

# Forum IAS

## 7 PM COMPILATION

**1<sup>st</sup> to 16<sup>th</sup> January, 2024**

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## ULFA Peace Accord-Explained Pointwise

Recently, the Union Ministry of Home Affairs (MHA), the Assam government and the pro-talks faction of the United Liberation Front of Asom (ULFA) signed a memorandum of settlement.

### What are the provisions in the ULFA Peace Accord?

1. **Development Measures-** The peace agreement encompasses a comprehensive package for the all-round development of Assam. It includes provisions for various developmental projects and a commitment to resolving long-standing issues. The government has **pledged investment of ₹1.5 lakh crore**, staggered through the years.

2. **Political Inclusion-** The agreement addresses the issue of political insecurity among indigenous people, **reserving 97 out of 126 seats** for them in the recent delimitation exercise. It ensures the continuation of this principle in future delimitation processes, aiming to address political insecurities.

3. **Non-Violence-** ULFA has agreed to **renounce violence, disarm, disband the armed organization**, vacate their occupied camps, and participate in the peaceful democratic process established by law. This commitment aims to ensure the integrity of the country and marks a shift towards non-violent engagement.

A time-bound program will be made by the **Ministry of Home Affairs, Government of India**, to fulfil the demands of ULFA and a committee will also be formed for its monitoring.

**Note-** The agreement was signed with the pro-talks faction of ULFA under Arabinda Rajkhowa while the other faction led by Paresh Baruah (known as ULFA-I) has not joined the peace process.

### What is ULFA?

The United Liberation Front of Assam (ULFA) is an armed militant organization operating in the Northeast Indian state of Assam. It seeks to establish an independent, sovereign nation state of Assam for the indigenous Assamese people through an armed struggle in the Assam conflict. The Government of India banned the organization in 1990 citing it as a terrorist organization.

It emerged from the All Assam Students Union anti-immigrant agitation that began in 1979 demanding a sovereign State for the Assamese people.

1. **Objectives-** The founders of ULFA wanted to establish a sovereign Assamese nation through **an armed struggle** against the Indian state.

2. **Approach-** During the initial years, it projected itself to help needy people. Later, they followed a **violent approach** marked by kidnappings and extortion, executions and bomb blasts.

3. **Early Leadership-** A group of radical thinkers, led by Bhimakanta Buragohain, Arabinda Rajkhowa, Anup Chetia, Pradip Gogoi, Bhadrashwar Gohain and Paresh Baruah were the main leaders.

4. **International Presence-** It had **bases in 5 neighbouring countries** – Bangladesh, Bhutan, China, Nepal and Myanmar – which allowed for a strategic encirclement of the Northeast.

5. **Government's Response-** In 1990, the Centre launched **Operation Bajrang** to tackle growing violence, leading to the arrest of over 1,200 ULFA insurgents. Assam was declared a 'disturbed area', President's rule was imposed, and the Armed Forces Special Powers Act was invoked.

The Rajkhowa faction of the ULFA signed a ceasefire agreement with the United Progressive Alliance (UPA) government only in 2011, and has since been in negotiations with the Centre for a peace deal.

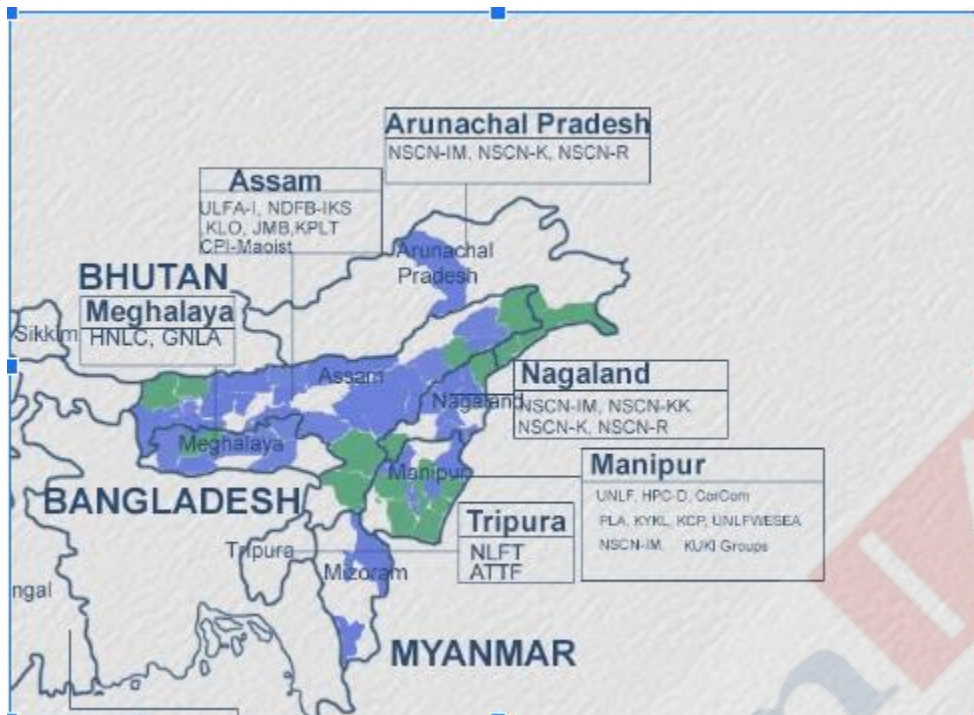


Figure 1. Source- USI Blog

## What led to the rise of insurgency in Assam and the ULFA?

Insurgency in Assam emerged due to a combination of historical, socio-political, and economic factors. These include:

1. **Historical Context-** Assam, with its distinct identity and history, has faced perceived neglect and marginalization from the central government. This **sense of historical**

**injustice** fuelled resentment and provided a basis for separatist movements like ULFA.

2. **Perceived Cultural Imperialism-** The influx of migrants from other parts of India into Assam (for e.g. **Bengali-speaking people during and post the Bangladesh Liberation War**), altering the demographic balance, led to concerns about cultural assimilation and the erosion of the indigenous Assamese identity.

3. **Economic Grievances-** Assam's economy faced challenges, including **underdevelopment, unemployment, and a lack of industrialization**. Many saw the region's resources, particularly oil and tea, being exploited without equitable benefits for locals.

4. **Demand for Autonomy-** These groups demanded **greater autonomy and control over Assam's resources**, seeking to protect the interests of the indigenous population and assert Assamese identity.

5. **State Repression and Human Rights Violations-** Heavy-handed approaches by security forces, including **misuse of AFSPA, alleged human rights violations and extrajudicial killings**, further alienated the population and fueled resentment towards the government.

6. **External Support-** Insurgent groups reportedly received support, including **training and refuge, from external entities**, which bolstered its capabilities and prolonged the conflict.

7. **Strong Sense of Identity-** The Assamese community possesses a **distinctive culture and language**, fostering a strong sense of identity.

## Why was the ULFA Peace Accord required?

The Indian government faces several formidable challenges in dealing with insurgent groups in the North-Eastern region, which make signing peace deals with insurgent groups extremely essential. These challenges include:

- 1. Diverse Ethnocultural Landscape-** The North-East is a **mosaic of diverse ethnicities, languages, and cultures**. Each community often harbors its own historical grievances and aspirations for autonomy, which complicates efforts to find a common resolution acceptable to all.
- 2. Geographical Complexity-** The region's **challenging terrain, dense forests, and porous international borders** provide insurgent groups with hiding spots and routes for cross-border movements, making it difficult for security forces to contain them.
- 3. Historical Grievances-** Long-standing historical grievances **related to identity, land rights, and autonomy have fuelled insurgencies**. Addressing these grievances requires delicately navigating complex historical narratives and reconciling conflicting claims.
- 4. Socio-economic Development Deficit-** The North-East lags behind in terms of **development indicators, including infrastructure, education, healthcare, and employment opportunities**. This lack of socio-economic progress contributes to feelings of marginalization, making certain populations susceptible to recruitment by insurgent groups.
- 5. External Support and Influence-** Insurgent groups often **receive support, including sanctuary or supplies, from external entities across borders**. Managing these external factors and diplomatic relationships adds complexity to resolving internal conflicts.
- 6. Multiple Insurgent Groups-** The presence of multiple insurgent groups with **varying ideologies, objectives, and territorial influences** makes negotiations and peace-building efforts challenging, as achieving consensus among disparate groups becomes a hurdle.
- 7. Security Concerns vs. Human Rights-** Balancing security measures to counter insurgencies while upholding human rights and avoiding collateral damage remains a persistent challenge for the government.

Read More- [Bodo Peace Process](#)

### What are the upcoming challenges in the ULFA peace Accord?

A peace deal is a good start, however, it might not be enough to fully curb insurgency in the North-East due to several reasons:

- 1. Lax Implementation-** The actual implementation of the agreed-upon terms is often challenging due to **logistical, political, and social complexities**. Failure to implement key provisions undermines trust and can reignite conflicts.
- 2. Deep-rooted Grievances-** Insurgencies in the North-East stem from deep-seated historical grievances related to **identity, autonomy, land rights, and socio-economic disparities**. A peace deal might not comprehensively address all these issues, leaving underlying causes unattended.
- 3. Fragmented Insurgent Groups-** Multiple insurgent groups operate in the region, **each with its own objectives, ideologies, and territorial influences**. A peace deal might involve only a subset of these groups, leaving others dissatisfied and perpetuating conflict.  
**For instance**, the **other ULFA faction, known as ULFA-I led by Paresh Baruah, has not joined the peace process**.
- 4. Socio-economic Disparities-** Insurgencies often thrive in areas with socio-economic disparities. If a peace deal doesn't address the lack of development and opportunities in these regions, it might not dissuade new recruits from joining insurgent groups.

5. **External Factors**- Insurgent groups often have connections across borders, receiving support or sanctuary from neighbouring countries. A peace deal might not address external factors, allowing for continued sustenance and recruitment of insurgents.

For instance, **ULFA still has camps in Myanmar**, and previously had camps in both Bangladesh and Bhutan.

6. **Changing Dynamics of the Region**- The landscape of insurgency is dynamic, with evolving leadership, strategies, and external influences. A static peace deal might not adapt to these changing dynamics, rendering it ineffective in the long term.

For instance, **ULFA reportedly has links** to other insurgent outfits in the Northeast and Myanmar, as well as Islamic terror outfits like **Harkat-ul-Jihad-e-Islami**, and **Al-Qaeda**.

To effectively curb insurgency in the North-East, a peace deal must be accompanied by comprehensive efforts addressing socio-economic development, historical grievances, inclusive governance, security measures, and sustained engagement with all stakeholders.

### What Should be the way forward for ULFA Peace Accord?

Addressing insurgency in India's North-East requires a multifaceted approach that combines political, social, economic, and security measures. Here are some steps the government might consider as the way forward to curb insurgency and bring peace to the North-East and Assam:

1. **Dialogue and Negotiation**- Engage in sustained dialogues with insurgent groups to address their grievances and seek peaceful resolutions. Previous successful peace talks, like those with the **NSCN-IM (National Socialist Council of Nagaland – Isak-Muivah)**, could serve as models.

2. **Development Initiatives**- Implement targeted development projects to address socio-economic disparities in the region. **Investments in infrastructure, education, healthcare, and job creation** can help alleviate grievances and reduce the appeal of insurgency. Promoting trade-induced industrialisation can create new employment opportunities, stimulate growth, and strengthen regional integration.

3. **Inclusive Governance**- Ensure inclusive governance by involving local communities in **decision-making processes**. Empowerment of local bodies and ensuring equitable representation can foster a sense of belonging and reduce alienation.

4. **Security Measures**- Maintain law and order through effective security measures while **respecting human rights**. Coordinated efforts among security forces to tackle insurgent activities and cross-border smuggling can help stabilize the region.

5. **Regional Cooperation**- Collaborate with neighboring countries, as many insurgent groups have **cross-border connections**. Strengthening diplomatic ties and intelligence-sharing can help address the root causes of insurgency that extend beyond national borders.

6. **Rehabilitation and Reintegration**- Provide rehabilitation and reintegration programs for **former insurgents to facilitate their return to mainstream society**. Skill development and psychological support can aid their transition.

7. **Addressing Root Causes**- Address underlying issues such as **historical grievances, ethnic tensions, and identity politics that fuel insurgency**. Promoting cultural diversity and celebrating local heritage can foster a sense of unity. There is also a need to ensure greater transparency in AFSPA.

Implementing these measures comprehensively and with a long-term perspective could contribute significantly to reducing and eventually resolving insurgencies in India's North-East.

**Read More-** Business Standard

**UPSC Syllabus-** Security Challenges and their Management in Border Areas

## Global Nuclear Order- Explained Pointwise

The Global Nuclear Order refers to the international system, agreements, norms, and structures that govern and regulate the use, possession, proliferation, and control of nuclear weapons and nuclear energy worldwide.

It encompasses a complex network of treaties, agreements, and norms that have evolved over time to manage the risks associated with nuclear weapons and promote nuclear stability, non-proliferation, disarmament, safety, and peaceful uses of nuclear technology.

### What are the key components of the Global Nuclear Order?

The key components of the Global Nuclear Order are as follows:

1. **Non-Proliferation-** Efforts to prevent the spread of nuclear weapons to additional states.
2. **Disarmament-** Initiatives aimed at reducing and ultimately eliminating nuclear arsenals globally.
3. **Nuclear Material Security-** Measures to safeguard nuclear materials, facilities, and technologies from theft, sabotage, or unauthorized access.
4. **Peaceful Use of Nuclear Energy-** Promotion of nuclear technology for peaceful purposes such as electricity generation, medicine, agriculture, and industry.
5. **International Agreements and Treaties-** Frameworks like the Nuclear Non-Proliferation Treaty (NPT), Comprehensive Nuclear-Test-Ban Treaty (CTBT), and others that establish norms, regulations, and obligations related to nuclear activities.
6. **International Organizations and Agencies-** Bodies like the International Atomic Energy Agency (IAEA) that oversee nuclear activities, inspections, and promote nuclear safety and security worldwide.

### What is the current status of Nuclear Weapons?

According to the Stockholm International Peace Research Institute (SIPRI), the global nuclear arsenal is witnessing the following developments:

- 1) **Modernization and Expansion-** The **9 nuclear-armed states**, including the United States, Russia, and China, continue to modernize and expand their nuclear arsenals. Other nuclear-armed countries are the UK, France, India, Pakistan, North Korea and Israel.
- 2) **Total Global Inventory-** As of January 2023, the total global inventory of warheads is estimated at **12,512, with approximately 9,576 warheads** held in military stockpiles for potential use.
- 3) **Dominance of Russia and U.S.-** Russia and the United States possess almost **90% of all nuclear weapons**, with relatively stable sizes of their respective nuclear arsenals.
- 4) **Arms Control Concerns-** The suspension of the strategic stability dialogue and the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (New START) has halted discussions for a follow-on treaty.

