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ANALYSIS**



LAKSHYA ACADEMY®

25 SEPTEMBER 2023

1 - Women's reservation:

GS II

Parliament related issues

- **Context:**

- The government introduced The Constitution (One Hundred and Twenty-eighth Amendment) Bill, 2023 to grant women a 33% reservation in the Lok Sabha and state Legislative Assemblies.

- **Pertaining to the Bill:**

- According to the law, women shall hold about one-third of the total number of seats up for direct election to the House of People, including the seats designated for women from Scheduled Castes and Scheduled Tribes.
- The bill's proposed language for the state and Delhi assembly is similar.
- The proposed amendments to the Constitution are articles 330A and 332A.
- These new provisions will cause adjustments to the Lok Sabha and Assemblies.
- The reserve must last for 15 years beginning on the day the Act takes effect, according to a sunset clause in the Bill.
- The delimitation process is made a prerequisite for the implementation of the women's reservation by the Bill.

- **When the Bill may be implemented:**

- It's probable that the Lok Sabha won't successfully implement the women's reservation before the general elections in 2029.
- The delimitation procedure was suspended by the 42nd Amendment until the results of the first Census after the 2000 Census were made public.
- In 2001, it was extended for a further 25 years.
- Delimitation would now occur when the statistics from the first Census after 2026 were made public.
- The Census 2021 exercise could now be expected to take place as early as 2025. This is because the Covid-19 epidemic, which is said to be the cause of the delay in the 2021 Census.
- If the results of the 2021 Census are made public after 2026, they might serve as the basis for constituency delineation.

- **How will the designated seats initially and going ahead be identified?**

- The legislation calls for giving women one-third of the seats in both the federal and state legislatures.
- However, it is unclear how these seats will be identified.
- It will provide the government the power to enact legislation to put it into effect.
- It is therefore predicted that the government would draught a unique law to deal with seat distribution.
- Currently, how are seats selected for SCs and STs chosen?
- Seat reservations must adhere to general rules outlined in the Delimitation Act of 2002.
- The Delimitation Commission, established by the Act, will choose how many seats are designated for the House of Representatives and the Assembly.
- The State must distribute the seats set aside for members of the Scheduled Castes across various regions, ideally in areas where their number is disproportionately high compared to the general population.
- Similar to this, Scheduled Tribes' seats in constituencies must, to the greatest extent practicable, be located in areas where their population percentage to the overall population is highest.

- **About Delimitation:**

- Redrawing Lok Sabha and state Assembly seat boundaries to account for population changes is a procedure known as delimitation.
- Delimitation's fundamental purpose is to provide equal demographic groups with equitable representation.
- Assam, for instance, had 1.46 crore residents in 1971.
- In 2001, it increased to 2.66 crores.
- The population of a state does not rise uniformly across the state.
- As a result, constituency delineation is carried out frequently to account for changes in the population's distribution as well as population increase.

- **Who is responsible for Delimitation?**

- Delimitation is carried out by an impartial Delimitation Commission, which was appointed by the Government of India in accordance with the Delimitation Commission Act.
- The Delimitation Commission, which works with the Indian Election Commission, is appointed by the Indian President.

- **It is composed of:**

- a former Supreme Court justice

- the Chief Election Commissioner of India, as well as
- In question state election commissioners.
- The Delimitation Commission must function without interference from the executive branch.
- The Commission's findings must be final under the Constitution and cannot be appealed because doing so would indefinitely postpone an election.
- **What actions are required?**
- After each Census, Parliament is obligated by Article 82 to approve a Delimitation Act.
- After the Act takes force, the Union government establishes the Delimitation Commission.
- The Commission is entrusted with selecting the number and location of constituencies to ensure that, as much as is practical, the population of each seat is equal.
- The Commission is also required to choose which seats will be reserved for Scheduled Castes and Scheduled Tribes.
- The Commission also holds open meetings.
- Following consultation with the public, it considers complaints and suggestions and modifies the drafted proposal as necessary.
- On the day the President specifies, the final order is published in both the Indian and pertinent State Gazettes and goes into effect.
- **As already stated:**
- In the history of the Indian republic, delimitation commissions were constituted four times: in 1952, 1963, 1973, and 2002.
- Following the 1981, 1991, and 2001 Censuses, the distinction was gone.
- The 2002 Act did not change the total number of Lok Sabha seats or their distribution among the states.
- Due to security concerns, a few other states were also left out of the experiment, including Assam, Arunachal Pradesh, Nagaland, and Manipur.
- On March 6, 2020, the federal government reinstated the Delimitation Commission for these four states and the union territory of Jammu & Kashmir.
- **What amendments to the Constitution are necessary to implement the women's reservation plan?**
- Delimitation would necessitate amending Articles 82 and 170(3) of the Constitution.
- The Lok Sabha and state assembly' seats (number and borders), in accordance with Article 82, are updated after each Census.
- Article 170(3) deals with the composition of the Legislative Assemblies.

