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Class 12 - English Medium

Political Science

For all TN Exams

GOVERNMENT OF TAMIL NADU

HIGHER SECONDARY SECOND YEAR

POLITICAL SCIENCE

A publication under Free Textbook Programme of Government of Tamil Nadu

Department of School Education

Untouchability is Inhuman and a Crime

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Career Opportunities in Political Science

There are plenty of career opportunities available to the students of political science. The options and opportunities can be detailed in **two categories of higher education and employment**

A. Higher Education Opportunities in Political Science

The students can study the following programmes in colleges and universities after the completion of school educations. There are a number of government universities, colleges and aided colleges that provide these programs in Political Science in our state as well as in our country

- Bachelor of Arts (BA)
- Master of Arts (MA)
- Master of Philosophy (MPhil)
- Doctor of Philosophy (PhD).

A.1) Tamil Nadu Government and Aided Colleges

1. Presidency College, Chennai.
2. Government Arts College, Coimbatore.
3. Thiruvalluvar Government Arts College, Rasipuram, Namakkal District.
4. Loganatha Narayanasamy Government Arts College, Ponneri, Thiruvallur District.
5. Periyar Government Arts College, Cuddalore.
6. Government Arts College, Thiruvarambur, Trichy.
7. Government Arts College, Salem-0
8. Rajaswari Vedachalam Government Government Arts College, Chengalpattu.
9. Madras Christian College, Tambaram, Chennai
10. Pasumpon Muthuramalinga Thevar College, Usilampatti, Madhurai –25
11. Pasumpon Thiru Muthuramalinga Thevar Memorial College, Kamuthi, Ramanathapuram
12. SIET College for Women, Tiruvampet, Chennai
13. Anna Adarsh College for Women, Chennai

A.2) State Universities

There are manu universities in our state offering political science degrees.

1. University of Madras, Chennai
2. Annamalai University, Chidamparam
3. Madurai Kamaraj University, Madurai
4. Bharathiyar University, Coimbatore (Only Correspondence Course)
5. Alagappa University, Karaikudi (Correspondence course in Public Administration)
6. Tamil Nadu Open University, Chennai
7. Manonmaniam Sundaranar University, Tirunelveli (Correspondence Course)

A.3) Central Universities

There are number of central universities across India where students can learn political science.

1. The University of Delhi
2. Pondicherry University
3. University of Hyderabad
4. Gandhigram Rural Institute (Deemed to be University), Dindugal and
5. Indira Gandhi Open University, New Delhi
6. Jawaharlal Nehru University(JNU), New Delhi

A.4) Integrated program

The Department of Social Sciences and Humanities in Indian Institute of Technology Madras offers the five year integrated MA Program in two streams of Development Studies and English Studies

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A.5) Jawaharlal Nehru University(JNU), New Delhi

- National Institutional Ranking Framework (NIRF) of the Human Resources Development Ministry has ranked JNU as the second best university in the country.
- It offers Post Graduation, Master of Philosophy (MPhil), Doctor of Philosophy degrees in Political Science.
- While the School of Social Sciences (SSS) provides these programs in Political Science the School of International Studies (SIS) conducts these programs in International Politics.
- The candidates should write the national entrance examination to get admission in post graduation and Master of Philosophy programs. The scholars can get through NET exam with top ranks and avail the Junior Research Fellowship (JRF) for two years and Senior Research Fellowship (SRF) for three more years.

It is overwhelmingly a residential university as the twenty odd hostels provide accommodation to most of the students. The union government provides funds to the university and therefore the cost of education and hostel accommodation is affordable. *Merit cum Means scholarship is available for students.*

The university has a well equipped library consisting of nine floors situated in a lush green environment of the Aravali Hills. It is a central university, with a truly national character as students hail from almost all the states of our country.

A.6) Madras Institute of Development Studies (MIDS)

- The institute was founded by Dr.Malcom S Adiseshiah and Mrs. Elizebeth Adiseshiah in Adayar, Chennai.
- It offers in social research programs sciences including Political Science.
- The thrust areas of Political Science for doctorate programs include Political Institutions, Governance and Decentralisation, Poverty, Inequality and Discrimination, Caste, Gender and Sexuality Studies

A.7) Tata Institute of Social Science (TISS)

- TISS is a multi-campus public funded research university creating human service professionals for the nation.
- It offers several Bachelors, Masters and Doctoral programs in inter disciplinary areas from its Mumbai, Hyderabad, Tuljapur and Guwahati campuses.
- The Political Science students can pursue higher studies in different areas like Development Studies, Law, Rights and Constitutional Governance, Social Work, Public Policy and Governance, Human Resources Management, Gender Studies.
- A IIT-campus Public Funded Research University creating Human Service Professionals for the Nation.

B. Employment Opportunities

The students of Political Science have bright career prospects. They can choose their career in

- Administration
- Politics
- Mass media
- Academics (teaching in schools, teaching and researching in colleges, universities and research institutes)
- Social work
- Police administration
- Judicial service
- Other careers through general competitive exams
- NGO management etc.

B.1) Civil Service Exam of Union Public Service Commission (UPSC)

The Union Public Service Commission conducts numerous competitive exams to recruit officers for union government. The civil services exam is meant to recruit officers for *Indian Administrative Service (IAS), Indian Police Service (IPS), Indian Foreign Service (IFS), and Indian Revenue Service (IRS) etc.*

The *IAS officers* administer the country by working as *Sub Collectors, Collectors, Joint Secretaries, Secretaries, Chief Secretary and Cabinet Secretary.*

The *IPS officers* protect law and order by working as *Assistant Superintendant of Police, Superintendent of Police, Inspector General of Police, and Director General of Police.*

The *Indian Foreign Service* officers shape and serve the foreign policy interests of India as *Third secretary, Second Secretary, First Secretary, High Commissioner and Ambassador etc.*

The civil services exam popularly known as IAS/IPS exam is conducted in three stages of

- Preliminary Test
- Main exam and
- Personal Interview.

Political Science – a scoring topic

In Preliminary test:

The General Studies paper of the preliminary test contains approximately twenty questions on Indian Politics and International Relations.

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In Mains Test :

There are seven countable papers in the second stage, Main Exam. The syllabus of the General studies second paper exclusively contains Indian polity and international relations and carries 250 marks. The essay paper normally contains questions from Indian politics and international relations and has 250 marks. The students can choose political science and international relations as their Optional Subject and the two optional subject papers have 250 marks each. Therefore the students with political science optional subject can cover nearly 1000 marks out of the total 1750 marks available in the main test of civil service exam. Even the candidates not choosing political science as optional subject will have to answer around 500 marks (General Studies Second and Essay Paper) in the main exam from political science related topics.

In Personality Test:

The final stage of the exam is known as Personality Test or Personal Interview containing 275 marks. As civil servants work in Indian democratic system the interview devotes a greater amount of attention to the topics and issues of political science and international relations.

B.3) TNPSC Exams

The Tamil Nadu Public Service Commission recruits officers and personnel to Tamil Nadu government. It conducts around seventy different exams. The important exams include Group 1 Services Examination, Group 1-A Services Examination, Combined Subordinate Services Examination-1(CSSE-1) and Combined Subordinate Services Examination-2 (CSSE-2) etc. All these exams have a general knowledge paper. Around twenty percent of questions in the question papers will originate from Indian polity and international relations.

The Group One exam is conducted for recruiting officers to the top services in the state like Deputy Collector, Deputy Superintendent of Police, District Employment Officer, District Fire Officer and Assistant Commissioner in Commercial Services. The Deputy Collectors after eight to ten years of service will be promoted as IAS officers. Similarly the Deputy Superintendent of Police will be promoted as IPS officers after eight to ten years of service.

There are three stages in the Group 1 exam. They are preliminary test, main test and personal interview. Indian constitution, politics, international politics and Indian foreign policy are very important in all three stages of the exam and students of political science can attend these questions confidently. The other recruitment tests of TNPSC also contain a certain percent of questions from Political Science.

B.4) Teaching Career in Colleges and Universities

There are three kinds of faculty positions in universities available for the aspirants of an academic career in Tamil nadu and India. They are Professor, Associate Professor and Assistant Professor. There are two levels of faculty positions (Assistant Professor and Associate Professor) in the colleges in our state.

The candidates should get through the State Eligibility Test (SET) conducted by the Tamil Nadu government to qualify for these posts in our state. The candidates can become eligible to join as Assistant Professor in any college or university in the country by getting through the National Eligibility Test of the University Grants Commission. The students can write NET and SET exams after completion or in the final semester of the Post Graduation course (M.A in Political Science).

B.5) Teaching Career in Schools

There are two exams for recruiting teachers in the schools of our state. The candidates aspiring to become teachers in primary (class I-V) and upper primary (class VI-VIII) schools should write Tamil Nadu Teachers Eligibility Test (TNTET). The candidates who want to join as the **Postgraduate Assistants** in Government Higher Secondary schools in Tamil Nadu Higher Secondary Educational Service should write the second exam. The Teacher Recruitment Board (TRB) conducts the above mentioned recruitment tests.

B.6) Opportunities in Media

There are plenty of opportunities in mass media for students of Political Science. They can branch into print journalism, television news channels and digital media. The news media preponderantly deals with politics, society, environment, culture and international issues and a good grounding in Political Science and international relations can intellectually empower and enrich a career in media. After graduation in political science the interested students can do a course in media in institutions like

1. Indian Institute of Mass Communication, New Delhi
2. Asian College of Journalism in Chennai and become successful in media.

B.7) Police Service

They can enter police department as Sub Inspectors after getting through the Tamil Nadu Uniformed Services Recruitment Board (TNSURB) exam for the recruitment of Sub Inspectors or as Constables after cracking police constable recruitment exam of TNUSRB.

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B.7) Career in Law

Political Science and Law are closely related disciplines. The students of Political Science after 12th standard can study the five year integrated law course Bachelor of Arts and Bachelor of Legislative Law (B.A LL.B) or after graduation can pursue the three year Bachelor of Legislative Laws (LL.B) degree. The important entrance exams include Common Law Admission Test (CLAT) and All India Law Entrance Test (AILET). There are a large number of colleges and universities offering law courses in our state. The Government Law Colleges located in places like Coimbatore, Madurai, Tiruchirapalli, Chengalpattu, Tirunelveli, Vellore and Dr.Ambedkar Government Law College, Chennai are affiliated to Dr.Ambedkar Law University, Chennai.

1. The National Law School of India University, Bangalore
2. National Law School., Jodhpur
3. NALSAR University of Law, Hyderabad
4. National Law University, Bhopal
5. Government Law College, Mumbai
6. Faculty of Law in Delhi University, are among the top institutions in the country.

After completing the law degree the candidates can practice as lawyers or become judges in courts. They can aspire to become the judges in the District Courts, High Courts and Supreme Court. There are constitutionally prescribed qualifications for judges of High Courts and Supreme Courts.

B.8) Educational and Employment opportunities in International Domain.

There are a great number of reputed universities all over the world that provide courses in Political Science and International Relations.

In United States

1. The Harvard University
2. Princeton University
3. University of California,
4. University of Berkeley
5. Yale University

In United kingdom

1. the University of Oxford
2. London School of Economics and Political Science
3. University of Cambridge

In Australia

1. Australian National University

are among the globally reputed educational institutions in Political Science. The students can pursue international careers in media, academics, research bodies, corporate etc. They can seek a career in the administration of international organizations like United Nations, World Bank, World Trade Organisation, International Court of Justice, and United Nations Framework Conference on Climate Change.

Political Science is like the skill set of a swimmer. The person with swimming skills can swim in any water body whether it is a pond or a lake or an ocean. A political science student with apt knowledge, attitude and skills can join any career of general nature.

Websites of Political Science institutions:

National	International
1. http://www.jnu.ac.in	1. http://www.columbia.edu
2. http://www.mids.ac.in	2. http://www.yale.edu
3. http://www.tiss.edu	3. http://anu.edu.au
4. http://www.unom.ac.in	4. http://www.cam.ac.uk

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Assessment

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THE CONSTITUTION OF INDIA

PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC and to secure to all its citizen :

JUSTICE, social, economic and political ;

LIBERTY of thought, expression, belief, faith and worship ;

EQUALITY of status and of opportunity ;

and to promote among them all

FRATERNITY assuring the diginity of the individual and the unity and integrity of the Nation ;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.

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Unit 1 Constitution of India

Learning Objectives

- This chapter discusses the meaning, nature, and significance of the Indian Constitution.
- This chapter provides insights into the philosophy of the Indian Constitution.
- It throws light on the making of the Constitution.
- This chapter identifies the sources that had inspired the framers of the Constitution to improvise and incorporate these into our Constitution.
- This chapter will explain the salient features of the Indian Constitution.
- This chapter will elucidate on the parliamentary type of democracy in India.

1.1 Meaning, Functions and Significance of the Constitution

Nationalism during the colonial period strived not only for political independence but also for territorial integration, constitutionalism and democratization.

India is a culturally diverse country, yet united as a political state. Indians are dependent upon each other in many ways, and they cooperate in many ways. There is a felt need to have specific agreed basic rules and regulations which could facilitate the people of this country to live together. The absence of the basic rules and regulations may imperil the very statehood of India and also make the people feel insecure. Colonial rule was based on Charters, Councils Acts and Government of India Acts. Politics and administration of the newly emerging Indian nation is based on a definite written constitution. The central legislative body was converted into a constituent Assembly (i.e. a constitution Making body). The proposed constitution was meant to bind different matters and different categories of society into one state, facilitating a union of states and cooperation and co-ordination between various segments that constitute the federal narrow.

The most critical function of a constitution is to provide a set of basic rules that allow for optimal coordination amongst members of the state. A

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constitution is a body of necessary codes, according to which a state is constituted and governed. The constitution specifies the necessary allocation of power between the various segments of the state. Indian diversities necessitated a Union of states, and the freedom movements favoured a democratic form of government. Accordingly the Parliament in India decides the laws and policies of the country.

Activity

Think-Pair-Share

Topic : Constitution is called the "Fundamental Law of Land"

Students are asked to think about the topic for two or three minutes and share his/her views with his/her pair. Teacher can ask randomly any three pairs to share their views in the classroom.

Constitution empowers the government to fulfill the aspirations of a society and create conditions for a just society. The part four of the Indian Constitution has provisions for the government to make laws to address many problems prevalent in Indian society. The constitution expresses the fundamental identity of the people in a country. People in a community may have many similar ethnic identities that exist before the enactment of the constitution. The people of a country will have a political identity after the promulgation of the structure by accepting the fundamental laws of the state put forth by the constitution. The individual's objectives, aspirations, and freedoms should comply with the constitutional regulations of a country. The constitution puts forth specific fundamental laws which cannot be violated by its citizens. It also protects certain fundamental rights of the people living in a country. The constitution of a country defines who are all the citizens of a nation. It also sets the framework that illustrates the relationship between the states or parts of a country with each other and even with the central government. Most of the constitutions in the world are written documents that comprise many articles and schedules. There are still a few constitutions like that of the United Kingdom which do not have one single document, which could be called as a distinct constitution. The United Kingdom, instead has a series of customs, conventions and historical precedents which are collectively referred to as its constitutional components.

Theocratic State

What is the opposite of secular state? Name any state that is not secular.

A state which is not secular is a Theocratic State. Theocratic state has an official religion (State religion), and all the high posts of the country are reserved for the followers of the religion. Pakistan, Vatican etc., are some examples of a Theocratic State.

Formulation

Formulation refers to how a constitution comes into being, who crafted it and their authority. The Constitution

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of India has the legitimacy since it has been drafted by a constituent assembly consisting of people's representatives. The Constitution of India reflected the consensus of most of the sections of people in India during Independence. There are instances where some countries have subjected their constitution to a full-fledged referendum.

Referendum

A referendum is a method of referring a question or set of questions to the electorate directly rather than allowing them to be settled by the people's representatives in the legislature. The referendum is also often used to determine issues of morality which divide a coalition government of many parties and to settle local matters which it is thought are best left to individual to decide. The referendum is seen as conferring legitimacy and popular approval on an individual and sanctions absolute authority.

Neither Indian Constitution nor the amendments made later were subjected to a referendum, which could also be seen as a setback in Indian democracy perhaps the conditions prevailing at that time were not conducive to a referendum. In this regard, it may be useful to study the working of referendum in Switzerland.

Provisions of a Constitution

An ideal Constitution should accommodate the aspirations of all sections of people in the society. Constitutions that are discriminative based on religion, caste and language may not get overwhelming acceptance from everyone in the nation. The fundamental laws of the structure would reveal the nature of a constitution. Any constitution could be successful only when it preserves the freedom and equality of all its citizens.

Secularism in India

The 42nd Amendment enlarged the Preamble of the Indian Constitution from "Sovereign Democratic Republic" to a "Sovereign Socialist Secular Democratic Republic," and also changed the words "unity of the nation" to "unity and integrity of the nation." Former Prime Minister, Indira Gandhi, enacted the 42nd Amendment in 1976, during the National Emergency.

A well-drafted constitution does not concentrate all powers in a single person or a single institution as it may lead to abuse of power by few or one institution. One method that may be incorporated to address this issue is to divide powers among different organs in a balanced way.

The Indian Constitution separates the power horizontally amongst institutions like the legislature, executive and judiciary. Indian Constitution is not too rigid and not too flexible, which is evident from the restrictions and flexibility in the name of the basic structure of constitution and amending provisions respectively. A well-drafted constitution will maintain the core values and will also adapt itself to changing environment. The Indian Constitution balanced the possibility to not only change the provisions but also limits on such changes. The framers of the Indian Constitution had ensured that it would survive during the test of times.

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Making of Indian Constitution

The members of Constituent Assembly drafted the Indian Constitution. The Constituent Assembly held its first meeting on 9th December 1946 and re-assembled after partition of Pakistan as Constituent Assembly for the remaining India on 14th August 1947. The members of the Provincial Legislative Assemblies indirectly elected the members of the Constitutent Assembly.

The Constituent Assembly was composed of members along the lines suggested by the plan proposed by the Committee of the British Cabinet, also known as the Cabinet Mission.

(February 1948: some members of the Drafting Committee of the Constituent Assembly of India: (seated from left) N. Madhava Rao, Saiyid Muhammad Saadulla, Dr. B. R. Ambedkar, Sir Alladi Krishnaswamy Ayyar and Sir B. N. Rao. Also in the Picture are (Standing from Left) S.N. Mukherjee. Jugal Kishore Khanna and Kewal Krishnan)

According to this plan provinces and princely states or group of states were allotted seats proportional to their respective population roughly in the ratio of 1:1 million. The provinces were to elect 292 members while the princely states were to send a minimum of 93 seats.

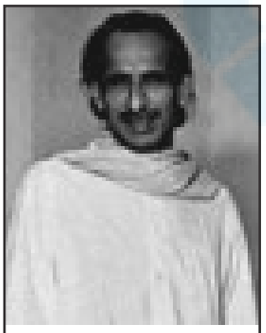
The seats of each province were distributed among three main communities, namely, the Hindus, Muslims, and Sikhs, in proportion to their respective populations in their province.

Members of each community in the Provisional Legislative Assembly elected their representatives by the method of proportional representation with a single transferable vote.

The method of selection of representatives of Princely States was to be determined by the princely states themselves.

The Composition of the Constituent Assembly

Two hundred eighty-four members were present on 26th November 1949 and appended their signature to the Constitution as finally passed.



Acharya J.B.Kripalani

Rajendra Prasad

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- The 1st meeting of the Constituent Assembly took place in Constitution Hall, New Delhi, on Monday, the 9th December 1946, at Eleven of the Clock. The title of the first debate was "Election of Temporary Chairman," Acharya J. B. Kripalani (United Provinces: General) requesting **Dr. Sachchidananda Sinha** to take the Chair as temporary Chairman. (Constituent Assembly Debates)

- The Final meeting was held on 24th January 1950 with the title of "Signing of the Constitution" and **Dr. Rajendra Prasad** was the Chairman of the debate.

- The Constituent assembly debate consists of 12 Volume and it was held between **9th December 1946 to 24th January 1950**

1.2 Sources of Indian Constitution

The Primary Sources of the Indian Constitution are as follows:

The framers of the Constitution adopted the features of the Indian Constitution from several sources. The primary sources that inspired the framers of the Indian Constitution are:

- Volume I (9th December to 23rd December 1946)
- Volume II (20th January to 25th January 1947)
- Volume III (28th April to 2nd May 1947)
- Volume IV (14th July to 31nd July 1947)
- Volume V (14th August to 30th August 1947)
- Volume VI (27th January 1948)
- Volume VII (4th November 1948 to 8th January 1949)
- Volume VIII (16th May to 16th June 1949)
- Volume IX (30th July to 18th September 1949)
- Volume X (6th October to 17th October 1949)
- Volume XI (14th November to 26th November 1949)
- Volume XII (24th January, 1950)

Sources of Indian Constitution

The Government of India Act, 1935:

Federal provisions, office of Governor, judiciary, public service commissions, emergency provisions, and administrative details were adopted from the Government of India Act, 1935.

Country	Sources of the Constitution
Britain	Parliamentary government, Single citizenship, Rule of law, Cabinet system, Legislative procedure, Prerogative Writs.
US Constitution	Fundamental Rights, Judicial Review, Independence of Judiciary, Impeachment of the President, Removal of Supreme Court Judges, High Court Judges and Vice-President.

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Irish Constitution	The Directive Principles of State Policy.
Canadian Constitution	Federation with a strong centre, Residuary powers with the centre, Concurrent list, The appointment of State Governors by the centre and Advisory jurisdiction of the Supreme Court.
Australian Constitution	Freedom of trade, Commerce, and The Joint Sitting of the two Houses of Parliament.
Weimar Constitution (Germany)	Suspension of Fundamental Rights during Emergency.
Soviet Constitution	Fundamental duties, the ideal of justice (social, economic and political) in the Preamble, were based on the model of the constitution of the USSR. (Fundamental duties were asserted through 42nd amendment in 1976)
French Constitution	Republic, The ideals of Liberty, Equality, Fraternity in the Preamble.
South African Constitution	Procedure for amendment to the Constitution, Election of the members of Rajya Sabha.

1.3 Salient Features of Indian Constitution

Longest Written Constitution: The Indian Constitution is considered to be the longest written constitution in the world. It contains different provisions for states and centre and their inter-relationship. The framers of the Constitution have borrowed provisions from several sources and several other Constitutions of the world. The Indian Constitution contains the detailed list of individual rights as fundamental rights, directive principles of state policy and details of administrative procedures.

A unique blend of rigidity and flexibility: Indian Constitution may be called rigid as well as flexible based on its amending procedure.

Sovereign, Socialist, Secular, Democratic and Republic: Democracy in India means its people govern India through their representatives elected by the universal adult franchise. India as a sovereign country means it manages its internal and external affairs freely without the interference of any external factors. The term socialist was added to the Indian Constitution through the 42nd Amendment in 1976. In India, we follow the mixed model of the socialist and capitalist economy. Secularism in Indian context means that it recognizes all religions equally without having any state religion. Republic in the Indian context means the head of the state in India is elected and not the monarch.

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Parliamentary System of Government: Parliament controls the functioning of the Council of Ministers, and hence it is called the Parliamentary system. In a parliamentary system of government, (i.e.) the executive is responsible to the legislature and remains in power only when it enjoys the confidence of the majority legislators.

Single Citizenship: Indian Constitution has the provision for single citizenship provided by the union and recognized by all the states across India.

Citizenship identifies those who are the lawful members of a country. The Citizenship Act, 1955 regulates the determination and acquisition of citizenship after the adoption of the Indian Constitution. The Indian Constitution provides for citizenship by birth, descent, registration, naturalization and by incorporation of territory. The Constitution also provides for renunciation and termination of citizenship under certain circumstances. The Constitution contains provisions regarding registration of Overseas Citizens of India and their rights.

The Citizenship (Amendment) Bill, 2015 was introduced in Lok Sabha on 27th February, 2015 that amends the Citizenship Act, 1955.

The Act allows a person to apply for citizenship by registration or naturalization if they fulfill specific qualifications. A person may apply for a certificate of naturalization if they have resided in India or have served the Government in India for twelve months immediately preceding the date of application. The Bill allows the Central Government to relax the requirement of twelve months stay or service if extraordinary circumstances exist.

Universal Adult Franchise: The universal adult franchise, which operates with the principle of 'one person one vote.' All Indians who are eighteen years of age or above is entitled to vote in the elections. There is no discrimination in voting rights for the citizens of India based on caste, religion, gender, race or status.

Independent and Integrated Judicial System: In India, the judicial system is an autonomous organ kept free from the influence and intervention of the executive and the legislature in exercising its functions. The integrated Indian judicial system has the Supreme Court at the apex, the high courts and lower courts are subordinate to it.

Fundamental Rights:

The Constitution of India asserts the basic principle that every individual is entitled to enjoy certain essential rights. The provisions for Fundamental Rights are mentioned in Part III of the Indian Constitution. Fundamental Rights are categorized into six heads; Firstly Right to Equality, Secondly Right to Freedom, Thirdly Right against Exploitation, Fourthly Right to Freedom of Religion, Fifthly Cultural and Educational Rights and lastly Right to Constitutional Remedies. Initially there was a provision for Right to Property under Article-31 which was also a Fundamental Right. The 44th Amendment Act, 1978 had omitted Right to Property from the Fundamental

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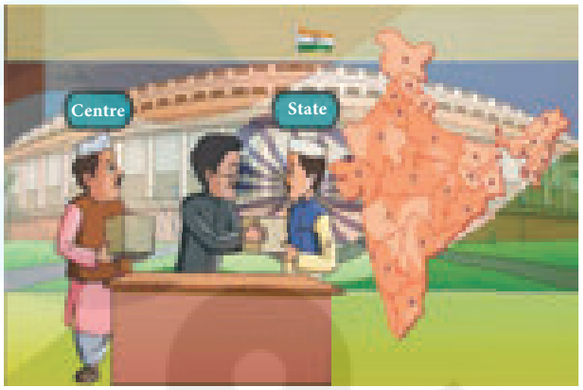
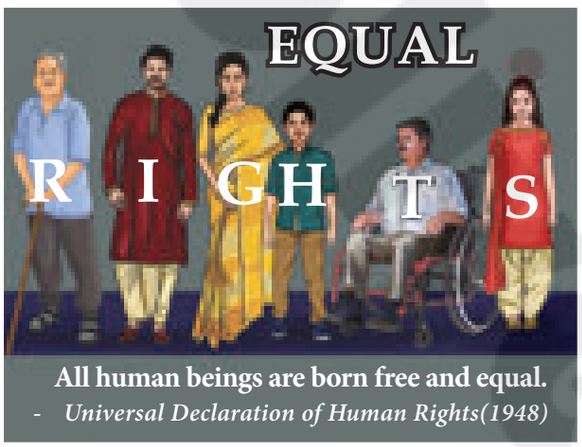
Rights Part and added it as Article 300A and therefore is considered as a legal right.





Fundamental rights provided in Part III of the Indian Constitution are judicially enforceable, thereby the individual can move the judiciary, if there is a violation on any of these rights. The right to move straight to the Supreme Court for the enforcement of fundamental rights has been guaranteed under Article 32 that is named as Right to Constitutional Remedies. Fundamental rights in India are, however, not absolute and rational restrictions can be imposed keeping in view of the security requirements of the state. It ensures political justice for the people.

"Right to Education -The Indian Constitution (Eighty - Sixth Amendment) Act, 2002 inserted Article 21-A in the Constitution of India to provide free and compulsory education to all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. The Right of Children to Free and Compulsory Education (RTE) Act, 2009, which represents the consequential legislation envisaged under Article 21-A, means that every child has a right to full-time elementary education of satisfactory and equitable quality in a formal school which satisfies certain essential norms and standards."

Fundamental Duties: The Fundamental Duties were added to the Indian Constitution through the 42nd Amendment. Part IVA of Indian Constitution defines the Fundamental duties. (51A) - It shall be the duty of every citizen of India -

(a) To abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;

(b) To cherish and follow the noble ideals which inspired our national struggle for freedom;

(c) To uphold and protect the sovereignty, unity, and integrity of India;

(d) To defend the country and render national service when called upon to do so;

(e) To promote harmony and the spirit of universal brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;

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(f) To value and preserve the rich heritage of our composite culture;

(g) To protect and improve the natural environment including forests, lakes, rivers, and wildlife, and to have compassion for living creatures;

(h) to develop the scientific temper, humanism and the spirit of inquiry and reform;

(i) To safeguard public property and to abjure violence;

(j) To strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement;

(k) Who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

Federal or Unitary: India is an indestructible Union with destructible states which means it acquires a unitary character during the time of emergency. The Union is not strictly a federal polity but a quasi-federal polity with some vital elements of unitariness. Though federal in form, the Indian Constitution, unlike other federal Constitutions, is both unitary as well as federal according to the requirements of the times and the circumstances.

Balancing Parliamentary Supremacy with Judicial Review: Subject to the provisions of any law made by Parliament or any rules made by the Supreme Court under Article 145, the Supreme Court has the power to review any judgment pronounced or made by it. The independent judiciary in India with the power of judicial review is a prominent feature of our constitution. The harmonization which our Constitution has effected between Parliamentary Sovereignty and a written Constitution with a provision for Judicial Review is a remarkable achievement of the framers of our Constitution.

Directive Principles of State Policy:

One of the unique provisions of the Indian Constitution is the Directive Principles of State Policy. These principles are like directives to the government to implement them for establishing social and economic justice in India.

It comprises significant provisions for equal pay for both men and women, free and compulsory primary education, and right to work. Part IV of the Indian Constitution also has provision for public assistance in case of old age, unemployment, sickness and disablement, the organisation of village Panchayats, adequate means to livelihood, special privilege to the economically backward sections of the people and distribution of wealth. Most of these principles could help in making India a welfare state. Though the provisions given in the Directive Principles of State Policy is not justifiable, these principles are considered very significant in the governance of the country.

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Activity

Name some countries which have the Parliamentary system of Government and Presidential form of Government.

Parliamentary form of Government	Presidential form of Government
India	United States of America

1.4 Parliamentary Democracy in India.

Under Article 79, the Parliament of the Union consists of the President and two Houses known respectively as the Council of States (Rajya Sabha) and the House of the People (Lok Sabha). The Union Legislature is bicameral, and the need for a bicameral system of the legislature in a federation is admitted: the Upper House represents the units, the Lower House represents the people; the two Houses respectively functions to preserve the integrity of the units and to secure the integration of the Union. The Rules of Procedure and Conduct of Business in Rajya Sabha is the booklet that provides explicit conduct of its members. There are various discussions namely: half an hour discussion, short duration discussion and motions of matters in public interests.

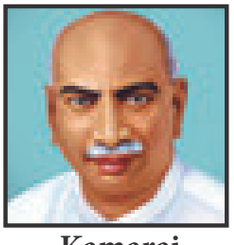
Important Debate

1st August 2014: Use of Tamil as court language in Tamil Nadu

Constructive debates in Tamil Nadu State legislative Assemblys

C. Rajaji

C. Subramaniam



Kamaraj

Quotable Quote

"India, that is Bharat, shall be a Union of States. Article 1(1)"

The first Assembly (1952-1957) under the constitution of India discussed the scheme of elementary education launched by the Rajaji Government and criticized by many including a few in the Congress party that it would perpetuate caste-based social hierarchy. After Kamaraj succeeded him, Education Minister C. Subramaniam in May 1954 informed the House that the scheme would be dropped. The Rajaji days are remembered for landmark laws to protect tenants of farmlands and landless agriculturists.

"Premier of Madras Presidency, C. Rajaji presenting his first budget in 1937.

