

REGENT EDUCATION & RESEARCH FOUNDATION

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GENERAL STUDIES - I

Social Issues

Karnataka's Bill on rights of gig workers

Karnataka's Labour Department released the Karnataka Platform-based Gig Workers (Social Security and Welfare) Bill, 2024, inviting public suggestions. If passed, Karnataka will be the second Indian state with legislation for gig workers after Rajasthan. The bill aims to extend key rights to gig workers, addressing shortcomings in Rajasthan's legislation.

Issue -

- **Current Legislation** — Rajasthan's law does not align with expanding views of scholars on gig work being employment.
 - **International Views** — Courts in the Netherlands, UK, and Spain recognise modern employer-employee relationships in gig work.
 - **Rajasthan's Shortfall** — Does not define gig work or recognise platform companies as employers.

Karnataka Bill's Provisions -

- Definitions and Contracts —
 - **Defines** gig workers more clearly.
 - **Creates mechanisms** for formal contracts between platform companies and workers.
 - Lacks details on contract specifics and applicable labour laws.
- Termination and Transparency —
 - **Notice of Termination** — Requires companies to give 14 days' notice with a valid reason for termination.
 - **Algorithmic Transparency** — Empowers gig workers to access information about work, ratings, and personal data.
 - **Impact** — Reduces potential for algorithmic wage discrimination and workplace harassment.
- Welfare Board and Social Security —
 - **Expanded Role** — Beyond disbursing social security, includes consultation with gig worker associations.
 - **Focus on Inclusion** — Social security schemes for women and people with disabilities.
 - **Grievance Redressal** — Limited to provisions of the bill, excluding broader issues like compensation and exploitation.
- Compensation and Dispute Resolution —
 - **Regular Compensation** — Mandates weekly payments to gig workers.
 - **Right to Raise Disputes** — Allows gig workers to use the Industrial Disputes Act, 1947.

Comparative Analysis -

- **Rajasthan vs. Karnataka** —
 - Rajasthan — Does not define gig work or recognise platform companies as employers.
 - Karnataka — Provides clearer definitions, formal contracts, and better worker protections.

Way forward -

- **Clarifying Contracts** -- Need for detailed specifications on the contracts and applicable labour laws.
- **Broadening Grievance Mechanisms** — Extend grievance redressal to include compensation and exploitation issues.
- **Ensuring Implementation** — Effective enforcement of termination notice and transparency provisions.

- **Encouraging Unionisation** — Support the growth and impact of gig worker unions for collective bargaining.

Conclusion -

The Karnataka bill represents a significant step forward in protecting gig workers. Recognition of gig work as employment is still an ongoing battle. The bill sets a framework that could lead to further improvements in gig worker rights and social security.

Source - The Indian Express

QUESTION - The Karnataka Platform-based Gig Workers (Social Security and Welfare) Bill, 2024, aims to address the shortcomings of the Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023, and extend key rights to gig workers. Critically analyze the provisions of the Karnataka bill in comparison with the Rajasthan legislation. Discuss the potential impact of these provisions on gig workers' rights and social security. Suggest further measures to strengthen the bill to ensure comprehensive protection for gig workers in India.

GENERAL STUDIES - II

Polity

50 years of imposition of Emergency in India

A dark chapter in modern Indian history that left a wide-ranging and lasting impact on Indian politics, a state of Emergency declared by the then-PM Indira Gandhi on June 25, 1975, lasted for 21 months.

India entered the fiftieth year of the imposition of the Emergency, which saw the suspension of civil liberties, curtailment of press freedom, mass arrests, the cancellation of elections, and rule by decree.

Emergency Provisions - Now and Then -

- **Under Article 352 of the Constitution of India**, the President may (on the advice of the Council of Ministers headed by the PM) issue a proclamation of emergency if the security of India or any part of the country is threatened by -
 - **War or**
 - **External aggression or**
 - **Armed rebellion.**
- **Article 358** frees the state of all limitations imposed by Article 19 ("Right to freedom") as soon as an emergency is imposed.
- **Article 359** empowers the President to suspend the right of people (except under Articles 20 and 21) to move court for the enforcement of their rights during an emergency.
- **In 1975**, the ground of "**internal disturbance**" (instead of armed rebellion) was available to the government to proclaim an emergency.
 - This was the only instance of proclamation of emergency due to "internal disturbance".
 - The other two occasions in which an emergency was proclaimed earlier (on October 26, 1962, and December 3, 1971), were both on grounds of war.
- This ground of "internal disturbance" was removed by **the Constitution (44th Amendment) Act 1978** by the Janata government that came to power after the Emergency.

Impacts of the Declaration of Emergency on India's Federal Structure -

- **Converts the federal structure into a unitary one —**
 - Though not suspended, the state governments come under the complete control of the Centre.
 - Parliament makes laws on subjects in the State List, and extends the Union's executive powers to the states.

- The Union acquires the right to give any direction to state governments.
- **Term of Lok Sabha** — Parliament may by law extend the (five-year) term of Lok Sabha one year at a time.
- **Allocation of financial resources** — The President can modify, with parliamentary approval, constitutional provisions on the allocation of financial resources between the Union and states.

The Political and Social Circumstances in India Leading up to the Emergency -

- **January 1966** — Indira Gandhi elected prime minister.
- **November 1969** — The Congress splits after Gandhi is expelled for violating party discipline.
- **1973-75** — Surge in political unrest and demonstrations against the Indira Gandhi-led government.
- **1971** — Political opponent Raj Narain lodges complaint of electoral fraud against Indira Gandhi.
- **June 12, 1975** — Allahabad High Court found Gandhi guilty over discrepancies in the electoral campaign.
- **June 24, 1975** — Supreme Court granted a conditional stay on the Allahabad HC verdict,
declaring Gandhi's election to the Lok Sabha null and void.
 - The SC also asked Gandhi to stay away from parliamentary proceedings.
- **June 25, 1975:** Declaration of Emergency by president Fakhruddin Ali Ahmed on the advice of Indira Gandhi.
 - According to the government's press note, **certain persons were inciting the police and armed forces to not discharge their duties.**
- **June 26, 1975** — Indira Gandhi addresses the nation on All India Radio.

End of Emergency and Afterwards -

- **January 18, 1977** — Indira Gandhi calls for fresh elections and releases all political prisoners.
 - The elections of 1977 led to a comprehensive defeat for Indira and **Morarji Desai** became India's first non-Congress (Janata Party) Prime Minister.
- **March 23, 1977** — Emergency officially comes to an end.
 - **The Shah Commission**, constituted by the Janata government, found the decision to impose Emergency to be **unilateral and adversely affecting civil liberties.**
 - The Janata government (through the **44th Amendment**) reversed many of the constitutional changes effected by the 42nd Amendment Act 1976.
 - **For example**, it made judicial review of a proclamation of emergency possible again, and mandated that every proclamation of emergency be laid before both Houses of Parliament within a month of the proclamation.
 - **Unless it was approved by both Houses by a special majority** (a majority of the total strength of the House and not less than two-thirds of the members present and voting), the proclamation would lapse.

What happened during the Emergency?

- **Suspension of civil liberties** —
 - Almost all opposition leaders (including JP) were detained and about 36,000 people were put in jail under the Maintenance of Internal Security Act (**MISA**).
 - Newspapers were subjected to **pre-censorship**.
 - In September 1976, Sanjay Gandhi initiated a **mass forced sterilisation program** in Delhi.
- **Legal changes pushed through by Parliament** —
 - With the opposition in jail, Parliament passed **the Constitution (38th Amendment) Act** that barred judicial review of the Emergency.
 - **The Constitution (39th Amendment) Act** said that the election of the Prime Minister could not be challenged in the Supreme Court.
 - **The Constitution (42nd Amendment) Act** made changes to a range of laws,
 - Taking away the judiciary's right to hear election petitions,

- . Widening the authority of the Union to encroach on State subjects,
- . Made any law passed by Parliament to implement any or all directive principles of state policy immune to judicial review, etc.
- **Changes pushed through by the Courts:** In the famous case of **ADM Jabalpur vs Shivkant Shukla (1976)**, the SC ruled that detention without trial was legal during an emergency.

How did the Emergency change Indian Politics?

- **Dented the Congress' reputation** — A party that led the struggle for civil liberties against the colonial state.
- **First non-Congress government** — The Janata experiment gave India its first non-Congress government, but its collapse also demonstrated the limits of anti-Congressism.
- **Emergence of young leaders** — The Emergency gave India a crop of young leaders (Lalu Prasad Yadav, George Fernandes, Arun Jaitley, Ram Vilas Paswan, etc) who would dominate politics for decades to come.
- **Coming together of the social forces** —
 - This resulted in the increase of the representation of OBCs in Parliament.
 - As a result, the Janata government appointed the **Mandal Commission** to look into OBC quotas, which would go on to make the rise of the OBCs in North India irreversible.
- **The Emergency has become a part of political vocabulary in India** — Every perceived act of high-handedness by a government being attributed to an "Emergency mindset".

