Benefit Act, 1961** (Amended in 2017):
 - Applies to establishments with **10 or more employees**.
 - Provides **26 weeks' paid leave** (up to two children).
 - Provides **12 weeks' leave** (for more than two children).
 - Covers adoption, commissioning mothers (surrogacy) and miscarriage.
- Employees' State Insurance (ESI) Act, 1948**:
 - Applicable to ESI-covered establishments.
 - Provides maternity benefits funded through employer-employee contributions.

Reproductive Rights

- Recognised as **composite human rights**, including access to contraception, safe abortion, fertility treatment and maternal healthcare.
- Derive from principles of **dignity, autonomy, privacy and equality**.
- Core Components**
 - Right to reproductive self-determination** (choice on whether and when to have children).

- **Right to sexual and reproductive health services, information and education.**
- **Right to equality and non-discrimination** in access to reproductive healthcare.
- **International Framework**
 - **Universal Declaration of Human Rights** – Article 25 affirms right to health, dignity and maternity-related protection.
 - **International Labour Organization** Maternity Protection Conventions (1919; revised 2000) – Provide for paid maternity leave, protection from dismissal and healthcare access for working women.

1.12 Martial Law in India

Context:

- Global debate on emergency powers has renewed focus on the concept of martial law under the Indian Constitution.

Martial Law in Indian Constitution

- Mentioned only in **Article 34** of the Constitution.
- Refers to suspension of ordinary law and administration of justice by military authorities in a specific area.
- Imposed in extraordinary situations like war, rebellion or breakdown of civil order.
- **India has never officially declared Martial Law at the national level** after independence.
- **Key Features:**
 - Not the same as **National Emergency under Article 352**.
 - Does not automatically suspend Fundamental Rights; however, Parliament may indemnify actions taken during martial law under **Article 34**.
 - Territorial and temporary in nature.
 - The Constitution does not define “martial law” or lay down its procedure; it only provides indemnity for actions taken under it.

2.0 Executive, Legislature and System of Government

2.1 Nominations to Union Territory Assemblies

Context

- The Union Home Minister clarified that the **Lieutenant Governor of Jammu & Kashmir** can nominate five Assembly members without the aid and advice of the Council of Ministers.

Constitutional Framework for Nominated Members

- The Constitution provides for nominated members in certain legislatures:
 - **Rajya Sabha: 12 members** nominated by the **President** under **Article 80**.
 - **State Legislative Councils: One-sixth of members** nominated by the **Governor** under **Article 171**.
- The provision for **Anglo-Indian nomination** to the Lok Sabha and State Assemblies was removed by the **104th Constitutional Amendment Act, 2019** (effective 2020).
- In these cases, nomination is generally based on the **aid and advice of the Council of Ministers**.

Nomination in Union Territories with Legislative Assembly

- In certain UTs, nomination is made by the **Lieutenant Governor or Administrator**, not on the aid and advice of the Council of Ministers.
- Nominated members enjoy the **same rights as elected members**, including voting rights in the Assembly.
- **Delhi:** No provision for nominated MLAs; total **70 elected members**.
- **Puducherry:** Up to **3 nominated members** in addition to **30 elected members**.
- **Jammu & Kashmir:** Up to **5 nominated members** in addition to **90 elected members**.

2.2 Election to the Office of the Vice-President of India

Context

- The **Election Commission of India (ECI)** announced the schedule for the **17th Vice-Presidential Election**.

Constitutional Provisions Related to Vice-President

- Office provided under **Article 63** of the Constitution.
- Election conducted under **Article 66**.
- Elected by an **Electoral College** consisting of:
 - Members of **Lok Sabha**
 - Members of **Rajya Sabha**
- Both **elected and nominated members** participate in the election.
- Election held by **proportional representation** using the **single transferable vote**, and voting is by **secret ballot**.
- Does not require assent of State Legislatures, unlike Presidential election.

Key Facts

Jagdeep Dhankhar resigned from the office of Vice President, creating the **third mid-term vacancy** in India's history. Earlier mid-term vacancies occurred after **V. V. Giri** resigned in 1969 and **Krishan Kant** passed away in 2002.

Key Details About Office of Vice President

Qualifications (Article 66(3))

- Must be a **citizen of India**.
- Must have completed **35 years of age**.
- Must be qualified for election as a **member of the Rajya Sabha**.
- Must not hold any **office of profit** under Government of India, State Government, or any local authority.

Term and Vacancy

- Term of office is **five years** from the date of entering office (Article 67).
- Eligible for **re-election**.
- Continues in office until successor enters office.
- Can resign by writing to the **President of India**.
- Ex-officio **Chairman of Rajya Sabha** (Article 64).
- Acts as **President of India** in case of vacancy or inability of the President (Article 65).

Removal

- Removal provided under **Article 67(b)**.
- Removed by a **resolution of Rajya Sabha**, passed by a **majority of all the then members**, and agreed to by the **Lok Sabha**.
- Fourteen days' notice required before moving the resolution.
- The term "impeachment" is not used for removal of Vice-President.

Key Safeguards in Vice-Presidential Election

- No party whip** is applicable; voting is independent.
- Strict adherence to **secrecy of ballot**; violation or use of an **unauthorised pen** renders the vote invalid.
- Bribery or undue influence** can be grounds for challenging the election under the **Presidential and Vice-Presidential Elections Act, 1952**.
- Election disputes are adjudicated by the **Supreme Court** under **Article 71**.

2.3 Whip System

Context: -

- The **Vice President** recently sparked a debate by criticizing the party whip system, stating it curtails MPs' freedom of expression and independence.

History and Origins of the Whip System: -

- The term "whip" comes from the hunting field, where a "whipper-in" kept stray hounds together.
- In politics, first used by Edmund Burke to describe rallying party followers during parliamentary matters.

Whip System in India: -

- The concept of the whip was inherited from colonial British rule.
- It is often used in parliamentary parlance for floor management by political parties.
- A **whip is a written order that a political party issues to its members** for being present for a crucial vote or that they vote only in a particular way.
- A whip is also an essential office-bearer of the party in the Parliament.
- In India, all parties can issue a whip to their members.
- The **office of 'whip' is mentioned neither in the IC, in the Rules of the House, nor in the Parliamentary Statute**. It is **based on the conventions** of the parliamentary government.

- In India, the system has been in place since the early days of Parliament, ensuring party unity & discipline.
- The **All-India Whips Conference, held annually since 1952**, fosters coordination between ruling and opposition whips for efficient parliamentary functioning.

Types of Whips: -

- **One-Line Whip:** Informs members of a vote, allowing them to abstain.
- **Two-Line Whip:** Requires MPs to be present, but does not mandate how to vote.
- **Three-Line Whip:** The **strictest**, instructing members to vote in alignment with the party.

Government's Chief Whip: -

- **In Lok Sabha:** The **Minister of Parliamentary Affairs** acts as the Chief Whip for the ruling party.
- **In Rajya Sabha:** **Minister of State for Parliamentary Affairs** handles this responsibility.

Procedure for Enforcement of the Whip: -

- **Issuance of Directive:** The party issues a whip, specifying attendance and voting directions.
- **Mandatory Compliance:** Members must adhere to the whip to maintain party unity.
- **Expulsion:** Severe breaches may lead to expulsion from the party.
- **Action Against Defiance:** Party leaders may recommend disqualification under the Anti-Defection Law (1985) for violations.

2.4 SC- Review of TN Governor's Powers

Context: -

- SC is hearing Tamil Nadu's petitions on Governor's role in the legislative process, focusing on delays in granting assent to Bills and defining constitutional boundaries of the Governor's powers.

Governor's Role in Lawmaking

- **Constitutional Position**
 - **Apolitical constitutional head;** expected to function as a neutral authority
 - Under **Article 168**, Governor is part of the **State Legislature**
 - As per **Article 163**, acts on **aid and advice of Council of Ministers**, except in discretionary matters
- **Powers under Article 200**
 - May **give assent**, and the Bill becomes law
 - May **withhold assent** or **return (if not Money Bill)** for reconsideration
 - May **reserve the Bill for President's consideration**, especially if it affects High Court powers or conflicts with Union law
 - If re-passed by Legislature, Governor **must give assent**, except where reservation is mandatory
- **Powers under Article 201**
 - When reserved, **President may give or withhold assent**
 - President may also **direct Governor to return the Bill** for reconsideration by State Legislature

2.5 Article 101

Context: -

- MP Amritpal Singh was detained under the National Security Act, and fears losing his seat due to prolonged absence from Parliament.

What is Article 101(4)?

- An MP's seat **may be declared vacant if absent for 60 consecutive sittings without permission**.
- The 60-day period excludes prorogued sessions and adjournments exceeding four consecutive days.
- The House must formally declare the seat vacant; it is not automatic.
- No MP has ever lost a seat under Article 101(4) to date.

Constitutional Provisions & Governing Law: -

- Article 101: Deals with vacation of seats, disqualifications, and dual membership.

- **Rules of Procedure and Conduct of Business in Parliament:** Regulates MP attendance and absence.
- **Committee on Absence of Members from the Sittings of the House:** Reviews leave requests and recommends action.

Procedure for Seeking Leave: -

- MPs must write to the Committee on Members' Absence requesting permission.
- The committee evaluates reasons (illness, detention, emergencies) and submits a report to the House.
- The House votes to approve or reject the request based on the report.

2.6 Panchayat Se Parliament 2.0

Context: -

- Lok Sabha Speaker has inaugurated Panchayat Se Parliament 2.0.

About :

- **Organised by** National Commission for Women and Lok Sabha Secretariat in collaboration with Ministry of Tribal Affairs.
- Aims to empower elected women representatives from Scheduled Tribes from Panchayati Raj institutions and enhance their knowledge of constitutional provisions, parliamentary procedures, and governance to foster effective leadership.

2.7 Free Speech

Context: -

- Comedian Kunal Kamra faces **political backlash over his political satire.**
- This has reignited a broader debate on the role of comedy, political humour and boundaries of free speech in a democratic society.

Criminal Defamation: -

- Defamation: Harming a person's reputation through false/malicious statements (Black's Law Dictionary).
- **Types:** Libel (written defamation) & slander (spoken defamation); both are **criminal offences in India.** A defamatory statement must be made publicly to qualify as an offence under Indian law.
- IPC Section 499 and the 2023 Bharatiya Nyaya Sanhita Act (Section 354(2)) prescribe up to two years of imprisonment, a fine, or community service for defamation.

SC Verdicts on Defamation and Right to Free Speech: -

- **Ramesh Thapar v. State of Madras (1950):** Asserted that freedom of expression is essential for democracy but can be curtailed in cases of public disorder.
- **Subramanian Swamy vs. Union of India (2016):** SC upheld the constitutionality of IPC Sections 499 and 500 (prescribing punishment for Sec. 499). It held that -
 - **Right to reputation is protected under Article 21** of the Constitution.
 - Article 19(1)(a) grants freedom of speech, but Article 19(2) allows restrictions based on sovereignty, security, public order, morality, **contempt of court, defamation, and incitement.**
 - Criminal defamation is a reasonable restriction on the right to freedom of expression.
- **Kaushal Kishore vs Union of India (2017):** The SC ruled that no additional restrictions can be imposed on free speech except those under Article 19(2).
- **Shreya Singhal vs. Union of India (2015):** The SC quashed Section 66A of the IT Act 2000, which had criminalised "offensive messages" sent by means of "a communication device". This was quashed: In view of the ambiguity in the definition of the term "offensive" on the grounds that the provision was violative of Article 19(1)(a); not saved under Article 19(2).

2.8 Cabinet Secretary

Context: -

- Appointments Committee of the Cabinet (ACC) approved the appointment of new Cabinet Secretary with a 2-year tenure.

About: -

- Appointed by the ACC on seniority-cum-merit basis.
- Responsible for administration of Government of India (Allocation of Business) Rules, 1961 and Government of India (Transaction of Business) Rules, 1961.
- Functions: Ensures inter-ministerial coordination, iron out differences among ministries and departments, etc.
- CS is also **the ex-officio Chairman of Civil Services Board (CSB)**.
- CS has **no authority over working departments, as CS is regarded as primus inter pares among secretaries** of Union Government.
- Parliamentary Affairs Committee **chaired by Defence Minister**.

2.9 Private Member's Bill

Context

- A recent **PRS Legislative Research** report noted the declining space for **Private Members' Bills** in both Houses of Parliament.

About

- A **Private Member** is any **Member of Parliament** who is **not a Minister**, including nominated members.
- A Bill introduced by such a member is called a **Private Member's Bill (PMB)**.
- Unlike a **Government Bill**, it is drafted and piloted by an individual MP without executive backing.
- **One month's prior notice** is required before introduction.
- Introduction requires permission of:
 - **Speaker (Lok Sabha)**
 - **Chairman (Rajya Sabha)**
- **Lok Sabha** allocates the last **two-and-a-half hours every Friday** for Private Members' business.
- **Rajya Sabha** allocates **two-and-a-half hours on alternate Fridays**.
- Only **14 Private Members' Bills** have been enacted into law since Independence.
- The **last PMB passed was in 1970**.
- The first PMB enacted was the **Muslim Wakfs Bill, 1952**.
- The **Constitution does not distinguish** between a Government Bill and a Private Member's Bill in legislative procedure after introduction.

2.10 Supreme Court Ruling on Assent to State Bills

Context

- The **Supreme Court** fixed a **three-month timeline** for the President to decide on State Bills reserved under **Article 201**, addressing delays that created constitutional uncertainty.

Key Constitutional Provisions

- **Article 200**: Empowers the **Governor** to:
 - Grant assent
 - Withhold assent
 - Return a non-Money Bill for reconsideration
 - Reserve the Bill for the **President's consideration**
- **Article 201**: When a Bill is reserved, the **President** may:
 - Give assent
 - Withhold assent
 - Return a non-Money Bill for reconsideration
- The Constitution earlier prescribed **no timeline**, leading to delays sometimes termed as a "pocket veto".

Supreme Court Directions

- The President must decide on a reserved Bill within **three months**.
- Withholding assent beyond this period must be supported by **clear and specific reasons**; no **absolute veto** is permissible.
- Governor must act within defined timelines:

- If withholding assent or reserving a Bill while acting on ministerial advice, decision must be taken within **one month**.
- If acting against advice and returning a Bill, it must be done within **three months**.
- Reservation for the President must also occur within **three months**.
- If the Legislature re-passes the Bill, the Governor is constitutionally bound to grant assent within **one month**.
- Courts can issue a **writ of mandamus** in cases of unconstitutional inaction.

President's Powers Over State Bills

- A State Bill becomes law only after assent by the **Governor** or, if reserved, by the **President**.
- The President acts on the **aid and advice of the Union Council of Ministers**.
- When a returned Bill is reconsidered and passed again by the Legislature, it is sent back for presidential assent.
- The Constitution does not explicitly mandate that the President must grant assent after reconsideration.

2.11 Presidential Reference on Assent to State Bills

Context

- A **five-judge Constitution Bench of the Supreme Court** delivered its opinion on a **Presidential Reference** concerning the Governor's assent to State Bills under **Articles 200 and 201**.

Background

- The reference followed an earlier Supreme Court ruling that termed the Governor's prolonged inaction on State Bills as unconstitutional.
- In that ruling, the Court imposed timelines and invoked **Article 142** to grant "deemed assent" to certain re-passed Bills.
- A **Constitution Bench** (minimum five judges) decides substantial questions of law relating to constitutional interpretation under **Article 145(3)**.

Constitution Bench observations

- **On Judicial Review**
 - Decisions of the Governor or President under **Articles 200 and 201** are generally **non-justiciable at the pre-enactment stage**.
 - Courts cannot review the merits of assent or withholding before the Bill becomes law.
 - However, in cases of **prolonged and unexplained inaction**, limited judicial intervention is permissible through a **writ of mandamus** to compel a decision within reasonable time.
- **On Timelines**
 - The Court held that neither the **Governor (Article 200)** nor the **President (Article 201)** is bound by judicially imposed fixed deadlines.
 - The Constitution does not prescribe a timeframe; courts cannot create one without affecting the **separation of powers**.
- **On Deemed Assent**
 - The concept of **automatic or deemed assent** due to delay was rejected as unconstitutional.
 - Such a mechanism would violate the constitutional scheme and the doctrine of separation of powers.

Key Judicial Precedents

- **Shamsher Singh v. State of Punjab (1974)**: Governor normally bound by **aid and advice of Council of Ministers**.
- **Rameshwar Prasad v. Union of India (2006)**: Governor's personal satisfaction subject to constitutional limitations.
- **Nabam Rebia v. Deputy Speaker (2016)**: Limited scope of discretionary powers of Governor.
- **State of Tamil Nadu v. Governor of Tamil Nadu**: Supreme Court invoked **Article 142** to grant deemed assent to re-passed Bills due to inordinate delay.

2.12 Cabinet Committee on Security (CCS)

Context

- The Prime Minister recently convened a meeting of the Cabinet Committee on Security.

About / Key Provisions / Framework

- Highest decision-making body on **National Security, Defence, Strategic Policy, Nuclear Doctrine**, and crisis management.
- Not a constitutional body; an **extra-constitutional** entity.
- Functions under **Government of India (Transaction of Business) Rules, 1961**.
- Legal basis derived from **Article 77** of the Constitution, which empowers the President to frame rules for transaction of government business.
- **Composition:**
 - Chaired by the **Prime Minister**.
 - Permanent members: **Minister of Defence, Minister of Home Affairs, Minister of Finance, Minister of External Affairs**.
 - Invitees: **National Security Advisor (NSA), Cabinet Secretary**, Service Chiefs, Intelligence heads, relevant Secretaries.

Cabinet Committees

- High-level **extra-constitutional** bodies to streamline Cabinet decision-making.
- Formed under **Transaction of Business Rules, 1961**.
- Most committees chaired by the **Prime Minister**.
- Exceptions:
 - **Cabinet Committee on Parliamentary Affairs** chaired by Minister of Parliamentary Affairs.
 - **Cabinet Committee on Accommodation (CCA)** chaired by Minister of Home Affairs.

2.13 Committee on Petitions

Context:

- The role of the Committee on Petitions was highlighted in discussions on parliamentary grievance redressal.

About

- Established in **1924**; oldest parliamentary grievance redressal committee.
- Functions in both **Lok Sabha** and **Rajya Sabha** separately.
- Examines petitions submitted by citizens on pending Bills or matters of public interest connected with Parliament's business.
- Can recommend remedial action to the Government.
- **Composition:**
 - **Lok Sabha:** 15 members.
 - **Rajya Sabha:** 10 members.
 - Members nominated annually by the respective **Presiding Officer**.
- **Tenure:** One year; eligible for re-nomination.
- **Chairperson:** Appointed by the **Speaker (Lok Sabha)** or **Chairman (Rajya Sabha)**.

