

# Headlines

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**Social security for workers - Page No.10 , GS 2,3**

**PM-POSHAN scheme - Page No.16 , GS 2**

**Constitutional silence - Page No.16 , GS 2**

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The background of the image features a textured, aged paper surface. On the left side, there is a faint, circular illustration of a globe with latitude and longitude lines. On the right side, there is a faint illustration of a blimp or airship. The bottom of the image shows a wooden floor with vertical planks.

Your ability to discipline yourself to set clear goals, and then to work toward them every day, will do more to guarantee your success than any other single factor.

Brian Tracy



# RTI Act amendment won't cut transparency: Minister

Page No. 1, GS 2

**Aroon Deep**

NEW DELHI

The upcoming amendment to the Right to Information Act, 2005, will maintain “the need for transparency in public life”, and will “not restrict disclosure of personal information”, Union Minister for Electronics and Information Technology Ashwini Vaishnaw said in a letter to Congress leader Jairam Ramesh on Thursday.

Mr. Ramesh had raised civil society concern that the Digital Personal Data Protection Act's amendments to the RTI Act would allow the government to deny information on subsidy allocations and other



Ashwini Vaishnaw

schemes if the personal information of citizens and officials are involved.

The amendment – which will kick in when the DPDP Rules are notified in the coming weeks to enforce the Act – will be a significant blow to the RTI Act, according to activists. Civil society groups, spanning the gamut from digital

rights advocates to pro-transparency outfits, have raised an alarm over this amendment for years. Over 120 Opposition MPs have now signed a letter to Mr. Vaishnaw, seeking a repeal of the amendment.

In his letter defending the amendment, Mr. Vaishnaw cited the Supreme Court's right to privacy judgment in 2017, which held the right to informational privacy as fundamental right under Article 21 of the Constitution. There is a “need for harmonious provisions between the right to information and the right to privacy” laws, he said.

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## **Fact**

- In his letter defending the amendment, Mr. Vaishnaw cited the Supreme Court's right to privacy judgment in 2017, which held the right to informational privacy as fundamental right under Article 21 of the Constitution.
- There is a “need for harmonious provisions between the right to information and the right to privacy” laws, he said.
- Digital Personal Data Protection (DPDP) Act that dilutes the Right to Information (RTI) Act.
- DPDP Act alters Section 8(1)(j) of the RTI Act, which allows personal information to be disclosed for the larger public interest.



## **Fact**

- **RTI stands for Right to Information.**
- **It is a fundamental right in India that empowers citizens to seek information from public authorities.**
- **Enacted under the Right to Information Act of 2005, RTI allows individuals to request information from government departments and public institutions, ensuring transparency, accountability, and good governance in public administration.**
- **Purpose of Right to Information (RTI)**
- **The RTI aims to:**
  - **Promote transparency in the functioning of public authorities**
  - **Empower citizens by giving them access to government-held information**
  - **Reduce corruption and promote accountability among public officials**
  - **Strengthen democratic principles by ensuring people's right to know about administrative decisions and policies.**

## **Fact**

- **The Central Information Commission (CIC) is a statutory body in India, established under the provisions of the Right to Information Act (2005).**
- **Thus, it is not a constitutional body.**
- **The Central Information Commission consists of a Chief Information Commissioner and not more than ten Information Commissioners.**
- **They are appointed by the President on the recommendation of a Committee consisting of:**
  - **The Prime Minister as the Chairperson,**
  - **The Leader of Opposition in the Lok Sabha, and**
  - **A Union Cabinet Minister nominated by the Prime Minister.**



- **The Chief Information Commissioner and an Information Commissioner hold office for such term as prescribed by the Central Government or until they attain the age of 65 years, whichever is earlier.**
- **The Chief Information Commissioner as well as Information Commissioners are not eligible for reappointment.**
- **The President can remove the Chief Information Commissioner or any Information Commissioner from the office if he/she:**
  - **Is adjudged insolvent.**
  - **Has been convicted of an offense which, in the opinion of the President, involves moral turpitude.**
  - **Engages, during his term of office, in any paid employment outside the duties of his office.**
  - **Is, in the opinion of the President, unfit to continue in office due to infirmity of mind or body.**
  - **Has acquired such financial or other interest as is likely to affect prejudicially his official functions.**
- **In addition to the above circumstances, the President can also remove the Chief Information Commissioner or any Information Commissioner on the grounds of proved misbehaviour or incapacity.**
- **However, in such cases, the President has to refer the matter to the Supreme Court for an enquiry.**
- **If the Supreme Court, after the inquiry, upholds the cause of removal and advises so, then the President can remove him.**



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# Centre to pay more for PM-POSHAN scheme in schools

**The Hindu Bureau**  
NEW DELHI

The material cost for cooking hot meals in schools under the PM-POSHAN scheme has been enhanced by 9.5%, considering the inflation index, causing an additional cost of ₹954 crore to the exchequer in the financial year 2025-26, the Education Ministry said in a statement on Thursday.

