

The Hindu Important News Articles & Editorial For UPSC CSE

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—It's about quality—

The Kerala High Court allowed victims of sexual harassment in the Malayalam film industry to file complaints with a nodal officer by January 31.

- These grievances will be forwarded to the SIT for investigation.
- Privacy safeguards and periodic SIT updates were mandated.

Hema panel report: HC expands nodal officer's mandate

The Hindu Bureau

KOCHI

The Kerala High Court said on Thursday that those who wanted to complain of sexual harassment in the Malayalam film industry and did not want to appear before the K. Hema Committee can file their grievances with the nodal officer before January 31.

It must, in turn, be forwarded to the Special Investigation Team (SIT) probing the case, the court said.

A Bench of Justice A.K. Jayasankaran Nambiar and Justice C.S. Sudha accepted a suggestion by senior advocate Gopal Sankaranarayanan, who proposed that the nodal officer's mandate be widened.

It would be desirable to extend the jurisdiction of the nodal officer so that

those who had not approached the committee can submit individual grievances regarding any exploitation or harassment or abuse they faced, the Bench said.

Care must be taken to safeguard the privacy of the complainants, the court said, and instructed the SIT to file periodic reports before the court on every posting date about the actions taken regarding the various complaints.

The next hearing of the case has been posted for January 16.

The government informed the court that the nodal officer is G. Poonguzhali, the AIG, Coastal Security, Kochi.

The officer's mobile number is 94979 96910; and email id is aigcoastal.pol@kerala.gov.in.

(With inputs from PTI)

Hema Committee Report:

- The Hema Committee Report, submitted in December 2019, addressed concerns of sexual harassment and gender discrimination in the Malayalam film industry. Here's a summary:
- **Committee:** Headed by retired Justice K. Hema, including actress Sharada and former IAS officer KB Vatsalakumari.
- **Findings:** Revealed widespread sexual harassment, wage gaps, and blacklisting of women.
- **Recommendations:** Suggested establishing a grievance redressal mechanism, implementing the POSH Act, and promoting gender sensitization.
- **Impact:** Highlighted systemic issues and initiated discussions on improving working conditions for women in the industry.
- Initially kept confidential, the report was released to the public in August 2024 after RTI requests and court orders.

The Spot-billed Pelican, a Near Threatened species under IUCN, is vital for understanding biodiversity, conservation, and wetland ecosystems.

Lunch time



Seasonal visit: A spot-billed pelican feeding its young one at the Uppalapadu Bird Sanctuary in Guntur district of Andhra Pradesh on Thursday. Thousands of these migratory birds visit the sanctuary every year to nest and breed. K.V.S. GIRI

Spot-billed Pelican:

- The Spot-billed Pelican (*Pelecanus philippensis*) is a large water bird native to South Asia.
- **Conservation status:** Near Threatened (IUCN), making it relevant to biodiversity and conservation topics.
- **Distribution:** Found in India, Sri Lanka, and parts of Southeast Asia, linking it to biogeography.
- **Habitat:** Inhabits large inland and coastal waters, especially shallow lakes. This connects to wetland ecosystems and their importance.

Daily News Analysis

- ➡ **Threats:** Habitat loss, degradation, and human disturbance are key factors endangering the species, highlighting environmental challenges.
- ➡ **Protection:** Covered under Schedule IV of the Wildlife (Protection) Act, 1972 in India, showcasing legal frameworks for wildlife conservation.
- ➡ **Importance:** Plays a role in the ecosystem as a predator, thus relevant to food chains and ecological balance.
- ➡ **Recent news:** Initiatives like the Spot-billed Pelican Conservation Breeding Programme in Cambodia can be linked to international conservation efforts.



India's National Medical Commission (NMC) faces criticism for excluding disability and queer rights in its curriculum, impacting marginalized communities.

- Globally, these issues remain underrepresented in health policies.
- Addressing inclusivity is crucial for equitable healthcare and human rights.

Disability and queer health in medical education — India under the lens

Bindu Shajan Perappadan

India's National Medical Commission's (NMC) alleged non-inclusion in its medical curriculum of disability and queer rights is at the forefront of a commentary piece *One step forward, two steps back: urgent priorities to embed disability and queer health in medical education systems* published online in *The Lancet Regional Health – Southeast Asia*.

