

April- May 2022

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GS-2

PSIR

POLITICO ANALYTICS

Purna Pariksha Guidance For 1000 Marks in UPSC Mains

Complete Syllabus Coverage of GS2, PSIR and Essay



Dr. Piyush Chaubey

POLITICO ANALYTICS

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Editor's Foreword

Dear Aspirants,

It is with an immense sense of satisfaction that I present before you the April-May Edition of Politico-Analytics Magazine. The magazine has seen very positive response since its inception and we have been consistently working towards the numerous suggestions we have received from our esteemed readers. And we would continue to do so in future as well. But in this foreword, I would like to take an opportunity to talk about something other than what is about to come in the pages below.

As we gear up towards the eventual launch of our Offline programs at the Karol Bagh Centre, it comes to mind to ponder over the declining significance of Teacher-Student Interaction. I, along with my associate faculties in the team have strongly held that irrespective of the nature of course and demand of exam, what is really instrumental in assuring success is the regular resolution of doubts which continue to pop up in the minds of students. Good teaching skills and presentation are indispensable for an actually effective learning experience but that in itself is far from sufficient. It is the constant access and ease of interaction which helps a student become more confident about the topic or subject in general.

When it comes to Subjective Exams like UPSC CSE Mains, the issue of faculty access and free interaction assumes an importance of epic proportions. The exam presents a dual challenge in front of aspirants, especially those who are heading into the battle for the very first time in their preparation journey. Not only is there the issue of content and relevant knowledge which has to be gathered to answer the question, there is also the need to express it within a limited amount of words, say 150 or 250. In my experience (which by no measure can be said to be insufficient!!), I have met both kinds of aspirants, one who know how to express what is being demanded in the question but then lack the requisite knowledge or facts to fulfill that demand and the other kind who have all the facts and information at their disposal but struggle majorly when it comes to writing the same in set format of 150 or 250 words. And this dichotomy of aspirant fraternity is visible whether we talk about General Studies or Optional Subjects.

In the era of "Celebrity" teachers who usually vanish into thin air as the timer of the class comes to an end, We at MomemtumIAS, are striving to be the unique institute which does not follow the "Celebrity" Faculty culture. We aim to be available to our students whether they are part of our Online or Offline programs. Our test Series aims to be one where each and every copy is forwarded to the aspirants only after careful review by Faculties and not by so called "Answer Writing Experts" (which is just an euphemism for Former Aspirants who have found a career in the field of Copy Evaluation"). We aim to be available to all those who chose us to be their friend, philosopher and guide in the exam. And we are sincerely making efforts and putting in sweat to keep the promise.

The various programs being offered by the institute have been detailed in the coming pages. This year we would not be taking on classroom programs with large batch sizes, as for us Quality precedes Quantity. All those who are interested in commencing their journey to LBSNAA with us may avail the fast filling seats in our programs by visiting our website or reaching out to us through the contact details provided in this edition. As my capacity of Self-promotion is still limited, I bring this monologue to a close and wish all aspirants a very happy learning journey.

Dr.Piyush Chaubey

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International Relations

Regionalisation of World Politics

The Economic Crisis in Sri Lanka

The International Court of Justics

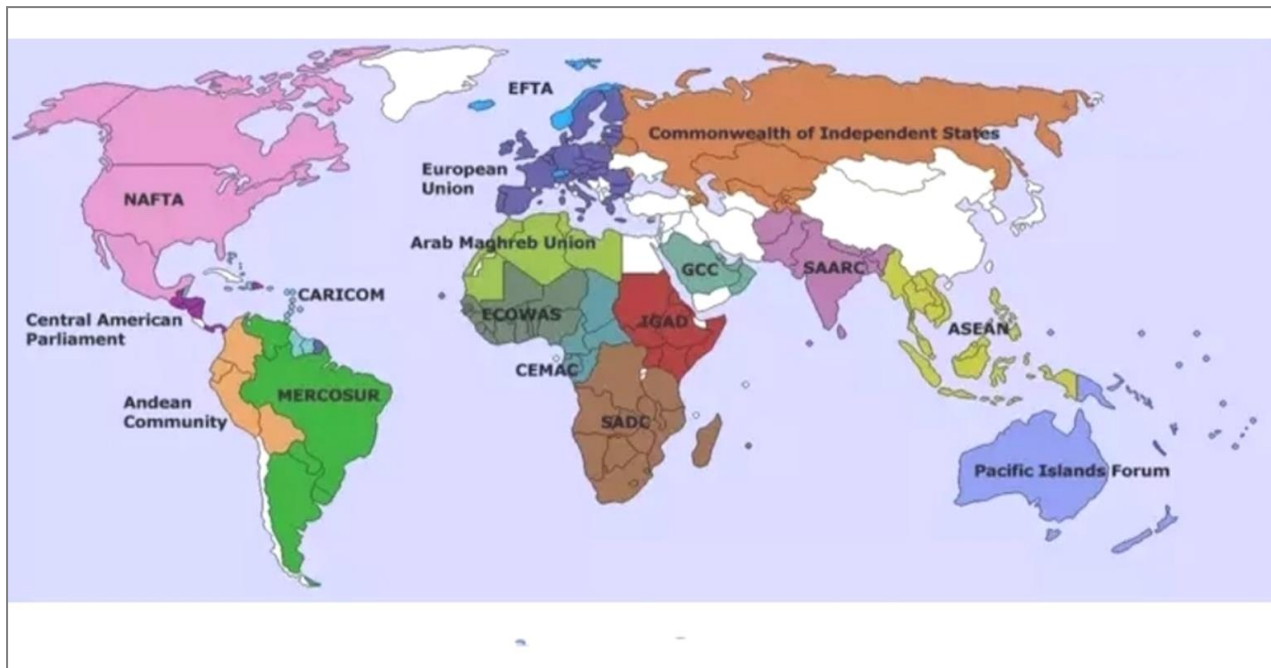
India- Iran

BIMSTEC

India- Australia

India- France

REGIONALISATION OF WORLD POLITICS (PART 1)



- Since the **1990s** the integration and interdependence of regions have been growing, thus forming **regional blocs of trade**, to name a few; **North American Free Trade Area (NAFTA)**, **European Union (EU)**, **Mercosur**, and **Association of East Asian Nations (ASEAN)**.
- This scenario called regionalism is often suggested to be an indication of a move towards regionalisation and segmentation of trade activity rather than its globalization and integration into a multilateral system of trade.
- For the more optimists, the formation of regional blocs is compatible with globalization and promotes trade liberalization.
- There is also the claim that in some ways **regionalism overcomes one of the problems faced by the World Trade Organization (WTO)** of the difficulty to accommodate divergent interests of various nation-states; with fewer actors on board, it is easier to negotiate and form a consensus.
- In theory under the WTO principle of **MFN (Most Favoured Nation)** any tariff reduction granted to one particular country has to be applied to all countries.
- According to *Hirst and Thompson* (1999), **regionalization has become the strongest feature of the international economy rather than globalization**, and the former in practice has been undermining the latter.
- It would be fair to say that the current pattern of regionalisation of trade activity is a very strong feature in contemporary economic globalization if not even a stronger feature than globalization itself.
- Regionalism is a form of protectionism based on preferential arrangements and has been blocking the way to a more liberalised and multilateral system of trade.
- In this respect when compared with 19th-century perspectives trade activity is less integrated and interdependent than it was in the past.

What exactly is Regionalism or Regionalization?

- Regionalism broadly is a process through which geographical regions become significant political and/or economic units, serving as the basis for cooperation and, possibly, identity. Regionalism has two faces, however.
- First, it is a sub-national phenomenon, a process of decentralization that takes place within countries. This applies, for example, in the case of states that practice federalism.
- The second face of regionalism is transnational rather than sub-national. In this, regionalism refers to a process of cooperation or integration between countries in the same region of the world such as the **Association of South-East Asian Nations (ASEAN)**, the **Southern African Customs Union** and the **Central American Common Market**, while others are transcontinental, such as **Asia-Pacific Economic Cooperation (APEC)** and the **North Atlantic Treaty Organization (NATO)**.
- An alternative basis for regional identity is socio-cultural, reflecting similarities in religion, language, history or even ideological belief amongst a number of neighboring states. Cultural identity is particularly important in the case of bodies such as the Arab League and the Nordic Council. **In this view, a region may even be the geographical expression of civilization, as implied by Huntington's 'clash of civilizations thesis.**
- However, economic integration in particular has often focused on establishing cooperation among countries that were formerly hostile to one another or which are divided in terms of their cultural or ideological identity.
- Indeed, if a culturally-based sense of belonging were viewed as an essential feature of a region, no 'regions' could be found anywhere in the world, as no regional organization, including the EU, has come close to rivaling, still less supplanting, a political identification with the nation-state. Like the nation, the region is an 'imagined community' (Anderson 1983).
- Ultimately, 'Europe', 'Africa', 'Asia', and 'Latin America' are ideas, not concrete geographical, political, economic or cultural entities. Being political constructs, regions are almost endlessly fluid, capable of being redefined and reshaped, both as the extent and purposes of cooperation change over time and as new members join or existing members leave. This also explains why regional identities are often contested.
- Finally, regionalism takes different forms depending on the primary areas over which neighboring states choose to cooperate. Three types of regionalism can thus be identified: Economic regionalism, Security regionalism & Political regionalism.

Forms of regionalisation

Economic regionalism

- It refers to the creation of greater economic opportunities through cooperation among states in the same geographical region.
- It is the primary form of regional integration, and it has become more so since the advent of so-called '**new**' regionalism in the early 1990s, manifested in the **growth of regional trade blocs and the deepening of existing trade blocs.**
- In most cases, these trade agreements establish free trade areas, but in other cases, they may establish customs unions or common markets. Such agreements are accepted by the WTO as the only exception to its principle of equal treatment for all trading partners, based on granting all WTO members '**most favoured nation**' status

Security regionalism

- It refers to forms of cooperation designed to protect states from their enemies, both neighboring and distant ones.
- **Regional integration may thus give rise to what Karl Deutsch (1957) called a 'security community.** This applies in two ways.
- First, regional bodies seek to enmesh their members within a system of **'peace through cooperation'**, in whichever deeper levels of interdependence and integration, particularly over economic matters, make war between member states unthinkable.
- The other security motivation behind regional cooperation is the desire to gain protection against a common external enemy. European integration was thus seen as a means of safeguarding Europe from the threat of Soviet expansionism; ASEAN's original role involved providing mutual defense against communism;

Political regionalism

- It refers to attempts by states in the same area to strengthen or protect shared values, thereby enhancing their image and reputation and gaining a more powerful diplomatic voice.

If regionalism has supporters among functionalists, neofunctionalists and federalists, does it mean that it is a panacea for all problems in the international system? There have been claims and counterclaims as to the desirability of regionalism. The Universalists question the relevance and utility of regional organizations while placing their faith in global international organizations to address and solve problems of both regional and international nature. Critics also contend that excessive emphasis on regionalism leads to inward looking closed organizations that foster greater domination by big powers within the region. Hence, the assumption that smaller states come together to protect themselves against bigger, dominant powers within or outside the region is an oversimplified assumption. The empirical evidence of regional groupings so far suggests that in the security arena, bigger and stronger powers acquire an additional forum for influence and domination leading to greater concentration of power than ever before.

(Second part of this article in relation to Regionalisation and Globalisation will be published in the next edition.)

THE ECONOMIC CRISIS IN SRI LANKA

Why in the news-

- Sri Lanka is in the grips of one of its worst economic meltdowns in history. A severe shortage of foreign currency has left Rajapaksa's government unable to pay for essential imports, including fuel, leading to debilitating power cuts lasting up to 13 hours.
- Ordinary Sri Lankans are also dealing with shortages and soaring inflation after the country steeply devalued its currency.

What caused the economic crisis?

- Experts say the crisis has been years in the making, driven by a little bad luck and a lot of government mismanagement. Over the past decade, the Sri Lankan government has borrowed vast sums of money from foreign lenders to fund public services.
- This borrowing spree has coincided with a series of hammer blows to the Sri Lankan economy, from both natural disasters -- such as heavy monsoons -- to man-made catastrophes, including a government ban on chemical fertilizers that decimated farmers' harvests.
- These problems were compounded in 2018 when the President's dismissal of the Prime Minister sparked a constitutional crisis; the following year, when hundreds of people at churches and luxury hotels were killed in the 2019 Easter bombings; and from 2020 onwards with the arrival of the Covid-19 pandemic.
- Facing a massive deficit, President Gotabaya Rajapaksa slashed taxes in a doomed attempt to stimulate the economy. But the move backfired, instead of hitting government revenue. That prompted rating agencies to downgrade Sri Lanka to near default levels, meaning the country lost access to overseas markets.
- Sri Lanka then had to fall back on its foreign exchange reserves to pay off government debt, shrinking its reserves from \$6.9 billion in 2018 to \$2.2 billion this year. This impacted imports of fuel and other essentials, which sent prices soaring.
- Topping all that, the government March floated the Sri Lankan rupee -- meaning its price was determined based on the demand and supply of foreign exchange markets.
- That move appeared aimed at devaluing the currency to qualify for a loan from the International Monetary Fund (IMF) and encourage remittances.
- The first wave of the pandemic in 2020 offered early and sure signs of the distress — when thousands of Sri Lankan labourers in West Asian countries were left stranded and returned jobless; garment factories and tea estates in Sri Lanka could not function, as infections raged in clusters, and thousands of youth lost their jobs in cities as establishments abruptly sacked them or shut down. It meant that all key foreign exchange earning sectors, such as exports and remittances, along with tourism, were brutally hit.
- However, the plunging of the rupee against the US dollar only made things worse for ordinary Sri Lankans.
- For Sri Lankans, the crisis has turned their daily lives into an endless cycle of waiting in lines for basic goods, many of which are being rationed.
- In recent weeks, shops have been forced to close because they can't run fridges, air conditioners or fans. Soldiers are stationed at gas stations to calm customers, who line up for hours in the searing heat to fill their tanks. Some people have even died waiting.

What's happening with the Cabinet?

- The government's entire cabinet was effectively dissolved on April 3 due to mass resignations by top ministers. Other major figures including the governor of the central bank also resigned.
- Facing an administration in chaos, the President attempted a reshuffle he hoped would placate the opposition. The reshuffle failed to stop further desertions.
- The ruling **Sri Lanka People's Front Coalition** (also known as the Sri Lanka Podujana Peramuna) lost 41 seats by Tuesday after members from several partner parties pulled out to continue as independent groups. The coalition was left with only 104 seats, losing its majority in parliament.

Global response-

- Sri Lanka has also requested help from China and India, with New Delhi already issuing a credit line of \$1 billion in March -- but some analysts warned that this assistance might prolong the crisis rather than solve it.
- China is considering Sri Lanka's recent request for further \$2.5 billion assistance, in addition to the \$2.8 billion Beijing has extended since the outbreak of the pandemic, the Chinese Ambassador in Colombo told a media conference.

There is still much uncertainty around what comes next; national consumer price inflation has almost tripled, from 6.2% in September to 17.5% in February, according to the country's central bank. And Sri Lanka has to repay about \$4 billion in debt over the rest of this year, including a \$1 billion international sovereign bond that matures in July. Both citizens and different segments of the political opposition are taking to the streets, demanding that President Rajapaksa go home. Many media houses are criticising the government, while social media pages are rife with memes and sharp commentary on the Rajapaksas.

How has India responded?

- Beginning January 2022, India has extended assistance totaling \$ 2.4 billion — including a \$400 million RBI currency swap, a \$500 million loan deferment, and credit lines for importing food, fuel, and medicines.
- The leadership has thanked India for the timely assistance, but there is growing skepticism in Sri Lankan media and some sections, over Indian assistance “being tied” to New Delhi inking key infrastructure projects in the island nation in the recent past — mainly the strategic Trincomalee Oil Tank Farm project; the National Thermal Power Corporation’s recent agreement with Ceylon Electricity Board to set up a solar power plant in Sampur in Sri Lanka’s eastern Trincomalee district; and two renewable energy projects in northern Sri Lanka, with investment from India’s Adani Group.
- The weekend newspaper Sunday Times took an editorial position that New Delhi was resorting to “diplomatic blackmail”, while cartoonists have depicted Sri Lankan leaders trading crucial energy projects for emergency financial assistance from India. The political opposition has accused the Adani Group of entering Sri Lanka through the “back door”, avoiding competitive bids and due process.

Scholarly Analysis

Comments in bold to be directly incorporated in Answers (For PSIR optional only!!)

Mark S. Cogan and Dr Dalbir Ahlawat

- *India needs to recognize the fragility of the situation. As a state with ethnic ties to Sri Lanka, a worsening of the situation on the island could lead to a large-scale movement of Sri Lankan nationals to India. Some have already started arriving at the Indian coast. Refugees from the civil war still live in Tamil Nadu state or have integrated into Indian society.*
- *India, which has the resources, should extend its support through supplies of food, medicine, and other essential goods. India has already responded by sending \$500 million worth of fuel, almost all of which had run out last week.*
- **India should look at the Sri Lankan economic crisis as a cautionary tale, inviting the Rajapaksas to treat their partnership with China as a story of excess and to learn from the mistakes of easy access to cheap credit and short-sighted policymaking.**
- **While acknowledging the continued presence of China and Sri Lanka's strategic value in its quest to acquire a "string of pearls," India must seize the opportunity to restore its traditional influence in Sri Lanka. After all, continued instability on the island will have repercussions in India. That will be a burden for India, not for China.**

Gulbin Sultana

- India must continue to provide as much assistance to Sri Lanka as possible to deal with the present economic crisis because prolonged instability in the country will have a spill-over effect on India too.
- **One has to remember that even though China is an important factor, it is not the "only" factor in India-Sri Lanka relations. There are other bilateral issues between the two countries which are equally important. Any kind of instability in Sri Lanka, be it political, social, economic or security, is not in India's interests.**
- Be that as it may, the economic crisis has left Sri Lanka in dire straits. As much as Sri Lankans express their gratitude for Indian assistance, they know that it alone cannot rescue Sri Lanka from this crisis. Therefore, expecting goodwill towards India to lead to a dampening of relations between Sri Lanka and China would be unrealistic.


Aditya Gowdara Shivamurthy

- For India, the economic crisis might be an opportunity to reassert its influence in the region. However, this proactive and renewed engagement also risks creating another 'India Out' moment in the neighbourhood.
- The Opposition has already been quick in politicising the recent renewable energy projects and defence pacts. In this case, China is likely playing safe with its passive approach.
- And in this case, if the International Monetary Fund (IMF) and World Bank negotiations do not fructify, Sri Lanka will be back to its 'cheques and balances' game, thereby postponing the crisis, intensifying the competition, and incurring significant domestic costs for itself as well as India.

Sushma Ramachandran

- These repercussions could include an influx of refugees which till now has been only a trickle. But in case the situation worsens, there is every possibility that this could turn into a flood that may be difficult to manage.
- Second, Indian exports could be affected as Colombo ports serve as a trans-shipment hub for about 60 per cent of its global trade. Freight costs will go up if there are delays at the port. There is also considerable bilateral trade amounting to nearly five billion dollars, while Indian industry has made-ranging investments in that country which could be affected by the unrest.
- At this stage, India needs to play the role of big brother by providing financial and material support. Some observers have blamed investments in the unproductive infrastructure projection of China for Sri Lanka's growing debt burden.
- Right now, however, it is time for India to put the past aside and focus on providing succour to the general public there who are in dire straits due to the unprecedented economic collapse.

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THE INTERNATIONAL COURT OF JUSTICE

Why in news-

Ukraine has filed an application before the International Court of Justice (ICJ), instituting proceedings against the Russian Federation concerning “a dispute...relating to the interpretation, application and fulfillment of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide” (the “**Genocide Convention**”).

- The ICJ is the principal judicial organ of the United Nations (UN).
- It was established in June 1945 by the Charter of the United Nations and began work in April 1946.
- The court is the successor to the Permanent Court of International Justice (PCIJ), which was

brought into being through, and by, the League of Nations, and which held its inaugural sitting at the Peace Palace in The Hague, Netherlands, in February 1922.

- After World War II, the League of Nations and PCIJ were replaced by the United Nations and ICJ respectively.
- The PCIJ was formally dissolved in April 1946, and its last president, Judge José Gustavo Guerrero of El Salvador, became the first president of the ICJ.
- The first case, which was brought by the UK against Albania and concerned incidents in the Corfu channel — the narrow strait of the Ionian Sea between the Greek island of Corfu and Albania on the European mainland — was submitted in May 1947.

Seat and role

- Like the PCIJ, the ICJ is based at the Peace Palace in The Hague. It is the only one of the six principal organs of the UN that is not located in New York City. (The other five organs are the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, and the Secretariat.)

ICJ

The International Court of Justice

Established:- In 1945 (Started in 1946) Seat of Court:- The Hague (Netherlands)
Official Language:- English & French No. of Judges:- 15 Judges Term:- 9 Years
Type:- Principal Judicial Organ of the UN under Art 7 of UN Charter.

Website:- www.icj-cij.org

JURISDICTION OF ICJ

1) Contentious Jurisdiction
 Related to Disputes among States only.
Voluntary clause:- when two Parties agree to submit their Dispute to the ICJ under Art. 36 (1) of ICJ Statute.
Optional clause:- If any Dispute arises by the Treaty or Agreement, Parties may submit the Issue in ICJ under Art. 36 (2) of ICJ Statute.
Transferred clause:- PCIJ Cases Transfer to the ICJ under 36 (5) of ICJ Statute.

2) Advisory Jurisdiction
 To get the Opinions on any Legal Questions, this Function of the Court open only to Specified United Nations bodies and Agencies except UN Secretariat under the Art. 65 of ICJ Statute & Art. 96 of the UN Charter.

ROLE
 The Court's Role is to settle, In Accordance with International Law, Legal Disputes submitted to it by States and to give Advisory Opinions on Legal questions referred to it by authorized United Nations Organs and Specialized Agencies.

KEY POINTS

- #ICJ sometimes called “World Court”
- #1st Case submitted in ICJ in 1947.
- #ICJ Judges is **Appointed** By GA and Security Council separately, 5 out of 15 Judges appointed by UNSC Permanent Members (P5).
- #**José Gustavo Guerrero** (El Salvador) was the 1st President of ICJ.
- #ICJ is Defined under Chapter 14 (Article 92-96) of the UN Charter.
- #ICJ decisions shall be **Binding** only If both parties or states accept the decision on the Contentious case under Art. 59 of ICJ Statute.
- #ICJ is the Successor of the **Permanent Court of International Justice (PCIJ)** which was Established by the League of Nation in 1920.
- #If any **Third party** or state affected by the judgment of ICJ, it may submit a request to the court to be permitted to intervene under Art 62 of ICJ Statute.
- #It is the **Responsibility of UNSC** to enforce the Judgement of ICJ under Art. 94 of UN Charter.
- #**Eligibility** for ICJ Judge is defined under Art. 2 of ICJ Statute.
- #**Elections** are held Every 3 years for 1/3 of the Seats.
- #ICJ have its own Statute with 5 Chapters (70 Articles).

- According to the ICJ's description, its role is **“to settle, in accordance with international law, legal disputes submitted to it by States and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies”**.
- The court **“as a whole must represent the main forms of civilization and the principal legal systems of the world”**.
- The judges of the court are assisted by a Registry, the administrative organ of the ICJ.
- English and French are the ICJ's official languages.
- All members of the UN are automatically parties to the ICJ statute, but this does not automatically give the ICJ jurisdiction over disputes involving them.

How does the court work?

- **The ICJ gets jurisdiction only if both parties consent to it. The judgment of the ICJ is final and technically binding on the parties to a case.**
- There is no provision of appeal; it can at the most, be subject to interpretation or, upon the discovery of a new fact, revision.
- **However, the ICJ has no way to ensure compliance with its orders, and its authority is derived from the willingness of countries to abide by them.**
- The court's primary function is to pass judgment upon disputes between sovereign states. Only states may be parties in cases before the court, and **no state can be sued before the World Court unless it consents to such an action.**
- Under article 36 of the court's statute, any state may consent to the court's compulsory jurisdiction in advance by filing a declaration to that effect with the UN secretary-General, and by 2000 more than 60 countries had issued such a declaration.
- The declaration (the “optional clause”) may be made unconditionally, or it may be made on the condition of reciprocity on the part of other states or for a certain time.
- In proceedings before the court, written and oral arguments are presented, and the court may hear witnesses and appoint commissions of experts to make investigations and reports when necessary.
- Cases before the ICJ are resolved in one of three ways: (1) they can be settled by the parties at any time during the proceedings; (2) a state can discontinue the proceedings and withdraw at any point; or (3) the court can deliver a verdict.
- The ICJ decides disputes in accordance with international law as reflected in international conventions, international custom, general principles of law recognized by civilized nations, judicial decisions, and writings of the most highly qualified experts on international law.
- Although the judges deliberate in secret, their verdicts—rendered in both English and French—are delivered in open court. Any judge who does not agree in whole or in part with the court's decision may file a separate opinion, and few decisions represent the unanimous opinion of the judges.
- The court's judgment is final and without appeal. The court's decisions, numbering approximately 70 from 1946 to 2000, are binding on the parties and have been concerned with issues such as land and maritime boundaries, territorial sovereignty, diplomatic relations, the right of asylum, nationality, and economic rights.
- The ICJ is also empowered to give advisory opinions on legal questions at the request of other organs of the UN and its specialized agencies when authorized to do so by the General Assembly. Although advisory opinions—numbering about 25 over its first 50 years—are not binding and are only consultative, they are considered important.

- They have been concerned with issues such as admission to the UN, the expenses of UN operations, and the territorial status of South West Africa (Namibia) and Western Sahara.
- The court may also be granted jurisdiction over certain cases by treaty or convention. By the late 1990s, approximately 400 bilateral and multilateral treaties deposited at the UN conferred compulsory jurisdiction to the ICJ.
- The court itself has no powers of enforcement, but according to article 94 of the Charter of the United Nation - **“If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary”**
- Few state parties to a case before the ICJ (or before its predecessor, the PCIJ) have failed to carry out the court’s decisions. The United States also withdrew its declaration of compulsory jurisdiction and blocked Nicaragua’s appeal to the UN Security Council. In general, however, enforcement is made possible because the court’s decisions, though few, are viewed as legitimate by the international Community.

Judges of the court

- The ICJ has 15 judges who are elected to nine-year terms by the UN General Assembly and Security Council, which vote simultaneously but separately.
- To be elected, a candidate must receive a majority of the votes in both bodies, a requirement that sometimes necessitates multiple rounds of voting.
- Elections are held at the UNHQ in New York during the annual UNGA meeting. A third of the court is elected every three years.
- The judges elected at the triennial election commence their term of office on February 6 of the following year.
- The president and vice-president of the court are elected for three-year terms by secret ballot.
- Judges are eligible for re-election.

