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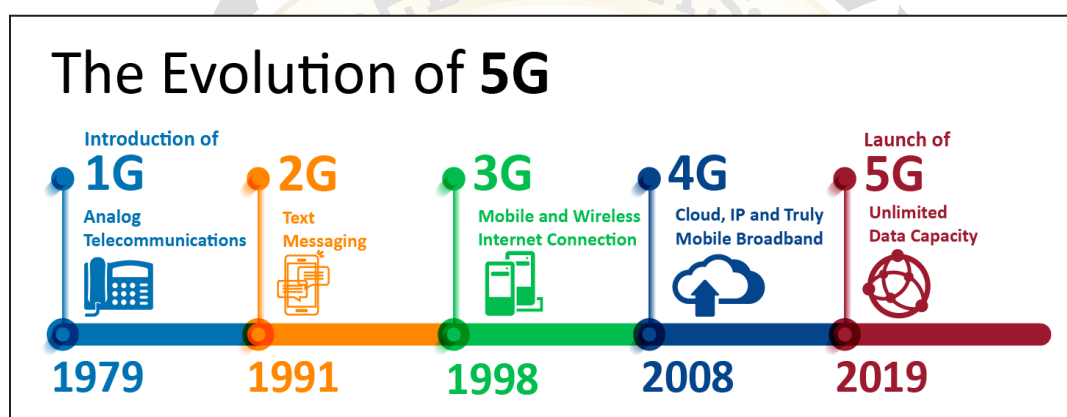
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1. ROLE OF 5G TECHNOLOGY IN TRANSFORMING INDIA

INTRODUCTION:

5G is the fifth generation of wireless network technology that will provide faster and more reliable communication with ultra-low latency than 4G technology. Once rolled out successfully 5G can transform the life style of people across the world and India in many ways.

5G technology is expected to have a bigger impact on the global economy contributing more than \$13 trillion to output world wide by 2035 And the 5G value chains has the potential to generate more than 22 million jobs by 2035. Experts are expecting that economic impact of 5G to be over \$1 trillion in India.



Comparison of key features between 1G to 5G at glance

Generation	Speed	Technology	Key Features
1G (1970 –1980s)	14.4 Kbps	AMPS,NMT, TACS	Voice only services
2G (1990 to 2000)	9.6/ 14.4 Kbps	TDMA,CDMA	Voice and Data services
2.5G to 2.75G (2001-2004)	171.2 Kbps 20-40 Kbps	GPRS	Voice, Data and web mobile internet, low speed streaming services and email services.
3G (2004-2005)	3.1 Mbps 500- 700 Kbps	CDMA2000 (1xRTT, EVDO) UMTS and EDGE	Voice, Data, Multimedia, support for smart phone applications, faster web browsing, video calling and TV streaming.
3.5G (2006-2010)	14.4 Mbps 1- 3 Mbps	HSPA	All the services from 3G network with enhanced speed and more mobility.
4G (2010 onwards)	100-300 Mbps. 3-5 Mbps 100 Mbps (Wi-Fi)	WiMax, LTE and Wi-Fi	High speed, high quality voice over IP, HD multimedia streaming, 3D gaming, HD video conferencing and worldwide roaming.
5G (Expecting at the end of 2019)	1 to 10 Gbps	LTE advanced schemes, OMA and NOMA	Super fast mobile internet, low latency network for mission critical applications, Internet of Things, security and surveillance, HD multimedia streaming, autonomous driving, smart healthcare applications.

5G Versus 4G at Glance

FEATURE	4G TECHNOLOGY	5G TECHNOLOGY
What is it?	It stands for Fourth Generation technology	It stands for Fifth Generation technology
Upload speed	The maximum upload rate of 4G technology is 500 Mbps	While the maximum upload rate of 5G technology is 1.25 Gbps
Down load speed	The maximum download rate of 4G technology is 1 Gbps	While the maximum download rate of 5G technology is 2.5 Gbps.
Latency period	The latency of 4G technology is about 50 ms	While the latency of 5G technology is about 1 ms
Radio systems	4G offers Code Division Multiple Access (CDMA)	While 5G offers Orthogonal Frequency Division Multiplexing (OFDM) , BDMA .
Advantages	4G has the advantages of high speed handoffs, global mobility	While 5G has the advantages of extremely high speeds, low latency
Applications	4G can be used for high speed applications, mobile TV, wearable devices	While 5G can be used for high resolution video streaming, remote control of vehicles, robots and medical procedures
Efficiency	It is little slow and less efficient than 5G	It is fast and more efficient than 4G

Do You Know - The Current Scenario Of 5G In India & World

- **In India** Jio & Qualcomm has successfully tested for 5G solutions in India to achieve speed of over 1 Gbps.
- Airtel extends deals with Ericsson for 5G in India and the Deal will see Ericsson supply its radio access network (RAN) to Bharti Airtel.
- South Korea is the first country that has launched 5G across the country in the world.
- Then China has successfully rolled out 5G services across 50 cities .
- Other key players like U.S, U.K, Germany roll out 5G in a limited basis but yet to go for full pledge launch.

5G TECHNOLOGY & TRANSFORMED INDIA:

Prospects of 5G technology extends to each and every sector & Industry like agriculture, automobile , healthcare, manufacturing and distribution, emergency services, and education etc. 5G is designed in such a way that the fields can take the advantage of cellular connectivity in various ways that was not possible before. 5G technology is set to have a profound effect on country's economic performance and GDP. 5G Technology can transform India in the following ways :

Steers up the digital India initiative:

- 5G technology will enhance and support government's effort to promote digital India thus India's vision and mission of Digital India can be achieved early with 5G technology.
- 5G will revolutionise the mobile experience with speedy wireless network, which can support up to 10 to 20 GBPS of data download speed. Compared to conventional mobile transmission technologies, voice and high-speed data can be simultaneously transferred efficiently in 5G.

Gears up the vision of Smart cities :

- It will fuel government's smart city project. Smart city application like traffic management, instant weather update, local area broadcasting, energy management, smart power grid, smart lighting of street, water resource management, crowd management, emergency response etc. can use reliable 5G wireless network for its functioning.

Provides Better and Real time Governance:

- Better speed and connectivity would reduce red tapism. It will enhance speedy completion of projects and better implementation of policies.
- It will also enable accountability in the system through a better monitoring system and will reduce corruption.

Offers Enhanced Security:

- 5G wireless technology is one the best solution for security surveillance due to higher bandwidth and uncensored spectrum. It will enhance better coordination among various security agencies.
- Smart appliances which can be configured and accessed from remote locations, closed circuit cameras will provide high quality real-time video for security purposes.

Can abridge the digital gaps in India:

- 5G uses Small cell concept which will have multiple advantages of enhanced net work coverage, maximum data transfer, low power consumption and cloud access network etc.
- With wide and enhanced network coverage 5G will help in reducing the digital gaps in India and the urban-rural digital divide can be effectively abridged with 5G technology.

Applications in agriculture sector:

- 5G technology can be used for agriculture and smart farming in future. Using smart RFID sensors and GPS technology, farmers can track location of livestock and manage them easily. Smart sensors can be used for irrigation control, access control and energy management.

Role in Industrial sector growth:

- 5G is a technological paradigm shift, analogous to the shift from typewriter to computer. 5G has the potential to unlock up to \$12.3 trillion of revenue across a broad range of industries. The Future industries will depend on smart wireless technologies like 5G and LTE advanced for efficient automation of equipment, maintenance, safety, tracking, smart packing, shipping, logistics and energy management.

Fosters Inclusive growth through Employment generation:

- 5G wireless technology will open greater opportunity for new device manufactures and application developers. New VoIP devices and smart devices will be introduced in the market and thus more job opportunities as well. This will help in inclusive growth reaping demographic dividend.

5G in Energy sector:

- In the energy sector, 'smart grids' and 'smart metering' can be efficiently supported. With the rise of renewable and storage technologies, low latency communications will be critical to manage these grids.

Contributes to improvement in logistics services :

- 5G networks are capable of very low latency (less than a millisecond) and high speed .It is one of the most important features of 5G technology which is significant for many things like autonomous driving and mission critical applications etc. This help in logistics improvement and would reduce overall cost of goods and services.

Healthcare and mission critical applications:

- 5G technology will support medical practitioners to perform advanced medical procedures with reliable wireless network connected to another side of the globe. Doctors can connect with patients from anywhere anytime and advice them when necessary. Scientists are working on smart medical devices which can perform remote surgery.

5G for Education :

- 5G technology can offer improved remote-learning opportunities, Remote learning has already begun to take off in some parts of the world. But 5G would greatly improve the quality of such learning, because of its sheer speed – up to 100 times faster than 4G – which would allow for instant interactivity, without much energy consumption.
- Apart from remote learning , It provides Cutting-edge technology which can be a fantastic learning tool, making subjects more engaging, helping children who struggle to learn new concepts from textbooks, and bringing education into the homes of kids without easy access to a physical classroom.
- 5G-enabled classrooms could include a holographic teacher who can beam in to lead discussions on specialized topics.
- Ensuring quality education is also closely tied to the UN sustainable development goal of achieving gender equality (SDG5) And introducing 5G technology will make this goal into reality.

CHALLENGES FOR 5G TECHNOLOGY IN INDIA:

India is waiting for 5G connectivity but there are challenges that need to be addressed first. Following are the challenges that India will have to overcome before the dream of 5G becomes a reality:

Spectrum related issues:

- **Allocation of 5G spectrum:** The rest of world may already be rolling out with 5G connectivity to its users but in India, 5G spectrum is yet to be allocated.
- **Expensive spectrum:** one of the reasons for which 5G spectrum auction is getting delayed is its too expensive for telecom companies.
- **Finding space for spectrum:** The biggest challenge in deploying 5G is acquisition of sites and finding space for spectrum.

Device related issues :

- **Lack of Affordable 5G devices:** Various companies are trying to manufacture affordable 5G devices but it takes little more time for complete affordability by all .

Enabling digital Infrastructure:

- Another major factor which is the most compelling is the enabling digital Infrastructure. The digital infrastructure which has two critical components including Optical Fibre availability for backhaul and front haul (as 5G will have dumb RF cells), Tower/ Poles availability for RF rollout.

Lack of effective & uniform policy framework:

- Rolling out to 5G technology certainly may be a Right of Way but as of now Lack of Policy framework is one of the biggest hurdle on its way of carrying forward to handle cyber issues .

Low optical fiber penetration:

- India lacks a strong backhaul to transition to 5G. Backhaul is a network that connects cells sites to central exchange. As of now 80% of cell sites are connected through microwave backhaul, while under 20% sites are connected through fiber.

High Import of Equipments:

- Imports account for a 90 per cent of India's telecom equipment market. However due to lack of local manufacturing and R&D, Indian telecom providers have no option other than to procure and deploy 5G technologies from foreign suppliers.

Cyber Security related challenges :

- According to the Global Cyber Security Index released by the International Telecommunication Union (ITU), only about half of all the countries had a cyber security strategy or are in the process of developing one. The index, which was topped by Singapore at 0.925 saw India at 23rd position.

CONCLUSION:

India should be at the forefront of the digital revolution as the 5G technology can transform and revolutionize the India even more profoundly than previous technologies. The future growth is going to be based on the technologies such as the Internet of Things, Automation and Artificial Intelligence etc , for all such progressive and prospective growth 5G will be a game changer .

As suggested by **AJ PAUL RAJ Steering committee** on 5G “upon early embracing of 5G technology, India can accelerate its dividends and potentially also become innovator in 5G applications”. The 5G technology has the potential to offer countless opportunities and its applications also extends far beyond the mobile devices, therefore, timely roll-out of 5G will bring the next generation digital revolution which can potentially transform the India more prosperous and progressive.

SUPPLEMENTARY NOTES**AJ PAUL RAJ STEERING COMMITTEE ON 5G TECHNOLOGY****About the committee**

- The 5G steering committee chaired by Stanford University's Professor Emeritus AJ Paulraj submitted its recommendations to the Department of Telecommunications (DoT).
- It gave wide-ranging recommendations to drive India's 5G adoption entailing areas like spectrum policy, regulatory policy, standards and education.

Background

- The committee was set up by Government in September 2017 to suggest a road map for adoption of 5G.
- It was high-level forum on 5G technology, comprising secretaries of ministries of communications, information technology, and science & technology, along with representatives of industry and academia.
- Its aim was to push participation in the process of defining global standards for the next generation of wireless technology.

Recommendations

- A J Paulraj committee gave has proposed promulgation of key norms on regulatory matters by March 2019 in order to facilitate early deployment of 5G technology.
- It expects commercial rollout of 5G in India by 2020. It noted that 5G technologies will start entering service globally beginning 2019 and advance to full range of services by 2024.
- It recommended that deployment of 5G in India should be classified into three phases based on technologies and use cases.
- It suggests that by early embracing 5G technology, India can accelerate its dividends and potentially also become innovator in 5G applications. It expects that economic impact of 5G to be over \$1 trillion.
- The committee noted that vendor ecosystem for 5G is maturing as telecom tech giants like Nokia, Ericsson, Huawei and ZTE have production ready equipment in trials based on 5G-NR standard.
- The committee also pointed out conflicting considerations faced by early adoption of 5G. The early adoption will likely make equipment needed for 5G roll out more expensive and it will also be glitchy as needed for cost maturing.
- The committee also noted that even after entry of 5G into Indian telecom sector, the earlier generation mobile technologies – 2G, 3G and 4G, will continue to remain in use and it may take 10 or more years to phase out.

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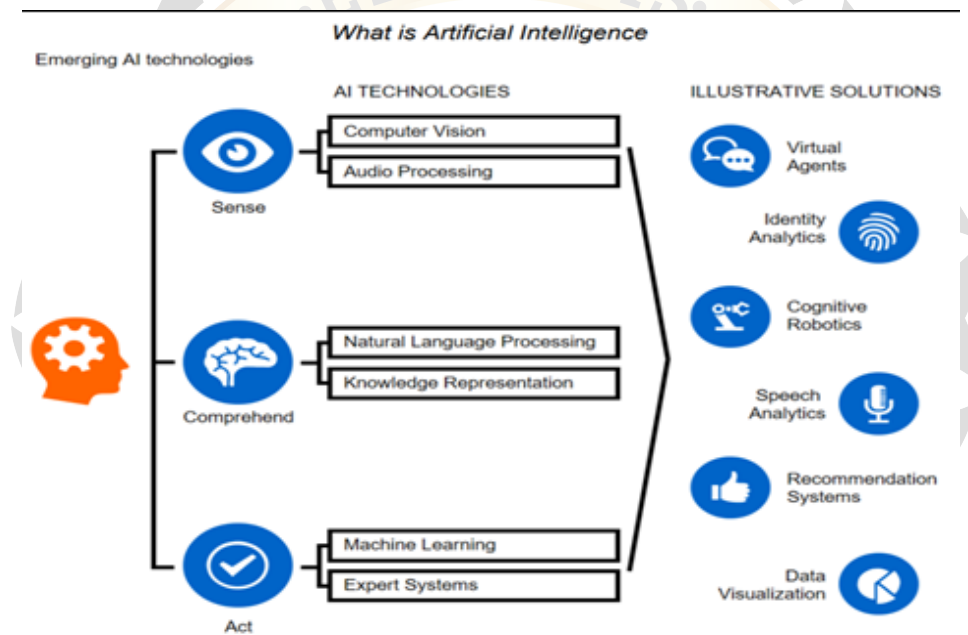
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2. AI AND SOCIAL EMPOWERMENT

INTRODUCTION

This century has seen transformational growth in technology. Technology over the last few decades has been rapidly evolving changing the way we think, work and live. When we talk of technology today, the focus is largely on Artificial Intelligence. Governments and organizations around the world are investing in and focusing heavily on AI. The pandemic has led the world to focus on new solutions for several problems through AI.