The commentary also notes that on the global front, out of the 110 Lancet Commissions, aside from mental health and the Holocaust, there is no dedicated commission for disability or the queer community.

In India, the mandatory inclusion of disability rights as disability competencies in India's new medical curriculum in 2019 was highlighted as one of the 17 lighthouse initiatives by UN India during the SDG mid-point review.

Hampers human rights

Explaining why exclusion will continue to hamper human rights one of the authors of the commentary, Satendra Singh from the Department of Physiology, University College of Medical Sciences & GTB Hospital, University of Delhi, said



A protest on 'International Day of Persons with Disabilities', in Kolkata. ANI

Lancet Commissions are science-led, international, and multidisciplinary collaborations aimed at achieving transformational change, with a particular focus on policy and political action. "Their evidence-based recommendations provide critical data to influence policymakers in revising health policies. Currently, there are 1.2 billion young people aged 15 to 24 years, accounting for 16% of the global population. A similar proportion (16%) of people globally experience disability, with more individuals joining this group every year," said Dr. Singh.

India has among the highest number of road accident fatalities worldwide (as of 2022); additionally, it is recognised as the "diabetes capital of the world," where complications such as gangrene, limb loss, and ocular conditions contribute to disability.

Also historically, both the disability and transgender communities have experienced mistrust to-

ward the medical establishment, said Dr. Singh, adding that these two groups share similar vulnerabilities, which contribute to health inequities and undermine the Agenda 2030 goal of "leaving no one behind." He stated that things will only change when voices from these two communities are part of these Lancet Commissions.

India has the highest number of medical colleges in the world, producing future doctors and medical professionals. "Many of these graduates also represent the largest group of international medical professionals working in the USA and Canada. A compassionate medical graduate, well-versed in the health inequities faced by vulnerable groups, can play a crucial role in dismantling long-standing structural and attitudinal barriers," they explain.

Educating future medics

Co-author of the commentary Rohin Bhatt, who is also a human rights lawyer, argues that both of these groups have been marginalised in healthcare settings. "They have borne the brunt of discrimination and marginalisation in healthcare settings. So, when the doctors of tomorrow are educated, it is essential that they do not repeat the mistakes of their predecessors and ensure that disabled and queer patients are not deprived of the right to advocate for

themselves, but also so that the doctors see these patients not as a collective of symptoms but as full humans in their own right," he said.

The paper adds that it is important to recognise that amidst a variety of factors that perpetuate inequality, non-inclusive language warrants attention.

"Prioritising inclusive language – clear, consistent, and respectful – recognises diversity. It shouldn't be left to minorities to advocate for this but should be everyone's responsibility, especially policymakers," said the paper.

In India, the National Medical Commission in its preamble emphasises improving access to quality, affordable medical education, promoting equitable healthcare, encouraging community health perspectives, and enforcing high ethical standards in medical services that are flexible.

"The circumstances in India are, however, not just a dereliction of the duty of the NMC but also, arguably, an action that is ultra vires the parent legislation and thus, ex facie illegal," states the paper.



For feedback and suggestions

for 'Science', please write to **science@thehindu.co.in** with the subject 'Daily page'

Exclusion of Disability and Queer Rights in Medical Curriculum

- ➡ India's National Medical Commission (NMC) has been criticized for allegedly not including disability and queer rights in its medical curriculum.
- ➡ A commentary published in The Lancet Regional Health – Southeast Asia highlights the need to integrate these rights into medical education.

Impact on Human Rights and Health Policies

- ➡ Exclusion from medical education hampers human rights and undermines the Agenda 2030 goal of "leaving no one behind."
- ➡ Globally, 16% of the population experiences disability, with this number increasing annually.
- ➡ India's high road accident fatalities and status as the "diabetes capital of the world" contribute significantly to disability rates.

Vulnerabilities of Marginalized Communities

- ➡ Both disability and transgender communities in India share vulnerabilities, including mistrust toward the medical establishment.
- ➡ These groups face health inequities and require representation in medical policy frameworks.

Role of Medical Education

- ➡ India produces the highest number of medical graduates globally, many of whom work internationally.
- ➡ Training compassionate and inclusive medical professionals is vital to addressing structural and attitudinal barriers in healthcare.

Language and Inclusivity in Healthcare

- ➡ Non-inclusive language perpetuates inequality and warrants urgent attention.
- ➡ Policymakers and the medical community should prioritize clear, consistent, and respectful language.