Source - [The Indian Express](#)

QUESTION - The declaration of the Emergency in India on June 25, 1975, had significant ramifications for the country's political and federal structure. Critically analyse the Emergency's impact on civil liberties, press freedom, and the federal structure of India. How did the legal and constitutional amendments made during and after the Emergency shape the Indian political landscape in the subsequent decades?

Totaliser Mechanism for Vote Counting

Numerous recent controversies have evolved over a Janata Dal (United) candidate's statements and their implications for democratic principles. It is important to explore the ongoing debates regarding the **use of totalisers in electoral processes** to safeguard voter privacy and prevent post-election harassment.

What are the issues?

- Candidate's Controversial Statements —
 - Devesh Chandra Thakur, a candidate from Janata Dal (United), sparked controversy with his remarks directed at Muslim and Yadav communities.
 - His statement suggested a **transactional approach to governance**, implying that he might prioritise constituents based on electoral support rather than fulfilling his duty to represent all citizens equally.
 - Such statements **raise concerns about the erosion of democratic values and the ethical responsibilities** of elected representatives.
- Constitutional and Democratic Concerns —
 - Thakur's remarks **challenge the foundational principles of democracy**, which emphasise the equal representation and protection of all citizens' interests, irrespective of electoral outcomes.
 - They highlight the tension between representative accountability and selective service based on demographic or electoral considerations.
 - Opposition responses, particularly from the Rashtriya Janata Dal (RJD), emphasise the ethical imperative for elected leaders to serve all constituents impartially, regardless of caste or community affiliations.

What is a 'totaliser'?

- A totaliser in voting machines is a **mechanism designed to aggregate votes from multiple voting machines** while preserving the anonymity of individual votes.
- It ensures that **votes cast at different polling stations or machines are combined and counted together** without revealing how individuals voted in each specific location. This

helps **prevent the identification of voting patterns at the local level**, thereby protecting voter privacy and reducing the potential for post-election intimidation or coercion based on local voting trends.

- Totalisers are used in some electoral systems to enhance transparency and the integrity of election results.

The Totaliser Proposal -

- **Introduction of Totaliser** —
 - The totaliser is proposed as **a mechanism to enhance electoral transparency** and protect voter privacy.
 - It aims to **prevent the identification of voting patterns** at the booth level, which could potentially lead to post-election victimisation or coercion of voters.
 - Historically, electoral rules have evolved from ballot paper regulations ensuring voter anonymity to addressing challenges posed by Electronic Voting Machines (EVMs).
- **Development and Implementation** —
 - The Election Commission of India (ECI) has **advocated for the totaliser since its introduction as a trial in 2009** during bye-elections in Meghalaya and Uttar Pradesh.
 - Political parties were consulted and initially showed no objection, leading to further discussions on amending electoral rules to incorporate totaliser usage.
 - However, governmental responses have varied, with delays and reservations cited regarding practical implementation and perceived benefits.
- **Legal and Governmental Responses** —
 - Judicial interventions, such as **directives from the Madras High Court** and subsequent Supreme Court petitions, have spurred debates on the necessity and feasibility of totalisers.
 - The **Law Commission of India supported the EC's proposal**, emphasising the need for electoral reforms to maintain voter confidentiality and prevent electoral malpractice.
 - Governmental committees and legal deliberations have debated the balance between electoral transparency and the potential impacts on political campaigning and governance activities.

Way Forward -

- **Political Parties' Positions** —
 - Political parties have exhibited varied stances: support from parties like BSP, Congress, and NCP; conditional support from CPI(M); and opposition from BJP.
 - The **Election Commission continues to advocate for totalisers** as essential for protecting voter interests and ensuring fair electoral practices.
 - Challenges remain **regarding data security, technological feasibility, and political consensus** on the implementation of totalisers nationwide.
- **Legal and Administrative Steps** —
 - Ongoing judicial proceedings and governmental deliberations underscore the **need for clear, actionable policies** on electoral transparency and voter protection.
 - Supreme Court directives and public interest litigation have prompted further review and discussion on totaliser adoption and its potential impacts on electoral integrity.
 - Governmental committees tasked with examining electoral reforms must **navigate competing priorities of transparency, governance efficiency, and democratic accountability**.

Conclusion -

The article underscores the critical intersection of democratic values, electoral transparency, and technological advancements in India's electoral framework. It calls for a balanced approach to address concerns raised by controversial political statements and the imperative for robust electoral reforms, including the judicious implementation of totalisers to safeguard voter privacy and enhance electoral integrity. As debates continue, achieving consensus among stakeholders remains essential for advancing fair and inclusive democratic practices in the country.

QUESTION - Evaluate the ongoing debate on the introduction of totalisers in electoral processes to safeguard voter privacy and enhance electoral transparency. Examine the constitutional, legal, and administrative challenges involved, and propose measures to uphold democratic values while ensuring fair electoral practices.

Governance

Time for technology to step in Exam System

The recent debacles surrounding the NEET and UGC NET exams have highlighted critical deficiencies in India's examination system, with the National Testing Agency (NTA) becoming a focal point of criticism.

The government's response has included the removal of the NTA director and the initiation of investigations, resulting in several arrests.

However, while assigning accountability is essential, it is merely a starting point and a comprehensive and systematic solution is imperative to prevent future crises and to ensure the integrity and reliability of mass-scale testing.

Problems associated with Existing India's Examination System -

- The High-Stakes Exam Culture —
 - The **current examination system**, where selection for professional courses hinges on a single high-stakes exam, **has several inherent issues**.
 - This **system encourages rote learning over conceptual understanding**, leading to a proliferation of coaching centres.
 - **These centres, focused on exam-cracking strategies rather than holistic education, generate substantial profits** while subjecting students to intense pressure and stunted personal growth over extended periods.
- Mismatched Aptitude and Course Selection —
 - This **discrepancy is particularly evident in engineering, where the number of graduates has decreased by 40%** over the past five years, indicating a lack of sustained interest post-admission.
 - **This misalignment suggests that the current selection process does not adequately consider students' genuine interests and aptitudes.**
- The Undermined School System —
 - The **dominance of coaching institutions has severely undermined the school system**, particularly in higher classes (11th and 12th grades).
 - The **emphasis on rote-based learning has compromised the holistic personality development envisioned in policy documents** like the National Education Policy (NEP) 2020.
 - This **shift away from comprehensive education towards narrow exam preparation is detrimental to students' overall development.**
- Flaws in Assessment and Evaluation —
 - The **10th and 12th Class Board exams are summative assessments**, encouraging cramming rather than deep learning.
 - Although NEP 2020 advocates for formative and competency-based assessments, **the 2022-23 deadline for implementing these reforms has passed without significant progress.**

The Necessity of Robust Examination Systems -

- Ensuring Fairness and Integrity —
 - The **primary purpose of any examination system is to ensure fairness and integrity** in the assessment process.
 - **A robust system minimises the chances of malpractice and fraud**, ensuring that the results reflect the true capabilities and knowledge of the candidates.

- The **recent reliance on pen-and-paper exams** has exposed vulnerabilities, including paper leaks and impersonation.
- Enhancing Credibility and Trust —

- A **reliable examination system is crucial for maintaining the credibility of educational institutions** and the government.
- **When exam processes are transparent** and secure, **stakeholders, including students, parents, and employers, can trust the results.**
- This **trust is foundational for the legitimacy of the educational credentials** and, by extension, the career prospects of students.
- Promoting Holistic Assessment —
 - A **robust system would integrate multiple forms of assessment**, including formative assessments, project-based evaluations, and practical applications.
 - **This would provide a more holistic view of a student's capabilities**, including critical thinking, problem-solving, and practical skills.

