**Polity and Governance**

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| Indian Constitution | * + **Introduction**     - The Indian Constitution is a living document      * + **Historical Underpinning & Evolution**     - Regulating Act (1773) to Independence Act (1947)     - Constituent Assembly     - Objective Resolution     - Enactment & Enforcement of Constitution      * + **Features**     - Written     - Flexible & Rigid     - Federal with unitary bias     - Parliamentary Form of Government (Presidential vs. Parliamentary Type of Government)     - Integrated and independent judiciary     - Secularism     - Three tiers of government     - Emergency provisions      * + Core tenets of Indian Political System     - Supremacy of the Constitution     - Quasi-Federal System     - Parliamentary System     - Bicameral Legislature:     - Leadership of Prime Minister     - Independent Judiciary     - Multi-Party System with First-Past-The-Post     - Fundamental Right     - Directive Principle     - Fundamental Duties      * + **Amendments**     - List of Significant Amendments & Their Provisions       * 7th, 42nd, 44th, 73rd, 74th, 97th and 101st     - Procedure for Amending Constitution - A368      * + **Significant Provisions**      * + **Fundamental Rights (12 - 35)**     - Article 13 - All laws inconsistent or in derogation with FR shall be null and void.  Right to Equality (14-18)  * + Article 14 - Equality before law and equal protection of law   + Article 15(1) - Prohibition of discrimination on the grounds of religion, race, caste, sex or place of birth (RR CSP)     - (3) - Special provision for women and children.     - (4) - Advancement of SC, ST.     - (5) - Advancement of SC, ST to their admission to educational institutions     - (6) - advancement of any economically weaker sections      * + Article 16 - Equality of opportunity in matter of public employment     - (4) - reservation of appointments in favour of any backward class of citizens     - (4A) - reservation in matters of promotion     - (6) - reservation of appointments in favour of any economically weaker sections   + Article 17 - Abolition of Untouchability and prohibition of it's practice   + Article 18 - Abolition of titles except in military and academics    Right to Freedom (19-22)  * + Article 19 -     - (1) Protection of 6 rights regarding freedom of       * Speech and expression       * Assembly       * Association       * Movement       * Residence       * Profession     - (2) Restrictions on (a) - sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality, contempt of court, defamation or incitement to an offence.     - (3) Restriction on (b) - the sovereignty and integrity of India, public order     - (4) Restriction on (c) - sovereignty and integrity of India, public order, morality     - (5) Restriction on (d), (e) - interests of the general public, protection of the interests of any Scheduled Tribe.     - (6) Restriction on (g) - interests of the general public, qualifications necessary for practising.      * + Article 20 - Protection in respect of conviction for offences   + Article 21 - Right to life and personal Liberty   Right to live with human dignity. [Kharak Singh]  Right to decent environment including pollution free water and air and protection against hazardous industries.  Right to privacy. [K. S. Puttaswamy]  Right to speedy trial. Right against handcuffing.  Right against custodial harassment.  Right of prisoner to have necessities of life.  Right of women to be treated with decency and dignity  Right to information.  Right to sustainable development  Right to die with dignity [Common Cause]     * + Article 21A - Free and compulsory education for 6-14   + Article 22 - Protection against arrest in certain Cases    Right against Exploitation (23-24)  * + Article 23 - Prohibition of traffic in human beings and forced labour   + Article 24 - Prohibition of employment of children(<14) in factories    Right to freedom of Religion (25-28)  * + Article 25 - Freedom of conscience and free profession, practice and propagation of religion     - Subject to public order, morality and health   + Article 26 - Freedom to manage religious affairs   + Article 27 - Freedom from payment of taxes for promoting any religion   + Article 28 - Freedom as to attendance at religious instruction or worship in certain educational institutions.    Cultural and Educational rights (29-30)  * + Article 29 - Protection of distinct language, scripts and culture of minorities   + Article 30 - Right of Minorities to establish and administer educational institutions    Right of constitutional Remedies (32) - (HC226)  * + Article 32 - Right to move to SC for the enforcement of Fundamental Rights including the writs of     - Habus corpus     - Mandamus     - Prohibition     - Certiorari     - Quo-warranto      * + Examples of arbitrary restriction on freedom     - National Emergency (1975-77)     - Religious norms - Sabarimala Temple      * + **Directive Principles of State Policy (36-51)**     - **Laws implementing DPSP**       * Land reform laws       * Minimum Wages Act (1948)       * Child Labour Prohibition and Regulation Act (1986)       * Factories Act (1948), Mines Act (1952)       * Maternity Benefit Act (1961)       * Equal Remuneration Act (1976)       * Legal Services Authorities Act (1987)       * Wildlife (Protection) Act, 1972, Forest (Conservation) Act, 1980       * 73rd Amendment Act (1992)      * + **Judicial Review**     - Article 13, 32, 226, 137, 142      * + Universal Adult Franchise (326)   + Single Citizenship (9)   + Separation of Powers      * + **Basic Structure**     - The Doctrine       * Keshvananda Bharti Case     - Judgments & Cases       * *Minerva Mills* case (1980), the Supreme Court held that ‘the Indian Constitution is founded on the bedrock of the balance between the Fundamental Rights and the Directive Principles’.      * + The doctrine of basic structure which is synthesis of parliamentary sovereignty and judicial supremacy is the characteristic feature of indian constitution and most important judicial innovation in indian jurisprudence.      * + **Conclusion** |
|  | * + **Reorganization of states (chronology)**     - 7th Amendment and State Reorganization Act 1956     - Maharashtra and Gujarat In 1960     - Dadra and Nagar Haveli, 1961 (made UT)     - Goa, Daman, and Diu, 1962 (made UT) - 1987 goa became state     - Puducherry 1962(made UT)     - Nagaland In 1963     - Haryana, Chandigarh, and Himachal Pradesh In 1966 - shah commission     - Himachal Pradesh In 1971 made state     - Manipur, Tripura, and Meghalaya In 1972     - Sikkim, 1975     - Mizoram, Arunachal Pradesh, and Goa In 1987     - Chhattisgarh, Uttarakhand, and Jharkhand In 2000     - Telangana In 2014 |
| Comparison of the Indian Constitutional Scheme With That of Other Countries | * + Written Constitution   + Blend of Rigidity and Flexibility   + Federal System with Unitary Bias   + Parliamentary Form of Government   + Synthesis of Parliamentary Sovereignty and Judicial Supremacy   + Integrated and Independent Judiciary   + Fundamental Rights, Directive Principles of State Policy, Fundamental Duties   + Secular State   + Universal Adult Franchise   + Single Citizenship   + Emergency Provisions   + Three-tier Government   + Due Process of Law vs. Procedure Established by Law   + Impeachment of President, etc.        * + Dimensions of comparison     - Type of electoral system (FPTP; Proportional; Electoral Collage; list)     - Executive     - Legislature     - Voting system (direct / indirect)     - Frequency of elections     - Representation system ( single member constituency / winner takes all)     - Electoral campaigns and funding     - Political parties     - Election management ( ECI / decentralized election laws)     - Voting Methods and Technology ( EVM/ paper ballots | single phase / multi phase)     - Voting behaviour |
