

The Hindu Important News Articles & Editorial For UPSC CSE

Friday, 30th August , 2024

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Mangala Muduli, a 19-year-old from Odisha's Bonda tribe, became the first from his community to pursue medical education after clearing NEET.

- Raised in a remote village with minimal access to modern education, his achievement symbolises a generational leap for the Bonda tribe, historically isolated and vulnerable.

Bonda tribe student set to pursue MBBS programme in Odisha

'I was first-generation learner from a family which relies on food from the forest. I never imagined that I could earn a livelihood through education'

Satyasundar Barik
BHUBANESWAR

Mangala Muduli, a 19-year-old Bonda tribe student, has undertaken the 420-kilometre journey from Badbel village in Eastern Ghats in Odisha's Malkangiri district to study medicine at MKCG Medical College in Berhampur. The journey represents not just a physical distance but a monumental generational leap.

After cracking this year's National Eligibility-cum-Entrance Test (NEET), Mangala is set to become the first member of Bonda, a Particularly Vulnerable Tribal Group and one of

the oldest tribes of India, which a couple of decades ago was living in isolation and had little interaction with the outside world.

As he rushed through the final preparations for his much-awaited admission into the MBBS programme scheduled on August 30, Mangala pondered how challenging it had been to see his dreams come true, given the disadvantaged position he had started from.

"I along with my siblings was first-generation learner from the family which relies on food sourced from forest and other minor forest produce. I never imagined that I could earn a livelihood through



New horizons: Mangala Muduli with his family. SPECIAL ARRANGEMENT

education, and neither did most of the Bondas. While some members of our tribe have ventured into other cities, no one had ever set foot on a medical college campus to study," he said.

One of four brothers

and sisters, Mangala started his studies at the government-run Mudulipada Residential School. Now that a new road has been laid between Mudulipada and his village, Badbel, most of the time he would trek the

five-kilometre distance between his school and village.

After achieving a 50% score in his matriculation examination, he enrolled in Class 11 at a school 25 kilometres away from his village – an accomplishment in itself, given that many from his tribe drop out after completing Class 10. His elder brother had dropped out and migrated to Andhra Pradesh in search of work.

His science teacher, Utkal Keshari Das, recognised his potential and became a guiding force in his life. Mr. Das mentored him through his studies, eventually getting him admitted to a

coaching centre in Balasore, a coastal district. He had even arranged stay for Mangala at his ancestral home, giving wing to his dreams.

The Bonda student used to cycle 8 kilometres daily to prepare for the NEET examination. He secured 348 marks and got a rank of 261 among tribal reserved seats.

"This path from the secluded tribal community to the corridors of medical education signifies not only his personal achievement but also a historic moment for his fellow tribes, marking a new chapter in collective history of the Bondas," said Mr. Das.

Odisha's Bonda tribe:

- **Challenges:** The Bondas face issues such as poverty, lack of education, and access to health facilities, and they are increasingly vulnerable to outsider exploitation and modernization pressures.
- **Location:** The Bonda tribe primarily resides in the isolated hilly regions of Malkangiri district in Odisha, especially in the Bonda Hills within the Eastern Ghats.
- **PVTGs:** Bondas are one of the 13 Particularly Vulnerable Tribal Groups (PVTGs) in Odisha, part of the 75 PVTGs identified across India.
- **Ethnicity:** They are part of the Austroasiatic language family and are among India's most primitive tribes.
- **Language:** They speak the Bonda language, which belongs to the Munda group of languages.
- **Economy:** Known for their traditional agrarian lifestyle, they practise shifting cultivation and are hunter-gatherers.
- **Distinctive Appearance:** Bonda women are distinguished by their minimal clothing, large metal neck rings, and intricate beaded jewellery.

➤ **Social Structure:** The tribe is organised into matriarchal clans, with women playing significant roles in decision-making.

UPSC Mains PYQ : 2019

Ques: How can the mountain ecosystem be restored from the negative impact of development initiatives and tourism?



The University of Southampton received approval under UGC regulations to establish India's first foreign university campus, expanding local educational opportunities, research, and collaboration, starting July 2025.

Analysis of the news:

- The Centre issued a Letter of Intent (LoI) to the University of Southampton, UK, to establish a campus in India.
- This is the first university to receive a Letter of Intent (LoI) under the UGC regulations for setting up foreign campuses.
- UGC Chairman M. Jagadesh Kumar announced that the university is expected to commence academic programs by July 2025.
- Degrees awarded by the Indian campus will be equivalent to those from the UK campus.
- The establishment aims to provide more study opportunities, enhance research, and foster knowledge exchange, enterprise, and engagement for students in India.