Proposals for systematic reforms to prevent malpractices and frauds -

- Adapting to Technological Advancements —
 - The world is rapidly advancing in terms of technology, **and the education sector must keep pace.**
 - A **robust examination system would leverage technology** not just for conducting exams but also for preparing and evaluating them.
 - **Online testing platforms, AI-based proctoring, and automated evaluation can enhance the efficiency and reliability** of the examination process.
 - **AI-based proctoring, for instance, can detect even minor discrepancies**, reducing the likelihood of cheating and ensuring a fair assessment environment.
 - **Since all teachers will be contributing to the question bank, and all items will be tested for the level of difficulty**, it would be a participative system — one following the objectives of NEP 2020.
- Standardising Assessment Methods —
 - The **government should introduce a system where 40% of the admission weightage is based on eight quarterly academic assessments** conducted online over two years.
 - These assessments, taken within schools, would be proctored using AI-based fraud detection to ensure integrity.
 - The **question banks should emphasise critical thinking**, conceptual understanding, and problem-solving skills.
 - **Assign another 40% weightage to social and professional aptitude**, assessed through two six-week internships related to the chosen field of study and mandatory participation in social upliftment programs like NSS/NCC.
 - **Allocate 20% weightage to the final NEET/JEE exam, conducted online at least twice a year.** This would **allow students to choose their best score for final consideration.**
- Supporting Continuous and Comprehensive Evaluation —
 - **One of the critical flaws in the current system is the reliance on a single, high-stakes exam** to determine a student's future.
 - A **robust examination system would support continuous and comprehensive evaluation**, spreading assessments over a period and incorporating various forms of evaluation.
 - This **approach reduces the pressure on students and provides multiple opportunities to demonstrate their abilities**, leading to a more accurate and fair assessment of their knowledge and skills.
- Addressing Logistical Challenges —
 - **Conducting large-scale exams poses significant logistical challenges**, from managing exam centres to ensuring the timely distribution and collection of exam papers.
 - A **robust system that utilises online platforms can streamline these processes**, reducing the logistical burden and the potential for errors and delays.
 - **Online exams can be administered simultaneously across multiple locations**, ensuring uniformity, and reducing the logistical complexity.

- Revitalising School Education —

- **By focusing on continuous assessments and reducing the stakes of a single exam, the proposed system can redirect attention back to schools, fostering a more holistic education environment.**

- **Reformed assessment systems should prioritise concept-based understanding**, fulfilling NEP 2020's mandate and significantly reducing the potential for examination fraud.
- Reducing the Influence of Coaching Centres —
 - The **current high-stakes exam system has led to the proliferation of coaching centres**, which focus on teaching students how to crack exams rather than fostering a deep understanding of the subjects.
 - **A robust examination system that emphasises continuous and varied assessments would reduce the reliance on coaching centres**, encouraging a more balanced and holistic educational approach.
 - This **shift would allow students to focus more on conceptual learning and personal development** rather than merely preparing for exams.
- Preparing Students for Future Challenges —
 - **A robust examination system is not just about assessing students' current knowledge but also about preparing them for future challenges.**
 - **By incorporating assessments that evaluate critical thinking, problem-solving, and practical skills, the system can better prepare students** for higher education and professional environments.
 - **This comprehensive approach ensures that students are not only academically proficient but also equipped with the necessary skills** to succeed in their future endeavours.

Conclusion -

- **The ongoing crisis in mass-scale examinations underscores the urgent need for systemic reform** in India's education system.
- **Implementing continuous assessments, evaluating social and professional aptitudes, and leveraging technology for secure and fair testing are critical steps** towards ensuring the integrity and effectiveness of the examination process.
- **These reforms can transform the educational landscape**, fostering genuine learning and personal development while safeguarding the futures of millions of students.

Source - [The Indian Express](#)

QUESTION - Discuss the inherent problems associated with the current high-stakes exam culture in India. What are the key challenges faced by the existing examination system, and how have they undermined the holistic development of students? Propose systematic reforms to prevent malpractices and fraud, ensuring fairness, integrity, and a more comprehensive evaluation of students' abilities and aptitudes.

Should education be brought back to the 'state list'?

The NEET-UG exam faced controversies with issues like grace marks, allegations of paper leaks, and other irregularities. The UGC-NET exam was cancelled after being conducted, and the CSIR- NET and NEET-PG exams have been postponed.

Against this backdrop, there has been ongoing debate about transferring education back to the state list.

Status of Education– Historical Background -

- **Early phase - Education in Provincial list** —
 - The Government of India Act, 1935 during the British rule created a federal structure for the first time in our polity.
 - The legislative subjects were distributed between the federal legislature (present day Union) and provinces (present day States).
 - Education, as an important public good, was kept under the provincial list.
- **After Independence** —

- After independence, the trend set by the GoI Act 1935 was continued and education was part of the 'State list' under the distribution of powers.

- **Recommendation of Swaran Singh Committee —**

- During the Emergency, the Congress party constituted the Swaran Singh Committee to provide recommendations for amendments to the Constitution.
- One of the recommendations of this committee was to place 'education' in the concurrent list in order to evolve all-India policies on the subject.
- **42nd constitutional amendment and status of education —**
 - The 42nd constitutional amendment (1976) by shifting 'education' from the State list to the concurrent list.
 - No detailed rationale was provided for this change.
- **Attempt to bring back education in State list —**
 - The Janata Party government led by Morarji Desai passed the 44th constitutional amendment (1978) to reverse many of the controversial changes made through the 42nd amendment.
 - One of these amendments that was passed in the Lok Sabha but not in the Rajya Sabha was to bring back 'education' to the State list.
 - Since then, education remains in concurrent list of the Constitution.

Prevailing international practices -

- In the **United States**, educational standards and standardised tests are set by state and local governments, while federal oversight focuses on financial aid and key educational policies.
- **Canada** delegates education entirely to its provinces.
- **In Germany**, educational legislative authority resides with its states (Länder).
- **South Africa** has national departments for school and higher education, with provinces implementing national policies and addressing local educational needs.

Way forward -

- **Arguments for 'Education' in Concurrent List —**
 - **Uniform Education Policy** - Advocates argue for a unified approach to education across the country to improve standards and ensure consistency.
 - **Synergy Between Centre and States** — Central coordination is seen as beneficial for aligning national goals with state-level implementation.
 - **Corruption and Lack of Professionalism** - Critics cite concerns about inefficiencies and ethical issues within state-level management of education.
- **Arguments for Restoring 'Education' to State List —**
 - **Recent Issues with Centralisation** — Events like NEET controversies highlight that centralised control does not eliminate problems, challenging assumptions about governance efficacy.
 - **Autonomy and Tailored Policies** — States argue for autonomy to tailor educational policies to local needs, especially concerning syllabus, testing, and admissions for professional courses.
 - **One size fits all approach can not work** — Considering the vast diversity of the country, a 'one size fits all' approach is neither feasible nor desirable.
 - **Financial Distribution** – A significant amount of education expenditure is borne by the states, suggesting a need for productive discussion towards moving 'education' back to the State list.
 - According to the Ministry of Education's 2022 report on education spending, out of the total ₹6.25 lakh crore spent by education departments in 2020-21, the Centre contributed 15%, and the States contributed 85%.
 - When including all other departments' spending on education and training, the breakdown shifts to 24% by the Centre and 76% by the States.
- **Way forward —**
 - **Hybrid Model** — Experts suggest maintaining central oversight for regulatory frameworks like medical and technical education while devolving policymaking autonomy to states.

- **Collaborative Governance** — Emphasis must be given on productive dialogue between central and state authorities to achieve balanced educational reforms and efficient resource allocation.

Source - [The Hindu](#)

QUESTION - Discuss the historical evolution of the status of education in the legislative lists in India, the prevailing international practices regarding educational governance, and the arguments for and against the inclusion of education in the concurrent list. In light of recent events and international examples, critically evaluate whether education should remain in the concurrent list or be moved back to the state list. Suggest a way forward for effective governance of education in India.

Learning with toys, stories and puzzles

When the Jaadui Pitara (magic box) was unveiled on February 20, 2023, by the Minister of Education, it marked a significant moment in the landscape of early childhood education in India.

As children eagerly explored the box's contents, their reactions encapsulated the essence of play: wonder, curiosity, and joy.

This moment of spontaneous engagement underscored a powerful truth: play is an essential and natural part of learning for children.

The Importance of Joyful Learning -

- As the new school year begins, classrooms across India will resonate with the bright eyes, laughter, and occasional wails of children embarking on their educational journeys.
- It is imperative that these learning environments are welcoming, joyful, and playful.
- Play is not merely a pastime; it is a crucial tool for holistic development, encompassing physical, socio-emotional, language, cognitive, and cultural growth.
- Through play, children engage in exploration and experimentation within a safe and enjoyable space, developing curiosity and creativity.

Policy Initiatives Supporting Play-Based Learning -

- National Education Policy (NEP) 2020 —
 - The NEP 2020 is a comprehensive framework that seeks to overhaul the Indian education system.
 - One of its significant contributions is the focus on early childhood care and education (ECCE).
 - The policy highlights the importance of the formative years (ages 3-8) in a child's life and acknowledges that traditional methods of rote learning are not conducive to the holistic development of young minds.
 - Instead, it advocates for learning environments that are engaging, inclusive, and play-based.
- National Curriculum Framework for the Foundational Stage (NCF-FS) 2022 —
 - Building on the principles of the NEP 2020, the NCF-FS 2022 provides a detailed roadmap for the implementation of play-based learning for children aged 3-8.
 - This framework is designed to be flexible and adaptable, allowing states and educational institutions to tailor it to their specific contexts.