### Stockpile count

The nine nuclear-armed states have deployed or stored 9,576 nuclear warheads (as of January 2023)

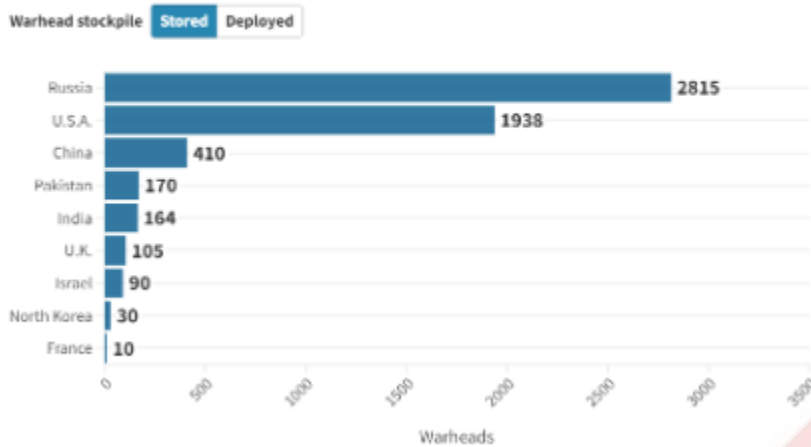


Figure 2. Source- SIPRI

### What conventions regulate the Global Nuclear Order?

1) **Non-proliferation of Nuclear Weapons (NPT), 1968**- It was put forward by the USA, UK and USSR. It was signed in 1968 and came into force in 1970. The treaty has 3 pillars:

(a) **Non-proliferation**- Nuclear Weapon States (NWS) pledge not to transfer nuclear weapons and technology and Non-nuclear Weapon States pledge not to acquire nuclear weapons;

(b) **Disarmament**- All parties to pursue good-faith

negotiations on effective measures to control nuclear arms race, and to general and complete disarmament;

(c) **Peaceful Use of Nuclear Energy**- The Treaty recognizes the right of all Parties to develop nuclear energy for peaceful purposes.

India considers the treaty discriminatory as it creates a club of 'nuclear haves' and a larger group of '**nuclear have-nots**' by restricting the legal possession of nuclear weapons to those states that tested them before 1967. India hasn't signed the treaty.

2) **Comprehensive Nuclear-Test-Ban Treaty (CTBT)**- Seeks to **ban all nuclear explosions for both civilian and military purposes**. It prohibits nuclear testing, thus preventing further advancement of nuclear weapons capabilities.

3) **Treaty on the Prohibition of Nuclear Weapons, 2017**- It prohibits and makes it illegal to possess, use, produce, transfer, acquire, stockpile or deploy nuclear weapons. States are also prohibited from using or threatening to use nuclear weapons and other nuclear explosive devices. It came into force in 2021.

4) **Export Control Groupings**- **Nuclear Suppliers Group (NSG)** and the Missile Technology Control Regimes (MTCR) are some of the nuclear export control groupings. These ensure that nuclear fuel export doesn't result in nuclear weapons development.

5) **International Atomic Energy Agency (IAEA) Safeguards Agreement**- Governs the verification and inspection of nuclear facilities to ensure they are used for peaceful purposes and not for the development of nuclear weapons.

### What is India's position in the Global Nuclear Order?

1) **Non-Signatory to NPT**- India is not a signatory to the Nuclear Non-Proliferation Treaty (NPT), which distinguishes it from many other nuclear-armed nations.

2) **Nuclear Weapons Possession**- India possesses nuclear weapons and conducted nuclear tests in the past, facing sanctions but later negotiating agreements for civilian nuclear cooperation.

3) **Advocate for Global Disarmament**- India advocates for global nuclear disarmament while seeking recognition as a responsible nuclear power.



4) **Complex Position-** India's stance is complex due to its pursuit of civilian nuclear energy for development and maintaining a nuclear deterrence policy.

5) **International Engagement-** Despite not being a signatory to the NPT, India engages in international nuclear forums, emphasizing its non-proliferation track record and commitment to global security.

6) **Nuclear Disarmament-** India supports complete disarmament within a specified timeframe which distinguishes its stance from Nuclear Weapon States (NWS) which have an ambiguous stand regarding timeline for disarmament. India also insists that disarmament must be '**non-discriminatory**' and pursued '**on the basis of equality**' i.e., there must be no discriminatory provisions in favor of NWS as is the case with the Non-Proliferation Treaty (NPT).

### What are the issues with the Global Nuclear Order?

The Global Nuclear Order faces several significant challenges and issues:

1) **Proliferation-** One of the most critical issues is the spread of nuclear weapons to additional countries. This creates concerns about regional stability, as more nuclear-armed states increase the risk of conflict and the potential for catastrophic consequences.

For instance, the **AUKUS deal** includes providing nuclear submarines to Australia (a non-nuclear state).

2) **Arms Control and Disarmament-** The existing arms control agreements, such as the **Treaty on the Non-Proliferation of Nuclear Weapons (NPT)**, face challenges in implementation and adherence. Additionally, there's a lack of progress in further disarmament efforts by nuclear-armed states, which leads to concerns about the global disarmament agenda.

3) **Modernization and Technology-** Nuclear-armed states continue to modernize their arsenals, developing more advanced and potentially destabilizing technologies. Advancements in missile defense systems, hypersonic weapons, and other emerging technologies contribute to uncertainties in strategic stability.

4) **Emerging Threats and Actors-** Non-state actors or rogue states acquiring nuclear materials or technology pose significant risks. The potential for cyberattacks targeting nuclear facilities or command systems adds a new dimension of concern.

5) **Geopolitical Tensions-** Tensions between nuclear-armed states, such as those between the US, China, Russia, and other countries, create instability. Proxy conflicts, territorial disputes, and geopolitical rivalries heighten the risk of nuclear confrontation.

For instance, Russia de-ratifying CTBT; Withdrawal of USA and Russia from bilateral treaties.

6) **Safety and Security-** Ensuring the safety and security of nuclear materials, facilities, and technologies remains a persistent challenge. Accidental or unauthorized use of nuclear weapons due to technical failures, human error, or terrorist actions is a significant concern.

### What are the issues with the Global Nuclear Order in the context of India?

India's position within the Global Nuclear Order presents specific challenges and concerns:

1) **Non-Proliferation Treaty (NPT) status-** India is not a signatory to the NPT, which creates complexities in its relationship with the global nuclear order. India's nuclear program was developed independently, leading to its status as a nuclear-armed state outside the NPT framework.

2) **Nuclear Arsenal Expansion-** India continues to expand and modernize its nuclear arsenal. This expansion raises concerns about regional stability, especially given the long-standing tensions with Pakistan and the strategic rivalry with China.

3) **Relations with Pakistan-** The nuclear dynamics between India and Pakistan pose significant challenges. Both countries possess nuclear weapons, and historical animosities and frequent border disputes elevate the risk of a nuclear conflict, creating instability in South Asia.

4) **China Factor-** India's nuclear policy is also shaped by its relations with China. As China continues to modernize its nuclear capabilities, India might feel compelled to bolster its own arsenal, leading to an arms race and heightened tensions in the region.

Maintaining stability in its volatile region, engaging in dialogue with Pakistan and China, and ensuring the safe and responsible management of its nuclear arsenal are crucial steps for India within the Global Nuclear Order. Additionally, India's active participation in global non-proliferation initiatives and strengthening regional cooperation mechanisms can contribute to stability and security in South Asia.

### **What should be the way forward?**

Creating a just, safe, and improved Global Nuclear Order involves a multifaceted approach that integrates various elements of diplomacy, technology, governance, and international cooperation. Here are some key steps that could contribute to achieving such a vision:

#### **1) Disarmament and Reduction of Nuclear Weapons-**

- a. Encourage nuclear-armed states to commit to significant and verifiable reductions in their nuclear arsenals through bilateral or multilateral agreements.
- b. Support dialogue and negotiations among nuclear-armed states to create a conducive environment for disarmament efforts.

2) **Strengthening Non-Proliferation Efforts-** Strengthen international efforts to prevent the spread of nuclear weapons technology and materials.

3) **Inclusive Dialogue and Multilateral Diplomacy-** Encourage open and inclusive dialogue among all stakeholders, including nuclear-armed and non-nuclear-armed states, to address concerns and build trust.

4) **Engagement with Emerging Technologies-** Monitor and address potential risks associated with emerging technologies, such as cyber threats to nuclear facilities, to ensure a secure nuclear order.

5) **Support for New Treaties and Agreements-** Advocate for and support initiatives like the Treaty on the Prohibition of Nuclear Weapons (TPNW) while engaging nuclear-armed states to participate in discussions toward a world without nuclear weapons.

6) **Education and Public Awareness-** Foster awareness and education regarding the risks and consequences of nuclear weapons, promoting public support for disarmament and non-proliferation efforts.

[Read More- ORF](#)

[UPSC Syllabus- GS 2 India and international order](#)

## **India's debt burden- Explained Pointwise**

The **International Monetary Fund (IMF)** recently raised long-term sustainability concerns about India's debt burden.

It states that India's government debt could be **100% of GDP** under adverse circumstances by fiscal 2028. According to the IMF, "Long-term risks are high because considerable investment is required to reach India's climate change mitigation targets and improve resilience to climate stresses and natural disasters. This

suggests that new and preferably concessional sources of financing are needed, as well as greater private sector investment and carbon pricing or equivalent mechanism.”

In light of this, it is important to take a detailed look at **India's Debt Burden**.

### **What is Public Debt, and what is the status of India's Debt Burden?**

**Public Debt-** Public debt refers to the amounts owed by the different levels of government and used to finance public deficits resulting from a higher level of program spending to budgeted income. Debt can be acquired within the same country or abroad and usually takes the form of bonds, paper and government securities

**Status of India's debt-** The Union government's debt was ₹155.6 trillion, or 57.1% of GDP, at the end of March 2023 and the debt of State governments was about 28% of GDP.

As stated by the Finance Ministry, India's public debt-to-GDP ratio has barely increased from 81% in 2005-06 to 84% in 2021-22, and is back to 81% in 2022-23.

This, however, is way higher than the levels specified by the **Fiscal Responsibility and Budget Management Act (FRBMA)**. The 2018 amendment to the Union government's FRBMA specified debt-GDP targets for the Centre, States and their combined accounts at 40%, 20% and 60%, respectively.

### **Why do governments need to take public debt?**

Governments borrow money for several reasons:

1. **Budgetary Needs-** Sometimes, a government might spend more money than it earns in revenue through taxes. This budget deficit can occur due to various reasons like infrastructure projects, social welfare programs, defence spending, etc. Borrowing allows governments to cover these deficits without cutting essential services or raising taxes immediately.
2. **Smooth Economic Cycles-** During economic downturns or recessions, governments might stimulate the economy by increasing spending. Borrowing allows them to inject money into the economy to create jobs, boost demand, and support businesses.
3. **Capital Expenditure-** Governments often invest in long-term projects like building roads, bridges, schools, and hospitals. Borrowing funds these projects upfront, and the cost is spread over many years, aligning with the benefits these projects bring over their lifetime.
4. **Cash Flow Management-** Governments might borrow to manage short-term cash flow mismatches. They might have incoming revenue delayed, but need immediate funds to cover ongoing expenses.

Governments usually issue bonds to borrow money, promising to repay the borrowed amount with interest over a specified period. These borrowings are often a fundamental part of fiscal policy, allowing governments to manage their economies and provide essential services.

### **What are the advantages of borrowing by the governments?**

1. **Funding Infrastructure-** Borrowing allows governments to fund large-scale infrastructure projects that have long-term benefits for society, such as building roads, bridges, airports, and utilities. These projects often stimulate economic growth and productivity.

2. **Investment in Social Programs-** Governments borrow to invest in social programs like education, healthcare, and welfare to improve the quality of life for their citizens.

**For instance**, due to sustained demand for employment under MGNREGA, a sum of ₹79,770 crore has already been spent till December 19, 2023, as against the budgeted ₹60,000 crore and an additional sum of ₹14,520 crore has been allocated.

3. **Economic Stimulus-** During economic downturns, borrowing funds for stimulus packages can help jumpstart the economy by increasing consumer spending, supporting businesses, and reducing unemployment.
4. **Interest Earnings-** If governments can borrow at low-interest rates, they can invest borrowed funds in projects or initiatives that generate higher returns, potentially boosting economic growth.
5. **Spreading Costs Across Generations-** Some experts argue that borrowing allows current generations to share the cost of infrastructure and services with future generations that will also benefit from these investments.
6. **Debt Refinancing-** Governments also borrow to refinance existing debt. This involves replacing old debt with new debt that has better terms or lower interest rates, reducing the overall cost of debt servicing.

### **What are the issues with a large debt burden?**

A large debt burden for a government can lead to various issues such as:

1. **Higher Debt Servicing Costs-** As the debt increases, so do the interest payments on that debt. A significant portion of government revenue might then be allocated to paying interest on the debt, reducing the funds available for essential public services and investments.
2. **Reduced Fiscal Flexibility-** High debt levels can limit a government's ability to respond to economic downturns or emergencies. It constrains fiscal policy options, as a substantial portion of the budget might already be committed to servicing the debt, limiting the ability to spend on critical needs or implement stimulus measures.
3. **Increased Risk of Default-** If debt levels become unsustainable and the government struggles to make interest payments or refinance debt, it can lead to a risk of default. Defaulting on debt can have severe consequences, including a loss of investor confidence, higher borrowing costs in the future, and economic turmoil.
4. **Crowding Out Investment-** High government borrowing can lead to increased competition for available funds. This can crowd out private investment as the government absorbs a significant portion of available capital, potentially slowing down economic growth and private sector development.
5. **Pressure on Future Generations-** Excessive debt burdens can pass on economic challenges to future generations. They might inherit a weaker economy, higher taxes, reduced public services, and limited opportunities due to the need to allocate substantial resources to debt repayment.
6. **Credit Rating Downgrades-** Persistently high levels of debt relative to GDP can lead credit rating agencies to downgrade a country's creditworthiness. A lower credit rating makes borrowing more expensive and can further exacerbate debt problems.  
**For instance**, Fitch Ratings and S&P Global Ratings have kept India's credit rating unchanged at 'BBB- with stable outlook' since August 2006 (BBB- is the lowest investment grade rating). These agencies believe that India's stronger fundamentals are undermined by the government's burdensome debt stock.
7. **Currency and Inflation Risks-** In extreme cases, high government debt can lead to currency devaluation or inflation if the government decides to monetize the debt by printing more money. This can erode the value of savings and create instability in the economy.

### **What should be the way forward?**

Managing public debt burdens requires a combination of prudent fiscal policies, responsible borrowing practices, and strategic debt management. These are some steps that the Indian government can follow:

- 1. Fiscal Discipline-** Governments should aim for balanced budgets or surpluses during economic expansions to create buffers for potential downturns. This involves controlling spending, increasing revenue through fair taxation, and avoiding excessive borrowing for non-essential expenditures.
- 2. Debt Management Strategies-** Implement effective debt management strategies to minimize borrowing costs and risks. This includes refinancing existing debt at favorable rates, considering fixed vs. variable interest rates, and optimizing the debt maturity structure.
- 3. Transparent and Credible Fiscal Policies-** Clear communication and transparency regarding fiscal policies, debt levels, and strategies for managing debt are essential. This helps build confidence among investors, citizens, and international markets.
- 4. Prioritize Investments-** Governments should prioritize borrowing for productive investments that yield long-term economic benefits, such as infrastructure, education, and healthcare, rather than for recurrent expenses or inefficient projects.
- 5. Diversify Funding Sources-** Governments can diversify their sources of funding to mitigate risks. Instead of relying heavily on short-term debt or foreign currency-denominated debt, they can consider longer-term financing or domestic borrowing.
- 6. Sustainable Economic Growth Policies-** Encouraging policies that foster sustainable economic growth can expand the tax base, increase revenue, and reduce the relative size of the debt burden.

By implementing these measures, the government can strike a balance between meeting their financing needs for development and infrastructure while ensuring that public debt remains at sustainable levels to safeguard the economy and future generations from excessive debt burdens.