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Location is Madras Legislative Assembly, Senate House, Chepauk Campus of Madras University, Date 1937"

In 1967, the Dravida Munnetra Kazhagam came to power with C.N. Annadurai as Chief Minister. The Hindu Marriage Act was amended to recognize "self-respect marriages" or those marriages free of religious rituals. His successor and five-time Chief Minister, M. Karunanidhi, piloted several Bills and moved numerous motions. In his last bill (2006-2011), reservation were made for Muslims within the quota of Backward Classes and Arundathiyars within the reservation of Scheduled Castes.

The 10-year-long rule (1977-1987) of the Government, headed by M.G. Ramachandran of the All India Anna Dravida Munnetra Kazhagam, was noted for various measures in the area of revenue administration. Notably, the system of hereditary village officers such as "karnam" was abolished at one stroke. He upgraded the mid-day meal scheme into Nutritious Meal Scheme.

Tamil Nadu Legislative Assembly

DO YOU KNOW?

- Tamil Nadu Legislative Assembly consists of 234 elected Members from 189 General and 45 Reserved Constituencies.
- The First Madras Legislative Assembly session was held on 3rd of May 1952, constituted after the General Elections in 1952.
- Under Article 333 of the Constitution of India, the Governor nominates one Member representing from Anglo-Indian Community.
- The Fifteenth Tamil Nadu Legislative Assembly was constituted on the 21st May 2016 after the general election to the Tamil Nadu Legislative Assembly on the 16th May 2016.

Public Accounts Committee

DO YOU KNOW?

- The Chairperson of the Public Accounts Committee is appointed by the Speaker from amongst its Members of Lok Sabha. The Speaker, for the first time, appointed a Member of the Opposition as the Chairperson of the Committee for 1967-68.
- Since the Committee became a Parliamentary Committee under the control of the Speaker from January 1950, it has presented 1596 Reports till April 2018.

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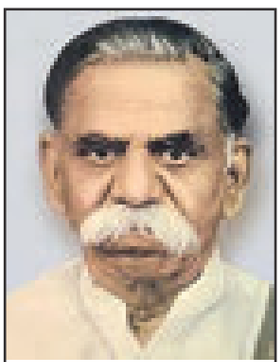
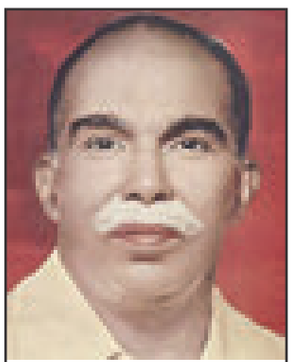
After the Supreme Court delivered the Mandal Commission judgment in November 1992 for reservation in education and employment at 50 percent, the Assembly responded through legislation aimed at safeguarding the existing 69 percent quota for Backward Classes, Most Backward Classes, Scheduled Castes, and Scheduled Tribes.

Sankarlinganar

Sankarlinganar

Sankarlinganar is a Tamil Indian Independence activist and Gandhian. He was born in Manmalai Medu in Virudhunagar District to Karuppasamy and Valliammal in 1895. He joined the Indian National Congress in 1917. He also participated in the Salt March in 1930 along with Gandhi under Rajaji's influence. The consequence of Potti Sreeramalu fast demanding for a separate state of Telugu from Madras state for Telugu speaking people and Madras city to be its capital in 1952 led to new agitation in Madras state in need to change its name.


M.P Sivaganam


Jeevanandham

In 1956, Sankarlinganar started to fast on demand for change in the name of the state from Madras to Tamil Nadu. He started his hunger strike on 27th July on 1956 in Virudhunagar for 12 demands. Despite the request of C.N.Annadurai, M.P Sivaganam, and Jeevanandham, he continued to fast and died on the 76th day on 13th October 1956.

Tamil Nadu

DO YOU KNOW?

- Thiyagi Sankaralinganar observed fasting for 76 days from 27.07.1956 to 10.10.1956, for the name conversion of Chennai Presidency as "Tamizhagam."
- The State of Madras changed the name as State of Tamil Nadu on 14th January 1969.
- He was the only person in Indian History to end his life by observing fast for many days in Gandhiyan Way.

Select Committee

The Select Committee is made up of a small number of parliamentary members appointed to deal with particular aspects originating in the Westminster System of parliamentary democracy.

Under Rule 125 of the Rajya Sabha Rules and Procedures, any member may move a bill which is referred to a select committee and, when the motion is admitted, the bill shall be referred to such a committee.

The quorum needs to be one-third of the total number of members of the committee. In case of a tie on any matter, the chairman (or any other person

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presiding) will cast his vote. The select committee may appoint a sub-committee to examine any particular points connected with the bill. If any doubt arises on any aspect of the procedure the chairman may refer the point to the Rajya Sabha Chairman, whose decision will be final.

Important joint sittings

- 6 and 9 May 1961 on Dowry Prohibition Bill, 1959.
- 26 March 2002 on Prevention of Terrorism Bill, 2002.

Whenever a bill passed by one house is rejected by another house or any disagreement or more than six months has elapsed, the President of India may call a joint sitting of the two Houses to resolve the deadlock. The bill will be passed in both Houses by a majority of the total number of members of both Houses present and voting. There is no provision in the Indian Constitution for a joint sitting of both houses on a money bill or a Constitution Amendment Bill.

First Prime Minister of India

"Each House has full authority to regulate its procedure within the limits of the Constitution. Neither House, by itself, constitutes Parliament. It is the two Houses together that are the Parliament of India. The successful working of our Constitution, as of any democratic structure, demands the closest cooperation between the two Houses."

- Pandit Jawaharlal Nehru

Glossary

- **Act :** A Bill passed by both Houses of Parliament and assented by the President.
- **Clauses :** A series of numbered paragraphs into which a Bill is divided.
- **Motion :** A formal proposal made to the House by a member that the House does something, order something to be done or express an opinion with regard to some matter, and is so phrased that, if adopted, it will purport to express the judgment or will of the House.
- **Oath or affirmation :** A solemn statement in the name of God or an affirmation made by the member of a Legislature before he takes his seat in the House affirming his allegiance to the Constitution and his resolve to uphold the sovereignty and integrity of the country.
- **Resolution :** The formal expression of the opinion of the legislative body with reference to some subject or a declaration of its intention to do something.
- **Standing Committee :** Committee constituted by election by the House or nomination by the Chairman every year or from time to time which are permanent in nature.
- **State :** It includes the Government and Parliament of India and the Government and the Legislature of each of the States and all local or other authorities within the territory of India or under the control of the Government of India
- **Constitution of Parliament :** There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People.

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Evaluation

SHQA72

I. Choose the correct answer:

1. Among the following who was the Chairman of the Drafting Committee of the Indian Constitution

   a) Rajendra Prasad b) C. Rajagopalachari
   c) Tej Bahadur Sapru d) B.R. Ambedkar

2. In the context of India, which of the following principles is / are implied institutionally in the parliamentary government?

   a) Members of Cabinet are Members of the Parliament
   b) Ministers hold the office till they enjoy confidence in the Parliament
   c) Cabinet is headed by the headed by the Head of the State.

   Select the correct answer using the codes given below.

   a) 1 and 2 only b) 3 only
   c) 2 and 3 only d) 1, 2 and 3

3. How long did the Constituent Assembly take to finally pass the Constitution?

   a) About 6 months in 1949
   b) About 2 years since Aug 15, 1947
   c) Exactly a year since Nov 26, 1948
   d) About 3 years since Dec 9, 1946

4. When was the Madras state renamed as Tamil Nadu ?

   a) 1968 b) 1971
   c) 1969 d) 1970

5. Which part of constitution declares that India is a Sovereign, Socialist, Secular, Democratic Republic.

   a) Fundamental Right b) Directive Principles of State Policy
   c) Preamble d) Fundamental Duties

6. The term 'We' in preamble means

   a) Indian Government b) Supreme Court
   c) Indian Parliament d) The People of India

7. The order of following words seen in Preamble is

   Democratic Socialist Sovereign Secular Republic

   a) 3, 2, 4, 1, 5 b) 2, 3, 4, 1, 5
   c) 3, 2, 1, 4, 5 d) 3, 1, 2, 5, 4

8. What is the actual strength of Rajya Sabha?

   a) 250 b) 235 c) 240 d) 245

9. which one is the extra constitutional body?

   a) Finance commission b) Niti Aayog
   c) UPSC d) Election Commission

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10. The Indian Constituent assembly debate was held between

a) 9th August 1946 to 24th January 1950
b) 10th December 1945 to 10th March 1950
c) 9th December 1946 to 24th January 1950
d) 15th August 1945 to 20th March 1950

11. The Rajya Sabha is also called as

a) Indian Council b) Council of States
c) Union of States d) Representation of States

12. Under Article ..... of the India Constitution, the Governor nominated ..... Member representing from Anglo-Indian Community.

a) Article 333 and One Member
b) Article 300 and Two Members
c) Article 280 and One Member
d) Article 333 and Two Members

13. Tamil Nadu Legislative Assembly consists of ..... elected Members.

a) 239 b) 234 c) 250 d)350

14. **Assertion (A):** The 42nd Constitution Amendment has been referred to as the 'mini constitution'.

Reason (R): It was the bulkiest and most comprehensive amendment.

A) Both A and R are true and R is the correct explanation of A
B) Both A and R are true and R is not the correct explanation of A
C) A is true but R is false
D) A is false but R is true

15. **Assertion (A):** The Constitution of India is very flexible.

Reason (R): Since its inception, the Constitution has been amended 100 times.

A) Both A and R are true and R is the correct explanation of A
B) Both A and R are true and R is not the correct explanation of A
C) A is true but R is false
D) A is false but R is true

II. Answer the following questions very shortly:

1. What is mean by preamble?
2. Write a short note on Select Committee.
3. Write a short note on Sankaralinganar.
4. Write about the structure of the Tamil Nadu State Legaslature?
5. Bring out the significance of Public Accounts Committee.

III. Answer the following questions shortly:

1. Write a brief note on the composition of Constituent Assembly.
2. Write a short note on Indian Citizenship.
3. Bring out the meaning, functions and importance of Constitution.
4. Trace the making of Indian Constitution.

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IV. Answer the following questions detail:

1. Explicate parliamentary type of democracy in India.
2. Give a detailed account of the sources of Indian Constitution.
3. Elucidate the salient features of Indian Constitution.

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ICT Corner

Consititution Of India

Through this app you will learn more about The Constitution of India

Procedure:

Step - 1 Open Play store and type CONSTITUTION OF INDIA (or) Scan the QR Code.

Step - 2 Click any topic you will get Article (Eg.Parts)

Step - 3 Click any Article you will get the details of Articles.(Article 001)

URL:

https://play.google.com/store/apps/details?id=com.boostdevice.coi

*Pictures are indicative

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Unit 2 Legislature

Learning Objectives

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- Students can learn to know about the functioning of the important aspect of democratic governance
- Students can learn to understand the role of the legislature in everyday changes in society and politics
- Students can learn to analyze the political structure of the state and constitutional values of the institution
- Students can learn to observe the elections and its procedures to enhance the knowledge about the public institutions
- Students can learn to experience the many aspects of rule of law
- Students can learn to distinguish the differences between central and state legislatures through organizing youth parliament

Introduction

Legislature is one of most important institution for the functioning of representative democracy. The basic objective of the legislature is to hold its representatives accountable, responsible for the interest of the people in the country. Legislature is generally referred as the highest law-making body, having elected representation from all the constituents of the state to make or change the laws of the country. In India, legislature at the Centre is called as Parliament and is also referred as National Legislature. The legislatures in The State and the Union Territory are called as Legislative Assemblies.

The Parliament consists two houses namely; House of the People (Lok Sabha – Lower House) and Council of States (Rajya Sabha - Upper House). This is known as bicameral system of Parliament, and has inspired by the British Parliamentary system and the bicameral system of the USA. Similarly, the States have Legislative Assembly and Legislative Council. But in many of the States only unicameral legislatures exist without any Legislative Councils. In India, the Parliament shares its law making function and responsibilities of implementation with twenty eight states as well as nine union territories. The Union Territories are directly governed by the Union Government.

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2.1. Union Legislature: The Parliament

The Parliament is known as Union Legislature or National Legislature, which is a supreme body of decision making and symbol of democratic governance. The Parliament is the most powerful platform with accountability for debating on the issues regarding welfare of the country and its people and enacting laws and making changes to the constitution.

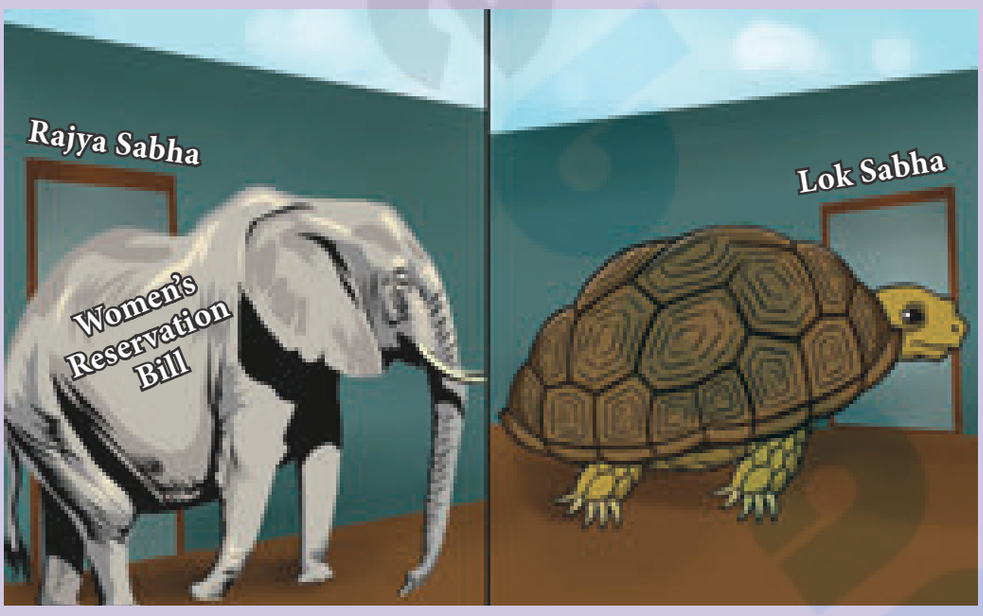
When the Parliament meet for discussing various agenda and approving bills, motions with a scheduled meeting is called Session. The Parliament holds THREE sessions in a year.

1. Budget session (February-May)
2. Monsoon Session (July-August)
3. Winter Session (November-December

Activity - Interpretation of Cartoon

Women members in the Rajya Sabha urged the Government to ensure the passage of the Women's Reservation Bill in the Lok Sabha. The Bill, which proposes 33% reservation for women in Parliament and State legislatures, was passed by the Rajya Sabha in 2010 but has been stuck in the lower house for nine years.

The Constitution (108th Amendment) Bill, commonly known as the Women's Reservation Bill, needs to be approved by the Lok Sabha in order to become law.



Cartoon Courtesy : The Hindu, 13.3.2010.

As a class, discuss what you already know or think about the following topics:

a. Women's Reservation Bill

b. 33% quota

c. Needs to be approved by the Lok Sabha

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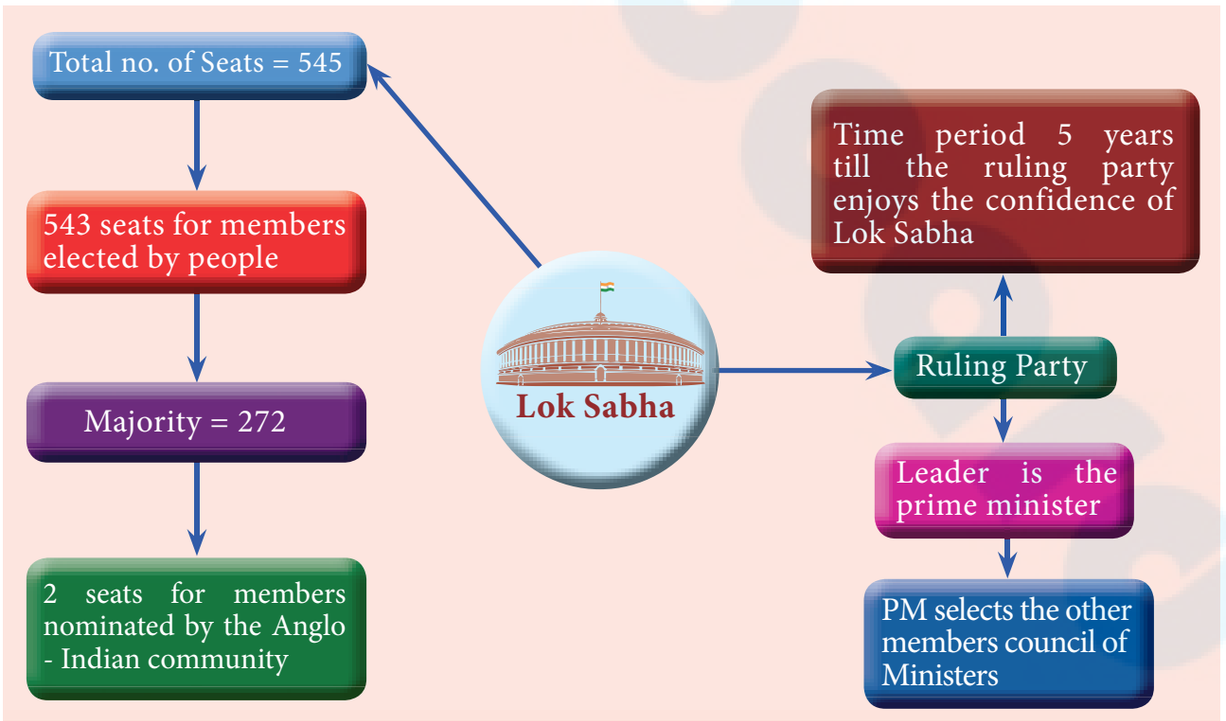
It has two important powers and functions called as legislative and financial. The legislative powers are for law making and the financial powers are to prepare money bill as called as budget. Also the parliament has electoral functions with regard to elect the President and the Vice-President of India.

The Parliament has judicial function also on the matters of the proposals for the removal of the President, Vice – President, Judges of the Supreme Court and High Courts and the process of removal is called 'impeachment'. It is the duty of the President to summon the Parliament and it must have not less than two sessions in a year. Every year, at the commencement of the first session of the parliament, the President delivers his special address which would be the future course of action of the parliament in view of giving framework for new policies, programmes and initiatives of the government. The parliament of India has functions of legislation, overseeing of administration, passing of the budget, ventilation of public grievances, and discussing national policies and issues of concern. The cabinet, both individually and collectively is accountable to and removable by the Loksabha.

Functioning of House of People (Lok Sabha)

The parliament has two houses and both houses carry the same values and responsibilities with a few exception such as passing the finance bills. The first one is the Lok Sabha (Lower House or House of People) with 543 members elected from 543 Parliamentary constituencies across the country directly by the people who have attained the age of 18 and above and registered as voters. The Lok Sabha has 2 nominated members from the Anglo-Indian community.

Quorum of the House: One tenth of the total number of members of Lok Sabha / Rajya Sabha constitutes the quorum for a meeting of the House.



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The grand total number of members in the Lok Sabha is 545, but the nominated members cannot decide the government when it proves majority on the floor of the House. The Lok Sabha is the highest forum for discussion, debate on public issues, interest and policies to cater to the socio-economic needs of the people.

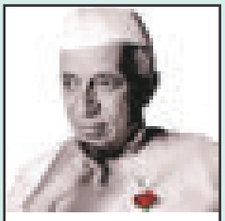
The members of both houses are generally called by the public as Member of Parliament. Member of Parliament, Lok sabha is one who represents the constituency of the state, comprising of six Assembly constituencies, directly elected by the people through elections. The term of the Lok Sabha is for five years.

Roles and Responsibilities of the Speaker

The leader of the House of the People is the Speaker – who is elected by the Lok Sabha, from among its members. The Speaker's duties are to conduct, facilitate the debates and discussions as well as the answers to questions, regulating the conduct of Members of the House and taking care of their privileges and rights. The Speaker of Lok Sabha is the administrative head of the parliamentary secretariat.

The Speaker also ensures that the members adhere to the appropriate procedures, and to allow the members to raise question, allotting time to speak and withdraw the objectionable remarks from record and moving a motion of thanks to the President's speech. The Speaker has the power to expel the members if they flout or violate the norms and rules of the house.

The permission of the Speaker is required to move amendments to a bill. It is up to the Speaker to decide whether the bill has to be moved or not. The Speaker plays the role of guardian of the rights and privileges of the house, its various Committees such as consultative, select, advisory and of members of that Committees. Another important power of the Speaker is to refer any question of privilege to the Committee of privileges for examining, investigating and reporting. The questions raised by the members and answers, explanations and reports are addressed to the Speaker.


Jawaharlal Nehru

Jawaharlal Nehru, one of the chief architects of India and a driving force behind its democratic principles of the Constitution, placed the office of the Speaker in India in the proper context when he said: "The Speaker represents the House. He/she represents the dignity of the House, the freedom of the House and because the House represents the nation, in a particular way, the Speaker becomes a symbol of nation's freedom and liberty. Therefore that should be an honoured position, a free position and should be occupied always by persons of outstanding ability and impartiality".

The Speaker is the final authority to decide on the question of point of order. Under the constitution, the Speaker enjoys special provisions and certifies money bills. The Speaker of the House of the People presides the joint sessions of the parliament in case a special occasions or in the event of disagreement between the two houses on certain legislative

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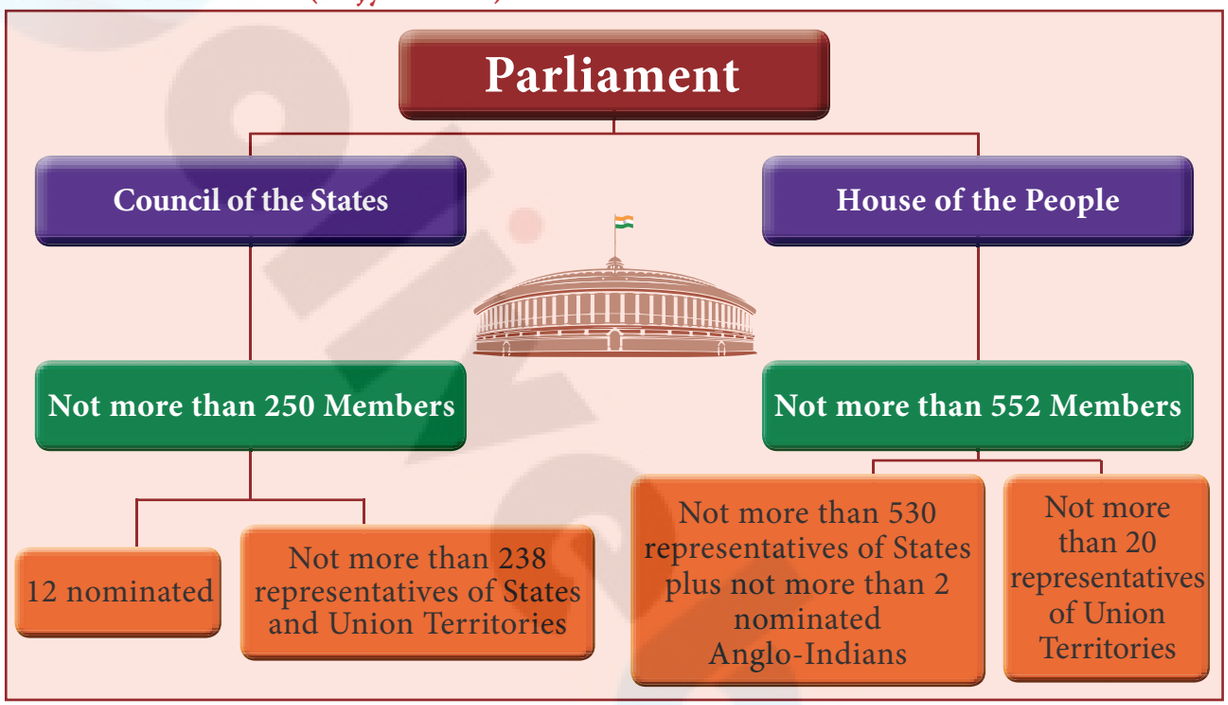
measures. The Speaker decides whether a Bill is a Money Bill or not and his decision on this question is final. It is the Speaker who decides on granting recognition to the Leader of Opposition in the House of People. Under 52nd Constitution Amendment, the Speaker has the disciplinary power to disqualify a member of the house on the grounds of defection. Even though, the Speaker also one of the members of the House and holds neutral, does not vote in the house except rare occasions when there is a tie at the end of the decision.

Council of the States (Rajya Sabha)



The Rajya Sabha or the Council of States is called as upper house. It has a total number of 250 members including 238 from all the states and union territories and 12 members nominated by the President. The council of states Rajya Sabha is called as second chamber of the Parliament of India. The Rajya Sabha is an institution to protect the rights and interests of the states like the senate in USA. It was constituted on 3rd April, 1952.

The members for Rajya Sabha are elected by the members of the respective State Legislative Assemblies (MLAs). Apart from the members of the states, twelve distinguished members from the fields of literature, science, art, and social service were nominated by the President of India. Unlike House of People, Council of States is not subject to dissolution but one third of the members retire every second year. The term of the individual member is six years. The members of the Council of States are elected by their respective state legislative assemblies in accordance with the system of proportional representation by means of the single transferable vote.

Functioning of Rajya Sabha

The Vice-President of India is the ex-officio Chairman of the Rajya

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Sabha. The Chairman presides over the proceedings and regulates the Rajya Sabha. Except the Money/Financial Bill all other bills will be placed before the Rajya Sabha for discussion, questions, motions and resolutions under the rules of procedure and conduct of business. The functions of Rajya Sabha may broadly be categorised as: Legislative, Financial, Deliberative and Federal. Legislation is by far the most important business of Rajya Sabha, as indeed of Parliament and in this sphere, Rajya Sabha enjoys almost equal powers with Lok Sabha. In the U.S.A, the representatives in the state council is called as Senate where every state has equal representation irrespective of size and population of the states. But in India, the representation in the Rajya Sabha is based on its size of population.

For example, Uttar Pradesh with the highest population elects 31 members to Rajya Sabha; on the other hand, Sikkim, the least populated state, elects only one member to Rajya Sabha. Tamil Nadu elects 18 members to the Rajya Sabha. The number of members to be elected from each State has been fixed by the fourth schedule of the Constitution. Members of the Rajya Sabha are elected for a term of six years and then they can be re-elected. The Rajya Sabha is known as Permanent House of the Parliament that never gets fully dissolved. Some of the important privileges and immunities are given to the Members of Rajya Sabha as follows.

Who can be a Member of Rajya Sabha?

- Must be a citizen of India
- Must not be less than 30 years
- Under the Representation of the People Act, 1951, a person had to be an elector in a parliamentary constituency in the State from where he seeks election to Rajya Sabha.
- It may, however, be mentioned that the Representation of the People (Amendment) Act, 2003, which amended Section 3 of the Representation of the People Act, 1951, has done away with the requirement of being a resident of State or Union territory from which a person seeks to contest elections to Rajya Sabha.
- He/She has to be an elector in a parliamentary constituency anywhere in India.

Activity

Think-Pair-Share

Topic : Which House is considered to be more powerful the Lok Sabha or the Rajya Sabha?

Task : Student should think individually for a few minutes, and then discuss and compare their responses with a partner before sharing with the entire class.

Preparing students to participate more fully and effectively in whole class discussions.

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Powers and Privileges of Members of Parliament

1. Freedom of speech in Parliament and immunity of a member from any proceedings in any court in respect of anything said or any vote given by him in parliament or any Committee thereof.
2. Immunity to a person from proceedings in any court in respect of the publication by under the authority of either House of Parliament of any report, paper, votes or proceedings.
3. Prohibition on the court to inquire into proceedings of parliament.
4. Immunity to a person from proceedings in any court in respect of the publication in Newspaper of a substantially true report of any proceedings of either House of Parliament unless the publication is proved to have been made with malice.
5. Freedom from arrest of members in civil cases during the continuance of the session of the House and forty days before the commencement and forty days after its conclusion.
6. Exemption of a member from service of legal process and arrest within the precincts of the House.

Source: https://www.india.gov.in/sites/upload_files/npi/files/coi_part_full.pdf

2.2 Parliament: Lok Sabha, Rajya Sabha

Powers of the Lok Sabha

1. The of Lok Sabha is the most powerful political institution which reflects the political, social and economic conditions of the country, holds highest responsibility and virtually represents the entire population.

2. The Lok Sabha is constituted with members elected directly by the people. These members represent the varied interests of the people. Thus it becomes the apex democratic institution. It is here that the nation's policies, programmes and laws emerge.

3. The Lok Sabha makes the Laws on the matters of Union List and Concurrent List. It can exact new laws and repeal existing law or amend the same. It has an exclusive authority over money bills.

4. The special power of the Lok Sabha is that once it passes the budget or any other money related law, the Rajya Sabha cannot reject it. But the Rajya Sabha can only delay the law for 14 days and if Rajya Sabha suggests any changes regarding the law, it is upto the Lok Sabha to accept or reject it.

5. One of the privileges of the Lok Sabha is preparing and presenting the budget and financial statement, which is an

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explicit expression of people's control over the nation's economy.

6. The Lok Sabha controls the executive by asking questions, supplementary questions, passing resolutions, motions and no confidence motion.

7. The Lok Sabha has the power to amend the constitution and approve the proclamation of emergency.

8. The Lok Sabha involves in electing the President and Vice-President of India.

9. The Lok Sabha has power to establish new Committees and commissions and tabling their reports for debate and discussion and further consideration for implementation.

10. The Lok Sabha controls the council of Ministers and a Prime Minister, who enjoys the majority support of it. If the Prime Minister loses the confidence of the Lok Sabha, the entire government has to quit and face the election.

Powers of Rajya Sabha

Position of Rajya Sabha

The Constitutional position of the Rajya Sabha (as compared with the Lok Sabha) can be studied from three angles:

1. Where Rajya Sabha is equal to Lok Sabha?

2. Where Rajya Sabha is unequal to Lok Sabha?

3. Where Rajya Sabha has special powers that are not all shared with the Lok Sabha?

Equal Status with Lok Sabha

In the following matters, the powers and status of the Rajya Sabha are equal to that of the Lok Sabha:

1. Introduction and passage of ordinary bills.

2. Introduction and passage of Constitutional amendment bills.

3. Introduction and passage of financial bills involving expenditure from the Consolidated Fund of India.

4. Election and impeachment of the President.

5. Election and removal of the Vice-President. However, Rajya Sabha alone can initiate the removal of the vice-President. He is removed by a resolution passed by the Rajya Sabha by a special majority and agreed to by the Lok Sabha by a simple majority.

6. Making recommendation to the President for the removal of Chief Justice and judges of Supreme Court and high courts, chief election commissioner and comptroller and auditor general.

7. Approval of ordinances issued by the President.

8. Approval of proclamation of all three types of emergencies by the President.

9. Selection of ministers including the Prime Minister. Under the Constitution, the ministers including the Prime Minister can be members of either House. However, irrespective of their membership, they are responsible only to the Lok Sabha.

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10. Consideration of the reports of the constitutional bodies like Finance Commission, Union Public Service Commission, comptroller and auditor general, etc.

11. Enlargment of the jurisdiction of the Supreme Court and the Union Public Service Commission.

Unequal Status with Lok Sabha

In the following matters, the powers and status of the Rajya Sabha are unequal to that of the Lok Sabha:

1. A Money Bill can be introduced only in the Lok Sabha and not in the Rajya Sabha.

2. Rajya Sabha cannot amend or reject a Money Bill. It should return the bill to the Lok Sabha within 14 days, either with recommendations or without recommendations.

3. The Lok Sabha can either accept or reject all or any of the recommendation of the Rajya Sabha. In both the cases, the money bill is deemed to have been passed by the two Houses.