Who nominates the candidates?

- Every state government, party to the Charter, designates a group that proposes candidates for the office of ICJ judges. This group includes four members/jurists of the Permanent Court of Arbitration (machinery which enables arbitral tribunals to be set up as desired and facilitates their work) also picked by the State. Countries not part of the statute follow the same procedure where a group nominates the candidates. Each group is limited to nominate four candidates, two of whom could be of their nationality. Within a fixed duration set by the Secretary-General, the names of the candidates have to be sent to him/her.

What are the qualifications of ICJ judges?

- A judge should have a high moral character.
- A judge should fit the qualifications for appointment to the highest judicial officers as prescribed by their respective states or
- A judge should be a jurisconsult of recognized competence in international law.

From what regions the judges are elected?

The 15 judges of the Court are distributed as per the regions:

- Three from Africa
- Two from Latin America and the Caribbean

- Three from Asia
- Five from Western Europe and other states
- Two from Eastern Europe

India at the ICJ

- India has been a party to a case at the ICJ on six occasions, four of which have involved Pakistan. They are: **Right of Passage over Indian Territory (Portugal v. India, culminated 1960)**; **Appeal Relating to the Jurisdiction of the ICAO Council (India v. Pakistan, culminated 1972)**; **Trial of Pakistani Prisoners of War (Pakistan v. India, culminated 1973)**; **Aerial Incident of 10 August 1999 (Pakistan v. India, culminated 2000)**; **Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament (Marshall Islands v. India, culminated 2016)**; and **(Kulbhushan) Jadhav (India v. Pakistan, culminated 2019)**.
- Four Indians have been members of the ICJ so far. Justice Dalveer Bhandari, former judge of the Supreme Court, has been serving at the ICJ since 2012. Former Chief Justice of India R S Pathak served from 1989-91, and former Chief Election Commissioner of India Nagendra Singh from 1973-88. Singh was also president of the court from 1985-88, and vice-president from 1976-79. Before him, Sir Benegal Rau, who was an advisor to the Constituent Assembly, was a member of the ICJ from 1952-53.

Scholarly Analysis

Comments in bold to be directly incorporated in Answers (For PSIR optional only!!)

Limitations of the court-

Sushant Sareen

- ***The two most significant impediments of the International Court of Justice are that it has no power to execute its decisions and it is voluntary in nature.***
- ***Thus, in such instances, political will is extremely crucial since ICJ has no jurisdiction or legal apparatus over individual nations.***
- *In this regard, appropriate and effective techniques and measures are required to be devised by the international legal regime so that the countries holding considerable political and economic clout within the UN Security Council can be brought to justice.*

Prabhash Ranjan on role of ICJ during the Ukraine - Russia War

- *ICJ's reasoning is in three parts. First, the court held that it had prima facie jurisdiction in the case because the subject matter fell under the Genocide Convention.*
- *Russia tried to wriggle out of this dispute. It contended that its formal basis for use of force against Ukraine was its right to self-defence under Article 51 of the UN Charter (a patently illegal argument, but this issue is not before the ICJ).*
- *Second, after establishing prima facie jurisdiction, the ICJ held that the objective of indicating provisional measures is the preservation of the rights claimed by the parties, pending the decision on merits. While the court did not decide on whether Russia has breached the Genocide Convention, as this is a question of merits, it did express doubt over whether a country can unilaterally use force against another country for punishing or preventing an alleged act of genocide. This indicates that Russia's use of force is difficult to justify under the Genocide Convention.*

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- Third, the ICJ held that if it does not indicate provisional measures, that is, order cessation of military action, there is a real and imminent risk of irreparable harm to Ukraine's rights. This is because of the magnitude of destruction that the ongoing war has caused. ICJ's decision is binding on Russia and constitutes part of its international legal obligations. If Russia continues its military actions, it will be a brazen violation of international law.
- Cynics argue that none of this matters because the remedy for not complying with ICJ rulings lies with the UN Security Council, which has Russia as a permanent member. But just because authoritarian populist leaders like Vladimir Putin don't care for international law does not diminish its significance.
- International law, even if not sufficient, is necessary to maintain global order. The ICJ decision is an impactful step in that direction. The weight of global opinion against Russia on its egregious abuse of international law is mounting with each passing day. Russia can keep ignoring this only at grave peril to itself.



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INDIA- IRAN

A Brief Background

India and Iran have had long and close cultural links, and their ancient and modern histories have been intertwined. Since Indian independence, the relations have been essentially peaceful, friendly and empathic. They have turned more fruitful and productive after the Iranian revolution of 1979, the war in Afghanistan and the tense Iranian-Pakistani ties.

- The first step in Indian-Iranian regional cooperation was taken during the visit of then Indian Prime Minister Atal Bihari Vajpayee in Tehran in April 2000, followed by Muhammad Khatami's visit to India in January 2002 (as a guest at the Independence Day function).
- Iran, however, felt betrayed by India's decision to vote in favor of sending its nuclear dossier to the UN Security Council in September 2006.
- Surprisingly, India had used its "good-relations-with-Iran" card to get preferential treatment from the Bush administration in relation to the US-India nuclear deal.
- It is important to note that Iran, known for its anti-Israeli and anti-American point of view, has been extremely accommodative and understanding of India's friendship and economic cooperation with both these countries.

Political relations

- India and Iran signed a **friendship treaty on March 15, 1950**. Before the Iranian Revolution of 1979, the Shah of Iran visited India twice (March 1956 and February 1978) and Prime Minister Jawaharlal Nehru visited Iran in 1963.
- Prime Minister Indira Gandhi and Prime Minister Morarji Desai visited Iran in April 1974 and June 1977 respectively.
- After the Iranian Revolution, Prime Minister Narasimha Rao visited Iran in 1993 and President Rafsanjani paid a visit to India in 1995. Indian Vice President Shri K. R. Narayanan visited Iran in October 1996.
- In April 2001 the two countries signed the "**Tehran Declaration**" which set forth the areas of possible cooperation between the two countries. During the visit of president Mohammad Khatami in India, 2003, both sides signed "**The New Delhi Declaration**" which set forth the vision of strategic partnership between India and Iran or laid out the principles of cooperation in defense, including the training of Iranian military personnel by India.
- In 2016, during PM Modi's visit to Iran, a Joint Statement titled "**Civilizational Connect, Contemporary context**" was released. 12 MoUs/Agreements were signed between India and Iran.
- A Trilateral agreement on Transit and Transport was signed between India, Iran and Afghanistan in the presence.
- Prime Minister also inaugurated the International Conference titled "**India-Iran two great civilizations**" in Vahdat Hall, Tehran and released a Persian Manuscript "**Kalileh Wa Dimneh**".

- There have been other regular high-level exchanges. Foreign Minister Dr. Javad Zarif participated in the Raisina Dialogue in New Delhi from 14-17 January 2020, and had meetings with the External Affairs Minister.
- Both India and Iran also consult each other on security matters. There are regular bilateral exchanges at the level of National Security Advisors and Deputy National Security Advisors. India has been participating in the 6 Nations' NSA talks that have been hosted by Iran in the past two years.

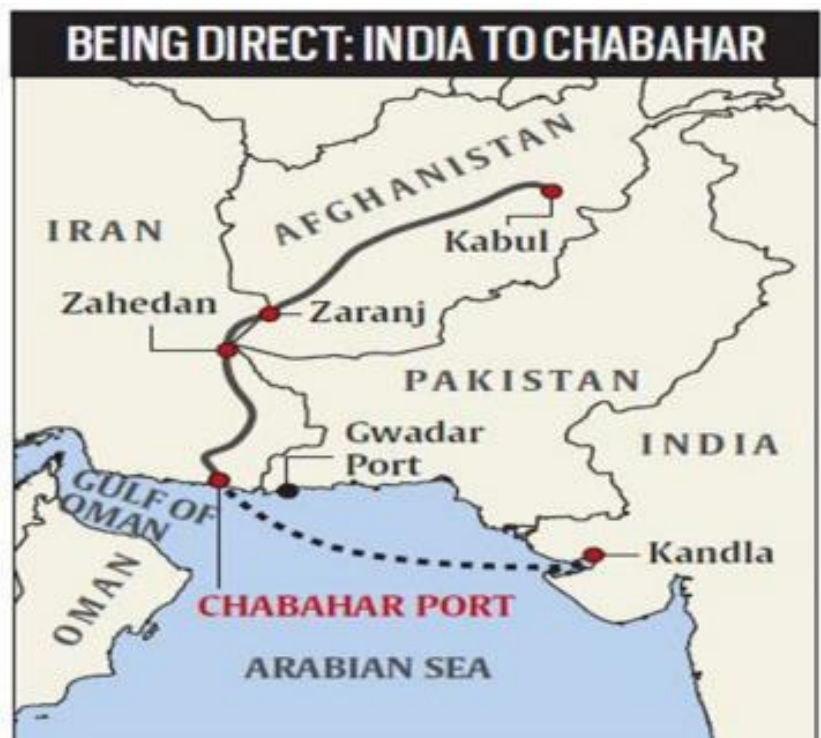
Areas of Cooperation between India and Iran

Economic and Commercial Relations:

- India-Iran commercial ties were traditionally dominated by Indian import of Iranian crude oil. In 2018-19 India imported US\$ 12.11 bn worth of crude oil from Iran. However, following the end of the **Significant Reduction Exemption (SRE)** period on 2 May 2019, India has suspended importing crude from Iran.
- The bilateral trade during 2019-20 was \$4.77 billion, a decrease of 71.99% as compared to the trade of \$17.03 billion 2018-19. Both countries are negotiating a **Preferential Trade Agreement**, on which five rounds of talks have been held so far.
- The Embassy of India organized three events titled '**Potential for expanding India-Iran trade**' to promote bilateral trade. The Embassy has also facilitated visits of Indian business delegations, and participation of Indian companies in Iranian exhibitions.

Connectivity

- India is developing the 1st Phase of **Shahid Beheshti Port at Chabahar**. The capacity of the port will reach 8.5 MT at the end of the first phase. During the visit of Prime Minister Shri Narendra Modi to Tehran in May 2016, the contract on the Shahid Beheshti port of Chabahar was signed which, inter-alia, comprises investment of \$85 million for procuring equipment of the port. After operations began at the Chabahar port in December 2018, the port handled more than 8200 TEUs and 1.28 million tonnes of bulk cargo.



- **The Trilateral Transit Agreement (Chabahar Agreement)** was signed by the three transport ministers of India, Iran and Afghanistan in 2016.
- During the visit of Prime Minister Shri Narendra Modi to Iran in May 2016, IRCON and Construction, Development of Transport Infrastructure Company (CDTIC) signed a

MoU that will enable IRCON to provide requisite services for the construction of **Chabahar Zahedan railway** line which forms part of the transit and transportation corridor in the Chabahar Agreement.

Humanitarian Assistance

- India has also helped Iran in times of natural disasters and health emergencies. India delivered aid that included PPE kits and PCR machines to Iran in April 2020 during the COVID-19 crisis. In 2019, India provided 103 tonnes of aid to Iran during the floods that ravaged the country. In June 2020, India supplied Malathion pesticide to Iran to fight the menace of desert locusts.

Cultural Relations

- An Indian Cultural Centre in Tehran was inaugurated by Shri Salman Khurshid, then External Affairs Minister during his visit to Iran for the NAM summit in May 3, 2013. The Cultural Centre was renamed the **Swami Vivekananda Cultural Centre (SVCC)** in 2018, and was provided a separate premise in 2019. The center conducts regular Yoga and Hindi classes.
- Cultural ties are given momentum via important visits. Shri Vinay Sahasrabuddhe, President of Indian Council for Cultural Relations (ICCR) visited Iran from November 30- December 2, 2018 to inaugurate the seminar on '**Linguistic Links between Persian and Sanskrit languages.**'

The Pakistan Factor in the India–Iran Relationship

- An important aspect of the India–Iran relationship is the Islamic ties between the two countries. Iran's appeal for pan-Islamic ties with other Islamic countries, including Pakistan, was to accord a sense of legitimacy to its regime (**Jagjati K. Pattnaik**).
- While for India the Iran relationship is important to demonstrate its willingness, as a Hindu majority country, to have amicable ties with the Muslim world, it also offered a chance for India to vie for active participation in the Islamic world by virtue of being home to the world's third largest Muslim population and because its national culture has been deeply influenced by Islam. (**Donald L. Berlin**, 'India-Iran Relations: A Deepening Entente', Special Assessment: Asia's Bilateral Relations, Asia Pacific Center for Security Studies).
- The Islamisation of the Pakistani state heightened sectarian tensions, affecting its relations with Iran. While India could have exploited the dip in Iran–Pakistan relations to push its own relationship with Iran, its own struggle with religious extremism allowed Pakistan to revive its relationship with Iran, an example being the religious riots that followed the demolition of the Babri Masjid in 1992. Iran described the event as '*catastrophic*' and '*disgraceful*', with Ayatollah Ali Khameni exhorting Indian Muslims to 'not tolerate the destruction'. Public demonstrations against India included the stoning of the Indian embassy in Tehran, demonstrations in the Iranian cities of Zehdan and Qom and even a symbolic closure of a bazaar to vent public fury. (**A.K. Pasha**, 'Indo-Iran Relations: The Kashmir Issue')
- India, although concerned, was deferential towards the concerns voiced by Iran over the plight of Indian Muslims in view of larger political interests, and actively pushed for an

early diplomatic resolution of the crisis. Domestic measures included a crackdown on Hindu nationalist leaders and the passage of a bill that protected the rights of places of worship. Iranian concerns were being assuaged and the eventual state visit by Prime Minister Rao to Tehran in September 1993 helped to normalize relations with an emphasis on political, economic and trade goodwill.

- During the Ayatollah Khomeini period, Iran took a rigid position in support of Pakistan on the question of Kashmir, owing to the religious dimension of the dispute. Radio Tehran quoted him as saying that India was responsible for *'killing innocent, deprived and freedom loving Muslims'*.

Afghanistan

- Central Asia is of immense economic and strategic value to India in respect of its **energy reserves** and **military opportunities** vis-à-vis Pakistan. Afghanistan's geographical importance is highlighted here since it is a bridge to Central Asia, with Iran to its west and Pakistan to its east and south. (*Arun Sahgal and Vinod Anand*, 'Strategic Environment in Central Asia and India')
- For Iran, extending its influence into Afghanistan was important since it could cater to the Shias in that country, and because the **trade routes and the pipelines passed through its territory to the Iranian ports of Abadan and Bandar Abbas**.
- Iran acknowledged Pakistan's indispensable role in maneuvering Iranian involvement in the country. The relationship soon unraveled because of the mistrust between Tehran, Kabul and Islamabad.
- India was equally concerned about the developments in Afghanistan and offered to route its aid to the anti-Taliban Massoud faction through Iran. In response to these developments, India, Iran and Russia together aided the Tajik Northern Alliance against the southern Pashtun tribes in the Afghan civil war.

The nuclearization of South Asia

- Iran's positioning in the aftermath of the South Asian nuclear tests of 1998 reflected its pro-Pakistan position. Iran moved towards an ideological position once again, when Iran's foreign minister, *Kamal Kharrazi*, praised Pakistan's nuclear tests, saying: *'They [Muslims] feel confident, because a fellow Islamic nation possesses the know-how to build nuclear weapons.'*
- The year 2001 saw economic relations blossom between the two countries (India-Iran) and the Pakistan factor in this cordiality was the role of the Taliban in Afghanistan. As a part of its strategic outlook, India developed closer ties with Iran to cement its interests in Afghanistan (partly as a consequence of the 1999 Kandahar hijacking) and to build an energy relationship with that country, to partly offset the impending energy demand boom from its growing economy. (*Brahma Chellaney*, 'The Clinton Visit: Hype and Reality')
- **India's interests in entering into a military relationship with Iran were prompted by two concerns—the security of the Hormuz strait, and cultivating Iran as a counterweight to Pakistan.** It resulted in the Tehran Declaration. Thus, laying the groundwork for the first publicly significant, strategic progression in the economic and military relations between the two countries. (*Christine Fair*, 'Indo-Iranian Relations: Prospects for Bilateral Cooperation Post-9- 11')

Diplomatic upswing and nuclear downfall (2000–2007)

- The eventual downfall of the Taliban, assisted by the United States, involved a direct American presence in South Asia with military bases in Pakistan and Afghanistan. This was of deep concern for Iran, which was tagged by President George W. Bush in January 2002 as a member of the '*axis of evil*'.
- India was keen on retaining Iran's support against Pakistan, which it believed to be a 'national security' imperative, more so since the United States was being goaded by Pakistan to limit Indian interests in Afghanistan. Therefore, despite the growing American economic and military cooperation with India, which conflicted with the security paradigm of India and Iran, India chose to strengthen its military relationship with Iran.
- The **Indo-Iran Defense Agreement** was signed on 19 January 2003 and gradually the *Delhi Declaration*. Significant in these agreements was India's commitment to develop the Chabahar port complex, the *Chabahar–Zaranj (Afghanistan)* railway link and enhanced defense cooperation.
- By *developing the 218 km Zaranj–Delaram* highway between Afghanistan and Iran, India would be able to establish a link between Iran's ports and Central Asia, which would help India to bypass Pakistan for any future trade. Such a move is particularly beneficial for India, since Pakistan continues to be against providing India with overland access to Afghanistan. (**Sudha Ramachandran**, 'Now It's War against India in Afghanistan')

Note: According to Pradipto Bandopadhyay, "defense cooperation with Iran is part of India's efforts to boost military exports to the Middle East, and Iran is very important for us in view of the geopolitics of the Middle East."

Pakistan-China-Iran Nexus

- Pakistan is situated at a strategically significant locus on the world map. To its northeast is the 'rising' China and to the southwest is the energy-rich Iran. The increasingly popular narrative in contemporary world affairs is the rise of new powers and how the previous ones are struggling to adjust to this emerging reality.

Fundamentals of Trilateral Cooperation

- Sino-Pak cooperation presents no challenges for Iran's strategic and economic interests in this region. There has been some talk about the Iranian Chabahar port to be erected with the Indian assistance, **as a counterweight to Gwadar but Iran has time and again reiterated that the two ports are not rivals but "sister ports"**.
- Pakistan and Iran have common religious, cultural and linguistic ties but the full potential of their inherent connection is yet to be fully utilized. The external factors such as the Indo-Iranian concordance have been behind this slow progress.
- The recent strain in ties with the US has brought about a clear shift in Pakistan's foreign policy. With the US' dissatisfied appraisal of Pakistan's efforts in Afghanistan, Pakistan initiated a regional round of diplomacy, which included the revitalisation of ties with China, Iran, Turkey and Russia (**Lina Tikhonova**, "*Pakistan, China, Russia Plus Turkey Bloc To 'Revolutionize' Geopolitics*"). Based on their respective long standing grievances with the US, both Iran and China appreciated Pakistan's counterterrorism efforts and welcomed this shift towards enhanced regional integration.

Areas of Common Interest for Pakistan, Iran and China Geostrategic and Geopolitics

Cooperation: Afghan Factor

- Eluding all solutions to peace and stability, the conflict in Afghanistan has become an anathema for all the regional and global stakeholders. Pakistan has been facing challenges to its national security due to the turbulent situation in Afghanistan. Iran and China also have serious security and economic concerns tied up in Afghanistan. China has high stakes in Afghanistan as it seeks to link it to its grand initiative of the Belt and Road (BRI). **The Chinese access to Central Asian states and their oil resources is thwarted by the constant state of turmoil in Afghanistan not to mention the fear of spill over from northern Afghanistan into Xinjiang.**
- Hence, all three parties here have high stakes to ensure peace in Afghanistan but their individual reasons may have been different in the past. However, some reasons have always been mutually congruent, for example, both China and Iran are opposed to the involvement of an external actor (the US).

Economic and Energy Cooperation

- In a study published in 2015, *Tanchum* wrote, **“Iran is pivotal to the success of China’s transcontinental, infrastructure-focused One Belt One Road (OBOR) initiative in ways that Saudi Arabia is not.”**
- He is of the opinion that Iran’s oil and gas reserves, fourth and second largest in the world, spell out a boon for China’s exponentially rising energy needs. After unilateral imposition of sanctions by the US, China has also collaborated with Iran to keep their energy transactions afloat. It has recently offered Iran US\$3 billion for development of an Iranian oil field.
- On the other hand, Pakistan and China have initiated work on the CPEC, which is also an energy and infrastructure-based initiative. Iran has also shown serious governmental level inclination to join the CPEC. The Iranian President, Hassan Rouhani, in a meeting with Nawaz Sharif, on the side-lines of the UNGA summit in 2018, expressed a desire to be a part of the CPEC.

Challenges and Opportunities in India-Iran Ties

US Factor in India-Iran Ties

- The US factor played a major role in preventing Iran from taking advantage of its energy resources. Initially, the Iranian revolution resulted in the US banning all its companies from doing business with Iran. This left an open space for all other rival companies. After the US imposed sanctions, the countries that were doing business with Iran in refined petroleum products were also brought under the purview of sanctions. Major India company Reliance was pressured with denial of loans from the US Exim Bank close to US\$900 million for the purchase of US equipment. As a result, Reliance stopped exporting refined gasoline to Iran because it did not want to lose its business with the US (*S Samuel C Rajiv*, “Iran Sanctions and India - Navigating the Roadblocks,”).
- In 2006, India’s vote against Iran in the IAEA over its alleged nuclear programme brought the relationship to an all-time low. This happened soon after India and the US

reached an understanding over the civil nuclear deal. It was rightfully assumed that India had taken this step at the behest of the US.

- After India's vote against Iran, Iran also stepped back from approving the agreement on the pretext of differences over pricing of the LNG and the Supreme Economic Council wanted the price to be renegotiated (**Dadwal**, "India-Iran Energy Ties").
- In December 2010, the Reserve Bank of India discontinued the Asian Clearing Union (ACU) currency swap mechanism under US pressure. Once again, the US pressure forced India to reduce its oil imports from Iran by 11 per cent in 2012. The following year India declared that it would reduce oil imports from Iran by 15 per cent on an annual basis.

India-Iran Relations under Modi

- On May 22, 2016, PM Modi embarked on a two-day visit to Iran. It was also the time when India was looking to revitalize its relations with Iran as part of its "**Look West**" policy. The visit was significant since it was the first visit to Iran by an Indian prime minister in fifteen years. (**Ankit Panda**, "Long Overdue: India's Modi Visits Iran, Signing Key Agreements Setting Broad Agenda,")
- Around 12 bilateral agreements were signed during the visit and the most important was in relation to **Chabahar port** and a **Trilateral Transport and Transit Corridor agreement** between the Iranian and Afghan Presidents.
- Another MoU was signed between the Exim Bank and Iran's Ports and Maritime Organization for the purpose of credit of US\$150 million for Chabahar port. Another MoU was signed between IRCON International Limited of India and the Construction, Development of Transport and Infrastructure Company of Iran whereby the latter would help IRCON to provide its services for the construction of a 500 km long Chabahar-Zahedan railway line.
- Modi's visit had been preceded by the visit of the Indian Minister of State for Petroleum and Natural Gas in April 2016. During his deliberations, both India and Iran expressed their confidence that they would be able to conclude an agreement regarding the Farzad-B gas field on a priority basis. Both sides also agreed that the Indian companies would invest around US\$20 billion in establishing petrochemical and fertilizer plants in the Chabahar Special Economic Zone. (**Rajiv**, "Iran Sanctions and India.")
- In May 2018, President Trump announced the withdrawal from the Joint Comprehensive Plan of Action (JCPOA) signed between Iran and the US, France, Germany, United Kingdom, China and the EU in 2015. President Trump was of the view that the agreement fell short of addressing Iran's missile programme and not protecting the national security interests of the US and its allies. As a result, the US imposed its first set of sanctions on Iran on August 7, 2018, followed by another set of sanctions on November 5, 2018. This presented a precarious situation for countries like India which was one of the leading importers of the Iranian oil at that time. (**Ravi Joshi**, "Does Trump Have a Policy on Iran?" Observer Research Foundation)
- From August 2018 onwards, India reduced its oil imports from Iran in the hope of getting a waiver from the US sanctions on Iran. New Delhi made it clear to the US that due to its massive energy needs, it was not possible to bring oil imports from Iran to zero by November.
- Iran's recent support for the Taliban – although limited in scope would certainly be a matter of great concern for India. Besides, the differences over the Farzad-B gas field also expose the fragility of India-Iran relationship though it is widely acknowledged that

this relationship has its roots in history. Hence, on one hand, India needs Iran for its energy requirements and regional strategic interests and on the other hand, the US is India's main strategic partner. (**Samuel Ramani**, "Managed Instability: Iran, the Taliban and Afghanistan")

- Thus, in the words of an international affairs analyst, **Anita Inder Singh**, India has been in the past and most likely will "*remain on the tightrope.*"

Recent issues

- The escalating tension between Iran and the USA is leading to a situation of crisis in the West Asian region. The United States of America struck a significant blow against Iran by killing the Commander of Iranian Quds Force - General Qasem Soleimani in an airstrike near Baghdad International Airport.
- The possibility of a full-blown military conflict between Iran and the US caused palpitations beyond West Asia, with the region being the nucleus of energy security for many developing economies, specifically in Asia. India, along with the likes of China, Japan, South Korea and others remains dependent on the region's oil supplies to power its growth. Beyond oil, for India, the Chabahar port project in Iran's south-eastern coast adds a second strategic dimension for its own interests.
- According to foreign Secretary **Vijay Gokhale**, India's foreign policy, built around the concept of 'strategic autonomy', was not necessarily based on the historical posture of 'non-alignment'. He highlighted that India, in fact, was 'aligned' on an issue-based approach, instead of ideological ones. **This balancing act of diplomacy is perhaps playing out nowhere better but between India – Iran relations and the India – US relations today, and much of Indian concerns come from its own foreign policy values at play, rather than what transpired between Tehran and Washington.**
- To maintain the said strategic autonomy, India also keyed USA to make sure they understand that a zero-sum relationship with Iran is not possible. While *India did bring oil imports from the country to almost zero to pacify the US*, it attempted to balance it out by pushing the Chabahar investments via the periscope of Afghanistan's interests.
- India's External Affairs Minister S. Jaishankar after visiting the US for the institutional 2+2 dialogue visited Tehran where it was informed that the US had given India 'written' assurance for banks to be able to facilitate \$85 million worth of equipment purchase for Chabahar despite the severity of sanctions against Iran. This showcases continuity in India – US ties, where structural understanding of India's relations with Iran was recognized when severe sanctions were introduced leading into the negotiations of the Iran nuclear deal, signing of which eventually created the JCPOA in 2016.