Key Features of NEP 2020 and NCF-FS 2022 -

- Emphasis on ECCE —
 - Recognising the critical importance of the early years, the NEP 2020 proposes the establishment of a National Mission on Foundational Literacy and Numeracy.
 - This mission aims to ensure that every child attains foundational literacy and numeracy by Grade 3.
 - The policy emphasises that foundational literacy should be achieved through a variety of activities, including play, art, stories, and music.
- Curriculum and Pedagogy Reform —
 - The NEP 2020 advocates for a curriculum that is flexible, multi-faceted, and holistic.
 - It encourages the incorporation of play-based learning in the curriculum, moving away from the rigid and content-heavy frameworks of the past.

- The **policy suggests the integration of toys, games, puzzles, stories, and songs** into everyday learning activities.
- Teacher Training and Professional Development —
 - Recognising the pivotal role of teachers in implementing play-based learning, **the NEP 2020 calls for extensive professional development programs.**
 - **These programs aim to equip educators with the skills and knowledge to create engaging and stimulating learning environments** that encourage play and exploration.
- Holistic Development through Play —
 - The **NCF-FS 2022 firmly positions play at the centre of early childhood education.**
 - It **outlines a curriculum that integrates various forms of play**, such as free play, guided play, and structured play.
 - This **approach ensures that children develop cognitive, social, emotional, and physical skills** in a balanced and natural manner.
- Diverse Learning Activities —
 - The **framework includes a wide range of activities** that promote learning through play.
 - **These activities encompass storytelling, role-playing, arts and crafts**, music and movement, and outdoor play.
 - **By engaging in these activities, children develop critical thinking**, problem-solving abilities, creativity, and social skills.
- Inclusive and Equitable Learning Environments —
 - The **NCF-FS 2022 emphasises creating inclusive learning environments that cater to the diverse needs of all children**, including those with disabilities and those from marginalised communities.
 - **Play-based learning is seen as an effective way to engage children from different backgrounds and abilities**, fostering a sense of belonging and inclusivity.
- Assessment through Observation —
 - **Traditional methods of assessment**, such as standardised tests, are **not suitable for young children.**
 - The **NCF-FS 2022 advocates for assessment methods that are based on observation and documentation** of children's progress during play and other activities.
 - This **approach allows teachers to gain a deeper understanding of each child's development** and tailor their teaching strategies accordingly.
- Community and Parental Involvement —
 - The **framework recognises the importance of involving parents and the community** in the educational process.
 - It **encourages schools to engage with parents and caregivers**, providing them with resources and guidance to support play-based learning at home.
 - **Community involvement is also seen as crucial in creating a supportive and enriching environment** for children.

The Jaadui Pitara -

- The Launch of Jaadui Pitara —
 - The **Jaadui Pitara, launched by NCERT, symbolises the transformative nature of the NCF-FS.**
 - It **contains a diverse array of materials**, from toys and games to storybooks and teacher handbooks, all designed to facilitate learning through play.
 - **Each item in the Pitara is mapped to specific learning outcomes**, ensuring that play is both enjoyable and educational.
 - **The Pitara has been widely appreciated by stakeholders across the country**, with efforts underway to customise its contents to local contexts.
- Embracing Technology with the e-Jaadui Pitara —
 - Recognising the importance of technology in the digital era, **the Ministry of Education introduced the e-Jaadui Pitara to complement the physical box.**

- This **digital version aims to democratise access to educational resources** through multiple channels, including computers, smartphones, television, and radio.
- **Caregivers can now engage with virtual assistants**, leveraging generative AI, to facilitate play-based learning activities.

- **This integration of technology enhances the reach and impact of the Jaadui Pitara**, making quality educational materials accessible to a broader audience.
- Scientific Insights on the Benefits of Play —
 - **Numerous studies on child development and brain research** highlight the significance of play.
 - **Play stimulates the prefrontal cortex**, responsible for attention, problem-solving, and regulating social behaviour.
 - It **promotes neuro-plasticity**, the brain's ability to form new neural connections, which is **fundamental for learning** and adaptation throughout life.
 - Additionally, **play nurtures intuitive knowledge**, essential for problem-solving and **decision-making** in complex and uncertain conditions.
- The Role of Play in Parenting and Child Development —
 - **International agencies like UNICEF underscore the role of play in parenting**, **emphasising its importance** in building the foundation for children's growth and development from infancy.
 - **During play, children make choices, experience wonder, and derive joy**, fostering holistic development, creativity, and resilience.
 - **For adults, play enhances mental health, cognition, and creativity** and when parents and caregivers engage children in play, they celebrate the essence of play itself.

Conclusion -

- In conclusion, **the Jaadui Pitara and the principles of the NCF-FS represent a transformative approach** to early childhood education in India.
- By integrating play into the curriculum, **these initiatives recognise the profound impact of play on children's development**.
- **As we celebrate the new learning year, let us embrace play as a fundamental aspect of education**, creating environments where children can thrive, learn, and develop.

Source - [The Indian Express](#)

QUESTION - Discuss the significance of play-based learning in early childhood education, as highlighted by the introduction of the Jaadui Pitara and the National Curriculum Framework for the Foundational Stage (NCF-FS) 2022 in India. How do these initiatives contribute to holistic child development and educational reform? Illustrate with examples and the role of policy frameworks in fostering inclusive and joyful learning environments across the country.

Why has the NTA failed to deliver?

With widespread allegations of cheating, paper leaks and other irregularities impacting flagship examinations such as the NEET (National Eligibility cum Entrance Test), the National Testing Agency (NTA) has come under intense fire.

The National Testing Agency (NTA) -

- Background —
 - **In 2010**, a committee comprising directors of IITs recommended establishing an autonomous and transparent body (NTA) through legislation, modelled after the **Educational Testing Service (ETS) of the US**.
 - **Prior to the NTA's formation**, various government bodies like the UGC, the CBSE, and central universities such as Delhi University and JNU conducted their own entrance examinations.
- About NTA —
 - It was set up in **2017** as a **specialist, self-sustaining and autonomous organisation** under the aegis of the **Union Ministry of Education**.

- It is registered under **the Societies Registration Act 1860**, and falls under the Right to Information (RTI) Act.

- **Objectives** — It aims to —
 - Address the challenges of **assessing candidates' competence** by adhering to international standards, ensuring efficiency, transparency, and error-free delivery.
 - **Conduct efficient and transparent tests**, Research and development and Expert collaboration Information dissemination.
- **Examinations conducted by the NTA** —
 - JEE (Main), NEET-UG, Common Management Admission Test (CMAT), Graduate Pharmacy Aptitude Test (GPAT) and University Grants Commission-National Eligibility Test (UGC-NET).
 - **The National Education Policy 2020** envisaged a broader role, recommending that the NTA conduct an entrance or aptitude test for all universities across the country.
 - In all, the NTA now has charge for more than 20 examinations.
- **Who runs the NTA?**
 - Its director general and governing body are **appointed by the Union government**.
 - The core team of the NTA consists of test item writers, researchers, psychometricians, and education specialists.
 - The NTA operates six verticals, each focusing on different examinations.
 - Each vertical employs about six researchers, including internationally recognised experts in psychometrics and statistics.

Issues faced by the NTA -

- **Conduct computer-based tests only** —
 - This is to ensure that high volume can be processed in a short period of time.
 - As the NIC [National Informatics Centre] does not have the capacity or IT infrastructure needed, third-party technical partners are being engaged.
 - However, third-party players **take accountability out of the government's hands** and leave loopholes in the system which can be exploited by unscrupulous players.
- **Agency is severely understaffed** — The agency was set up with only about 25 permanent staff positions and its functions have been outsourced to technical partners from the very beginning.
- **Absence of robust security mechanisms** —
 - These are needed to handle a large-scale pen-and-paper examination, including the
 - Setting of the question paper and its encryption,
 - Selection of external printing presses and exam centres,
 - Transportation to printing presses,
 - Storage and distribution to examinees at examination centres and
 - Then the collection and transportation of answer sheets to evaluation centres.
 - Each of these is a stage where malpractice can occur without robust security mechanisms.
- **NEET and UGC-NET exams irregularities** —
 - The NTA faced severe criticism after it **awarded grace marks to 1,563 candidates** in the NEET exam due to delays at seven examination centres.
 - **This decision led to accusations of inflated marks**, culminating in a record 67 candidates sharing the top rank.
 - The integrity of the NEET-UG was further compromised when the **exam question paper was allegedly leaked**.
 - Similarly, the UGC-NET exam was cancelled a day after being conducted, following reports that its integrity had been breached.

What needs to be done to Reform India's Examination Process?

- **Radhakrishnan committee** — The high-level panel headed by former ISRO chief K. Radhakrishnan has been constituted to recommend
 - Reforms in the examination process,
 - Improve data security protocols, and
 - Overhaul the NTA's functioning.
- **Adding manpower and infrastructure to the NTA** — To equip it to take on large-scale pen-

and-paper examinations, as these are more equitable, especially for students in rural and remote areas with little access to technology.