4. A financial bill, not containing solely the matters of Article 110, also can be introduced only in the Lok Sabha and not in the Rajya Sabha. But, with regard to its passage, both the Houses have equal powers.

5. The final power to decide whether a particular bill is a Money Bill or not is vested in the Speaker of the Lok Sabha.

6. The Speaker of Lok Sabha presides over the joint sitting of both the Houses.

7. The Lok Sabha with greater number wins the battle in a joint sitting except when the combined strength of the ruling party in both the Houses is less than that of the opposition parties.

8. Rajya Sabha can only discuss the budget but cannot vote on the demands for grants (which is the exclusive privilege of the Lok Sabha).

9. A resolution for the discontinuance of the national emergency can be passed only by the Lok Sabha and not by the Rajya Sabha.

10. The Rajya Sabha cannot remove the council of ministers by passing a no-confidence motion. This is because the Council of ministers is collectively responsible only to the Lok Sabha. But, the Rajya Sabha can discuss and criticize the policies and activities of the government.

Special Powers of Rajya Sabha

Due to its federal character, the Rajya Sabha has been given two exclusive or special powers that are not enjoyed by the Lok Sabha:

1. It can authorize the Parliament to make a law on a subject enumerated in the State List (Article 249).

2. It can authorize the Parliament to create new All-India Service common to both the Centre and states (Article 312).

An analysis of the above points makes it clear that the position of the Rajya Sabha in our constitutional system is not as weak as that of the House of Lords in the British constitutional system

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nor as strong as that of the Senate in the American constitutional system. Except in financial matters and control over the council of ministers, the powers and status of the Rajya Sabha in all other spheres are broadly equal and coordinate with that of the Lok Sabha.

Even though the Rajya Sabha has been given less powers as compared with the Lok Sabha, its utility is supported on the following grounds:

1. It checks hasty, defective, careless and ill-considered legislation made by the Lok Sabha by making provision of revision and thought.
2. It facilitates giving representation to eminent professionals and experts who cannot face the direct election. The President nominates 12 such persons to the Rajya Sabha.
3. It maintains the federal equilibrium by protecting the interests of the states against the undue interference of the Centre.

Article 120

DO YOU KNOW?

Hindi and English have been declared by the Constitution to be the languages for conducting business in Parliament. The Presiding Officer may, however, allow any member not proficient in either to address the House in his mother tongue (Article 120).

2.3 Law Making Process

The law making process in Indian Parliament stands evident for its democratic credentials. In the law making process, the role of opposition parties becomes much more important to reflect upon the relevance of the bill and its context so as to streamline the democratic governance.

The law is a guiding force to regulate the society, politics and economy for the welfare of the state and people. The law is primarily introduced in the Parliament in the form of 'bill' as proposed legislation for consideration of the legislature. The bill will be taken for thorough discussion in the parliament to have an understanding within the framework of the constitution.

The bill will become law once the legislature passed it and approved by the President. The law becomes an act only after getting consent from the President of India. The primary function of the Parliament is to make fresh laws and bring changes in the existing laws in accordance with the constitutional procedures. The Parliament of India passes two types of bills such as:

1. Money Bill
2. Non-Money Bill or ordinary or public bills

An ordinary bill has to pass through different stages before becoming an Act. The procedures prescribed in the Constitution for passing the bills are of two

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different categories. These are as follows: An ordinary bill under consideration has to go through following stages and has to pass through both houses with discussions, suggestions and approval. An ordinary bill may be introduced in either House of the Parliament.

1. The first stage of the bill relates to the introduction of the bill in either house as 'Reading of the Bill'. Most of the bills are introduced by the Ministers concerned. The bill is drafted by the technical experts in that particular field and then council of ministers will approve the bill. The ordinary Member of Parliament can also introduce a bill which is called as 'Private Member Bill'. For the introduction of the bill it should be informed to the Speaker of the Lok Sabha or The Chairman of Rajya Sabha one month in advance. Then the date of introduction for the Private Member Bill will be fixed and allowed to move the bill in the floor of house. Generally, there will be no discussion on the proposed bill at this reading stage which is only a formal affair.

2. After the introduction of bill, it will be published in Gazette of India. The Speaker or the Chairman may allow some bills to be published in the Gazette even before the first reading, in that case, no motion for leave to introduce bill is necessary.

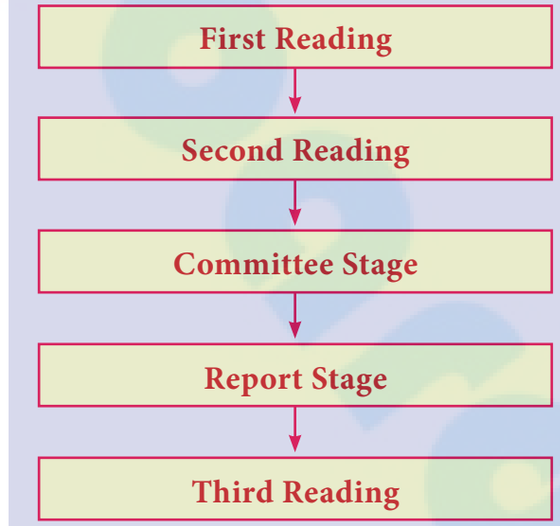
3. The Second Reading of the bill usually takes place after an interval of two days after the first reading. At this stage, any of the four courses are adopted.

   - The bill may be taken for consideration by the House at once.
   - It may be sent to a select Committee of the House.
   - It may be sent to a joint select Committee of the two Houses or
   - It may be circulated for eliciting public opinion. Very rarely bills are taken up for consideration straight away.

When the bill is adopted for circulation (i.e. 4th course), the secretariat of the House concerned requests the State Governments to publish the bill in the State Gazettes inviting opinions from local bodies and recognized associations. Such opinions are circulated among the members of the House.

Activity - Flow Chart

Every bill has to pass through the following stages.



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Committee Stage

If the bill is referred to a select Committee, the mover selects the members of the Committee, the Speaker or the Chairman of the House appoints one member of the Committee and the Chairman of the Committee. The Committee will study of the bill and reports back to the House.

Report Stage

The report stage is the most important stage where a bill is debated clause by clause. In this stage, the report is circulated along with original bill and the report of the Select Committee. The report stage is for giving final shape to the bill. Then the bill will be submitted for the Third Reading in which the bill is to be passed with majority of votes. The Third Reading is for formal approval by the Parliament.

After the bill is adopted at the Third Reading in either of the house, it is transmitted to the other House, where it goes through all the stages. The other house may accept the bill as it is. After coming across all the stages, it is sent to the President's assent.

Once a bill is passed in its originating house, it also may be rejected in the other house. Otherwise, it may introduce amendments not acceptable to the original House, or may not return the bill within six months. Insuch a case, a constitutional deadlock develops between the two Houses. The President may call a joint session of the two Houses to resolve the deadlock. The Speaker or in his absence the Deputy Speaker presides over such joint sessions. The deadlock is dissolved by majority vote.

Finally, the bill is passed by both Houses and goes to the President for his assent. If the President assents to the bill, it becomes a law. But the President may return the bill for reconsideration. If the bill is sent back to the President with or, without amendments, the President cannot withhold his assent. Such a complicated and time-consuming procedure is adopted to prevent hasty legislation.

Private Member Bills:

If any member other than a minister introduces a bill, it is called a private member bill. The bill can be introduced by both ruling and opposition party MPs. Private member bill is a bill proposed by a member who is not a member of the cabinet and executive. The session for private member bill is held at alternative Fridays from 2 pm to 6 pm.

This bill needs a month of notice; this has no impact on the health of the government when the private member bill gets rejected. Till date, the parliament has passed fourteen private member bills; the last one was passed on 1970. Most of the bill passed by the private member is not even read or discussed and dismissed. Private members bills are accepted even those are constitutional amendment bills but not that those are money bills.

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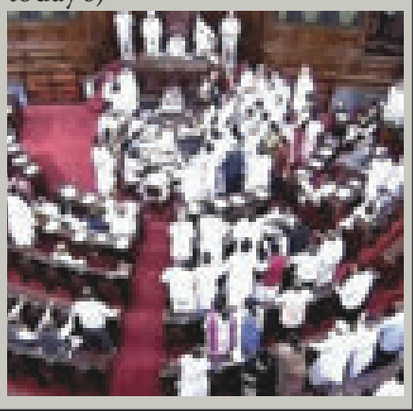
Private Member's Bills passed By parliament

Title	Mp's Name	House	Date of Assent
1 The Muslim Wakfs Bill, 1952	Syed Muchammed Ahmed Kasmi	Lok Sahha	21.05.1954
2 The Indian Registration (Amendment) Bill, 1955	S C Samanta	Lok Sahha	06.04.1956
3 The Parliamentary proceedings (protection of Publication) Bill, 1956	Feroze Gandhi	Lok Sahha	26.05.1956
4 The code of criminal Procedure (Amendment) Bill, 1953	Raghunath Singh	Lok Sahha	01.09.1956
5 The Women's and Children's Institution (Licensing) Bill, 1954	Kamledu Mati Shah	Lok Sahha	30.12.1956
6 The Code of Criminal Procedure (Amendment) Bill, 1964	Subhadra Joshi	Lok Sahha	26.12.1960
7 The Salary and Allowances of Members of Parliament (Amendment Bill), 1957	Raghunath Singh	Lok Sahha	29.09.1964
8 The Hindu Marriage (Amendment) Bill, 1968	Diwan Chand Sharma	Lok Sahha	20.12.1964
9 The Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Bill,1968	Anand Narian Mullah	Lok Sahha	09.08.1970
10 The Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Bill, 1954	Dr Raghunir Singh	Rajya Sabha	15.12.1956
11 The Hindu Marriage (Amendment) Bill, 1956	Dr Seeta Parmanand	Rajya Sabha	20.12.1956
12 The Orphanages and Other Charitable Homes (Supervision and Control) Bill, 1960	Kailash Bihari Lall	Rajya Sabha	09.04.1960
13 The Marine Insurance Bill, 1960	MP Bhargava	Rajya Sabha	18.04.1963
14 The Indian Penal Code (Amendment) Bill, 1963	Diwan Chaman Lall	Rajya Sabha	07.09.1969

Private member's bills introduced and discussed in last 3 LS

	Introduced	Discussed
13th LS	343	17
14th LS	328	14
15th LS	372	14

For the 16th LS till now, 206 private member's bills have been introduced; Only six have been discussed (not including today's)



The Rights of Transgender Persons Bill, 2014

DO YOU KNOW?

- In Lok Sabha, the last two and half hours of a sitting on every Friday, and in Rajya Sabha two and half hours, i.e., from 2.30 p.m. to 5.00 p.m. on every alternate Friday are allotted for transaction of "Private Members' Business", i.e., Private Members' Bills and Private Members' Resolutions.
- The last time a private member's Bill was passed by both Houses was in 1970.
- Till Now, only Fourteen Private Member's bill have been passed by the Parliament.

- **The Rights of Transgender Persons Bill, 2014:** The Rights of Transgender Persons Bill, 2014 is a private member bill introduced by Trichy Shiva M.P. of Tamil Nadu, which seeks to end the discrimination faced by transgender people in India.The Bill was passed by the upper house Rajya Sabha on 24 April 2015. It was introduced in the lower house Lok Sabha on 26 February 2016. The Bill is considered historic as for being the first private member's bill to be passed by any house in 36 years and by Rajya Sabha in 45 years.

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2.4 Distribution of powers of the legislature

The legislative powers and functions of the Union and the States are clearly demarcated in seventh schedule of the Constitution of India. The powers on which both union and the states can legislate is clearly defined. The Constitution has classified the subjects for which the legislation can be made to perform the duties and responsibilities with specific powers for division of powers to avoid the seventh schedule of the constitution which provides for trifurcation of legislative powers;

1. The Union List
2. The State List and
3. The Concurrent List

The Union List includes the subjects over which the parliament has exclusive authority to make laws and change the existing laws. The State Legislature has exclusive authority over subjects mentioned in the state list. In the subjects enumerated in the 'Concurrent List' both the Union and the States can legislate. In the event of contradictions between the Union and States, the Union's authority will prevail. The residuary power is vested in the Centre.

Table Representing difference between Ordinary Bill and Money Bill

S.No.	Ordinary Bill	Money Bill
1	It can be introduced either in the Lok Sabha or the Rajya Sabha	It can be introduced only in the Lok Sabha and not in the Rajya Sabha.
2	It can be introduced either by a minister or by a private member.	It can be introduced only by a minister.
3	It is introduced without the recommendation of the President.	It can be introduced only on the recommendation of the President.
4	It can be amended or rejected by the Rajya Sabha	It cannot be amended or rejected by the Rajya Sabha. The Rajya Sabha should return the bill with or without recommendations, which may be accepted or rejected by the Lok Sabha.
5	It can be detained by the Rajya Sabha for a maximum period of six months.	It can be detained by the Rajya Sabha for a maximum period of 14 days only.
6	It does not require the certification of the Speaker when transmitted to the Rajya Sabha (if it has originated in the Lok Sabha).	It is requires the certification of the Speaker when transmitted to the Rajya Sabha.
7	It is sent for the President's assent only after being approved by both the Houses. In case of the deadlock due to disagreement between the two Houses, a joint sitting of both the houses can be summoned by the President to resolve the deadlock.	It is sent for the President's assent even if it is approved by only Lok Sabha. There is no chance of any disagreement between the two Houses and hence, there is no provision of joint sitting of both the Houses in this regard.

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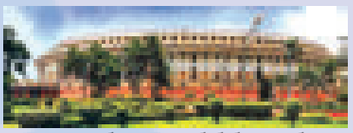
8	Its defeat in the Lok Sabha may lead to the resignation of the government (if it introduced by a minister).	Its defeat in the Lok Sabha leads to the resignation of the government.
9	It can be rejected, approved or returned for reconsideration by the President.	It can be rejected or approved but cannot be returned for reconsideration by the President.

Lists of Powers

Union		State		Concurrent	
1.	Defence	1.	Agriculture	1.	Education
2.	Atomic Energy	2.	Police	2.	Transfer of Property other than Agricultural land
3.	Foreign Affairs	3.	Prison	3.	Forests
4.	War and Peace	4.	Local Government	4.	Trade Unions
5.	Banking	5.	Public Heath	5.	Adulteration
6.	Railways	6.	Land	6.	Adoption and Succession
7.	Post and Telegraph	7.	Liquor		
8.	Airways	8.	Trade and Commerce		
9.	Ports	9.	Livestock and Animal Husbandry		
10.	Foreign Trade	10.	State Public Services		
11.	Currency & Coinage				

Activity - Critical Debate

MPs paid well, but show less productivity: citizens' report



- 'In 2010-12, Lok Sabha worked for average of less than four hours a day during 227 sittings in 852 hours'
- India's parliamentarians are one of the best paid legislators across the world but they lag when it comes to performing legislative business, says the National Social Watch's "Citizens' Report on Governance and Development 2013."
- "In terms of absolute amount, the value of Indian MPs' pay and perks is higher than [that of] their counterparts in Singapore, Japan and Italy. It is four and a half times higher than that of Pakistan; and is about 68 times higher than the per capita income of the country
- Highlighting the low productivity of parliamentarians, the report points out that the nine sessions during 2010-12 saw the Lok Sabha working for an average of less than four hours of work a day during its 227 sittings in 852 hours, which is less than two-thirds of scheduled six hours per day. In the process, about 577 hours have been lost in disruptions and forced adjournments.

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Courtesy : The Hindu – 23.12.2013.
Task : In this connection list out the different parameters to assess the performance on MP?

2.5. Amendment Process and Procedure

The Constitution of India has a unique provision to make the Constitution relevant to changing conditions and needs but without changing the basic structure. Article 368 deals with the amendment of the Constitution. As per this article, the Parliament has the supreme power to initiate the amendment process. The procedures for amendment of the constitution are as follows:

1. Parliament may amend the constitution through by way of addition, variation or repeal any provision of this Constitution in accordance with the procedure laid down in this article.
2. An amendment of this Constitution may be initiated through the introduction of a Bill in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President who shall give his assent to the Bill.
3. The bill must be passed in each house by a special majority, that is, majority by more than 50 percent of the total membership of the house and a majority of two-thirds of the members of the house present and voting. Each house must pass the bill separately. In case of a disagreement between the two houses, on issues concerning amendment there is no provision for holding a joint-sitting of the two houses. If the bill seeks to amend the federal provisions of the constitution, it must also be ratified by the legislatures of half of the states by a simple majority, that is, a majority of the members present and voting in such legislatures.
4. After duly passed by both the houses of parliament and ratified by the state legislatures wherever necessary, the bill is forwarded to the President for assent. The President must give his assent to the bill. He can neither withhold his assent to the bill nor return the bill for reconsideration of the Parliament. After President's assent, the bill becomes an Act (i.e., A Constitutional Amendment Act) and the constitution stands amended in accordance with the terms of the Act.

Types of Amendments

The constitution can be amended in three ways:

1. Simple majority of the parliament,
2. Special majority of the parliament, and
3. Special majority of the parliament and the ratification of half of the state legislatures.

1. Simple Majority of Parliament:

According to Article 368 a number of provisions in the constitution can be amended by a simple majority of the two houses of parliament. These provisions include

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- Admission or establishment of new states, formation of new States and alteration of areas, boundaries, or names of existing states.
- Abolition or creation of legislative councils in states.
- Second schedule - emoluments, allowances, privileges and so on of the President, the Governors, the Speakers, judges, etc.
- Quorum in parliament.
- Salaries and allowances of the members of parliament.
- Rules of procedure in parliament.
- Privileges of the parliament, its members and its members and its Committees.
- Use of English language in parliament.
- Number of judges in the Supreme Court.
- Conformant more jurisdiction on the Supreme Court.
- Use of official languages.
- Citizenship – acquisition and termination.
- Elections to parliament and state legislatures.
- Delimitation of constituencies.
- Union territories.
- Fifth schedule – administration of schedule areas and scheduled tribes
- Sixth schedule – administration of tribal areas.

By Special Majority of Parliament

The majority of the provisions in the constitution need to be amended by a special majority of the parliament, that is, a majority (i.e., more than 50 per cent) of the total membership of each house and a majority of two-thirds of the members of each house present and voting. The expression total membership of the house is irrespective of fact whether there are vacancies or absentees. The special majority is required only for voting at the third reading stage of the bill. The constitution's clauses which can be amended in this way include:

(i) fundamental rights (ii) directive principles of state policy: and (iii) all other provisions which are not covered by the first and third categories.

Amendments by Special Majority of Parliament and Consent of States

The basic structures of the constitution which are related to the federal structure of the polity can be amended by a special majority of the parliament and also with the consent of half of the state legislatures by a simple majority. There is no time limit within which the states should give their consent to the bill. The following provisions can be amended in this way:

- Election of the President and its manner.
- Extent of the executive power of the union and the states.
- Supreme Court and high courts.
- Distribution of legislative powers between the union and the states.
- Any of the list in the seventh schedule.
- Representation of states in parliament.
- Power of parliament to amend the constitution and its procedure (Article 368).

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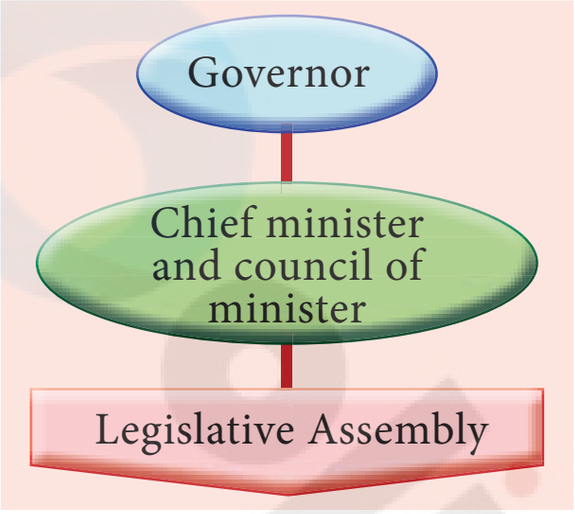
2.6. State Legislature: Structure, Powers and Functions



Structure of State Legislature

The state is the second stratum of the federal structure of the Constitution. The provisions for the governance of all the state is dealt in the Part VI of the Constitution except Jammu & Kashmir because it has separate Constitution for its state government. The articles from 152 to 237 deals thoroughly on the subjects of the state legislature. The state legislature which has only Legislative Assembly as House of People is called as Unicameral. Most of the powers and functions are shared by the state legislature is almost like the same as the Union legislature. In a Bicameral system of legislature, the state legislature consists of the Legislative Assembly and Legislative Council.

The Governor

There shall be a Governor as the Constitutional Head of the State executive, and executive power of the state vested with the Governor and all executive actions of the state has to be taken in the name of the Governor. The Governor of the State shall be appointed by the President. The Governor is appointed for a term of five years or can hold the office during the pleasure of the President or until his successor enters upon his office. The eligibility of appointment of the Governor is that he/she must be the citizen of India, shall not hold any office of the profit and should have completed thirty five years of age. The Governor can be appointed more than once and can hold office for more than one state two states in an exigency or as a transitional arrangement.

2.7 Council of Ministers headed by the Chief Minister

Position of the Chief Minister

The Chief Minister is the head of the cabinet and the council of ministers. In practice, he is the real executive head of the state. As per Article 164(1) of the Constitution of India, the Chief Minister of a state shall be appointed by the Governor of the State.

Powers and functions of the Chief Minister

As the real executive head of the state, the Chief Minister enjoys wide powers and performs a number of functions. The important powers and functions of the Chief Minister are:

i) As the head of the council of ministers, the Chief Minister has more powers in ministry-making. He can recommend appointment of ministers and designate them as cabinet ministers or ministers of state or deputy ministers. He can change the portfolios of the ministers. He can even recommend the removal of ministers.

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ii) He presides over the meetings of the cabinet and makes major policy decisions of the Government.

iii) He acts as the sole channel of communication between the council of ministers and the Governor. He communicates to the Governor all the decisions of the cabinet relating to administrative and legislative proposals.

iv) He scrutinizes all papers, bills, resolutions, etc. that are to be placed before the legislature.

v) Though, in theory, all major appointments are made by the Governor, in practice, all such appointments are actually made on the advice of the Chief Minister.

State Council of Ministers

Introduction

Article 163(1) of the Constitution of India provides that there shall be a council of ministers headed by the Chief Minister to aid and advise the Governor in the exercise of his functions except when he is required by the Constitution to act in his discretion.

The state council of ministers is formed in the same manner as the union council of ministers is formed. The leader of the majority party or coalition of parties in the legislative assembly is appointed as the Chief Minister by the Governor. The other ministers in the council of ministers are appointed by the Governor on the advice of the Chief Minister.

Activity

- Make a list of the Chief Ministers of Tamil Nadu.
- Bring out the welfare schemes introduced by them.
- Write a few sentences of your favourite Chief Minister.
- Make a collage of the welfare schemes which were introduced especially for women in your state.

Term of office of the council of ministers

As per the constitution, the council of ministers hold office during the pleasure of the Governor. But, in reality, the council of ministers hold office during the pleasure of the Chief Minister, because the Governor acts on the advice of the Chief Minister. The council of ministers are individually responsible to the Chief Minister. The council of ministers are collectively responsible to the legislative assembly of the state. That means, the council of ministers shall speak in one voice.

The State Cabinet

The council of ministers consists of cabinet ministers, ministers of state and deputy ministers. Of the council of ministers, the cabinet ministers constitute the state cabinet. The cabinet ministers of the state cabinet are, generally, the prominent ministers of the council of ministers. It is headed by the Chief Minister. The cabinet takes decisions on behalf of the council of ministers, and so, all the ministers are bound by the decisions of the cabinet.

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2.7 Officials and Committees in State Legislative Assembly

Speaker of the State Legislative Assembly:

The Speaker is elected by the Members of Legislative Assembly itself, and is the Presiding Officer of the Assembly. The Speaker has the responsibilities and powers of conducting business of the assembly in orderly manner, maintaining decorum and regulating its procedure in terms of allowing the members to question, speak on matters of importance, budget and grants. The Speaker is the interpreter of the provisions of the Constitution, rules of procedure in the assembly proceedings, rules of procedure and legislative precedents within the Assembly. The Speaker has the power to adjourn, suspend and resume the sessions and suspend the members from participating in the session when there is a violation of rules, procedures and regulations of the assembly.

The Speaker has to generally maintain neutrality and impartiality while conducting the business of the house. The Speaker's vote becomes more important when there is a tie on any issue regarding passing of bill, motion and resolutions. The Speaker's decision is final in regulating the conduct of members and in matters of procedure or maintaining order in the house. And in such matters the Speaker is not to be subjected to judicial intervention. The Speaker appoints the Chairmen of all the Committees and supervises their functioning.

The Deputy Speaker

The Deputy Speaker is also elected by the members of the Assembly from amongst themselves. He performs the duties and responsibilities of the Speaker as his absence and presides over the Assembly in the absence of the Speaker. The deputy Speaker has also powers on par with the Speaker within the House. Any member existing in a panel can preside over the House in case of absence of Speaker and the deputy Speaker.

Committees of the Parliament

Broadly, parliamentary Committees are of two kinds - Standing Committee and Ad Hoc Committees. The former are permanent (constituted every year or periodically) and work on a continuous basis, while the latter are temporary and cease to exist on completion of the task assigned to them.

Standing Committees

On the basis of the nature of functions performed by them, standing Committees can be classified into the following six categories:

1. Financial Committees

a) Public Accounts Committee
b) Estimates Committee
c) Committee on Public Undertakings

2. Departmental Standing Committees (24)

3. Committees to Inquire

a) Committee on Petitions
b) Committee of Privileges
c) Ethics Committee

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4. Committees to Scrutinise and Control

a) Committee on Government Assurances

b) Committee on Subordinate Legislation

c) Committee on Papers Laid on the Table

d) Committee on Welfare of SC's and ST's

e) Committee on Empowerment of Women

f) Joint Committee on Offices of Profit

5. Committees Relating to the Day-to-Day Business of the House

a) Business Advisory Committee

b) Committee on Private Members' Bills and Resolutions

c) Rules Committee

d) Committee on Absence of Members from Sittings of the House

6. House-Keeping Committees or Service Committees (i.e. Committee concerned with the Provision of Facilities and Service to Members):

a) General Purposes Committee

b) House Committee

c) Library Committee

d) Joint Committee on Salaries and Allowances of Members.

Ad Hoc Committee

Ad Hoc Committees can be divided into two categories, that is, Inquiry Committees and Advisory Committees.

Committee on Estimates: The major responsibility of the Committee is to suggest the examiner, estimator and recommendation on matters related to economic related policy issues and alternative policies, administrative reform, undertaking the tours and visits within and outside the state to study various schemes under execution in regard to the estimates under examination.

Committee on Public Accounts: The important functions of the Committee are to scrutinise the Appropriation Accounts of the State and the Report of the Comptroller and Auditor-General of India (Civil). Also looks into the Revenue receipts and the disbursement of money shown in the accounts applicable to the services or purposes to which they had been applied and charged.

Committee on Public Undertakings: This Committee is to examine the Audit reports and accounts of Public Undertaking from time to time. The Committee also examines the autonomy and efficiency of the Public Undertakings. This Committee is also taking note on the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices. The Committee also examines the Reports of the Comptroller and Auditor General of India on the Public Undertakings. The Committee examines the working of the Undertakings under its purview, hears officials or takes evidence connected with such undertakings and makes recommendations to the House.

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Glossary

- **Unicameral:** The state legislature which has only Legislative Assembly as House of People is called as Unicameral.
- **Bicameral:** The system of legislature which consists of the Legislative Assembly and Legislative Council is called as Bicameral system.
- **Quorum of the House:** One tenth of the total number of members of Lok Sabha / Rajya Sabha constitutes the quorum for a meeting of the House.
- **Bill:** The law is primarily introduced in the Parliament in the form of 'bill' as proposed legislation under consideration by a legislature.
- **Amendment:** The constitution of India has a unique provision to make the Constitution contemporarily relevant for changing conditions and needs but without changing the basic structure of the doctrine.
- **Impeachment:** The Parliament has judicial function on the matters of the proposals for the removal of the President, Vice – President, Judges of the Supreme Court and High Courts. This process of removal is called 'impeachment'.
- **Immunity of the Member:** Exemption of a member from service of legal process and arrest within the precincts of the House.
- **Joint Session:** When there is a special occasion or event of disagreement between the two houses on certain legislative measures, the Speaker of the House of the people presides the joint sessions of the parliament to resolve the disagreement.
- **Sessions:** When the Parliament meet for discussing various agenda and approving bills, motions with a scheduled meeting is called Session.
- **No Confidence Motion:** This is the procedure to acquire the support of majority of the members in The Lok Sabha / Legislative Assembly and their confidence to head the government by a Prime Minister/The Chief Minister. If the Prime Minister or the Chief Minister lose the confidence of the Lok Sabha/Legislative Assembly, then the entire government has to quit and face the election.
- **Question Hour :** The first hour of a sitting of the House allotted for asking and answering of questions.
- **Quorum :** The minimum number of members required to be present at a sitting of the House or a Committee for valid transaction of its business. The quorum to constitute a sitting of the House is one-tenth of the total number of members of the House.

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Evaluation

I. Choose the correct answer:

1. Legislature is _____
   a. The highest law-making body b. The High Court
   c. Parliament d. Law Commission
2. National legislature is called _____
   a. The Supreme Court b. The High Court
   c. Parliament d. Legislative Assembly
3. The Parliament in India consists of
   a. The President and the Prime Minister
   b. The President and Rajya Sabha
   c. The President and Lok Sabha
   d. The President, Lok Sabha and Rajya Sabha
4. Members of Lok Sabha is directly elected by the_____
   a. People of the Parliamentary Constituency
   b. MLAs of the State Assembly
   c. Nominated by the President
   d. None of the above
5. The process of removal of Judges of the Supreme Court and High Courts is called _____
   a. Impeachment b. Dismiss c. Suspension d. Resignation
6. Who is the Head of the Lok Sabha?
   a. Speaker b. The Prime Minister c. The President d. The Vice-President
7. The Head of the Government is _____
   a. The President b. The Prime Minister
   c. Speaker d. TheVice-President
8. The Head of the State is _____
   a. The President b. The Prime Minister
   c. Speaker d. The Vice-President
9. The Rajya Sabha is an institution to protect the rights and interests of _____
   a. The Members of the Parliament b. The President
   c. The states d. The Vice-President
10. The members of the Rajya Sabha is elected by _____
    a. People b. MLAs of the respective state
    c. Nominated by the parties d. Nominated by the President
11. Who is the ex-officio Chairman of the Rajya Sabha?
    a. The President of India b. The Vice-President of India
    c. The Prime Minister of India d. The Speaker

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12. Which house of the Parliament is known as Permanent House of the Parliament that never gets fully dissolved?

a. The Lok Sabha b. The Rajya Sabha
c. The Ministerial Cabinet d. The Group of Ministers

13. Which house of the parliament has the power to pass the money bill?

a. The Lok Sabha b. The Rajya Sabha
c. The Ministerial Cabinet d. The Group of Ministers

14. What is the minimum age of the Member of Parliament in Lok Sabha?

a. 25 years b. 30 years c. 40 years d. 50 years

15. Indian Legislature system is called as

a. Unicameral b. Bicameral
c. Monarchy d. None of them

16. The Governor of the state is _____

a. Constitutional Head of the state b. Head of the Government
c. Head of the Cabinet d. Head of the party

17. The Chief Minister of the state is _____

a. Head of the state b. Head of the Government
c. Head of the Cabinet d. Head of the party

18. The Executive power of the state is vested with

a. The Chief Minister b. The Chief Secretary
c. The Governor d. The Chief Justice of High Court

19. The Governor of the State shall be appointed by

a. The Chief Minister b. The President
c. The Chief Justice of High Court d. The Prime Minister

II Answer the following questions very shortly:

1. What is called bicameral system?
2. What are the types of bills passed in the Parliament?
3. Define: Quorum of the House
4. Define: Money Bill
5. Define: Private Member Bill
6. What are the condition for call for Joint Session?