Southampton University to start campus in India

The Hindu Bureau

NEW DELHI

The Centre on Thursday issued a Letter of Intent (LoI) to the University of Southampton, United Kingdom, to establish its campus in India, making it the first university to get the LoI under University Grants Commission (UGC) regulations for setting up foreign universities.

UGC Chairman M. Jagadesh Kumar said the university is expected to start its academic programmes in July 2025 and also that the degrees awarded by the Indian campus will be the same as in the host university. Professor Kumar also said that the setting up of the campus will be beneficial for students in terms of extending course and study opportunities in the country, research, knowledge exchange, enterprise, and engagement.

UPSC Prelims PYQ : 2012

Ques : Which of the following provisions of the Constitution does India have a bearing on Education?

1. Directive Principles of State Policy
2. Rural and Urban Local Bodies
3. Fifth Schedule
4. Sixth Schedule
5. Seventh Schedule

Select the correct answer using the codes given below:

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

Ans: d)

The Union Health Ministry has banned 156 fixed dose combination (FDC) medicines due to health risks and lack of research backing their safety.

- This move, driven by new regulatory rules and expert recommendations, aims to prevent drug resistance and ensure safer alternatives are used in medical treatments.

Recent Ban on FDC Medicines

- The Union Health Ministry has recently banned 156 fixed dose combinations (FDC) medicines.
- These FDCs include various antibiotics, painkillers, and multivitamins.
- The ban affects the production, marketing, and distribution of these drugs.

Fixed Dose Combinations (FDC)

- Fixed Dose Combinations (FDC) are medications that combine two or more active ingredients into a single dosage form, such as a pill or capsule.
- These combinations are designed to enhance therapeutic efficacy, simplify treatment regimens, but may pose risks if not supported by adequate research and safety trials.

Reasons for the Ban

- The ban was issued under Section 26 A of the Drugs and Cosmetics Act 1940.
- Many of the banned FDCs were approved by State authorities but lacked research and clinical trials confirming their safety and efficacy.
- According to the new drugs and clinical trial rules of 2019, FDCs must be approved by the central drug regulator.
- The ban addresses concerns that these combinations may lead to drug resistance and potential health risks due to their irrational use.
- An expert committee recommended the ban, finding that there was no therapeutic justification for the FDCs and that safer alternatives were available.

Potential Implications

- **Public Health Protection:** The ban aims to prevent health risks and safeguard the public from the dangers of irrational drug combinations.
- **Drug Resistance:** By controlling the use of these FDCs, the government hopes to reduce the development of resistance to certain drugs.
- **Market Impact:** The ban may impact pharmaceutical companies and the availability of certain combination drugs in the market.
- **Increased Scrutiny:** There will be greater scrutiny and regulatory oversight of FDCs moving forward, ensuring that new combinations undergo proper research and approval processes.



FDCs are medicines that have two or more active ingredients in a single pill or shot. GETTY IMAGES

Why the Union govt. banned 156 'irrational' fixed dose combinations

Hindu Shajan Perappadan

The Union Health Ministry has recently banned 156 "irrational" fixed dose combinations (FDC) medicines which includes antibiotics, painkillers, and multivitamins. FDCs are medicines that have two or more active ingredients in a single pill, capsule or shot.

As per a gazette notice issued under section 26 A of the Drugs and Cosmetics Act 1940, the Ministry said that the production, marketing, and distribution

The move, according to the Centre, is aimed at safe guarding the public, ensuring that resistance to certain drugs do not develop in large numbers due to irrational use, and to also curb misuse of drug administration where not warranted

of these drugs are now prohibited due to their associated health risks.

Speaking about the need to bring in such measures, a senior Health Ministry official explained that most of the drugs that made it to the banned list were approved by various State authorities but had no research or trials to backup its safe use in humans. "The new drugs and clinical trial rules of 2019 make it clear that fixed dose combinations are to be considered as new drugs and as such must be approved by the central drug regulator," he said.

The move, according to the Union government, is aimed at safeguarding the public, ensuring that resistance to certain drugs do not develop in large numbers due to irrational use, and to also curb the misuse of drug administration (knowingly or otherwise) where not warranted.

Expert committee

Meanwhile, as per the government notification, the matter was examined by an expert committee appointed by the Central Government and other related authorities, with them recommending that there is no therapeutic justification for the ingredients contained in the said FDCs. "The Central government is satisfied that the use of the FDC drug is likely to involve risk to human beings whereas safer alternatives to the said drug are available," notes the Health Ministry.

Mefenamic acid + Paracetamol injection, Cetrizine HCl + Paracetamol + Phenylephrine HCl, Levocetirizine + Phenylephrine HCl + Paracetamol, Paracetamol + Chlorpheniramine Maleate + Phenyl Propanolamine and Camylofin Dihydrochloride 25 mg + Paracetamol 300 mg are some of the FDCs on the list.