[Read More- The Hindu](#)

Syllabus- GS 3- Fiscal Policy-Indian Economy

## [Kurukshetra Summary December 2023] Accelerating Economic Growth in Villages- Explained Pointwise

Accelerating economic growth in Indian villages presents a multifaceted challenge rooted in intricate socio-economic barriers. Despite abundant potential, challenges like **inadequate infrastructure, limited access to finance, and low agricultural productivity** persist. However, through comprehensive solutions encompassing **infrastructure development, agricultural reforms, skill enhancement, and market access**, the transformation of rural landscapes becomes feasible. This article highlights the challenges hindering rural economic progress while exploring viable solutions to propel these villages towards sustainable and inclusive growth.

### What are the steps required to accelerate economic growth in villages in India?

Boosting economic growth in Indian villages involves a multi-faceted approach that addresses various aspects of development. Here are steps that could help accelerate economic growth in rural areas-

**Infrastructure Development-** Improve roads, electricity, water supply, and connectivity to enhance accessibility and encourage investment.

- 1. Agricultural Reforms-** Implement modern farming techniques, provide access to **high-quality seeds, irrigation facilities, and educate farmers about sustainable practices.**

2. **Skill Development and Education-** Establish skill development centers and promote education to equip villagers with the necessary skills for various job opportunities.
3. **Access to Finance-** Ensure availability of microfinance and **easy access to credit for small-scale entrepreneurs and farmers** to initiate or expand their businesses.
4. **Promote Entrepreneurship-** Encourage entrepreneurship by providing training, mentorship, and support for setting up small businesses and startups.
5. **Technology Adoption-** Introduce and facilitate the use of technology for agricultural practices, marketing, and financial transactions to enhance productivity and efficiency.
6. **Market Linkages-** Create linkages between rural producers and urban markets, enabling better access to larger consumer bases and fair pricing for their products.
7. **Social Welfare Programs-** Implement programs that focus on **health, sanitation, and women empowerment**, as these are essential for overall development.
8. **Investment in Renewable Energy-** Encourage the adoption of renewable energy sources like solar power, which can provide sustainable energy solutions in rural areas.
9. **Encourage Community Participation-** Involve local communities in decision-making processes, empowering them to take charge of their own development initiatives.
10. **Promote Cottage Industries-** Encourage the growth of cottage industries by providing training, financial support, and market access for **products made by local artisans**.

### What are the challenges in ensuring economic growth in villages in India?

Several challenges hinder economic growth in Indian villages-

1. **Infrastructural Deficiencies-** **Poor roads, inadequate access to electricity, water, and internet connectivity** hinder economic activities and limit market access.
2. **Lack of Access to Finance-** Limited availability of credit facilities and financial services for small-scale entrepreneurs and farmers restricts their ability to invest and expand.
3. **Low Agricultural Productivity-** **Outdated farming techniques, dependency on monsoons, and lack of access to modern technology** and quality seeds result in low agricultural productivity.
4. **Limited Education and Skill Development-** Inadequate educational facilities and a lack of skill development programs lead to a shortage of skilled labor, hindering economic diversification.
5. **Unemployment and Underemployment-** Lack of job opportunities and overreliance on agriculture result in high rates of unemployment and underemployment in rural areas.
6. **Market Linkages and Price Volatility-** **Poor market linkages and dependency on middlemen lead to price volatility**, affecting the income of rural producers.
7. **Healthcare and Sanitation-** Inadequate healthcare facilities and poor sanitation conditions impact the productivity and well-being of rural inhabitants.
8. **Gender Disparities-** Limited access to education and economic opportunities for women restricts their participation in economic activities, hindering overall growth.
9. **Climate Change and Environmental Challenges-** Climate change-related issues such as **erratic weather patterns, droughts, and floods adversely affect agricultural productivity and livelihoods**.
10. **Migration to Urban Areas-** Rural to urban migration in search of better opportunities depletes the rural workforce, leading to a lack of skilled labor and resources in villages.
11. **Policy Implementation Challenges-** Ineffective implementation of government policies, bureaucratic hurdles, and corruption can impede progress in rural development initiatives.

### What are the various initiatives by the Government of India to address rural economic growth?

The Government of India has launched several schemes and programs to address rural economic growth. Some of the prominent ones include-

1. **Pradhan Mantri Gram Sadak Yojana (PMGSY)**- A scheme focused on providing all-weather road connectivity to unconnected rural habitations.
2. **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)**- A flagship program guaranteeing 100 days of wage employment in a financial year to rural households, enhancing livelihood security.
3. **National Rural Livelihood Mission (NRLM – Aajeevika)**- A program aimed at reducing poverty by promoting diversified and gainful self-employment and wage employment opportunities for rural poor.
4. **Deen Dayal Upadhyaya Grameen Kaushalya Yojana (DDU-GKY)**- Focused on rural youth, this scheme aims to enhance their skills for wage employment.
5. **Pradhan Mantri Awaas Yojana (PMAY – Gramin)**- A scheme providing financial assistance for the construction of pucca houses to rural households living without proper shelter.
6. **National Rural Drinking Water Programme (NRDWP)**- A program focused on providing safe drinking water in rural areas by ensuring piped water supply.
7. **Swachh Bharat Mission (SBM) – Gramin**- A mission aimed at achieving universal sanitation coverage and making villages open defecation-free.
8. **National Social Assistance Programme (NSAP)**- Provides financial assistance to the elderly, widows, and disabled individuals living below the poverty line in rural areas.
9. **Rashtriya Krishi Vikas Yojana (RKVY)**- A scheme supporting states in achieving enhanced agriculture productivity and ensuring a decentralized planning process.
10. **Kisan Credit Card (KCC) Scheme**- Provides farmers with credit facilities for purchasing agricultural inputs and meeting other expenses.
11. **National Rural Health Mission (NRHM)**- A program aimed at providing accessible, affordable, and quality healthcare to rural populations.

#### Way Forward:

1. **Infrastructure Development**- Focus on improving rural infrastructure such as roads, electricity, water supply, and internet connectivity to facilitate economic activities and market access.
2. **Diversification of Livelihoods**- Encourage diversification of livelihoods beyond agriculture by promoting cottage industries, skill development, and entrepreneurship to create non-farm job opportunities.
3. **Access to Finance and Markets**- Ensure easy access to credit facilities for small-scale entrepreneurs and farmers. Facilitate market linkages to provide fair prices for rural produce.
4. **Policy Reforms and Implementation**- Ensure effective implementation of policies, eliminate bureaucratic hurdles, and continuously adapt policies based on ground realities for better outcomes.
5. **Education and Skill Development**- Invest in education and skill development programs to equip rural youth with the necessary skills for various job opportunities, reducing unemployment.
6. **Healthcare and Sanitation**- Improve healthcare facilities and promote better sanitation practices to enhance productivity and the overall well-being of rural inhabitants.
7. **Women Empowerment**- Focus on empowering women through education, skill development, and creating opportunities for their active participation in economic activities.
8. **Climate Resilience**- Implement measures to address climate change challenges by promoting sustainable practices, introducing climate-resilient crops, and improving water conservation techniques.
9. **Community Participation and Governance**- Encourage community participation in decision-making processes and empower local governance bodies to drive development initiatives.
10. **Public-Private Partnerships (PPPs)**- Foster collaborations between the government, private sector, NGOs, and local communities to leverage resources and expertise for rural development projects.

This comprehensive approach requires sustained efforts, investment, and collaboration among various stakeholders to create a conducive environment for sustainable economic growth in rural India. It's crucial to tailor interventions based on the specific needs and contexts of different regions while maintaining a focus on inclusive and equitable development.

### Piracy in Arabian Sea – Explained Pointwise

Recently, marine commandos (MARCOS) of the Indian Navy thwarted a hijacking attempt in the North Arabian Sea. They managed to secure and safely evacuate the 21 crew members, including 15 Indians, from the merchant vessel Lila Norfolk.

This incident has brought to attention the issue of Piracy in Arabian Sea.



Figure 3. Source- IMB annual piracy report

#### What are the reasons behind piracy in Arabian Sea?

Piracy in the Arabian Sea has been a longstanding issue due to the below-mentioned causes-

- 1. Geopolitical Instability-** Political instability and conflict in **East African countries**

like **Somalia** have contributed to the rise in piracy.

- 2. Economic Distress and Destruction of livelihoods** – Widespread poverty and lack of economic opportunities in countries like Somalia, Yemen have drawn them towards piracy. For ex- The destruction of the **livelihoods of the local fishing communities**.

- 3. Maritime Vulnerabilities-** There is **inadequacy of maritime security** in the vast expanse of the Arabian Sea. This makes the global cargo ships prone to maritime piracy.

- 4. Means of terrorism financing-** The fundamentalist and radical groups use the **piracy route to extract heavy ransom for financing** their group's activities. For ex- **Houthi rebels of Yemen**.

#### What are the implications of piracy in Arabian Sea?

- 1. Global Trade Disruptions-** The waters of the Indian Ocean carry **80% of the world's oil**. Increased piracy in the Arabian Sea affects crucial trade routes and severely impacts the global economy.

- 2. Endangers Energy Security-** Disruptions due to piracy in the **Red Sea and Arabian route** pose significant **energy security risks for Asian economies like India**, as it is a **key route for oil and gas shipments**.



**3. Rise in geopolitical Tensions-** The involvement of multiple nations like U.S., China, Iran and Saudi Arabia for countering piracy has also led to increased geopolitical contestations amongst them. For ex- **China's base in Djibouti, Port of Doraleh, has seen increased Chinese militarisation in the name of piracy protection.**

### What are the challenges in dealing with piracy in Arabian Sea?

**1. Geographical Expanse-** Pirates take advantage of the **geographical expanse and vastness of the Arabian Sea** to target the shipping routes.

**2. Weak Governance and Political Instability-** Lack of political stability in countries like Somalia and Yemen have **hindered their diplomatic engagements.** Thus, **no joint naval and military exercises with these countries** takes place in the Arabian Sea region.

**3. Lack of International cooperation-** The UNCLOS mechanism remains defunct due to lack of effective cooperation amongst the major global powers. **USA, Germany and Great Britain have refused to sign the UNCLOS 1982 agreement,** leaving a **huge void in the establishment of a rule based order in the international waters.**

**4. Legal Challenges-** The prosecution of pirates is challenging due to **different jurisprudence mechanism in different countries** of the world.

**5. Lack of resources and information sharing Mechanism-** Nations like **Djibouti, Somalia, Yemen lack naval assets, technology, and personnel** to effectively patrol and secure their waters against piracy.

### What are the International and National Initiatives to control piracy in the Arabian Sea?

#### Global Initiatives Related to Maritime Piracy

<b>United Nations Convention on the Law of the Sea (UNCLOS)</b>	It establishes the <b>legal framework for combating piracy</b> , as outlined in. The UN Security Council and General Assembly have consistently emphasized on the <b>application of UNCLOS</b> in combating maritime threats.
<b>Operation Prosperity Guardian</b>	The United States has initiated Operation Prosperity Guardian, a <b>multinational security initiative</b> to ensure security in the Red Sea.
<b>Convention for the Suppression of Unlawful Acts against the safety of Maritime Navigation (1988)</b>	It is a multilateral treaty. The main purpose of the treaty is to ensure that <b>appropriate action is taken against people who commit unlawful acts against ships.</b> It was adopted in 1988 at the Suppression of Unlawful Acts(SUA) Convention in Rome.
<b>Combined Maritime Forces (CMF)</b>	The CMF is a <b>multinational naval partnership with primary focus areas aimed at defeating terrorism, preventing piracy, fostering regional cooperation,</b> and promoting a secure maritime environment. CMF has 39 member nations including India.

#### India's Initiatives Related to Maritime Piracy

1. SAGAR policy.
2. India has reiterated its support for the UN Convention on Law of Sea (UNCLOS).
3. International Fusion Centre (IFC).
4. Indian Ocean Rim Association (IORA).

### What should be the way ahead to counter piracy in Arabian Sea?

Controlling piracy in the Arabian Sea involves a multifaceted approach. Some of them are mentioned below

- 1. Enhanced Naval Patrols-** Increased naval presence and patrols by both national and international maritime forces help deter pirate activities. **India must increase its frequency of joint naval exercises with Saudi Arabia, UAE.**
- 2. Collaborative Efforts-** Collaborative task forces, such as the **Combined Task Force 150 (CTF-150)**, must be effectively used to counter the piracy threats in the region and **secure strategic points like the Bab al-Mandab Strait.**
- 3. Enhanced Naval Protection-** Countries must bolster their naval presence to safeguard commercial shipping. **For ex- India's Operation Sankalp**, which began in 2019 to escort India-flagged ships, must be replicated by other countries as well.
- 4. Establishing back channel talks with Non-State Actors-** Countries must open a channel of communication with **Non-state actors like Houthis**, who are involved in piracy to fund their wars.
- 5. Capacity building-** Capability building approach must be adopted in countries like Somalia and Yemen to address the root causes of poverty and livelihoods of local population and reduce their dependence on **'piracy as a means to livelihood'**.

Combating piracy in the Arabian Sea is a complex and ongoing challenge that necessitates a comprehensive and coordinated approach involving multiple stakeholders at regional and international levels.

### Office of Governor- Issues and Suggested Reforms- Explained Pointwise

The role, powers, and discretion of the **Office of Governor** have been the subject of Constitutional, Political, and Legal debate for decades. The **relationship between the Office of Governor and the elected Government** has been **strained and tense in multiple States in recent times**. The recent political controversies between Governors and State Government pose challenge to the functioning of the federal structure as envisaged in the Constitution. These also tarnish the standing of the dignified Constitutional post.



## Office of Governor- Issues and Suggested Reforms

Issues With Office of Governor with Examples	Recommendations of the Commissions and Rulings of SC
<b>Affiliation Based Appointment.</b> Ex- Recent appointments belonging to a particular ideological group	<ol style="list-style-type: none"> <li><b>Sarkaria Commission 1988</b>- The Governor should be <b>eminent person in some walk of life and detached from politics</b>. Appointment must be in consultation with the CM of the state.</li> <li><b>Venkatachaliah Commission 2002</b>- Appointment by a Committee comprising the Prime Minister, Home Minister, Speaker of the Lok Sabha, and the Chief Minister of the State concerned.</li> </ol>
<b>Arbitrary Removal of Governors</b> , especially after the change of the government at the centre.	<ol style="list-style-type: none"> <li><b>Sarkaria Commission 1988</b>- Removal before the end of the term (5 years), <b>only on the grounds of morality, dignity, constitutional propriety etc.,</b> with consultation of the state government.</li> <li><b>Punchhi Commission 2010</b>- Removal through <b>impeachment process</b> (similar to that of the President) by the State Legislature.</li> <li><b>BP Singhal vs Union of India (2010)</b>- Removal of Governor cannot be based on arbitrary, capricious or unreasonable grounds.</li> </ol>
<b>Misuse of Article 356 to recommend President's Rule</b>	<ol style="list-style-type: none"> <li><b>Rameshwar Prasad Case (2006)</b>- Motivated and whimsical conduct of the Governor in recommending president's rule falls under judicial review.</li> <li><b>Punchhi Commission (2010)</b>- Article 355 and 356 should be amended to bring specific troubled areas instead of the whole state.</li> <li><b>Sarkaria Commission (1988)</b>- Art 356 should be used very sparingly and as a matter of last resort.</li> </ol>
<b>Governor withholding assent to Bills and Serving as Chancellors of Universities</b>	<b>Punchhi Commission (2010)</b> - Prescribed a <b>time limit of 6 months</b> for the governor to take a decision on a Bill. The convention of making the Governors as chancellors of universities should also be done away with.

For detailed Reading- 7 PM Link



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### What are the recent controversies associated with the office of Governor?

