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TARGET 2025

POLITY & GOVERNANCE



**MAY 2024 TO
FEBRUARY 2025**

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SHANKAR IAS PARLIAMENT

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Out of 100 questions asked in UPSC Civil Services (Preliminary) Examinations, 2024,
19 questions reflected directly and
19 questions reflected partially
from the Shankar IAS Parliament

Total number of questions directly reflected from IAS Parliament (including Target 2023 series)	19
Number of questions directly reflected from the Target Series 2023	14
Total number of questions partially reflected from IAS Parliament	19

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1. RIGHTS ISSUES

1.1 Right to vote and the Right to be elected

Recently, the jailed head of the pro-Khalistan outfit announced his intention to contest the Lok Sabha elections from Punjab that is scheduled to be held in June 2024.

- **Political rights of jailed persons** – They have the right to contest polls while facing criminal charges unless convicted but barred from casting his vote.
- **Status of 'Right to Vote'** – In **Kuldip Nayar case (2006)**, the court held that it is a “statutory right” and not a fundamental right.
- **Bar** – Section 62 of the Representation of People Act, 1951 provides a series of restrictions like barring to vote:
 - If he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police.
- **Exception** – If they have been released on bail or have been acquitted and also for those in preventive detention.
- **Status of 'Right to be elected'** – Section 8 of the Representation of People Act, 1951 deals with disqualification on conviction for certain offences.
- Only the convicted person will be disqualified from contesting elections to Parliament or state legislatures.
- It is from the date of conviction onwards and face further a 6-year disqualification beginning from the date of their release.
- **Exceptions** – The Election Commission of India (ECI) is empowered to “remove” or “reduce” the period of disqualification.
 - In 2019, the ECI used this power to reduce the period of disqualification of a convicted person.
- A disqualified MP or MLA can still contest is when their conviction is stayed on appeal to a higher court.
- **Concerns** – As of April 2024, there are still 4,472 Criminal cases pending on MPs/ MLAs.

Supreme Court of India has held that right to elect and be elected do not enjoy the same status.

Anukul Chandra Pradhan case (1997)

- **Petition** – Denying voting rights to under trial person and person who cannot afford to pay bail amount with the bailed person violate the fundamental right of 'Right to Equality'.
- **SC** – It rejected this argument on 4 grounds.
- Right to vote was a statutory right and could be subject to statutory limitations.
- A person in prison because of their conduct “cannot claim equal freedom of movement, speech and expression”.
- It is connected to keeping “persons with criminal background away from the election scene”.

1.2 Population status of Religious Minorities (1950-2015)

A recent working paper by the Economic Advisory Council to the Prime Minister (EAC-PM) pointed out that India witnessed a reduction in the share of the majority religious denomination by 7.82%.

- **Data** – A cross-country descriptive analysis of the status of minorities around the world measured in terms of their changing share in a country's population over 65 years between 1950 and 2015.
- **Baseline year** – For the 167 countries analysed, the average value for the share of the majority religious denomination in the baseline year of 1950 is 75%.
- **Global trends** – There is declining majority and India too has witnessed a reduction in the share of the majority religious denomination by 7.82%.

- **Trends in South Asian Countries** – The share of the majority religious denomination has **increased** and minority populations have **shrunk** alarmingly across countries like Bangladesh, Pakistan, Sri Lanka, Bhutan and Afghanistan.

Majority Religion	Country	Majority religion share		Change in share (as %)
		1950	2015	
Hindu	India	84.68	78.06	-7.82
Hindu	Nepal	84.30	81.26	-3.61
Muslim	Maldives	99.83	98.36	-1.47
Muslim	Afghanistan	88.75	89.01	0.29
Muslim	Pakistan	77.45	80.36	3.75
Muslim	Bangladesh	74.24	88.02	18.55
Buddhism	Myanmar	78.53	70.8	-9.84
Buddhism	Sri Lanka	64.28	67.65	5.25
Buddhism	Bhutan	71.44	84.07	17.67

Religion	Percentage of population		Changes
	In 1950	In 2015	
Hindus	84.68%	78.06%	Decrease in population
Jains	0.45%	0.36%	Decrease in population
Parsis	0.03%	0.004%	Decrease in population
Muslims	9.84%	14.09%	Increase in population
Christians	2.24%	2.36%	Increase in population
Sikhs	1.24%	1.85%	Increase in population

1.3 Right to Property

Supreme Court ruled that the State cannot acquire property without proper procedure.

- **SC Rulings** – Compulsory acquisition will still be unconstitutional if proper procedure is not established and followed before depriving a person of his/her right to property.
- It upheld a Calcutta High Court order rejecting an appeal filed by the Kolkata Municipal Corporation defending its acquisition of a private land and ordered the corporation to pay ₹5 lakh as costs within 60 days.
- Right to Property is protected as a *constitutional right* and has even been interpreted to be a human right.
- **Interpretation of Article 300A** – The requirement of a 'law' in does not end with the mere presence of a legislation which empowers the state to deprive a person of his property.
- **Procedure is an integral part** of the 'authority of law' and the phrase 'authority of law' should not be understood as merely the power of eminent domain vested in the state.
- **Process of acquisition** – The court also notes that if possession is not taken, acquisition is not complete, then culmination of an acquisition process is not in the payment of compensation.
- It laid down 7 basic procedural rights of private citizens that constitute the "real content of the right to property under Article 300A".

The 44th Constitutional Amendment omitted the right to property as a fundamental right (Art 19 (1) (f)), and inserted Article 300A that provided that "no person shall be deprived of his property, save by authority of law".

Bhoomi Rashi Portal is a single point platform for online processing of land acquisition notifications to accelerate highway infrastructure development projects in India.

7 basic procedural rights regarding Right to Property

- Right to notice or the duty of the state to inform the person that it intends to acquire his property.
- Right of the citizen to be heard or the duty of the state to hear the objections to the acquisition.
- Right of the citizen to a *reasoned decision* or the duty of the state to inform the person of its decision to acquire property.
- The duty of the state to demonstrate that the acquisition is exclusively for public purpose.
- Right to fair compensation of the citizen.

- The duty of the state to conduct the process of acquisition efficiently and *within prescribed timelines*.
- The conclusion of the proceedings leading to vesting or the *right of conclusion*.

1.4 Recent judgment on the Right to property

Supreme Court (SC) recently said that the government cannot acquire and redistribute all privately owned properties.

- **Article 39(b)** – State shall direct its policy towards securing that the ownership and control of the material resources of the community that are so distributed as best to sub serve the common good.
- SC clarifies that Article 39(b) includes privately-owned resources but not every resource owned by the individual can be considered as a material resource.
- Further it says that the term “distribution” has a wide connotation, and the court must determine whether distribution of resources in a given case sub serves common good.
- **Right to property** – SC says that the interpretation of all private property is ‘material resource of community’ is incompatible with the right to property.
- The right to property under **Article 300A** is a **constitutional right**.
- Article 39(b), both as a pre-cursor to the protection of Article 31C and as an aspirational Directive Principle, cannot run counter to the constitutional recognition of private property.
- To hold that all private property is “material resources of the community” and that the ultimate aim of state is to control private resources which would be incompatible with the constitutional protection.
- The reference to the Constitution Bench was based on petitions filed by parties including the Property Owners Association (POA).
- Private properties cannot be taken over by the state under the garb of constitutional schemes of **Articles 39 (b) and 31 C** of the Constitution.

1.5 Shamlat deh Land Case

Supreme Court (SC) allowed a review of its 2022 judgment on ‘shamlat deh’ land rights.

- **Shamlat deh** – Is essentially *village common land*, created by *multiple landowners* contributing an equal portion of their individual land holdings to *serve the “common purposes” of village’s people*.
- It is not one patch of land but consists of several chunks and has been classified in many land areas.
- **Gora Deh** – The place in a village where *cattle are gathered* before going to the pasture.
- **Abadi Deh** – The chunks of land on which *houses or mosques, temples or gurudwaras are constructed*.
- **Rights** – Landholders in a village are entitled to get a share of the ‘Shamlat’ land as per the ratio of their holdings which means they have proprietary rights in Shamlat land in proportion to the size of their holdings.
- **Karnail Singh vs State of Haryana, 2024** – It held that the *2022 decision* vesting control of the land in the panchayat once the land is assigned was “*totally contrary*” to the Constitution Bench in Bhagat Ram case.
- It also directed the challenge to the 2003 High Court decision to be heard once again soon.

Ajit Singh v State of Punjab (1967)

- In land Acquisition, the beneficiary is state.
- In modification/ extinguishment of Land Rights, the beneficiary is not the state unless the rights are transferred to the state after the rights of the land-holder are extinguished.

Bhagat Ram vs State of Punjab (1967)

- It referred to Ajith Singh case (1967), said that reserving the land for income of panchayat is effectively acquiring the land.
- If the beneficiary of the scheme was the panchayat, then the state is also a beneficiary.

- The management and control does not vest in the Panchayat...till possession has changed and that land-holders would still have rights over their holdings.

2003 Judgement by Punjab & Haryana High Court

- The state and the gram panchayat could not acquire land that is not reserved under the consolidation scheme without providing compensation, as this violates the 2nd proviso of Article 31A.

Article 31A of the Indian Constitution deals with 'Saving of laws providing for acquisition of estates, etc.', which came into force through the 17th constitutional amendment of 1964.

2nd provision of 31A prevents the government from acquiring land from a person, if the size of the land is below the "ceiling limit", unless the state pays compensation "not be less than the market value" for the land.

1.6 Declaration of 'Fact Check Unit' as Unconstitutional

Bombay High Court officially strikes down Centre's Fact Check Unit, calls amended IT Rules 'unconstitutional' in its recent verdict.

Amended Information Technology Rules, 2023

- It empowered the Union Government to set up a fact check unit (FCU).
- FCU** – To identify fake, false and misleading information about the government & its establishments on social media.
- Requirements** – It requires social media intermediaries to make reasonable efforts to prevent users from uploading or transmitting any content flagged by the Centre's FCU as misinformation.
- Such flagged content have to be taken down within 36 hours if the intermediaries wanted to retain their "safe harbor" protection.

- Violation of rights** – It violates multiple fundamental rights provisions enshrined in the Indian Constitution, including:
 - Article 14** – Right to equality
 - Article 19** – Freedom of speech and expression
 - Article 19(1)(g)** – Freedom and right to profession
- Split verdict** – One Judge pronounced that the rule promoted censorship and did not fall within the ambit of reasonable restrictions permitted under Article 19(2) of the Constitution.
- Other one reasoned that the government is best positioned to provide accurate information about itself and that the rules were intended solely to combat misinformation.
- Tie-breaker rule** – Following the split verdict, the Chief Justice of the High Court appointed a Justice to hear the matter afresh and deliver a tie-breaking ruling, in accordance with the HC rules.
- Intervention by Supreme Court** – While the verdict awaited, the Centre notified the FCU under the Press Information Bureau.
- This prompted the Supreme Court to stay the operation of the notification until tie-breaking verdict comes.
- Final verdict** – The expression "fake, false and misleading" in the rules was "vague and hence wrong" in the absence of any definition.
- It created a "chilling effect" on intermediaries by jeopardizing their safe harbor protection.
- Further actions** – The Centre has the option of challenging High Court ruling in Supreme Court.

Safe harbour protection refers to legal protection for Internet service providers (ISPs) and other intermediaries that host or transmit third-party content online.

1.7 Right to Live in a Pollution-free Environment

The Supreme Court recently said cases of stubble-burning and “pick-and-choose” policy adopted by the Punjab and Haryana governments violated citizens’ right to live in a pollution-free environment.

- **Fundamental right** – Right to live in a pollution free environment is a **fundamental right under Article 21**.
- The right to a healthy environment includes the right to be safe from the effects of climate change.
- It is the duty on the state to raise the standard of living and to **improve public health under Article 47**
- **Article 48A** – A duty of the State to protect and improve the environment and further to safeguard the forests and wildlife.
- To enable this duty, wildlife and forests have been inserted in the concurrent list so that both the Central Government and State Government can fulfil their duty of protecting wildlife.
- **Article 51A (g)** – A fundamental duty that enables citizens to protect and preserve the environment.
- **Environment (Protection) Act, 1986** – Section 15 of the Environment (Protection) Act, 1986 outlines the penalties for violating the provisions of the Act.
 - **Penalties** – **5 years of imprisonment and ₹1 lakh** as fine.
- **Indian Penal Code** - Section 277 of the IPC punishes anyone who pollutes a public reservoir with water, while Section 278 punishes anyone who pollutes the atmosphere.
- **Polluter pays principle** – It states that the undertakings have to pay financial costs for preventing or remedying the damages caused to the environment by the pollution created by those undertakings.
 - In India, the polluter pays was first recognized in **M.C. Mehta vs Union of India, 1986** which is also known as the oleum gas leak case.
- **Recent Verdict** – The court noted that Punjab had identified 1,084 instances of stubble burning, but recovered compensation only from 473 persons.
- Similarly, Haryana had recorded 490 occasions of stubble burning, but only 32 FIRs had been registered.
- The court said the authorities had failed in not only effectively implementing existing laws, but allowed blatant violation of fundamental rights guaranteed under Article 21.
- The **“pick-and-choose” policy** adopted by the Punjab and Haryana governments to penalise a few while letting many violators go “scot-free” after paying a nominal fine violated citizens’ right.
- SC pointed out that a proper machinery for collection of fines under Section 15 of the Environment (Protection) Act, 1986 had not been formulated.
- It further directed the Union government to consider Punjab’s request for more funds to fight stubble-burning.

1.8 Ban on traditional fights of buffalo and bulbul (songbird)

The Gauhati High Court reintroduced a ban on traditional buffalo and bulbul (songbird) fights during Magh Bihu Assam, quashed the Assam government’s Standard Operating Procedure (SOP) of the previous year

- **Buffalo fight** – Traditional buffalo fights are popularly known as **Moh Jooj** in Assam.
- It was introduced to Assamese culture by the 30th Ahom King, **Swargadeo Rudra Singha**, nearly 200 years ago.
- It is celebrated as a sport, the riverside town of Ahatguri has been hosting buffalo fight tournaments as part of the Magh Bihu celebrations since 1972.
- It is against the provisions of:
 - Prevention of Cruelty to Animals Act, 1960,
 - The Wildlife Protection Act, 1972 and
 - The Supreme Court’s 2014 judgement which outlawed the use of bulls as performing animals in jallikattu, kambala and bullock cart races.
- **Magh Bihu** – It is also known as **Bhogali Bihu or Maghar Domahi**, is an Assamese winter **harvest festival** observed in January or February.

- The buffalo and bulbul fights are part of the folk culture associated with this harvest festival.
- **Bulbul fight** – In some parts of Assam starved and intoxicated bulbuls were made to fight over food.

Red-vented Bulbul	Wild water buffalo
<ul style="list-style-type: none"> • Scientific Name – Pycnonotus cafer • It is a dark, sleek, medium-sized bird with a black crest and a white rump. The red color under the tail is often difficult to see. • Habitat - It often seen high in trees or perched on wires in urban and rural areas; generally, prefers scrubby edge habitat instead of dense forest. • Distribution – Native to South and Southeast Asia. • Conservation status: <ul style="list-style-type: none"> ○ IUCN Red List – Least Concern ○ Schedule II of the Wild Life (Protection) Act, 1972 	<ul style="list-style-type: none"> • Scientific Name – Bubalus arnee. • It is also called Asian buffalo and Asiatic buffalo. • Wild water buffalo are larger and heavier than domestic buffalo. • It is a large bovine native to the Indian Subcontinent and Southeast Asia. • In India, they are largely restricted to in and around Kaziranga, Manas and Dibru-Saikhowa National Parks, Laokhowa Wildlife Sanctuary and Bura Chapori Wildlife Sanctuary and in a few scattered pockets in Assam; and in and around D'Ering Memorial Wildlife Sanctuary in Arunachal Pradesh. • It is listed as <u>Endangered</u> in the IUCN Red List

2. PARLIAMENT AND STATE LEGISLATURE

2.1 Rules on contesting seats

Recently, the question around dual candidature arose when a Congress leader filed his nomination from Uttar Pradesh after contesting from Kerala in the second phase of 2024 Lok Sabha elections.

- **Legal provision** – Representation of the People Act (RPA), 1951.
- **Original provision** – It didn't had any bar on the number of constituencies from which a candidate could contest.
- **1996 amendment to RPA** – It allowed a candidate to **contest from 2 seats**, thus creating an upper ceiling.
- **Restriction on holding seats** – According to Section 70 of RPA, a candidate can **hold only one seat at a time**, regardless of whether he or she has been elected from more than one seat.
- **Challenges** – If a candidate wins 2 seats, **a by-election is necessary** for the constituency that the candidate did not choose.

Election Commission of India and the Law Commission have both proposed that the RPA Act should be further amended to allow 1 person to contest from only 1 seat.

Eligibility to Contest an Election

- Candidates must be citizens of India and should be registered in a constituency as a valid voter.
- Must not have been convicted of any offence punishable by more than 2 years.
- There is **no minimum educational qualification** needed to contest general elections in India.
- **Minimum age** – 25 years for Lok Sabha and Assembly polls and 30 years for member of the Rajya Sabha or the State Legislative Council.
- **Geographical eligibility** – A person has to be a voter in a particular State to contest Assembly polls from there.
 - In a Lok Sabha election, a person can be registered as a voter in any constituency of the country.
 - **Exception** – For contesting in Assam, Lakshadweep and Sikkim in Lok Sabha election, the candidate needs to be a registered voter within that particular state/UT.

Disqualification of candidates

- **Constitution** – A person shall be disqualified from being chosen as or being a member of either House if he holds any office of profit under the Government of India or any State or
 - If he or she is of unsound mind and stands so declared by a competent court and an undischarged insolvent or
 - If he or she is not a citizen of India or has voluntarily acquired the citizenship of a foreign state.
- **RPA Act** – If a person is convicted of any offence and sentenced to an imprisonment of 2 years or more.

- **Recent changes by the Election Commission of India (ECI)** – Decreased the cash donation limit from 20,000 rupees to 2,000 rupees.
- For the 2024 polls, the ECI has banned cash transportation in bank vehicles after sunset.
- The Commission is also monitoring non-scheduled chartered flights for cash, liquor and drug movement.
- The Electoral Bond Scheme, notified in January, 2018, allowing anonymous contributions to limit use of cash, was scrapped by the Supreme Court in 2024.

