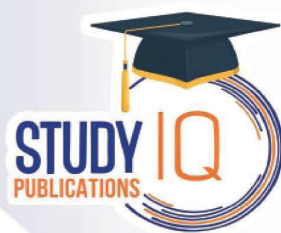


# PSIR **PULSE**

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# GEOPOLITICS AT GLANCE

## INDIA-UAE RELATIONS

### RELEVANCE

#### ❑ Syllabus:

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



# INDIA-UAE RELATIONS

PUBLICATIONS

### INTRODUCTION

India and the UAE share robust bilateral relations rooted in historical connections, cultural similarities, and mutual goals. Formal diplomatic ties between the two nations were established in 1972, with the UAE setting up its embassy in India that year, followed by India opening its embassy in the UAE in 1973. However, a significant boost to their relationship occurred in 2015, when Prime Minister Narendra Modi made a landmark visit to the UAE, the first by an Indian Prime Minister in 34 years. This visit elevated their relations to the level of a Comprehensive Strategic Partnership.

Recently, Abu Dhabi Crown Prince Sheikh Khalid bin Mohamed's visit to India has further enhanced these ties, marked by several important agreements and symbolic gestures, such as tree planting ceremonies, reflecting growing cooperation.

### KEY AGREEMENTS SIGNED DURING THE VISIT

- ❑ Cooperation in nuclear energy between the Emirates Nuclear Energy Corporation (ENEC) and the Nuclear Power Corporation of India Ltd (NPCIL), focusing on nuclear plant operations, maintenance, and sourcing of nuclear materials.

- ❑ A long-term liquefied natural gas (LNG) supply deal between the Abu Dhabi National Oil Company (ADNOC) and Indian Oil Corporation Ltd.
- ❑ Collaboration on strategic petroleum reserves between ADNOC and Indian Strategic Petroleum Reserve Ltd (ISPR).
- ❑ A production concession agreement for Abu Dhabi onshore block-one between Urja Bharat and ADNOC.
- ❑ An agreement to establish food parks in India, signed between the Gujarat government and Abu Dhabi Developmental Holding Company PJSC.

## HISTORY OF INDIA-UAE RELATIONS

### Early Engagement:

- ❑ In **1966**, the relationship gained momentum when H.H. Sheikh Zayed Bin Sultan Al Nahyan became the Ruler of Abu Dhabi.
- ❑ **1971** saw the creation of the UAE as a federation, and diplomatic relations between India and the UAE were established in **1972**.
- ❑ Indian Prime Minister **Indira Gandhi** visited the UAE in **1981**, marking the first high-level visit.

### Modern Phase:

- ❑ The relationship witnessed a significant shift when Indian Prime Minister **Narendra Modi** visited the UAE in **2015**, the first visit by an Indian PM in 34 years. Since then, PM Modi has visited the UAE multiple times.
- ❑ The UAE's President **Mohamed bin Zayed Al Nahyan** has visited India four times since **2016**, strengthening the relationship further.

## KEY ACHIEVEMENTS IN INDIA-UAE RELATIONS

### Economic Relations:

- ❑ In **February 2022**, the **Comprehensive Economic Partnership Agreement (CEPA)** was signed between India and the UAE. Trade

between the two countries has grown from US\$ 180 million in the 1970s to over **US\$ 85 billion** in **2022-23**, making the UAE India's 3rd largest trading partner.

- ❑ The **UAE's investment in India** stands at **US\$ 20-21 billion**, with substantial contributions to infrastructure and renewable energy projects.
- ❑ The UAE also plays a crucial role in **India's energy security**, being a major supplier of crude oil, LNG, and LPG.

### Connectivity:

- ❑ More than **1,500 flights** operate weekly between India and the UAE, facilitating high-level people-to-people exchanges and business.

### Strategic Relations:

- ❑ The **India-UAE defense ties** are strengthened through joint military exercises like **Desert Cyclone** and **Zayed Talwar**. The UAE also plays a significant role in **India's access to the Arabian Sea and Indian Ocean** for security.

## CHALLENGES IN INDIA-UAE RELATIONS

1. **Non-Tariff Barriers (NTBs):** Restrictions on Indian exports like poultry and processed food due to technical barriers have impacted trade growth.
2. **China's Influence:** China's economic diplomacy has created competition for Indian businesses in the UAE and the broader Middle East.
3. **Regional Conflicts:** Ongoing conflicts in the Middle East, including the Israel-Palestine issue, pose risks to joint projects like the **India-Middle East-Europe Economic Corridor (IMEC)**.

## STEPS TO STRENGTHEN RELATIONS

1. **Transparency in Trade:** Improved communication on trade barriers and better predictability in the market will boost trade.
2. **Strategic Dialogue:** Initiating a **2+2 Dialogue** mechanism, similar to India's relations with

the US and Russia, could elevate strategic cooperation.

3. **Economic Diversification:** Engaging the UAE in sectors beyond oil, such as **renewable energy** and **start-ups**, will align with the UAE's **Vision 2021** goals.

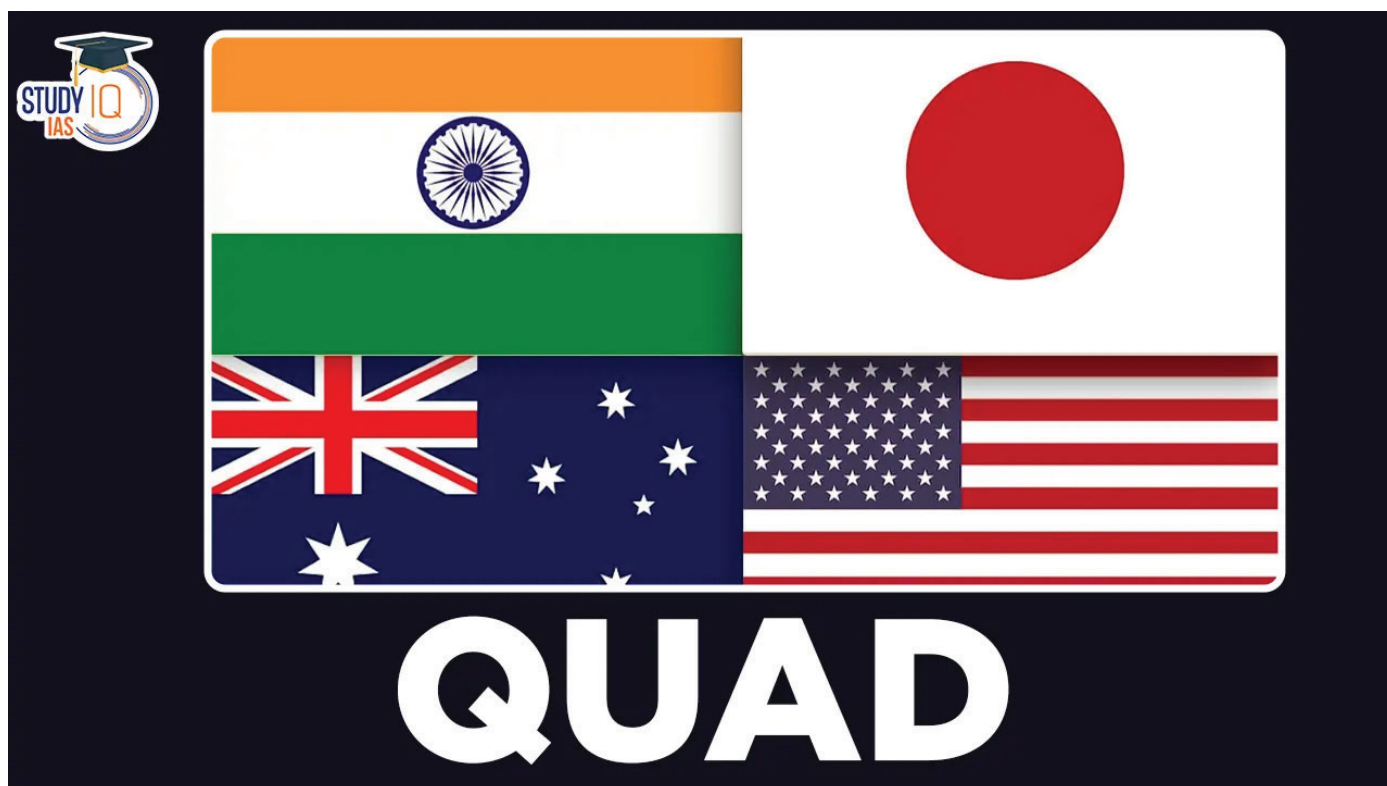
4. **Kafala System Reformation:** India should push for reforms in the **Kafala** labor system to protect the rights of Indian expatriates in the UAE.

## QUAD

### RELEVANCE

#### ❑ Syllabus:

- **PSIR:** Changing International Political Order
- **GS2:** Bilateral, Regional and Global Groupings and Agreements involving India and/or affecting India's interests.



The **Quadrilateral Security Dialogue (QSD)** or **Quad** is an informal strategic forum involving the USA, India, Japan, and Australia. It is aimed at promoting a **free, open, prosperous, and inclusive Indo-Pacific region**. The four democracies collaborate to ensure stability, rule of law, freedom of navigation, and security in the region, especially in response to the growing influence of China.

### HISTORY OF THE QUAD GROUPING:

#### Quad 1.0 (Initial Formation):

- ❑ **2004:** The Quad's origins trace back to the coordination of relief operations following the 2004 tsunami in the Indian Ocean.
- ❑ **2007:** The idea of a formal Quad was first proposed by Japanese Prime Minister **Shinzo**

**Abe**, with the support of India, Australia, and the USA. However, **Australia withdrew** shortly after, due to political pressure from China and changing dynamics between the US and China.

#### **Quad 2.0 (Revival and Expansion):**

- ❑ **2012:** Japanese PM Abe revived the idea, calling it the **Democratic Security Diamond**.
- ❑ **2017:** Amid China's assertive actions in the **South China Sea** and its increased militarization along the Indian border, the Quad was officially revived.
- ❑ **2021:** The first formal summit was held, marking the start of **Quad 2.0**. A joint statement emphasized the group's commitment to a free, open, and rules-based Indo-Pacific region.

#### **OBJECTIVES OF THE QUAD GROUPING:**

The Quad's primary goal is to **safeguard the Indo-Pacific** and uphold the following principles:

- 1. Freedom of Navigation:** Ensuring free and secure sea lanes.
- 2. Rule of Law:** Promoting adherence to international laws like the **UNCLOS**.
- 3. Democratic Values:** Reinforcing democracy and human rights.
- 4. Regional Security:** Counterbalancing China's growing influence, especially in maritime and territorial disputes.
- 5. Economic Stability:** Creating resilient supply chains and infrastructure.

#### **RECENT OUTCOMES OF THE QUAD SUMMIT (2024):**

- 1. Maritime Security:**
  - **MAITRI Maritime Initiative:** A maritime training program aimed at regional stability.
  - **Indo-Pacific Partnership for Maritime Domain Awareness (IPMDA):** Enhancing capabilities against illicit maritime activities.

- **Quad Coast Guard Cooperation:** Joint exercises and interoperability among coast guards.

#### **2. Humanitarian Assistance:**

- **Indo-Pacific Logistics Network Pilot:** Improving airlift capabilities for disaster relief.
- **Aid for Cyclone Yagi:** Providing \$4 million in humanitarian assistance to Vietnam.

#### **3. Health Initiatives:**

- **Quad Cancer Moonshot:** Targeting cervical cancer through HPV vaccinations and enhanced treatments.

#### **4. Education and Research:**

- **Quad Scholarships:** India announced 50 scholarships for Indo-Pacific students.
- **Quad BioExplore Initiative:** Focusing on AI-based agricultural research.

#### **5. Infrastructure and Connectivity:**

- **Centre for Cable Connectivity and Resilience:** Enhancing undersea cable networks.
- **Quality Infrastructure Development:** Supporting sustainable infrastructure in the South Pacific.

#### **6. Climate Change and Clean Energy:**

- **Q-CHAMP (Quad Climate Change Adaptation and Mitigation Package):** Strengthening resilience against climate change impacts.

#### **SIGNIFICANCE OF THE QUAD:**

- 1. Strategic Counterbalance to China:** The Quad counters China's dominance by focusing on a rules-based Indo-Pacific order.
- 2. Maritime Security:** Joint maritime exercises like **Malabar** enhance cooperation and readiness.
- 3. Economic Collaboration:** Projects like the **Quad Infrastructure Coordination Group** offer



alternatives to China's **Belt and Road Initiative (BRI)**.

4. **Technology and Supply Chains:** Cooperation on securing supply chains for critical technologies and rare minerals is crucial.
5. **Humanitarian Assistance and Disaster Relief (HADR):** The Quad provides quick and effective disaster response capabilities, particularly in the Indo-Pacific region.

#### SIGNIFICANCE FOR INDIA:

1. **Strengthening Global Standing:** India's involvement in the Quad boosts its global influence and strategic reach.
2. **Alignment with 'Act East' Policy:** The Quad supports India's vision of an open Indo-Pacific and bolsters its strategic interests in Southeast Asia.
3. **Counterbalance to China:** Infrastructure initiatives by the Quad provide India with alternatives to China's BRI.
4. **Technology Access:** Quad collaboration on resilient technology supply chains aligns with India's efforts to boost its tech industry.

#### CHALLENGES FOR THE QUAD

1. **Anti-China Perception:** The Quad is often seen as a 'mini-NATO' aimed against China, complicating its diplomacy.

2. **Divergent Interests:** Quad members have varying security priorities, affecting cohesion.
3. **Lack of Institutionalization:** The Quad lacks a formal secretariat, making coordination more complex.
4. **Economic Dependencies on China:** Members like Australia and India have significant economic ties with China, creating limitations in taking strong anti-China stances.
5. **ASEAN Concerns:** Some ASEAN members are wary of the Quad overshadowing ASEAN's role in regional diplomacy.

#### WAY FORWARD

1. **Strengthening Institutionalization:** Creating a formal structure for regular meetings and coordinated projects.
2. **Military and Security Cooperation:** Expanding naval exercises like **Malabar** to include more joint operations.
3. **Engaging ASEAN:** Aligning the Quad's efforts with ASEAN initiatives to promote cooperation.
4. **Quad Economic Framework:** Establishing frameworks for digital trade, high-tech investment, and collaboration on critical technology standards.
5. **Membership Expansion:** Considering a 'Quad Plus' framework, including countries like South Korea, Vietnam, and New Zealand.

# PM MODI'S PLANNED VISIT TO UKRAINE

## RELEVANCE

### □ Syllabus:

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



## INTRODUCTION

During the recent historic visit of India's Prime Minister Narendra Modi to Ukraine, India reiterated the need for sincere and practical engagement between all stakeholders, to develop innovative solutions that will have broad acceptability and contribute towards early restoration of peace. The reiteration of India's willingness to contribute in all possible ways to facilitate an early return of peace, is a clear indication of India's willingness to get involved in a search for peace in Russia-Ukraine crisis.

