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BRIEF ISSUE

156



PSIR OPTIONAL BY
Amit Pratap Singh
| ForumIAS |

PSIR & GS-2 DAILY BRIEF

ABOUT THIS INITIATIVE

Briefs, scans the best academic platforms, national newspapers & leading think tanks to pick the most relevant articles & research. It converts them into crisp, high-impact points you can directly use in your mains answers.

SOURCES SCANNED TODAY



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Daily Brief · Source Plan (Monday to Saturday)

Common Daily

The Hindu · The Indian Express · Deccan Herald · The Statesman

read every day, alongside the day's sources below

Day-wise Sources

Monday

ORF (Observer Research Foundation) · *Foreign Affairs* · *The Diplomat*

Tuesday

MP-IDSA · *EPW* (Economic & Political Weekly) · *Gateway House*

Wednesday

Firstpost · *South Asia Monitor* · *ICWA* (Indian Council of World Affairs)

Thursday

ORF · *Frontline* · *Bar & Bench* · *World Focus*

Friday

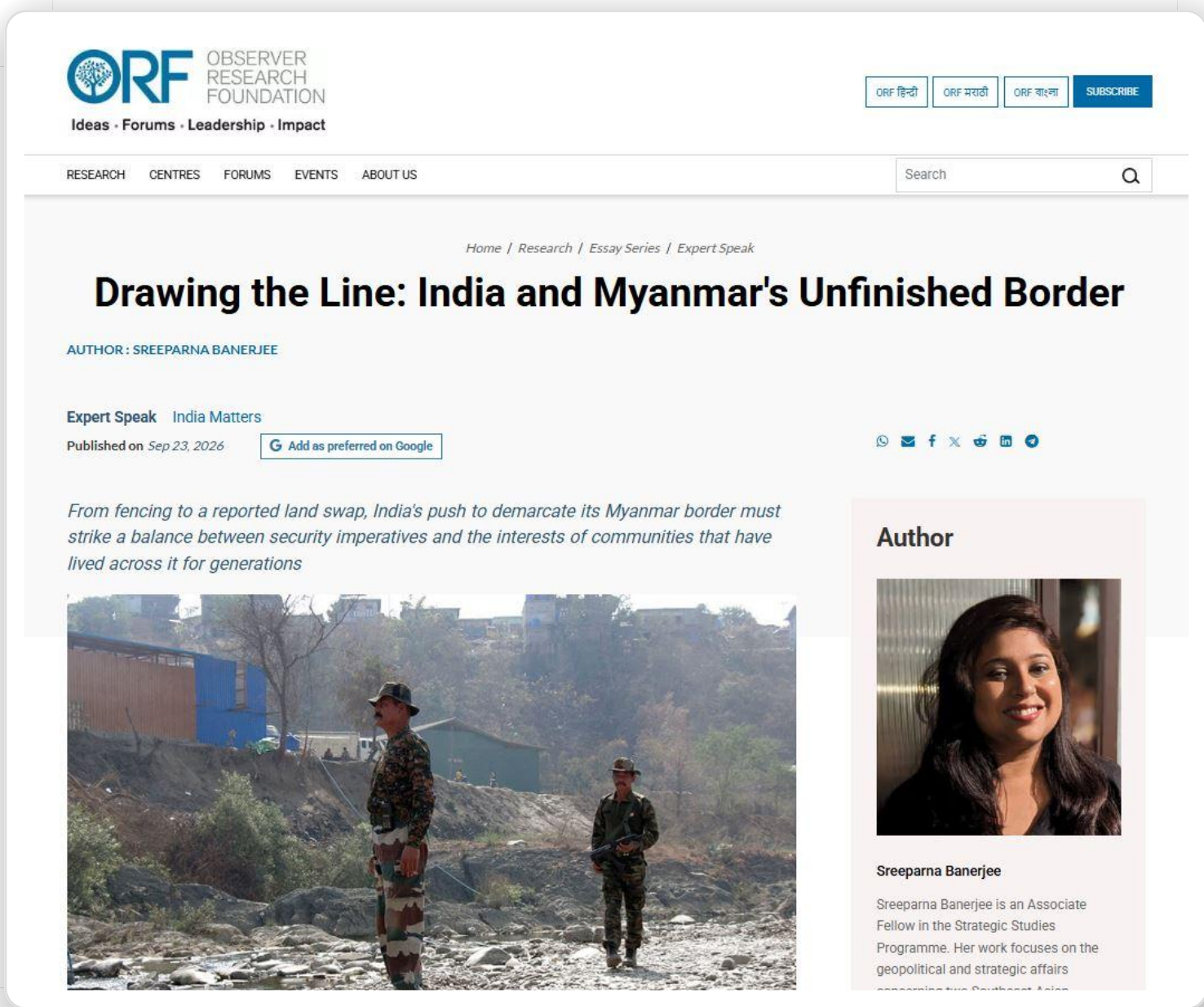
MP-IDSA · *Carnegie Endowment* · *VIF* (Vivekananda International Foundation)