Conclusion

- Energy security is the most important consideration for the countries in present times. This is also true in relation to India, which is aspiring to become an economic and political global power. To achieve this goal, the Indian government needs to ensure that the country has enough reliable sources of energy – both conventional and unconventional.
- Thus, from Iran to the US, India is making all sorts of effort to ensure multiple sources of energy. For the US, India has a certain significance in this region. India is important for the US to keep a check on China particularly its activity in the Indian Ocean. Thus, India has been able to maintain at least some level of cooperation with Iran despite the US pressures.

- Hence, in the foreseeable future, energy security will continue to be the main consideration for India to sustain its economic growth. In this context, India has been playing a delicate game of balancing its relationship with energy-rich Iran and the US. Although India claims to be pursuing an independent foreign policy, a closer look indicates that when it comes to Iran, India's foreign policy is not free of the US pressure. The projects that could bring peace in the region like the IPI gas pipeline, unfortunately, could never be realized due to the US pressure.

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BIMSTEC

Context- 2022 marks the 25th year of establishment of Bimstec. The Fifth summit of Bimstec was also held in March 2022.

What is BIMSTEC?

- The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is a multilateral regional organization established with the aim of accelerating shared growth and cooperation between littoral and adjacent countries in the Bay of Bengal region.
- It has a total of seven member countries- five from South Asia, including Bangladesh, Bhutan, India, Nepal, and Sri Lanka, and two from Southeast Asia, including Myanmar and Thailand.
- It was founded as BIST-EC, in June 1997, with the adoption of the Bangkok Declaration, with Bangladesh, India, Sri Lanka and Thailand as members. It became BIMST-EC (Bangladesh, India, Myanmar, Sri Lanka and Thailand Economic Cooperation) with the entry of Myanmar in late 1997, And eventually, it was named in its current form, when Nepal and Bhutan became members in 2004.

Objectives of BIMSTEC:

- To create an enabling environment for rapid economic development through identification and implementation of specific cooperation projects in the sectors of trade, investment and industry, technology, human resource development, tourism, agriculture, energy, and infrastructure and transportation.
- To accelerate the economic growth and social progress in the sub-region through joint endeavours in a spirit of equality and partnership.
- To promote active collaboration and mutual assistance on matters of common interest in the economic, social, technical, and scientific fields.
- To aid each other in the form of training and research facilities in the educational, professional and technical spheres.
- To cooperate more effectively in joint efforts that are supportive of and complementary to national development plans of Member States which result in tangible benefits to the people in raising their living standards, including generating employment and improving transportation and communication infrastructure.
- To maintain close and beneficial cooperation with existing international and regional organizations with similar aims and purposes.
- To cooperate in projects that can be dealt with most productively on a sub-regional basis and make best use of available synergies among BIMSTEC member countries.

BIMSTEC's Principles:

- Cooperation within BIMSTEC will be based on respect for the principle of sovereign equality, territorial integrity, political independence, no-interference in internal affairs, peaceful co-existence and mutual benefit.
- Cooperation within BIMSTEC will constitute an addition to and not be a substitute for bilateral, regional or multilateral cooperation involving the Member States.

How different Member states see BIMSTEC as a platform to serve their National Interests :

Views of Constantino Xavier (Research Fellow at the public policy think tank Centre for Social and Economic Progress,)

- Bangladesh views BIMSTEC as a platform to position itself as more than just a small state on the Bay of Bengal
- Sri Lanka sees it as an opportunity to connect with Southeast Asia and serve as the subcontinent's hub for the wider Indo-Pacific region.
- Nepal and Bhutan aim to connect with the Bay of Bengal region and escape their landlocked geographic positions.
- Myanmar and Thailand- *"connecting more deeply with India...would allow them to access a rising consumer market and, at the same time, balance Beijing and develop an alternative to China's massive inroads into Southeast Asia",*

PM Modi's speech about BIMSTEC for India

- BIMSTEC not only connects South and Southeast Asia, but also the ecologies of the Great Himalayas and the Bay of Bengal. "With shared values, histories, ways of life, and destinies that are interlinked, BIMSTEC represents a common space for peace and development. For India, it is a natural platform to fulfil our key foreign policy priorities of '**Neighbourhood First**' and '**Act East**'.

BIMSTEC - Platform to counter the China

- China has undertaken a massive drive to finance and build infrastructure in South and Southeast Asia through the Belt and Road Initiative in almost all BIMSTEC countries except Bhutan and India. BIMSTEC could allow India to push a constructive agenda to counter Chinese investments, and instead follow best practices for connectivity projects based on recognised international norms. The Chinese projects are widely seen as violating these norms
- The Bay of Bengal can be showcased as open and peaceful, contrasting with China's behavior in the South China Sea. As per Constantino Xavier *"It could develop codes of conduct that preserve freedom of navigation and apply existing law of the seas regionally. In addition, BIMSTEC could stem the region's creeping militarisation by instituting, for instance, a Bay of Bengal Zone of Peace that seeks to limit any bellicose behavior of extra-regional power,".*

Achievements of BIMSTEC

- Humanitarian Assistance and Disaster Relief and security, including counterterrorism, cyber security, and coastal security cooperation.
- The academic and strategic community has shown ample enthusiasm through the BIMSTEC Network of Policy Think Tanks and other fora, however national business chambers are yet to be optimally engaged with the BIMSTEC project.
- BIMSTEC Disaster Management Exercise in Puri in February 2020; and Conference on Combating Drug Trafficking for BIMSTEC countries in February 2020, was appreciated by other member states.

- BIMSTEC Center for Weather and Climate, being hosted in India, is fully functional with the state of the art facilities to provide Disaster Early Warnings.

Issues that act as a hurdle in the progressive development of BIMSTEC

BIMSTEC has made good progress in the fields of Humanitarian Assistance and Disaster Relief and security, counterterrorism, cyber security, and coastal security cooperation. However, there are still several concerns:

- **Lack of collaborative bilateral relations** amongst its member states- due to political, economic, and social reasons.
- **Uncertainties over SAARC** impact the development of BIMSTEC
- **Rising influence of China in South Asia can be a threat to BIMSTEC cooperation**- a popular Bangladeshi scholar supported admitting China as a partner in BIMSTEC
- **Non-serious attitude towards holding regular annual summits**- Recently the fifth summit of BIMSTEC happened that too after the gap of four years, but most of the regional organizations (SCO, ASEAN, G20) were able to meet at a high political level even during the Pandemic, BIMSTEC leaders failed to meet.
- The progress of BIMSTEC has also been underscored by **Bangladesh-Myanmar relations over the Rohingya refugee crisis**, the **India-Nepal border issue**, and most recently, the political situation in Myanmar after the military junta took over. The fifth Summit also drew attention due to the participation of Myanmar's Foreign Minister as the country under military rule is seen as a leading violator of human rights in the world.

Scholarly Analysis

Comments in bold to be directly incorporated in Answers (For PSIR optional only!!)

Views of Vaishali Basu Sharma : BIMSTEC - Unrealised Aspirations

- *BIMSTEC was founded with an ambition to pursue mutual trade, connectivity, cultural, technical and economic development within South East Asia and South Asia region, in 1997. With a view to harnessing the supremacy of emerging markets across the region, the BIMSTEC countries initiated strategies and policies on several issues such as economic cooperation, social development and cultural exchange. **Yet these aspirations of the regional grouping remain unrealized, and despite the members' collective commitment, BIMSTEC has achieved only limited success in over two decades of its existence.***
- ***Viewed as a contender to the South Asian Association for Regional Cooperation (SAARC) grouping, the BIMSTEC has not made the kind of headway in terms of regional cooperation that has been hailed and avowed by its leaders.** It took twenty-three years, till September 2020 for the member nations to finalize the BIMSTEC Charter, and remains yet to be adopted.*
- *South and South East Asia, is a region fraught with security threats such as terrorism, trafficking of drugs and weapons, illegal, unreported, and irregular fishing, and armed robberies at sea. The region is beset with transnational organized criminal networks who have proven nexus with insurgent and terrorist groups that function transnationally. Yet the BIMSTEC forum deters member states from discussing bilateral or contentious issues, just like the SAARC. Bilateral tensions for instance those between India-Nepal, India-Sri Lanka, and Bangladesh-Myanmar have the capacity to complicate regional cooperation.*

- For India especially BIMSTEC should be a real focal point for regional collaboration. The India-Pakistan rivalry rendered the SAARC unserviceable. Given the Chinese involvement, India is also not keen on the Bangladesh-China-India-Myanmar (BCIM) Economic Corridor. As a result, the BCIM has been consistently challenged and repeatedly delayed.
- The enthusiasm with which the organization was founded through the Bangkok Declaration of 1997 became in fact a series of unrealized aspirations.
- **While there is no dearth of potential areas of cooperation for the nations of the BIMSTEC, the grouping is mired by a certain hesitancy and lack of political will which prevents it from transforming into a tangible force for regional transformation.**

Views of Muskaan Goenka and Pratinashree Basu: BIMSTEC in 2022: A search for relevance

- The changing dynamics of the world order could provide BIMSTEC the opportunity to expand beyond the South Asian region.
- Due to the failure of SAARC, given the Indo-Pak hostilities, India has turned to the BIMSTEC nations for expanding its reach and presence in the Indo-Pacific region.
- Today, India's foreign policy is primarily concerned with the US and China power nexus. However, it's also the Chinese concern which has forced India to shift its focus primarily from the US to start counting upon smaller and middle power nations. This has made it turn to the other Indo-Pacific nations, particularly in Southeast Asia. This is how BIMSTEC became important to serve India's security concerns in the Indo-Pacific.
- **It has provided India with the opportune moment to build its base in the Southeast outside of its engagements with the ASEAN.**
- **For the grouping, India is the informal leader since much depends on the country's willingness to energize it. This is also India's opportunity to reconnect with its neighbors and revamp its image of being the 'big brother' in the region.**
- Much of India's image in its neighborhood and extended neighborhood has suffered from instrumental credibility issues and hegemonic actions. The capacity of BIMSTEC also gives India the possibility to strengthen relations with the ASEAN and vice versa is also equally true.
- **For BIMSTEC to become more relevant, it has to engage extra-regional like-minded partners, willing to invest in the region.** Even engaging countries like Malaysia, Singapore, Philippines, and Cambodia can lead to an expansion of its activities.
- **Simultaneously, taking BIMSTEC to other groupings outside of the region is also crucial. One such favorable partnership could be with the Quad. This also gives them the opportunity to balance against both India and China as well as the US.**
- While the focus of BIMSTEC activities have usually been on environment and disaster management, the finalization of initiatives in other areas is especially crucial.
- One such sector is the financial and economic exchange, for which the finalization of the Free Trade Agreement is necessary. Indian business groups have shown evidential interest in dealing in the region with 94 percent of them voting in favor of it in the FICCI Survey.

Views of N Manoharan(Center for East Asian Studies, Christ University):Realizing the potential of BIMSTEC

- Despite the presence of enormous human and natural resources, the huge potential of BIMSTEC remains untapped. Given the level of synergies and complementarities among the member states, it is viable to realize a Bay of Bengal Economic Community at some point.

- *Presently, BIMSTEC hovers around at political and bureaucratic levels. For wider acceptability and entrenchment, it is vital to take the grouping to the level of the people through track 1.5, track 2 and track 3 dialogues. The formation of the BIMSTEC Network of Policy Think Tanks (RC-BNPTT) for broader regional consultations on policy matters is a good move.*
- *Having a charter on the lines of other regional groupings like ASEAN, SAARC, and the EU would provide much-needed standards. Outreach activities with the UN and other similar regional organizations like ASEAN for maximum benefit including “recognition, financial assistance, expert assistance, market access etc.” are worth exploring.*
- *At the same time, SAARC should not be forgotten and must be revived at some point.*

Views of Shafi Md Mostofa

- *In the 25 years of its existence, this Bay of Bengal grouping hasn't achieved much. That could change, with India viewing it as a vehicle for its strategic interests.*
- *China's influence in the Bay of Bengal region has been growing in terms of economic collaboration with some of the BIMSTEC member states. For India, it would be a great challenge to get BIMSTEC members out of China's influence. Sri Lanka is in the grip of a serious economic crisis.*

Views of C. Raja Mohan

- *The Bay of Bengal is now very much part of the increased geopolitical contestation between India and China in their shared neighborhood.*

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INDIA AUSTRALIA ECONOMIC COOPERATION AND TRADE AGREEMENT

- India and Australia have several commonalities, which serve as a foundation for closer cooperation and multifaceted interaction, on lines similar to what India has developed with other Western countries. Both are strong, vibrant, secular and multicultural democracies. They both have a free press and an independent judicial system; the English language is an important link. Crickets, and now the large numbers of Indian students coming to Australia for education, are significant elements in awareness at the popular level.
- The relationship has grown in strength and importance since India's economic reforms in the nineties and has made rapid strides in all areas - trade, energy and mining, science & technology, information technology, education and defense.
- Australia is in India's extended neighborhood, a point made by then Australian Foreign Minister Stephen Smith when he made a keynote address at the University of Western Australia: ***"It is under-appreciated that Perth and Chennai are closer to each other than Sydney is to Seoul, to Shanghai, or to Tokyo."******As the world sees the potential of an Asian/Pacific century unfold, Australia sees India at the heart of this historic shift in political and economic influence."***



- India and Australia have commercial ties dating back to the 18th century, when India played a central role in nourishing the young colony and trade with Australia came to be an important element in the operations of the East India Company in Bengal.
- For the next half century, Australia's most immediate and direct links were with India rather than London, as bureaucrats, merchants, chaplains and judges moved between the two colonies. India was an important source of food and provisions for Australia; by 1840 a ship was leaving Sydney for India roughly every four days, and merchants in Calcutta grew rich

from supplying the new outpost. At the beginning of the 19th century, several British colonial families from India made a life for themselves in the new Australian colonies.

- The Consulate General of India in Sydney was first opened as a Trade Office in 1941 and the High Commission in Canberra in 1945. The Consulate General of India in Melbourne was opened in 2006. The Consulate General of India in Perth was inaugurated in October 2011.

News: Recently, India signed a historic trade agreement with Australia, the **India-Australia Economic Cooperation and Trade Agreement (Ind- Aus ECTA)**.

What is the Economic Cooperation and Trade Agreement?

- First Free Trade Agreement (FTA) over a decade that India has signed with a major developed country.
- It covers areas like:
 1. Trade in Goods, Rules of Origin.
 2. Trade in Services.
 3. Technical Barriers to Trade (TBT).
 4. Sanitary and Phytosanitary (SPS) measures.
 5. Dispute Settlement, Movement of Natural Persons.
 6. Telecom, Customs Procedures.
 7. Pharmaceutical products, and Cooperation in other Areas.
- Economic Cooperation and Trade Agreement provides for an institutional mechanism to encourage and improve trade between the two countries. It covers almost all the tariff lines dealt in by India and Australia respectively.
- Includes all the labor-intensive sectors of export interest to India such as Gems and Jewelry, Textiles, leather, footwear, furniture etc.
- India will also be offering preferential access to Australia on over 70% of its tariff lines, including lines of export interest to Australia which are primarily raw materials and intermediaries such as coal, mineral ores and wines etc.
- Under the agreement, Indian graduates from STEM (Science, Technology, Engineering and Mathematics) will be granted extended post-study work visas.
- Australia will also set up a programme to grant visas to young Indians looking to pursue working holidays in Australia.

Scholarly Analysis

Comments in bold to be directly incorporated in Answers (For PSIR optional only!!)

Views of Natasha Jha Bhaskar: Australia–India scripting a ‘new chapter’ in bilateral relations

- *The Australia–India bilateral story is changing by the day. The engagement on both sides has amplified across multiple platforms and sectors, clearly focused on building tangible commitments and actions, to embrace a win-win partnership.*
- *If 2020 was the year of elevation of Australia–India bilateral ties to a Comprehensive Strategic Partnership (CSP), 2021 was about bringing pace, energy, and solidifying the bilateral economic engagement, 2022 is surely about a focused head start to script a new and committed engagement narrative, and the month of February had been a busy and promising month for bilateral ties.*
- *‘People’ are at the center of this bilateral relationship, and exchanges provide a natural advantage of advisory and advocacy by building stronger cultural understanding/intelligence*

and establishing transnational networks that can be utilized in a big way. Strategic investment in stronger human capital to build new capabilities and to grasp how the levers of power and institutions work is an encouraging step for the bilateral growth story.

- The partnership between Australia and India is no longer one-dimensional or single layered, what we are witnessing today is a truly comprehensive bilateral growth story that is driven by consistency, commitment, and action. The key is to keep the Australia story thriving in India, and India story thriving in Australia on a consistent basis in public memory; this involves a holistic multi-stakeholder strategy and approach which deepens understanding and appreciation of each other.

Significance of the Agreement:

- It will provide zero-duty access to 96% of India's exports to Australia including shipments from key sectors such as engineering goods, gems and jewelry, textiles, apparel and leather.
- It will boost bilateral trade in goods and services to USD 45-50 billion over five years, up from around USD 27 billion, and generate over one million jobs in India, according to a government estimate.
- It will also give about 85% of Australia's exports zero-duty access to the Indian market, including coal, sheep meat and wool, and lower duty access on Australian wines, almonds, lentils, and certain fruits.

Views of Amitabh Mattoo: India and Australia are finally acting like the natural partners they are

- India-Australia Economic Cooperation and Trade Agreement represents a watershed moment in bilateral relations, and a significant turning point for India's foreign policy – in terms of geo-strategy as well as geo-economics.
- The millennial long drift in bilateral relations, which began when Australia and India split from the same supercontinent, must now end. For the last seven years, almost on every front, the relationship made remarkable strides, but the challenge of economic integration remained elusive.
- Fortunately, the agreement will neither be just an "early harvest" of low-hanging fruit nor an interim skeletal FTA as some cynics had predicted, but a deal whose nomenclature and substance seems to bear the firm imprimatur of the prime minister.
- The ECTA represents a watershed moment in bilateral relations, but also a significant turning point for India's foreign policy — both in terms of geo-strategy as well as geo-economics. India and Australia today represent a partnership with a near complete convergence of interests and values. **Two multicultural, federal democracies that share concerns about stability in the Indo Pacific, are apprehensive about Chinese hegemonic designs, and are increasingly coordinating their policies, are natural partners of the future.**

The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022

Key Features:

The Bill amends the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005. The 2005 Act prohibits unlawful activities (such as manufacturing, transport, or transfer) related to weapons of mass destruction, and their means of delivery. Weapons of mass destruction are biological, chemical, or nuclear weapons.

Prohibition on financing certain activities: The Bill bars persons from financing any prohibited activity related to weapons of mass destruction and their delivery systems. To prevent persons from financing such activities, the central government may freeze, seize or attach their funds, financial assets, or economic resources (whether owned, held, or controlled directly or indirectly). It may also prohibit persons from making finances or related services available for the benefit of other persons in relation to any activity which is prohibited.

Weapons of Mass Destruction

- The expression “weapon of mass destruction” (WMD) have been used first by the leader of the Church of England, the Archbishop of Canterbury, in 1937 to refer to the aerial bombing of civilians in the Basque town of Guernica by German and Italian fascists in support of General Franco during the Spanish Civil War.
- The expression WMD entered the vocabularies of people and countries around the world in the early 2000s after the US under President George W Bush and the UK under Prime Minister Tony Blair justified the invasion of Iraq on the grounds that the government of Saddam Hussain was hiding these weapons in the country. No WMDs were ever found.

Nuclear, Biological, and Chemical (NBC) weapons

- While there is no single, authoritative definition of a WMD in international law, the expression is usually understood to cover nuclear, biological, and chemical (NBC) weapons. According to the United States Department of Homeland Security, *“A weapon of mass destruction is a nuclear, radiological, chemical, biological, or other device that is intended to harm a large number of people.”*

India’s 2005 WMD Act defines:

- “Biological weapons” as “microbial or other biological agents, or toxins...of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; and weapons, equipment or delivery systems specially designed to use such agents or toxins for hostile purposes or in armed conflict”; and
- “Chemical weapons” as “toxic chemicals and their precursors” except where used for peaceful, protective, and certain specified military and law enforcement purposes; “munitions and devices specifically designed to cause death or other harm through the toxic

properties of those toxic chemicals”; and any equipment specifically designed for use in connection with the employment of these munitions and devices.

Control over use of WMDs

- The use of chemical, biological, and nuclear weapons is regulated by a number of international treaties and agreements.
- Among them are the **Geneva Protocol, 1925**, that banned the use of chemical and biological weapons; and the **Biological Weapons Convention, 1972**, and **Chemical Weapons Convention, 1992**, which put comprehensive bans on the biological and chemical weapons respectively.
- India has signed and ratified both the 1972 and 1992 treaties. There are very few non-signatory countries to these treaties, even though several countries have been accused of non-compliance.
- The use and proliferation of nuclear weapons is regulated by treaties such as **Nuclear Non-Proliferation Treaty (NPT)** and the **Comprehensive Test Ban Treaty (CTBT)**.

Conclusion

- It can be conclusively agreed that the domestic supervision and regulation of the weapons of mass destruction, that incorporate biological, chemical and nuclear weapons and other related explosive and radioactive devices is spot on and covers all the aspects associated with it, whether it be related to exports, qualified parties who can engage with WMDs, the adequate penalties and liabilities in cases of violations and listing down of all those activities that should be counted as illegal and which can be detrimental for all the stakeholders and nation at large.
- At the same time, it should not be forgotten that there are several other laws that are in place for dealing with similar situations, and the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment bill will not act in isolation.

INDIA- FRANCE

- Relations between India and France have traditionally been close and friendly. Since the establishment of strategic partnership in 1998, there has been significant progress in all areas of bilateral cooperation through regular high-level exchanges at the Head of State/Head of Government levels and growing cooperation and exchanges including in strategic areas such as defence, counter-terrorism, nuclear energy and space.
- **France was the first country with which India agreed on civil nuclear cooperation following the waiver given by the Nuclear Suppliers' Group, enabling India to resume full civil nuclear cooperation with the international community.**
- There is also a growing and wide-ranging cooperation in other areas such as trade and investment, culture, science & technology and education. France has consistently supported India's increasing role in international fora, including India's permanent membership of the UNSC.
- **In the words of Mohan Kumar- *The strategic convergence between India and France is not skin-deep. It is based on the fundamental conviction of both countries in a multipolar world and the concept of strategic autonomy. More importantly, France has stood by India through thick and thin, beginning with 1998 when India conducted nuclear tests and the entire world was against us. Since then, India and France have deepened their strategic partnership to such an extent that there is no outstanding problem or irritant in the relationship today.***

Areas of cooperation-

Trade ties-

- Indo-French sales in defence rack up huge numbers, with the Rafale deal costing around €7.87 billion, and the sale for the 'Project 75' (P-75) to build six Scorpene submarines costing around €3 billion.
- Bilateral trade remains far below potential -France's GDP is almost similar to that of India's, but bilateral trade remains far below potential, even though India has enjoyed a consistent trade surplus.
- In the period April 2020-March 2021, India-France bilateral trade stood at USD 7.86 billion.
- India's exports to France were valued at USD 5.6 billion, down by 22.9%. Meanwhile, French exports to India decreased by 20.95% during the same period to USD 5.1 billion.
- Trade with France constitutes only 1.41% of India's total international trade.

Institutional Structure for dialogue

- France and India have instituted a Strategic Dialogue at the level of National Security Advisors whose 24th round took place in New Delhi on September 4, 2012.
- The 3rd meeting of the JWG on Counter-terrorism was held in New Delhi on November 19-20, 2012.
- The first round of the India-France cyber dialogue was held in Paris on 24 May 2013. The first round of Track 1.5 India-France Annual Dialogue between the Observer Research Foundation, India and the Centre for International Studies and Research (CERI, Science Po – Paris) was held in Paris on 23 May 2013.

- The furthering of the Indo-French strategic dynamic is also evident in the institution of the ministerial-level Annual Defence Dialogue in 2018 under French Minister of Armed Forces Florence Parly and former Minister of Defence Nirmala Sitharaman.
- The second edition of this dialogue was concluded between Parsley and Rajnath Singh in October 2019.
- Macron's 2018 visit also included the signing of an MoU on reciprocal logistics support between the two countries' respective armed forces; France is one of only four confirmed countries to partner with India for the same.
- Bilateral military exercises between the three services, beginning with the navies in 2001, followed by the air forces in 2004, and the armies in 2011 — have now become a regular feature.

France and India in the Indian Ocean and Indo-Pacific

- The decision to launch joint patrols in the Indian Ocean and the articulation of a clear strategy by the French for the same comes out of the recognition of the increasing centrality of the Indo-Pacific to global geopolitics.
- The French interest in the Indo-Pacific is not new. Mentions of the rising profile of the Indo-Pacific have appeared in the French White Paper on Defence and National Security since the beginning of the 21st century.
- Furthermore, the desire to "look beyond West Africa to the entire Indian Ocean and East Asia region and to seize opportunities that may emerge in this region" have figured in the French security calculus since 2009. France has thus been looking for opportunities to deepen and consolidate its ties with countries in the Indo-Pacific.
- This is largely motivated by France's stake in the region. The presence of overseas French territories in the form of the islands of La Réunion, Mayotte and French Southern and Antarctic Territories in the Indian Ocean; as well as Clipperton, New Caledonia, French Polynesia and the Wallis and Futuna Islands in the Pacific make stability in the Indo-Pacific Paris' priority.
- France has one of the largest Exclusive Economic Zones (henceforth, EEZ) in the world which is over 10 million km² in the area — in sharp contrast to India's 2.7 million km² — 90 % of which is located in these two oceans. At the 2019 Shangri-La dialogue, Florence Parly's articulation of the new strategy for the Indo-Pacific was underscored by an emphasis on building useful links and joint actions in the name of shared security.
- Parly reiterated the desire to deepen engagement with ASEAN countries as well as other IORA nations to expand and consolidate France's alliance system in the Indo-Pacific.
- **S. Jaishankar-India sees France as a resident power in the Indo Pacific region which is vital for its peace and stability. "We both seek a free, open and inclusive region. And, we both have multiple, interlinked partnerships with a positive agenda to address the challenges and advance stability and security in the region,".**

Defence Cooperation

- Within the framework of structured talks under the Indo-French Defence Cooperation Agreement several meetings on industrial collaboration and service exchanges are held regularly.