## WHAT HAS BEEN INDIA'S FOREIGN POLICY STANCE ON THE RUSSIA-UKRAINE CRISIS?

1. **Non-alignment and Strategic Autonomy:** India's foreign policy has been guided by the

principles of non-alignment and strategic autonomy. India aims to balance relationships with global powers while advocating for peaceful resolution of territorial disputes.

2. **Neutrality and Abstention:** Since the start of the Russia-Ukraine war in February 2022, India has maintained neutrality. Despite pressure from Western countries to condemn Russia's actions, India has abstained from voting on resolutions in the UN Security Council (UNSC) and the UN General Assembly (UNGA).
3. **Economic and Strategic Interests:** India has continued to purchase discounted Russian oil to secure its energy needs amidst rising global prices. Concurrently, India is working to lessen its dependence on Russian military supplies by diversifying its defense procurement.

4. **Settlement through Institutional Mechanisms:** India supports the United Nations charter and advocates for resolving disputes through UN mechanisms.

This approach aligns with India's broader strategy of navigating complex geopolitical situations while safeguarding its national interests.

### HEIGHTENED EXPECTATIONS OF A MORE ACTIVE ROLE IN MEDIATION

- a. Prime Minister Narendra Modi's recent diplomatic efforts, including visits to Ukraine and Russia, discussions with U.S. President Joe Biden and Russian President Vladimir Putin, and forthcoming engagements at the UN and BRICS summit, have increased expectations that India might take a more active role in mediating the Russia-Ukraine conflict.
- b. In talks with both Russian President Vladimir Putin and Ukrainian President Volodymyr Zelenskyy, Prime Minister Modi has underscored the need for violence cessation. This engagement suggests India's intent to mediate, even as it maintains neutrality.

### SIGNIFICANCE OF THE PM'S RECENT VISIT TO UKRAINE AND INDIA'S MEDIATION INTENTIONS

1. **Balancing Act:** The Indian Prime Minister's visit to Ukraine is perceived as a balancing act, particularly following his recent visit to Russia, which faced criticism from Western nations.
2. **Positioning as a Neutral Player:** By engaging with both Russia and Ukraine, India aims to establish itself as a neutral party in the conflict, thereby reinforcing its role as a responsible global actor committed to peace.
3. **Broader Mediation Strategy:** This balancing act reflects India's historical role as a mediator in international conflicts, such as in the Korean War armistice negotiations and the Colombo Plan. India seeks to leverage its strong relations

with both Moscow and Washington to enhance its mediation efforts.

4. **Reinforcing Global South Leadership:** India's mediation proposal underscores its significant role in the Global South's negotiation efforts, reinforcing its prominence in this group.

### ADVANTAGES OF PEACE IN THE RUSSIA-UKRAINE CONFLICT

1. **United States:** Peace in the Russia-Ukraine conflict would allow the U.S. to redirect its focus to other critical foreign policy issues, such as geopolitical challenges in West Asia.
2. **European Countries:** A peaceful resolution would facilitate economic reconstruction and address energy insecurity. It would mitigate energy shortages and inflationary pressures, offering European policymakers some respite.
3. **Russia:** Negotiations mediated by a neutral party like India could provide Russia with a dignified exit from the conflict, avoiding the appearance of yielding to Western pressure.
4. **India:** Successfully mediating the conflict would align with India's broader vision of positioning itself as a "Vishwamitra"—a nation contributing to global economic and technological advancements while playing a crucial role in international peace and security.

### CHALLENGES INDIA WOULD FACE AS A MEDIATOR

1. **Maximalist Positions:** Both Russia and Ukraine are focused on military gains, as demonstrated by Russia's attacks before Prime Minister Modi's visit to Moscow and Ukraine's operations before his visit to Kyiv. The unwillingness of either side to compromise poses a significant challenge.
2. **Competing Demands:** The firm demands of both sides complicate negotiations. President Zelenskyy insists on a complete Russian withdrawal from Ukraine, while President

Putin demands Ukraine retreat from occupied regions and abandon its NATO membership bid.

3. **Conflicting Interests of Multiple Actors:** The involvement of various international actors makes the negotiation process more complex, adding to the difficulty of achieving peace.
4. **Deeply Entrenched Interests:** The entrenched geopolitical interests of the U.S. and Russia make it unlikely that they would agree on a peace proposal from the other side.

#### WAY FORWARD

1. **Realistic Assessment:** India's foreign policy establishment must realistically assess whether

Ukraine and its Western partners are willing to engage India as an active mediator.

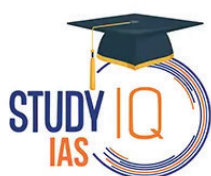
2. **Effective Conflict Mediation:** India needs to define its principles for a ceasefire and lasting peace, drawing lessons from successful mediations like the Black Sea Grain Initiative and recent prisoner exchanges.
3. **Learning from Historical Mediation Successes:** India should consider its past successes in mediation, such as the Austria-Soviet crisis in 1950, Korean War Armistice negotiations, and the Colombo Plan.
4. **Overcoming Perceptions of Partiality:** To mediate effectively, India must address and overcome any perceptions of bias towards Moscow.

## INDIA-UKRAINE RELATIONS

### RELEVANCE

#### ❑ Syllabus:

- **PSIR:** Recent developments in Indian Foreign Policy
- **GS2:** International Relations



# INDIA - UKRAINE RELATIONS





## INTRODUCTION

India-Ukraine relations have recently come into the spotlight following Indian Prime Minister Narendra Modi's historic visit to the war-torn nation. This marks the first visit by an Indian Prime Minister to Ukraine since the establishment of diplomatic ties between the two countries in 1992.

The visit is intended to strengthen India-Ukraine relations and reaffirms India's consistent stance on the Russia-Ukraine conflict. India has consistently maintained that enduring peace can only be achieved through dialogue and diplomacy.

## HISTORICAL BACKGROUND OF INDIA-UKRAINE RELATIONS

### Establishment of Diplomatic Relations

India was among the first countries to recognize Ukraine following the disintegration of the Soviet Union. Diplomatic relations between India and Ukraine were officially established in January 1992, with the Indian Embassy opening in Kyiv in May of the same year. Ukraine reciprocated by opening its first Asian mission in New Delhi in February 1993.

### Phase of Engagement with Limitations

Although India and Ukraine have cooperated in various areas, including defense and diaspora, India's strong historical ties with Russia have historically limited its engagement with Ukraine from reaching its full potential.

### Decline in Bilateral Cooperation Post-Russia-Ukraine War

The Russia-Ukraine war has led to a significant decline in bilateral relations between India and Ukraine. For instance, the trade volume between the two countries plummeted from \$3.39 billion in 2021-22 to \$0.71 billion in 2023-24. The recent visit aims to reverse this trend and strengthen ties between the two nations.

## AREAS OF COOPERATION BETWEEN INDIA AND UKRAINE

### 1. Geopolitical Cooperation

- The Soviet Union, under the leadership of Ukrainian-born Leonid Brezhnev, supported India during the 1971 war against Pakistan. The slogan "Hindi-Rusi bhai-bhai" was popularized by the USSR's Ukrainian leader, Nikita Khrushchev.
- Regular high-level visits and interactions, such as telephonic communications between Indian Prime Minister Narendra Modi and Ukrainian President Volodymyr Zelensky during the Russia-Ukraine war, underscore the ongoing geopolitical cooperation.
- Regular meetings between India and Ukraine through Joint Working Groups and Foreign Office Consultations further enhance this cooperation.

### 2. Defense Cooperation

- Ukraine has been a significant source of military technology and equipment for India since its independence. For example, Ukraine manufactures the R-27 air-to-air missiles used on the SU-30MKI fighters of the Indian Air Force.
- India has also started exporting defense equipment to Ukraine during its conflict with Russia.

### 3. Economic Cooperation

- In 2020, India was Ukraine's largest export destination in the Asia-Pacific region and its fifth-largest globally.
- Bilateral trade between the two nations saw substantial growth over the last 25 years, reaching \$3.386 billion in 2021-22.
- Major Ukrainian exports to India include agricultural products, metallurgical goods, and plastics, while India exports

pharmaceuticals, machinery, chemicals, and food products to Ukraine.

- Several Indian companies have established a presence in Ukraine, such as the Indian Pharmaceutical Manufacturers' Association.

#### **4. Humanitarian Assistance**

- India has provided 12 consignments totaling 99.3 tons of humanitarian aid to Ukraine in response to the ongoing conflict. This aid includes medicines, blankets, tents, tarpaulins, and medical equipment.
- Indian pharmaceutical companies have donated more than \$8 million worth of medical aid and financial assistance to Ukraine.

#### **5. Diaspora Cooperation**

- The Indian community in Ukraine comprises mainly business professionals and students, particularly in the medical field. Indian professionals in Ukraine are primarily involved in manufacturing, packaging, trading, and the service industry.
- The Indian community in Ukraine has formed an association called "India Club," which organizes cultural and sports events.

#### **6. Cultural Cooperation**

- Over 30 Ukrainian cultural associations and groups across the country promote Indian art forms, yoga, philosophy, Ayurveda, and spirituality. Events like the celebration of Yoga Day and the birth anniversary of Mahatma Gandhi are examples of this cooperation.
- Indian movies, such as the Oscar-winning song "Natu Natu," have been shot in Ukraine.

#### **7. Institutional Cooperation**

- The ITEC (Indian Technical and Economic Cooperation) program offers training and

capacity-building programs in various centers of excellence in India.

- The ICCR (Indian Council for Cultural Relations) scholarship provides higher-level courses in various subjects at prestigious Indian institutions.
- The Kendriya Hindi Sansthan Scholarship program offers Ukrainian students scholarships to pursue higher-level Hindi language courses.

### **CHALLENGES IN INDIA-UKRAINE RELATIONS**

#### **1. Declining Bilateral Trade**

- The volume of trade between India and Ukraine has decreased significantly, from \$3.39 billion in 2021-22 to \$0.71 billion in 2023-24, primarily due to the ongoing Russia-Ukraine conflict.

#### **2. Impact on India's Imports**

- The decline in trade has adversely affected India's imports of agricultural products, machinery, and military goods from Ukraine, leading to supply chain disruptions and rising inflation, particularly in the sunflower oil market.

#### **3. India's Relationship with Russia**

- India's continued engagement with Russia and its decision to avoid publicly criticizing Moscow have somewhat dampened the spirit of India-Ukraine geopolitical cooperation.

#### **4. Ukraine's Past Criticism of India's Policies**

- Ukraine's criticism of India's nuclear tests and its policies on Kashmir has also been a point of contention, affecting the full potential of bilateral engagement.

## EMERGING OPPORTUNITIES IN INDIA-UKRAINE RELATIONS

### 1. Enhanced Defense Cooperation

- Ukraine's urgent need for weapons presents an opportunity for India to dispose of its nearly obsolete Soviet arms. India could exchange its Soviet hardware for Western ammunition, facilitating a shift from Soviet and Russian weapons to NATO systems.

### 2. Geostrategic Cooperation in the Indian Ocean

- Military collaboration with Ukraine could be strategically significant for India, particularly in the Indian Ocean. Ukraine's modern, low-cost, and innovative naval technologies, which outperformed Russia's Black Sea Fleet, could help India counter China's influence in the region.

### 3. Relocation of Production Bases to India

- Strengthened ties between India and Ukraine could lead to the relocation of Ukrainian manufacturing bases to India. For example, the gas turbine manufacturing company Zorya-Mashproekt could establish operations in India.

### 4. Increased Employment Opportunities

- The reconstruction of post-war Ukraine could create substantial employment opportunities for India's workforce, addressing the country's labor market challenges.

### 5. Enhanced Digital Sector Cooperation

- Deepened relations between India and Ukraine could lead to increased cooperation in the digital sector, benefiting both nations. For instance, India's electronic voting machines could be invaluable to Ukraine,

while Ukraine's innovative DIIA app could revolutionize governance in India.

## WAY FORWARD

### 1. Diplomatic Balancing Act

- India must continue to maintain a careful diplomatic balance in its relations with Russia and Ukraine, as well as with China and the United States. India's engagement with Ukraine should not alter its relationship with Russia, just as Russia's ties with China do not impact its relations with India.

### 2. Leadership in Peace Negotiations

- India should position itself as a principled and peace-oriented global player by taking the lead in negotiations for the Ukrainian peace process. This role could help restore global food supply chains and prevent widespread starvation.

### 3. Redefining Non-Alignment

- India should demonstrate the evolving definition of non-alignment in its foreign policy by deepening its ties with Ukraine while maintaining close cooperation with Russia. The concept of non-alignment in Indian foreign policy has shifted from maintaining equal distance from all nations to fostering close ties with multiple countries.

## CONCLUSION

The ongoing Russia-Ukraine conflict has placed India in a complex situation, requiring it to balance its long-standing relationship with Russia against its growing partnerships with Western nations. India must navigate these geopolitical challenges with strategic foresight.

# INDIA-ASEAN RELATIONS

## RELEVANCE

### □ Syllabus:

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



### INTRODUCTION

Prime Minister Narendra Modi's recent visits to Brunei and Singapore are aimed at revitalizing India-ASEAN relations. India is actively working to strengthen one of its most significant partnerships in Asia and globally. Earlier this year, New Delhi hosted the prime ministers of Malaysia and Vietnam, while External Affairs Minister S. Jaishankar engaged with several foreign ministers from the region, both in meetings abroad and in Delhi. These interactions have underscored the strong goodwill towards India within ASEAN and the considerable expectations placed on India by the region.

### HISTORY OF INDIA-ASEAN RELATIONS

**Ancient Ties:** India's connections with Southeast Asia date back over two millennia, encompassing aspects like peace, friendship, religion, culture, art, commerce, language, and literature. These ancient links laid a solid foundation for modern diplomatic relations.

**Initial Years of Engagement:** Formal engagement between India and ASEAN countries began in 1992 when India became a 'Sectoral Dialogue Partner,' allowing interaction at the Secretary level. In 1995, this relationship was upgraded to a 'Dialogue Partner,' involving Foreign Minister-level talks. By 2002, the partnership had been further elevated to the summit level.



**Era of Strategic Partnership:** In 2012, during the commemorative summit celebrating 20 years of India-ASEAN relations, the partnership was elevated to a 'Strategic Partnership.' This marked a significant milestone, with a focus on enhancing cooperation in the maritime domain. At the 25-year Commemorative Summit in New Delhi in January 2018, both parties agreed to concentrate on maritime cooperation.