- In Panchayati Raj institutions and urban local bodies, women are prioritised:
- Seats in Panchayats are reserved for women and members of Scheduled Castes and Scheduled Tribes under Article 243D of the Constitution.
- Any regulations pertaining to the distribution of seats in any Panchayat or the roles of Panchayat Chairpersons at any level in favour of inhabitants from underprivileged socioeconomic groups may be established by the state legislature.
- Article 243D stipulates that women must occupy at least one-third of the seats designated for SCs and STs.
- **At least 18 states had more than 50% elected female representatives in Panchayati Raj institutions:**
- Uttarakhand, Chhattisgarh, Assam, Maharashtra, Tamil Nadu, Odisha, Kerala, Bihar, Jharkhand, West Bengal, Rajasthan, Manipur, Telangana, Sikkim, Himachal Pradesh, Karnataka, and Andhra Pradesh are the states that are in this list.
- The proportion of female legislators was highest in Uttarakhand (56.02%), and lowest in Uttar Pradesh (33.34%).
- *Source → The Hindu*

2 -Simultaneous Polls:

GS II

Parliament related issues

- **Context:**
- The Union government formed a committee under the leadership of former Indian President Ram Nath Kovind to assess whether holding the Lok Sabha and State Assembly elections concurrently would be feasible.
- **Important details:**
- The High-Level Committee's eight members will examine the idea of "one nation, one election" and make recommendations for how to hold simultaneous polls across the country.
- The Law Ministry has specified the seven terms of reference for the panel.
- One of them is to determine if the States would need to pass the constitutional amendments required to allow for simultaneous elections and to advise whether they should.

- **What are simultaneous polls?**

- Currently, the elections for the Lok Sabha and state legislatures take place independently.
- When the incumbent administration's five-year term ends or when it is dismissed for a variety of reasons, it is held.
- This must be followed by both the Lok Sabha and the state legislatures.
- Periods of the Lok Sabha and Legislative Assemblies could not line up.
- The notion of "One Nation, One Election" states that all state and Lok Sabha elections must occur simultaneously.
- This will require rearranging the Indian election cycle such that the national and state elections take place at the same time.
- This would suggest that candidates for the LS and state assemblies would be up for election on the same day.

- **Which Articles are subject to amendment?**

- Article 368 specifies the steps to amend the Constitution.
- The constitution can be changed using three different procedures.

- **Simple majority:**

- The first is decided by a simple majority of the present and voting members of each House of Parliament.
- In other words, the Constitution's clauses can be altered in the same way as laws can.
- No specific quorum is required.
- Article 368 does not apply to such rules, creating a separate category.

- **Several examples are as follows:**

- alterations contemplated by Article 4 (adjustments relating to the makeup of States),
- Article 169 deals with the establishment or abolition of legislative councils in states.
- Schedule VI, paragraph 21(2)13, contains the guidelines for the management of tribal lands in the states of Assam, Meghalaya, Tripura, and Mizoram.

- **Specific majority:**

- Amendments to provisions not included in the first group may be made in accordance with Article 368 with the assistance of the necessary "special majority."