Saturday

Firstpost · *Project Syndicate* · *The Economist*

As per relevance, articles from other relevant sources such as NatStrat, ThePrint and The Telegraph (India) will also be included.

Drawing the Line: India and Myanmar's Unfinished Border



Context

India's push to fence and demarcate its 1,643-km Myanmar border has revived the question of how a hardening frontier can serve the communities who have lived across it for generations.

Facts

■ **India-Myanmar border runs 1,643 km** : 1,472 km is demarcated under 1967 Boundary Agreement, leaving 171 km unresolved.

■ **Manipur's 398-km stretch** : has 55 km fenced and targeted for full completion by 2028.

■ **The FMR (1968, formalised 2018)** : allowed 16-km visa-free movement but replaced in December 2024 by 10-km biometric border-pass system.

■ **26 May 2026 document** : proposes swapping about 1.4 sq miles (3.5 sq km) in the Molcham sector for territory in Myanmar's Kabaw Valley.

Analytical Crux

The shift towards a more regulated movement regime marks a significant departure in India's handling of a historically porous frontier, and makes physical demarcation considerably more consequential. Undemarcated stretches matter more because clear alignment is what new fencing and surveillance system needs to run on. The Molcham proposal shows why demarcation can't stay a technical fix i.e. any transfer of Indian territory has to clear Article 368 under the Berubari precedent. The swap is a constitutional and diplomatic question as much as a cartographic. Tighter security cuts against Naga, Kuki and Mizo communities' generations-old ties of kinship, trade and livelihood across a line the colonial border was never able to erase. Demarcation is therefore not simply a cartographic exercise; it is increasingly central to the effective planning and implementation of a comprehensive border-management system.

Verbatim Quotes

"The border, then, has never been merely a line separating two sovereign states; for many communities, it has also been a shared space of livelihood, education, healthcare, kinship, and marriage."

– Sreeparna Banerjee, ORF

Two-Front Reality



Context

Beijing and Islamabad have activated a joint boundary commission over territory India claims, and it tightens the link between India's China and Pakistan problem rather than keeping them separate.

Facts

- **China and Pakistan** : operationalised joint boundary commission covering Shaksgam Valley which India claims.

- **The 1963 Sino-Pakistan boundary agreement** : Pakistan ceded the Shaksgam Valley to China.

- **India** : Shaksgam Valley belongs to former princely state of Jammu and Kashmir and Pakistan had no authority to cede it.

Analytical Crux

India must contend not merely with competing maps, but with the possibility that facts on the ground will become increasingly difficult to reverse. Refusing to accept the 1963 cession does not stop Beijing and Islamabad from building a joint commission, roads and regularised administration on the ground. The commission should not be treated as harmless paperwork. It is a proof of an imminent coordinated attack. *Its real claim is narrower and harder to dismiss. India's China and Pakistan challenges are structurally linked.* The China-Pakistan Economic Corridor (CPEC) links western China to Pakistan's Arabian Sea coast, adding an infrastructure dimension to the relationship. New Delhi's response has to be sustained border infrastructure, military preparedness and a consistently documented territorial position. Therefore, New Delhi must prepare for this enduring complexity without confusing vigilance with the inevitability of conflict.