**Comprehensive Strategic Partnership:** In 2022, India and ASEAN celebrated 30 years of relations, designating the year as the Year of India-ASEAN Friendship. During the 19th ASEAN-India Summit, the partnership was further elevated to a Comprehensive Strategic Partnership, symbolizing deepened cooperation. On this occasion, the 'Joint Statement on ASEAN-India Comprehensive Strategic Partnership' was released.

## AREAS OF COOPERATION BETWEEN INDIA AND ASEAN

### 1. Geopolitical Cooperation:

- ❑ **Multi-level Interaction:** India engages with ASEAN through a series of meetings and summits, including the ASEAN-India Summit, ASEAN-India Foreign Ministers Meeting (AIFMM), and senior-level discussions like AISOM.
- ❑ **ASEAN-led Frameworks:** India participates in various ASEAN-led multilateral platforms such as the East Asia Summit (EAS), ASEAN Regional Forum (ARF), ASEAN Defence Ministers Meeting Plus (ADMM+), and the Expanded ASEAN Maritime Forum (EAMF).

### 2. Geostrategic Cooperation:

- ❑ **Comprehensive Strategic Partnership:** The relationship has evolved into a Comprehensive Strategic Partnership, emphasizing maritime cooperation.

- ❑ **Joint Initiatives:** India and ASEAN have established mechanisms like the ASEAN-India Cooperation Fund and the ASEAN-India Science and Technology Development Fund to support collaborative projects.

### 3. Geo-Economic Cooperation:

- ❑ **Trade Relations:** ASEAN is India's fourth-largest trading partner, with bilateral trade reaching around USD 70 billion. India signed a Free Trade Agreement (FTA) in goods in 2009, later expanding it to services and investments in 2014.
- ❑ **Consultation Mechanisms:** The ASEAN Economic Ministers-India Consultations (AEM+India) and the ASEAN-India Business Council (AIBC) promote economic cooperation.
- ❑ **Investment Initiatives:** Cumulative Foreign Direct Investment (FDI) from ASEAN countries to India from 2000-2019 amounted to \$117.88 billion, with Singapore being the largest contributor.

### 4. Connectivity Cooperation:

- ❑ **Infrastructure Projects:** Significant projects include the India-Myanmar-Thailand Trilateral Highway and the Kaladan Multimodal Project, enhancing transport links between India and ASEAN countries, particularly to Northeast India.

### 5. Cultural and Social Cooperation:

- ❑ **Educational Exchanges:** Scholarships for ASEAN students in Indian institutions and various cultural exchange programs strengthen people-to-people ties.
- ❑ **Capacity Building:** Collaborative efforts between India and ASEAN promote capacity building in various sectors, encouraging youth and women's participation in social development.

## CHALLENGES IN INDIA-ASEAN RELATIONS

### 1. Geopolitical Concerns:

- ❑ **US-China Rivalry:** The escalating tensions between the United States and China, especially in the Indo-Pacific region, complicate India's engagement with ASEAN. India's own deteriorating relationship with China further exacerbates the situation. ASEAN countries, wary of becoming entangled in great power rivalries, may view India's growing alignment with the Quad as a concern, fearing it could lead to further regional polarization .
- ❑ **Quad Membership:** India's participation in the Quad (Quadrilateral Security Dialogue) alongside the US, Japan, and Australia has raised apprehensions among some ASEAN members who prefer a non-aligned stance in the US-China competition. The Quad's strategic initiatives, perceived by some as countering China, may strain India's relations with ASEAN countries that maintain strong economic ties with Beijing .

### 2. Geostrategic Challenges:

- ❑ **South China Sea Disputes:** Territorial disputes in the South China Sea involving several ASEAN nations and China create a complex environment for India. While India advocates for freedom of navigation and adherence to international law, its stance can be sensitive for ASEAN countries involved in the disputes. Balancing its position while maintaining strong ties with ASEAN is a delicate task for India .
- ❑ **ASEAN's Internal Divisions:** The divergent views within ASEAN on key geopolitical issues, such as responses to Myanmar's military coup, complicate India's efforts to engage with the bloc cohesively. The lack of a unified ASEAN stance can hinder India's ability to align its policies effectively with the group .

### 3. Economic Concerns:

- ❑ **Walking Out of RCEP:** India's last-minute decision to withdraw from the Regional Comprehensive Economic Partnership (RCEP) negotiations in 2019 disappointed many ASEAN members. This move was seen as a missed opportunity for deeper economic integration, leading to concerns about India's commitment to regional trade liberalization .
- ❑ **Growing Trade Imbalances:** India faces a significant trade deficit with ASEAN, compounded by the fact that China remains ASEAN's largest trading partner. Non-tariff barriers, complex customs procedures, and inconsistent regulations further exacerbate the challenges in achieving balanced trade .
- ❑ **Slow Implementation of Connectivity Projects:** The delayed progress in infrastructure projects like the India-Myanmar-Thailand Trilateral Highway contrasts sharply with China's Belt and Road Initiative (BRI), which has gained traction in ASEAN. This delay undermines India's efforts to enhance connectivity and economic integration with Southeast Asia .
- ❑ **Trade and Investment Barriers:** Non-tariff barriers, including complex customs procedures and inconsistent regulations, continue to hinder smooth trade and investment flows between India and ASEAN, affecting the overall economic partnership .

## WAY FORWARD FOR STRENGTHENING INDIA-ASEAN RELATIONS

1. **Redressal of Geopolitical Concerns:** India should continue to emphasize its support for ASEAN centrality in the regional security architecture. This could involve more active participation in ASEAN-led forums and initiatives, ensuring that India's security and defense engagements do not alienate ASEAN countries .

2. **Focus on Emerging Areas:** Enhancing cooperation in emerging sectors like digitalization, health, space technology, and advanced manufacturing can help India and ASEAN build stronger ties. These areas offer new opportunities for collaboration that align with the future economic and technological trajectories of both regions .
3. **Semiconductor Diplomacy:** India's burgeoning semiconductor diplomacy, especially with key ASEAN members like Malaysia and Singapore, should be extended to other countries in the region. This would not only strengthen economic ties but also position India as a critical player in the global semiconductor supply chain .
4. **Accelerated Infrastructure Development:** Fast-tracking key connectivity projects like the

India-Myanmar-Thailand Trilateral Highway and the Kaladan Multimodal Project is crucial for enhancing trade and people-to-people connections. Such projects will demonstrate India's commitment to regional integration and can serve as a counterbalance to China's BRI .

5. **Enhanced Trade Agreements:** Expanding and refining the ASEAN-India Free Trade Agreement (FTA) to address trade imbalances and reduce non-tariff barriers would be beneficial. Streamlining customs procedures and harmonizing regulations can further facilitate smoother trade and investment flows.

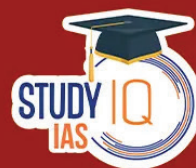
By addressing these challenges and focusing on collaborative opportunities, India and ASEAN can deepen their strategic partnership and ensure mutual growth and stability in the region.

## INDIA-MALAYSIA RELATIONS

### RELEVANCE

#### ❑ Syllabus:

- **PSIR:** Recent developments in Indian Foreign Policy
- **GS2:** International Relations



## INDIA MALAYSIA RELATION

## INTRODUCTION

During the recent visit of Malaysian Prime Minister Anwar Ibrahim, India-Malaysia relations were elevated to a 'Comprehensive Strategic Partnership'. The visit highlighted the close similarities between India and Malaysia, as both nations are 'multicultural, multi-ethnic, and multi-religious'. Several significant agreements were signed, giving momentum to the deepening of India-Malaysia ties.

## KEY OUTCOMES FROM THE RECENT INDIA-MALAYSIA BILATERAL SUMMIT

1. **Comprehensive Strategic Partnership:** The existing Enhanced Strategic Partnership, established in 2015, was upgraded to a Comprehensive Strategic Partnership.
2. **Significant Agreements:** Several agreements were signed, covering crucial areas such as worker mobility, digital technology, culture, tourism, sports, and education.
3. **MoU on Recruitment, Employment, and Repatriation of Workers:** An MoU was signed to streamline the processes related to worker movement and management between the two countries.
4. **MoU on Ayurveda and Traditional Systems of Medicine:** An MoU was signed to promote cooperation in Ayurveda and other traditional medicine systems, with India establishing an Ayurveda Chair at Universiti Tunku Abdul Rahman in Malaysia.
5. **BRICS Membership Support:** India agreed to back Malaysia's interest in joining BRICS.
6. **ASEAN-India Trade in Goods Agreement (AITIGA):** Both countries agreed to support and expedite the review process of AITIGA, aiming for its conclusion by 2025 to strengthen supply chain connections between India and ASEAN nations.

7. **Strategic Rice Export Agreement:** India committed to a one-time export of 200,000 metric tonnes of white rice.

8. **Extradition and Counter-Extremism Discussions:** Both leaders emphasized the importance of addressing extremism and radicalism.

9. **Collaboration in Digital Technologies:** India and Malaysia agreed to work on linking India's Unified Payments Interface (UPI) with Malaysia's PayNet for digital transactions.

## HISTORY OF INDIA-MALAYSIA RELATIONS

### Historical Ties

- a. **Establishment of Relations:** The historical connection between India and Malaysia stretches back over a millennium, significantly influenced by the Chola Empire from the 9th to the 13th centuries. The Cholas developed extensive maritime trade routes linking South India with the Malay Peninsula, fostering strong cultural and economic exchanges.
- b. **Rule over the Malaysian Territory:** During the reign of emperors like Rajaraja Chola I and Rajendra Chola I, the Cholas extended their control over parts of Southeast Asia, including areas within present-day Malaysia.

### Post-Independence Ties

India and Malaysia have maintained close cooperation since both countries gained independence. The major phases of their relationship are outlined below:

**Establishment of Relations:** India established diplomatic relations with the Federation of Malaya (the predecessor of Malaysia) in 1957.

**Phase of Strong Relations:** The 1960s marked a period of strong relations between India and Malaysia, partly due to the personal friendship between Prime Ministers Nehru and Tunku Abdul Rahman Putra. During this time, India and Malaysia



developed close political, economic, and socio-cultural ties.

**Enhanced Strategic Partnership:** India-Malaysia relations were elevated to an Enhanced Strategic Partnership during Prime Minister Narendra Modi's visit in 2015.

### AREAS OF COOPERATION BETWEEN INDIA AND MALAYSIA

- 1. Geopolitical Cooperation:** India and Malaysia are members of key global forums such as the Commonwealth of Nations, NAM, G-15, and G-77, forming a strong foundation for close geopolitical cooperation. Additionally, both countries closely cooperate through ASEAN Plus and East Asia Summits.
- 2. Geo-strategic Cooperation:**
  - ❑ Since signing a defense cooperation memorandum in 1993, India and Malaysia have steadily expanded their defense ties.
  - ❑ Regular defense cooperation meetings and joint military exercises, such as Exercise Harimau Shakti (Army), Exercise Samudra Lakshmana (Navy), and Exercise Udara Shakti (Air Force), further solidify their strategic partnership.
- 3. Geo-economic Cooperation:**
  - ❑ Bilateral trade between India and Malaysia has reached a record high of USD 19.5 billion, with Malaysia being India's 13th largest trading partner.
  - ❑ Malaysia ranks as the 26th largest investor in India, with FDI inflows totaling US\$1.16 billion from April 2000 to September 2022.
  - ❑ India is also a significant investor in Malaysia, especially in sectors such as technology, manufacturing, and services. More than 150 Indian companies, including 61 joint ventures and 3 public sector undertakings, operate in Malaysia.
  - ❑ Key exports from India include mineral fuels, aluminum, meat, iron and steel, copper, organic

chemicals, and machinery, while key imports to India include palm oil, mineral fuels, electrical machinery, animal or vegetable fats, and wood.

- ❑ The ASEAN-India Business Summit 2023, celebrating 30 years of ASEAN-India Engagement, saw significant participation from stakeholders in both countries.

**4. Diaspora Cooperation:** Malaysia is home to over 2.95 million people of Indian origin, the second-largest such community in the world after the US.

**5. Cultural Cooperation:**

- ❑ **Institutional Cooperation:** The Indian Cultural Centre in Kuala Lumpur, established in 2010, along with the Netaji Subhash Chandra Bose Indian Cultural Center (NSCBICC), offers classes in Carnatic vocal music, Kathak dance, Yoga, and Hindi, facilitated by teachers from both India and Malaysia.
- ❑ **Literary Cooperation:** Hikayat Seri Rama, a Malay adaptation of the Hindu Ramayana epic, reflects the deep literary cooperation between the two nations. Themes from the Ramayana are echoed in local stories, arts, and performances in Malaysia.
- ❑ **Shared Cultural Architecture and Craft:** The Sri Veera Hanuman Temple in Malaysia exemplifies shared cultural heritage, with its architecture and stories deeply rooted in Indian traditions.

### SIGNIFICANCE OF INDIA-MALAYSIA RELATIONS

- 1. Geopolitical Significance:** Close relations with Malaysia align with India's Act East Policy, providing a strategic pivot towards the ASEAN region and enhancing India's influence and connectivity in Southeast Asia. Strengthening India-Malaysia ties is also an important component of India's outreach to the Global South.

## 2. Geostrategic Significance:

- ❑ Cooperation between India and Malaysia on the Straits of Malacca and Singapore (SOMS) is key to establishing a rules-based order in the Indo-Pacific.
- ❑ Strengthened relations will also improve interoperability and address regional security challenges, such as counter-terrorism and extremism in Southeast Asia.

## 3. Geo-economic Significance:

- ❑ The Comprehensive Economic Cooperation Agreement (CECA) between India and Malaysia will bolster India's efforts to achieve its foreign trade target of \$2 trillion in merchandise exports by 2030.
- ❑ Exploring the option of Local Currency Trade between the Indian Rupee (INR) and Malaysian Ringgit (MYR) will reduce reliance on the US dollar and enhance economic resilience.

4. **Cultural Significance:** The close people-to-people connections and the large Indian diaspora in Malaysia can be leveraged to increase cross-border investment and trade.

## CHALLENGES IN INDIA-MALAYSIA RELATIONS

1. **Extradition of Zakir Naik:** Malaysia's refusal to extradite Zakir Naik, who is wanted in India on charges of hate speech and money laundering, remains a prominent challenge in bilateral relations.
2. **Malaysia's Criticism of India's Internal Policies:** Malaysia's strong criticism of Indian government policies such as the Citizenship Amendment Act and the reorganization of Jammu and Kashmir has strained relations.

3. **Economic Challenges:** The economic relationship between India and Malaysia faces challenges such as higher import tariffs and trade restrictions, hindering the growth of bilateral trade.

4. **Diaspora Challenges:** Issues like illegal immigration, worker exploitation, and human trafficking within the Indian diaspora have created tensions, particularly following the detention of hundreds of Malaysians during the COVID-19 pandemic.