- **Dismantling the centralisation process** — More decentralised structures are needed to meet the vastly differing needs of institutions.
- **More radical reform of the assessment system** — This includes —

- . Periodic assessments of knowledge,
- . Concept-based understanding, and
- . Aptitude can be included in the final years of school education as the precursor to the admission process, etc.

Source - [The Hindu](#)

QUESTION - Discuss the challenges faced by the NTA in conducting examinations and the measures needed to reform India's examination process. What role does the Radhakrishnan committee play in addressing these issues?

Digital Jurisprudence over Generative AI

Generative AI (GAI) represents a transformative force with the potential to revolutionise various facets of society.

However, **this rapidly evolving technology poses significant challenges to existing legal frameworks** and judicial precedents designed for a pre-AI world.

Therefore, **it becomes imperative to explore the complexities surrounding liability, copyright, and privacy in the context of GAI**, highlighting the need for a comprehensive re-evaluation of digital jurisprudence to effectively govern and harness the power of this technology.

Most Contentious Issues Surrounding Internet Governance -

- Safe Harbour and Liability Fixation —
 - **One of the most contentious issues** in Internet governance has been **determining the liability of intermediaries for the content they host**.
 - The **landmark Shreya Singhal judgment upheld Section 79 of the IT Act**, granting intermediaries 'safe harbour' protection contingent upon meeting due diligence requirements.
 - However, **the application of this protection to Generative AI tools remains problematic**.
- The Copyright Conundrum —
 - **The Indian Copyright Act of 1957**, like many global copyright frameworks, **does not adequately address the complexities** introduced by AI-generated works.
 - **Section 16 of the Act stipulates that no person is entitled to copyright protection** except as provided by the Act.
 - This raises critical questions: **Should existing copyright provisions be revised to accommodate AI?**
 - **If AI-generated works gain protection, would co-authorship with a human be mandatory?** Should recognition extend to the user, the program, and the programmer, or both?
 - The **161st Parliamentary Standing Committee Report acknowledged that the Copyright Act is not well-equipped** to facilitate authorship and ownership by AI.
 - **Under current Indian law, a copyright owner can take legal action against infringers**, with remedies such as injunctions and damages.
 - However, **the question of who is responsible for copyright infringement by AI tools remains unclear**.
 - **ChatGPT's 'Terms of Use' attempt to shift liability to the user for illegal output**, but the enforceability of such terms in India is uncertain.
- Privacy and Data Protection —
 - The **landmark K.S. Puttaswamy judgment (2017)** by the Supreme Court of India **established a strong foundation for privacy jurisprudence**, leading to the enactment of the Digital Personal Data Protection Act, 2023 (DPDP).
 - While **traditional data aggregators raise privacy concerns, Generative AI introduces a new layer of complexity**.
 - The DPDP Act introduces the "right to erasure" and the "right to be forgotten."

- However, **once a GAI model is trained on a dataset, it cannot truly "unlearn" the information absorbed**, raising critical questions about how individuals can exercise control over their personal information embedded in AI models.

Arguments for classification of GAI Tools as Intermediary or Active Participant -

- Arguments for GAI Tools as Intermediaries —
 - Some argue that GAI tools function similarly to search engines.
 - **They respond to user queries without hosting external links** or third-party websites, suggesting they should be considered intermediaries eligible for safe harbour protection.
 - **GAI tools generate content based on user prompts**, implying that the responsibility for the content lies primarily with the user, not the tool.
- Arguments Against GAI Tools as Intermediaries —
 - **Critics argue that GAI tools actively create content**, making them more than mere conduits.
 - This **active role in content creation should subject them to higher liability standards**.
 - The **distinction between user-generated and platform-generated content becomes increasingly challenging**.
 - Unlike traditional intermediaries, GAI tools significantly transform user inputs into new outputs, complicating the liability landscape.

Judicial Precedents, Challenges, Real-World Implications -

- Judicial Precedent —
 - **The Delhi High Court's ruling in Christian Louboutin Sas vs. Nakul Bajaj and Ors (2018) introduced the concept of "passive" intermediaries**, which applies to entities that merely transmit information without altering it.
 - This **ruling complicates the classification of GAI tools**, as they do not fit neatly into the passive intermediary category due to their active role in content generation.
- Key Judicial Challenges —
 - **Courts must grapple with the challenge of distinguishing between user-generated prompts and platform-generated outputs**.
 - This distinction is crucial for determining the extent of liability.
 - Liability issues become more complex when AI-generated content is reposted on other platforms by users.
 - Courts **must decide whether the initial generation or subsequent dissemination attracts liability**.
- Real-World Implications and Legal Conflicts —
 - Generative AI has already led to legal conflicts in various jurisdictions.
 - For instance, **in June 2023, a radio host in the United States filed a lawsuit against OpenAI**, alleging that ChatGPT had defamed him.
 - **Such cases highlight the ambiguity in classifying GAI tools** and the resulting complications in assigning liability.
 - **AI-generated content can lead to defamation or the spread of misinformation**, raising questions about accountability.
 - The **debate continues over whether users should bear the primary responsibility for AI-generated content** or whether the creators of GAI tools should be held liable.

Potential Solutions -

- Learning by Doing: Temporary Immunity and Sandbox Approach —
 - **Granting temporary immunity from liability** to GAI platforms under a **sandbox approach nurtures innovation**.
 - Developers can experiment with new applications and improve existing models without the immediate fear of legal repercussions.
 - **A sandbox environment allows regulators to observe the interactions between GAI tools and users**, collecting valuable data on potential legal issues, ethical concerns, and practical challenges.
 - **The government should establish regulatory sandboxes where GAI developers can operate under relaxed regulations** for a limited period.

- These sandboxes can be overseen by government bodies or independent regulatory authorities.

- There should be a feedback loop between developers, regulators, and users to address emerging issues and refine the legal framework based on real-world experiences.
- Data Rights and Responsibilities: Overhauling Data Acquisition Processes —
 - **Ensuring that data used for training GAI models is acquired legally** is crucial for protecting intellectual property rights and maintaining public trust.
 - **Developers must recognise and compensate the owners of intellectual property** used in training data, developing a fair and transparent ecosystem.
 - **The government should develop clear and enforceable licensing agreements** for data used in training GAI models.
 - These agreements should outline the terms of use, compensation, and rights of the data owners.
- Licensing Challenges: Creating Centralised Platforms —
 - The **current decentralised nature of web data makes licensing complex and inefficient**.
 - Centralised platforms can streamline the licensing process, making it easier for developers to access the necessary data.
 - **Centralised platforms can maintain the quality and integrity of data**, minimising biases and ensuring that GAI models are trained on accurate and diverse datasets.
 - **The government should establish centralised repositories or platforms like stock photo websites** (e.g., Getty Images) for licensing web data.
 - These **platforms can offer standardised licensing terms and facilitate easy access to high-quality data**.

Conclusion -

- **The jurisprudence around Generative AI is still evolving and demands a comprehensive re-evaluation** of existing digital laws.
- **A holistic, government-wide approach and judicious interpretations by constitutional courts are essential** to maximise the benefits of this powerful technology while safeguarding individual rights and protecting against unwelcome harm.
- **As GAI continues to advance, legal frameworks must adapt to ensure responsible and ethical use**, balancing innovation with the protection of societal values.

Source - [The Hindu](#)

QUESTION - Examine the complexities surrounding liability, copyright, and privacy in the context of Generative AI. Discuss the need for a comprehensive re-evaluation of digital jurisprudence to effectively govern and harness the power of GAI. Highlight key judicial precedents, real-world implications, and potential solutions for the effective regulation of GAI tools in India.

International Relations

Possibility of a new Labour Government in the U.K.

As the Conservative Party (Tories) faces a likely historic defeat in the upcoming UK elections, India has an opportunity to advance its bilateral relationship with a new Labour government under Keir Starmer.

Positive Contributions of the Conservative Party -

- **Reorientation of UK-India Relations by the Tories** — The Conservative Party has moved away from colonial legacies, focusing instead on a broader Indo-Pacific framework and reducing the emphasis on Pakistan and Kashmir in UK-India relations.
- **Comprehensive Roadmap for Bilateral Relations** — The Tories have negotiated an extensive roadmap covering green transition, defence, new technologies, and maritime

security, aiming to transform UK-India relations across multiple domains.

- **Migration and Mobility Agreement** — This agreement helped address the challenge of illegal immigration and facilitated the flow of Indian talent into the UK, although some issues remain unresolved.

Challenges with Labour's Past Governance -

- **Historical Strain on UK-India Relations During Labour's Tenure** — The Labour government's handling of UK-India relations in the late 1990s, particularly during Queen Elizabeth II's visit to India in 1997, created significant diplomatic tensions.
- **Impact of Robin Cook's Kashmir Comments** — Newly-minted British Foreign Secretary Robin Cook's comments on Kashmir during a stopover in Pakistan led to a diplomatic fallout, with Indian Prime Minister Inder Kumar Gujral criticising Britain's perceived overreach.
- **Labour's "Ethical Foreign Policy" and Identity Politics** — Labour's approach, including the promotion of identity politics and support for anti-India groups, put bilateral ties on shaky ground during their tenure.