Verbatim Quotes

"An agreement between two countries cannot extinguish a third country's territorial claim. Yet sustained cooperation, infrastructure development and regularised border management can entrench disputed arrangements in practice."

– The Statesman

Chief Election Commissioner is not the Election Commission of India

Context

Two of three Election Commissioners saying they were kept out of major decisions during the electoral-roll revision and the question is whether the Election Commission functioned as a Commission at all.

Facts

■ **Section 18(2) of the 2023 Act** : makes unanimity the norm and majority rule the fallback; there is no provision for one Commissioner acting alone.

■ **T N Seshan vs Union of India (1995)** : Article 324 vests election powers in the Commission, not an individual.

■ **On Form 6** : form could not be altered by an SIR direction without amending the Rules, but the altered form still appeared on ECI's Net, which is "unauthorised/illegal".

Chief Election Commissioner is not the Election Commission of India



S Y QURAISHI

FOR MORE than a year, I have written critically about the Special Intensive Revision (SIR) of electoral rolls: its *de novo* character, its documentary burdens, its treatment of EPIC, its emphasis on deletion, and the shocking numbers left out of draft rolls. I did so with some diffidence. The Election Commission (ECI) is an institution I served for many years. I know its strengths, and I have often called it one of the great gifts of our Constitution.

After yesterday's disclosures in *The Indian Express*, I wonder whether I was critical enough. The investigation reports that Election Commissioners Sukhbir Singh Sandhu and Vivek Joshi recorded objections at least 14 times in 10 months to decisions and orders which, they said, were taken without their knowledge. Their concerns went to the core of the ECI's work, including the registration and deletion of voters, the restoration of names, Form 6, appeals in electoral-roll cases, and control over the digital architecture of the rolls. If the record is as reported, the controversy changes fundamentally. The question is no longer only whether the SIR was wise, fair or administratively sound. A real question arises: Were decisions being taken by the ECI at all? If not, can these be held to be legal?

The law is clear. Section 18(2) of the Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 provides that all business of the Commission shall, as far as possible, be transacted unanimously. If the CEC and Election Commissioners differ, the matter "shall be decided according to the opinion of the majority". Section 18(1) goes further: Even the procedure for transmission and allocation of



ILLUSTRATION: C R SAGHUMAR

India (1995), the Supreme Court stressed that Article 324 entrusts elections to the ECI, not to an individual. Its warning seems written for the present moment: "It would be wrong to project the individual and eclipse the Election Commission." That sentence deserves to be framed in Nirvachan Sadan.

This is not the familiar case of one Commissioner dissenting from two colleagues. Here, two of the three members, a majority of the Commission, say decisions were taken without their knowledge. They were not outvoted. They were apparently bypassed. A majority cannot be a dissenting minority. If two Commissioners differ from the CEC, Section 18 tells us whose view prevails. The legal consequences are serious. Consider any substantive decision which the law vests in "the Election Commission" but was taken in its name without being placed before the Commission, or without cover from a lawfully adopted allocation of business. Such a decision, *prima facie*, is *ultra vires*. A letterhead cannot supply authority that the statute withholds. The Commission is a three-member constitutional body. It is not another name for its chairman.

The Form 6 episode illustrates the problem starkly. Joshi reportedly recorded in May that Form 6, prescribed under the Registration of Electors Rules, could

The ECI is an institution I served for many years. After yesterday's disclosure in *The*

"unauthorised/illegal" and sought its immediate removal. There was not merely an absence of consensus here. There was a recorded majority view against the change.

More troubling still are the disclosures about ECINet. The ERO is the statutory authority for additions, deletions and corrections. Yet the two Commissioners repeatedly warned that access to the electoral-roll database was being centralised in Delhi, and sought safeguards, including an independent technical audit. In Goa, 97 people were reportedly found eligible by EROs after producing documents, but the software did not permit their restoration. Technology cannot rewrite a statute. A computer programme cannot overrule a statutory officer.