NMC's Responsibility and Legal Concerns

- ➡ The NMC emphasizes equitable healthcare and ethical medical standards.
- ➡ Its alleged omission of disability and queer rights is considered a failure of duty and potentially illegal under parent legislation.

National Medical Commission (NMC)

- The National Medical Commission (NMC) is a statutory body in India that regulates medical education and professionals.
- **Here's some key info:**
 - **Established:** September 25, 2020, replacing the Medical Council of India (MCI).
 - **Purpose:** To improve medical education quality, ensure adequate medical professionals, and promote accessible healthcare.
 - **Responsibilities:** Grants recognition to medical qualifications. Accredits medical schools. Registers medical practitioners. Monitors medical practice and infrastructure.
 - **Governance:** Operates through four autonomous boards overseeing undergraduate and postgraduate medical education, medical assessment and rating, and ethics and medical registration.
 - **Focus:** Emphasizes outcome-based regulation and accreditation, along with promoting digital healthcare initiatives.

The political crisis in South Korea revolves around the impeachment of President Yoon Suk Yeol by the National Assembly on December 14, 2024.

The political crisis in South Korea

Yoon Suk Yeol's presidency reached a breaking point with his controversial declaration of martial law on December 3, which was overturned by the National Assembly; his impeachment by the Assembly on December 14 has now set the stage for a prolonged legal battle in South Korea's Constitutional court

WORLD INSIGHT

Sandip Kumar Mishra

Nine days after coming to power, Democratic Party president Moon Jae-in appointed a new Chief of the Seoul Central District Prosecutors' Office on May 19, 2017. The new Chief was able to indict two former Presidents belonging to the main conservative party in South Korea – Lee Myung-bak and Park Geun-hye. Mr. Moon and his party were impressed and in June 2019, the protagonist was appointed the Prosecutor General of South Korea. The Prosecutor General was Yoon Suk Yeol, who later became the President of South Korea and is now a key figure in the current political crisis, having been impeached by the National Assembly on December 14, 2024.

How it started

Mr. Yoon was playing a key role in the Moon Jae-in administration, but it was announced on August 9, 2019, that Cho Kuk would be the next Justice Minister. Mr. Cho had studied at the same university as Mr. Yoon, with Mr. Yoon being a few years his senior. After learning of Mr. Cho's nomination, Mr. Yoon reportedly approached President Moon expressing his disapproval. Mr. Moon, however, appointed Mr. Cho on September 9, 2019.

Mr. Yoon used his Prosecutor office to reveal several corruption charges against Mr. Cho. Allegations against him included that he plagiarised his writings, that an institute run by his family evaded taxes, and his family involved in illicit business activities, his daughter submitted false documents related to academic achievements. His wife was charged and later sent to jail for four years. All this led to huge protests by conservative party supporters demanding Mr. Cho's removal. Finally, he resigned after just 35 days in office.

The incident led to a contest between the Moon Jae-in administration and Mr. Yoon. Mr. Moon avoided taking any undemocratic means to remove Mr. Yoon from his post, but subsequent Justice Ministers under his administration tried to settle scores with Mr. Yoon. On November 24, 2020, Justice Minister Cho Mi-ae suspended Mr. Yoon, accusing him of ethical violations and interference in key investigations. However, Mr. Yoon challenged the suspension in court and was reinstated.

Interestingly, Mr. Yoon, who was considered close to the Democratic Party and instrumental in the indictment of two conservative Presidents, became a hero among conservative party supporters.

In various opinion surveys, Mr. Yoon had the highest popularity among all the existing conservative leaders, and suggestions became strong that if he became the conservative party's presidential candidate, he might be victorious. Conservative supporters were very hurt by two of their former Presidents in jail – one of them Ms. Park, who was the eldest daughter of Park Chung-hee whom the conservatives adore as a major Korean leader. The conservative supporters thought Mr. Yoon would be the right leader to teach Moon Jae-in and his peers in the Democratic Party a lesson.