| Functions & Responsibilities of the Union and the States | * + 7th Schedule     - Article 246     - Union list - 97     - State list - 66     - Concurrent list - 47     - Article 248 - confers the residuary powers on centre   + Legislative Functions   + Financial Functions   + Administrative & Quasi-Judicial Functions |
| Issues & Challenges Pertaining to the Federal Structure | * + Federal System is one in which powers are divided between the national government and the regional governments and both operate in their respective jurisdictions independently.      * + **Cooperative, Competitive and Confrontational Federalism**      * + **Centre-State Relations**     - Legislative Relations     - Administrative Relations     - Financial Relations     - Trends in Centre-State Relations      * + **Inter-State Relations**     - Inter-state Water Disputes       * Punjab-Haryana dispute over the Sutlej-Yamuna Link (SYL)       * Cauvery, Krishna, Narmada, Godavari, Mahanadi,       * Challenges         + Prolonged Tribunal Proceedings         + Legal complexities : legal battles over tribunal awards.         + Political sensitivities and regionalism         + Ineffective mechanism : Krishna Water Disputes Tribunal took 43 years         + Lack of Enforcement Mechanism         + Limited Scope for Review      * + Advantages     - Tribunal Mechanism     - Binding Decisions     - Expert Adjudication     - Encouragement of Negotiations   + Impact     - Escalation of Tensions     - Economic Losses     - Interference with Development Projects       * The Polavaram project     - undermine cooperative federalism     - over-extraction or mismanagement of river waters      * + Inter-State Councils   + Public Acts, Records and Judicial Proceedings   + Inter-State Trade and Commerce   + Zonal Councils   + Inter-state boundary dispute     - Occurring due to state reorganization     - How to resolve ?       * Executive - Inter state council, zonal council       * Legislature - Parliament can bring a act for amending the interstate boundary       * Judiciary - SC under A131 - original jurisdiction     - Example       * *Karnataka-MH boundary dispute over Belagavi, Karwar, Nipani*       * Disputes in north east.     - WF -       * Interstate boundary commission      * + **Emergency Provisions**   + **Role of Governor**      * + **69th Amendment**      - Introduction       * NCT Delhi formed through Article **239AA, 69th Amendment 1991.** It says land, public order and police to be controlled by Centre, on other matters LG has to act on the aid and advice of the COM.     - Essentials       * Except those relating to public order, police, and land, legislative assembly has power to make laws       * LG represents the President of India, exercise power and functions delegated by president     - Conflicts       * Administrative control, appointment of bureaucrats, and the reservation of bills for the President's consideration.     - New trend   + Manipur   + **Conclusion**     - Indian Federation is 'sui-generis' aimed to create “a new kind of federation to meet India’s peculiar needs.” -Granville Austin |
| Devolution of Powers & Finances to Local Levels & Challenges Therein | * + **Introduction -**      - 73rd and 74th Constitutional Amendment to the Indian Constitution formally recognised a third tier of government at the grassroot level.      * + World Bank study “Overview of Rural Decentralisation”, suggest that India is best performer in political decentralisation, middle performer in fiscal but worst on administrative      * + **Importance**     - Tailored decision-making to community's specific needs improve responsibility and accountability     - Efficient resource allocation ensuring use for most pressing local issues       * Kerala’s People’s Plan Campaign     - Better service delivery like education, healthcare, sanitation       * The Swachh Bharat Mission’s success in ODF status     - Strengthen participatory democracy making it inclusive and deliberative       * E.g. Gram Sabha's     - Wider representation - SC,ST and women Reservation     - Empowering local leaders and capacity building at local level     - Sustainable Development of Villages      * + **Positive impacts**      * + Role of State Government   + Role of State Finance Commission   + 11th & 12th Schedule   + Reasons for Ineffective Performance      * + Panchayat Devolution Index (NITI Aayog)      * + **Challenges in the PRI system**     - Funds       * Tied nature of funds, Dependency on State and Central 'Grants' and 'Devolution'       * Huge responsibility but grossly inadequate resources     - Functions       * Bureaucratic control (Haryana’s Palwal district)       * Political bureaucratic nexus (Manishankar Iyer committee)       * Municipalities have further limited authority and autonomy.       * Parallel bodies         + E.g. Khap Panchayats     - Functionaries       * system of double authorisation (bureaucratic concurrence)       * Lack of skilled personnel     - Lack of Modern Technology and advanced practices in field of planning (data analytics) and implementation.     - Patriarchy and caste discrimination       * male-dominated structures and traditional power structures       * Sarpanch Pati's /         + Ratlam - Husband even had 'power of attorney' document to take decisions      * + **Steps** That **Can** Be **Taken** to Improve Their Performance     - Financial       * Improve Internal Resource Generation         + Tax revenue e.g.  land and houses , stamp duty , lights etc.         + royalty of minerals resources (2nd ARC)       * Grant in aids from Finance commission       * Direct funding - **MPLADS**       * Incentives and competitiveness for prudence and development      * + Functions     - Devolution of Powers     - Model code of conduct       * E.g. Kerela     - Entitlement-Based District Planning (EBDP)       * E.g. Bihar      * + Functionaries     - Dedicated cadre of officers       * E.g. Karnataka      * + **Recommendations**     - Mani Shankar Aiyyar committee       * Panchayat ombudsman       * Constitutionally define devolution of power       * National commission for Panchayati raj     - Punchhi commission       * Legislative council at state comprising of PRI     - Vijay Kelkar       * Share GST at local level       * Municipal bonds      * + **Conclusion**      - Article 40 provides to take steps to organise Village Panchayats and endow them powers and authority to function as unit of self-government. |
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| Separation of Powers Between Various Organ | * + Doctrine of Separation of Power     - Means division of functions and powers among separate branches to prevent the concentration of authority.     - The Legislature, the Executive, and the Judiciary.   + Provisions for Separation of Power in Indian Constitution     - Article 50 : Separation of Judiciary from Executive     - Article 121 : Restriction on discussion in Parliament.     - Articles 122 and 212 : Judicial Non-Interference in Legislative Proceedings        * + Importance of Separation of Power     - Prevents Concentration and Abuse of Power     - Independent functioning of different organs     - Protects Individual Liberties       * Expanded scope of article 21 in Maneka Gandhi case(1978)       * Right to sexual autonomy, privacy and equality in Navtej Singh Johar case(2018)       * Right to privacy as fundamental right held in Puttaswamy case(2017)     - Promotes accountability     - Uphold supremacy of constitution and Rule of Law     - Fair and impartial dispute settlement       * Government is biggest litigator      * + Doctrine of Checks & Balances     - Fundamental principle to ensure that no single branch of government becomes too powerful.     - Features       * Mutual Oversight       * Interdependence       * Accountability     - Legislature and Executive       * Executive is drawn from the legislature. And remain collectively responsible to Lok Sabha (Article 75)       * Parliament can Impeach of the President [Article 61]       * Parliament exercises oversight over the executive through Question Hour, Adjournment Motion, Parliamentary Committees.       * Executive summon and dissolve Parliament. Issue ordinances when parliament not in session.     - Executive and Judiciary       * Judiciary has the power to review executive actions and the laws passed by the legislature to ensure conformity to constitution. (Article 13)         + Indira Gandhi v. Raj Narain (1975) - invalidated election of Prime Minister       * Executive (President) appoint Judges in consultation with judiciary. (Article 124)     - Judiciary and Legislature       * Parliament can impeach judges on ground of proved misbehavior and incapacity (Article 124)       * Judiciary can review legislations including constitutional amendments.         + (NJAC) Act and 99th Amendment - unconstitutional   + Importance of Checks and Balances   + Provisions for Checks & Balances in Indian Constitution      * + Related Judgments     - Golaknath case     - Keshavananda Bharati     - Indira Gandhi Vs Raj Narain |