III Answer the following questions shortly:

1. What are the list of powers prescribed in the Constitution?
2. Write down the types of Amendments
3. What are the qualification to become member of loksabha?
4. What is the role of the Speaker in the Assembly?

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IV Answer the following questions detail:

1. Describe the roles and responsibilities of the union legislature
2. What are the powers of the Lok Sabha
3. Write an essay on the stages of Law making process in the parliament
4. Explain the process and procedure of the Amendment
5. What are the powers and functions of the chief minister?

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ICT Corner

Legislature-Amendments

Through this app you will learn more about legislature- amendments

Procedure:

Step - 1 Open Play store and type CONSTITUTION OF INDIA WITH MCQ (or) Scan the QR Code.

Step - 2 Click any topic you will get Article (Eg.Amendments)

Step - 3 Click any Amendments you will get the details of Articles.(101)

URL:

https://play.google.com/store/apps/details?id=com.philoid.coi

*Pictures are indicative

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Unit 3 Executive

Learning Objectives

ZQCDLB

- To understand the Republican form of State
- To gain knowledge of the Constitutional position of the President and Vice - President
- To comprehend the election procedures for the offices of the President and Vice – President
- To analyse the powers and functions of the President and Vice - President
- To understand the Parlimentary type of executive
- To know the characteristics of the State executive
- To comprehend the role of Governer in State administration
- To discuss the role of Chief Minister

3.1 Introduction

Form of the State

The Union Executive

- The President of India
- The Vice-President of India
- The Council of Ministers and the Cabinet, Headed By the Prime Minister

The preamble of the constitution of India, Declares India a Sovereign Socialist Secular Democratic Republic. Unlike England where a hereditary monarch, either a Queen or a king is the head of the State, India has an elected President as head of the State with a fixed tenure of office. The President is the supreme head of all the constitutional wings of the State, i.e the legislature. Executive, Judiciary and Armed Forces. The President supervises their functions and ensures adherence to constitutional provisions by theses bodies. The President represents the entire nation and upholds the constitution in every sphere of State's activity. But unlike the President of the USA, where the President of the republic wields de-facto (real, functional) executive powers, the President of Indian Republic is not vested with direct executive responsibilities. Such direct and real

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executive responsibilities are assigned by the Constitution to a Council of Ministers led by the Prime Minister, and such Council of Ministers, both collectively and individually responsible and accountable to the union legislature. Thus, our Republican form of State is different from American form of Republic, where it is Presidential executive.

3.2 President

The President is the head of the Indian State. He is the First Citizen of India and acts as the symbol of Unity, Integrity and Solidarity of the Nation.

Qualification and Election of the President

Article 58 says;

1. No person shall be eligible for election as President unless he is
   - ❖ a citizen of India
   - ❖ has completed the age of 35 years
   - ❖ is qualified for election as a member of the Lok Sabha
2. A person shall not be eligible for election as President if he holds any office of profit under the government of India, or the government of any state, or under any local or other authority subject to the control of any of the said governments.

Article 52 of our Constitution lays down that there shall be a President of India. Article 53 lays down that the executive power of the Union shall be vested in the President and shall be exercised by him directly or indirectly.

Further Article 52 provides that the nomination of a candidate for election to the office of President must be subscribed by at least 50 electors as proposers and seconded by another 50 electors of the Electoral College. Every candidate has to make a security deposit of ₹ 15,000/- in the Reserve Bank of India.

This amount will be forefeited if the candidate does not secure 1/6 of the votes polled.

The President is elected not directly by the people but by members of Electoral College consisting of:

- ❖ The elected members of both the houses of Parliament
- ❖ The elected members of the legislative assemblies of the states
- ❖ The elected members of the legislative assemblies of the union territories of Delhi and Pondicherry.

Activity

Find out the electoral quota if the total number of voters polled in the election for President is 10,00,000 and the number of candidates to be elected is 1

The President`s election is held in accordance with the system of proportional representation by means of single transferable vote and the voting is by secret ballot. This system enures that the successful candidate is returned by the absolute majority of votes.

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$$\text{Electoral Quota} = \frac{\text{Total number of valid votes polled in the election}}{\text{Number of electors to be elected}} + 1$$

Each member of the electoral college is given only one ballot paper. The voter, while casting his vote, is required to indicate his preferences by marking 1,2,3,4 etc against the names of the candidates.This means the voter can indicate as many preferences as there are candidates in the fray. In the first phase, the first preference votes are counted. In case a candidate secures the required quota in this phase, he is declared elected. Otherwise, the process of transfer of votes is carried out. The ballots of the candidate securing the least number of first prefrence votes are cancelled and his second preference votes are transferred to the first preference votes of other candidates.This process continues till a candidate secures the required quota.

Debate

We have a written constitution wherein the functions and responsibilities of each constitutional office are clearly defined and delimited. We are a Republic with an elected President as the Head of the State. But we are also a Parliamentary democracy with Ministerial responsibility to the representatives of the people in the Lok Sabha.

Teacher can divide the class into two group and organise a debate on the unique mix of the President and the Prime Minister and his team.

Oath by the President

Before entering upon his office, the President has to make and subscribe an oath or affirmation. In his oath, the President swears:

- To faithfully execute the office;
- To preserve, protect and defend the constitution and the law; and
- To devote himself to the service and wellbeing of the people of India.

The oath of office to the President is administered by the Chief Justice of India and in his absence in the presence of the senior most judge of the Supreme Court.

Activity

Read The Cartoon Identify The Context.

26.7.06/The Hindu Cartoon

1. What is being depicted by the given cartoon?

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Entitlement to the President

- He is entitled without payment of rent to use his official residence (The Rashtrapathi Bhavan-Dehil)
- He is entitled to such emoluments, allowances and privileges as may be determined by the Parliament
- The President is entitled to a number of privileges and immunities. He enjoys personal immunity from legal liability for his official acts. During his term of office, he is immune from any criminal proceedings

Term, Impeachment and Succession

Term

Article 56 says that the President shall hold office for a term of 5 years from the date on which he enters upon his office. However, he can resign from his office at any time by addressing the resignation letter to the Vice-President. Further he can also be removed from the office before completion of his term by the process of impeachment. The President can hold office beyond his term of five years until his successor assumes charge. He is also eligible for re-election to that office.

Impeachment

Article. 61 of the Constitution lays down a detailed procedure for the impeachment of the President. For the impeachment of the President, first, a charge for impeachment has to be made in either House of the Parliament by a resolution signed by atleast one fourth of the total number of members of the House and moved by giving atleast 14 days' advance notice. Such a resolution must be passed by a majority of not less than two thirds of the total number of members of the House when a charge is so presented by one House, it should be investigated by the other House. After the investigation, if a resolution is passed by the other house by a majority of two thirds of its total number of members, the President stands removed by impeachment from his office from the date of passing of the resolution.

Succession

A vacancy in the President's office can occur in any of the following ways:

1. On the expiry of his tenure of five years
2. By his resignation
3. On his removal by impeachment
4. By his death
5. When he becomes disqualified to hold office or when his election is declared void.

If the vacancy occurs due to resignation, removal or death, then election to fill the vacancy should be held within six months and the Vice-President will act as the President until a new President is elected. Further, when the sitting President is unable to discharge his functions due to absence, illness or any other cause, the Vice-President discharges his functions until the President resumes his office. In case the office of the Vice-President is vacant, the Chief Justice of India or if

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his office is also vacant, the senior most judge of the Supreme Court acts as the President or discharges the functions of the President.

Functions and Powers of the President

Vast are the functions and powers of the President. He convenes the parliament, addresses and prorogues the same. He nominates 12 members of eminence in different fields to the Rajya sabha and two Anglo Indian members to the Lok Sabha. He enjoys veto power over non-money bills of the parliament and can send back non-money bills for reconsideration of the parliament, he can convene joint sessions of Rajya Sabha and Lok Sabha; He can promulgate ordinances for a period not exceeding six months. He can also has veto powers over certain State legislations. He prompts and facilitates the institution of Council of Ministers headed by the Prime Minister, and ensures that the council of Ministers enjoy the support of the majority in the Lok Sabha. The President alone installs the ministers and distributes portfolios to them, he can also, dismiss the ministry, if he feels that the ministry does not enjoys the majority support in the Lok sabha. He nominates members to various constitutional bodies, including the judiciary, armed forces and diplomatic corps. The President enjoys enormous powers during the periods of emergencies, can suspend any law, can dissolve ministries and legislatures for specified periods. He can also commute capital punishments.

When any person i.e., Vice-President, Chief Justice of India or senior most Judge is acting as President, he enjoys all the powers and immunities of the President as is entitled to such emoluments, allowances and privileges as determined by the Parliament.

The Official Residence of the President of India is

"The Rashtrapathi Bhavan" situated at Delhi.....

Activity

1. Discuss the Veto Powers of the President of India.
2. Find out what is Absolute Veto, Suspensive Veto, Pocket Veto and Qualified Veto.
3. List out all the Presidents and their tenure till date. Make a Collage using the images collected.

Fact

The emergency powers of the President of India are specified in Part XVIII of the Indian Constitution.

Activity

Preparation of Chart

List the Prime Ministers of India from 1947 to 2019. Paste the photos of the Prime Ministers in your chart.

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Executive	Legislative	Financial	Judicial	Emergency	Miscellaneous
1. Running of all administration in his name, making of rules for the conduct of government business and allocation of work among the ministers. 2. Having information of all important decisions of the Cabinet, referring any mater for the consideration of the Cabinet. 3. Making important appointments and removals. 4. Maintaining foreign relations. 5. Holding supreme command of the Defence Forces. 6. Approving rules and regulations for the working of the Supreme Court and other independent agencies. 7. Sending directions and instructions to state governments and invoking Art.356 incase of breakdown of Constitutional machinery in a State. 8. Running of the administration of Union Territories and Scheduled and Tribal Areas.	1. Summoning and proroguing sessions of Parliament and dissolving Lok Sabha. 2. Making nomination of 12 members to the Rajya Sabha and 2 to the Lok Sabha. 3. Delivering inaugural addresses and sending messages to the Parliament. 4. Exercising veto power over non-money bills- absolute as well as suspensive. 5. Giving prior permission for introducing certain kinds of bills in Parliament. 6. Promulgating an ordinance if the Parliament is not in session. 7. Causing presentation in the Parliament of reports and recommendations of various commissions. 8. Making appointment of presiding officer pro tem of the Lok Sabha. 9. Allowing extension, modification, or abrogation of law in cases of ports and aerodromes. 10. Exercising absolute veto power over State legislation in certain cases.	1. Introduction of money bill in Lok Sabha with his prior recommendation. 2. Keeping control over Contingency Fund of India. 3. Causing presentation of budget in the Parliament. 4. Making appointment of Finance Commission. 5. Allowing determination of the shares of States in proceeds of income tax and of the amounts of grants-in-aid in lieu of jute export duty to the States of Assam, Bihar, Odisha and W.Bengal.	1. Granting commutation of sentence, reprieve or pardon, respites or remissions or suspension of punishments by virtue of holding prerogative of mercy. 2. He appoints the Chief Justice of India and other judges of Supreme Court and High Courts. 3. He can seek advice from the Supreme Court on any question of law or fact.	1. The constitution confers extraordinary powers on the President to deal with three types of emergencies ❖ national emergency (Art.352) ❖ President's rule (Art.356 & 365) ❖ financial emergency (Art. 360) 2. Art.352-President declares national emergency when security is threatened due to war, external aggression and internal rebellion. 3. Provision of emergency in a State(Art 356) in the event if breakdown of constitutional machinery. 4. Art 365 – enforcement of President's rule when a State does not obey the union government direction or the Indian Constitution. 5. The President under Art 360 has the power to declare financial emergency if he is satisfied that financial stability or the credit of India is threatened.	1. Reference of any matter of public importance involving a question of law or fact to the advisory opinion of the Supreme Court. 2. Determining the strength of Judges in the High Court. 3. Making rules for the composition and working of the Union Public Service Commission. 4. Setting up official languages Commission and taking steps for the progressive use of Hindi for official purposes on the basis of its recommendations. 5. Making special regulations for the administration of the State of Jammu-Kashmir. 6. Making special rules and regulations for the administration of Scheduled and Tribal Areas.

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Activity

Identify the powers of the President, related to the examples in the given tabular column

(executive/legislative/ judicial/financial/emergency)

S No.	Examples	Powers
1.	Tamil Nadu, Karnataka, Punjab, Jharkhand, Jammu and Kashmir and many other states have been under President's rule.	
2.	The President appoints our State Governors, Supreme Court and High Court Judges.	
3.	The President can summon and dissolve Parliament sessions.	
4.	A 'Bill' passed in the Parliament can become an 'Act' only after the President's approval.	
5.	The President has the power to reduce the degree of punishment or pardon criminals.	
6.	A right to be informed of all of the nation's affairs.	
7.	The President is always the first to address the Parliament during the budget session.	
8.	The country declares war in the name of the President.	
9.	The country's Ambassadors and High Commissioners are his representatives in foreign land.	
10.	The President causes the presentation of audit report before Parliament.	

3.3 Vice-President

On the pattern of the Constitution of USA, the Indian Constitution provides for the office of the Vice-President of India (Article 63). The Vice-President of India occupies the second highest office in the country.

Election

The Vice-President of India is elected by the elected members of both Houses of Parliament by secret ballot on the basis of proportional representation system, by means of the single transferable vote.

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Qualification

To be eligible for election to the office of Vice-President, (a) candidate must be a citizen of India, (b) must have completed the age of thirty five years, (c) must be eligible for election as a member of the Rajya Sabha, and (d) must not hold any office of profit. In this connection provisions similar to those relating to the President apply.

Terms of Office

The Vice-President is elected for a term of five years. He can voluntarily resign from his office before the completion of his term of office by writing to the President. He may also be removed from his office, if a resolution to that effect is passed by the Rajya Sabha by an absolute majority of its members and agreed to by the Lok Sabha. However fourteen days have to be given to move such resolution.

Functions and Duties

The Vice-President is the ex-officio Chairman of the Rajya Sabha (Article 64 of the Indian Constitution). He presides over the meetings of the Rajya Sabha. As the presiding officer of the Rajya Sabha, his functions and powers are similar to those of the speaker of Lok Sabha. He draws his salary as the chairman of the Rajya Sabha because the Vice-President`s office itself carries no salary. In the event of occurrence of any vacancy in the office of the President by reason of his death, resignation or removal, or otherwise, the Vice-President shall act as President until a new President is elected. This period shall not exceed six months. While acting as President the Vice-President gets salary, allowance, emoluments etc., as may be fixed by Parliament by law, and during that time he does not perform the duties of the chairman of Rajya Sabha.

Assignment

Articles 63 to 70 of the Indian Constitution deal with `Vice-President` Make a presentation on the above.

3.4 The Prime Minister and Council of Ministers

He describes Prime Minister as 'primus inter pares' (first among equals) and 'key stone of the Cabinet arch'. He said, "The head of the Cabinet is 'primus intro pares', and occupied a position which so long as it lasts, is one of exceptional and peculiar authority".

- Lord Morely

3.4.1 The Prime Minister

Introduction

Executive: The Constitution provides for a collegiate executive

i.e Council of ministers under the chair members of the Prime Minister

Meaning: A body of persons having authority to initiate major policies, make decisions and implement them on basis of the Constitution and laws of the country.

There are two important organs of the Union Government.

- The Union Legislature (or) the Union Parliament
- The Union Executive

In the previous unit you have learnt about the Union Legislature. Let us now deal with Union Executive. You should remember that articles 52 to 78 in Part V of the Indian Constitution deal with "Union Executive".

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India has adopted the British Parliamentary executive mode with the Prime Minister as the Head of the Government. Prime Minister is the most important political institution. But in the council of Ministers (Cabinet), the Prime Minister is primus inter pares (first among equals).

Appointment

The Constitution does not contain any specific procedure for the selection and appointment of the Prime Minister. There is no direct election to the post of the Prime Minister. Article 75 says that the Prime Minister shall be appointed by the President. Appointment is not by the choice of the President. The President appoints the leader of the majority party or the coalition of the parties that commands a majority in the Lok Sabha, as the Prime Minister. In case, no single party gets a majority, the President appoints the person most likely to secure a majority support. The Prime Minister does not have a fixed tenure. He/she continues in power so long as he/she remains the leader of the majority party or coalition.

Functions and Position

The first and foremost function of the Prime Minister is to prepare the list of his ministers. He meets the President with this list and then the Council of Ministers is formed. Very important ministers are designated as Ministers of the Cabinet rank, others are called Ministers of State, while ministers belonging to third rank are known as Deputy Ministers. It is one of the discretionary powers of the Prime Minister to designate a minister as Deputy Prime Minister. The President allocates portfolios among the ministers on the advice of the Prime Minister. The Prime Minister may keep any department or departments under his control; he may also advise the President to reshuffle portfolios of his ministers from time to time; he may bifurcate of trifurcate a department or have different departments amalgamated into one department.

The Prime Minister`s pre eminent position is evident from these points:

1. He/She is the leader of the party that enjoys a majority in the popular House of the Parliament (Lok Sabha).

2. Has the power of selecting other ministers and also advising the President to dismiss any of them individually or require any of them to resign.

3. The allocation of business amongst the Ministers is a function of the Prime Minister. He can transfer a minister from one Department to another.

4. Is the Chairman of the Cabinet, summons its meetings and presides over them. The Prime Minister is also the Chairman of many bodies like Inter-State Council, Nuclear command Authority and many more.

5. Is in-charge of co-coordinating the policy of the government and has accordingly a right of supervision over all the Departments.

6. While the resignation of a Minister merely creates a vacancy, the resignation or death of the Prime Minister means the end of the Council of Ministers.

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7. The Prime Minister is the sole channel of communication between the President and the Ministers and between the Parliament and his Ministers. He/ she is the chief spokesperson of the government in foreign affairs.

Prime Minister's Office

Meaning

Being the head of the government and the real executive authority, the Prime Minister plays a very vital role in the politico- administrative realm of our country. In order to fulfill his responsibilities, the Prime Minister is assisted by the Prime Minister`s Office (PMO). The Prime Minister`s Office is an agency meant for providing secretarial assistance and advice to the Prime Minister. It is an extra constitutional body which offers important role in the top level decision making process of the Government of India. The Prime Minister`s Office has the status of a department of the Government of India. The Prime Minister`s Office came into existence in 1947. Till 1977, it was called Prime Minister`s Secretariat (PMS). The Prime Minister`s Office is headed politically by the Prime Minister and administratively by the Principal Secretary.

The Prime Minister's Office performs Several Functions

DO YOU KNOW?

Functions

1. Assists the prime minister in his overall responsibilities as head of the government, in maintaining communication with the central ministries/departments and the state governments.
2. Helps the prime minister in his responsibilities as chairman of the Niti Aayog and the National Development Council.
3. Looks after the public relations of the prime minister like contact with the press and the general public.
4. Deals with all references, which under the Rules of Business have to come to the Prime Minister.
5. Provides assistance to the Prime Minister in the examination of cases submitted to him for orders under prescribed rules.
6. Maintains harmonious relationship with the President, Governors and foreign representatives in the country.
7. Acts as the `think- tank` of the Prime Minister. It deals with all such subjects that are not allotted to any department/ministry.
8. It is not concerned with the responsibility of the Prime Minister as the chairman of the union Cabinet. The Cabinet cases are directly dealt by the Cabinet secretariat, which also functions under the direction of the prime minister.

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3.4.2 Central Council of Ministers

Article 74th of the Constitution lays down that there shall be a Council of Ministers with the Prime Minister as the head to aid and advise the President, who shall in the exercise of his functions, act in accordance with the advice of the Council of Ministers. That means, there shall always be a Council of Ministers. The President accepts the advice of the Council of Ministers. The Council of Ministers consists of three categories of ministers, namely, Cabinet Ministers, Ministers of State and Deputy Ministers. While the Cabinet Ministers are involved in policy decision making, the other two categories have mere administrative responsibilities. The difference between them lies in their respective ranks, emoluments and political importance. At the top stands the Prime Minister, the supreme governing authority of the country.

Appointment of the Council of Ministers

Under Article 75th of the Constitution, the Prime Minister is appointed by the President and the other ministers are appointed by the President on the advice of the Prime Minister. The ministers hold office during the pleasure of the President. While the ministers are also appointed by the President and are said to hold office during the pleasure of the President as per the Constitution, in actual practice, the ministers are selected by the Prime Minister and the President cannot appoint anyone not recommended by the Prime Minister.

Shadow Cabinet

In England, opposition party in parliament constitutes, a group of its members to examine portfolio wise issue through they are not the real executive. This tradition keeps the opposition well informed and makes the government always on alert.

Activity

Students are requested to form groups and show the Shadow Cabinet model in India.

Collective and Individual responsibility of the Council of Ministers

The Constitution of India provides that the Ministers are collectively and individually responsible to the Lok Sabha. The collective responsibility of the Council of Ministers means that the entire Council of Ministers is jointly responsible to the Lok Sabha for all the acts of the government. It also means that the ministers must not speak in public in different voices. All the ministers of the government are expected to be unanimous in support of policies on all public occasions and issues.

Have you heard of Kitchen Cabinet....?

A Kitchen Cabinet is a still smaller body or a Cabinet within a Cabinet. It is an informal body and the real centre of power. Every Prime Minister in India had a Kitchen Cabinet or Inner Cabinet. A circle within a circle. It helps the Prime Minister in maintaining secrecy in making decisions on important political issues.

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3.4.3 The Union Cabinet

A Cabinet is the council consisting of ministers of Cabinet rank. It is the inner body within the Council of Ministers. It is an extra constitutional authority created out of the Council of Ministers. The whole Council of Ministers does not meet to discuss business, it is the Cabinet which takes policy decisions and advises the President. The Cabinet is the highest decision making executive body which looks after the administrative affairs of the Government of India. It is the nucleus of the Council of Ministers.

Role and Functions of the Cabinet:

1. The Cabinet is the highest decision making and policy formulating authority in our politico-administrative system.

2. It deals with all major legislative, financial and foreign policy matters.

3. It exercises control over higher appointments like constitutional authorities and senior secretariat administrators.

4. It recommends ordinances, when the parliament is not in session and supervises the implementation of policies.

5. It appoints enquiry commissions and resolves inter-departmental disputes.

6. It is entitled to recommend to the President declaration of emergencies, dissolution of the Lok Sabha, proroguing and adjourning the parliament sessions.

Cabinet Secretary

Every Cabinet Minister is assisted by a Cabinet Secretary. Among them the Cabinet Chief Secretary is given a top place among the civil servants in the official ladder. He is the Chairman of the Senior Selection Board that selects officers for the post of Joint Secretary in the Central Secretariat. He presides over the conference of Chief Secretaries which is held annually. He acts as the Chief Advisor to the Prime Minister on all aspects of administration and policy. He acts as the link between Prime Minister`s Office and various administrative agencies and also between civil service and the political system.

Activity

Make a list of the following-

1. Prime Ministers of India till latest
2. Any five Cabinet Ministers and their ministries each at the Union level and in your state.

3.5. The Executive of the Constituent State

Introduction

Articles 153 to 167 in Part VI of the Indian Constitution deals with the State Executive. The same pattern of parliamentary form of government is followed in the states. The State Executive consists of the Governor, the Council of Ministers headed by the Chief Minister. At the head of the executive power of a State is the Governor just as the President stands at the head of the executive power of the Union. All states of the Indian Union have

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the same pattern of government. Some States have Bicameral legislature and some states have unicameral legislature.

Part VI of the Constitution which deals with the government in the states, is not applicable to the state of Jammu and Kashmir, which enjoys a special status and has a separate constitution of its own (Article 370).

The State Executive

- The Governor.
- The Council of Ministers Headed by the Chief Minister.

3.5.1 The Governor

Provision for Governor

Article 153 of the Constitution lays down that there shall be a Governor for each state. Normally, there will be a Governor for each state but the constitution amendment of 1956 makes it possible to appoint the same person as the Governor for two or more states.

Debate

What happens if the President and the Prime Minister disagree about some policy? Whose view would prevail and why?

Appointment of the Governor

The Governor of a state is appointed by the President of India. (Article155). No person shall be appointed as a Governor unless he/she:

- is a citizen of India
- has completed the age of 35 years
- does not hold any other office of profit
- is not a member of parliament or state legislature.

Term of Office and Position

The prescribed term of office for the Governor is 5 years. But he holds office at the pleasure of the President. (Article 156). He may be removed by the President at any time. He may be transferred by the President from one state to another too. The Governor draws a salary which is fixed by the parliament. He is also entitled to certain allowances and benefits.

As per the Constitution of India, the Governor is the constitutional and executive head of the State. The executive power of the State is vested with the Governor. All executive actions are carried on in the name of the Governor. In actual practice, the real executive powers of the State lie with the Council of Ministers headed by the Chief Minister. The Governor acts according to the advice of the Council of Ministers, who are collectively responsible to the Legislative Assembly of the State.

Activity

- Who is a Lieutenant Governor?
- Find out which places in India possess a lieutenant Governor?
- Write two or three sentences about the lieutenant Governors of India.

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The Governor of a State has more powers and performs a number of functions. The powers and functions of the Governor are:

1. Executive Powers

(i) The Governor is the executive head of the State Government. The executive powers of the Governor are to be exercised by him either directly or through officers subordinate to him (i.e., Ministers). (Art. 154). All executive actions are taken in his name. His executive powers extend to the administration of all matters included in the State List.

(ii) The Governor appoints the leader of the majority party in the legislative assembly as the Chief Minister. He appoints the other ministers of the Council of Ministers according to the advice of the Chief Minister. The Council of Ministers hold office during the pleasure of the Chief Minister because the Governor acts in accordance with the advice of the Chief Minister.

(iii) The Governor appoints the Advocate General of the State, the chairman and members of the State public service commission, and determines the questions of appointments, postings, promotions, etc. of the judges of subordinate courts.

(iv) The Governor is responsible for the smooth running of the administration of the State. In case he finds that the constitutional machinery of the State has broken down or the administration of the State cannot be carried on in accordance with the provisions of the constitution, he may recommend to the President to proclaim constitutional emergency and impose President's rule under Article 356. During the President's rule, as there is no Council of Ministers, the Governor carries on the administration of the State on behalf of the President.

2. Legislative Powers

The Governor is a part of the State Legislature (Article 168). So, he has legislative powers. His legislative powers cover the following

i) He summons prorogues and dissolved the legislative assembly.

ii) He addresses the members of the State Legislature.

iii) Without the Governor's assent, no Bill can become law even after it is passed by both the houses. The Bills passed by the legislature are sent to the Governor for his assent. He may give his assent or withhold it or may reserve the bill for the consideration of the President. The bills maybe returned by the Governor for reconsideration. (It may be noted that if the bill is again passed by the legislature with or without amendments, the Governor has to give his assent.)

iv) Under Article 213, the Governor may promulgate ordinance during the period when legislature is not in session. (However, for the continuation of such an ordinance, it has to be approved by the State Legislature within six weeks from the re-assembly of the legislature.)

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v) In State where bicameral legislature exists: The Governor nominates one-sixth of the members of the legislative council from among persons having special knowledge or practical experience in respect of literature, science, art, co-operative movement or social service. He may also nominate a person from the Anglo-India community to the legislative assembly.

3. Financial Powers

The Governor has financial powers. His financial powers cover the following:

i) The finance minister submits the budget or financial statement before the legislature. But no money bill can be introduced in the legislative assembly without the prior permission of the Governor.

ii) No demand for grants can be made without the recommendation of the Governor.

iii) The Governor is the custodian of the contingency funds of the State from where he can make payments to meet the emergency without the prior sanction of the legislature.

4. Judicial Powers

The Governor has judicial powers. His judicial powers cover the following:

(i) He determines the questions of appointments, postings, promotions, etc. of subordinate courts (ie., district courts and munsiff courts).

(ii) He may be consulted by the President of India, while making appointments of the judges of the high court.

(iii) The Governor has the power to pardon, suspend, remit or commute the sentence of any person convicted of an offence against any law relating to a matter to which the executive power of the State extends.

5. Discretionary Powers

The Governor also has discretionary powers, i.e., he has the powers to act independently using his wisdom and discretion. His discretionary powers relate to:

i) Appointing a new Chief Minister in a situation where no single party or leader commands majority support.

ii) Dismissing a ministry where it refuses to resign even after losing majority support in the house or after being defeated on a non-confidence motion.

iii) Dissolution of assembly on the advice of a Chief Minister who has lost majority support.

iv) Sending to the President report about the failure of constitutional machinery and to impose President's rule in the State.

v) Giving assent to bills passed by the legislature.

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President's Rule: The Governor has no emergency powers to meet the situation arising from external aggression or armed rebellion but he has the powers to make a report to the President that the government of the state cannot be carried on in accordance with the provisions of the Constitution (Article 356), thereby inviting the President to assume to himself in the functions of the government of the state or any of them.

Advocate General

Each state has an advocate general who is an official corresponding to the Attorney-General of India and having similar functions for the state. He is a person who is qualified to be a judge of a High Court and he is appointed by the Governor.

Activity

Compare the powers of President and Government. Do you find any difference?

3.5.2. Council of Ministers headed by the Chief Minister

Position of the Chief Minister

The Chief Minister is the head of the Cabinet and the Council of Ministers. In practice, he is the real executive head of the State. As per Article 164(1) of the Constitution of India, the Chief Minister of a State shall be appointed by the Governor of the State.

Powers and Functions of the Chief Minister

As the real executive head of the State, the Chief Minister enjoys wide powers and performs a number of functions. The important powers and functions of the Chief Minister are:

i) As the head of the Council of Ministers, the Chief Minister has more powers in ministry-making. He can recommend appointment of ministers and designate them as Cabinet Ministers or Ministers of State or Deputy Ministers. He can change the portfolios of the ministers. He can even recommend the removal of ministers.

ii) He presides over the meetings of the Cabinet and makes major policy decisions of the Government.

iii) He acts as the sole channel of communication between the Council of Ministers and the Governor. He communicates to the Governor all the decisions of the Cabinet relating to administrative and legislative proposals.

iv) He scrutinizes all papers, bills, resolutions, etc. that are to be placed before the legislature.

v) Though, in theory, all major appointments are made by the Governor, in practice, all such appointments are actually made on the advice of the Chief Minister.

State Council of Ministers

Introduction

Article 163(1) of the Constitution of India provides that there shall be a

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Council of Ministers headed by the Chief Minister to aid and advise the Governor in the exercise of his functions except when he is required by the Constitution to act in his discretion.

The State Council of Ministers is formed in the same manner as the Union Council of Ministers is formed. The leader of the majority party or coalition of parties in the legislative assembly is appointed as the Chief Minister by the Governor. The other ministers in the Council of Ministers are appointed by the Governor on the advice of the Chief Minister.

Activity

- Make a list of the Chief Ministers of Tamil Nadu.
- Bring out the welfare schemes introduced by them.
- Write a few sentences of your favourite Chief Minister.
- Make a collage of the welfare schemes which were introduced especially for women in your state.

Term of Office of the Council of Ministers

As per the Constitution, the Council of Ministers hold office during the pleasure of the Governor. But, in reality, the Council of Ministers hold office during the pleasure of the Chief Minister because the Governor acts on the advice of the Chief Minister. The Council of Ministers are individually responsible to the Chief Minister. The Council of Ministers are collectively responsible to the Legislative Assembly of the State. That means, the Council of Ministers shall speak in one voice.

The State Cabinet

The Council of Ministers consists of Cabinet Ministers, Ministers of State and Deputy Ministers. Of the Council of Ministers, the Cabinet Ministers Constitute the State Cabinet. The Cabinet Ministers of the State Cabinet are, generally, the prominent ministers of the Council of Ministers. It is headed by the Chief Minister. The Cabinet takes decisions on behalf of the Council of Ministers, and so, all the ministers are bound by the decisions of the Cabinet.