Mr. Yoon grabbed this opportunity and resigned from the position of Prosecutor General on March 4, 2021, and announced his presidential candidacy in June 2021. He officially joined the conservative People Power Party (PPP) in July 2021. Despite making several political blunders, careless and controversial



Fight on: A protester, wearing a mask of impeached Yoon Suk Yeol, performs in a mock prison during a demonstration calling for Yoon's ouster in Seoul, on Thursday, AFP

remarks, and lacking political experience, Mr. Yoon was selected as the PPP's presidential candidate in November 2021. He had a difficult battle against the Democratic Party's Lee Jae-myung but defeated him in the March 2022 presidential elections by a margin of less than one per cent.

Two Koreas in South Korea

Over the years, the divide between conservatives and liberals in South Korea has become very sharp. Generally, conservative party supporters tend to be older, less educated, wealthy businessmen, and residents of Gyeongsang North, Gyeongsang South, and Gangwon provinces. Young, more educated, middle-class, people coming from Jeolla North and Jeolla South Provinces are more inclined towards the liberal party. In a way, the division is not only ideological but also generational and regional. In recent years, young males in South Korea have also moved towards conservative parties, as they feel that ultra-feminism has ruined traditional gender and social relations. For the conservatives, authoritarian leader Mr. Park Chung-hee who is considered to be the main architect of South Korea's economic development is the source of inspiration and, for the liberals, Kim Dae-jung and Roh Moo-hyun are the leaders who brought democratisation to the country. Conservatives are typically pro-American, more accommodating towards Japan, and confrontational towards North Korea. Liberals, on the other hand, advocate for greater autonomy in South Korea's foreign policy (while maintaining the U.S. alliance), are critical of Japan's rising assertiveness, favour engagement with North Korea, and seek better relations with China.

The divide has been further accentuated by the prevalence of social media. In the tenures of the last five Presidents, there have always been street protests, affecting the smooth running of the country. Polarisation between the two groups has led to vendetta politics, where each new administration seeks to implicate and punish its predecessors on charges of corruption or illegality. It has led to a situation that all the previous Presidents of South Korea belonging from both conservative and liberal parties have been either exiled (Syngman Rhee), killed (Park Chung-hee), had jail sentences (Chun Do-hwan, Roh Moo-hyun, Lee Myung-bak and Park Geun-hye), charged for corruption (Kim Dae-jung and Moon Jae-in) or committed suicide (Roh Moo-hyun).

Presidency under Yoon

In March 2022, Mr. Yoon was elected as the President of South Korea. However,

his popularity ratings were very low, hovering around 20%-30%. His inexperience and incompetence in politics became evident early in his tenure. Rather than working on South Korean domestic and foreign policies in a deft, nuanced manner, he started using broad strokes. Most acts and policies were announced as 'big moves'.

For example, he tried to reach out to Japan despite the popular mood in South Korea not favouring it and Japan not making any concessions. He did not oppose Japan releasing the Fukushima nuclear power plant water into the sea, a decision disapproved by over 70% of South Koreans. He attended the annual summit meeting of NATO which was the first time by any South Korean leader. He visited Ukraine and indirectly supported it. He announced an Indo-Pacific strategy and opted for a tit-for-tat policy towards North Korea. All these 'bold moves' were not only disliked by liberals but also by most of the Korean people, especially those who believe that South Korea is a middle power and should not get into great power politics. His foreign policies strained relations with Russia and China while allowing North Korea to strengthen its ties with both nations.

In another 'bold move', he announced the doubling of seats for medical students, which were frozen for more than a decade. His approach to targeting Opposition leaders, combined with the heavy-handed use of prosecutors and police, further deepened public unease. Meanwhile, the South Korean economy, which was already facing problems in the post-COVID phase, was negatively affected. Moreover, his wife's conduct and allegations of several corruption matters, including the 'Dior bag scandal', made him more unpopular.

This led to the growing unpopularity of Mr. Yoon and his party PPP. In the National Assembly elections in April 2024, six Opposition parties secured 192 seats out of 300 seats, which led to a huge problem of governance under Mr. Yoon. The Opposition started asserting against the President's policies, his appointments of close friends to important positions in government, and demanded a special probe on charges against his wife.

What lies ahead

Mr. Yoon had no experience in dealing with political contests, and the Opposition's aggressive approach in the National Assembly after April 2024 left him frustrated. In desperation, he decided to declare emergency martial law on December 3, 2024, at 10:24 p.m., despite reported opposition from most of his Ministers. Mr. Yoon, along with the Defence Minister, sent the military and police to various places including the

National Assembly. He was in constant touch with them and ordered them to arrest several political leaders. He also reportedly ordered that members should not be allowed to enter into the National Assembly.

