

The Hindu Important News Articles & Editorial For UPSC CSE

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—It's about quality—

A high-level delegation of 22 out of 27 European Commissioners, led by European Commission (EC) President Ursula von der Leyen, visited New Delhi for a two-day visit.

EU team begins crucial visit; activist points to rights issues

Leading the delegation, European Commission chief says India is a trusted friend, strategic ally; sources indicate that Indian side is ready with its arguments in case Manipur situation is raised

Kallol Bhattacharjee
NEW DELHI

Europe needs “trusted friends” to deal with the era of conflicts, European Commission President Ursula von der Leyen said on Thursday as she led a European Union delegation for a two-day visit to India. During the day, she met External Affairs Minister S. Jaishankar for talks.

The visit is being watched keenly as it comes against the backdrop of the U.S. and Russia holding peace talks over the war in Ukraine and the unfolding situation in neighbouring Bangladesh where the EU has been playing a crucial role in ensuring democracy.

“In an era of conflicts and intense competition, you need trusted friends. For Europe, India is such a friend and a strategic ally. I’ll discuss with Prime Minister Narendra Modi how to take our strategic partnership to the next level,” said Ms. von der Leyen. The visit acquires a human rights focus because of remarks made by a leading human rights activist from Europe.

Soon after Ms. von der Leyen’s arrival in India, Claudio Francavilla, Asso-



Key dialogue: European Commission President Ursula von der Leyen offers tributes to Gandhiji in New Delhi on Thursday. The high-level European Union delegation is on a two-day visit to the country. AP

ciate EU Director at the Human Rights Watch, prodded her to take up the human rights situation in India. “In a recent hearing on India, MEPs from across the political spectrum reiterated their call for a more vocal EU approach to Modi’s crackdown on dissent and minorities. Will @vonderleyen & Commissioners finally comply, or persevere in harmful silence?” asked Mr. Francavilla. The human rights issues raised by Mr. Francavilla has brought back recent re-

marks of the EU regarding the situation in Manipur where ethnic conflict has been raging for 17 months.

In July 2023, the European Parliament had called upon India to end the clashes in Manipur, which often took sectarian and communal dimensions involving Meitei and Kuki-Zo communities of the State. India had hit back strongly at that time and condemned the EU’s remarks as interference into India’s domestic affairs.

Sources hinted that the

Indian side has their arguments ready in case the EU team raises the situation on Manipur during the discussions. “We have already said that Manipur is our internal matter and that is going to be our position this time too in case they bring it up,” said a source privy to the bilateral talks.

The rights situation of Bangladesh and the condition of the religious and ethnic minorities in that country is also a matter that is expected to come up during the interactions.

- This visit, the first of its kind, underscores the deepening engagement between India and the European Union (EU) across multiple sectors, including trade, technology, green energy, and defence.
- The visit coincided with meetings of the India-EU Trade and Technology Council (TTC), bilateral discussions between Indian ministers and EU Commissioners, and a leaders' summit, all aimed at fostering greater cooperation and investments.

A Longstanding Partnership

- India established diplomatic ties with the European Economic Community (EEC)—the forerunner to the EU—in 1962.
- Over the decades, relations have expanded significantly, with key milestones including:
 - **1993:** Signing of the Joint Political Statement.
 - **1994:** Establishment of the Cooperation Agreement.
 - **2000:** The first India-EU Summit in Lisbon.
 - **2004:** Upgrading relations to a Strategic Partnership.
 - **2020:** Adoption of the India-EU Strategic Partnership Roadmap to 2025.
- Prime Minister Narendra Modi and EC President Ursula von der Leyen have met multiple times, strengthening diplomatic engagements.
- Their discussions have spanned topics like climate action, global trade, and regional security.

Key Areas of India-EU Cooperation

- **Trade and Investments**
 - India and the EU have been negotiating a Free Trade Agreement (FTA) for over 15 years, with discussions resuming in 2021.
 - The EU remains India's largest trading partner in goods, with trade increasing by 90% over the past decade.
- **Key trade statistics (FY 2023-24):**
 - **Bilateral trade in goods:** \$135 billion (Indian exports: \$76 billion; imports: \$59 billion).
 - **Bilateral trade in services:** \$53 billion (Indian exports: \$30 billion; imports: \$23 billion).
 - **EU's FDI in India (2000-2024):** \$117.4 billion (16.6% of total FDI equity inflows).
 - **Indian FDI in the EU (2000-2024):** \$40.04 billion.
 - The FTA aims to reduce tariffs, boost investments, and strengthen trade ties between the two economic powerhouses.
- **Technology and Digital Cooperation**

- India and the EU are collaborating on emerging technologies, especially in response to China's rapid advancements in digital infrastructure.
- The India-EU TTC, launched in 2022, focuses on:
 - Digital and Strategic Technologies
 - Clean and Green Technologies

➡ **Trade, Investments, and Resilient Supply Chains**

- ➡ **Semiconductor Collaboration:** A MoU on semiconductor R&D was signed in November 2023.