Prospects Under Keir Starmer's Labour -

- **Keir Starmer's Efforts to Address Anti-India Sentiments** — Starmer has taken steps to quell anti-India fires within the Labour Party, which were ignited by Jeremy Corbyn's leadership, and has signaled a commitment to building on the foundations laid by the Tories.
- **Engaging with the Hindu Vote and Balancing Minority Interests** — Labour's outreach to the Hindu community, while also addressing the interests of other minorities including the Pakistani diaspora, highlights the complexities of domestic political dynamics in the UK.
- **Influence of UK-based Khalistani Groups** — Despite Labour's efforts to moderate its stance, UK-based Khalistani groups are expected to continue lobbying for an anti-India agenda.

India's Strategic Approach -

- **Managing Anti-India Activities and Diaspora Influence** — Delhi must maintain pressure on the UK to curb anti-India activities and engage with the British establishment to manage issues arising from the South Asian diaspora.
- **Building on Positive Potential and Overcoming Historical Misperceptions** — India should focus on the positive aspects of the UK-India relationship and shed historical misperceptions about Britain, recognising its economic and strategic importance.

Way forward -

Embracing Realistic Engagement and Progressive Realism — Labour's vision of "*progressive realism*," as articulated by David Lammy, emphasises dealing with the world as it is rather than how it is wished to be, providing a pragmatic basis for future UK-India relations.

Conclusion -

Keir Starmer's moderation and David Lammy's ambitious vision offer India a chance to strengthen ties with Britain, overcoming past challenges to enhance future cooperation and mutual benefits.

Source - [The Indian Express](#)

QUESTION - Discuss the prospects under Keir Starmer's leadership and India's strategic approach to managing bilateral ties with the United Kingdom. Evaluate the way forward for India to build on positive potentials and address historical misperceptions. Provide a comprehensive analysis with reference to the concepts of 'realistic engagement' and 'progressive realism' in shaping future UK-India relations.

Economy

India enters JP-Morgan bond index

India officially became part of JP Morgan's Government Bond Index-Emerging Markets (GBI-EM). The inclusion is likely to bring nearly \$20-25 billion into the country (over the next 10 months) and will help India manage its external finances and boost foreign exchange reserves and the rupee.

Indian Bond Market - Challenges and Solutions -

• Importance of bond markets —

- They are a boon for corporate bodies and government entities, providing a **flexible and efficient way to raise capital**.
- One of the critical advantages for companies is the **avoidance of equity dilution**.
- Moreover, the cost of capital is reduced as the interest expenses on debt instruments are tax-deductible, making it a more attractive option than other forms of financing.

• India's bond market —

- India's bond market is pivotal in the country's economic structure.
- As of September 2023, the government bond market **size stands impressively at \$1.3 trillion**, with corporate bonds at \$0.6 trillion.

• Challenges in Indian bond markets —

- Narrow investment base,
- Insufficient participation by foreign investors,
- Virtually absent secondary market and
- Private placement (a sale of stock shares or bonds to pre-selected investors and institutions rather than publicly on the open market).

• Panacea —

- Inclusion in the Global Indices
- Presence of market makers on both buy and sell-side
- No credit default swaps
- Bonds bhi 'Sahi Hain': A marketing campaign which can catch the eyeballs of all the age groups of the society.
- Credit enhancement frameworks
- Incentivising the issuer

What is the JP Morgan Emerging Market Index?

- **Created in the early 1990s**, it is the most widely referenced index for emerging market bonds and has become benchmarks for local market and corporate EM bonds.
- **It began with the issuance of the first Brady bond** - denominated in U.S. dollars and issued by developing countries and backed by the U.S. Treasury bonds.
- **It has since expanded to include** the GBI-EM (in 2005) and the Corporate Emerging Markets Bond Index (CEMBI).

What was JP Morgan's announcement?

- JP Morgan has announced that it would include **Indian Government Bonds (IGBs)** to its emerging markets bond index (starting June 28, 2024).
- **There are 23 IGBs that meet the index eligibility criteria**, with a combined notional value of approximately Rs 27 lakh crore or \$330 billion.
- **Only IGBs designated under the Fully Accessible Route** (FAR was introduced by the RBI in 2020 to enable non-residents to invest in specified Government of India dated securities) are index-eligible.

Impact of IGBs Inclusion -

- India is expected to reach the **maximum weight of 10%** in the GBI-EM Global Diversified Index (GBI-EM GD).

- A higher weightage will prompt global investors to **allocate more funds** (~ \$ 2-3 billion flows to India every month) for investment in Indian debt.

- It will not only result in **lower risk premia**, but will also **help India to finance its fiscal and current account deficit (CAD)**.
- **It will also help India to enhance the liquidity and ownership base** of government securities (G-secs; debt instruments issued by the central government to meet its fiscal needs).
- The inclusion of certain Indian sovereign bonds will **support a diversification of the investor base** for Indian government securities.
- **It could help lower funding costs slightly**, and support further development of domestic capital markets.

Will higher inflows be a concern for RBI?

- When the Reserve Bank of India (RBI) removes dollars from the market, it must release an equal amount in rupees.
- This means, while higher inflows will boost the rupee, the RBI will have to use the instruments in its armoury **to check the resultant inflationary pressures**.

Source - [The Indian Express](#)

QUESTION - India's inclusion in JP Morgan's Government Bond Index-Emerging Markets (GBI-EM) is a significant milestone for the nation's bond market. Discuss the importance of bond markets for corporate bodies and government entities in India. Analyse the current challenges faced by the Indian bond market and suggest potential solutions.

RBI's Surplus transfer to Government

With a new government at the Centre, the economic policy discourse has now shifted to **speculating about the Union Budget for 2024-25** and this year's budget is especially important for one specific reason.

In an unexpected turn of events, **the RBI announced last month that it is transferring a sizeable dividend to the government**, significantly more than what was anticipated.

This has triggered much discussion about how the government can spend this windfall and there is a need to explore more fundamental question whether the government should spend it at all.

Fiscal Management Principles and their Purpose -

- **Fiscal Management Principles** —
 - Fiscal management should be guided by two general principles. **First, deficits should be kept at prudent levels.**
 - In India, **that level should ideally be around three per cent of GDP for the Centre according to the long-standing Fiscal Responsibility and Budget Management (FRBM) Act.**
 - **Second, governments should spend a bit more than this norm when the economy is doing badly** and a bit less when the economy is doing well.
- **Purpose: Stabilising the Economy through Deficit Variation** —
 - **The purpose of varying the deficit**, as specified by the second principle, is to **stabilise the economy.**
 - **In bad times, when private sector demand is falling, the government needs to step in and boost demand to prop up the economy.**
 - **The needs are reversed when the economy starts to recover and as private demand revives**, the government needs to curtail its spending lest overall demand races ahead of supply, fostering inflation.
 - **A critical aspect of this second principle is that policies must be symmetric.**
 - **Larger-than-normal deficits need to be followed by smaller-than-normal deficits** so that government debt gets stabilised instead of spiralling upwards.

An Analysis of India's Struggle with Fiscal Management -

- Historical Context of Fiscal Deficit —

- From **2000-01 to 2019-20**, India's average fiscal deficit stood at **4.6% of GDP**.
- This **figure starkly contrasts with the 3% target set by the Fiscal Responsibility and Budget Management (FRBM) Act**, a legislative framework aimed at ensuring fiscal prudence.
- The **FRBM Act was introduced in 2003** with the goal of reducing India's fiscal deficit and ensuring long-term macroeconomic stability.
- **Despite this, successive governments have struggled to adhere to the 3% norm**, often citing various economic challenges and development needs.
- Structural Issues and Economic Pressures —
 - **Several structural issues and economic pressures have contributed to India's struggle with fiscal discipline.**
 - **These include a growing population, significant developmental needs, and political pressures to increase spending on social welfare programs.**
 - Additionally, **India's tax base remains relatively narrow, with challenges in tax collection efficiency and compliance.**
 - **These factors have often led governments to resort to borrowing**, thereby increasing the fiscal deficit.
- Pandemic-Induced Fiscal Challenges —
 - The **COVID-19 pandemic further exacerbated India's fiscal challenges.**
 - The **economic shock induced by the pandemic necessitated substantial government intervention** to support businesses and individuals. In response, the fiscal deficit ballooned to 9.2% of GDP in 2020-21.
 - This **surge was a necessary response to the unprecedented crisis**, aimed at providing a safety net for the economy.
 - However, **the subsequent recovery phase has seen a slower-than-expected reduction in the deficit.**
- Post-Pandemic Fiscal Policies —
 - **Post-pandemic, the government's efforts to bring down the deficit have been sluggish.**
 - The **Interim Budget for 2024-25 set a deficit target of 5.1%**, which remains significantly higher than pre-pandemic levels and the FRBM target.
 - This **slow adjustment reflects the complexities of balancing economic recovery with fiscal prudence.**
 - **Persistent high deficits indicate underlying issues in fiscal management and the difficulty in reining in spending after periods of high expenditure.**

RBI's Unexpected Dividend and Debate on Increasing Capital Expenditure -

- The **RBI announced last month that it will transfer Rs 2.11 lakh crore to the central government** as dividend, double the amount that had been budgeted.
- The crucial question now is that **what the government should do with this unexpected bounty.**
- **According to some commentators, the government should increase its capital expenditure (capex).**
- As per the Interim Budget, **the capex growth rate is supposed to slow down in 2024-25.**
- **But now with this surplus dividend, the government may be tempted to step up its capex** That would be a mistake.