Speaking about the ban, Anil Bansal, member of the Delhi Medical Association, said that irrational combination drugs can pose significant health risks in a community that is known to buy over-the-counter drugs. "The lack of knowledge and awareness can work against the patient's welfare," he said.

Dr. Bansal added that since these medicines are being introduced into the market without proper research and randomised controlled trials, their safety does come under scrutiny.

(hindu.p@thehindu.co.in)

Ques : Consider the following statements:

Statement-I: India's public sector health care system largely focuses on curative care with limited preventive, promotive and rehabilitative care.

Statement-II: Under India's decentralized approach to health care delivery, the States are primarily responsible for organizing health services.

Which one of the following is correct in respect of the above statements?

- a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for
- b) Statement-I
- c) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for
- d) Statement-I
- e) Statement-I is correct but Statement-II is incorrect
- f) Statement-I is incorrect but Statement-II is correct

Ans: b)

Recently, the Union Public Service Commission (UPSC) withdrew an advertisement for lateral recruitment to 45 government posts.

- This decision followed objections raised by political parties and the intervention of the Prime Minister's Office (PMO), highlighting concerns about the need for reservation in such recruitments.

On the controversy over lateral entry into the civil services

Why did the Prime Minister's Office intervene and withdraw the advertisement regarding lateral entry for different positions in government? What is a spoils system and how does it work?

Rangarajan. R

The story so far:

The Union Public Service Commission (UPSC) had withdrawn its advertisement pertaining to lateral recruitment for 45 posts of Joint Secretaries (JS), Directors and Deputy Secretaries (DS) in the government. This follows objections raised by coalition partners and the Opposition as well as the intervention of the Prime Minister's Office (PMO) about the need for reservation in such lateral recruitment.

What is merit versus spoils system?

Merit system entails appointments to government posts after a rigorous selection process by an independent authority. In India, this commenced in the year 1858 when the British introduced the Indian Civil Service (ICS) to select officers for administering the country. After independence, the UPSC conducts

exams to select officers for IAS, IPS and other central services. The merit system is aimed at building career bureaucrats who are expected to function without any political leanings and provide independent advice to the incumbent political executive.

The spoils system on the other hand works on the adage 'to the victor belong the spoils.' It is a system where the incumbent political executive appoints its supporters to various posts in the government. It has its origins in the U.S., and continued until 1883 when it was replaced largely by a merit system. At present, out of more than 2.8 million federal government posts, only around 4,000 senior posts are directly appointed by the President.

What is lateral entry?

IAS and other central service officers with more than 15 years of experience are generally posted as JS to head various departments. It is a cutting-edge post

where the officers prepare cabinet notes, handle parliamentary questions, liaise with officers of other ministries and State governments.

Lateral entry is when executives from the private sector, public sector undertakings and academia are appointed to senior and middle management positions in the government. There have been instances of lateral entrants who were technocrats being appointed at secretary level posts since independence. Notable examples include former Prime Minister Manmohan Singh, economist Montek Singh Ahluwalia, agriculture scientist M.S. Swaminathan etc. The Second Administrative Reforms Commission (2005) and the NITI Aayog in 2017 had also recommended lateral entrants to bring specialised knowledge and skills into governance.

What are the pros and cons?

Lateral entry brings with it certain

tangible benefits. First, it brings much needed specialisation for niche areas of governance like emerging technologies, semiconductors, climate change, digital economy, cyber security etc. Second, it results in infusion of fresh ideas from experts to reinvigorate the system. Third, it also has the potential of making career bureaucrats more responsive thereby bringing in a positive change.

However, it has its own set of significant limitations. The domain expertise and specialisation of IAS officers is their field experience that is hard to match by outside entrants. There can be coordination issues with career bureaucrats. It may also result in opaqueness and conflicts of interests while hiring recruits from private sector.

What can be the way forward?

Notable lateral entrants in the past have been appointees at the secretary level which is the highest position in government departments. At this level, the lateral entrant will be capable of influencing policy decisions. Their performance will also be subjected to greater scrutiny. Even if appointments are to be made at more operational levels of JS, Directors and DS posts, it should be in line with public policy.

In his book *The Tyranny of Merit*, political philosopher Michael Sandel discusses the flaws of placing too much emphasis on merit without pursuing equity. Hence, appointment at these levels should coalesce technical

competence with reservation and social justice. Therefore, the intervention from the PMO in the recent episode is welcome.

However, excessive focus on lateral entrants is missing the larger picture. The issues plaguing the system cannot be set right with just a handful of lateral recruits. While there can be genuine grievances about the red-tapism, inefficiency and corruption in administration, it is equally true that career bureaucrats work in a challenging environment. Since governments deal with public money, the system is bound by a plethora of rules. Government performs various roles where the objectives are intangible, which the private sector would not do. Compounding these operational challenges is excessive political interference. A merit system being morphed into a spoils system is a serious threat to Indian bureaucracy and various institutions headed by career bureaucrats.