Green Energy Cooperation

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- **Supercomputing Initiative:** India and the EU signed an Intent of Cooperation in High-Performance Computing (HPC) in 2022.
- **AI and Cybersecurity:** The EU participated in the Global Partnership on AI Summit in New Delhi (2023).
 - Sustainability is a key pillar of India-EU collaboration, particularly in green hydrogen and renewable energy.
- **India-EU Green Hydrogen Cooperation Initiative:** India was the exclusive partner at the European Hydrogen Week 2024 in Brussels.
 - The European Investment Bank (EIB) has committed €1 billion to fund Indian hydrogen projects.
 - Joint efforts are underway to establish a green hydrogen ecosystem in India by 2030.
 - These initiatives support India's Net-Zero by 2070 goal and the EU's carbon neutrality targets.

➡ **Defence and Space Collaboration**

- India and the EU have strengthened defence and maritime security cooperation, particularly in the Indo-Pacific region under the Enhanced Security in and with Asia (ESIWA+) program.
- **First India-EU Joint Naval Exercise:** Held in October 2023 in the Gulf of Guinea.
- **Security & Counterterrorism:** Both sides collaborate on piracy control, natural disasters, and cyber threats.

➡ **Space Cooperation:**

- ISRO launched EU's PROBA-3 mission in December 2024.
- India-EU collaboration on Chandrayaan-3, Aditya-L1, and Gaganyaan missions.

People-to-People Ties

Daily News Analysis

- The Indian diaspora in the EU includes a significant number of students, professionals, and researchers.
- **Erasmus Scholarships:** Over 6,000 Indian students have received Erasmus scholarships in the past two decades.
- **Research Collaboration:** 2,700+ Indian researchers have been funded by Marie Skłodowska-Curie Actions since 2014.
- **Workforce Mobility:** Indian professionals received 20% of EU Blue Cards in 2023-24, facilitating skilled migration.

Conclusion

- The visit of the European Commission College of Commissioners marks a historic milestone in India-EU relations.
- By deepening trade, technology, green energy, and defence cooperation, both sides aim to create a robust strategic partnership.
- The FTA negotiations, semiconductor R&D, and hydrogen projects will further strengthen bilateral ties, ensuring mutual economic growth and global leadership.
- As geopolitical shifts unfold, India and the EU remain committed to building a resilient, sustainable, and secure future together.

UPSC Mains Practice Question

Ques : Analyze the significance of India-EU relations in the changing global order. How can both partners enhance their strategic partnership? (15 marks)

The Christian Democratic Union(CDU) won the most votes in Germany's election, while the Alternative for Germany(AfD) gained significant support.Coalition negotiations will determine the future government.

What do Germany's election results mean?

What are the major issues that shaped the German federal elections? Will AfD's rise affect Germany's future?

Padmashree Anandhan

The story so far:

In February 23, Germany held its federal elections with a new record of 82.5% turnout. According to the Federal Electoral Committee, the conservative Christian Democratic Union (CDU) along with the Christian Social Union (CSU) won the majority of votes followed by the far-right Alternative for Germany (AfD) leaving the Social Democrats (SPD) and the Greens in third and fourth places. The primary takeaway of the election is not the win of CDU but the rise of the AfD. For CDU to form a coalition, 316 seats are needed and the negotiations between CDU, AfD, and SPD remain a deciding factor for Germany's political landscape. The table shows the election results.

What are the major electoral issues?

In 2025, a new electoral reform changed the distribution of parliament seats. Voters cannot choose the chancellor directly. A ballot paper has two votes: one to decide the candidate with the most votes in a district, among 630 such seats in parliament. The next decides the proportional representation and vote

distribution of the contending political parties. A clause excluded parties winning less than 5% of the vote from parliament. The reform removed "overhang seats," which previously benefitted the SPD, limiting parliament's size. Now, even if a candidate wins in a district, they cannot secure a seat unless their party succeeds in the second ballot.

The second issue was that of immigration. The CDU, FDP, AfD, and BSW have constantly called for tougher immigration regulations over the SPD and Greens' moderate stance. After several attacks in Germany, the public demand for stricter policies increased. CDU leader Friedrich Merz aimed to deport "undocumented foreigners and asylum seekers" from the border. Chancellor, Olaf Scholz criticised his approach but promised further border controls and faster deportations in a "humane and consistent" way. One of the reasons for AfD's vote gain is its strong stance against illegal migration.