2.14 Prime Minister's Office (PMO)

Context

- The new PMO complex under the **Central Vista Redevelopment Project** will be named Seva Teerth.

About PMO

- Apex executive office assisting the **Prime Minister** in governance and administration.
- Established in **1947** as Prime Minister's Secretariat; renamed **Prime Minister's Office** in **1977**.
- Not a constitutional body; functions within the executive framework under **Article 74**.
- Politically headed by the **Prime Minister**; administratively led by the **Principal Secretary to the PM**.
- Staffed by civil servants on tenure basis including Secretaries and Joint Secretaries.
- Coordinates with Union Ministries, States and constitutional authorities; handles matters requiring PM's approval.
- PMO is distinct from the **Cabinet Secretariat**, which functions under the Cabinet system and is headed by the Cabinet Secretary.

Prime Minister of India

- Appointed by the President under **Article 75(1)**; generally leader of majority party/coalition in Lok Sabha

- Head of the **Council of Ministers**; real executive authority of the Union
- Council of Ministers collectively responsible to **Lok Sabha (Article 75(3))**
- Allocates portfolios and can recommend appointment or removal of ministers
- Chairs Cabinet meetings and key Cabinet Committees
- Principal adviser to the President; communication channel between President and Council
- Advises President on **summoning, proroguing and dissolution of Lok Sabha**
- Plays decisive role in formulation of **policies, legislation and national governance agenda**
- Represents India in **international forums and foreign policy matters**
- Holds office during pleasure of President but effectively as long as majority support in Lok Sabha continues

UPSC Civil Services Examination – Previous Year Questions (Prelims)

Question 1 (2022)

Consider the following statements:

1. The Constitution of India classifies the ministers into four ranks viz. Cabinet Minister, Minister of State with Independent Charge, Minister of State and Deputy Minister.
2. The total number of ministers in the Union Government, including the Prime Minister, shall not exceed 15 percent of the total number of members in the Lok Sabha.

Which of the statements given above is/are correct?

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

Answer: (b) 2 only

Question 2 (2019)

Consider the following statements:

1. The 44th Amendment to the Constitution of India introduced an Article placing the election of the Prime Minister beyond judicial review.
2. The Supreme Court of India struck down the 99th Amendment to the Constitution of India as being violative of the independence of judiciary.

Which of the statements given above is/are correct?

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

Answer: (b) 2 only

3. Centre – State Relations

3.1 President's Rule in Manipur

Context: -

- President's Rule was imposed in Manipur in February 2025 after CM N. Biren Singh resigned amid ongoing ethnic violence and political instability.

Historical Context: -

- Origin: Derived **from Section 93 of the Government of India Act, 1935**, which empowered the Governor-General and Governors to handle constitutional breakdowns.

President's Rule

- President's Rule, also known as **State Emergency or Constitutional Emergency, is a provision under Article 356 of the Constitution.**
- It allows the central government to take direct control of a state when the state government is unable to function according to constitutional provisions (on receipt of a report from the Governor of a state).
- The President can assume all or any of the functions of the state government.

Important Provisions: -

- President's Rule can be imposed for six months initially. It can be **extended for a maximum of three years with the approval of Parliament every six months.**
- Both Houses of Parliament must approve the imposition of the President's Rule within two months.
- The President can revoke the proclamation at any time. **If the Lok Sabha rejects the continuation** of the President's Rule, it must be revoked.
- The state assembly is suspended or dissolved during the President's Rule.

Judicial Interventions and Commission Recommendations: -

- **S.R. Bommai Case (1994):** The Supreme Court ruled that imposition is subject to judicial review and recommended a floor test for the government majority.
- **88th Amendment (2003):** Inserted a new clause (4) in Article 361, giving immunity to the Governor for the exercise of powers under Article 356.

Note: -

- **Article 365** provides additional grounds for the President to invoke Article 356.
- If a state government fails to comply with or implement directions given by the central government under constitutional provisions, it can lead to the imposition of the President's Rule.

Instances of President's Rule in India: -

- **Total Occurrences:** Imposed 135 times since 1950 across 35 States and Union Territories.
- **Most Affected States:** **Manipur** (11 times, including 2025); Uttar Pradesh (10 times); **Jammu & Kashmir (longest duration – 15 years)**; Punjab (over 10 years due to insurgency); Puducherry (over 7 years).
- **First Imposition:** Punjab (1951) after CM Gopi Chand Bhargava resigned.
- Longest Single Instance in Manipur: 1969–1972 (2 years, 157 days).

UPSC Civil Services Examination – Previous Year Question (Prelims 2018)

If the President of India exercises his power as provided under Article 356 of the Constitution in respect of a particular State, then:

- (a) the Assembly of the State is automatically dissolved.
- (b) the powers of the Legislature of that State shall be exercisable by or under the authority of the Parliament.
- (c) Article 19 is suspended in that State.
- (d) the President can make laws relating to that State.

Answer: (b)

3.2 Samagra Shiksha Scheme**Context: -**

- **Tamil Nadu's central share of Samagra Shiksha funds** has been withheld due to its rejection of National Education Policy (NEP) 2020, highlighting federal tensions in education policy.

Samagra Shiksha Scheme: -

- **Launched in 2018-19, it is a centrally sponsored scheme launched by Ministry of Education** in 2018 to deliver inclusive, equitable & affordable school education **from preschool to class XII**.
- It involves a 60:40 split in funding between the Centre and most States.

It **subsumes** the Schemes of:

- **Sarva Shiksha Abhiyan (SSA)**: Launched in 2001 to provide elementary education to all children aged 6 to 14 years by 2010.
- **Rashtriya Madhyamik Shiksha Abhiyan (RMSA)**: Launched in March 2009 to improve access to and quality of secondary education in public schools.
- **Teacher Education (TE)**: To strengthen teacher education institutions like SCERTs and DIETs to improve the quality of prospective teachers.

National Education Policy 2020: -

Background of National Education Policy (NEP): -

- The National Policy Education (NPE) was first formulated in 1968, based on the recommendations of the Kothari Commission.
- Plan of Action (POA) 1992 focused on early childhood care and universal elementary education.
- The **Committee on New Education Policy (NEP) chaired by Subramanian** was constituted in 2015.
- It submitted its report in 2016.
- The Committee for **Draft National Education Policy chaired by Dr. Kasturirangan submitted** its report in 2019.

National Education Policy (NEP) 2020: -

- The National Education Policy (NEP) 2020 aims to make education more flexible and holistic to unlock each student's unique potential.
- It is aligned with the 2030 Agenda for Sustainable Development.
- Five foundational pillars of NEP 2020 are:
 - Access
 - Equity
 - Quality
 - Affordability
 - Accountability

Objectives: -

- Focus on holistic development.
- Integration of vocational education
- Emphasis on technology-enabled learning
- Promoting multilingualism and the right to choose languages.
- Flexible and multidisciplinary curriculum.

Targets: -

- Universalization of education from Early Childhood Care and Education (ECCE) to Secondary Education by 2030.
- Attaining Foundational Learning and Numeracy Skills through National Mission by 2025.
- 100% gross enrolment ratio (GER) in Pre-School to Secondary Level by 2030.
- **50% gross enrolment ratio (GER) in Higher Education by 2035**.
- Bring back two crore children to the mainstream through the open schooling system.
- Teachers to be prepared for assessment reforms by 2023.
- Inclusive and Equitable Education System by 2030.

Provisions of NEP 2020: -

School Education -

Restructuring School Curriculum: -

- The current 10+2 structure of school education will be **redesigned into a 5-3-3-4 design comprising**:
 - Foundational Stage (5 years; for ages 3 to 8)

- Preparatory Stage (3 years; for ages 8 to 11 or classes three to five)
- Middle Stage (3 years; for ages 11 to 14 or classes six to eight)
- Secondary Stage (4 years; for ages 14 to 18 or classes 9 to 12)

Early Childhood Care and Education (ECCE): -

- It consists of play-based and activity-based learning comprising of alphabets, language, puzzles, painting, and music for children in the early years of their life.
- ECCE for children in the age group of 3-6 will be incorporated in the school structure by following the 5+3+3+4 design of the school curriculum.
- 85% of a child's cumulative brain development occurs prior to the age of six.

Medium of instruction: -

- The **medium of instruction should be in the local language/mother tongue of the child at least till grade five**, and preferably till grade eight.
- The current three-language formula will continue to be implemented.
- At least two of the three languages should be native to India.
- **No language should be imposed on any state.**

The state governments should adopt and implement the study of:

- Hindi, English and a modern Indian language (preferably a southern language) in the Hindi-speaking states.
- **Hindi, English and the regional language in the non-Hindi speaking states.**
- Achieving Foundational Literacy and Numeracy
- Every student should attain foundational literacy and numeracy by grade three.
- To achieve this goal, a **National Mission on Foundational Literacy and Numeracy will be setup under the MHRD.**
- All state governments must prepare implementation plans to achieve these goals by 2025.
- **Foundational literacy and numeracy** mean the ability to read and understand basic text and carry out basic addition and subtraction.

Reforms in School Teaching and Learning: -

- Curriculum load in each subject should be reduced to its essential core content to allow for:
- Critical thinking
- Discussion
- Analysis-based learning.
- Students will have increased flexibility and choice of subjects.

There will be no rigid separations between:

- Arts and sciences
- Curricular and extracurricular activities
- Vocational and academic streams
- **Vocational education will start in schools from the 6th grade and include internships.**

Teacher Training and Management: -

- The existing B.Ed. programme for teacher training will be replaced by a four-year integrated B.Ed. programme.
- A national curriculum framework for teacher education will be **formulated by the National Council for Teacher Education (NCTE)** in consultation with NCERT.

Assessment and Accreditation: -

- A new body called **Performance Assessment, Review, and Analysis of Knowledge for Holistic Development (PARAKH) will be established** for setting educational standards.
- An independent State School Standards Authority should be set up in each state.
- It will prescribe basic uniform standards for public and private schools.
- A self-regulation or accreditation system will be instituted for schools.

Higher Education: -

- Holistic Multidisciplinary Education
- The curricula of all higher education institutions (HEIs) should be made multidisciplinary to integrate humanities and arts with science, technology, engineering, and mathematics.
- The undergraduate degree will be made more flexible with multiple exit options with appropriate certification. For example:
 - Students will receive a certificate after one year.
 - Diploma after two years.
 - Bachelor's degree after three years.
 - Bachelors with research degree after four years.
- **Academic Bank of Credit will be created** to store digital academic credits from various educational institutions.
- A National Research Foundation will be established to promote research culture and capacity in higher education.

Technology in education: -

- The National Educational Technology Forum (NETF) will be formed to promote the exchange of ideas on using technology.
- Promotion of Indian languages

NEP suggests creating:

- Indian Institute of Translation and Interpretation (IITI).
- National Institutes for Pali, Persian, and Prakrit.
- Improving Sanskrit and other language departments in higher education institutions.

3.3 Zonal Councils

Context: -

- Union Home Minister chaired the 27th meeting of the Western Zonal Council in Pune.

Zonal Councils

- Mooted by PM Jawaharlal Nehru in 1956 to address linguistic hostilities and promote cooperation.
- Legal Basis: **Established under States Reorganisation Act, 1956 as statutory** (extra-constitutional) advisory bodies.
- Objective: Foster coordination among states and the Centre for economic, social and political stability.
- Nature: Only deliberative and advisory, recommendations are **not binding**.

Five Zonal Councils: -

Zonal Council	Headquarters	Member States/UTs
Northern	New Delhi	Haryana, Himachal Pradesh, J&K, Punjab, Rajasthan, Delhi, Chandigarh, Ladakh
Central	Allahabad	Uttar Pradesh, Uttarakhand, Chhattisgarh, Madhya Pradesh
Eastern	Kolkata	Bihar, Jharkhand, West Bengal, Odisha
Western	Mumbai	Maharashtra, Gujarat, Goa, Dadra & Nagar Haveli, Daman & Diu
Southern	Chennai	Andhra Pradesh, Telangana, Karnataka, Tamil Nadu, Kerala, Puducherry

Composition: -

- Chairman: **Union Home Minister** (common chairman for all Zonal Councils).
- Vice-Chairman: **Chief Ministers of states in each zone**, serving by rotation for one year.
- Members:
 - Chief Ministers and two ministers from each state in the zone.
 - Administrators of Union Territories in the zone.
 - NITI Aayog representative, Chief Secretaries and Development Commissioners as advisors (with-out voting rights).
- Standing Committees: Chief Secretaries of member states discuss issues and prepare for main meetings.

North Eastern Council: Special Regional Body

- Legal Basis: North Eastern Council Act, 1971 (came into force in 1972).
- **Members:** Assam, Manipur, Mizoram, Arunachal Pradesh, Nagaland, Meghalaya, Tripura and Sikkim (added in 2002).
- **Chairperson:** Union Home Minister.
- **Vice-Chairperson:** Minister for Development of the North Eastern Region (DoNER).
- **Functions:** Same as Zonal Councils; In addition to coordinated regional planning and security review.

3.4 Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA)

Context

- The **Ministry of Panchayati Raj** marked **30 years** of the **Panchayats (Extension to Scheduled Areas) Act, 1996**.

Salient Features of PESA Act, 1996

- Enacted to extend provisions of **Part IX of the Constitution** to **Fifth Schedule Areas**, in line with **Article 243M(4)(b)**.
- Applies to Scheduled Areas in **10 States:** Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Telangana.
- Recognises the right of tribal communities to govern themselves according to **customary laws, social practices, and traditional resource management systems**.
- Empowers **Gram Sabha** as a key decision-making body in Scheduled Areas.
- Provides for proportional reservation of seats for **Scheduled Tribes (STs)** and **Scheduled Castes (SCs)** based on population.
 - Ensures at least **50 percent reservation for STs**.
 - Mandates that all **Chairperson posts at every Panchayat level** in Scheduled Areas be reserved for STs.
- Allows State Governments to **nominate members of unrepresented tribal groups** at intermediate or district level Panchayats.
- Most States with Scheduled Areas have framed **PESA Rules**, with Odisha in the process of finalising them.

Important Facts

Endowed Powers of Gram Sabha	Areas of Mandatory Consultation
State legislatures must ensure that Gram Sabhas and Panchayats at appropriate levels are endowed with the following specific powers: • Regulate or prohibit sale and consumption of intoxicants • Absolute ownership over minor forest produce • Prevent alienation of tribal land and restore unlawfully alienated land • Manage village markets, regulate money-lending to STs, control local development plans and resources	Act mandates that the Gram Sabhas or the Panchayats at appropriate levels must be consulted before undertaking the following activities: • Prior consultation before land acquisition and R&R • Consultation in planning and management of minor water bodies • Before granting prospecting licence or mining lease for minor minerals • Before granting concessions/auctions for exploitation of minor minerals

Fifth Schedule vs Sixth Schedule

Fifth Schedule	Sixth Schedule
Applies to Scheduled Areas in states other than NE	Applies to tribal areas of Assam, Meghalaya, Tripura and Mizoram
Governed under Article 244(1)	Governed under Article 244(2) and 275(1)

Governor has special powers; assisted by Tribes Advisory Council	Autonomous District Councils (ADCs) with legislative and judicial powers
Governor can modify or annul State laws for Scheduled Areas	ADCs can make laws on land, forest, customs, marriage, etc.
PESA Act, 1996 applicable	PESA not applicable
Limited autonomy compared to Sixth Schedule	Greater degree of autonomy and self-governance

3.5 Inner Line Permit (ILP)

Context: -

- State government of Nagaland has approved the implementation of ILP in Chumoukedima, Niuland, and Dimapur districts.

About: -

- It's an official travel document issued by government that **allows Indian citizens to travel into protected areas for a limited period.**
- ILP system aims to regulate movement near India's international borders.
- ILP is officially used to protect tribal cultures in north-eastern India.
- Main Bengal Eastern Frontier Regulations of 1873.
- There are different types of ILPs: One for tourists and others for long-term stays (often for employment purposes).
- States under ILP: **Arunachal Pradesh, Mizoram, Nagaland and Manipur.**
- Not eligible for ILP:** NRIs (Indian who are staying abroad for more than 6 months), PIO Card holders, and OCI holders. They will have to apply for a regular Protected/ Restricted Area Permit.

Protected Area Permit (PAP)/Restricted Area Permit (RAP): -

- Under Foreigners (Protected Areas) Order, 1958, all areas falling between 'Inner line' and International Border of State have been declared as a Protected Area.
- The Inner Line Permit (ILP) is a travel document required by Indian citizens (except permanent residents) to enter and stay in restricted areas of certain states, primarily in the Northeast, for a limited period. The Protected Area Permit (PAP) is a similar travel document, but it's required by foreign nationals (except Bhutanese) to enter and stay in protected areas.

Currently, Protected Areas are located in following States:

- Whole of Arunachal Pradesh, Parts of Himachal Pradesh, Jammu & Kashmir, Rajasthan, Uttarakhand and Whole of Sikkim** (partly in Protected Area and partly in Restricted Area)
- Under Foreigners (Restricted Areas) Order, 1963, areas declared as 'Restricted' Areas include Andaman & Nicobar Islands - Entire Union Territory; Sikkim - Part of the State.
- Every foreigner, except a citizen of Bhutan**, who desires to enter and stay in a Protected or Restricted Area, is required to obtain a special permit from a competent authority.
- A foreigner is not normally allowed to visit a Protected / Restricted Area unless it is established to the satisfaction of Government that there are extraordinary reasons to justify such a visit.

3.6 Sixth Schedule of the Indian Constitution

Context

- Protests in Ladakh have renewed demands for inclusion under the Sixth Schedule of the Constitution.

About Sixth Schedule

- Provided under **Articles 244(2) and 275(1)** of the Constitution.

- Applies to certain tribal areas of **Assam, Meghalaya, Tripura and Mizoram**.
- Provides for **Autonomous District Councils (ADCs)** and **Autonomous Regional Councils** to ensure self-governance for tribal communities.

Key Features:

- ADCs can make laws on land, forest (excluding reserved forests), shifting cultivation, village administration, inheritance, marriage and social customs.
- Can levy and collect certain taxes, fees and tolls.
- Have powers of civil and criminal jurisdiction over specified matters.
- Governor has power to create, modify or dissolve autonomous districts and councils.
- Parliament can amend the Sixth Schedule by simple majority (not special majority).

4.0 The Judiciary

4.1 Ad-Hoc Judges

Context: -

- SC suggested appointing ad-hoc judges in HC to address the backlog of criminal appeals.

About: -

- Ad-Hoc Judges are temporary judicial appointees nominated for specific cases, projects, or limited periods, unlike regular judges appointed through standard procedures.
- Appointed when there is a lack of quorum in the Supreme Court.
- Enjoy the salary, powers, and privileges of Supreme Court judges during tenure.