“Artificial intelligence (AI), is intelligence demonstrated by machines, unlike the natural intelligence displayed by humans and animals.” Simply it refers to the ability of machines to perform cognitive tasks like thinking, perceiving, learning, problem solving and decision.



RESPONSIBLE AI FOR SOCIAL EMPOWERMENT

- **Healthcare**

- To access to healthcare facilities, particularly in rural areas that suffer from poor connectivity and limited supply of healthcare professionals.
- This can be achieved through implementation of use cases such as AI driven diagnostics, personalised treatment, early identification of potential pandemics, and imaging diagnostics, among others.

- **Smart Cities**

- To meet the demands of a rapidly urbanising population and providing them with enhanced quality of life.
- Potential use cases include traffic control to reduce congestion and enhanced security through improved crowd management.

- **Education and Skilling**

- In augmenting and enhancing the learning experience through personalised learning, automating and expediting administrative tasks, and predicting the need for student intervention to reduce dropouts or recommend vocational training.

- **Agriculture**

- AI holds the promise of driving a food revolution and meeting the increased demand for food (global need to produce 50% more food and cater to an additional 2 billion people by 2050 as compared to today).
- It also has the potential to address challenges such as soil profiling, inadequate demand prediction, lack of assured irrigation, and overuse / misuse of pesticides and fertilisers.
- Some use cases include improvement in crop yield through real time advisory, advanced detection of pest attacks, and prediction of crop prices to inform sowing practices.

- **Smart Mobility** (including Transports and Logistics)

- Potential use cases in this domain include autonomous fleets for ride sharing, semi-autonomous features such as driver assist, and predictive engine monitoring and maintenance.
- Other areas that AI can impact include autonomous trucking and delivery, and improved traffic management.

- **Manufacturing**

- Manufacturing industry is expected to be one of the biggest beneficiaries of AI based solutions, thus enabling '**Factory of the Future**' through flexible and adaptable technical systems to automate processes and machinery to respond to unfamiliar or unexpected situations by making smart decisions.
- Impact areas include engineering (AI for R&D efforts), supply chain management (demand forecasting), production (AI can achieve cost reduction and increase efficiency), maintenance (predictive maintenance and increased asset utilisation), quality assurance (e.g. vision systems with machine learning algorithms to identify defects and deviations in product features), and in-plant logistics and warehousing.

- **Energy**

- Potential use cases in the energy sector include energy system modelling and forecasting to decrease unpredictability and increase efficiency in power balancing and usage.
- In renewable energy systems, AI can enable storage of energy through intelligent grids enabled by smart meters, and also improve the reliability and affordability of photovoltaic energy.
- Similar to the manufacturing sector, AI may also be deployed for predictive maintenance of grid infrastructure.

POTENTIAL AND SCOPE OF AI:

- Countries around the world are becoming increasingly aware of the potential economic and social benefits of developing and applying AI. For example, China and U.K. estimate that 26% and 10% of their GDPs respectively in 2030 will be sourced from AI-related activities and businesses.
- With many industries aggressively investing in cognitive and AI solutions, global investments are forecast to achieve a compound annual growth rate (CAGR) of 50.1% to reach USD57.6 billion in 2021.
- IT has the potential to add around \$15 trillion and \$1 trillion to the world economy and Indian economy respectively. AI presents a trillion-dollar opportunity for India in the three aspects at present i.e. **automation**, **augmentation** and the **general increase in productivity** because of the first two.

GLOBAL DEVELOPMENTS IN ARTIFICIAL INTELLIGENCE:

Governance structures for enabling all the below mandates vary across countries-

- **Infrastructural supply side interventions** have been planned by various countries for creating a larger ecosystem of AI development.
- **Creation of "data trusts"**, rolling out of digital connectivity infrastructure such as 5G / full fiber networks, common supercomputing facilities, fiscal incentives and creation of open source software libraries.

- **For building core research and the future workforce** for AI, countries are also significantly increasing the allocation of resources for Science, Technology, Engineering and Maths (STEM) talent development through investment in universities.
- Combination of Public-Private-Academia to develop and promote AI. Development of technology parks, and connecting large corporations with startups large private players to undertake fundamental and applied research.

ARTIFICIAL INTELLIGENCE AND INDIA:

- **NITI Ayog** estimates that adopting AI means a 15% boost for the gross value added (GVA) for the economy by 2035.
- AI technology development and applications are evolving rapidly with major implications for economies and societies.

A study by **Ernst & Young (EY)** and **NASCCOM** found that by 2022, around 46% of the workforce will be engaged in entirely new jobs that do not exist today, or will be deployed in jobs that have radically changed skillsets.

National Strategy for AI by NITI

- **NITI Ayog** unveiled its discussion paper on national strategy on AI which aims to guide research and development in new and emerging technologies.
 - It has identified **five sectors** — healthcare, agriculture, education, smart cities and infrastructure and transportation — to focus its efforts towards implementation of AI.
 - The paper focuses on how India can leverage the transformative technologies to ensure social and inclusive growth.
- A national AI strategy needs to be premised on a framework which is adapted to India's unique needs and aspirations, while at the same time, is capable of achieving the country's full potential of leveraging AI developments.
- Such a framework could be seen as an aggregation of the following **three distinct**, yet inter-related components.
 - **Opportunity:** the economic impact of AI for India
 - **AI for Greater Good:** social development and inclusive growth
 - **AI Garage for 40% of the world:** solution provider of choice for the emerging and developing economies (ex-China) across the globe.

Kamakoti Committee

AI Task Force headed by V.Kamakoti was set up to explore possibilities to leverage AI for development across various fields.

Key recommendations-

- Set up digital data banks, marketplaces and exchanges to ensure availability of cross-industry information.
- Data ombudsman: to address data-related issues and grievances.
- Ensure availability of funds for R&D
- Setting up National Artificial Intelligence Mission (N-AIM)

CONCERNS AND CHALLENGES:

- Lack of enabling data ecosystems and low intensity of AI research i. Core research in fundamental technologies ii. Transforming core research into market applications
- Inadequate availability of AI expertise, manpower and skilling opportunities
- High resource cost and low awareness for adopting AI in business processes
- Unclear privacy, security and ethical regulations
- Unattractive Intellectual Property regime to incentivise research and adoption of AI
- AI will create many new jobs, but in the present scenario, India is not prepared to reap the fruits due to shortage of trained manpower.
- India stands at the 10th place in number of researchers in AI.
- India hold 13th place worldwide in terms of quality and quantity of research in AI.

RECOMMENDATIONS/WAY FORWARD

- **Research** - Advanced research, both core and applied, provides the basis for commercialisation and utilisation of any emerging technology, more so for technologies like AI.
- **Skill upgradation for AI Age**- The new age of AI and related frontier technologies would disrupt the nature of jobs of tomorrow and the skills required to realise the true potential of these transformative technologies.
- **Adoption across the value chain**- Firms in developed countries are proactively engaging with their research communities to enable early adoption and position themselves competitively.
- **Ethics, Privacy and Security**- While the issue of ethics would concern the biases that an AI system can propagate, the privacy concerns are largely on collection and inappropriate use of data for personal discrimination. Issue of security arises from the implications and the consequent accountability of any AI system.

Important Private and Public Robots in India

- **Bandicoot**-Thiruvananthapuram-based start-up Genrobotics joined hands with the Kerala government to deploy a spider-shaped robot named “Bandicoot” to clean sewers and man-holes in the city.
- **Manav- India's first 3D-printed humanoid robot**, has an inbuilt vision and sound processing capability and is primarily meant for research purposes.
- **Mitra- The first indigenously built humanoid robot** is capable of interacting with humans smartly.
- **Robocop** – It is a police robot to assist in handling the law, order, and traffic management deployed in Hyderabad. It is designed to protect and secure places like offices, malls, airports, signal posts and other public spaces and can take care of security if deployed autonomously. It can diffuse bombs too.
- **KEMPA**- It is a special robot assistant built to suit the needs of the Kempegowda International Airport, which will answer queries of confused passengers in English as well as Kannada.
- **RADA** – It is a unique artificial intelligence-based robot developed by Vistara, a joint venture between Tata Sons and Singapore Airlines, to automate simple tasks and improve customer experience.
- **INDRO**- This is reportedly the tallest humanoid robot built in India. It is an autonomous robot that was made inside a house with easily available low-cost material like aluminium, wood, cardboard, plastic etc. It can be used for lightweight tasks like entertainment, education and a few household works.
- **DRDO's Daksh**- This made-in-India robot is primarily designed to detect and recover Improvised Explosive Devices (IEDs). It was inducted by Indian Army around 2011. Reportedly, 20 Daksh robots are already being used by the Indian Army. Using its X-ray vision, Daksh can identify a hazardous object and can diffuse it with a jet of water. It got an upgrade in 2015 and has been equipped with chemical, biological, radiological and nuclear hazard detection mechanisms.
- **Epson robots** -Samsung is using around 80 Epson robots in its new manufacturing plant in Noida.
- **ICICI Bank** has deployed their robots in 14-15 locations across India where currency notes are sorted.

- **SCARA**- Bangalore-based SME Suparna Plastics Ltd. which makes plastic ball valves is using SCARA (Selective Compliance Assembly Robot Arm) robots in its assembly operations for the high speed and accuracy it brings to the table.
- **Corindus Vascular Robotics** -Robots are also being introduced in healthcare for operations that require greater precision. E.g. Ahmedabad-based Apex hospital used Corpath technology of US-based Corindus Vascular Robotics to remotely control a robot to perform a telerobotic heart surgery on a patient who was located 32km away in Gandhinagar in December 2018.

CONCLUSION

AI has immense potential and possibilities to put in place the ecosystem both in terms of institutions as well in terms of opportunities for domestic players, the development of the country and for the society. So, the need of the hour is to move forward carefully by grabbing the possibilities, challenging the limitations and handling AI tools and solutions for the benefit of mankind. At the same time If some countries decide to wait for a few years to establish an AI strategy and put in place the foundations for developing the AI ecosystem, it seems unlikely that they would be able to attain and match up to the current momentum in the rapidly changing socio-economic environment.

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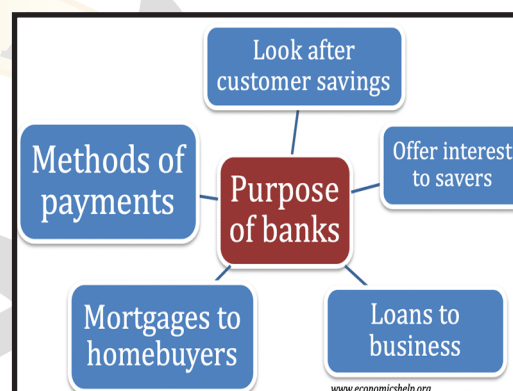
3. BIG BANK REFORMS-MEGA MERGER OF BANKS

INTRODUCTION:

- The banking sector is the heart of all the economic activity of a country and plays major role in the development of an economy and nation. Driven by the significant role played by the banks and banking sector, periodic reforms will make the sector more effective and efficient. In a slew of such efforts the Big Bank reforms were proposed recently.

What is Big Bank & Big Bank Reforms?

- ❖ Those banks which are big & large in terms of business scale, size and market share are usually referred as Big Banks.
- ❖ EX: SBI, HDFC, ICICI
- ❖ Recently Finance minister announced a slew of banking reform measures, including merger of 10 public sector banks into four entities, these set of banking reforms are famously known as Big Bank Reforms.



CONTEXT:

- Recently government of India announced the merger of ten Public Sector Banks (PSBs) into four large entities and it is considered as the one of the most significant step in the banking sector reforms after the nationalization of banks that took place in 1969 and 1980.

The merger of ten Public Sector Banks (PSBs) will bring down the number of Public Sector Banks from 27 (in 2017) to 12.

- The mega merger will be followed by a recapitalisation plan worth **55000 Cr.** for the merged banks and six other banks.
- The Mega Bank Merger List includes following mergers
 - **Merger 1:** Punjab National Bank with Oriental Bank of Commerce and United Bank will merge together to form the 2nd **largest** Public Sector Bank after State Bank of India .
 - **Merger 2:** Canara Bank and Syndicate Bank will merge together to form the 4th largest Public Sector Bank.
 - **Merger 3:** Union Bank of India with Andhra Bank and Corporation Bank will merge together to form the 5th largest Public Sector Bank.
 - **Merger 4:** The merger of Allahabad Bank and Indian Bank will result in the 7th **largest** Public Sector Bank.
- In a merger process, there is an anchor bank and an amalgamating/merging bank where the latter gets merged with the former.

DO YOU KNOW

- ❖ **Amalgamation** is the consolidation or combination of two or more organizations usually which operates in the same or similar line of business to form a completely new organization.
- ❖ **Merger** refers to the consolidation of two or more business entity to form one single joint entity with the new management structure and new business ownership where both the entities join hands and decide to merge together as a one unit with a new name.

THE MERGER PROCESS : ANCHOR BANKS & MERGING BANKS AT GLANCE

	Anchor Banks	Merging Banks
	Mergers Announced Now	
1	Punjab National Bank	Oriental Bank of Commerce, United Bank of India
2	Canara Bank	Syndicate Bank
3	Union Bank of India	Andhra Bank, Corporation Bank
4	Indian Bank	Allahabad Bank
	Mergers Announced Previously	
5	State Bank of India	5 associate banks and Bharatiya Mahila Bank
6	Bank of Baroda	Dena Bank, Vijaya Bank

NEED FOR SUCH REFORMS :

- The problem of high loan write-offs and Non Performing Assets, combined with low asset growth, is more severe for public sector banks (PSBs) than private banks.
- Poor performance even after keeping under Prompt Corrective Action (PCA):

Nearly 11 PSBs were placed under the PCA framework by the RBI based on factors such as capital inadequacy and high NPAs. Despite the imposition of PCA, recoveries in these banks have either been stagnant or grown marginally.

- Low capital base, low profitability and operational rigidities in credit delivery systems of the banks.
- Rising instances of Banking frauds , Allegations of corruption and other governance related issues of the banks .
- Huge Losses in Rural Branches, Large amount of overdue advances to farmers & announcement of farm loan waivers added to the plight of the banks.
- Stiff Competition from NBFCs and Foreign Banks
- Excessive bureaucratization of the banking system with red-tapism leading to long delays, lack of initiative and failure to take quick decisions by the banks.

BANKS IN NEWS RECENTLY

- ❖ ICICI Bank-Videocon case under money laundering allegations for their business concerns.
- ❖ YES Bank crisis with Imposition of moratorium and subsequent superseding of the Yes Banks board by RBI.
- ❖ The Punjab & Maharashtra cooperative bank issue (PMC bank Crisis)
- ❖ The Punjab national Bank fraud and scam case.

KEY OBJECTIVES BEHIND THE MEGA MERGER MOVE:

- The primary objective of the merger is to consolidate & strengthen the public sector banks.
- To create the Banks of scale in order to achieve the goal of becoming \$5trillion economy.
- To create strong capital based banks to adequately fund the loan applicants.
- To transform the existing banking system.

CRITERION FOR COMBINATION OF BANKS

- The core principle behind the selection of banks was the **minimization of disruption in credit activities** during and immediately after the merger.
- The following parameters were the **rationale** behind the selection of banks:
 - Similar Core Banking Software/System:** Those banks which share a common core banking software were selected for merger.