Economic revival was the third issue. The parties stood for increasing economic competitiveness. The most debated issue was the debt brake law, restricting the structural deficit to 0.35% of GDP. CDU and FDP supported it, while the SPD and

Ballots and breakthroughs

With a record 82.5% turnout, Germany's 2025 federal election marked a political shift driven by economic concerns, immigration debates, and the rise of the far-right AfD



Friedrich Merz led the Christian Democratic Union to victory in the election

Party	Leader	Vote %	Seats
CDU/CSU	Friedrich Merz	28.5%	208
AfD	Alice Weidel	20.8%	152
SPD	Olaf Scholz	16.4%	120
Greens	Robert Habeck	11.6%	85
Left	Jan van Aken	8.8%	69
BSW	Klaus Ernst	4.9%	0
FDP	Christian Lindner	4.3%	0
SSW	Stefan Seidler	0.2%	1

Greens preferred to relax it. However, with a recession, new investments remain uncertain. Merz pledged to cut bureaucracy, while Scholz called for wealth and high inheritance taxes.

Fourth, Ukraine and NATO dominated foreign policy. Most parties stood for supporting Ukraine and boosting the defences of NATO, except for AfD and BSW, who opposed military aid and favoured closer ties with Russia, including repairing Nord Stream pipelines. Meanwhile, SPD, CDU, and Greens supported increasing military spending above NATO's 2% requirement.

What explains the rise of AfD?

The growing influence of the far-right AfD is due to several reasons, primarily the migrant crisis. The government's lenient approach to refugees led to the rise of security and economic concerns, creating a divide. This was used by the AfD in its favour, showcasing a stricter stance on immigration and border control. Another key reason for AfD's rise was its encasing in on the dissatisfaction of mainstream parties. AfD also targeted young voters through social media and appeals to East Germans, who face high unemployment and feel unrepresented. Beyond domestic

factors, the broader right-wing shift in France, Italy, and Hungary further aligned with AfD's agenda.

Will CDU be able to form a stable government?

To form a government, the parties that won must negotiate to form a coalition majority. Germany's election system and the recent reform promote coalition governments, and with CDU and CSU falling 108 seats short of a majority, they need support from either the SPD or AfD. However, with SPD, negotiating on social policy is viewed to be difficult, while the AfD stands secluded as the mainstream parties have vowed not to work with it. CDU leader Merz indicated the same, calling the new government "one of the last chances" to prevent the growth of AfD. According to AfD's leader, Alice Weidel, a political change is already in process but is being delayed. Considering the possibilities of a CDU-SPD coalition, several ideological differences persist on issues such as taxes, social welfare, immigration, employment flexibility, and climate action. But, given the historical relations and the mindset of both parties, despite Scholz's objections, to come together, intense talks are needed to lead to a coalition. One advantage of Germany's political system is that it facilitates negotiations and is well structured to provide opportunities that can prevent a political impasse.

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Analysis of the news:

- ➔ **CDU-CSU Victory:** The conservative alliance won the most seats but did not secure a full majority.
- ➔ **Rise of AfD:** The far-right AfD became the second-largest party, reflecting growing public support for stricter immigration policies.
- ➔ **Coalition Challenges:** CDU-CSU needs 316 seats for a majority and must negotiate with other parties, but major differences exist.

Major electoral issues:

- ➔ **Voting System Change:** In 2025, voting rules changed. People vote twice—once for a local leader and once for a party. A party needs at least 5% of votes to enter parliament.
- ➔ **Immigration Rules:** Some parties (CDU, FDP, AfD, BSW) want stricter laws, while SPD and Greens prefer softer rules. Attacks in Germany made people demand tougher immigration policies.
- ➔ **Money & Economy:** A rule limits Germany's debt. CDU and FDP want to keep it; SPD and Greens want to relax it. Talks also focused on business growth and cutting red tape.
- ➔ Most parties support Ukraine and NATO, but AfD and BSW prefer better ties with Russia. The 2% NATO spending rule was debated.

Future implications of the result

- **Coalition Challenges** – The Christian Democratic Union (CDU) needs alliances but faces ideological differences with the Social Democratic Party (SPD) and isolation of the Alternative for Germany (AfD).
- **Rise of Alternative for Germany (AfD)** – Increased support for AfD may shift policies on immigration and deepen political divisions.
- **Economic and Foreign Policy Impact** – The debt brake debate affects investments.
- **Foreign Policy Shift** – AfD's opposition to military aid for Ukraine challenges Germany's NATO commitments.

UPSC Mains Practice Question

Ques :Analyze the impact of Germany's recent federal election results on India-Germany relations and their broader implications for Europe's political and economic stability.
(150 Words /10 marks)

Page 10: GS 2 : International Relations : Important International Institutions

On February 18, 2025, the U.S. Security and Exchange commission asked the Indian government under the Hague Service Convention, to serve summons on Gautam Adani and Sagar Adani in a securities and wire fraud case.