2.2 Pro-tem Speaker of Lok Sabha

A senior Congress member is expected to be appointed as the pro-tem Speaker for the first session of the 18th Lok Sabha.

- **About** – A pro-tem Speaker is ordinarily appointed for the **first sitting of a new legislative assembly** where the Speaker is yet to be elected.
- Usually, the senior most member of the house is made the pro-tem speaker.
- **Origin of the term** – Pro-tem is a Latin phrase which means “for the time being”.
- **Enshrined** – In official '*Handbook on the Working of Ministry of Parliamentary Affairs*' details the 'Appointment and Swearing in of Speaker pro tem'.
- It is not mentioned in the Indian Constitution.
- **Tenure** – The Pro tem Speaker is a **temporary speaker** appointed for a limited period of time.
- **Oath administered by** – The president of India.
- Normally, 3 other elected members of the Lok Sabha are also appointed by the President for the MPs to take oath before them.
- They are administered the oath by the Speaker pro-tem in the Lok Sabha.
- **Duties** – Under **Article 188(1)**, it appears that a pro-tem Speaker only has the power to administer the oath to Assembly Members:
 - The Pro-tem Speaker presides over the first sitting of the Lok Sabha, administers the oath of office to the newly elected MPs.
 - To conduct the vote for the speaker and deputy speaker.
 - On the election of new Speaker, the office of the pro tem speaker ceases to exist.
 - He also administers the floor test.
- **Article 93** – Lok Sabha shall choose 2 members of the House to be the Speaker and Deputy Speaker. The Speaker is the Presiding Officer of Lok Sabha.
- The Speaker and deputy speaker of the Lok Sabha is decided by a **simple majority** (more than 50% of members present and voting).
- **Article 94** – Speaker of the House of the People remain in office until just before the first meeting of the newly elected House following a dissolution.
- **Article 99** – Every member of either House of Parliament shall, before taking his seat, make and subscribe before the President according to the form set out for the purpose in the 3rd Schedule.

2.3 Young Lawmakers

The youth representation in the Indian Parliament was critically low from 1951–52 to 2024 according to data from the Association for Democratic Reforms.

- **Young Lawmakers** – It refers to the representation of young adults in the age group of 25-40 years in legislatures.
- **Trends in Lok Sabha** – Members of Parliament (MPs) and Members of Legislative Assemblies (MLAs) are typically middle aged and form a majority in most political parties.
- **Young MPs** – Most political parties' MPs are aged 46 to 65.
- Congress has largest share of young MPs.
- The Lok Sabha elected in 1998 was the youngest where the average age of its MPs was 46.4 years.
- **Young MLAs** – The young are underrepresented in state assemblies as well.
- After elections in 8 states in 2024, the share of MLAs aged 40 or younger is 10% or less.
- **Arunachal Pradesh** – No MLA aged 40 or younger.
- **Jharkhand** – 16% of its MLAs are under the age of 40.
- Jharkhand is the youngest state assembly among the newly elected governments in 2024.

2.4 Shadow Cabinet

Recently, Leader of the Opposition (LoP) in Odisha has formed a Shadow Cabinet in legislative assembly to track Government Works.

- **Origin** – It is a unique system of British Cabinet system.
- **Shadow Cabinet** – It is formed by the opposition party to balance the ruling cabinet and to prepare its members for future ministerial office.
- Almost every member in the ruling cabinet is 'shadowed' by a corresponding member in the opposition cabinet.
- **Role** – It serves as the 'alternate cabinet' if there is change of government.
- **Existence** – United Kingdom, Australia, Canada and New Zealand.
- In Britain, the opposition enjoys an official recognition and is well organized as the government and thus runs a 'Parallel' government with its shadow cabinet.
- **In India** – As of now, there is no official shadow cabinet formed in the Parliament and is not mandated by the law.
- The Parliament can amend its rules to formally recognize the LoP and grant them the right to appoint a shadow cabinet.
- Previously, Maharashtra, Kerala, Madhya Pradesh, and Goa governments has experiments with Shadow Cabinet in India.
- In Odisha, 50 MLAs were assigned various departments for monitoring the policies and programs implemented by the ruling government in the state.
- **Benefits** – By shadowing each ministries, MLAs/MPs can gain knowledge, expertise, and enabling them to participate during assembly debates.

Ivor Jennings described the leader of Opposition as the 'alternative Prime Minister' considering the importance of

2.5 President & Governor's immunity under Article 361

Recently, the Supreme Court agreed to hear a plea to redefine the constitutional immunity of state Governors.

- **Article 361** of the Constitution that deals with immunity to the President and the Governors.
- **Origin** – The protection given to the President and the Governor can be traced to the Latin maxim rex non potest peccare or "the king can do no wrong", which is rooted in English legal traditions.
- **Constitutional immunity** – Article 361 states that the President, or the Governor of a state shall not be answerable to:

1. Any court for the exercise and performance of the powers and duties of his office and
 2. For any act done or purporting to be done by him in the exercise and performance of those powers and duties.
- **Two sub-clauses of immunity**
 1. First, the provision further **says no criminal proceedings** whatsoever shall be instituted or continued against them.
 2. Second, **no process for the arrest or imprisonment** can take place while the President, or the Governor, holds office.
 - However, **civil proceedings can be carried against them** for their acts after 2 months' notice.

2.6 Appointment of Governor

Recently, the President appointed new Governors for Rajasthan, Telangana, Maharashtra, Punjab, Sikkim, Meghalaya, Assam, Jharkhand, and Chhattisgarh.

- **Constitutional Provision – The Original constitution in Article 153**, mandates a Governor for each State.
- **The Constitution (Seventh Amendment) Act, 1956** allows the same person to be Governor for multiple States.
- **Appointment Procedure – Article 155** specifies that the **President appoints the Governor** by warrant under their hand and seal.
- According to **Article 156**, the Governor serves at the President's pleasure, typically for five years.
- **Eligibility Criteria – Is provided under the Articles 157 and 158**, that require the Governor to be:
 - An Indian citizen,
 - At least 35 years old,
 - Not a member of Parliament or state legislature and
 - Not holding any other office of profit.
- **Advisory Role – The Governor, as per Article 163**, acts on the **advice of the state's Council of Ministers**, headed by the Chief Minister, except when exercising discretionary functions.
- **Powers and Significance – The Governor has significant powers, including assent to state Bills, determining legislative majorities, and calling parties to prove their majority in case of a hung verdict.**

2.7 Governor's Role in Lawmaking

The Supreme Court recently continued to hear petitions filed by the Tamil Nadu government raising questions on the scope of the Governor's powers in the legislative process.

- The Constitution envisages the office of the Governor as an **apolitical** entity.
- Governor, being mentioned in the **Article 168** is part of the legislature and is bound by the constitutional regime.
- Over the years, the SC in several rulings has limited the Governor's exercise of the powers in a permissive manner.
- Broadly, the Governor is bound to act on the **aid and advice of a state's Council of Ministers**.
- However, there are a few exceptions to this.
- **Exceptions:**
 - **Article 356** – Recommending the imposition of the President's rule
 - **Article 200** – Granting assent to Bills.
- **Article 200** – Deals with Assent of a Bill by the Governor. After a passage of a Bill by the state assembly, the Governor can:
 - **Give assent** to the Bill, in which case it becomes state law.
 - **Withhold** assent to the Bill and send it back for reconsideration by the state Assembly.

- Reserve the Bill for consideration by the President of India.
- If the Governor withholds assent and sends the Bill back for reconsideration, the Assembly can amend the Bill or pass it again as is.
- When the particular Bill is presented to the Governor again, he/she shall not withhold assent therefrom, mandating the Bill's passage.
 - **Exception** – In cases where the Bill, in the opinion of the Governor, could derogate from the powers of the High Court.
- In that case, the Bill shall be reserved for the President's consideration.

Tamil Nadu dispute

- RN Ravi was appointed as Governor in September 2021.
- Since then, the TN government has repeatedly raised concerns about the Governor withholding assent and delaying the passage of Bills passed by the state assembly.
- In November 2023, the state government moved the SC, claiming that Governor Ravi had been withholding assent on several Bills, the earliest of which had been pending since January 2023.
- The SC replied that Governors **cannot be oblivious** to the fact that they are not elected representatives of the people.
- Around two weeks later, the Tamil Nadu Assembly re-enacted the pending Bills.
- However, Governor Ravi referred two of these Bills to the President for her consideration, and withheld assent for the rest.

2.8 Whip System in India

Vice President Jagdeep Dhankhar's statement that party whips restrict MPs' freedom of expression has sparked debate, with the Supreme Court stating the whip system is necessary for political party preservation.

- **Origin** – It originates from the hunting fields of England, where a whipper-in was a member of the hunting party whose job was to bring straying hounds back into the pack.
- Its use in politics comes from Anglo-Irish politician and philosopher Edmund Burke.
- In India, the whip system is as old as its parliamentary history.
- The whip system is crucial for parliamentary functioning in India.
- Member of Parliaments (MPs) are expected to vote on crucial matters and follow the party's line, as absence or voting against the party line can embarrass the party.
- Full attendance and compliance during division indicate the strength of the party or alliance, and failure to demonstrate majority can lead to a **no-confidence motion**.
- The party chief whip serves as a bridge **between party leadership and MPs**, ensuring their attendance and voting according to the party's wishes. A party whip is sacrosanct in this context.
- **Type of Whips** – There are **3 kinds namely**, one-line whip, two-line whip and three-line whip.
- A one-line whip just informs members about a vote but **permits them to abstain**.
- A two-line whip asks them to be present but does not tell them how to vote.
- The three-line whip, largely the norm these days, directs members to be present and vote as per the party line.
- A three-line whip to party members by a party's chief whip carries the heading "Three-Line Whip".
- As per the Anti-Defection Law, disqualification can happen for violation of a three-line whip.
- The most important role in the whip system is that of the chief whip of a political party.
- The **Minister of Parliamentary Affairs** is the government's chief whip in the Lok Sabha whereas in the Rajya Sabha, the Minister of State for Parliamentary Affairs is the government's chief whip.
- They can request leaders of all parties of the ruling alliance to issue a three-line whip to their members to be present and vote in a certain manner.

Anti-defection Law was enacted through the 52nd Amendment Act, 1985 as part of the 10th Schedule of the Constitution of India.

All-India Whips conference has been held since 1952 and Organized by the Ministry of Parliamentary Affairs.

- A party ticket elects someone who agrees with its ideology and policies, necessitating discipline.

2.9 President's Rule

President rule is likely to be in Manipur, since Biren Singh, Chief Minister of Manipur has resigned from the post.

- The President's Rule is crucial for maintaining the federal structure of the Indian polity and ensuring that governance remains stable even in crises.
- **Article 355** – Imposes a duty on the Union Government to ensure that the government of every state is carried out in accordance with the provisions of the constitution.
- **Articles 355 to 357 in Part XVIII** – Along with Article 365 in Part XIX of the Indian Constitution, pertain to the President's Rule.
- **Grounds of imposition** – **Article 356** empowers the President to issue a proclamation if he is satisfied that a situation has arisen in which the government of a state cannot be carried on in accordance with the provisions of the constitution.
- **Article 365** says that whenever a state fails to comply with or to give effect to any direction from the centre, the president rule can be imposed.
- **Parliamentary approval** – A proclamation imposing president's rule must be approved by both the houses of parliament **within two months** from the date of its issue.
- However, if the proclamation of President's rule is issued at a time when the Lok Sabha has been dissolved or the dissolution of the Lok Sabha takes place during the period of **two months without approving the proclamation**.
 - Then the proclamation survives until **30 days** from the first sitting of the Lok Sabha after its reconstitution, provided that the Rajya Sabha approves it in the meantime.
- **Scope of judicial review** – 44th Amendment Act of 1978 implying that the satisfaction of the President is not beyond judicial review.

2.10 Article 356 (President's Rule)

President Droupadi Murmu issued a proclamation under Article 356 to Manipur, citing a report from Governor Ajay Kumar Bhalla, addressing the ongoing issue of ethnic violence.

- **President's Rule (Article 356)** – It is imposed when the President is satisfied that a state government cannot function according to constitutional provisions.
- The President assumes the functions of the state government, the Governor and any other administrative authority inside the state.
- Under this rule, the **Governor will administer the state** on behalf of the President.
- The Governor will also seek assistance from the state's chief secretary or presidentially nominated advisors.
- The President also assumes the powers of the state legislature, suspending or dissolving it.
- The Parliament delegates legislative authority to the President or any other authority designated by him or her in this regard.
- The President can also sanction funds from the **State Consolidated Fund**.
- A law or rule enacted for the state during this time **remains in effect** even after the President's term ends.
- It can be repealed, changed, or re-enacted by the next state legislature.
- **Duration** – A **maximum of 3 years** by approval of Parliament every 6 months.
- **Parliament's Role** – Every proclamation issued by the President must be **approved by Parliament within two months** of its issuance.

When and how is it imposed?

Article 356 of the Indian constitution has the provision of **the President Rule**

It can be imposed in a state

- + On the Governor's recommendation in case of a failure of constitutional machinery.
- + If a state legislature is unable to function according to constitutional provisions.

*President's Rule has been imposed **134 times throughout 29 states and territories** since 1950 when the Constitution first came into force, most frequently in **Manipur and Uttar Pradesh 10 times each**.*

- **Termination** – By President, any time he thinks fit and doesn't need parliament's approval.
- Additionally, the President's rule does not affect the fundamental rights of citizens.

2.11 Leader of Opposition

Rae Bareilly MP Rahul Gandhi is appointed as the Leader of Opposition (LoP) in Lok Sabha recently.

- **Statutory post** – It is a **statutory post** officially described in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977. It is **not mentioned** in the constitution.
- **Qualification:**
 - The leader of the numerically biggest party in opposition to the government and recognized as such by the speaker/chairman.
 - To be qualified as a Leader of Opposition, a party must have **at least 10% of MPs** in the House.
- **Functions** – The main duty is to serve as the *voice of the opposition in the House*.
- Leader of Opposition is a *member of the high-powered committees* headed by the **Prime Minister** for appointment to key posts like:
 - Director of CBI,
 - The Central Vigilance Commissioner and Chief Information Commissioner,
 - The Chairperson and Members of the National Human Rights Commission, and
 - The Lokpal.
- **Order of precedence** – Leaders of Opposition in Lok Sabha and Rajya Sabha ranks along with:
 - Union cabinet ministers,
 - The national security advisor,
 - The principal secretary to the PM,
 - The vice-chairperson of the NITI aayog,
 - Former PMs and Chief Ministers.
- He will be a member of several Joint Parliamentary Committees, the committees of Public Accounts, Public Undertakings, Estimates, and many more.
- He will also have a say in the appointment of bureaucrats to key posts.

3. JUDICIARY

3.1 Eggshell skull rule

Recently the Supreme Court in a judgment delivered in a medical negligence case, explained the applicability of 'Eggshell Skull Rule'.

- **Eggshell skull rule** – It is a legal principle stating that an offender is liable for all injuries caused, even if the victim has a pre-existing condition that makes the injury worse.
- **Civil litigation** – The rule states that defendant would be held responsible for injuries caused to a person when he hit him on the head, even if the victim had a particularly delicate skull or an 'eggshell' for a skull.
- **Origin** – The rule's origin traces back to the *1891 Vosburg v. Putney case*, it emphasizes that one is responsible for the harm caused by their actions, regardless of the victim's vulnerabilities.
- **Need** – The rule is applied for claiming an *enhanced compensation* – for damage that is more than what could have been ordinarily anticipated to be caused by the defendant.
- **Jyoti Devi vs Suket Hospital & Ors** – The petitioner underwent surgery to remove her appendix but later experienced prolonged abdominal pain, a needle has been left in her abdomen during the surgery leading to further complications.

- **Compensation** – Initially, the district consumer forum awarded her Rs 5 lakhs for medical negligence. However, subsequent appeals resulted in the compensation being reduced to Rs 1 lakh and then increased to Rs 2 lakhs by National Consumer Dispute Redressal Commission.
- **Supreme Court verdict** – The Supreme Court restored the compensation of Rs 5 lakhs awarded by the district consumer forum in a medical negligence case.

3.2 Pregnant Persons

Supreme Court has recently used the term pregnant persons instead of pregnant woman or pregnant girl in one of its judgements.

- **Pregnant persons** – The court said that pregnancy in addition to women it can also be experienced by some non-binary people and transgender men among other gender identities.
- **Consent to abort** – In case there is a divergence in the opinion of a pregnant person and her guardian, the opinion of the minor or mentally ill pregnant person must be taken into consideration as an important aspect in enabling the court to arrive at a just conclusion.
- **Pregnancy termination** – The court emphasized the importance of the pregnant person's consent even if they are minor or mentally ill, in decisions about terminating a pregnancy beyond 24 weeks.
- **Women's rights** – The ruling underscores the court's recognition of reproductive autonomy and right to bodily integrity prioritizing the individual's choice over other's opinion in such matters.
- **Medical Termination Pregnancy Act, 1971** – The court said that the medical board formed to evaluate the termination of pregnancy beyond 24 weeks must consider the overall physical and emotional well-being of the pregnant individual.
- **Section 3(2-B) of MTP Act, 1971** – It allows termination of pregnancy of more than 24 weeks if certain conditions are met, including the risk to the life or health of the pregnant woman, or the likelihood of serious physical or mental abnormalities in the unborn child.
- **Arbitrary** – The court questions whether the provision unduly favours the consideration of foetal abnormalities over other factors, such as instances of rape, especially when involving minors.
- **Inclusivity** – This ruling aligns with the court's recent decisions to extend abortion rights to all women, regardless of marital status, up to 24 weeks of gestation.

Medical Termination of Pregnancy Act, 1971

- **About** – MTP law is an exception to the IPC provisions and allows abortion until 20 weeks of pregnancy.
- **Gestational limitation** – The pregnancy can be terminated for any of the above reasons, on the opinion of a single registered medical practitioner up to 20 weeks of the gestational age.
- **Extended gestational limit** – The opinion of two registered medical practitioners is required for pregnancy termination from 20 to 24 weeks.
- **Applicability** – The extended gestational limit is applicable to certain categories of women - survivor of sexual assault or rape, minors, change of marital status during the ongoing pregnancy, major physical disabilities, mentally-ill, pregnancy in humanitarian settings or disaster.
- **Beyond 24 weeks** – Any decision for termination of pregnancy beyond 24 weeks gestational age, can be taken by a Medical Board as set up in each State.