- Indo-French Air Force Exercise Garuda IV was held at Istres airbase in France from 14 - 25 June 2010. Indo - French Naval Exercise, Varuna was held in the Mediterranean sea off the port of Toulon from 19-22 July 2012.
- The first India-France joint army exercise named Shakti was conducted in India at Chaubatia from 9-22 October 2011.
- The Government of India has selected Rafale from M/s Dassault Aviation, France for procurement.
- The India-France Joint Staff talks are a forum established to enhance defence cooperation between the nations through regular talks at the strategic and operational levels.
- The Indian and French navies conducted a three-day bilateral naval exercise. The exercise was part of the annual series of bilateral exercises between the Indian and French militaries that have the stated goal of upholding the rules-based order and promoting a stable maritime security order in the Indo-Pacific.
- Varuna 2021 was the 19th edition of this series of exercises. France has remained one of India's strongest strategic partners and given the growing security challenges India faces in its immediate neighborhood and the Indo-Pacific, there will likely be further enhancement of this partnership.
- France has emerged as one of India's closest strategic partners and this relationship is likely to bloom in different formats in the coming years. While the bilateral engagement will remain a key pillar, involving Paris in many trilateral and multilateral platforms in the Indo-Pacific will strengthen India's maneuverability as India aligns closely with the U.S. and other Western powers. France has expressed its keenness to join the India-Australia bilateral exercise, AUSINDEX.
- **Suhasini Haidar**-*Defence cooperation is a major pillar of India-France ties and France is one of India's largest defence suppliers. France is also the first country to post a Liaison Officer at the Indian Navy's Information Fusion Centre for the Indian Ocean Region, and the first country with which India has done joint patrols.*

Civil Nuclear Energy Cooperation

- A landmark Agreement Civil Nuclear Cooperation was signed between India and France on 30 September 2008 during the visit of Prime Minister DDrManmohan Singh to France.
- Subsequently, during the visit of President Nicolas Sarkozy to India from 4-7 December 2010, the General Framework Agreement and the Early Works Agreement between NPCIL and Areva for implementation of EPR NPP Units at Jaitapur were signed.
- India and France also agreed to intensify exchanges between the scientists of both countries in the nuclear field; establish structures for training and undertake nuclear safety research.
- France and India have decided to give a new impetus to their cooperation for the development of nuclear energy for peaceful purposes as an expression of their strategic partnership. Both Sides recognize that as a reliable source of sustainable and non-polluting energy, it could make a significant contribution to meeting the global challenge of achieving energy security, sustainable development, economic growth and limiting climate change.
- As responsible states with advanced nuclear technologies, including in the nuclear fuel cycle, France and India are interested in promoting nuclear energy with the highest standards of safety and security and in accordance with their respective nuclear policies and international obligations.
- France and India share common concerns and objectives in the field of non-proliferation of weapons of mass destruction and their means of delivery including in view of possible

linkages to terrorism. In this regard, France appreciates India's long-standing and continuing contributions to international non-proliferation.

- It can be argued that the continued nuclear cooperation between India and France has broadened and deepened the scope of strategic cooperation between the two sides, making it one of the most comprehensive strategic partnerships that India has with any country.

Space Cooperation

- France and India view each other as important partners in space technology and applications. Indian Space Research Organisation (ISRO) and its French counterpart Centre National de Etudes Spatiales (CNES) has a rich history of cooperation and collaboration spanning about four decades.
- The scientific community of the two nations cooperates in joint radiation experiments, space components development and space education. ISRO and CNES (French National Space Agency) have an umbrella agreement, operating successfully since 1993, under which joint missions like Megha-Tropiques and SARAL have been taken up.
- The joint satellite Megha-Tropiques was launched on October-12, 2011 by ISRO's Polar Satellite Launch Vehicle (PSLV). Another joint Indo-French satellite SARAL (Satellite for ARGOS and ALTIKA), carrying a Ka-band altimeter to study the ocean surface and a platform for collecting data, was successfully launched by PSLV on February 25, 2013.
- A Statement of Intent for Long-Term Co-operation in Space between ISRO and CNES was signed between Chairman ISRO and President of CNES on 14 February 2013.
- Under a commercial launch Service Agreement between Antrix Corporation Limited (ANTRIX), the commercial arm of ISRO and ASTRIUM SAS, a Company under EADS, France, an advanced Remote Sensing satellite - SPOT -6 built by ASTRIUM SAS was successfully launched on board ISRO's Polar Satellite Launch Vehicle (PSLV – C21) on 9 September 2012.
- Arianespace based in France has been the major provider of launch services to Indian Geo-Stationary satellites. After the launch of The APPLE satellite on a co-operative mode, 14 Geo-Stationary satellites of India have been launched by Ariane on a commercial basis.
- India and France have agreed to start a bilateral space security dialogue. This will be the third country with which India will be engaged in a space security dialogue. The other two countries are the United States and Japan, with such dialogues beginning in 2015 and 2019, respectively.
- For France, India will be the first Asian country with which it will have such a dialogue. The rapid growth of counter-space capabilities by China is a serious development that India, France, Japan, and the U.S. have been grappling with. China's growing inventory of counter-space capabilities is something the Indo-Pacific powers can no longer ignore. The India-France space security dialogue is also an indication of India's changing space orientation.
- **RAJESWARI PILLAI RAJAGOPALAN**-India's civil space cooperation engagements with different countries have evolved to focus more on space security. India also hopes to arrive at a common multilateral understanding of the emerging space environment and the possible threats to safe, secure, sustainable, and continued access to outer space.

Support for permanent UNSC membership

- France has continued to support India's claim for permanent membership of the United Nations Security Council and the reforms of the United Nations. France's support was vital in India's accession to the Missile Technology Control Regime (MTCR), Wassenaar

Arrangement (WA) and Australia Group (AG). France continues to support India's bid for accession to the Nuclear Suppliers Group (NSG). India and France have consistently condemned terrorism and have resolved to work together for adoption of the Comprehensive Convention on International Terrorism (CCIT) in the UN.

Indian diaspora constitutes around 5,00,000

- There also exist vibrant bilateral cultural and educational linkages as also growing people-to-people contacts. The Indian diaspora also has a sizable presence in metropolitan France and its overseas departments/territories.
- The Indian diaspora in France is estimated to be around 5,00,000 with the majority being French citizens based in the French overseas territories. Around 109,000 Indian citizens reside in mainland France, with a majority originating from former French colonies of Puducherry, Karaikal, Yanam, Mahe and Chandernagore.
- A sizable number of Indian origin population lives in the French Overseas Territories of the Reunion Island (300,000), Guadeloupe (60,000) and Martinique (6,000).
- There has also been an increasing number of students (nearly 10,000) and professionals studying and working in mainland France. There are more than 50 Indian community organizations active in France. Major communities constituting the Indian origin population originate from Puducherry Tamil Nadu, Gujarat and Punjab.

Cultural Exchanges

- Indian culture enjoys a wide and discerning audience among the French population, as is evident in the numerous and frequent cultural events organized all over France, spanning the entire spectrum of Indian art, music, dance, cinema and literature.
- While the Indian Council for Cultural Relations (ICCR) sponsors visits of Indian artists to France, from time to time, there are a growing number of private impresarios who organize cultural events throughout France.
- In keeping with the importance both the countries accord to cinema and the willingness to enhance cooperation in the field, a revised Indo-French Bilateral Film Co-Production Agreement was signed during the visit of The french President to India in December 2010.
- An MOU was signed on 26th January 2012 between the Ministry of Culture of India and the Louvre Museum to establish an active partnership in the area of exchange of competencies and expertise, particularly in the field of museology, temporary exhibitions etc.
- The 15-month long Indian cultural festival - "Namaste France" held from 14 April 2010 to 28 June 2011, was a comprehensive presentation of Indian culture including art, music, dance, fashion, films, and literature as well as business and education. The Festival was organized in response to 'Bonjour India', a French cultural festival, organized by the French Embassy in India in from 2009-2010
- Bonjour India 2022 will cover 19 cities across the country, including three key events in Ahmedabad, with the cultural festival organised through The rench cooperation network in India comprising the French Embassy and Consulates in India, French Institute in India, and Alliance Francaise network in collaboration with Indian Council for Cultural Relations, with support from various public and private partners.
- Several other film festivals including the South Asian Film Festival (January 2013), Vesoul International Film Festival of Asian Cinema (February 2013), Clermont Ferrand Short Film

Festival (February 2013) and La Rochelle Film Festival(July 2013) have celebrated the centenary of Indian cinema.

Educational and Technical Cooperation

- The bilateral educational cooperation between India and France has grown over the last few years. Around 300 MoUs have been signed between Indian and French universities and private institutions.
- The number of Indian students studying in France in various fields has increased over the years. For the academic year 2011-2012, 2550 Indian students came to France as compared to 2500 a year ago.
- The framework for bilateral educational cooperation is provided by the Educational Exchange Programme (EEP), which includes mutual recognition of degrees, bolstering the research programme and increasing student-scholar research mobility through a flexible visa regime).
- A Joint Working Group has also been set up under the EEP. One of the most important initiatives in the field of education has been the cooperation on the new IIT in Rajasthan, following a joint declaration in 2008.
- A Letter of Intent (LoI) was signed in 2012. The Indo-French Centre for Promotion of Advance Research (CEFIPRA), which has completed 25 years, is the nodal framework for promoting bilateral scientific cooperation in fundamental & applied research, frontier technologies and the exchange of scientists and post-doctoral researchers.
- The office of CEFIPRA has been established in Delhi and the centre is currently funded through an annual corpus of € 3 million, with India and France equally contributing Euro 1.5 million each. There is interest on both sides to further bolster research and technological cooperation between Indian and French research institutions and universities.
- To this end, two ideas have launched in February 2013 the "Raman-Charpak Fellowship " which will enable the change of doctoral students between the two countries. To further broaden the scope of future engagements in S&T several Memorandum of Understanding and Letter of Intent (LoI) between institutions were signed during the visit of the French President in February 2013 to India. France will be the partner country for the 2013 Global Technology Summit to be held in New Delhi.

France is ahead of the curve in developing technologies that minimise the environmental impact of manufacturing processes. These are technologies that the Indian manufacturing industry can learn and adopt as the latter gets subjected to strict emission limits and stringent compliances by the current Indian government. Moreover, the climate change industry is estimated to reach a value of \$1 trillion by 2020, presenting an opportunity for France and India.

The recent visit of S. Jaishankar to France

- India and France has inked a roadmap to enhance their bilateral exchanges on the blue economy and forge a common vision of ocean governance based on the rule of law and cooperation on sustainable and resilient coastal and waterways infrastructure.
- The roadmap scope will encompass maritime trade, the naval industry, fisheries, marine technology and scientific research, ocean observation, marine biodiversity, marine ecosystem-based management and integrated coastal management, marine eco-tourism,

inland waterways, cooperation between competent administrations on civil maritime issues, marine spatial planning as well as in the international law of the sea and related multilateral negotiations.

- India and France will make the blue economy a priority in the development of their economic exchanges. They will facilitate contacts between economic actors, business heads organisations, technopoles and maritime clusters of the two countries, cross investments, as well as visa issuance to entrepreneurs active in the blue economy,”

The recent visit of PM Narendra Modi

- According to a joint press statement issued after the meeting, India and France — in a post-pandemic world, facing global geopolitical challenges — reaffirmed their commitment to preparing for the future together by further deepening their cooperation, expanding it in new domains to meet emerging challenges and broadening their international partnership.
- "India and France have built one of the premier strategic partnerships for advancing peace, stability and prosperity in the Indo-Pacific region. They share a vision of a free, open and rules-based Indo-Pacific region, based on a commitment to international law, respect for sovereignty and territorial integrity, freedom of navigation and a region free from coercion, tensions and conflicts," the statement noted, amidst China's aggressive and moves in the strategically important region.

S. Jaishankar

- *There are two areas of national interest for India where India is looking forward to France as a key partner. "One is in the realm of defence and security. We see France as a trusted collaborator in countering security challenges from the seabed to space, from cyber to oceans," he said. Ja Shankar said France is also among the foremost countries as India seeks to build industrial self-reliance in the defence sector, with a sense of urgency and priority.*
- *Naturally, given the history of our defence partnership, we are exploring ambitious ideas for collaborative ventures in India. This will support our common interests in the Indo Pacific region as well," .The other area is the transformation of our industrial sector. Like France, India, too, saw the erosion of its industrial base, and like France, we are determined to restore it, especially with emphasis on the industries of the future. The Indian economy is experiencing a strong rebound, with a growth of 9.2 per cent," he added.*

C.Raja Mohan

- *For many nations, including India and France, coping with the muscular assertiveness of China, the resurgence of Russia and the retrenchment of America become the central challenge of their foreign and security policies.*
- *As they look for options in a world where the old political certitudes look shaky, India and France see that strengthening bilateral cooperation and building coalitions with like-minded countries is critical for the protection of their long term interests.*
- *The new imperatives driving India and France have manifested themselves in a five-fold agenda for Modi and Macron.*
 - *First, enhancing bilateral cooperation in strategic sectors.*
 - *Second, the new commitment to go beyond the buyer-seller relationship in the field of weapons procurement.*

- *Third, political cooperation between India and France is relatively new; it began with French support for India in limiting international sanctions on Delhi after its 1998 nuclear tests. Today, France has emerged as India's most reliable partner on issues relating to terrorism and Kashmir.*
- *Fourth, the relationship between India and France has gone beyond the bilateral to focus on the regional-maritime and naval cooperation in the Indian Ocean and more broadly the Indo-Pacific.*
- *Finally, it is the prospect of global agenda-setting that is beginning to make the India-France strategic partnership very exciting- climate change, de-development Solar Alliance, cybersecurity, digital technology. France also opens the pathway for deeper engagement with Europe on global issues.*



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Panchayati Raj

The Panchayati Raj, first adopted by Nagaur in Rajasthan on October 2, 1959, has expanded vastly. There are now 2,60,512 Panchayati Raj Institutions (PRIs) represented by about 31 lakh elected members across India. This system of local self-governance, where people in the villages participate in the decision-making process, is the backbone of democracy. Panchayati Raj Institution (PRI) is a system of rural local self-government in India. Local Self Government is the management of local affairs by such local bodies that have

been elected by the local people. PRI was constitutionalized through the 73rd Constitutional Amendment Act, 1992 to build democracy at the grassroots level and was entrusted with the task of rural development in the country. In its present form and structure, PRI has completed more than 25 years of existence. However, a lot remains to be done to further decentralization and strengthen democracy at the grass-root level.



Salient Features of the Constitution 73rd and 74th Amendments

- These amendments added two new parts to the Constitution, namely, Part IX titled “The Panchayats” (added by 73rd Amendment) and Part IXA titled “The Municipalities” (added by 74th Amendment).
- Basic units of the democratic system-Gram Sabhas (villages) and Ward Committees (Municipalities) comprising all the adult members registered as voters.
- The three-tier system of panchayats at the village, intermediate block/taluk/Mandal and district levels except in States with a population is below 20 lakhs (Article 243B).
- Seats at all levels to be filled by direct elections Article 243C. Seats reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs) and the chairpersons of the Panchayats at all levels also shall be reserved for SCs and STs in proportion to their population.
- One-third of the total number of seats to be reserved for women. One-third of the seats reserved for SCs and STs are also reserved for women.
- One-third of offices of chairpersons at all levels are reserved for women (Article 243D).
- Uniform five-year term and elections to constitute new bodies to be completed before the expiry of the term. In the event of dissolution, elections are compulsory within six months (Article 243E).
- Independent Election Commission in each State for superintendence, direction and control of the electoral rolls (Article 243K).
- Panchayats prepare plans for economic development and social justice in respect of subjects as devolved by law to the various levels of Panchayats including the subjects as illustrated in the Eleventh Schedule (Article 243G).

- The 74th Amendment provides for a District Planning Committee to consolidate the plans prepared by Panchayats and Municipalities (Article 243ZD).
- Budgetary allocation from State Governments, share of revenue of certain taxes, collection and retention of the revenue it raises, Central Government programmes and grants, Union Finance Commission grants (Article 243H).
- Establish a Finance Commission in each State to determine the principles based on which adequate financial resources would be ensured for panchayats and municipalities (Article 243I).
- The Eleventh Schedule of the Constitution places as many as 29 functions within the purview of the Panchayati Raj bodies.

Major milestones

- The 73rd Amendment which bestowed constitutional status to the Panchayats and recognised them as “self-governing institutions” has made deep inroads into the democratic psyche of the country. From merely 5,000 elected representatives (MPs/MLAs), the PRI Act has created space for a mammoth three million representatives at various levels (Gram Sabha, Panchayat Samiti and Zilla Parishad), thus making it the largest democratic exercise in the world.
- The 73rd Amendment Act has deepened democracy, political inclusion and participation among the most marginalized sections of the society. The mandatory reservations for women, Scheduled Castes and Scheduled Tribes and Other Backward Classes that the 73rd Amendment enumerated have brought up more than a million new representatives from these sections to the democratic spaces.
- This is arguably India’s most transformative affirmative action for women in the political sphere. Compared to a measly 8% representation in Parliament and State Assemblies, now a staggering 49% of elected representatives are women. There are 14 lakh elected women representatives now. Out of this, 86,000 chair their local bodies.
- The 73rd Amendment not only has been vested with many functions ranging from civic welfare to preparation of plans and their expenditures but also PRIs have lately been bestowed with considerable resources (on paper) to look after their day-to-day affairs.
- Recognising their transformative potential for service delivery and local governance, both the 13th and the 14th Finance Commissions have allocated a sizeable percentage of the central transfers (converted into untied grants) to local bodies. The N.K. Singh-led 15th Finance Commission has proposed to increase the current funding by about 2 percent of the divisible pool. This could become a potential game-changer.
- Of late, healthy competition has emerged among various States in terms of devolving funds, functions and functionaries (3Fs). For instance, after getting inspired by Kerala and Karnataka (which has devolved 26 departments), Rajasthan too took a plunge to devolve 3Fs in respect of 9 departments such as agriculture, education, health, social welfare and women and child.
- Similarly, the government of Bihar has come out with the idea of “Panchayat Sarkar” which lends primacy to grassroots governance in the overall scheme of development. After waiting for 30 years, Jharkhand went for the Panchayat elections recently. In short, the decentralization process has taken a strong root and looks ‘irreversible’ in India. Of late, healthy competition has emerged among various States in terms of devolving funds, functions and functionaries (3Fs).

Issues In the Panchayati Raj

When it came to endowing the PRIs with powers and responsibilities — including the authority to levy, collect and appropriate taxes, duties, tolls or fees to enable them to function as effective institutions of self-government — that was left to the discretion of the respective State legislatures. In other words, while the Act guaranteed “certainty and continuity” to the PRIs, it couldn’t ensure “strength” that these institutions lack strength and vitality even more than two decades after the Act came into force is evident from the Union Ministry of Panchayati Raj’s latest Devolution Report for 2015-16. The report has shown that not a single state has achieved 100 per cent devolution of powers and resources to PRIs, measured in terms of transfer of functions (the 29 subjects/areas covered under the Eleventh Schedule), functionaries (personnel available to discharge the tasks assigned) and finances (quantum of funds that can be autonomously spent). Only seven states — Kerala, Karnataka, Maharashtra, Tamil Nadu, Telangana, Sikkim and West Bengal — could manage to reach even 50 per cent of the desired standards. It raises the question, then: What are the estimated 31.27 lakh elected representatives in the country’s 2.54 lakh PRIs (2.47 lakh gram panchayats or GPs, 6,283 block panchayats and 595 district panchayats) doing? Do they really exercise any power today?

- **Entrenched bureaucracy:**

- As far as money is concerned, the 14th Finance Commission has awarded Rs 2,00,292.20 crore as grants to GPs for the period from 2015-16 to 2019-20 towards the provision of basic services such as sanitation, drinking water and maintenance of roads, footpaths, street lights, burial/cremation grounds, etc.
- What the PRIs today lack is the infrastructure, trained personnel (both technical and non-technical), and effective financial powers along with accountability systems to ensure that the monies mobilized and allocated to them get spent on the ground. Proof of it is the fact that 81 percent of GPs in Bihar and 33 per cent in Uttar Pradesh do not even have their buildings.

- **Funding-**

- First, the volume of money set apart for them is inadequate to meet their basic requirements. Second, much of the money given is inflexible; even in the case of untied grants mandated by the Union and State Finance Commissions, their use is constrained through the imposition of several conditions. Third, there is little investment in enabling and strengthening local governments to raise their taxes and user charges.
- The 14th Finance Commission enhanced the grant substantially but did not take the change forward. The Terms of Reference of the 15th Finance Commission, which sought to abolish Article 275 and ignore an integrated public finance regime, do not seem to opt for continuity.

- **Bypassing panchayats :**

- According to M.A. Oommen, Honorary Fellow, Center for Development Studies, there was no institutional decentralization except in Kerala. The roles and responsibilities of local governments remain ill-defined despite activity mapping in several States.
- Most states continue to create parallel bodies (often fiefdoms of ministers and senior bureaucrats) that make inroads into the functional domain of local governments. For example, Haryana has created a Rural Development Agency, presided over by the Chief

Minister, to enter into the functional domain of panchayats. Legislative approval of these parallel bodies legitimizes the process of weakening decentralized democracy.

- Increasing allocations to Members of Parliament Local Area Development Scheme, or MPLADS, which started in 1993, and their State-level counterparts, known as the MLALADS, hastened the process of euthanasia.
 - There is no mandate to create a DPC tasked to draft a district development plan that takes into account spatial planning, environmental conservation, rural-urban integration, etc. In States like Gujarat, the DPC has not been constituted.
- **Corruption:**
 - Doubtless, criminal elements and contractors are attracted to local government elections, tempted by the large sums of money now flowing to them. T.R. Raghunandan former Secretary says they win elections through bribing voters and striking deals with different groups.
 - Furthermore, higher officers posted at the behest of Members of Legislative Assemblies, often on payment of bribes, extract bribes from local governments for plan clearances, approving estimates and payments.
 - Thus, a market chain of corruption operates, involving a partnership between elected representatives and officials at all levels. Yet, there is no evidence to show that corruption has increased due to decentralization. Decentralized corruption tends to get exposed faster than national or State-level corruption. People erroneously perceive higher corruption at the local level, simply because it is more visible.
 - **Lack of capacity:**
 - Not only very few States have done some work on internalizing the planning process (activity mapping) of Panchayats, several States have not even paid any serious attention to build the capacities of the newly elected representatives, many of whom are first-timers and belong to the most marginalized sections.
 - So lack of capacity has come hard on the credibility of these very promising institutions. Hence, it is not surprising that many elected representatives remain dependent on officials to perform even rudimentary responsibilities and often become subjects of ridicule.
 - This is more evident in the poorest and backward areas wherein the elected representatives find it tough to perform well in implementing rural development schemes. Ironically, such lack of capacity is being used as a smart pretext by the political and bureaucratic leaderships to not devolve many functions to these bodies.
 - This situation is more precarious in the case of the PESA Act (Fifth Scheduled Areas). According to M.A. Oommen, despite the reservation of seats for Adivasis, Dalits and women, these categories remain on the periphery, often as victims of atrocities and caste oppression rather than as active agents of social change.
 - **Postponement of elections:**
 - If these structural problems were not bad enough, in violation of the constitutional mandate of five-yearly elections to local governments, States have often postponed them.
 - In 2005, when the Gujarat government postponed the Ahmedabad corporation elections, a Supreme Court constitutional bench held that under no circumstances can such postponements be allowed.

- **Panchayat Raj and political parties:**
 - Furthermore, differences can arise between politicians and bureaucrats. The implementation of the 73rd Amendment has mitigated the power and authority enjoyed by the bureaucracy.
 - It has been seen that higher political members have become hostile toward lower political figures due to the lack of experience or understanding and other failings.
 - They would take the opportunity to malign the functioning of the Panchayati Raj. In addition, the MLAs and MP's are threatened because the careers of the local level politicians are likely to elevate. Hence the confrontation between the local politicians and the decentralization process.
- **Digital gap:**
 - Last but not the least, there has been little progress in bringing Panchayats under the ambit of e-governance. There is not an iota of doubt that the leveraging of new-age technologies (ICT) can transform the accountability, transparency and effectiveness of Panchayats.
 - In some instances, the lack of skills in relation to computer usage leads to quick diminishing standards of efficient working. The government initiated the e-panchayat project in about 360-gram panchayats.
 - However, these districts lack infrastructure and have poor broadband internet connectivity. The project of e-governance is to provide citizen-centric services electronically, maintain a database on the assets of the gram panchayats, and effortlessly access gram panchayat data and services transparently. of the 2.5 lakh Panchayats, not even half of them have adopted the e-Panchayat project so far. It may be recalled that the ICT initiative for Panchayats was set up as early as 2004.

Panchayati raj: the role of women

- The 73rd and 74th Constitution Amendment has brought significant changes that promote equal access and increased the engagement of women in politics. About one-third of total Constituencies have been reserved for women.
- It also ensures and enhances women's participation in public life. It strives to achieve National policy for women at the foundational level. The commencement of the reservation system in the Panchayati raj institutions empowers women and elevates women's economic, social, and political status in society.
- It enables liberalization from the traditionally male-dominated society and brings in a fresher perspective on good governance. The reservation system encourages women's participation in the political framework. It has brought in some positive results and better outcomes in education, health, and an increase in family income.
- This transformation in the system had remarkable results bringing lakhs of women into Panchayats for leadership. The adoption of this Amendment has led the Panchayati Raj system to recognise women's rights, a significant step to bring the unseen potential of women into governance.
- It enables women's engagement in planning, decision-making, and execution of the necessity in the village Panchayats. Women representatives have exhibited their prowess and can adapt and learn to manage funds, efficient community-based development, etc. Despite such positive outcomes, women are greatly excluded from the PRI and local governance structures.

- Some issues still exist, such as proxy politics, power-brokering, and gender-based discrimination. The women sarpanch have had to counter extreme violence by challenging subsisting power centers in their communities. It is also observed that the male family members utilize the position of the women in their families to stand for the polls and upon the men can control the PRI through the women.

Issue of qualification

Recently, the State Assemblies of Haryana and Rajasthan have passed a Bill, fixing the minimum educational qualification for elections to the Panchayati Raj institutions besides laying down other conditions including making it mandatory for the candidates to have functional toilets. Following are the qualifications which have to be met for contesting elections to the local bodies:

- There should be no charge sheet filed, which may lead to imprisonment of up to ten years, against the candidate in any court in India. Or
- He must have not failed to pay the arrears of any kind, like to any Co-operative Society, any bank, or electricity bills, etc. If in the case of men from the general category, he must have passed matriculation or equivalent. In the case of women from the general category of men from the SC/ST community, this qualification is Class VIII. And in the case of women from the SC/ST community, this qualification is Class V.
- The candidate must have a functional toilet in his/her house.

Need for such qualifications

- Despite decades after independence the socio-economic indicators in India, especially in rural areas, are dismal. Therefore, making such qualifications necessary for contesting elections would motivate the people to improve these indicators.
- Further, it is believed that education gives a human being the power to discriminate between right and wrong, good and bad. Therefore, the prescription of an educational qualification is not irrelevant for better administration, especially at the grassroots level. Thus, these qualifications are meant to improve the efficiency of governance.
- Rural India is reeling under agrarian debts and farmers are committing suicide to escape the debt trap. Therefore, these qualifications would help reduce the debt burden.
- Finally, those who aspire to get elected to those civic bodies and administer them must set an example for others.

What do these qualifications mean for people of these states?