The SEC and Hague Service Convention

What is the Hague Service Convention, and how does it work? How is the U.S. Securities and Exchange Commission attempting to serve summons on the Adanis? What are India's reservations under the Convention? How long does the service process typically take?

EXPLAINER

Aaratrika Bhaumik

The story so far:

The U.S. Securities and Exchange Commission (SEC) informed a New York court on February 18 that it has sought assistance from the Indian government under the Hague Service Convention – formally known as the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, 1965 – to serve summons on billionaire Gautam Adani and his nephew Sagar Adani in a securities and wire fraud case.

What did the SEC say?

The SEC informed the court that it had invoked Article 5(a) of the Convention to request India's Ministry of Law and Justice to facilitate the service of summons on the defendants. It further stated that it is exploring alternative service methods permitted under Rule 4(f) of the Federal Rules of Civil Procedure, which governs civil litigation in U.S. federal courts.

On February 10, the Trump administration paused enforcement of the Foreign Corrupt Practices Act (FCPA) – one of the laws under which the Adanis have been charged – for 180 days. The FCPA prohibits U.S. entities and individuals from bribing foreign governments, political parties, or officials to secure business.

As per the executive order, the Attorney General must review “all existing FCPA investigations or enforcement actions” and take steps “to restore proper bounds on FCPA enforcement”. However, the SEC's latest court filing suggests that the order does not apply retroactively. As a result, the agency's investigation into the Adanis is likely to continue unless the law is amended.

How does the Hague Service



Legal tussle: The Trump administration paused enforcement of the Foreign Corrupt Practices Act, one of the laws under which the Adanis have been charged, for 180 days. FILE PHOTO

Convention operate?

With the rise in cross-border litigation, the need for an effective and reliable mechanism to serve judicial and extrajudicial documents on parties residing in foreign jurisdictions became imperative. As a result, countries adopted the Convention at the Hague Conference on Private International Law in 1965. Building on the 1905 and 1954 Hague Conventions on Civil Procedure, this multilateral treaty ensures that defendants sued in foreign jurisdictions receive timely and actual notice of legal proceedings while facilitating proof of service.

Eighty-four states, including India and the U.S., are parties to the Convention. Its procedures apply only when both the sending and receiving countries are signatories. Each member state must also designate a central authority to process requests and facilitate the service of documents from other signatory states.

Signatory states can select the modes of transmission that apply within their jurisdiction. Under the Convention, the primary mode of service is through designated central authorities. However, alternative channels are also available, including postal service, diplomatic and consular channels, direct communication between judicial officers in both states,

direct contact between an interested party and judicial authorities in the receiving state, and direct communication between government authorities.

How is service effectuated on defendants in India?

India acceded to the Convention on November 23, 2006, with certain reservations, expressly opposing all alternative service methods under Article 10. It prohibits the service of judicial documents through diplomatic or consular channels, except when the recipient is a national of the requesting country. For instance, a U.S. court cannot serve documents in India through U.S. diplomatic or consular channels, unless the recipient is a U.S. national residing in India. Additionally, all service requests must be in English or accompanied by an English translation.

As a result, valid service can only be executed through the Ministry of Law and Justice, India's designated central authority. The Ministry is permitted to reject a service request, but must specify the reasons for such refusal. For instance, under Article 13, a request can be denied if the state believes its sovereignty or security would be compromised.

However, a state cannot reject a service request solely because it claims exclusive

jurisdiction over the subject matter under its domestic law. Similarly, under Article 29, a request cannot be refused simply because the state's internal law does not recognise a right of action.

If the central authority raises no objections, it proceeds with serving the defendant. The service is then treated as a summons issued by an Indian court under Section 29(c) of the Code of Civil Procedure, 1908. Once completed, the central authority issues an acknowledgement to the requesting party. The entire process typically takes six to eight months.

Can a default verdict be rendered?

A default judgment may be issued under the Convention if a foreign government refuses to cooperate in serving summons on a defendant residing within its jurisdiction. However, Article 15 prescribes specific conditions that must be met before such a judgment can be rendered: (a) the document must have been transmitted through one of the methods outlined in the Convention; (b) at least six months must have elapsed since the transmission, with the court determining this period to be reasonable in the given case; and (c) no certificate of service has been received despite all efforts to obtain it through the competent authorities of the recipient state.

Notably, India has expressly declared that its courts may issue a default judgment in cross-border disputes even if no certificate of service or delivery has been received, provided that all conditions under Article 15 are met.