ANCHOR BANK	AMALGAMATING BANKS	CORE BANKING SYSTEM
Punjab National Bank	Oriental bank of commerce United bank of India	Finacle system
Canara bank	Syndicate Bank	iFlex system
Union Bank of India	Andhra Bank Corporation Bank	Finacle system
Indian bank	Allahabad Bank	BaNCs

- Similar regional & operational history:** Each of the banks have a long history at the regions where they operate. Synergy of such banks were unlocked considering the complementing factors such as current capital availability, level of **Non-Performing Assets (NPA)**, and the distribution of bank branches.
- Other Parameters:** The other factors like geographical presence, line of activity and extend of Current Account and Savings Account deposits were also considered.

PROS AND CONS of the move:

PROSPECTS OF THE MOVE	CONCERNS / ISSUES OF THE MOVE
<ul style="list-style-type: none"> ❖ Merger helps to reduce the cost of operation ❖ It helps to improve the professional standard ❖ Provides better efficiency ratio for business operations as well as banking operations which is beneficial for the economy ❖ Multiple posts get abolished, resulting in substantial financial savings ❖ Banking mergers improve risk management ❖ Merger helps the geographically concentrated regionally present banks to expand their coverage. 	<ul style="list-style-type: none"> ❖ Acquiring banks have to handle the burden of weaker banks ❖ It is difficult to manage the people and culture of different banks ❖ Merger destroys the idea of decentralization as many banks have a regional audience to cater to and customers often respond very emotionally to a bank acquisition ❖ Some times Larger banks are also vulnerable to global economic crises ❖ Geographical synergies are missing. <p>For instance: Both PNB and OBC are north based, with strong presence. Similarly, both Canara Bank & syndicate bank are south based predominantly.</p>

CHALLENGES ON THE WAY:

- Every decision taken by the Government is for the betterment and increasing the robustness of the system but it cannot be denied that it may have some flaws and challenges that cannot be predicted at the time the decisions are taken or when those decisions are implemented at the grass root level.
- Following are the some of the challenges that can be faced on the way to implement merger process :

CHALLENGES ON THE WAY	
MANAGEMENT RELATED CHALLENGES	MANPOWER RELETED CHALLENGES
<ul style="list-style-type: none"> • Branch rationalization • Technological Integration • Accounts synchronization • Cultural compatibility • Making Geographically Compatible Banks • Minority shareholder 	<ul style="list-style-type: none"> • Integration of Employees • Resistance from employee unions • Pension and Emolument problems • Relocation of Employees • Human resource Issues

CONCLUSION

The mega merger is one another progressive step in banking sector reforms in the country. As the bank Mergers in the past have given great positive results in terms of saving the weak banks and as it is also important for the consolidation and expansion of banks, such reforms are crucial for the growth and development of an economy in the country.

Primarily the reforms will help to kick-start the economic growth and it is going to have a favorable impact on our economy. However, the process of merger should be carried out with the utmost care and must be executed in a manner which leads to an environment of trust and agreement among the stakeholder banks. If these things are taken care properly, it can create a win-win situation in the economy.

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4. AYODHYA VERDICT AND ITS IMPLICATIONS

INTRODUCTION:

On November 9, 2019, the Supreme Court of India decided upon a long court battle of one of the oldest civil disputes in Indian courts. The verdict was decided in favour of the parties who contested for building a Ram temple.

Why in news

Prime Minister Narendra Modi laid (Aug 2020) a foundation stone for the construction of Ram temple at Ram Janmabhoomi site

HISTORY OF THE STRUCTURE:

- It is believed that one of his generals, **Mir Baqi**, built the Babri Masjid ("Babur's Mosque") in 1528 on his orders. In 1813-14 Validated by the East India Company's surveyor **Francis Buchanan**. He also recorded the local tradition, which believed that emperor Aurangzeb (r. 1658–1707) built the mosque after demolishing a temple dedicated to Rama.
- Both the Hindus and Muslims are said to have worshipped at the "mosque-temple", Muslims inside the mosque and Hindus outside the mosque but inside the compound.
- In 2003, by the order of Allahabad High Court, the Archaeological Survey of India (ASI) was asked to conduct a more in-depth study. ASI in its report could not be ascertained if it was a Rama temple but they discovered «**distinctive features associated with temples of north India**».

WHY DISPUTE:

Since the local people, as per tradition, believed that the mosque was built after demolishing the Rama Temple so these Hindu groups made occasional demands that they should have the possession of the site and that they should be allowed to build a temple on the site, all of which were denied by the colonial government.

- 1855-The first recorded instances** of religious violence in Ayodhya occurred. To stop the violence British government **divided the area** into two parts. Inside portion of area to be used by Muslims while the outside to be for Hindus
- 1949** - Idols were placed inside the mosque. People were led to believe that the idols had 'miraculously' appeared inside the mosque. Both sides to the dispute filed civil suits. The government locked the gates, saying the matter was sub-judice and declared the area disputed.

Nirmohi Akhara is a Hindu religious denomination. It is one of the fourteen akhara recognized by the Akhil Bharatiya Akhara Parishad and belongs to the Vaishnava sampradaya.

TIMELINE OF THE LEGAL BATTLE AMONG THE "PARTIES":

- 1885**-The dispute first arrived in the court when **Mahant Raghubir Das** demanded for construction of roof in worship area.
- 1949**- to avoid the arising tensions after the placement of Idol and to control the situation, the then government put **complete ban on worship**.
- 1950**- Case filed by **Mahant Ramchandra Das** for permitting worship.
- 1959**- Case filed by **Nirmohi Akhara** for all possession of compound.
- 1961**- Case filed by **Sunni Waqf Board** for ownership of the compound.
- 1986**- A district judge ordered the gates of the mosque to be opened after 37 years (see 1949 above) and allowed Hindus to worship inside the "disputed structure". A **Babri Mosque Action Committee** was formed as Muslims protested the move to allow Hindu prayers at the site. The gates were opened in less than an hour after the court decision.

- **1989-** Case filed by **Ram Lala Virajman** for ownership of the compound.
- **1990-** The then BJP president **Lal Krishna Advani** took out a cross-country rathayatra to garner support for the move to build a Ram temple at the site. He was later arrested.
- **1991-** State government acquired 2.77 Acre land in the area and gave it on lease to Ram Janma Bhoomi Nyas Trust. **The Allahabad High Court** stopped any permanent construction activity in the area.
- **1992- July-** Several thousand Karsevaks assembled in the area and the work for maintenance of temple started. This activity was stopped after intervention of the central Govt.
 - **6 Dec-** The Babri Mosque was demolished by a gathering of near 200,000 Karsevaks. Communal riots across the Indian subcontinent followed.
 - **16 Dec-** Ten days after the demolition, the Congress government at the centre, headed by PV Narasimha Rao, set up a commission of inquiry under **Justice Liberhan**
- **2002-** The court ordered survey to find out whether a temple to Lord Ram existed on the site. In August, the survey (ASI) presented evidence of a temple under the mosque. Muslim groups disputed the findings.
- **2009- The Liberhan Commission** submitted its report in June. Its contents were not made public.
- **2010-** The Allahabad High Court pronounces its verdict on four title suits relating to the Ayodhya dispute on 30 September 2010. Ayodhya land to be divided into three parts. $\frac{1}{3}$ goes to Ram Lalla represented by Hindu Maha Sabha, $\frac{1}{3}$ to Uttar Pradesh Sunni Central Waqf Board, $\frac{1}{3}$ goes to Nirmohi Akhara.
 - **The Akhil Bharatiya Hindu Mahasabha** and **Uttar Pradesh Sunni Central Waqf Board** moved to the **Supreme Court of India**, challenging part of the Allahabad High Court's verdict.
 - **2011- Supreme Court of India** stayed the **High Court** order splitting the disputed site in three parts and said that status quo will remain.
- **2019-** The 5-judge Constitution bench, headed by Chief Justice **Ranjan Gogoi**, of Supreme Court started final hearing on the case. And delivered its judgement on 9th November 2019.
- **2020-** The Government of India made an announcement for a trust to build a Ram temple there.^[13] It also allocated an alternative site in Dhannipur, Ayodhya to build a mosque to replace the demolished Babri Masjid.

SUPREME COURT VERDICT

Administration- 9th Nov, 2019 registered as a historic day in India as SC delivered final judgment over the long run issue. The Supreme Court ordered the land to be handed over to a trust to build the Ram temple. It also ordered the government to give 5 acres of land inside Ayodhya city limits to the Uttar Pradesh Sunni Central Waqf Board for the purpose of building a mosque.

- **Quashed High Court Verdict-** SC claimed that the **HC had exceeded its powers** by partitioning the property even though no such prayer had been made by any party either in the suits. While doing so it held that **only the Supreme Court had powers under Article 142** of the Constitution of India to grant extraordinary relief and the high court did not have any such constitutional power. (Refer Timeline above 2010).
- **On ASI Report-** the mosque was not constructed on vacant land. It observes, the pre-existing structure was large and **Babri pillars prove a pre-existing structure**. Pre-existing structure was not on Islamic and the **artefacts collected show earlier structure was non-Islamic**. Both Hindus and Muslims cannot explain what the disputed land was used for from 12th to 16th century.

Art 142(1), the Supreme Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for **doing complete justice** in any cause or matter pending before it, and any decree so passed or orders so made shall be **enforceable throughout the territory of India** in such manner as may be prescribed by or under any law made by Parliament and, until provision in that behalf is so made, in such manner as the President may by order prescribe.

SC DIRECTIONS:

- Government of India **to create a trust** to build the Ram Mandir temple and form a **Board of Trustees** within three months. The disputed land will be owned by the Government of India and subsequently transferred to the Trust after its formation.
- The Court ordered the entire disputed land of area of **2.77 acres to be allocated for the construction of a temple** while an alternative piece of land of area of 5 acres be allocated to the Uttar Pradesh Sunni Central Waqf Board for the construction of a mosque at a suitable place within Ayodhya.
- The Court **ruled out the 2010 Allahabad High Court's decision**, division of the disputed land was incorrect.
- The Court ruled that the Demolition of the Babri Masjid and the 1949 desecration of the Babri Masjid was in violation of law.
- The Court observed that archaeological evidence from the Archaeological Survey of India shows that the **Babri Masjid was constructed on a "structure"**, whose architecture was distinctly indigenous and non-Islamic.
- The Court cited that iron railings set up in 1856-57 separated the inner courtyard of the mosque from the outer courtyard, and that **Hindus were in exclusive possession of the outer courtyard**. It said that even before this, Hindus had access to the inner courtyard of the mosque.
- The Court ruled that the suit filed by Nirmohi Akhara could not be upheld and it had no shebait rights. However, the court ruled that **Nirmohi Akhara should be given appropriate representation in the Board of Trustees**.
- On 12 December 2019 the Supreme Court dismissed all the 18 petitions seeking review of the verdict.

Shri Ram Janmabhoomi Teerth Kshetra

It is a trust set up for the construction and management of Shri Ram temple in Ayodhya, Uttar Pradesh by the Government of India. The trust has 15 trustees. It was created as per the verdict of the Supreme Court of India.

IMPLICATIONS

- Through the landmark judgement once again Supreme Court has emphasised the importance of rule of law and conveyed the message that **the process is as important as decision**.
- It upheld that **"the deity of Lord Ram"** was a **"jurist person"** in according the site for the construction of the temple.
- Post-verdict response from all the parties suggests India's polity is demonstrating the desired maturity.
- Recently**, on the same line, The Mathura district court admitted a plea to reclaim about **two bighas of allegedly encroached land belonging to Lord Krishna**, and believed to be the Hindu deity's birthplace, from the Idgah mosque in the city.

PROPOSED ARCHITECTURE OF SHRI RAM JANMBHOOMI MANDIR

- 3 Storeys**-The main structure of the temple will be built on a raised platform and will have three storeys.
- 5 Mandapas**- in the middle of the garbhagriha (sanctum sanctorum) and the entry, the three mandapas **Kudu, Nritya, and Rang** in the same order and two mandapas for on the one or the other side.
- Style**- In Nagara style, the mandapas are to be decorated with shikhara. The tallest Shikhara will be that above the Garbhagriha.



CONCLUSION

In paving the way for the building of a temple, the Supreme Court held up the faith of both the communities in a balanced manner but at the same time it concludes in its judgement that any challenge to the rule of law in the name of faith cannot be entertained. Hence the legal victory in the case must be seen as the victory of secularism also and can be said that it could be the beginning of the closure of such cases.

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5. CONTEMPT OF COURT

INTRODUCTION:

Contempt of court is basically nothing but lowering the prestige and respect of a court or its authorities with a malicious intention by any person.

The Contempt of Court is a serious matter concerning the fair administration of justice and aims to impose suitable punishment to uphold the dignity of the court and other authorities.

Origin of the concept

The existing law relating to the contempt of court is essentially of **English origin** and **stems from the Common Law – The Ideal of supremacy and independence of judiciary**. The power of court to punish for its contempt was exercised by the court much before the enactment of statutory provisions relating to the contempt of Court.



WHY IN NEWS:

- Recently, The Hon'ble Supreme Court of India took to heart, a couple of tweets by Sr. Advocate Mr. Prashant Bhushan; wherein he criticized the Judiciary and its functioning and found him guilty of criminal contempt of court. The alleged contemnor was found guilty of a "malicious, scurrilous, (and) calculated attack", to weaken the Judiciary and damage the "very foundation of the democracy".
- The Supreme Court of India took it as a suo moto case and initiated the proceedings for criminal contempt of court against the lawyer activist and the contempt charges were lodged in the context of the comments targeting the current Chief Justice of India and other judges.

Course of justice
A look at what the SC said in the **Prashant Bhushan** case

Judiciary is the central pillar of Indian democracy. An attempt to shake the very foundation of constitutional democracy has to be dealt with an iron hand

Critics are instruments of reform but not those actuated by malice... hostile criticism of judges as judges or judiciary would amount to scandalising the court

If such an attack is not dealt with requisite degree of firmness, it may affect the national honour and prestige in the comity of nations

WHAT IS CONTEMPT OF COURT?

Section 2 of the contempt of courts act, 1971 stipulates that the contempt of court means civil contempt or criminal contempt.

- Civil contempt:** Civil contempt means willful disobedience to any judgment, decree, direction, order, writ or other process of a court or willful breach of an undertaking given to a court;
- Criminal contempt:** Criminal contempt means the publication (whether by words, spoken or written, or by signs, or by visible representations, or otherwise) of any matter or the doing of any other act whatsoever which —

Provisions related to contempt of court

- ❖ **Article 129:** It grants the Supreme Court the power to punish for contempt of itself.
- ❖ **Article 142(2):** It enables the Supreme Court to investigate and punish any person for its contempt.
- ❖ **Article 215:** It grants every High Court the power to punish for contempt of itself.
- ❖ **The Contempt of Court Act, 1971** under Section 2(c) defines and limits the powers of certain courts in punishing contempt of courts
 1. scandalizes or tends to scandalize, or lowers or tends to lower the authority of, any court; or
 2. prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or
 3. interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner;

CONTEMPT OF COURT: WHAT WITHIN THE PURVIEW

Interference with Administration of Justice:

- **In Brahma Prakash Sharma vs State of Uttar Pradesh case:** the Supreme Court had held that in order to constitute the offence of Contempt of Court, it was not necessary to specifically prove that an actual interference with administration of justice has been committed. The Court held that it was enough if a defamatory statement is likely or in any way tends to interfere with the proper administration of justice.