The MTP Act 1971 and The MTP Act Amendments 2021

	MTP Act 1971	The MTP Amendment Act 2021
Indications (Contraceptive failure)	Only applies to married women	Unmarried women are also covered
Gestational Age Limit	20 weeks for all indications	24 weeks for rape survivors Beyond 24 weeks for substantial fetal abnormalities
Medical practitioner opinions required before termination	One RMP till 12 weeks Two RMPs till 20 weeks	One RMP till 20 weeks Two RMPs 20-24 weeks Medical Board approval after 24 weeks
Breach of the woman's confidentiality	Fine up to Rs 1000	Fine and/or Imprisonment of 1 year

- **Consent** – The termination of pregnancy cannot be done in the absence of the consent of the pregnant person, irrespective of age and mental health.
- **Exception** – The law provides that where it is immediately necessary to save the life of the pregnant woman, the pregnancy can be terminated at any time by a single registered medical practitioner.

3.3 Lawyers' Service

Supreme Court ruled that a lawyer cannot be sued for providing faulty 'service'.

- **Case law** – Bar of Indian Lawyers v. DK Gandhi PS National Institute of Communicable Diseases and Anr
- **Issue** – In 2007, National Consumer Disputes Redressal Commission (NCDRC) held that lawyers' services fall under Section 2(o) of the Consumer Protection Act, 1986 (CPA).
- **Supreme Court's ruling** – It overruled the NCDRC's decision and held that **lawyer services cannot be challenged under the CPA**.
- The purpose of the CPA was to protect consumers from “unfair trade practices and unethical business practices only” and never “intended to include the Professions/ Professionals within it”.
- A lawyer's services must be treated differently from any other business or trade.

Business or Trade	Profession
<ul style="list-style-type: none"> • There is a <u>commercial</u> interest. • Success depends on person's capacity or talent or strategy. • It fall <u>under Consumer Protection Act</u> (CPA). 	<ul style="list-style-type: none"> • It is <u>not commercial</u> in nature. • Success depend on factors <u>beyond a man's control</u>. • It does <u>not fall under CPA</u>.

The **Bar Councils** (both at the state and national level) are given disciplinary powers by the **Advocates Act, 1961** for professional misconduct.

- The advocate and client enter into a contract of personal service, which cannot be a source of challenge under the CPA.
- It also stated to revisit the SC's decision by a larger bench in Indian Medical Association v V.P. Shantha (1995) where the court held that services by medical practitioners would fall under the CPA.

Services under Consumer Protection Act

- The definition of service in the CPA (both the 1986 and 2019 iterations) is expansive.

Excludes 2 types of services:

- Services, which are free of charge
- Services, which are under a “contract of personal service”

- **In medical profession** – The court in 1995 carved out 3 types of services

- Services given free of charge to everybody – Excluded from CPA
- Services where everybody pays – Included in CPA
- Services which exempt certain categories of people, who cannot afford them, from paying – Excluded from CPA

In Indian Medical Association vs V P Shantha (1995), the SC acknowledged that professional occupations are often “skilled” work that require “mental rather than manual” effort, and differ from other occupations as success often depends on factors “beyond the professional man's control”.

3.4 Renaming of sites in Uttarakhand

The Centre approved the Uttarakhand government's proposal for renaming the Joshimath and Kosiyaikutoli.

- **New name**
 - Joshimath tehsil to Jyotirmath in Chamoli district.

- Kosiyaikutoli tehsil to Pargana Shri Kainchi Dham in Nainital district.
- **Objective** – To enhance the **religious and cultural significance** of these areas, in a state that is already a major destination for religious tourism.
- **No Objection Certificate** – Provided by the Union Ministry of Science and Technology.
- **Article 3** – Of the Indian Constitution deals with the formation of new States and alteration of areas, boundaries or names of existing States.
- **Joshimath tehsil**- The name “Jyotirmath” comes from the divine light of knowledge he is said to have attained, with ‘jyoti’ meaning divine light.
- Jyotirmath is one of the 4 cardinal mathas (monasteries) that 8th-century philosopher **Adi Shankaracharya** is believed to have established across India to promote the **Advaita Vedanta philosophy**.
- The Jyotirmath was established for the **preservation and dissemination of spiritual knowledge and practices**.
- **Kosiyaikutoli tehsil**-Kosiyaikutoli came to be known for its association with Neem Karoli Baba and the Kainchi Dham Ashram he founded in 1962.
- In the name “Kosiyaikutoli”, **“Kosi” refers to the river** of the same name which flows through the Nainital district and is important for the Kumaon region of Uttarakhand.

3.5 Kangaroo Courts

Tajimul Islam, known for presiding over such ‘salishi sabhas’ (kangaroo courts) recently arrested after a video of him whipping a woman and a man surfaced on social media.

- It is as **unofficial court** held by a group of people used to refer to proceedings or activities where a judgement is made in a manner that is unfair, biased, and lacks legitimacy.
- Their decisions are **not legally binding**.
- **Kangaroo courts first appeared in the United States** at the time of the 1849 California Gold Rush, and the term was first used in the southwestern United States.
- It first appeared in print in 1853 in a Texas book.
- Some dictionaries say the association with the animal could have a relation to Australians, though the term probably originated in America.
- **Examples of kangaroo courts** – Lynch mobs, military tribunals that do not follow due process, and workplace tribunals that are set up to target employees unfairly.

Drawbacks of the courts	
No legality	These informal courts, run by individuals with no legal authority. They operate outside the bounds of the official judicial system.
Unfairness	The rule of law gives way to the rule of individuals wielding unchecked power. The procedure here is only conducted as a formality.
Lack of Accountability	Judges and decision-makers are frequently not accountable to any higher authority, it is difficult to hold them accountable for any wrongdoing.
No appeal	The courts doesn't allow for appeal against their judgment.
Swift and Harsh Punishments	Kangaroo courts frequently impose swift and harsh punishments, often without regard for the gravity of the crime or the circumstances of the accused.
Mob Mentality	Rather than pursuing justice, kangaroo courts may be motivated by mob mentality or a desire for vengeance.

3.6 Doctrine of Constructive Possession

The Supreme Court called for the need to have sex education programs in schools in an effort to mitigate the menace of child pornography.

- **Constructive possession** – It refers to a legal theory whereby an individual can be considered in possession of an item without having physical control over it.
- It is the ability and intent to exercise control over an object, even if it is not physically on one's person.
- **Usage** – Courts use this doctrine to extend liability and responsibility to individuals who, while not directly holding an item, have dominion and control over it.
- It legally functions as actual possession in a variety of ways.
 - In criminal law, establishing constructive possession is often done to further prosecutions for possession crimes, such as possession of illegal drugs.
 - In property law, establishing constructive possession grants the owner the right to obtain physical control and/or a variety of rights over someone else's physical control of that property.
- Generally, for a court to find that a person had constructive possession of an object, the person must have had knowledge of the object, and as well as the ability to control it.
- **Legal Criteria** – For a successful prosecution of constructive possession, certain criteria must be met.
 - **Knowledge of the Item's Presence** – The individual must be aware that the item exists. Mere proximity to an item without knowledge does not constitute constructive possession.
 - **Ability to Exercise Control** – The person must have the capability to maintain dominion over the item. This means having the power and intention to control its use.
- **Intent to Possess** – There must be an intent to possess the item. This can often be inferred from circumstances, such as the location of the item and the individual's actions or statements.

3.7 Abetment of Suicide

The Supreme Court recently said that police and the courts should avoid unnecessary prosecutions in cases of abetment of suicide stemming from the workplace.

- **Abetment** – It can also be defined as the act of assisting, encouraging or supporting someone with the intent to commit a crime.
 - **Abetment by instigation** – When someone is encouraged, intimidated or motivated to commit a crime.
 - **Abetment by conspiracy** – When two or more people conspire to commit a crime.
 - **Abetment by aid** – When someone knowingly aids a crime or omits a legal act.
- **Legality** – It is defined under Section 107 of the Indian Penal Code, 1860, which is the same as Section 45 of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- **Punishment** – Section 306 IPC (Section 108 BNS) provides imprisonment up to 10 years along with a fine.
- **Judgement** – Supreme Court said 'incitement' to die by suicide could be caused by:
 - Sentimental ties or physical relations between the deceased and the accused or
 - The deceased was linked to the accused in an official capacity.
- The accused had created a situation of unbearable harassment or torture, leading the deceased to see suicide as the only escape.
- The accused exploited any emotional vulnerability to make a person feel "worthless or undeserving of life".
- It may be a case of threats to the deceased of harm to his or family or financial ruin.
- There were false allegations that may have damaged the reputation of the deceased and pushed him to die by suicide due to public humiliation and loss of dignity.

National Crime Records Bureau's annual Crime in India report says that the conviction rate in abetment of suicide cases was 17.5% in 2022, 22.6%, 21.8%, 16.5%, and 15.6% in 2021, 2020, 2019, and 2018 respectively.

M Mohan vs The State (2011)

- The SC set a high bar for proving abetment of suicide under Section 306 IPC, including specific intent.
- It requires an active or direct act which led the deceased to commit suicide seeing no option and this act must have been intended to push the deceased into such a position that he/ she committed suicide.

Karnataka Case

- In July 2023, the Karnataka HC refused to quash proceedings against 3 persons accused of abetting the suicide of an employee from the LGBT community.
- These persons the deceased's reporting manager, co-worker, and another manager would allegedly harass and make fun of the employee on the basis of sexual orientation, which led to the suicide in June 2023.

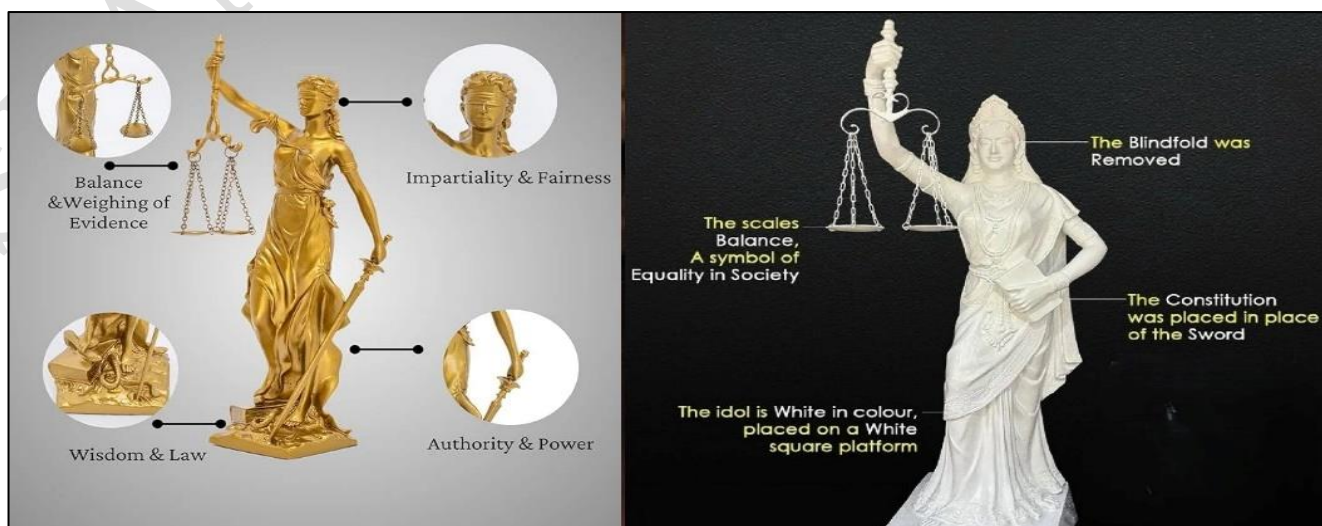
Ude Singh vs State of Haryana (2019)

- Supreme Court said that proving abetment of suicide would depend on the facts of the individual case.
- There must be a proof of direct or indirect act(s) of incitement to the commission of suicide.

3.8 Lady Justice Statue

The Supreme Court has recently unveiled a new statue of "Lady Justice", reimagining the image.

- **Old version** – The lady justice statue typically a blindfolded woman holding a set of scales in one hand and a sword in the other is synonymous with legal practice around the world.
- The blindfold in the classic rendition has been to represent the impartiality of justice.
- **History** – The imagery of Lady Justice can be traced back to Greek and Roman mythology.
- Themis, one of the 12 Titans born to Gaea and Uranus according to works of the Greek poet Hesiod who lived circa 700 BCE, is known as the goddess of justice, wisdom, and good counsel.
- The first Roman emperor Augustus (27 BCE-14 CE) introduced the worship of Justice in the form of a goddess known as Justitia (or Iustitia). Justitia, like Themis, did not wear a blindfold.
- The blindfold was added during the Renaissance period (14th century) probably as a satire on the corrupt state of legal systems with judicial institutions turning a blind eye.
- **In India** – The British Raj also introduced the iconography of Lady Justice.
- At the Calcutta High Court first constructed in 1872 images of Lady Justice were carved into the pillars supporting the building.
- **New 'Lady Justice'** – It is a 6-foot-tall statue of a saree-clad woman with no blindfold, holding scales and a copy of the Constitution of India.
- The new statue with unimpeded vision is meant to signify that Law is not blind, it sees everyone equally.
- **Designed by** – Vinod Goswami.



3.9 Industrial Alcohol

The Supreme Court in its recent Verdict clarified that State's power to make laws on industrial alcohol can't be taken away.

- **Industrial alcohol** – Is primarily an ***impure form of ethanol*** and is also known as denatured alcohol.
- A high-purity alcohol that can be made from different raw materials such as sugarcane, grain and wheat.
- **Applications** – Industrial alcohol is primarily used as a solvent, cleaner, or in various industrial processes, rather than for drinking. It can also be used as a fuel source for lamps and engines.
- To avoid unauthorized consumption, industrial alcohol is also sold with a nauseous substance added to make it undrinkable. Such alcohol is also known as ***denatured alcohol***.
- **Regulation in India** – Entry 8 in the State List under the 7th Schedule of Constitution gives the states the power to legislate on the manufacture, possession, transport, purchase and sale of "intoxicating liquors".
- Entry 52 of the Union List and Entry 33 of the Concurrent List mention industries whose control "declared by Parliament by law to be expedient in public interest."
- While both Parliament and state legislatures can legislate on topics within the Concurrent List, the Supreme Court reaffirmed that central laws precedence over state legislation.
- It is listed in ***Industries (Development and Regulation) Act, 1951 (IDRA)***.
- **Taxing in India** – Excise duty levied on alcohol is a key component of a state's revenue, with states often adding an additional excise duty on alcohol consumption to drive its income up.
- **Supreme Court** – It ruled that "industrial alcohol" falls within the definition of "intoxicating liquor" under Entry 8 of List II of the Constitution, thereby granting states the authority to regulate and tax its production.
- It set aside the 1990 judgment in Synthetics & Chemicals Ltd vs State of Uttar Pradesh which held that "intoxicating liquor" refers only to potable alcohol and states cannot tax industrial alcohol.
- The SC said Industrial alcohol means alcohol which is not fit for human consumption and that an artificial interpretation cannot be adopted to give a different meaning to the term 'intoxicating liquor'.

3.10 Chief Justice of India

President Droupadi Murmu recently appointed Justice Sanjiv Khanna as the 51st Chief Justice of India.

- The Chief Justice of India (CJI) is the ***head of the judiciary and the Supreme Court (SC) of India***, the custodian of the Constitution.
- The CJI is responsible for upholding the Constitution, ensuring justice for all citizens, and allocating cases.
- The CJI is also known as ***primus inter pares***, which means "first amongst equals".
- **Qualification** – Apart from ***being an Indian citizen***, the person must:
 - Have been for at least ***five years a Judge of a High Court*** or of two or more such Courts in succession or
 - Have been for at least ***ten years an advocate of a High Court*** or of two or more such Courts in succession, or
 - Be, in the opinion of the President, a distinguished jurist.
- **Appointment** – According to ***Article 124*** of the Constitution of India, the President is pleased to appoint the Chief Justice of India usually from the senior-most judges in the Supreme Court.
- **Collegium System** – Is being followed for recommending and appointing the Chief Justice of India.
- The outgoing Chief Justice of India, in consultation with the 4 most senior judges of the Supreme Court, recommends the next Chief Justice to the President of India, who then appoints them.
- Essentially, the judiciary itself selects the next Chief Justice with the government having limited power to object to the recommendation.
- **Term** – They can hold office up to the ***age of 65 years*** or are removed through impeachment.

According to ***Article 128***, a retired judge of the Supreme Court (SC) of India can be called upon by the Chief Justice of India, with the prior permission of the President of India, to sit and act as a judge of the SC.

- **Responsibilities**

- **Case allocation** – The CJI allocates cases to specific benches.
- **Constitutional bench appointments** – The CJI appoints benches that deal with important legal matters.
- **Administrative head** – The CJI is the administrative head of the court.

3.11 Doctrine of Merger

The Supreme Court recently explained the effect of merging the trial court's decree with that of the decree passed by the High Court in the second appeal.

- **Doctrine of merger** – It is a common law principle that states that when a superior court makes a final order on a case, the lower court's order is merged into it.
- This means that the superior court's order is the ***final and binding order***.
- **Working** – The doctrine of merger applies when a lower court's order is challenged in a superior court.
- The superior court can affirm, modify, or reverse the lower court's order and once the superior court makes a final order, the lower court's order is merged into it.
- **Features** – The doctrine of merger ***prevents*** more than one order from governing the same subject matter at the same time.
- It helps to determine which order should be enforced when multiple orders are made on the same issue.
- The doctrine of merger ***applies in judicial proceedings*** and applies when the Supreme Court is exercising its appellate jurisdiction.
- **Judicial Doctrine Overview:**
 - Statement of judicial propriety.
 - Aims to discipline subordinate adjudicating authorities.
 - Not universally applicable; depends on superior forum jurisdiction and challenge content.