However, military and police officials moved reluctantly and they were not willing or able to stop a large number of people gathering in front of the National Assembly. National Assembly members voted 190-0 against martial law by midnight. As per the South Korean constitution, a simple majority in the 300-member House may repeal martial law and the President has no choice but to comply. Finally, at the dawn of December 4, Mr. Yoon announced the withdrawal of martial law.

On December 5, an impeachment motion was brought in the National Assembly and put up for vote on December 7 evening.

Meanwhile, the ruling PPP was in fix on how to respond to this crisis. If it supported the impeachment motion, they would lose the support of hardcore conservatives, a substantial set of the electorate, and if they opposed it, they would lose face to the rest of the Koreans.

So even though most of the conservative leaders expressed opinions against martial law, they refrained from supporting the impeachment motion. The PPP decided not to take part in the voting and the motion could not get passed. As impeachment requires the support of 200 out of 300 Assembly members, the motion failed with only three PPP members voting in favour.

The Opposition decided to bring another impeachment motion, which was voted on December 14. Mr. Yoon declared to be impeached by 204 votes in favour of the motion in the National Assembly. Mr. Yoon still stubbornly says that he would fight it out in the Constitutional court of South Korea and refused to resign.

The Constitutional court could deliberate on the impeachment for many months. Of the court's nine seats, three are currently vacant, and a minimum of six affirmative votes is required to validate the impeachment. It means all present judges must agree with the motion and Mr. Yoon is aware that four of the six judges reportedly have conservative leanings, and one was appointed by him. Although popular pressure would be high on judges, Mr. Yoon still hopes for his survival.

Meanwhile, delaying tactics would mean that the leader of the main Opposition party, Mr. Lee, may get a jail sentence as the case against him for corruption charges is scheduled to be decided by February-March next year. Mr. Cho, who launched a political party and won 18 seats in the National Assembly, was given a two year jail sentence by the Supreme Court on December 12 and the Opposition thinks that if Mr. Lee also falls, it would be less advantageous for the Democratic Party in the next Presidential election.

The political crisis in South Korea may get over in a few months. However, it has laid bare the immaturity of its political leaders and parties and the weakness of its democratic institutions. The ray of hope comes from the South Korean people, who, while divided in two opposite camps seem to agree that the present represents an existential crisis for its democracy. If the political crisis does not get resolved and democratic institutions are not strengthened, the implications on South Korea's image could be severe.

Sandip Kumar Mishra is Professor, Centre for East Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi

THE GIST

Yoon Suk Yeol, a former Prosecutor General, became South Korea's President in 2022 despite limited political experience. His tenure was marked by controversial policies, strained foreign relations, and deepened public dissatisfaction.

Facing mounting opposition and governance challenges, Yoon declared martial law on December 3, 2024, which was swiftly repealed by the National Assembly. This move enraged the public and intensified calls for his impeachment.

Although an initial impeachment motion failed due to the ruling PPP's abstention, a second motion on December 14 succeeded with 204 votes. Yoon has refused to resign and plans to challenge the decision in the Constitutional court, where his fate remains uncertain.

Daily News Analysis

- Yoon, once a prosecutor admired for tackling corruption, faced criticism for authoritarian actions, including an attempted martial law.
- This turmoil highlights South Korea's deep political polarization and fragile democratic institutions.
- 20 December 2024: Daily Current Affairs – India's National Medical Commission (Nmc) Faces Criticism For Excluding Disability And Queer Health From Its Medical Curriculum. This Omission Undermines Equitable Healthcare And Human Rights, Impacting Marginalized Communities.

Background

- The crisis involves President Yoon Suk Yeol, elected in 2022, who faced impeachment on December 14, 2024, due to declining popularity and alleged misuse of power.
- Political polarization between conservatives and liberals has worsened over the years, deeply dividing South Korean society.

Key Events Leading to the Crisis

- **Appointment Controversy:** Yoon, initially close to the Democratic Party, opposed Justice Minister Cho Guk's appointment, leading to a public fallout.
- **Shift in Alliances:** Once seen as a liberal ally, Yoon joined the conservative People Power Party (PPP) and became its Presidential candidate.
- **Contentious Presidency:** Yoon's bold yet unpopular policies, including Japan outreach and the doubling of medical seats, alienated many citizens.