In Bal Vatikas and primary schools, the daily material cost for a student will be raised from ₹6.19 to ₹6.78 from May 1, and in upper primary schools, from ₹9.29 to ₹10.17.

“These rates of material cost are the minimum mandatory rates, however, States/UTs [Union Territories] are free to contribute more than their prescribed share, as some States/UTs have been contributing more than their minimum mandatory share from their own resources for providing meals with augmented nutrition under the PM POSHAN Scheme,” the Ministry said.

Bal Vatika and primary students are provided 20 gm of pulses, 50 gm of vegetables and 5 gm of oil, while upper primary students need 30 gm, 75 gm, and 7.5 gm, respectively.

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States are free to contribute more than their prescribed share, the Ministry said.

sored scheme serves one hot-cooked meal to 11.2 crore students studying in Bal Vatikas and from Classes 1 to 8 in 10.36 lakh government and aided schools on all school-days. The scheme aims at providing nutritional support and enhancing school participation of students.

The Centre also provides about 26 lakh tonnes of foodgrains through the Food Corporation of India. It bears 100% cost of foodgrains, including subsidy of approximately ₹9,000 crore a year, and 100% transportation cost from the FCI depot to schools. The per-meal cost, after adding all components including food grains cost, comes to approximately ₹12.13 for Bal Vatika and primary classes and ₹17.62 for upper primary.

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- **In September 2021, the Union Cabinet approved the Pradhan Mantri Poshan Shakti Nirman or PM-POSHAN for providing one hot cooked meal in Government and Government-aided schools with the financial outlay of Rs 1.31 trillion.**
- **The scheme replaced the national programme for mid-day meal in schools or Mid-day Meal Scheme.**
- **Primary (1-5) and upper primary (6-8) schoolchildren are currently entitled to 100 grams and 150 grams of food grains per working day each, to ensure a minimum of 700 calories.**
- **It also covers students of balvatikas (children in the 3-5 year age group) from pre-primary classes.**
- **Nodal Ministry: Ministry of Education**



## **Content.**

- **The objectives of the Scheme are to address two of the pressing problems for the majority of children in India, viz. hunger and education by:**
- **Improving the nutritional status of eligible children in Government and Government aided schools.**
- **Encouraging poor children, belonging to disadvantaged sections, to attend school more regularly and help them concentrate on classroom activities.**
- **Providing nutritional support to children of the elementary stage in drought-affected and disaster affected areas during summer vacation.**



# SC judgment on T.N. Governor addresses a Constitutional silence

Page No. 16, GS 2

## NEWS ANALYSIS

**Krishnadas Rajagopal**

NEW DELHI

The Supreme Court's deadlines for Governors to decide the fate of Bills sent to them for assent is a bid to plug a "Constitutional silence". The text of the Constitution does not specify any time limits for Governors. This had led Governors in multiple non-BJP-ruled States to sit on Bills.

### 'Real power'

The situation had prevailed despite a November 2023 Supreme Court order in *State of Punjab versus Principal Secretary to the Governor of Punjab* that "real power vests with the elected representatives of the people in a parliamentary form of democracy.



The Governor, as an appointee of the President, is a titular head of the State".

The governments of West Bengal, Tamil Nadu, Punjab and Kerala had continued to accuse their Governors of behaving like "political rivals".

On April 8, a Bench of Justices J.B. Pardiwala and R. Mahadevan declared that failure by Governors to comply with its maximum time limit of three months, if they want to withhold assent or reserve

Bills for the consideration of the President, would invite judicial action.

With this, the April 8 judgment has gone a step further from earlier decisions of the court which had only cajoled Governors to act within a "reasonable time".

A week before this judgment in the Tamil Nadu Governor case, the Supreme Court had made stern remarks against another Constitutional silence which has facilitated Speakers to delay decisions in disqualification proceedings under the anti-defection law.

The remarks came from a Bench headed by Justice B.R. Gavai on April 3, while reserving judgment on appeals challenging the months-long delay shown by the Telangana Speaker to decide disqualification

petitions filed under the anti-defection law (Tenth Schedule of the Constitution) against 10 BRS MLAs who had shifted to the ruling Congress in the State.