| Dispute Redressal Mechanisms and Institutions | * + Judiciary : Supreme Court, High Courts, and subordinate courts   + Alternative Dispute Resolution (ADR) : arbitration, mediation, and conciliation     - The Arbitration and Conciliation Act, 1996   + Lok Adalats : through compromise   + Lokpal and Lokayuktas   + Tribunals   + Family Courts     - The Family Courts Act, 1984   + National Human Rights Commission (NHRC)      * + **PIL**     - Any public spirited person can move to court for enforcement of rights of persons who are in socially and economically disadvantageous position and unable to reach court for remedies.     - It involves relaxation of the traditional rule of ‘locus standi’     - Reasons for increasing PIL       * When there is a legislative vacuum on pressing social issue. Judiciary steps in         + E.g. Vishakha Guideline on Sexual Harassment at Workspace       * protecting fundamental rights       * When executive fails to perform their duties         + MC Mehta (1986) giving directive for controlling pollution in Ganga River.       * Ensuring justice when other branches failing or unwilling to do so.         + Banning triple talaq       * Addressing broad public concerns         + E.g. environmental protection, human rights, and social justice.       * Proliferation of CSO       * Activist judges     - Issues       * Judicial overreach : encroaching on the domain of the executive and legislature.         + E.g. Supreme Court's ban on the sale of alcohol near highways (2017)         + Subash Mahajan Case       * Judicial directives may sometimes face implementation issue due to administrative mechanisms.   E.g. despite directive large number of undertrials   * + Misuse of provision by filing with ulterior motive or gaining publicity   + Frequent judicial intervention through PILs can undermine separation of power     - E.g. environmental interventions   + Weak follow-up and monitoring   + Way forward     - “PIL is not a pill or a panacea for all wrongs"     - Clear Guidelines for PIL Admission     - Strict scrutiny at admission stage to filter out frivolous petitions.      * + Government initiatives     - Legal Services Authorities Act , 1987     - DISHA Scheme     - Nyaya Bandhu Platform     - Tele-law service     - Legal Aid Defence Counsel System (LADCS)     - Nyaya Mitra Programme |
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| Parliament and State Legislatures | * + **Structure**     - Article 79 - Constitution of Parliament (P, RS, LS)     - Article 80 - Composition of the Council of States     - Article 81 - Composition of the House of the People      * + **Functioning**     - According to Article 75(3) of the Constitution, The council of minister have collectively responsibility to the house of people.     - Making laws     - Ensuring accountability of the executive       * Question hour, zero hour, calling attention motion, censure motion, Adjournment Motion       * Parliament approves the government’s budget       * Committees      * + Probing into scams     - Coal scam     - 2G spectrum scam   + Committee level     - Bills were made better -       * Data protection bill       * IT bill, GST bill       * Companies bill etc.      * + Failure in ensuring accountability     - Anti defection law and party whip     - Majority government     - Limited time for discussions     - Sessions ending early     - Decrease in productivity     - Debates are rare and informed debates are rarer. Disruption has become norm -Hamid Ansari     - Failure of parliamentary committee      * + Way forward     - NCRWC recommended fixing minimum sitting in year.   + Parliament of the country is the **repository of the sovereign will of the people**, thus its successful functioning is the joint responsibility of both the government and the opposition -Pratibha Patil      * + **Issues**      - Attendance of MP       * PRS legislative research - Avg attendance - 71% LS, 74% RS     - Criminal records       * 43% of Lok Sabha MPs have criminal record with 29% having serious criminal charges (PRS)     - Inequality in decision making power       * 85%  of MPs are Crorepatis     - Lack of inclusivity       * 13.6% women [18th LS]      * + **Powers & Privileges**     - **Article 105** - Powers, Privileges and Immunities of Parliament and its Members       * Need for privileges         + For Honor, Dignity and Authority of the House         + To protect it's members in obstruction in discharge of their parliamentary Duties and Responsibilities.       * Privileges of the House         + Right to Publish         + Can punish outsiders for breach of privileges         + Right to receive immediate information for arrest, detention, conviction or imprisonment of its members.         + Courts are prohibited - Article 122         + No person can be arrested within its premises without the permission of presiding officer.       * Privileges of its Members         + Can't be arrested during the session of house, 40 days before and after for 'civil matters'.         + Freedom of speech on the house and not answerable in any court for speech/vote in the house.         + Exempted for jury service when parliament is in session.       * Issues         + Allegedly Partisan role of speaker   E.g. suspension of opposition MPs   * + - * + Separation of power - legislators are doing quasi-judicial function         + Constitutionality of checks and balances         + Judicial interference - against spirit of Article 122      * + Reasons for absence of legal codification     - scope of privileges open-ended for evolution and adaptation of privileges over time.     - Privileges are dynamic and evolve with time     - PV Narasimha Rao case - SC - need for codification.      * + Way forward     - Formation of a Parliamentary Privileges Committee     - Legislative Debates and Consensus-Building     - Public consultations, civil society engagements, and expert opinions     - Reviewing International Practices      * + **Article 121** - Restriction on discussion in Parliament on mannar and judgement given by judges of SC and HC.   + **Article 122** - Courts not to inquire into proceedings of Parliament.      * + **Parliamentary committees**     - Strengthen executive accountability to legislature      * + Role     - MRI-PR     - Increased Accountability by scrutiny and oversight     - Improved Policymaking : suggested improvement in government policies       * Standing Committee on Finance highlighted irregularities in the 2G spectrum allocation     - Legislative Inputs       * E.g. GST Framework reforms     - Specialized expertise and in-depth analysis       * E.g. standing committee on health and family welfare consulted doctors, women to form report on surrogacy regulation bill 2016     - Enhanced Public Participation: holding public hearings, increased citizens participation     - Enhance quality of debate     - Round the year working     - Consensus based working - whip is not applicable -> members don't take party line rather decide on merit      * + Example     - Standing Committee on Agriculture pointed farmers distress and ways to diversify incomes      * + Failures     - Decline in matters referred to committees       * PRS legislative research - 71% 15th LS, 27% in 16th LS, 11% [17th]         + 71            15th Lok Sabha            27            16th Lok Sabha            13            17th Lok Sabha     - Recommendations only advisory     - Limited tenure (1yr)     - Lack of resources and staff to conduct thorough investigations.     - Political Interference     - Lack of Follow-up     - Reports Ignored     - Rubber-Stamping of Government Proposals      * + Speaker |