Creativity !

Give a pictorial representation of the collective responsibility of the State Council of Ministers

Debate

Debate !!

Chief Secretary Vs Cabinet Secretary

Discuss....

The similarities and differences between Chief Secretary and Cabinet Secretary.

Glossary

- **English West Minister Model :** parliamentary system of government developed in the UK representing a series of procedures for operating a legislature.
- **Mandate :** authority to act in a certain way.
- **Unity :** the state of being united or joined as a whole.
- **Integrity :** the state of being undivided and whole.

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- **Solidarity :** unity or mutual support within a group or a nation.
- **Nomination :** propose or formally enter as a candidate for election or for an honour or for an award.
- **Ballot paper :** a slip of paper used to register a vote.
- **Oath :** a solemn promise, often invoking a divine witness, regarding one's future action or behaviour.
- **Deemed :** regarded or considered in a specific way.
- **Emolument :** a salary, fee or profit from employment or office.
- **Impeachment :** a charge of misconduct made against the holder of a public office.
- **Resolution :** a formal expression of opinion or intension agreed on by a legislative body or other formal meeting, typically after taking a vote.
- **Tenure :** the period for which an office is held.
- **Void :** not valid or legally binding.
- **Invoking :** give rise to.
- **Summoning :** order someone to be present.
- **Proroguing :** discontinue a session of a parliament or other legislative assembly without dissolving it.
- **Veto :** a constitutional right to reject a decision or a proposal made by a lawmaking body.
- **Suspensive :** relating to the suspension of an event, action or legal obligation.
- **Promulgating :** put a law or decree into effect by official proclamation.
- **Ordinance:** an authoritative order.
- **Abrogation :** the repeal or abolition of a law, right or agreement.
- **Contingency :** an incidental expense.
- **Ex-officio :** by virtue of one's position or status.
- **Preside :** be in the position of authority in a meeting or other gathering.
- **Coalition :** a temporary alliance for combined action, especially of political parties forming a government.
- **Discretionary :** the freedom to decide what should be done in a particular situation.
- **Portfolio :** the position and duties of a Minister or Secretary of State.
- **Bifurcate :** divide into two branches or forks.
- **Trifurcate :** divide into three branches or forks.
- **Amalgamate :** combine or unite to form one organization or structure.
- **Spokesperson :** a person who makes statements on behalf of a group or individual.
- **Realm :** a kingdom or a sovereign state.
- **Unanimous :** fully in agreement.
- **Crisis :** time of intense difficulty or danger.
- **Proclaim :** announce officially or publicly.
- **Dissolution :** the action of formally ending or dismissing an assembly, partnership or official body.
- **Adjourning :** break off with the intention of resuming it later.
- **Lieutenant :** a deputy or substitute acting for a superior.
- **Assent :** the expression of approval or agreement.
- **Aggression :** the action of attacking without provocation.
- **Rebellion :** an act of armed resistance to an established government or leader.
- **Prominent :** important.

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Evaluation

I. Choose the correct answer:

CLY8B7

1. The President of India is
   a. the real ruler of India
   b. the constitutional head of the state
   c. the head of the state as well as the government
   d. the leader of the majority party which forms the government
2. The President of India can be removed from his office before the expiry of his term by
   a. the Chief Justice of India
   b. the Parliament and State Legislatures jointly
   c. the two Houses of the Parliament
   d. the Supreme Court of India
3. On the death of the President, the Vice-President succeeds him as President for
   a. the unexpired term
   b. a maximum period of six months
   c. a maximum period of one year
   d. a maximum period of three years
4. Who decides the disputes regarding the election of the Vice-President?
   a. The Chief Justice of India b. The Parliament
   c. The President d. The Supreme Court
5. Which one of the following categories of ministers are members of Cabinet?
   a. Ministers with Cabinet rank b. Ministers of State
   c. Deputy Ministers d. All the above categories of Ministers.
6. The sole channel of communication between the President and the Council of Ministers is
   a. the Speaker of Lok Sabha b. the Prime Minister
   c. the opposition leader d. the Vice-President
7. Proportional representation is NOT necessary in a country where
   a) there are no reserved constituencies
   b) a two-party system has developed
   c) the first-past-post system prevails
   d) there is a fusion of Presidential and Parliamentary forms of government
8. The Commander-in-Chief of the defence forces is
   a. the Defence Minister b. the President of India
   c. the Prime Minister d. none of the above
9. The presiding officer of the Rajya Sabha is known as
   a. the Speaker b. the Vice President
   c. the President d. presiding officer

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10. The maximum strength of Rajya Sabha is
    a. 200 members b. 250 members
    c. 280 members d. 300 members
11. Under the Indian Constitution, the Lok Sabha enjoys
    a. an inferior position b. a superior position
    c. an equal position with Rajya Sabha d. none of the above
12. Which one of the following categories of emergency has not been declared so far?
    a. National emergency
    b. Emergency due to breakdown of constitutional machinery
    c. Financial emergency
    d. All the three equal number of times
13. The President nominates the members of Rajya Sabha from amongst persons who
    a. have taken part in India's freedom struggle
    b. have retired from active politics
    c. have rendered meritorious service to the country
    d. have distinguished themselves in fine arts, literature,social service,etc
14. The Prime Minister is the head of
    a. State b. Government
    c. Both State and Government d. Neither State nor Government
15. The members of the Council of Ministers are collectively responsible to
    a. the Lok Sabha b. the Rajya Sabha
    c. both Lok Sabha and Rajya Sabha d. Lok Sabha, Rajya Sabha and the President

II. Answer the following questions very shortly:

1. Define Executive and state the two important organs of the union government.
2. How is the electoral quota calculated?
3. Write a short note on State Cabinet.
4. What do you mean by the President's rule?
5. Distinguish between Lok Sabha and Rajya Sabha.
6. What are the essential qualifications to be elected as the Vice-President of India?
7. What does the President swear in his oath upon entering his office?

III. Answer the following questions shortly:

1. What are the conditions, emoluments and allowances of the President's office?
2. State the functions and duties of the Vice-President.
3. How is the President elected? Brief about electoral quota.
4. Write a note on the collective and individual responsibility of the Council of Ministers.
5. What are the powers and functions of the Chief Minister?

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6. Write a note on the State Council of Ministers.
7. Write a brief note on the appointment, term of office and position of the Governor.

IV. Answer the following questions in detail:

1. What are the functions and powers of the President?
2. Explain in detail the functions and position of the Prime Minister.
3. What are the functions of the Prime Minister's Office?
4. Elaborate on the powers and functions of the Governor.
5. Critically analyse Article 356 of Indian Constitution.

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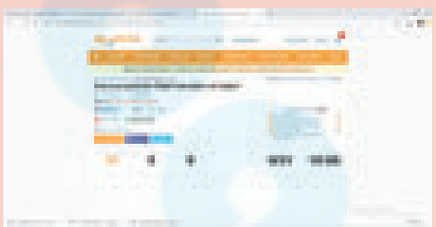
ICT Corner

Executive

Through this activity you will learn Name of Chief minister's of other states



Procedure:

Step - 1 Open GOOGLE and type Chief Ministers of India - Quiz (or) Scan the QR Code.

Step - 2 Click PLAY QUIZ

Step - 3 Click the correct name of the Chief Minister (Eg.TAMIL NADU)

URL:

https://www.sporcle.com/games/staarmaan/chief-ministers-of-india

*Pictures are indicative

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Unit 4 Indian Judiciary

Learning Objectives

PIK313

- To discuss the nature and significance of Indian Judiciary.
- To trace the evaluation of Indian Judiciary.
- To examine the features of the Indian Judiciary.
- To evaluate the role of the judiciary as the interpreter of the Constitution.
- To discuss the factors promoting the independence of Judiciary.
- To explain the nature and significance of Judicial Review, Public Interest Litigation and Judicial Activism.
- To know light on the nature of Constitutional Law, Administrative Law and Indian Penal Code.
- To explain the Organisation, Power and Functions of the Supreme Court of India.
- To know light on the Organisation, Powers and Functions of the High Courts and Sub-ordinate Courts.

What does the judiciary exactly do? I see people trusting the judiciary more than the legislature and the executive. Whenever their rights are violated, they look up to the judiciary and are so confident that their rights and privileges will be safeguarded.

Supreme Court of India

Quotable Quote

"The Supreme Court, an all-India Court, will stand firm and aloof from party politics and political theories. It is unconcerned with the changes in the Government. The Court stands to administer the law for the time being in force, has goodwill and sympathy for all, but is allied to none"- Hon'ble Sri Harilal J. Kania, First Chief Justice of India.

The judiciary is one of the three organs of the government, the other two being the Legislature and the Executive. The judiciary is engaged in the interpretation of law and serves as a protector of the Constitution. It guarantees the administration of justice and protects the individual from encroachments of rights and privileges by the government and other individuals. The establishment of an independent and impartial judiciary is a pre-requisite for the functioning of a civilized state. The judiciary assumes greater importance in a federal polity

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Thirukkural

1. Recite Thirukkural verses for bail

In February, a Tamil Nadu court reportedly ordered three college students, arrested in an assault case, to recite 100 verses of Thirukkural treatise by poet-saint Thiruvalluvar daily for 10 days as a condition for granting bail.

The court in Mettupalayam ordered the students, who were charged with assaulting a person, to appear before a Tamil teacher in the Government Boys High School in the area to recite the verses.

The court also asked the head of the school to issue a certificate to the students at the end of the 10th day.

2. Madurai Bench paves way for in-depth study of Thirukkural

One of the most significant contribution of the Madurai Bench of the Madras High Court towards promoting the cause of Tamil is a direction issued to School Education Department in 2017 to make 108 out of the 133 chapters of Thirukkural a part of school syllabus. The Madurai Bench direction led to passing of a G.O. for teaching 1050 couplets to students from the academic year 2017-18.It also ensure that students from Class VI to XII get to learn the couplets and their intended meaning in depth and not just superficially as was being done all these years.

Thirukkural is perhaps the only ancient secular text from India that has been translated into 60 languages the world over.

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such as India as it also acts as a protector of the federation resolving the conflicts of jurisdiction between the Centre and the States.

Group Activity

What Do You Think?

After carefully reading three case studies read the qualification of a judge given in this chapter.

What kind of a person makes a good judge? Discuss with your team members. Write a paragraph not more than 250 words on what your team would look for in a person before appointing him or her as a judge.

Each group consists of 5 members. Display your group work in the classroom Notice Board.

4.1 Evolution of Indian Judiciary

Judicial System in Ancient India

India has been a Sub – Continent of different races, different cultures, different languages and a multitude of political and social systems. In ancient times, as well as in the medieval times, none of the Indian States was segregating judicial functions from the executive. During the Vedic period, the authority of the head of the family (Kulapa or Kulapato) was insulated from royal interferences; Similarly the clannish or tribal bodies like Grama, Gopa, Vishaya, Jana and Gana enjoyed autonomous powers. In the ancient Indian monarchical orders, the king was considered to be the highest judicial authority. As king's will was the law, his word was the highest and absolute verdict in disputes.

However, most of the disputes were settled and disposed of at the local level through caste bodies or local administrative bodies. Extreme cases like treason were tried in the king's court. There was no regular system of jurisprudence or judicial procedures. Most often the accused was to prove his innocence either through evidences and witnesses or through subjection to different kinds of ordeals such as ordeal by fire, ordeal by water and ordeal by poison.

Punishments (penal system) was severe and even barbaric if blood money was in vogue (less was to be replaced with material compensation)- Whipping, flogging, amputation of limbs, impalement, rigorous imprisonment, enslavement, banishment, confiscation of property, beheading, hanging and trampling by elephants were some of the punishments meted out to the culprits. In kingdoms which came under Brahmanical influence, smritis were invoked in trial as well as in awarding punishments.

There were a number of smritis such as Manusmrit, Narada Smriti, and Yagnavakya Smritis : of which Manu Smriti was held as a core Smriti, other smritis had certain variatious. The Smritis generally upheld the graded varna – Jati social order. There was no 'equality before law' concept. Brahmins were mostly insulated from regular procedures and regular punishments. On any account, Brahmins, even if they committed the most heinous crimes, were to be exempted from physical torture, amputation, impalement or capital punishment. On the other hand the depressed castes were subjected to

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severe ordeals and extreme punishments; changing of caste based occupations was treated (Varna Sangraha) as a serious crime.

Arthasastra suggests disproportionate punishments for restricting instances of crimes; penalties levied on culprits, and confiscation of properties as a major source of royal income. The smritis treated women as inferior humans and were prejudiced against them even in matters of inheritance. The Sudras, and Panchamas were ineligible for a fair trial and fair punishment. Trade disputes were mostly settled through guilds (SRENIS). Similarly each artisan group had its own guild to resolve disputes within. The Mahasabhas of the Pallava – Pandya-Chola empires insulated Brahmins from regular system of justice. The Mahasabha's variyam (Dharma variam, Nyaya variam) settled issues within the mahasabhas. The local bodies like Ur, Urar, Nadu, Nattar and Nagarathar had their own judicial arrangements.

The Buddhist kingdoms (like that of Asoka) mostly disregarded smritis and enforced some sort of equal treatment to various social groups in matters of judicial disputes. Asoka removed cruel punishments and even instructed his official to be more humane and compassionate towards prisoners. The episode involving Kovalan's execution in Silappadikaram reveals the defects in the system of judicial procedure. Though high moral stature of the adjudicating officials were insisted in literature, we very often found arbitrariness in judicial trial and in awarding exemptions or punishments. There was no rule of law but rule of the powerful authorities that we find in ancient India.

Ordeals

Trail by Balance: A palm leaf chit, with the alleged crime inscribed on it was placed on one side of the balance, and the accused was to sit on the other side of the balance. If the plate of the balance on while the accused came down, the accused was declared guilty

Ordeal of Fire: The accused was made to walk through fire and was deemed innocent only if the person suffered no injury.

Ordeal of water : The accused was made to drink the water used to clean the idol was deemed innocent if it had no harmful effects on him within the next 14 days.

Ordeal By Poison : The accused was made to consume poison and was deemed innocent only if did not have any effect on the person.

Ordeal of Lot : The accused was asked draw from the lot and was deemed innocent if he chose the lot of dharma.

Ordeal of Rice Grains : The accused was made to chow rice without the husk being removed and the presence of blood stains in his mouth resulted in the person being declared guilty.

Ordeal of Fountain - Cheese : The accused was compelled to drink a potion that could make him/her delirious and was deemed guilty if the person confessed the crime.

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In medieval India, the Muslim rulers had faced a peculiar situation, where the majority of their subjects were Non-Muslims. While they applied Islamic law in cases where Muslims and Muslim interests were involved, they preferred a policy of non-intervention in the socio-religious affairs of the Non-Muslims, hence allowed the traditional system of justice in the rural areas. The Muslim rulers made a clear distinction between civil and criminal disputes and assigned deferent system for each of them. However, in cases of blasphemy, extreme punishment were awarded to the accused.

4.2 Judicial System in Medieval India

In Medieval India, the Sultan/Sultana was the supreme authority administering justice in his/her kingdom. He / She administered justice in the following capacities namely Diwan-e-Qaza (Arbitrator), Diwan-e-Mazalim (Head of Bureaucracy) and Diwan-e-Riyasat (Commander-in-Chief). There existed a systematic classification and organization of courts in Medieval India. The administrative divisions were the basis for judicial organization. The jurisdiction of courts at the Capital, Provinces, Districts, Parganas and Villages were clearly demarcated. Generally, at the Capital of Sultanate, the following six courts were established.

- The King's Court
- Diwan-Al-Mazalim
- Diwan-e-Rialat
- Sadre Jahan's Court
- Chief Justice's Court
- Diwan-e-Riyasat

The King's Court was presided over by the Sultan and the Court had both original and appellate jurisdiction. It was the highest court of appeal and in the administration of justice, the Sultan was assisted by Muftis (legal experts). Diwan-Al-Mazalim and Diwan-e-Risalat are the highest courts of appeal in criminal and civil matters respectively. Though these Courts were to be officially presided over by the Sultan, he seldom attended the sessions of the Courts. In the absence of the Sultan, the courts were presided over by Qazi-ul-Quzat, the highest judicial officer of the State. But later, the post of Sadre Jahan was created making him the de-facto head of the judiciary. The Sadre Jahan's Court and the Chief Justice's Court remained separate for long until amalgamated later by Alauddin-Khilji. The Chief Justice's Court dealt with both civil and criminal cases and the Chief Justice was assisted by judges who were men of ability and integrity and were greatly respected. Mufti, Pandit, Mohtasib (in charge of prosecutions) and Dadbak (administrative officer) were the officers attached to the Chief Justice's Court. The Diwan-e-Siyasat was primarily a court dealing with cases of high treason.

4.3 Judicial System in Modern India

The East India Company was incorporated in 1601 by the Charter of Queen Elizabeth I. The Charter granted recognition and authority to the Company to facilitate the regulation of trade. With regard to the administration in Madras, the Charter of 1661 led to the appointment of Governor and the Council in each of its

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settlement. Once the company became a territorial power, especially at Madras, it introduced an adhoc system of judicial administration, in which the existing native systems were accommodated, as the company preferred a policy of non-intervention in native affairs. The Governor and the Council were empowered to decide on both civil and criminal cases in accordance with the law of England. However, in disputes involving only the natives the native traditions were continued. The year 1665 was of great significance as it witnessed the first trial by jury in Madras in the case of Mrs. Ascentia Dawas during the Governorship of Fox Croft. The appointment of Streynsham Master as the Governor in 1678 resulted in the reorganization of the judicial system of Madras. The Court of the Governor and Council came to be known as the High Court of Judicature and English was declared as the court language. The Charter of 1683 led to the Company establishing Courts of Admiralty to try traders committing various crimes on high seas. The Charter of 1687 authorized the Company to create the Corporation of Madras and the Mayor's Court was attached to it. It functioned as a court of record for the Madras town.

Activity

Read more about the case of Mrs. Ascentia Dawas, the first trial by jury in Madras.

With regard to the administration of justice in Bombay, the Charter of 1668 authorized the Company to exercise judicial authority over Bombay. The proclamation of 1672 introduced English Law in Bombay and the Court of Judicature and the new central court was established. The application of English law was confined to cases involving Europeans and European interests. The court exercised jurisdiction over civil, criminal and testamentary cases. Further, Justices of Peace were appointed to administer criminal law. After examining the witnesses and making an initial enquiry, the cases were moved to the Court of Judicature. However, the invasion of Sidi Yakub, the Mughal Admiral led to the dissolution of courts in Bombay in 1690. After 12 years, in 1718, the Court of Judicature was revived. The court had jurisdiction over civil and criminal matters. Though the court met only once a week, it was highly regarded for its speedy trial and impartial decisions.

With regard to the Calcutta Presidency, the Governor and the Council were endowed with judicial powers. In the case of civil and criminal matters, the Company followed the already existing Mughal system of judicial administration. The Faujdari Court presided over by the English Collector decided on the criminal cases and the civil cases were referred to an arbitrator by the Collector. The Collector played a very important role in the judicial administration of Calcutta and the office dealt with civil, criminal and revenue cases.

Thus, the Charter of 1687 applied only to Madras while the Charter of 1726 constituted a Mayor's Court in each of the three Presidencies. The Charter of

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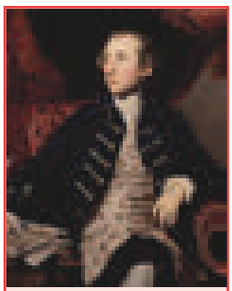
1753 further reformed certain judicial provisions of the Charter of 1726. It also set up five courts namely the Court of Requests, the Mayor's Court, the Courts of the President and the Council and the King-in-Council. Another landmark in the evolution of Indian judiciary was the Warren Hasting's Plan of 1772. It regulated the system of judicial administration. In 1780, he also reorganized the Provincial Adalats.

One of the major development in the field of judiciary during the colonial period was the codification of native laws.

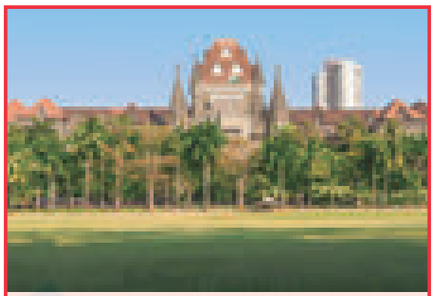


Warren Hastings

Cornwallis

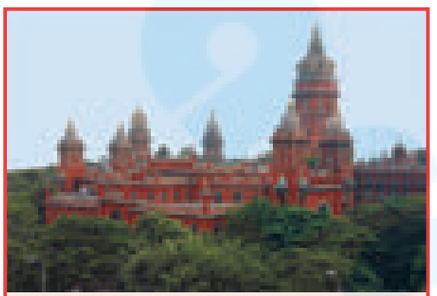
The first Governor General Warren Hastings caused the codification at Hindu Law, and Cornwallis code was another major contribution. Similarly, the Islamic law was also codified and adopted in courts.

The Regulating Act of 1773 empowered the Crown to establish the Supreme Court of Judicature in Calcutta and the Charter of 1774 expounded on the jurisdiction of the court. However, the Supreme Courts were not established at Bombay and Madras during the same period. The Supreme Courts were established in Madras and Bombay in the years 1801 and 1824 respectively. In 1793, Lord Cornwallis prepared "A Set of Regulations" popularly known as the Cornwallis Code and it dealt with both civil and criminal justice. He reorganized civil courts, abolished court fees and reformed criminal courts. Lord Minto after being appointed as the Governor-General of Bengal in 1807 increased the powers and jurisdiction of the various courts. Lord Hastings who became Governor General in 1813, introduced many reforms in the civil and criminal judicature of the country. Efforts were taken to curb red-tapism in the administration of justice. He was succeeded by Lord Bentinck who reorganized and consolidated the whole system of judicial administration in India. He abolished the Provincial Courts



Calcutta High Court

Bombay High Court



Madras High Court

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of Appeal and their functions were transferred to District Diwani Adalats. Between 1834 and 1861, the King's Court and the Company's Court formed the dual system of courts with separate jurisdictions. The Indian High Courts Act of 1861 empowered the Crown to establish the High Courts of Judicature at Calcutta, Madras and Bombay and this also led to the abolition of Supreme Courts. This was considered a landmark in the evolution of High Courts in India. Later, the Government of India Act of 1935 effected considerable changes in the nature and jurisdiction of the High Courts. Between independence and the enforcement of the Constitution, seven High Courts at Punjab, Assam, Orissa, Rajasthan, Travancore, Mysore and Jammu and Kashmir were established. The other High Courts were established later. The Constitution of India after being enforced recognized all the existing High Courts and empowered the Parliament to establish High Courts for all the States or combined High Courts for two or more States and Union Territories. The 42nd Constitutional Amendment Act, 1976 brought in drastic changes in the jurisdiction of the High Courts.

Thus, in the very beginning, there were only the three High Courts of Calcutta, Madras and Bombay. The Acts and regulations prior to independence brought in remarkable changes in their organization and jurisdiction, thereby ensuring their independence and impartiality. After the enforcement of the Constitution, their positions have been strengthened and apart from their original and appellate jurisdiction in civil and criminal cases they also act as the protector and interpreter of the Constitution.

Source: Sumeet Malik, V.D. Kulshreshtha's Landmarks in Indian Legal and Constitutional History, EBC Publishing Private Ltd, Lucknow, 2017.

With respect to the establishment of the Supreme Court of India, the Government of India Act, 1935 is a landmark legislation. The Act attempted to change the structure of the Indian government. There was a shift from a 'unitary' to a 'federal' type of government necessitating the need of a Federal Court. Thus, the Act made specific provision in this regard and the Federal Court was inaugurated in the year 1937. It consisted of a Chief Justice and six judges. In 1950, the Federal Court of India was succeeded by the Supreme Court of India. The Federal Court in its short span of 12 years left an indelible impact on the legal history of India. It was the first court with a national jurisdiction. It was from this Federal Court that its successor inherited the traditions of independence, integrity and impartiality. Also, between 1726 and 1833, the role of the Privy Council requires special mention. It contributed immensely to the judicial system of India, laying down the fundamental principles of Indian law that serve as a beacon to the Indian Courts even today.

The Indian Independence Act, 1947 resulted in the transfer of political power and this necessitated the establishment of a separate and independent judicial body. With this objective, the jurisdiction of the Federal Court was enlarged and the Abolition of the Privy Council Jurisdiction Act, 1949 was passed making the Federal Court of India the highest judicial body in

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the country. With the enforcement of the Constitution on 26 January 1950, Article 124 provided for the establishment of the Supreme Court of India. Thus, there has been a slow and steady evolution of the Indian judicial system and it has proven to be better and wiser with time.

Activity

A Landmark Verdict

In a blow to both the Chhattisgarh government and the Centre, the Supreme Court has declared as illegal and unconstitutional the deployment of tribal youths as Special Police Officers - either as 'Koya Commandos', SalwaJudum or any other force - in the fight against the Maoist insurgency and ordered their immediate disarming. The ruling - issued by Justice B. Sudershan Reddy and Justice S.S. Nijjar on the writ petition filed by social anthropologist Prof. Nandini Sundar and others - strongly indicted the State for violating Constitutional principles in arming youth who had passed only fifth standard and conferring on them the powers of police.

Courtesy :The Hindu,10.3.2005.

Writing the order, Justice Reddy directed the State of Chhattisgarh to immediately cease and desist from using SPOs in any manner or form in any activities, directly or indirectly, aimed at controlling, countering, mitigating or otherwise eliminating Maoist/Naxalite activities in the State of Chhattisgarh. The Bench made it clear that the State of Chhattisgarh should take all appropriate measures to prevent the operation of any group, including but not limited to SalwaJudum and Koya commandos, that in any manner or form seek to take law into private hands, act unconstitutionally or otherwise violate the human rights of any person. The Bench said "The primordial value is that it is the responsibility of every organ of the State to function within the four corners of constitutional responsibility. That is the ultimate rule of law."

Courtesy : The Hindu, 3.8.2011.

Group Discussion

Teacher can organise a Group Discussion about the landmark judgement of the Supreme Court of India. Time allotted : 20 minutes

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Activity

Read more about the Privy Council and have a discussion in class about its significance in the evolution of judicial administration in India.

Sir Hari Singh Gour

In 1921, Sir Hari Singh Gour was the first person in the legal history of India to realize the necessity of establishing an All-India Court of Final Appeal in place of the Privy Council.

4.4 Supreme Court of India

Uniqueness – Sources of Law – Jurisdiction and Powers – Organization

The Constitution of India provides for a three - tier judicial system:

(1). The Supreme Court of India
(2). The High Courts in the constituent States and
(3). The District and Sessions Courts in the judicial districts in every state.

The Constitution also provides for an independent judiciary i.e. independence of the Executive and the legislature. In a democratic federal polity like India. The Supreme Court assumes a much bigger note as the guardian of the Constitution, as an arbitrator in disputes between States and the Union Government and in disputes among the States, and as the highest appellate Courts in all civil and criminal cases. It is endowed with the onerous responsibility of safeguarding and enforcing the fundamental rights and freedoms of all citizens of India. However, unlike the federal system in the USA, the Constitution of India of India does not provide for two sets of judiciary (one as federal, another for States). India has only a unitary judiciary system, with the Supreme Court as the apex Court, with authority over all other Courts in India.

Activity

Newspaper Follow-Up

Follow the newspaper for one month and collect news items related to civil cases in the District and Session court, High Court and Supreme Court of our country. Write the headlines of the news in the chart. Display the chart in the notice board or present your collections in the classroom.

The Sources of Law : The Constitution is the fountain source of law in India. Statutes enacted by legislatures of the union, State or Union Territories become another source of law as long as these are in conformity the basics of the Constitution. Besides the subordinate legislations in the form of rules, regulations as well as by – laws of any administrative body, unless and until negated by the judiciary constitute the third source of law.

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Integrated Judiciary

"The Indian Federation, though a dual polity, has no dual judiciary at all. The High Courts and The Supreme Court Constitute one single integrated judiciary having jurisdiction and providing remedies in all cases under the Constitutional law, The Civil law or the criminal law. This is done to eliminate all diversities in a remedial procedure"

-Dr. B. R. Ambedkar

Jurisdiction and Powers on the Supreme Court: The Supreme Court has original, appellate and advisory jurisdiction. The original jurisdiction of the Supreme Court extends to all cases which can originate in the Supreme Court. These include disputes between the Government of India and one or more States, or between two or more States. In disputes involving fundamental rights, the Supreme Courts has both original and appellate jurisdiction. It can issue Writs of Habeas Corpus, Writ of Mandamus, Writ of prohibition, Writ of Certiorari and the Writ of Quo warranto.

The Supreme Court is the highest or Apex appellate Court in India, where appeals against judgments of High Courts can be made; (in both civil and criminal cases)

The Supreme Court of India has also been vested with certain Advisory Powers. The President can seek its advice on any legislative measure. However, the advice of the Supreme Court is not binding on the President (Article - 143).

The Supreme Court functions as the guardian of the Constitution; It is the final authority to interpret the Constitutional law, and has the authority to declare any law or executive action, or judgments of lower Courts 'null and void' if the Supreme Court find them against the letter and spirit of the Constitution. It is also the apex agency to safeguard the fundamental rights listed out in the Constitution.

Debate

Topic : Justice delayed is justice denied

Justice comes slowly in smaller courts, with 2.91 crore cases pending

- With more than 8 lakh cases pending in district and subordinate courts, Uttar Pradesh tops the list of States with the highest number of decade-old-court cases.
- As per the National Judicial Data Grid, there are 2.91 crore cases pending in district and subordinate courts, out of which 21.90 lakh cases are pending for more than 10 years.
- Uttar Pradesh is followed by Bihar, with more than 3 lakh pending cases, and Maharashtra with over 2 lakh cases. Sikkim and Andaman and Nicobar are at the bottom with two and no pending cases, respectively.
- Teacher can organise a Critical Debate on "Justice delayed is justice denied". Learners can be divided into two groups. One group may justify the topic and another group may disagree.

Organization of the Supreme Court

The Supreme Court of India has been established by Part V, Chapter IV

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of the Constitution of India. Articles 124 to 147 of the Constitution lays down the composition and jurisdiction of the Supreme Court of India. Originally the Constitution provided for the chief Justice and seven lower ranking Judges. The Constitution enables the Parliament to increase this number. By 2008, the number of judge have been increased (from eight) to 30. By 2019, there are 34 judges including chief justice.

As to the appointment of the Supreme Court judges, The Chief Jostle of India should consult a "Collegium" of four senior most judges of the Supreme Court. The Collegium makes the decision in consensus. Every Judge of the Supreme Court is appointed by the President after consultation with the cabinet and the Judges of the Supreme Court and such Judges shall hold office until they attain the age of sixty five years. If any of the judges wants to lay down office, he can do so through an hand written signed resignation letter to the President; the Parliament can remove a Judge through an impeachment. To be considered for the office of Judge, one must be a citizen of India and his qualification is per the Parliament's decision, and the should have been judge of High Court at least for a period of 5 years; or an advocates of a High Court or of two or more such courts in succession for at least 10 years or the person must be, in the opinion of the President, a distinguished jurist.

Impeachment

A Judge of the Supreme Court can be tried by an order of the President, after an address by each House of the Parliament supported by a majority of the total membership of that house and by a majority of not less than two thirds of the members of the house present and voting in the same session.

Appointments are generally made on the basis of Seniority

In 2007, Justice K.G. Balakrishnan became the first Chief Justice of the Supreme Court from the scheduled caste community.

The Supreme Court of India under the present Constitution commenced functioning on January 28, 1950. It was placed then in the Chamber of Princes in the Parliament. It moved to the present building in 1958.