Impeachment and Martial Law

- **Martial Law Declaration:** On December 3, 2024, Yoon declared martial law, arresting Opposition leaders, which was repealed by the National Assembly within hours.



Daily News Analysis

- **Impeachment:** On December 14, 2024, the National Assembly impeached Yoon with 204 votes, sending the matter to the Constitutional Court.

Implications

- The crisis exposes weaknesses in South Korea's political and democratic institutions.
- Public discontent highlights a broader existential challenge for South Korean democracy.

South Korea's Political System

- **Republic with a presidential system:** The President is the head of state and government.
- **Unitary state:** Central government holds primary authority.
- **Three branches of government:** Executive, legislative, and judicial.
- **Executive branch:** Led by the President, who appoints the Prime Minister and Cabinet.
- **Legislative branch:** Unicameral National Assembly (Gukhoe) with 300 members.
- **Judicial branch:** Independent, with a Supreme Court and Constitutional Court.
- **Multi-party system:** Two major parties dominate: the liberal Democratic Party and the conservative People Power Party.
- **Elections:** President serves a single five-year term; National Assembly members serve four-year terms. Universal suffrage for citizens 18 years and older.
- **Constitutional democracy:** Guarantees individual freedoms and rights.

In News : Protected Area Regime in 3 Northeastern states

The Union Home Ministry has reimposed the Protected Area Regime (PAR) in Manipur, Mizoram, and Nagaland due to rising security concerns over foreign influx from neighboring countries.

- ➡ The decision highlights the government's renewed focus on monitoring foreign movements and addressing security issues in these sensitive regions.



Centre reimposes PAP in Manipur, Mizoram and Nagaland

What is the Protected Area Regime?

- ➡ The PAR is a set of regulations established under the Foreigners (Protected Areas) Order, 1958, which is aimed at regulating foreign visitors to areas that are considered strategically important or vulnerable to external threats, particularly in the northeastern states and other border regions of India.

Key Features of the PAR:

- ➡ **Restricted Access:** Foreigners are not allowed to visit areas under the PAR without prior government approval.
- ➡ To enter these areas, they must apply for and obtain a Protected Area Permit (PAP), which allows authorities to monitor the movement of foreign nationals in sensitive regions.
- ➡ The areas covered by the PAR are deemed sensitive due to their proximity to international borders or because of ethnic tensions, insurgency, or political instability.

Relaxations and Reimposition:

- ➡ In the past, there have been temporary relaxations to encourage tourism in some regions, like in Manipur, Mizoram, and Nagaland, where the PAR was relaxed in 2010 for promoting tourism.

➔ However, such relaxations were reversed when security concerns arose, as seen with the recent reimposition of the PAR in these states.

Page : 09 Editorial Analysis

Should legislatures in India have fixed tenures?



P.D.T. Achary

Former Secretary General of the Lok Sabha



M.R. Madhavan

Co-founder and president of the PRS Legislative Research

PARLEY

The Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, introduced in the Lok Sabha on December 17, 2024, mandates a fixed five-year term for the Lok Sabha, with State Legislature elections aligned to this cycle. If the Lok Sabha or any State Assembly is dissolved before completing its full term, mid-term elections will be held only for the remainder of the five-year term. Should legislatures in India have fixed tenures? P.D.T. Achary and M.R. Madhavan discuss the question in a conversation moderated by Aaratrika Bhaumik. Edited excerpts:

Do fixed legislative tenures promote better governance by reducing the disruptions of frequent elections?

P.D.T. Achary: It is worth questioning whether this Bill and the proposal for simultaneous polls are necessary at all. The claim that such a system will reduce electoral expenditure lacks credibility. A portion of the expenditure is allocated by the Election Commission and State governments through budgetary provisions from the Centre and the States. However, the majority of election spending is incurred by political parties. Even if some costs are saved, it is improbable that political parties would redirect these funds towards development or infrastructure projects. More importantly, frequent elections enhance political accountability, compelling representatives to regularly engage with the electorate.

M.R. Madhavan: This Bill does not propose a fixed term for legislatures, as it allows for mid-term elections. It ensures accountability to the legislature, in line with the core tenet of the parliamentary system. By permitting mid-term elections, the Bill is also in conformity with the basic structure of the Constitution. The key change, however, is that in the event of a mid-term election, the term of the newly elected legislature will be shorter than five years. Whether this improves governance is uncertain. However, it does not provide the same stability as the U.S. presidential system, for instance, where the incumbent President can only be removed through impeachment.