Tenure of Ad Hoc Judges: -

- Duration: Typically for 2-3 years or as required.
- Renewability: Extended based on judicial needs and case backlogs.

Eligibility Criteria: -

- Experience: Must have served as a judge in the same or another High Court.
- Age: Retired judges physically and mentally fit for duty.
- Expertise: Specialization in specific areas of law may be required.

Appointment: -

- Trigger for Appointment: High case pendency (8-10 years delay) or when over 20% of regular judge positions are vacant (2021 **Lok Prahari guidelines**).
- Appointment of HC Ad-hoc Judges: **Chief Justice of the High Court with the President's consent, Governed by Article 224A of the Indian Constitution.**
- Appointment of SC Ad-hoc Judges: **CJI with President's approval after consulting the concerned High Court Chief Justice, Governed by Article 127.**

Role and Powers: -

- Equal Authority: Same powers, responsibilities, and privileges as permanent judges.
- Division Bench Participation: Often included in benches to expedite specific cases, like criminal appeals.

4.2 Judicial Appointments in India

Context

- Renewed debate on judicial appointments has followed scrutiny over the functioning of the Collegium system and the Supreme Court's **2015 NJAC judgment**.

Constitutional Provisions for Judicial Appointments

- **Article 124**: Supreme Court judges appointed by the **President** after consultation with judges of SC and HCs.

- **Article 217:** High Court judges appointed by the **President** after consultation with the **CJI**, Governor and Chief Justice of the concerned HC.
- **Article 222:** Transfer of HC judges by the President after consultation with the **CJI**.

Collegium System

- System of appointment and transfer of judges evolved through Supreme Court judgments, not mentioned in the Constitution or any statute.
- Originated from the **Second Judges Case (1993)** and clarified in the **Third Judges Case (1998)**.
- **Supreme Court Collegium:**
 - Headed by the **Chief Justice of India (CJI)**.
 - Comprises CJI and **four senior-most SC judges**.
- **High Court Collegium:**
 - Headed by the **Chief Justice of the High Court**.
 - Includes **four senior-most HC judges**.
- **Procedure:**
 - HC Collegium recommends names to the SC Collegium.
 - Recommendations are sent to the Government only after approval by the SC Collegium.
 - Government may seek reconsideration once.
 - If the Collegium reiterates, the **Government of India is bound to appoint**.
 - Executive role includes background inquiry through the **Intelligence Bureau (IB)**.

National Judicial Appointments Commission (NJAC)

- Proposed to replace the **Collegium System**; review earlier suggested by Justice M.N. Venkatachaliah Commission
- Established through the **99th Constitutional Amendment Act, 2014** and NJAC Act, 2014
- Composition: **Chief Justice of India + 2 senior SC judges**, Union Law Minister, and **2 eminent persons**
- Any **two members could veto** a recommendation (negative voting provision)
- Government was bound by NJAC recommendations in judicial appointments
- Struck down by Supreme Court in **Supreme Court Advocates-on-Record Association v. Union of India** as violative of **judicial independence (basic structure doctrine)**

4.3 Removal of Judges in Higher Judiciary

Context

- Members of Parliament moved motions for removal of **Justice Yashwant Varma**, invoking constitutional provisions relating to removal of judges of the Supreme Court and High Courts.

Constitutional Provisions

- **Article 124(4)** provides for removal of a **Supreme Court Judge** on grounds of **proved misbehaviour or incapacity**.
- **Article 124(5)** empowers **Parliament** to regulate the procedure for investigation and proof of such charges.
- The procedure is governed by the **Judges (Inquiry) Act, 1968**.
- **Article 217(1)(b)** states that a **High Court Judge** can be removed by the **President** in the same manner as a Supreme Court Judge.
- **Article 218** extends the applicability of **Article 124(4) and 124(5)** to High Court Judges.
- The Constitution does not use the term **impeachment** for removal of judges.

Procedure for Removal

- A motion must be signed by at least:
 - **100 members of Lok Sabha**, or
 - **50 members of Rajya Sabha**.
- The motion is submitted to the **Speaker (Lok Sabha)** or **Chairman (Rajya Sabha)**.
- If admitted, a **three-member inquiry committee** is constituted consisting of:
 - A **Supreme Court Judge**
 - A **Chief Justice of a High Court**
 - A **distinguished jurist**
- If the committee finds the judge guilty, the originating House must pass the motion by a **special majority**:
 - Majority of the total membership of the House, and
 - Two-thirds of members present and voting.
- The second House must also pass it with the same **special majority**.
- An address is then presented to the **President** in the same session.

- The President issues the removal order.

4.4 In-House Judicial Inquiry Mechanism

Context: -

- **CJI ordered a 3-member in-house inquiry into Justice Yashwant Varma's case**, leading to **his transfer to Allahbad HC**, sparking debates on judicial transparency.

Process of Judicial Transfers in India: -

- **Article 222 empowers the President to transfer High Court judges based on the CJI's recommendation without requiring the judge's consent.**
- **Role of CJI and Collegium:** The CJI initiates the transfer, consulting the Chief Justices of both High Courts involved and relevant SC judges for a judge's transfer, while the Collegium (CJI + 4 senior-most SC judges) decides for a Chief Justice.
- **Considerations for Transfer:** The Collegium evaluates judicial performance, health conditions, and location preferences before finalising the transfer.
- **Executive Approval:** Law Ministry forwards the Collegium's recommendation to the PM, who advises the President for approval.
- **Final Notification:** Department of Justice, Ministry of Law issues an official Gazette notification and informs the Chief Justices and Chief Ministers concerned.

In-House Inquiry

- It is an internal mechanism to examine complaints against sitting High Court or Supreme Court judges for misconduct that **does not meet the threshold of impeachment**.
- **Introduced by SC in 1999**, prompted by C. Ravichandran Iyer v. Justice AM Bhattacharji case (1995) and proposed by a 5-member committee formed in 1997 to recommend procedures for dealing with judicial misconduct.
- The framework was refined in 2014 after a sexual harassment case prompted the establishment of a seven-step inquiry framework.

Process of In-House Inquiry-

	Steps	Description
1.	Complaint Received	A complaint is received by the Chief Justice of India (CJI) or the Chief Justice of the concerned High Court .
2.	Preliminary Scrutiny	The CJI or concerned HC Chief Justice examines the complaint. A preliminary report may be sought.
3.	Formation of Inquiry Committee	• If required, a 3-member committee is formed to investigate the allegations. • Members of the Inquiry Committee: ○ For HC judges: 2 Chief Justices of HC + 1 HC judge. ○ For SC judges: 3 sitting SC judges.
4.	Inquiry Proceedings	The committee follows principles of natural justice and presents findings, allowing the judge to respond.
5.	Report Submission	The committee submits its findings to the CJI for further action.
6.	Possible Outcomes	1. If misconduct is minor, judge may be advised to resign voluntarily. 2. If the misconduct is serious, the CJI may recommend impeachment proceedings. 3. If allegations are baseless, the matter is dropped.
7.	Further Action	If judge refuses to resign, CJI may instruct the HC Chief Justice to withhold judicial work. If necessary, the case is escalated for impeachment.

UPSC Civil Services Examination – Previous Year Question (Prelims 2021)

With reference to the Indian judiciary, consider the following statements:

1. Any retired judge of the Supreme Court of India can be called back to sit and act as a Supreme Court judge by the Chief Justice of India with the prior permission of the President of India.
2. A High Court in India has the power to review its own judgement as the Supreme Court does.

Which of the statements given above is/are correct?

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

Answer: (c) Both 1 and 2

4.5 Mediation Act 2023

Context: -

- President of India granted assent to passed Mediation Act 2023 seeking to promote mediation as a preferred mode of ADR in India.

Key Highlights of Mediation Act 2023:

Specifications	Detail
Defines Mediation	- It includes expression mediation, pre-litigation mediation, online mediation, and community mediation. - Parties attempt to reach an amicable settlement of their dispute with assistance of a third person referred to as a mediator.
Voluntary Pre-litigation Mediation	Parties can attempt to settle civil or commercial disputes by mediation before approaching any court or certain tribunals.
Disputes not fit for mediation	- List includes: - relating to claims against minors or persons of unsound mind, - involving criminal prosecution, - affecting the rights of third parties.
Territorial Jurisdiction	Mediation to take place within territorial jurisdiction of court or tribunal of competent jurisdiction, unless parties agree otherwise or undertake mediation in online mode.
Timeline for conducting Mediation	- Must be completed within 120 days, which may be extended by another 60 days with consent of parties. - A party may withdraw from mediation after two sessions. - Court-annexed mediation must be conducted as per the rules framed by Supreme Court or High Courts.
Establishment of Mediation Council of India (MCI)	Consists of 1 chairperson, 2 full-time members (with experience in mediation or ADR), 1 part-time member (including Law Secretary, and Expenditure Secretary) and 3 ex officio members.
Defines Mediation Service Providers	- As a body or organization recognized by MCI for conducting mediation. - Mediation can be done by Authority, constituted under Legal Services Authorities Act, 1987 also.
Enforceability	- Agreements resulting from mediation will be binding and enforceable in same manner as court judgments. - Verdict can be challenged before a competent court within 90 days. - Mediated settlement can be challenged on grounds of fraud, corruption, impersonation, and disputes not fit for mediation only.

4.6 Bharatiya Nyaya Sanhita 2023

Context: -

- It replaces the Indian Penal Code (IPC), 1860, the principal law on criminal offences in India.

About: -

- The Act provides **clear definitions for acts of terrorism and various offenses**, such as separatism, armed rebellion against the government, and challenging the nation's sovereignty, which were previously scattered across different legal provisions.
- It **abolishes** the outdated and criticized offense of sedition, which was seen as a relic of colonial rule that suppressed free speech and dissent.

- The Act establishes capital punishment as the harshest penalty for mob lynching, a problem that has grown significantly in recent times.
- It suggests a 10-year prison term for engaging in sexual intercourse with women under false promises of marriage, a prevalent form of deception and exploitation.
- Increased threshold for gang rape victim to be classified as a major, from 16 to 18 years of age.
- The Act introduces **community service** as an alternative form of punishment for specific crimes, potentially aiding in the rehabilitation of offenders and easing prison overcrowding.
- The Act imposes a **strict time limit of 180 days** for filing a charge sheet, aiming to expedite the trial process and prevent indefinite delays.

4.7 Bharatiya Nagarik Suraksha Sanhita 2023

Context: -

- It **replaces the Criminal Procedure Code, 1973 (CrPC)**, which provided for the procedure for arrest, prosecution, and bail under various Acts.

About: -

- The Act encourages the utilization of technology for legal proceedings, appeals, and deposition recording, **allowing for video-conferencing during hearings**.
 - It mandates the compulsory video recording of statements from survivors of sexual violence, which can aid in preserving evidence and preventing coercion or manipulation.
- **Detention of undertrials:** First-time offender who have completed one-third of maximum period of imprisonment shall be released on bond.
 - If an accused has spent half of maximum period of imprisonment specified for an offence, he shall be released by Court on bail. This does **not apply to offences punishable by death, life imprisonment, and persons against** whom proceedings are pending in more than one offence.
- The Act stipulates that the **police must provide updates on the status** of a complaint within 90 days, enhancing accountability and transparency.
- Section 41A of the CrPC will be renumbered as Section 35, with the addition of a safeguard stating that arrests cannot be made without prior approval from an officer, at least at the rank of Deputy Superintendent of Police (DSP), particularly for offences punishable by less than 3 years or for individuals above 60 years.
- The Act requires that the **police consult with the victim** before withdrawing a case punishable by seven years or more, ensuring that justice is not compromised or denied.
- It allows for the trial and sentencing of fugitive criminals in absentia by the court, serving as a deterrent to those trying to evade justice.
- The Act empowers magistrates to consider offenses based on electronic records like emails, SMSs, and WhatsApp messages, facilitating evidence collection and verification.
- Mercy petitions in death penalty cases must be submitted to the Governor within 30 days and to the President within 60 days.
 - No legal appeal will be entertained against the President's decision in any court.

4.8 Bharatiya Sakshya Adhiniyam 2023

Context: -

- It **replaces Indian Evidence Act, 1872 (IEA)**, which governed the admissibility of evidence in Indian Courts in all civil and criminal proceedings.

About: -

- The Act **outlines electronic evidence as any data produced** or transmitted by any device or system that can be stored or retrieved through any means.
- It establishes clear criteria for the acceptance of electronic evidence, including factors like authenticity, integrity, and reliability, designed to prevent the misuse or manipulation of digital information.
- The Act introduces **specific rules governing the admissibility of DNA evidence**, including requirements such as consent and maintaining a secure chain of custody, aiming to enhance the accuracy and dependability of biological evidence.

- It acknowledges expert opinions, such as those from medical professionals or handwriting analysts, as valid forms of evidence that can aid in establishing pertinent facts or circumstances in a case.
- **Allowed Oral evidence to be given electronically**. It includes statements made before Courts by witnesses in relation to a fact under inquiry.
- **Joint trials**: trial of multiple persons, where an accused has absconded or has not responded to an arrest warrant, will be treated as a joint trial. A joint trial refers to the trial of more than one person for the same offence.
- The Act introduces the principle of the presumption of innocence as a foundational element of the criminal justice system, signifying that every individual accused of an offense is considered innocent until proven guilty beyond a reasonable doubt.

Issues with Acts: -

- The BSB also introduces **a new standard of proof for conviction from “beyond reasonable doubt” to “clear and convincing evidence”, which is not defined or explained in the bill.**
- The BNSS also creates a new category of offences called “social welfare offences” that can be dealt with by imposing fines or community service, but does not specify which offences fall under this category.

4.9 Public Examination (Prevention of Unfair Means) Rules, 2024

Context: -

- Union Ministry of Personnel, Public Grievances and Pensions have notified the rules under the Public Examinations (Prevention of Unfair Means) Act, 2024 which came into force from June 2024.

Key Highlights of the Rules: -

- Provides for venue-in-charge to take appropriate action, including filing of FIR, if prima-facie case of unfair means or offense in conduct of public examination is reported.
- Provides for a committee to be constituted by public examination authority if there is involvement of Management or Board of Directors of service provider.
- Periodic reporting of all incidents of unfair means or offence in conduct of public examination to public examination authority by regional officer along with details of action taken.

Public Examination (Prevention of Unfair Means) Act, 2024: -

- “Unfair means” includes unauthorized access or leakage of question paper or answer key, assisting a candidate during a public examination, tampering with computer network or resources, conducting fake examination, etc.

Punishments: -

- For person(s) resorting to unfair means: Imprisonment for a term not less than three years but which may extend to five years and with fine up to ten lakh rupees.
- For service provider or any person/ group committing organized crime: Imposition of a fine up to ₹1 crore and proportionate cost of examination shall also be recovered from it
- **All offenses shall be cognizable (Police can arrest without a warrant), non-bailable, and non-compoundable** (Compromise between the victim and accused is not allowed).

4.10 Tribunals

Context

- The **Supreme Court** struck down provisions of the **Tribunal Reforms Act, 2021** relating to appointment, tenure, and service conditions of tribunal members.

Key Highlights of the Judgment

- Held that the **Tribunal Reforms Act, 2021** amounted to a **legislative override** of binding judicial directions on tribunal independence.
- Observed that the Act reintroduced provisions earlier struck down in the **Madras Bar Association cases (MBA IV, 2020 and MBA V, 2021)**.
- Emphasised the principle of **judicial independence** and separation of powers.

Tribunals in India

About

- Constitutional basis under **Article 323A** and **Article 323B** (inserted by 42nd Constitutional Amendment Act, 1976)
- Established to provide **specialised, speedy and technical adjudication** outside traditional courts

Article 323A – Administrative Tribunals

- Parliament empowered to establish tribunals for **public service matters** of Union/States
- Led to creation of **Central Administrative Tribunal** under Administrative Tribunals Act, 1985
- Excludes jurisdiction of all courts except **Supreme Court (Article 136)**

Article 323B – Other Tribunals

- Parliament and State Legislatures can establish tribunals for matters like **taxation, industrial disputes, land reforms, elections, ceiling on urban property, foodstuffs, rent control** etc.
- Broader scope compared to Article 323A

Appeals from Tribunals

- Tribunals in India function either as **substitutes of High Courts** or as **subordinate to High Courts**, depending on the statute
- Where tribunal acts as a **substitute of High Court**, appeal lies directly to the **Supreme Court (Article 136 – Special Leave Petition)**
- Where tribunal is **subordinate**, appeal lies before the **concerned High Court**
- In **Chandan Kumar v. Union of India**, Supreme Court held that appeals against tribunal decisions should be heard by a **Division Bench of the High Court**

Judicial Review

- In **L. Chandra Kumar v. Union of India**, SC held that tribunal decisions are subject to **judicial review by High Courts under Articles 226/227**

Key Features

- Members include **Judicial and Technical Members**
- Not bound by strict CPC procedures; guided by **principles of natural justice**
- Aim to reduce burden on regular judiciary

4.11 Legal Aid in India

Context

- The **Legal Services Authorities Act, 1987**, implemented on **9 November 1995**, completed **30 years**; the day is observed annually as **National Legal Services Day**.

About Legal Aid Framework

- Based on **Article 39A** of the Constitution, which directs the State to ensure **free legal aid** and equal justice.
- Institutionalised through the **Legal Services Authorities Act, 1987**.
- Provides **free and competent legal services** to eligible persons.

Legal Services Authorities Act, 1987

About

- Enacted to operationalise **Article 39A** of the Constitution and ensure free legal aid as part of access to justice. Though passed in 1987, the nationwide framework became functional in **November 1995**.
- The legal aid movement began in the 1950s; in **1980**, the Committee for Implementing Legal Aid Schemes (CILAS) was set up under Justice P.N. Bhagwati.
- The Supreme Court in **Hussainara Khatoon v. State of Bihar** held that free legal aid is implicit in **Articles 14 and 21** (right to equality and fair trial).
- The Act provides statutory backing to **National Legal Services Authority** and establishes a structured legal aid delivery mechanism across the country.

Institutional Structure

- **National Level:** NALSA – Patron-in-Chief: Chief Justice of India.
- **State Level:** State Legal Services Authority (SLSA) – Patron-in-Chief: Chief Justice of the respective High Court.
- **District Level:** District Legal Services Authority (DLSA) – Chairman: District Judge (ex-officio).

Eligibility for Free Legal Services

- Women and children.
- Members of SCs/STs.
- Victims of trafficking, disasters or atrocities.
- Persons with mental illness or disability.
- Industrial workmen and persons in custody.
- Persons below prescribed income limit (₹5 lakh in Supreme Court matters).
- Senior citizens, subject to State Rules.

4.12 Rule 36 of the Bar Council of India (BCI) Rules

Context

- The **Bar Council of India (BCI)** criticised a law firm for alleged solicitation through social media, citing Rule 36.