<b>Tamil Nadu</b>	<p>Governor refusing to read some parts of the Governor's address which is prepared by the State govt.</p> <p>Governor withholding the assent to the <b>NEET Bill</b> to exempt TN from NEET</p>
<b>West Bengal</b>	Governor and state govt face off after the WB Assembly passed a Bill paving the way for making the Chief Minister the Chancellor of State Universities <b>replacing the Governor from the position.</b>
<b>Kerala</b>	<p>Governor touring the state without any previous announcements.</p> <p>Governor's <b>warning of action against the individual ministers</b> that lower the dignity of the office of the Governor.</p> <p>Dispute with state government over the approval of Bills.</p>

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<b>Jharkhand</b>	The Governor <b>didn't act on the advice of the Election Commission of India</b> to disqualify the Chief Minister of Jharkhand for violation of electoral norms. This resulted in prolonged political uncertainty in the state.
<b>Maharashtra</b>	The Governor hastily removed the Governor's rule and administered oath to a <b>CM who lacked majority support</b> .
<b>Rajasthan</b>	The Governor <b>inordinate delay in convening the assembly session</b> for the government to prove its majority.

### What is the history and rationale behind the office of Governor?

<b>Pre Independence</b>	<b>Government of India Act 1858-</b> Provincial Governors were agents of the crown, functioning under the supervision of the Governor-General. <b>Government of India Act 1935-</b> The governor was now to act in accordance with the advice of Ministers of a province's legislature, but retained special responsibilities and discretionary power.
<b>Post Independence</b>	The Office of the Governor was retained Post Independence. Governor was envisaged to be the Constitutional Head of a state. However, the Governor retained special responsibilities and discretionary power.

### What are some of the important Constitutional Provisions Related to the office of Governor?

<b>Article 153</b>	Provides that there shall be a Governor for each state. One person can be appointed as Governor for two or more states.
<b>Article 155</b>	The Governor of a State shall be appointed by the President by warrant under his hand and seal.
<b>Article 156</b>	The Governor shall hold office during the pleasure of the President.
<b>Article 161</b>	Power to grant pardons, reprieves, respites or remissions of punishment, or to suspend, remit or commute the sentence in matters of crime where the state legislature has power to make laws.
<b>Article 163</b>	Provides Discretionary Powers which include- 1. Appointment of a chief minister when no party has a clear majority in the state legislative assembly. 2. In times of no-confidence motions. 3. In case of failure of constitutional machinery in the State (Article 356). 4. The power to withhold assent to a Bill and reserve a Bill for Consideration of President. (Article 200 and 201).
<b>Article 361</b>	The Governor of a State, shall not be answerable to any court for the exercise and performance of the powers and duties.

### What are the Issues Related to the Post of Governor in India?

- Affiliation Based Appointment-** Politicians and former bureaucrats affiliated with the ruling party have been appointed in several instances as Governors. This has led to **questions about the post's impartiality and non-partisanship**.
- Arbitrary Removal of Governors-** There are **no written grounds or procedures for removing governors**. This leads to arbitrary removals especially when there is change of political power at the Union Govt. level.
- From Centre's Representative to Centre's Agent-** The governors have become the '**agents of the Centre**' as they are appointed and removed by the Central Government.

4. **Governor recommending President's Rule-** The discretionary power of governor recommending president's rule on account of the failure of constitutional machinery in the state has not always been based on 'objective material'. **Political partisanship, whims and fancies have also played their part.**

5. **No Clear Distinction Between Constitutional and Statutory Role-** The constitutional mandate of the Governor to act on advice of the council of ministers is not clearly distinguished from his **statutory authority as chancellor**. This has resulted in many conflicts between the governor and the state government. **For ex-** The was a recent appointment of a Vice Chancellor in a university by the Kerala Governor, bypassing government nominations has caused a conflict.

6. **Misuse of Discretionary power of appointment of CM-** The Office of governor has been **accused of playing a partisan role in the appointment of CM** in cases where a single party lacks the majority.

7. **Convening and Dissolution of Assembly-** The Office of Governor has been associated **with the politics of delay in the convening and dissolution of state legislative assembly.**

8. **Delay in giving assent to the Bills-** There is **no time limit set** for how long a Governor can withhold assent to a Bill. This has been misused by the Office of the Governor to withhold assents to Bills passed by the State legislative Assemblies.

Read More- [The Issue of Governors Withholding Assent to Bills](#)

### What are the Constitutional Reforms suggested by Various Committees and Supreme Court?

#### Various Rulings of the Supreme Court arranged in Chronological Order-

1. **Shamsher Singh vs. State of Punjab(1974)-** The Supreme Court held that the **Governor is bound to act in accordance with the aid and advice of the Council of Ministers headed by the Chief Minister**. Article 154(1) makes it clear that the executive power of the State is vested in the Governor, but shall be exercised by him in accordance with the Constitution.

2. **SR Bommai vs. Union of India (1994)-** The case was concerned with the **use of Article 356** and the Governor's power to dismiss a State Government. The Supreme Court ruled that whether the State Government has the majority should be tested on the floor of the House. It shouldn't be based on the **subjective assessment of the Governor**.

3. **Rameshwar Prasad vs. Union of India (2006)-** The Supreme Court held the Governor's decision to dissolve the Assembly as unconstitutional and mala fide. **Motivated and whimsical conduct of the Governor** in recommending president's rule is **amenable to judicial review**.

4. **BP Singhal vs Union of India (2010)-** The SC held that the **removal of Governor cannot be based on arbitrary, capricious or unreasonable grounds**.

5. **Nabam Rebia vs. Deputy Speaker (2016)-** The Governor had went against the advice of the State Cabinet and called the session of the Legislative Assembly at an earlier date (against the recommended date). The SC confirmed that the **Governor does not enjoy broad discretionary powers and is always subject to Constitutional standards**. The Court concluded that the Governor's discretion did not extend to the powers conferred under Article 174 (Article 174 is related to the Sessions of the State Legislature, prorogation and dissolution). Hence, the Governor could not summon the House, determine its legislative agenda or address the legislative assembly without consultation.

#### Recommendations of Various Commissions in Chronological Order

1. **The Administrative Reforms Commission (1969)**- The Commission recommended that **non-partisan persons having long experience in public life and administration** should be appointed as the Governors of a State.

2. **Sarkaria Commission (1988)**-

**(a) Appointment of Governor-**

- (i) The Governor should be appointed after **consultations with the Chief Minister of the State**
- (ii) The Governor should be **eminent in some walk of life** and from outside the State
- (iii) The person should be a **detached figure** without intense political links, or should not have taken part in politics in the recent past
- (iv) The person should not be a member of the ruling party

**(b) Removal of Governor-**

- (i) The Governor should be removed before the end of the term (5 years) **only on the grounds if doubts are raised about his morality, dignity, constitutional propriety** etc.
- (ii) In the process of removal before the end of the term, the State Government may be informed and consulted

**(c) Use of Article 356-**

This article should be used **very sparingly and as a matter of last resort**. It can be invoked only in the event of political crisis, internal subversion, physical breakdown, and non-compliance with the Constitutional directives of the Centre.

3. **National Commission to Review the Working of the Constitution (NCRWC), 2002**- The Governor should be **appointed by a Committee** comprising the Prime Minister, Home Minister, Speaker of the Lok Sabha, and the Chief Minister of the State concerned.

4. **The Second Administrative Reforms Commission (ARC), 2008**- The **Inter-State Council needs to come up with some guidelines** for governors to follow when they are using their discretionary power.

5. **Punchhi Commission (2010)**-

- (a) It proposed giving Governors a **fixed term of 5 years** and removing them through an **impeachment process** (similar to that of the President) by the State Legislature. The doctrine of pleasure (for removal of Governors) should be deleted
- (b) It **reiterated the recommendation of the Sarkaria Commission** regarding appointment of Governors. The person shouldn't be active in politics
- (c) The convention of making the Governors as chancellors of universities should be done away with
- (d) **Article 355 and 356 should be amended** to allow the Union Government to bring specific troubled areas under its rule for a limited period, instead of the whole State.

**Conclusion**

The Governor's discretion and Constitutional mandate should be guided by certain 'norms and principles', **which can be defined in a 'Code of Conduct'**. Discretion must be a decision that is guided by reason, motivated by good faith, and tempered by caution. **Certain codification can be undertaken regarding discretionary powers** like determining the areas in which they have discretion, establishing a time frame within which they must act, and stating unequivocally that they are required to follow the advice of the Cabinet when dealing with Bills etc.

Read More- [The Hindu](#)

Syllabus- GS II, Issues and challenges pertaining to the federal structure; GS II, Structure, organization and functioning of the Executive; GS II, Appointment to various Constitutional posts.

## Remission Policy in India- Bilkis Bano Case- Explained Pointwise

The Supreme Court has struck down the remission granted to 11 men convicted in the Bilkis Bano gang rape case of 2002. The court has ruled that the Gujarat government's decision to remit their sentences and set them free was illegal.



## Remission In India- Bilkis Bano Case



### SC Judgment on Remission of Bilkis Bano Convicts

- » **Bilkis Bano Case**- Bilkis Bano was gangraped and seven members of her family were murdered during the Gujarat riots of 2002. The 11 convicts were released by the Gujarat government under its remission and premature release policy on August 15, 2022.
- » **SC Judgement**- The court has ruled that the Gujarat government's decision to remit their sentences and set them free was illegal. Supreme Court has ruled that the appropriate government to decide remission is the state within whose jurisdiction the accused were sentenced. The remission cannot be granted by the state within whose territorial limits the offence was committed, or the accused were imprisoned. Thus, the competent government in this matter to grant remission would be the Maharashtra Government, as the convicts were sentenced in Maharashtra.



### Provisions and Grounds for Remission

- » Remission refers to the reduction or cancellation of a penalty or punishment imposed by a court by executive authority.
- » **Constitutional Provision**- Art 72 and 161 provide the president and governor the power to grant remission respectively.
- » **Legal Provision**- Section 432 of CrPC provides the state governments the powers to remit sentence, since prisons is a state subject.
- » **SC Judgement**- In *Kehar Singh vs. Union of India (1989)*, SC held that the courts cannot deny a prisoner the benefit of remission.
- » **Grounds of Remission**- Laid by SC in '*Laxman Naskar v. Union of India*' (2000). Some of these include- Nature of Crime, Chances of repeat of crime, good behaviour of convict and his socio-economic condition.



### Arguments For and Against Remission

Arguments For	Arguments Against
<ol style="list-style-type: none"> <li>1. Promotes Rehabilitation and Reintegration</li> <li>2. Humanitarian approach of reformation</li> <li>3. Prevents overcrowding in Prisons</li> <li>4. Improvement of Efficiency of Judicial and Correctional System</li> <li>5. Cost Saving</li> </ol>	<ol style="list-style-type: none"> <li>1. Raises Concerns About Public Safety</li> <li>2. Leads to Public Outcry over Controversial Cases like Rajiv Gandhi Convicts remission</li> <li>3. Potential for Political Influence</li> <li>4. Undermines Deterrence</li> <li>5. Concerns about rights of Victims and Survivors</li> </ol>

There is a need to develop a rational and comprehensive remission Policy which must encompass humanitarian considerations and the convicts' scope for reform, without violating the rule of law or societal interests.

For detailed Reading- [7 PM Link](#)

## What is Remission?

**Remission**- Remission refers to the **reduction or cancellation of a penalty or punishment imposed by a court**. It provides the government or relevant authorities with the discretion to either completely release a person from their sentence or reduce the severity of the sentence.

\*Remission is **distinct from both furlough and parole**. Furlough and parole refers to a break from prison life. However in remission there is a reduction in sentence, while the nature of the sentence remains untouched.

**Remission not an automatic process**- Remission is not an automatic process. It is **subject to the discretion of the relevant authorities**. The specific procedures and criteria for remission can differ based on the legal framework governing a particular offense.

Read More- [Why the 11 convicts in Bilkis Bano gangrape case walked out of jail](#)

## What are the Constitutional provisions laws and grounds that govern remission in India?

### Constitutional Provisions

<b>Article 72</b>	The President can grant pardons, reprieves, respites or <b>remissions of punishment</b> or suspend, <b>remit</b> or commute the <b>sentence of any person</b> . This can be done for any person convicted of any offence in all cases where- a. The punishment or sentence is by a court-martial b. In all cases where the punishment or the sentence is for an offence under any law relating to the Union government's executive power c. In all cases of death sentences.
<b>Article 161</b>	The Governor can grant pardons, reprieves, respites or <b>remissions of punishment</b> , or suspend, <b>remit</b> or commute <b>the sentence</b> . This can be done for anyone convicted under any law on a matter which comes under the State's executive power.

### Statutory Provisions

<b>Prison Act, 1894</b>	<b>Remission system has been defined</b> under the Prison Act, 1894.
<b>Section 432 CrPC</b>	Section 432 of the Code of Criminal Procedure (CrPC) provides the <b>state governments the powers to remit</b> sentence, since prisons is a state subject.
<b>Section 433A CrPC</b>	Puts <b>restriction of minimum 14 years jail term for convicts</b> , who have been awarded life imprisonment for crimes attracting the maximum punishment of death sentence.

### SC Judgements

<b>Kehar Singh vs. Union of India (1989)</b>	SC observed that the <b>courts cannot deny to a prisoner the benefit to be considered for remission of sentence</b> . Denial of remission is against the principles of reformation and pushes the convict into a dark hole.
<b>State of Haryana vs. Mahender Singh (2007)</b>	<b>No convict has a fundamental right of remission</b> . The State in exercise of its executive power of remission must consider each individual case, keeping in view the relevant grounds for remission.

### Grounds for remission

In '**Laxman Naskar v. Union of India**' (2000), the SC laid down five grounds on which remission is considered-

- Nature of Crime affecting the society
- Chance of the crime being repeated in future



- c. Convict losing the potentiality to commit crime
- d. Purpose being served by keeping the convict in prison
- e. Socio-economic conditions of the convict's family.

Convicts serving life sentences are entitled to seek remission only after serving a minimum of 14 years. Data from Prison Statistics, 2020 show that 61% of convicts in jail are serving life sentences.

#### What are the famous remission cases in India?

<b>Rajiv Assassination (1991)</b>	<b>Gandhi Case</b>	In 2018, the Tamil Nadu government recommended the release of A.G. Perarivalan, one of the convicts in the Rajiv Gandhi assassination case, <b>on grounds of good behavior</b> . The recommendation was made to the governor for his consideration.
<b>Assassination of Punjab Chief Minister Beant Singh (1995)</b>		In 2014, the Punjab government, led by Chief Minister Parkash Singh Badal, decided to release some of the convicts involved in the assassination of Chief Minister Beant Singh on grounds of good behavior and conduct during imprisonment. This decision was controversial and <b>sparked debates about justice and the rights of victims' families</b> .
<b>Jessica Lal Murder Case (1999)</b>		In the high-profile Jessica Lal murder case, Manu Sharma was sentenced to life imprisonment. In 2011, the Delhi government recommended premature release for Sharma, <b>citing good conduct</b> . However, this decision was later overturned, and Sharma's release was rejected.

These cases illustrate instances where the question of remission or early release from imprisonment became a matter of public debate and legal scrutiny.