Scandalizing the Court itself:

- **In Baradanath Mishra Vs the Registrar of Orissa High Court Case :** The court held that a common form of such contempt is the vilification of the judge. The contempt jurisdiction is not intended to uphold the personal dignity of the Judges.

Interference with due course of Justice:

- **In Pritam Lal v. High Court of M.P case:** The Supreme Court held that to preserve the proceedings of the Courts from interference and to keep the streams of justice pure, it becomes the duty of the Court, to punish the contemnor in order to preserve its dignity.
- **In Shamsher Singh Bedi Vs High Court of Punjab and Haryana case:** the Supreme Court held that if remarks made against the Judge are scandalous and can pervert the course of justice by interfering with the proper administration of justice, then it amounts to contempt.

CONTEMPT OF COURT: WHAT NOT IN THE PURVIEW

- **The contempt of courts act 1971 stipulates that all the following acts do not amount to contempt of court:**
 1. Innocent publication and distribution of any matter.
 2. Fair and accurate report of judicial proceedings.
 3. Fair criticism of judicial act.
 4. Complaint against presiding officers of subordinate courts.
 5. Publication of information relating to proceedings in chambers or in camera does not amount to contempt court except in certain cases.
- **In P.N Dua Vs ShivShankar case:** The Supreme Court held that the mere criticism of the Court does not amount to contempt of Court.

- **Mulgaonkar case:**

- S Mulgaonkar case (1978) is a case that led to a landmark ruling on the subject of contempt of court. In the verdict which had a 2:1 majority, the court held Mulgaonkar, then editor of The Indian Express, not guilty of contempt although the same Bench had initiated the proceedings.

PUNISHMENT FOR CONTEMPT OF COURT:

- Article 19 of the Indian constitution guarantees the right to freedom of speech and expression to all its citizens, However the reasonable restrictions will contain this fundamental right on the grounds like Defamation; Contempt of Court; Decency or morality; Security of the State; Public order etc. Hence, any speech or expressions violating any of the aforesaid restrictions are liable to be punishable by the law.
- In India the Honorable Supreme Court and High Courts have the power to punish for contempt of court, either with **simple imprisonment for a term up to six months or with fine up to Rs. 2,000 or with both.**
- The High Courts have been given special powers to punish contempt of subordinate courts, as per Section 10 of The Contempt of Courts Act of 1971.

How do judges respond to criticisms in other democracies?

United Kingdom:

- Contempt of Court is very sparingly used by the judges in England. In fact, The Contempt Law in England has now been abolished after the last contempt proceedings occurred in 1930.
- In the popular spycatcher case, the English newspaper Daily Mirror had published an inverted picture of three law Lords with the caption 'You Old Fools'. In response, Lord Templeman refused to pursue contempt charges against the newspaper and said that he was indeed an old man; however, whether he was a fool was a matter of public perception, though he believed that he was not a fool.
- British Judge Lord Denning had observed in the matter of Metropolitan Police Commissioner in 1969 that even though the Court has the jurisdiction for contempt, they shall never use it. The reason being that the judges, in contempt cases, do have a certain amount of personal interest. This is against the legal principle that one cannot be a judge in their own case.

USA:

- In the United States of America, Justice Hugo Black had observed in the case of Bridges in 1941, that American Public opinion could not be silenced in the pretext of Contempt of Court. Instead, it contended that the dignity of the Court will not be established and respected if free discussions about the Court were restricted on the pretext of preserving its duty.

Canada:

- Similarly, in Canada also, the Courts are free to be criticized unless there is any imminent danger to the administration of justice. It was observed in the case of Kopyto in 1987 that Courts are not fragile flowers that may wither away with controversies.

Australia:

- Australia also follows similar principles on Contempt of Court. In the case of Munday in 1972, Justice Hope had observed that there is no more reason why acts of courts should not be trenchantly criticized than acts of public institutions, including parliaments.

THE WAY FORWARD:

- A democracy without dialogue is hardly a democracy. The right to Freedom of Speech and Expression as enshrined in the Constitution of India seeks to facilitate that dialogue in the democracy. Moreover this fundamental right empowers every Indian citizen to criticize any institution including the Judiciary and its functioning. However, the shackles of 'reasonable restrictions' render this Freedom not absolute. Thus, one cannot expect to not face the brunt of sanctions after expressing anything that is unreasonable.
- On the other side, the principles of Fair administration of justice and upholding the dignity of judiciary are undoubtedly significant for preserving the Ideal of supremacy and independence of judiciary. However, as the jurisdiction to punish for contempt touches upon two important fundamental rights of the citizens, namely, the right to personal liberty and the right to freedom of speech & expression. Therefore to accord the wider scope for the freedom of speech along with preserving the dignity of Judiciary, we can revisit the contempt law based on the recommendations given by HN Sanyal committee 1961.

CONCLUSION:

Finally, In order to uphold the principles of democracy in true sense the judiciary may also look into possibility of providing the right to fair criticism, and based on the observation of responses of judiciary in other nations with respect to cause, the Indian judiciary also may allow constructive criticism while not sparing any critic with malicious intentions to scandalize and disrespect the court.



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6. CAPITAL PUNISHMENT

“The arc of the moral universe must bend towards a more empathetic version of justice rather than a retributive one.”- Martin Luther King

INTRODUCTION

Policies for death penalty has featured in the debate as long as time immemorial. Regardless of what position one chooses to adopt in the argument for or against death penalty, certain issues usually feature in the debate like human rights, social justice, legal justice, right to live, social deterrence, ethics and morality.

What is Capital punishment

execution of an offender sentenced to death after conviction by a court of law of a criminal offense. Capital punishment should be distinguished from extrajudicial executions carried out without due process of law. The term **death penalty** is sometimes used interchangeably with capital punishment, though imposition of the penalty is not always followed by execution (even when it is upheld on appeal), because of the possibility of commutation to life imprisonment.

INTERNATIONAL PRACTICES

- **Total Punishments**
 - **Amnesty International** recorded **657 executions** (Excluding count of China) in **20 countries** in 2019, a decrease of **5%** compared to 2018 (at least **690**). This is the lowest number of executions that Amnesty International has recorded in at least a decade.
 - Around the world, 56 countries still practice awarding the capital punishment {Total 2307 in 2019}
- **Abolitions-** At the end of 2019, **106** countries had **abolished the death penalty in law** for all crimes, and **142** countries had **abolished the death penalty in law or practice**.
- **Top countries-**Most executions took place in **China, Iran, Saudi Arabia, Iraq and Egypt** – in that order.

CAPITAL PUNISHMENT IN INDIA

- **Methods-**Hanging and shooting are the **two methods** of death penalty in India.
 - According to the Criminal Procedure Code, **hanging** is the method of execution in the civilian court system.
 - The Army Act, 1950, however, lists both hanging and **shooting** as official methods of execution in the military court-martial system.
- According to a study by National Law University in Delhi, 755 people have been hanged in independent India until now.
- **Crimes punishable by death in India-** Aggravated murder, other offences resulting in death, terrorism-related crimes resulting in death, terrorism-related cases not resulting in death, rape not resulting in death, kidnapping not resulting in death, drug trafficking not resulting in death, treason, espionage and military offenses not resulting in death.

Legal Position

- **Supreme Court** of India in **Bachan Singh vs state of Punjab (1980)** case held that death penalty shall be awarded in rarest of the rare cases alone.

- In 2015, India's **Law Commission** submitted a report calling for abolition of the death penalty for all excluding non-terrorism cases.
- In November 2012, India upheld its stance on capital punishment by voting against the **UN General Assembly** draft resolution seeking to end the institution of capital punishment globally.
- **The Supreme Court** had also ruled that mandatory death penalty is unconstitutional.
- **Article 72** of the Constitution, the power to pardon lies with the President.

ARGUMENTS IN FAVOUR OF DEATH PENALTY

- **Deterrence-** It act as a deterrent for the others to commit the same.
- **Need of the hour-**A rigorous penalty like death which is the severest of them all, must be the only punishment to the crimes like horrific attacks on women, young girls, and boys who are raped and sodomised, targeting and lynching of minority communities.
- **Weak Law Enforcement-** It is the responsibility of the state to protect the interests of the society and reiterate the society's faith in system of justice
- **Different nations different cases-** What may be relevant to other countries may not hold true for another so it depends on time and context also.
- **Cost liability to the state-** "The Justice For All" institute estimated that if decisions of death penalty is made, it would reduce cost by \$1.2 million - \$3.6 million than offenders to spend life in prison, in that case state would end up being a caretaker of the person who took law into his own hands.
- **Substitute of Special laws/forces-** This may be alternative to removal of the Armed Forces (Special Powers) Act in troubled States, or amending criminal laws again and again.
- **Slow wheels of Justice-** Our legal system has multiple layers of appeal from the trial court to the apex court. These layers act as a safety valve against miscarriage of justice. What we need now is to focus on the victims. It is about time we had a mechanism to help victims.

ARGUMENTS AGAINST DEATH PENALTY

Do we view crime purely as actions of "inherently bad" people, i.e. attribute responsibility exclusively to the individual (and nothing else)?

- **Socialisation as a factor-**
 - The reasons why we do the things we do is influenced by a lot more than just individual will. In that context, a four-year-old being raped and murdered, or raping and mercilessly killing members of a caste or religious group because of visceral hatred are all events that challenge our humanity.
 - As a society, we should look at murderers, rapists, paedophiles, genocidaires and ask ourselves the tough question of how they got there? The point is that there is a process of socialisation that contributes to an individual's thinking that he can rape a woman brutally, or that he can have such intense hatred for people of other communities that they should be stripped, paraded, raped and murdered.
- **Crimes are as much about social failure-** Our demands for justice have to be tempered by this reality. Society then cannot demand to take the life of an individual when it has contributed to that process and outcome. Crimes are as much about social failure as they are about individual responsibility.
- **Disproportionate impact-**This is certainly not to argue that all persons with similar socialisation processes will do the same thing. That is precisely the reason for not deciding questions of sentencing only on the basis of crime categories. The burden of the death penalty has a different impact on the most marginalised and poorest sections of society.

- **Incapability in administering the death penalty** in a fair manner and that is evidenced by the fact that over 30% of death sentences handed out by trial courts result in acquittals (not commutations) in the appellate process.
- **Failure of State**-When a crime is committed, the perpetrator is not the only one breaking the social contract. Obviously, the state has failed to protect the victim and society. It is not to suggest that the perpetrator has no individual responsibility but that we must also recognise the failure of society and state.
- **Human rights**- The question here is, should a state have the right to decide who lives or dies? For human right advocates, the use of death penalty breached two fundamental human rights. These are the Right to live free of torture and the Right to life. The Universal Declaration of Human Right which was adopted by the United Nations in 1948 has protected these two rights that are against death penalty. Since state at expected by international norm to protect this right, death penalty should definitely not be implemented since its breaches this law.
- **No deterrence effect so far**- The result from the research showed that death penalty had an opposite effect in deterring crime. This study has been replicated by other researcher and similar results have been produced.

CHALLENGES

- Social campaign on rape cases usually don't consider the socialisation factor or background of offender as we have seen in Hyderabad rape case when police personnel were flowered on encountering the accused.
- The ambiguousness in the application of "rarest of the rare" criteria is a serious concern.
- Law Commission report said death penalty was arbitrarily imposed and disproportionately used against socially and economically marginalised people.
- It reflects structural concerns which disempowers the marginalised section of the society.
- Lack of awareness of criminal proceedings experienced by prisoners as cases rise in the appellate system.

CONCLUSION

"An eye for an eye makes the whole world blind (Gandhiji)". The basis of the arguments on the death penalty rest on the assumption that if states are expected to protect human right to live, then using death penalty for murder makes the state an enemy of itself. As on one side it is serving to save human rights and on the other hand right to life is abused by state itself. The ultimate motive behind the debate is to look for the best alternative for such heinous crimes which need to be addressed on priority as the world progresses.



7. INDIA FIRST POLICY OF SRILANKA

INTRODUCTION:

The relationship between India and Sri Lanka is more than 2,500 years old and the bilateral relations stems from the historical legacy of intellectual, cultural, religious and linguistic ties.

The unique India-Sri Lanka relationship is between equals as sovereign nations and both countries constantly strive for excellence in neighborly relations, recognizing that a calamity in one country can adversely impact the other.



CONTEXT:

- Recently Sri Lankan President has made it clear that Sri Lanka's strategic security policy will have an "India first approach" though Colombo remains open to dealing with other key players for economic development.
- The present administration of Sri Lanka has adopted a posture of neutrality in its dealings with key powers as Sri Lanka cannot become a "staging area" for any country to do "anything against another country – especially India".

CURRENT ISSUE: IN DEPTH

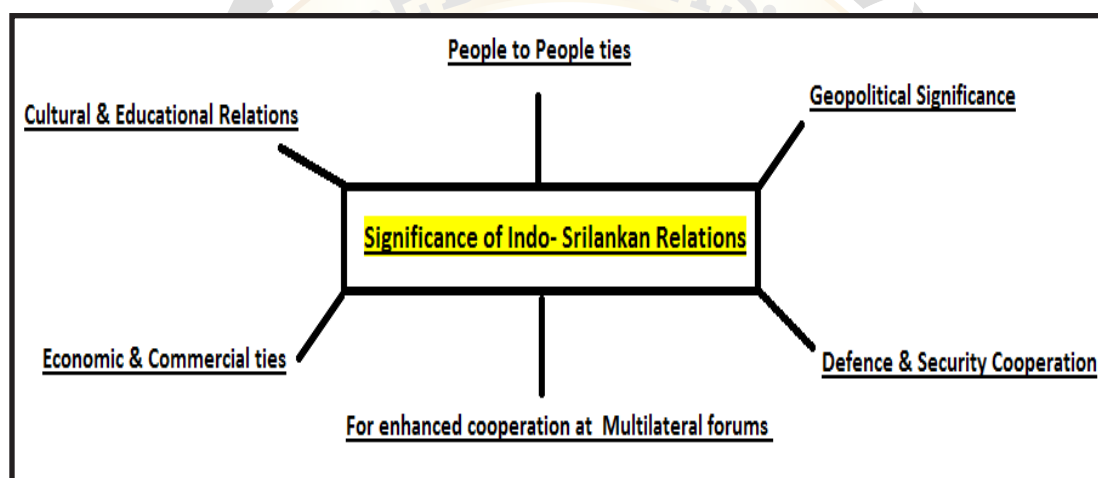
- India-Sri Lanka relations get refreshed every time, when there is a change in the government in Sri Lanka. The new Sri Lanka Padajuna Peramuna (SLPP) dispensation in Sri Lanka, dominated by the Rajapaksas, which came to power after the presidential elections in 2019 and further consolidated its authority after scoring a resounding victory in the Parliamentary elections in August 2020 is now emphasizing its 'India-First policy' in response to India's 'Neighbourhood First' policy.
- This is apparently to indicate its willingness to factor in Indian sensitivities in its foreign and security policies. However, it requires deeper analysis to understand the reasons for which the Rajapaksas, known for their leaning towards China and apathy, if not insensitivity, towards India, have sought to warm up to India even after winning the elections so convincingly.
- The elements of the 'India-first policy' by the Sri Lankan government has been there with previous administrations in Colombo. Such rhetoric has been used in the past too, without any serious effort on the part of most governments to follow it in practice. The Sri Lankan Government, under the Presidency of Mahinda Rajapaksa during 2010-14, ignored India's security sensitivities, despite expressing its commitment to pursue a friendly policy towards India. The question now is whether Sri Lanka, under President Gotabaya Rajapaksa will be able to adhere to its 'India-first policy' in reality or not.