Autonomy of career bureaucrats is essential for their effective functioning. This includes reasonable independence with respect to postings, tenures and transfers. In this regard, as per Supreme Court judgment in the *T.S.R. Subramanian* case (2013), Civil Service Boards headed by top bureaucrats should be effectively constituted and strengthened at the Centre and States.

Rangarajan. R is a former IAS officer and author of 'Polity Simplified'. Views expressed are personal.

Understanding Merit vs. Spoils System:

➤ Merit System:

- Introduced in 1858, this system ensures appointments to government posts through a rigorous selection process.
- In India, the UPSC conducts exams to select officers for the Indian Administrative Service (IAS), Indian Police Service (IPS), and other central services.
- The aim is to create a neutral bureaucracy that can provide independent advice to the government.

➤ Spoils System:

- Originating in the U.S., this system allows the ruling party to appoint its supporters to various government positions.

○ While this system was largely replaced by the merit system in 1883, it still exists in a limited form, with a small percentage of senior government posts directly appointed by the President.

➔ **About Lateral Entry in Civil Services:**

- Lateral entry in administration is the appointment of specialists from the private sector in government organisations.
- It was recommended by the NITI Aayog in its Three-year Action Agenda and also the Group of Secretaries (GoS) on Governance had in its report recommended the induction of personnel in the middle and senior management level in the government.

➔ **Objective:**

- Lateral entry was introduced to serve the twin purpose of:
 - Bringing in domain expertise in the civil services,
 - Addressing the problem of shortage of IAS officers at the Centre.
 - With lateral entry, the government aims to recruit outstanding individuals, with expertise in revenue, financial services, economic affairs, agriculture, cooperation and farmers' welfare, road transport and highway, civil aviation, commerce among many other sectors to serve for the benefit of the country.

➔ **Process of Lateral Entry Recruitment:**

- The selection process for lateral entry into administration is conducted by the Union Public Service Commission (UPSC).
- The Department of Personnel and Training (DoPT) asks the UPSC to conduct the selection process for lateral entry to various positions in government departments and ministries.
- Subsequently, the UPSC invites online applications for lateral recruitment for these positions.
- Once the candidates have submitted their application, the UPSC conducts interviews of the shortlisted candidates and recommends the list of selected candidates to the DoPT.
- The recommended candidates are then appointed by the Government, generally for a period of 3 to 5 years.

Need for Lateral Entry:

➔ **Shortage of officers:**

- There is a shortage of 22.48% or 1,510 officers for the IAS cadre, according to the DoPT.
- The IAS and the Indian Police Service (IPS) have a combined shortage of 2,418 officers.

➔ **Domain Expertise:**

- Through lateral entry, domain experts can be recruited from the private sector to the central administration.
- This can be helpful in improving efficiency and create a competitive environment in governance delivery.

Pros of Lateral Entry in Civil Services:

- **Expertise and Specialization:** Lateral entry allows professionals with specialized knowledge and experience from the private sector to contribute to policymaking and implementation, enhancing the quality of governance.
- **Innovation and Fresh Perspectives:** Individuals from diverse backgrounds bring new ideas, innovative approaches, and fresh perspectives, potentially improving efficiency and effectiveness in public administration.
- **Merit-Based Selection:** Lateral entry emphasizes merit, skills, and experience over traditional seniority, promoting a performance-oriented culture within the civil services.
- **Shortening Learning Curve:** Experienced professionals can quickly adapt and contribute without requiring extensive training, which is often needed for career bureaucrats.

Cons of Lateral Entry in Civil Services:

- **Cultural and Bureaucratic Resistance:** The traditional civil services may resist the inclusion of lateral entrants, potentially leading to friction, lack of cooperation, and integration challenges.
- **Lack of Public Sector Experience:** Lateral entrants may lack understanding of government procedures, protocols, and the complexities of public administration, affecting their effectiveness.
- **Potential for Bias:** The selection process for lateral entry could be perceived as biased or politically influenced, raising concerns about transparency and fairness.
- **Short-Term Focus:** Professionals entering laterally may focus on short-term goals rather than long-term public service commitments, potentially affecting the continuity and sustainability of policies.

Way Forward:

- To address the concerns associated with lateral entry, certain measures can be taken:
 - **Higher Scrutiny:** Appointments at the secretary level should be carefully monitored to ensure they influence policy decisions positively.
 - **Integration with Public Policy:** Even at operational levels like Joint Secretary, Director, and Deputy Secretary, lateral entrants should be in line with public policy objectives.

○ **Balancing Merit with Social Justice:**

Appointments should combine technical competence with considerations for reservation and social justice, as emphasized by political philosopher Michael Sandel.