3.12 Appointment of Ad-hoc Judges

The Supreme Court recently relaxed its rules to appoint ad hoc judges in High Courts to clear the backlog of pending criminal cases, and said vacancies in HCs needn't be more than 20% of its sanctioned strength.

- **Ad-hoc Judges** – Are ***temporary judges*** appointed to a court, typically to address specific needs such as reducing case backlogs or filling gaps when permanent judges are unavailable.
- The Supreme Court issued directions allowing the appointment of ad hoc judges under ***Article 224*** of the Constitution in 2021 judgment in the ***Lok Prahari versus Union of India case***.
- **Article 224** – Deals with the ***appointment of additional and acting judges in High Courts***.
- **Appointed by** – The Chief Justice of a High Court for any State with the previous consent of the President.
- **Qualification** – He must have held the office of a Judge of that Court or of any other High Court to sit and act as a Judge of the High Court for that State.
- **Allowances** – He is entitled to such allowances as the President may by order determine.
- The individual holds all the jurisdiction, powers and privileges of a High Court Judge, but is not considered a Judge otherwise.
- **Lok Prahari vs Union of India (2021)** – Supreme Court Involves Article 224-A for Ad hoc Judge Appointments.
- Allows appointment of judges to address case backlog.
- Guidelines ensure appointments occur after filling regular vacancies.
- Chief Justice can exercise discretion if vacancies exceed 20% sanctioned strength, cases pending for over 5 years, over 10% older than 5 years, or disposal rate lower than new case filings.

- **Revised Guidelines** – Each HC may appoint ad hoc judges by taking recourse to Article 224A for appointment of ad hoc judges between 2 to 5 in number but not exceeding 10% of the sanctioned strength.
- It also said that the 20% vacancy requirement, be kept in abeyance.
- The bench also made it clear that the Memorandum of Procedure which lays down a procedure for appointment under Article 224A will be applied.

3.13 Furlough vs Parole

Convicts of the Hashimpura massacre recently moved the Delhi High Court against a Delhi prison rule about furloughs.

- **Similarities** – Both furlough and parole stem from jail manuals and prison rule.
- Both are conditional releases, subject to good behaviour in prison and to not commit specific offences.

Furlough	Parole
<ul style="list-style-type: none"> • In furlough, the sentence continues to run despite the convict being released from prison for a specified period of time. 	<ul style="list-style-type: none"> • When the convict is released on parole, the sentence is suspended and the quantum of sentence remains intact.
<ul style="list-style-type: none"> • Furlough is usually granted in case of long-term imprisonment and after spending a certain period of time incarcerated. 	<ul style="list-style-type: none"> • Paroles are granted in short-term imprisonment.
<ul style="list-style-type: none"> • It is aimed to prevent solitude of prisoners, allow them to establish family and social ties, a way of motivation for maintaining good conduct, and to remain disciplined in prison. 	<ul style="list-style-type: none"> • It aims to provide relief to prisoners in certain specified exigencies such as illness, sowing and harvesting of crops, and to pursue an appeal against conviction in the SC.
<ul style="list-style-type: none"> • Granted by the Deputy Inspector General of Prisons. 	<ul style="list-style-type: none"> • Granted by the Divisional Commissioner.
<ul style="list-style-type: none"> • There is limitation in the case of furlough. 	<ul style="list-style-type: none"> • Parole can be granted a number of times.
<ul style="list-style-type: none"> • Although furlough can be claimed without a reason, the prisoner <u>does not have an absolute legal right</u> to claim furlough. 	<ul style="list-style-type: none"> • For parole, a specific reason is required.

Delhi prison rules on furlough

- Chapter XIX of the Rules deals with furlough and parole.
- The rules says that if an appeal of a convict is pending before the high court or the period for filing an appeal before the high court has not expired, “furlough will not be granted” by the executive.
- It would be open to the convict to seek appropriate directions from the court.

Section 59 of the Prisons Act, 1894
empowers the State Government to make rules regarding various aspects of prison administration, including awarding marks, shortening sentences, regulating the use of arms and defining conditions for prisoner release.

3.14 Advocates-on-Record (AoRs)

The Supreme Court (SC) has held that Advocates-on-Record (AoRs) bear full responsibility for the accuracy of petitions filed before the Court, even if the drafts are prepared by other advocates.

- It is a special category that involves special persons who have been officially sanctioned to practice and represent their clients in the Supreme Court of India.
- It is specified under Supreme Court Rules, 2013 under **Article 145(1)**.
- It states that the SC may, from time to time, make rules for regulating the practices and procedures in the court.
- Only such title holders can submit motions and other request petitions to the Supreme Court.

- The AORs serve as a liaison between the clients and the Court, ensuring that all procedural formalities are satisfied.
- **Qualifications** – The Advocate must be enrolled with any State Bar Council.
- The Advocate is required to have a prior experience of **at least 4 years**.
- The Advocate has undergone a training under a senior AoR of 1 year.
- The Advocate has appeared for the SC examination.
- The Advocate is required to have **an office in Delhi** within a radius of 10 miles from the SC house.
 - Give an undertaking to employ a clerk, who shall be a registered clerk, within one month of being registered as an AoR.
- AOR is issued a **unique identification number** that must be used on all documents filed in the SC.
- **Roles and Responsibilities** – Only an AoR is authorised to file a Vakalatnama on behalf of a client in the SC.
- The AOR, with the help of a registered clerk, must complete all procedural aspects, including drafting and filing legal documents, and is personally liable for paying court fees and charges.
- Any SC notices are sent to the AoR.

*The **Vakalatnama** is a crucial document that grants the advocate the authority to represent the client.*

3.15 High Court Ruling on Arresting Women at Night

The Madurai Bench of Madras High Court ruled that legal provision which restricts arrest of a woman after sunset and before sunrise, is directory and not mandatory.

- Two safeguards are provided under **Section 43(5) of BNSS** (which corresponds to Section 46(4) of CrPC) for the arrest of a woman by the police.
 1. No arrest of a woman shall be made after sunset and before sunrise except in exceptional circumstances.
 2. Even in exceptional circumstances, the prior permission of the jurisdictional magistrate must be sought by a woman police officer by making a written report.
- However, the provision does not explain what would constitute an exceptional situation.
- In addition, the provision to **Section 46(1)** states that the arresting police officer should not touch the person of the woman, unless it is a woman police officer or if the circumstances otherwise require it.
- **History of Section 46(4) CrPC** – The 135th report of the Law Commission of India on Women in Custody (1989) recommended **no women shall be arrested after sunset and before sunrise**.
- Similar recommendations were made in the 154th report of the Law Commission in 1996 and Section 46(4) of CrPC was inserted with some changes in 2005.
- **Madurai high court bench stance** – Declared the provision directory not mandatory and ruled following observation.
 1. The rule isn't mandatory, but police can't ignore it completely.
 2. If police break it, they need a good reason, or they'll face questions.
 3. The rule still aims to keep women safe during arrests.
 4. Police must make a list of what counts as "special situations" to bend the rule.
 5. It's flexible but not weak if police follow through properly.
 6. If not watched closely, some might misuse it, but it's still meant to help women.
- **Other judgements** – In a case, the **Nagpur Bench of the Bombay High Court** that no female persons shall be detained without the presence of a lady constable, and in no case after sunset and before sunrise.
- Supreme Court noted that always following the rule strictly can create real-world problems for police.

3.16 Lokpal's order on complaint against High Court judge

Supreme Court recently stayed a Lokpal order that took cognizance of a corruption complaint against an unnamed High Court judge.

- **Lokpal** – Is an independent statutory, an anti-corruption authority or body of ombudsman.
- **Aim** – To inquire and investigate into allegations of corruption against public functionaries who fall within the scope and ambit of the Lokpal and Lokayuktas Act of 2013.
- **Established under** – The Lokpal and Lokayuktas Act of 2013.
- The Lokayukta Act defines "public servant" as:
 - Anyone who has been a chairperson, member, officer, or employee in an autonomous body established by an **Act of Parliament or financed by the Central Government.**
- **Members** – Chairperson and 8 members, including 4 judicial members.
- Chairperson is usually a *former Chief Justice of India* or a *former Supreme Court Judge*.
- **Jurisdiction** – Central government officials, members of parliament and former and current prime ministers.
- **Functions** – The Lokpal can order search and seizure operations.
- The Lokpal presents an annual report to the President, which is then laid in both Houses of Parliament.
- **The recent case before lokpal** – Two complaints against a High Court judge were filed, alleging he influenced an Additional District Judge and another High Court judge.
- The Lokpal order focused on the power to hear a case against a High Court judge, not the complaint's merits.
- The Lokpal ruled that High Court judges do not share the same status as Supreme Court judges, as they were established under the High Court Act, 1861, and the Government of India Act, 1935.
- The Lokpal ruled that further proceedings would involve a probe into allegations against a High Court Judge.
- Before conducting an enquiry, the Lokpal advised forwarding the complaint to the **Chief Justice of India (CJI)** for guidance.
- **Existing provisions** – Lokpal bench, led by former SC judge A M Khanwilkar, can hear corruption complaints against former judges under the Lokpal Act, 2013.
- Section 77 of the Indian Penal Code, 1860 prohibits charges related to a judge's official duties.
- Section 15 of the Bharatiya Nyaya Sanhita, 2023 reproduces this provision.
- **K Veeraswami vs Union of India (1991)** – President must sanction criminal cases against a judge after consulting the CJI to prevent frivolous prosecution and unnecessary harassment.

4. CONSTITUTIONAL & NON-CONSTITUTIONAL BODIES

4.1 Women reservation in SC Bar Association

The Supreme Court of India reserves seats for women in bar association committee.

- **Supreme Court Bar Association (SCBA)** – Is an Indian bar association which is an integral part of Supreme Court (SC) of India.
- SCBA is registered under the Societies Registration Act of 1860 and comprises of practising lawyers of the Supreme Court (SC) of India.
- It works for upholding, maintaining and consolidation of the constitutional values of democracy, rule of law and independence of Judiciary.
- **Requisite to change the rules** – Needs 2/3rd majority in SCBA general body.
- **Need of reservation for Women** – It is only to guarantee a minimum and women members of the SCBA, subject to their eligibility, shall be entitled to contest the election for all the posts in the Executive Committee.
- A bench of *Justices Surya Kant and K V Viswanathan* directed that SC to reserve seats for women SCBA.
- **Reservation in Executive Committee - 33% of seats.**
 - A minimum of 3 out of 9 positions in the Executive Committee and 2 of 6 Senior Executive Member posts.

- **Reservation in Office-Bearer posts** – At least one post of the Office-Bearer shall be reserved for women candidates exclusively by turn and on rotation basis”.
- In the ensuing election for 2024-2025, the post of **Treasurer of the Executive Committee** is reserved for women.

Status of Women in Indian Judiciary

- A quick, back-of-the-envelope estimation shows there are only about 3 lakh women in the justice delivery system.
- Women represents 35% in subordinate judges and 13% of judges in High Court.
- **Supreme Court** - The 1st woman judge on the SC bench was Justice Fathima Beevi in 1989.
- Today, there are only 3 women judges.
- Until now, there has been no woman Chief Justice of India.
- **High courts** – In over 7 decades there have been only 16 women chief justices.
- Out of the 650 High Court judges in India today, only 76 are women.
- Justice Leila Seth was the 1st woman to be Chief Justice of a High Court (Delhi) in 1997.

India Justice Report (IJR) points out that the gender gap remains wide in each of the subsystems that make up the justice delivery system – police, judiciary, prisons, legal aid, and human rights commissions.

4.2 National Testing Agency

The Supreme Court is scheduled to address three petitions regarding the controversy surrounding the NEET-UG 2024 medical entrance test.

- **About** – It is a premier, specialist, autonomous and self-sustained testing organization.
- **Aim** – To conduct entrance examinations for admission/fellowship in **higher educational institutions**.
- **Established in** – 2017, as a Society registered under the **Indian Societies Registration Act, of 1860**.
- **Core values** – NTA will create a system which will promote teaching (by teachers), learning (by students) and assessment (by parents and institutions).
- **Objectives** – To conduct efficient, transparent and international standards tests in order to assess the competency of candidates for admission, and recruitment purposes.
- To undertake research on educational, professional and testing systems to identify gaps in the knowledge systems and take steps for bridging them.
- To identify experts and institutions in setting examination questions.
- To produce and disseminate information and research on education and professional development standards.
- **Functions** – To create a question bank for all subjects using the modern techniques.
- To establish a strong R&D culture as well as a pool of experts in different aspects of testing.
- To help individual colleges and universities in the field of testing and to provide training and advisory services to the institutions in India.
- To undertake any other examination that is entrusted to it by the Ministries/Departments of Government of India/State Governments.

NEET-UG- Examination conducted for admissions to **MBBS, BDS, and AYUSH**.

4.3 National Investigation Agency (NIA)

Recently, the National Investigation Agency announced reward for information on Canada-based terrorist Goldy Brar.

- **NIA** – A Central counter terrorism **law enforcement agency** in India.

- **Established on** – 2008.
- **Head Quarters** – New Delhi.
- **Branch offices** – Hyderabad, Guwahati, Mumbai, Lucknow, Kochi, Kolkata, Jammu and Raipur.
- It is constituted under the **National Investigation Agency Act, 2008** in response to the 2008 Mumbai terror attacks.
- It is empowered to deal with the investigation of terror related crimes across states without special permission from the states under written proclamation from the **Ministry of Home Affairs**.
- **Functions:**
 - Setting national standards for counter-terrorism and other national security investigations.
 - Developing a highly trained workforce that works in partnerships.
 - Deterring existing and potential terrorist groups and individuals.
- It deals with offenses under acts that implement international treaties, agreements, conventions, and resolutions of the United Nations (UN), its agencies and other international organizations.
- The NIA also works with state governments to designate Special Courts, which have precedence over other courts when trying NIA cases.

4.4 National Company Law Tribunal (NCLT)

Recently, the Bengaluru bench of the National Company Law Tribunal (NCLT) admitted BCCI's petition seeking insolvency proceedings against ed-tech giant Byjus.

- It is a **quasi-judicial authority** incorporated for dealing with corporate disputes that are of civil nature arising under the **Companies Act, 2013**.
- **Ministry** – Ministry of Corporate Affairs.
- **Background** – It is the outcome of the **Eradi Committee**, headed by **Justice V. Balakrishna Eradi**.
- The NCLT functions like a regular court, ensuring fair, unbiased case evaluations based on principles of natural justice.
- It issues decisions in the form of orders.
- **Appeals** – Decisions of the tribunal may be appealed to the National Company Law Appellate Tribunal, the decisions of which may further be appealed to the Supreme Court of India
- **Major Functions of NCLT:**
 - It has been empowered to take several steps, from canceling the registration of a company to dissolving any company.
 - The Tribunal could even render the liability or charge of members unlimited.
 - It is also empowered to hear grievances of rejection of companies in transferring shares and securities and under section 58- 59 of the Act.
 - It has the power to order an investigation. It could be conducted within India or anywhere in the world.

4.5 National Financial Reporting Authority (NFRA)

The NFRA is set to meet with key financial regulators to adopt the revised International Standard of Audit 600.

Aspect	Explanation
Establishment	NFRA was established in 2018 under the Companies Act, 2013.
Purpose	It is an independent regulator setup to oversee and enforce compliance with accounting and auditing standards.
Jurisdiction	NFRA has authority over auditors of listed companies, large unlisted companies, and companies with securities listed on any stock exchange in India or abroad.

Composition	Chairperson who will be appointed by the Central Government and a maximum of 15 members.
Functions	Set standards, monitor compliance, investigate misconduct and impose penalties.
Significance	Aims to enhance transparency and accountability in financial reporting.
Recent Activities	Currently focusing on adopting revised International Standard of Audit 600 (ISA 600).

4.6 International Standard Audit (ISA) 600

Aspect	Explanation
Aim	<ul style="list-style-type: none"> To close auditing gaps that have caused major lapses and to ensure auditors gather sufficient evidence and evaluate component auditors' work.
Objectives of ISA 600	<ul style="list-style-type: none"> Tighten oversight on auditors, especially regarding reliance on subsidiary audit reports. Enhance group auditor's supervision and review of component auditors' work and documentation. Improve communication, oversight, and ethical requirements between group and component auditors.
Audit Lapses and Malfeasance	<ul style="list-style-type: none"> Auditors have been found shielding behind subsidiary audit reports, allowing malfeasance, such as siphoning off funds from listed companies. Reliance on subsidiary audits has been a recurring problem in lapses at companies like Reliance Capital, IL&FS and CG Power.
Legal Framework	<ul style="list-style-type: none"> The revised standards require adoption by financial regulators like ICAI, NFRA, and SEBI before implementation in India. The Chartered Accountants Act, 1949, considers disclosing information acquired during professional engagement without client consent as professional misconduct.

4.7 Waqf board

The recently introduced Waqf (Amendment) Bill governing Waqf boards has proposed far-reaching changes, ensuring the representation of Muslim women and non-Muslims in such bodies.

- **Waqf** – Refers to a property dedicated in the name of God for religious and charitable purposes.
- Legally, it is the permanent dedication by a Muslim of any movable or immovable property for purposes recognized by Muslim law as pious, religious or charitable.
- **Establishment** – It can be established through a deed or instrument, or a property can be considered a Waqf if it has been used for religious or charitable purposes over a long period.
- To create a Waqf, one must be of sound mind and hold valid ownership of the property.
- Interestingly, the creator of a Waqf, known as the Waqif, does not have to be a Muslim, as long as they profess belief in Islamic principles.
- **Regulation** – Once a property is designated as a Waqf, it becomes **non-transferable** and is detained perpetually as a charitable act toward God, essentially transferring ownership to God.
- It can be either public, serving charitable ends, or private, benefiting the property owner's direct descendants.
- **Functions** – Their proceeds typically fund educational institutions, graveyards, mosques, and shelter homes.