Recently, in *Duong v. DDG BIM Services LLC* (2023), American plaintiffs sought permission to serve Indian defendants via email, citing difficulties in effectuating service through India's central authority as prescribed by the Convention. Judge Kathryn Kimball Mizelle underscored that Article 15 functions as a “safety valve,” allowing default judgment to be entered if “India's central authority fails to hold up its end of the bargain.”

THE GIST

The U.S. Securities and Exchange Commission has invoked the Hague Convention to serve summons on Gautam Adani and Sagar Adani through India's Ministry of Law and Justice.

India has reservations under the Hague Convention, prohibiting alternative service methods. It can reject the request under Article 13 if it believes national security or sovereignty is at risk.

In *Duong v. DDG BIM Services LLC* (2023), a U.S. court underscored that if India's central authority fails to act under the Hague Convention, a default judgment could be entered.

What is the Hague Service Convention?

- The Hague Service Convention, formally known as the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (1965), is a multilateral treaty that facilitates the service of legal documents across international borders in civil and commercial cases.

How does it work?

- The Hague Service Convention standardizes the process for serving legal documents across borders in civil and commercial matters.
- It operates through Central Authorities in member countries, ensuring efficient service, protecting defendants' rights, and allowing alternative methods like postal service if permitted. It excludes criminal cases and non-signatory nations.

How is the U.S. Securities and Exchange Commission attempting to serve summons on the Adanis?

- **Invoking the Hague Service Convention:** The SEC has requested assistance from India's Ministry of Law and Justice under Article 5(a) of the Hague Service Convention to officially deliver the summons to Gautam Adani and Sagar Adani.
- **Exploring Alternative Service Methods:** The SEC is considering alternative methods under Rule 4(f) of the U.S. Federal Rules of Civil Procedure, which allows service through means like email or social media, if conventional methods face delays.
- **Proceeding Despite FCPA Suspension:** Although the Trump administration has temporarily paused the Foreign Corrupt Practices Act (FCPA) enforcement for 180 days, the SEC argues that the pause does not apply retroactively, allowing their investigation into the Adanis to continue.

What are India's reservations under the Convention?

- **Opposition to Alternative Service Methods:** India rejects all alternative service methods under Article 10 of the Convention, including postal service, diplomatic channels, and direct service by foreign judicial officers.
 - **Example:** A U.S. court cannot serve legal documents in India via U.S. consular channels unless the recipient is a U.S. national residing in India.
- **Mandatory Use of Central Authority:** All service requests must go through India's Ministry of Law and Justice, which is the designated central authority for processing foreign summons. Requests must be in English or include an English translation.
 - **Example:** In *Punjab National Bank (International) Ltd. v. Boris Shipping Ltd.* (2019), a U.K. court ruled that service through alternative methods was invalid due to India's reservations

How long does the service process typically take?

- The service process under the Hague Service Convention in India typically takes six to eight months. After receiving a request, India's Ministry of Law and Justice verifies and forwards it to the appropriate authority.
- Upon completion, an acknowledgement is issued to the requesting country, confirming successful service.

Way forward:

- **Expedite Processing Mechanisms:** Implement digital tracking and streamlined workflows within the Ministry of Law and Justice to reduce delays in handling service requests.
- **Strengthen Bilateral Cooperation:** Enhance legal cooperation with key countries through bilateral agreements to complement the Hague Service Convention and facilitate faster document service.

UPSC Mains Practice Question

Ques : Discuss the impact of the European Union's policies on global trade and politics. (15 marks)

In News : General Anti Avoidance Rules

Income tax authorities may now be able to issue reassessment notices under General Anti Avoidance Rules (GAAR) under the new proposal under the Income Tax Bill 2025.

General Anti-Avoidance Rules (GAAR)



About General Anti Avoidance Rules

- It is an anti-tax avoidance law in India to curb tax evasion and avoid tax leaks.
- It came into effect on 1st April 2017. The GAAR provisions come under the Income Tax Act, 1961.
- GAAR is a tool for checking aggressive tax planning, especially those transactions or business arrangements that are entered into with the objective of avoiding tax.
- It is specifically aimed at cutting revenue losses that happen to the government due to aggressive tax avoidance measures practiced by companies.
- It is meant to apply to transactions that are prima facie legal, but result in tax reduction.
- Under current rules, reassessment notices where the under-reported income is Rs ₹50 lakh or more, have to be issued within 5 years and 3 months from the end of the assessment year.

- GAAR provisions give wide powers to tax authorities to treat any arrangement or a transaction as an 'impermissible avoidance arrangement' (IAA) and re-compute income and consequent tax implications.



In News : India Port Standardization Initiatives

Union Minister Shri Sarbananda Sonowal launched major initiatives under the Ministry of Ports, Shipping, and Waterways (MoPSW) to modernize India's maritime infrastructure, enhance its global trade presence, and promote sustainability.