Larger Issues in Indian Bureaucracy:

- **Challenges for Career Bureaucrats:** Despite criticisms of red-tapism and inefficiency, career bureaucrats operate in a complex environment bound by numerous rules and political interference.
- **Preserving Autonomy:** The effectiveness of bureaucrats depends on their autonomy, particularly regarding postings, tenures, and transfers. Strengthening Civil Service Boards at the Centre and State levels, as recommended by the Supreme Court in the T.S.R. Subramanian case (2013), is crucial.

Conclusion:

- While lateral entry brings certain benefits, it should not overshadow the need to address deeper issues within the Indian bureaucracy.
- A balanced approach that includes both career bureaucrats and lateral entrants, with a focus on merit, social justice, and autonomy, is essential for effective governance.

UPSC Mains PYQ : 2020

Ques : "Institutional quality is a crucial driver of economic performance". In this context suggest reforms in the Civil Service for strengthening democracy.

Award In News : National Awards to Teachers (NAT) 2024

- Recently, the Department of Higher Education, Union Ministry of Education selected 16 teachers in HEIs and Polytechnic for National Awards to Teachers (NAT) 2024.



About National Teachers' Award:

- The purpose of this award is to celebrate the unique contribution of some of the finest teachers in the country and to honor those teachers who through their commitment and industry have not only improved the quality of school education but also enriched the lives of their students.
- This award is conferred on the exemplary teachers/faculty members of higher education institutions and Polytechnics.
- **Eligibility:** The award is open to all the faculty members of colleges/universities/higher educational institutions/polytechnics in India. The candidates should satisfy the following conditions:
 - The nominee should be a regular faculty member.
 - He must have at least five years of full-time experience (undergraduate or postgraduate level).
 - The nominee should not be over 55 years of age as of the last date of receiving the application for the awards.
 - Vice-Chancellor/Director/Principal (regular or officiating) are not eligible to apply. However, individuals who were in such positions, but below 55 years of age and still in active service are eligible.
- The winners will receive a medal and a certificate worth Rs 50,000.

Moving the spotlight to grassroots democracy

The Election Commission of India (ECI), with its track record of conducting free and fair elections, and on time, to Parliament and State legislatures, has emerged as one of independent India's most credible institutions. Yet, there are 34 State Election Commissions (SECs) that need serious attention and strengthening.

Systemic disempowerment of SECs

The SECs were brought into existence by Articles 243K and 243ZA of the Constitution (introduced by the 73rd and 74th amendments in 1993), which vested them with the superintendence, direction, and control of the preparation of the electoral rolls for, and the conduct of, all elections to panchayats and urban local governments (ULGs). In reality, however, SECs are increasingly disempowered and, in certain cases, even in litigation with their State governments.

In a recent case, the Karnataka SEC filed a contempt petition against the Government of Karnataka for reneging on its commitment to the High Court in response to an earlier petition filed by the SEC to allow it to proceed with the delimitation of panchayat raj institutions and conduct elections (already delayed by over three and a half years). The Karnataka government had assured the High Court in December 2023 that it would publish the delimitation and reservation details within two weeks to enable the SEC to conduct elections. In another set of cases filed by the Andhra Pradesh SEC and several others in 2020, the Supreme Court struck down an ordinance of Andhra Pradesh, which hindered elections to the panchayat raj institutions.

Our analysis of the performance audits of the implementation of the 74th Constitutional (Amendment) Act by the Comptroller and Auditor General (CAG) of India across 18 States



Srikanth Viswanathan

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Empowering and reforming the State Election Commissions are crucial steps

shows that 1,560 out of 2,240 urban local governments (70%) did not have an elected council at the time of the CAG audit. The CAG, in its Karnataka report, observed that the disempowerment of SECs is, more often than not, the cause for delays in on time elections. Such delays undermine local governments and erode the trust of citizens in these important public institutions.

Janaagraha's Annual Survey of India's City Systems (ASICS), 2023 shows that only 11 out of 34 States and Union Territories have empowered SECs to conduct ward delimitation. These States and Union Territories (namely, the Andaman and Nicobar Islands, Arunachal Pradesh, Bihar, Dadra and Nagar Haveli, Daman and Diu, Gujarat, Himachal Pradesh, Jammu and Kashmir, Kerala, Ladakh, Maharashtra, and West Bengal) account for only 35% of India's population, as in the 2011 Census.