- The rural population in the State of Haryana is 1.65 crores out of which 96 lakh are above 20 years of age. With the passing of the Haryana Panchayati Raj (Amendment) Act, 2015, only 57 per cent of this population will be eligible to contest in the Panchayat elections of Haryana. More than half the entire population of women in Haryana cannot contest in these local elections, while 68 per cent of the Scheduled Caste women and 41 per cent of the Scheduled Caste men will be ineligible to contest. In a country where about 60 percent of people defecate in open, either preferentially or out of compulsion, such qualifications would make them ineligible to contest election to the local bodies the State has already passed laws that prevent those who have more than two living children from contesting for

certain Panchayati posts. This law was upheld by the Supreme Court in the much criticized Javed v. State of Haryana, which the Court in Rajbala Case, 2015 has significantly relied on. Now that such laws have been judicially legitimized and even encouraged by India's highest court, there is the possibility that this trend of disenfranchisement will spread to other States. For instance, Rajasthan had passed an Ordinance which makes similar educational qualifications a prerequisite for contesting in the Panchayat elections of the State. Other State governments are likely to be motivated by these developments.

Supreme Court's order in Rajbala Case, 2015.

In this case, the Supreme Court upheld the amendments to the Haryana Panchayati Raj Act, 1994. The amendment was challenged for violating the right to equality. The Court upheld these amendments because of the following reasons:

- The Court observed that the illiteracy, lack of sanitation etc. are due to a lack of requisite will, rather than only due to poverty.
- The court tried to link education with competence to effectively discharge the duties of the Panchayats, by holding that, "It is only education which gives a human being the power to discriminate between right and wrong, good and bad."
- The Court further observed that the law was meant to elect "model representatives for local self-government for better administrative efficiency."
- The court also observed that the impoverished and the "indebted" may not be "genuinely interested" in contesting elections. Besides, the verdict points out, "Elections at any level in this country are expensive affairs. In such a case the possibility of a deeply indebted person seeking to contest elections should normally be rare as it would be beyond the economic capacity of such persons."
- The court also highlighted how open defecation is a "notorious fact" and a rampantly unhealthy practice in India. Though the court acknowledged that poverty may be one reason for open defecation continuing in the country, this practice is not exclusive to the poor.
- For example, out of 8.5 lakh families, who live below the poverty line in Haryana, 7.2 lakh have constructed toilets at home with financial help from the State government. Therefore, the apex court agreed with the Haryana government that now "if people still do not have a toilet it is not because of their poverty but because they lack the requisite will more specific terms."

Following are the criticisms of the amendment and the Court order upholding it:

- The judgment goes against Article 14 of the constitution. The article permits classification only if it is reasonable, but the amendment would unduly discriminate against the disadvantaged sections.
- The Court ignores the fact that the amendment ends up punishing those who are the victims of state failure to provide education and sanitation in the first place. The poor state of socio-economic indicators has been due to a lack of adequate provision by the state of basic services to the poor and disadvantaged sections. Therefore, these amendments would end up punishing the people for wrongs committed by the state.
- The judgment, which debars at least two-thirds of the electorate from contesting Panchayat elections, disproportionately affects the most marginalized and vulnerable citizens.

- The Constitution makes it clear that additional qualifications to contest for membership of parliament or the legislative assembly can only be prescribed by the parliament.
- The state legislature does not have the power to prescribe any qualification, nor is there any power to prescribe a qualification in Article 243F, which articulates the grounds for “disqualification” of membership to serve on the Panchayat. It is because, Article 243-F (1) (a) mandates that the disqualifications for an MLA and a Panchayat member should be the same under the Constitution and the Representation of the People Act, 1951.

Therefore, these amendments do not stand the legal rigor.

The judgment goes against the stated objectives of the 73rd Amendment, to remedy the “insufficient representation of weaker sections like Scheduled Castes, Scheduled Tribes and women.” The issue of proxy candidates effectively nullifies these amendments. But they would cripple one of the key characteristics of representative democracy: anyone’s ability to run for election, without regard to income, gender or social status.

Administration Of Scheduled areas and Tribal Areas-

The Census of 2011 enumerates the total population of Scheduled Tribes at 10,42,81,034 constituting 8.6 per cent of the population of the country. Legally Scheduled Tribes are people belonging to tribes or tribal communities specified in the list of such tribes as per Article 342 of the Constitution.

Issues related to scheduled tribes -

- The biggest misfortune of the Tribal people is that they inhabit lands that are highly rich in minerals, water and other resources that the state and private corporations need for the “development” of the country. Almost 90 per cent of all coal and around 50 per cent of the remaining minerals are in their regions. This “development” has nothing to do with making their lives better or more secure.
- On the contrary, they are assured of being uprooted from their familiar surroundings and forced to learn how to survive in an alien societal set-up with strange rules. According to the Ministry of Tribal Affairs (MTA) nearly 85 lakh tribals were displaced until 1990 on account of large developmental projects. It has become more ominous in the last two decades of the liberalization-cum-privatization and urbanization policies.
- The tribals, their lands, and other resources are now exposed to the exploitative market forces, mostly due to the State and Multinational Companies (MNCs) sponsored mining projects, steel and cement plants, wildlife sanctuaries, hydropower projects, industries and tourism projects, and so on. Alienation of the tribal lands by powerful entities has become a common phenomenon in all tribal areas across the country.
- It is most unfortunate that “the freedom to live in their own traditional ways” as guaranteed by the constitution is flouted by those who understand the constitution better.
- To ensure their participation in the development process while accommodating their cultural and customary ways of governing different provisions have been mentioned in our constitution i.e PESA act, 5th and 6th schedule which have been explained in the following paragraphs.

The Panchayat (Extension of the Scheduled Areas) Act, 1996 or PESA, was enacted by the Center to ensure self-governance through gram sabhas (village assemblies) for people living in scheduled areas. It legally recognises the right of tribal communities, and residents of the scheduled areas, to govern themselves through their systems of self-government, and also acknowledges their traditional rights over natural resources. PESA's full form are Provisions of the Panchayats (Extension to the Scheduled Areas) Act. The canons contained in Part 9 of the Constitution of India concerning the Panchayats were not pertinent to the tribal regions included in Schedule 5 of the Constitution. But, the Parliament can extend the said provision to the specified tribal areas bearing in mind certain exceptions. Hence, to extend the benefits of the Panchayati Raj System to such Adivasi regions, the legislators legislated "Provisions of the Panchayats (Extension to the Scheduled Areas) Act", 1996, commonly referred to as "PESA Act. "Presently, the Fifth Schedule of the Constitution covers the following 10 Adivasi regions, namely: Andhra Pradesh, Telangana, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, and Rajasthan.

- The government of India legislated The Provisions of the Panchayats (Extension to Scheduled Areas) Act, or PESA act 1996. The act intended to ensure autonomy by adapting the customary Gram Sabhas administration system for the people residing in such Scheduled Areas of India.
- Initially, under the 73rd Constitutional Amendment, which laid down the foundation for the Panchayati Raj System, scheduled areas did not find a place. Article 243 (M) of the Constitution made sure to restrict the amendment applicable to the scheduled areas. After establishing the Bhuria Committee in 1995, the PESA ACT 1996 came into existence and reassured the self-governance of Adivasis.
- The PESA Act aimed to operate the Panchayats at the required levels. The Act would aid Gram Sabha to regulate primary tribal concerns like traditional resources, forest supplies, minerals, water resources etc. The PESA act got perceived as a positive outcome for the upliftment of the scheduled area.

Importance of Scheduled Areas

- Culture is the fundamental identity of a man and something that distinguishes one community from another. Thus, culture is integral to a man and must get preserved at all costs.
- India is the land of various cultures, and the preservation of all is a must. With one such aim, the Constitution framers set a few areas under the fifth schedule and termed them Scheduled Areas.
- As per Article 244(1), "Scheduled Areas as such areas as the President may by order declare to be Scheduled Areas after consultation with the Governor of that State."

Significance Of Scheduled Areas-The importance of scheduled areas is as follows:

- Preserving the culture.
- Retaining the identity.
- Restoring the lost traditions.
- Ensuring their rights.
- The promise of their betterment.

Features of PESA ACT 1996

- Restoration of the self-governance-The prime aim of the said act was to restore the right of autonomy lost to the exterior legislatures.
- Gram Sabha as a Focal Point-The governmental body in Gram Sabha was established and made the focal point of democracy and liberty.
- Safeguarding Culture and Traditions-With newly gained power, the Adivasis could now engage their culture and traditions in the decision making and hence, preserve them.
- Consultations for Acquisition-The act's utmost important feature was to mandate the prior discussion with the people residing in the scheduled areas before acquiring their land.
- Other than this, the Act empowered the tribal people with the ownership of "minor land produce", local dispute resolution and managing their rural and traditional markets.

Gram Sabha

Panchayati Raj is a three-tier Indian rural management system. Gram Sabha is the prime authority under the Panchayati Raj system. It is a rural body comprising all the eligible voters residing in that particular area of the panchayat. Villagers 18 years old or more in age and registered with a right to vote are eligible to be members of the Gram Sabha. A Sarpanch elected by the members of the Gram Sabha heads the Gram Sabha. The tenure of the said Sarpanch is five years, while there is no such tenure of the membership of the Gram Sabha.

Role of Gram Sabha

- Protecting and preserving the traditions, culture and customs of the tribal people residing in such scheduled areas
- Sanctioning the socio-economic developmental schemes to be implemented by the government in such scheduled areas
- Approving the schemes and strategies recommended by the Panchayat at the village level.
- Appointing beneficiaries under poverty alleviating schemes and other programmes.
- "Right to be consulted before making the acquisition of land in the Scheduled Areas" for growth schemes and before displacing and rehabilitating residences attacked by the said schemes in the Scheduled Areas.
- Right to plan and manage minor water bodies in the Scheduled Areas.
- Regulating, and restricting the sale, consumption and usage of any intoxicant substance in the territory of scheduled areas.
- Proprietorship over "minor forest produce".
- Exercising control over local markets and resources.

Implementation of PESA - Areas of Concern

- Documenting the present state of organization of tribal society, its customary laws, practices and procedures of caring for their human, social and natural environment, particularly in matters of land, water, minor minerals, forest and minor forest produce, regulation of alcohol, mechanisms of internal solidarity as well as practices of community governance which are no longer in practice but still part of collective memory.
- Identifying and documenting all PESA related legal, procedural and administrative frameworks currently in place in the 9 states having Fifth Schedule Areas, particularly in

matters of land, water, minor minerals, forest and minor forest produce, regulation of alcohol, markets and money lending and analyze current legal provisions at variance or conflicting with the requirements of PESA.

- Identification of necessary changes whether by way of amendments, notifications, orders or guidelines in the legal, procedural and administrative framework related to Panchayati raj, development and in matters of land, water, minor minerals, forest, minor forest produce, regulation of alcohol, markets and money lending to integrate current customary laws, practices and procedures which will promote self-governance in consonance with the letter and spirit of PESA.
- Pseudo Approvals-Social audits shattered the colorful image of the implementation of the PESA Act. Pragmatically, the growth projects are granted pseudo approvals, just on the papers, without real discussions and permissions with the members of Gram Sabha in these scheduled areas.
- Fragmentary Implementation-Though the PESA Act returns the autonomy to the scheduled areas, the regional authorities get obliged to enact state laws. Hence, leads to the fragmentary implementation of self-governance that further worsens the conditions of Adivasis.
- It was also upheld by the Supreme Court in 1997 in the famous case now known as the Samatha Judgment. Sadly the letter and spirit of all constitutional and legal protections of the tribal lifestyle are now being blatantly flouted by the nexus of politicians, bureaucrats, and industrial corporations.
- The most serious threat to the Adivasi people in the country today is the pressure on the Fifth Schedule provisions, which forbids the transfer of tribal lands to non-tribals. Both Central and several state governments are seriously making efforts to amend the laws prescribed under the Fifth Schedule and their corresponding state laws to allow private and corporate players to take over tribal and forest lands. In violation of the Fifth Schedule, private mining has been taking place in almost all the nine States with Fifth Schedule areas, most notably in Chhattisgarh, Jharkhand, MP, and Orissa.

Way forward-

Utilize the opportunities created by PESA, evolve methodologies and instruments to consolidate and strengthen and enable democratic participation. Sensitization and capacity building must gear themselves for:

- i. social mobilization for community support,
- ii. Strengthening of social, capital and human resources,
- iii. Grounding participatory democratic processes and community institutions,
- iv. Hand holding communities to re enable their democratic traditions and negotiate with modern governance processes,
- v. sustaining networks of self-governing communities.

MOHAN GURUSWAMY

- *Even though the states of Chhattisgarh and Jharkhand were carved out of Bihar and Madhya Pradesh, real tribal issues relating to their cultural way of life and aspirations were not addressed.*
- *Not to be left behind, the UPA government drafted the Scheduled Tribes (Recognition of Forest Rights) Bill in 2005 but did not act upon it due to pressure mounted by self-styled wildlife activists and the wildlife tourism lobby.*
- *All tribal majority areas must be consolidated into administrative divisions whose authority must be vested with democratically chosen leadership. This body could be called the Adivasi Maha-panchayat and must function as a largely autonomous institution.*
- *All laws passed by the state legislatures must be ratified to the satisfaction of the Maha-panchayat. Instead of the state capital-controlled government, the instruments of public administration dealing with education, health, irrigation, roads and land records must be handed over to the local government structures.*
- *The police must also be made answerable to local elected officials and not be a law unto themselves. The lament of the Adivasis about their role in their government is well known. It is the subject of many folk songs.*

Scheduled and Tribal Area Administration

Article 244 contains the canons for the administration of Scheduled areas and Tribal areas in India. It states that the legal provisions under the Fifth Schedule of the Constitution of India are responsible for the administration and governance of the scheduled and tribal areas other than the states of Assam, Meghalaya, Tripura and Mizoram.

Administration of Scheduled Areas

- According to the fifth schedule, the Constitution of India empowers the President to declare a State as a Scheduled Area after Governor Consultation.
- The Executive Power of State applies to the Scheduled Areas as well. Each such State's Governor is obliged to prepare a report concerning the administration of such State, to get deposited to the President.
- For administrative purposes, it is a must to establish a " Tribes Advisory Council".
- The Governor, through a notification, directs the applicability of a particular legislature enacted by the Parliament to such states.

Administration of Tribal Areas

- The Sixth Schedule of the Constitution of India looks after the administration of the tribal areas in Assam, Meghalaya, Tripura and Mizoram. The legal provisions provide for the administration in the following way:
- Sovereign districts and regions
- Power of the Governor to reorganize, alter and modify the boundaries of the territory.
- Division of the district based on the different scheduled tribes inhabited in the region
- Setting up of District Council in each autonomous region comprising a maximum of thirty members.

- Out of thirty members, four members get nominated by the Governor and hold office for five years.
- Such Councils enact laws on local resources like land, forests, canal water, and Jhum cultivation.
- Local Dispute Resolution.

Difference between Scheduled Area and Tribal Area

Scheduled Areas are those States that the President may announce as Scheduled Areas after the recommendation of the Governor of such States. In contrast, the districts in the States of Assam, Meghalaya, Tripura and Mizoram, which enact “Regional Autonomous Councils” for the said districts, are called Tribal Areas.

For scholar’s views please refer to first edition of politico analytics

74th amendment

Article 243B requires every state to establish panchayats at the village, intermediate and district levels. In the case of municipalities, Article 243Q contains a similar stipulation, but it is followed by a provision that a municipality may not be constituted in an urban area if it is specified as an industrial township where municipal services are provided by an industrial establishment. The preceding Article 243P states that a “municipality means an institution of self-government constituted under Article 243Q”. According to Census 2011, there are 7,935 urban places. Of these, 4,041 are clothed in the garb of a corporation, municipality or Nagar panchayat. The remaining 3,894 are only census towns, which have to remain content with that statistical certification. The list of such census towns without urban local self-government includes Noida and Kharagpur and makes for extraordinary reading.

Issues Urban Local Governance-

- Lack of autonomy—Inherently, major financial decisions of municipal bodies are taken by state governments, and not the municipal office-holders themselves,” Inherently, major financial decisions of municipal bodies are taken by state governments, and not the municipal office-holders themselves,
- Poor Infrastructure—” Poor infrastructure haunts urban dwellers. India's towns and cities generate around 150,000 tonnes of municipal solid waste per day. The Ministry of Urban Affairs says “24.8 percent is scientifically processed and the “rest is either landfilled in sanitary landfills or crudely dumped.”
- Cities must depend on Central intervention—in the past three years, under AMRUT, a sum of Rs 1,236.94 crore was released to 18 states—and/or pray for deliverance on the “promise” of metro projects. Critical to grass-roots governance is the transfer of funds, functions and authority over functionaries—this is validated by the struggle to implement Swachh Bharat and smart cities programmes.
- Lack of funds—The 14th Finance Commission allocated Rs 2,87,436 crore for the period 2015-20—Rs 2,00,292.2 crore for over 2.5 lakh panchayats and Rs 87,143.8 crore for ULBs. For sure it is less than adequate given the needs. The question is how much are states devolving in their

budgets? Central finance commissions are required to go by the recommendations of state finance commissions, but states often render SFCs dysfunctional or disregard them.

- The issue of devolution of functions and functionaries is more complex. Typically, states are wary of allocating functions easily to panchayats or ULBs. Indeed, frequently, even after 25 years the elected folks in panchayats or urban local bodies can be overruled by officials in the state government departments. In urban local bodies, the appointed design and decide on budgets and the elected can scarcely object.
- Corruption: In these bodies corruption, favouritism and nepotism are rampant. In the case of most of the bodies, the state government is empowered to take disciplinary action and the urban body has very little control over its personnel which leads to corruption.

Report by the Praja Foundation, 'Urban Governance Index, 2020

- Even though the law has creative solutions to address the problems, it lacks proper implementation. And even when the laws are implemented, there is a lack of autonomy in these urban local governing bodies' decision-making.
- Twenty-seven years after the 74th Constitutional Amendment Act was passed in 1992 aimed at strengthening democracy at the grassroots level through local bodies, no state has managed to devolve 18 municipal functions to urban local bodies; the municipal bodies are dependent on the state for funds and decision-making.
- Some of these 18 functions include solid waste management, water supply, slum improvement and up-gradation, and promotion of education among others. There have been many urban governance schemes, policies and various global and national level indices over the years.
- However, the majority of the schemes and indices have focused predominantly on the aspect of mapping the performance/delivery of urban services. But what we require are changes in the 'enabler' i.e., core reforms in the structure of city governments and long-term management of our cities."

74th Amendment and Women Empowerment-

- It is evident that local gender reservations have drawn out tens of thousands of women from the kitchen and home in every five-yearly election and catapulted them into the arena of local politics.
- A study of the women councillors of jaipur Municipal Corporation revealed that many independent-minded women have emerged and made politics a career and have shown abilities that match those of the male councillors.
- They have enabled some constructive modifications in gender prejudices held by society in general and by municipal bureaucracies in particular. The resultant sensitisation of local societies and city bureaucracies is no mean achievement.
- A study conducted in the Kolkata Municipal Corporation found that women councillors fared very well in programme implementation, and they had advanced community services and interests. This, in turn, rewarded the women leaders as they got re-elected from their wards, even after they were declared open seats. It appears that the voters saw in them new possibilities for change and a readiness to engage with subjects and issues that were more meaningful and substantive to the community.

- Occupying positions such as mayor or chairpersons of statutory municipal committees equip women with skills needed for higher levels of political office. These also have a multiplying effect and encourage other young women and girls to aspire for positions of leadership.
- However, gender reservations at the local level have failed to become a platform for women to move into state and national politics and the number of women elected at the state and national level has barely improved.
- There are less than 15% women legislators in assemblies and Parliament. Despite the effective implementation of the reservation for over two decades, gender inequalities remain in party hierarchies, and women continue to be kept out of key governance posts.
- Despite the gender reservation system, historic gender inequalities have been too deep seated to be entirely uprooted. Within the ULBs, one witnesses the wide-spread tokenism that exists within gender-reserved seats, where wives of councillors have stepped into the shoes of husbands who have found themselves blocked by gender reservation.
- Husbands continue to control the wards as elected wives work as proxies for their husbands. Political parties have a pivotal role in regard to women's political participation.
- It is the parties that determine which candidates are nominated, and it is their assessment about which candidates are likely to be elected that prevails in the process of selection. They, therefore, play a critical role in the process of women's empowerment. Unfortunately, the political parties themselves have perpetuated these inequities within their hierarchies and women find themselves kept out of key posts.

There is, therefore, a clear need for capacity building programmes that target women councillors to enable them further to perform the normal functions of councillors as well as proactively play a strong advocacy role in the ULBs for the focused needs of women citizens. While gender empowerment and gender justice have great significance, they must translate into bettering of women in cities.

Way Forward-

- Reformed urban governance machinery needs to invest in building a credible database of the urban poor and migrants, along with mapping their skills that are maintained centrally at the office of the re-empowered district magistrate.
- The urban poor may be granted new types of identification documents which can be held by the people in addition to those pertaining directly to their native place:
- The national migrant database, announced by the National Disaster Management Authority (NDMA) is a step in this direction. This database will help in implementing MGNREGA like schemes for the urban poor also, which will provide adequate employment opportunities for the skilled and unskilled workers.
- It will also help the unified district administration to ensure better targeting of the intended beneficiaries. This data shall also assist policymakers in developing tailor-made schemes for the urban populace such as running part-time skill development courses with flexible timings which enable participants to enhance their skills without prolonged absence from their regular work.
- Another contrast between the rural and urban areas lies in the level of public participation in decision-making spaces. In the villages, the holding of chaupals, gram sabhas and gram panchayat meetings at the local panchayat Bhawan are frequent.

- The same can't be said for cities where people are "unavailable" and do not "participate actively" in public discussions in settings that governments take cognizance of, such as ward committees.
- Moreover, in the current scenario, multiple wings of the urban administration interact with citizens incoherently, often on a piecemeal basis — and the urban citizen, consequently, doesn't feel as involved in public decision-making

Prince Dhawan

- *This can only happen if our urban governance model is rebuilt on the following pillars: Convergence and accountability; urban populace specific schemes; wider public participation; and use of the latest technologies.*
- *There is an urgent need to re-empower the institution of the district magistrate in urban towns, where districts are not well-recognised by the public and the district administration machinery is not even used by many government departments.*
- *Notably, most of the functions that the gram panchayats and other departments perform in rural areas are usually monitored and supervised by district collectors — this is not the case with the municipalities in urban areas. To achieve convergence, we need to have a clear command and control structure at the field level.*
- *We need to eliminate the multiplicity of authorities and institutions in the urban areas with one function being managed by one institution only — and which is publicly accountable. A beginning in this direction could be made by designating the district magistrate as the ex-officio municipal commissioner, and also ensuring that the line department functionaries report to the DM in the field. This will ensure accountability of performance, and will also ensure easy grievance redressal which is currently a nightmare for the urban citizen because one usually doesn't know the correct grievance redressal authority for specific complaints.*
- *As we initiate a post-COVID-19 Atmanirbhar nation-building exercise, the current urban governance structure must begin rebuilding internal systems, ensuring convergence and fixing accountability at the level of the urban district magistrate. The buck, after all, must stop somewhere.*

Some Government Initiatives-

- **Sabki Yojna Sabka Vikas Campaign-The Government has launched 'Sabki Yojna Sabka Vikas' campaign for inclusive and holistic preparation of the Gram Panchayat Development Plan (GPDP).**
- **The Government has launched 'Sabki Yojna Sabka Vikas' campaign for inclusive and holistic preparation of the Gram Panchayat Development Plan (GPDP).**
- **The Ministry of Finance has released an amount of Rs. 13,385.70 crore to 25 States for providing grants to the Rural local Bodies.**
- **The Panchayat Empowerment and Accountability Initiative Scheme (PEAIS) is one of the numerous schemes that have been put forward in the Central Sector Plans Scheme. The implementation of the PEAIS is being carried out under the supervision of the Ministry of Panchayati Raj. The scheme has proven to be a leading light in fortifying the procedure of decentralization in India.**

NATIONAL HUMAN RIGHTS COMMISSION

The National Human Rights Commission (NHRC) of India was established on 12 October 1993. The statute under which it is established is the Protection of Human Rights Act (PHRA), 1993 as amended by the Protection of Human Rights (Amendment) Act, 2006. It conforms with the Paris Principles, adopted at the first international workshop on national institutions for the promotion and protection of human rights held in Paris in October 1991, and endorsed by the General Assembly of the United Nations by its Regulations 48/134 of 20 December 1993. The NHRC is an embodiment of India's concern for the promotion and protection of human rights. Section 2(1)(d) of the PHRA defines Human Rights as the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India.

Role of the commission

- The functions of the Commission as stated in Section 12 of the Act and apart from enquiry into complaints of violation of human rights or negligence in the prevention of such violation by a public servant, the Commission also studies treaties and international instruments on human rights and make recommendations for their effective implementation to the Government.
- The Commission is responsible for spreading human rights awareness amongst the masses and encouraging the efforts of all stakeholders in the field of human rights literacy not only at the national level but at the international level too.
- NHRC is a unique institution because it is one of the few National Human Rights Institutes (NHRIs) in the world whose Chairperson is the former Chief Justice of the country. The world looks at the NHRC of India as a role model in promoting and monitoring the effective implementation of promotion and protection of human rights.
- Section 2(1) (d) of the PHR Act defines Human Rights as the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India.

What has it achieved so far?

- Set up in 1993, in the backdrop of criticism against gross human rights violations in Kashmir, the NHRC plays four key roles — protector, advisor, monitor and educator of human rights.
- In the last 14 years, the Commission has taken several measures to promote a culture of human rights in the country. These include awareness programmes by way of imparting training and bringing out publications, Seminars and Workshops on human rights issues, reviewing various laws/ rules from a human rights perspective and making recommendations to make them more human rights friendly, assess the implementation of various programmes/ schemes of Government which have bearing upon enforcement of human rights and make suggestions for better implementation/ enforcement.
- Disposal of more than 17 lakh cases, payment of more than Rs 1 billion to victims of human rights violations, carrying out over 750 spot enquiries of human rights violations, apart from conducting over 200 conferences to spread awareness of human rights across the country.
- Its role has been significant in combating encounter killings and custodial deaths. The commission's guidelines in 1997 mandated every custodial death and encounter killing be reported to it within 24 hours.
- High suicide rates by debt-ridden farmers continued in some States, including Maharashtra despite some relief measures. The Commission took suo motu cognizance of the reports about

suicide by farmers. The Government of Maharashtra in its report informed the Commission that it had appointed a Committee at the District level under the Chairmanship of the District Collector to monitor and supervise the implementation of various schemes, assist farmers and curb, dissuade them from committing suicide.