5. **Increasing Chinese Influence:** The growing Chinese influence in Malaysia's politics and economy poses geopolitical and geostrategic challenges for India.

## WAY FORWARD

1. **Comprehensive Economic Cooperation Agreement (CECA):** India and Malaysia should expedite the review and amendment of the CECA to include emerging sectors such as fintech, semiconductors, and defense, aiming to increase bilateral trade to \$25 billion.
2. **Closer Economic Cooperation:** Initiatives like avoiding double taxation, mutual customs assistance, improving air connectivity, and collaboration among airlines can boost trade and tourism between India and Malaysia.
3. **Defense Technology Collaboration:** Strengthening partnerships in defense technology and research will enhance both nations' defense capabilities and contribute to regional stability in the Indo-Pacific.
4. **Focus on ASEAN Integration:** India should leverage Malaysia's position in ASEAN to enhance its engagement with the region, aligning bilateral relations with India's Act East Policy and supporting ASEAN centrality.

# INDIAN GOVERNMENT AND POLITICS (IGP)

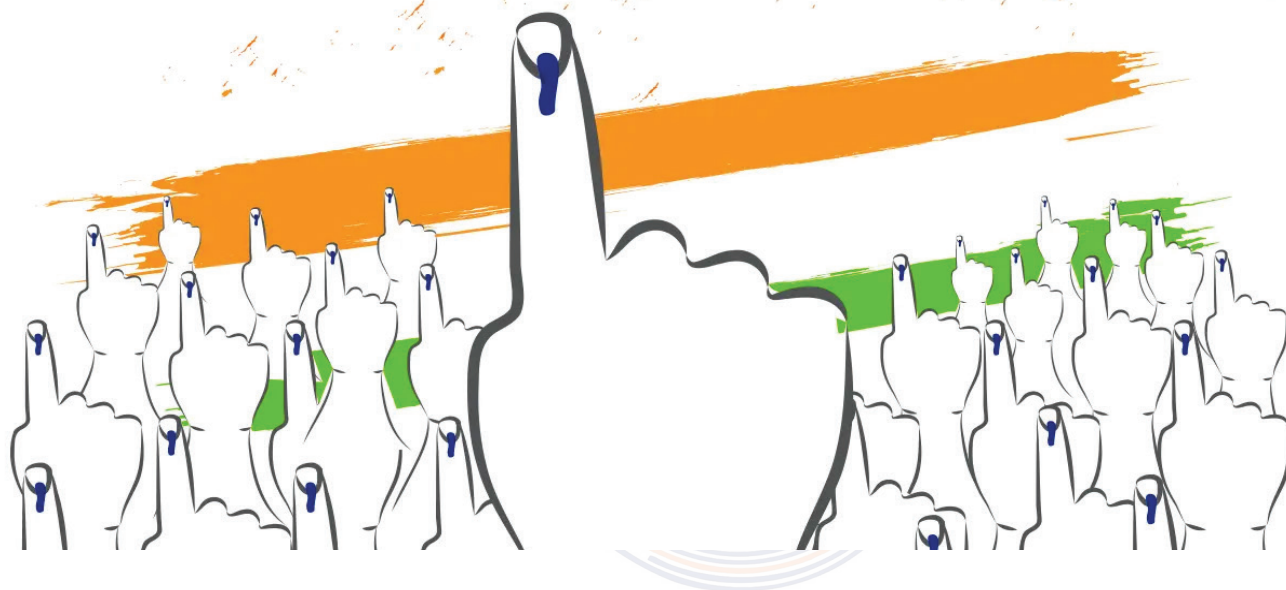
## ONE NATION, ONE ELECTION

### RELEVANCE

#### □ Syllabus:

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

## ONE NATION ONE ELECTION



### INTRODUCTION

Recently, The Union Cabinet has accepted the recommendations of the Ramnath Kovind led High Level Committee on One Nation, One Election. The committee has envisaged simultaneous Lok Sabha and State Assembly elections as the first step, followed by municipal and panchayat polls within 100 days of the general election. According to the roadmap presented by the committee headed by former President Ram Nath Kovind, simultaneous elections will require 18 amendments to existing laws, including 15 amendments to the Constitution. What is the One Nation, One Election? The concept of One Nation, One Election involves conducting

simultaneous elections for State Assemblies and the Lok Sabha rather than having separate, continuous elections.

### HISTORICAL BACKGROUND

Simultaneous elections were the standard practice in India until 1967. Elections for the Lok Sabha and State Assemblies were held together in 1952, 1957, 1962, and 1967. However, the cycle of simultaneous elections was disrupted due to the early dissolution of certain Legislative Assemblies in 1968 and 1969. Furthermore, the Lok Sabha was dissolved prematurely in 1970, leading to new elections in 1971. These events caused the

breakdown of the simultaneous election cycle in India.

### WHAT IS THE KOVIND PANEL ON ONE NATION, ONE ELECTION?

**About the Committee:** On September 2, 2023, the Union government established a committee led by former President Ram Nath Kovind to explore the feasibility of the One Nation, One Election initiative.

**Members of the Committee:** The committee is chaired by Ram Nath Kovind and includes Home Minister Amit Shah, former Leader of Opposition in the Rajya Sabha Ghulam Nabi Azad, former Finance Commission chairperson N. K. Singh, former Lok Sabha secretary-general Subhash C. Kashyap, senior advocate Harish Salve, and former Chief Vigilance Commissioner Sanjay Kothari.

### WHAT ARE THE RECOMMENDATIONS OF THE KOVIND PANEL REPORT ON ONE NATION, ONE ELECTION?

To implement its recommendations, the committee proposed 15 amendments to the Constitution of India, which include both new provisions and modifications to existing ones, to be executed through two Constitutional Amendment Bills.

**FIRST CONSTITUTIONAL AMENDMENT BILL** This bill addresses the transition to a simultaneous election system and outlines the procedure for conducting fresh elections for the Lok Sabha or a State Assembly before their designated five-year terms conclude. Passage of the Bill: Parliament can pass the bill without needing to consult with state governments or secure ratification from state Assemblies.

#### Provisions of the Bill:

**1. Insertion of a New Article 82A:** Article 82A will create the framework for transitioning to simultaneous elections for the Lok Sabha and State Assemblies.

- **Provisions of Article 82A(1):** The President will issue a notification to activate Article 82A on the date of the first sitting of the House of the People after a general election. This notification date will be termed the “Appointed Date.”
- **Provisions under Article 82A(2):** All Legislative Assemblies formed during any general election after the Appointed Date will conclude upon the expiration of the full term of the House of the People.
- **Provisions under Article 82A(3):** The Election Commission of India (ECI) will conduct general elections for both the House of the People and the Legislative Assemblies simultaneously.
- **Provisions under Article 82A(4):** If the ECI determines that elections for a legislative assembly cannot be held simultaneously, it can recommend to the President to delay the elections for that assembly.
- **Provisions under Article 82A(5):** Even if a state assembly election is postponed, its full term will end on the same date as the term of the House of the People constituted during the general election.

**2. Amendment of Article 327:** Article 327 grants Parliament the authority to legislate regarding elections to the Lok Sabha, Rajya Sabha, and State Legislatures, including creating electoral rolls and delimiting constituencies. The Kovind Panel Report recommends expanding Parliament’s powers under Article 327 to include the “conduct of simultaneous elections.”

**3. Amendments for Simultaneous Elections When Lok Sabha or State Assembly Dissolves Early:** Amendments to Articles 83(2) and 172(1) propose defining the five-year duration of the House of People and State Legislatures as the “full term.” Amendments to Articles 83(3) and 172(3) state that if the Lok Sabha or a



state assembly is dissolved before the full term ends, the remaining period will be termed the “unexpired term.” New Articles 83(4) and 172(4) establish that a new Lok Sabha or state assembly formed to replace a dissolved one will only serve the “unexpired term.”

- 4. Amendment of Union Territory Laws for Simultaneous Elections:** The Kovind Panel recommends amending specific Union Territory laws to facilitate simultaneous elections: a. The Government of Union Territories Act, 1963 b. The Government of National Capital Territory of Delhi Act, 1991 c. The Jammu and Kashmir Reorganisation Act, 2019

#### **SECOND CONSTITUTIONAL AMENDMENT BILL**

This bill addresses municipal and panchayat elections, which fall under Entry 5 of the State List titled “Local Government.” Passage of the Bill: This bill requires ratification by at least half of the state legislatures before Parliament can pass it.

##### **Provisions of the Bill:**

- 1. Inclusion of a New Article 324A:** This article would enable Parliament to legislate ensuring that municipal and panchayat elections coincide with the General Elections (to the Lok Sabha and State Assemblies).
- 2. Amendment of Article 325:** a. **Addition of Article 325(2):** This new sub-clause will establish a single electoral roll for every territorial constituency for elections to the House of the People, State Legislatures, municipalities, or panchayats. b. **Addition of Article 325(3):** The single electoral roll will be prepared by the Election Commission in consultation with the State Election Commissions, replacing any previously prepared electoral rolls.

#### **WHAT ARE THE ARGUMENTS IN FAVOR OF ‘ONE NATION, ONE ELECTION’?**

- 1. Financial Savings for the State:** Continuous election cycles impose a financial strain on state finances. Implementing One Nation,

One Election would lower overall political expenditures by the ECI. For example, the 2014 Lok Sabha elections cost the exchequer ₹3,870 crore, while the 2015 Bihar elections alone amounted to ₹300 crore. The ECI estimates the cost of One Nation, One Election at about ₹4,500 crore.

- 2. Efficient Use of Resources by Political Parties:** Simultaneous elections will reduce campaign spending for parties and candidates, assisting smaller regional parties in managing their finances more effectively.
- 3. Shorter Model Code of Conduct Duration:** The frequent imposition of the Model Code of Conduct during elections hampers development work for months. This change would lessen the “policy paralysis” resulting from the Model Code of Conduct’s implementation during election periods.
- 4. Shift in Focus from Elections to Governance:** One Nation, One Election would ensure continuity in policies and programs of both central and state governments, reducing disruptions to public life and limiting political rallies. This would enhance the delivery of essential services.
- 5. Boost to Administrative Efficiency:** Conducting simultaneous elections would enhance the effectiveness of the administrative system since entire state machinery and high-ranking officials from other states are deployed as observers during elections.
- 6. Enhanced Internal Security:** The frequent need for security forces during elections consumes a large number of armed personnel, which could be more effectively used for managing internal security challenges like naxalism.
- 7. Decreased Black Money Usage:** Elections typically involve significant expenditures by candidates, much of which stems from black money. One Nation, One Election could help

reduce the flow of black money within the economy.

8. **Less Populist Measures:** Regular elections compel politicians to prioritize immediate electoral gains over long-term policies, which can detract from effective governance. Simultaneous elections could mitigate this trend.
9. **Higher Voter Turnout:** According to the Law Commission, simultaneous elections could increase voter turnout by making it easier for people to cast multiple votes at once.
10. **Promotion of Social Harmony:** Frequent elections can exacerbate caste, religious, and communal tensions, as they tend to be polarizing events. Holding simultaneous elections could reduce these divisions.

### WHAT ARE THE ARGUMENTS AGAINST 'ONE NATION, ONE ELECTION'?

1. **Decreased Accountability:** Regular elections hold the government accountable to the people's will. Critics argue that guaranteed fixed terms might foster autocratic tendencies.
2. **Erosion of Federal Authority:** In recent years, state-specific issues have gained political importance, demonstrated by the rise of regional parties like the DMK in Tamil Nadu, TDP in Andhra Pradesh, and BJD in Odisha. Simultaneous elections may overshadow state elections by focusing attention on national elections.
3. **Challenges for Regional Parties:** Critics assert that simultaneous elections may disadvantage regional parties, as national issues would dominate the narrative, making it harder for them to compete against national parties in terms of finances and strategy.
4. **Contrary to Democratic Principles:** Opponents argue that enforcing simultaneous elections undermines democracy by creating an artificial election cycle and limiting voter choice.

5. **Influences Voter Behavior:** There is a risk that voters might consistently choose the same party at both national and state levels, disadvantaging regional parties. A study by IDFC Institute suggests that simultaneous elections could result in a 77% likelihood of voters favoring the same party, while this figure drops to 61% when elections are spaced six months apart.

6. **Internal Security Risks:** Organizing simultaneous elections requires extensive security forces, posing logistical challenges that could threaten internal security.

7. **Interference with Democratic Will:** The current electoral system was designed to uphold democratic principles by ensuring regular elections, allowing citizens to express their preferences through voting.

8. **Hastened Legislation:** Legislative measures passed in the midst of simultaneous elections may lack adequate public scrutiny, compromising the legislative process.

9. **Constitutional Viability:** Implementing the One Nation, One Election plan necessitates constitutional amendments, raising questions about its feasibility given the complexities involved.

10. **Failure of Similar Attempts:** Previous initiatives to synchronize elections at local levels have often failed, questioning the viability of such an ambitious plan.

### CONCLUSION

The One Nation, One Election proposal aims to streamline the electoral process in India, potentially leading to financial savings, efficient governance, and increased voter turnout. However, the implementation of this initiative raises significant concerns regarding accountability, regional representation, and democratic integrity. Balancing the benefits and challenges of this proposal will be crucial for India's future electoral landscape.

# RIGHT TO DISCONNECT

## RELEVANCE

### □ Syllabus:

- **PSIR:** Social Movement: Civil liberties
- **GS2:** Government Policies



# RIGHT TO DISCONNECT

## INTRODUCTION

Recently Australia passed the 'right to disconnect law' which grants employees the right to ignore work calls after office hours. This law grants employees the right to ignore work calls after office hours. This is aimed at promoting work-life balance and address the growing concern of increasingly blurring lines between work and personal life in today's digital age. Similar demands have been growing in other countries of the world, including India.

## OBJECTIVES OF THE RIGHT TO DISCONNECT LAW

The **Right to Disconnect Law** is designed to safeguard employees by establishing clear

boundaries between work and personal life, particularly in the modern digital era where work-related communications can easily encroach on non-working hours. The key objectives of this law are:

- 1. Protection of Employee Well-Being:** The law aims to protect employees from the mental and physical health risks associated with constant connectivity, such as burnout, stress, and deteriorating mental health.
- 2. Promotion of Work-Life Balance:** By ensuring that employees have the right to disengage from work communications outside of official hours, the law promotes a healthier balance between work and personal life. This allows employees to dedicate time to personal interests, family, and rest.

**3. Encouragement of Productivity:** The law encourages productivity during working hours by allowing employees to fully disconnect after hours. This helps ensure that employees return to work refreshed and focused, leading to more effective work during designated hours.