Electoral reforms to strengthen third tier

Regular and fair elections to local governments are non-negotiable for meaningful grass-roots democracy and ensuring effective first-mile service delivery in the cities and the villages of the country. The requirement to conduct elections before the expiry of the five-year term of elected local governments is a constitutional mandate and must be as sacrosanct as the elections to the Lok Sabha and Vidhan Sabhas. To ensure this, SECs must be fully empowered on all matters of local government elections, on a par with the Election Commission of India, as observed by the Supreme Court in *Kishan Singh Tomar vs Municipal Corporation of the City of Ahmedabad and Others* (2006). The following reforms are a must in order to bring about this change:

First, there is a need to bring SECs on a par

with the Election Commission of India in terms of transparency and independence in constitution and appointment. Notwithstanding the recent dilution in the case of the Election Commission of India, can we not aspire to a three-member SEC which is appointed by a committee that comprises the Chief Minister, Leader of Opposition in the Legislative Assembly (Vidhan Sabha), and the Chief Justice of the High Court? A State government-appointed SEC is just not working. The Union government should amend the 74th Constitutional (Amendment) Act in this context.

Second, the delimitation of ward boundaries and reservations of seats must be mandated only at fixed intervals, say once in 10 years. The absence of this check can lead to State governments acting arbitrarily, causing undue delays in elections to local governments.

Third, the powers of ward delimitation and reservation of seats for local governments must be vested in the SECs. Further, the SECs must be entrusted with reservations to the positions of mayors/presidents, deputy mayors/vice-presidents of the local governments, say once in 10 years, where applicable. Elections to these positions are delayed inordinately after local elections as State governments fail to publish the reservation roster to these positions on time.

Finally, malpractices by presiding officers appointed by the State governments have also emerged – an example is the election of the Mayor in the Chandigarh Municipal Corporation Council in 2024. SECs, therefore, should possibly be entrusted with the election of mayors, presidents, chairpersons, and standing committees.

The views expressed are personal

GS Paper 02 : Indian Polity – Constitutional Bodies

(UPSC CSE (M) GS-2 : 2017) To enhance the quality of democracy in India the Election Commission of India has proposed electoral reforms in 2016. What are the suggested reforms and how far are they significant to make democracy successful? (250 w/15m)

UPSC Mains Practice Question Discuss the challenges faced by State Election Commissions (SECs) in conducting timely local body elections in India. Suggest reforms to enhance their effectiveness and autonomy. (250 w /15 m)

Context :

- The article critiques the systemic disempowerment of State Election Commissions (SECs) in India, highlighting delays and legal disputes affecting local government elections.
- It calls for reforms to align SECs with the Election Commission of India in terms of independence, appointment, and authority to ensure timely and effective local elections.

Systemic disempowerment of State Election Commissions

- **State Election Commission:** The SECs were brought into existence by Articles 243K and 243ZA of the Constitution (introduced by the 73rd and 74th amendments in 1993).
- **Powers of State Election Commission :** The superintendence, direction, and control of the preparation of the electoral rolls for, and the conduct of, all elections to panchayats and urban local governments (ULGs).
- **Disempowered and litigation burden:** SECs are increasingly disempowered and, in certain cases, even in litigation with their State governments.

Current pertaining to State Election Commissions

- **State Elections to Panchayati Raj Institutions delayed:** The Karnataka SEC filed a contempt petition against the Government of Karnataka for reneging on its commitment to the High Court in response to an earlier petition filed by the SEC to allow it to proceed with the delimitation of panchayat raj institutions and conduct elections (already delayed by over three and a half years).
- **Conducting State Elections:** The Karnataka government had assured the High Court in December 2023 that it would publish the delimitation and reservation details within two weeks to enable the SEC to conduct elections.
- **Hindering Elections:** Cases filed by the Andhra Pradesh SEC and several others in 2020, the Supreme Court struck down an ordinance of Andhra Pradesh, which hindered elections to the panchayat raj institutions.

Performance Audits results

- **No elected council:** Audit of the implementation of the 74th Constitutional (Amendment) Act by the Comptroller and Auditor General (CAG) of India across 18 States shows that 1,560 out of 2,240 urban local governments (70%) did not have an elected council at the time of the CAG audit.
- **Delay and Disempowerment:** The CAG, in its Karnataka report, observed that the disempowerment of SECs is many times the cause for delays in on time elections which undermines local governments and erode the trust of citizens in these important public institutions.
- **Janaagraha's Annual Survey of India's City Systems (ASICS) 2023:** shows that only 11 out of 34 States and Union Territories have empowered SECs to conduct ward delimitation.
- **Few states are empowered:** These States and Union Territories (namely, the Andaman and Nicobar Islands, Arunachal Pradesh, Bihar, Dadra and Nagar Haveli, Daman and Diu, Gujarat, Himachal

Pradesh, Jammu and Kashmir, Kerala, Ladakh, Maharashtra, and West Bengal) account for only 35% of India's population, as in the 2011 Census.