- These initiatives focus on improving port efficiency, upgrading facilities, integrating Indian ports with global trade networks, and enhancing cargo handling capacities. Emphasis was also placed on adopting green technologies and eco-friendly port operations.

Key Maritime Initiatives launched

- The Union Minister of Ports, Shipping & Waterways launched a series of major initiatives of the Ministry of Ports, Shipping & Waterways (MoPSW).
- These initiatives were launched during a stakeholders meeting to discuss on various possibilities from the major announcements made in the Union Budget for the Maritime sector.

One Nation-One Port Process (ONOP): Standardizing Port Operations

- ONOP was launched to standardize port operations across India's major ports.
- The initiative aims to eliminate inconsistencies in documentation, reduce inefficiencies, lower costs, and minimize operational delays.
- The Ministry has streamlined documentation, cutting container operation documents by 33% (from 143 to 96) and bulk cargo documents by 29% (from 150 to 106).

Sagar Ankalan - Logistics Port Performance Index (LPPI): Enhancing Competitiveness

- The Sagar Ankalan LPPI was introduced to assess port performance and improve operational efficiency.
- It evaluates key metrics like cargo handling, turnaround time, berth idle time, and ship berth-day output.
- By benchmarking performance and fostering a culture of transparency and efficiency, LPPI aligns with the Maritime Amrit Kaal Vision 2047 and strengthens India's global trade presence.

Bharat Global Ports Consortium: Expanding Trade Reach

- The Bharat Global Ports Consortium was launched to boost India's maritime trade by integrating IPGL (operations), SDCL (finance), and IPRCL (infrastructure development).
- This initiative will enhance logistics, support the 'Make in India' movement, and strengthen global trade connectivity.

MAITRI: Digital Transformation in Trade

- The Master Application for International Trade and Regulatory Interface (MAITRI) was introduced to streamline trade processes, reduce bureaucratic delays, and improve efficiency through AI and blockchain.
- MAITRI will play a key role in operationalizing the Virtual Trade Corridor (VTC) between India and the UAE, aligning with the India-Middle East-Europe Economic Corridor (IMEEC) and expanding to BIMSTEC and ASEAN nations.

National Centre of Excellence in Green Port and Shipping (NCoEGPS): Advancing Sustainability

- A website for the National Centre of Excellence in Green Port and Shipping (NCoEGPS) was launched to promote sustainability in maritime operations.
- It will focus on carbon footprint reduction, cleaner fuels, and eco-friendly port management.

India Maritime Week 2025: Showcasing Maritime Growth

- India will host the India Maritime Week from October 27-31, 2025, in Mumbai.
- The event will highlight India's 'Maritime Virasat' (Heritage) and 'Maritime Vikaas' (Development), featuring the 4th Global Maritime India Summit (GMIS) and the 2nd edition of Sagarmanthan.
- It will attract representatives from 100 countries and 100,000 delegates.

Revitalizing India's Shipbuilding Sector

- Discussions focused on financial support for Indian shipyards, including:
 - ₹25,000 crore Maritime Development Fund for long-term financing.
 - Recognition of large ships as infrastructure, unlocking investment opportunities.
 - Shipbuilding clusters to enhance competitiveness and technology adoption.
 - Customs duty exemption extension for shipbuilding inputs for 10 years.
 - Extension of tonnage tax regime to inland vessels to promote river transport.
 - The Ship Breaking Credit Note Scheme to boost ship recycling.

Vision for India's Blue Economy

- The Union Minister emphasized that India's Blue Economy is vital for jobs, trade, sustainability, and economic growth. He reiterated the government's commitment to:
 - Making India a top 10 shipbuilding nation by 2030.
 - Creating a world-class, efficient, and future-ready maritime ecosystem.
 - Strengthening India's position as a global maritime powerhouse.
- These measures aim to enhance financial accessibility, support shipbuilding, and improve India's competitiveness in the maritime sector.

UPSC Mains Practice Question

Ques :What are the key challenges in port standardization in India? Suggest measures to overcome them.
(15 marks)

A process where free and fair elections will be a casualty

The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023 was the first law enacted by Parliament, under Article 324(5) of the Constitution, dealing with the appointment of the Chief Election Commissioner (CEC) and Election Commissioners (EC). This law was made in response to a Supreme Court of India order of March 2023 according to which the CEC and ECs should be appointed on the basis of a recommendation made by a high-power committee comprising the Prime Minister, the Leader of Opposition (LoP) in the Lok Sabha and the Chief Justice of India (CJI). This was to be an interim measure until Parliament made a law on the subject. As a matter of fact, in the past, the CEC and ECs were always appointed by the President of India on the recommendation of the Prime Minister. This was found to be an unsatisfactory situation by the Court as it would affect the impartiality of the Election Commission of India, which is constitutionally tasked with conducting elections in a free and fair manner.