- Violence against adivasis by Maoists and Salwa Judum in Dantewada, Chattisgarh was brought to the notice of the Commission. The Commission called for a report from the State Government. While the matter was under consideration of the Commission, the Supreme Court based on a writ petition filed before it, directed the Commission to examine/verify allegations relating to the violation of human rights by Naxalites and Salwa Judum and the living conditions in the refugee settlement colonies.

Issues in the functioning of the National Human Rights commission-

- **Political clout on the selection process-**
 - The NHRC is fraught with mischief at its very basis. The selection committee tasked with appointing the chairperson and the members to the Commission is dominated by the ruling party. NHRC's selection process is very obscure. Very often, the government does not publicise vacancies in the Commission. The criteria to assess candidates is also not specified. As a result, appointments to the NHRC have been fraught with disputes.
- **Conflict of interests of officers involved in the investigation -**
 - Police officials investigating for the NHRC are sent on deputation by their forces. Their allegiance lies with their home cadre to which they return after their tenure at the Commission is over. This conflict of interest restricts the scope of their work, as they often are charged with investigating abuse of power by law enforcement personnel.
 - Adding officials of the Intelligence Bureau to the mix only muddies the water. These officials are not answerable to anyone, there is no parliamentary oversight on their functioning, they do not owe financial accountability to the Comptroller and Auditor General, and have often been accused of human rights violations themselves.
 - The NHRC urgently requires officers of its own to carry out independent investigations, and the government should provide its resources for the same.
- **Selective approach to complaints-**
 - Much of the complaints that come to the commission are dismissed even before a preliminary hearing, and critics argue that the NHRC shies away from contentious cases with political implications.
- **Lack of infrastructure-**
 - Short-staffed and inadequately funded, the watchdog also lacks the required infrastructure to handle India's civil rights violations. The perennial staff shortage has meant that the NHRC, despite its quasi-judicial nature, has the same problem that our courts do — pendency.
 - In a submission made to the Supreme Court in 2017, the NHRC admitted that despite a 1,455 per cent increase in complaints between 1995 and 2015, its staff strength had decreased by 16.94 per cent in the same period.
- **Lack of autonomy-**
 - It's an assessment that the Supreme Court agrees with: while hearing cases relating to alleged encounter killings in Manipur, the court observed that there is **"no doubt that it (NHRC) has been most unfortunately reduced to a toothless tiger"**.
 - The NHRC's independence has always been in question given that the very state, which causes the human rights violations, has to fund and provide resources to the rights

watchdog. NHRC's lack of independence makes it a **"lap dog, instead of a watchdog"** as stated by a renowned scholar named **Colin Gonsalves**, senior advocate and founder of Human Rights Law Network.

- "Most instances of human rights violations that the NHRC investigates are against the police and, ironically, the commission comes under the Home Ministry," "Unless the NHRC is made truly autonomous and there is the political will to strengthen human rights, its powers will remain on paper
- The NHRC also has no powers to investigate human rights violations involving the armed forces. Since the commission can only send queries to the Defence Ministry, Jammu and Kashmir and Manipur — two states where the Armed Forces (Special Powers) Act has been in effect — have seen an abysmally low number of cases of human rights violations.
- Controversial appointments-
 - Since the age of retirement for an SC judge is 65, only a small pool of two-three retired CJIs are available to head the NHRC at any given time. Even then, many of the appointments made by the government have received flak.
 - The appointment of Former NHRC chairperson Dattu, Its previous chairperson, K.G. Balakrishnan, SC judge Cyriac Joseph as an NHRC member was openly criticised
 - The commission has also received flak over the lack of diversity in its members.

In February 2017, in a major embarrassment to India, the UN body GANHRI deferred NHRC's re-accreditation until November 2017. In its report, recommending deferment, GANHRI noted the Commission's failure in ensuring gender balance and pluralism in its staff and lack of transparency in selecting its members among other reasons. In February 2018, though, NHRC retained its 'A' grade from GANHRI. In its favour, the rights body has been pushing for an amendment to the act to change the criteria from CJI to former SC judge for its chairperson and to mandatorily include women members in the five-member commission.

- **Jurist-judge V R Krishna Iyer called it "the biggest post office in India" (forwarding complaints to the government and its replies to complainants).**
- **Unless the NHRC is made truly autonomous and there is the political will to strengthen human rights, its powers will remain on paper.**

NATIONAL COMMISSION FOR WOMEN

The National Commission for Women was established after a lot of deliberation. There was a groundswell of opinion gradually drawing the attention of policymakers about the status of women in several pockets of our country. The Committee on the Status of Women in India, led by Phulrenu Guha, submitted its report on the last day of 1974. It took cognisance of the 25th Report of the UN Commission on the Status of Women and “recommended(ed) the constitution of (a) statutory, autonomous commission at the Center and the state(s)”. The National Perspective Plan for Women for 1988-2000 had also recommended a commission for women. Very much like we say when debating the Lokpal bill, a commission for women was an idea whose time had come and it was set up, albeit after an indiscernible delay. In 1990, Parliament passed the National Commission for Women Act. In 1992, the commission was set up with its first chairperson and members.

Achievements of the commission -

- The commission has made an immense difference in the lives of several women. Whether it is individual women complainants who approach the commission or a group of women belonging to a professional group, commission members vested with quasi-judicial powers have helped wipe out unjust practices.
- A number of inquiry commissions have also been established by the Commission, under Section 8 (1) of the Act of 1990, to look into matters such as Law and legislation, Political empowerment, Custodial justice for women, Social security, Panchayati Raj, Women and media, Development of Scheduled Tribe Women, Development of women of weaker sections, Development of women of minority communities, Transfer of technology in agriculture for the development of women.
- the Supreme Court's verdict in what came to be known as the Vishaka case, it was the NCW that doggedly pursued compliance with the guidelines issued by the apex court in every institution, be they colleges, universities, offices, factories, commercial banks, district-level government offices or even the ministries.
- In civil matters that may require class action or representative action, the NCW has played a distinctive role. In a matter related to women technicians and make-up specialists belonging to a section of our film industry, the commission's role was effected through a broad-based inquiry team at the center of that film world. The NCW pursued this matter till all affected women got justice.
- The recurrent cases of NRI grooms deserting their Indian brides was an issue the NCW took up in such a way that today, not only has awareness grown among women, but legislators are working on tightening the legal framework. The NCW had held several public hearings across the country, in particular in states like Kerala and Punjab, where the incidence of such behaviour was high.
- It is worth recollecting that the work on gender budgeting began at the NCW. Making policymakers aware of the idea, its reasoning and its objective, defining ways to factor it in their scheme of planning, removing apprehensions or misconceptions, were exercises no other body could effectively take up. It is a different matter altogether that less is heard of gender budgeting these days, which is a matter of neglect from the NCWs side.
- The National Commission for Women (NCW) recently launched a legal aid clinic to assist women in distress. The legal aid clinic will focus on protecting women's rights and providing them with a one-stop center for seeking legal counselling and help,”

The Major Issues around the working of the Commission for -

1. National Commission for women members are appointed by the government and therefore the commission doesn't have the power to pick its members.
2. The National Commission for women lacks concrete legislative power. It enjoys power only to recommend amendments and submit reports.
3. Despite the increase in crimes against women all five posts for other members have been vacant
4. The suggestions made by the National Commission for Women had no enforceability value over any State or Central Government.
5. Opaque process of appointments and political clout on the selection process.
6. The National Commission for women's functions is hooked into the grants offered by the central government. Financial assistance provided to the Commission is extremely less to cater to its needs.

Suggestions for reforms-

- There are numerous unreported cases of violence against women. This case does not come to light due to the fear factor. There is a high requirement for reforms and suggestions to be incorporated into the National Commission for women.
- Being with more effective rehabilitation for rape survivors and providing them with counselling and relief. Conducting workshops to create awareness among all individuals.
- To establish equality, a real sense of empowerment begins at the grassroots level which is from each house in the country to the families.
- Invest more in healthcare and sanitation amenities for women to ensure health and hygiene. Instill proper support systems and counselling groups to build and improve the morale of women.
- This will ensure their wellbeing and also establish self-development centers for the growth and integrity of women.
- To employ women in small work so that they are independent and ensure that they are not exploited. This will give them a sense of security. Finally educating them about their rights and liberty.
- A transparent, non-partisan and unbiased selection procedure for appointing the NCW Chairperson and its members
- In the interests of the women of this country, it is time the NCW reinvented itself. It is hoped that Parliament, through its standing committee, reviews the NCW's annual reports for accountability.



Governance

Criminal Procedure (Identification) Act 2022

CRIMINAL PROCEDURE (IDENTIFICATION) ACT 2022

Recently, "The Criminal Procedure (Identification) Bill, 2022" was passed by Parliament. The Bill seeks to repeal The Identification of Prisoners Act, 1920 and expands the scope of information the government can collect from convicts, arrested persons and other persons such as habitual offenders.

What are the Features of the bill?

- **Persons whose data may be collected**-Convicted or arrested for any offence. However, biological samples may be taken forcibly only from persons arrested for offences against a woman or a child, or if the offence carries a minimum of seven years imprisonment Persons detained under any preventive detention. On the order of the Magistrate, from any person (not just an arrested person) to aid the investigation
- **Persons who may require/ direct collection of data**-Officer in charge of a police station, or of rank Head Constable or above. In addition, a Head Warden of a prison Metropolitan Magistrate or Judicial Magistrate of first class. In case of persons required to maintain good behaviour or peace, the Executive Magistrate.
 - The National Crime Records Bureau (NCRB) will be the central agency to maintain the records. It will share the data with law enforcement agencies. Further, states/UTs may notify agencies to collect, preserve, and share data in their respective jurisdictions.
 - The data collected will be retained in digital or electronic form for 75 years. Records will be destroyed in case of persons who are acquitted after all appeals or released without trial. However, in such cases, a Court or Magistrate may direct the retention of details after recording reasons in writing.

What are the major changes proposed?

- It proposes four major changes. First, it would define "measurements" to include "signature, handwriting, iris and retina scan, physical, biological samples and their analysis, etc."
- Second, it empowers the National Crime Records Bureau of India (NCRB), under the Union Home Ministry, to collect, store and preserve the record of measurements for at least 75 years. The NCRB will be able to share the data with other law enforcement agencies as well. Police is a State subject and NCRB works under the Union government, and experts contend this provision may impinge on federalism.
- Third, it empowers a Magistrate to direct any person to give vital details, which till now was reserved for convicts and those involved in heinous crimes.
- Fourth, it empowers police or prison officers up to the rank of a Head Constable to take details of any person who resists or refuses to do so. The act also authorises taking vital details of "other persons" for identification and investigation in criminal matters.

What is the Significance?

- More accurate physical and biological samples will make the investigation of crime more efficient and expeditious and will also help in increasing the conviction rate.

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- The act would help improve conviction rates as well as “curb crime and criminals”. Criminals keep changing their modus operandi, and that investigative agencies need to be “empowered” to check crime.
- This act is in line with global standards and for our investigation agencies to be on a par with other advanced countries. It can be also effective to protect innocent people and using public resources efficiently.
- In *Ritesh Sinha vs State of Uttar Pradesh*, Honorable Supreme Court had said that compelling someone to give a sample does not violate Article 20(3). (The Article guards an accused against any act that can be self-incriminating.)
- Also, it is in line with recommendations of the various committee. In 1980, the Law Commission of India while examining the 1920 Act, had noted the need to revise it to bring it in line with modern trends in criminal investigation. In March 2003, the Expert Committee on Reforms of the Criminal Justice System (Chair: Dr. Justice V. S. Malimath) recommended amending the 1920 Act to empower the Magistrate to authorise the collection of data such as blood samples for DNA, hair, saliva, and semen.

Why is this law controversial?

- **Right to Privacy:** When any person is identifiable from the data that is collected, then there is a risk to the right to privacy. Identifiable information essentially means personal and sensitive data which is protected under the right to privacy which is recognized to be a fundamental right by the Supreme Court of India.
- As per the new act, the data is allowed to be stored for 75 years or till the person is fully acquitted. While India still does not have a codified Privacy Protection law, prima facie the new act appears to be in direct conflict with the Right to Privacy. Data may also be used for other illegal purposes such as political, and commercial purposes without anybody’s consent.
- **More powers to police authorities-**Previously, the Identification of Prisoners Act, 1920 allowed the police authorities to collect data such as fingerprints and footprints of those who have been convicted or arrested. The present Act sets out to replace this statute and grant police even more sweeping powers to collect data from persons arrested, convicted or ‘detained under preventive laws’.
- While the ambit of ‘person from whom data may be collected’ has been increased without providing adequate reasons for doing so, no effort has been made to create an internal safeguard against the harmful practices that may be carried out by the police due to such an ‘increased ambit’.
- the Act has failed to distinguish the kind of cases where police may require or be allowed to collect such data from accused persons. The Act also gives no reasons as to why a person arrested for a petty offence and another arrested for terrorism should both be treated at par when collecting samples of their data.
- The present Act allows the collection of iris and retina scans, photographs, finger impressions, palm-print impressions, footprint impressions, physical and biological samples and their analysis, behavioural attributes including signatures, handwriting or any other examination. All of this data is extremely personal to each individual and collection of the same is a violation of every individual’s right to privacy protected under Article 21 of the Constitution.
- The terms used under the Act are extremely vague. Terms like ‘measurements’, ‘biological samples’ and ‘behavioural attributes’ provide a wide room for interpretation that can be

used by the state to collect self-incriminating evidence against any arrested, convicted or detained person and without their consent. This leads to transgressing the right against self-incrimination provided under Article 20(3) of the Constitution.

- The Act seeks to violate the accused person's right to privacy without providing a legitimate purpose. In the judgement passed by the Supreme Court in K.S. Puttaswamy and Ors. vs Union of India and Ors wherein the court held that privacy also safeguards autonomy, personal integrity and dignity and can 'only be restricted by a law which is proportionate and serves a legitimate State aim'.
- It doesn't define the "other persons", implying its ambit extends beyond convicts, arrested persons, or detainees.
- Article 20(3) of the Constitution states that "no person accused of any offence shall be compelled to be a witness against himself." "For a civilised and advanced society to be developed and maintained, a civilised and sophisticated police force is quite essential... Therefore, emphasis should be made in this Bill on capacity building, including experts in forensics at the police station level itself."

Conclusion

No doubt, law and order, security and sovereignty of the State, and the safety of the citizens are of prime importance, but the State while achieving these objectives must work out ways to also safeguard fundamental rights such as the right to privacy and equality of its citizens. The scientific approach to investigation and analysis of crime and criminology will require an infusion of technology, data collection and analysis. The new Bill is a step in the right direction, and may face some rough weather before the law is implemented in a more refined form but it should be ensured that the data collected within the provisions of the act are used purely for serious crimes and for counter-terrorism purposes only.

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Social Justice

Mission Vatsalya

Denotified Tribes

MISSION VATSALYA

Empowerment and protection of women and children who constitute 67.7% of India's population and ensuring their wholesome development in a safe and secure environment is crucial for sustainable and equitable development of the country and for achieving transformational economic and social changes. Ministry of Women and Child Development strives to ensure well-nourished and happy children and confident, self-reliant women by providing them with an environment which is accessible, affordable, reliable and free from all forms of discrimination and violence. The prime objective of the Ministry is to address gaps in State action for women and children and to promote inter-ministerial and inter-sectoral convergence to create gender equitable and child centered legislation, policies and programmes.



To achieve the above objectives, the Cabinet has recently approved 3 important Umbrella Schemes of the Ministry to be implemented in mission mode- **Mission Poshan 2.0, Mission Shakti and Mission Vatsalya.**

Mission POSHAN 2.0- is an Integrated Nutrition Support Programme. It seeks to address the challenges of malnutrition in children, adolescent girls, pregnant women and lactating mothers through a strategic shift in nutrition content and delivery and by creation of a convergent ecosystem to develop and promote practices that nurture health, wellness and immunity. Poshan 2.0 will seek to optimize the quality and delivery of food under the Supplementary Nutrition Program.

Mission Shakti- envisages a unified citizen-centric lifecycle support for women through integrated care, safety, protection, rehabilitation and empowerment to unshackle women as they progress through various stages of their life. Mission Shakti has two sub-schemes 'Sambal' and 'Samarthya'. While the "Sambal" sub-scheme is for safety and security of women, the "Samarthya" sub-scheme is for empowerment of women. The Sambal sub-scheme consists of the existing scheme of One Stop Centres (OSC), Women Helplines (181-WHL) and Beti Bachao Beti Padhao (BBBP). Besides, a new component of Nari Adalats has been added as women's collectives to promote and facilitate alternative dispute resolution and gender justice in society and within families. The "Samarthya" sub scheme is for empowerment of women, consisting of existing schemes of Ujjwala, Swadhar Greh and Working Women Hostel. In addition, the National Creche Scheme for children of working mothers and the Pradhan Mantri Matru Vandana Yojana (PMMVY), which have been under the Umbrella ICDS Scheme till now, are also subsumed in 'Samarthya'.

News-The Ministry of Women and Child Development has sent its draft guidelines for Mission Vatsalya Scheme to States and Union Territories to seek their suggestions.

About Mission Vatsalya-

Approved by the Union Cabinet in January 2022, Mission Vatsalya is one of the new triad of schemes along with Mission Shakti, and Poshan 2.0, that aims at securing a healthy and happy childhood for every child.

The objective of Mission Vatsalya is:

- To secure a healthy and happy childhood for every child in India
- Foster a sensitive, supportive and synchronized ecosystem for development of children
- Assist States/UTs in delivering the mandate of the Juvenile Justice Act 2015
- Achieve the SDG goals.

This mission is essentially rechristening a pre-existing scheme called Child Protection Services, and also includes child welfare services.

Components under Mission Vatsalya include-

1. Statutory bodies.
2. Service delivery structures.
3. Institutional care/services.
4. Non-institutional community-based care.
5. Emergency outreach services.
6. Training and capacity building.

Child Line (1098) - the 24-hour toll free helpline for children in distress, will be manned by the Home Affairs Ministry under Mission Vatsalya.

As per the draft guidelines, to encourage public participation, develop synergy in efforts and utilize the resources available for success of the mission, the civil society, people's groups and various volunteering organizations can be encouraged to participate under Mission Vatsalya in a systematic and planned manner.

About Child line:

- Child line is an independent trust and gets funding from the Ministry of Women and Child Development for operating the helpline.
- CHILDLINE India Foundation (CIF) is the agency/body responsible for establishing the CHILDLINE service across the country.
- It first started as a field action project of the Department of Family and Child Welfare, Tata Institute of Social Sciences (TISS) Mumbai, in June 1996.
- It works for the protection of rights of all children aged from 0 to 18.
- It has functioned as a public-private partnership between the government and civil society organizations to provide a first-responder safety net, and kick start the process of rescue and rehabilitation of children.

Interesting Anecdote

- Around 2003 Chennai administration undertook an experiment in Chennai in which Child Line calls were diverted to All Women Police Stations (AWPS). The phone line got flooded with calls and impacted the regular work. Some Children only wanted to talk to someone, some made calls but couldn't narrate the incident due to lack of courage and there were several cases where police intervention was not required.

Analysis:

- Mission Vatsalya must bring together services and structures to help children in distress
- Schemes designed for social good do well on intent, but their success depends on whether they are built on principles of sustainability and work within structures of accountability.
- While the Center's intent to provide 'integrated benefits to children and women' is behind the comprehensive revamping of the Department of Women and Children's schemes, it is therefore difficult to conclude whether this is a rejig constructed with rules that will ensure maximizing benefit for shareholders(women and children) or not.
- The government must consider the issue from the perspective of the key beneficiary of this scheme whois "the child" — and make sure that his/her safety, security and happiness are ensured.
- Although no detailed implementation plan has been released, it is expected that police officers would respond to the call initially, with NGOs taking over afterwards.
- This is troublesome since youngsters are hesitant to confide in police officers.
- However there is no doubt that this mission will create an inclusive society , enabling them to participate in the social, economic and political development of India. It will also help in achieving transformational economic, environmental and social changes required for sustainable development.

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DENOTIFIED TRIBES

Context- Recently a standing committee of Parliament has criticized the functioning of the development programme for denotified, nomadic and semi-nomadic tribes.



Who are denotified, nomadic and semi-nomadic tribes?

- These are communities who are the most vulnerable and deprived. Denotified tribes (DNTs) are communities that were 'notified' as being 'born criminal' during the British regime under a series of laws starting with the Criminal Tribes Act of 1871.
- Nomadic and semi-nomadic communities are defined as those who move from one place to another rather than living at one place all the time.
- A National Commission for Denotified, Nomadic and Semi-Nomadic Tribes (NCDNT) was constituted in 2006 by the then government.
- It was headed by Balkrishna Sidram Renke and submitted its report in June 2008, in which it said, ***"It is an irony that these tribes somehow escaped the attention of our Constitution makers and thus got deprived of the Constitutional support unlike Scheduled Castes and Scheduled Tribes."***
- The Renke commission estimated their population at around 10.74 crore based on Census 2001. A new Commission constituted in February 2014 to prepare a state-wise list, which submitted its report on January 8, 2018, identified 1,262 communities as de-notified, nomadic and semi-nomadic.
- While a number of these tribes are categorized under SC, ST and OBC, many are not: The standing committee report in Parliament has cited a statement by the Secretary, Department of Social Justice and Empowerment, that 269 DNT communities are not covered under any reserved categories.
- These communities are frequently left out because they are less visible and difficult to reach.

History of deprivation faced by Denotified communities

- This has a long history, first during colonial rule, and then in independent India. The Renke Commission said this is partly because these communities are largely politically 'quiet' — they do not place their demands concretely before the government for they lack vocal leadership and also lack the patronage of a national leader.
- Many commissions and committees constituted since Independence have referred to the problems of these communities. These include the Criminal Tribes Inquiry Committee, 1947 constituted in the United Provinces (now Uttar Pradesh), Ananthasayanam Ayyangar Committee in 1949 (it was based on the report of this committee the Criminal Tribes Act was repealed), and Kaka Kalelkar Commission (also called first OBC Commission) constituted in 1953.
- In 1965, an Advisory Committee constituted for revision of the SC and ST list under the chairmanship of B N Lokur referred to denotified tribes. The B P Mandal Commission constituted in 1980 also made some recommendations on the issue.

- The National Commission to Review the Working of the Constitution under the chairmanship of Justice M N Venkatachaliah, said in its 2002 report that: *“The denotified tribes/communities have been wrongly stigmatized as crime prone and subjected to high handed treatment as well as exploitation by the representatives of law and order as well as by the general society.”*

What is the standing committee report about?

- The Standing Committee on Social Justice and Empowerment tabled its 31st report in Parliament. The report said the *“Committee are constrained to note that the Scheme for economic empowerment of DNT communities formulated to provide coaching, health insurance, facilitate livelihood and financial assistance for construction of homes for the members of DNT, with total outlays of Rs 200 crore for the period of five years from 2021-22 to 2025-26 and the Department could not spend even a single rupee in 2021-22 and the budgetary allocation has been reduced to Rs 28 crore for 2022-23 against the budgetary allocation of Rs 50 crore for 2021-22. The Committee is dismayed that the Department has already delayed in formulation of the Scheme for welfare of Denotified, Nomadic and Semi Nomadic communities.”*
- About the functioning of the Development and Welfare Board for Denotified, Nomadic and Semi-Nomadic Communities (DWBDNC), the standing committee said: *“At present 269 such Denotified, Nomadic and Semi-Nomadic communities are specified and a survey is now in under process to place these castes in SC, ST and BC categories. The Committee are surprised to find that the Department has not been able to take any decision till date hence they would like the Department to take necessary action in this regard so that these castes are placed either under SCs, STs or BCs and avail benefits.”*

Role of Development and Welfare Board for Denotified, Nomadic and Semi-Nomadic Communities

- Most of the Denotified Tribes are covered under SC, ST or OBC, the government felt setting up a permanent commission for denotified tribes would be in conflict with the mandate of existing commissions for SCs (National Commission for Scheduled Castes), STs (National Commission for Scheduled Tribes) and OBCs (National Commission for Backward Classes).
- The government therefore set up the DWBDNCs under the Societies Registration Act, 1860 under the aegis of the Ministry of Social Justice and Empowerment for the purpose of implementing welfare programmes.
- The DWBDNC was constituted on February 21, 2019 under the chairmanship of Bhiku Ramji Idate. Also, a committee has been set up by the NITI Aayog to complete the process of identification of the denotified, nomadic and semi-nomadic communities (DNCs).

Culture and Tradition of Denotified, Nomadic and Semi-Nomadic Tribes

- The Denotified and Nomadic communities have diverse ideological patterns, culture, political and social lifestyle, customs and traditions. The customs of Nomadic communities have a long tradition of continuity and many of their practices claim on ancient heritage. They have their own Gods and Goddesses. Moreover, their own festivals and celebrations are more diversified.
- The social and cultural characteristics of nomadic communities are closely related with their economic activities. Most of the communities follow a traditional system of moving in groups of five to twenty with a senior member who is responsible for settling disputes,

leading each group. Each of these sub groups traveled independently on different routes in order to earn their livelihood. In some communities there is a system of meeting on annual customary camping, where reunions, marriages and even cattle trading took place.

- As is the case with most of the communities in India, a large majority of Denotified and nomadic communities are primarily patriarchal.

Livelihoods of DNT

- The nomadic way of life revolves around socio-economic necessity, ranging from making tools and utensils, supplying basic goods (salt, wool), providing medicines and herbs, to entertaining people. The available accounts indicate that these nomadic communities were an integral part of the society and its economic processes around the middle of the 19th century.
- With their skills and ability to travel for long distances with their kin, they provided essential goods and services to sedentary agrarian communities.
- Historically, Nomadic Tribes and De-notified Tribes never had access to private land or home ownership. These tribes used forests and grazing lands for their livelihood and residential use. These communities had "strong ecological connections. Many of them are dependent upon various types of natural resources and carve out intricate ecological niches for their survival. The changes in ecology and environment seriously affected their livelihood options.

Challenges Faced by Nomadic Tribes:

- **Identity issues** - this is the most pressing problem, despite being denotified they are continued to be labeled as criminals on several occasions.
- These tribes remain socially and economically marginalized even now, depriving many of them of basic human rights such as -
 1. **Lack of Basic Infrastructure Facilities:** Like drinking water, shelter, and sanitation facilities are not available to the communities. Healthcare and education facilities are also not available.
 2. **Stigmatization by local administration:** Phd Scholar Sudam Rathore stated *"There is a stereotype against Denotified Nomadic Tribes (DNTs) in police, media, society and even some judges. Every member of this community is considered a criminal by the virtue of birth and this stigma continues till they die,"*
 3. **No Social Security Cover:** Due to lack of permanent settlement they are deprived of ration card, Aadhaar card, health etc. They are unable to get benefits under the government welfare schemes.
 4. Most of the communities do not clearly come from any caste which results in lack of caste certificates; hence they are not able to avail affirmative action benefit as well.