The need for free and fair elections

- ➔ **Regular and fair elections to local governments:** are non-negotiable for meaningful grass-roots democracy and ensuring effective first-mile service delivery in the cities and the villages of the country.
- ➔ **Sacrosanct timeline to conduct elections:** The requirement to conduct elections before the expiry of the five-year term of elected local governments is a constitutional mandate and must be as sacrosanct as the elections to the Lok Sabha and Vidhan Sabhas.
- ➔ **SECs must be fully empowered:** on all matters of local government elections, on a par with the Election Commission of India, as observed by the Supreme Court in *Kishan Singh Tomar vs Municipal Corporation of the City of Ahmedabad and Others* (2006).

Electoral reforms to strengthen third tier

- ➔ **Transparency and Independence:** First, there is a need to bring SECs on a par with the Election Commission of India in terms of transparency and independence in constitution and appointment.
- ➔ **Reforms in selection committee:** We can aspire to a three-member SEC which is appointed by a committee that comprises the Chief Minister, Leader of Opposition in the Legislative Assembly (Vidhan Sabha), and the Chief Justice of the High Court rather than a State government-appointed SEC which is just not working by amending the 74th Constitutional (Amendment) Act.
- ➔ **Delimitation of ward boundaries and reservations of seats:** It must be mandated only at fixed intervals, say once in 10 years else it can cause undue delays in elections to local governments.
- ➔ **Vesting of powers to State election commission:** of ward delimitation and reservation of seats for local governments.
- ➔ **SEC must be empowered to reserve positions:** of mayors/presidents, deputy mayors/vice-presidents of the local governments, say once in 10 years, where applicable.
- ➔ **Timeline of Elections:** Elections to these positions are delayed inordinately after local elections as State governments fail to publish the reservation roster to these positions on time.
- ➔ **Addressing the malpractices by presiding officers appointed by the State governments:** an example is the election of the Mayor in the Chandigarh Municipal Corporation Council in 2024. SECs, should possibly be entrusted with the election of mayors, presidents, chairpersons, and standing committees.