### Specific time periods

Justice Gavai said the court would fix "specific time periods" for Speakers, or disqualification petitions may end up in the "dustbins" and the Tenth Schedule would be reduced to a mockery.

The Bench had referred to a 2020 judgment of the Supreme Court in the *Keshab Meghachandra Singh* case in which it had said disqualification petitions under the Tenth Schedule ought to be decided by Speakers within three months.

This has largely been followed by Speakers in breach so far.



- **The Supreme Court's deadlines for Governors to decide the fate of Bills sent to them for assent is a bid to plug a "Constitutional silence". The text of the Constitution does not specify any time limits for Governors. This had led Governors in multiple non-BJP-ruled States to sit on Bills.**
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# The issue with delimitation's population-based process

**D**elimitation, enshrined in Articles 82 and 170 of the Constitution of India, has stirred unprecedented passions that have taken shape in both serious and ludicrous ways. The serious ones stem from what the Constitution provides and its possible implications if implemented as provided. The ludicrous ones include calls by some who are asking people to 'multiply' rapidly to deal with the fear of being outnumbered.

As passions run high, there is a need to look at the issues dispassionately. Ironically, those who had hitherto accused the government of flouting constitutional principles, now want that the government does not act in accordance with the Constitution. Are the 'protectors of the Constitution' chasing their tail in asking for the 'freezing' or 'postponing' the delimitation exercise for sound reasons?

The Constitution provides that "upon the completion of each census, the allocation of seats in the House of the People to the States and the division of each State into territorial constituencies shall be readjusted". A similar provision exists for the Vidhan Sabhas. Through the 42nd and subsequent amendments, this 'readjustment' was deferred till 2026. The Census after that will be the basis of any future delimitation, which has also caused much apprehension in the southern States. There is little evidence to justify their apprehensions but there is no reason to dismiss their fear.

There is heated debate, justifiably so, on the principle of population proportionality and federalism and whether any principle enshrined in the Constitution should be used to undermine the other. It is clear that a mathematical approach to delimitation and allocation of seats based on population alone will benefit States where population growth has been faster than the rest.

## Data from the past and trends

The data published by the Election Commission of India show that in the first general election in 1951-52 there were 489 Lok Sabha seats; 494 in 1957, and 520 in 1967 (as per the Delimitation Commission's Report of March 21, 1963 based on the 1961 Census). Thirty-one seats were added and five reduced from the previous election. Andhra Pradesh went down from 43 to 41, Madras, 41 to 39, and Uttar Pradesh, 86 to 85. Assam, Maharashtra, Gujarat, Kerala, Mysore, Rajasthan, West Bengal, Delhi, Himachal Pradesh made gains. Besides, seats were added in new States such as Haryana, Jammu and Kashmir, Nagaland, Andaman and Nicobar Islands, Chandigarh, Dadra and Nagar Haveli, Goa, Daman and Diu, Lakshadweep and Pondicherry.

In the 1971 Lok Sabha election, two seats were reduced in Himachal Pradesh bringing the total to 518. In the 1977 election, 24 seats were added,



**Ashok Lavasa**

is a former Election Commissioner and Union Finance Secretary of India

The focus needs to shift to what it means to 'represent' a constituency and steps such as strengthening the third tier of elected bodies

taking the number to 542. Andhra Pradesh, Bihar, Maharashtra, Gujarat, Kerala, Madhya Pradesh, Karnataka (erstwhile Mysore), Orissa, Rajasthan, West Bengal and Haryana made gains, and new States such as Sikkim, Arunachal Pradesh, Meghalaya, and Mizoram got additional seats. Daman and Diu was allotted a separate seat much later to take the total to 543 – which is the current strength of the Lok Sabha based on the 1971 Census.

## What needs to be considered

An analysis of these trends suggests that any debate on delimitation must consider three issues: the principle of population as the basis of allocation of seats; the impact of public policy on the population criterion, and the 'representative' hue of those who are elected.

The increase in the number of seats between 1951 and 2004, determined by the Delimitation Commissions, contains no formula for the ideal population that a Lok Sabha/Vidhan Sabhas member should represent. If the population is divided by the number of Lok Sabha/Vidhan Sabhas seats, the average goes up from 7.32 lakh per seat in 1951 to about 8.70 lakh in 1967, and 10.10 lakh in 1977. In 2024, this is about 27 lakh per Lok Sabha seat. Similarly, the number of Vidhan Sabha seats have increased from 3,283 in 1951-52 to 4,123 in 2024, tripling the average population that a Vidhan Sabhas member represents. Going by the nearly 98 crore electors in the 2024 general election, each Member of Parliament on an average represented about 18 lakh electors; Lakshadweep had 57,760 electors and Malkajgiri 29.5 lakh.