SIGNIFICANCE OF INDO- SRI LANKAN BILATERAL RELATIONS:

- **Geopolitical Significance:** Sri Lanka's location in the Indian Ocean region as an island State has been of strategic geopolitical relevance to India's maritime interests in region
- **Cultural & Educational Relations:** Both the countries shares long and historical cultural ties with Buddhism as common link. Apart from this the cultural cooperation agreement 1977 also serves as the basis for periodic cultural exchange program.
- **People to people ties:** India's principal interest in Sri Lanka arises out of the fact that Sinhala majority Sri Lanka has a substantial Tamil Population with close emotional, cultural and people to people ties with Tamils in India.

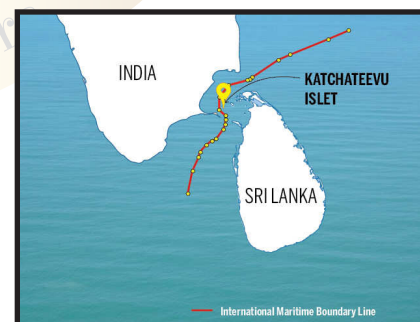


- **Defence & Security Cooperation:** Both the countries regularly conduct joint Military exercise- MitraShakti and Join Naval exercise (SLINEX). This increases synergy between both militaries thus safeguarding the common interest of countries.
- **Economic & Commercial ties:** Sri Lanka has long been a priority destination for FDI and Sri Lanka is one of India's largest trading partners among the SAARC countries. India in turn is Sri Lanka's largest trade partner globally.
- **For enhanced cooperation at multilateral forums:** Sri Lanka and India both share the member ship of multilateral regional groupings like BIMSTEC and SAARC etc.
- **India's 'Neighborhood First Policy:** Sri Lanka is at the core of our 'Neighborhood First' policy and SAGAR doctrine.
- **Maritime interests:** it is important for the coast guards of the two countries to establish the safety and security of the Indian Ocean region.



INDIA-SRI LANKA: ISSUES AND CONFLICTS

- **Issues with respect to Tamilian interests:** India hopes that the expectations of the Tamil people for equality, justice, peace, and respect would be realized and that devolution of powers according to the 13th amendment would be taken forward. But Colombo has given no commitment on this.
- **Fisherman and fishing issues:** The Palk Bay region has become a highly contested site in recent decades. Multiple issues include ongoing disagreement over, frequent poaching by Indian fishermen in Sri Lankan waters, and the damaging economic and environmental effects of trawling.
- **Continued Kachchatheevu Island dispute:** Through the 1974 agreement, India agreed to Sri Lanka's sovereignty over Kachchatheevu Island but with some safeguards to its Indian fishermen through Article 5 but it was vague enough for the Sri Lankan government to deny the fishing rights. Tamil Nadu is seeking the retrieval of Kachchatheevu from Sri Lanka
- **Reluctance in approval of infrastructure projects:** The present Sri Lankan government has ruled out taking forward the MoU signed by his predecessor allowing Indian participation in energy and infrastructure projects in Trincomalee and Indian stake in Mattala airport.
- **Sri Lanka's security dilemma:** Growing too close to China could create problems with India while leaning too much in favor of India could affect Chinese military sales to the country and other aspects of their bilateral relationship.



- **Strategic Issues due to growing Sri Lanka's ties with China:**

- In the period of low profile relationship between the two nations, SL apparently started favoring China over India and The presence of China in Sri Lanka increased significantly in the recent years .
- Over the years Chinese funds started flowing, in fact it has started big buck infrastructure projects in the Island nation..
- China has been the largest supplier of arms to Sri Lanka since the 1950s. In 2014 Sri Lanka allowed two Chinese submarines and a warship to dock at its port in Colombo. This was seen as a major breach of trust between New Delhi and Colombo and also heightened tensions with Beijing.
- As part of Maritime Silk Route (MSR) policy, China built two ports in Sri Lanka, one in Colombo and another in Hambantota.
- China has also collaborated in satellite launching activities with Supreme SAT (Pvt.), Sri Lanka's only satellite operator.
- In an effort to counter china India is planning to build Trincomalee Port which is envisioned as an Indian counterweight to Chinese developments at Hambantota Port.



CONCLUSION AND WAY FORWARD:

While treating the India first policy of Sri Lanka as response to India's neighborhood first policy, Indian authorities must give serious thought to response on requests or concern raised by Sri Lankan authorities on all respects.

India must engage, understand, and assist Sri Lanka in a non-reciprocal manner with respect to development of infrastructural projects , but it has to ensure that it is not taken for granted under any circumstance. India should not be complacent with the policy announcement from Colombo and must insist that India's concerns and interests should be taken due care of.



8. FIGHT AGAINST RADICALISATION

INTRODUCTION

India is in the phase of fair demographic dividend where 65% of population is under the age of 35 years and India should take this opportunity and channelize its path for growth and economic development by providing standardized education, health and skill opportunities. On the other side of the coin youth are highly vulnerable group who are exploited by the extremist groups and insurgents to full fill their ideological goals.

WHAT IS RADICALISATION?

“Radicalization is a process by which an individual or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that reject or undermine the status quo or contemporary ideas and expressions of the nation.”

Traits- (may be associated with different causes or ideologies depending upon context and time.

- Shaped by the ideas of the society at large,
- it can be violent/non-violent,
- independent/mutually reinforcing,

Types of Radicalisation			
<u>Left Wing Extremism</u> -Primarily against capitalism considered responsible for producing social inequalities, -usually employ violent means (e.g. Maoist, Marxist-Leninist etc).	<u>Right Wing Extremism</u> -Associated with fascism, racialism/racism, and ultranationalist. -usually violent defence of a racial, ethnic or pseudo-national identity -associated with radical hostility towards state authorities, minorities, immigrants and/or left-wing political groups.	<u>Politico-Religious Extremism</u> - Associated with a political interpretation of religion -the defence, by violent means, of a religious identity perceived to be under attack (via international conflicts, foreign policy, social debates, etc.) (e.g. SIMI, Khalistan Zindabad Force etc).	<u>Single-Issue Extremism</u> -motivated by a sole issue. -It includes radical environmental or animal rights groups, anti-abortion extremists, certain anti- gay/antifeminist movements, and ultra-individualist or independent extremist movements.

FACTORS AIDING RADICALISATION

1-Institutional factors

- Deprivation of traditional rights in common property resources
- Food security issues and inefficiency in the Public Distribution System
- Disruption of traditional occupations and lack of alternative work opportunities.
- Lack of availability of essential public services including primary health care and education.
- Corrupt, ill-trained, unethical and poorly motivated public personnel who raises sense of revenge among dis-sented.
- Misuse of powers by the police and violations of the norms of law.

- Profit oriented Corporate-Politics alliance and unsatisfactory working of local government institutions.
- In 2006, Forest Rights Act was enacted. But Forest Bureaucracy continued its hostility towards it.

2- Land, Displacement and Rehabilitation factors

- Encroachment and occupation of Government and Community lands (even the water-bodies) by powerful sections of society.
- Lack of title to public land cultivated by the landless poor.
- Poor implementation of laws securing tribal lands
- Non-regularisation of traditional land rights

3- Socio-religious factors

- Issues like beef consumption, language imposition, conversion efforts by religious groups etc., further created a wedge between the religious community.
- Fake news on interpretation of the laws related to religion or caste (**CAA, SC/ST act** etc)
- Criminalisation of politics and use of religion in gaining political edge.
- Religious fundamentalism among youth like among Kashmiri youth, which can give an impetus to already existing separatist tendencies.

INITIATIVES TAKEN

‘Police’ and ‘Public order’ being State subjects, the primary responsibility of meeting the challenge of radicalism lies with the State Governments except cross border infiltration of men and supports. However, the MHA and other central ministries supplement the security efforts of the State Governments through various schemes such as:

- **National Policy and Action Plan**- A multi-pronged strategy in the areas of security, development, ensuring rights & entitlement of local communities etc. to combat Left Wing Extremism.
- **Special Central Assistance (SCA)** for most LWE affected districts.
- **Amendments in legislations** like UAPA, NIA, AFSPA, The National Security Act, 1980 ,
- **Civic Action Programme (CAP)** by paramilitary forces to enhance harmony between security forces and local people.
- **The National Technical Research Organization (NTRO)** is assisting the Security Forces in anti-Naxal operations and local police at violence driven places by providing Unmanned Aerial Vehicles (UAVs)
- **ROSHNI** is a special initiative under which envisages training and placement of rural poor youth from LWE affected districts.
- **Rehabilitation Schemes** – State government have their own policies in affected areas while central government also supplements their efforts and incentives are given for surrendering also with weapons/ammunition. The surrenderees are also imparted vocational training with a monthly stipend
- **A specialised combat forces** like Black Panther and Bastariya Battalion in targeted areas.
- **Engaging youth through education**
- **Other**- Involvement of community elders, monitoring of radical social media platforms and real-time sharing of information are a few steps government plans to take to prevent youths getting attracted to radical ideologies, such as that propagated by ISIS.

CHALLENGES IN FIGHTING RADICALISATION

- **Intelligence backup**-Certain vulnerabilities remain such as poor planning, inadequate numbers, insufficient intelligence backup etc.
- **Political interference**- blame game by political parties creates misinformation among people to decide upon the lacunas of the issue.
- **Delay in acquisition of technology**-For example- Out of the 157 sanctioned MPVs, only 13 have been supplied by OFB to CAPFs so far.
- **Capacity building of police forces**, for example- in Chhattisgarh, there are thousands of vacancies in different ranks in state police and many sanctioned police stations have yet to be set up.
- **Money laundering**: Naxal leaders operating in Bihar and Jharkhand are laundering extorted money through acquiring movable and immovable assets.
- **Urban naxalism** is also posing threat. It is an old Maoists strategy to focus on urban centres for leadership, organise masses, build a united front and engage in military tasks such as providing personnel, material and infrastructure.

WAY FORWARD

- **Strengthening Socio-political Institutions**-Educational and political institutions should be strengthened at ground with consistent reforms required.
- **Employment**-Enough number of job opportunities should be provided to people to decrease their chances of joining any radicalist organization.
- **More independence to central agencies** like RAW, IB to play important role in covert operations to know the extremist propaganda and to send the required information the state special cell.
- **Centre-state cooperation**: Centre and states should continue with their coordinated efforts where Centre should play a supportive role with state police forces taking the lead.
- **Empowering communities and civil societies** by creating messaging and counter-messaging online and offline.
- **Addressing cause driving (push and pull) factors** that lead people onto an extremist path.
- **Civil societies**-Through the trainings, guides and tools developed, the civil society actors raise public awareness of the diverse forms of violent radicalization
- **Unison** of intelligence Agencies, Law Enforcement Agencies and Judicial Courts need to act in unison on this matter.
- **Rehabilitation policy** must ensure proper implementation so that people who been de-radicalized feel safe and secure in the country.
- **Social media** to be regulated when such info of such activities to be held and to draw a legalized guide lines to regulate in due means without contradicting the privacy of an individual.

CONCLUSION

There is a need to empower the moderate voice among all communities to separate radicals from the general population through effective programmes and policies. Even-handedness in taking strict action against extremist organisations of all denominations is the need of the hour. Simultaneously, the role of civil society can prove crucial in fighting the growing threat of radicalisation in India. The wider reach and informal approach of its programmes may also play effective role and garner greater trust among vulnerable communities besides government and institutional measures.

Supplementary Capsules

Instances of radicalisation in India.

- Left Wing Extremism (LWE) have grown despite the continued government intervention. Encounters, ambushes and arrests still occur with regular frequency in the red corridor districts.
- On the other end of the spectrum increased incidents of mob lynching, cow vigilantism and the string of assassinations of rationalists such as **Narendra Dabholkar, Govind Pansare and Gauri Lankesh** point towards rising extremism in the right wing cadres.
- These instances signify the stark reality of the threats to internal security that stare India in the face, from both the right wing as well as the left.

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9. INDIA'S NUCLEAR DOCTRINE

INTRODUCTION:

India's nuclear doctrine is based on principles of the No first use policy and Credible Minimum Deterrence. This doctrine has been made public in August 1999.

Later In 2003, the Cabinet Committee on Security (CCS) debated the 1999 doctrine and reviewed the progress in operationalizing India's nuclear doctrine; subsequently CCS has publicized the nuclear doctrine officially.

However, recently there was a debate surfed in news to revisit the India's Nuclear Doctrine.



WHY IN NEWS ?

- **Recent statement by Defence minister:** Last year (In 2019) Defence Minister in reaction to Pakistan's activities said that "As of now India is strictly committed and adhered to the doctrine of No first use Policy but what may happen in the future depends on the circumstances". Giving a hint that the India's nuclear doctrine may be revisited based on circumstances.
- **Clarification by minister of external affairs in lok sabha:** However, Responding to a question in the Lok Sabha (In 2020), Minister of State for External Affairs said "There has been no change in India's nuclear doctrine; India is committed to maintaining credible minimum deterrence and the policy of no-first use of nuclear weapons".
- **India's Statement at 75th session of UNGA:** Very recently, Speaking at the Conference on Disarmament, at 75th Session of the United Nations General Assembly, India said that it is committed to no first use of strategic weapons under its nuclear doctrine & its nuclear weapons are meant to maintain a posture of minimum deterrence.

Do You Know About Nuclear Triad?

- ❖ Nuclear Triad means the capability of delivering nuclear weapons by aircraft, land based ballistic missiles and submarine launched missiles.
- ❖ India declared that its nuclear triad is operational after indigenous Ship Submersible Ballistic Nuclear (SSBN) INS Arihant achieved a milestone by conducting its first deterrence patrol.
- ❖ The US, France, Britain, China, and Russia currently have such capabilities.

KEY FEATURES OF INDIA'S NUCLEAR DOCTRINE:

- Key features of India's nuclear doctrine can be summarized as follows:

1. Building and maintaining a credible minimum deterrent.
2. A posture of "No First Use policy": Nuclear weapons will only be used in retaliation against a nuclear attack on Indian territory or on Indian forces anywhere;
3. Nuclear retaliation to a first strike will be massive and designed to inflict unacceptable damage.
4. Nuclear retaliatory attacks can only be authorized by the civilian political leadership through the Nuclear Command Authority.
5. Non-use of nuclear weapons against non-nuclear weapon states;
6. However, in the event of a major attack against India, or Indian forces anywhere, by biological or chemical weapons, India will retain the option of retaliating with nuclear weapons;

WHAT IS A NUCLEAR DOCTRINE ?

- ❖ Nuclear doctrine is a set of principles that guides a nuclear weapon state regarding how to administer the nuclear weapons during the war and peace time.
- ❖ India's nuclear doctrine is based on credible minimum deterrence with No first use policy.

7. A continuance of strict controls on export of nuclear and missile related materials and technologies, participation in the Fissile Material Cutoff Treaty negotiations, and continued observance of the moratorium on nuclear tests.
8. Continued commitment to the goal of a nuclear weapon free world, through global, verifiable and non-discriminatory nuclear disarmament.