#### What are the arguments provided in favour of provision of remission?

The concept of remission in India, is associated with certain advantages, both from the perspective of the individuals serving sentences and the criminal justice system. Some of the potential advantages are mentioned below-

1. **Rehabilitation and Reintegration-** Granting of remission is an **acknowledgment of positive change** in an individual convicted of crime. This fosters the idea of rehabilitation and reintegration into society.
2. **Humanitarian approach of reformation-** The concept of Remission is **grounded in humanitarian considerations** such as old age, health conditions and other compassionate reasons.
3. **Prevents overcrowding in Prisons-** Remission helps in alleviating the issue of overcrowding in prisons by reducing the number of individuals serving sentences. This contributes to **better living conditions for prisoners** and improve the overall management of correctional facilities.
4. **Development of Good Behavior of the prisoners-** The possibility of remission serves as an **incentive for prisoners** to exhibit good behavior, follow prison rules, and actively engage in rehabilitation programs. This creates a positive environment within correctional facilities.
5. **Improvement of Efficiency of Judicial and Correctional System-** Remission enables authorities to **focus resources** on cases where incarceration is deemed necessary while providing an avenue for the release of individuals who may no longer pose a significant threat.
6. **Cost Savings-** Remission results in cost savings associated with the maintenance and management of prisons.

### What are the arguments provided against the provision of remission?

While remission in India has certain advantages, it also poses potential disadvantages and challenges. Hence some critics argue against the provision of remission.

- 1. Concerns About Public Safety-** Critics argue that in certain cases, the focus on rehabilitation and good behavior **might not adequately address the risk to public safety** associated with certain offenders involved in crimes of heinous nature.
- 2. Controversial Cases and Public Outcry-** Decisions regarding remission, especially in high-profile or controversial cases, can lead to public outcry. **For ex- Remission to convicts of Rajiv Gandhi Murder case by Karunanidhi.**
- 3. Inconsistency in Application-** The discretionary nature of remission may lead to inconsistency in its application. Similar cases with similar circumstances might be treated differently, **raising questions about fairness and equality before the law.**
- 4. Potential for Political Influence-** There is a risk of political interference or influence in the decision-making process for remission. Politically motivated decisions could compromise the principles of justice and the integrity of the legal system. **For ex- Alleged political influence in Bilkis Bano Case.**
- 5. Undermines Deterrence-** Critics argue that the availability of remission may undermine the deterrent effect of criminal penalties. If individuals believe they can be released early for good behavior, it might **reduce the perceived severity of consequences for criminal actions.**
- 6. Victim and Survivor Concerns-** In cases where remission is granted, the concerns and **rights of victims or their survivors may be overlooked.** Victims might feel that the legal system is not adequately addressing their needs, particularly if the release of an offender causes distress or fear.
- 7. Lack of Transparency-** The decision-making process for remission is not always transparent, **leading to skepticism** about the criteria considered by authorities. Lack of transparency can erode public trust in the criminal justice system.

### What Should be the Way Forward?

It's essential to strike a balance between recognizing positive behavioral changes in prisoners and ensuring the safety and well-being of society. Following should be the way forward-

- 1. Careful consideration of individual cases-** The cases must be carefully considered for remission. All the principles laid by SC in the '**Laxman Naskar v. Union of India**' (2000) must be justified by the authorities in their remission judgement.
- 2. Transparency in decision-making-** The remission process must be transparent and **politically unbiased.**
- 3. Fairness and reasonability-** The remission process should be fair and reasonable, and **based on a set of relevant parameters** such as whether the crime involved affected society at large, whether the convict retained the potential for committing similar offences or is capable of reform.
- 4. Rational and comprehensive remission Policy-** The remission policy **must encompass humanitarian considerations** and the convicts' scope for reform, **without violating the rule of law or societal interests.**

**Read More-** [The Hindu](#)

**UPSC Syllabus-** GS 2- Functioning of the Executive and the Judiciary

## Opportunities and Challenges For Aviation Sector In India – Explained Pointwise

Aviation Sector in India has experienced significant growth in recent years. India has become **the third-largest domestic aviation market** in the world. According to the International Air Transport Association (IATA), by the year 2030, India is expected to overtake China and the United States as the world's third-largest air passenger market. However, the aviation sector in India also faces numerous challenges, as highlighted by the **recent insolvency of Go First Airlines** and **grounding of Spice jet aircrafts on account of safety concerns**.

# Aviation Sector In India - Status, Opportunities and Challenges

## Status of the Industry

- » India is now the world's **third-largest domestic aviation market**
- » Number of Operational Airports In India has **doubled from 74 in 2014 to 148 in 2023**.
- » Number of PPP airports is likely to increase from **5 in 2014 to 24 in 2024**.
- » FDI Investment has reached to **USD 3.73 billion** from April 2000 to December 2022.

## Challenges

- » Increase in number of Grounded Unsafe Aircrafts. **Over 160 aircraft are currently grounded (25% of the total fleet size)**
- » Supply Chain Disruptions causing delays in **aircraft deliveries** and **original equipment manufacturing**.
- » Duopoly in Indian Aviation Market with **IndiGo (60% market size)** and **Tata group airlines (20% market size)**.
- » **Heavy Financial Losses** to the tune of **\$1.6 to 1.8 billion** in FY24.
- » Operational Disruptions like **increase in turn-around time of airlines** due to crew shortage
- » Inflated Projections causing bankruptcy. **Failure of Kingfisher, Jet Airways and Go First** on this front.

[For detailed Reading- 7 PM Link](#)

## Potential of the Sector

- » Increased Global Market Share will **boost India's growth and GDP**
- » Promotes balanced regional economic growth. For ex- **Development of North East** by air connectivity.
- » Promotes the Growth of **Indian Tourism** sector
- » Boost to manufacturing sector like the growth of **maintenance, repair and overhaul (MRO) facilities**.
- » It has attracted significant FDI to the **tune of around ~3 bn dollars** in the aerospace infrastructure.
- » Increased Employment opportunities like the **requirement of 10,900 additional pilots by FY30**.

## Way Forward

- » Initiate reforms in the Directorate General of Civil Aviation (DGCA) like the **head of DGCA must be a aviation professional rather than bureaucrats**.
- » Promote **'Start-up India'** initiative in the field of **maintenance, repair, and overhaul (MRO) facilities** aviation sector
- » Rationalisation of taxes like the **aviation fuel taxes** which is the **highest** in the world.
- » Modification of the **India's Aircraft Act, 1934** and **Aircraft Rules, 1937** to keep pace with the **modern technology in aerospace, growth of industry and passenger traffic**.

Created By Forum IAS

### What is The Potential of Aviation Sector In India?

- 1. Increased Market Size of Indian Aviation Sector-** According to IATA, India is expected to surpass the aviation sector of the United States and China by 2030. This will make India a **lucrative market for airlines and related businesses**.
- 2. Promotes Balanced Economic Growth-** Passenger airlines and air cargo overcome geographic barriers by connecting remote areas which are alienated from the mainstream. **For ex-** Development of North-East due to enhanced airline connectivity.
- 3. Growth of Tourism sector-** Aviation industry function as a **growth pole** by promoting **spill-over & trickling-down** of economic growth. **For Ex-** Aviation sector gives a boost to tourism sector which in turn drives the supporting infrastructure in a region, like roads, railways, hotels, markets. This helps in providing employment opportunities to the locals.
- 4. Boost to manufacturing sector-** India's expanding aviation sector offers potential for the **growth of maintenance, repair, and overhaul (MRO) facilities**, as well as the development of a domestic aerospace manufacturing industry. **For ex-** Enhanced employment opportunities in aerospace engine maintenance.
- 5. FDI in the Expansion of Infrastructure-** Booming aviation sector has attracted **significant FDI to the tune of around ~3 bn dollars** in the development of aerospace infrastructure like airports, arrow bridges, airstrips. **For ex-** Greenfield airport development like Navi Mumbai, Noida (Jewar) airport and expansion of Bengaluru airport.
- 6. Increased Employment opportunities-** The growth of aviation sector in India has created a need for skilled professionals, including pilots, cabin crew, and maintenance staff. **For ex-** Indian scheduled operators are likely to require 10,900 additional pilots by FY30 (IATA projection).

### What are The Challenges With India's Aviation Sector?

- 1. Increase in number of Grounded Unsafe Aircrafts** – Airlines like Air India, Spice Jet, Go Air, and IndiGo face issues of poor financial performance due to grounded unsafe aircrafts. **For ex-** Over **160 aircraft are currently grounded** which represents about a quarter of the total fleet size of Indian carriers.
- 2. Supply Chain Disruptions-** **Delays in aircraft deliveries** and supply chain issues with **original equipment manufacturers (OEMs)** has hindered the industry's capacity to meet growing demand.
- 3. Duopoly in Indian Aviation Market-** India's domestic aviation market is heading in the direction of a duopoly of market leader **IndiGo (60% market size)** and the **Tata group airlines (20% market size)**.
- 4. Heavy Financial Losses-** Indian airlines are projected to record a consolidated loss of \$1.6 to 1.8 billion in FY24, due to **heavy financial bleeding** of Go first, Spice Jet and Jet Airways.
- 5. Operational Disruptions due to crew shortage-** Lack of skilled pilots, maintenance engineers, and cabin crew members have led to operational disruptions like **increase in turn-around time of airlines**.
- 6. Low per-capita penetration of domestic air travel-** India's per capita penetration of **domestic air travel (0.13 seats deployed per capita)** remains significantly lower than countries like **China (0.49)** and **Brazil (0.57)**. This indicates the failure of aviation industry in India to tap the maximum potential of domestic air market.
- 7. Inflated Projections-** Airlines in India often **announce ambitious growth plans without adequately analysing** their financial security, infrastructural and personnel requirements. **For Ex-** **Failure of Kingfisher, Jet Airways and Go First** on account of inflated projections.

8. **Regulations acting as barriers-** Tough entry barriers for new entrants, high fuel prices on account of high taxes on ATF (Air Turbine Fuel) and monopoly of inefficient public sector airports have all acted as barriers in the rapid growth of the airlines sector.

9. **Policy Lacunae-** The Aircraft Act, 1934 and Aircraft Rules, 1937 have not kept pace with modern technology in aerospace. This has led to increased costs of the industry's operation and ultimately affected passenger growth.

10. **Poor rural connectivity-** With mega airports controlling air and ground space, there has been challenge of enhancing the rural air connectivity. For ex- Less number of flights to tier 2 and tier 3 towns despite the UDAN scheme.

11. **Environmental Concerns-** The Indian aviation industry faces increasing pressure to reduce its carbon footprint and adopt sustainable practices (The Carbon Offsetting and Reduction Scheme for International Aviation or CORSIA). This has also posed a challenge for growth and expansion of the airline sector.

Read More- [CORSIA](#)

### What are The Government Initiatives For Aviation Sector In India?

<b>National Civil Aviation Policy, 2016</b>	This aims to improve the international footprint of India-based airline services. Airlines can commence international operations, provided they deploy 20 aircrafts or 20% of their total capacity (whichever is higher) for domestic operations.
<b>UDAN Scheme</b>	This aims to expand access to air travel for Tier 2 and Tier 3 cities and shift the traffic pattern away from Metro routes.
<b>Open sky policy</b>	Aims to liberalise the aviation sector in India by opening the airport sector to private participation. Currently, 6 PPP airports are being developed and 60% of airport traffic is handled under PPP.
<b>Open Sky Air Service Agreement</b>	Open Sky Air Service Agreement allows for airlines from the two countries to have an unlimited number of flights as well as seats to each other's jurisdictions. India has signed these agreements with multiple nations like the US, Greece, Jamaica, Japan, Finland, Sri Lanka.
<b>FDI Policies, Tax and Duty cuts</b>	100% FDI is being allowed under the automatic route for greenfield projects, whereas 74% FDI is allowed under automatic route for brownfield projects. 100% tax exemption has been provided for airport projects for a period of 10 years. Indian aircraft Manufacture, Repair and Overhaul (MRO) service providers have been completely exempted from customs and countervailing duties.

### What Should be The Way Forward?

- Initiate reforms in the Directorate General of Civil Aviation (DGCA)-** DGCA should be modernized, well-staffed and incentivised. DGCA should be headed by aviation professionals rather than bureaucrats.
- Promote 'Start-up India' initiative in the aviation sector-** Entrepreneurship must be promoted in the maintenance, repair, and overhaul (MRO) facilities of the aviation industry.
- Rationalisation of taxes-** Tax rationalisation must be initiated in aviation fuel taxes (State and Central, which in India are among the highest in the world), air cargo and airport operations.

4. **Modification of the India's Aircraft Act, 1934 and Aircraft Rules, 1937**- These acts must be updated to keep pace with modern technology in aerospace, growth of industry and passenger traffic.

By addressing these challenges and implementing the suggested reforms, India can pave the way for a thriving aircraft leasing industry, making the country a global leasing hub and bolstering the aviation sector.

**Read More-** The Business Standard

**UPSC Syllabus-** GS III, Infrastructure: Airports

## Relations Between India-UAE- Explained Pointwise

PM Narendra Modi at the Vibrant Gujarat Summit 2024, stated that the India-UAE relations are '**stronger than ever**'. **Relations Between India-UAE**, PM Modi held bilateral talks on the sidelines of the summit with the UAE President Sheikh Mohammed bin Zayed, who was the Chief Guest of the summit.

### Some key outcomes of the recent India-UAE Bilateral talks

- India-UAE to **explore the establishment of grid connectivity** between the two countries.
- Four MoUs were signed** covering areas such as renewable energy, healthcare, food parks and logistics (DP world and Gujarat Govt to set up logistics parks in Gujarat).
- The two leaders expressed satisfaction on the progress of the **Comprehensive Economic Partnership Agreement (CEPA)** signed in 2022 aiming to increase the bilateral trade and investment.
- Launch of the **UAE-India CEPA Council (UICC)** which aims to enhance strategic cooperation in industries like startups, women entrepreneurs, and MSMEs.



## India-UAE Relations

PM Narendra Modi at the Vibrant Gujarat Summit 2024 has stated that the India-UAE relations are '**stronger than ever**'.



### India-UAE Relation-History

- » India and the UAE established diplomatic relations in **1972**
- » India-UAE relation was upgraded to **comprehensive strategic partnership** in 2017.
- » India-UAE relation has entered into a **phase of intense engagement**. PM Modi has visited **UAE six times since 2015**. UAE premier has visited India **four times since 2016**.



### Significance of Relations

- » **Geostrategic Significance**
  - Security**- Conflicts in Middle east fuel **ISIS recruitments** from Kerala.
  - Countering Piracy in the Arabian Sea**- Through exercises like **Zayed Talwar** (Naval) & **Desert Eagle** (Air force).
  - Energy Security**- UAE is 6th largest exporter of crude oil to India.
- » **Geopolitical Significance**
  - Cooperation in International fora**- India's **UNSC Bid, UNFCCC, ISA**.
  - Countering growing China's Influence** in Middle East
  - Crucial for India's OIC membership** and **India-GCC FTA**
- » **Geo-economic Significance**
  - Remittances**- UAE one of the top sources as home to **3.5 million Indian expatriate population (2021)**.
  - Trade and Investment**- India-UAE trade targeted to reach **\$100bn by 2030** (India-UAE CEPA), UAE is the **ninth largest investor** in India.



### Recent Achievements

- » **India-UAE Comprehensive Economic Partnership Agreement**- Reduced tariffs on **80% of goods** and **zero duty access** to 90% of India's exports
- » **Rupee-Dirham deal**- Enables the use of local currencies for cross-border transactions.
- » **Lunch of I2U2 and IMEC**- These platforms to promote connectivity and cooperation in fields of technology, infrastructure and sustainability.
- » **Religious Freedom**- UAE allowing to open the first Hindu temple on its soil- **BAPS Hindu Mandir Abu Dhabi**



### Challenges

- » Large **Non Tariff Barriers (NTBs)** in trade has dampened Indian Exports.
- » China's Cheque Book Diplomacy **crowding out Indian companies** from the UAE
- » Inhumane conditions imposed by the **Kafala system** on Indian immigrants
- » Arab-Iran Conflict puts **India in a diplomatic tight spot**.