Then there is West Bengal. Of 38.31 lakh appeals filed before tribunals, 22.21 lakh were filed by deleted voters seeking restoration. Another 16.10 lakh were reportedly by the ECI seeking deletion of voters. Sandhu asked who had authorised appeals "on behalf of ECI", recording that neither he nor Joshi had been informed. When a majority of a constitutional body asks who authorised litigation in its name, the question is not trivial.

There is also a personal point. I owe Sandhu and Joshi an apology, not for anything I said publicly but for thoughts I privately entertained. Watching the ECI lose its

quiescence. The report suggests otherwise. They were putting objections on file, questioning decisions, seeking safeguards around the electoral database, and even approaching the Cabinet Secretary when they believed institutional processes had been breached. One may still ask whether they should have spoken publicly. But conscience recorded on file is conscience nevertheless.

There is little satisfaction in feeling vindicated. Since the Bihar SIR began, I have questioned the departure from the ECI's tradition of inclusion, the opacity surrounding deletions, the treatment of EPIC, the documentary burden, and the extraordinary contraction of draft rolls. Those were sometimes dismissed as criticism from outside. We now know strikingly similar questions were being asked inside the ECI. That is the real significance of these revelations.

The response should be institutional, not partisan. The Commission, meeting as a Commission, should do the following. Disclose which major SIR decisions were approved unanimously, which were decided by majority, and under what valid allocation any others were issued. Review every decision that two Commissioners have challenged as lacking approval, and withdraw any found to have been taken without lawful authority. Restore Form 6 to conformity with the statutory Rules. Subject ECINet to an independent technical and legal audit. Ensure that statutory EROs can exercise the powers Parliament gave them. Disclose the authority under which appeals were filed in the ECI's name. Where the Commission will not act, the Supreme Court will have to step in.

For years, the central question about the ECI has been whether it is independent of the executive. Today another question is unavoidable: Is the Election Commission functioning as an Election Commission? The Constitution created a Commission. Parliament prescribed collective decision-making. The Supreme Court warned against allowing an individual to eclipse the institution. A constitutional authority that demands strict compliance with electoral law from nearly a billion voters must begin by complying with the law governing itself.

Analytical Crux

Section 18 makes unanimity the norm and majority rule the fallback, so if two of three Commissioners are on record saying that decisions on deletions, Form 6 and litigation bypassed them. This differs from ordinary institutional disagreement. The two of election commissioners say they were bypassed, and a bypassed majority is not a dissenting minority. Quraishi proposes the procedural remedies i.e. *disclosure of which decisions were unanimous, which were majority-based and which had no proper authority at all, plus an independent audit of the ECI's digital architecture. Therefore, the question extends past the Commission's independence from executive, to whether it is functioning as a three-member Commission in first place.*

Verbatim Quotes

"A letterhead cannot supply authority that the statute withholds. A majority cannot be a dissenting minority."

– S Y Quraishi

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DIGITAL EXCLUSIVE

On the trail of another democracy

India's crisis of inequality cannot be separated from its crisis of democracy. Its tribal communities have preserved forms of self-rule that could help point the country towards a more democratic and decentralised political future.

Published : Sep 23, 2026 18:29 IST - 9 MINS READ

C.R. BIJOY

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Context

There is rising income and wealth inequality under India's mainstream democratic model, Self-rule traditions practised in India's tribal and Scheduled Areas is a working alternative rather than relic.

Facts

■ *The top 10% took 58% of national income in 2025 : against 33.5% in 1990s. The bottom half's share fell to 15% from 21%, despite a 58-fold rise in nominal GDP since 1990.*

■ *Fifth Schedule areas under PESA : span 10 states, covering 11.3% of India's area and 5.6% of its population.*

■ *The Forest Rights Act, 2006 : handed 40 million hectares of community forest, over half of India's forests, to Gram Sabha governance.*

■ *Sixth Schedule areas and Nagaland's special provisions : give communities more control over land and natural resources than rest of the country has.*