| Executive | * + **Structure**     - **Union:**       * **President**         + Article 53 - Executive power of the Union.         + Article 54 - Election of President.   Procedure  Electoral College  Secret Ballot  Proportional Representation  Strengths  Representation to diverse population  Indirect Election ensure level headed choice  Proportional Representation: prevent candidate from winning without majority  Weakness  Complex process  Partisan politics : political parties can influence electors choice  Limited public participation     * + Article 61 - Procedure for impeachment of the President.   + Article 72 - Power of President to grant pardons, etc., and to suspend, remit or commute sentences.   + Article 86 - Right of President to address and send messages to Houses.   + Article 87 - Special address by the President      * + **Vice president**     - Article 63 - The Vice-President of India.     - Article 64 - The Vice-President to be ex officio Chairman of the Council of States.     - Article 66 - Election of Vice-President.     - Article 89 - The Vice- President of India shall be ex officio Chairman of the Council of States.      * + **Prime Minister**     - Article 75(1) - The Prime Minister shall be appointed by the President     - Article 78- Duties of Prime Minister as respects the furnishing of information to the President, etc.      * + **Council of Ministers**     - Article 74 - Council of Ministers to aid and advise President.     - Article 75(1A) - COM < 15% LS     - Article 75(3) - The Council of Ministers shall be collectively responsible to the House of the People.     - Article 88 - Every Minister shall have the right to speak in, take part in the proceedings of Parliament, but shall not be entitled to vote.   + Cabinet Secretariat      * + **State:**     - **Governor**     - Chief Minister     - Council of Ministers     - Secretariat   + **Organization**   + **Functioning**   + **Ministries and Departments of the Government**     - [*दमदार भारत ज़ोरदार भारत*](onenote:Master.one#दमदार%20भारत%20ज़ोरदार%20भारत&section-id={08B019D7-57B1-7043-B1C6-14B455757019}&page-id={43B45C12-55EE-3E42-BDAD-81B94C90F6E8}&end&base-path=https://d.docs.live.net/9b24b3fb5359b984/Documents/My%20Notebook) |
| Judiciary | * + **Introduction**     - A People’s Survey of India report noted that Indians had 80% trust in the Supreme court.      * + **Structure**     - **Judiciary**       * Three-Tier Structure       * Chief Justice of India       * SC & HC Judges       * Jurisdiction      * + Challenges in judicial independence      * + **Issues with judiciary**     - Pendency of cases       * 5 Cr total pending cases with 60000 cases pending in supreme court         + State of the Judiciary’ report     - Judicial vacancies and limited capacity       * Global standard is of 50 judges per million, India has 21     - Judicial delays       * 91000 cases pending in HC for more than 30 years- PRS       * Judicial delays cause loss of 0.5% of GDP     - Undertrials       * 80%     - Infrastructure       * National Judicial Data Grid, 19.7% of district courts did not have separate toilets for women     - Issues in appointment       * collegium system critiqued for lacking transparency     - Inclusivity       * Supreme court has only 3 female judges out of 32       * 13.4% and 9.3% of judges are women in HCs and SC respectively (State of Judiciary Report 2023)       * How to improve - gender quotas; mentorship and support for women in legal profession; transparent selection system     - Judicial adventurism : Subhash Mahajan Case     - Government as largest litigant       * In 46% cases, govt is the litigator       * Centre and states spend at least than 1% of their budget on judiciary   + **Way forward**     - 2nd ARC recommendation       * National Judicial Council having representative of executive legislature and judiciary         + Laying down code of conduct for judges         + Appointment of judges      * + **Organization**   + **Functioning**      * + **Independence of judiciary**     - Separation of Powers:       * Article 50     - Security of Tenure:       * Once appointed - can hold office until 65 yrs (SC) and 62 yrs (HC)     - Appointment Process:       * Article 124 Collegium system     - Removal Process:       * Article 124(4) and Article 218 - special majority in the Parliament     - Salary and Allowances:       * Charged on CFI     - Independent Administrative Machinery:     - Contempt of Court:      * + **Conclusion**      - Justice is regarded as **architectonic** value of any civilization.      * + Article 50 - The State shall take steps to separate the judiciary from the executive in the public services of the State.      * + Article 39A provides for equal justice and free legal aid. |
|  | * + PIL - Public Interest Litigation and Judicial Activism     - Under Article 32 and 226, morally bound to protect and promote welfare of those in disadvantaged position     - Type of Judicial Activism (Judicial Dynamism) or 'proactive role of judiciary'     - When Executive and Legislature fail to discharge their respective functions      * + *Reasons for large number of PIL*     - Human rights activist are reaching out in large numbers       * Civil rights activists       * Peoples rights       * Environmental Action       * Rights of Child and Women, LGBTQ+       * Assorted lawyers and individuals       * Poverty, tribal and labour rights group.    *Justification*  * + Judicial Enthusiasm   + Legislative Vacuum   + Constitutional provision     - Article 142 - complete justice    *Advantages*  * + Establish Rule of Law   + Facilitate Justice to Socially and Economically Backwards Sections   + Meaningful Realization of Fundamental Rights   + Positive and assertive role played by Judiciary   + 'principle of federal supremacy'   + 'Harmonious Construction'    *Apprehensions or Disadvantages*   * + SC observed that "judges unjustifiably trying to perform executive and legislative functions that is unconstitutional" -Deoki Nandan Agarwal Case   + Ideological Fears   + Epistemic fears - lack of **expertise** in domain of creating legislature.   + Democratic Fears - elected representatives, aren’t they bypassed?   + Legitimation fears - क्या अपने पैर पर कुल्हाड़ी तो नहीं मार रहे?   + Court does not have power wrt enforcing the judgement akin to A142 - issue of compromise with authority and supremacy of courts.    *Measures / Way Forward*   * + Assumption of Judicial Restraint   + Restrict Matters to entertain as PIL   + Court Should verify Substantial Public Interest before entertaining PIL   + Court should ensure PIL is aimed at redressal of genuine public interest and not personal, political interests. |