### Way Forward

- » Establishment of **2+2 Dialogue** with UAE
- » Predictability in the use of **Non-Tariff Barriers (NTBs)**
- » Reformation of **Kafala System**

### What is the history of India-UAE relations?

India and the United Arab Emirates (UAE) enjoy strong bonds of friendship based on **age-old cultural, religious** and **economic ties** between the two nations.

<b>Initial Phase of Engagement</b>	<b>1966-</b> The relationship flourished after the <b>accession of H.H. Sheikh Zayed Bin Sultan Al Nahyan</b> as the Ruler of Abu Dhabi in 1966. <b>1971-</b> Federation of UAE was created. <b>1972-</b> India and the UAE established diplomatic relations in 1972. <b>1981-</b> Indian PM Indira Gandhi visited UAE.
<b>Phase of Active Involvement</b>	<b>Indian PM's visits to UAE-</b> Indian PM <b>Narendra Modi visited UAE in 2015</b> . It was after 24 years that any Indian PM visited the country, after Indira Gandhi's visit in 1981. PM Modi has visited <b>UAE six times so far since 2015</b> . PM will visit UAE in Feb 2024, where he will <b>inagurate the BAPS Mandir</b> and address ' <b>Ahlan Modi</b> ', a mega diaspora event. <b>Saudi's Pince Visits to India-</b> UAE's President Mohamed bin Zayed Al Nahyan has visited <b>India for four times since 2016</b> , twice as crown prince and twice as President.

### What have been some of the major achievements of the India-UAE relations?

India-UAE relation was **upgraded to a comprehensive strategic partnership**, during the visit of the Crown Prince Mohamed bin Zayed Al Nahyan in January 2017. This gave momentum and impetus to India-UAE relations, which has seen some major achievements in recent years.

- 1. India-UAE CEPA-** India and the UAE Comprehensive Economic Partnership Agreement (CEPA) came into force on May 1, 2022. CEPA has led to slashing of tariffs on more than **80% of goods** and gives **zero duty access to 90% of India's exports** to the UAE. It has led to increase in the value of trade. The **non-oil trade** has reached **US\$50 billion** between May 2022, and April 2023. The target of **non-oil trade hitting \$100 billion by 2030** seems an imminent possibility.
- 2. Launch of India-Middle East-Europe Economic Corridor (IMEC)-** UAE is a **vital cog** in the India-Middle East-Europe Economic Corridor (IMEEC) that would boost connectivity and act as a credible alternative to China's Belt and Road Initiative.
- 3. Launch of I2U2 Initiative-** I2U2 is a grouping launched by **India and UAE** along with **Israel and the United States**. This grouping aims to **deepen technological and private sector collaboration** in the region to tackle transnational challenges in areas like water, energy and transportation.
- 4. Rupee-Dirham deal-** Reserve Bank of India (RBI) and the Central Bank of the UAE have agreed to establish a framework for enabling the **use of their local currencies for cross-border transactions**. This will reduce the reliance on US Dollars and promote the Internationalisation of Indian Rupee.
- 5. Convergence on Politically sensitive Issues-** UAE has been deeply understanding towards India's politically sensitive issues such as Kashmir and has **stood with India on Abrogation of Art 370**.
- 6. Religious Freedom-** UAE has shown great religious acceptance and allowed the construction of the first ever temple on its Land- **the BAPS Hindu Mandir Abu Dhabi**.

### What is the significance of India-UAE relations?

#### Geostrategic Significance

1. **Security-** The Middle-east region is a theatre of warfare like the **Israel-Hamas war, Conflicts in Syria, Iraq, Yemen** etc. These conflicts have several security implications in India. For ex- **Rise of ISIS recruitments from Kerala**. Hence, India-UAE relationship becomes significant to bolster internal and external security of both the nations.

2. **Countering Piracy and terrorism-** Better India-UAE relations are necessary to **strengthen the security of the Arabian Sea and Indian ocean region**, that is prone to piracy. Also India and UAE have been collaborating in joint exercises to counter terrorism. For ex- **Desert Cyclone** (Military), **Zayed Talwar** (Naval) and **Desert Eagle** (Air force).

3. **Energy Security-** UAE is one of **India's key energy providers** (6th largest exporter of crude oil to India). UAE is also the first international partner to invest in **India's Strategic Petroleum Reserves Program**.

### Geopolitical Significance

1. **Close Cooperation in International fora-** UAE supports India's bid for entry in the **UNSC**. Also, India and UAE have been collaborating closely in UNFCCC, ISA, I2U2 and IMEC etc.

2. **Countering China's Influence in the Middle East-** China has been increasing its influence in the middle east through initiatives like **BRI, brokering of peace talks between Saudi and Iran**. India must improve its relation with UAE to counter the Chinese growing Influence in the middle east.

3. **Better Coordination with Regional Groupings antagonistic to India-** UAE commands a significant respect in regional groupings like **OIC** (Organization of Islamic Cooperation) and **GCC** (Gulf Cooperation Council). An improvement in relation will open India's door for an **OIC membership** and **India-GCC FTA**.

### Geo-Economic Significance

1. **Remittances-** UAE is the **second home** to **3.5 million Indian nationals**. UAE is one of the top sources of remittance inflow in India.

2. **Trade and Investment** – UAE is India's third-largest trading partner, with the trade volume close to ~\$60bn. The CEPA agreement aims to increase the non-oil trade to **\$100 bn by 2030**. UAE's investment in India is estimated to be around U.S.\$11.67 billion, which makes it the **ninth-biggest investor in India**. Indian companies have set up manufacturing units either as JVs or in Special Economic Zones for cement, building materials, textiles, engineering products, consumer electronics.

4. **Gateway to Africa** – Engagement with the UAE paves the way for India to **leverage UAE's easy access to the African market** and its various trade partners (**GCC** and Greater Arab Free Trade Area (**GAFTA**) Agreement). This can help India to become a part of the supply chain especially in **handlooms, handicrafts, textiles and pharma**.

### Cultural and P2P significance

1. **Protection of interests of Indian Diaspora** – Good India-UAE relationship is crucial to protect the economic and socio-cultural interest of 3.5 million large expatriate community, as of 2021. For ex- **Opening of First ever Hindu Temple in Abu Dhabi**.

2. **Enhancement of India's Soft Power** – Good relations with the UAE is a sine qua non for enhancing India's Soft power in the Middle-east region. For ex- **Abu Dhabi and Dubai celebrating Diwali**.

### What are the challenges to the India-UAE Relationship?



1. **Non Tariff Barriers (NTBs)**- The Non-Tariff Barriers like **Sanitary and Phytosanitary (SPS)** and **Technical Barriers to Trade (TBT)** adopted by the UAE, has dampened Indian exports related to poultry, meat and processed food.
2. **China's Cheque Book Diplomacy** – China with its deep pockets has been offering low interest loans and **crowding out Indian companies from the UAE** and Middle-east region.
3. **Arab-Iran Conflict** – The differences between Iran and the Arab world also puts India in a **diplomatic tight spot** to balance its relationship with both UAE and Iran.
4. **Kafala System** – The **inhumane conditions** imposed by the Kafala system on immigrants engaged in blue collar jobs in the UAE is a major challenge in India-UAE relations. It gives employers disproportionate control over migrant workers' immigration and employment status.
5. **Extension of Loans to Pakistan** – UAE is a **major lender to Pakistan**. Pakistan sponsors cross border terrorist attacks in India. The money provided by the UAE seems to be used in endangering India's national security.

#### **What steps should be taken to further enhance the India-UAE relationship?**

1. **Transparency and predictability in the use of Non-Tariff Barriers (NTBs)**- There must be regular information sharing on **labelling, licensing, permit requirements, import monitoring and surveillance requirements**.
2. **Establishment of 2+2 Dialogue** – India must establish more strategic dialogue platforms like **India's 2+2 dialogue with U.S., Russia**.
3. **Alignment with 'Vision 2021'**- UAE through its 'Vision 2021', seeks to diversify its economy and reduce its dependency on oil. India must use areas like **renewable energy, start-ups, fintech** to deepen its engagement with the UAE.
4. **Reformation of Kafala System** – India should actively engage with the UAE to reform the Kafala system. **For Ex- Qatar has promised to reform the Kafala system** on India's insistence.

**Read More-** [Moneycontrol](#)

**UPSC Syllabus- GS II-** International Relations- India's Bilateral Engagements

### **Increasing Antimicrobial Resistance in India- Explained Pointwise**

According to a recently released **report** by the **National Centre for Disease Control (NCDC)**, Antimicrobial Resistance (AMR) in India, is one of the highest in the World. The World Health Organization has recognized AMR as one of the **top 10 global public health threats**.



# Anti-Microbial Resistance (AMR)

According to a report by Global Research on Antimicrobial resistance (GRAM) project, AMR has directly contributed to about 30% of deaths due to neonatal sepsis across India. Moreover, over 30% of the COVID-19 deaths in India, were due to failure to treat secondary bacterial infections caused by Multi Drug Resistant pathogens.

## Anti Microbial Resistance

- » AMR- Resistance of **microorganisms** (bacteria, virus, parasites and fungi) to an **antimicrobial agent** (antibiotics, fungicides, antiviral agents and parasiticides), to which they were first sensitive
- » Examples of AMR in India- Bacteria like **E. coli**, **Klebsiella**, **Acinetobacter** have developed AMR. Third-generation antimicrobial drugs like **cephalosporins**, **imidazoles** have become ineffective

## Challenges

- » Threat to the health care system- Increase the **mortality rates** in Africa and Asia.
- » Economic Brunt- To the tune of **US\$ 1 trillion by 2050** for the world economy.
- » Looming possibility of next pandemic- **C. Auris superbug** has raised severe concerns.

## Initiatives

- » Delhi Declaration on AMR
- » Red Line campaign
- » National programme on AMR containment
- » WHO's Global Action Plan (GAP) on AMR, 2015



## Causes of AMR

- » Misuse of antimicrobial medicines- Use of **over-the-counter antibiotics** & Overuse during **Covid-19**
- » Inadequate healthcare facilities- Lack of large network of laboratories for **bacterial culture tests** & adequately trained healthcare personnel
- » Improper usage in agriculture and allied sectors- Use of **Colistin** as growth promotional agent in poultry farming
- » Crony capitalism- Pharmaceutical industry **incentivising** the sale of antibiotics
- » No new antimicrobial development- **Exit of big pharma** from antibiotic development
- » Inadequate sanitation facilities- **Candida auris** acquired by hospital patients

## Way Forward

- » Chennai Declaration on AMR- Implement **new H1 rule** which bans the use of only second and third-line antibiotic.
- » One Health Approach- Reduce use of **biopesticides** and **fungicides** in agriculture.
- » Awareness Generation- **Peru's efforts** on patient education
- » R&D of new antibiotics- Use of **AMR Fund** for support



Created by Forum IAS

### What is Antimicrobial Resistance? What are The Different Kinds of Antimicrobial Resistance?

**Definition-** Antimicrobial Resistance (AMR) is the **resistance of microorganisms** (bacteria, virus, parasites and fungi) to an **antimicrobial agent** (antibiotics, fungicides, antiviral agents and parasiticides), to which they were first sensitive.

### Extent of AMR in India According to The National Centre for Disease Control (NCDC) Report on AMR

1. Bacteria like **E. coli**, **Klebsiella**, **Acinetobacter**, **Staphylococcus aureus**, **enterococcus** have become resistant to even the latest generation of antibiotics.
2. Third-generation antimicrobial drugs like **cephalosporins**, **imidazoles**, **amino-glycosides**, **ceftriaxone**, **metronidazole**, **amikacin** and **piperacillin**, used to treat cold, fever, skin diseases and urinary tract infection have become ineffective.

3. Inappropriate use of antibiotics in human, animal and agricultural sectors has generated **superbugs** that are resistant to these antibiotic drugs, which spread due to **inadequate sanitation and improper infection prevention** in healthcare.

#### Types of Antimicrobial Resistance

<b>Natural (intrinsic, structural) resistance</b>	Natural resistance is caused by the <b>structural characteristics of microbes</b> . It is <b>not associated with the use of antimicrobials</b> . It has no hereditary property.
<b>Acquired resistance</b>	Acquired resistance develops due to the changes in the genetic characteristics of microbes, like <b>changes in structures of chromosomes</b> . This makes the microbes resistant to previous antimicrobial treatment.
<b>Cross resistance</b>	Resistance developed in microbes against <b>antibiotics having similar structure</b> .
<b>Multi-drug resistance and pan-resistance</b>	Resistance of microorganisms to a <b>range of antimicrobes used to kill them</b> . Multiple drugs and their enhanced generation is also not able to kill them.

#### What are The Reasons Behind The Growth of Antimicrobial Resistance in India?

- Misuse of antimicrobial medicines-** The **use** of antibiotic medicine in **non-bacterial infections**, **use of over-the-counter antibiotics**, **self-medication** and emergence of fixed drug compositions, have contributed to the increase in antimicrobial resistance in India. **For ex- Overuse of antimicrobial medicines during the Covid-19 outbreak.**
- Inadequate laboratory facilities-** India lacks severely in the laboratory network and capacity to support Clinicians/Doctors with the **bacterial culture test** and suggesting an appropriate antibiotic.
- Lack of trained healthcare personnel-** There is lack of adequate training of healthcare personnel in antibiotic selection, escalation, and de-escalation.
- Inadequacy of healthcare facilities-** Overcrowded hospitals have left very little time for the doctors to **examine patient's medical history**, conduct proper blood tests and then recommend proper antimicrobial treatment.
- Inappropriate use of antimicrobes in agriculture and allied sectors-** The overuse of antimicrobials in agriculture and allied sector have led to increase in AMR. **For ex- Use of Colistin** as growth promotional agent in poultry farming has led to **Colistin AMR** in India.
- Inadequate monitoring-** India lacks proper monitoring system to control the antibiotic prescription and dispensing practice by health system. **For ex- Ineffective monitoring to stop the sale of over the counter antibiotics.**
- Crony capitalism-** The pharmaceutical industry incentivises the sale of antibiotics by being hand in gloves with the health care personnel like doctors, pharmacists etc.
- Contamination around pharmaceutical manufacturing sites-** The untreated waste from the pharmaceutical industries **releases large amounts of active antimicrobials** into the environment.
- Inadequate sanitation facilities-** Poorly functioning sanitation systems like **open defecation**, **poorly contained septic tanks** have led to increase in AMR.
- Improper infection prevention in healthcare institutions-** AMR has also spread due to the lack of proper infection prevention mechanism in hospitals, clinics and laboratories. **For ex- Candida auris** acquired by **hospital patients**.

11. **No new antimicrobial developments-** The **exit of big pharma from antibiotic development** and lack of investment from venture capitalists to support the commercial viability of antibacterial agents, has pushed AMR into a global health crisis.

### What are The Challenges Posed by Spread of Antimicrobial Resistance?

1. **Threat to the health care system-** The Antimicrobials helped in significantly reducing the mortality rates low and middle-income countries (LMICs) of Asia and Africa. The ineffectiveness would impair the modern health system by **failing to prevent infections post a routine surgery or cancer treatment**.

2. **Loss of Human Lives-** AMR is responsible for up to 7 lakh deaths a year (GRAM project report). **For ex- E.coli and MRSA** (Methicillin Resistant Staphylococcus Aureus) are among the **drug-resistant bacteria** that lead to **most deaths**.