Analytical Crux

There is a relation between India's widening income and wealth gap, and its unfinished decentralisation. Roughly 13.5% of India's land, spread across PESA, Sixth Schedule and Forest Rights Act and is based on communitarian, assembly-based self-rule instead of market-and-elite-capture model behind the inequality numbers. Ladakh, sections of the Naga and Kuki-Zo in Manipur and Bastar are demanding Sixth Schedule-style autonomy right. A 2010 Ministry of Panchayati Raj proposal to fuse PESA with Sixth Schedule principles nationwide was shelved and never picked up again. Classical historical materialism proposed the communitarian mode as a way out because Self-rule still matters in India's tribal homelands. Therefore, India's crisis of inequality cannot be separated from its crisis of democracy.

Verbatim Quotes

"The path to dismantle this failed democracy lies in deepening and expanding democracy, and in establishing popular governance that empowers local people through self-rule."

– C.R. Bijoy

When 'Record Not Found' Under RTI Becomes a Criminal Question

Bar and Bench

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1 Column

When 'record not found' under RTI becomes a criminal question

An RTI regime cannot function effectively if an official can knowingly defeat a statutory right simply by stating that an existing record cannot be found.



Context

When a public official's false "record not found" reply to RTI request stops being an administrative failure and becomes a criminal offence under the Bharatiya Nyaya Sanhita.

Facts

- **Section 7 of the RTI Act** : requires Public Information Officer to act within the prescribed period; a "record not found" reply the PIO knows to be false can cross into mala fide denial.

- **Section 20 of the RTI Act** : distinguishes ordinary failure from knowing, false or misleading information.

- **Section 198, BNS 2023** : needs four elements together i.e. public-servant status, a legal direction governing conduct, knowing disobedience, and intent or knowledge and does not criminalise every wrong or delayed RTI reply.

Analytical Crux

There are three situations that RTI commentary blurs together i.e. record unavailable despite reasonable search, negligent record-keeping, and a PIO who knows record exists and denies it anyway. Only the third can approach Section 198 of the BNS, and only if the prosecution proves intent or knowledge of injury, which he treats as the real evidentiary bar. A bare assertion that the applicant was harassed or frustrated should not substitute for the statutory requirement under Section 198. A record turning up later proves nothing about what the PIO knew at the time. The case has to rest on prior correspondence, file movements or internal records showing the officer already knew. The criminal law should not substitute for RTI Act's own Section 20 penalty and appeal process. The proposition, therefore, should not be stated as 'a false RTI reply is a crime.' That would be legally excessive.

Verbatim Quotes

"An RTI regime cannot function effectively if an official can knowingly defeat a statutory right simply by stating that an existing record cannot be found."

– Siddhartha Shankar Mishra, Bar & Bench

- **GS Paper II, 2026:** “Is the right to vote a fundamental right? Discuss the position of the Election Commission of India while undertaking the revision of electoral rolls. Can it also examine the question of citizenship of voters?”
- **GS Paper III, 2026:** “Ladakh is strategically located between China and Pakistan. As a measure to win hearts and minds of locals, discuss the Border Area Development Programmes (BADP) by the Central Government and civic actions by the Army. Also discuss demand of promulgation of provision of the Sixth Schedule of constitution for Ladakh.”
- **GS Paper III, 2025:** “What are the major challenges to internal security and peace process in the North-Eastern States? Map the various peace accords and agreements initiated by the government in the past decade.”
- **PSIR Paper II, 2024:** “Discuss the implications of the scrapping of the Free Movement Regime with Myanmar by the Indian Government on the complex ethno-political dynamics of the north-eastern region.”
- **GS Paper II, 2024:** “Examine the need for electoral reforms as suggested by various committees with particular reference to the ‘one nation-one election’ principle.”
- **GS Paper II, 2024:** “E-governance is not just about the routine application of digital technology in service delivery process. It is as much about multifarious interactions for ensuring transparency and accountability. In this context evaluate the role of the ‘Interactive Service Model’ of e-governance.”

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| 03 | THE ANALYSIS | The argument it raises, and the positions taken on it. |
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