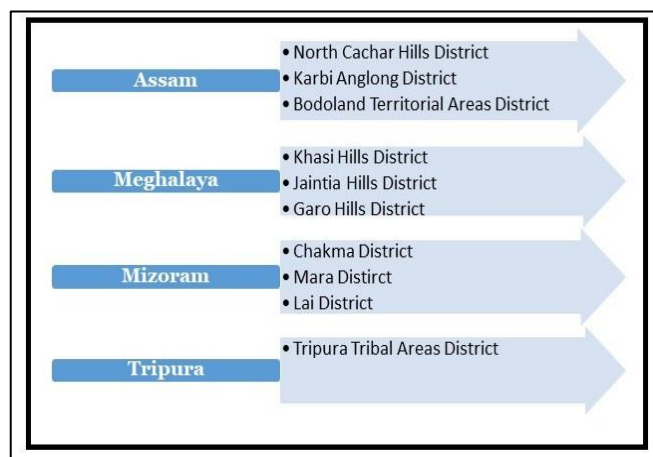
Waqf Board

- A Waqf board is a legal entity established under the Waqf Act of 1954 that is capable of acquiring, holding, and transferring property.
- It can sue and be sued in court.
- **Members** – Each state has a Waqf Board led by a chairperson, including
 - Nominees from the state government,
 - Muslim legislators and Parliamentarians,
 - Members of the state bar council,
 - Islamic scholars, and mutawalis (managers) of waqfs with an annual income of Rs. 1 lakh and above.
- **Powers** – It administers Waqf properties, recovers lost properties, and sanctions the transfer of immovable Waqf properties through sale, gift, mortgage, exchange, or lease.
- **Voting** – At least two-thirds of the board members voting in favour of the transaction.
- The board appoints custodians to ensure the Waqf and its revenue are used for their designated purposes.
- **Central Waqf Council** – Established in 1964, oversees and advises state-level Waqf Boards across India.

4.8 Autonomous District Councils (ADCs)

Climate activist Sonam Wangchuk and other activists from Ladakh have demanded that Schedule 6 be made applicable to the Union Territory.

- **Autonomous District Councils** – These are constituted for Social, Economic, Educational, Ethnic and Cultural advancement of the **Scheduled Tribe (ST)** communities.
- **Constitutional provision** – The **6th Schedule under Article 244** provides for the formation of Autonomous District Councils (ADCs), as well as Autonomous Regional Councils (ARCs).
- **Members** – ADCs have up to **30 members**, Governor nominates 4 members and the rest are elected through adult franchise.
- **Term** – 5 years.
- **Powers** – It can make laws, rules and regulations on land, forest, water, agriculture, village councils, health, sanitation, village and town-level policing, etc.
- The councils derive all their powers and functions directly from the Constitution.
- **Objectives of the council:**
 - Protect tribal land and resources.
 - Ensure tribal communities are not exploited or marginalized.
 - Preserve and promote tribal cultural and social identities.
- **Administrative Authority** – The **Governor of the state** has the authority to:
 - Determine which areas are administrative units of the autonomous districts and regions.
 - Create new autonomous districts or regions.
 - Alter the territorial jurisdiction or name of any autonomous district or region.
- **Jurisdiction** – The jurisdiction of ADCs is subject to the **jurisdiction of the concerned High Court**.
- Currently, there are **10 ADCs** in the Northeast, with 3 each in Assam, Meghalaya and Mizoram, and 1 in Tripura.
- **ADC in Ladakh** – Ladakh activists demand greater autonomy in Ladakh's administration with the Central government.



- Specifically, they wanted **Schedule 6** of the Indian Constitution to be made applicable to Ladakh.
- A majority of the population in Ladakh belongs to Scheduled Tribes.

Article 244

- Article 244** – Administration of Scheduled Areas and Tribal Areas.
- Article 244 (1)** – The provisions of the 5th Schedule shall apply to the administration and control of the Scheduled Areas and Scheduled Tribes in any State other than the States of Assam Meghalaya, Tripura and Mizoram.
- Article 244 (2)** – The provisions of the 6th Schedule shall apply to the administration of the tribal areas in the state of Assam, Meghalaya, Tripura and Mizoram.

4.9 Central Consumer Protection Authority (CCPA)

Recently, the Central Consumer Protection Authority (CCPA) has issued 45 notices to various coaching centers and imposed a penalty of Rs 61, 60,000 on 19 coaching institutes for misleading advertisements.

- It is a statutory and regulatory body.
- Established in** – 2019 under Section 10 of the Consumer Protection Act, 2019 and came into force in 2020.
- Aim** – To regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of consumers as class and public at large.
- Nodal Ministry** – Ministry of Consumer Affairs, Food & Public Distribution.
- Functions** – Protect, promote and enforce the rights of consumers as a class, and prevent violation of consumers' rights under this Act.
- Prevent unfair trade practices and ensure that no person engages himself in unfair trade practices.
- Ensure that no false or misleading advertisement is made of any goods or services which agree with the provisions of this Act or the rules and regulations made.
- Ensure that no person takes part in the publication of any false or misleading advertisement.
- Powers** – Conduct investigation on violation of consumer rights.
- Issue directions to recall, refund and discontinuation of practices in matters of violation of rights and unfair trade practices.
- Discontinue & modify the false and misleading advertisement or may impose penalties.



Mechanisms

- Individual consumer complaints are to be registered through the National Consumer Helpline only.
- Register consumer grievances in Consumer Commissions through e-Dhakil.
- Penalty for coaching institutes** – CCPA has issued “Guidelines for Prevention of Misleading Advertisement in Coaching Sector, 2024”.
- It facilitates a total refund of Rs.1.15 crores to affected students.

National Consumer Helpline (NCH) is a single access point for grievance redressal of consumers that is available in 17 languages through a toll-free number (1915).
The grievances are registered on the **Integrated Grievance Redressal Mechanism (INGRAM)**, an omnichannel IT-enabled central portal or through various channels.

4.10 National Commission for Minority Educational Institutions (NCMEI)

The Union Minister for Education recently addressed the 20th Foundation Day of the National Commission for Minority Educational Institutions in New Delhi.

- NCMEI** – It is a Statutory Authority.
- Established in** – 2004, by National Commission for Minority Educational Institutions (NCMEI) Act, 2004.

- **Aim** – To safeguard the educational rights of the minorities enshrined in Article 30(1) of the Constitution.
- **Minority** – The term is not defined in the Constitution.
- **6 religious minorities** – Notified by the Central Government are:
 - Muslim, Christian, Sikh, Buddhist, Parsi and Jain.
- **Nodal Ministry** – Ministry of Education.
- **3 Main roles** – Adjudicatory, Advisory and Recommendatory.
- **Powers** – It is a **quasi-judicial body** endowed with the powers of a Civil Court to discharge its functions.

Article 30(1) states that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

- Decides all questions relating to the status of any institution as a Minority Educational Institution (MEI).
- Cancel the minority status of an educational institution granted by an Authority or Commission.
- Call for information while enquiring into the complaints of violation or deprivation of the educational rights of minorities.
- No court (except the Supreme Court and a High Court exercising jurisdiction under **articles 226 and 227**) shall entertain any suit, application or other proceedings in respect of any order made by the Commission.
- No suit, prosecution or other legal proceeding shall lie against the Central Government, Commission, Members or other employee of the Commission for anything which is done in good faith under the NCMEI Act.
- **Functions:**
 - Grant a Minority Status Certificate (MSC).
 - Appeal against State authorities on being aggrieved by the order of rejection of No Objection Certificate (NOC) application by the State/UT or refusal to grant minority status certificate.
- Resolving disputes regarding deprivation and violation of rights of minorities to establish and administer the institutions of their choice.

National Commission for Minorities (NCM)

- NCM is a **statutory body** established to safeguard and protect the rights of religious and linguistic minorities.
- Set up under the National Commission for Minorities Act, 1992.
- **Functions and Powers** – It ensure that the constitutional and legal safeguards for the protection of minorities are implemented effectively.
- It evaluates the progress of the development of minorities under the Union and States.
- It makes recommendations for the effective implementation of safeguards and measures for the protection of minorities.
- It advises the central government on minority-related issues.
- **Civil Court Powers** – The NCM has the powers of a civil court while investigating any matters related to deprivation of rights of minorities.
- **Notified minority communities (6)** – Muslims, Christians, Sikhs, Buddhists, Zoroastrians (Parsis), Jains.
- As per the 2011 Census, The 6 religious minority communities constitute around 20% of the country's population.

4.11 National Green Tribunal

The Southern Bench of the National Green Tribunal (NGT), by suo motu has directed the Kerala to remove the biomedical and mixed solid waste dumped in villages of Tirunelveli district in Tamil Nadu.

- **Established in** – **2010**, as per the National Green Tribunal Act.
- It was setup as per recommendations of the Supreme Court, Law Commission and India's international law obligations to develop national laws on environment.
- **Specialized judicial body** – It is equipped with expertise solely for the purpose of adjudicating environmental cases in the country.
- **Task** – Providing effective & expeditious remedy in cases relating to
 - Environmental protection
 - Conservation of forests and other natural resources

North Zone of NGT	Delhi
Central Zone of NGT	Bhopal
East Zone of NGT	Kolkata
South Zone of NGT	Chennai
West Zone of NGT	Pune

- Enforcement of any legal right relating to environment
- **Tribunal's orders** – They are **binding** and it has *power to grant relief* in the form of compensation and damages to affected persons.
- **Principles of natural justice** – The Tribunal is not bound by procedure under the Code of Civil Procedure, 1908 or the Indian Evidence Act, 1872 and is guided by principles of natural justice.
- **Composition** – It has a presence in **5 zones**.
- The Principal Bench is situated in the North Zone, headquartered in Delhi.
- **Headed by** – The Chairperson who sits in the Principal Bench and members should include:
 - At least 10 but not more than 20 *judicial members* and
 - At least 10 but not more than 20 *expert members*.
- **Simple approach** – Aggrieved parties may approach the Tribunal in person by submitting an application and *no need of advocate*.
- **Orders are binding** – Its orders are enforceable and has *powers of a civil court* under the Code of Civil Procedure, 1908.
- **Orders are not final** – It has powers to review its own decisions and if this fails, the decision can be challenged *before the Supreme Court within 90 days*.

The Acts covered under NGT

- The Water (Prevention and Control of Pollution) Act, 1974
- The Water (Prevention and Control of Pollution) Cess Act, 1977
- The Forest (Conservation) Act, 1980
- The Air (Prevention and Control of Pollution) Act, 1981
- The Environment (Protection) Act, 1986
- The Public Liability Insurance Act, 1991
- The Biological Diversity Act, 2002

Recent judgments and directions of NGT

- NGT had sought a reply from the Geological Survey of India (GSI) and others regarding the declining state of [Varkala cliff](#) in Kerala.
- NGT has sought responses from some ministries of the Union government on a plea seeking implementation of a [star-rating system](#).
- NGT eastern bench in Kolkata has ordered a stay on road construction work inside the [Barak Bhuban wildlife sanctuary](#) in Assam's Cachar district.
- NGT principal bench has taken suo moto cognizance of alleged tree felling and burning near [Talacauvery Wildlife Sanctuary](#).

4.12 Challenges in Information Commissions

Recently, the Supreme Court (SC) slammed the delay shown by the Centre and States in appointing Information Commissioners.

- **Issues in CIC** – Central Information Commission (CIC) has 8 vacancies in the posts of the Information Commissioners.
- It has 23,000 pending appeals filed by citizens seeking information from various government departments.
- **Issues in State IC** – Several Information Commissions in States have been defunct since 2020.
- Some have stopped accepting petitions under the Right to Information (RTI) Act.
- **Supreme Court Direction** – It directed the Department of Personnel and Training to file an affidavit in 2 weeks specifying timelines:
 - For completion of the selection process.
 - For the selection committee to finalise its recommendations.

*In **Jharkhand**, where the lack of a Leader of Opposition (LoP) in the Vidhan Sabha was delaying appointments to the State Information Commission, which had been lying defunct since 2020 with over 8,000 appeals pending.*

- For the notification of the appointments of the 8 Information Commissioners to the CIC.
- It also directed them to disclose the constitution of the search committee & a list of the candidates who had applied for the posts.

Chief Information Commission

- It is a **statutory authority**.
- **Established in** – 2005, under Section-12 of RTI Act of 2005.
- **Objectives:**
 - To receive and inquire into complaints from any person.
 - To receive and decide upon the 2nd appeals from any citizen.
 - To perform the duty of Monitoring and Reporting.
- **Composition** – Consists of Chief Information Commissioner and Not more than 10 Information Commissioner.
- **Appointment by** – President.
- **Selection Committee:**
 - **Chaired by** – Prime Minister.
 - **Other members** – Leader of Opposition in Lok Sabha, or if there is no such leader, then the leader of the single largest opposition group in Lok Sabha.
 - A Union Cabinet Minister nominated by PM.
- **Eligibility criteria** – Eminent person in public life with wide knowledge and experience in Law, science and technology, social service, management, journalism, mass media, administration and governance.

For State Information Commission, the Appointments Committee will be headed by the Chief Minister. Other members include the Leader of the Opposition in the Legislative Assembly and one Cabinet Minister nominated by the Chief Minister.

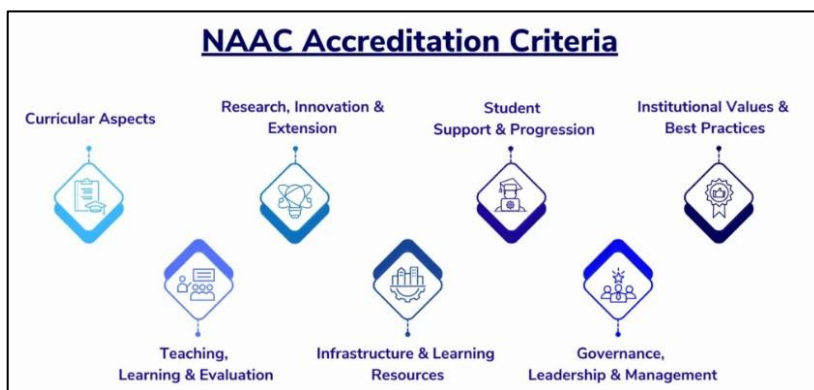
4.13 National Assessment and Accreditation Council (NAAC)

The CBI recently arrested 10 people of NAAC inspection team and office-bearers of Koneru Lakshmaiah Education Foundation (KLEF), Andhra Pradesh, in a case of bribery for a favourable NAAC rating.

- NAAC is an autonomous institution of the University Grants Commission (UGC).
- **Aim** – To evaluate the performance of higher education institutions, and providing accreditation.
- NAAC grades are widely regarded as a marker of quality, with institutions prominently displaying them.
- **Established in** – 1994, being headquartered at Bengaluru.
- **The NAAC functions** – Through its General Council (GC) and Executive Committee (EC) comprising educational administrators, policy makers and senior academicians from a cross-section of Indian higher education system.
- **Governing council** – Headed by UGC chief.

UGC regulations of 2012

- It made it mandatory for higher education institutions to get accredited after 6 years of functioning, or after two batches have graduated.
- This means that for funds from the UGC, a higher education institution needs to be accredited.
- **Autonomous Accreditation** – These grades also specifically matter in certain scenarios for instance, to apply for autonomy, a college needs to be accredited with a minimum **NAAC grade of 'A'**.



- **Criteria** – Institutions are assessed on parameters including infrastructure, teaching and evaluation, governance, and research.
- **Process** – The process of assessment involves the institute itself submitting a ‘self-study’ report, a ‘student satisfaction survey’ conducted by NAAC, and a ‘peer team visit’.
- It ends with a NAAC grade and accreditation certification of quality provided by NAAC for a period of 5 years or 7 years in the case of institutions that have had an ‘A’ grade or higher in previous cycles.

National Education Policy 2020

- It suggested that the present 8-point grading system transition into a **binary accreditation system** the institution will be identified as ‘accredited’, ‘awaiting accreditation’, or ‘not accredited.’
- In 2024, NAAC announced reforms in the accreditation process in line with the committee’s recommendations binary accreditation instead of grades, along with a maturity-based graded accreditation.
- The system classified from **levels 1 to 5** for accredited institutions to improve their quality.
- Institutions can evolve from Levels 1 to 4 as “Institutions of national excellence”, and progress to Level 5 as “Institutions of Global Excellence for Multi-Disciplinary Research and Education”.
- This system is **still in the process of being rolled** out with workshops having been held with stakeholders so far.

4.14 National Commission for Safai Karamcharis

Union Cabinet has recently approved the extension the tenure of the National Commission for Safai Karamcharis (NCSK) for 3 years beyond 2025.

- The National Commission for Safai Karamcharis (NCSK) was constituted on 12th August, 1994 as a **statutory body**, for a period of 3 years.
- It was subsequently extended up to 2002 and 2004 and extended so many times until recently in 2025.
- The Commission is acting as a **Non-Statutory body** of the Ministry of Social Justice and Empowerment from 2004.
- National Commission for Safai Karamcharis Act, 1993, was enacted in September, 1993 and a statutory National Commission for Safai Karmcharis was first constituted in August, 1994.
- **Functions** – Recommend to the Central Government specific programs of action towards elimination of inequalities in status, facilities and opportunities of Safai Karmacharis.
- Study and evaluate implementation of the programmes and schemes relating to the social and economic rehabilitation of Safai Karmacharis and scavengers in particular.
- Investigate specific grievances and take **suo-motu notice** of matter relating to non-implementation of
 - Programmes or schemes in respect of any group of Safai Karmacharis,
 - Decisions, guidelines etc. Aimed at mitigating the hardships of Safai Karmacharis and
 - Measures for the social and economic upliftment of Safai Karmacharis etc.
- Study and monitor the working conditions, including those relating to **health safety and wages** of Safai Karmacharis,
- Make reports to the Central or State Government on any matter concerning Safai Karmacharis, taking into account any difficulties or disabilities being encountered by Safai Karmacharis and any other matter which may be referred to it by the Central Government.
- Under the provisions of the **Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013** (MS Act 2013), NCSK shall perform the functions namely:
 - To monitor the implementation of the Act,
 - To enquire into complaints regarding contravention of the provisions of this Act and to convey its findings to concerned authorities with recommendations requiring further action,
 - To advice the Central and State Govt for effective implementation of the provisions of this Act and

Safai Karamchari means a person engaged in, or employed for, manually carrying human excreta or any sanitation work.

- To take suo-motu notice of matter relating to non-implementation of this Act.
- It is the **only body keeping track** of sewer deaths in India.

4.15 Delimitation Exercise

Home Minister recently asserted that delimitation will not lose any Parliamentary seat to the Southern states.