|  | * + Quasi-Judicial Bodies | Tribunals     - Quasi-Judicial means having a partly judicial character, having the rights to hold hearing and conduct investigation in alleged infraction of rules and law, make decisions in general manner of court.    *Examples*  * + Tribunals under Article 323A and 323B   + Election commission of India   + National Human Rights Commission   + National commission for SC, ST, BC.   + National Commission for Women.   + SEBI, TRAI    *Salient Features*   * + Directed by specific laws, specific purposes.   + Binding judgement   + Can be statutory, regulatory or constitutional in nature   + Principles of natural justice   + Indian evidence act : can go beyond the act    *Advantages*  * + Can disburse justice quickly   + Low cost for the aggrieved   + Leveraging expertise In certain matters   + Ensure rights for specialized objectives, minorities and vulnerable sections.   + Reduce the workload on over-burdened Judiciary.    *Disadvantages*  * + False Cases   + Violates the principle of separation of power   + Can become tools of unrestricted executive power if kept outside the jurisprudence of higher courts   + Can become mechanism of parallel judicial process.   + Lack resources and manpower.  *Way forward*  * + Tribunals are great ideas for addressing the challenges of contemporary judicial structure but the separation of power doctrine enshrined U/A 50 of constitution in DPSP shall be observed. |
|  | * + Use of regional language in judiciary     - Background       * Article 348 - language in SC and HC       * Official languages act     - Advantages       * FR of litigant under article 19 and 21 is ensured. - right to justice       * Reach, accessibility, availability of justice for litigants.     - Challenges       * SC is union court - would be difficult to manage business of court       * Will have to change well developed, uniform and integrated judicial system       * Challenges in transfers of HC judges     - Way Forward       * Language of high court can be English + 1, post Seeking opinion of CJI on the matter.       * Hindi Translations can be provided for public use       * Short summary of judgements for the masses to understand      * + Lok Adalat is a forum where the cases which are at pre-litigation stage or pending in a court are settled in an amicable manner.     - Advantages - no court fees, procedural flexibility, speedy trial, binding and non-appealable nature |
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| Tribunals | * + Introduction     - On recommendation of Swaran Singh Committee, Tribunals were established by 42nd Amendment Act, with the constitutional status under article 323A to provide effective and speedy delivery of justice.     - Tribunal is a quasi-judicial institution constituted with objective of effective and speed delivery of Justice.      * + Tribunals are created to handle specialized matters that require specific expertise, such as tax, administrative, and environmental disputes.      * + Benefits     - Specialized expertise enhance quality of adjudication in complex and technical matters.       * NCLT includes experts in corporate law and finance     - Flexibility in procedures result into efficient handling of cases     - Provide a more accessible and cost-effective forum for dispute resolution     - Reduce burden on courts     - Expedite justice     - Principle of natural justice      * + Constitutional validity     - Article 323A and 323B     - In L. Chandra Kumar case Supreme Court held that tribunals are under judicial superintendence of High Court and Supreme Court.      * + Issues     - Lack of independence       * System of appointment - **executive dominance**     - Non uniform **standards** - qualification, appointments, service conditions, tenure     - Curtailing the power of judicial review- separation of power       * Appeal of NGT goes directly to SC      * + Overlapping jurisdiction with ordinary courts     - diverting specialized cases to tribunals ordinary courts are relieved of adjudication duties     - Deprive HC of power of judicial review (e.g. NGT)     - Procedural flexibility undermine established judicial mechanisms     - against the Doctrine of Separation of Powers      * + Pendency     - 44,333 cases - CAT     - 90500 cases - Custom, excise and service appellate tribunal     - 90000 cases - income tax tribunal   + **Case Laws**     - Chandra Kumar case, 1985       * JR is part of Basic structure of High courts.       * High Courts can't be excluded from Judicial Review in matters of tribunal       * Tribunals shall be supervised by the Supreme court and High Court.       * Election petitions should be placed first in high courts.      * + Rojer Mathews VS UOI, 2019 -     - Judicial functions of tribunals will be done by judicial members only      * + Madras bar association VS UOI 2020     - **National tribunal commission t**o appoint members - (member - 5yr, 67yr)      * + Tribunals reform act 2021     - 4yrs, 50yrs minimum age, **search & selection committee** (executive dominance)      * + Madras bar association - 2021     - Struck down tribunals reforms act   + Examples     - National Green Tribunal (NGT)     - Income Tax Appellate Tribunal (ITAT)     - Securities Appellate Tribunal (SAT)     - National Company Law Tribunal (NCLT)      * + Constitutional validity and competency   + Way forward     - National tribunal commission (L Chandra Kumar case)     - Government largest litigant - minimum participation in selection - 272nd law commission     - Qualification standards      * + Conclusion     - Overall, tribunals play a crucial role in complementing the judiciary and enhancing access to justice in India. |
| Pressure Groups & Formal/informal Associations & Their Role in Polity   [*Pressure groups*](onenote:#Comparative%20Politics&section-id={DA2D6583-6393-3942-9C6F-2F119C30EFDD}&page-id={39008A75-3701-3B46-A95B-EAACB86B2D2B}&object-id={3EE87A4D-C2ED-7B41-9451-CDB636368A74}&32&base-path=https://d.docs.live.net/9b24b3fb5359b984/Documents/My%20Notebook/short%20notes.one) | * + **Introduction**      - Pressure groups are various forms of advocacy groups of people with intention for promoting and defending their common interest and to influence public opinion and ultimately policies.       * E.g. FICCI, RSS etc.      * + Characteristics of Pressure Groups   + Pressure Groups & Political Parties   + Pressure Groups & Interest Groups   + Types of Pressure Group   + Functions, Role & Importance of Pressure Groups   + Techniques/Methods of Pressure Groups     - VIOLe„te        لهسمامد        و   + Pressure Groups in India   + Shortcomings of Pressure Groups     - Narrow interests     - Disrupt public order       * Illegal methods like chakkajam, strikes, bandhs     - Social disharmony       * Invoking caste/religion |
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| *Salient Features of Representation of People's Act* | * + **Introduction**     - RPA, 1951 is a landmark legislation that helps achieve objective of free and fair elections in India.      * + Constitution empowers parliament under Article 327 to make provisions for elections to legislature. This led to enactment of RPA, 1951.   + Elections are a very potent and periodic tool at the hand of Indian citizens to hold the government accountable.      * + **Significance of RPA**     - Comprehensive legal framework for conducting elections       * outlines the entire electoral process, from filing nominations to the declaration of results     - Specifies the qualifications and disqualifications for candidates       * Section 8A - Disqualify candidates on corrupt practices     - Recognition of national and state political parties     - Defines electoral offenses such as bribery, undue influence, booth capturing and prescribe penalties     - Promote transparency and accountability       * Provision for reporting donation > 20000       * Require candidates to disclose criminal records and financial details     - Provision for security deposit to deter unserious candidates      * + **Procedures to decide disputes**     - Pleading before ECI to remove or reduce disqualification.     - Only through election petition to high court - - any elector or candidate can file within 45 days.     - High court order - if upholds the election petition, the elected person stands disqualified and election is termed as void.     - Appeal to supreme court - but within 30 days of high court order     - Final authority rest with President/Governor who shall act according to advice of ECI     - **Issue**       * Can be started only after the election is over       * Cumbersome : Election petition -> HC decision -> sent to president -> ECI -> then disqualification      * + **Grounds for disqualification** (Sections 7 to 11 of the Act deal with the disqualification of representatives)     - Corrupt practices - Section 8 and 8A       * Bribery to voters       * Intimidation of voters       * Appealing on ground of caste, communities, religious, linguistic       * Promoting animosity between groups       * Insulting national flag or constitution       * Lily Thomas case         + Guilty of crime and given 2 years of sentence     - Sections 9 and 9A - for corruption and disloyalty       * Disqualified if there is active contract with government for supply of goods and services or execution of government works.     - Section 10 - office of profit -If manager or secretary to company that has more then 25% government share.     - Section 10A - failure to lodge election expense     - Electoral offence       * Filing false affidavits (s. 125A)       * Disturbances at election meetings (s. 127)       * Violation of secrecy of voting (s. 128)       * Going armed to or near the polling stations (s. 134B)       * Booth capturing (s. 135A)       * Sale, distribution etc. of liquor on polling day (s. 135C)      * + Article 102, 191 - holding office of profit, unsound mind, undischarged insolvent   + ADL - 10th schedule     - Voluntary giving up party membership     - Nominated member joining political party after 6 months     - Defying the party whip      * + Provisions when polling process is disrupted     - Section 58 - Fresh Poll in case of destruction of EVM     - Section 57(1) RPA, 1951 - Adjournment of polling in case of natural calamity like flood, cyclones, etc.      * + **Reforms**     - Law commission 170th report (system), 255th (funding)     - Power to **derecognize political parties**     - Legal backing to MCC     - Simplifying disqualification procedures . -> decriminalization of politics     - Limit constituencies allowed for candidate to 1     - Simplifying multistage process       * Disqualification only on conviction       * Broadening the act to include various offence like paid news, non-disclosure of property etc       * Role of ECI - seek recommendation in ADL       * Include paid news, illicit practices using social media.     - Revise list of corrupt practices under section 123 of the act.     - Fast track criminal cases pending against representatives     - 2nd ARC recommendation       * Reform in political funding         + National Election Fund [SY Qureshi]         + Partial state funding of elections       * Tightening anti-defection law         + Disqualification decided by President or Governor on advice of EC       * Appointment of CEC         + Collegium system - PM, LOO, speaker       * Election disputes         + Constituting special election tribunals [LC 254th report]      * + Remedies available     - Seeking Judicial review       * Kihoto Hollohan     - Appeal to supreme court       * Bommai case - floor test     - Section 11 empowers the ECI to reduce the disqualification      * + **Conclusion** |
| Elections | * + ECI is considered as "Gold Standard" for conducting free and fair election with integrity in India.      * + **Issues**     - ADR (Association for Democratic Rights), 69% of political funding in India comes from unknown sources.      * + NOTA Judgement   + Jagdambika Pal judgement (2000) - illegal practices   + 2nd ARC 4th report (EIG) suggest setting up special election tribunals for expediting disposal of election petitions      * + How to ensure trustworthiness of elections vis-a-vis EVM   Challenges   * + Security and integrity of EVM   + Lack of auditability   + Lack of Awareness   + Apprehensions among political parties   Way Forward   * + VVPAT - (Voter verifiable paper audit trail) Machines can be used.   + Political Parties can participate in     - First level checking     - Randomized polling personnel trials     - Mock poll     - EVM sealing etc.   + Suggestions can be invited from all political parties on improving the process.   + Measures to increase Awareness     - EVM are not hackable     - Trojan horse can't be installed     - Physical tempering and manipulations in manufacturing is not possible.      * + Simultaneous Election for Lok Sabha and State Assemblies?   Advantages   * + Reduce Costs and slowdown   + Increased focus on governance and legislation   + Peace in society - mobilization on caste, region, religion, language will be reduced   Disadvantages   * + Confused voter - illiteracy, voter might not be able to differentiate, voters might vote for same party for state and center.   + Lack of manpower - लोग इतने है फिर भी काम के लोग कहा से लाओगे?   + Against Multi-party democracy, Anti-federal   + Challenge of consensus among political parties   + Divert attention of media from public policies and government accountability   Way forward   * + Standing committees recommendation of cyclic and phased election   + One year one election practice could be held   + Election could be held at Mid term of Lok Sabha, the practice that is prevalent in US   + Discussion can be suggested in parliament and its committees for way forward.      * + **Electoral Reforms**     - Undertaken reforms       * Lowering of Voting Age : 61st Amendment Act lowered voting age from 21 to 18 years       * Electronic Voting Machine (EVMs) are now widely used as fool-proof and efficient way of conducting elections       * Prohibition on sale of liquor for 48 hours before the conclusion of election within the polling area.       * Ceiling on election expenditure of individual candidate (Rs. 50 – 70 lakh for Lok Sabha)      * + Further reforms needed     - Party system : Intra party democracy     - Electoral funding     - Electoral Process : Legal backing to MCC     - Election Commission     - Increasing voter participation       * Remote voting machine (RVM) for migrant workers         + Advantages - facilitate R2V for 37% internal migrants     - Leveraging technology       * Leveraging blockchain and cryptographic technologies - integrity of election   + **Electoral Funding**      - Issues       * Electoral Bonds     - Solutions       * State funding of elections         + Advantages   reduce the undue influence of corporate donors  Promotes fairer competition - providing financial support to especially smaller parties  Increases transparency and accountability  Strengthen intraparty democracy - parties will select candidate on merit   * + - * + Challenges   potential misuse of public funds by parties for personal gain  can give government undue control over political parties  might not be sufficient to address all the challenges  complex and bureaucratic task     * + **Way forward**      - Dinesh Goswami committee, 1990       * Simultaneous elections       * Legal backing to model code of conduct      * + 170th law Commission     - Special Election tribunals   + Tankha committee     - Electoral laws   + 255th law commission report     - Electoral funding reforms   + Indrajit Gupta Committee     - Inter-party democracy     - Partial state funding of elections   + Electoral funding - NCRWC     - Bringing electoral bonds under ambit of RPA, 1951 (Finance Bill, 2017 exempts them from RPA disclosure provision)     - National election fund      * + Delimitation - done based on underlying principle of 'one vote, one value'   + Recognition of party     - 925 IS        Naki o•na..l        f. LseaF |