About Rule 36

- Framed under the **Advocates Act, 1961** by the **Bar Council of India**.
- Prohibits advocates from soliciting work or advertising, directly or indirectly.
- Covers advertisements through circulars, media, touts, personal communications, or unwarranted interviews.
- Objective is to maintain professional ethics and dignity of the legal profession.
- **Permissible Disclosure:**
 - Advocates may publish basic details such as name, address, qualifications, enrolment number and areas of practice.
 - Information on websites is allowed only if it does not amount to solicitation.

Bar Council of India (BCI)

- Statutory body established under the **Advocates Act, 1961**
- Regulates **legal profession and legal education** in India
- Prescribes **standards of professional conduct and etiquette** for advocates
- Recognises universities whose degree qualifies for enrolment as advocate
- Conducts **All India Bar Examination (AIBE)** for enrolment to practise law

4.13 Judicial Practice Mandate Reinstated

Context

- The Supreme Court reinstated the minimum **3 years of legal practice** as eligibility for judicial services examinations.

About the Decision

- Reverses the earlier **2002 Supreme Court stance** that had removed the practice requirement.
- Earlier change was based on recommendations of the **Justice Shetty Commission (2002)**.
- Court cited lack of practical exposure and courtroom experience among fresh recruits.
- Minimum **3 years of practice at the Bar** mandatory for entry into judicial services.
- Practice must be certified by an advocate with at least **10 years of Bar experience**.
- Service as a **law clerk** will count towards the 3-year requirement.
- Selected candidates must undergo **1 year of compulsory judicial training** before presiding in court.

4.14 Contempt of Court in India

Context

- Alleged derogatory remarks against the Chief Justice of India and the Supreme Court have revived debate on what constitutes contempt of court.

About Contempt of Court

- Constitutional basis under **Article 129** (Supreme Court) and **Article 215** (High Courts) as Courts of Record with power to punish for contempt.
- Governed by the **Contempt of Courts Act, 1971**.
- **Types (Section 2):**
 - **Civil Contempt:** Wilful disobedience of court orders, decrees, writs or undertakings.
 - **Criminal Contempt:** Publication or act that scandalises or lowers authority of court, prejudices judicial proceedings, or obstructs administration of justice.
- **Punishment (Section 12):**
 - Simple imprisonment up to **6 months**, or fine up to **₹2,000**, or both.
 - Apology may be accepted if bona fide.
- **Defences:**
 - Fair and reasonable criticism of judicial acts.
 - Truth as defence (added by **2006 Amendment**) if in public interest and bona fide.

Landmark Contempt of Court Cases

- **Ashwini Kumar Ghosh v. Arabinda Bose (1952):** Fair criticism of judgments is not contempt unless it exceeds reasonable limits.
- **Anil Ratan Sarkar v. Hirak Ghosh (2002):** Emphasised cautious and sparing use of contempt power.
- **PUCL v. Union of India (2003):** Freedom of speech under **Article 19(1)(a)** subject to reasonable restriction of contempt under **Article 19(2)**.
- **M.V. Jayarajan v. High Court of Kerala (2015):** Abusive public remarks against court order amount to criminal contempt.
- **Vijay Kurle (2020):** Criticism must not undermine integrity or authority of judiciary.
- **Shanmugam Lakshminarayanan v. High Court of Madras (2025):** Contempt power protects administration of justice, not personal immunity of judges.

4.15 Furlough and Parole

Context: -

- Delhi HC is hearing a case challenging Delhi Prison Rules of 2018 examining whether denying furlough despite good conduct violates the reformatory approach of criminal justice system.

Parole

- Parole refers to a prisoner's timebound release with suspension of sentence for short-term situations like illness or family emergencies, before the end of a sentence, in exchange for good behaviour.
- It is the privilege given to the prisoners to return to society and socialize with families and friends.
- It can last up to one month and can be extended under special circumstances.

Exemptions to Parole: -

- Those convicted of crimes against the state or are a threat to national security.
- People convicted of murder, rape of children, and other crimes, unless the issuing authority decides otherwise.

Furlough

- It is a conditional release for long-term prisoners to prevent monotony and help reintegrate them into society, while the sentence continues, with no uniform legislation.
- Its objective is to break the monotony of jail and allow the inmate to maintain contact with the outside world, based on good conduct.

Furlough vs Parole

- Key Difference: Parole is granted for specific reasons, whereas furlough is for the general well-being of long-term prisoners.
- **Granting Authorities:** Parole is granted by the Divisional Commissioner, while furlough is granted by the Deputy Inspector General of Prisons.

Constitutional and Legal Insights: -

- There are **no specific provisions related to Parole and Furlough in the Prisons Act, 1894 and the Prisoners Act, 1900.**
- **Section 59 of the Prisons Act empowers States to make rules** for the shortening of sentences as rewards for good conduct.
- **Suspension of Sentence:** Power to suspend a sentence is distinct from granting furlough. KM Nanavati (1960) case established that Governor, under Article 161, **does not have the power to suspend a sentence during an ongoing appeal.**

National Legal Trends: -

- **State Practices:** Some states deny furlough during appeal periods, urging convicts to seek relief from the court.
- **Case of National Legal Services Authority:** NALSA highlighted that several states do not provide furlough during appeals, viewing it as a judicial issue.

4.16 Nari Adalats

Context: -

- **Ministry of Women and Child Development has extended an invitation** to states and UTs to set up Nari Adalats.

About: -

- **Initially launched in 2023 on a pilot basis in 50 gram panchayats** each in Assam and Jammu & Kashmir. The program is **now being expanded to other states and UTs.**
- These Adalats will be **exclusively dedicated to women and girls, as a platform for women to voice their problems** and fight for their rights.
- The **Ministry of Women and Child Development would run** the scheme under the Sambal sub-scheme of Mission Shakti.

Functions: -

- It will be **set up at the village level as an alternative dispute resolution forum** for domestic violence, dowry, child custody, property rights and to counter the patriarchal system.
- The scheme **focuses on negotiation, mediation, and reconciliation** to settle **minor disputes.**
- The court will **address individual cases and raise awareness of government schemes** and women's legal rights and entitlements.
- It will **not hold any legal status.** It will **function as a pressure group.**

Composition

- Each Nari Adalat village will **have 7 to 11 members called 'Nyaya Sakhis':**
- **Half of which would be the elected members of the gram panchayat**
- **Half will include teachers, doctors and social workers** – who would be **nominated by the villagers.**

5.0 Local Government

5.1 Panchayat Devolution Index

Context: -

- The **Ministry of Panchayati Raj released "Status of Devolution to Panchayats in States – An Indicative Evidence-Based Ranking"**, also called **Panchayat Devolution Index (PDI) 2024.**

Panchayati Raj in India: -

- Already cover in detail.

Panchayat Devolution Index (PDI): -

- A composite index **evaluating the devolution of powers and resources** to Panchayats across states & UTs.

- **Developed by Indian Institute of Public Administration** to measure the effectiveness of decentralisation as per Article 243G of the Constitution.
- **PDI Assessment Criteria:** Evaluates Panchayats on six dimensions, legal framework, delegated functions, financial autonomy, functionaries, capacity building and accountability.

Key Findings of PDI 2024

Overall Performance Trends

- Improved devolution from 39.9% in 2013-14 to 43.9% in 2021-22.
- Increase in Panchayats from 2.48 lakh in 2013-14 to 2.62 lakh in 2024.

Top and Bottom Performing States

- Top Performing States: Karnataka, Kerala, and Tamil Nadu.
- Lowest Ranked: Dadra & Nagar Haveli, Daman & Diu, Puducherry, and Ladakh.

Representation in Panchayats

- **Women's Representation:** **Most states have 50% reservation**, but seven states, including Haryana, Punjab, and Tripura, fall below this; the national average stands at 46.44% in 2024.
- **SC, ST, and OBC Representation:** National averages SCs (18.03%), STs (16.22%), and OBCs (19.15%).

5.2 Renaming districts by Maharashtra Cabinet

Context: -

- Renaming of Ahmednagar as Ahilyanagar and Velha tehsil as Rajgad.

About: -

- Ahmednagar will be **renamed after Ahilyabai Holkar**, a queen of the Maratha empire.
- Ahmednagar took its name from Ahmad Nizam Shah I who founded the town in 1494.
- Established on the site of a battlefield where he emerged victorious against Bahamani forces.
- **Velha, the first capital of the Maratha Empire under Shivaji**, will be renamed Rajgad.
- This decision follows the renaming of Aurangabad and Osmanabad as Chhatrapati Sambhaji Nagar and Dharashiv, respectively.

Process for Renaming a City: -

- Resolution by any Member of the Legislative Assembly (MLA) and Deliberation in assembly.
- Then, the resolution will be put to vote, and the resolution must be passed by a simple majority.
- The resolution as a proposal is **submitted to the Ministry of Home Affairs**.
- The Ministry considers the proposal and consults with other state agencies.
- The **agencies from whom the approval is required** are the Ministry of Railways, Intelligence Bureau, Department of Posts, Survey of India, and Registrar General of India.
- 'No Objection' certificate by Ministry if proposal is approved by Ministry and other agencies.
- After getting approval from the Ministry, the State Government can issue an official notification in the Gazette and the name of the city stands changed.

6.0 Constitutional & Non-Constitutional Bodies

6.1 Attorney General of India

Context

- The Ministry of Law and Justice has reappointed R. Venkataramani as the Attorney General of India for a two-year term.

About

- Constitutional office under **Article 76** of the Constitution.
- Highest law officer of the Government of India.

- Appointed by the **President**; must be qualified to be appointed as a **Judge of the Supreme Court**.
- Holds office during the pleasure of the President; no fixed tenure mentioned in the Constitution.
- Advises the Union Government on legal matters referred by the President.
- Represents the Government of India before the **Supreme Court** and other courts.
- Has right of audience in all courts in India.
- Can participate in proceedings of Parliament without voting rights under **Article 88**.
- Not a member of the Council of Ministers and not a government servant.
- Cannot appear against the Government of India in cases where the Union is concerned.
- Only the **Attorney General** is a constitutional post; the **Solicitor General** is a statutory/executive appointment.

6.2 100 Years of Union Public Service Commission (UPSC)

Context

- The Union Public Service Commission marked its centenary on 1 October 2025.

About UPSC

- Constitutional body under **Article 315** of the Constitution.
- Origin traces to the **Public Service Commission (1926)** established under the **Government of India Act, 1919** (based on **Lee Commission, 1924** recommendations).
- Became the **Federal Public Service Commission** under the **Government of India Act, 1935**.
- Reconstituted as the **Union Public Service Commission** on **26 January 1950**.
- **Composition and Appointment:**
 - Chairman and members appointed by the **President of India**.
 - Tenure: **6 years** or until **65 years of age**, whichever is earlier.
 - Removal by the President under **Article 317** (misbehaviour requires inquiry by the Supreme Court).
- **Functions (Article 320):**
 - Conducts examinations for All India Services, Central Services and other posts.
 - Advises on recruitment methods, promotions, transfers and disciplinary matters.
 - Presents annual report to the President under **Article 323**, laid before Parliament.

6.3 National Commission for Backward Classes (NCBC)

Context

- The NCBC recommended exclusion of 35 communities from West Bengal's Central List of Other Backward Classes.

About NCBC

- Constitutional body under **Article 338B**, inserted by the **102nd Constitutional Amendment Act, 2018**.
- Earlier a statutory body under the **National Commission for Backward Classes Act, 1993**.
- Mandate relates to socially and educationally backward classes (SEBCs).
- **Functions:**
 - Examines requests for inclusion or exclusion of communities in the **Central List of OBCs**.
 - Advises the Union Government on backward class policy and safeguards.
 - Inquires into complaints regarding deprivation of rights of backward classes.
 - Presents annual reports to the **President**, laid before Parliament.
- **Constitutional Linkages:**
 - **Article 342A:** President notifies Central List of SEBCs; Parliament can amend the list.
 - **105th Constitutional Amendment Act, 2021:** Restored States' power to identify SEBCs for State List purposes.

6.4 Enforcement Directorate (ED)

Context

- The ED reported a 94% conviction rate under cases registered under the **Prevention of Money Laundering Act (PMLA), 2002**.

About Enforcement Directorate

- Multi-disciplinary investigative agency under the **Department of Revenue, Ministry of Finance**.
- Established in **1956** as the "Enforcement Unit"; renamed **Enforcement Directorate** in **1957**.
- Headquarters: **New Delhi**; regional offices in Mumbai, Chennai, Chandigarh, Kolkata and Delhi.
- Headed by the **Director of Enforcement**.
- Mandate includes investigation of money laundering and foreign exchange violations.
- **Laws Enforced by ED**
 - **Prevention of Money Laundering Act, 2002 (PMLA)**.
 - **Foreign Exchange Management Act, 1999 (FEMA)**; exercises quasi-judicial powers for penalties.
 - Handles legacy cases under **Foreign Exchange Regulation Act (FERA), 1973**.
 - **Fugitive Economic Offenders Act, 2018 (FEOA)**.
 - **Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (COFEPOSA)**.
- **Powers of ED**
 - Can summon individuals and record statements admissible as evidence under PMLA.
 - Power to arrest with written grounds based on material evidence.
 - Can provisionally attach property suspected to be "proceeds of crime" for up to **180 days**.
 - Confiscation of property upon conviction under PMLA.

6.5 10 Years of NITI Aayog

Context :

- On 1 January 2025, NITI Aayog completed 10 years since its establishment.

Composition of NITI Aayog:

- **Chairperson:** Prime Minister
- **Vice-Chairperson:** To be **appointed by Prime-Minister (Shri Suman Bery)**
- **Governing Council:** **Prime Minister, Chief Ministers of all states** and Lt. Governors of Union Territories, Ex-Officio Members; Vice Chairperson, NITI Aayog; Full-Time Members, NITI Aayog; and Special Invitees.
- **Regional Council:** To address specific regional issues, Comprising Chief Ministers and Lt. Governors Chaired by Prime Minister or his nominee.
- **Ad hoc Membership:** 2 members in ex-officio capacity from leading Research institutions on rotational basis.
- **Ex-Officio membership:** Maximum four from Union council of ministers to be nominated by Prime minister.
- **Chief Executive Officer:** Appointed by Prime-minister for a fixed tenure, in rank of Secretary to Government of India. (B.V.R. Subrahmanyam)
- **Special Invitees:** Experts, Specialists with domain knowledge nominated by Prime-minister.

About NITI Aayog

- Established in 2015 through a Union Cabinet Resolution
- Replaced the Planning Commission
- Functions as the government's policy think tank
- It is **neither a Constitutional body nor a statutory body**
- **Headquarters:** New Delhi

Major Initiatives, Programmes & Indices by NITI Aayog

- **SDG India Index:** Measures **State/UT-wise progress** on UN Sustainable Development Goals
- **Composite Water Management Index:** Assesses **water governance and management performance** of States
- **Atal Innovation Mission:** Promotes **innovation and entrepreneurship ecosystem**, especially in schools and startups
- **SATH Project (Sustainable Action for Transforming Human Capital):** Supports States in **health and education reforms** through handholding
- **Aspirational District Programme:** Targets **socio-economic transformation of backward districts** using key indicators
- **School Education Quality Index:** Evaluates **States/UTs on learning outcomes, access, equity and governance**
- **District Hospital Index:** Ranks **district hospitals based on infrastructure, services and clinical outcomes**
- **Health Index:** Measures **overall health system performance** of States and UTs
- **Agriculture Marketing and Farmer Friendly Reform Index:** Assesses **extent of agricultural market reforms** by States
- **India Innovation Index:** Ranks States and UTs on **innovation capabilities and ecosystem strength**
- **Women Transforming India Awards:** Recognises **women-led innovations** solving grassroots challenges
- **Good Governance Index:** Evaluates **governance performance of States/UTs** across key sectors

- **Women Entrepreneurship Platform (WEP):** Digital platform to **support women entrepreneurs** with resources and networks
- **Strategy for New India @75:** Policy blueprint outlining **sector-wise reforms to achieve national goals by 2022**
- **Methanol Economy Programme:** Promotes **methanol as alternative clean fuel** to reduce crude oil imports
- **e-AMRIT Portal:** One-stop portal for **electric vehicle awareness, policies, subsidies and adoption**

6.6 1st Foundation Day of Lokpal

Context (PIB):

- India celebrated the 1st Foundation Day of the Lokpal, marking 11 years since its establishment under the Lokpal and Lokayuktas Act, 2013.

About: -

- Lokpal and Lokayuktas Act, 2013: This act established statutory bodies to combat corruption in public offices. Lokpal was constituted on January 16, 2014, as a **two-tier system**, with **Lokpal** at the Union level and **Lokayuktas** at the State level.
- The first Chairperson was appointed in 2019, Justice Pinaki Chandra Ghosh.

Lokpal and Lokayuktas Act, 2013

Structure of Lokpal: -

- The **Chairperson is a former CJI or Supreme Court Judge**, with up to 8 members, equally divided between judicial and underrepresented groups (SC/ST/OBC, minorities, and women).
- **Appointment:** Made **by the President based on** recommendations from a Selection Committee.
- **Term for members:** 5 years or till the age of 70 years.

Lokayukta: -

- Lokayukta are established by every State through a law.
- The structure, eligibility, term, method of appointment etc. of lokayuktas varies from state to state.

Composition of the Lokpal Selection Committee: -

- **Prime Minister as the Chairperson** of the committee
- Speaker of Lok Sabha
- Leader of Opposition (Lok Sabha)
- Chief Justice of India or a Supreme Court Judge nominated by them
- Eminent Jurist recommended by the President of India

Eligibility criteria for Lokpal		
Chairperson	Judicial members	Other members
Sitting or retired Chief Justice of India/Judge of Supreme Court (SC) or an eminent person.	Sitting or retired Judge of the SC/Chief Justice of High Court	Eminent Person: With at least 25 years special knowledge and expertise in the matters relating to anti-corruption policy, public administration, vigilance, finance including insurance and banking, law and management.
Person ineligible to become members:		
Less than 45 years in age	Member of Parliament or State/UT Legislature or any Panchayat/ Municipality	Person removed or dismissed from the service of Union/State
Person convicted of any offence involving moral turpitude	Person holding any office of trust or profit or be affiliated with any political party etc.	

Mandate, Powers and Functions: -

- **Legal Authority:** Investigates corruption allegations against public officials under the Prevention of Corruption Act, 1988.
- **Anti-Corruption Oversight:** Ensures expeditious inquiry and prosecution of corruption cases while promoting accountability in governance.
- **Accountability Mechanism:** Refers complaints against central government servants to the Central Vigilance Commission (CVC) and oversees the accountability of public servants.
- **Autonomy and Independence:** Lokpal functions autonomously, with its inquiry and prosecution wings for investigation and trial.
- **Investigation and Supervisory Role:** Supervises the CBI, authorises search and seizure operations, and prevents the destruction of records during inquiries, thus ensuring fair and unbiased investigations.
- **Civil Court Powers:** The Inquiry Wing of the Lokpal is vested with civil powers of the Court for summoning, requisitioning documents, and examining witnesses.
- **Asset Confiscation:** Confiscates assets and proceeds gained through corruption in special cases.