The General Sentiment on Capex -

- The Sentiment on Capex —
 - The **general sentiment in India seems to be that any spending on capex is great news** which is not correct.
 - **China, for example, as part of their infrastructure building spree**, built two to three airports in the same city and are now struggling to repay the debt that was incurred for these projects.
 - **What is therefore needed in India is to calculate how much capex is truly needed and of what kind.**

- The Purpose of Capex Spending —

- Governments spend on capex for two reasons: **To stimulate growth and to meet the needs of the economy.**

- **Infrastructure in India is definitely a problem** that needs to be solved. But not all at once.
- **Since the pandemic, the government's capex spending has been growing** at an average annual rate of 30 per cent.
- **It is not obvious that this pace needs to be increased, or even sustained.** On the contrary, recent developments demonstrate that the speed of construction and focus on new projects, rather than maintenance has serious downsides.
- Assessing the Necessity of Capex —
 - In addition, **not all capex is essential for growth**, for example, using Rs 1.6 lakh crore to revitalise telecom MTNL and BSNL is surely not critical.
 - **It is not critical especially when affordable cell phone services are being provided** throughout the country by private operators.
 - Likewise, **it is not obvious that spending lakhs of crores on bullet trains can be justified in a country whose per capita income is less than \$2,500.**

Way forward -

- **The government must analyse the need to stimulate an economy** that is doing so well.
- **Given the strong economic performance, it should instead use the surplus dividend** from the RBI to **bring the fiscal deficit down closer to three per cent.**
- **There is, however, a caveat to this discussion** and this relates to the true state of the Indian economy.
- **If the economy is weaker than what the 7-8 per cent growth figures suggest**, only then there may be a case for the government to keep spending to support the economy.

Conclusion -

- **India's struggle with fiscal discipline is a complex issue rooted in structural challenges** and exacerbated by economic shocks such as the COVID-19 pandemic.
- **While the government has made efforts to manage the fiscal deficit, sustained high deficits and rising debt levels highlight the need for deeper structural reforms** and a stronger commitment to fiscal prudence.
- **Achieving this balance is crucial** for ensuring long-term economic stability and growth.

Source - [The Indian Express](#)

QUESTION - In light of the recent large dividend transfer from the RBI to the government, critically analyse whether the Indian government should utilise this windfall for increased capital expenditure or focus on reducing the fiscal deficit. Consider the historical context of India's fiscal management, the impact of the COVID-19 pandemic, and the current state of the economy in your response.

Environment

Climate Right and how India can enforce it?

The recent Supreme Court judgement in **M.K. Ranjitsinh and others vs Union of India & others** has significantly impacted India's emerging climate change jurisprudence. The Court has introduced the right to be free from the adverse effects of climate change into the Constitution of India, grounded in the rights to life and equality.

As a new government considers its imperatives and agenda, Ranjitsinh provides an intriguing opportunity to think through and possibly enact much more systematic governance around climate change.

The Background of the Case -

- **The case revolved around whether electricity transmission lines could be constructed** through the habitat of the **critically endangered Great Indian Bustard.**

- The **government argued that protecting the bird's habitat hindered the country's renewable energy potential.**
- The **Court modified a previous order to prioritise transmission infrastructure, facilitating renewable energy development to combat climate change.**
- However, **the judgment's most notable aspect is the introduction of the 'climate right.'**

Implications of the Supreme Court's Recognition of the Climate Right -

- Increased Climate Litigation —
 - The **explicit recognition of a 'climate right' empowers citizens and civil society organisations to file lawsuits** demanding governmental action to protect this right.
 - This **could lead to a surge in climate-related cases**, prompting the judiciary to interpret and enforce climate responsibilities more robustly.
- Judicial Precedents —
 - As courts hear more climate-related cases, **they will establish a body of jurisprudence that could influence future legal interpretations** and policymaking.
 - This **process will gradually define the scope and content of the 'climate right'** and establish legal standards for climate protection.
- Government Accountability —
 - The **judiciary may hold the government accountable for failing to mitigate climate change** or for policies that exacerbate environmental degradation.
 - This can **include scrutinising projects and initiatives that negatively impact the environment** or assessing the adequacy of government actions in addressing climate change.
- Policy Reformation —
 - The **recognition of the 'climate right' necessitates a comprehensive review** and reformation of existing policies to align with the constitutional mandate.
 - This includes sectors such as energy, transport, urban development, and agriculture.
 - **Framework for Legislation**
 - **There may be a push for comprehensive climate legislation** that provides a coherent framework for addressing climate change.
 - Such legislation would need to integrate climate considerations across all policy areas and ensure coordinated action at national and sub-national levels.
- Climate Action Plans —
 - **Governments at all levels may be required to develop and implement climate action plans** that outline specific measures to protect the climate right.
 - **These plans should include both mitigation strategies to reduce greenhouse gas emissions** and adaptation measures to enhance resilience against climate impacts.

Unresolved Questions Post-Judgment, their Impact on Government Agenda and Comparison of Approaches -

- Overstatement of Clean Energy Agenda —
 - The **court's judgment emphasises the large-scale clean energy agenda as the primary pathway** to mitigating climate change.
 - There is a question if this focus might understate other critical aspects like climate adaptation and local environmental resilience.
- Ambiguity on Protection of Climate Rights —
 - There is **ambiguity about how the right against adverse effects of climate change** will be protected.
 - The judgment **leaves open the method and efficacy of this protection.**
- Impact on Government Agenda —
 - One **potential pathway forward is through a gradual accumulation of judicial decisions**, which might establish a legal precedent over time.
 - However, **this approach might result in a fragmented, incomplete framework of protections.**

- **New legislation could be a more effective means of realising climate rights.** This approach could provide a more comprehensive and cohesive framework.
- Comparison of Approaches —

- **The court-based action involves litigation and judicial orders** and while it can lead to protections, it often requires subsequent policy actions and might not provide a unified framework.
- **But a new climate legislation would be more effective** and such legislation can provide a clear vision, create necessary institutions, and ensure structured governance.
- The **judgment itself states that there is no 'umbrella legislation'** in India that relates to climate change.
- **And in so doing, seems to implicitly recognise the merits of an overarching, framework legislation.**
- **It can set the vision for engaging with climate change across sectors and regions,** create necessary institutions and endow them with powers, and put in place processes for structured and deliberative governance in anticipation of and reaction to climate change.

Suggestions for Formulating Climate Legislation for Indian needs -

- Customisation of Climate Legislation for India —
 - While it is beneficial to learn from other countries, **India's climate legislation must be tailored to its unique context** rather than simply copying other nations' approaches.
 - **Although transitioning to a low-carbon energy future is crucial,** it alone is insufficient to enforce a right against adverse climate effects.
- Setting up of Comprehensive Legislative Goals —
 - The **legislation should support sustainable cities, buildings, and transport networks** and this involves measures such as heat action plans should be sensitive to local contexts.
 - Also, **mechanisms should be provided to shift to more climate-resilient crops.** Key ecosystems like mangroves, which buffer against extreme weather, need protection.
 - Moreover, **consideration of social equity is essential in achieving these tasks.**
- Mainstreaming Climate Change Considerations —
 - **Climate change considerations should be mainstreamed** into India's development processes.
 - **A single, comprehensive law covering all areas is not feasible due to the existing legal framework** and the complexity of climate change preparation.
- Learning from International Practices —
 - There is **scope to learn from international experience** both what not to do and what directions to follow.
 - **Climate laws in many countries, often following the example of the United Kingdom, focus narrowly on regulating carbon emissions,** for example, by setting regular five yearly national carbon budgets and then putting in place mechanisms to meet them.
 - **This sort of approach, which has unfortunately become somewhat of a template** for countries to follow, is ill-suited to India.
 - Instead, **because India is still developing, is highly vulnerable, and yet to build much of its infrastructure, what the country needs is a law that enables progress** toward both low-carbon and climate resilient development.
- The Factor of Federalism —
 - There is another dimension essential for a climate law tailored to India: **ensuring that the law works effectively within Indian federalism.**
 - **Many areas relevant to climate action, from urban policy to agriculture and water fall under the authority of sub-national governments** — States or local levels, and electricity also is a concurrent subject.
 - **An Indian climate law must simultaneously set a framework for coherent national action while decentralising sufficiently to empower States** and local governments, and enable them with information and finance to take effective action.