Constitutional provisions

- Election Commission defines delimitation as the process of drawing constituency boundaries for elected bodies based on the **population in the most recent Census**.
- **Article 82** – It states that after every Census is completed, the allocation of Lok Sabha seats to each state must be adjusted based on population changes.
- **Article 81** – It states there can be **no more than 550 members** in the Lok Sabha, 530 from states and 20 from Union Territories.
- It also says that the ratio between (the number of seats) and the population of the state is, so far as practicable, the same for all states.
- So, each constituency across the country should ideally have the same population.
- **The main purpose** – Of undertaking the delimitation exercise is to rationalize the structure and composition of the electoral constituencies.
- It adheres to the principle of **One Vote One value** to provide representation to different sections of the population and remove gross inequalities in the population size of constituencies.
- Delimitation has taken place **4 times** - 1952, 1963, 1973 and 2002, with the number of seats fixed and readjusted during the first 3 exercises.

Related Amendments

- In 1976, the **42nd Amendment** to the Constitution froze the number of Lok Sabha seats and put off delimitation for **25 years until the 2001 Census** under Article 82.
- **84th Amendment Act of 2001**, further delayed delimitation for another 25 years.
- The 84th Amendment Act of 2001, further delayed delimitation for another 25 years and froze the delimitation of Lok Sabha and State Assembly constituencies until the first census after 2026.
- Delimitation is expected to be held after the new Census exercise, which is much-delayed.

Delimitation Commission

- The Constitution has provided for an independent Delimitation Commission every decade to reapportion seats among states.
- The Commission is appointed by the **President of India**.
- Composition
 - A retired judge of the Supreme Court or a high court,
 - The Chief Election Commissioner and
 - The State Election Commissioner.
- The Commission examines the changes in the population to redraw the constituencies or redraw a new one where it is necessary.
- The draft report is published in the Gazette of India which is open for public feedback.
- The final report is published after accounting for the public feedback.
- Once published, the Commission's orders are final and, as per the **Delimitation Commission Act 1952 and Article 329A** of the Constitution.

5. ELECTIONS

5.1 Voting Methods in India

India's electoral framework allows certain categories of voters to exercise their franchise even if they are unable to make it to the polling station on the day of voting.

- **Rules** – Under the Representation of the People Act, 1951 (RPA).
- **Regular voting method** – A voters must vote in person, at their designated polling station, on the date and hours fixed for the poll and using Electronic Voting Machines (EVMs).
- **Alternate voting method** – Certain categories of voters can exercise their franchise in different methods under exception.
- **Postal ballot** – Section 60 of the RPA allows voters to vote remotely who cannot be physically present in polling stations.
 - Polling takes place outside the polling station.
 - It takes place without EVMs (EDC voters are an exception).
 - Polling takes place before the designated poll date in the constituency.
- **Facilitation Centres** – Located at training venues and designated offices which operate before the election and is videotaped.
- **Postal Voting Centre (PVC)** – Here, voters may come and cast a vote on any of the 3 fixed days from 9 AM to 5 PM.
- **Home voting** – It is for absentee voters where Booth Level Officers (BLOs) deliver Form 12D.
- If the elector opts for the Postal Ballot, then the BLO collects the form for home voting within 5 days of the election's notification.
- **Proxy voting** – Service voters in the Armed and paramilitary forces can vote either by proxy or postal ballot, where the indelible ink is applied to proxy voter's left middle finger.
- **Assisted Voting** – It is for who are unable to vote due to blindness or other disability.
- A voter can bring a companion over 18 years of age into the voting booth on their behalf and the indelible ink is applied to the companion's right index finger.
- **Voting in a different polling centre** – It is applicable when a person on election duty is deployed in the same constituency where they are enrolled as a voter.
- **Election Duty Certificate (EDC)** can be issued by the Returning Officer to entitle the voter to vote at a polling station through EVM at a different polling centre.
- However, if they are on duty in another constituency, they are entitled only to a postal ballot.

Alternate Voting Methods	
By post	Special voters, Service voters and Electors subjected to preventive detention (also through special messenger)
Facilitation Centre	Voters on election duty
Postal Voting Centre	Persons employed in essential services
Home/hospital	Senior citizens, Persons with disability, Persons affected or suspected of having Covid-19

Electronically Transmitted Postal Ballot System (ETPBS) for Service Voters features encrypted ballots sent electronically via a secure portal. While the ballot is transmitted electronically, voters return their completed ballots via post at no cost.

5.2 Special Categories of Voters

Special exceptions are made for certain categories of voters to ensure that everyone gets to exercise their franchise.

- **Eligibility** – It is given by 'The Conduct of Election Rules, 1961'.
- **Special voters** – Individuals like President, Vice President, Governors, Cabinet Ministers, other high-ranking dignitaries, etc. and their spouses as given under Section 20(4) of RPA.

- **Service voters** – Members and spouses residing with:
 - Indian armed forces
 - Paramilitary forces
 - An armed state police serving outside their state or
 - A government employee stationed abroad.
- **Voters on election duty** – The public servants assigned official tasks on polling day
 - All Commission's observers.
 - Presiding officers, polling officers and agents.
 - Police personnel.
- It also includes private individuals and non-government staff, such as videographers, drivers, helpline staff, etc., are also covered.
- **Absentee voters** – Created in 2019, under RPA, 1951.
 - AVSC – Senior citizens aged 85+
 - AVPD – Persons with disabilities having at least 40% disability
 - AVCO – Covid-19 suspect or affected persons
 - AVES – Persons employed in essential services (AVES).
- **Classified Service Voters' (CSVs)** – They are voters who choose the proxy voting method.
- Service voters in the Armed and paramilitary forces can choose this method and they must appoint a local resident as their proxy.

5.3 Recognition and De-recognition of Political Parties

The Election Commission of India (ECI) in its report on enforcement of Model Code of Conduct (MCC) has stated that it expects star campaigners to lead by example and not vitiate the fabric of society.

- **Political parties** – They are voluntary associations of individuals sharing similar political views and seeking power through constitutional means to advance national interests.

Registered Political Parties

- **Legality** – Parties are registered with the ECI under Section 29A of the Representation of the People Act, 1951 (RP Act).
- **Requirements** – To submit a copy of its constitution and shall bear true faith and allegiance to the Constitution of India.
- To show allegiance to the principles of socialism, secularism, democracy & uphold the sovereignty unity and integrity of India.
- **Legal benefits**
 - Tax exemption for donations received.
 - Common symbol for contesting general elections.
 - 20 'star campaigners' are allowed.

*As per the ECI, there are 2,790 active registered political parties in India. At present, there are **6 'national' parties**, and **61 'State' parties** that have been **recognised**.*

- A registered party is referred to as a Registered Unrecognised Political Party (RUPP).
- **Recognition of parties** – Can be a '**national**' or '**State**' party.
- **Rules** – Under the Election Symbols (Reservation and Allotment) Order, 1968 (Symbols Order) by the ECI.
- **Criteria** – To win a requisite number of seats and/or obtaining required % of votes in an election to Lok Sabha or State Assembly.
- **Benefits** – A reserved symbol during elections and 40 'star campaigners'.

- **Concerns** – The RUPPs that don't contest elections raise concerns over the possible misuse of income tax exemption.
- **De-registering a political party** – ECI can de-register a party only if:
 - Its registration being obtained by fraud or
 - It is ceasing to have allegiance to the Constitution or
 - It is declared unlawful by the Government.
- Under Symbols order, ECI has the power to suspend or withdraw recognition for its failure to observe MCC.
- Under RP Act, ECI does not have confer explicit powers to de-register any political party for failing to contest elections, conduct inner-party elections or lodge requisite returns.

In Indian National Congress versus Institute of Social Welfare & Ors (2002), the Supreme Court had held that the ECI does not have power to de-register any political party under the RP Act, 1951.

5.4 Overseas Voters in Election

According to recent Election Commission data, there was a poor electoral participation of overseas Indian voters in 18th Lok Sabha polls in 2024.

- **Overseas voters** – Generally, they are referred as NRI voters but Election Commission of India describes them as overseas electors.
- NRI's are Indians living abroad for a variety of reasons.
- **Voting rights** - They are eligible to vote in the Lok Sabha, Assembly and other direct elections.
- They have to show their original passport as proof of their identity.

*According to Election Commission of India, while **eligible Indian citizens** who enrol in electoral rolls are called electors, those who actually exercise their franchise are described as voters.*

Overseas Voters in 18th Lok Sabha Election

- **Increased registration** – Overseas Indians showed great enthusiasm in registering as electors, with nearly 1.2 lakh enrolling in the voter list.
- According to the data released by the Election Commission, as many as 1,19,374 registered as overseas electors in 2024, with Kerala witnessing the highest registrations at 89,839.
- In 2019, as many as 99,844 had registered as overseas electors.
- **Minimal turnout** – Only 2,958 overseas electors flew down to India to participate in the largest democratic exercise in the world.
- **Higher participation** – 2,670 were from Kerala alone.
- **Zero turnout** – Karnataka, Uttar Pradesh, and Tamil Nadu among larger states and Assam, Bihar, Goa among smaller states.
- **Cause for lower turnout** – Travel costs, compulsions of employment overseas and education.
- **Recommendations** – In 2020, the EC proposed to extend the Electronically Transmitted Postal Ballot System (ETPBS) facility, so far available only to service voters, to eligible overseas Indian voters as well.

*In 2018, the **16th Lok Sabha** passed a bill to allow proxy voting rights to eligible overseas Indians but it could not be brought to the Rajya Sabha.*

5.5 Electoral Trusts

Supreme Court struck down electoral bonds last year, shifting political funding to electoral trusts.

- It is a Trust set up by companies with the sole objective to distribute the contributions received by it from other Companies and individuals to the political parties.
- **Qualification** – Under 'The Electoral Trusts Scheme, 2013', any company registered under Section 25 of the Companies Act, 1956, can form an electoral trust.
- **Governed by** – The Companies Act, 1956, and the Income Tax Act, 1961.
- **Eligibility to donate** – Under Section 17CA of the Income-tax Act, 1961
 - Any citizen of India and
 - A company registered in India or a firm or Hindu Undivided Family or Association of persons living in India, can donate to an electoral trust.

- It shall not accept contributions from:
 - An individual who is not a citizen of India
 - A foreign entity whether incorporated or not
 - Other Electoral Trusts (approved under the Electoral Trusts Scheme)
 - Contributors without PAN
 - NRIs without a passport number
- **Renewal** – The electoral trusts have to apply for renewal **every 3 financial years**.

Among the 18 registered electoral trusts, the Prudent Electoral Trust (PET) stands out as the largest and most influential.

5.6 Chief Election Commissioner

Prime Minister Narendra Modi, Home Minister Amit Shah and Leader of Opposition Rahul Gandhi met recently to appoint Gyanesh Kumar as the Chief Election Commissioner.

- **Election Commission (EC)** – It is an **autonomous constitutional** authority responsible for administering election processes in India.
- The body administers elections to the Lok Sabha, Rajya Sabha, State Legislative Assemblies, and the offices of the President and Vice President.
- It is a **3-member body** made up of one Chief Election Commissioner (CEC) and 2 Election Commissioners.
- Although all 3 election commissioners are equal, the CEC, like the Chief Justice of India, is the first among equals.
- **Chief Election Commissioner** – Earlier, there was no law passed by Parliament for the appointment of the CEC and ECs.
- The appointments were done by the President on the advice of the Prime Minister.
- Traditionally, the successor to the incumbent CEC has been the next senior-most Election Commissioner.
- The new CEC is being appointed under a new law, Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023.

CEC and Other Election Commissioners Bill, 2023

- The Bill replaces the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991.
- It provides for the appointment, salary, and removal of the Chief Election Commissioner (CEC) and Election Commissioners (ECs).
- The CEC and ECs will be **appointed by the President** upon the recommendation of a Selection Committee.
- The **Selection Committee** will consist of:
 - Prime minister,
 - A union cabinet minister and
 - Leader of opposition/leader of the largest opposition party in Lok Sabha.
- Recommendations of the Selection Committee will be valid **even when there is a vacancy** in this Committee.
- A Search Committee **headed by the Cabinet Secretary** will propose a panel of names to the Selection Committee.
- Eligibility for the posts includes holding (or having held) a post equivalent to the Secretary to the central government.
- The salary and conditions of service of the CEC and ECs will be equivalent to that of the Cabinet Secretary.
- In contrast, it was comparable to the salary of a Supreme Court Judge Under the 1991 Act.

6. GOVERNANCE

6.1 National Health Claim Exchange

The Health Ministry and the Insurance Regulatory and Development Authority of India (IRDAI) are jointly launching the National Health Claim Exchange (NHCX).

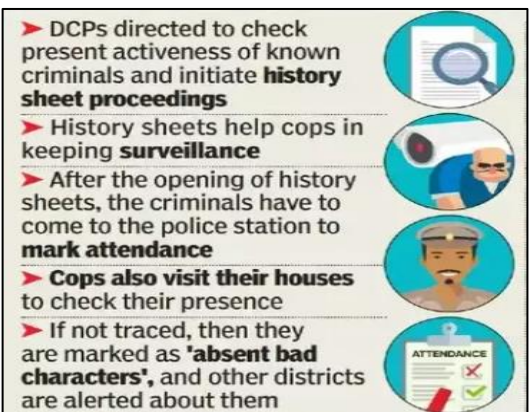
- **Objective** – NHCX will be a digital platform bringing together insurance companies, healthcare providers, and government insurance scheme administrators.
- It will facilitate the exchange of claims-related information among healthcare and insurance stakeholders.
- **Aim** – The exchange will serve as a gateway for exchanging claims-related information among various stakeholders in the healthcare and health insurance ecosystem.
 - It also aimed at allowing patients to access quality healthcare swiftly and with reduced out-of-pocket expenditure.
- **Implementation** – The insurance industry will support this system by streamlining interactions between hospitals and insurers, creating a seamless, paperless, and secure contractual framework.
- **Agency involved-Life insurance Corporation (LIC)** – To play a key role in achieving ‘Insurance for All by 2047’.
- **Claims processing** – It aims to improve efficiency and transparency in health claims processing, benefiting policyholders and patients.
- Insurance authorities have mandated that all **cashless claims must be processed within three hours** of receiving discharge authorization from the hospital.
- **In-patient cases** – In India, hospitalization cases are highest among individuals insured through private purchase (54.4 per 1,00,000 persons).
- **Urban area** – The government-funded scheme beneficiaries have the highest inpatient care cases (60.4 cases per 1,00,000 persons).
- **Rural areas** – The private insurance show substantially higher in-patient cases (73.5 cases per 1,00,000 persons).
- **Challenges** – Improving hospital-insurance company relationships.
 - Addressing the issue of discharge delays, miscommunication between hospitals and insurers.
 - Trust among policyholders relies on efficient service delivery.
- **Digital Health Incentive Scheme** – To promote digital health transactions and patient record digitization, the National Health Authority launched the Digital Health Incentive Scheme (DHIS) in January 2023.

Health insurance contributes to around 29% of total general insurance premium income in India.

6.2 History Sheet

The Supreme Court has asked all states and Union Territories to ensure ‘history sheets’ drawn up by their police do not reflect caste prejudices.

- **A history sheet** – In police parlance and procedure, the person is an individual with a significant criminal history, someone who has been implicated in multiple offences (more than 2 cases).
- **Process of opening history sheet** – It is governed by the police rules of respective states.
 - **For example:** Punjab Police Rules, 1934 is applicable in Punjab, Haryana, Himachal Pradesh, Delhi, and Chandigarh.
- It begins automatically when the Station House Officer (SHO), who is the head of the police station, takes notice of individual



The infographic details the process of opening a history sheet. It starts with DCPs checking the present activeness of known criminals and initiating history sheet proceedings. This helps cops in keeping surveillance. After opening the history sheet, criminals must come to the police station to mark attendance. Cops also visit their houses to check their presence. If not traced, they are marked as 'absent bad characters', and other districts are alerted about them. The infographic includes icons for a magnifying glass, a person with a magnifying glass, a person with a magnifying glass, and a person with a magnifying glass.

- DCPs directed to check present activeness of known criminals and initiate **history sheet proceedings**
- History sheets help cops in keeping **surveillance**
- After the opening of history sheets, the criminals have to come to the police station to **mark attendance**
- **Cops also visit their houses** to check their presence
- If not traced, then they are marked as '**absent bad characters**', and other districts are alerted about them

- For conviction for dacoity, robbery, burglary, and theft
- For habitual offenders; and upon release from life imprisonment for certain cases of financial crime.
- **History sheet** – It contains a description, with special attention to peculiarities of appearance, relations & other connections of the individuals connected with criminal activities.
- Moreover, any property owned by the criminal and her mode of earning a livelihood, should also be entered
- The term history sheet appeared for the 1st time in the Punjab Police Rules of 1934.
- **Different kinds** – Known Depredators sheets, suspect sheets, rowdy sheets, members of organised crime sheets, and budding criminal sheets, all depend on the assessment of the police.
- **Report submitted to** – The Superintendent of Police (SP) of the district through the Assistant Commissioner of Police (ACP).
- **Challenges** – A 2010 research paper from National School of Law noted that the language used in police rules is “similar to police records of ‘criminal tribes’ in colonial India”.

6.3 Anand Marriage Act

Recently, the National Commission of Minorities held a meeting with states and Union Territories to discuss the implementation of the Anand Marriage Act.

- **About** – The Anand Marriage or Sikh Marriage Act is an act that legally recognizes and protects Sikh marriages conducted through the Anand Karaj ceremony.
- **Emergence** – It dates back to 1909 when the British Imperial Legislative Council passed a legislation for the recognition of the Sikh wedding ceremony Anand Karaj.
- **Legal Recognition** – In 2012, the Parliament passed the Anand Marriage (Amendment) Bill, bringing Sikh traditional marriages under the purview of legal recognition.
- While the central government approved the amendments, it was left for individual states and Union territories to frame respective rules for the registration of Anand marriages.
- It also protects the rights and responsibilities of Sikh couples within the framework of legal marriage.
- **Objective** – To address concerns from the Sikh community regarding the validity of their marriages under existing Hindu marriage laws.
- **Implementation** – States including Jharkhand, Maharashtra and Meghalaya have reported implementing the Anand Marriage Act.