- **Administrative Actions:** Recommends transfer, suspension, or other actions against public servants linked to corruption allegations.
- **Reporting:** Submits an annual report to the President, tabled in both Houses of Parliament.

Jurisdiction: -

- **Coverage of Officials:** Includes the PM (with specific exceptions), Union Ministers, Members of Parliament, and Groups A, B, C, and D officials.
- **Exceptions for PM:** Lokpal cannot probe allegations against the Prime Minister about international relations, security, atomic energy & space unless a full bench agrees with a 2/3rd majority.
- **Institutional Scope:** Covers chairpersons, members, officers & directors of boards, corporations, societies, trusts/autonomous bodies funded wholly/partially by the govt or established by an Act of Parliament.
- **Foreign Contributions:** Encompasses societies, trusts, or bodies receiving foreign contributions exceeding ₹10 lakh.
- **Provisions for Whistleblowers:** Provides safeguards for whistleblowers under the Whistle Blowers Protection Act, 2014.
- **Complaint Mechanism:** Accepts complaints from any individual in the prescribed form, provided they pertain to offences under the Prevention of Corruption Act, 1988.

6.7 Election Commission of India (ECI)

Context: -

- Election Commission of India (ECI) celebrated 75th Years of its establishment and also **observed 25th January as National Voters Day**.

About: -

- ECI is a permanent Constitutional Body established in on 25th January 1950.
- Since 2011, National Voters' Day has been celebrated on January 25 every year to mark the foundation day of the ECI.
- Part XV of the Constitution entailing **Articles 324 to 329**.
- **Statutory provisions:** The Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) **Act, 2023 regulates** their appointment, service conditions, tenure, etc
- **Composition:** It currently consists of Chief Election Commissioner (CEC) and two Election Commissioners (EC).
- **ECI Administers elections to** the Lok Sabha, Rajya Sabha, State Legislative Assemblies, Offices of the President and Vice President

Chief Election Commissioner and Other Election Commissioners Act, 2023: -

- The 2023 Act replaces the 1991 Act and facilitates more autonomy to the ECI by specifying qualification, reforming appointment process, providing security of tenure, etc.

Specification	Details
Qualifications	For CEC or EC the person must • be holding or have held a post equivalent to Secretary to the Government of India. • possess integrity and experience in managing and conducting elections.
Search Committee	• Composition ◦ Headed by the Minister of Law and Justice. ◦ Includes two members (rank of Secretary or higher). • Functions: Prepares a panel of 5 candidates for selection.
Select Committee	• Composition ◦ Prime Minister (Chairperson). ◦ Leader of Opposition in the House of the People (Member). ◦ Union Cabinet Minister to be nominated by the Prime Minister (Member) • Functions: Recommends the eligible candidates to the President for the appointment of CEC and EC.

Term of Office of CEC and EC	• Tenure: 6 years or until 65 years of age, whichever is earlier ◦ If an EC becomes the CEC, combined tenure cannot exceed 6 years. • Reappointment: Re-appointment is not allowed.
Salary and Benefits of CEC and EC	• Salary is equivalent to that of a Supreme Court Judge.
Resignation and Removal	• Resignation: CEC or EC, can resign by writing to the President. • Removal ◦ CEC: Can be removed like a Supreme Court Judge. ◦ ECs: Require the recommendation of the CEC for removal.
Legal Protection to ECE and EC	Protected from civil or criminal proceedings for acts or words spoken in official capacity.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Consider the following statements: (2017)

1. The Election Commission of India is a five-member body.
2. The Union Ministry of Home Affairs decides the election schedule for the conduct of both general elections and bye-elections.
3. Election Commission resolves the disputes relating to splits/mergers of recognised political parties.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 only
- (c) 2 and 3 only
- (d) 3 only

Ans: (d)

6.8 Delimitation

Context: -

- Tamil Nadu CM has called for an all-party meeting to discuss the delimitation exercise, raising concerns over its impact on federalism and representation.

Delimitation: -

- Delimitation is the process of redrawing parliamentary and assembly constituency boundaries based on population changes.
- **Historical Occurrences:** Conducted in 1952, 1963, 1973, and 2002.

Constitutional Basis:

- Article 81 caps Lok Sabha strength at 550 (530 from states, 20 from UTs) and mandates uniform seat-to-population ratios across states.
- **Article 82 mandates Parliament to enact a Delimitation Act after every Census, and Article 170 provides for the division of state constituencies.**
- **42nd Amendment (1976):** Froze seat allocation till the first Census after 2000 to avoid penalising states with lower population growth.
- **84th Amendment (2002):** Extended the freeze until the first Census after 2026.

Delimitation Commission

- **Composition:** Appointed by the President, it includes a retired Supreme Court judge (Chairperson), the Chief Election Commissioner, and State Election Commissioners.
- **Independence:** Functions without executive influence.

- **Authority:** Its decisions are final, cannot be challenged in court, and are beyond modification by Parliament or State Assemblies.

6.9 Postal Ballot

Context

- The **Election Commission of India (ECI)** notified that the penultimate round of **EVM counting** shall be taken up only after complete counting of **Postal Ballots**.

About Postal Ballot

- A voting facility that enables eligible electors to cast their vote without physically visiting a polling station.
- Ballots are transmitted electronically (where applicable) but voting is completed through a **physical ballot paper**, which is returned by post.
- Governed by the **Representation of the People Act, 1951** and the **Conduct of Election Rules, 1961**.
- Ensures participation of voters who are unable to vote through regular polling due to service, official duty, or special circumstances.
- **Eligible Categories**
 - **Service Voters**, including members of the **Armed Forces**, Central Armed Police Forces, and government employees posted abroad.
 - **Special Voters**, such as the **President, Vice-President, Governors, Union Cabinet Ministers**, and certain high constitutional functionaries along with their spouses.
 - **Absentee Voters**, including senior citizens above **85 years**, persons with **benchmark disabilities**, and COVID-affected or other notified categories.
 - Persons under **preventive detention**.
 - Personnel on **election duty**.

6.10 Chief Electoral Officer (CEO)

Context

- The **Election Commission of India (ECI)** convened a conference of Chief Electoral Officers in New Delhi.

About Chief Electoral Officer

- Statutory functionary designated under **Section 13A of the Representation of the People Act, 1950**.
- Appointed by the **Election Commission of India** in consultation with the concerned State/UT government.
- Functions under the superintendence, direction and control of the **ECI** under **Article 324** of the Constitution.
- CEO is not a constitutional authority like the ECI; it is a statutory office functioning at the State/UT level under ECI's control.

Roles and Responsibilities:

- Supervises preparation and revision of electoral rolls; addresses claims and objections.
- Ensures polling arrangements including EVMs, logistics and coordination for free and fair elections.
- Implements **Model Code of Conduct** and monitors election expenditure.
- Oversees counting process and communicates results to the ECI.

6.11 Electors Photo Identity Card (EPIC)

Context

- EPIC number allotment and duplication safeguards were highlighted in discussions on electoral roll management.

About EPIC

- Introduced in **1993** as a voter identity document.
- Issued under the **Registration of Electors Rules, 1960** framed under the **Representation of the People Act, 1950**.
- Serves as proof of identity for voting but does not confer voting rights unless the name is included in the electoral roll.
- Contains elector's name, age, address, photograph and signature of the Registration Officer.

Allotment of EPIC Number

- Each EPIC carries a unique alphanumeric number (three letters followed by seven digits).
- Includes a **Functional Unique Serial Number (FUSN)** linked to an Assembly constituency.
- Since **2017**, EPICs are generated through **ERONET (Electoral Registration Officer Network)**.

ERONET:

- Centralised digital platform of the **Election Commission of India**.
- Integrates State databases to prevent duplication and maintain accurate electoral rolls.

6.12 None of the Above (NOTA)

Context

- A Public Interest Litigation has sought compulsory inclusion of NOTA in every election.

About NOTA

- Enables voters to formally reject all contesting candidates.
- Introduced in **2013** following Supreme Court directions in **People's Union for Civil Liberties (PUCL) v. Union of India (2013)**.
- Based on protection of voter secrecy under **Article 19(1)(a)** and free expression in elections.
- Incorporated in EVMs by the **Election Commission of India (ECI)**.
- Has no legal consequence; even if NOTA secures highest votes, candidate with next highest valid votes is declared elected.
- NOTA does not trigger re-election and does not invalidate the result.

Rule 49-O vs NOTA

- **Rule 49-O**, under the **Conduct of Elections Rules, 1961**, allowed a voter to record refusal to vote after informing the Presiding Officer.
- Under Rule 49-O, voter's identity was recorded, compromising secrecy.
- NOTA allows rejection through EVM without disclosure of identity.
- Votes under Rule 49-O were treated as abstention and not counted; NOTA votes are counted separately but do not affect outcome.

6.13 One Candidate, Multiple Constituencies (OCMC)

Context

- Debate on electoral reforms, especially in light of the One Nation, One Election proposals, has revived concerns over candidates contesting from multiple constituencies.

About OCMC

- Refers to a candidate contesting elections from more than one constituency in the same election.
- Legally permitted but subject to restrictions under the **Representation of the People Act, 1951 (RPA)**.
- **Statutory Provisions under RPA, 1951:**
 - Before **1996**, no limit on number of constituencies a candidate could contest.
 - After amendment in **1996**, **Section 33(7)** restricts a candidate to contesting from a maximum of **two constituencies** in the same election.
 - If elected from more than one seat, the candidate must vacate all but one within prescribed time.
 - Failure to resign leads to vacation of seats under **Section 70**.
 - Vacant seats must be filled through bye-elections within **6 months** under **Section 151A**.
- **Constitutional Provisions:**
 - **Article 101(1)**: Prohibits simultaneous membership of both Houses of Parliament.
 - **Article 101(2)**: Prohibits simultaneous membership of Parliament and a State Legislature.
 - Provides for vacation of seat in case of dual membership.

UPSC Prelims Question- Prelim - 2022

Q. Consider the following statements:

1. In India, there is no law restricting the candidates from contesting in one Lok Sabha election from three constituencies.
2. In 1991, Lok Sabha Election, Shri Devi Lal contested from three Lok Sabha constituencies.
3. As per the existing rules, if a candidate contests in one Lok Sabha election from many constituencies, his/her party should bear the cost of bye-elections to the constituencies vacated by him/her in the event of him/her winning in all the constituencies.

Which of the statements given above is/are correct?

- (a) 1 only
(b) 2 only
(c) 1 and 3
(d) 2 and 3

Answer: (b) 2 only

6.14 CAG

Context: -

- A PIL challenges executive-controlled CAG appointments, seeking independence amid concerns over financial irregularities and effectiveness.

About: -

- Established under Articles 148-151, appointed by the President, and removed like a Supreme Court judge to ensure independence.
- Expenses charged to the Consolidated Fund of India; **post-retirement ineligibility** for employment in government prevents influence.
- **Examines Union, state, PSU, and public-funded body** accounts through compliance, performance, and financial audits.
- Submits reports to Parliament and state legislatures via the President/Governor for scrutiny.
- **"Watchdog of public purse"**, ensuring financial discipline & accountability.
- **Aids Public Accounts Committee (PAC)** and **Committee on Public Undertakings (CoPU)** in enforcing executive accountability on financial matters.
- **Tenure: - 6 years or 65 whichever is earlier**
- **Executive unilaterally appoints the CAG without a selection panel**, allowing potential political influence.
- **No merit-based selection process**

6.15 State Consent for CBI

Context

- **Supreme Court** held that CBI does **not require State consent** to register a case under a **Central law** like the **Prevention of Corruption Act, 1988** against a Central Government employee posted in a State
- Overturned **Andhra Pradesh High Court** ruling that dismissed cases citing lack of State consent

About State Consent for CBI

- Governed by **Section 6 of the Delhi Special Police Establishment Act, 1946**
- CBI needs **State Government consent** to exercise powers and jurisdiction in that State
- Two types: **General Consent** (blanket approval) and **Specific Consent** (case-wise approval)
- Consent not required in cases **directed by Constitutional Courts (SC/HC)**
- Reflects balance between **federalism and central investigative powers**

6.16 National Commission for Safai Karamcharis

Context (PIB):

- Union **Cabinet approved extension of National Commission for Safai Karamcharis (NCSK)** for three years until 2028 with an estimated expenditure of ₹50.91 crore for the extended tenure.

About NCSK: -

- **Established:** First constituted in 1994 under National Commission for Safai Karamcharis Act, 1993.
- **Objectives:** Improve working conditions of sanitation workers; Facilitate socio-economic upliftment; Aim for zero fatalities in hazardous cleaning.
- **Current Status:** Since the *Act lapsed in 2004, NCSK functions as a non-statutory body, with tenure extensions granted via government resolutions.*
- **Parent Ministry:** Ministry of Social Justice and Empowerment (MoSJE).

Mandate and Functions of NCSK

- **Policy Recommendations:** Suggests programs to eliminate inequalities in status, facilities, and opportunities of Safai Karamcharis.
- **Monitoring & Evaluation:** Assesses implementation of rehabilitation schemes for sanitation workers.
- **Safeguarding Rights:** Investigates complaints and takes suo-motu cognizance of non-implementation of schemes.
- **Health & Safety Oversight:** Monitor working condition, health, wages & safety of sanitation work-ers.
- **Reporting:** To Central & State Govts regarding challenges faced by sanitation workers.
- **Role under the MS Act 2013-** Implementation Monitoring: Ensures compliance with the Act's provisions.

6.17 Quality Council of India (QCI)

Context

- The Minister of State for Commerce and Industry inaugurated the new unified headquarters of the **Quality Council of India** at the World Trade Centre, New Delhi.

About

- Established in **1997** as a **Non-Profit Organization (NPO)**.
- Registered under the **Societies Registration Act, 1860**.
- Set up jointly by the **Government of India** and **Indian industry** to promote a national quality framework.
- Functions under the administrative control of the **Department for Promotion of Industry and Internal Trade (DPIIT)**, Ministry of Commerce and Industry.
- The **Chairman of QCI** is appointed by the **Prime Minister** on the recommendation of industry to the Government.
- Responsible for establishing and operating a **national accreditation structure** in India.
- Operates through constituent boards including:
 - **National Accreditation Board for Certification Bodies (NABCB)**
 - **National Accreditation Board for Testing and Calibration Laboratories (NABL)**
 - **National Accreditation Board for Hospitals and Healthcare Providers (NABH)**
 - **National Accreditation Board for Education and Training (NABET)**
- Promotes adoption of **quality standards**, accreditation, and conformity assessment mechanisms across sectors.

6.18 National Medical Commission (NMC)

Context

- The **National Medical Commission** recently completed **five years** of its establishment.

About National Medical Commission

- Established under the **National Medical Commission Act, 2019**.
- Replaced the **Medical Council of India (MCI)**.
- Functions as the **regulatory body for medical education and medical professionals** in India.
- Aims to improve **accessibility, affordability, and quality** of medical education.
- Ensures transparency in **fee regulation and admissions** in private medical institutions.
- **Composition**
 - Consists of a **Chairperson**, ex-officio members, and part-time members.
 - Members are appointed by the **Central Government**.
- **Functions**
 - Regulates medical institutions and medical qualifications.
 - Maintains a **National Medical Register**.
 - Conducts and regulates **National Eligibility-cum-Entrance Test (NEET)** and **National Exit Test (NExT)**.

- Assesses and rates medical colleges through MARB.

Autonomous Boards under the National Medical Commission (NMC Act, 2019)

- **Medical Assessment and Rating Board (MARB)** – Assesses and accredits medical colleges; grants permission for new colleges, seats and courses; ensures compliance
- **Undergraduate Medical Education Board (UGMEB)** – Frames standards, curriculum and guidelines for **MBBS (UG)** education
- **Postgraduate Medical Education Board (PGMEB)** – Regulates standards, curriculum and guidelines for **PG and super-speciality** medical education
- All function as **autonomous boards under NMC** to regulate medical education separately at different levels

7. Miscellaneous

7.1 National Anthem

Context: -

- Tamil Nadu Governor walked out of the Legislative Assembly **without delivering his opening address** for the year, citing the absence of the National Anthem before his speech.

About the National Anthem: -

- Composed by Rabindranath Tagore in Bengali; **first sung on December 27, 1911**, during the Indian National Congress session in **Kolkata**.
- Officially adopted on January 24, 1950, the Hindi version uses the **first stanza of the original poem**.
- **Duration:** The full version runs 52 seconds when sung or played in its entirety; the shorter version is approximately 20 seconds.

Constitutional and Legal Provisions: -

- **Article 51(A)(a):** Enlists respecting the National Anthem as a fundamental duty for all citizens; Does not mandate specific occasions for playing or singing the anthem.
- **Prevention of Insults to National Honour Act, 1971:** Deliberate insult or disturbance during the National Anthem is punishable by up to 3 years of imprisonment, a fine, or both.

Judicial Interpretations: -

- Madras HC Ruling (2019): Dismissed a petition demanding punishment for non-playing of the anthem, citing **no legal mandate for mandatory singing** or playing at all official functions.
- SC Observations: Playing the National Anthem in cinemas or other settings is encouraged but not mandatory unless specified.

Government Guidelines on Playing the National Anthem: -

- **Ceremonial Events:** Played during civil and military investitures and parades.
- **State Events:** Played during the arrival & departure of the President/Governor at formal state functions.
- **Dignitaries' Presence:** Played during national salutes involving the President, Governor, or dignitaries.
- **Naval Ceremonies:** Played during flag hoisting in naval ceremonies.
- **Flag Hoisting:** Mass singing is required during flag hoisting on Independence Day and Republic Day.

Key Practices in Legislative Assemblies: -

- Tamil Nadu Assembly Protocol: Tamil Thai Vazhthu (State Anthem) is sung at the start of Governor's address; National Anthem is played at the end. This convention began in 1991 under AIADMK rule.
- Parliamentary Practice: The National Anthem is played as the President enters and exits during the joint session of Parliament.
- Variations Across States: Different conventions exist; some states, like Nagaland, only recently began playing the anthem.

7.2 Cooperatives

Context: -

- Union Home Minister and Minister of Cooperation and Prime Minister of India **inaugurated the UN International Year of Cooperatives 2025** (IYC 2025).

About IYC 2025: -

- Proclaimed by:** United Nations General Assembly in June 2024
- Theme:** "Cooperatives Build a Better World"
- The global rise of cooperatives is partially due to the **work of the International Co-operative Alliance** (ICA).
- In November 2024, **India hosted ICA's Global Cooperative Conference for the first time.**
- The Theme was "Cooperatives Build Prosperity For All", aligning with India's "Sahkar Se Samridhhi" vision.