Insights into Credible Minimum Deterrent:

- **The concept of “credible minimum deterrence” is the cornerstone of India’s nuclear doctrine.**
- It is used in conjunction with the concepts of “No First Use” (NFU) and “Non Use” against nuclear weapon states.
- **It clearly indicates that India envisages its nuclear weapons as only a deterrent merely for defensive purposes** and not as a means to threaten others, that it is not in the business of building up a huge arsenal and that it will not engage in arms racing.
- The concept, however, also recognizes that for deterrence to be effective it must be “credible”.
- The prerequisites for the credibility of our deterrent in the context of our nuclear doctrine may be listed as follows:
 - 1) Sufficient and Survivable nuclear forces both in terms of warheads and means of delivery able to inflict unacceptable damage;
 - 2) Nuclear Forces must be operationally prepared at all times;
 - 3) Effective Intelligence and Early Warning Capabilities;
 - 4) A Robust Command and Control System;
 - 5) The Will to Employ Nuclear Forces;
 - 6) Communication of Deterrence Capability.
- **Robust Command and Control System is essential for the credibility of deterrence.**
- **Effective Intelligence and Early Warning Capabilities always important** in any conflict are critical in the context of a nuclear attack not merely as a means to counter it but also for purposes of retaliation.
- **The need for operational preparedness at all times of the nuclear forces** in order for our nuclear deterrent to be credible is self evident

REVISITING INDIA'S NUCLEAR DOCTRINE: IS IT NECESSARY?

Reasons behind the calls to revisit:

1. **Controversial from the beginning:** India adopted a No First Use (NFU) nuclear doctrine in 2003, but the counter-intuitive logic of the doctrine was controversial from the very beginning.
2. **Concerns related to No first Use policy:** The major factor behind the questioning of the Nuclear Doctrine stems from concerns about No first use policy and the dissatisfaction with our NFU posture is continuing since past decade.
3. **Doctrine relied only for retaliation purposes:** The assumption among critics has been that a policy that relied on retaliation only, in which India will wait until it is attacked before it uses its nuclear weapons
4. **India is at a disadvantageous position:** In India the NFU policy has been called into question on the grounds that it allows Pakistan and other countries to take the first initiative and puts India in a disadvantageous position.
5. **No first use principle is not universally accepted:** Above all, No first use policy is not universally accepted principle by all countries, so why should India follow it sternly? Questions one section of people.

6. The world is undergoing rapid changes, and the global power structure is in for a major transformation. Therefore, India should also transform its nuclear doctrine accordingly.

Arguments against revisiting our nuclear doctrine: (status quo)

1. **Abrogates the universal goal of nuclear disarmament;** Revisiting the doctrine may abrogate India's commitment to the universal goal of nuclear disarmament and upset the regional balance in the sub-continent.
2. **India will loose its status as a responsible nuclear power;** Withdrawing the NFU policy and making a declaration to that effect can affect India's status as a responsible nuclear power.
3. **Entry to Multilateral nuclear groupings will become difficult;** Support for our entry into Nuclear Supplier Group, other multilateral nuclear export control regimes as well as our civil nuclear cooperation agreements will be under threat.
4. **Budgetary and expenditure constraints;** It would enormously complicate and increase the expenditure incurred by us in regard to our command and control mechanisms which would have to be reconfigured to engage in calibrated nuclear war fighting.
5. **Weakens the conventional warfare engagement;** It would weaken the possibility of our engaging in conventional warfare insulated from the nuclear overhang.
6. **May encourage the use of tactical nuclear weapons;** It would encourage the use of tactical nuclear weapons against us under the illusion of no massive response.
7. It would facilitate the painting of South Asia as a nuclear flashpoint and thereby encourage foreign meddling.

NUCLEAR DOCTRINES OF OTHER COUNTRIES:

- **The Nuclear doctrine of USA** states that "To maintain the deterrent effect, U.S. nuclear forces must maintain a strong and visible state of readiness, permitting a swift response to any no-notice nuclear attack against the United States, its forces, or allies." Above to this, USA recently walked away from the 1987 Intermediate-range Nuclear Forces (INF) agreement and the US self-admittedly is seeking to defend itself by expanding and strengthening its nuclear/missile arsenal.
- **Russia had abandoned the No-First-Use doctrine long ago** on the basis of the contention that the United States has tremendous conventional superiority and Moscow cannot wait for a first strike before considering the use of nuclear weapons.
- **China undertakes not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones** at any time or under any circumstances and **China also follows the "No first use nuclear rule"** while maintaining a deterrent retaliatory force targeted for counter value targets
- **Pakistan** is a terror-sponsoring country that seeks to develop strong nuclear deterrence to back up its policy of waging low-intensity conflicts with neighbors. It follows the first strike Nuclear doctrine.

WAY FORWARD AND CONCLUSION:

India is a peaceful country that is known to all. In fact, it is beyond the doubt and very clear that historically India has been a responsible actor in international affairs and a champion of regional peace and global stability. However, in the changing global order, creation of protective and deterrent environment for a country is equally important as the other nuclear powers are moving with their aggressive policies.

Therefore for enhanced protection, revisiting the doctrine may be a good step but Instead of doing so, India can potentially make use of alternative mechanisms like Interceptor missiles to face no notice nuclear threats and then can attack further effectively. In this regard as a responsible player to promote the global peace India can further diplomatically conduct dialogues with other nuclear countries to establish a uniform global nuclear doctrine.

10. HONG KONG'S NATIONAL SECURITY LAW

INTRODUCTION

China has enacted a National Security Law for the special administrative region of Hong Kong. The provisions of the law can be used to curb peaceful dissent and enhance Beijing's control over the region. It has the potential to not only change Hong Kong's legal and political autonomy, but also alter its status as a global financial centre.

NATIONAL SECURITY LAW

- Officially the "**Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region**", is the piece of national security legislation concerning Hong Kong.
- Such a law is required under **Article 23** of the Hong Kong **Basic Law**, Except in the areas of national defence and foreign affairs, Hong Kong exercised a wide range of autonomy in other areas.
- In June 2020, a partially equivalent law was enacted by the **Chinese Standing Committee of the National People's Congress**, rather than by the **Hong Kong Legislative Council**.
- Offences are grouped under **4 categories**-
 - **Secession** – breaking away from the country
 - **Subversion** – undermining the power or authority of the central government
 - **Terrorism** – using violence or intimidation against people
 - **Collusion**-Activities by foreign forces that interfere in Hong Kong
- Depending on level of involvement, the penalties vary from criminal fines and confiscation of property, to life imprisonment.
- When the Hong Kong government **attempted to introduce national security legislation in 2003**, an estimated 5 lac people turned out to the protest (largest protest of Hong Kong) against the bill. The bill was eventually taken back.

History: What is the "Basic Law"

- The "**one country, two systems (OCTS)**" principle is enshrined in a document called the **Basic Law** - Hong Kong's mini constitution came into effect on **1 July 1997, the day British rule ended** and the territory was returned to China. The agreement was only **valid for 50 years**
- Basic Law protects rights such as freedom of assembly and freedom of speech - neither of which exist in mainland China - and also sets out the structure of governance for the territory.
- Hong Kong is ruled by a chief executive with support from a formal body of advisors, called the **Executive Council**.
- **The chief executive** is responsible for implementing the Basic Law, signing bills and budgets, promulgating laws - declaring them as in effect - and issuing executive orders.
- It also has a **two-tiered semi-representative system** of government: the law-making Legislative Council and district councils, as well as an independent judiciary.

How much control does Beijing have over Hong Kong?

- **Judiciary**- Under the Basic Law, Hong Kong's courts are responsible - "within the limits of [its] autonomy" - for determining whether the government's actions are legal.
- **Parliament**- National People's Congress Standing Committee (NPCSC) - China's rubber-stamp parliament - holds the **ultimate "power of interpretation"** of the law.
- **Executive**- Beijing must also approve the chief executive appointment and controls Hong Kong's defence and foreign affairs.

WHY CHINA ENACTED THE LAW

- **As a deterrent to further protests:** The introduction of the legislation will provide the legal basis for concrete actions to check the escalation of violence in Hong Kong. Last year's protests have also increased Beijing's desire to crack down in Hong Kong.
- **To prevent, stop and punish foreign and overseas forces** using Hong Kong to conduct separatist, subversion, infiltration and damaging behaviour.

CONCERNS WITH THE PROVISIONS OF LAW

The law applies to everyone on the planet (Art 38 of Law)- Accused foreign nationals who don't permanently reside in Hong Kong can be deported even before any trial or verdict.

- **The law tightens controls over education, journalists and social media-**Under this new law "**secession**", "**subversion**", "**terrorism**" and "**collusion with foreign forces**" incur maximum penalties of life imprisonment. But these offences are so broadly defined they can easily become catch-all offences used in politically motivated prosecutions with potentially heavy penalties.
- **People could be taken to mainland China for unfair trials-**Under the national security law, suspects could be removed to mainland China, handled within the mainland's criminal justice system and tried under mainland law.
- **The 'one country, two systems (OCTS)'** will not pave way for 'one country, one system'.
- **Encroachment of freedom-** on the freewheeling city's freedoms, which have already been backsliding. Critics can be silenced, sent for 're-education', exiled, or sent to prison.
- The government has even been working on giving citizens points for patriotism, low marks will exclude you from social services like buying tickets for trains.
- The current law will not only apply to people **but also companies** and extends jurisdiction for crimes committed within or outside Hong Kong. Financial gains may be confiscated, or licenses revoked if found guilty of violating the terms of the law.
- Regulation is not just confined to citizens on the mainland but covers all Chinese living abroad as well.

Article 38 and the controversy

Concerns have been raised that Article 38 of the law exerts extraterritorial jurisdiction over all non-Chinese citizens, which some consider to be criminalising any criticism of the CCP or Chinese government by anyone anywhere in the world. It caused individuals and international organizations to scramble to adapt to China's increasing extraterritorial reach. A number of organizations closed down entirely and the exodus of refugees from Hong Kong has increased.

e.g. if Canadian citizens in Canada advocate that Hong Kong should have the right to self-determination and encourage Hong Kongers to form a group to achieve such a goal, they can be arrested in principle if they as much as transit through Hong Kong.

IMPLICATIONS FOR INDIA

- Hong Kong is home to a large Indian community, as well as many Indian professionals. India has an extradition treaty with Hong Kong in the form of the "**1997 Surrender of Fugitives Offenders treaty**".
- In this context, India can consider if it wants to alter its visa, migration and residence policy for Indian nationals traveling to Hong Kong for work or other reasons.
- Hong Kong is the **fourth largest export** market for India and it is considered as a gateway to China.
- global tensions due to political unrest in Hong Kong carry consequences for India's trade with the rest of the world, as well as with China.

INTERNATIONAL REACTIONS

- USA passes various Hong Kong related sanctions on Hong Kong through “The Hong Kong Autonomy Act” imposes sanctions
- **six countries—Australia, Canada, France, Germany, New Zealand and the United States—**have announced a **suspension or termination of their extradition treaties** with Hong Kong.
- Travel advisories to citizens to exercise caution when traveling to Hong Kong;
- Prohibiting exports of dual-use goods and technology to Hong Kong; and
- Relaxation of visa and immigration rules to allow Hong Kongers to move to other countries.
- As per the latest notice from the US, goods originating from Hong Kong are to be relabelled “Made in China”.

CONCLUSION

Hong Kong’s new National Security Law brings an irreversible change to the OCTS principle and its autonomy. Since the same plan has been repeatedly pitched to Taiwan by Chinese leaders it may harden Taiwan citizens’ determination to resist Beijing’s unification plan. Given Hong Kong’s importance as a global trade and finance hub, countries across the world have taken notice of these developments. Any changes to India’s Hong Kong policy would make an impact on its China policy. If India modifies its legal cooperation, migration and diaspora policy—in line with what other countries have done—this would come as a remarkable shift in New Delhi’s positioning on Hong Kong. The impact that this could have on efforts to de-escalate border tensions with China also needs to be considered.

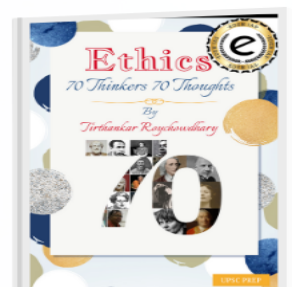
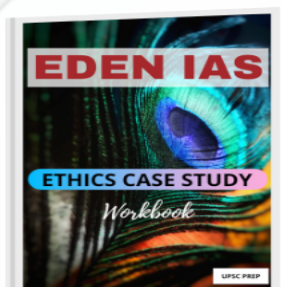
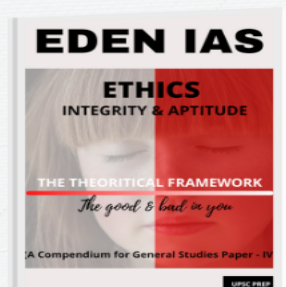
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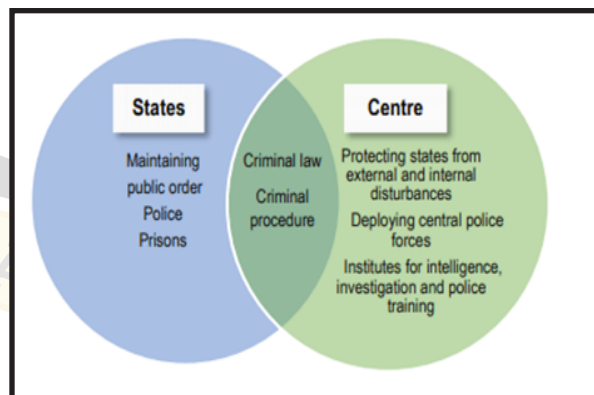
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11. NEED FOR POLICE REFORMS IN INDIA

INTRODUCTION:

- **Police and Public order are the state list subjects in the Indian constitution** which are governed by various state governments. Given the excesses that have been carried out by the police towards citizens in recent past, It calls for reforms within the machinery to prevent such adverse outcomes.
- The Police forces & Law enforcement agencies are primarily tasked to maintain the law and order, investigate crimes and ensure the security for people in the country but some of the recent instances goes in contravention to this principle, paving way to demand for reforms.



Why In News

- In a relief to policemen in Tamil Nadu, **The Madras High Court** said that “The state government should contemplate giving policemen a day off in a week, like other government officials in order to spend time with their families”.
- Apart from this, **the recent instances of police excesses in various cases** have also brought the debate of “Need for Police Reforms in the Country” into discussion.

Recent Instances Of Police Excesses In News

- ❖ **Hathras rape victim cremation issue** : The overnight cremation of a 19 year old girl by Uttar Pradesh police , who was gang-raped and murdered allegedly by four men in Hathras district brought the police under huge criticism recently.
- ❖ **Kanpur encounter case**: The death of a gangster Vikas dubey in an encounter by Uttar Pradesh police in Kanpur has put a question mark on objectivity and credentials of the police in delivering justice.
- ❖ **Thoothukudi- Sattankulam custodial death instance** : In another instance the brutal treatment of a father and son in Sattankulam police station of Thoothukudi district in Tamil Nadu, resulting in their death, exposed the ugly face of the police.
- ❖ **Extra Judicial killing Of Disha case accused criminals in Hyderabad**: Cyberabad Police killed all the four accused in rape & murder case of a woman veterinarian in an encounter. This paved way for discussion on extra judicial killings by the police.
- ❖ **Police excesses during lock down period** : During the lockdown period , Policemen all over the country exceeded in their actions. These excesses have comprised verbal abuse, assault, confiscation of personal goods and papers, arrest, ready award of physical punishment and custodial deaths.

ISSUES /CONCERNS IN THE POLICE FORCES:

Following are the various issues that are concerned in the current system of police forces:

The Parliamentary Research services (NGO) articulated the following six areas where considerable work is still needed in Police forces:

- Police accountability
- The need to separate law and order from investigation.
- Poor working conditions and an overburdened police force.
- Constabulary related issues.
- Issues concerned with police infrastructure.
- Ineffective public-police relations.