- In this circumstance, not less than two-thirds of the members and a majority of the members present and voting in each House of Parliament are needed.
- **Ratification by the state legislature:**
 - At least half of the State legislatures must approve of a third category, as well as a "special majority."
 - Resolutions endorsing the proposed change must be adopted before the bill may be sent to the president for his approval, despite the fact that there is no defined timeframe for state legislature ratification.
- **Which amendments need to be ratified by the state?**
 - The precise constitutional provisions that pertain to the federal structure of the Constitution and that require ratification in order to be changed are listed in the proviso to Article 368(2).
- **Examples of what are referred to as "entrenched provisions" include the following:**
 - if the Articles 54 and 55 that govern how the President of India is elected change;
 - whether the Union or a State government's executive authority changes (Articles 73 and 162);
 - if any modifications are made to the regulations regulating the Union judiciary or the High Courts. (Articles 124 to 147, 214 to 231)
 - if the division of legislative and executive power between the Union and the States is compromised (Articles 245 to 255);
 - if the Seventh Schedule's Seventh Lists are affected;
 - if the clause in Article 82 changing the States' representation in Parliament is carried out;
 - if Article 368's language is altered.
- **Can a constitutional amendment be ruled illegal if it is not ratified?**
- **Article 57:**
 - In *Kihoto Hollohan versus Zachillhu* (1992), popularly known as the Anti-Defection case, the Tenth Schedule of the Constitution, which was added by the Constitution (Fifty-second Amendment) Act of 1985, was contested on the grounds that the amendment had not been ratified by the States.
 - Although the Tenth Schedule was intended to deal with desertion, it aimed to remove the jurisdiction of all courts by way of Paragraph 7.
 - The modification to the Supreme Court's and the High Courts' jurisdiction is one of the amendment's provisions that needs to be confirmed by half of the States.

- A Supreme Court Constitution Bench upheld the validity of the Tenth Schedule, despite the fact that Paragraph 7 of the Schedule was declared illegal for a lack of ratification.
- **97th Amendment:**
 - The Supreme Court struck down the Constitution (97th Amendment) Act of 2011 in 2021, which had inserted Part IX B to the Constitution to handle cooperative groups.
 - The Court found that Article 368(2) of the Constitution required that at least half of the State legislatures ratify the amendment because it dealt with an exclusively State affair.
 - The application of Part IXB to multi-State cooperative societies was restricted by the majority judgement using the severability notion.
- **Can ratification by a State be revoked?**
 - The Constitution does not mention it expressly, and Indian courts have not previously dealt with it.
 - In addition, it is doubtful that such a situation would arise because present constitutional law deems compliance with ratification by at least half of the States to be sufficient rather than requiring all States' approval.
 - The modifying process becomes more difficult and complicated if it is possible for a ratification to be revoked.
- **Elections for the Law Commission are held concurrently:**
 - According to a preliminary report released in 2018 by the Law Commission of India, led by Justice B. S. Chauhan, simultaneous elections are not feasible under the current constraints of the Constitution.
 - It was proposed that the Constitution, the Representation of the People's Act of 1951, and the Rules of Procedure of the Lok Sabha and State Assemblies should all be adequately changed before such a vote is conducted.
 - Notably, the Commission highlighted that for a constitutional modification to take effect, at least 50% of the States must approve it.
 - Simultaneous elections must be held after the dissolution of all current State Assemblies, which are currently serving different terms.
- **Two strategies exist for doing this:**
 - Either the Governor voluntarily suggests it, or the State's current administration does.
 - When the constitutional procedure fails, the President steps in on a recommendation from the Central government.

- The Union government's amendment of Article 172, which specifies that the legislative Assembly of every State shall continue for five years from the date designated for its first sitting, unless sooner dissolved, is the only remaining course of action. However, as it is unlikely that every State will experience it at once, the later.
- **Conclusion:**
- Elections would cost less to hold concurrently than separately.
- According to experts, the nation's administrative system will operate more efficiently because voting causes a huge slowdown.
- However, such a change cannot be accomplished without going against the framework of the federal government, particularly in States where the Opposition is in charge.
- *Source → The Hindu*

3 - Operation Sajag:

GS III

Internal Security

- **Context:**
- The "Operation Sajag" coastal security exercise was conducted by the Indian Coast Guard along the west coast.
- **Important details:**
- "Operation Sajag" was carried out by the Indian Coast Guard along the west coast.
- The activity makes it simpler to promote awareness among offshore fishermen and revalidate the coastal security system.
- The exercise is done each month.
- The drill offers the opportunity to verify the use of various coastal security measures in addition to emphasising important lessons and trends in coastal security.
- The crew passes were rigorously examined and validated on all fishing boats, barges, and other seagoing vessels during the exercise.
- **Coastal security measures:**

- providing anglers with biometric identification cards,
- Each state has a different color-coded system for fishing vessels.
- staff at facilities for fish landings
- access control at entry and exit checkpoints,
- drawing out a coast map
- being given a special marine band frequency by security agencies,
- Marine police officers receive training from the Indian Coast Guard.