International Cooperative Alliance (ICA)

- ICA is a **global non-profit association representing ~3mn cooperatives** worldwide, aiming to provide an international voice and forum for knowledge, expertise, and advocacy in the cooperative sector.
- Founded in 1895**, making it one of the oldest and largest non-governmental organisations.
- Membership:** 306 organisations from 105 countries.
- Structure: It **operates from Brussels, Belgium**, with four regional offices (Africa, Americas, Asia-Pacific, and Europe) and multiple sectoral organisations.
- Functions as a **Cooperative Identity Guardian:** Defines cooperative values, principles, and best practices for global adherence.

Cooperatives in India: -

- Started with the Cooperative Credit Societies Act, 1904.
- Current Status:** India holds 27% of the world's cooperatives. 20% of Indians are part of cooperatives (global average: 12%).
- Top 3 Cooperative sectors:** **Housing**, Dairy, and Primary Agricultural Credit Society (PACS)
- Leading States (57% of total cooperatives):** **Maharashtra** (constitutes 25% of India's cooperatives), Gujarat, Telangana, Madhya Pradesh, Karnataka.
- Constitutional Status:** 97th Amendment, 2011 granted constitutional status to the Cooperative Societies with following provisions-
 - Fundamental Right:** Added "cooperative societies" in Article 19(1)(c).
 - Directive Principle:** Inserted Article 43B to promote cooperatives.
 - New Part IXB:** Added Articles 243ZH to 243ZT for cooperative governance.
- Governance Structure -**
 - Multi-State Cooperatives: Falls under Entry 44 of Union List of the Constitution. Governed by the Multi-State Cooperative Societies Act, 2002
 - State Cooperatives: Falls under Entry 32 of State List of the Constitution. Governed by respective State Cooperative Societies Acts.

What are Cooperatives banks?

- Cooperatives banks are financial entities set up on a co-operative basis and belonging to their members.
- They are registered under the States Cooperative Societies Act.
- They **come under the RBI regulation** under two laws:
 - Banking Regulations Act, 1949.
 - Banking Laws (Cooperative Societies) Act, 1955
- Co-operative banks may, with prior approval of RBI, issue equity, preference or special shares.
- India currently has a total of around 1,400 urban cooperative banks, **nearly half of which are located in Gujarat and Maharashtra.**

Key Initiatives to Strengthen Cooperatives in India: -

1.National Cooperative Policy 2025

- Released by **Ministry of Cooperation**; replaces National Policy on Cooperatives, 2002
- Aims to modernise, professionalise and digitise the cooperative sector under vision **"Sahakar se Samridhhi"**
- Seeks to strengthen governance, financial viability and sectoral diversification of cooperatives

- Structured around **6 mission pillars**: Strengthening the Foundation; Promoting Vibrancy; Making Cooperatives Future-Ready; Promoting Inclusivity and Deepening Reach; Entering New & Emerging Sectors; Shaping Young Generation for Cooperative Growth

2.National Cooperative Development Corporation: -

- The National Cooperative Development Corporation (NCDC) was **founded as a statutory Corporation under the Ministry of Cooperation by an Act of Parliament in 1963.**
- Its main goals are to design and promote cooperatively based production, processing, marketing, storage, export, and import programs for agricultural goods, livestock, and other products.
- The NCDC has 18 state/regional directorates and is **headquartered in New Delhi.**
- Members of the Corporation:** The Management is vested in a 51-member widely represented General Council to design its policies and programmes, and a 12-member Board of Management to handle day-to-day operations.

3.Ministry of Cooperation (2021):

- Established to boost cooperative development and rural prosperity.

4.MSCS (Amendment) Act and Rules, 2023

- Last year, the Multi-State Cooperative Societies (MSCS) (Amendment) Act & Rules, 2023 were notified.
- Provisions introduced**
 - Reservation of two seats for women and one for SC or ST on the board of MSCS has been introduced.
 - Provision of a Cooperative Election Authority for timely and regular elections has been included.
 - Allows inclusion of directors having experience in banking, management, cooperative management, finance or relevant fields.
 - A quorum of 1/3rd of elected members has been prescribed for board meetings.
 - Meeting must be called on requisition from at least 50 % of board members.
 - New disqualification criteria for directors aim to enhance governance and expedite dues recovery.
 - Compulsory absence of the directors of MSCS from the voting on their personal interest matters.

5.National Urban Cooperative Finance and Development Corporation Limited

- The NUCFDC has **received Certificate of Registration (CoR) from the RBI to operate as a Non-Banking Finance Company (NBFC)** and serve as the umbrella organisation for the urban cooperative banking sector.
- In addition to this, it will be allowed to operate as a Self-Regulatory Organisation (SRO) for the sector.
- The NUCFDC aims to raise capital, with plans to reach a capital base of Rs.300 crores.
- It intends to utilise this capital to support Urban Cooperative Banks and develop a shared technology platform to improve service offerings and reduce costs.
- Besides offering liquidity and capital support, the umbrella organisation would set up a technology platform that can be shared by all UCBS, enabling them to widen their range of services at a relatively lower cost.
- It can also offer fund management and other consultancy services.
- The umbrella organisation will provide various facilities to small banks, facilitate dialogue between banks and regulators, and work on improving communication.

6.World's Largest Grain Storage Plan in Cooperative Sector

- Ministry:** Ministry of Cooperation.
- Purpose:** Establish **decentralized storage facilities at PACS level,** alongside other agricultural infrastructure, like, warehouses, processing units etc through convergence of existing schemes i.e., Agriculture Infrastructure Fund, Agricultural Marketing Infrastructure Scheme etc.
- Implementing Agencies:** National Cooperative Development Corporation, NABARD, Food Corporation of India, Central Warehousing Corporation, etc.
- Benefits to PACS:** PACS can avail subsidies & interest subvention benefits for construction of agri infrastructure.

7.3 Bharatiya Beej Sahakari Samiti Limited

Context (PIB):

- The **Ministry of Cooperation has launched Bharatiya Beej Sahakari Samiti Limited** (BBSSL) to provide high quality seeds under a single brand, "Bharat Beej".

Key Features of BBSSL: -

- **Established in 2023 under the Multi-State Cooperative Societies (MSCS) Act 2002** to ensure the availability of high-quality seeds to farmers.
- **Nodal agency:** Ministry of Cooperation.
- It aims to enhance crop productivity by supplying traditional and scientifically prepared certified seeds to every farmer. (Traditional seeds are naturally grown in indigenous regions, ideally suited for quality and nutritional excellence in local environments).
- **Promoted by:** Indian Farmers Fertiliser Cooperative (**IFFCO**), KRIBHCO, **NAFED**, **National Dairy Development Board (NDDB)** and **NCDC**.
- Breeder seeds will be sourced from Public Sector Research Organizations and International Research Institutes like ICRISAT and IRRI.

Protection of Plant Varieties and Farmers' Rights (PPV&FR) Act 2001: -

- India ratified the Agreement on Trade Related Aspects of the Intellectual Property Rights (TRIPS).
- PPVFR Act, 2001 has been enacted in India for giving effect to the TRIPS Agreement.
- The PPVFR Act retained the main spirit of TRIPS viz., IPRs as an incentive for technological innovation.
- However, the Act also had **strong provisions to protect farmers' rights**.
- **The Act grants certain rights to:**
 - **Breeders**, such as the ability to produce, sell, and market the protected variety.
 - **Researchers** who can utilise a registered variety for conducting experiments or research.
 - **Farmers** who have developed or evolved a new variety get the same registration and protection opportunities as breeders.
- **It recognised three roles for the farmer: cultivator, breeder and conservator.**
 - As cultivators, farmers were entitled to plant-back rights.
 - As breeders, farmers were held equivalent to plant breeders.
 - As conservers, farmers were entitled to **rewards from a National Gene Fund**.
- World's only IPR legislation that grants intellectual property rights not only to the plant breeders but also to the farmers by protecting new, extant and farmers' varieties.

Rights under the act: -

Rights under the Act	
Breeders' Rights • Breeders have exclusive rights to produce, sell, market, distribute, import, or export the protected variety.	Researchers' Rights • Researchers can use any of the registered varieties under the Act for conducting experiments or research. • Can also use a variety as an initial source of variety for the purpose of developing another variety.
Farmers' Rights • A farmer is entitled to register and protect a new variety. • A farmer can save, use, sow, re-sow, exchange, share or sell his farm produce including seeds of a variety protected under the PPV&FR Act, 2001. ◦ The farmer shall not be entitled to sell branded seed of a variety protected under the PPV&FR Act, 2001. • In the case of non-performance of variety, the farmer shall be compensated.	

Protection period:

- Trees and vines: 18 years.
- For other crops, 15 years.
- For extant varieties: 15 years

Institutions/Authorities:

- **Plant Varieties Protection Appellate Tribunal (PVPAT):** Decisions of the PVPAT can be challenged in the High Court. The Tribunal shall dispose of the appeal within one year.
- **Protection of Plant Varieties and Farmers' Rights Authority (PPV&FR Authority):** Established to implement the provisions of the Act by the Department of Agriculture and Cooperation, Ministry of Agriculture.

- Its function includes Registration of new plant varieties, Facilitating the development and commercialisation of new varieties, etc.

Objectives of the PPVFR Act: -

- Facilitate an effective system for protecting plant varieties and farmers' rights.
- Encourage the development of new varieties of plants.
- Protect the rights of the farmers in respect of their contribution to conserving plant genetic resources.
- Facilitate the growth of the seed industry, which will ensure the availability of high-quality seeds.

Important provisions of PPVFR: -

- The act allows farmers to plant, grow, exchange and **sell patent-protected crops**, including seeds, and **only bars them from selling it as “branded seed”**.
- PepsiCo's FC-5 has been registered as an Extant Variety (the FC-5 was already available in the country before it was registered, and there was “common knowledge” about this variety in the country).
- Registration of extant varieties was allowed in the PPVFR so that farmers' varieties can be registered under this provision.

Criticism of PPVFR Act, 2001: -

- **Discourages research and innovation**: PPVFR Act allows farmers to use patented varieties, and hence private companies are not keen to bring new technology.
- India neither invests in the public sector nor respects private and foreign players' IPR, which is bad for business in the long run.

India's Delima: -

- After joining WTO in 1995, India was to either enact a law or to accept the plant breeders' rights given by the International Union for Protection of New Plant Varieties (UPOV Convention).
- **UPOV option was rejected because the current version of UPOV**, which was adopted in 1991, denies the farmers the freedom to re-use farm-saved seeds and to exchange them with their neighbours

International Union for the Protection of New Varieties of Plants (UPOV)

- UPOV is an **intergovernmental organisation with headquarters in Geneva (Switzerland)**.
- UPOV was established by the International Convention for the Protection of New Varieties of Plants.
- UPOV's mission is to provide an effective system of plant variety protection to encourage the development of new varieties of plants.
- **India is not member of it.**

National Gene Fund

- As per the Protection of Plant Variety and Farmers Rights Act, 2001 Section 45, “National Gene Fund” has been constituted to receive (or give) contributions from Breeder will have to pay royalty which will go to the National Gene Fund
- The amount of the benefit sharing to a variety will have to be deposited by the breeder of such variety to the National Gene Fund.
- If someone gives a claim that the genetic material possessed by him was used in the development of the seed variety by the breeder then the claimant will get benefit sharing from the National Gene Fund.

7.4 Jarawa Tribe

Context: -

- 19 members of the **Jarawa tribe of the Andaman and Nicobar Islands have been officially enrolled in the electoral roll** for the first time in November 2024.

About: -

- The Jarawa tribe is **recognised as a Particularly Vulnerable Tribal Group (PVTG)**.
- The population declined during British colonial rule but stabilised post-independence, with an estimated current population of approximately 400 individuals.

- Jarawas are a **nomadic, hunter-gatherer tribe** relying on wild fruits, roots, honey and fish.
- They live in temporary huts on the western coast of South and Middle Andaman Islands.
- **Language:** The Jarawa language (of the Ongan family of languages) is unique, not mutually intelligible, and **critically endangered as per UNESCO's Atlas of the World's Languages in Danger**.
- The Jarawa tribe remained isolated until the late 20th century.
- Govt follows a policy of **minimal interference and protection of Jarawa culture under the Andaman & Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956 (ANPATR)**.

Particularly Vulnerable Tribal Groups (PVTGs)

- Sub-category of **Scheduled Tribes (STs)** identified for **special protection and support**
- Criteria: **Pre-agricultural technology, low literacy, stagnant or declining population, subsistence-level economy**
- Concept introduced by **Dhebar Commission** (1973 as Primitive Tribal Groups; renamed PVTGs in 2006)
- **75 PVTGs** identified across **18 States and 1 UT (A&N Islands)**
- Covered under **Pradhan Mantri PVTG Development Mission (2023)** for housing, roads, telecom, education and health support

7.5 EmpowHER Biz Initiative

Context (PIB):

- **NITI Aayog's Women Entrepreneurship Platform (WEP) partners with New Shop** to empower women entrepreneurs in retail.

About: -

- EmpowHER Biz launched under WEP's "**Award to Reward (ATR)**" program, **India's largest convenience retail chain, to equip aspiring women entrepreneurs with skills & resources for success in organised retail.**

Women Entrepreneurship Platform (WEP)

- Incubated by NITI Aayog in 2018; **transitioned** to public-private partnership in 2022.
- **Aim:** To overcome Barriers For Women Entrepreneurs by providing Access to Finance, Market Linkages, Training and Skilling, Mentoring & Networking, Compliance & Legal Assistance, and Business Development Services.
- **Collaborations:** Works with 30+ public and private sector partners.
- **ATR Framework:** Since 2023, provides a plug-and-play framework for impactful programs.

7.6 NAKSHA Initiative

Context: -

- The **Union Ministry of Rural Development** **launched the 'National geospatial Knowledge-based land Survey of urban Habitations' (NAKSHA) initiative.**

What is NAKSHA?

- NAKSHA is a **city survey initiative launched as a pilot under existing Digital India Land Records Modernization Programme (DILRMP).**
- It **integrates aerial and field surveys with GIS technology** to improve efficiency and accuracy in land mapping.
- **Aim:** To create and **update land records in urban areas** to ensure accurate and reliable documentation of land ownership. It will be completed in a year.
- **Coverage:** 152 urban local bodies in 26 states.
- **Technical Partner: The Survey of India.** The end-to-end web-GIS platform will be developed by the Madhya Pradesh State Electronic Development Corporation.
- Storage facilities will be provided by the National Informatics Centre Services Inc.
- **Funding:** It is **100% centrally funded**, with an estimated cost of ₹194 crore.

Digital India Land Records Modernization Programme (DILRMP)

- Launched in **2008** as National Land Records Modernization Programme; renamed DILRMP in 2016
- Implemented by **Department of Land Resources, Ministry of Rural Development**
- Aims at **digitisation of land records, cadastral maps and integration of textual & spatial data**
- Seeks to enable **conclusive land titling** and reduce land disputes
- Integrates land records with **registration and revenue offices** through computerisation

Survey of India (SoI)

- It is **the National Survey and Mapping Organization of the country, under the Department of Science and Technology**.
- It is the oldest scientific department of the Govt. of India.
- It **was set up in 1767** (India under British Rule) and has evolved rich traditions over the years.
- In its assigned role as the nation's principal mapping agency, SoI bears a special responsibility to ensure that the country's domain is explored and mapped suitably to provide base maps for expeditious and integrated development.
- It acts as an adviser to the Govt. of India on all survey matters, viz Geodesy, Photogrammetry, Mapping, and Map Reproduction.

7.7 Prime Minister's Internship Scheme

Context: -

- 8,000 candidates have taken up offers in the pilot phase of PM Internship Scheme.

About the Scheme

- Main Goal: To provide 1 crore youth with internships over five years in top 500 companies.
- **Enhancement of Employability:** The scheme is aimed at enhancing youth employability through real-world hands-on job experience & focuses on skill development across multiple sectors.
- Part of Atmanirbhar Bharat: Contributes to India's vision of self-reliance by nurturing skilled work-force.
- **Managed by:** Managed through an **online portal by the Ministry of Corporate Affairs** (MCA).

Eligibility Criteria: -

- Age Limit: **Youth aged 21-24 years** who are not in full-time employment or education.
- Educational Requirements: Candidates must have completed at least high school or hold certificates from ITI/polytechnic institutes, or graduate degrees (e.g., B.A., B.Sc., B.Com).
- **Exclusions:** Candidates from IITs, IIMs, and those holding advanced degrees (MBA, CA) are ineligible.
- Reservation: Scheme follows the same reservation structure as government jobs for SCs, STs, OBCs, and disabled candidates.

Internship Details: -

- Target Internships: Includes sectors like pharma, auto, agriculture, and healthcare.
- Internship Duration: **12-month internships** are offered.
- **Stipend: ₹5,000 per month** (Direct Benefit Transfer (DBT) of ₹4,500 from the government, ₹500 from the company's Corporate Social Responsibility (CSR) fund).
- Support for Incidentals: A one-time ₹6,000 grant to cover incidental expenses.
- Insurance: Interns are covered under PM Jeevan Jyoti Bima Yojana.

7.8 New Passport Rules 2025

Context: -

- Indian govt announced major passport rule changes.

Key Changes

- **Birth Certificate Mandatory:** Individuals born on/after October 1, 2023, must submit a birth certificate as sole proof of date of birth.
- Alternative Proof (For those born before October 1, 2023): School certificate, PAN card, Aadhaar, EPIC, driving license, LIC policy, or government records.
- Colour-coded passports: **Blue for ordinary citizens, white for government officials, red for diplomats.**
- Residential Address Removed: No longer printed on passports; embedded in a barcode for privacy.
- Parents' Names Removed: To protect personal information.

Types of Passports:

Passport Type	Validity	Colour	Issued To
Ordinary (Type P)	10 years for adults, 5 years for minors	Blue	All Indian citizens
Official	Same as an Ordinary passport	White	Government officials
Diplomatic	Five years or less	Maroon	Diplomats, senior government officials, their dependents
Emigration Check Required (ECR)	Same as Ordinary passport	Orange	Indian citizens who haven't completed 10 th -grade education
Emergency Certificate	Short validity	-	Indian citizens abroad in exigencies (Single journey to India when the passport is lost/expired)

Difference Between Passport and Visa:

Feature	Passport	Visa
Issuing Authority	Ministry of External Affairs of India	Embassy or Consulate of the foreign country
Purpose	Proof of Indian citizenship and identity for international travel	Permission to enter a specific foreign country
Validity	10 years	Varies depending on type, country, and purpose
Requirement	Mandatory for all Indian citizens traveling abroad (with exceptions)	Varies depending on the country (visa-free agreements exist)

7.9 Assisted Dying

Context: -

- The death of Daniel Kahneman through assisted suicide in 2024 in Switzerland has reignited global discussions on the ethics of assisted suicide.