3. **Economic Brunt-** As per an estimate by the Global Research on Antimicrobial resistance (GRAM) project, AMR can lead to an economic brunt on the world economy to the tune of **US\$ 1 trillion by 2050**.

4. **Looming possibility of next pandemic-** There is a looming possibility that the next pandemic will be caused by a superbug. **For ex- Concerns about the spread of C. Auris superbug**.

### What Steps Have Been Taken Towards Controlling AMR?

#### Domestic Steps and Actions

<b>Ban of antimicrobial usage in Agriculture</b>	The Government of India has passed an order banning the use of <b>streptomycin</b> and <b>tetracycline</b> in agriculture and the growth promotional use of <b>colistin</b> in poultry farming.
<b>National programme on AMR containment</b>	It was launched during 12th FYP in 2012-17. Under this programme, <b>AMR Surveillance Network</b> has been strengthened by establishing labs in State Medical Colleges.
<b>Delhi Declaration on AMR</b>	An <b>inter-ministerial consensus</b> was signed by the ministers of the concerned ministries pledging their support in AMR containment.
<b>Chennai Declaration</b>	<b>New H1 rule</b> was introduced which banned the use of only <b>second and third-line antibiotics</b> . (H1 rule was brought out to regulate over-the-counter use of antibiotics)
<b>Red Line campaign</b>	To prevent irrational use of prescription-only antibiotics and <b>create awareness on the dangers of taking antibiotics without prescription</b> .

#### Global Steps and Actions

<b>Funding support through PPP model</b>	Early stage funding from public-private partnerships like <b>CARB-X</b> (the Combating Antibiotic Resistance Bacteria Biopharmaceutical Accelerator) to small companies for antibacterial projects.
<b>GAIN Act, 2012</b>	The U.S. Congress has enacted the Generating Antibiotic Incentives Now Act (GAIN Act) of 2012. It provides benefits to manufacturers of <b>Qualified Infectious Disease Products (QIDPs)</b> including five years of additional non-patent exclusivity.
<b>WHO's Global Action Plan (GAP) on AMR, 2015</b>	WHO has launched this comprehensive global action plan to <b>reduce the incidence of AMR</b> by improving awareness and understanding about AMR, optimisation of antimicrobial usage and initiating effective sanitation and hygiene.

### What Should Be The Way Ahead in Reducing AMR?

AMR is a complex socio-economic and political challenge and not just a scientific issue to be solved by doctors and researchers alone.

- 1. Improvement of Sanitation and Hygiene-** The **sanitation in hospitals** and basic access to personal hygiene must be improved to reduce the spread of AMR.
- 2. Implementation of the Chennai Declaration on AMR-** The **new H1 rule** which banned the use of only second and third-line antibiotic must be implemented at the earliest to prevent the over-the-counter sales of antibiotics.
- 3. Investment in Public Health infrastructure-** The investment in public health infrastructure like network of laboratories, hospitals, recruitment of trained medical professionals must be enhanced at the earliest. **For ex-** NCCD reports points out that **states with good public health systems have lower AMR.**
- 4. Improving governance and monitoring framework-** Environmental governance, planning and regulatory frameworks must be enhanced to combat the menace of AMR. **For ex-** **Involve the Ministry of environment to stop the contamination of antimicrobials.**
- 5. One Health Approach-** Any actions on AMR must be guided by the 'One Health Approach'- a holistic approach that links the health of humans with our shared environment. This will help in **reducing the use of biopesticides and fungicides in agriculture.**
- 6. Robust investment in R&D of new antibiotics-** Funding support must be taken from the **AMR Action Fund** for the development of new and power antibiotics.
- 7. Awareness Generation on AMR-** **Peru's efforts** on patient education to reduce unnecessary antibiotic prescriptions must be used as a learning point.

The development of resistance to antimicrobials is a major public health problem all over the world. It makes even minor infections tough to treat, causing severe illnesses and deaths. Hence, a clarion call to end this menace must be taken at local, national and global levels that would eventually help in attainment of **SDG 3** (ensuring good health and well-being for all).

**Read More-** [The Hindu](#)

**UPSC Syllabus- GS 3-** Science and Technology (Health care and emerging concerns)

### Police Reform In India In 2024- Explained Pointwise

PM Narendra Modi emphasised on the need of Police Reform at the recent DGP, IGP meet. PM emphasised on the need of modernisation of the police forces and exhorted them to '**work with data instead of danda**'. With the changing nature of crime like **threats of cyber crime**, we need to act urgently on reforming the old and outdated policing system in India.



# Police Reforms In India

Issues in Police Force	Commissions Suggestions and SC Ruling in Prakash Singh Case
<p><b>Overburdened Police Force-</b> Police-public ratio in India is <b>152.80 per lakh person</b> against the UN's mandated ratio of <b>222 police per lakh persons</b></p> <p><b>Lack of Diversity in Police forces-</b> Women representation in the police force is just <b>11.7%</b></p>	<p><b>NITI Aayog-</b> <b>33% reservation</b> to women in police force recruitment. Identify and outsource <b>non-core functions</b> like address verification for passport applications to private agencies.</p> <p><b>Padmanabhiah Commission-</b> Standardisation of recruitment for police force.</p>
<p><b>Political Accountability and Loss of Public Trust-</b></p> <p><b>Politicisation of appointment including DGP</b></p> <p><b>Centre-state Tussle in CBI</b></p> <p><b>'New Delhi conceived and managed' IPS</b></p>	<p><b>SC Direction in Prakash Singh Case-</b> <b>Police Establishment Board (PEB)</b> to decide transfers, postings and promotions. Security of tenure of min 2 years for DGPs, SP and SHOs.</p>
<p><b>Deteriorating Police-Public Relations-</b> Corruption , Misconduct against Public</p>	<p><b>SC Ruling-</b> <b>Police Complaints Authority (PCA)</b> to inquire into public complaints against police officers</p>
<p><b>Botched up Crime Investigation-</b> Changing nature of crime like <b>cyber crimes</b>, <b>low rates of conviction</b> due to improper investigation, <b>Custodial deaths</b>.</p>	<p><b>Second ARC-</b> <b>Separation</b> of Crime Investigation and law and order function.</p> <p><b>Malimath Committee-</b> Revamp entire criminal procedure system. Set up fund for custodial deaths</p>
<p><b>Colonial legacy and lack of Infrastructure-</b> Colonial Law of <b>Indian Police Act 1861</b>, Weaponry shortage, Surveillance vehicle shortage.</p>	<p><b>Soli Sorabjee Committee-</b> A <b>new model police bill</b> to replace the colonial 1861 Police Act.</p> <p><b>NITI Aayog-</b> Nudge states to adopt '<b>The Model Police Act of 2015</b>', separate funds for police modernisation.</p>

[For detailed Reading- 7 PM Link](#)



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## What is Police Reform? What is The Constitutional and Legal Basis of Police System in India?

Police reforms aim to **transform** the **values, culture, policies** and **practices** of police organizations. It envisages police to perform their duties with respect for **democratic values, human rights** and the **rule of law**.

### Constitutional and Legal Basis of Police System in India

Police is an **exclusive subject** under the **State List** (List II, Schedule 7 of the Constitution). However, the centre is also allowed to maintain its own police forces to assist the states with ensuring law and order. For ex- **CRPF, CISF**.

The present Indian police system is largely based on the **Police act of 1861**. State legislation on policing is based on this Act. For Ex- **Bombay Police Act, 1951, Kerala police act 1960, Delhi police act 1978**.

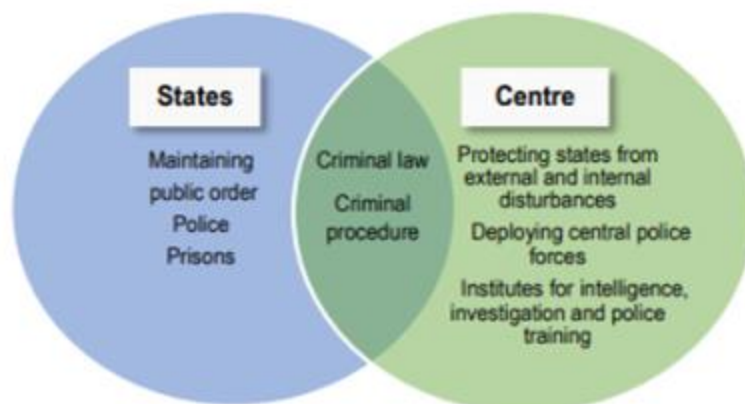


Figure 4 Forum IAS

## What is The Need For Police Reform in India?

1. **Overburdened Police Force-** Police-public ratio in India stands at **152.80 per lakh person**, against the sanctioned public-police ratio of 196.23 per lakh person (as on 1st January 2022). This is way too low when compared with the UN's recommended standard of **222 police per lakh persons**. This has led to a state of an overburdened

police force and a huge backlog of cases.

2. **Constabulary Issues-** The constabulary constitutes **~86% of the state police forces**. However, the constabulary suffers from issues such as **limited promotion opportunities** (only once in his lifetime) and **harsh working conditions** (Lack of housing facilities). This has weakened their incentive to perform well.

3. **Issues with IPS System-** The '**New Delhi- conceived and managed**' IPS has emerged as '**a permanent irritant**' between the centre and states. States look upon the IPS as unreliable intruders and prefer to have their own recruits. **For ex-** Tussle over the promotions of Police officers at important positions.

4. **Centre-state Tussle-** Even though police is a state subject, public prefers CBI investigations over state police interventions as they lack faith in their own police forces, leading to centre-state tussle. **For ex- Tussle between WB Police and CBI, Withdrawal of general consent to CBI by WB, TN.**

5. **Lack of Diversity in Police forces-** As per Status of Policing in India Report, 2022, Indian police lacks diversity on the basis of caste, class, religion and gender. Representation of women in the police force is just **11.7%** (Jan 2022).

6. **Accountability to the Political Executives vs Operational Freedom-** The **Second ARC (2007)** has noted that political interference has interfered with professional decision-making by the police and resulted in a biased performance of duties. **For Ex- Politicisation of DGP appointment.**

7. **Police Infrastructure Issues-** The Police suffers from issues like

a. **Weaponry shortage** (Rajasthan-75% shortage and West Bengal- 71% shortage, according to CAG audit report 2015-16)

b. **Surveillance vehicle shortage** (30.5% deficiency according to BPRD)

c. **Underutilisation of Funds for modernisation of state police forces** (Just 6 % of the Rs 620 cr fund for modernisation of state police forces was used in FY23)

d. **Non-functioning of POLNET** (Police Communication Network)- a satellite-based network to facilitate faster communication between police and paramilitary forces (CAG report highlights the failure of states like Gujarat, Uttar Pradesh in setting up POLNET).

8. **Colonial Legacy-** The Indian Police is still governed by the **Police Act of 1861**, which is a colonial law aimed at creating a '**suppressor police force**' rather than an '**enabler police force**'.

9. **Police misconduct and Corruption-** In 2016, the vigilance department had conducted 55% more inquiries against its own men. India **lacks institutional mechanism** to complain against the erring police officials.

10. **Deteriorating Police-Public Relations-** The **Second ARC (2007)** has noted that police-public relations is rapidly deteriorating as people view the police as corrupt, inefficient, politically partisan and unresponsive. According to a 2018 survey by CSDS, **less than 25% of Indians expressed trust in the police.**

11. **Changing nature of Crimes-** The nature of crimes is becoming more complex like the emergence of various kinds of organized crimes, **economic fraud, deepfakes.** Police lack modern technological capabilities necessary to perform quality investigations.

12. **Botched up Crime Investigation-** The 22nd Law Commission has pointed out that **conviction rate** for crimes recorded under the Indian Penal Code, 1860 is **less than 50%.** It has pointed out that the police lack training in essential skills like **forensic laws, cybercrimes** and **legal knowledge of admissibility of evidence.**

13. **Custodial Deaths-** As per **Asian Centre for Human Rights (ACHR)** report, 144 custodial deaths took place from 2017 to 2018. The large number of custodial deaths point towards wide use of torture in police investigations.

### What Will Be The Benefits Of Police Reforms in India?

1. **Shedding the colonial Legacy-** The reform of Indian Police Act will help in shedding the colonial legacy like it was done in the case of **IPC, CrPC and Evidence Act** being replaced by **Bhartiya Nyaya, Surkasha and sakshya Samhitas.**

2. **Help in tackling Modern day crimes-** The reform will help in tackling the modern day crimes like **cyberespionage, deepfakes** and **online financial frauds.**

3. **Increase in social sensitivity-** Diversified workforce like greater representation of women in police force will increase gender sensitivity towards women in the society. **For ex- Help in decreasing cases of crimes against women.**

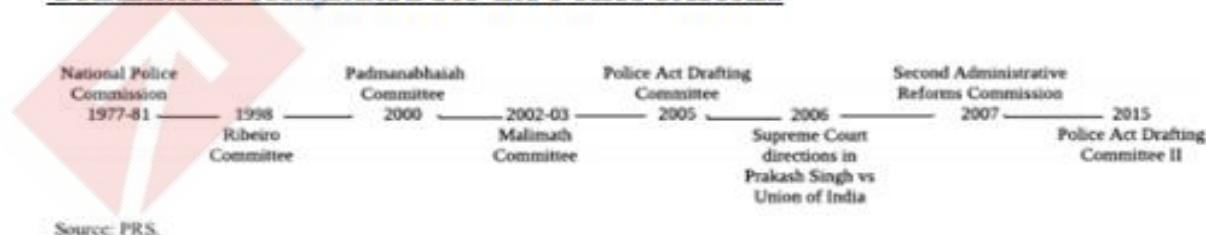
4. **Reduction in custodial Deaths and Violence-** It will help in reducing inhumane tortures in police custody especially of the downtrodden and the disadvantaged. **For ex- Reduction in cases like Thoothukudi district custodial death.**

5. **Bolster Internal security-** Modernised Police force will help in bolstering national security and containing crimes like **naxalism** and **separatism.**

Read More- [Police Reform- UPSC](#)

### What are The Recommendations of Various Committees Regarding Police Reforms in India?

#### Committees constituted for the Police Reform:



Source- PRS

### Various Committee recommendations

<b>Gore committee 1971-1973</b>	<b>Enlarge the content of police training</b> from law and order and crime prevention to a greater sensitivity and understanding of human behaviour
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<b>National Police Commission 1977</b>	Insulate the police from <b>illegitimate political</b> and <b>bureaucratic interference</b> .
<b>Padmanabhaiah Committee 2000</b>	<b>Standardisation of recruitment procedures</b> for the police force & training. Bring changes in police officers' behaviour, police investigations and prosecution. Change the <b>criterion for constabulary recruitment</b> and <b>improve pay &amp; perk</b> .
<b>Soli Sorabjee Committee 2005</b>	A new model police bill to replace the colonial 1861 Police Act.
<b>Second ARC 2007</b>	<b>Separation of crime investigation</b> from other police functions like <b>maintenance of law and order</b> . Establishment of <b>State police boards</b> for welfare and grievances redressal mechanisms for police personnel.
<b>Malimath Committee 2003</b>	A complete revamp of the entire criminal procedure system. Creation of fund to compensate victims turning hostile under pressure of culprits. Separate national level authority to deal with crimes threatening the country's security.