Does aligning the tenure of State Assemblies with that of the Lok Sabha compromise federalism and pose a threat to political plurality?

MRM: I find the Bill symmetrical since it also aligns the tenure of Parliament with that of



The winter session of the Parliament, in New Delhi, ANI

State Assemblies. For instance, if the Central government collapses after three years, fresh elections will be conducted for the Lok Sabha, and the newly elected legislative body will serve only a reduced term of two years. Therefore, I don't think State Assemblies are being aligned with Parliament. Rather, the Bill standardises the timing of all elections to a common date. I do not see any threat to federalism in this approach.

The argument that simultaneous polls would drive voters to select the same party for both the Centre and the State Assembly is flawed, as it underestimates the electorate's intelligence. Historical examples, such as the 2014 elections in Delhi, demonstrate that voters can and do make distinct choices. Despite the BJP's overwhelming victory at the Centre, voters elected the AAP in the State Assembly, despite both polls being held within six months of each other.

PDTA: For the first time, this Bill seeks to make the tenure of State Assemblies contingent upon that of Parliament. For instance, if Parliament completes its full term while a State Assembly is only in its second year, the Assembly would be prematurely dissolved, with elections held concurrently with Parliament. This approach undermines the principles of federalism. Under the existing constitutional framework, State Assemblies function as autonomous legislative bodies. This Bill seeks to alter their independent tenure, a crucial attribute of the federal structure.

Could such a system discourage attempts to destabilise governments and curb practices like horse-trading?

PDTA: This is a novel proposal, and it is difficult to predict whether such a system can



Under the existing constitutional framework, State Assemblies function as autonomous legislative bodies. This Bill seeks to alter their independent tenure, a crucial attribute of the federal structure

P.D.T. ACHARY

effectively deter these practices at this stage. However, a greater concern lies in the potential erosion of India's identity as a federal republic, which is rooted in the autonomy of its legislative bodies.

MRM: My understanding of the Bill is that it aligns the tenure of State Assemblies with Parliament for the first time. However, after a few electoral cycles, if a mid-term election occurs for Parliament, State Assemblies will continue and will not be dissolved.

Recent large-scale defections in Madhya Pradesh and Karnataka, where MLAs resigned or were disqualified, triggered by-elections. However, I doubt the Bill will curb such practices. A more significant concern is the dissolution of the House. If a government falls after three and a half years, mid-term elections will be necessary, taking an additional 4-6 months. This would result in a Lok Sabha with a tenure of one year or less, which I believe is undesirable.

Does the Bill adequately account for political exigencies? For instance, if the ruling party splits but the breakaway faction refuses to side with the Opposition.

MRM: I believe the Bill effectively addresses such contingencies. For instance, the 2013 Delhi and 2005 Bihar legislative Assembly elections resulted in hung Assemblies. In Delhi, the Congress, AAP, and BJP were unable to arrive at a consensus and form the government. The Bill resolves such deadlocks by allowing fresh elections to take place. The only difference is that the newly elected legislature will serve a reduced tenure rather than the full five years.

PDTA: The Constitution prescribes a five-year term for State Assemblies and the Lok Sabha but allows for their dissolution to address political exigencies. This flexibility reflects a pragmatic approach to governance. While fixed legislative tenures provide stability, the option to dissolve legislatures is crucial for addressing political instability. For instance, State governments have often dissolved Assemblies

to seek a fresh and decisive mandate through mid-term elections – a contingency the Bill fails to adequately address.

Could the German model of a constructive vote of no-confidence help resolve political stalemates?

PDTA: Such a proposal was rejected by the high-level committee led by former President Ram Nath Kovind. It has also been deliberated upon previously, but I doubt its adoption is feasible in India.

MRM: I don't think it is a viable option given our system. In most instances, when a ruling government loses a no-confidence motion, no alternative government commands a majority in the House. This could lead to a situation where the incumbent government remains in power but lacks the majority needed to pass essential bills or the budget.

The U.K.'s Fixed-term Parliaments Act of 2011, repealed in 2022, was criticised for triggering constitutional crises and policy paralysis. Are there lessons for India?