Harilal J. Kania was the first Chief Justice of the Supreme Court. The other judges who assumed office along with him wise Justices Sayid Faze Ali, M. Patanjali Sastri, Mehar Chand Mahajan, Bijan Kumar, Mukherjea and S.R.Das.

High Courts

The High Court is the head of a State's judicial administration and every constituent state in expected to have a High Court. However, at present, four High Courts have jurisdiction over more than one state. Among the Union Territories, Delhi alone has a High Court of its own. Other six Union Territories come under the

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Jurisdiction of nearby State High Courts. Each High Court comprises of a Chief Justice and such other Judges as the President may from time to time, appoint. The Chief Justice of the High Court is appointed by the President in consultation with the Chief Justice of India and the Governor of the State. In appointing other judges, the Chief Justice of that High Court is also consulted. The Judges of the High Courts hold office until the age of 62 years and are removable in the same manner as a Judge of the Supreme Court. To be considered for appointment as a Judge one must be a citizen of India and have held a Judicial office in India for 10 years or must have practiced as an advocate of High Court.

The High Courts too have original and appellate jurisdictions, in cases arising within the territories of the State. Each High Court has powers of Super, intendant over all courts within its jurisdiction. Though the High Courts are the party of single and integrated judicial system, yet they are completely independent judicial institutions. The Supreme Court has no direct administrative control over them, nor they are in any way controlled try either the legislature or executive of the State. But the Judger may be transferred from one High Court to another by the President his consultation with the Chief Justice of India.

The High Court too has the power to issue writ in cases involving 'Fundamental Rights'.

Legal Remedies for Safeguarding Fundamental Rights

Both the Supreme Court and High Court have the power to issue writs with a view to ensure quicker justice and early relief to persons whose rights are violated. There are five such writs.

1. **Habeas Corpus:** Literally means a demand to produce the person in body. It applies in cases where a person is alleged to have been illegally detained. This writ safeguards personal liberty of every individual.

2. **Mandamus** is a command to act law fully and to resist from penetrothing an unlawful act, It is meant to direct any authority to perform its legal duty. Mandamus may he issued against any authority, Officers, Government or even judicial bodies that tail or refuse to perform a public duty and discharge a legal obligation.

3. **Prohibition** is issued by a higher Court to a lower court or tribunal for prohibiting it from exceeding its jurisdiction. Writ of Prohibition is issued only against a judicial or quasi – judicial body.

4. **Certiorari** too lies against judicial or quasi – judicial authorities, and it means 'to be informed'. The writ of certiorari is issued to quash illegal orders of judicial or quasi – judicial bodies

5. **Quo – Warranto** is a question asking 'with what authority or warrant'. This is meant ascertain the legal position in regard to claim of a person to hold a public office.

Besides these writs, the High Court's under Article 226 may issue other directions and orders in the interests of justice to the people.

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4.5 Judicial Review, Public Interest Litigation And Judicial Activism

Judicial Review

The Supreme Court and the High Courts in India are entrusted with the power of judicial review, which extends to adjudicating upon the Constitutionality of legislations as well as the legality of executive action.

Parliamentary and State legislations which contravened Constitutional requirements have been struck down by Judiciary.

Judicial review has been extended to review ability of Constitutional amendments by evolving the doctrine of the basic structure of the Constitution according to which a Constitutional amendment which destroys or damages an essential feature of the Constitution, for example secularism, democracy and federalism, would be unconstitutional.

Public Interest Litigation

Any citizen of India can approach the courts for public case (upon the interest of the public) by filing a petition under (a) the Supreme Court by article 32, (b) in the High Court under article 226 and (c) in the magistrate court under section 133 of the CRPC. The guidelines provide that Public interest Litigations can be filed under the following categories: 1. Bonded labour matters, 2. Neglected children, 3. Non- payment of minimum wages, 4. Petitions from jails complaining of harassment, death in jail, speedy trial as a fundamental right etc. 5. Petitions against police for refusing to register a case, harassment of bride, bride burning, rape, murder, kidnapping etc. 6. Petitions complaining harassment or torture of persons belonging to scheduled caste and scheduled tribes. 7. Petitions pertaining to environmental pollution.

The Public interest Litigation jurisdiction forged by the Supreme Court is an extension of its jurisdiction under article 32 of the Constitution. Public interest Litigation is not in the nature of adversary litigation, but it is a challenge and an opportunity to the government and its officers to make such issues as human rights meaningful to the deprived and vulnerable sections of the society and to assure them socio-economic justice which is the signature tune of the Constitution. A Public interest Litigation may be filed against state and central government, municipal authority, but not against any private party.

Recently in India, many cases from the area of Public interest Litigation has come into picture which has been filed in the court of law. As in 2005 a case was decided by the Supreme Court named Common cause society Vs. Union of India. In this Public interest Litigation, the petitioner filed a Public interest Litigation praying to the court to enact a road safety act in view of the numerous road accidents. Secondly, in the Sangammal Pandey Vs. State of UP case the Lucknow bench of the High Court stayed construction activities near Kanshiram memorial up to a specific date.

In the Peoples union for democratic rights Vs. Union of India case, the Supreme Court permitted Public interest Litigations

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at the instance of 'public spirited citizens' for the enforcement of Constitutional and legal rights of any person or group of persons who because of their socially or economically disadvantaged position are unable to approach the courts for relief. Public interest Litigation is a part of the process of 'participate justice' and standing in civil litigation, of that pattern which has liberal reception at the judicial doorsteps.

Parmanand Katara

In the Parmanand Katara vs. Union of India case the Supreme Court held in the Public interest Litigation filed by a human rights activist fighting for general public interest, that it is a paramount obligation of every member of the medical profession to give medical aid to every injured citizen as soon as possible without waiting for any procedural formalities.

The law making has assumed new dimensions through judicial activism of the courts. The judiciary has adopted a healthy trend of interpreting law in social context. Judicial activism describes judicial rulings suspected of being based on personal or political considerations rather than on existing law. The question of judicial activism is closely related to Constitutional interpretation, statutory constructions and separation of powers.

Activity

Do you as an Indian citizen have the right to disagree with judicial opinion? How will you express your opinion?

In group of three, discuss and make comments for class discussion on:

a. Criticizing the Judgment of the court

b. Consequences of the criticism

The Indian judiciary, being a wing of the State has thus played a more activist role than its US counterpart in seeking to transform Indian society into a modern one, by enforcing the modern principles and ideas in the Constitution through court verdicts. Article 21 of the Constitution has been called up frequently in the Supreme Court. Judgments upon thia article suggest the trends of judicial activism.

In the A.K. Gopalan vs. State of Madras case, the Supreme Court rejected the argument that to deprive a person of his life or liberty, not only the procedure prescribed by law for doing so must be

Judicial Activism

Judicial activism as a dynamic process of judicial outlook in a changing society. Arthur Schlesinger Jr. introduced the term judicial activism in 1947, in America in an article titled 'The Supreme Court; 1947'. According to Black's law dictionary judicial activism is a judicial philosophy which motivates judges to depart from the traditional precedents in favour of new progressive social policies.

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A.K. Gopalan

fair, but reasonable and just. However, subsequently in Menaka Gandhi vs. Union of India case this requirement of substantive due process was introduced into article 21 by judicial interpretation. Thus the due process clause, which was avoided by the Constitution makers, was introduced by judicial activism of the Supreme Court.

In subsequent decisions, the Supreme Court has upheld death sentences in cases such as Bagwan Dass vs. State of Delhi case, which involved honour killing of a man and woman for marrying outside their caste.

Australian Courts

DO YOU KNOW?

In Australia, the highest court is known as the High Court of Australia while the State Courts are known as the Supreme Court.

4.6 Constitutional Law, Administrative Law and Indian Penal Code

Constitutional Law

Essentially, The Constitutional law is the supreme law. All other laws have to conform to the Constitutional law. Constitutional law contains laws concerning the government and its people. Constitutional law is a body of laws which defines the role, powers, and structures of different entities of the State, namely, the legislature, the executive and the judiciary, as well as the basic rights of citizens and, the relationship between the central government and state governments.

Constitutional law is a set of rules, which can either be imposing or directive. It provides a way to regulate the nation by proposing a set of laws which shall be abided by the citizens of the country. It leads the country in the right direction without fail. It includes various fundamental rights, fundamental duties and directive principles. We need Constitutional laws to regulate the system that prevails in the country. It acts as an obligation on the citizens, where they cannot go beyond its fundamental rights, which is a must so as to monitor the whole nation at a time.

Activity

Think-Pair-Share

The Constitution represents people's hopes and objectives. The Legislature, an elected body, represents the people. With your partner, work on the following tasks:

a. Who should have more power –The Executive, the Legislature or the Judiciary?

b. Give reasons for your answer with examples.

Rule of Law

The colonial regime introduced the English concept of 'Rule of Law' in India. The three major features of the Rule of Law are

1. All are equal before law
2. Nobody is above law and
3. The same law is applicable to all.

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The Rule of Law ensures 'equality of all citizens in the judicial process and reduces the scope of nepotism, favoritism, arbitrariness, unhealthy executive interferences in the judicial process. Rule of Law provides an effective check to the abuse of authority by executives and administrators. The procedural laws and Constitutionally guaranteed fundamental rights ensure enforcement of Rule of Law.

Administrative Law

Administrative law is a branch of public law. It deals with the relationship of individuals and government. It determines the organization and power structure of administrative and quasi-judicial authorities to enforce the law. It is primarily concerned with official actions and procedures and puts in place a control mechanism by which administrative agencies stay within bounds. There are a few reasons for the development of administrative law in India.

Firstly, India is a 'Welfare State'. Government activities have increased and thus the need to regulate the same. Therefore, this branch of administrative law was developed. Secondly, there is the inadequacy of the legislatures. The legislatures have no time to legislate upon the ever changing needs of the society. Even if it does, the lengthy and time taking legislation procedure would render the rule so legislated of no use as the needs would have changed by the time the rule is implemented.

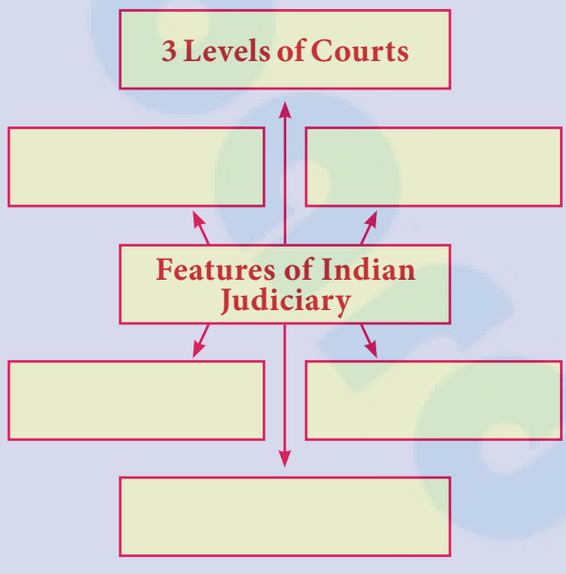
Thirdly, there is judicial delay in India. The judicial procedure of adjudicating matters is very slow, costly complex and formal. Furthermore, there are so many cases already lined up that speedy disposal of suites is not possible. Hence, the need for administrative tribunals arose. Fourthly, as administrative law is not a codified law there is a scope of modifying it as per the requirement of the State machinery. Hence, it is more flexible. The rigid legislating procedures need not be followed again and again.

Difference between Constitutional Law and Administrative Law

There is a basic difference between Constitutional law and administrative law. A Constitutional law is the supreme law of the land. No law is above the Constitutional laws and hence must satisfy its provisions and not be in its violation. Administrative law is therefore subordinate to Constitutional law. Constitutional law deals with the structure of the State and its various organs. Administrative laws deal only with the administration. Administrative authorities should first follow the Constitutional laws and then work as per administrative law.

Activity

Write a few features of Judiciary.



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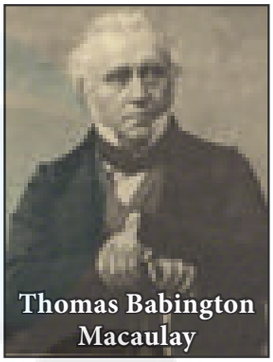
Indian Penal Code


Thomas Babington Macaulay

The Indian Penal Code is the criminal code of India. It is a comprehensive code intended to cover all substantive aspects of criminal law. The code was drafted in 1860 on the recommendation of the first law commission of India established in 1834. It came into force in British India during the early British Raj period of 1862. The objective of this act is to provide a general penal code for India.

The Indian Penal Code has a basic format, it is a document that lists all the cases and punishments that a person committing any crimes is liable to be charged. It covers any person of Indian citizenship. The exceptions are the military and other armed forces, they cannot be charged based on the Indian Penal Code. They have a different set of laws under the Indian Penal Code as well. The Indian judicial system is one that has evolved into a stable and fair system of detention and penalizing, after being tested well for several years.

The most important feature of the Indian Penal Code is the impartial nature of judgments promoted by the document. The code stands alike for government employees, as for common man, and even for a judicial officer. It prevents any sort of corruption or misuse on the part of the people in power.

Lok Adalat

Lok Adalat is called as people's court. 'Lok' stands for people, 'Adalat' is court. The Advent of legal services Authority's Act, 1987 gave as statutory status to Lok Adalat. The disputes are settles through mutual agreement between the parties. It is otherwise called speedy settlement of disputes.

Glossary

- **Constitution:** It is a body of fundamental principles or established precedents according to which a state or other organization is acknowledged to be governed.
- **Judiciary:** It is the system of courts that interprets and applies the law in the name of the state.
- **Fundamental Rights:** They are a group of rights that have been recognized by the Supreme Court as requiring a high degree of protection from government encroachment. These rights are specifically identified in the Constitution.
- **Trial:** It is a formal meeting in a law court, at which a judge and jury listen to evidence and decide whether a person is guilty of a crime.
- **Trial by Jury**: It is a lawful proceeding in which a jury makes a decision or findings of fact. It is distinguished from a bench trial in which a judge or panel of judges makes all decisions.
- **Judicial Review:** It is a process under which executive or legislative actions are subject to review by the judiciary.
- **Judicial Restraint:** It is a theory of judicial interpretation that encourages judges to limit the exercise of their own power.

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- **Judicial Activism:** It is a philosophy of judicial decision making whereby judges allow their person views about public policy, among other factors, to guide their decisions.
- **Public Interest Litigation:** It is the litigation for the protection of the public interest. It is litigation introduced in a court of law, not by the aggrieved party but by the court itself or by any other private party.
- **Original Jurisdiction:** It is a court's authority to hear a case for the first time.
- **Appellate Jurisdiction:** It is the power of an appellate court to review, amend and overrule decisions of a trial court or other lower tribunal.
- **Advisory Jurisdiction:** It is when a lower court or any Constitutional body seeks the advice of the Supreme Court in a matter of law.
- **Administrative Courts:** It is a type of court specializing in administrative law, particularly disputes concerning the exercise of public power.
- **Public Law:** It is that part of law which governs relationships between individuals and the government, and those relationships between individuals which are of direct concern to society.

Evaluation

2F6WPY

I. Choose the correct answer:

1. Which of the following is not an organ of the government?
   (a) Legislature (b) Bureaucracy
   (c) Executive (d) Judiciary
2. Which of the following is described as the protector of the federation?
   (a) Legislature (b) Executive
   (c) Judiciary (d) Cabinet
3. Who among the following was considered 'the fountain of justice' in Ancient India?
   (a) Monarch (b) Senapathi
   (c) Chief Minister (d) Chief Justice
4. Who among the following was the supreme judicial authority in Medieval India?
   (a) Sultan (b) Qazi-ul-Quzat
   (c) Chief Justice (d) Mufti
5. Which of the following punishments was imposed for cases relating to homicide?
   (a) Hadd (b) Qisas
   (c) Tazir (d) None of the Above
6. Which of the following Charter authorized the East India Company to exercise judicial authority over Bombay?
   (a) Charter of 1661 (b) Charter of 1813
   (c) Charter of 1668 (d) Charter of 1853

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7. Who among the following Charter applied only to the Madras Presidency with regard to the establishment of a Mayor's Court?

(a) Charter of 1687 (b) Charter of 1726
(c) Charter of 1813 (d) Charter of 1661

8. Which of the following empowered the Crown to establish the Supreme Court of Judicature in Calcutta?

(a) Charter of 1774 (b) Regulating Act of 1773
(c) Cornwallis Code (d) Charter of 1726

9. In which year was the Federal Court inaugurated?

(a) 1937 (b) 1936
(c) 1935 (d) 1932

10. Which of the following refers to a theory of judgement that takes into account the spirit of the law and the changing times?

(a) Judicial Review (b) Judicial Activism
(c) Judicial Restraint (d) None of the Above

11. Which of the following is an alternative dispute resolution mechanism in India?

(a) Supreme Court (b) High Court
(c) District Courts (d) Lok Adalats

12. Which of the following Articles empowers the High Courts to issue writs?

(a) Article 226 (b) Article 227
(c) Article 228 (d) Article 229

II. Answer the following questions very shortly:

1. What were the six courts capital of sultanate?
2. What was the primary function of the Privy Council?
3. Define Judicial Review.
4. Define Judicial Activism.
5. What is Administrative Law?
6. What is Constitutional Law?
7. What is the Indian Penal Code?

III. Answer the following questions shortly:

1. Briefly discuss the factors promoting the independence of judiciary.
2. Briefly discuss the significance of Public Interest Litigations.
3. Give a brief account of the nature and significance of Administrative Law.
4. Write a short note on Lok Adalats.

IV. Answer the following questions detail:

1. Trace the evolution of Indian Judiciary.
2. Examine the salient features of the Indian Judiciary.
3. Discuss the organization, powers and functions of the Supreme Court of India.
4. Discuss the organization, powers and functions of the High Courts.

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Reference Books

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- M.V. Pylee, Constitutional History of India, S.Chand & Co, 2011.
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- Dr. Subhash C. Kashyap, Constitution of India: Review and Reassessment, Universal Law Publishing Co Pvt Ltd, New Delhi, 2010.

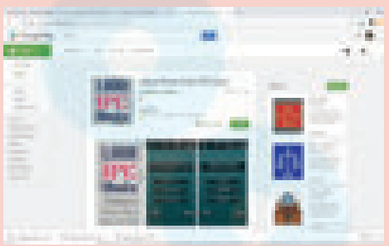
Web links

- Supreme Court of India, https://www.sci.gov.in/
- High Courts of India, http://www.indiancourts.nic.in/
- Madras High Court, http://www.hcmadras.tn.nic.in/
- Ministry of Law and Justice, Government of India, http://lawmin.gov.in/
- Law Commission of India, http://lawcommissionofindia.nic.in/

ICT Corner

Indian Judiciary - IPC

Through this app you will learn more about The Indian Penal Code.



Procedure:

Step - 1 Open Play Store and type Indian Penal Code quiz (or) Scan the QR Code.

Step - 2 Click START button to open quiz

Step - 3 Click the correct answer then you will find your Score.

URL:

https://play.google.com/store/apps/details?id=com.IPC.IPC

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Unit 5

Federalism in India

EBSREU

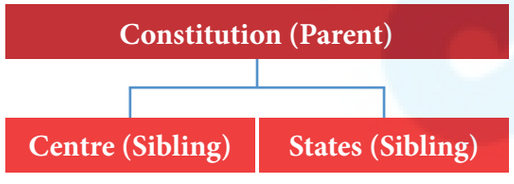
Learning Objectives

- To understand the meaning, evolution of the Concept of Federalism
- To evaluate the federal and unitary features of Indian Constitution and to fathom out how far our Constitution provides and promotes Federalism
- To examine the distribution of Center-State Powers in the Legislative, Executive and Financial domains in Indian Polity
- To know and evaluate the Cooperative Federalism provided in the Constitution
- To study the major issues and demands in the Centre-State relationship conspicuously found in our Political System
- To read and discus the recommendations of various commissions in the domain of Centre-State relations in India
- To examine and evaluate the inter-State river water dispute settlement mechanism provided in our Political System

5.1 Meaning of Federalism

Federalism refers to a political system that possess Constitutionally provided and guaranteed distribution of powers between a national government and several regional governments. The fundamental attribute of a federal Constitution is the Constitutionally created and protected State or regional governments. If regions in a country are distinct in terms of ethnicity, language, religion etc., the ideal form of government will be the federal system. Democratic federalism is the best instrument to ensure 'Unity in diversity'. The constituent States retain and safeguard their distinct linguistic, religious or cultural identity, without compromising the unity of the federated nation. The federal system is based on distribution of powers between the federal or central or Union Government and the constituent States. This distribution is determined by the Constitution, in clear written terms. Hence in any federal system, the Constitution becomes the supreme authority.

Meaning of Federalism



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Evolution of Federalism

In the modern world, the United States of America became the first federal State. Thereafter British colonies in Australia and Canada were also granted self government and they too adopted federal forms of government. The trilingual Switzerland similarly adopted a federal form of government. The European Union today another example of federal formation on a voluntary basis.

Rise of Federalism in India

The beginnings of federalism in modern India could be traced in the Regulating Act of 1773, which brought the three regions in India under East India Company's authority (Madras, Calcutta and Bombay). The Indian National Movement recognized the plural character of colonial India. The Government of India Act 1919, introduced partial autonomy (Dyarchy) in the Presidencies, while the Government of India Act 1935, granted provincial autonomy to the presidencies and proposed a Dyarchical form of government at the Centre. The Nehru Committee Report in 1928 and Pandit Jawaharlal Nehru's first proposals of a Constitution favoured a federal structure with more powers for the constituent States. The Seventh Schedule of the Constitution contains the three lists relating to the distribution of powers between the Centre and States.

Federal features of Indian Constitution

Indian Constitution possesses several federal features

1. Written Constitution

Federalism requires a written Constitution. There are many governments in any federal system and for their smooth and friction free functioning their powers must be stated in crystal clear terms. There are Twenty Eight State Governments and One national government at present operating in Indian federalism and therefore their powers and functions must be clearly defined.

2. Supremacy of the Constitution

The Constitution must be the supreme legal document in the country. All governments must follow the terms and conditions, procedures contained in the Constitution. No government can claim powers above the Constitution.

3. Distribution of Powers

The distribution of powers between Centre and States is the cardinal principle of any federal system. Indian Constitution distributes powers between the two levels of governments in a comprehensive scheme. There are three lists of power distribution unlike in the classical federalism of American Constitution where there is only a single mode of distribution.

4. Bicameralism

The federal Constitutions provide for bicameralism. It refers to parliament having two houses. Indian Parliament is bicameral as it consists of two houses. The upper house is called RajyaSabha or Council of States while the lower house is known as LokSabha or House of the People. The Council of States is the guardian of States' rights and it consists of

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the representatives of the States. All over the world the upper house is deemed to be the protector of States' rights and interests.

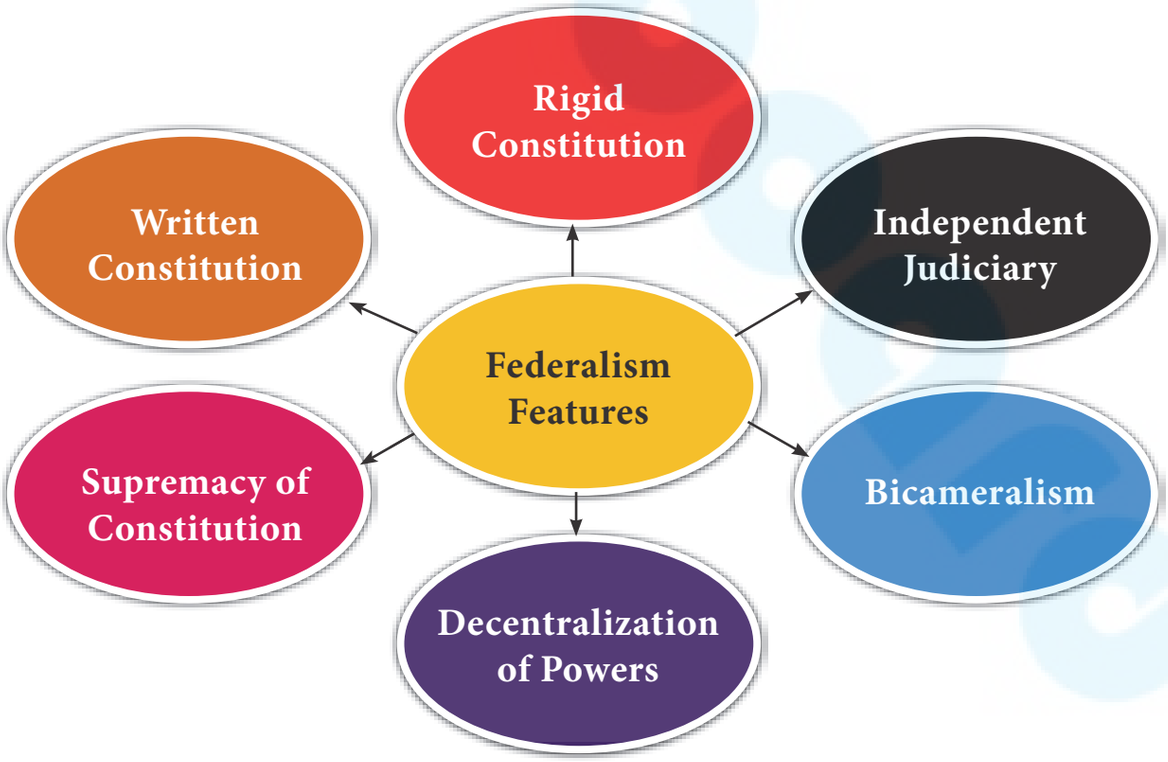
5. Rigidity of Constitution

A Constitution will be called a rigid Constitution if its provisions can be amended only through a special process of Constitutional amendment or through a separate amendment body and not through ordinary legislative process. Federal Constitutions do not permit Constitutional changes through ordinary legislative process. They prescribe a tougher, rigid process of amendment like greater majority. The rationale behind this rigidity is the desire to protect States' rights. The article 368 in Part XX Indian Constitution provides a separate amendment procedure for amending Constitutional provisions and therefore our Constitution is rigid one and to some extent protects the States.

6. Supreme Court

Indian Supreme Court acts as the umpire of the federal system and protector of the Constitution. It possesses the powers of interpretation and adjudication. If any disagreement or contradiction arises among the Central and State Governments the Supreme Court resolves them. The Constitution endows the Supreme Court with Original Jurisdiction. It means that the Supreme Court alone possesses the exclusive powers to resolve any federal dispute between Union Government and State governments or among State governments. If a problem arises between Tamil Nadu and Union Government or between Tamil Nadu and any other State only Supreme Court has powers to resolve it.

Indian Constitution is described to be a federal one on the grounds of the aforementioned factors



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Territory of India

There are important differences between Union of States and Territory of India. Union of State refers to the twenty eight states and Central Government. Territory of India means:

1. Twenty Eight States
2. Nine Union Territories
3. Acquired Territory (Any territory acquired by India like Pondicherry, Daman Diu after they became part of India and before they were made Union Territories)

Unitary or Non-Federal Features of Indian Constitution

Indian Constitution differs greatly from the concept of federalism followed in the classical federal Constitutions like the United States

1. Single Constitution

India possesses only one Constitution that caters to the needs of administration both in the Centre and States. Like the United States the individual States possess their own Constitution in addition to the national Constitution.

2. Single Citizenship

There is only one citizenship, exists in India, i.e. national citizenship. In the United States the citizens are endowed with both national and State citizenships.

3. Flexibility of Constitution

Indian Constitution is partially flexible. Some of the provisions of the Constitution can be carried out by a simple majority in the Parliament.

4. No Right to Existence for States

Our Constitution doesn't recognize the right of the States to name and existence. The union parliament can change the nomenclature and territorial identity of the States through an ordinary law. The articles 3 and 4 of the Constitution provide the procedure for the creation of new States and abolition of the existing States. An ordinary bill is introduced in either House of the Parliament for creating a new State or changing the name on the recommendation of the President. The bill is discussed and passed in Parliament leading to the creation of new States. A simple majority in Parliament is the requirement for reshaping the identity of the States.

Activity

Do you know that Sikkim was once called an Associate State of India?

5. Anti-Federal nature of Rajya Sabha

There are three reasons and areas where critics have criticized it as being against the States' rights and federal spirit of the Constitution.

There is no equality principle followed in the distribution of seats in the Council of States. The seats are distributed on the basis of population of the individual States. The most populous State of Uttar Pradesh has 31 seats whereas the smaller States like Nagaland have only one seat. But in any ideal federalism there should be equality of seat distribution in the upper house as seen in the United States where all the fifty State have two seats each in the

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upper House of Congress (Parliament) the Senate.

Tamil Nadu has 18 Seats in the Rajya Sabha

Article 249 of the Constitution enables the Rajya Sabha to transfer a subject from the State List to the Union list for the purpose of legislation by parliament on grounds of national interest.

6. Imbalanced Distribution of Powers

The Union Government is endowed with comparatively greater powers both in terms of quantity and quality. Most of the lucrative sources of revenue have been allotted to the Union Government and the States have been rendered financially weaker and forever dependent on Central Government. The Union List has more subjects than the State List and in the Concurrent List ultimately the union power over the States will prevail. The residuary powers are given to the Union Government and not granted to the States as in federal countries like the United States.

7. Emergency powers

The articles 352 to 360 in Part XIII of our Constitution provide for three kinds of emergencies in India. Article 352 of the Constitution can proclaim National Emergency. Under article 356 of the Constitution the President can impose emergency in any State on the grounds of the breakdown of Constitutional machinery in the State. Under article 360 of the Constitution, the President can declare Financial Emergency.

8. Integrated Judiciary

India establishes a single, integrated and hierarchical judiciary. The Supreme Court is the apex judicial institution and the High Courts and the Subordinate Courts function under its supervision and power. In contrast, the classical federalism is following the United States.

9. Election Commission

The National Election Commission conducts elections not only to Parliament but also to the State legislatures. There is a unified election machinery in charge of both Parliament and State legislature elections. The Chief Electoral Officer under the control of the Election Commission conducts the elections to the State legislatures. In the ideal federal systems, there is a separate election machinery for conducting elections to the State legislature.

State Election Commission

DO YOU KNOW?

State Election Commission is not part of the federal system in India. It conducts elections to Panchayat Bodies and Urban Local Bodies in accordance with 73rd and 74th Constitutional Amendments.

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10.Unified Auditing

India follows a unified auditing system for both the central and State governments. The Comptroller and Auditor-General as mentioned in article 148 of the Constitution controls the entire financial system of the country.

5.2. Centre-State Relations

The Centre-State Relations revolve around the fulcrum of distribution of powers between Centre and States. Distribution of powers is the foundational feature of federalism and in federal Constitutions there are three types of distributions, they are:

1. Legislative Power Distribution
2. Executive Power Distribution
3. Financial Power Distribution

5.2.1 Legislative Relations

There are two aspects to the distribution of legislative powers between the Centre and States in our Constitution. They are

a) Territorial Distribution of Powers
b) Subject Distribution

a) Territorial Distribution of Powers

The powers are distributed between the union and State governments territorially. The Union Government possess the powers over the entire territory of India while the States have jurisdiction over their own territories. The Central Government has extra territorial jurisdiction that means that its laws govern not only persons and property within India but also Indian citizens and their properties located in any corner of the world. In contrast, the State legislatures do not possess jurisdiction outside their own territory.

b) Subject Distribution

The Constitution distributes the legislative subjects between the Union Government and States in an elaborate scheme. There are three Lists of distribution.