### Seven Directives of The Supreme Court in Prakash Singh vs Union of India

In the Landmark Prakash Singh vs Union of India, for police reforms in India, SC has given the following observations-

- State Security Commission (SSC)**– Constitute a State Security Commission (SSC) so that the **state government does not exercise unwarranted influence or pressure on the police**.
- Merit based appointment of DGP**– Ensure that the DGP is appointed through the merit-based transparent process and secure a **minimum tenure of two years** of service.
- Security of tenure**- Police officers on operational duties (including **SP** and **SHO**) are also provided a **minimum tenure of two year**.
- Criminal Investigation and law and order separation**– Separate the investigation and law and order functions of the police.
- Police Establishment Board (PEB)**– Set up a Police Establishment Board (PEB) to **decide transfers, postings, promotions** and other service related matters of police.
- Police Complaints Authority (PCA)**– Set up a Police Complaints Authority (PCA) at state level to **inquire into public complaints** against police officers of above the rank of Deputy Superintendent of Police.
- National Security Commission (NSC)**- Set up a National Security Commission (NSC) at the union level to prepare a panel for **selection and placement of Chiefs of the Central Police Organizations (CPO)** with a minimum tenure of two years.

### NITI Aayog Suggestions on Police Modernisation

- State level legislative reforms**- States should be encouraged, with fiscal incentives, to introduce ' **The Model Police Act of 2015**' as it modernises the mandate of the police.
- Task force under MHA**- To **identify non-core functions** that can be outsourced to save on manpower and help in reducing the workload of the police. **For Ex- Address verification for passport applications** can be outsourced to private agents or government departments.
- Greater representation of women**- The states should be encouraged to ensure that the representation of women in the police force is increased. For ex- **Bihar's 33% women in police force rule**.
- Place police and public order in concurrent List**- Police as well as public order must be moved to the Concurrent List to **tackle increasing inter-state crime and terrorism** under a unified framework.

### What Should Be the Way Forward?

1. **Reform the 'Thana'**- The thana system is the most basic unit of police functioning. Through the thana, the police remains in contact with the common man. Thus, **improving the working conditions** of **thana-level constables** should be a priority.
2. **Enhance Police Budget and upgrade Police Infrastructure**- More than 90% of the police budget in the states are used for salary and establishment costs. Allocation for training, procurement and technology deployment should increase. States must **fully use the funds for police modernisation**.
3. **Reform the criminal justice system**- Focus must be on the effective implementation of the **Malimath Committee recommendations** to reform the criminal justice system.
5. **Training and Capacity Building of policemen**- Training the police forces should be a continuous process along with the evolving nature of the crime space. **For ex- The cyber cell of the Delhi Police** to deal with cyber criminals.
6. **Upgrade technology and research in policing**- Reform the Bureau of Police Research and Development (BPRD) by making it a more inclusive institution. **For ex- Expertise of social science experts for better research on criminology, NCRB's Automated Facial Recognition System (AFRS)** to identify criminals.
7. **Improving public perception through community policing**- Community policing initiatives like '**Janamaithri Suraksha Project-Kerala**', '**Meira Paibi-Assam**' must be undertaken to improve ground level policing.
8. **Learning from international best practices**- **Japan's separate police commission** for recruitment, **New York Polices specialisation of police** model, must be used to reform our police and make it a global Police.
9. **Increase women representation**- 33% women reservation in police should be implemented in all the states. States like Bihar have taken a step in this direction.

All reforms must be enunciated in the direction of development of **SMART Police**- Sensitive, Mobile, Alert, Reliable and Techno-savvy.

**Read More-** [The Hindu](#)

**UPSC Syllabus- GS II-** Role of Civil Services in a Democracy

### Significance and Challenges of International Court of Justice

The **International Court of Justice (ICJ)** recently held hearings in a case brought by South Africa, accusing Israel of committing genocide in Gaza. The International Court of Justice (ICJ) has heralded **significant strides** in addressing **international legal disputes** since its establishment in 1945. However, the **effectiveness** and **efficiency** of this esteemed institution have often been called into question.



## International Court of Justice (ICJ)

The **International Court of Justice (ICJ)** recently held hearings in a case brought by South Africa, accusing Israel of committing genocide in Gaza. ICJ has heralded significant strides in **addressing international legal disputes** since 1945. However, ICJ's **effectiveness** and **efficiency** have often been **called into question**.



### Brief Info About ICJ

- » **ICJ- Principal judicial organ** of UN. Established in **1945** and is situated at **Peace Palace in The Hague**.
- » **Composition- 15** member judges having a term of office of **9 years**. Elected by **UNGA** and **UNSC** separately and simultaneously.
- » **Mandate of ICJ- Settling Legal Disputes** between member states in contentious cases & **giving advisory opinions on legal questions** referred to it by authorized United Nations organs and agencies
- » **Judgement of ICJ-** The judgement is **final and binding** on the parties to a case. **UNSC** empowered to ensure compliance of the judgement.



### Challenges

- » **Lack of robust enforcement mechanism-** **Misuse of Veto powers** by UNSC members like US in case of Israel
- » **Non-participation-** Powerful member states do not participate in ICJ proceedings. **For ex-** Russia in Ukraine case
- » **Political Bias of the member judges-** Russian and Chinese judges **voting against ICJ order** on Russian aggression in Ukraine
- » **Lengthy and Bureaucratic Procedures-** Delays justice like the **pending case of Gambia against Myanmar** on genocide of Rohingyas filed in 2019
- » **Limited Jurisdiction-** US refusal to accept the ICJ's jurisdiction in certain matters



### Significance

- » **Forum for peaceful dispute resolution-** Peaceful resolution of a territorial dispute between **Burkina Faso and Mali**
- » **Clarification of complex legal issues-** ICJ's advisory opinion on the **'Legality of the Threat or Use of Nuclear Weapons'** (1996)
- » **Justice in Human Rights violations-** ICJ holding **Serbia responsible for violating the Genocide Convention** during the **Bosnian War**.
- » **Reparations and Compensation-** ICJ ordering **Uganda to pay reparations for human rights violations** during **Congo-Uganda conflict**
- » **Development of International Law-** New laws in maritime domain in ICJ ruling in **Qatar v. Bahrain territorial and maritime dispute case (2001)**



### Way Forward

- » **Strengthen ICJ Enforcement Mechanisms-** Reform UNSC like **no veto** in case of ICJ verdict enforcement.
- » **Encourage Greater State Participation in ICJ-** Recent **Romanian declaration** of compulsory jurisdiction of ICJ
- » **Review and Update the ICJ's Charter-** **Remove all outdated provisions** and adapt its structure to the evolving needs of the present times
- » **Address Fragmentation of International Law-** Co-ordinate with **ICC, PCA, WTO DSB** and **UNCLOS**

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### What Is The Structure and Mandate of The International Court of Justice (ICJ)?

**ICJ-** The International Court of Justice (ICJ) is the **principal judicial organ** of the United Nations (UN). It was established in **June 1945** by the **Charter of the United Nations** and began work in April 1946.

**Seat of the ICJ-** ICJ is situated at the **Peace Palace in The Hague** (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York (United States of America).

### Composition of the ICJ-

<b>Total Number of Judges</b>	The ICJ is composed of <b>15 judges</b> . The 15 judges of the Court are distributed in following regions- <b>3</b> (Africa), <b>2</b> (Latin America and Caribbean), <b>3</b> (Asia), <b>5</b> (Western Europe and other states), <b>2</b> (Eastern Europe)
<b>Tenure of Judges</b>	These judges are elected for <b>terms of office of nine years</b> . In order to ensure a measure of continuity, <b>one third of the Court</b> is elected <b>every three years</b> . Judges are eligible for re-election.

<b>Method of Election</b>	The judges are elected by the <b>United Nations General Assembly</b> and the <b>Security Council</b> . These organs vote <b>simultaneously but separately</b> . In order to be elected, a candidate must receive an absolute majority of the votes in both bodies.
<b>Independence</b>	ICJ is <b>not composed of representatives of governments</b> , unlike other organs of international organizations. Judges make <b>solemn declaration in open court</b> that they will exercise their powers impartially and conscientiously. <b>No Member of the Court</b> can be <b>dismissed unless</b> , in the unanimous opinion of the other Members, he/she no longer fulfils the required conditions. (No ICJ member judge has been dismissed till date)
<b>Administrative Organ</b>	ICJ is assisted by a <b>Registry which is its administrative organ</b> . Its official languages are English and French.

### Role and Mandate of ICJ-

ICJ acts as a world court with two fold jurisdiction.

<b>Settling Legal Disputes</b>	To settle legal disputes submitted to it by States in <b>contentious cases</b> like <b>settling disputes</b> between countries and <b>determining "state responsibility" for crimes</b> committed in violation of international law. Only States which are members of the United Nations and which have become parties to the Statute of the Court or which have accepted its jurisdiction under certain conditions, are parties to contentious cases.
<b>Giving Advisory Opinions</b>	To give <b>advisory opinions on legal questions</b> referred to it by authorized United Nations organs and specialized agencies.

**Judgement of ICJ-** The judgment is **final, binding on the parties to a case** and **without appeal** (At the most it is subjected to interpretation or revision upon the discovery of a new fact).

**If a state fails to perform the obligations** incumbent upon it under a judgement, the other state can bring the matter before the Security Council. The UN Security Council is empowered to recommend or decide upon measures to be taken to give effect to the judgment.

### Importance of the International Court of Justice

The International Court of Justice (ICJ) holds significant importance in the realm of international law and global governance.

**1. Forum for peaceful dispute resolution-** Countries bring their legal grievances before the court, and its decisions are binding on the parties involved. **For Ex- Nicaragua v. United States case (1986)**, ICJ held US responsible for violation of International law, for supporting armed activities against Nicaragua. **Burkina Faso and Republic of Mali Frontier Dispute Case (1986)**, ICJ facilitated the peaceful resolution of a territorial dispute between Burkina Faso and Mali.

**2. Clarification of complex legal issues-** Even though ICJ's advisory opinions are non-binding, they carry significant weight in **clarifying legal issues**. **For Ex-** The ICJ's advisory opinion on the '**Legality of the Threat or Use of Nuclear Weapons**' (1996) addressed the legality of nuclear weapons under international law.

**3. Advisory Role in Diplomacy-** The ICJ's advisory opinions also support diplomatic efforts and facilitate resolution of contentious issues between states. **For Ex- South Africa's case against Israel (2023)** for genocide in Gaza, could lead to an advisory opinion and influence diplomatic efforts in the Israel-Palestine conflict.

4. **Increased adjudication Human Rights violation and Genocide Cases-** ICJ has contributed to the development and enforcement of **international human rights standards**. For Ex- In **Bosnia and Herzegovina v. Serbia and Montenegro case (2007)**, the ICJ ruled that Serbia had violated the Genocide Convention during the Bosnian War.

5. **Reparations and Compensation-** The ICJ has the authority to order reparations and compensation for damages caused by one state to another. This has contributed to **accountability for wrongful actions**. Major rulings on reparations have also been adhered to by the concerned parties. **For Ex-** In **Democratic Republic of the Congo v. Uganda case (2005)**, ICJ ordered Uganda to pay \$325 million reparations for human rights violations and damages during the Congo-Uganda conflict. This order was complied by Uganda.

6. **Development of International Law-** The ICJ's decisions and interpretations of international law have contributed to the development and clarification of legal principles and has set precedents for future cases. **For Ex-** In **Qatar v. Bahrain territorial and maritime dispute case (2001)**, ICJ's decisions have influenced the understanding and development of international law in these domains.

7. **Enhanced participation of states under its framework-** ICJ has been successful in furthering the participation of states that have not accepted its compulsory jurisdiction, by invoking its authority through **dispute settlement clauses** or **special agreements**. **For Ex-** Recent **Romanian advancement of a declaration in support of the court's jurisdiction** has been supported by more than 30 Countries.

### Challenges and Limitations To The ICJ

The International Court of Justice (ICJ) faces several challenges that impact its effectiveness and the implementation of its decisions.

1. **Lack of dedicated and robust enforcement mechanism-** The UN Charter authorises the UNSC to enforce the court's decisions. However, its compliance and enforcement is often at the **mercy of the power politics of the permanent members** of the Security Council. **For Ex-** The enforcement of any adverse ruling against Israel is likely to be vetoed by its strongest ally, the U.S.

2. **Non-participation of powerful member states in ICJ proceedings-** Big power players have often refused to participate in the ICJ proceedings itself. **For Ex-** **Russia's refusal to participate in ICJ proceedings** in the **Ukraine vs Russia case (2022)**. **U.S. refusal** to submit to the ICJ jurisdiction in the famous **Nicaragua vs the U.S. case (1986)**.

3. **Political Bias of the member judges-** The impartiality of ICJ judges have been compromised by political considerations. Member judges have sometimes aligned their decisions with the interests of their home countries. **For Ex-** **Judges from Russia and China** voting against the **ICJ decision ordering** Russia to halt military operations in Ukraine In 2022, revealing potential political influences.

4. **Lengthy and Bureaucratic Procedures-** The ICJ is marred by lengthy and bureaucratic process results in inordinate delays in delivery of Justice. **For Ex-** The **2019 case instituted by Gambia against Myanmar** for its military crackdown on Rohingya refugees is still in trial. This is delaying the justice for Rohingya refugees.

5. **Limited Jurisdiction-** The ICJ's jurisdiction is limited to cases where states voluntarily submit to its authority. Some states may not accept the compulsory jurisdiction of the court, reducing its scope. **For Ex-** **US refusal to accept the ICJ's jurisdiction in certain matters**.

6. **Potential for Fragmentation of International Law-** The existence of **multiple international courts and tribunals** has raised concerns about potential contradictions in rulings. This can lead to uncertainty and fragmentation of international law. **For Ex-** The **coexistence of the ICJ** with other judicial bodies, such as the

International Criminal Court (ICC) and Permanent Court of Arbitration (PCA) has resulted in varied interpretations of legal principles.

Read More- [Three major Judicial organizations in the world](#)

### What Should Be The Way Forward To Reform The ICJ?

1. **Strengthen ICJ Judgement Enforcement Mechanisms-** It can be done by reforming the UN Security Council like **increase in permanent membership, no veto in ICJ decisions**. This will help in reducing the impact of political considerations on enforcement.

2. **Explore Alternative Dispute Resolution (ADR) Methods-** The ICJ can explore the use of alternative dispute resolution methods, such as **mediation or arbitration**, in certain cases to expedite resolutions and promote amicable settlements.

3. **Promotion of Impartiality and Independence of Members-** ICJ must promote transparency in the selection process. It must also encourage the judges to adhere strictly to the principles of the court rather than aligning with the political interests of their home countries. **For Ex- India's appointee** to the ICJ, Justice Dalveer Bhandari's **voted in favour of provisional measures against Russia** which was in **conflict with India's official stance at the UN** (India had abstained from voting on all key resolutions pertaining to the Ukraine-Russia conflict)

4. **Address Fragmentation of International Law-** Efforts should be made to **coordinate and harmonize** the decisions of various international courts and tribunals like **ICC, PCA**, to avoid contradictions and inconsistencies in international law.

5. **Enhancement of Procedural Efficiency-** The ICJ must explore ways to streamline its procedures and reduce the time taken for cases to reach a final judgment.

6. **Encourage Greater State Participation in ICJ-** Diplomatic efforts could be made to encourage more states to accept the compulsory jurisdiction of the ICJ. **For Ex- The recent Romanian declaration of acceptance of compulsory jurisdiction** which was signed by 30 countries.

7. **Improve Accessibility of developing Countries in ICJ-** Capacity-building programs, legal assistance and financial support must be extended to developing countries to ensure their effective participation in the court's proceedings.

8. **Review and Update the ICJ's Charter-** A comprehensive review of the ICJ's founding charter must be undertaken to **remove any outdated provisions** and **adapt its structure** to the evolving needs of the international community.

ICJ must be strengthened so that countries can resort to a peaceful method instead of attacking each other to settle the dispute.

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