**4. Adaptation to Modern Work Environments:** In today's digital-first world, the law addresses the challenges of maintaining clear boundaries between work and personal life, acknowledging the evolving nature of work and the necessity of preserving personal time.

### COUNTRIES IMPLEMENTING THE RIGHT TO DISCONNECT

Several countries have enacted or are considering similar legislation:

- ❑ **France:** In 2017, France passed a law requiring companies with 50 or more employees to negotiate guidelines on when workers can be contacted electronically outside of work hours. Non-compliance can result in fines.
- ❑ **Belgium:** Belgium extended the right to disconnect to workers in 2022, initially targeting civil servants before expanding to the private sector.
- ❑ **Spain:** Spain's 2018 remote working law includes the right to disconnect, requiring employers and employees to agree on specific times to limit work-related communication.
- ❑ **Portugal:** In Portugal, employers with ten or more staff may face penalties for contacting employees outside regular work hours.
- ❑ **Ireland:** Ireland has established a Code of Practice that sets out the right to disconnect from work outside official hours.

### WHY THE RIGHT TO DISCONNECT LAW IS NEEDED

**1. Decline in Productivity with Long Working Hours:** Research shows that productivity significantly declines after 50 hours of work per week, and further decreases beyond 55 hours.

Countries with shorter workweeks often see higher productivity.

- 2. Burnout and Mental Health Issues:** Extended working hours increase the risk of burnout, stress, and mental health problems among employees.
- 3. Increased Healthcare Costs Due to Stress-Related Issues:** Longer work hours lead to higher healthcare costs as stress-related health problems become more common.
- 4. Negative Effect on Family Life:** Long work hours strain relationships within the family, making it difficult to meet personal and family obligations, thus disturbing the work-life balance.
- 5. Diminished Creativity and Innovation:** Overworked employees tend to exhibit less creativity and innovation due to fatigue, which hinders problem-solving and original thought.
- 6. Work Quality:** Extended working hours do not necessarily lead to better work quality. Tired employees are more prone to mistakes and subpar work.
- 7. Exacerbation of Gender Inequalities:** Women, who often bear more caregiving responsibilities, are disproportionately affected by long work hours, worsening gender inequalities.
- 8. Danger of Exploitation:** Employers may exploit a culture of extended work hours, leading to unpaid overtime, poor working conditions, and potential abuses of workers' rights.
- 9. Negative Impact on the Community and Society:** Long work hours reduce participation in community activities and social cohesion, negatively impacting volunteer work and social engagement.

### ADVANTAGES OF THE RIGHT TO DISCONNECT LAW

**1. Significant Decrease in Burnout Risk:** The Right to Disconnect allows employees to disengage



from work-related tasks and communications outside of official working hours. This helps prevent burnout by giving employees the necessary time to rest and recharge, which is crucial for mental health and long-term productivity.

**2. Reduction of Stress-Related Diseases:**

Constant connectivity to work can disrupt sleep patterns and elevate stress levels, leading to health issues such as weakened immunity, hypertension, and other chronic conditions. By disconnecting from work, employees can improve their overall health, leading to a reduction in stress-related diseases.

**3. Fulfillment of Both Personal and Professional Responsibilities:**

When employees can disconnect from work after hours, they have the opportunity to balance their professional obligations with personal responsibilities. This balance leads to a more fulfilling personal life and better performance at work.

**4. Increase in Employee Satisfaction:**

When employees have control over their work schedules and can maintain a clear boundary between work and personal life, they are more likely to be satisfied with their job. This satisfaction reduces frustration and resentment, leading to higher employee retention and a more positive work environment.

### ARGUMENTS AGAINST THE RIGHT TO DISCONNECT LAW

**1. Potential Reduction in Economic Development:**

In highly competitive economies, such as India, the Right to Disconnect may slow down economic growth. Reduced working hours could lead to lower productivity, which might hinder national economic progress and competitiveness on a global scale.

**2. Dulling of the Edge for Breakthrough Achievements:**

The law might curb the drive that fuels innovation and rapid progress,

particularly in sectors where continuous effort and communication are crucial for breakthrough achievements.

**3. Increased Focus on Leisure:** The law could potentially encourage a culture of overemphasis on leisure, which might slow down medium-performing workers. High achievers, who naturally push beyond the norm, might still excel, but the general workforce could become less motivated.

**4. At Odds with Cultural Ethos:** In many cultures, especially in countries like India, there is a strong emphasis on hard work and continuous striving for professional growth. The Right to Disconnect could conflict with these cultural values, which celebrate ambition and dedication to one's career.

**5. Contradiction with Fundamental Rights:** In India, the right to profession is considered a fundamental right, integral to an individual's identity, pride, and purpose. Some might argue that the Right to Disconnect undermines this principle by restricting the freedom to work beyond standard hours.

**6. Counterintuitive to Work Identity:** For many individuals, work is more than just a means to earn a living; it is a source of identity and purpose. The Right to Disconnect may be seen as counterintuitive in cultures where work is deeply embedded in personal identity.

### WAY FORWARD

**1. Employer Responsibility:** Employers should establish policies that clearly delineate work and personal time. Limiting after-hours communication and making it clear that employees are not expected to respond outside of working hours are essential steps.

**2. Promotion of Vacation and Breaks:** Encouraging employees to use their vacation days and take regular breaks can improve job satisfaction and productivity. Research from the American

Psychological Association supports the idea that time off leads to better work outcomes.

3. **Flexible Schedules:** Implementing flexible work hours allows employees to manage their time more effectively, balancing work with personal life. This flexibility can foster a culture where disconnecting after work is not only accepted but encouraged.
4. **Supporting Mental Health:** Offering access to mental health resources, such as counseling and wellness programs, can help employees

manage work-related stress, preventing burnout and promoting overall well-being.

5. **Managerial Leadership:** Managers should lead by example, refraining from sending after-hours communications and prioritizing personal time. This behavior sets a standard for employees, demonstrating that work-life balance is valued.

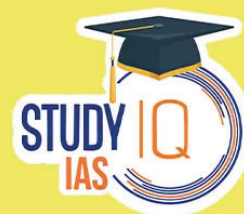
These strategies can help strike a balance between the benefits of the Right to Disconnect and the need to maintain productivity and economic growth

## SEXUAL HARASSMENT

### RELEVANCE

#### ❑ Syllabus:

- **PSIR:** Gender Justice
- **GS2:** Gender Equality



## EXPLOITATION OF WOMEN

### INTRODUCTION

Sexual harassment of women at work constitutes gender discrimination that infringes on their

fundamental rights, including the right to equality under Article 14 and the right to dignity and safety under Article 21 of the Constitution. It fosters an

unsafe and hostile work environment, hindering women's professional advancement and overall well-being.

The recent rape and murder of a female doctor in Kolkata spotlight the dangerous working conditions women endure. Women remain unsafe in both organized and unorganized sectors. Additionally, the Justice Hema Committee's recent report on the Malayalam film industry has uncovered grave issues such as sexual abuse, gender discrimination, and mistreatment of women in the industry.

Despite the existence of numerous laws to protect women from workplace harassment, such problems persist. This article will explore the reasons for the continuation of harassment and suggest effective measures to tackle the issue.

#### KEY FINDINGS OF THE JUSTICE HEMA COMMITTEE REPORT:

1. **Sexual Demands:** Women entering the industry often face pressure to engage in sexual activities in exchange for job opportunities, known as the "casting couch." The report also mentions vulgar comments from men and instances of male co-actors harassing women while intoxicated.
2. **Harassment and Torture:** Women experience sexual harassment, abuse, and assault in their workplaces, during travel, and even in their living spaces, as well as online. Those who refuse sexual advances often face mistreatment and derogatory remarks.
3. **Lack of Facilities and Safety:** Many workplaces, particularly outdoor ones, lack basic facilities like toilets and changing rooms, leading to health issues such as urinary infections.
4. **Ban and Silence:** Unauthorized bans and threats of being barred from work are used to silence women in the industry. A powerful male network dominates the industry, making it difficult for women who challenge them.

5. **Discrimination:** Gender bias is prevalent, with significant pay disparities between men and women. Junior artists often work in harsh conditions, sometimes for up to 19 hours a day.

6. **Non-execution of Contracts:** Many employment contracts are not honored, resulting in actors and technicians receiving reduced or no payment.

#### STATUS OF SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE IN INDIA

1. **National Crime Records Bureau (NCRB) Data:** From 2018 to 2022, India reported over 400 cases of workplace sexual harassment each year, according to a Business Standard report using NCRB data.
2. **Prevalence of Sexual Harassment:** A 2018 survey by the Martha Farrell Foundation found that 80% of Indian women have faced workplace harassment, with 38% experiencing it in the past year.
3. **Rising Number of Complaints:** According to the Centre for Economic Data and Analysis (Ashoka University), sexual harassment complaints reported under the POSH Act have significantly increased, rising from 161 in 2013-14 to 1,160 in 2022-23.

#### EXISTING INITIATIVES TO ADDRESS SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE IN INDIA

1. **Sexual Harassment of Women at Workplace Act, 2013 (POSH Act):**
  - **Purpose:** To ensure a safe and secure working environment for women by preventing and addressing sexual harassment at the workplace.
  - **Definition:** The Act broadly defines sexual harassment, including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

- **Internal Complaints Committee (ICC):** Requires organizations with 10 or more employees to establish an ICC responsible for receiving and addressing complaints of sexual harassment.
- **Local Complaints Committee (LCC):** For organizations with fewer than 10 employees or where the ICC is unavailable, a Local Complaints Committee can be constituted at the district level.
- **Complaint Procedure:** Outlines the process for filing and investigating complaints, ensuring confidentiality and fair treatment of both the complainant and the accused.
- **Penalties:** Prescribes penalties for non-compliance, including fines and imprisonment, with employers facing fines up to ₹50,000 for not constituting an ICC.

**2. Addressing Quid Pro Quo Situations:** The Bhartiya Nyay Samhita criminalizes sexual harassment involving false promises of marriage or employment, treating such actions, where sexual favors are demanded under misleading pretenses, as serious offenses akin to rape.

### REASONS FOR SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE IN INDIA

- 1. Power Imbalances and Gender Inequality:** In workplaces where men dominate leadership roles, power dynamics often skew in their favor, leading to the exploitation of women. This imbalance can make women feel they must tolerate harassment to maintain their employment, especially in male-dominated industries.
- 2. Lack of Awareness and Training:** Many workplaces, particularly in smaller organizations or those in informal sectors, lack proper training on what constitutes sexual harassment. Employees often aren't aware of their rights, which hinders effective prevention

and handling of harassment incidents. The National Commission for Women (NCW) has highlighted this gap in many reports.

- 3. Inadequate Implementation of Laws:** Despite the Sexual Harassment of Women at Workplace Act (2013), many organizations fail to set up mandatory Internal Complaints Committees (ICCs). A 2024 survey by The Udaiti Foundation revealed that 59% of organizations hadn't established ICCs, leaving women without a formal avenue for redress.
- 4. Effectiveness of ICCs:** Even when ICCs are established, they often fail to function effectively due to issues like lack of confidentiality, bias, or interference from powerful individuals within the organization. These shortcomings weaken the process of lodging complaints and securing justice.
- 5. Fear of Retaliation:** Women often refrain from reporting harassment due to fear of retaliation, such as job loss, career stagnation, or even physical threats. For example, actress Parvathy faced online rape threats and a decrease in film roles after speaking out against misogyny in the industry.
- 6. Cultural and Social Norms:** Deep-rooted cultural and social norms in India often downplay the seriousness of sexual harassment. Victims may be discouraged from seeking justice due to the stigma associated with being a victim of harassment. These norms contribute to a toxic work environment where harassment is normalized.
- 7. Lack of Basic Facilities and Safety Measures:** In many informal or outdoor workplaces, inadequate basic facilities such as proper toilets or changing rooms increase women's vulnerability to harassment. This lack of infrastructure makes it more difficult for women to protect themselves against harassment.



## IMPLICATIONS OF SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE

### 1. Individual Impact:

- **Emotional and Physical Distress:** Victims often suffer from severe emotional distress, including anxiety, depression, and low self-esteem. These psychological issues can be compounded by physical health problems like sleep disorders, high blood pressure, and weakened immune systems.
- **Career Growth and Job Satisfaction:** Harassment can significantly hinder a woman's career growth. A 2019 McKinsey report found that 35% of women in India had considered leaving or pausing their careers due to harassment.

### 2. Organizational Impact:

- **Decreased Productivity:** Sexual harassment creates a toxic work environment that can lower overall employee productivity. Victims may become distracted, miss work, or lose motivation, which in turn harms the organization's performance. The World Bank estimates that harassment costs India \$6 to \$10 billion annually due to its effects on labor force participation and productivity.
- **Legal and Financial Risks:** Organizations that fail to address harassment can face costly lawsuits and financial penalties. For instance, one case resulted in a \$17.4 million damage award against an organization.

### 3. Societal Impact:

- **Damage to Social Norms:** The prevalence of workplace harassment damages social norms by normalizing violence against women and undermining their dignity and empowerment. This normalization perpetuates unsafe conditions for women across society.

## WAY FORWARD

### 1. Implementing the Recommendations of the Justice Hema Committee for the Film Industry:

- **Establishing a Tribunal:** A new law should establish an independent tribunal to deal with harassment in the film industry, led by a retired district judge, preferably a woman.
- **Mandatory Written Contracts:** Written contracts should be mandatory for all employees, including junior artists, to protect their rights. These contracts should include provisions for female staff's safety and comfort.
- **Gender Awareness Training:** All cast and crew should complete mandatory gender awareness training, available in both Malayalam and English.
- **Incentives for Gender-Just Movies:** The government should offer financial support and low-interest loans for films made by women that focus on gender justice.
- **Banning Alcohol and Drugs:** Alcohol and drug use should be banned in film workplaces to ensure a safer environment.
- **Addressing Cyberthreats:** Online harassment, especially through fan clubs, should be addressed with stringent measures.
- **Comprehensive Film Policy:** A film policy focusing on gender equality in all production, distribution, and exhibition aspects should be developed.

### 2. For Organized and Other Sectors:

- **Implement and Enforce Legal Frameworks:** Compliance with the PoSH Act must be ensured by setting up Internal Complaints Committees (ICCs) in all workplaces. Organizations like HDFC Bank and Accenture have implemented strong ICCs with male and female members to handle harassment complaints effectively.

- **Strengthen Internal Policies:** Clear sexual harassment policies should be distributed, outlining prohibited behaviors, reporting procedures, and potential consequences. IBM India and Flipkart offer anonymous reporting options to protect employees' identities when reporting harassment.
- **Ensure Fair Investigation:** Complaints should be investigated impartially and confidentially, with trained ICC members handling them sensitively and ensuring justice.
- **Foster an Inclusive Culture:** An inclusive work culture should be promoted by encouraging open discussions about sexual harassment and supporting gender equality.
- **Support for Victims:** Counseling and psychological support should be provided to employees who experience harassment at work.
- **Monitor and Review:** Regular audits should be conducted to evaluate the effectiveness of harassment policies and training programs,

using feedback to make improvements and address ongoing issues.