Schemes for Denotified Tribes

The Ministry of Social Justice and Empowerment is implementing the following schemes for the welfare of the DNTs.

1. Dr. Ambedkar Pre-Matric and Post-Matric Scholarship for DNTs :

- This Centrally Sponsored Scheme was launched in 2014-15 for the welfare of those DNT students who are not covered under SC, ST or OBC. The income ceiling for eligibility is Rs. 2.00 lakh per annum.

- The scheme is implemented through State Governments/UT Administrations. The expenditure is shared between the Center and the States in the ratio of 75:25.

2. Nanaji Deshmukh Scheme of Construction of Hostels for DNT Boys and Girls:

- This Centrally Sponsored Scheme launched in 2014-15 is implemented through State Governments/ UT Administrations/ Central Universities. The aim of the scheme is to provide hostel facilities to those DNT students; who are not covered under SC, ST or OBC; to enable them to pursue higher education. The income ceiling for eligibility is Rs. 2.00 lakh per annum. The Central Government provides a maximum of 500 seats per annum throughout the country. The cost norm is Rs. 3.00 lakh per seat plus Rs. 5000/-per seat for furniture. The expenditure is shared between the Centre and the States in the ratio of 75:25.

3. Assistance to Voluntary Organization working for the Welfare of Other Backward Classes (OBCs)

- This scheme has been extended for DNTs and EBCs as "Central Sector Scheme of Assistance for Skill Development of Backward Classes (OBCs)/ De-notified, Nomadic and Semi-Nomadic Tribes (DNTs)/ Economic Backward Classes (EBCs)".

Way Forward

- **Data collection and Analysis-** Proper census of their population and concentration needs to be done before any policy formation.
- **Rehabilitation and resettlement-** Resettlement with basic civic amenities must be provided in order to improve their living conditions.
- **Educational and employment assistance** need to be provided in order to help them enter mainstream society.
- **Awareness amongst the general public** that these communities are a part of our society and thus should not be made to face social stigma may improve their condition. They should be encouraged to take part in democratic processes like casting votes or contesting elections.

Jawaharlal Nehru's Panchsheel Policy

Jawaharlal Nehru [1889–1964, first Prime Minister of India] formulated the following "Five Principles" [Panchsheel] for the policy to be pursued vis-a-vis the tribals:

1. People should develop along the lines of their own genius, and the imposition of alien values should be avoided.
2. Tribal rights in land and forest should be respected
3. Teams of tribals should be trained in the work of administration and development.
4. Tribal areas should not be over administered or overwhelmed with a multiplicity of schemes.
5. Results should be judged not by statistics or the amount of money spent, but by the human character that is evolved.



1A: Political Theory & Thought

Political Theory: Meaning & Approaches
Empirical & Normative Approaches
Political Theory Vs Political Science
Decline of Political Theory
Resurgence of Political Theory

Plato's Theory of Communism

POLITICAL THEORY: MEANING & APPROACHES

Political Theory-

The term 'theory' stands for systematic knowledge. Thus 'political theory' denotes a systematic knowledge of political phenomena. Broadly speaking, political theory is concerned with three types of statements: (1) Empirical statement, which is based on observation, through sense-experience alone; (2) Logical statement, which is based on reasoning (e.g. 'two plus two is four'); and (3) Evaluative statement, which is based on value-judgment (e.g. 'men are born free and equal').

Significance of political theory in political science-

- Political science relies only on empirical and logical statements. It is argued that correct observation and correct reasoning by different persons would lead to the similar conclusion; hence empirical and logical statements are capable of verification.
- On the other hand, it is alleged that evaluative statements are based on individual or group preferences which differ from individual to individual or group to group; there is no reliable method of determining what is right or wrong, good or bad; one cannot scientifically discover the purpose of the universe or human life.
- Exponents of 'Logical Positivism' argue that evaluative statements have no empirical content or logical structure; they are expressions of subjective reflection or emotional preference.
- Likewise, champions of scientific methods for the study of politics insist on a 'value-free' or 'value-neutral' approach. In any case, political theory cannot be confined to the so-called scientific knowledge.
- It is equally concerned with determining values which come within the scope of philosophy. We cannot accept the view that values are based on individual or group preferences.
- On the contrary, values do have a sound logical structure unless we mistake them for biased statements. Determination of values is the basis of a sound public policy or decision. Hence political theory must comprehend both political science and political philosophy.

Significance of political theory

Control of social life

- Scientific analysis of political life enables us to understand and solve the problems of our social life. Political science enables us to understand the causes of conflict and violence in society and gives us insights for preventing their outburst. so political science guides us to find remedies of political instability and various types of social crises.

Social criticism and reconstruction

- Political philosophy is primarily concerned with right and wrong, good and evil in social life. When we find something wrong in our society and polity, we look for logical grounds for criticizing it and speculate about the creation of a good society. We cannot accept any of these proposals as the final truth. But They give us ample insights into the possible ills of social life and their remedies. We can draw our own scheme of social reconstruction on the basis of these insights. For example, Plato brilliantly exposed the modus operandi of selfish and cunning politicians in a democracy. We can draw valuable insights from their thought for finding remedies to the existing ills in the present-day society.

Clarification of concepts

- Political philosophy helps us a lot in the clarification of concepts used in the analysis of social and political life. In fact the clarification of concepts in each area of study—whether science or philosophy—is essential for the development of knowledge. This task is particularly difficult in the field of political theory. political discussions." (Politics and Vision; 1960). Political philosophy tries to determine their precise meaning which should be acceptable to the upholders of different ideologies. Agreement on the meaning of the terms of political discourse does not necessarily mean that they come to accept each other's viewpoint. But it certainly paves the way for their dialogue. Itemize their oppressive regimes, as Mussolini (1883-1945) did in Italy. Again, a precise and widely accepted definition of a term enables each thinker to build his argument on sound footing. As every innovative mechanic need not invent a wheel to assemble a new machine, so every new thinker need not devise new terminology to present his point of view.

Encouragement to mutual respect and toleration

- The tradition of political theory encourages a dignified debate between upholders of different points of view. The tradition of political theory encourages a dignified debate between upholders of different points of view. Most political philosophers from ancient times till the present-day have been dwelling on some common problems and giving us new insights. As Andrew Hacker has significantly observed: "Political theory is a never-ending conversation among theorists. And while the greatest of the debates are never resolved, the criticisms which the writers make of each other are always most vivid and illuminating.... Politics is, after all, the most democratic of sciences.

Political science

Political Science is that part of social science which deals with the foundations of the state and the principles of the government. **According to J W Garner, "Politics begins and ends with the state." Similarly, R G Gettel wrote that Politics is the "study of the state in the past, present and future". Harold J Laski stated in the same vein that the study of Politics concerns itself with the life of men and women in relation to organized state.** Thus as a social science, Political Science deals with those aspects of individuals in society which relate to their activities and organizations devoted to seeking of power, resolution of conflicts and all these, within an overall framework of the rule and law as laid down by the state.

- Political Science is a part of social sciences and therefore is different from that of physical sciences like physics and chemistry. So the question which concerns the nature of the subject is whether Political Science is a Science or an Art and how the nature of the discipline has undergone changes in the 20th century.
- Science is universal and a systematic body of knowledge, based on accurate and impartial facts, through which observation, comparison and experimentation can be made. Apparently, Political Science does not have some of these features. And therefore Earnest Barker (British political thinker), James Bryce (British political thinker), Charles A. Beard (British historian) and others were reluctant to accept Political Science as a science.
- American political thinkers like David Easton tried to establish a scientific basis of Political Science. Aristotle called it a Master Science through which civilisation could be saved. After World War II, the meaning and nature of political science have undergone a sea change.

- Now political science is closely related to all aspects of social relations, rather than an activity centered on the institutions of government. So the aims and objectives of political science have changed due to factors such as the rise of power theory and behaviorism.
- **New understanding of Political Science** Political Science has ceased to be merely the science of state-craft. Political Science is concerned with all facets of power relations and human behavior having political implications in the society. Politics is portrayed as a process of conflict resolution, in which rival views or competing interests are reconciled for the benefit of all. The new meaning of Political Science includes the dynamics of power and struggle at various levels — local, regional, national and international. So the aims and objectives of Political Science have changed due to factors such as the rise of power theory and behaviorism.

In consonance of requirement of scientific method political science proceeds by the following steps: (a) Observation, which relies on sense-experience alone and rules out supernatural or metaphysical causation (because it is beyond our sense-experience); (b) Generalization which is based on observation of regularities leading to establishing the relation and correlation between different factors or variables. This may either be obtained by the inductive method (proceeding from 'particular to general', i.e. arriving at a general rule after observing similarities in particular cases), or by the deductive method (proceeding from 'general to particular', i.e. postulating a general rule and then confirming it by observation of particular cases). Generalization must be expressed in the form of a general rule, preferably in quantitative terms, which should be capable of verification by experimentation; (c) Explanation which consists in giving reasons for the general rule, for without such reasoning any observation of correlation might be a mere coincidence; explanation alone will make particular events, situations or tendencies meaningful; and finally; (d) Prediction and Prescription so that in the light of known facts and general rules, their possible outcome could be known and measures for achieving such objectives as higher efficiency, stability, satisfaction, etc., could be suggested.

The scope of Political Science-

State-

- The term 'State' in its modern sense was first used by Machiavelli (1469-1527), the Italian statesman. The study of the State has since remained the focal point for the political scientists.

Citizens and Government-

- The government is the most important instrument of the State through which the latter realizes its objectives. Through its three organs i.e; the Legislature, the Executive and the Judiciary, it makes laws and rules, implements them, maintains peace and order in the Individual and the State country and resolves clashes of interests. It also tries to ensure territorial integrity or unity of the country.

Liberty-

- liberty means freedom. Freedom is of paramount importance for the development of an individual's personality. Historically speaking, the term liberty was initially defined as absence of all restraints on an individual. This is known as the negative concept of liberty. Early liberalism championed negative liberty. John Stuart Mill, the nineteenth century

English political philosopher, described, “Restraint as an evil”. Mill was especially worried about the restraints coming from the state and society.

Study of the concepts of power, authority & influence-

- With the behavioral revolution the central topic for study has become the study of power. Consequently the scope has widened to include new aspects like political socialization, political culture, political development and informal structures like interest and pressure groups.

Study of the past, present and future of development-

- Political science attempts to explain the meaning and the essential nature of the state and deals with the laws of its progress and development within itself and in relation to international organizations and other states.

In the contemporary time, the meaning of Political Science has become more and more inclusive. Political scientists have put forward some arguments in favour of the notion that political science is a science, At the same time another section of political scientists opine that political science is an art and they put forward some argument in favour of this notion With the passage of time, the scope of political science also keeps on changing. In recent times, political science has ceased to be merely the science of state-craft. Now political science covers a comprehensive field and it has become dynamic in character. Political science deals with each and every aspect of the state and government in relation to their past and present and also focuses upon the probable developments in the future.

Empirical and Normative Approaches

Although contemporary political science gives prominence to empirical approach and traditional study of politics was dominated by normative approach, it cannot be assumed that the distinction between empirical and normative approaches reflects the distinction between contemporary and traditional approaches. In fact some features of empirical as well as normative approaches are found both in the traditional and contemporary approaches. For instance, when we turn to traditional political theory, we find that Aristotle's analysis of the causes of revolution (or rebellion), Montesquieu's theory of separation of powers and Marx's analysis of the exploitation of the working classes are rich in empirical content. Then, in contemporary political theory Karl Popper's advocacy of incremental change, F.A. Hayek's defence of libertarianism, C.B. Macpherson's concept of creative freedom and Rawls's theory of justice are very rich in their normative content.

What is the distinction between empirical and normative approaches?

- The empirical approach aims at making an empirical statement which is concerned with 'is' whereas the normative approach aims at making a normative statement which is concerned with what 'ought to be' or 'should be'.
- However, these forms of expression cannot be followed literally as the criterion of distinction between the two approaches. An empirical statement is concerned with a situation which can be observed by our sense-experience, which can be verified by repeated observation and whose accuracy can be tested. On the other hand, a normative statement tends to express

preference for a particular type of order as dictated by a sense of duty or universal need or by commitment to a moral principle or ideal.

- While strong arguments may be advanced in support of a normative statement, it is not capable of being discovered, described or verified by our sense-experience.
- For example, 'what is justice'—this question may be answered in several ways, such as 'justice is treating equals equally and unequals unequally', or 'justice is giving equal freedom and equal opportunity. Now all such answers purporting to define what justice is express a variety of value preferences; none of them is based on empirical observation or is capable of empirical verification. So in spite of using the 'is' form they are by no means empirical statements.
- Then there could be a statement requiring something to be done for the fulfillment of a definite purpose or condition. For instance, we may say, 'everybody ought to vote in election in order to make democracy work' (fulfillment of a purpose) or 'if democracy is to work, everybody ought to (or should, or must) vote in election'. Now these types of statements are certainly empirical statements in spite of using the 'ought to' form, because their contents can be empirically verified or repudiated.
- To be sure, a normative statement requires something to be done in order to serve an intrinsic value—which is an end-in-itself (e.g. the truth, the good, the beautiful). On the other hand, an empirical statement requiring something to be done is intended to serve an instrumental value—which is a means to some higher end (e.g. 'do regular exercise to improve your health' or 'grow more trees to reduce environmental pollution'). In short, it is the content of a statement, not its form, which makes it empirical or normative.

Criticism

- Critics of the normative approach argue that the empirical approach is objective whereas the normative approach is subjective. T.D. Weldon, in his *Vocabulary of Politics* (1953) pointed out that a political philosophy is like a matter of taste; one can only state one's taste and go away—there is no point in arguing.
- While there may exist several schools of thought upholding different interpretations of, say, freedom, equality and justice, a dialogue between these schools can always be opened. Those holding different viewpoints can always come together to evolve or arrive at certain basic principles of reasoning by which they can prove or disprove different points. It is not like a matter of individual taste which can be stated but which cannot be defended.
- The terminology adopted by empirical and normative approaches for approval or disapproval of any proposition creates confusion at times. The categories 'true or false', 'right or wrong' may have different meanings in the contexts of, say, mathematical and moral questions.
- However, it is now widely accepted that even scientific principles are largely tentative. Nobody can claim to have found the final truth in the realm of matter, not to speak of the realm of mind. Scientific principles in the sphere of nature as well as society can be treated as valid until they are repudiated by some new discovery.
- In politics, particularly, we cannot afford to abstain from acting until a very high level of scientific validity is achieved. As Robert Dahl has rightly pointed out: "in politics, 'refusing to decide' is simply deciding to allow others to decide for you" (*Modern Political Analysis*; 1991).

- Finally, the empirical approach remains largely descriptive while the normative approach is mainly prescriptive. Empirical approach seeks to discover laws that are unalterable (e.g. law of gravitational force). Hence, they are beyond man's control; one can discover and describe them.
- Normative approach is concerned with laws and conditions largely created or adopted by human society, which are alterable (e.g. laws governing property and public order).
- One can examine how far they are morally right or wrong and then prescribe the right course. Incidentally, in the normative approach prescription may be preceded by description. For instance, Plato and Aristotle had given description of their experience before prescribing their respective solutions. On the other hand, in the empirical approach description may be followed by prescription for the achievement of some obvious goals, such as economy and efficiency, or some specified goals, such as health and stability. Moreover, empirical approach can render immense help in examining the grounds of a normative argument. For example, Aristotle prescribed harsher punishment to a slave than to a freeman for the same crime, on the ground that a slave is less sensitive to punishment. Empirical approach has now established beyond doubt that men are not more or less sensitive to punishment because of their status as freemen or slaves. This is a sufficient reason to reject Aristotle's prescription on this behalf.

The champions of empirical approach have been very vocal in criticizing the normative approach on the ground that there is no 'scientifically valid' or reliable method of determining what is morally right or wrong. The supporters of normative approach do not condemn the empirical approach as such, but they criticize its indifference toward values, particularly its ignorance of discrimination between higher and lower values. As Leo Strauss has emphatically stated: "By teaching the equality of values, by denying that there are things which are intrinsically high and others which are intrinsically low as well as by denying that there is an essential difference between men and brutes, it unwittingly contributes to the victory of the gutter" (Essays on the Scientific Study of Politics, edited by Herbert Strong; 1962). The state of estrangement between empirical and normative approaches, wherever it exists, will prove disastrous. There is an urgent need to build a bridge between the two approaches which will be beneficial not only for their respective upholders, but also for the human civilization itself.

Decline of Political Theory

Political theory implies an intellectual effort to attain a systematic knowledge about the goals and methods of politics. In this sense it has a long tradition spreading over two-and-a-half millenniums. However, in the mid twentieth century the exponents of new political science began to question the continued relevance of the traditional political theory.

David Easton-

- **Lack of observation**-David Easton, an American political scientist, in his Political System: An Inquiry into the State of Political Science (1953) asserted that the traditional political theory was based on mere speculation. It was devoid of acute observation of political reality.
- **Historical approach**-In order to lay scientific foundations for the study of politics, it was necessary to rescue it from the study of classics and the history of political ideas. Easton argued that the traditional political theory was the product of the turmoil that characterized

the past ages. It particularly flourished in Greece in pre-Plato days, Italy in the fifteenth century, and France in the eighteenth century which was the days of widespread social and political upheaval. It had no relevance in contemporary society.

- **Empiricism in Social Sciences**-Easton also pointed out that there has been no outstanding political philosopher after Marx (1818-83) and J.S. Mill (1806-73). Easton argued that while economists and sociologists had produced a systematic study of human behavior in their respective spheres of investigation, political scientists had lagged behind. They failed to acquire suitable research tools to account for the rise of fascism or communism and their continuance.
- **Casual theory**-He suggested that while traditional political theory was primarily concerned with evolving suitable values for society, modern political science need not make efforts in this direction. He believed that values represent individual or group preferences relative to the social conditions in which these are developed. Contemporary society would evolve its own value system from its own experience and insight. Political scientists should only focus on building causal theory to explain political behavior.

Later, political scientists like Alfred Cobban and Dante Germino took this criticism further and argued that excessive dependence upon facts and failure to correlate facts with theory as well as ideological reductionism led to the decline of political theory. However, such criticism also set the pace for methodological refinement and constructive theory building in the discipline.

Views of Cobban

- Cobban opined that political thinking itself has become directionless, and lacks purpose. In the past, all great thinkers were passionately worried about the fate of society, and seriously wanted to reform it through their creative ideas. They had full conviction in what they wrote or said. Now that passionate commitment has been substituted by the teaching of historical approach and the scientific attitude. However, blind adoption of scientific method, borrowed from natural sciences, resulted in the loss of criteria of judgment, and merely produced coldblooded passionless scholars.

Views of Dante Germino

- Dante Germino discovers „ideological reductionism“ as the cause of decline of political theory. It reduced political theory to merely an ideology, such as Marxism. The intellectual and political movements during the last one hundred and fifty years have contributed to its eclipse. Positivation of social science or a mad rat-race to become „science“ and political upheavals of democracy, nationalism, imperialism etc., have destroyed the environment necessary for the growth of political theory.

Resurgence of Political Theory

There is another view that political theory even in the traditional sense was never dead and continuity can be traced out. Plamenatz, Weldon and others do not accept that it has even declined or dwindled.“ It has merely changed its form. Even speculative theories, except spurious or Utopian ones, are important as they have affected thinking, events and happenings.

This decline of political theory discourse met a forceful rebuttal. Political theorists like Dante Germino, Isaiah Berlin and David Miller argued that the political theory is never dead and it is evolving in newer forms with newer engagements. Germino, for instance, argued that what had been described as the decline of political theory was actually a crisis in positivist political science. He also said that "political theory is today rising from the ashes, and instead of acceding to its funeral, we should instead commemorate its rebirth." In his 1962 article titled "Does Political Theory Still Exist?" Berlin too refuted all the points raised by the advocates of decline and argued that "political theory can never see its end."

- Germino in his *Beyond Ideology: The Revival of Political Theory* (1967) argued that in most of the nineteenth century and early twentieth century there were two major causes of the decline of political theory: (a) the rise of positivism which led to the craze for science; and (b) the prevalence of political ideologies culminating in Marxism. But now it was again in ascendancy, particularly in the political thought of Michael Oakeshott, Hannah Arendt, Bertrand de Jouvenal, Leo Strauss and Eric Voegelin. The works of these writers had revived the grand tradition of political philosophy.
- Germino suggested that in order to understand the new role of political theory it was imperative to identify it with political philosophy. Political philosophy is a critical study of the principles of right order in human social existence, involving inquiry into right and wrong. It is neither reductionist behavioral science where everything is reduced to sense-experience, nor opinionated ideology which accepts some principles to be true without inquiring into their validity. It comprehends both the knowledge of facts and the insight with which that knowledge is comprehended.
- According to Germino, Detachment is not ethical neutrality. A political philosopher cannot remain indifferent to the political struggle of his times as a behaviorist would claim. In short, behavioral political science concentrates on facts and remains neutral to values. Political philosophy cannot grow along with positivism which abstains from a critical examination of any social situation.
- Formerly, political theories were embedded in philosophy, ethics or religion. Now, they are carving out their own fields, rather looking at the whole array of problems from their own perspective. Similarly, Isaiah Berlin observes that without some general outlook or philosophy, there can be no human activity: political theory of some kind is never dead.
- It is flourishing in newer forms with newer engagements.. Communitarian political thinkers such as Alasdair MacIntyre, Michael Walzer, Charles Taylor, Benjamin Barber and Michael Sandel. Neo-Marxism has appeared in the form of postmodernism or critical theory.

John Rawls opined that both moral theory and natural science must begin with data. The data for science are empirical observations and the data for ethical theory are moral judgments. Moral Judgements are equally valid sources of knowledge, arguments and analysis. They cannot be set aside or ignored on the ground that it is not based on empiricism. Political Science today is a magnificent discipline of knowledge and its sources command a great treasure of theories, approaches, normative as well as empirical. It is making endeavors to accommodate them all to be relevant, timeless and meaningful on a wide-ranging scale of spatio-temporal dimensions. This 'decline' vs 'revival' debate resulted in the broader conclusion that the traditional method of analysing political phenomena is not adequate, and novel techniques and tools are needed. The significant outcome of this new thinking was the behavioral, plural and cultural turn of the political theory.

PLATO'S :THEORY OF COMMUNISM

Plato's theory of communism is based on his belief of corrupting influences of family and property over people holding the public offices. It is aimed at freeing the ruling classes, i.e. the philosophers and the warriors from the institutions of family and property. According to Plato the longings for family and property make the rulers self-seeking, indulgent, greedy and corrupt and that is a diversion from an impediment to appropriate performance of their duty to rule.

Plato's communism is of two forms, viz., the abolition of private property, which included house, land, money, etc., and the second, the abolition of family, through the abolition of these two, Plato attempted to create a new social order wherein the ruling class surrendered both family and private property and embraced a system of communism. This practice of communism is only meant for the ruling class and the guardian class.

However, Plato did not bind this principle on the third class, namely, the artisans. In other words, they were allowed to maintain property and family, but were under strict supervision so that they did not become either too rich or too poor. Though Plato structured the society in this manner, he never made any attempt to work out his plan that ensured such a system to function.

Plato created the scheme of Communism of Property and Wives to prevent corruption in the guardian class.

COMMUNISM OF PROPERTY

- Guardians will have minimum goods for their daily usage and that too will have to be shared by all.
- No private property will be allowed for this class.
- They will live together and eat only from the common kitchen

Plato has supported communism to property on the following grounds:-

- According to Plato, the ruler and the soldier respectively represent the wisdom and courage element of the soul. Inspired by these elements, they make their definite representations. Inspired by these elements, if they want to fulfill their definite responsibilities, then they should not fall into the trap of the evil element of hunger. The system of private property adversely affects the liberal nature of man and makes the person selfish. If the system of private property is accepted for the philosophical ruler and the military class, then selfishness will increase in them and their conscience and courage will gradually become frustrated. According to Sabine- *"The only way to free the rulers from greed is to deprive them of the right to call anything their own or private, and this remedy is possible only in Plato's system of property."* Therefore Plato's communism of property is a psychologically necessary condition for the ideal state.
- Plato's theory of property is political on two grounds. One, it applies only to the ruling and military class, not to the productive class. Being confined to the ruling class, it is political. Second is that money has a very bad effect on the government. To overcome this evil, Plato frees the parent class from the right to property. According to Plato, when state power and private property combine, the state collapses. The ruling class misuses power for the lust of money. Therefore, Plato is in favor of giving political power only to the ruling class by eliminating the centralization of political economic power. This is also Plato's practical belief

and political imperative. If the rulers are given freedom of personal property, then the ruling class will corrupt and convert the ideal state into a wealthy democracy. In this regard, Sabine has written – *“As far as the soldiers and rulers are concerned, Plato was so convinced of the ill effects of money on the government that he had to find a way to remove this defect other than the destruction of his own property. Didn't appear.”*

- Plato does not believe that the existence of a person is only for self-fulfillment, according to it, by performing the duties with full devotion, staying within the limits of his eligible field of work and being an integral part of the society. Only by accepting existence can a person make his life meaningful. Plato's theory emphasizes on performing duties by making a person prudent and selfless.
- Plato's communist theory of property is also justified on a philosophical basis. Plato has justified this on the basis of work specification. Plato says that the people who have the burden of governance should have a specific way of life. This style should be on the basis of work specific. The ruling class must be free from worldly temptations to achieve high ideals. Plato says that those who are burdened with governance, they should avoid all worldly elements that bind or create obstacles in their work, in the same way as a seeker or a sannyasin engaged in devotion to God should have house, water, children, property. Or one should stay away from worldly attachments and illusions.

COMMUNISM OF WIVES

- No private families. All guardians whether males or females will be separated from the normal population.
- They will have Group marriages and everyone will be either a common husband or a common wife.
- All children born of such marriages will be children of the state and will be separated from the families and placed in custody of the state for their education and training.
- No person will ever be aware of the identity of his parents or his children if he or she belongs to the guardian class.
- No man will be attached to any woman or child and no woman will be attached to any man or child.
- No child will have any particular parents. Thus the whole guardian class will have no experience of familial bonds or any emotional attachment for anybody. Everyone will be devoted only to the state since the state is the common parent of everyone.
- There will be no logic or need in amassing wealth since they can't use it themselves and there will be nobody to inherit it after one's death.
- The dual logic of communism of wives and property will ensure that the guardian class is always free from every possibility of corruption and nepotism.

Plato's Communism Vs Marx's Communism

ISSUE	Plato's Communism	Marx's Communism
Who will be impacted?	Only the Guardian Class	Whole society
Nature of ownership	Sharing of Common Wives, Husbands, Children and Property	Common Ownership of Property
Why is it needed?	To end Corruption and Nepotism in Guardian Class	End of Exploitation of the proletariat by the Bourgeoisie
Philosophical Basis	Moral	Material
Who will acquire final authority?	Philosopher King	Working Class

PLATO VS MARX: GENERAL COMPARISON

Role of Idea	Ultimate Reality	False Consciousness
Nature of Philosopher	Plato is idealist	Marx is materialist
Basis of Class division	Quality of Soul	Ownership of Property
No of classes	3	2
Relationship between classes	Can be harmonious	Antagonistic in nature
Role of state	Source of virtue	Source of exploitation

CAN PLATO BE CONSIDERED AS A COMMUNIST?