List I (Union List) contains the subjects and powers exclusively allotted to the union parliament. There are 100 subjects here including defense, foreign affairs, banking, currency

List II (State List) contains the subjects that are exclusively allotted to the State governments. There are 59 items including public order, and police, public health, local government, agriculture, forests, fisheries

List III (Concurrent List) contains 52 items including criminal law and procedure, civil procedure, marriage, education. This list is called as Concurrent List. Both the union and State governments have powers over these subjects. But when there occurs a clash between the union and State governments the law of the parliament will prevail

There is also another category called residuary powers. Any subject not mentioned in the above three lists will automatically come under the jurisdiction of the Union Government. Our Constitution broadly follows the legislative distribution of powers provided in the Government of India Act 1935 enacted during the British colonial era.

Exceptions

The above scheme of legislative power distribution will be normally followed.

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But under exceptional circumstances the scheme will be suspended. The power of the Union Parliament will be expanded and concomitantly the powers of the State legislatures will be diminished.

a) National Emergency

When the President of India declares National Emergency the union parliament acquires the powers to legislate over the subjects in the State List. The emergency is declared by the president to tackle problems like war, external aggression and armed rebellion that pose a danger to the existence of our nation. For the purpose of tackling the challenges successfully and effectively, the Union Government gains control over State legislature powers too.

b) Agreement between States

When two or more States agree that their mutual interests will be served better if there is common law on a particular subject and request the Union Government to enact the needed law, the Parliament can enact a common law for the desiring States on that subject even if it falls in the List II (State List).

c) International Agreement

The Parliament will have powers of enactment on a State subject for the purpose of implementing an international agreement.

d) Article 356, Emergency

After the declaration of article 356 emergency in a State the President can declare that the parliament will enact on State list subjects for that State

5.2.2 Executive Relations

Our Constitution distributes executive powers between the union and State governments. The distribution is co-terminous with legislative power distribution to a great extent. The Union Government possesses executive powers over the subjects that are included in the List I, namely the Union List. The States have executive powers over the subjects that are included in the List II, namely the State List. The executive power of the Union Government extends over the territory of India while the executive power of the State governments extend over their own territories.

The executive powers over the subjects in the Concurrent List is ordinarily with the State governments. Nevertheless, the Union Government retains powers to issue directions to the State governments in the execution of executive functions both in normal times and during emergencies.

Another feature in the executive powers distribution scheme in the Constitution relates to mutual delegation of functions between the union and State governments. The Union Government can entrust its functions to the State government after getting the consent of the State Government concerned. Conversely, the State Government can entrust its executive functions to the Union Government after getting the consent of the Union Government. Moreover, the Union Government can entrust its executive function to the State Government without getting the consent of the State Government concerned but it must obtain the consent of the parliament.

5.2.3 Financial Relations

Finances are very fundamental in the successful operation of federal system. Indian Constitution distributes financial

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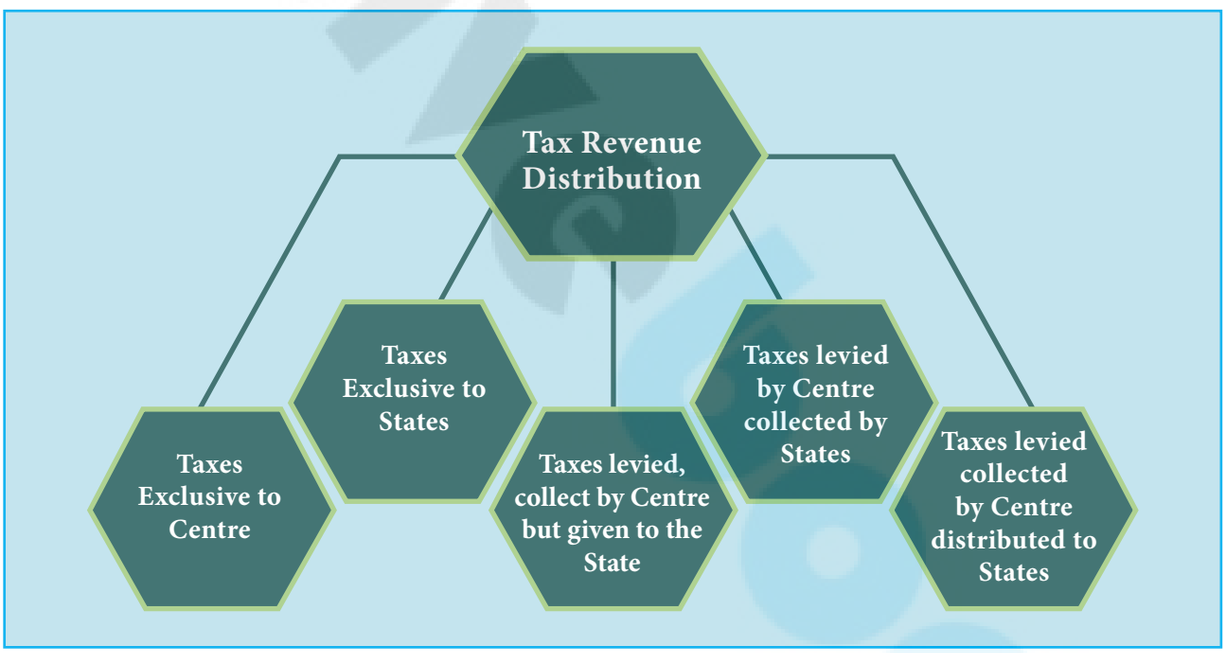
powers between the union and States in a comprehensive arrangement that is broadly modeled on the 1935 Government of India Act. There are two sources of revenue distributed by the Constitution namely Tax Revenue and Non-tax Revenue.

A) Tax Revenue Distribution

There are five important ways in which the tax revenues are distributed between the union and State Governments.

1. Certain taxes like Corporation tax and Custom tax are exclusively allotted to the Central Government



2. Certain taxes like sales tax are exclusively allotted to the States
3. Certain taxes are levied by the Union but collected and appropriated by the concerned States and the examples are stamp duties on Bills of Exchange and Excise duties
4. Certain taxes are levied and collected by the Union Government but the proceeds are assigned to the States in which they are levied like the taxes on the sale of advertisements in newspapers.
5. Certain taxes are levied and collected by the Central Government and are distributed between the union and State Governments in a certain proportion like the tax on income other than an agricultural income

B) Non-tax Revenue Distribution

Both the union and State Governments are provided with non-tax revenue sources. The Union Government gets its revenue from the receipts from commercial and industrial undertakings relating to central subjects like Industrial Finance Corporation. It gets its revenue from Railways, Posts and Telegraphs, Broadcasting etc

The State Governments get revenue from the receipts of commercial enterprises and industrial undertakings

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allotted to them. The sources among others include forests, irrigation, electricity, road transport.

The Constitution understands the greater financial needs of certain States and therefore the article 275 asks the Union Government to provide Grants-in-Aid to the States like Assam, keeping in mind the imperative of the development and welfare of the tribal population.

Finance Commission

The president of India consitutes a Finance Commission once in every five years. The article 280 of the Constitution describes the composition of the Finance Commission. It will have one Chairman and four other members. The Chairman will be a person with experience in public affairs and the members will have experience in financial administration, special knowledge of economics, special knowledge of public accounts and government finances, and one member will have the qualification of a High Court judge.

Finance Commission will provide recommendations in the following manner:

1. For the distribution of net proceeds of taxes between the Centre and States
2. Principles governing grants-in-aid
3. Measures needed to increase the Consolidated Fund of India or States to supplement the resources of the Panchayat Bodies
4. Measures needed to increase the Consolidated Fund of India or States to supplement the resources of the Urban Local Bodies
5. Any other matter referred by the president

So far fourteen Finance Commissions have been constituted once in every five years

5.3 Co-operative Federalism

The Indian Constitutional expert Granville Austin described (Granville Austin, renowned scholar of the Indian Constitution, described) Indian federal system as Co-operative Federalism designed to promote co-operation between the Centre and States. The concepts of co-operative federalism applies to those federal governments like the USA where the States have more or adequate powers and the formation of the union is based on "the indestructible union composed of indestructible States". In a quasi federal State like India, the Union Government can very easily pull down any constituent State for non-cooperation or non-compliance or defiance of Union Government's will through Constitutional provisions, especially through the emergency powers assigned to the President. The Constitution does not permit States defiance to Centre.

There are many provisions, institutions and bodies created in Indian political system to promote the co-operative functioning of the central and State Governments in India. They can be classified into Constitutional, statutory and political bodies and provisions.

Constitutional Provisions and Institutions

The Constitution itself has created a number of devices to promote cooperation and co-ordination.

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I) Inter-State Council

The article 263 of the Constitution says that the President of India can establish the Inter-State Council to serve public interests. There are three functions and duties assigned to the Inter-State Council

a) To enquire into and advise upon disputes among the States

b) To investigate and discuss the subjects that are common to the union and State Governments

c) To make recommendations to the President for better co-ordination on any particular subjects among the State Governments.

A number of councils have been created to promote cooperation on specific subjects in the past like the Central Council of Health, Transport Development Council, and Central Council of Local Self- Government.

The holistic Inter-State Council was established in early nineties to deal with general cooperation among the units of Indian federal system on the recommendation of the Sarkaria Commission. The Prime Minister functions as the chairperson of the council. The Chief Ministers of all the States and Union Territories with Legislative Assemblies, six cabinet ministers of the Union Government, administrators of the Union Territories without Legislative Assemblies and Governors of States under President's Rule are its members. A Standing Committee consisting of the Union Home Minister, five other Cabinet Ministers and nine Chief Ministers also works as part of the Inter State Council to promote co-operation among the members of the federal system.

II) Statutory Bodies

There are certain bodies created through the statute of the parliament but not mentioned in the Constitution that function to promote cooperative federalism.

1. Zonal Councils

The Zonal Councils were established by the States Reorganization Act in 1956 to achieve cooperation and co-ordination among States. They were created in the backdrop of linguistic reorganization of India and the first Prime Minister of India Jawaharlal Nehru described their objective as to "develop the habit of co-operative working". Originally five Zonal Councils were created and later on in

1971 one more Zonal Council was established for the North Eastern States. They are

1. Northern Zonal Council

2. Southern Zonal Council

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3. Eastern Zonal Council

4. Western Zonal Council

5. Central Zonal Council

6. North Eastern Zonal Council

The Union Home Minister will be the common Chairperson of all the Zonal Councils. Additionally, each Zonal Council will consist of the Chief Minister and two other Ministers of the each State and the Administrator of the Union Territory in the zone.

The Zonal Councils will discuss and suggest measures to promote cooperation among the members in areas like economic and social planning, border disputes, inert-State transport etc.

2. River Board

The River Boards Act, 1956 establishes River Boards to provide advice to the concerned governments concerned for the regulation of an inter-State river or river valley.

3. Water disputes Tribunal

The Inter-State Water Disputes Act, 1956 was enacted in accordance with the article 262 of the Constitution that mandated that all inter-State river disputes should be resolved through negotiations. The act provides for the formation of ad hoc tribunals for resolving inter-State water disputes if repeated negotiations prove to be futile in resolving the issue.

Political or Resolution Bodies

NITI AAYOG

The Union Government created the National Commission for Transforming India after dissolving, 65 year old, the Planning Commission on January 2015. The Prime Minister is the ex officio chairman and the permanent members of the governing council are all the Chief Ministers of all the States, Chief Ministers of the Union Territories of Delhi and Puducherry and the Lieutenant Governor of Andaman and Nicobar Islands. One of the primary objectives of the commission is to "foster cooperative federalism through structured support initiatives and mechanisms with the States on a continuous basis". It recognizes that strong States will make strong nation. But, without Constitutionally empowering more the constituent States and adequate devolution of revenue resources, the States continue to remain over dependent on the Union Government, even in matters relating to tackling of natural calamities.

5.4. Inter – State River Water Dispute

Inter-State River Water Disputes play a crucial role in the evolution of federalism in Indian politics. There are a large number of such disputes in our country. The Cauvery dispute involving Tamil Nadu, Karnataka, Kerala and Puducherry Union Territory, Vamsadara River dispute involving Andhra Pradesh and Odisha, Sutlej dispute involving Punjab, Haryana, Mahadayi river dispute involving Goa, Maharashtra and Karnataka are the major ones. We have the following dispute settlement mechanism in Indian federalism to solve them.

1. Constitution and Inter – State River Water Disputes

The article 262 of the Constitution empowers the parliament to enact a law providing for the adjudication of any

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dispute, complaint relating to the use, distribution and control of any inter–State river or river valley. It also provides that parliament can exclude the Supreme Court or any other court from exercising any jurisdiction over inter-State river water disputes. For this purpose, parliament is empowered to enact a law overriding any provision of the Constitution. The logic of this provision is that inter–State river water disputes contain emotional and economic implications affecting the lives and livelihood of millions of people. Judicial adjudication of the disputes may create social and economic problems. Therefore, the national legislature must have competence to evolve a mechanism for resolution of these disputes through negotiations and direct dialogue.

2. Inter-State River Water Disputes Act, 1956

Empowered by the article 262 of the Constitution the parliament enacted inter-State river water dispute act, 1956. This act enables the Union Government to establish a tribunal for the adjudication of an inter-State river water dispute. The Indian Constitutional and legal consensus is that all inter-State river water disputes must be resolved through peaceful negotiations. If no fruitful decisions can be reached through negotiations, the States concerned can approach the union for the Constitution of a tribunal on ad hoc basis for resolving that issue.

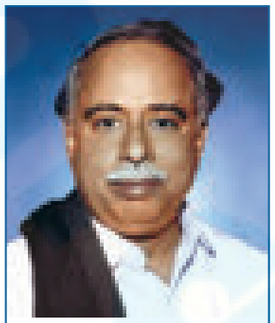
When the Union Government decides to constitute a tribunal, the Chief Justice of Supreme Court of India will nominate a person to head it. Earlier, the tribunal always used to consist of one person only but later on this provision was amended to include more members. The Chief Justice will choose a person (nominee?) from the sitting or retired Judges of the Supreme Court and High Courts. The decision of the Tribunal shall be published in the Official Gazette and there after that decision shall be final and binding on the parties to the dispute. Neither the Supreme Court nor any other court shall have jurisdiction over any inter-State water dispute referred to a tribunal under the Act. No tribunal can be constituted for any dispute that has been placed for arbitration under the River Water Board Act, 1956.

In shortly, we can say that our Constitutional, legal and political strategy advocates a dual strategy to resolve inter-State river water disputes. It advocates negotiated settlement as the first choice if negotiations fail to resolve the issues, an ad hoc tribunal based adjudication should be established.

5.5 Issues and Demands in Indian Federalism

There are many issues in Indian federalism that create disturbances in the Centre-State relations. We will focus on the major problems in this section.

Appointment and Role of the Governor


Arignar Anna, the Champion of State Rights

The very office of the Governor as an agent of the Central Government to monitor the State Government imperils the powers of the constituent States. The Raja Mannar Committee Report was highly critical of the office and role of

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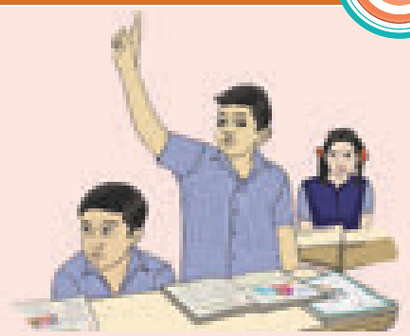
Activity: Conversation on Cauvery Dispute



Student: Sir, can you please explain us the Cauvery dispute?

Teacher: Cauvery dispute is an inter-State water dispute. It involves the states of Tamil Nadu, Karnataka, Kerala and Union Territory of Puducherry.

Student: What is the history behind the issue?

Teacher: The history of the issue is a long one. The Madras Presidency and the Princely State of Mysore signed an agreement in 1924 for sharing the waters. After being in operation for fifty years the agreement lapsed in 1974.

Student: Did the disputants hold negotiations thereafter?

Teacher: Yes, many rounds of negotiations were conducted for nearly two decades but no solution was reached. As we learnt earlier in the class, the Inter State River Water Disputes Act 1956 allows for the formation of a tribunal for resolving the river water disputes. The Cauvery River Water Tribunal was established in 1991 to solve the issue.

Student: Did the Tribunal deliver its Award? What are the features of its Award?

Teacher: Yes. The Tribunal gave the final Award in 2007. It stipulated a monthly release of water from Karnataka to Tamil Nadu across the border in Biligundlu. It fixed the share of each state from Cauvery River. It provided a distress formula to share the waters in years when rainfall is low allowing for proportionate sharing of the available water.

Student: What is the Cauvery management Board?

Teacher: The Tribunal provided a Cauvery Water Management Board to manage the tricky problem of sharing the water

Student: Has it been formed?

Teacher: After many years of litigation, the Supreme Court delivered the final verdict and directed the Union Government to constitute the mechanism to implement the Award. The Cauvery Water Management Authority and the Cauvery Water Regulation Committee were established in 2018 to

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implement the Award of the Tribunal as modified by the Supreme Court. At present Tamil Nadu is entitled to get 177.25 tmcft of water from Karnataka as measured in Biligundlu border. The total share for Cauvery water allotted to Tamilnadu is 404.25 tmcft. Karnataka is entitled to get 284.25 tmcft. Kerala's share is 30 tmcft and the fourth disputant Puducherry will get 7 tmcft.

governor. It is often pointed out that the Union Government to arm-twist the State executive. The Dravidian parties, since the days of C.N. Annadurai, have been demanding 'genuine autonomy for the States, by reducing the Governor's power of interfering with the State executive and State legislature.

The regional parties have deprecated the practice of appointing politically active and partisan persons as governors. They have frequently demanded that the governor should be appointed in consultation with the State Government. Many political commentators and commissions have argued for the appointment of eminent persons who have contributed to India's development in diverse fields as governors.

The attitude of the Governor towards the State Governments of those ruled by parties opposed to the ruling party at the Centre is another major tension area in Centre-State relations. Whenever there is a split in a ruling State party or hung assembly, the role of the Governor becomes very crucial and in many instances, the regional and opposition parties have agitated against the decisions of the incumbents in gubernatorial office.

Activity

Prepare a project report on the role of the Governor in the evolution of state politics in India.

Education

There is a popular demand that the subject of education must be restored to the List II or State List in which originally it was located. The Parliament in 1976 enacted the 42nd Constitutional Amendment Act that transferred the subject of education to the List III or Concurrent List. The State Governments exclusively had authority over education when it was in State List and the Union Government acquire education after this transfer. As we learnt earlier when a contradiction arises between the States and the Central Government in the Concurrent List the authority of the Central Government or Parliament will prevail. Many political parties in States like Tamil Nadu are demanding the transfer of education back to the State List.

State Autonomy Issues

- Transfer of Education
- Appointment of Governors
- Article 356
- Reservation of Bills
- All India Services

Reservation of State Bills for Presidential Consideration

The Governor of a State has discretionary power to reserve a bill of the State legislature for the consideration of the President. Whenever a money bill of the State

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legislature is reserved by the Governor the President may either declare or withhold his assent. In case of other bills, he can declare or withhold his assent. He can also direct the Governor to send the bill for reconsideration to the legislature concerned. Even if the bill is again passed by the State legislature it is not obligatory for President to declare his assent. This provision was incorporated in the Constitution to protect the unity and integrity of India.

But many State Governments have criticized the Governors for reserving the duly passed State bills for the consideration of the President as there were alleged to have been motivated by political considerations to suppress the State Governments and to further the interests of the ruling party or coalition at the Centre.

Activity

Organize a debate in the class on the state autonomy demands in India.

Improper use of Article 356

The article 356 in Part XVIII of the Constitution provides for the proclamation of Emergency by the President in any State where there is a breakdown of Constitutional machinery either based on the report of the Governor or even otherwise. The article emphasizes on the supremacy of the Constitution and national unity and integrity. The State Governments ruled by the opposition parties of the ruling party at the Centre have complained against the frequent and improper use of this article by the ruling party or coalition at the Centre. More than a hundred times, the article has been used to impose emergency in States and in many instances there was a huge complaint that political and party considerations have led to the imposition of the President's Rule. Many regional parties have demanded the abolition of this article. However, since the Supreme Court's judgement in S.R. Bommai vs Union of India case, the chances for misuse of article 356 drastically reduced.

All India Services

All India Services are created under article 312 of the Constitution. The officers to these services are recruited by the Union Government and posted in the States. The State Governments have powers of posting, transfer while the Central Government alone has powers to dismiss them. As the ultimate control over the All India Services are with the Central Government the State Governments have sought changes in the system and the Rajamannar Commission of Tamil Nadu government suggested a complete revamping in the structure and position of All India Services.

Commissions on Centre-State Relations

A number of commission have been formed in past to study and provide recommendation on Centre-State relations.

5.5.1 Administrative Reforms Commission

There were two Administrative Reforms Commissions established in the past to provide recommendations for reviewing and reforming the administrative system of the country. The First Administrative Reforms Commission was formed in 1966 initially under the leadership of Morarji Desai and later on by K. Hanumanthaiah. It submitted twenty reports including one in which extensive suggestions were provided in the domain of Centre-State relations. The Second

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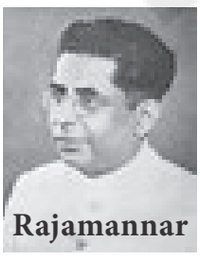
Administrative Reforms Commission was constituted in the new millennium in 2005 under the chairmanship of initially Veerappa Moily and later on by V. Ramachandran.

Commissions on Centre-State Relations

1. Administrative Reforms Commission
2. Rajamannar Commission
3. Sarkaria Commission
4. Punchhi Commission
5. Venkatachaliah Commission

5.5.2 Rajamannar Commission



Rajamannar

The Tamil Nadu government established the Rajamannar committee to analyze and provide recommendations for restructuring the Centre-State relations in our Constitution. The committee consisted of the retired Chief Justice of Madras High Court Justice. P.V.Rajamannar, former Vice-Chancellor of the University of Madras, Dr A Lakshmanaswamy and a former Chief Justice of Andhra, Dr P. Chandra Reddy. It submitted its report to the government in 1971 marking a great milestone in the history of autonomy debate in the country. The major suggestions of the committee include

1. The article 263 of the Constitution should be implemented and Inter-State Council should be formed to promote cooperation among central and State Governments. The proposed council must consist of the Chief Ministers of the States or their nominees and the Prime Minister as the Chairperson. All the major bills of the Parliament and decisions of the Union Government that affect the interests of one or more States must be placed and discussed in the council. Its opinion should be considered in the decision making process. The committee's made consultation with the Inter State Council is mandatory in all matters barring those related to the two subjects, namely defence and foreign affairs.
2. The committee recommended the elimination of articles 256, 257, 339(2) from our Constitution. The committee was against specifically these articles as they enable the Centre to issue instructions to the State Governments
3. It favored the shifting of the residuary powers of legislation and taxation from the Union Government to the State Governments to empower the States.
4. The article 356 in Part XVIII of the Constitution should be diligently used by the Union Government only as a measure of last resort in the event of a complete breakdown of the Constitutional machinery in the State and not in a mere law and order break down situation.
5. The committee wanted to introduce far reaching changes in All India Services. It suggested the abolition of All India Services including the elite Indian Administrative Service as they are against the spirit of federalism and State autonomy. It highlighted the concerns of the State Governments ruled by opposition parties

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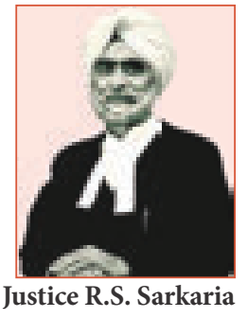
of the ruling party at the Centre about the All India Services acting as agents of the Union Government.

6. In the domain of financial resources the committee recommended greater devolution of powers and resources to the States. For the purpose of expanding the financial capacity of the States it suggested changes in certain taxes like corporation tax, customs and export taxes. The committee recognized the finances as the fulcrum of State rights and balanced federalism and therefore recommended the transfer of many items from Union List and Concurrent List to State List in the seventh schedule of the Constitution. It argued for making the Finance Commission a permanent, impartial body devoted to the priorities of national unity, development and State rights and identities.

5.5.3 Sarkaria Commission

The Union Government constituted a commission under the chairmanship of Justice R.S.Sarkaria in 1983 to review the Centre-State relations. B.Sivaraman and Dr.R.S.Sen were the two other members of the commission. Five years later, it submitted a comprehensive report containing 247 recommendations.


Justice R.S. Sarkaria

Inter State Council

It recommended that the Inter-State Council must have the functions laid down in article 263 (b) and (c) that is to investigate subjects where many States have common interest and to make recommendation for better co-ordination of policy in that subject. The commission argued against article 263(a) stating that the Inter-State Commission should not have powers to enquire and advise on interState disputes. The commission also suggested the establishment of an independent, permanent secretariat for Inter-State Council to make the body more effective.

Article 356

It suggested that the article 356 must be imposed only meagerly, as a measure of last resort when there is a complete breakdown of Constitutional machinery in a State. All available and possible alternatives should be explored before the imposition of the article 356 Emergency in the State concerned.

Governor

The commission rejected the demand and suggestion of some political parties and States that the office of governor must be abolished or the concerned State Government must be consulted before the appointment of State governors. On the contrary, for smoother functioning of federalism it suggested that the politically active persons and leaders should not be appointed as governors. Only eminent persons must be appointed as governors. When differing parties are ruling at the Centre and States the leader belonging the ruling party at the Centre must not be appointed as the governor of a State.

Language

It recommended the strict adherence to the tri language formula to strengthen the unity and integrity of the country.

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5.5.4. Punchhi Commission

Justice Madan Mohan Punchhi

The Union Government constituted a commission in 2007, under the leadership of Justice Madan Mohan Punchhi, the former Chief Justice of the Supreme Court in 2007. The commission also had three more members and a Secretary and presented its report in 2010. It recommended that the governors of the States must have fixed tenure and they should be removed only through impeachment process akin to the President of India. It wanted to introduce changes in articles 355 and 356 so that insurgency or problem afflicted areas or districts in a State rather than the entire State can be brought under emergency as a strategy to localize emergency and efficiently handle insurgency or troubles. The commission also suggested that the Union Government must have power and authority for the suomotu deployment of central forces without the consent of the concerned States in areas affected by communal violence.

Activity

Organize a group discussion in the class on the argument that the big states must be bifurcated into small states so as to promote development.

Activity: Case study

Supreme Court Judgment in S.R. Bommai Case

- Somappa Rayappa Bommai (6 June 1924 to 10 October 2007) was the 11th Chief Minister of Karnataka. He was also the Human Resource Development Minister in the United Front Government from 1996 to 1998 and served with both the Prime Ministers H. D. Deve Gowda and I. K. Gujral.
- The Supreme Court delivered a landmark judgment in the S.R.Bommai versus Union of India Case in 1994 that has protected the rights of the states greatly. S.R. Bommai was the Chief Minister of Karnataka and his government was dismissed in 1994 by the Central Government leading to the filing of the case in the Supreme Court. The judgment protected the states from the arbitrary dismissal at the hands of the hostile Central Government. The main features of the judgment are:
- Article 356 is an exceptional power to the Union Government and it should be used only occasionally to meet the exigencies of special occasions.

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- Emergency under this article can be imposed only on certain grounds signifying Constitutional breakdown. For example, if no party or coalition is able to generate majority support after the Legislative Assembly elections resulting in a hung Assembly; if Constitutional directions from the Central Government are disregarded by the State Government or State Government actively assists in internal subversion.
- Emergency cannot be imposed on certain grounds as they do not constitute Constitutional breakdown. For example, a mere law and order problem cannot be construed as Constitutional breakdown. And, emergency cannot be imposed if the ruling party in the state lost heavily in the Parliamentary Elections.
- The Governor's report on the breakdown of the Constitutional machinery in the state must be placed in Parliament. The report should be a thorough one detailing the exceptional situation in the state.
- The Legislative Assembly of a state cannot be dissolved before the proclamation of the president is approved by both Houses of the Parliament.
- The court has power to determine the validity of the imposition of emergency under article 356 of the Constitution. If the court finds the grounds of imposition unconstitutional it can and will nullify the proclamation and restore the dismissed State Government to life. To put it succinctly the Supreme Court possesses the power of Judicial Review over the imposition of article 356.
- Ever since the judgment was delivered by the Supreme Court, the State Governments ruled by opposition parties have been protected from arbitrary dismissal by the Central Government with a different ruling party.

Dr. Ambedkar called this Article 356 as a dead letter to the Constitution as it negates the federal characters of the Indian Political System and the popular sovereignty of an elected government.

5.5.5 Venkatachaliah Commission

M.N Rao Venkatachaliah

The National Commission to review the working of the Constitution (NCRWC) also known as Justice Manepalli Narayana Rao Venkatachaliah Commission was set up by a resolution of the NDA Government of India led by Atal Bihari Vajpayee on 22 February 2000 for suggesting possible amendments to the Constitution of India.

Quotable quote

Dicey: "A federal state is nothing but a political contrivance intended to reconcile national unity with maintenance of states' rights".

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Glossary

- **Federalism:** A political system in which powers are distributed between the central and State Governments through the Constitution.
- **Rigid Constitution:** A Constitution that can be changed only through a special or greater majority based amendment process in Parliament or by a Constituent Assembly. It cannot be changed easily.
- **Flexible Constitution:** A Constitution that can be changed through an ordinary legislative process. It can be changed easily.
- **Distribution of Powers:** The powers or subjects of governance will be Constitutionally divided between the central and State Governments in federal system.
- **Co-operative Federalism:** Granville Austin, the noted Constitutional scholar described the federalism of our Constitution as Co-operative Federalism. It promotes cooperation between the Centre and the States.
- **Union List:** The List I in the Seventh Schedule of the Constitution contains the subjects that are exclusively allotted to the Union Government.
- **State List:** The List II in the Seventh Schedule of the Constitution contains the subjects that are exclusively allotted to the States
- **Concurrent List:** The List III contains the subjects that are allotted to the joint jurisdiction of the central and State Governments. If there is a contradiction between the central and State Governments the law of the Union Government will prevail.
- **Residuary List:** Any subject that is not mentioned in the Union List (List I) State List(List II) and Concurrent List(List III) will come under this category. The Union Government will have jurisdiction over these subjects.
- **All India Services:** The officers to these services are recruited by the Central Government and allotted to the State Governments. Any new All India Service can be created by a special majority, two third majority based resolution of the Council of the States as per the article 312 of the Constitution.
- **Raja Mannar Commission:** This commission on Centre-State relations was established by the Tamil Nadu government in 1968, whose report is an important landmark in the political history of States' rights.
- **Sarkaria Commission:** The Central Government constituted in 1983 the Sarkaria Commission to provide recommendations on Centre-State relations.
- **NCRWC:** The National Commission to Review the Working of the Constitution, otherwise known as the Venkatachaliah Commission was established by the Union Government in 2000 to study the Centre-State relations.
- **Unitary Constitution:** The Constitution that recognizes only one set of government (National government). There is no Constitutional recognition to the State or regional governments in this system.

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❖ **Judicial Review:** The power of the Supreme Court to review the Constitutional validity of the laws of the Parliament and other legislature and acts of the Executive. It emerged in the Constitution of the United States and our Constitution provides limited Judicial Review powers to the Judiciary.

❖ **Tribunals:** The Constitution provides for the establishment of tribunals for the resolution of inter-State water disputes. Tribunal means a body established to settle certain kinds of disputes.