This shows that while population was chosen as the primary principle of representation, it has not been followed without accommodating other concerns such as geographical contiguity and political boundaries. The Census-based population criterion was the only basis that had no qualifications attached, unlike in the past where voting rights were based on religion and educational background. It was the simplest criterion to ensure universal franchise and one vote, one value. Is the criterion so sacred that it does not permit any adjustment based on current circumstances to avoid fissures in our polity, creating distortions in the representative federal character of the Parliament, and the feeling of regional injustice? After all, the Finance Commission, set up every five years, keeps modifying its criteria for financial allocation and devolution based on changing reality, regional aspirations and national priorities.

The question that also needs to be debated is this: "what does it mean to 'represent' a constituency"? The Lok Sabha/Vidhan Sabhas are essentially law-making bodies and the representative weight of the elected person does

not change because of the number of people in the constituency. Also, the constituency size does not influence the other functions that elected representatives perform – namely asking questions or being a part of various House committees. There are no surveys to show that a smaller constituency is better represented than a larger one. For example, let us evaluate how the people of the tenth parliament constituency created in Haryana in 1977, or the Daman and Diu constituency benefited because of having a Member of Parliament represent them in the Lok Sabha? Or whether in Haryana, Narnaul Assembly segment with 1.6 lakh voters is better served by its elected representative than Badshahpur with 5.2 lakh electors. In the first-past-the-post system, numerical strength of the constituency is immaterial to 'representativeness'. Moreover, how many times do citizens need the Lok Sabha/Vidhan Sabha representative to deal with day-to-day problems? Strengthening the third tier of elected bodies may be more meaningful for democracy, and devolution of authority to local bodies, a more effective measure of improving governance than clamouring for more seats adhering to the 'fetish' of population-based representation in elected Houses.

## A primary criterion that needs moderation

The importance of population as the primary criterion needs moderation because the population control policy was promoted by the central government. There may not be another parallel policy, the outcome of which is used to the detriment of the performer. Perhaps, there is a need to use a deflator that can moderate the benefit that States might derive on account of higher population. As real GDP growth is determined by adjusting nominal growth for inflation, we need to think of a divisor that will neutralise the unintended gain due to population growth. For example, if we calculate the number of seats that the Lok Sabha should have on the basis of the 10.10 lakh average for the 1977 election of 543 seats, we might get about 1,440 seats as per the estimated population of 2024. But if this number is divided by the national total fertility rate (TFR, the single significant factor that is proportional to population growth) for 2024, this might reduce to about 680 seats. Since State-level TFR data is available, this can be applied to every State for moderating its population growth figures. Experts may suggest a more sophisticated formula.

A Parliament that can debate constitutional amendments aimed merely to achieve managerial efficiency in conducting elections, can certainly debate ways in which the structural political imbalance inherent in the population-based delimitation of constituencies can be managed.

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- **The Census-based population criterion was the only basis that had no qualifications attached, unlike in the past where voting rights were based on religion and educational background.**
- **Delimitation means the process of fixing the number of seats and boundaries of territorial constituencies in each State for the Lok Sabha and Legislative assemblies.**
- **This 'delimitation process' is performed by the 'Delimitation Commission' that is set up under an act of Parliament.**

## **Content.**

- **Delimitation Commission: It is a high powered 3 member body whose orders have the force of law and cannot be called in question before any court.**
- **It includes two Supreme Court or High Court judges, one appointed as chairman by the central government, and the Chief Election Commissioner as an ex-officio member.**
- **Its orders are presented to the Lok Sabha and State Assemblies but cannot be modified.**
- **It has powers of a civil court.**
- **It has been set up four times till February 2024 i.e., 1952, 1963, 1973 and 2002.**



## **Content.**

- **Judicial Review: In the Kishorchandra Chhanganlal Rathod Case, 2024, the Supreme Court held that an order by the Delimitation Commission can be reviewed if it is clearly arbitrary and violates constitutional values.**



# Drop the piecemeal ways to social security for workers

Page No. 10, GS 2,3

India's efforts to establish social security for online (app-based) gig workers are gaining momentum, with the central scheme awaiting Cabinet approval. Benefits announced include health coverage under Ayushman Bharat, registration on the eShram portal for access to various social security schemes, and a transaction-based pension policy, where a universal account number assigned to each gig worker helps track their earnings across platforms for deductions and company contributions. This pension scheme is particularly notable because, in a way, it acknowledges that gig workers (operating outside traditional employee-employer relationships) can have multiple employers, and ensures that each contributes, albeit in a limited capacity, towards worker welfare. In a country where social security is typically tethered to formal employment and informal workers are excluded or otherwise disadvantaged, this is clearly a step forward.