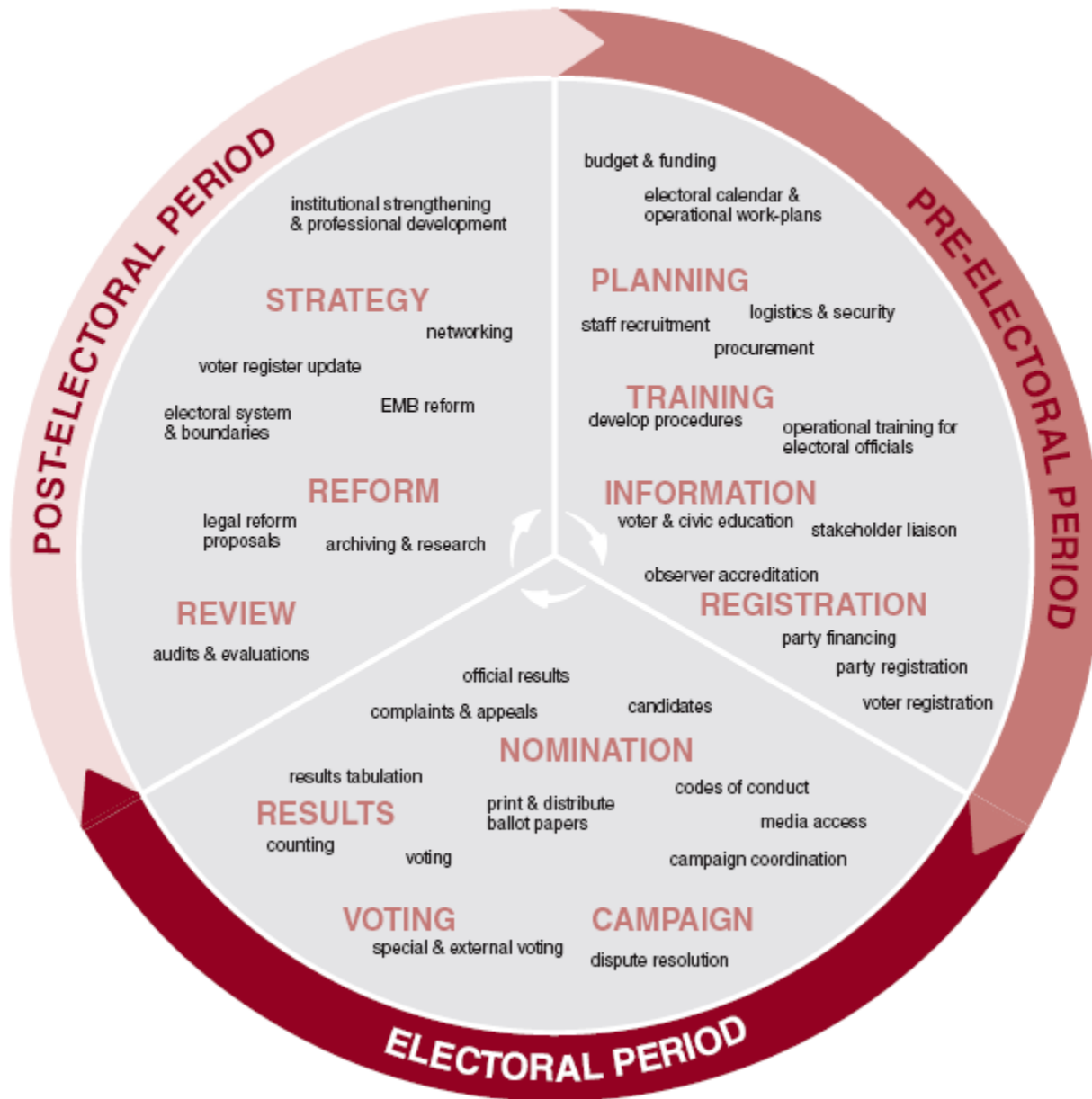
Conclusion

- ➔ For effective grassroots democracy and timely local elections, SECs need to be fully empowered, comparable to the ECI.
- ➔ Implementing these reforms will help address systemic issues and enhance the credibility and functionality of local governments in India.

State Election Commissions (SECs)

➤ The State Election Commission has been entrusted with the function of conducting free, fair and impartial elections to the local bodies in the state.

Electoral Cycle



➤ **Article 243K(1):** It states that the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the Panchayats (Municipalities under Article 243ZA) shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

➤ **Article 243K(2):** It states that the tenure and appointment will be directed as per the law made by the state legislature. However, State Election Commissioner shall not be removed from his/her office except in like manner and on the like grounds as a Judge of a High Court.



BIMSTEC

- The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is a regional multilateral organisation.

BIMSTEC



Bay of Bengal Initiative for Multi-Sectoral Technical & Economic Cooperation



Bangladesh



Sri Lanka



India



Nepal



Bhutan



Thailand



Myanmar

- Its members lie in the littoral and adjacent areas of the Bay of Bengal constituting a contiguous regional unity.
- Out of the 7 members,
 - Five are from South Asia –
 - Bangladesh
 - Bhutan
 - India

- Nepal

- Sri Lanka
 - Two are from Southeast Asia –
 - Myanmar
 - Thailand
- ➔ BIMSTEC not only connects South and Southeast Asia, but also the ecologies of the Great Himalayas and the Bay of Bengal.
- ➔ It mainly aims to create an enabling environment for rapid economic development; accelerate social progress; and promote collaboration on matters of common interest in the region.

Genesis of BIMSTEC

- ➔ This sub-regional organization came into being in 1997 through the Bangkok Declaration.
- ➔ Initially, it was formed with four Member States with the acronym 'BIST-EC' (Bangladesh, India, Sri-Lanka and Thailand Economic Cooperation).
- ➔ It became renamed 'BIMST-EC' in 1997, following the inclusion of Myanmar.
- ➔ With the admission of Nepal and Bhutan in 2004, the name of the grouping was changed to 'Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation' (BIMSTEC).

Main Objectives of BIMSTEC

- ➔ Creating an enabling environment for the rapid economic development of the sub-region.
- ➔ Encouraging the spirit of equality and partnership.
- ➔ Promoting active collaboration and mutual assistance in the areas of common interests of the member countries
- ➔ Accelerating support for each other in the fields of education, science, and technology, etc.

Principles of BIMSTEC

- ➔ Sovereign Equality
- ➔ Territorial Integrity
- ➔ Political Independence
- ➔ No-interference in Internal Affairs
- ➔ Peaceful Co- existence
- ➔ Mutual Benefit
- ➔ Constitute an addition to and not be a substitute for bilateral, regional or multilateral cooperation involving the Member States.

Potential of BIMSTEC

- Bridge between South and South East Asia and represents a reinforcement of relations among these countries.
- The Bay of Bengal region has the potential to become the epicentre of the Indo-Pacific idea, a place where the strategic interests of the major powers of East and South Asia intersect.
- Platform for intra-regional cooperation between SAARC and ASEAN members.
- Home to around 1.5 billion people that constitute around 22% of the global population and a combined Gross Domestic Product (GDP) of USD 3.8 trillion, BIMSTEC has emerged as an influential engine of economic growth.
- A fourth of the world's traded goods cross the bay every year.
- Important Connectivity Projects:
 - Kaladan Multimodal Project – links India and Myanmar.
 - Asian Trilateral Highway - connecting India and Thailand through Myanmar.
 - Bangladesh-Bhutan-India-Nepal (BBIN) Motor Vehicles Agreement - for seamless flow of passenger and cargo traffic.