Challenging the new law

Although the government made the new law as per the direction of the Court, in the committee it replaced the CJI with a cabinet Minister to be nominated by the Prime Minister who chairs the three-member committee. The LoP is the other member. This law has been challenged on the ground that the provision relating to the composition of the selection panel violates the direction of the five-judge Bench of the Supreme Court. The Constitution Bench was headed by Justice K.M. Joseph (retired).

The new law provides for a search committee headed by the Law Minister and two senior bureaucrats in the Union government, which will prepare a list of five persons for the committee to consider. The names of persons found eligible by the search committee have not been made public. Anyway, the seniormost EC has been chosen to be appointed as the CEC by the two members of the committee, namely, the Prime Minister and the Home Minister. The LoP put in a dissenting note, wanting the selection to be put off till the Court has considered the challenge to the law. As it happened the decision was taken by the majority in the selection committee. It must be said here that the procedure laid down in the law has been complied with. Subsequently the appointments of CEC and another EC have been officially notified.

Now that the law on the appointment of the



P.D.T. Achary

is a former Secretary-General, Lok Sabha

The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill is flawed as it backs the government-supported candidate

CEC and ECs has come up for hearing in the Court, there are certain constitutional issues which need to be highlighted for a proper perspective in the matter of appointment of these high constitutional authorities

Infirmities in the selection process

The Constitution of India has vested the entire responsibility for conducting the elections to Parliament and State legislatures to the offices of the President and the Vice President, and preparing the electoral role for these elections in the Election Commission of India (ECI) under Article 324. Plenary powers for effectively discharging this responsibility have also been conferred on this body. The Court, in *Election Commission of India vs State of Tamil Nadu and Others* (1993), while dealing with the question of powers of the ECI stated as follows: "the election commission of India is a high constitutional authority charged with the function and the duty of ensuring free and fair elections and of the purity of the electoral process. It has all the incidental and ancillary powers to effectuate the constitutional objective and purpose. The plenitude of the commission[']s powers corresponds to the high constitutional functions it has to discharge".

This and many other judgments of the Court lay stress on the duty of the ECI to ensure free and fair elections and to maintain the purity of the electoral process. Around 960 million voters participate in the voting process in India, making it the most gigantic task for an electoral body anywhere in the world. To conduct such a massive election, while ensuring that it is free and fair, demands that the ECI should have persons of unimpeachable integrity, with proven competence and absolute impartiality in heading it. Therefore, it is of utmost importance that such persons are selected through a process which is constitutionally correct and which also inspires great confidence in the citizens of India.

The most crucial part of this law is the composition of the select committee, which is chaired by the Prime Minister and has the LoP and a cabinet Minister nominated by the Prime Minister as members. Section 7 of the Act says that the President shall appoint the CEC and ECs on the recommendation of the select committee. It is mandatory for the President to appoint persons recommended by the select committee. Thus, the select committee has the final say on who should be appointed the CEC and ECs.

The most serious infirmity in this provision is that the law itself creates a majority in favour of

the government. When the third member of the committee is a cabinet Minister under the Prime Minister, it is clear that the Prime Minister and the cabinet Minister will at all times constitute the majority, thus making it impossible for the select committee to make an objective assessment of the comparative merit of all the listed candidates. This committee can select only a person whom the government favours. The function of the law is only to lay down the qualification or the status of the members to be brought on the selection committee, and not to ensure through a legal legerdemain a majority for the government's candidate. A cabinet Minister will always support the Prime Minister's proposal, so where is the objective assessment of all the listed persons by such a committee? The majority opinion in any committee emerges through discussion among independent members which cannot be predicted beforehand. But in the committee under this law, the outcome can be predicted beforehand.

Another serious infirmity is that the chairperson nominates one of the members, namely, the cabinet Minister. Members of the selection committee which selects the CEC and ECs need to be independent men capable of expressing their free will. When the chairman himself nominates one member, this candidate will undoubtedly be subservient to the chairman. A cabinet Minister cannot take a view that is different from that of the Prime Minister. Thus, the selection committee as it is constituted has an inherent incapacity to select the best person through an objective assessment.

It defeats fairness and objectivity

These infirmities make this law constitutionally unsustainable because the provision relating to the composition of the committee is arbitrary and does not have a rational basis. Further, by creating a majority in favour of the government supported candidate, it does not allow a fair and objective assessment of the merit of other similarly placed candidates. Thus, this provision may violate Article 14 of the Constitution. Besides, the selection of the CEC and other ECs has a vital bearing on the conduct of free and fair elections and in maintaining the purity of the electoral process, which is a part of the basic structure of the Constitution. So, if the composition of the select committee ensures a majority for the government supported candidate always, free and fair elections will be a casualty.