However, this progress highlights the reactive nature of current social protection systems which tend to respond only when new worker categories emerge. This underscores the need for India to proactively reimagine its social security framework to address these evolving challenges.

## The flaws in the existing system

Despite being a founding member of the International Labour Organisation (ILO), India is yet to ratify the Social Security (Minimum Standards) Convention, 1952 (No. 102), the ILO's Convention aimed at establishing basic social security principles. India's Code on Social Security (Code), one of its four new Labour Codes, enacted nearly 70 years after the 102



**Renjini Rajagopalan**

is a lawyer and Research Lead at the Centre for Gender Analysis, JustJobs Network (JJN)

As India strives to make its workforce 'future ready', robust social protection systems that can withstand workforce and sectoral changes need to be in place

Convention, intends to provide a comprehensive framework for social protection. But it has faced significant criticism for its ambiguous definitions, watered down protections, and on-going implementation challenges.

One of the Code's most prominent features is its insistence on relying on welfare boards for the distribution of social welfare – a process that has long been found falling short of its intended goals. For instance, a recent Right To Information petition showed that Welfare Boards for Building and Other Construction Workers of various States were yet to use ₹70,744.16 crore worth of cess they had collected from employers for the welfare of workers. In another instance, a Comptroller and Auditor General (CAG) 2024 report found that 99 local bodies in 10 districts had delayed remittance payments to the Tamil Nadu Construction Workers Welfare Board (TNCWWB), amounting to ₹221.8 crore. Even in Kerala, with its strong thrust on worker welfare, only five out of its 16 boards were found to function effectively, with some boards (as per 2016-17 data) not reporting any beneficiaries at all. This has led to repeated calls from activists and advocacy groups for improvements in the management and the functioning of welfare boards.

## The problem with incremental approaches

One of the main arguments in favour of India's fragmented, welfare-board run social welfare systems is its ability to provide targeted relief to segments of workers in need – for example, beedi and cigarette workers of Karnataka have sought the revival of a defunct welfare fund to deal with their welfare woes. Today it is the gig worker; but new worker categories are bound to

emerge with advancements in technology or other forces of disruption.

So, relying on a piecemeal approach – as opposed to a combination of universal social protection and targeted support – can fail to account for the precarious nature of all informal work. Such an approach could also create artificial distinctions between different types of informal work such as between gig work and domestic work, and in turn impose arbitrary thresholds on who is deserving of social protection, and who is not.

It is also risky to assume that focusing on just one worker segment will automatically solve the challenge of formalising informal labour. Because right now, there is understandably growing excitement about how gig work will employ more people in the future. But banking on it as a solution to formalising informal labour is overly optimistic.

## Towards universal social protection systems

As India strives to make its workforce 'future ready', it is crucial to create robust social protection systems that can withstand workforce and sectoral changes. Which raises the key question: what is the most realistic way forward? The Code, despite its implementation logjam, looks here to stay. And while it leaves the bulk of the oversight to the Centre, it allows States some flexibility to enact social security measures within its framework.

A sensible starting point might be to treat the Code's mandates as the bare minimum, and use these as a foundation to build stronger, more inclusive, accessible and ultimately, universal social protection systems that leave no worker behind.



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## **Fact**

- **Despite being a founding member of the International Labour Organisation (ILO), India is yet to ratify the Social Security (Minimum Standards) Convention, 1952 (No. 102), the ILO's Convention aimed at establishing basic social security principles.**
- **India's Code on Social Security (Code), one of its four new Labour Codes, enacted nearly 70 years after the 102 Convention, intends to provide a comprehensive framework for social protection.**
- **As India strives to make its workforce 'future ready', it is crucial to create robust social protection systems that can withstand workforce and sectoral changes.**
- **A sensible starting point might be to treat the Code's mandates as the bare minimum, and use these as a foundation to build stronger, more inclusive, accessible and ultimately, universal social protection systems that leave no worker behind.**







# UPSC IAS



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