- **Self-Defense Training:** Women should receive self-defense training, and schools should incorporate self-defense education for girls to empower them with the skills to protect themselves.

### 3. Recommendations of the Justice Verma Committee on Sexual Harassment at Workplace:

- **Inclusion of Domestic Workers:** Domestic workers should be covered under the PoSH Act to ensure their protection.
- **Establishing an Employment Tribunal:** There is a need to establish an Employment Tribunal to handle cases of sexual harassment, rather than relying solely on the ICC.
- **Removing the Complaint Filing Deadline:** The three-month deadline for filing complaints should be removed, allowing victims more time to report harassment without feeling rushed.



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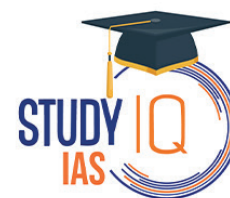
# UNIFIED PENSION SCHEME- A DEEPPDIVE

## RELEVANCE

### ❑ Syllabus:

- **PSIR:** Planning
- **GS2:** Government Policies

# UNIFIED PENSION SCHEME



## INTRODUCTION

The Union Cabinet recently approved the Unified Pension Scheme (UPS), set to take effect from April 1, 2025. This new scheme aims to provide government employees with a guaranteed pension upon retirement.

Concerns about the National Pension Scheme (NPS), commonly known as the New Pension Scheme, have been growing among government employees. These concerns primarily revolve around the absence of guaranteed pension returns with the NPS. In response to increasing demands for a return to the Old Pension Scheme, the Union government established a committee led by

Finance Secretary TV Somanathan to examine the Old Pension Scheme versus the National Pension System.

The newly introduced Unified Pension Scheme (UPS) offers retirees a fixed pension, addressing the concerns of the NPS. However, it still includes provisions for employee contributions similar to those in the National Pension System.

## PENSION SCHEMES IN INDIA

### 1. Old Pension Scheme (OPS)

- ❑ **Applicability:** For government employees appointed before January 1, 2004.

#### ❑ Features:

- **Defined Benefit:** Employees receive 50% of their last drawn salary plus Dearness Allowance (DA) as pension after retirement.
- **Funding:** Entire pension amount is borne by the government. Fixed returns are guaranteed for employee contributions to the General Provident Fund (GPF).

### 2. National Pension System (NPS)

#### ❑ Applicability:

- Introduced on January 1, 2004.
- Mandatory for central government employees joining after January 1, 2004.
- Voluntary for state governments; most states have adopted it except West Bengal and Tamil Nadu. Some states like Rajasthan, Chhattisgarh, Jharkhand, Punjab, and Himachal Pradesh have shifted back to OPS.

#### ❑ Features:

- **Defined Contribution:** Employees contribute 10% of basic pay and DA, with a matching contribution by the government.
- **Defined Benefit:** No guaranteed benefit; pension depends on contributions, investment performance, and accumulated corpus.
- **Voluntary for Unorganized Sector:** Participation is optional for the unorganized sector workforce.

### 3. Unified Pension Scheme (UPS)

#### ❑ Applicability:

- Effective from April 1, 2025.
- Applies to employees retired under NPS from 2004 onwards; existing employees can opt to remain under NPS.
- Currently for central government employees; states can also adopt it.

#### ❑ Features:

- **Assured Pension:** 50% of the average basic pay drawn over the last 12 months prior to retirement, with a minimum qualifying service of 25 years. Pension is proportionate for lesser service periods, with a minimum of 10 years of service.
- **Assured Family Pension:** 60% of the employee's pension immediately before their demise.
- **Assured Minimum Pension:** ₹10,000 per month on superannuation after a minimum of 10 years of service.
- **Inflation Indexation:** Pension, family pension, and minimum pension are indexed to inflation based on the All India Consumer Price Index for Industrial Workers (AICPI-IW).
- **Lump Sum Payment:** At superannuation, a lump sum of 1/10th of monthly emoluments (pay + DA) for every completed six months of service. This lump sum does not affect the assured pension amount.

## COMPARATIVE ANALYSIS OF PENSION SCHEMES

Features	Old Pension Scheme (OPS)	National Pension System (NPS)	Unified Pension Scheme (UPS)
<b>Pension Amount</b>	50% of last drawn salary.	Market-linked; pension value depends on investment performance.	Guaranteed pension of 50% of the average basic pay from the last 12 months before retirement.
<b>Inflation Indexation</b>	Adjusted for inflation through Dearness Allowance (DA).	Not applicable; pension is market-linked.	Indexed for inflation based on the All India Consumer Price Index for Industrial Workers (AICPI-IW).



Features	Old Pension Scheme (OPS)	National Pension System (NPS)	Unified Pension Scheme (UPS)
<b>Employee Contribution</b>	No contribution from employee.	Defined contribution of 10% of basic pay and DA.	Defined contribution of 10% of basic pay and DA.
<b>Government Contribution</b>	Full funding by the government.	Defined contribution of 14% of basic pay and DA.	Defined contribution of 18.5% of basic pay and DA.
<b>Family Pension</b>	Yes, continues after retiree's death.	Dependent on the corpus; no guaranteed family pension.	Yes, 60% of the employee's pension.
<b>Risk</b>	No market risk.	Market risk; pension value varies with investment performance.	Lower risk than NPS; assured pension.
<b>Flexibility</b>	Low; fixed benefits.	High; flexibility in choosing investment options.	Limited; assured pension with some employee contribution.

### REASONS FOR THE INTRODUCTION OF NPS

- Limited Coverage of OPS:** OPS covered only government employees (~12% of the total workforce). NPS aimed to extend pension coverage to workers in the unorganized sector, who could join voluntarily.
- Fiscal Burden on Governments:** OPS led to increasing fiscal pressures due to rising salaries and pensions. By 2004-05, expenditure on Union civil service pensions was about 2.31% of GDP, with a significant implicit pension debt.
- Burden on Future Generations:** OPS involved direct transfers from current taxpayers to pensioners, creating an intergenerational burden.
- Disincentivized Early Retirement:** OPS fixed pensions at 50% of the last drawn salary, leading to employees staying in service longer than necessary, resulting in inefficient use of human resources.
- Flexibility:** NPS offered subscribers the choice of fund managers and investment options, including government bonds and guaranteed return options.
- Simplicity and Portability:** NPS provided a Permanent Retirement Account Number (PRAN) valid throughout a subscriber's lifetime and was portable across jobs.

- Well-Regulated Scheme:** NPS was overseen by an NPS Trust with a trustee bank and custodian to manage fund flows and securities, ensuring transparency and efficiency.

### ISSUES WITH NPS

- Market-Linked Pension:** The pension amount is not guaranteed and depends on the performance of selected investment funds, which introduces variability and uncertainty.
- Complexity:** The need to choose investment options and fund managers adds complexity for subscribers compared to the fixed benefits of OPS.
- Family Pension Dependence:** There is no guaranteed family pension; it depends on the accumulated corpus, which may not provide adequate support.
- Market Risk:** Subscribers face market risk, which can impact the final pension amount based on investment performance.

### ISSUES WITH NATIONAL PENSION SYSTEM (NPS) REQUIRING REVIEW

- Market Volatility/Uncertainty:**
  - Contributions under NPS are invested in the market through fund managers, making returns subject to market volatility. Concerns arose that NPS might not deliver the same benefits as the OPS due to fluctuating

market conditions. For instance, according to an SBI report, the asset growth of NPS was negatively impacted by the Ukraine-Russia conflict, potentially falling short of the target of ₹7.5 lakh crore by March 2022.

## **2. Increased Burden on Employees:**

- Under OPS, the government bore the entire pension burden, and employees did not need to make monthly contributions. This system provided employees with higher disposable income and assured pensions. In contrast, NPS requires employees to contribute 10% of their basic pay and Dearness Allowance (DA) monthly, reducing their disposable income.

## **3. No General Provident Fund (GPF) Benefits:**

- OPS guaranteed fixed returns on employee contributions to the General Provident Fund (GPF). NPS does not include GPF provisions, eliminating this benefit.

## **4. No Assured Family Pension:**

- Unlike OPS, which provided an assured family pension, NPS does not guarantee family pensions. The pension amount in NPS depends on the accumulated corpus, which may not be sufficient for dependents.

## **5. No Indexation for Inflation:**

- NPS does not include inflation indexation. The pension amount is entirely market-linked and does not account for rising inflation, potentially affecting the real value of the pension.

## **SIGNIFICANCE OF THE UNIFIED PENSION SCHEME (UPS)**

### **1. Assured Pension:**

- UPS provides a fixed pension amount, guaranteeing 50% of the average basic pay from the last 12 months before retirement for employees with at least 25 years of service.

## **2. Higher Government Contribution:**

- The UPS features a higher government contribution rate of 18.5%, compared to 14% in NPS. This increased contribution can enhance the pension corpus, offering better financial security in retirement.

## **3. Inflation Indexation:**

- UPS includes post-retirement inflation-linked increments for pensions, protecting the real value of the pension against inflation, applicable to those with over 25 years of service.

## **4. Assured Family Pension:**

- The UPS guarantees a family pension of 60% of the employee's basic pay for dependents upon the employee's death, ensuring support for the family.

## **5. Combination of Defined Benefits and Contributions:**

- UPS merges the guaranteed benefits of OPS with the investment flexibility and portability of NPS, providing a balanced approach that offers both stability and potential for growth.

## **CONCERNS WITH THE UNIFIED PENSION SCHEME (UPS)**

### **1. Increased Fiscal Burden:**

- Implementing UPS could significantly raise financial pressures on the government. For example, initial expenditure on arrears is projected at ₹800 crore in the first year, with ongoing costs potentially reaching ₹6,250 crore.

### **2. Potential for Unsustainable Liabilities:**

- Combining features of both OPS and NPS could lead to unsustainable government liabilities. The guaranteed benefits might restrict budget allocations for other essential services.

### 3. Inequitable Benefits:

- UPS primarily benefits central government employees, while the unorganized sector, which had voluntary access to NPS, lacks similar provisions under UPS.

### 4. Transition from NPS:

- Transitioning from NPS to UPS involves managing the existing NPS corpus and could potentially reduce participation in NPS, raising concerns about the scheme's future viability.

## SUGGESTED WAY FORWARD

### 1. Regular Assessments:

- Conduct periodic evaluations of the UPS to ensure its financial sustainability. Adjust

government contributions as needed to balance employee benefits with fiscal responsibility.

### 2. Stakeholder Consultations:

- Engage regularly with government employees, unions, and other stakeholders to gather feedback and address concerns about the UPS, which can help refine the scheme.

### 3. Performance Metrics:

- Establish clear performance metrics to assess the effectiveness of the UPS in achieving its objectives. Regular monitoring and adjustments based on these metrics can help improve the scheme.

## JUDICIAL APPOINTMENTS

### RELEVANCE

#### □ Syllabus:

- **PSIR:** Judiciary
- **GS2:** Structure, Organization and Functioning of the Executive and the Judiciary



# REFORMING THE PROCESS OF JUDICIAL APPOINTMENTS



## INTRODUCTION

The issue of judicial appointments in India has been a contentious topic. This is underscored by a recent report from the Department of Justice, which reveals that while there are 60 lakh pending cases in various High Courts, 30% of High Court judge positions remain unfilled. The ongoing conflict between the Government and the Judiciary over the procedural aspects of appointing judges has further highlighted this problem.

## CONSTITUTIONAL PROVISIONS REGARDING JUDICIAL APPOINTMENTS IN INDIA

### 1. Article 124(2):

- **Supreme Court Judges:** Appointed by the President by warrant under his hand and seal after consulting with such Supreme Court and High Court judges as the President deems necessary. The Chief Justice of India (CJI) must always be consulted for appointing a Supreme Court judge other than the Chief Justice.

### 2. Article 217:

- **High Court Judges:** Appointed by the President by warrant under his hand and seal after consulting with the CJI, the Governor of the state, and the Chief Justice of the High Court, except in the case of the appointment of the Chief Justice of the High Court.

## HISTORICAL EVOLUTION OF THE JUDICIAL APPOINTMENT SYSTEM

### 1. Colonial Rule:

- During the colonial period, judicial appointments were largely controlled by the executive branch.

### 2. Constitutional Debates:

- The framers of the Indian Constitution sought to balance executive and judicial powers to safeguard judicial independence,

leading to the provisions in Articles 124(2) and 217.

### 3. Judicial Interventions:

- **First Judges Case (1981):** The Supreme Court ruled that “consultation” under Article 124 does not mean “concurrence”; the President is not bound by the CJI’s advice.
- **Second Judges Case (1993):** The Court overruled the First Judges Case, interpreting “consultation” as “concurrence.” The CJI must consult a collegium of senior judges to form advice.
- **Third Judges Case (1998):** The Court expanded the collegium to include the CJI and the four senior-most judges of the Supreme Court.

### 4. NJAC Act and Judicial Response:

- **99th Constitutional Amendment Act (2014) and NJAC Act (2014):** Proposed the National Judicial Appointments Commission (NJAC) to replace the collegium system, consisting of the CJI, two senior Supreme Court judges, the Union Minister of Law and Justice, and two eminent persons from civil society. The NJAC had veto powers and was intended to provide a more balanced approach.
- **Fourth Judges Case (2015):** The Supreme Court declared the NJAC Act unconstitutional, reaffirming the collegium system as it was seen as undermining judicial independence and the Constitution’s basic structure.

## ISSUES WITH NJAC

- 1. Membership Concerns:** The two eminent persons in NJAC could lack legal expertise, potentially allowing political influence in appointments.
- 2. Ambiguity:** Terms like “fitness” for appointment lacked clear definitions.



3. **Veto Power:** Allowed any two members to override judicial recommendations, possibly undermining the judiciary's input.
4. **Absence of Casting Vote:** The CJI had no casting vote in case of a tie among NJAC members.
5. **Potential Executive Overreach:** The NJAC's power to frame regulations could allow legislative dominance over judicial appointments.

### PRESENT SYSTEM OF JUDICIAL APPOINTMENTS

- ❑ **Collegium System:** The Supreme Court's collegium, a 5-judge body including the CJI and the four senior-most judges, recommends appointments and transfers of judges to the higher judiciary.
- ❑ **Executive Background Checks:** The Government conducts background checks through agencies like the Intelligence Bureau. It can raise objections or ask for clarifications but must accept recommendations if reiterated by the collegium.