6.4 Governing rules on civil servants

The Centre has formed a single-member committee to review all documents submitted by probationary IAS officer Puja Khedkar for her civil services candidature.

- All IAS, Indian Police Service (IPS) and Indian Forest Service officers are governed by the All India Services (conduct) Rules, 1968 from the time they are allotted their service and begin training.
- **AIS (Conduct) Rule 3(1)** – Every member of the Service shall always maintain absolute integrity and devotion to duty and shall do nothing unbecoming of a member of the Service.
- **Rule 4(1)** – Officers must not use their “position or influence” to “secure employment for any member of his family with any private undertaking or NGO”.
- **Rule 11(1)** – Officers may accept gifts from close relatives or friends without official dealings on special occasions but must report gifts over Rs 25,000.
- **Rule 12** – It outlines circumstances for discharging probationers, including being found ineligible or unsuitable by the central government, willfully neglecting probationary studies or duties, and lacking necessary qualities of mind and character.
- **Few sub-rules**
- Officers should maintain high ethical standards, including:
 - Integrity and honesty, Political neutrality, Accountability and transparency and

- Responsiveness to the public, particularly to the weaker sections; courtesy and good behavior with the public.
- They must take a decision solely in the public interest.
- Declare any private interests relating to his public duties.
- Not place himself under any financial or other obligations to any individual or organization which may influence him.
- Not misuse his position as civil servant and not take decisions to derive financial or material benefits for himself, his family or his friends.

6.5 Enemy Property

Indian government has begun to auction the properties belonging to erstwhile citizens of the country who now hold Pakistani and Chinese citizenship.

- **Enemy Property** – Is a property of the erstwhile citizens of India, who now hold the passports of Pakistan and China, the enemy countries of India.
- The ‘enemy properties’ is any property that belongs to and held or managed on behalf of an enemy, an enemy subject, or an enemy firm.
- **Custodian of Enemy Property for India (CEPI)** – Is a department under the Ministry of Home Affairs.
- The “enemy properties” are vested by the central government under the CEPI.
- The vested properties are further divided into moveable and immovable enemy properties.
- **Regulation** – The enemy properties are regulated by the Enemy Property Act, 1968.
- The Act enables the state to regulate and appropriate real estate belonging to erstwhile citizens of the country who now hold Pakistani and Chinese passports.
- **Amendment** – In 2017, Parliament passed two acts:
 - The Enemy Property (Amendment and Validation) Act, 2017, which amended The Enemy Property Act, 1968 and
 - The Public Premises (Eviction of Unauthorised Occupants) Act, 1971.
- The amendment expanded the meaning of the term “enemy subject”, and “enemy firm” to include:
 - The legal heir and successor of an enemy, whether a citizen of India or a citizen of a country which is not an enemy and
 - The succeeding firm of an enemy firm, irrespective of the nationality of its members or partners.
- Even if the enemy or enemy subject or enemy firm ceases to be an enemy due to death, the enemy property vests with CEPI.
- **Verdict of Kerala High Court** – According to the case Kunji Koya vs. High Court of Kerala, the High Court underlined that **“A person working in Pakistan, cannot be called as an enemy”**.

Uttar Pradesh has the maximum number of enemy property, followed by West Bengal.

6.6 Lateral Entry

The UPSC recently issued advertisement to recruit 45 candidates through lateral entry that got criticism from opposition party that the center was trying to bypass reservation policies.

- It was first endorsed by the Second Administrative Reforms Commission established by it in 2005.
- **Lateral entry** – It is the appointment of specialists (including those from the private sector) in government departments on a contract basis for a **period of 3 years**.
- **Duration** – It can be extended up to 5 years based on the performance.
- **Recommended by** – NITI Aayog in 2017.
- **Posts** – The first vacancies for lateral entry were advertised in 2018, but only for **Joint Secretary level positions**.

Joint Secretary is the third-highest rank (after Secretary and Additional Secretary) in a Department, and functions as the administrative head of a wing in the Department.

- Posts of the rank of Director and Deputy Secretary were opened later.
- Directors are one rank below Joint Secretaries, and Deputy Secretaries are one rank below Directors, although in most ministries, they perform the same job.
- Directly recruited Central government employees are **not eligible** for these posts.
- **Experience** – Applicants for the post of joint secretary should have a minimum of 15 years' experience in the relevant domain.
- **Age limit**
 - Joint secretary – 40 to 55.
 - Director – 35 to 45.
 - Deputy Secretary posts – 32 to 40.
- **No quota** – Reservation or caste-based quotas do not apply to these recruitments.
- In the last few years, a total of 63 appointments have been made through this route out of which 35 were sourced from the private sector.

6.7 Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SC/ST Act)

Recently, the Punjab & Haryana High Court has rejected the FIR under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 that didn't mention accused persons was aware of his caste.

- The Act prevent the offences of atrocities against the members of the Scheduled Castes (SC) and the Scheduled Tribes (ST).
- **Aim** – To **deliver justice to the scheduled communities** through preventive and proactive efforts.
- It is popularly known as the SC/ST Act, Prevention of Atrocities (POA) or the Atrocities Act.
- **Enacted on** – 11 September 1989 and came into force on 30 January 1990.
- **Last amendment** – It was amended on 2019 by replacing the Untouchability (Offences) Act, 1955 and the Protection of Civil Rights Act, 1955.
- The provisions are rooted in **Articles 15 and 17** of the Indian Constitution.
- **Listed offences** – There are 37 offences listed in this act, all offences are cognizable, allowing police to initiate investigations without a warrant.
- **Investigating Officer Rank** – Only officers of the rank of Deputy Superintendent of Police (DSP) or above can investigate cases under this Act.
- The investigation must be completed within **30 days**.
- **Speedy Trials** – For ensuring prompt trials, special courts are designated to handle cases related to atrocities against SCs and STs.
- For every Special Court, a Public Prosecutor or an advocate who has been in practice as an advocate for not less than 7 years.
- **Punishment** – The Act prescribes a range of punishments for offenders, including:
 - Imprisonment for a minimum of 6 months and
 - A maximum of life imprisonment or even death sentence in severe cases.
- **Duty Neglect Penalty** – Public servants who deliberately neglect their duties under the Act can be punished with imprisonment up to 6 months.
- **Immediate Relief** – Victims of atrocities under the Act are entitled to immediate relief, which can be provided in cash or kind by the District Magistrate or Sub-Divisional Magistrate.

Article 15 prohibits discrimination on the basis of caste.

Article 17 of the Constitution of India states that 'Untouchability is abolished and its practice in any form is forbidden.'

6.8 Ban on Begging

Bhopal district collector recently issued orders to prohibit begging in the district, Madhya Pradesh after Indore.

- Bhopal has prohibited begging across all public places, including registration of FIRs for receiving and giving alms.
- **Governing law** – The orders are under **section 163** of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.
- This law gives officials including the district magistrate, sub-divisional magistrate or any other executive magistrate, the power to issue an order in urgent cases of ‘nuisance or apprehended danger’.
- The order can direct any person from abstaining from a certain act.
- It may apply to persons residing in a particular place or area, or the public generally frequenting or visiting a particular place or area.
- **Punishments** – The section punishes those disobeying an order announced by a public servant.
- If an order under the section is not obeyed, the person can be punished with simple imprisonment for a term **up to 6 months**, fine up to Rs 2500, or both.
- If the disobedience of the order causes or tends to cause danger to human life, health or safety, imprisonment can be extended to **1 year** and the fine to Rs 5000.
- The act also says that an order under the section shall remain in force for not more than two months, provided the state government considers it necessary that the order remain in force for a period not exceeding **6 months**.
- Orders under the section-erstwhile section 144 of the Criminal Procedure Code are extended periodically if required by issuing fresh orders.
- **Begging related laws** – Bombay Prevention of Beggary Act, 1959, Bengal Vagrancy Act, 1943 and the Cochin Vagrancy Act, 1945.
- In 2018, the Delhi High Court struck down some sections of the Act as unconstitutional, decriminalising begging.
- There is **no central Act on begging** in the country but many states have enacted their own laws, most of them based on the 1959 Act.

7. BILLS, ACTS AND POLICIES

7.1 Amendment of Constitution

The Union Cabinet has cleared the proposal to hold simultaneous elections in India, as recommended by Kovind committee with 15 amendments to the Constitution of India.

- It is a bill that seeks to amend the Constitution of India.
- **Constitutional provisions** – **Article 368** states that the Parliament may, in exercise of its constituent power, amend by way of addition, variation or repeal any provision of the Constitution.
- **Introduction** – In **either House of Parliament, by a minister or a private member** in both houses can introduce the bill without the President's prior permission.
- A simple majority is required to adopt the motion for introducing the bill.
- **Passage of bill** – It must be passed by both the Lok Sabha and the Rajya Sabha **by a special majority**.
- **Special majority** – More than half of the total membership of the House must vote for the bill, and at least two-thirds of the members present and voting must also vote for it.
- **Federal bills** – If the bill impacts federal relations, it must also be ratified by at least half of the State Legislatures.
- After both Houses of Parliament pass the bill, and the State Legislatures ratify it where necessary, the bill is presented to the President for assent.
- **Number of amendments** – As of September 2024, there have been **106 amendments** to the Constitution of India since it was enacted in 1950.

7.2 Oilfields (Regulation and Development) Amendment Bill, 2024

Recently, the Rajya Sabha passed the Oilfields (Regulation and Development) Amendment Bill, 2024.

- **Oilfields Bill** – The Bill amends the Oilfields (Regulation and Development) Act, 1948.
- **Aim** – To encourage domestic production of petroleum and other mineral oils, along with private investment in these sectors to reduce import dependence.
- The Act defines **mineral oils to include petroleum and natural gas.**
- The Bill expands the definition to include:
 - Any naturally occurring hydrocarbon,
 - Coal bed methane and
 - Shale gas/oil.
- It clarifies that **mineral oils will not include coal, lignite or helium.**
- It draws a clear line between the law governing the mining of minerals defined under the Mines and Minerals (Development and Regulation) Act, 1957 and the Oilfields Act.
- **Ministry** – Ministry of Petroleum and Natural Gas.
- **Other proposed changes** – The regulation of coal and lignite is governed by the Mines and Minerals Act.
- **Petroleum Lease** – It replaced the references of mining leases.
- It is defined as a lease granted for prospecting, exploration, development, production, making merchantable, carrying away or disposing of mineral oils.
- Existing mining leases granted under the Act of 1948 continued to be valid.
- **Rule-making power of central government** – The Act empowers the central government to make Rules on several matters.
- These include:
 - Regulating the grant of leases,
 - Terms and conditions of leases including the minimum and the maximum area and the period of lease,
 - Conservation and development of mineral oils, Methods for producing oil and
 - Manner of collection of royalties, fees and taxes.
- It also empowers some powers continued to retain, including:
 - Merger and combination of petroleum leases,
 - Sharing of production and processing facilities,
 - Obligations of lessees towards protecting environment and reducing emissions and
 - Alternative mechanisms for resolving disputes in relation to the grant of petroleum leases.
- **Punishment** – The Act provides that violation of rules will be punishable with imprisonment up to 6 months, a fine of Rs 1,000, or both.
- The bill provides that violation of rules will be punishable, with a **penalty of Rs 25 lakh.**
- It adds the offenses such as,
 - Undertaking activities related to mineral oils such as exploring, prospecting, and production without a valid lease and
 - Non-payment of royalty.
- Continued violation of offences will attract a **penalty of up to Rs.10 lakh per day.**
- The central government will appoint an officer of the **rank of Joint Secretary** or above for adjudication of penalties.

7.3 Anti-conversion Bill, Rajasthan

The Rajasthan Prohibition of Unlawful Conversion of Religion Bill, 2025 was introduced in the ongoing Budget Session of the state Assembly recently.

- **Provisions of the bill** – Religious conversion by misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means or by marriage has been made an offence in the Bill.
- The offence under the anti-conversion bill will be **cognisable and non-bailable** and triable by a court.
- Individuals who desire to convert their religion are required to give a declaration in the prescribed form **at least 60 days** in advance to the District Magistrate.
- The burden of proof that a religious conversion was not done through unlawful means rests on the person who has "caused" the conversion.
- The court may grant appropriate compensation to victims of unlawful conversion, which may extend to a maximum of **5 lakh rupees**.
- Repeat offenders may face double the punishment provided under the law for each subsequent offense.
- Marriages done for the sole purpose of conversion will be deemed invalid by family courts.
- **Punishment and penalties** – The Bill provisions imprisonment for a term not less than one year.
 - It may extend to 5 years with a fine of Rs 15,000.
- Those who violate the rules in respect of a minor, a woman or a person belonging to the Scheduled Caste or Scheduled Tribe shall be punished with imprisonment for a term of 2 years.
 - It may extend to 10 years along with a fine of Rs 25,000.
- In case of **mass conversion**, the bill provisions 3 years of jail extending up to 10 years and a fine of Rs 50,000.
- Marriages done for the sole purpose of conversion will be deemed **invalid** by family courts.
- Once passed, Rajasthan will become the **12th state** to have an anti-conversion law.
- **Other states having anti-conversion law**
 - Odisha, Arunachal Pradesh, Gujarat, Chhattisgarh, Karnataka, Jharkhand, Haryana, Uttarakhand, Himachal Pradesh, Uttar Pradesh and Madhya Pradesh.

7.4 Disturbed Areas Act, 1986

Under the provisions of the Disturbed Areas Act, Surat property sealed over sale to Muslim woman recently.

- The Disturbed Areas Act was enacted in the year 1986 and replaced with a new Act in 1991.

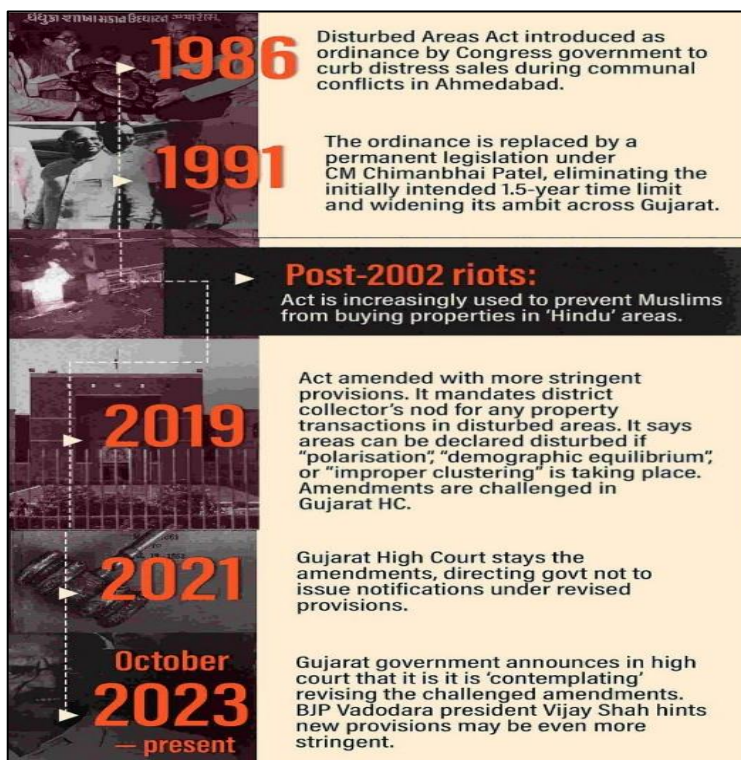
- **Act's full name** – The Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from Premises in Disturbed Areas Act.

- **Riot-prone areas** – It empowers the government to declare riot-prone areas as 'disturbed'.

- **Collectors Consent** – Property sale or transfer in areas where the Act has been imposed **requires additional permission from the collector's office** affirming free consent.

- **Distress sales** – The motive of the Act was to **prevent distress sales**. It was also to prevent house owners of one community from selling to another in case of social distress.

- **Areas are covered under the Act** – Several areas in the districts of Ahmedabad, Vadodara, Surat, Anand, Amreli, Bhavnagar, Panchmahals and others remain under the purview of the Act, with newer areas being added.



- The Gujarat government last month extended the application of the Act in existing areas of Anand district for another five years.
- **Amendments in 2020** – Gave more power to Collector, government.
- In 2020, the Gujarat government amended certain sections of the Act, giving the Collector more powers.
- Under the Disturbed Areas Act, the district Collector notifies a particular area of a city or town as 'disturbed'.
 - After this, the transfer of immovable property in those areas requires express permission of the Collector.
- The amendments raised the imprisonment for violation from 6 months to between 3 and 5 years.

7.5 New Income Tax Bill 2025

The new income tax bill, 2025 is expected to come into effect on 01 April 2026, will replace the existing Income Tax Act, 1961 ('Act').

- **Simplified legislation** – The new bill aims to simplify the current tax system by reducing the section count from 819 to 536 and reducing the word count by 40% to 50%.
- A significant number of explanations and conditions have been removed.
- **Introduction of tax year** – The new bill proposes the adoption of '**tax year**' to eliminate confusion between terms like previous year (i.e., financial year) and assessment year.
- The tax year will generally run from **01 April to 31 March** of the following year.
- **Simplification of legal language** – Legal terms like 'notwithstanding anything contained' will be replaced with simpler language like 'irrespective of anything contained.'
- Formulas and tables have been added to clearly present key provisions, especially for salary perquisites, presumptive taxation and TDS/TCS rates.
- **Residency laws remain unchanged** – The residency laws continue to remain the same.
- The new bill keeps the current residency provisions intact, which classify individuals into 3 categories of residents:
 - Ordinarily resident,
 - Not-ordinarily resident and
 - Non-resident.
- **Heads of income remain intact** – The new Bill has proposed no change in heads of income compared to the existing Act.
- It will remove many of existing redundant provisions which have become obsolete over time.
- **Addition of new schedules** – The new bill adds 2 new schedules, enhancing the total number of schedules to **16**, to improve the organization of the new bill.
- However, the structure of 23 chapters, will remain unchanged for stability.
- **Easy referencing by salaried class** – Salary-related provisions are now consolidated in one section for easier understanding, eliminating the need for multiple references.
- Deductions like gratuity and leave encashment are now part of the salary chapter.
- Allowances like Leave Travel concession and House Rent allowance are included in Schedule II and III of the new bill.
- **Streamlined provisions for exempt income** – Existing provisions for exempt income, previously detailed in Section 10, are now moved to separate schedules.
- **Streamlining TDS rules** – Tax Deducted at Source (TDS) regulations will be simplified under the new bill making it more transparent and easier and comply with TDS obligations.
- The new bill allows taxpayers to apply for lower or nil withholding tax certificates across all TDS/TCS provisions, rather than a select few, thereby reducing compliance burdens for taxpayers
- **Budget 2025 updates incorporated** – The changes proposed in Budget 2025, such as the new rates for the concessional tax regime have also been incorporated in the new Bill.