- As per Professor Maxey, Plato is the first communist. But on close evaluation as above it is very clear that the similarities between Plato's and Marxian Communism are very few but the differences are huge. Although, both thinkers agree that the society is divided into different classes and the institution of private property promotes corruption and nepotism.
- Plato's theory of communism has been denounced by many from his disciple Aristotle down to Karl Popper. Aristotle criticizes Plato for having ignored the natural instinct of acquisition, making the scheme partial insofar as excluding the producing class from it was declaring it ascetic and aristocratic, surrendering all the best for the guardians. Others, including **Karl Popper**, condemn Plato's scheme of communism on numerous grounds. The following are some of the criticisms leveled against Platonic communism.

1. It is doubtful if communism of families would bring greater degree of unity by making the guardians a single family.
 2. Communism of wives and children was found to create confusion if not disorder - one female would be wife of all the guardians and one male, the husband of all the females
 3. Common children would tend to be neglected, for every body's child would be nobody's baby.
 4. It is also doubtful if the state controlled mating would ever be workable; it would rather reduce men and women to the levels of mere animals by suggesting temporary marital relationship.
 5. Plato's communism of family suggests a system of marriage which is neither monogamy nor bigamy, nor polygamy, nor polyandry; and finally.
 6. Plato's theory of communism is too idealistic, too utopian, too imaginary and accordingly far away from the realities of life. Some critics have gone to the extent of criticizing Platonic communism as half communism'
- **Aristotle** is of the view that communism of property whomsoever adopted has not delivered social goods. It has neither worked satisfactorily anywhere nor are there very many chances of its working properly as and when put into practice.
 - **Ernest Barker** calls Platonic communism as half communism. *"It affects less than half of the people and less than half of the goods of the society to which it belongs."* Barker's quantification is - *"Plato's communism does not apply to even a hundredth of the population. Moreover, slavery, the specific feature of the Greek glory is completely missing from the discourse. Either slavery is abolished in his Ideal State or Plato finds slavery so insignificant and taken for granted, in that was not worth reckoning."*

There is no doubt that some of the points of criticism advanced by Aristotle and others against him are just and reasonable but to think that Plato's idea of communism of property is absolutely futile, is undesirable and it will be just under-estimating the value and importance of his theory. It is practicable in the sense that as a knowledgeable politician he realizes all consequences of the combination of economic and political powers in the hands of the Philosopher king. Plato's communism of wives provided social, political and psychological bases for the ideal state. Plato believed that such a communism of family would remove the conflict between the personal interests and the objectives of the state.



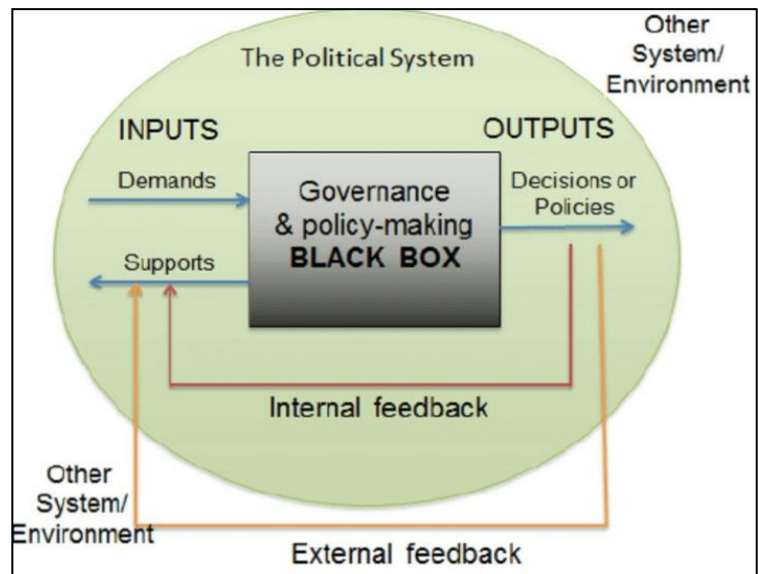
2A: Comparative Politics

Input- Output Model

Structural Functional Model

INPUT OUTPUT MODEL

System Analysis is the pioneering model of political analysis. It conceives politics in terms of a political system. As Robert Dahl has elucidated: "Any collection of elements that interact in some way with one another can be considered a system: a galaxy, a football team, a legislature, a political party" (Modern Political Analysis; 1991). For the purpose of analysis, elements of a system should be looked at in an abstract way rather than as concrete things. Hence, elements of a political system should not be seen as a group of individuals constituting a government or its organs, but as abstract elements interacting with each other in the sphere of politics.



Why is it called input- output model?

- A model of the political system in this sense was first developed by David Easton ('An Approach to the Analysis of Political Systems', World Politics; 1957) who is regarded to be the pioneer of systems analysis. Easton defined politics as the 'authoritative allocation of values' which broadly constitutes the political process.
- This does not take place in a closed circuit; its ends are connected with the social process. It is in this sense that the political system has been described as an open system. In other words, 'allocation of values' is made because there are corresponding 'demands' from the society or 'environment'; it becomes 'authoritative' because it gets 'support' from the 'environment'.
- In David Easton's terminology, the 'political system' receives 'inputs' from the environment' in the form of 'demands' and 'supports'; it produces 'outputs' in the form of 'policies and decisions'. The 'outputs' flow back into the environment through a 'feedback' mechanism, giving rise to fresh 'demands', etc.
- Easton has characterized demands as the raw materials out of which finished products called decisions are manufactured. He has described support as the energy in the form of actions or orientations enabling the political system to convert the demands into authoritative decisions and policies.
- Demands may arise from any source—the people, politicians, administrators, opinion leaders and so on—depending on the nature of the regime. The extent of support is bound to vary—depending on the expectations of the people from their political system.
- Variability of support is bound to affect the destinies of the political authorities (often called governments), the regime (democratic, authoritarian, and the like), and the political community. Outputs are produced by the political system through special processes that ensure their acceptance as binding by most members of the society most of the time.

Demands or inputs from the environment-

- Demands are sub-classified into four types: (1) demands for allocation of goods and services, such as wages and working conditions, educational opportunities, recreational facilities, roads and transportation, etc.;
- (2) demands for the regulation of behavior, such as provision of public safety, controls over markets and rules pertaining to marriage, health and sanitation;
- (3) demands for participation in the political system, such as the right to vote, to hold office, to petition government bodies and officials, and to form political associations; and
- (4) demands for communication and information, such as the affirmation of norms, the information regarding policy intent, and display of the majesty and power of the political system in times of foreign threats as well as on ceremonial occasions.

Supports for the demands to convert into decisions and policies are also sub-classified into four types-

- (1) material supports, such as the payment of taxes and other levies, and rendering service in public interest, such as social work or military service;
- (2) obedience to law, rules and regulations;
- (3) participatory supports, such as voting, political discussion and other forms of political activity; and
- (4) paying attention to governmental communication, and display of deference or respect to public authority, symbols and ceremonials.

The outputs or policies and decisions are again sub-classified into four categories:

- (1) extractions, which may take the form of tribute, taxes or personal services;
- (2) regulations of behavior, which may cover a wide range of human activities;
- (3) allocation or distribution of goods and services, opportunities, honours, statuses and the like; and
- (4) symbolic outputs, including affirmation of values, display of political symbols and communication of policy intent.

Feedback-

- Feedback is essentially a communication process which produces action in response to information about the state of the political system, or some part thereof, or its environment, to structures within the system in such a way that the future action of those structures is modified in consequence. The results of such modification may, in turn, produce further modifications, and so on. The feedback channel helps the political system in approaching its goals.
- Feedback mechanism is expected to adjust outputs to inputs. However, maintaining a state of equilibrium in the political system is by no means a simple affair. Conversion of demands and supports into outputs in the shape of policies and decisions has to be regulated by a complex mechanism.

How does decision making take place inside the system?

- Through its structures and processes (conversion process or the 'black box') the system then acts on these intakes in such a way that they are converted into outputs. These are the authoritative decisions and their implementation.

- Of the many demands made on the political system, some may be lost in transit without reaching the output stage. If there are too many demands, or too much insistence on a particular type of demand, stress will arise and the channels will be overloaded.
- If so, various regulatory mechanisms will have to be applied to cope with the stress. In the first place, the structural mechanisms, such as pressure groups, political parties, will assume the role of 'gatekeepers' who will allow only legitimate demands to enter the political system.
- Secondly, cultural mechanisms will ensure that only the right type of demands—which enjoy social approval—will be encouraged.
- Thirdly, communication channels can be increased to ensure a smooth flow of excessive demands into the system.
- Fourthly, demands may be controlled in the conversion process itself by the legislative, executive and administrative organs of government who are responsible for processing all demands.
- Should the stress reach a critical stage, and continue at that level for quite some time, changes in the authorities or even in the regime (such as through a revolution) might become inevitable. Failure to control the situation may even bring about eventual destruction of the system itself.

Significance of system analysis:

- The framework of systems analysis has been found very useful for the comparative analysis of diverse political units, such as modernized as well as developing polities. It has also been extensively used for an analysis of the international political system.
- **The model of the political system has also served as a basis for Gabriel Almond's model of structural-functional analysis as also for Karl Deutsch's model of communications theory.** However, it has been criticized for its inability in the analysis of political power as well as in the analysis of mass political
- According to the systems analysis the functioning of a political system suggests that what is happening in the environment affects the political system through the kinds of inputs (demands and support) or influences that flow into the system.
- The systems analysis of political life seeks to unravel the processes through which a political system is able to cope with the various stresses imposed upon it. And according to this analysis the political system is a goal-setting, goal-modifying, and self-transforming system.

Criticisms:

- Easton's political system approach has been severely attacked. **Professor S.P.Verma** regards it as an abstraction whose relation to empirical politics (which is classic) is impossible to establish.
- **Eugene Meehan** says that Easton does less to explain the theory and more to create the conceptual framework. His analysis, it may be pointed out, is confined to the question of locating and distributing power in the political system. He seems to be concerned more with questions such as persistence and adaptation of the political system as also with regulation of stress, stability and equilibrium and thus advocates only the status quo situation.
- There is much less, in Easton's formulation, about the politics of decline, disruption and breakdown in the political system as Young points out. Despite all claims that the political system approach is designed for macro-level studies, Easton has not been able to go beyond North America and the Western World.

- Easton's political system or input-output would deal only with the present and has, therefore, no perspective of future and has less study of the past.

However the systems analysis is considered as a path-breaking and trend setting attempt towards building universally applicable general theories for analyzing and interpreting political life, thus unveiling new horizons in the study of Political Science. The approach has provided an excellent technique for comparative analysis. It has also provided a set of concepts and categories which have made comparative analysis more interesting and instructive. Young IAS admitted that Easton's analysis is "undoubtedly the most inclusive systematic approach so far constructed specifically for political analysis by a political scientist." According to Eugene Meehan, "Easton has produced one of the few comprehensive attempts to lay the foundation for systems analysis in political science and to provide a general functional theory of politics."

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STRUCTURAL- FUNCTIONAL MODEL

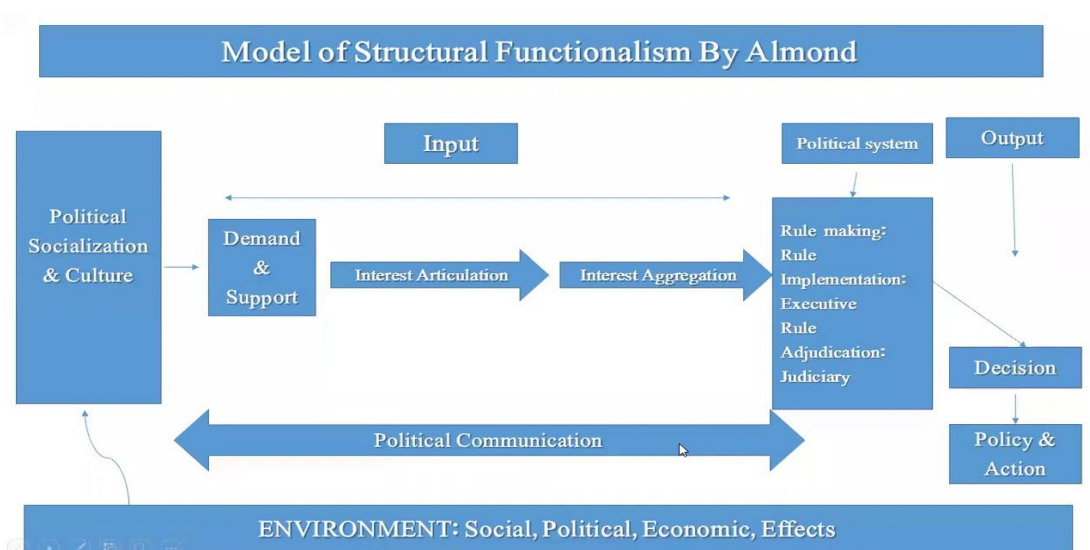
A structural-functional approach is a form of systemic analysis that looks at the political system as a coherent whole that influences and is in turn influenced by their environments. This model of political analysis has been widely used in the methods of comparative politics because it provides for standard categories for different types of political systems. It originated in the sphere of social anthropology in the writings of Radcliffe Brown and B. Malinowski. Then it was developed in the field of sociology by Talcott Parsons, Robert Merton, and Marion Levy. Gabriel Almond and his associates develop it into a tool of political analysis.

The basic assumptions of the structural-functional derivative of the systems approach are:

1. Society is a single interconnected system in which each of its elements performs a specific function and whose basic goal is the maintenance of the equilibrium.
2. Society, being a system as a whole, consists of its numerous parts which are inter-related.
3. The dominant tendency of the social system is towards stability which is maintained by its own in-built mechanism.
4. System's ability to resolve internal conflicts is usually an admitted fact.
5. Changes in the system are natural, but they are neither sudden nor revolutionary, but are always gradual and adaptive as well as adjustive
6. System has its own structure, with its own aims, principles and functions.

The structural-functional derivative speaks of the political system as composed of several structures as patterns of action and resultant institutions with their assigned functions. A function, in this context, means, as Plato (Dictionary of Political Analysis) says, *'some purpose served with respect to the maintenance or perpetuation of the system'*, and a structure could be related to *"any set of related roles, including such concrete organizational structures as political parties and legislatures."* So the structural-functional analysis, continues *"involves the identification of a set of requisite or at least recurring functions in the kind of system under investigation. This is coupled with an attempt to determine the kinds of structures and their interrelations through which those functions are performed."*

Gabriel Almond: Structural Functional Model



- **Gabriel Almond and J.S. Coleman** in *The Politics of Developing Area* identified four characteristics of the political systems. These are
 - i) All political systems have structures.
 - ii) The same functions are performed in all political systems with different frequencies and by different kinds of structures.
 - iii) All political structures are multifunctional.
 - iv) All political systems-are mixed in the cultural sense i.e. they are based in a culture which is always a mixture of the modern and the traditional.
- The structural-functional approach was further developed by Gabriel Almond and Powell in *Comparative Politics: A Developmental Approach*, 1966. He and his associates argued that all political systems, regardless of their types, must perform specific sets of tasks if they are to remain in existence as systems in working order or equilibrium i.e. ongoing systems'. These are the functional requirements of the system. They suggested the use of 'functions' and 'functional requisites' instead of 'inputs' and 'outputs' as modifications to Easton's model.

Accordingly, Almond and his associates discerned his functional categories classifying them into 'Inputs' and 'Outputs'. There were a total of seven functions, four input functions, and three output functions respectively.

The Inputs functions are:

- **Political Socialization and recruitment:** Political socialization is the process whereby an individual acquires attitudes and orientations towards political phenomena; it also implies the process whereby society transmits political norms and beliefs from one generation to the next. Recruitment stands for the process whereby political groups obtain members for various important roles in the political process, either in addition to the existing members or as a replacement for other members. Primary socialization at home, locality, and educational institutions indoctrinate and inculcate the members with attitudes, opinions, and orientations towards the political phenomenon.
- **Interest articulation:** It implies the process whereby opinions, attitudes, beliefs, preferences, etc. are converted into coherent demands on the political system. This function may be performed by various structures, but interest groups are most suited to perform this function. Coherent demands are placed by various structures such as peer groups, pressure groups, interest groups, associations, etc to preserve and further their interest.
- **Interest aggregation:** It is the process by which demands are translated into policies and decisions which could be acted upon. Political parties are most suited to perform this function.
- **Political Communications:** It is a process by which the components of a political system such as individuals, groups, and institutions transmit and receive information regarding the functions of the political system. Mass media and lately social media are most suited to perform this action.

The Output Functions are:

- Rule-making
- Rule – application
- Rule – adjudication

Of these, output functions correspond to conventional governmental functions, which are performed by formal governmental organs, viz. legislature (rule-making), executive (rule-application), and judiciary (rule- adjudication). Almond has paid special attention to input functions that are performed by non-governmental structures or institutions. Although all structures are multi-functional, yet some structures are especially suited for specific functions.

Talcott Parsons: The structural functionalism has also been elaborated by Talcott Parsons. Parsons has pointed out four important prerequisites of structural functionalism and these we can treat as the main functions of structural functionalism. These are adaptation, goal attainment, integration and latency. Adaptation involves the problem of securing from the environment sufficient facilities and then distributing these facilities throughout the system. Goal attainment denotes the problems of establishing priorities among system goals and mobilizing system resources for their attainment. Integration refers to the problem of coordinating and maintaining viable interrelationships among system units.

Difference between Easton's input-output model and Almond's structural-functional approach

- While Easton lays emphasis on interaction and interrelationship aspects of the parts of the political system, Almond is more concerned with the political structures and the functions performed by them. And this is perhaps the first weakness of the structural-functional analysis which talks about the functions of the structures and ignores the interactions which are characteristics of the numerous structures as parts of the political system.

Analysis

- Almond's model suffers from being an analysis at the micro-level, for it explains the western political system, or to be more specific, the American political system. There is undue importance on the input aspect, and much less on the output aspect in his explanation of the political system, giving, in the process, the feedback mechanism only a passing reference. Like Easton, Almond too has emerged as status-quoist, for he too emphasized on the maintenance of the system. While commenting on Almond's insistence on separating the two terms - structures and functions, **Sartori says**, "*The structural-functional analysis is a lame scholar. He claims to walk on two feet, but actually on one foot - and a bad foot at that. He cannot really visualize the inter-play between 'structure' and 'function' because the two terms are seldom, if even, neatly disjointed, the structure remains throughout a kin brother of its inputted functional purposes.*"
- The critics are of the opinion that Almond borrowed the chief elements and aspects of his structural functionalism mainly from sociology and specifically from Parsons —the most noted sociologist of the second-half of the twentieth century. The problem is the term and concepts having abundant relevance in sociology may not have the same in political science.
- But Almond's structural functionalism has done it and because of this the sociological terms applied in political science do not carry with them proper meaning and importance. The critics are of the view that this method of analysis makes the subject cumbersome. For example, he has used "system" and "interactions" which have been borrowed from anthropology. But the import of the two terms in the political system is unlikely to be the same and the entire analysis appears to be confused.
- Defining a political system, Almond says that interaction is to be found in all independent societies, that in order to be a system there shall be interactions among various parts or subsystems of independent societies. Now critics say that what is exactly meant by

“independent” is not clear from Almond’s definition. Are societies free from foreign domination? If it so means then should we say that a system does not exist in societies controlled by foreign power? We cannot form a definite reply.

- Hence the ambiguity overcasts the definition of Almond. It would have been better if he had clarified his stand. We are, however, of the opinion that Almond uses the term independent in general sense. A society will be called independent if it enjoys power to take decisions.
- The gravest charge against Almond is he has, in a clandestine way, supported the existing structure of the capitalist system. He wants to establish that the capitalist system, through its management and self-regulatory mechanism, can defend itself. It is a better system in comparison with other systems.

Conclusion

And yet, the merit of the structural-functional model cannot be ignored. The model has successfully introduced new conceptual tools in political science, especially in comparative politics. So considered, structural-functional analysis has really enriched the political science discipline. It has also offered new insights into political realities. And that is one reason that this model has been widely adopted, and is being used as a descriptive and ordering framework.

In this age of globalization his model has a clear and overriding importance. Because of the tremendous impact of globalization the world has become too small. Almost all the countries of this world have come closer and no state can claim that it is outside the influence of other states. Naturally, the influence of one or more states is bound to fall on the activities and systems of other states.

It is true that the main purpose of Almond and his supporters was to corner the advance of Marxism. But simultaneously it is also true that he has strengthened the foundation of liberalism. Some critics object to the use of terms borrowed from other disciplines but only this method has enhanced the acceptability and reliability of political science.

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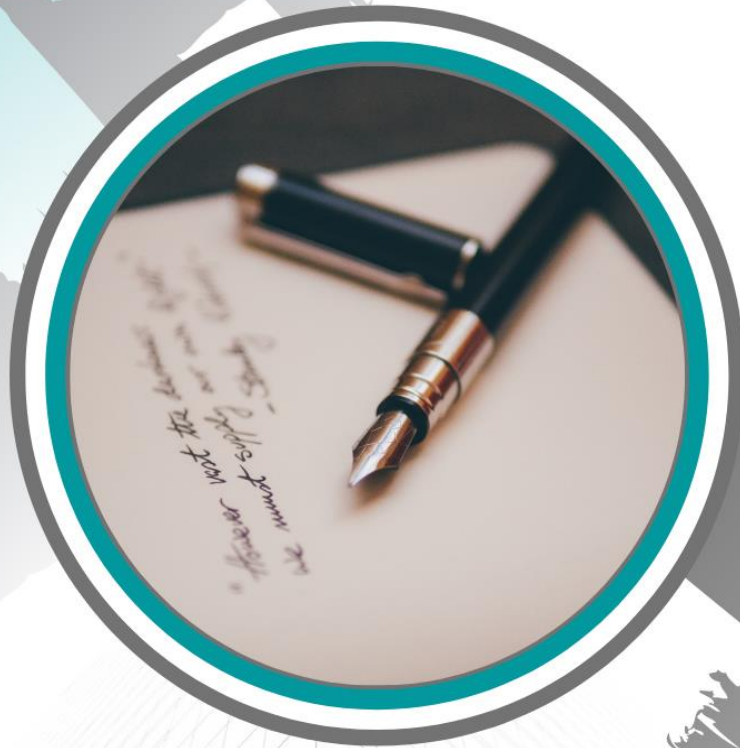
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Essay

How to create Framework for Essay?

HOW TO CREATE THE FRAMEWORK FOR ESSAY?

Last time when you were going through our previous Magazine edition, you might have read about Essay writing and why it is so crucial when it comes to one of the toughest exams on this planet. Well to be very honest, it is an important turf on which, it is your creativity, resilience, patience, and sense of what you collected during your preparation period will matter the most, consider the paper holds a huge value, i.e., more than 10% of the overall marks that you will get through Mains and Interview stage.

Before beginning and meeting with the pace, it is also quintessential to know the key prospects of essay writing, i.e. making the framework, or the blueprint of the essay. To proceed with the same, it will be an assumption that by the time the paper is in front of you, you are somewhere between the writing and reading phase. Reading phase means the time period where you are going through the Essay Mains paper while the writing phase will be the time from when you start writing.

In between comes a phase where choices and decisions will matter a lot and will somewhere drive your rest of the Mains paper. During this period, you will be somewhere blank. Some may switch ON their panic button and will make an erratic way out. To avoid such issues, this writing piece is worth reading!

Firstly, when the topic comes out in front of you, all you need is to give a thorough reading and find out your comfort zone. Why is it so? Because the comfort zone will draw the contours of your writing phase and will allow you to bring out all the key points related to the topic at one place in a better and faster way. But is it easy to bring all these key points easily and fastly? No, not at all. Hence, due to this, firstly an aspirant should allow themselves to bring all their random thoughts to one place whichever is coming to their mind. Clubbing these random thoughts will allow you to find out the way out or get those dots that can make your content more relevant. So, write all those points that are coming in your mind just like discussed in the previous edition - "Where the Mind is Without Fear".

Next, when these thoughts are clubbed together and need a consolidated structure, all you need is to bring those ideas close together and knit the first native structure. Remember that while you are formulating the structure of this essay, you are somewhere going to allow yourself to make amendments from time to time or more frequently, not like the salient feature of the federal polity that wants a rigid policy to make changes in their governance document, i.e., constitution. But doesn't worry, the amendments that you will make ensure that you are going with the decision of an improvised structure.

Framing this structure will also demand whether you have those crucial lines and quotes that are necessary as a sweetening or charming agent to decorate your essay. If those lines are not coming, you can come up with examples like the story of your idols, sport stars, or some movie dialogues that you feel have influenced somewhere and will create the same impact on the examiner as well. Remember that you need to give an alluring look to your essay and these elements are your PERFECT weapon in your creativity's arsenal.

Before making a head start, think of how to begin and have a final look at the overall structure, meaning how you are beginning the narrating journey of your essay, what will be the path or course of action during the entire period and where you are going to give it an HAPPY ENDING!

So, don't think anymore as all you need is to practice till the time the real test is in front of you. This test will give you that time in which you will write several narrations that you will change because sometimes it will be you as a judge who won't like it and sometimes you will try to seek those elements that can make it more engaging. Because if you read this piece till now, you have surely found it an engaging one!

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The Answer Writing Programme Initiative through Politico Analytics from this edition is a move to ensure that you are in the cult of habituating yourself with the art of Mains Answer Writing. Your optional subject carries a huge weightage of 500 marks. Hence, it demands a lot of rigorous practice. So, before you head towards the exam center to give your next 3 hours for almost 4000 words. With this programme, we are allowing you to submit your answers and see how things can work out by accepting effective feedback and inculcating the same to write in a vibrant and charming context.

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This programme is a paid one with a fee of INR 500/- per month. Be assured, every penny you invest here will give you thorough analysis to let you detect the bugs and flaws and allow you to consolidate your concepts in a better way and give a solid structure to your answers.

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- b. Multilateral Institutions' Failure to Deter Russia Ukraine War. (200 words, 15 marks)
- c. Write short notes on India Iran Relations. (250 words, 20 marks)

Q2. Answer the following:

- a. Finance Commission and Local Self-Government. (200 words, 15 marks)
- b. Denotified Tribes face bigger carnage than among the lot. Discuss. (200 words, 15 marks)
- c. Is the need of the hour demands that the National Human Rights Commission get conferred with constitutional status? Comment. (250 words, 20 marks)

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