### BENEFITS OF THE COLLEGIUM SYSTEM

1. **Prevents Executive Interference:** Safeguards judicial independence by minimizing executive influence.
2. **Avoids Bias:** Prevents the Government, the primary litigant in courts, from influencing judicial appointments.
3. **Expertise in Selection:** The judiciary is better positioned to assess the qualifications of prospective judges.
4. **Constitutional Safeguards:** Maintains the judiciary's independence, crucial for upholding constitutional values.

### CONCERNS ASSOCIATED WITH THE COLLEGIUM SYSTEM

1. **Lack of Constitutional Status:** Not explicitly provided for in the Constitution; based on

judicial interpretation of "consultation" as "concurrence."

2. **Transparency Issues:** No official procedure or public criteria for selections, leading to questions about openness.
3. **Accountability Issues:** Judicial appointments are not accountable to other state organs, leading to perceptions of arbitrariness.
4. **Nepotism Concerns:** Allegations of nepotism with appointments of relatives of sitting judges.
5. **Subjectivity:** Potential for subjective bias in appointments due to the absence of external checks.
6. **Lack of Global Equivalent:** India's unique system where judges appoint other judges without involvement of other state organs.

### GLOBAL BEST PRACTICES FOR JUDICIAL APPOINTMENTS

1. **United Kingdom:**
  - **Constitutional Reform Act, 2005:** This act established two commissions to handle judicial appointments. These commissions include members from both the judiciary and the executive, ensuring a balanced approach in selecting candidates for judicial service.
2. **South Africa:**
  - **Judicial Service Commission (JSC):** The JSC advises the President on judicial appointments. It includes diverse representation from various branches of government, promoting a comprehensive review process for selecting judges.
3. **France:**
  - **High Council of the Judiciary (Conseil Supérieur de la Magistrature):** Judges are appointed through this council, which plays a significant role in the selection process. For lower courts, the Minister of Justice

may consult with or seek advice from the High Council.

## RECOMMENDED WAY FORWARD FOR JUDICIAL APPOINTMENTS IN INDIA

### 1. Revival of NJAC:

- **Address Criticisms:** Rework the National Judicial Appointments Commission (NJAC) by incorporating feedback from the judiciary, executive, and civil society. Key issues such as veto power, lack of a decisive vote for the Chief Justice of India (CJI), and undefined membership criteria should be addressed.

### 2. Finalization of Memorandum of Procedure (MoP):

- **Government and Judiciary Cooperation:** Develop a clear and comprehensive MoP that outlines transparency, eligibility criteria, and mechanisms for handling complaints against candidates. This would provide clear guidelines for the appointment process.

### 3. Enhance Transparency:

- **Disclosure of Selection Criteria:** The Collegium should disclose reasons for the selection and rejection of candidates to improve transparency. Implement recommendations such as the Law Commission's 230th Report (2012), which suggests avoiding appointments of judges

whose relatives practice in the same High Court.

### 4. Establishment of All India Judicial Services (AIJS):

- **Improve Quality in Lower Judiciary:** Consider establishing AIJS to enhance the quality of judges in the lower judiciary. This proposal should be discussed and implemented with consensus among all stakeholders.

### 5. Independent Secretariat:

- **Resourceful Secretariat:** Establish a well-resourced independent secretariat for judicial appointments, including a comprehensive database of candidates. This would facilitate timely and efficient judicial appointments by keeping track of vacancies.

## CONCLUSION

The Government and the Judiciary need to work together to develop a judicial appointment system that balances the best aspects of the NJAC and the Collegium System. Improvements in this area are crucial to address judicial vacancies, which contribute to delays and pendency in the judicial system. Effective cooperation and timely appointments are essential for the smooth functioning of the judiciary and for ensuring justice for all citizens.

# HUMAN RIGHTS ENFORCEMENT

## RELEVANCE

### □ Syllabus:

- **PSIR:** Concept of Human Rights
- **GS2-** Issues Relating to Development and Management of Services relating Human Resources.



## INTRODUCTION

Let us look into two primary methods for enforcing human rights: economic or military sanctions and the strategy of “naming and shaming.” It evaluates the effectiveness of shaming, particularly in authoritarian regimes, and emphasizes the importance of strengthening democratic institutions to more effectively safeguard human rights.

## METHODS OF ENFORCING HUMAN RIGHTS

- 1. Economic Sanctions or Military Interventions:**  
This method involves imposing economic

penalties or using military force to compel nations to comply with human rights standards. These actions are typically undertaken by powerful countries or international coalitions to pressure governments into changing their behavior.

- 2. Naming and Shaming:** This strategy entails publicly condemning human rights violations by specific governments or organizations. It can be used by any country or group, regardless of power, to draw attention to abuses and apply moral and political pressure.

## EFFECTIVENESS OF NAMING AND SHAMING

- ❑ **Positive Impact:** Naming and shaming can sometimes lead to real change, as evidenced by the release of political prisoners in countries like Myanmar and Ethiopia following international condemnation. It can raise awareness, mobilize public opinion, and lead to diplomatic pressure.
- ❑ **Success Stories:** Legal actions against notorious dictators such as Augusto Pinochet of Chile and Slobodan Milošević of Yugoslavia demonstrate that international censure and sustained pressure can lead to significant consequences, including legal prosecution.
- ❑ **Limitations:** However, naming and shaming is often ignored by authoritarian leaders like Vladimir Putin, Xi Jinping, and Kim Jong-un, who may be insulated from international opinion due to their domestic power and control over information.

## CHALLENGES WITH NAMING AND SHAMING

1. **Limited Impact on Authoritarian Regimes:** In countries with strong authoritarian governments, naming and shaming often fails to bring about substantial change. Such regimes may resist or deny international pressure, using propaganda to downplay or dismiss external criticism.
2. **Superficial Changes:** Even when naming and shaming does result in action, the changes

may be superficial. Governments may make minor concessions to appease critics without addressing the root causes of human rights abuses.

## THE ROLE OF THE STATE IN PROTECTING HUMAN RIGHTS

- ❑ **Primary Guardian:** The state should act as the principal protector of human rights, ensuring that personal liberty and justice are upheld in line with the Universal Declaration of Human Rights.
- ❑ **Institutional Strengthening:** To effectively protect human rights, it is crucial for states to establish strong democratic institutions that uphold these rights and prevent repression. This involves creating legal and political frameworks that ensure accountability and justice.
- ❑ **Integration into National Psyche:** Human rights must be deeply embedded in the national consciousness through democratic institutions that promote and respect these rights over the long term.
- ❑ **Resisting Authoritarianism:** The state must resist tendencies toward authoritarianism and instead focus on promoting public welfare in an egalitarian and just environment. This involves ensuring that human rights are respected, protected, and fulfilled in all aspects of governance.



# MAINS PRACTICE QUESTIONS

**Q. Studying the Jambudvipa mandala from our ancient texts, one is struck by the fact that it does not ascribe centrality and superiority to Bharatvarsha, which is only one among the lotus petals that make up our universe. Discuss the above statement with reference to India's vision of new world order.**

India's strategic culture and diplomatic behavior are deeply influenced by its rich tradition of statecraft, as evident in ancient texts like the Jambudvipa mandala. Unlike the Chinese worldview, which considers the Han core as superior and central, India's perspective is more inclusive and multipolar. The Jambudvipa mandala portrays Bharatvarsha (India) as just one among the interconnected lotus petals that make up the universe, signifying India's acceptance of other dvipas (islands) with their own characteristics and values.

This mindset aligns with India's advocacy for a multipolar world in the contemporary context, where it recognizes and respects the diversity of nations and their unique contributions. India does not harbor a 'middle kingdom complex,' which denotes a sense of centrality and superiority. Instead, it embraces a worldview that values the coexistence of various geopolitical and geo-economic units with their distinct histories.

The Indian Subcontinent and the regions surrounding the Indian Ocean are viewed as a cohesive geopolitical and geo-economic unit with shared history. Despite facing partition during Independence in 1947, India's challenge lies in transcending political divisions in the subcontinent and restoring its cohesiveness. It aims to minimize the significance of borders by drawing upon enduring sources of affinity and commonality among the nations in the region.

Looking forward, as India's economic and security capabilities expand, it is likely to extend its influence along historical pathways. This includes reaching out to the eastern and western reaches of the Indian Ocean and engaging with the Central Asian neighborhood to the north and west. By doing so, India can tap into its historical connections and foster stronger economic and strategic ties with its neighbors, contributing to regional stability and cooperation.

**Q. What is meant by 'relative autonomy' of State in Marxist analysis? (15 Marks)**

In Marxist analysis, the concept of "relative autonomy" of the state refers to the idea that while the state primarily serves the interests of the ruling class (bourgeoisie), it possesses a degree of independence. This autonomy allows the state to act in ways that might not immediately align with the interests of the ruling class, thereby ensuring the long-term stability of the capitalist system. The concept challenges the simplistic notion of the state as a mere tool of the bourgeoisie.

According to classical Marxist theory, the state is an instrument of class domination, used by the ruling class to maintain its power over the proletariat. However, the theory of relative autonomy, developed by later Marxist scholars such as Antonio Gramsci and Nicos Poulantzas, suggests that the state has some independence from direct bourgeois control. This autonomy allows the state to mediate between different class interests, address contradictions within capitalism, and maintain the overall stability of the system.

**Gramsci's Contribution:** Gramsci argued that the state is not just a coercive apparatus but also functions ideologically to maintain the hegemony of the ruling class. Through its relative autonomy, the state can

create a consensus among different classes, ensuring the continued dominance of the ruling class without overt coercion.

**Poulantzas's Perspective:** Poulantzas emphasized that relative autonomy is necessary for the state to manage class conflicts and contradictions. By appearing neutral or independent, the state can implement policies that serve the long-term interests of capitalism, even if they temporarily conflict with the immediate interests of individual capitalists.

In contemporary politics, the concept of relative autonomy is evident in state interventions during economic crises, where governments might act against the immediate interests of capitalists (e.g., through regulation or bailouts) to preserve the overall system. This autonomy is also seen in social policies that address inequality to prevent social unrest, further illustrating the state's role in maintaining capitalist stability.

Relative autonomy in Marxist analysis highlights the state's complex role within capitalist society. Rather than being a simple instrument of class oppression, the state acts with a certain level of independence to ensure the stability and reproduction of the capitalist system. This nuanced understanding allows for a more sophisticated analysis of state actions and policies within Marxist theory.

**Q. What role does the National Minority Commission play in ensuring full protection of minority rights as well as harmony in India's multicultural society.**

The Indian constitution represents a multicultural approach towards minority rights, aiming to provide a life of dignity to all individuals living in India. It embraces a non-hegemonic, non-coercive approach of civic nationalism. In line with the commitment to protect minority rights, the National Commission for Minorities (NCM) was established in 1992 by the Government of India.

The commission consists of a chairperson, vice-chairperson, and members nominated by the union government, all from minority communities. Its primary purpose is to monitor the functioning of constitutional and legal protections for minorities and offer suggestions to effectively safeguard their interests.

**The functions of the NCM include:**

- ☐ Monitoring the implementation of constitutional and legal protections for minorities.
- ☐ Providing recommendations to the central and state governments on safeguarding minority interests.
- ☐ Assessing the progress made by the central and state governments in the development of minorities.
- ☐ Investigating complaints regarding violations of minority rights and taking them up with relevant authorities.
- ☐ Conducting research and proposing solutions to address issues related to prejudice against minorities.
- ☐ Submitting reports to the government on minority-related challenges and issues.

The NCM has taken certain steps to address minority issues, such as investigating communal disturbances and working with the administration to secure peace and protect minority rights. It has also undertaken activities like organizing Hunar Haat, providing scholarships, training, and affordable credit facilities.

However, there have been concerns regarding the effectiveness of the NCM. It is seen as having limited power and impact. To strengthen the commission, there have been demands to provide it with constitutional status, the power to summon officials, and the ability to take action against non compliance.

**Conclusion:** The National Commission for Minorities plays a crucial role in protecting and promoting minority rights in India, particularly during times of majority-minority conflicts. Concrete steps are necessary to strengthen the commission and enhance its effectiveness in safeguarding the rights of minorities. This would ensure that minority communities are not neglected or oppressed, and their rights are upheld in the diverse and multicultural fabric of India.



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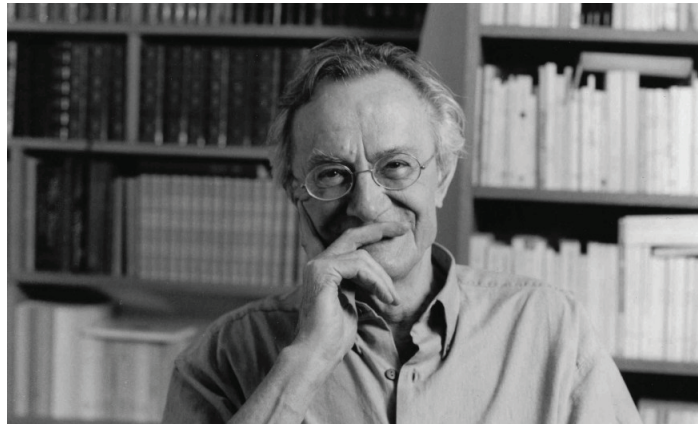
## Shashank Tyagi

Senior Faculty, PSIR



# SCHOLAR DIGEST: KNOW YOUR SCHOLARS

## LYOTARD



### INTRODUCTION

Jean-François Lyotard, a renowned French philosopher, made significant contributions to postmodern philosophy. His ideas challenged traditional notions of truth, power, and narratives, influencing various fields such as philosophy, sociology, and cultural studies. This article delves into Lyotard's main ideas and their implications, highlighting his concept of incredulity towards metanarratives, critique of grand narratives, and the relationship between language and knowledge.

### INCRECULITY TOWARDS METANARRATIVES

Lyotard questioned the legitimacy of metanarratives, which are overarching narratives claiming to provide comprehensive understandings of the world. Metanarratives include concepts like progress, enlightenment, or Marxism. Lyotard argued that these narratives had lost credibility, as society became increasingly skeptical of their claims to truth and universality. He advocated for embracing micro-narratives, recognizing the diversity and incommensurability of different perspectives and experiences.

### CRITIQUE OF GRAND NARRATIVES

A central aspect of Lyotard's work was his critique of grand narratives and their connection to power. He argued that grand narratives often functioned as tools of domination, allowing those in power to legitimize their control over society. By imposing a singular narrative, those in authority marginalize alternative viewpoints and suppress dissent. Lyotard believed that by dismantling grand narratives, we create space for a multiplicity of voices and foster a more democratic and inclusive society.