- Virtual digital assets such as cryptocurrencies have been included in the definition of property to be counted as a capital asset of the assessee along with existing categories of immovable property.
- Senior citizens are eligible to claim a tax deduction of Rs 50,000 for interest income earned from savings accounts and time deposits in banks, post offices, and cooperative banks.

8. OTHERS

8.1 Panchamasali Lingayats

Members in Panchamasali Lingayat community hold a rally demanding the inclusion of the community in the 2A reservation category, in Bengaluru.

Lingayats

- Lingayat term denotes a person who wears a personal linga, an iconic form of the god Shiva, on the body which is received during the initiation ceremony.
- Lingayats are the followers of 12th-century philosopher-**saint Basavanna**, who started an anti-caste movement that rejects the orthodox ritualistic Hindu practices.
- They are strict **monotheists** who follow only one god, Lord Shiva.
- Lingayats had been classified as a Hindu subcaste called “Veerashaiva Lingayats”.
- **Sub-sects** - Prominent sub-sects include the Panchamasalis, Ganiga, Jangama, Banajiga, Reddi Lingayat, Sadars, Nonaba and Goud-Lingayats.
- All these sub-sects practise the same rituals at the time of births, weddings and deaths.
- For instance, the dead are buried in sitting positions among Lingayats.
- Members of the community carry their Ishta Linga suspended in a silver box around their necks.
- **Category** – Currently Lingayats will fall into **3 (B) category**.

Lingayats are believed to be the single largest caste group in Karnataka and account for nearly 17% of the state's population.

Panchamasali Lingayats

- It is a sub-section within the Lingayat community, and they are often involved in agriculture and community service.
- **Recent Demands** – They are demanding a **2A category reservation under the OBC list**.
- In 2A category reservation these communities will get preferential reservations of 15% in government jobs and educational institutions.
- There is a demand that the community be identified only as “Lingayat”, and not “Veerashaiva Lingayat” in caste certificates.
- In the Hindu Marriage Act, 1955 and Hindu Succession Act, 1956 Lingayats, Buddhists, Jains, and Sikhs are included among Hindus.
- State and Central governments identified Buddhists, Sikhs and Jains as minority religions in 1993, 1963, and 2014 respectively.
- But, Lingayats remain unrecognized under a separate religious status.

8.2 Constitution Day

Recently, the Constitution Day of India, or Samvidhan Divas is celebrated on 26th November to commemorate the adoption of the Constitution of India.

- On November 26, 1949, the Constituent Assembly adopted the Constitution of India.
- The Constitution finally took effect on January 26, 1950, when India became a republic.
- **Notified by** – Ministry of Social Justice and Empowerment.

- **Notified on** – 19th November 2015, the year that marked the 125th **birth anniversary of Dr BR Ambedkar**.
- President will address the Members of both Houses of Parliament in the Central Hall on the occasion of 'Samvidhan Diwas'.
- **Historical Background** – The Constituent Assembly met for the first time in New Delhi on December 9, 1946 in the Central Hall of the old Parliament House building.
- Dr. Rajendra Prasad, the first President of India, as its chairman.
- The Assembly had 389 members, including prominent leaders like Dr BR Ambedkar, Jawaharlal Nehru, and Sardar Patel.
- Ambedkar presented the draft in the Constituent Assembly in 1948. The draft was adopted, after being deliberated across eleven sessions and for more than two years, on November 26, 1949, with a few amendments.
- The Constitution of India finally came into effect on January 26, 1950, which is observed as Republic Day.
- The Preamble of the Constitution of India declares the country as a sovereign, socialist, secular and democratic republic and aims to secure justice, liberty, and equality for all citizens.
- Celebrating Constitution Day is primarily to honor Dr BR Ambedkar and promote awareness of constitutional values, rights, and duties.
- **Dr Ambedkar** – He chaired the Drafting Committee of the Constitution.
- He is known as the **Father of the Indian Constitution**.
- The day was previously observed as **National Law Day** as he was also the first Law Minister of India.

*The Constitution of India is the **largest written constitution** in the world, with 1,17,360 words (in the English version) and it had 395 Articles and 8 Schedules.*

8.3 State Funeral

The former Prime Minister Manmohan Singh was recently given a state funeral and national mourning.

- **State funeral** – It is when a person of importance is laid to rest in an elaborate ceremony following laid-down rules, involving members of the public in the mourning.
- It can include a **gun salute, draping of the coffin with the tricolour**, and laying of wreaths by mourners.
- **Gazette notification by** – Union **Home Ministry**.
- **Relevant arrangements by** – Union **Defence Ministry**.
- **Beneficiaries** – It is accorded in the event of the death of important personnel.
 - **For example**, the president, prime minister, former president or governor, sitting cabinet ministers, governors, lieutenant governors, Lok Sabha speaker, chief justice of the Supreme Court, chief ministers and Bharat Ratna awardees.
- Centre has the authority to **extend for other dignitaries** who have made significant contributions towards the nation.
 - **For examples**, it was given to late industrialist Ratan Tata and singer Lata Mangeshkar.
- **Participants** – It has to be attended by all the gazetted officers of government who may be present in the station.
- Service personnel will wear dress as for state functions.
- **Status of National flag** - At a time of 'state mourning', the national flag is **flown at half-mast** at different locations.
- **Draping of national flag** – On the dignitary's body, over the coffin with the saffron towards the head of the coffin.

*According to the Flag Code of India, the **national flag is flown at half-mast** throughout India in case of a sitting president, prime minister, vice-president and former president, and in Delhi in the case of the passing of the Lok Sabha speaker and the chief justice of India.*

State mourning	National mourning
Declared by the <u>state</u> governments.	Declared by the <u>centre or state</u> governments.
Observed in the event of Governor and Chief Minister.	Observed in the event of political leaders and others who have made an exceptional contribution to the country.

- It shall not be lowered into the grave or burnt in the pyre.
- **Public holiday** – It is restricted to death of a sitting prime minister or president.
- However, there have been some departures from protocol.
- No official entertainments are held during national or state mourning.

8.4 UDISE+ Report

Recently, the Unified District Information System for Education Plus (UDISE+) Report enrolment data has stayed around 26 crores.

- **UDISE+ Report** – It is a report from Unified District Information System for Education Plus initiative.
- **Prepared by** – Department of School Education & Literacy (DoSE&L).
- **Released by** – Ministry of Education (MoE).
- **Based on** – Voluntary uploading of data by the schools having active UDISE+ codes.
- **UDISE+ code** – It is allotted to a recognized school by the Central Government based on the recommendation of the respective State/UT Government where the school is located.

Unified District Information System for Education Plus (UDISE+)

- It is one of the largest Management Information Systems (MIS).
- **Aim** – To facilitate online uploading of data at school level with inbuilt validation checks and the subsequent data verification at the Block, District and State level.
- It becomes truly “One Nation One Database”.
- **Data** – It captures data for more than 60 fields for each student.
- **Child Aadhaar**– They were collected on the voluntarily basis.
- **EID** – A separate unique Educational ID (EID) for every student created in the UDISE+ portal which covers each and every child across the country.

UDISE+ Report 2023-2024

- It had the cutoff date as on 31st March 2024.
- It is in alignment with the recommendations of National Education Policy, 2020 (NEP 2020).
- It focuses on individual student for the 1st time at the national level.
- **Coverage** – It covers all States /UTs except Tamil Nadu and West Bengal as they both directly feed data into UDISE+ portal of DoSE&L.
- **Data collection** – More than 19.7 crore students provided Aadhaar numbers voluntarily.
- **Total enrolment** – 24.8 Crore, a drop over by 1 crore from 2018-19.
- It includes a drop in enrolment of both boys and girls students.
- **Drop in enrolment** - Bihar, Uttar Pradesh and Maharashtra saw among the highest drop in enrolments.

The **School Education system** in India is one of the largest in the world comprising more than 1.47 million schools, 9.8 million teachers, and over 248 million students from varied socio-economic backgrounds.

TamilNadu and West Bengal are the two States that maintains their **own Management Information Systems (MIS)** and provides bulk data link to UDISE+ portal of DoSE&L.

8.5 Republic Day Awards

President Draupadi Murmu awards 942 service medals, including 95 for gallantry, for personnel of various central and state police forces on the eve of India's 76th Republic Day.

Civilian Service Awards

Civilian Service Awards is the highest honors among the civilian awards are the Bharat Ratna and the Padma Awards – the Padma Vibhushan, the Padma Bhushan and the Padma Shri.	
Bharat Ratna	<ul style="list-style-type: none"> India's highest and most prestigious civilian honour, awarded for exceptional service in any field art, literature, science, or public service. The Prime Minister recommends the nominees for this award, and a maximum of 3 persons can be conferred the Bharat Ratna in a year.
Padma Vibhushan	<ul style="list-style-type: none"> It is for distinguished service of higher order. Winners are selected by the Padma Awards committee. Any person working in any field with the exception of Government employees, barring doctors and scientists are eligible for the award. The nomination process is open to the public, and allows people to nominate themselves.
Padma Shri	<ul style="list-style-type: none"> It is for distinguished service in any field. The award winners are selected by the Padma Awards committee. Any person working in any field with the exception of Government employees, barring doctors and scientists are eligible for the award. The nomination process is open to the public, and allows people to nominate themselves.
Service Medals	
<ul style="list-style-type: none"> Service Medals is a recognition to distinguished service, dedication, and exceptional contributions by personnel in the Armed Forces, Paramilitary Forces, and Police. They are announced on Republic Day and Independence Day. It includes President's Medal for Distinguished Service (PSM) and Medal for Meritorious Service (MSM). 	
President's Medal for Distinguished Service (PSM)	<ul style="list-style-type: none"> It is awarded for a special distinguished record in service.
The Medal for Meritorious Service (MSM)	<ul style="list-style-type: none"> It is awarded for valuable service characterized by resource and devotion to duty.
<ul style="list-style-type: none"> For the Armed Forces, the highest honors are the Param Vishisht Seva Medal, the Ati Vishisht Seva Medal and the Vishisht Seva Medal. 	
Gallantry Awards	
<ul style="list-style-type: none"> Gallantry Awards are awarded to members of the armed forces, paramilitary forces, and civilians for bravery and heroic action. 	
Wartime Awards	<ul style="list-style-type: none"> Presented to armed forces personnel for acts of bravery in the face of the enemy. Highest honours include the Paramvir Chakra, the Mahavir Chakra, and the Vir Chakra.
Peacetime Awards	<ul style="list-style-type: none"> Highest honours include the Ashoka Chakra, the Kirti Chakra, and the Shaurya Chakra. These awards can be awarded to armed forces, paramilitary forces, police, or civilians.
Police Gallantry Medals	<ul style="list-style-type: none"> Announced twice a year on Republic Day and Independence Day.

	<ul style="list-style-type: none"> The President's Medal for Gallantry is awarded to those who have done a rare conspicuous gallant act of exceptional courage & skill. The Police Medal for Gallantry recognizes acts of bravery and courage in the line of duty.
Civilian Gallantry Medals	<ul style="list-style-type: none"> Recognize civilians for acts of bravery and saving lives. The Jeevan Raksha Padak Awards are given for lifesaving acts of service by people from all walks of life. The National Bravery Awards recognizes children who show exceptional courage.

8.6 National Panchayat Awards

Recently, the Ministry of Panchayati Raj announced that 7 gram panchayats from Tripura have been selected for the National Panchayat Awards 2024.

- It is given **annually on 24th April, to the best performing panchayats** under Incentivization of Panchayats scheme.
- It recognizes the panchayats good work for improving delivery of services and public goods.
- To assess the performance of Panchayats in attainment of SDGs, promote competitive spirit among them and catalyze the process of LSDGs.
- It aligning with 9 Localization of Sustainable Development Goals (LSDGs) themes aggregating 17 Sustainable Development Goals (SDGs).
- Ministry** – Ministry of Panchayat Raj.
- Launched in** – 2022.
- Awarded by** – President of India.
- The award is given to Various Gram, Block and District Panchayats of the states respectively.
- Criteria** – It is conferred with **trophies, certificates and financial incentives.**
- All the Panchayats ranked based on their performance under 9 LSDG themes:

*National Panchayati Raj Day is celebrated on **24th April** every year.*

- Poverty free and enhanced livelihoods Panchayat.
- Healthy Panchayat.
- Child Friendly Panchayat.
- Water Sufficient Panchayat.
- Clean and Green Panchayat.
- Self-sufficient infrastructure in Panchayat.
- Socially just and socially secured Panchayat.
- Panchayat with Good Governance.
- Women-Friendly Panchayat.
- All the Gram Panchayats **mandatorily to fill the 9 award themes.**
- 7 Categories**



- Deen Dayal Upadhyay Panchayat Satat Vikas Puraskar (DDUPSVP).
- Nanaji Deshmukh Sarvottam Panchayat Satat Vikas Puraskar (NDSPSVP).
- Gram Urja Swaraj Vishesh Panchayat Puraskar.
- Carbon Neutral Vishesh Panchayat Puraskar.
- Panchayat Kshamta Nirmaan Sarvottam Sansthan Puraskar.

- Nanaji Deshmukh Sarvottam Panchayat Satat Vikas Puraskar.
- Best Participant (State/District).
- **National Panchayat Awards 2024** – It is the prestigious award for the appraisal year 2022–2023.
- 1.94 lakh Gram Panchayats participated in the competition.
- It executes the digital transfer of award money to the winning Panchayats.

45 awardees selected under various categories in that **42% Panchayats** are led by Women.

8.7 National Dhanwantari Ayurveda Awards

National Dhanwantari Ayurveda Awards is conferred to three distinguished practitioners for their contributions to the field of traditional Indian medicine.

- **National Dhanwantari Ayurveda Awards** – It is given to:
 - Celebrate excellence in Ayurveda,
 - Acknowledging practitioners who have excelled in research, practice, and education,
 - To those who have played a pivotal role in elevating Ayurveda's stature both nationally and globally.
- **Instituted by** – Ministry of Ayush.
- **Components of the Awards** – Each recipient of the National Dhanwantari Ayurveda Awards received
 - **Citation** – Recognizing their exceptional contributions and dedication to Ayurveda.
 - **Trophy** – Featuring the Statue of Lord Dhanwantari, symbolizing the divine healer.
 - **Cash Prize** – A monetary award of Rs. 5 Lakh to support further advancements in their field.
- **Significance** – Acknowledge the dedication and innovative contributions of Ayurveda stalwarts.
- Encourage upcoming practitioners and researchers to pursue excellence in traditional medicine.
- Emphasize the integration of time-honored Ayurvedic practices with modern healthcare systems, ensuring that ancient wisdom continues to evolve and meet contemporary challenges.
- Strengthen India's role as a global leader in **holistic healthcare** by showcasing the rich legacy and ongoing innovation in Ayurveda.
- **Award recipients, 2025**
 - **Vaidya Tara Chand Sharma** – Renowned Nadi Vaidya and accomplished author.
 - **Vaidya Maya Ram Uniyal** – Distinguished scholar of Dravyaguna Vigyana from Uttar Pradesh.
 - **Vaidya Sameer Govind Jamadagni** – Founder of the Vishwa Vyakhyanamala national conference and Vishwa Ayurveda Prabodhin.

In 2016, the Government of India's Ministry of Ayush declared the birth anniversary of **Dhanwantari** as **National Ayurveda Day**.

In October 2016, on Ayurveda Day, the **first All India Institute of Ayurveda** was inaugurated by PM Narendra Modi in New Delhi.

8.8 National Gopal Ratna Award (NGRA) 2024

Recently, National Gopal Ratna Awards (NGRA) awards given on the occasion of National Milk Day celebrations on 26th November 2024.

- **NGRA** - It is one of the highest National Awards in the **field of livestock and dairy sector** for the year 2024.
- **Given by** – Department of Animal Husbandry and Dairying (DAHD).
- **Ministry** – Ministry of Fisheries, Animal Husbandry & Dairying.
- It has been conferred under the Rashtriya Gokul Mission (RGM) every year.

National Milk Day honors the 103rd birth anniversary of Dr. Verghese Kurien, remembered as the “Father of the White Revolution in India.”

- **Objective** – To recognize and encourage all individuals like:
 - Farmers rearing Indigenous animals,
 - Artificial Insemination (AI) Technicians and
 - Dairy cooperative societies / Milk Producer Company / Dairy farmers Producers Organizations working in the sector of animal husbandry and dairying.
- **3 categories** – It is conferred under these categories:
 - Best Dairy Farmer Rearing Indigenous Cattle/buffalo Breeds.
 - Best Dairy Cooperative Society (DCS)/ Milk producer Company (MPC)/ Dairy Farmer Producer Organization (FPO).
 - Best Artificial Insemination Technician (AIT).
- The Department has incorporated a **Special award** for North Eastern Region (NER) States, in all the 3 categories to encourage and boost the dairy development activities in NER.
- **Certificate**
 - Certificate of merit, a memento, and a monetary prize for first 2 categories.
 - Certificate of merit and a memento only – AIT Category.
- **Cash prize based on Ranking**
 - Rs. 5 lakh - 1st rank
 - Rs. 3 lakh - 2nd rank
 - Rs. 2 lakh for 3rd rank and
 - Rs. 2 lakh - Special Award for NER.

Rashtriya Gokul Mission (RGM)

- **Aim** – Conservation and development of indigenous bovine breeds in a scientific and holistic manner.
- **Duration** – From 2021-2022 to 2025-2026.
- **Implemented by** – Department of Animal Husbandry and Dairying
- **Under** – Rashtriya Pashudhan Vikas Yojna from 2021 to 2026.
- **Important** - Enhancing milk production and productivity of bovines to meet the growing demand of milk and making dairying more remunerative to the rural farmers of the country.
- **Benefits** - Women in particular since over 70% of the work involved in livestock farming is undertaken by women.