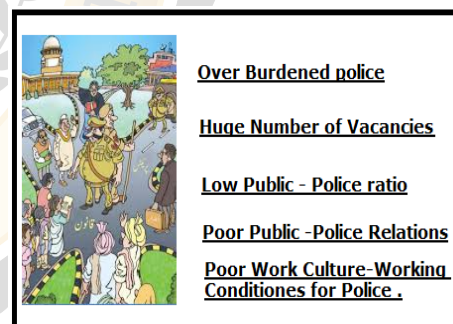
Excessive political accountability with less Operational Freedom:

- Police forces come under the control and superintendence of the political executive.
- The Second Administrative Reforms Commission (2007) has noted that this control has been abused in the past by the political executive to unduly influence police personnel, and have them serve personal or political interests.
- This interferes with professional decision-making by the police, resulting in biased performance of duties.



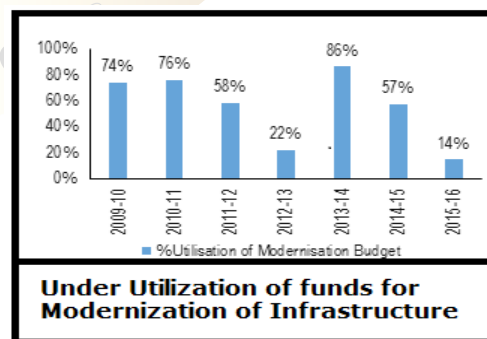
An overburdened force with huge number of vacancies:

- Currently, there are significant vacancies within the State police forces and some of the Central armed police forces.
- A high percentage of vacancies within the police forces exacerbates an existing problem of overburdened police personnel.
- Most of the police personnel have to undergo a 12-hour duty on a daily basis without week off.



Obsolete Police infrastructure due to under utilization of budgetary funds :

- Modern policing requires a strong communication support, state-of-the-art or modern weapons, well-trained staff, Efficient Utilization of funds and a high degree of mobility.



Ineffective Police-Public relations:

- The police - public relation in India lies under the shadow of distrust. People view police as corrupt, inefficient, politically partisan and unresponsive.
- This state of police - public relation needs an overhaul which is essential for an effective policing in the country.

Constabulary related issues:

- The constabulary constitutes 86% of the State police forces and has wide-ranging responsibilities however, constables are continued to face many issues .
- The entry-level qualifications and training of constables do not qualify them for their role.
- The promotional opportunities and working conditions of constables are poor, and need to be improved.
- Housing and accommodation related issues bothers them when posted in remote places.

Low Police – Population ratio:

- **In India:** Around 17.2 million police officers are there when there should have been 22.6 million
- **Other countries:** In the US, there is an officer for 436 people, In Spain one for 198, In South Africa one for 347.

POLICE REFORMS - THE NEED OF THE HOUR?**To overhaul the Obsolete, Archaic & Colonial period framework:**

- The basic architecture of policing is still colonial in nature. We are still governed majorly by Indian Police Act (IPA) of 1861 which is a colonial period law.

To address the organizational lacuna in current system:

- It needs to be well-equipped, in terms of personnel, weaponry, forensic, communication and transport support, to perform their role well.

**To enhance the work culture with better work conditions :**

- Every government servant is entitled to a one-day holiday in a week so that they can spend time with their families, likewise the police personnel also should get a weekly off and satisfactory working conditions like regulated working hours and promotion opportunities.

To modernize the policing Infrastructure:

- Policing infrastructure in India is archaic in most of the towns in India. The system needs continuous budgetary support to overhaul the policing infrastructure in the country.
- A modern patrolling system, modern equipment, communication system, forensic labs are the need of the hour.

To provide more operational Freedom:

- The Indian Police Act 1861, provides for the political superintendence of police force, This provision has been widely misused by political leaders both in the state as well as centre.
- Politicization of Police system due to the interference of political leaders and party workers has lead to loss of its autonomy and degraded its respect among citizen.

To match in pace with current technological advancement:

- The advancement in technology has opened new dimensions of crime which cannot be efficiently tackled by the current system.

To Restrain the Police From Excesses:

- To prevent the high handedness of police in various forms of excesses like extra-judicial killings, custodial torture, other verbal & non verbal forms.

To cater the needs of 21st century:

- India needs a police system that can cater the services as per the needs and aspirations 21st century.

REFORMS NEEDED :

Augmentation in the police strength to enhance the police – population Ratio and to fill up the huge vacancies .

- Constitution of a state security commission (SSC)** in each state and union territory with an aim to “ensure that the state government does not exercise unwarranted influence or pressure on the state police”.
- Specialized investigation unit can be set up** in states to improve the quality of investigation.
- People friendly policing and Community policing initiatives** to be adopted in all the states to improve police - public relation.
- Set up an Independent Complaint authority** to instill faith among citizen and to overcome police misconduct.
- Regulation of working hours, provision of housing facilities at remote places , providing adequate transport facilities etc are also need of the hour.

SMART POLICE

Prime Minister enunciated the concept of “SMART Police” at the Guwahati Conference of the Director General of Police in 2014. SMART Police an acronym which stands for

- ❖ **S-Sensitive and Strict**
- ❖ **M-Modern with mobility**
- ❖ **A-Alert and Accountable**
- ❖ **R-Reliable and Responsive**
- ❖ **T-Trained and Techno-savvy.**

Reforms suggested by NITI Aayog :**State level legislative reforms:**

- States should be encouraged, with fiscal incentives, to introduce **The Model Police Act of 2006** as it modernizes the mandate of the police.

Administrative and operational reforms:

- To constitute a task force:** A Task Force must be created under the MHA to identify the non-core functions that can be outsourced to save on manpower and help in reducing the workload of the police.
- Hire private out sourcing for handling accessory works:** Various functions such as serving court summons and antecedents and addresses verification for passport applications or job verifications can be outsourced to private agents or government departments.
- Gender sensitization & Increased representation of women forces:** The states should be encouraged to ensure that the representation of women in the police force is increased.
- India should launch a common nation-wide contact for attending to urgent security needs of the citizens.
- To move police & public order in to concurrent list :** NITI Aayog also suggests moving police as well as public order to the Concurrent List to tackle increasing inter-state crime and terrorism under a unified framework.

Best police Practices In India

- ❖ **Janamaithri Suraksha In Kerala**
- ❖ **Meira Paibi (Torch-Bearers) In Assam.**
- ❖ **Know Your Police Station by delhi police.**
- ❖ **Gender Sensitive And People Friendly Police Project (GSPP) by Karnataka State Police.**

Time line of initiatives undertaken for police reforms	Supreme court cases & directives
<ul style="list-style-type: none"> • The first Police commission was set up in 1857 soon after the 1857 revolt. As an outcome of this Indian Police Act was enacted in 1861 • Gore Committee on Police Training 1971-1973: The Gore Committee on Police Training was set up to review the training of the state police from constabulary level to IPS level. • The National Police Commission (NPC) 1977-1981: The NPC was the first commission to exhaustively review the Indian police system. It published eight reports in four years. • Ribeiro Committee on Police Reforms 1998: The Ribeiro Committee was set up in 1998 on the order of the Supreme Court following a Public Interest Litigation (PIL) on police reforms • Padmanabhaiah Committee on Police Reforms 2000 : The committee was appointed in 2000 by the Ministry of Home Affairs. • Soli Sorabjee Committee In 2002: After the Godhra incident in 2002, the Government of India set up a Police Act Drafting Committee to draft a new model bill to guide the State Governments adoption of new police laws. • Justice Malimath Committee on Reforms of Criminal Justice System 2001 – 2003: The Malimath Committee addressed the principles of the Criminal Justice System, investigation, prosecution, judiciary, crime and punishment. • New model police bill drafted In 2006: The Police Act Drafting Committee (PADC or Soli Sorabjee Committee) drafted a new model police bill to replace the 1861 Indian Police Act. • Amitav Roy committee on prison reforms • Ranbir singh committee 2020: A national level committee to reform criminal law. 	<ul style="list-style-type: none"> • In 1996, A Public Interest Litigation (PIL) filed by Prakash Singh and N K Singh in the Supreme Court asking the Court to direct governments to implement the NPC recommendations. • The 2006 verdict of the Supreme Court in the Prakash Singh vs Union of India case was the landmark in the fight for police reforms in India. • The Court ordered following 7 directives to kick-start the police reforms: <ol style="list-style-type: none"> 1. Constitute a State Security Commission (SSC) to ensure that state government does not exercise unwarranted influence or pressure on the police. 2. Ensure that the DGP is appointed through the merit-based transparent process and secure a minimum tenure of two years. 3. Police officers on operational duties (including SP and SHO) are also provided a minimum tenure of two year. 4. Separate the investigation and law and order functions of the police. 5. Set up a Police Establishment Board (PEB) to decide transfers, postings, promotions and other service related matters of police. 6. Set up a Police Complaints Authority (PCA) at state level to inquire into public complaints against police officers of above the rank of Deputy Superintendent of Police. 7. Set up a National Security Commission (NSC) at the union level to prepare a panel for selection and placement of Chiefs of the Central Police Organizations (CPO) with a minimum tenure of two years.

ROLE OF TECHNOLOGY IN THE FUTURE POLICING – SMART POLICING :

- The Police & Law enforcement is all about keeping society safe. It is no surprise that as the society has changed, therefore, the law enforcement & Police agencies also has to change.
- The recent new technologies and Innovative ideas have brought some significant changes to the profession. However, The following technological innovations can shape the future of policing & law enforcement are:
 1. **Distributed sensing & virtual patrols** : Smart sensors can be used for virtual patrolling.

2. **Technology as a partner in the field:** Police should harness the digital technologies like Internet of Things, Artificial Intelligence etc for state of art technology in various initiatives.
3. **Artificial Intelligence and Predictive Policing:** Advanced technologies like artificial intelligence (AI) and machine learning will be key to the success of future investigations.
4. **Evidence based Policing :** Evidence-based policing includes using advanced forensic techniques to extract more information from the same amount of evidence.
5. **New modes of community Involvement:** Forging stronger local networks to improve public safety & Building close ties within the community through new technologies can be a best way for effective maintenance of law & order in the present generation.

THE WAY FORWARD & CONCLUSION:

To tackle present day's transformed law and order challenges like new crime techniques, spread of left wing extremism, rampant corruption etc we need a more professional, well trained police forces committed to upholding the law of the land and the constitution of the country.

If India is to achieve its status as a great power, it is absolutely essential that police is restructured and modernized. We have had enough of Rulers' Police, what we need today is People friendly Police and It is need of the hour for us to switch to the SMART Police as enunciated by prime minister.

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12. ROLE OF SOCIAL MEDIA IN ELECTION

INTRODUCTION

In democratic countries like USA, UK, India, social media has become an integral part for political communications during election campaigning. This new way of campaigning during election plays an important role to attract voters. Social media has given a new platform such as Facebook, Twitter, Google+, Whatsapp, Youtube etc. to the political parties and the voters, these are becoming an easy tool for the political leaders to interact with their voters.

Significance of Social Media

- It allows candidates to share, post, comments, and their views during election and making them more direct involvement to their voters.
- These new tools or platforms are appeared as new area of research for political parties to attract the voters.



Background

- The uses of social media in election campaigning is not an isolated event occurring in India, throughout the world the social media is being used by the political parties during election campaign to attract voter.
- The internet has changed the way of life and internet has become an integral part of our political, economic, and social lives. That's why may be the reason the number of internet users have grown from ten million in 1993 to 3 Bn in 2014.
- People use online social media regularly to stay connected to their family and friends even with their institutions, organizations where they doing their jobs. So, social media has made an important affect to all aspects of our lives.
- Though Assam is a state where the use of internet and the network is not available in all parts of the state yet in the 2016 Assembly Election the political parties and the voters has used the social media such as Facebook, Whatsapp, Twitter, Google+, etc.

Social Media is broadly defined as “a variety of websites, services and applications that allow users to engage in social behaviours online or on a mobile phone”

Types of Social Media

Social Networking- Social Networking is an online service that enables its users to create virtual networks with likeminded people akin to social networks in real life.

Blogs/micro blogs- These are descriptive content pages created and maintained by individual users and may contain text, photos and links to other web sites. (eg- WordPress.org, Twitter)

Vlogs and Video Sharing sites- VideoBlogs or Vlogs are blogging sites that mainly use video as the main form of content supported by text. (eg-Youtube)

Wikis- A Wiki is a collaborative website that allows multiple users to create and update pages on particular or interlinked subjects. (eg- Wikipedia)

SOCIAL MEDIA IN ELECTIONS: POSITIVES

- **Enhancing engagement-** Through comments, online interactions, trolls, posts, pictures showing support. (eg- Narendra Modi App, Twitter handles etc.)
- **Big Data Analytics-** Political parties have used big data analytics techniques for increasing mass outreach and conveying their key messages for the general elections.
- **Digital Protest-** Social media platforms help to create awareness from one another to a million and be united for any social cause which various political promises during their campaign. In the process, the existence of social media can nudge citizens to seek solutions.
- **Inclusion of excluded-** Social media has made Indian politics more inclusive by allowing citizens, who were traditionally excluded from politics due to geography and demography, to gain direct entry into the political process.

- **For intense campaign-** Use of social media for policy crowdsourcing and publicity is evident in the success of pan-India campaigns such as **Swacch Bharat Abhiyan, Beti Bachao, Beti Padhao** and the recently-launched Fit India Movement.

During COVID-19

- With social distancing norms during Covid becoming mandatory amid the growing need for public communication, media has emerged as a powerful platform.
- Union Home Minister's **Bihar Jansamvad Rally** has introduced us to a new experience of digital communication. The digitally-held rally saw the participation of crores of people.
- The experiment was also important as it allowed such a huge programme to be organised with such little resources and so little time.

MALPRACTICES: WHY IT NEEDS STRICTER REGULATIONS

- **Rumors and fake news-** Misinformation and disinformation spread in media is becoming a serious social challenge.
- **Polarising and divisive content-** it has been defining characteristic in the run-up to the 2019 general elections as well as state elections that have widened societal fault lines.
- **Hate speeches-** Social media has enabled a style of populist politics, which on the negative side allows hate speech and extreme speech to thrive in digital spaces that are unregulated, particularly in regional languages.
- **Breach of data privacy-** In the **Facebook-Cambridge Analytica data breach case**, role of Facebook in election was widely criticised across the world.
- **Abuses and Shutting up the rational voice-** Another dangerous element is the labelling and trolling of more rational voices or those who disagreed with the government's actions or dominant public discourse as "anti-national."

Statistics: Influence of Social Media

- A survey claimed that **nearly one-third of first-time** voters were influenced by political messages on social media platforms in the ongoing general elections.
- As many as **50 % of 150 Mn first-time voters** received political messages through various social media platforms,
- Political movement on social media was **higher in 2019** Lok Sabha elections than in 2014, the report by ADG Online said.
- **20% of first-time voters** are aware of the developments in the country
- 50 % voters influenced by social media are less than 25 years of age.
- Around 40% of youths (18-24 years) kept themselves updated about the political developments through at least one of the five social media platforms -- Facebook, Twitter, Whatsapp, Instagram, ShareChat, etc.

Facebook-Cambridge Analytica data breach case was a data leak whereby millions of Facebook users' personal data was harvested without consent by **Cambridge Analytica**, predominantly to be used for political advertising. It is the largest known leak in Facebook history.