### LANGUAGE AND KNOWLEDGE

Lyotard explored the relationship between language and knowledge, emphasizing the limitations and complexities of linguistic representation. He rejected the idea that language could provide an objective and transparent representation of reality. Instead, he argued that language is inherently unstable, fragmented, and subject to different interpretations. Knowledge, according to Lyotard, is contingent upon language games, which are socially constructed systems of meaning. These language games shape



our understanding of reality, but they are not universally valid or comprehensive.

### THE POSTMODERN CONDITION

Lyotard's ideas were influential in defining the postmodern condition. He described the postmodern era as characterized by a skepticism towards grand narratives, a celebration of diversity, and a recognition of the fragmentation of knowledge. In the postmodern condition, truth becomes a matter of individual interpretation and subjective experience. This challenges traditional notions of authority and encourages a constant reassessment of knowledge and its foundations.

### IMPLICATIONS AND CRITICISMS

Lyotard's ideas have both positive and negative implications. On one hand, his emphasis on the plurality of narratives and the rejection of grand narratives allows for a more inclusive and democratic society, where diverse perspectives are valued. It promotes critical thinking, as individuals are encouraged to question dominant narratives and engage in dialogue. On the other hand, critics

argue that Lyotard's ideas can lead to a relativistic stance, where all narratives are considered equally valid, undermining the pursuit of objective truth.

Furthermore, some critics argue that Lyotard's work lacks concrete solutions or a coherent alternative to grand narratives. They suggest that while skepticism towards metanarratives is valuable, it is essential to find a balance between acknowledging the limitations of overarching narratives and maintaining a shared understanding of the world.

### CONCLUSION

Jean-François Lyotard's ideas have left a significant impact on postmodern philosophy and the understanding of knowledge, power, and narratives. His skepticism towards metanarratives and emphasis on the plurality of narratives challenged established notions of truth and authority. While his ideas have faced criticism, they continue to stimulate intellectual debates and encourage critical engagement with dominant discourses.

## MORGENTHAU



### INTRODUCTION

Hans Joachim Morgenthau, born on February 17, 1904, in Coburg, Germany, and passing away on

July 19, 1980, in New York, New York, U.S., was a prominent German-born American political scientist and historian. He gained recognition for

his expertise as a leading analyst, focusing on the significance of power in the realm of international politics.

### EARLY LIFE & EDUCATION

Morgenthau's academic journey commenced in Germany, where he pursued his education at the esteemed Universities of Berlin, Frankfurt, and Munich. Following his studies in Germany, he furthered his knowledge through postgraduate work at the Graduate Institute for International Studies in Geneva. After being admitted to the bar in 1927, he gained valuable experience by serving as acting president of the Labour Law Court in Frankfurt.

In 1932, he had the opportunity to teach public law in Geneva for a year. However, the political climate drastically changed with Adolf Hitler's rise to power in Germany in 1933, compelling him to extend his stay in Switzerland until 1935. During this period, he also taught in Madrid from 1935 to 1936.

Due to the troubling developments in Europe, Morgenthau emigrated to the United States in 1937, where he would later become a naturalized citizen in 1943. Throughout his American academic career, he contributed his expertise as a professor at various institutions, including Brooklyn College (1937–39), the University of Missouri–Kansas City (1939–43), the University of Chicago (1943–71), the City College of the City University of New York (1968–74), and the New School for Social Research (1974–80).

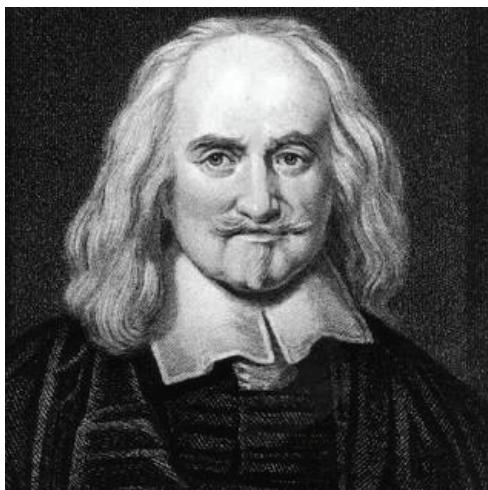
### MAJOR WORKS

In 1948, Morgenthau published "Politics Among Nations," a highly esteemed study that introduced the classical realist approach to international politics. In this seminal work, Morgenthau argued that politics operates under distinct and unchangeable laws of nature, enabling states to deduce rational and objectively correct actions by understanding these laws. Central to his theory was the notion that power stands as the primary objective in international politics, defining a nation's interests.

Morgenthau's approach centered around the state, rejecting the idea that a state's moral aspirations should be equated with the universal objective moral laws. Instead, he emphasized that all state actions are driven by the pursuit of acquiring, showcasing, or enhancing power. He advocated for acknowledging the nature and limitations of power and advocated for the use of conventional diplomatic methods, including the willingness to compromise.

Morgenthau's "Politics Among Nations" laid the foundation for classical realism in international relations, stressing the centrality of power and state interests, while also cautioning against conflating moral aspirations with the practical realities of politics. He advocated for embracing traditional diplomatic approaches and finding common ground through compromise.

# THOMAS HOBBS



## INTRODUCTION

He was an English political philosopher who lived in the 17th century. He is best known for his work "Leviathan," which laid the groundwork for modern political theory. Hobbes believed that humans are naturally selfish and violent, and that a strong, centralized government was necessary to keep society from descending into chaos.

## STATE OF NATURE

Hobbes believed that the natural state of humans is one of war and chaos. In the absence of government, individuals are in a constant state of competition and conflict, where life is "solitary, poor, nasty, brutish, and short." This state of nature is characterised by a "war of all against all," where individuals are constantly at risk of being harmed or killed by others. According to Hobbes, this makes life in the state of nature "nasty, brutish, and short."

## SOCIAL CONTRACT

To escape the state of nature, Hobbes argued that individuals must enter into a social contract with each other. In this contract, individuals agree to give up some of their natural rights in exchange for protection from the government. The government, in turn, is responsible for maintaining law and

order, and ensuring the safety and security of its citizens. Hobbes believed that the social contract was necessary to prevent society from descending into chaos and violence.

## ABSOLUTE SOVEREIGNTY

Hobbes believed that the best form of government was an absolute monarchy, where the ruler has unlimited power and authority. According to Hobbes, the sovereign should have complete control over all aspects of society, including religion and the economy. He believed that this was necessary to maintain order and prevent dissent. In Hobbes' view, the ruler's power was absolute and could not be challenged by the people.

## RELEVANCE TO MODERN POLITICS

Hobbes' political philosophy has been influential in modern political theory, particularly in the areas of political sovereignty and social contract theory. His ideas about the need for a strong government to maintain order and prevent chaos have been echoed by many modern political thinkers. However, his view of absolute monarchy has been criticized as undemocratic and authoritarian.

## CONCLUSION

Thomas Hobbes was a pioneering political philosopher whose work laid the foundation for

modern political theory. His belief in the need for a strong, centralized government to prevent society from descending into chaos and violence remains relevant today. However, his view of absolute monarchy has been met with criticism

and has been replaced by more democratic forms of government. Nonetheless, his contributions to the field of political philosophy have been significant and continue to be studied and debated by scholars today.

## DERRIDA



### INTRODUCTION

**Jacques Derrida**, (born July 15, 1930, El Biar, Algeria—died October 8, 2004, Paris, France), French philosopher whose critique of Western philosophy and analyses of the nature of language, writing, and meaning were highly controversial yet immensely influential in much of the intellectual world in the late 20th century.

### EARLY LIFE&EDUCATION

Derrida was born to Sephardic Jewish parents in French-governed Algeria. Educated in the French tradition, he went to France in 1949, studied at the elite École Normale Supérieure (ENS), and taught philosophy at the Sorbonne (1960–64), the ENS (1964–84), and the École des Hautes Études en Sciences Sociales (1984–99), all in Paris. From the 1960s he published numerous books and essays on an immense range of topics and taught and

lectured throughout the world, including at Yale University and the University of California, Irvine, attaining an international celebrity comparable only to that of Jean-Paul Sartre a generation earlier.

### MAJOR WORKS

Derrida is most celebrated as the principal exponent of deconstruction, a term he coined for the critical examination of the fundamental conceptual distinctions, or “oppositions,” inherent in Western philosophy since the time of the ancient Greeks. These oppositions are characteristically “binary” and “hierarchical,” involving a pair of terms in which one member of the pair is assumed to be primary or fundamental, the other secondary or derivative. Examples include nature and culture, speech and writing, mind and body, presence and absence, inside and outside, literal and metaphorical, intelligible and sensible, and form and meaning, among



many others. To “deconstruct” an opposition is to explore the tensions and contradictions between the hierarchical ordering assumed or asserted in the text and other aspects of the text’s meaning, especially those that are indirect or implicit. Such an analysis shows that the opposition is not natural or necessary but a product, or “construction,” of the text itself.

In the 1960s Derrida’s work was welcomed in France and elsewhere by thinkers interested in the broad interdisciplinary movement known as structuralism. The structuralists analyzed various cultural phenomena—such as myths, religious rituals, literary narratives, and fashions in dress and adornment—as general systems of signs analogous to natural languages, with their own vocabularies and their own underlying rules and structures, and attempted to develop a metalanguage of terms and concepts in which the various sign systems could be described. Some of Derrida’s early work was a critique of major structuralist thinkers such as Saussure, the anthropologist Claude Lévi-Strauss, and the intellectual historian and philosopher Michel Foucault. Derrida was thus seen, especially in the United States, as leading a movement beyond

structuralism to “poststructuralism,” which was skeptical about the possibility of a general science of meaning.

#### RELEVANCE TODAY

One might distinguish in Derrida’s work a period of philosophical deconstruction from a later period focusing on literature and emphasizing the singularity of the literary work and the play of meaning in avant-garde writers such as Genet, Stéphane Mallarmé, Francis Ponge, and James Joyce. His later work also took up a host of other issues, notably the legacy of Marxism (*Spectres de Marx: l’état de la dette, le travail du deuil et la nouvelle Internationale* [1993; *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International*]) and psychoanalysis (*La Carte postale: de Socrate à Freud et au-delà* [1980; *The Post Card: From Socrates to Freud and Beyond*]). Other essays considered political, legal, and ethical issues, as well as topics in aesthetics and literature. He also addressed the question of Jewishness and the Jewish tradition in *Shibboleth* and the autobiographical “Circumfession” (1991).



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# ENRICH YOUR ANSWER

Q. Analyse the role of the election commission towards electoral reforms.

Q → Analyse the role of Election Commission towards electoral reforms.

Approach of Answer

(Intro): Briefly write about Election Commission.

(Body)

Write about positive role played by ECI towards electoral reforms.

- eg → Introduction of EVM's.
- Launch of website for information sharing
- Computerisation of Electoral rolls 1998
- Introduction of VVPAT.
- Introduction of NOTA in 2014
- Recently launched SVEEP for voter's education.

What more can be done

- ECI be given rule making power under RPA
- ECI be given more power's w.r.t Model Code of Conduct.

Conclusion

Election reforms are mother of all reforms and should be given prime importance.



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

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

Approach

(Intro) Define the doctrine of Basic Structure

(Body) Discuss the evolution of the doctrine

→ Champokam Dorairajon Case 1951

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

→ Shankari Prasad Case (1951)

→ Sajjan Singh Case 1965

→ Golokhnath Case 1967

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

→ Keshwanand Bharti Case 1973

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

→ Minerva Mills Case 1980

(criticism)

→ No Unanimity in the bench on doctrine

→ Judiciary overlooking letters of constitution and inventing its soul

→ It brings judicial sovereignty from Constitutional morality.



Q. Circulation of elites. Comment

Approach to Answer

Intro: Start by explaining the concept of Power

Body

1. Explain the elitist theory of Power including Pareto's Circulation of Elites theory.

→ Elitist theory accepts broad division of society into dominant and dependent group.

→ Pareto's theory of Power divides society into 'governing elite' and 'non governing elite'.

→ Explain the 'governing elites' and 'non governing elites'.

→ Can give criticism of his theory

Conclusion

Show the significance of Pareto's theory in understanding the concept of Power

# PRELIMS PRACTICE QUESTIONS

1. Under the Constitution of India, which one of the following is not a fundamental duty
  - (a) To vote in public elections
  - (b) To develop the scientific temper
  - (c) To safeguard public property
  - (d) To abide by the Constitution and respect its ideals
2. Consider the following provisions under the Directive Principles of State Policy as enshrined in the Constitution of India:
  1. Securing for citizens of India a uniform civil code
  2. Organizing village Panchayats
  3. Promoting cottage industries in rural areas
  4. Securing for all the workers reasonable leisure and cultural opportunities

Which of the above are the Gandhian Principles that are reflected in the Directive Principles of State Policy?

  - (a) 1, 2 and 4 only
  - (b) 2 and 3 only
  - (c) 1, 3 and 4 only
  - (d) 1, 2, 3 and 4
3. Which of the following special powers have been conferred on the Rajya Sabha by the Constitution of India?
  - (a) To change the existing territory of a State and to change the name of a State
  - (b) To pass a resolution empowering the Parliament to make laws in the State List and to create one or more All India Services
  - (c) To amend the election procedure of the President and to determine the pension of the President after his/her retirement
  - (d) To determine the functions of the Election Commission and to determine the number of Election Commissioners.
4. Which of the following provisions of the Constitution of India have a bearing on Education?
  1. Directive Principles of State Policy
  2. Rural and Urban Local Bodies
  3. Fifth Schedule
  4. Sixth Schedule
  5. Seventh Schedule

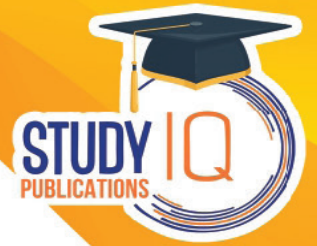
Select the correct answer using the codes given below :

  - (a) 1 and 2 only
  - (b) 3, 4 and 5 only
  - (c) 1, 2 and 5 only
  - (d) 1, 2, 3, 4 and 5

## Answers

1. (a) To vote in public elections is not a fundamental duty.
2. (b) Organizing village Panchayats and promoting cottage industries in rural areas are the Gandhian principles that are reflected in the Directive Principles of State Policy.
3. (b) Rajya Sabha can pass a resolution empowering the parliament to make laws in the state list and to create one or more All India Services. This is a special power that has been conferred on the Rajya Sabha by the constitution.
4. (d) The items DPSP, Rural and Urban Local Bodies, 6th Schedule, 7th Schedule provide provision for education.

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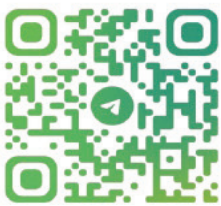


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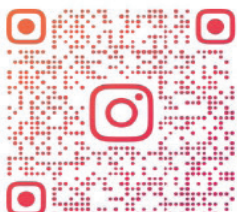
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