The Supreme Court of India will have to take a hard look at this law.

GS Paper 02: Indian Polity

PYQ: 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 words/15m)

UPSC Mains Practice Question Discuss the constitutional and democratic implications of the 2023 law on the appointment of Election Commissioners. How does it affect the independence of the Election Commission of India? (250 Words /15 marks)

Context :

The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill is flawed because it favors the candidate chosen by the government.

What are the key provisions of the 2023 Bill for appointing?

- **Selection Committee Composition:** A three-member committee chaired by the Prime Minister, with the Leader of Opposition (LoP) in the Lok Sabha and a Cabinet Minister (nominated by the Prime Minister) as members.
- **Search Committee:** Headed by the Law Minister, along with two senior bureaucrats, to prepare a list of five eligible candidates for consideration.
- **Appointment Procedure:** The President of India appoints the Chief Election Commissioner (CEC) and Election Commissioners (ECs) based on the recommendations of the selection committee.
- **Seniority Principle:** The senior-most Election Commissioner is to be appointed as the Chief Election Commissioner.
- **Binding Nature of Recommendations:** It is mandatory for the President to appoint candidates recommended by the selection committee.

Why has the new law been challenged?

- **Deviation from Supreme Court's Directive:** In March 2023, a five-judge Bench of the Supreme Court, headed by Justice K.M. Joseph, directed that appointments should be made by a high-powered committee comprising the Prime Minister, LoP, and the Chief Justice of India (CJI). The

new law replaces the CJI with a Cabinet Minister, weakening the independence of the selection process.

- **Lack of Transparency:** The search committee's list of eligible candidates is not made public, reducing accountability.
- **Government's Dominance:** The composition ensures a built-in majority for the government's preferred candidate, undermining free and fair selection.

What constitutional infirmities have been identified in the selection process?

- **Government-Controlled Majority in the Selection Committee:** The selection committee consists of the Prime Minister (Chairperson), a Cabinet Minister nominated by the Prime Minister, and the Leader of the Opposition (LoP).
 - This structure inherently creates a 2:1 majority in favor of the government, allowing the Prime Minister and the Cabinet Minister to dominate the decision-making process, undermining an independent and impartial selection.
- **Lack of Independent Oversight:** Replacing the Chief Justice of India (CJI) with a Cabinet Minister weakens judicial oversight. This reduces checks and balances, as a Cabinet Minister is subordinate to the Prime Minister and unlikely to challenge the government's preferences.
- **Violation of Fair and Objective Assessment:** The process does not ensure objective evaluation of candidates due to the predetermined government majority. This may violate Article 14 (Right to Equality) as it denies a fair chance to qualified candidates outside the government's favor and threatens the basic structure doctrine by compromising the independence of the Election Commission.

What are the key observations of the Supreme Court?

- **Independence of the Election Commission is Vital:** The Supreme Court emphasized that the Election Commission of India (ECI) must be independent and impartial to ensure free and fair elections, which is a fundamental feature of democracy.
 - **Example:** In the Election Commission of India vs. State of Tamil Nadu (1993), the Court held that the ECI has plenary powers to conduct free and fair elections, reinforcing the need for independent appointments.
- **Need for a Neutral Selection Process:** The Court highlighted that appointments to constitutional bodies like the ECI should be made through a neutral and independent process to prevent executive dominance.

Daily News Analysis

- **Example:** In March 2023, the Constitution Bench directed that, until a law is enacted, the Prime Minister, LoP, and the CJI should select the CEC and ECs to ensure balanced decision-making.
- **Concerns over Executive Overreach:** The Court warned that allowing the executive to control appointments could undermine the institution's autonomy and jeopardize the integrity of the electoral process.
 - **Example:** The Court observed that the historical practice of Prime Minister-led appointments was unsatisfactory, as it compromised the Commission's independence.
- **Violation of Article 14 (Right to Equality):** The Court observed that a selection process favoring the government could violate Article 14 by denying an equal opportunity to eligible candidates.
 - **Example:** The current law creates a government-majority panel, allowing political bias in appointments and limiting fair competition.
- **Upholding the Basic Structure Doctrine:** The Court reiterated that free and fair elections are part of the basic structure of the Constitution, which cannot be compromised by biased appointment procedures.
 - **Example:** In *S.R. Bommai vs. Union of India* (1994), the Court affirmed that any law threatening the democratic process would violate the basic structure doctrine and could be struck down.

Way forward:

- **Restore Judicial Oversight:** Reintroduce the Chief Justice of India (CJI) in the selection committee to ensure impartiality and independent oversight.
 - **Enhance Transparency:** Make the search committee's candidate list public and adopt objective criteria for fair and unbiased selection.
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