Conclusion -

- **The SC's recognition of the right to be free from the adverse effects of climate change as a constitutional right is a landmark decision** with far-reaching implications.
- **It sets the stage for transformative changes in legal frameworks,** policy development, social engagement, economic strategies, and environmental conservation.

- **As India navigates this new terrain, it has the opportunity to lead by example in addressing one of the most pressing global challenges of our time.**

Source - [The Hindu](#)

QUESTION - What are the implications of recognising a 'climate right' for increased climate litigation, government accountability, and policy reformation? Compare the court-based action approach with the need for comprehensive climate legislation. In light of these considerations, suggest a framework for formulating climate legislation tailored to India's unique needs and federal structure.

Security

Reasi Terrorist Attack

The Reasi terrorist attack on June 9, coinciding with Prime Minister Modi's third term oath-taking ceremony, brings back memories of a similar attack on the Consulate General of India in Herat, Afghanistan, on May 23, 2014.

Both incidents aimed to disrupt significant political events, revealing the ongoing and pervasive threat of terrorism that India faces, particularly from groups based in Pakistan.

Therefore, it is important to explore the historical context, strategic responses, and diplomatic challenges India encounters in addressing terrorism, especially in the Jammu and Kashmir (J&K)

Historical Context of Pakistan Sponsored Terrorism in India -

- **The Origins of Terrorism in Jammu and Kashmir —**
 - **The roots of terrorism in J&K can be traced back to the partition of India in 1947, which led to the creation of Pakistan.**
 - **The princely state of Jammu and Kashmir, with its strategic location and diverse demographic composition, became a contentious issue between the two newly formed nations.**
 - **The first Indo-Pak war in 1947-48 resulted in the establishment of the Line of Control (LoC), leaving J&K divided between India and Pakistan.**
- **The Afghan Jihad and Its Impact —**
 - **The success of the Afghan Jihad in the 1980s, where Afghan mujahideen, supported by the United States and Pakistan, successfully resisted the Soviet invasion, had significant repercussions for India.**
 - **Pakistan's military and intelligence agencies, emboldened by this success, believed that similar tactics could be employed to challenge Indian control in J&K.**
 - **This led to the inception of a proxy war strategy, wherein Pakistan began supporting and training Islamist militants to infiltrate J&K and carry out terrorist activities.**
- **The Insurgency of the Late 1980s and 1990s —**
 - **The insurgency in J&K gained momentum in the late 1980s and early 1990s.**
 - **This period saw a significant rise in violence, with separatist groups like the Jammu and Kashmir Liberation Front (JKLF) and later, Islamist militant organisations like Hizbul Mujahideen, receiving substantial support from Pakistan.**
 - **The Pakistani military and intelligence agencies provided training, arms, and logistical support to these groups, facilitating cross-border infiltration.**
 - **During this time, the region witnessed mass uprisings, targeted killings, and ethnic cleansing, particularly against the Kashmiri Pandit community, which led to their mass exodus from the valley.**
 - **The Indian state's initial response was marred by a lack of preparedness and coordination, resulting in significant casualties among civilians and security forces.**

- Continued Terrorist Threats and Pakistan's Role —

- **The Pakistan Army and its political leadership**, committed to the Kashmir cause, **continued to sponsor and support terrorist activities in the region.**
- **High-profile attacks**, such as the 1999 Kargil intrusion and the 2001 attack on the Indian Parliament, **underscored the persistent and evolving nature of the threat.**
- **The Kargil conflict, in particular, highlighted the extent to which Pakistan was willing to escalate tensions.**
- Regular Pakistani troops, disguised as militants, infiltrated Indian positions in Kargil, leading to a full-scale conflict.
- **India's decisive military response, reclaiming the occupied territories, demonstrated its resolve to protect its sovereignty.**

India's Counter Terrorism and Political Strategies -

- Early Responses and Challenges —
 - **In the late 1980s and early 1990s, India was ill-prepared to handle the sudden surge in terrorist activities in J&K.**
 - **The initial response was largely reactive**, with conventional police forces and under-prepared military units bearing the brunt of the attacks.
 - **The complexity of the insurgency**, characterised by guerrilla warfare, hit-and-run tactics, and **widespread local support for militants, posed severe challenges.**
 - During this period, **India faced significant casualties among civilians and security forces, and there were instances of human rights violations**, which further complicated the situation.
- Development of Counter-Insurgency Strategies —
 - **By the early 1990s, India began to develop more sophisticated counter-insurgency strategies.**
 - This included the creation of specialised units like the **Rashtriya Rifles and the strengthening of paramilitary forces** such as the Central Reserve Police Force (CRPF) and Border Security Force (BSF).
 - **These forces received specialised training in counter-terrorism operations**, intelligence gathering, and urban warfare.
 - **The Indian Army also played a crucial role in these efforts**, conducting operations to flush out militants from their strongholds and secure key regions.
 - **The establishment of the Unified Headquarters in Srinagar helped coordinate efforts between the Army, paramilitary forces, and the J&K police**, leading to more effective operations.
- Intelligence and Surveillance Enhancements —
 - **Improving intelligence capabilities became a priority for India** and the Research and Analysis Wing (**RAW**) and the **Intelligence Bureau (IB)** were tasked with **gathering actionable intelligence on militant activities**, both domestically and internationally.
 - Enhanced surveillance technologies, including the use of drones, satellite imagery, and electronic surveillance, were deployed to monitor infiltration attempts along the Line of Control (LoC) and track militant movements within J&K.
- Socio-Political Engagement and Development Initiatives —
 - **Recognising that a purely military approach would not suffice, the Indian government also focused on political engagement** and socio-economic development in J&K.
 - **The decision to hold Assembly elections in 1996 marked the beginning of efforts to restore democratic governance** and political normalcy in the region.
 - **These elections were a significant step towards involving local populations in the political process** and reducing the appeal of militant ideologies.

Diplomatic Engagements and their Challenges -

- India and Pakistan's bilateral composite dialogue in 1998 included terrorism as a key issue.
- However, **Pakistan's unwillingness to address India's concerns became apparent early on**, reflecting its security doctrine of using terrorist groups against India.
- Despite this, **successive Indian Prime Ministers nursed diplomacy.**

- **Manmohan Singh's attempt to insulate bilateral relations through a joint anti-terrorism mechanism ultimately failed**, as public opinion often demanded military action after severe terrorist attacks, such as the **2008 Mumbai attack and the 2001 Parliament attack**.

The Change in India's Stance on Pakistan Sponsored Terrorism -

- **Shift Towards Military Pre-emption** —
 - **India's departure from diplomatic restraint occurred after the 2019 Pulwama attack**, leading to the Balakot airstrike and the doctrine of pre-emption.
 - Earlier, **limited force was used in surgical strikes post-Uri attack in 2016**. These actions marked a shift towards pre-emptive strikes against imminent terrorist threats.
 - However, **defining what constitutes an "unacceptable" attack remains ambiguous**.
- **Global Recognition of Pak Sponsored Terror and India's Diplomatic Efforts** —
 - **Pakistan's use of terrorism** against its neighbours is **generally recognised by the major powers**.
 - Its reliance on plausible deniability has not been sustainable for years.
 - **India too has given material linking Pakistani terrorist groups to terrorist incidents** but Pakistan has not taken action against them.
 - **This was clear after the Mumbai terrorist attack. After the Pathankot airbase attack in January 2016**, India allowed a Pakistani team which included an Inter-Services Intelligence officer to visit the airbase.
 - However, **Pakistan again did not take the investigation forward**.
 - Despite these cases, **it is important to pursue the practice of sharing information and evidence in terrorist cases to ensure the credibility of Indian assertions** with the international community.

Conclusion -

- **The persistent threat of terrorism from Pakistan requires India to balance military responses and diplomatic efforts**.
- **External Affairs Minister S. Jaishankar's ambition to address cross-border terrorism highlights the need for global recognition of the terror threat** as a precursor to escalatory conflicts between nuclear-armed nations.
- **India's strategy must continue to evolve, combining force with diplomacy to mitigate terrorism and promote regional stability**.

Source - [The Hindu](#)

QUESTION - Discuss the historical context of Pakistan-sponsored terrorism in India, with a focus on Jammu and Kashmir. Examine India's counter-terrorism strategies and the diplomatic challenges it encounters. How has India's stance on addressing terrorism evolved over the years?