MRM: The Bill is being misunderstood as proposing fixed legislative tenures when it only introduces a "maximum term". This is different from the system that existed in the U.K., where a newly elected legislature would complete its full five-year term, even if mid-term elections were to be held. In contrast, under the system proposed by the Bill, if the government loses the confidence of the legislative majority, mid-term elections will be called, and the newly elected legislature will then serve a truncated tenure.

PDTA: In a country like ours, political instability is a real possibility, especially at the State level. While Parliament will continue to have its five-year tenure, States may encounter situations that necessitate mid-term elections, resulting in shorter tenures for State legislatures. I firmly believe that, despite its flaws, the current system should be preserved. The proposal for simultaneous elections risks creating unnecessary turmoil, and there is no compelling reason to pursue it at this juncture. The government should instead focus on tackling more pressing challenges that affect the people.



To listen to the full interview
Scan the code or go to the link
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GS Paper 02 : Indian Polity

PYQ: (UPSC CSE (M) GS-2 2017): 'Simultaneous election to the Lok Sabha and the State Assemblies will limit the amount of Sme and money spent in electioneering but it will reduce the government's accountability to the people.' Discuss. (150 words/10m)

UPSC Mains Practice Question: The proposal for simultaneous elections under the Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, seeks to address electoral disruptions but raises concerns about federalism and political accountability. Critically analyze the implications of fixed legislative tenures on governance and federal structure in India. (250 Words /15 marks)

Context :

- The Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, proposes aligning the tenures of the Lok Sabha and State Assemblies to a fixed five-year term.
- It aims to streamline elections and reduce costs while preserving mid-term polls for dissolved legislatures.
- The Bill raises concerns about federalism and legislative autonomy.

Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024

Key Provisions of the Bill

- The Bill mandates a fixed five-year term for the Lok Sabha, with elections for State Legislatures aligned to this cycle.
- If the Lok Sabha or any State Assembly is dissolved prematurely, mid-term elections will be held for the remainder of the five-year term rather than resetting the tenure.

Impact on Governance and Electoral Expenditure

- The proposed system is claimed to reduce electoral expenses, but a significant portion of spending comes from political parties, not just government budgets.
- Frequent elections ensure political accountability, compelling representatives to engage with the electorate more regularly.
- The Bill permits mid-term elections but limits the new legislature's term to the remaining tenure, introducing a new dynamic in governance.

Federalism and Political Plurality

Daily News Analysis

- Aligning the tenure of State Assemblies with the Lok Sabha is perceived as a threat to federalism, as it compromises the independent functioning of State legislatures.
- Critics argue that State Assemblies' autonomy could be undermined if they are prematurely dissolved to align with parliamentary elections.
- Historical evidence demonstrates that voters can distinguish between Central and State elections, preserving political plurality.

Addressing Political Stability and Horse-Trading

- The system might deter destabilizing practices like horse-trading but is not guaranteed to eliminate such occurrences.
- Instances of defections or political instability, such as those witnessed in certain States, indicate the potential for continued challenges under the proposed framework.
- Concerns remain about the implications of shorter tenures if governments collapse prematurely.

Managing Political Exigencies and Deadlocks

- The Bill allows for mid-term elections in cases of political deadlocks, such as hung Assemblies, ensuring continuity through reduced tenure legislatures.
- While it introduces stability through fixed terms, the flexibility to dissolve legislatures remains essential for addressing political instability effectively.

Lessons from International Examples

- Comparisons with systems like the K.'s Fixed-term Parliaments Act of 2011, which was repealed due to inefficiencies, highlight potential risks of fixed legislative terms.
- Unlike the U.K.'s system, the proposed Bill retains the option for mid-term elections, avoiding full five-year terms for prematurely elected legislatures.

Concerns Over Implementation

- Political instability at the State level could lead to frequent mid-term elections, disrupting governance.
- The current system allows for greater autonomy and flexibility, which proponents argue should be preserved to address the complexities of India's federal structure.
- Simultaneous elections might create administrative and political turmoil, diverting attention from more pressing challenges affecting the population.

Conclusion

- The proposal seeks to streamline electoral processes and introduce stability but raises significant concerns about its impact on federalism, governance, and political accountability.
- While it may reduce disruptions caused by frequent elections, it risks undermining the existing framework that ensures the autonomy and flexibility of India's legislative bodies.