Daniel Kahneman's Legacy

- Nobel Laureate revolutionised behavioural economics by integrating psychology into economic theories.

Key Theories:

- Loss Aversion:** People prefer small, guaranteed outcomes over larger risky ones.
- Peak-End Rule:** People evaluate past experiences based on the most intense moment and the end.
- Major Works:** Thinking, Fast and Slow (2011), explaining human biases and flawed decision-making.

Euthanasia Vs. Assisted Suicide: -

- Euthanasia:** A medical professional actively administers a lethal substance to cause a patient's death, usually through injection.
- Assisted Suicide:** A patient self-administers a prescribed lethal drug with medical guidance but without direct intervention.
- Note:** Both differ from withholding/withdrawing life-sustaining treatment in accord with accepted ethical and medical standards or "Do Not Resuscitate" orders, which are already legal in some countries.

7.10 ASHA Workers

Context: -

- Kerala's ASHA workers have been on strike, demanding increased honorariums and retirement benefits, highlighting their crucial role in India's healthcare system.
- India is on track to meet SDGs for health before 2030. Yet, the Union Cabinet approved NHM continuation for 2 more years for improved healthcare.

Accredited Social Health Activists: -

- **Origins:** Based on Chhattisgarh's Mitandin Programme (2002), it was introduced under the National Rural Health Mission (NRHM) in 2005.
- Extended to urban areas in 2013 under the National Urban Health Mission (NUHM).
- **Eligibility:** Typically, women aged 25-45 years from local communities. Preference for married, widowed, or divorced women with at least Class 10 education.
- Operational in all States and Union Territories except Goa.
- **Training:** By Anganwadi Workers (ANWs) and Auxiliary Nurse Midwives (ANMs).

Auxiliary Nurse Midwives (ANMs)

- First-line health workers are based at health sub-centres.
- Designated as multipurpose workers (MPWs) to oversee public health programs.
- Handle maternal health, immunisation and family planning services.

Anganwadi Workers (ANWs)

- Work under the Integrated Child Development Scheme (ICDS).
- Assist in immunisation and family planning initiatives.
- Provide supplementary nutrition, preschool education and maternal health support.

Compensation Structure: -

- ASHAs are considered volunteers, not employees, therefore, they get a Fixed Honorarium of ₹2,000/month (varies by state) plus Performance-based Incentives under National Health Pro-grammes.

Funding Mechanism -

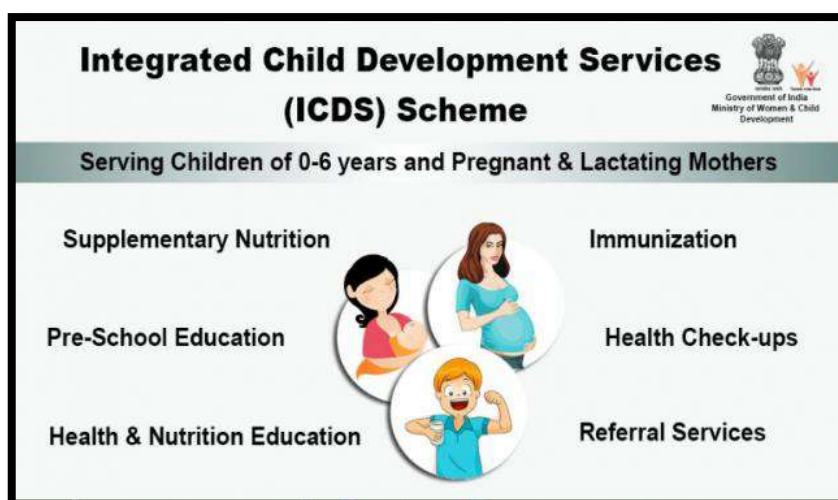
- NHM follows a 60:40 funding ratio between the Centre and States (90:10 for Northeastern and Himalayan States; 100% for UTs without legislature).
- States have autonomy in structuring salaries and incentives within NHM guidelines.

National Health Mission (NHM)

- Launched in 2005 as NRHM; expanded in 2013 to include NUHM.
- Aims to provide universal, affordable, and high-quality healthcare.

Key Components: -

- Health System Strengthening: Infrastructure, workforce, and digital health initiatives.
- **RMNCH+A:** Focuses on Reproductive, Maternal, Neonatal, Child, and Adolescent Health.
- Disease Control Programmes: Tackles communicable & non-communicable diseases.



7.11 Amendments to Waqf Bill, 2024

Context: -

- The Union Cabinet approved 14 amendments to the Waqf (Amendment) Bill, 2024, proposed by the Joint Parliamentary Committee (JPC), addressing key issues in waqf property regulation.

What is a Waqf Property?

- A **Waqf is a donation of personal property by Muslims for religious, charitable, or private purposes, with the ownership believed to belong to God.**
- Waqfs can be either public, serving charitable ends, or private, benefiting the property owner's direct descendants.
- A Waqf can be established through a written document, spoken agreement, or if a property has been used for religious or charitable purposes over time.
- Once a property is declared as Waqf, **its status changes permanently and cannot be reversed.**

How is a Waqf Governed?

- Waqf properties are governed by the Waqf Act of 1995, which replaced the Central Waqf Act of 1954.
- The Act includes provisions for the **constitution and appointment of Waqf Boards, Waqf Councils, and Chief Executive Officers in the states.**
- Central Waqf Council (CWC): A statutory body established in 1964,** oversees and advises state-level Waqf Boards across India.

2013 Amendment to Waqf Act 1995:

- Authority to Waqf Boards to designate a property as Waqf.
- Prescribed imprisonment of up to two years for encroachment on Waqf property
- Explicitly prohibit the sale, gift, exchange, mortgage, or transfer of Waqf property.

Management and Oversight:

- Waqf properties are **managed by a mutawalli** (caretaker) and are overseen by a survey commissioner who maintains a list of all Waqf properties.
- Disputes related to Waqf properties are resolved by a Waqf Tribunal constituted by state govt.

Functions of Waqf Boards

- Waqf Boards act as **custodians of Waqf properties in their respective states.**
- Composition:** It is led by a chairperson and includes state government nominees, Muslim legislators and parliamentarians, Muslim members of the state Bar Council, Islamic scholars, and mutawallis of Waqfs with an income of Rs 1 lakh or more annually.
- Waqf Boards have the authority to recover lost properties and sanction the transfer of immovable Waqf property** (e.g., by sale, gift, or lease). Such transfers require approval from at least two-thirds of the Waqf Board members.

7.12 Zero FIR

- A formal provision (Section 230) has been **introduced to ensure that a copy of the FIR is made available to the accused and the victim free of cost and within fourteen days** from the date of production or appearance of the accused.
- The Bill also permits the filing of a Zero FIR from any part of the country.
- Zero FIR: when a police station receives a complaint regarding an alleged offence committed in the jurisdiction of another police station, it registers an FIR. **Then, it transfers the FIR to the relevant police station for further Investigation within 15 days.**

7.13 Sub-Classification of Schedules Castes

Why in the News?

- The Supreme Court of India in review judgement of Punjab and Haryana High Court, delivered a landmark verdict **allowing states the authority to sub-classify** reserved category groups, such as Scheduled Castes (SCs) and Scheduled Tribes (STs), for the purpose of reservations.

- This **6-1 majority decision overturns the 2004 ruling in E.V. Chinnaiah vs. State of Andhra Pradesh**, fundamentally altering the landscape of reservation policies in India.

Meaning of SC and ST Sub-classification: -

- Sub-classification means dividing the Scheduled Castes and Scheduled Tribes into sub-groups on the basis of their relative backwardness.
- Also providing differential reservation within the overall reservation of 15% for Scheduled Castes and 7.5% for Scheduled Tribes in line with the sub-classification.
- This type of sub-classification is also known as **“quota within quota” or “reservation within reservation”**.
- The idea is to ensure that the benefit of reservation reaches the most deprived and excluded group of Scheduled Castes and Scheduled Tribes.

Key points of the judgment: -

- The Scheduled Castes are not a homogenous group.
- Members of SC/STs are often unable to advance due to systemic discrimination. Hence, **Article 14 allows sub-classification of castes**.
- Governments can sub-classify SCs to give more weightage in the 15% reservation to those who face more discrimination among them.
- The Court noted that sub-classification should be based on empirical data and historical evidence of systemic discrimination, **rather than arbitrary or political reasons**.
- The **Supreme Court has upheld the validity of laws** allowing sub-classification in states like Punjab and Tamil Nadu.
- The **state can develop policies to identify the creamy layer in the SC and ST category and exclude them from the ambit of affirmative action** (reservation).
 - 'creamy layer' principle, previously applied only to Other Backward Classes (OBCs) (**as highlighted in Indra Sawhney Case**)
- Reservation should be **only for the first generation in a category**.
- Sub-classification of SCs **does not violate the special power of the President to identify Scheduled Castes under Article 341**.
- The power of states to sub-classify is **subject to judicial review**.

7.14 World Press Freedom Index (WPFI) 2024

- **India ranked 159 among 180** countries in annual WPFI 2024.
- It is **released by Paris based Reporters Without Borders (RSF)**, one of the world's leading NGOs in defence and promotion of freedom of information.
- It is published on World Press Freedom Day (3 May).
- Theme: **“A Press for the Planet: Journalism in the face of the Environmental Crisis”**.
- Top 3 rankers are Norway, Denmark and Sweden.
- Based on 5 indicators- Political, Economic, Legislative, Social and Security.

7.15 Caste Census

Context

- Centre notified the conduct of Census beginning October 2026 in Ladakh and March 2027 across the rest of India, which will include caste enumeration.

Key Developments

- First time since Independence that caste data beyond Scheduled Castes and Scheduled Tribes will be officially collected in a decennial Census
- Earlier caste data (other than SC/ST) was last collected in 1931
- Several States such as Bihar and Karnataka conducted caste surveys, but these lacked uniformity and statutory backing
- A caste census is constitutionally mandated as part of the Census, unlike State-level caste surveys
- Upcoming Census to use both digital mobile application and traditional pen-and-paper mode

Census in India

About

- Decennial exercise providing comprehensive demographic, social, and economic data
- Conducted every ten years since 1881 without interruption until 2011**
- Census 2021 was postponed due to COVID-19
- Constitutional and Legal Framework**
 - Census is a **Union subject under Entry 69 of the Union List in the Seventh Schedule**
 - Based on **Article 246** of the Constitution
 - Conducted under the **Census Act, 1948**
 - Census Rules, 1990 lay down procedures and responsibilities
- Administrative Authority**
 - Conducted by the **Office of the Registrar General and Census Commissioner of India**
 - Registrar General and Census Commissioner is empowered to design census schedules, including caste-related questions, without amending the Act.

TIMELINE OF CASTE CENSUS IN INDIA

1881 TO
1941
(Pre-Independence)

1931 TO 1941
(Pre-Independence)

Castes were enumerated in every census held during this period in pre-independence India.

1931 &
1941

1931 & 1941

The 1931 census remains the last source of official caste data. While data was collected in 1941, it was never publicized due to the complications of World War II.

1961

1951 (Post-Independence)

The first census of independent India discontinued the general enumeration of castes, making an exception only for SCs (Scheduled Castes) and STs (Scheduled Tribes).

1961

2011

Parallel to the regular 2011 census, a separate Socio-Economic and Caste Census (SECC) was conducted.

2011

2011

Parallel to the regular 2011 census, a separate Socio-Economic and Caste Census (SECC) was conducted. However, its specific caste data has not been made

Office of the Registrar General and Census Commissioner of India (ORGI)

- Established in **1949** under the **Ministry of Home Affairs**
- Headed by the **Registrar General and Census Commissioner of India**
- Responsible for conducting the **decennial Census of India** under the **Census Act, 1948**
- Compiles and publishes **vital statistics** under the **Registration of Births and Deaths Act, 1969**
- Nodal authority for **Civil Registration System (CRS)** and **Sample Registration System (SRS)**

7.16 Rohingyas and Provisions Related to Refugees and Deportation

Context

- The **Supreme Court**, while hearing petitions on deportation and living conditions of **Rohingya refugees**, observed that possession of **UNHCR cards** does not grant a legal right to stay in India.

About

- **Rohingyas** are an ethnic minority group primarily from **Myanmar**.
- India is **not a signatory** to the **1951 Refugee Convention** or its **1967 Protocol**.
- India does not have a dedicated **refugee law**; refugees are governed under general foreigner laws.
- The **Foreigners Act, 1946** empowers the government to regulate entry, presence, and deportation of foreigners.
- The **Passport (Entry into India) Act, 1920** also regulates entry of persons into India.
- The **Central Government** has the authority to detain and deport illegal migrants.

UNHCR (United Nations High Commissioner for Refugees)

- Established in **1950** by the **United Nations General Assembly**
- Mandate to **protect refugees, asylum seekers, stateless persons and internally displaced persons (IDPs)**
- Operates under the **1951 Refugee Convention** and **1967 Protocol**
- Headquartered in **Geneva, Switzerland**
- Awarded the **Nobel Peace Prize twice (1954 & 1981)**
- **India is not a signatory** to the 1951 Refugee Convention or 1967 Protocol; however, **UNHCR operates in India** and India hosts one of the largest refugee populations in the region

7.18 National Standards for Civil Service Training Institutes (NSCSTI)

Context

- The **NSCSTI 2.0 framework** was recently launched by the Minister of State for Personnel, Public Grievances and Pensions.

About NSCSTI

- Developed by the **Capacity Building Commission (CBC)** under **Mission Karmayogi**.
- Aims to create uniform **standards and benchmarks** for **Civil Service Training Institutes (CSTIs)** across India.
- Seeks to establish a baseline of institutional capacities within **Central Training Institutes**.
- Provides a structured framework to improve **governance, management, and training quality**.
- Promotes standardisation of capacity building through clearly defined procedures and evaluation mechanisms.
- **NSCSTI 2.0** introduces **hybrid learning models** integrating digital and physical modes which encourages use of **AI-driven learning tools**.

Capacity Building Commission (CBC)

- Established under **Mission Karmayogi** as an independent body.
 - Functions under the administrative control of the **Department of Personnel and Training (DoPT)**.
 - Responsible for supervising and coordinating **capacity building reforms** across the civil services.
 - Sets standards, evaluates training institutions, and ensures alignment with national reform goals.
- Mission Karmayogi**
- Officially known as the **National Programme for Civil Services Capacity Building (NPCSCB)**.
 - Launched in **2020** to build a **competent, professional, and future-ready civil service**.
 - Focuses on role-based training instead of rule-based functioning.
 - Seeks to improve **public service delivery** and support the vision of **Atmanirbhar Bharat**.
 - Includes the **iGOT Karmayogi digital platform** for continuous online learning of civil servants.

7.19 National Sports Governance Act, 2025

Context

- The **National Sports Governance Bill, 2025** recently received **Presidential assent**, becoming law.

Sports Governance in India

- **Sports** is a subject under **Entry 33 of the State List (Seventh Schedule)**.
- States have primary legislative competence, but the Union plays a role through policy and regulatory frameworks.
- Key existing framework includes:
 - **National Sports Policy, 1984**, revised in **2001**.

- **Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007**, which mandates sharing of sports broadcasting signals of national importance with **Prasar Bharati**.
- The Union Cabinet recently approved the **National Sports Policy, 2025**, replacing the 2001 policy.

Key Regulatory Bodies in India for Sports

- **Ministry of Youth Affairs and Sports** – Nodal ministry for sports policy, funding and national schemes
- **Sports Authority of India** – Implements training programmes and manages sports infrastructure
- **Indian Olympic Association** – Apex body for Olympic movement and affiliation of National Sports Federations
- **National Sports Federations (NSFs)** – Govern specific sports disciplines; recognised by Government of India
- **National Anti-Doping Agency** – Enforces anti-doping rules as per WADA Code

7.20 Visakhapatnam Declaration

Context

- The **Visakhapatnam Declaration** was adopted at the **28th National Conference on e-Governance**, emphasising a whole-of-government approach to build digitally competent and agile civil services.

About

- Envisions **inclusive, citizen-centric, and transparent governance** driven by digital transformation.
- Promotes adoption of emerging technologies such as **Artificial Intelligence, Machine Learning, Blockchain, GIS, IoT, and Data Analytics** for real-time public service delivery.
- Encourages nationwide replication of successful digital governance models like **SAMPADA 2.0, eKhata, and Drone Analytics Monitoring System (DAMS)**.
- Focuses on **grassroots digital inclusion**, especially in regions with connectivity challenges such as the **North-East and Ladakh**, and expansion of digital literacy initiatives.
- Stresses **cybersecurity, zero-trust architecture, and resilient digital infrastructure**, along with initiatives like **National Agri Stack** for sustainable and tech-enabled agriculture.

7.21 Tribal Governance – Tribal Village Vision 2030

Context

- Special **Gram Sabhas** in nearly **1 lakh tribal-dominated villages and tolas** adopted the **Tribal Village Vision 2030 Declaration** under the **Adi Karmayogi Abhiyan**.

Tribal Village Vision 2030 Declaration

- A village-level development roadmap focusing on **education, health, livelihood, social inclusion, financial inclusion, and infrastructure**.
- Emphasises **bottom-up planning** through active participation of **Gram Sabhas**.
- Proposes establishment of **Adi Sewa Kendras** as single-window citizen service centres in every village.
- Introduces the concept of **Adi Sewa Samay**, encouraging villagers to contribute **one hour per week of voluntary service**.
- Aims to strengthen local governance and service delivery in tribal areas.

About Adi Karmayogi Abhiyan

- A national movement to create a **decentralised tribal leadership and governance ecosystem**.
- Implemented by the **Ministry of Tribal Affairs**.
- Covers nearly **11 crore tribal citizens** across **30 States and Union Territories**.
- Recognised as the **world's largest tribal grassroots leadership programme**.
- **Key Objectives**
 - Train and mobilise **20 lakh tribal changemakers** across **1 lakh villages** in tribal-dominated districts.
 - Facilitate preparation of **Village Vision 2030 Plans** and Development Action Plans.

7.22 Regulation of India's Pharmaceutical Sector

Context

- The **World Health Organization (WHO)** expressed concern over gaps in India's drug safety framework after deaths linked to contaminated cough syrups.