CHALLENGES TO CONTROL SOCIAL MEDIA

Steps taken by ECI so far to curb social media

- The candidates will have to furnish the details of their social media accounts at the time of filing their nominations.
- All political advertisements on social media will need pre-c pre-certification. The Election Commission has asked Google, Facebook, Twitter, and YouTube to verify all the political advertisement.
- A grievance officer has also been appointed to take complaints related to these advertisements on all social media platform.
- All expenditure on campaigning advertisements on social media is to be included in the election expenditure account.
- C-Vigil app was launched last year to help citizens to confidentially report any violation of the of the election code of conduct and any malpractices.

- EC had also asked political parties to “desist from displaying photographs of defence personnel”.

Need for Caution

- **For uneducated people-** Non-ethical uses of social media, compounded by the proliferation of social media among a largely digitally illiterate population.
- **National security-** In the area of national security, political actors will have to weigh the political advantages against the very real security and human costs.

STEPS NEEDED TO BE TAKEN

- **Model code of conduct-** Election commission should strictly enforce model code of conduct and should increase vigilance on cyber activities of political parties.
- **Digital media literacy** awareness/education initiatives are needed.
- **Fact check portal** must be created to contain spread of fake news.
- **Data Protection law** requires data processors to have consent from data subjects for processing their data.
- **Corporate Social responsibility** of big firms to come up with transparency reports and other such efforts,
 - **Twitter** and **Facebook** recently stepped up its efforts to combat election misinformation by banning or labelling confusing content about ballot tampering, election rigging, election results and other topics.
 - **Google** said Thursday it is adding its own precautions ahead of the election, including for any candidate prematurely declaring victory.

CONCLUSION

As India enters a technology-driven world, changes in the country's political discourse are natural and communication between parties and people will become simpler. It is also possible that the use of banners, posters and pamphlets will reduce in the near future and there is likely to be greater acceptance of campaigning through digital means. The country is, without a doubt, entering a new phase of political public communication.

At the same time social media awareness is also needed which may enable citizens to be in a position to distinguish between truth and falsehood – and to know when democratic processes are being manipulated. Social Media Platforms can provide safeguards in the event that democratic processes are being intentionally disrupted or harmful falsehoods are spreading; it can help people find out what is true.

“Empowering Endeavours”

13. UNITED NATIONS REFORMS: THE NEED OF THE HOUR

INTRODUCTION

Since decades, there have been many calls for reforms of the United Nations (UN), Both those who want the UN to play a greater role in world affairs and those who want its role confined to humanitarian work or otherwise reduced use the term «UN reform» to refer to their ideas.

The range of opinion extends from those who want to eliminate the UN entirely, to those who want to make it into a full-fledged world government. Secretary Generals and many groups of countries have presented numerous ways to implement these new reforms. However, there is little clarity or consensus about what reform might mean in practice.

Why in news

- **Prime Minister Narendra Modi address to the UN General Assembly**- In a virtual high-level meeting to mark the **75th anniversary** of the global body, he said the United Nations faces a “**crisis of confidence**” and reiterated India’s long-standing call for reform at the world body to **reflect “today’s realities”** and “**give voice to all stakeholders**”.
- **Special significance**- as it comes on the eve of India taking a seat at the powerful UN Security Council as an elected **non-permanent member for a two-year term** beginning January 1, 2021.

As the UN marks 75 years of its existence, the 193-member UN General Assembly adopted a forward-looking political declaration that gave a clarion call for –

- Strengthening mechanism to combat terrorism,
- Reformed multilateralism,
- Inclusive development
- Better preparedness to deal with challenges like the Covid-19 pandemic
- Reform of the United Nations itself

United Nations

The **United Nations (UN)** is an intergovernmental organization that aims to maintain international peace and security, develop friendly relations among nations, achieve international cooperation, and be a centre for harmonizing the actions of nations. It was established in 1945 and has currently 193 member states and 2 observer states.

The UN system is based on **Six principal organs** and the sixth organ, the Trusteeship Council, suspended operations on 1 November 1994, upon the independence of Palau, the last remaining UN trustee territory.

Six Principal Organs

- 1) The General Assembly-
- 2) The Security Council-
- 3) The Economic and Social Council (ECOSOC)-
- 4) The International Court of Justice-
- 5) The UN Secretariat-
- 6) The Trusteeship Council-

Specialised Agencies

- Food and Agriculture Organisation (FAO)
 - International Monetary Fund (IMF)
 - World Bank Groups
 - World Health Organisation (WHO)
 - International Atomic Energy Agency (IAEA)
 - United Nations Human Rights Council (UNHRC)
 - United Nations Educational, Scientific and Cultural Organization (UNESCO)
 - International Labour Organisation (ILO)
- Etc.

AREAS OF UN REFORMS

• Reforms in UNSC: To be more representative, legitimate and effective

- **Veto powers** possessed by the UNSC's five permanent members are used as an instrument to save up their geopolitical interests, regardless of the disastrous consequences for the victims of armed conflict **e.g.** Syria, Iraq, etc.
- **The structure** of the 15-member Security Council required to be more democratic and representative as It does neither reflect a balance in distribution of military and economic power, nor a geographical balance.
- Proposed plans, notably by **the G4 nations**, by the **Uniting for Consensus group/Coffee Club**, and **2005 Annan plan** by former UN Secretary-General Kofi Annan etc.

The G4 nations comprising Brazil, Germany, India, and Japan are four countries which support each other's bids for permanent seats on the United Nations Security Council. It was established in **2005**.

- **Reforms in UNGA:** The UN General Assembly (UNGA) can only make **non-binding recommendations**, which is another reason for ineffectiveness of the UN and another important issue of UN reform.
- **UN Secretariat transparency reform-** to make the UN administration (usually called the UN Secretariat or "the bureaucracy") more transparent, more accountable, and more efficient, including direct election of the Secretary-General by the people as in a presidential system.
- **More Value to Associated UN Bodies-**The Economic and Social Council has been criticized, as it has become overshadowed by institutions such as the IMF and the World Bank.
- **UN's Financial Crisis:** It is said that UN has a lot to do with too little money, as it is in a permanent financial crisis due to the unwillingness of many members to pay their contributions on time which restrain its effectiveness.
- **Human Rights Reform-** The UNHRC has itself been criticised for the repressive states among its membership. E.g. it's been accused of **anti-Israel bias**.

Uniting for Consensus (UFC)/Coffee club is a movement that developed in the 1990s in opposition to the possible expansion of permanent seats in the UNSC under the leadership of Italy, it **aims** to counter the bids for permanent seats proposed by G4 nations.

Members- Italy, South Korea, Canada, Mexico, Turkey, Argentina, Pakistan and Malta.

G4 countries call

G4 countries call for urgent steps for reform of UN and Security Council and is in line with India's position on the reforms of the UN, including the expansion of the permanent and non-permanent membership of the UNSC.

- The G4 countries – Brazil, India, Japan and Germany – have expressed disappointment at attempts to **derail reforms of the United Nations** and called for text-based negotiations within a fixed timeframe to revamp the world body.
- Opined that the expansion of the Security Council in both categories will be indispensable to make this body **more representative, legitimate and effective**, enhancing therefore its capacity to deal with the complex challenges the world faces today on questions of international peace and security.
- **Broader membership** of the Security Council, with increased and enhanced representation of countries with the capacity and willingness to contribute to the maintenance of international peace and security, including from Africa, will allow it to preserve its credibility and create the political backing needed for the peaceful resolution of today's international crises.

INDIA AND UNITED NATIONS

India's bid for UNSC

- India has been striving decades-long attempts to reform the Security Council, questioning a 1945 setup of UN System is ill equipped now and does not reflect contemporary realities of the 21st century.
- Other than being a part of **G4 Group**, India has widespread support of other countries as well, including four permanent members of the Security Council – US, UK, France and Russia – for a permanent seat for India at the Council.
- China has been persistently obstructing India's efforts to become a member of the UN's powerful body for years, pointing to lack of consensus even though the other four members have supported New Delhi's membership.

Growing significance of India

- **Peacekeeping Missions-** According to UN estimates, India is currently

More than 200,000 Indians have served in 49 of the 71 UN peacekeeping missions established around the world since 1948.

- the **fourth-largest** police-contributing country with 1,009 officers, and
- the **third-largest** contributor of female police officers.
- **International Court of justice-** India's Supreme Court Justice '**Justice: Dalveer Bhandari**' has been appointed as the judge in International Court of Justice for a second term.
- **Yoga day-** United Nations General Assembly adopted without a vote a resolution commemorating 21 June as the International Yoga Day
- **Plea for International Equality Day-** In 2016, with focus on combating inequalities to achieve Sustainable Development Goals, B. R. Ambedkar's birth anniversary was observed at the United Nations for the first time. India has made a plea to declare April 14 as International Equality Day
- **Financial contributor-** India is one of the main contributors to the UN regular budget and its growing significantly every year.
- **Role in UN Audit-** In 2016, Vinod Rai was appointed as Chairman of UN Panel of External Auditors and Shashi Kant Sharma as Member of the United Nations Board of Auditor General.

UNSC-The Security Council consists of 15 members. Russia, UK, France, China, and the US serve as the body's **five permanent members**. These permanent members can veto any substantive Security Council resolution, including those on the admission of new member states or candidates for Secretary-General.

The Security Council also has 10 non-permanent members, elected on a regional basis to serve two-year terms. The body's presidency rotates monthly among its members.

India's priorities as UNSC member

- **India's 5-S Approach-** Recently while joining as a Non-permanent member, India committed its approach to—
 - **Samman** (Respect),
 - **Samvad** (Dialogue),
 - **Sahyog** (Cooperation)
 - **Shanti** (Peace) and
 - **Samriddhi** (Prosperity)
- **Global action on counter-terrorism-** Aligning with **Quad countries** or working with mechanisms like **FATF** to mount pressure on Pakistan to stop supporting cross-border terrorism in India.
- **More transparency** in the process of listing and delisting of entities and also individuals in sanction committees.
- **UN Peacekeeping mission:** Being one of the largest Troop Contributing Country, India will seek to engage intensively in finalizing of mandates for UN peacekeeping mission.

- **Sustainable development** - India will continue its active engagement on issues relating to sustainable development and climate change.
- **Health service provider**- India will also highlight its contribution to global co-operation to fight against the COVID-19 pandemic by aiding more than 150 countries across the globe as a pharmacy of the world.
- **Women-led development**- India will reiterate its commitments and achievements in women-led development, as 2020 is the 25th anniversary of the Fourth **World Conference on Women**.
- **India-UN Development Partnership Fund**- In this context, it will highlight its role as a South-South development partner.
- **International Solar Alliance**- India's commitment to the idea of global partnership under **SDG-17** including climate change will be prominently promoted.
- **Balancing National Interest and Multilateralism**-
- While reclaiming its role in the **Non-Aligned Movement (NAM)**, India must engage with other multilateral institutions as new rule-making as India is not at disadvantage if rule making takes place outside the UN.

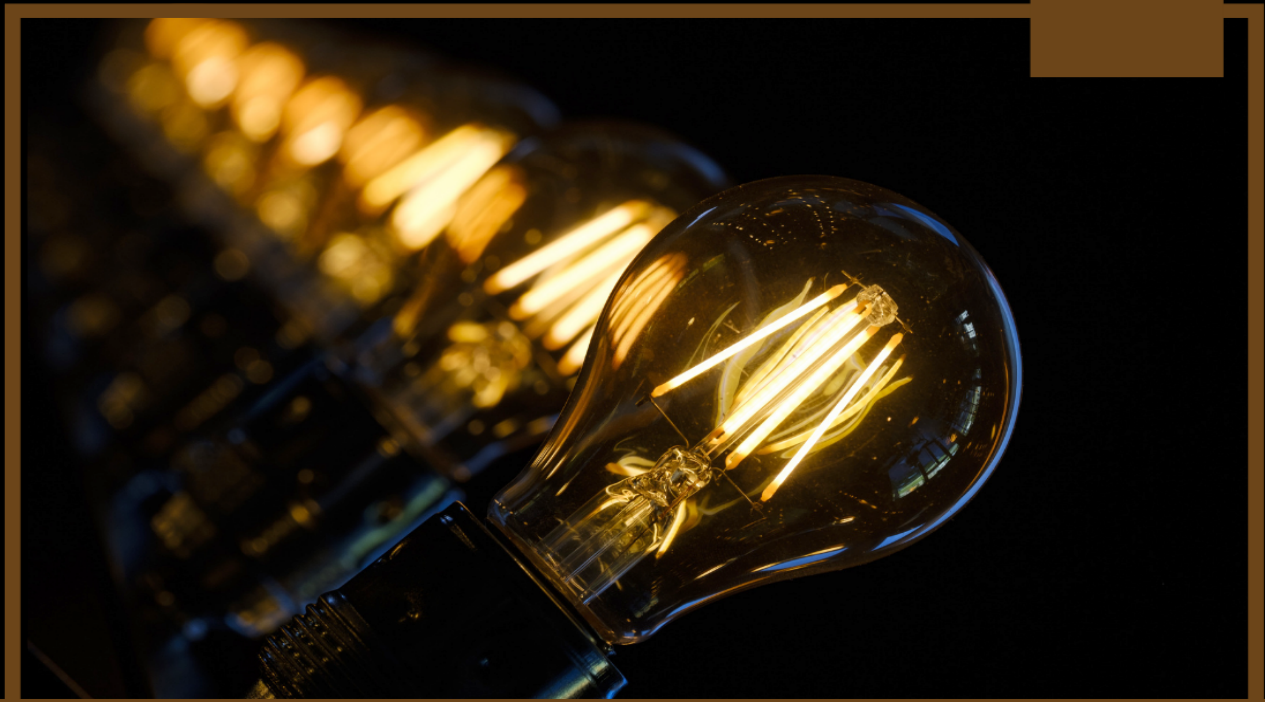
CHALLENGES

Three powerful members of the UNSC — Russia, China, and the U.S. — are opposed to any major restructuring of the Council. While Russia and the U.S. have said they would support India's UNSC bid, when it comes to proceedings at the UN their positions represent a far cry from the promises they make at bilateral meetings.

- **Stands of P5 Members**-The **U.S. favours** only a "modest expansion" of the UNSC, while **Russia** doesn't want any change in the veto arrangement. Even if the General Assembly members reach a consensus on reform, it could be shot down by the permanent members. Beijing's all weather ally, Pakistan, is also opposed to India becoming a permanent member.
- **Implementation hurdles**: Achieving the objective would depend on how India will conduct diplomacy in the global body.
- **Declining Multilateralism**: The COVID-19 pandemic has already shaken up the global order and sharpened the rivalry between the U.S. and China. This has opened up fresh debates on strengthening multilateralism and multilateral institutions.
- **Polarised world**: India should avoid the temptation of taking sides at a time when the Security Council is getting more and more polarised, especially in the wake of US-China tensions.

CONCLUSION

The political and economic architecture of the emerging global order that the allied powers shaped at the end of World War II has been altered since then. The UN remains unreflective of the current trajectory, especially in the strategic and economic arenas. The multilateral framework now faces an unprecedented challenge to fashion a collective response to humanity's biggest problems, which include global warming and the pandemic. Paradoxically though, the post-war order faces an existential threat to its stability from the revival of nationalism across the globe, with some of the powers that enshrined common principles and rules willing to discard them. All countries must have the voice to influence policy and the champions of reforms like India, Japan, Germany and Brazil, or the G4 should continue their multilateral diplomacy to build a democratically evolved global consensus on restructuring the UNSC.



*The credit goes to the dedicated &
hardworking research team of EDEN
IAS under the guidance of Tirthankar
Roychowdhary Sir.*



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