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| *Constitutional Posts and Bodies*   Appointments  Power  Function  Responsibility | * + **Election Commission**     - Article 324 vest the power of superintendence, direction and control of elections in the Election Commission.     - Role   1. Administrative  2. Advisory  3. Quasi-Judicial     * + Role w.r.t Model code of conduct     - Enforcement of the MCC     - Maintain the integrity of the electoral process     - Prevent abuse of power     - Ensure Fair Campaigning - preventing use of government resources for campaigning     - Preventing Electoral Malpractices and corrupt practices - hate speech, communal appeals, bribery, inducement of voters.     - Election Monitoring e.g. limits of campaign expenditure     - Grievances Redressal     - Awareness and Education - workshops, training sessions, and awareness campaigns.     - Location, arrangement in and around polling stations.      * + Issues   + Measures |     - Does not possess **Powers to deregister political parties** (enjoying Income tax exemption)   + Way forward     - Dinesh Goswami Committee - legal backing to MCC     - Anoop Baranwal Case - Collegium of PM, LOO, CJI     - Constitutional qualifications, independent secretariat      * + Conclusion      * + **Delimitation Commission**      - Article 82 : parliament to enact Delimitation Act after every Census which establishes Delimitation Commission     - Commission has three ex-officio members       * a serving or retired judge of Supreme Court as chairperson       * CEC or EC nominated by CEC       * State Election Commissioner of concerned state.      * + Significance     - Provides equal representation for equal population segments     - Women representation   + Issues     - Decreased Voice of States with Population Control      * + **Union Public Service Commission**  * + **Finance Commission**      * + **GST Council**     - 279-A      * + **National Commission for SCs**      * + **National Commission for STs**      * + **National Commission for Backward Classes**     - Introduction       * Indra Sawhney judgement directed the central government to form commission for BC's which later got constitutional status with addition of A-338B (102 CAA).      * + **Role** - MRIPR     - Safeguarding Constitutional Rights and Entitlements:       * Article 15, 16     - Socio-Economic Development - poverty, education, employment, and healthcare.     - Grievance Redressal - ensuring justice and fairness     - Research and Advocacy - generates data, reports, and recommendations on issues such as social inclusion, development indicators, and policy intervention.      * + Why given constitutional status     - Social justice to BC     - Fight atrocities     - Strengthen institutions of democracy     - independence and autonomy      * + Measures - PPPI   + Conclusion      * + **Special Officer for Linguistic Minorities**     - 350B      * + **Comptroller and Auditor General of India**     - Introduction       * Article 148 of the constitution envisages CAG as watchdog of financial prudence for the public exchequer.     - Role       * Article 149 deals with Duties and Powers       * Financial Oversight:         + Audits all expenditure from CFI, CF of each state         + Audits contingency fund, public accounts of india and each state       * Reporting (Article 151) - audit reports on appropriation , public undertaking, financial       * Guide, friend and philosopher of the Public Accounts Committee     - Way forward       * **PPP projects** should also be included in the ambit of CAG       * **Collegium** system for appointment      * + **Arvind Gupta Case** SC held that CAG has authority to access the economy, effectiveness and efficiency of the government's expenditures; hence performance audit are valid. (propriety audit)      * + Conclusion     - Dr. Ambedkar - 'Most important office under the Constitution'      * + **Attorney General of India**     - Introduction   Article 76 envisages AGI is the first law officer of the government of India.   * + Role     - Chief legal advisor       * Provide legal advice and guidance to the Government of India       * Offer expert opinions in understanding the legal implications of various policies, actions, and decisions.       * Help government in making informed and legally sound choices.       * provide guidance on, draft legislations, review legal documents such as contracts, agreements, and legislation.       * can contribute to legal reforms and policy-making for good governance     - Lawyer of government       * appear on behalf of the government in important cases before the Supreme Court and other courts       * defends the government's interests, presents arguments, and advocates for the government's position       * guidance on constitutional matters, interpret constitutional provisions in cases involving.        * + **Advocate General of the State**     - 165 - envisages AGI is the first law officer of the government of state. |
|  | * + Steps for constitutionalising of commission     - Introduction of bill - minister/private member under Article 368     - Can only be introduced in parliament and not state legislature     - Passing by special majority of 2/3 present and voting     - Presidential assent - obligatory after 24th amendment      * + Advantages of Merging Commissions     - streamline operation reducing administrative overhead and improving coordination     - Reduce duplication of functions     - Adopt a holistic approach to human rights addressing the interrelated nature of issues faced by vulnerable groups.     - A single powerful commission will have greater visibility and authority which can potentially lead to more impactful advocacy and policy recommendation      * + Disadvantages of Merging Commissions     - Loss of specialized focus and tailored responses to specific issues     - Increase bureaucratic overload     - Some vulnerable groups will feel marginalized if their specific issues not given due attention       * E.g. PwDs, Undertrials     - would involve significant administrative and structural changes |
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| *Statutory, Regulatory & Quasi-Judicial Bodies* | * + **NITI Aayog**     - NITI Aayog is the premier policy ‘Think Tank’ of the Government of India, providing both directional and policy inputs created by executive resolution of GOI.     - It is based on Bharatiya approach to development.     - [NITI Aayog](onenote:Master.one#दमदार%20भारत%20ज़ोरदार%20भारत&section-id={08B019D7-57B1-7043-B1C6-14B455757019}&page-id={43B45C12-55EE-3E42-BDAD-81B94C90F6E8}&object-id={957F5569-3483-6948-A819-B5F827327CE2}&DE&base-path=https://d.docs.live.net/9b24b3fb5359b984/Documents/My%20Notebook)      * + **RBI**      * + **National Human Rights Commission**     - Introduction -     - Protection of human rights Act 1993      * + Contributions     - Prison reforms     - Granting compensation     - Manual scavengers     - Refugees - Rohingya's, Chakma's     - Polavaram Irrigation Project     - Interventions in Nandigram Violence in West Bengal   + Compare with judiciary     - NHRC - Broader approach, Judiciary - Case specific approach   + Failures     - No actions against AFSPA     - Culture of fake encounters     - Despite NCHR issued guidelines there is rise in custodial death      * + Issues - PPPI   + Measures     - **AM Ahmadi Committee** recommendation       * Enforcing power, include paramilitary force, independent staff, coordination mechanism, inquiry after 1 year       * Former Chief Justice of India AM Ahmadi passes away at 90      * + State Human Rights Commission   + Central Information Commission   + Central Vigilance Commission      * + **Central Bureau of Investigation**     - Introduction       * CBI was established on recommended by the Santhanam Committee on Prevention of Corruption. It derives it's powers Delhi Special Police Establishment **(DSPE) Act, 1946.**      * + General consent     - **Section 5** of DSPE Act extends the powers and jurisdiction of special police establishments, including CBI, to other areas. **Section 6,** however, says that these powers cannot be exercised in the jurisdiction of another state without its consent.   + Functions -     - serious crimes related to the defence of India     - Investigate corruption in high places     - Economic crimes - fraud, cheating, black marketing, and profiteering in essential commodities.     - High profile cases      * + Issues     - CBI and Federalism       * The Police are under List II, i.e., it is exclusively a**state subject**. However, CBI act as police encroaches upon state jurisdiction.         + Saradha Chit Fund scam - standoff between CBI and Kolkata Police       * Often allegedly used for means to target leaders of opposition parties.         + Tamil Nadu excise minister V Senthil Balaji         + 2G spectrum case       * Withdrawal of special consent by states         + Limits the CBI’s authority within states         + E.g. over 100 complaints of suspected high-value fraud are pending due to lack of consent       * Parallel Investigations         + Sushant Singh Rajput case : Mumbai Police and CBI     - Frequent Changes in Investigative Priorities : raise question on neutrality       * Ishrat Jahan case     - Inconsistencies in high profile cases       * Vyapam scam - delay and inaction     - Supreme Court described the CBI as “a caged parrot speaking in its master’s voice” (Politicization of CBI).       * Coal Allocation Scam     - Selective Investigations Based on Political Relevance     - Piecemeal extension of tenure at government's wish - undermines institutional integrity     - Overlapping Function : CVC, Lokpal and CBI     - Transparency Issues : CBI is exempted from the purview of the Right to Information (RTI) Act, 2005.      * + Measures     - Institutional Reforms : statutory or constitutional status       * Independence and autonomy     - Strengthening Legal Framework       * Supreme Court’s directive in the Vineet Narain case (1997)     - Financial and Administrative Autonomy     - Accountability Mechanisms : parliamentary committee oversight     - Internal Capacity and Professionalism : infrastructure, technology, and manpower     - Judicial Oversight       * Supreme court and the high court can order CBI to investigate any crime anywhere without consent     - Cooperative federalism     - However, a weak central authority could be injurious to national unity. Thus, it is imperative to have some agencies that have jurisdiction over the entire country.   + Conclusion     - With the surge in number of cyber fraud cases and economic offences, it is imperative that CBI remains empowered in larger public interest, but without being a **“caged parrot.”**      * + Lokpal and Lokayuktas      * + **National Commission for Women**     - Introduction       * Committee on status of women in India in 1974 came out with “**towards equality report**” that had recommended the formation of NCW     - National Commission for Women Act, **1990**       * Mandate and Function under section 10(1) - MRIPR     - Accomplishments       * Complaints and counselling cell of the commission is the most successful organ       * Legal cell of the commission had recommended modification to Hindu marriage act, medical termination to pregnancy act and IPC       * Proposed domestic violence bill.       * Campaign against triple talaq       * Rehabilitation of acid attack victims     - Failure - on raising issues of violence against women by army and police personnel     - Drawback -       * Dependent on union for funds and functionaries hence hesitant to criticise union govt       * At best it Protects women but not empowers them.       * Means to distribute political patronage.       * Recommendations are not mandatory.     - Way forward       * Funds to be charged on CFI so as to make the body independent       * Need to develop holistic approach including children, disabled, rather then focusing solely on women.       * Eliminating patriarchy and equality between men and women in all spheres of life.     - Conclusion       * Pam Rajput committee: NCW must go beyond reactive instruments to fulfil the proactive mandate of studying, influencing policies, laws to ensure full benefits to women.      * + National Commission for Minorities   + Insurance Regulatory and Development Authority   + Securities and Exchange Board of India      * + **Competition Commission of India**     - Established under the Competition Act, 2002     - Role       * monitors markets to identify and regulate anti-competitive practices       * investigate complaints of anti-competitive practices and prosecute offenders       * imposes heavy penalties on MNCs found guilty of anti-competitive practices       * advocacy and creating awareness about competition law and practices       * enforces provisions of the Competition Act, 2002       * Reviews mergers and acquisitions involving MNCs to prevent market monopolies.     - Recent decisions       * ₹1,337.76 crores fine on Google for unfair practices in the Android mobile device market.       * imposed a penalty of INR 200 crore on Maruti Suzuki for imposing resale price maintenance on dealers       * ordered an investigation into the business practices of these e-commerce giant like Flipkart and Amazon       * Reviewed the acquisition of WhatsApp by Facebook     - Challenges       * Rapid technological changes creating new anti-competitive practices       * Balancing Regulation and Innovation       * International operations across multiple jurisdiction     - CCI role is essential in protecting consumer interests and maintaining market integrity.      * + Telecom Regulatory Authority of India   + Central Electricity Regulatory Commission   + Atomic Energy Regulatory Board   + Central Pollution Control Board   + Medical Council of India   + Inland Waterways Authority of India   + Central Ground Water Authority   + Directorate General of Civil Aviation   + Pension Fund Regulatory and Development Authority   + Food Safety and Standards Authority of India   + Bar Council of India   + University Grants Commission   + Financial Stability and Development Council   + All India Council for Technical Education      * + **National Green Tribunal**     - NGT Act, 2010, Article 323B.     - Ρ Ηπα' Ίέ!     - Appointment on recommendation of selection committee     - Mandate       * environmental protection, conservation of forests, and natural resources       * Adjudicate matters - Air, Water, Environment, Wildlife, Biodiversity Acts.     - Achievements       * Speedy resolution of environmental disputes         + Art of Living event on the Yamuna floodplains       * Specialized Expertise in Environmental Matters         + decision to ban sand mining without environmental clearance       * landmark judgments on pollution control         + Banning diesel vehicles > 10yrs old in NCR         + Ban on plastic bags in Delhi       * Holding Corporations and Government Accountable         + Closing Sterlite Copper Plant in Tamil Nadu       * Empowering local communities         + Suspended POSCO steel project - siding with tribals       * Protection of Forests and Biodiversity:         + Stopped mining activities in Aravalli forests       * Environmental Awareness:         + Interventions in Ganga pollution case     - Challenges       * Enforcement of Orders         + bureaucratic delays, lack of political will, or non-compliance issues   E.g. Yamuna River pollution   * + - * Legal limitations         + Wildlife Act, 1972 and Forest Rights Act, 2006 - outside jurisdiction         + Absence of framework for determining compensation       * Limited number of benches; resource constraints; inadequate infrastructure       * Overlapping Jurisdiction         + CPCB; SPCB       * Judicial overreach         + ban on firecrackers during Diwali in Delhi       * Opposition from Industrial and Development Lobbies:       * Polluter pay principle -> pay and pollute principle being followed        * + Competition Appellate Tribunal   + Income-Tax Appellate Tribunal   + Cyber Appellate Tribunal   + Intellectual Property Appellate Board   + Enforcement directorate     - Issues       * Tenure extension at government's wish - undermines institutional integrity      * + Features     - Security of tenure     - Fixed employment condition     - Expenses being charged on CFI |
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