Regulation of Pharma Products in India

- The **Drugs and Cosmetics Act, 1940** and the **Drugs and Cosmetics Rules, 1945** govern the **import, manufacture, distribution, and sale** of drugs and cosmetics, ensuring standards of **quality, safety, and efficacy**.
- State Drug Regulatory Authorities** grant manufacturing and sale licences, conduct inspections, and enforce compliance within their jurisdictions.
- The **Central Drugs Standard Control Organisation (CDSCO)**
- The **National Pharmaceutical Pricing Authority (NPPA)**

Central Drugs Standard Control Organisation (CDSCO)

- India's **national drug regulatory authority** under the **Ministry of Health and Family Welfare**
- Headed by the **Drugs Controller General of India (DCGI)**
- Approves **new drugs, clinical trials and vaccines**
- Lays down standards for **quality, safety and efficacy** of drugs and medical devices
- Regulates import and coordinates with State Drug Control Authorities

Scheduled Drugs

- Listed in the **Schedule of the Drugs (Prices Control) Order (DPCO)**
- Mostly correspond to medicines in the **National List of Essential Medicines (NLEM)**
- Prices fixed by National Pharmaceutical Pricing Authority**
- Manufacturers cannot sell above the **ceiling price** notified

Non-Scheduled Drugs

- Not included in the DPCO Schedule / NLEM list
- Prices are **not directly fixed** by NPPA
- Annual price increase capped at **10% (as per DPCO provisions)**
- NPPA monitors to prevent **unreasonable price hikes**

National Pharmaceutical Pricing Authority (NPPA)

- Autonomous body under **Department of Pharmaceuticals, Ministry of Chemicals & Fertilizers**
- Fixes and revises prices of **scheduled drugs** under **Drugs (Prices Control) Order (DPCO)**
- Monitors prices of **non-scheduled drugs** to prevent overcharging
- Ensures availability of **essential medicines at affordable prices**
- Recovers overcharged amounts from manufacturers with interest

7.23 Crime in India Report, 2023

Context

- The **National Crime Records Bureau (NCRB)** released the **Crime in India Report, 2023**.

Key Highlights (Brief)

- Cognizable crimes** registered an overall increase compared to the previous year.
- Cyber crimes** showed a sharp rise, with fraud being the dominant motive.
- Crimes against Scheduled Tribes** increased, linked partly to ethnic disturbances.

Cognizable vs Non-Cognizable Offences

Aspect	Cognizable Offence	Non-Cognizable Offence
Definition	Serious offences where police can act without prior court approval	Less serious offences requiring court permission
Police Power to Arrest	Arrest without warrant permitted	Arrest only with warrant

Police Power to Register FIR	FIR can be registered without court order	FIR requires direction from Magistrate
Examples	Murder, rape, kidnapping, robbery	Defamation, simple hurt, public nuisance
Legal Basis	Defined under Code of Criminal Procedure (CrPC)	Defined under CrPC

National Crime Records Bureau (NCRB)

- Established in **1986** under the **Ministry of Home Affairs**.
- Formed on the recommendation of the **National Police Commission (1977-81)**.
- Functions as a central repository of **crime and criminal data** in India.
- Publishes annual reports such as **Crime in India**, **Accidental Deaths & Suicides in India**, and **Prison Statistics India**.
- Manages databases like the **Crime and Criminal Tracking Network & Systems (CCTNS)**.

Crime and Criminal Tracking Network & Systems (CCTNS)

- Launched in **2009** under the **Ministry of Home Affairs** as a Mission Mode Project
- Aims to create a **nationwide integrated database of crimes and criminals**
- Connects **police stations across India** through a common application software
- Enables **online FIR registration, investigation tracking and data sharing**
- Integrated with **Inter-operable Criminal Justice System (ICJS)** for court, prison, prosecution and forensic linkage

7.24 Prison Reforms in India

Context

- The **National Crime Records Bureau (NCRB)** released the **Prison Statistics India (PSI) 2023** report.

Governance of Prisons in India

- Prisons and persons detained therein** fall under **Entry 4 of the State List (Seventh Schedule)** of the Constitution.
- Administration, management, and regulation of prisons are the responsibility of **State Governments and Union Territory administrations**.
- The Union Government provides guidance through model laws and advisory frameworks.
- The primary legislation governing prisons is the **Prisons Act, 1894**.
- The **Model Prison Manual, 2016** provides guidelines on prison administration, security, rehabilitation, and welfare measures.

Important Facts Related to Prison – Prelim Specific Linkages

Types of Custody (CrPC Linkage)

- Police Custody**
 - Accused kept in custody of police for investigation.
 - Maximum **15 days** in total.
 - Authorized by a **Judicial Magistrate** under CrPC.
- Judicial Custody**
 - Accused lodged in jail under custody of court.
 - Can extend up to **60 or 90 days** depending on offence.
 - After expiry, accused eligible for **default bail**.
- Preventive Detention**
 - Detention without trial to prevent threat to public order.
 - Governed by laws like **National Security Act, 1980**.
 - Constitutional backing under **Article 22**.

7.25 Land Registration System in India

Context

- In **Samiullah v. State of Bihar**, the **Supreme Court of India** called for fundamental reforms in India's land registration and titling framework.

Key Judicial Observations

- Struck down Bihar's rule that made **mutation mandatory for property registration**.
- Clarified that registration under the **Registration Act, 1908** records a **transaction**, not ownership.

Land Registration System in India

- Constitutional Position:**
 - Land** – State List (Entry 18, Schedule VII)
 - Registration of deeds** – Concurrent List (Entry 6, Schedule VII)
- Governed by the **Registration Act, 1908**; implemented by States through Sub-Registrar offices
- India follows the **Deeds Registration System (Presumptive Title System)**
 - Registration records the **transaction, not guaranteed ownership**
 - Title proved through **chain of documents**
 - Torrens (Conclusive Title) System** is NOT followed in India
- Torrens / Title Registration System:** Title is guaranteed here; owner receives conclusive certificate
- Registration mandatory for transfer of immovable property above ₹100
- Digitisation and integration under **Digital India Land Records Modernization Programme**
- Linked with **SVAMITVA Scheme** – provides **property cards to rural households** using drone mapping to support conclusive titling reforms

SVAMITVA Scheme

- Launched in **2020** by the **Ministry of Panchayati Raj**
- Full form: **Survey of Villages and Mapping with Improved Technology in Village Areas**
- Aims to provide **legal property ownership cards (Property Cards)** to rural household owners
- Uses **drone-based GIS mapping** for demarcation of inhabited (abadi) areas
- Enables **monetisation of property, bank loans, reduced disputes and better Gram Panchayat planning**

7.26 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013)

Context

- The Parliamentary Standing Committee on Rural Development and Panchayati Raj released a report reviewing the implementation and effectiveness of the **RFCTLARR Act, 2013**.

About RFCTLARR Act, 2013

- Enacted to ensure **fair compensation, transparency, and rehabilitation** in land acquisition processes.
- Replaced the **Land Acquisition Act, 1894**.
- Seeks to balance developmental needs with protection of **landowners and affected families**.
- Applies to acquisition for **public purpose**, infrastructure, and industrial projects.
- Key Provisions of RFCTLARR Act, 2013**

Provision	Details
Definition of Public Purpose	Clearly defines “public purpose” to prevent arbitrary land acquisition; includes infrastructure, urbanisation, and industrial corridors.

Fair Compensation	Up to four times the market value in rural areas and two times the market value in urban areas.
Consent Requirement	80% consent of affected families for private projects; 70% consent for PPP projects.
Social Impact Assessment (SIA)	Mandatory SIA study before acquisition; consent process conducted alongside SIA.
Rehabilitation and Resettlement (R&R)	Statutory R&R package including housing, livelihood support, employment, and financial assistance .
Return of Unutilised Land	Land must be returned if not used within five years , or transferred to a land bank.
Protection Measures	Safeguards for multi-cropped and agricultural land ; acquisition only as a last resort; additional protections in Scheduled Areas .
Institutional Mechanism	Establishment of National and State Monitoring Committees ; creation of Land Acquisition, Rehabilitation and Resettlement Authority (LARRA) for dispute resolution.
Exemptions	Certain sectors such as defence, railways, and atomic energy may be exempt, but compensation and R&R provisions continue to apply .

7.27 Prevention of Sexual Harassment (PoSH) Act, 2013

Context

- In **Dr. Sohail Malik v. Union of India & Anr. (2025)**, the **Supreme Court** expanded the scope of the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**.

Key Judicial Development

- Held that a woman harassed at her workplace by a person from an external organisation can file a complaint before the **Internal Complaints Committee (ICC)** of her own workplace.
- Clarified that the ICC at the aggrieved woman's workplace can exercise jurisdiction even if the respondent belongs to a different establishment.
- Strengthened access to remedies and ensured victim-centric interpretation of the Act.

About PoSH Act, 2013

- Enacted to prevent and redress **sexual harassment of women at workplace**.
- Based on the guidelines laid down in **Vishaka v. State of Rajasthan (1997)** by the Supreme Court.
- Applies to both **organised and unorganised sectors**, including government, private sector, NGOs, and domestic workers.

Key Provisions

Category	Key Details & Provisions
Key Definitions	• Sexual Harassment: Includes any unwelcome acts/behavior (direct or implied) such as physical contact, demands for sexual favors, sexually colored remarks, showing pornography, or other unwelcome physical/verbal/non-verbal conduct of a sexual nature. • Workplace: Any place visited by an employee during the course of employment, including employer-provided transportation. Covers both organized and unorganized sectors. • Aggrieved Woman: Any woman regardless of age or employment status. Includes those in public/private sectors, clients, customers, and domestic workers.
Grievance Redressal Committees	• Internal Complaint Committee (ICC): Mandatory for any organization with 10 or more employees. • Local Complaints Committee (LCC): Established by the District Officer for organizations with less than 10 workers.
Committee Composition	• ICC (Min. 4 members, 50% women): Presiding Officer; two employees with social work/legal experience; one member from an NGO/association for women. • LCC (Min. 5 members, 50% women): Chairperson (eminent woman in social work); one member from local block/taluka/ward; two members from NGOs (one must be a woman); one ex-officio social welfare officer.
Committee Powers & Tenure	• Tenure: 3 years for all members of ICC and LCC. • Authority: Both committees hold powers equivalent to a civil court.
Filing & Conciliation	• Filing: Victim or legal heir must file within 3 months of the incident (extension up to 3 months possible). • Conciliation: ICC/LCC may settle the matter via conciliation at the victim's request before the inquiry. No monetary settlement is allowed as a basis for conciliation.
Inquiry Process	• Timeline: Inquiry must be completed within 90 days. • Reporting: A report of findings must be submitted to the employer within 10 days of completion. • Police Involvement: The committee may choose to forward the complaint directly to the police.
Actions & Appeals	• Action: If proven, the committee recommends action to the employer based on company service rules. • Appeal: Either party may appeal to a court or tribunal within 90 days of the recommendation. False Complaints: If a complaint is proven false/malicious, the ICC may recommend action against the complainant as per service rules.

7.28 United Nations Convention against Corruption (UNCAC)

Context

- The **11th Conference of the States Parties (COSP-11)** to the **United Nations Convention against Corruption (UNCAC)** concluded with adoption of the **Doha Declaration 2025**, calling for use of digital technologies including AI to combat cross-border corruption.

About UNCAC

- The **only legally binding universal anti-corruption instrument**.

- Adopted by the **United Nations General Assembly** in **2003**; entered into force in **2005**.
- Serves as a global framework for preventing and combating corruption.
- Secretariat functions performed by the **United Nations Office on Drugs and Crime (UNODC)**.
- As of September 2025, has **140 signatories** and **192 parties**; **India is a Party**.

Objectives

- Prevent and combat corruption in both public and private sectors.
- Promote **integrity, accountability, and proper management of public affairs**.
- Facilitate **international cooperation**, including extradition and mutual legal assistance.
- Enable **asset recovery** of proceeds of corruption.

United Nations Office on Drugs and Crime (UNODC)

- Established in **1997** through merger of UN Drug Control Programme and Centre for International Crime Prevention
- Specialized office of the **United Nations**
- Headquartered in **Vienna, Austria**
- Mandate: Combat **illicit drugs, transnational organized crime, corruption and terrorism**
- Oversees implementation of **UN Convention against Transnational Organized Crime (UNTOC)** and **UN Convention against Corruption (UNCAC)**

7.29 Cantonments

Context

- The Union Government is preparing a roadmap to reform cantonments into modern and citizen-friendly urban areas.

About Cantonments

- Permanent military stations for housing troops; civilian population may also reside.
- Origin traced to **Battle of Plassey (1757)**; first cantonment at **Barrackpore (1765)**.
- Subject under **Union List, Entry 3, Schedule VII** of the Constitution.
- Administered by **Cantonment Boards**, statutory bodies under the **Cantonments Act, 2006**.
- Function under the **Ministry of Defence**.
- Boards comprise elected civilian members and nominated military officials.
- Classified into **Class I to Class IV** based on area and population.
- Cantonment Boards are different from municipalities; they are under Union control, not State List (**Local Government – State List, Entry 5**).

7.30 Health Security se National Security Cess

Context

- Lok Sabha passed the Health Security se National Security Cess Bill, 2025 to replace the GST Compensation Cess on certain demerit goods.

About the Cess

- Proposed to replace the **GST Compensation Cess** on specified “sin goods”.
- Maintains overall tax burden on demerit goods after phase-out of compensation cess.
- Aims to fund public health initiatives and national security-related expenditure.
- Initially applicable to **pan masala manufacturers**; may extend to other notified sin goods.
- Levied based on production capacity of manufacturing machines, not actual output.
- Proceeds credited to the **Consolidated Fund of India** under **Article 266**; not shareable with States.
- A cess is not part of the divisible pool under **Article 270** unless specifically provided.

GST Compensation Cess

- Levied under the **GST (Compensation to States) Act, 2017**.
- Compensated States for revenue loss due to GST rollout.
- Assured **14% annual revenue growth** to States.
- Imposed on luxury cars, aerated drinks, tobacco products and coal.

- Operative from **July 2017**; extended till **31 March 2026** to repay pandemic-related compensation loans.

Recent Change:

- After the **56th GST Council Meeting (September 2025)**, largely discontinued and merged into revised GST rate structure.
- Continues on tobacco products until compensation loans are fully repaid.

GST Council

- Constitutional body under **Article 279A** (101st Constitutional Amendment Act, 2016)
- Apex authority for making recommendations on **GST rates, exemptions and laws**
- Chairperson – **Union Finance Minister**; members include MoS (Finance) and State Finance Ministers
- Decisions taken by **3/4th majority of weighted votes** (Centre 1/3rd, States 2/3rd)
- Recommends **compensation mechanism and special provisions for States**

7.31 Official Secrets Act, 1923

Context

- The relevance of secrecy laws has resurfaced amid debates on national security and disclosure of classified information.

About Official Secrets Act (OSA), 1923

- Enacted in **1923** during British rule; based on the **British Official Secrets Act, 1911**.
- Applies to government officials, civilians and foreign nationals.
- Covers official codes, passwords, sketches, maps, documents and information prejudicial to national security.
- Aims to protect sovereignty, defence establishments and intelligence infrastructure.

Key Penal Provisions

- Section 3:** Punishes spying or unauthorised access to prohibited places or defence information; punishment up to **14 years** (defence-related) or **3 years** otherwise.
- Section 4:** Deals with communication with foreign agents; presumption of guilt if association is unexplained; similar punishment structure.
- Section 5:** Penalises wrongful communication or negligent handling of official secrets; punishment up to **3 years**, or fine, or both.

7.32 National Anti-Doping (Amendment) Act, 2025

Context

- The President gave assent to the National Anti-Doping (Amendment) Act, 2025 to strengthen India's anti-doping regime.

About the Act

- Seeks to align domestic law with the **UNESCO International Convention against Doping in Sport (2005)**.
- Aims to ensure compliance with standards of the **World Anti-Doping Agency (WADA)**.
- Establishes the **National Board for Anti-Doping in Sports** to oversee functioning of the **National Anti-Doping Agency (NADA)**.
- Enhances institutional and operational independence of NADA for enforcement of anti-doping rules.
- Mandates accreditation of testing laboratories by **WADA**, replacing the earlier voluntary framework.

World Anti-Doping Agency (WADA)

- Established in **1999**; headquartered in **Montreal, Canada**
- Governs global anti-doping framework through the **World Anti-Doping Code**
- Publishes annual **Prohibited List** of banned substances

National Anti-Doping Agency (NADA) – India

- Established in **2009** under Ministry of Youth Affairs and Sports
- Implements **WADA Code** in India
- Conducts dope testing, result management and awareness programmes
- Functions under the **National Anti-Doping Act, 2022**

- India is a **signatory to the WADA Code** and aligns domestic anti-doping rules accordingly
- India hosted WADA's **Asia-Oceania Regional Office in New Delhi (shifted in 2022)**

7.33 Juvenile Justice (Care and Protection of Children) Act, 2015

Context

- The Act forms the core legal framework for dealing with children in conflict with law and children in need of care and protection in India.

About the Act

- Enacted to replace the **Juvenile Justice Act, 2000**, and aligned with the **UN Convention on the Rights of the Child (UNCRC)**.
- Applies to all persons **below 18 years of age**.
- Seeks to ensure rehabilitation, social reintegration and a child-friendly justice process rather than retribution.
- **Classification of Offences (Based on Maximum Punishment):**
 - **Petty offences:** Punishable with imprisonment up to **3 years**.
 - **Serious offences:** Punishable with imprisonment between **3 and 7 years**.
 - **Heinous offences:** Punishable with imprisonment of **7 years or more**.
- **Provision for Trial as Adult:**
 - In case of **heinous offences** committed by children aged **16–18 years**, the **Juvenile Justice Board (JJB)** conducts a preliminary assessment of mental and physical capacity, ability to understand consequences, and circumstances of the offence.
 - If satisfied, the case may be transferred to the **Children's Court** for trial as an adult.
- **Institutional Mechanisms under the Act:**
 - **Juvenile Justice Board (JJB):** Deals with children in conflict with law.
 - **Child Welfare Committee (CWC):** Deals with children in need of care and protection.

Juvenile Justice Board (JJB)

- Constituted under the **Juvenile Justice (Care and Protection of Children) Act, 2015**.
- Established by State Governments for each district or group of districts.
- Headed by a **Metropolitan Magistrate or Judicial Magistrate of First Class** designated as Principal Magistrate.
- Includes **two social workers**, at least one of whom must be a woman.
- **Procedure and Powers:**
- A child apprehended must be produced before the JJB within **24 hours**.
- The inquiry is to be completed within **4 months**, unless extended with reasons recorded.
- Emphasises counselling, rehabilitation and social reintegration rather than punishment.

UN Convention on the Rights of the Child (UNCRC)

- Adopted in **1989** by the **United Nations General Assembly**; came into force in 1990
- Defines a **child as every person below 18 years**
- Based on four core principles: **Non-discrimination, Best interests of the child, Right to life & development, Right to participation**
- Covers civil, political, economic, social and cultural rights of children
- Supplemented by **Optional Protocols** on involvement of children in armed conflict and on sale of children, child prostitution and child pornography
- Monitored by the **UN Committee on the Rights of the Child**
- Ratified the UNCRC in **1992**.



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