• *Source → The Hindu*

4 - SHREYAS scheme:

GS II

Government Policies and Interventions

Context:

- The administration informed the Parliament of the SHREYAS program's success.

Regarding the strategy:

- Through the central sector project, Scheme for Higher Education Youth in Apprenticeship and Skills (SHREYAS), the National Apprenticeship Promotional Scheme (NAPS) provides industrial apprenticeship opportunities to general graduates.
- The programme aims to improve the employability of Indian adolescents by providing them with "on-the-job work exposure" and the chance to earn a stipend.

Three Central Ministries collaborate through an initiative named SHREYAS:

- Ministry of Human Resource Development
- Ministry of Skill Development & Entrepreneurship
- Labour and Employment Department.

The following 4 central sector sub-schemes are part of the "SHREYAS" umbrella scheme:

- **Excellent Education for SCs:**

- With the aim of identifying and promoting high-quality education among students from SCs, the Scheme offers total financial support.
- SC students can continue their education past the 12th grade thanks to the Scheme.
- The scholarship will be awarded for the duration of the course, contingent upon the student's strong performance.

- **Programme for OBC and SC Students to Receive Free Coaching:**

- The Scheme aims to provide candidates from Scheduled Castes (SCs) and Other Backward Classes (OBCs) who are economically underprivileged with top-notch coaching.
- It aims to equip them with the necessary skills to take part in entrance and competitive exams in order to land desirable jobs in the public or private sector and gain admission to reputable technical and professional higher education institutions as well as attractive employment.

- **National Overseas Programme for SC:**

- This project provides financial aid to selected students from the SC, De-notified, Nomadic, and Semi-Nomadic Tribes, Landless Agricultural Labourers, and Traditional Artisan groups so they can pursue master's and doctoral-level studies overseas.

- **Fellowship for National SCs:**

- For students from Scheduled Castes to pursue graduate courses leading to an M.Phil., the project offers fellowships. or doctoral degrees in the humanities, social sciences, and sciences at universities, colleges, and other educational institutions in India recognised by the University Grants Commission (UGC).

- *Source → The Hindu*

5. New science awards:

GS II

Government Policies and Interventions

- **Context:**

- The Rashtriya Vigyan Puraskar programme, which will award 56 prizes to innovators, scientists, and technicians, will be introduced by the Union government.

- **Important details:**

- These honours won't come with cash prizes, just like the prestigious Padma awards.
- Instead, they will presumably give the winner a medallion and a certificate.

- **The RVP includes:**

- three Vigyan Ratna
- Vigyan Shri, cited
- 25 Vigyan Yuva-Shanti Swarup Bhatnagar,
- Three Vigyan Team awards.

- **These honours will be presented annually in 13 distinct categories, including:**

- There are 13 categories total, with "others" serving as a catch-all. These include Earth science, medical science, engineering science, agricultural science, environmental science, technology and innovation, atomic energy, space science, and science and technology.
- The 56 proposed awards are a significant reduction from the almost 300 science prizes that Union Ministries previously gave out.
- The new awards are also open to PIOs (persons of Indian ancestry)
- Only one of these may receive the Vigyan Ratna,
- Three PIOs may be chosen for the Vigyan Shri and the VY-SSB, respectively.
- PIOs lack the qualifications to be recognised by the Vigyan Team.
- With the exception of the SSB, which requires winners to be 45 years of age or younger, none of the prizes have an upper age restriction.
- The awards will be given out on August 23 in recognition of National Space Day, which falls on May 11, also known as National Technology Day.
- India successfully conducted its second nuclear test on these dates in 1998, and Chandrayaan-3's Vikram lander was sent to the moon this year.
- Starting in 2024, the RVP awards will be given out by either the President or the Vice President.

- **The committee will consist of the following members each year:**

- secretaries for six science ministries,

- four or more heads of science and engineering academies, and
- six eminent scientists and technologists from various fields.
- The CSIR will be in charge of award administration for two years, after which the National Research Foundation will take over.
- *Source → The Hindu*



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