Evaluation

I. Choose the correct answer:

1. The first federal Constitution in the world belonged to
   A) United States B) United Kingdom
   C) India D) Australia

2. Federalism was demanded in India for the first time by
   A) Mountbatten Plan B) Nehru Report
   C) Cabinet Delegation D) Rajaji Plan

3. Bicameralism refers to the Parliament having
   A) Three Houses B) One House
   C) Four Houses D) Two Houses

4. The most important feature of a federal Constitution is
   A) Regional Governments B) National Governments
   C) Decentralization of Powers D) Political Parties

5. The disputes between Central Government and State Governments are adjudicated by
   A) Parliament B) Supreme Court
   C) High Court D) President

6. Who described Indian Constitution as Cooperative Federalism?
   A) Granville Austin B) Dr.Ambedkar
   C) Jawaharlal Nehru D) Wheare

7. Article 262 of the Constitution deals with
   A) Inter State River Water Disputes B) Inter State Disputes
   C) Centre-State Disputes D) International Disputes

8. Find out the correctly matched pair
   A) Union List ------ List II B) State List ------ List I
   C) Residuary List ------ List I D) Concurrent List ------ List III

JUKBQG

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9. Match the following

1) Sarkaria Commission	a. Tamilnadu Govt.
2) Rajamannar Commission	b. Akali Dal
3) Anandpur Sahib Resolution	c. Supreme Court
4) Bommai Judgement	d. Union Government

A) 1-a 2-b 3-c 4-d B) 1-d 2-a 3-b 4-c
C) 1-a 2-d 3-c 4-b D) 1-c 2-b 3-d 4-a

10. What is false about the process of creation of the new States in India?
    A) President must recommend the bill for creating new States
    B) President will refer the bill to the concerned State
    C) Parliament will pass a Constitutional Amendment Act for creating the new State

11. The commission that recommended the abolition of All India Services like Indian Administrative Service (IAS) is
    A) Punchchi Commission B) Sarkaria Commission
    C) Venkatachaliah Commission D) Rajamannar Commission

12. Match the following
    1. First Administrative Reforms Commission - a. VerrappaMoily.
    2. Second Administrative Commission - b. Morarji Desai
    3. Article 312 - c. Transfer of Subject to Concurrent List
    4. Article 249 - d. All India Services

    A) 1-a 2-b 3-c 4-d B) 1-d 2-a 3-b 4-c
    C) 1-a 2-d 3-c 4-b D) 1-b 2-a 3-d 4-c

II. Answer the following questions very shortly:

1. What is the meaning of the Rigid Constitution?
2. What do you mean by Territorial Distribution of Powers?
3. How are All India Services affecting federalism?
4. Write a brief note on Administrative Reform Commission.
5. Write briefly on Punchchi Commission.
6. Explain the term 'Union of States' found in our Constitution.

III. Answer the following questions shortly:

1. Identify the main criteria in the distribution of financial powers in Indian federalism.
2. How does article 356 of our Constitution affect our federalism?
3. Provide a detailed account on Venkatachaliah Commission.
4. Detail the main features of Bommai case Judgment of the Supreme Court.
5. Explore the argument that Indian Constitution is quasi federal.
6. What are Zonal Councils? How do they promote federalism?
7. Enumerate the main recommendations of Rajamannar Commission.

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IV. Answer the following questions in detail:

1. Analyze the scheme of Centre State relations in Indian Constitution.
2. Examine the dispute settlement approach to Inter State River Water Disputes in India.
3. Describe the salient features of Sarkaria Commission Recommendations.
4. Provide a detailed account on Cooperative Federalism of Indian Constitution.

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ICT Corner

Federalism In India-Indian Constitution Online Quiz

Through this activity you will learn more about The Indian Constitution

Procedure:

Step - 1 Open the Browser and type Indian Constitution online Quiz (or) Scan the QR Code.

Step - 2 Read the Question and click the answer then click the "ANSWER" box to find the right answer.

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Step - 3 Click "Next Question" you will get more Questions.Then click "FinishTest"

URL:

https://www.edudose.com/gk/indian-Constitution-quiz/

*Pictures are indicative

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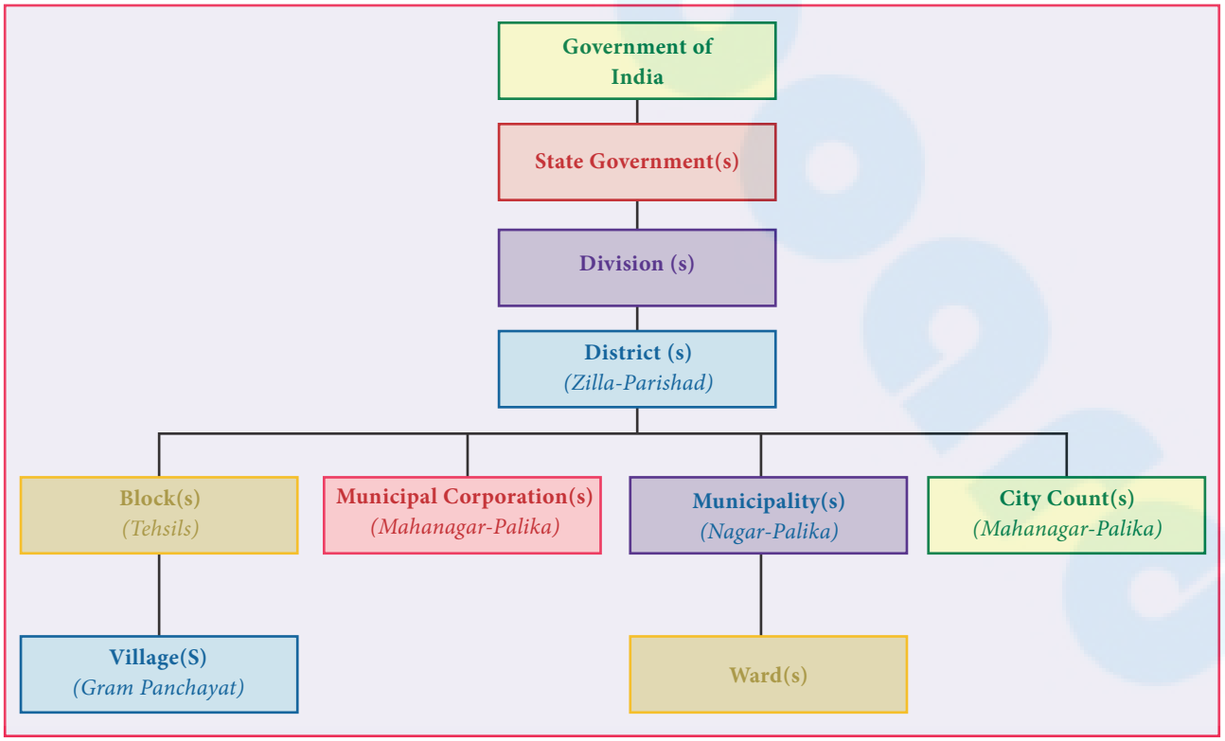
Unit 6
Administrative Machinery in India

Learning Objectives

WR76FC

- Imparting the knowledge and skill necessary to effectively lead public service organizations.
- Providing students with opportunities to explore and identify career choices and achieve public service goals.
- Helps to understand Administrative machinery in India.
- Acquaint with the functioning of the Indian Administration, at central levels and the responses of these systems in addressing the concerns of the people.
- To highlight the emerging issues in Indian Administration in the context of changing role of state, market and civil society.
- To understand the historical evolution and socio-economic, political, cultural and global context of Indian Administration.

6.1 Framework of Indian Administration



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Present Position of Indian Adminstrative System

Our Constitution provide for a centralized administrative system. The personnel's in the State categories are subjected to twin masters, the state executive and the union executive. The Administrative Services created by the States are also subjected to Union's supremacy. Liberalization does not mean that the bureaucracy is being relieved from excess burden, but it means reducing government's regulatory control over private sector. In the same way, we now found a trend towards more centralization in policy making and policy enforcement. The Indian Administrative System, which worked for the democratic socialist economy and planned economy earlier, is now given the task of more privatization and more centralized taxation system. This new arrangement now known as New Public Management (NPM) movement in public administration.

The Indian Administrative System has to cope up with the enforced new economic order. It has to strive for opening domestic markets to new investors, i.e. corporate from both India and abroad. Now the administrative system has to work for disinvestment, desubsidization, liberalizing and centralizing the tax – system in favour of trade and investors. Mining, ports, petroleum, airways are systematically being corporatized. Labour laws are being revised. The Indian bureaucracy has to carry out the guidelines of transnational or global bodies like World Bank, World Trade Organization, International Monetary Fund in the domestic arena.

The formation of regulators like IRDA,TRAI, CCI, PFRDA, SEBI, etc. have been a step in the same direction, further the idea of extending this concept to other areas is also being mooted, viz., in the infrastructure and mining sector. These reform proposals were also followed by reforms in the tax administration in the form of introduction of the VAT regime, introduction of a low and uniform tax rate regime, which is seen as the precursor to the uniform Goods and Services tax (GST).

6.2 Ministry, Department, Boards and Commissions

Union Government Ministries/ Department

The main policy making institution in the Union government is the central secretariat which comprises all the ministries and departments which in turn characterized by certain patterns of structural arrangements and functional specifications.

Structure of a Ministry

Ministry of Central Government has a three tier structure consisting of

1. Political Head, who is a cabinet minister assisted by minister of state and deputy minister. Sometimes a minister of State may also be a political head of a ministry/department holding an independent charge.

2. Secretariat organisation headed by a secretary who is a career civil servant. He is assisted by Joint secretaries, Deputy Secretaries, Undersecretaries and office establishment.

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3. Executive organization under a head of the department who is known by various designations like Director, Director-General, Commissioner, Inspector-General, Chief Controller etc…

A ministry is primarily divided into departments. Each department is divided into wings. Each wing is, in turn, divided into divisions, which are further divided into branches. Each branch is divided into sections. A section is the lowest level and smallest organizational unit of a ministry/ department.

Department *(Secretary)*
Wing *(Additional/Joint Secretary)*
Division *(Deputy Secretary)*
Branch *(Under Secretary)*
Section *(Section Officer)*

Under the Government of India, Rules of Business, 1961, the ministries departments in the Government of India were classified into different levels.

Central Secretariat

The Central Secretariat comprises of all the ministries and departments of the central Government. Article 77 of the Indian Constitution authorizes the President of India to make rules for more convenient transaction of business of Central Government and for allocation of such business among the ministries.

Role and Functions

The Central Secretariat is a policy making body of the government and is not, to undertake work of execution, unless necessitated by the lack of official agencies to perform certain tasks. The Central Secretariat normally performs the following functions:

(1) Assisting the minister in the discharge of his policy making and parliamentary responsibilities.

(2) Framing legislation, rules and principles of procedure.

(3) Sectoral planning and programme formulation.

(4) Budgeting and control of expenditure in respect of activities of the Ministry/ department.

(5) Supervision and control over the execution of policies and programmes.

(6) Initiating steps to develop greater personnel and organizational competence both in the ministry/ department and its executive agencies.

(7) Coordination and interpretation of policies, assisting other branches of government and maintaining contact with state administration.

Cabinet Secretariat

Functions

The Cabinet Secretariat functions directly under the Prime Minister. The administrative head of the Secretariat is the Cabinet Secretary who is also the ex-officio Chairman of the Civil Services Board. The business allocated to Cabinet Secretariat under Government of India (Allocation of Business) Rules, 1961 includes (i) Secretarial assistance to the Cabinet and Cabinet Committees; and (ii) Rules of Business.

The Cabinet Secretariat is responsible for the administration of the Government of India (Transaction of Business). The Secretariat assists in decision-making to the Government by

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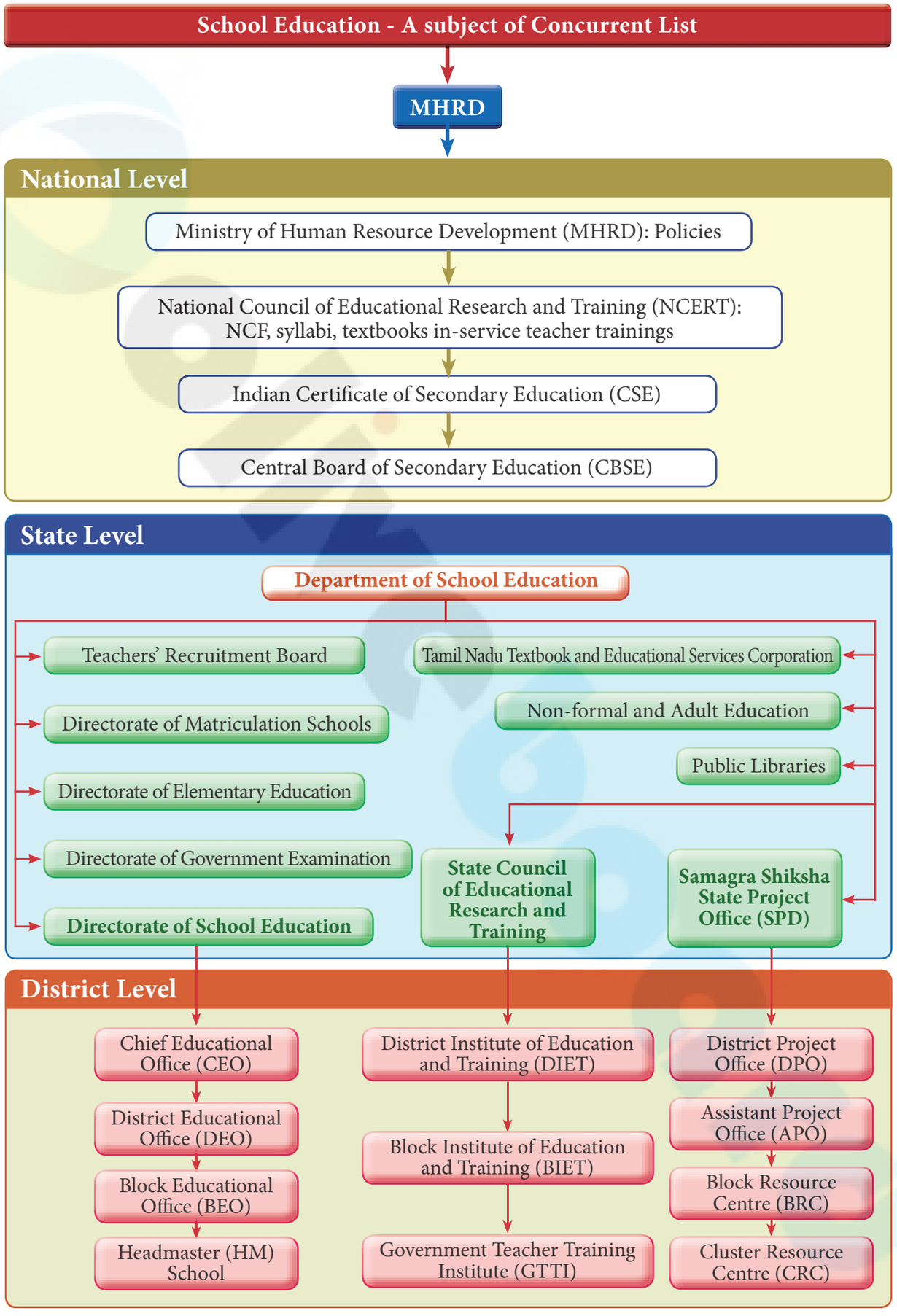

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ensuring Inter-Ministerial coordination, ironing out differences amongst Ministries/Departments and evolving consensus through the instrumentality of the standing/adhoc Committees of Secretaries. Management of major crisis situations in the country and coordinating activities of various ministries.

Organisation of Cabinet Secretariat

The Cabinet Secretariat has three wings

- Civil wing
- Military wing
- Intelligence wing

Civil wing - It is the main wing and provides aid, advice and assistance to the Union cabinet.

Military wing - provides secretarial assistance to the defence committee of the cabinet, the military affairs committee etc.

Intelligence wing - it deals with the matters pertaining to the joint intelligence committee of the cabinet.

Other organizations are - RAW, Director General of Security, SPG, Joint intelligence group, DG public grievances (1988), National Authority, Chemical Weapons Convention.

Support to Cabinet Committees

The secretarial assistance, provided by Cabinet Secretariat to the Cabinet and Cabinet committees, includes

- Convening of the meetings of the Cabinet and its Committees on the orders of the Prime Minister.
- Preparation and circulation of the agenda.
- Circulation of papers related to the cases on the agenda.
- Preparation of record of discussions.
- Circulation of the record of discussions after obtaining the approval of the Prime Minister.
- Monitoring implementation of decisions taken by the Cabinet and its Committees.

Union Government-Apex Bodies

- President of India
- Vice President of India
- Cabinet Secretariat
- Election Commission of India
- Union Public Service Commission (UPSC)
- National Human Rights Commission (NHRC), India
- Comptroller and Auditor General (CAG) of India,
- Indian Audit and Accounts Department
- NITI Aayog - National Institution for Transforming India
- National Commission for Women (NCW)
- National Commission for Scheduled Tribes (NCST)
- Fifteenth Finance Commission of India
- National Commission for Minorities(NCM)
- Insurance Regulatory and Development Authority (IRDA)
- Office of the Principal Scientific Adviser

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- The Cabinet Secretariat is the custodian of the papers of the Cabinet meetings.

Cabinet Secretary

The office of cabinet secretary was created in India in 1950. The first Cabinet secretary was N.R.Pillai. The Cabinet Secretary is the head of the Cabinet Secretariat. He is given a top place among the civil servants. Thus, he is the senior most civil servant in India.

The Prime Minister's Office (PMO)

The Prime Minister's Office (PMO) consists of the immediate staff of the Prime Minister of India. The PMO was originally called the Prime Minister's Secretariat until 1977, when it was renamed during the Morarji Desai ministry.

Office of Principal Scientific Adviser

The Office of the Principal Scientific Adviser to the Government of India (O/o of PSA) was set-up in November, 1999, primarily to:

- Evolve polices, strategies and missions for the generation of innovations and support systems for multiple applications,
- Generate science and technology tasks in critical infrastructure, economic and social sectors in partnership with Government departments, institutions and industry,
- Office of PSA also services the Prime Minister's Science, Technology and Innovation Advisory Council (PM-STIAC)
- Office of PSA has been placed administratively under the Cabinet Secretariat in August, 2018.

The PMO provides secretarial assistance to the Prime Minister. It is headed by the Principal Secretary to the Prime Minister. The PMO includes the anti-corruption unit and the public wing dealing with grievances. The office houses the Prime Minister and few selected officers of Indian Civil Service who work with him to manage and coordinate government and his office. The Prime Minister through his office coordinates with all ministers in the central union cabinet, minister of independent charges and governors and ministers of state government.

6.3 Personnel Administration

Concept of Personnel Administration

The task of personnel administration is to, assure a steady source of people who can contribute to the success of an organization and meet the growing demands of development. To understand the concept of personnel administration, it is very essential to first understand the meaning and nature of the term.

Personnel Administration aims at:

- Effective utilisation of human resources
- Desirable working relations among all members of the organisation
- Maximum development
- Meeting the organisation's social and legal responsibilities.

Scope of Personnel Administration

Personnel administration incorporates all aspects of management of persons in organization. The primary objective of

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personnel administration, is to ensure effective utilization of human resources in pursuit of organizational goals. The personnel administration departments should design and establish an effective working relationship among all the members of an organization by division of organizational tasks into jobs, defining clearly the responsibility and authority for each job and its relation with other jobs in the organization. Personnel administration must try to enthuse among the employees feelings of commitment, involvement and loyalty to the organization. The aim is to create cordial relations among the employees and do away with frictional situations arising out of personal jealousies, rivalries and prejudices. Personnel administration also has to curb unfavorable practices like favoritism and nepotism in an organization.

Functions of Personnel Administration

Some of the important functions of personnel administration are :

a) Manpower Planning

b) Recruitment

c) Training

d) Promotion

e) Salary structuring

f) Employees' welfare

6.3.1 Civil Services – Meaning and Features

Advantages of having an independent, permanent and impartial civil service are as follows:

i) A credible recruitment process through an impartial agency provides a defense against such abuse.

ii) A permanent civil service provides continuity and develops expertise as well as institutional memory for effective policy making.

iii) A permanent and impartial civil service is more likely to assess the long-term social payoffs of any policy whereas the political executive may have a tendency to look for short term political gain.

iv) A permanent civil service helps to ensure uniformity in public administration and also acts as a unifying force particularly in vast and culturally diverse nations.

v) A permanent civil service like any other reputable profession is likely to evolve over time an ethical basis for its functioning.

6.3.2 All India Services, Central Services and State Services

A unique feature of the Indian Administration System, is the creation of certain services common to both - the Centre and the States, namely, the All India Services. These are composed of officers who are in the exclusive employment of neither Centre nor the States, and may at any time be at the disposal of either. The officers of these Services are recruited on an all-India basis with common qualifications and uniform scales of pay, and notwithstanding their division among the States, each of them forms a single service with a common status and a common standard of rights and remuneration.

Like other federal polities, the Centre and the constituent states, under the Indian

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Constitution, have their separate public services to administer their respective affairs. Thus, there are Central or Union Services to administer Union subjects, like defence, income tax, customs, posts and telegraphs, railways, etc. The officers of these Services are exclusively in the employment of the Union Government. Similarly, the States have their own separate and independent services.

All India Services

The Constitution provides for the creation of All India Services (AIS) common to the Union and the States. The All India Services Act, 1951 provides that the Central Government may make rules for regulating the recruitment and the conditions of service of persons appointed to the All India Services. Presently only the IAS, the IPS and the IFS (Indian Forest Service) have been constituted as All India Services. Recruitment to these services is made under the corresponding AIS Recruitment Rules and may be done by Direct Recruitment (through Competitive Examinations) and by promotion from the State Service . The AIS Branch is concerned with the latter mode of recruitment which is governed by the respective IAS/IPS/IFS Promotion Regulations.

What are the different modes of recruitment to the All India Services?

There are two modes of recruitment to the All India Services;

(i) Direct Recruitment: Through the Civil Services Examination for IAS and IPS and the Indian Forest Service Examination for the IFS. These Examinations are conducted by UPSC.

(ii) Promotion/Selection: By way of promotion of the SCS/SPS/SFS officers to the respective All India Service and by way of selection of Non-State Civil Services (NSCS) Officers to the IAS.

Indian Administrative Service

The Indian Administrative Service (IAS) is the direct descendant of the old Indian Civil Service. As an all India service, it is under the ultimate control of the Union Government, but is divided into State cadres, each under the immediate control of a State Government. The salary and the pension of these officers are met by the States. But the disciplinary control and imposition of penalties rest with the Central Government which is guided, in this respect, by the advice of the Union Public Service Commission. On appointment, the officers are posted to different State cadres. The strength of each State cadre, however, is so fixed as to include are serve of officers who can be deputed for service under the Union Government for one or more 'tenures' of three, four or five years before they return to the State cadre. The majority of individual officers have an opportunity of serving at least one spell of

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duty under the Union Government; many have more than one such spell. The practice of rotating senior officers in and out of the Secretariat position is known in official parlance as the tenure system.

Another distinctive feature of this Service is its multi-purpose character. It is composed of 'generalist administrators' who are expected, from time to time, to hold posts involving a wide variety of duties and functions.

Indian Police Service

The Indian Police Service is an original all India Service (it had pre-in dependence origins) which differs from the IAS in two ways: (i) most of the officers in this service work only in the state since there are only a few police posts at the Centre and (ii) its pay scale and status are lower than those of the IAS. The officers of the IPS are recruited from the same unified All India Civil Service examination. Recruits to the IPS are first given a five months foundational training and later special training at the Sardar Patel National Police Academy, Hyderabad. The subjects of the study and the training is drill, handling of weapons, etc., which have a direct bearing on the normal work of a police officer. The syllabus of training includes studies of crime psychology, scientific aids in detection of crime, methods of combating corruption and emergency relief. After completing a year's training, the probationer passes an examination conducted by the UPSC. He is, then appointed as an Assistant Superintendent of Police. But, before this appointment he has to undergo a year's programme of training; he is given practical training which requires him to do the work of various subordinate officers. It is only after this that he is appointed an Assistant Superintendent of Police.

As an all India Service it is under the ultimate control of the Union Government, but is divided into state cadres, each under the immediate control of a State Government. The Indian Police Service is managed by the Ministry of Home Affairs.

Indian Forest Service

The Indian Forest Service is the only all India Service that has been set up after independence. It became operational by an Act of Parliament in 1963. Its pay scale and status is lower than that of the two original all India Services - the IAS and the IPS. Its recruits are chosen from an exclusive examination conducted by the Union Public Service Commission, which consists of a written test and interview. Though it is an All India Service, its nature is not that of a generalized civil service, but is specialized and functional. It is managed by the Department of Personnel and Administrative Reforms which is in charge of making rules of recruitment, discipline and conditions of service regarding all India Services.

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After selection the appointees undergo a foundational course lasting three months along with successful candidates of the other all India and Central Services. After the foundation course, the probationers move to their own Academy (Indian Forest Institute) at Dehradun for a rigorous two year training course, the end of which they have to pass an examination before final posting. The Indian Forest Service is cadre-based as in the case of other All India Services. Like all other All India Services, a member of this Service can come to the Centre on deputation but has to go back to his cadre after the period of deputation is over.

The Indian Foreign Service (IFS)

The Indian Foreign Service comes under Central Civil Service - Class I and was created after Independence. It is under the exclusive control of the Central Government and its members are recruited from the top few positions of the All India Civil Services examination. Among the Central Civil Services it is the top most in prestige, status, pay and emoluments and its recruits are asked, to serve in Indian mission and embassies abroad. It is managed by the Ministry of External Affairs. Also, involved in the management of the IFS are the Department of Personnel which determines the conditions of service and the Ministry of Finance, which is concerned with the pay scales and other financial aspects of conditions of service. In matters of allowances, the members of the Indian Foreign Service are more fortunate compared to other services.

They are entitled to foreign allowance which are fixed with reference to: (a) local cost of living, (b) other expenditure which an officer serving abroad necessarily incurs either at home or abroad, over and above that an officer of corresponding grade serving in India, (c)representational expenditure, i.e., expenditure which while optional for a private individual is obligatory for a member of the service resident, by virtue of his official position.

The recruit of the IFS undergoes a training programme which covers a period of three years. He is attached to a district for some time to enable him to pick up contact with practical work, he also undergoes a period of secretariat training.

6.3.3 UPSC- Organization, Powers, Functions and Role

Historical Perspective

The origin of the Public Service Commission in India is found in the First Dispatch of the Government of India on the Indian Constitutional Reforms on the 5th March, 1919, which referred to the need for

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Present Pattern of Civil Services Examination

The competitive examination comprises three successive stages:

(A) Civil Services (Preliminary) examination,

(B) Civil Services (Main) Examination.

A. Preliminary Examination:

The Examination shall comprise of two compulsory Papers of 200 marks each.

(i) Both the question papers will be of the objective type (multiple choice questions) and each will be of two hours duration.

(ii) CSAT of the Civil Services (Preliminary) Examination will be a qualifying paper with minimum qualifying marks fixed at 33%.

(iii) The question papers will be set both in Hindi and English.

B. Main Examination: The written examination and personality test.

The written examination will consist of the following papers.

Two Qualifying Papers:

Paper-A

(One of the Indian Language to be selected by the candidate from the Languages included in the Eighth Schedule to the Constitution). **300 Marks**

Paper-B

- English 300 Marks
- Papers to be counted for merit

I. Seven papers for ranking:

Paper-I

- Essay — **250 Marks**

Paper-II

- General Studies-I (Indian Heritage and Culture, History and Geography of the World and Society) — **250 Marks**

Paper-III

- General Studies -II (Governance, Constitution, Polity, Social Justice and International relations) — **250 Marks**

Paper-IV

- General Studies -III (Technology, Economic Development, Bio-diversity, Environment, Security and Disaster Management) — **250 Marks**

Paper-V

- General Studies -IV (Ethics, Integrity and Aptitude) — 250 Marks

Paper-VI

- Optional Subject - Paper 1 — **250 Marks**

Paper-VII

- Optional Subject - Paper 2 — **250 Marks**
- Sub Total (Written test) — **1750 Marks**
- Personality Test — **275 Marks**

Grand Total — **2025 Marks**

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setting up some permanent office charged with the regulation of service matters. This concept of a body intended to be charged primarily with the regulation of service matters, found a somewhat more practical shape in the Government of India Act, 1919. Section 96(C) of the Act provided for the establishment in India of a Public Service Commission which should "discharge, in regard to recruitment and control of the Public Services in India, such functions as may be assigned thereto by rules made by the Secretary of State in Council".

After passing of the Government of India Act, 1919, in spite of a prolonged correspondence among various levels on the functions and machinery of the body to be set up, no decision was taken on setting up of the body. The subject was then referred to the Royal Commission on the Superior Civil Services in India (also known as Lee Commission). The Lee Commission, in their report in the year 1924, recommended that the statutory Public Service Commission contemplated by the Government of India Act, 1919 should be established without delay.

Subsequent to the provisions of Section 96(C) of the Government of India Act, 1919 and the strong recommendations made by the Lee Commission in 1924 for the early establishment of a Public Service Commission, it was on October 1, 1926 that the Public Service Commission was set up in India for the first time. It consisted of four Members in addition to the Chairman. Sir Ross Barker, a member of the Home Civil Service of the United Kingdom was the first Chairman of the Commission.

The functions of the Public Service Commission were not laid down in the Government of India Act, 1919, but were regulated by the Public Service Commission (Functions) Rules, 1926 framed under sub-section (2) of Section 96(C) of the Government of India Act, 1919. Further, the Government of India Act, 1935 envisaged a Public Service Commission for the Federation and a Provincial Public Service Commission for each Province or group of Provinces. Therefore, in terms of the provisions of the Government of India Act, 1935 and with its coming into effect on 1st April, 1937, the Public Service Commission became the Federal Public Service Commission.

With the inauguration of the Constitution of India in January 26, 1950, the Federal Public Service Commission came to be known as the Union Public Service Commission, and the Chairman and Members of the Federal Public Service Commission became Chairman and Members of the Union Public Service Commission by virtue of Clause (1) of Article 378 of the Constitution.

Organization and Powers

The Union Public Service Commission is a Constitutional Body established under Article 315 of the Constitution of India. The Commission consists of a Chairman and ten Members.

The Mandate of Union Public Service Commission Under Article 320 and 321 of the Constitution of India, includes:

Union Public Service Commission is a Constitutional Body, which has been mandated the responsibilities are as follows: Making recruitment by conduct of competitive examinations, selection through

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interviews, Advising on the suitability of officers for appointment on promotion and transfer-on-deputation, Advising the Government on all matters relating to methods of recruitment to various services, Framing and amendment of Recruitment Rules, disciplinary cases relating to various Civil Services, Miscellaneous matters relating to grant of extra-ordinary pensions, reimbursement of legal expenses etc, Advising the Government on any matter referred to the Commission by the President of India and on the request of the Governor of a State, to serve all or any of the needs of a State relating to recruitment, with the approval of the President.

In order to fulfill its Constitutional obligations, the Commission is supported by Officers/Staff broadly known as Secretariat of the Commission, headed by the Secretary. The Administrative Branch of the Commission is entrusted with the functions of administering the Secretariat of the Commission as well as looking after the personal matters of Hon'ble Chairman/ Hon'ble Members and other Officers/ Staff of the Commission.

6.3.4 State Public Service Commission

Parallel to the Union Public Service Commission (UPSC) at the Centre, there is a State Public Service Commission (State Public Service Commission) in a state. The same set of Articles (i.e., 315 to 323 in Part XIV) of the Constitution also deal with the composition, appointment and removal of members, power and functions and independence of a State Public Service Commission.

Composition

A State Public Service Commission consists of a chairman and other members

Constitutional Provisions	
Article-315	Public Service Commissions for the Union and for the States.
Article-316	Appointment and term of office of members.
Article-317	Removal and suspension of a member of a Public Service Commission.
Article-318	Power to make regulations as to conditions of service of members and staff of the Commission.
Article-319	Prohibition as to the holding of offices by members of Commission on ceasing to be such members.
Article-320	Functions of Public Service Commissions.
Article-321	Power to extend functions of Public Service Commissions.
Article-322	Expenses of Public Service Commissions.
Article-323	Reports of Public Service Commissions.

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appointed by the governor of the state. The Constitution does not specify the strength of the Commission but has left the matter to the discretion of the Governor. Further, no qualifications are prescribed for the commission's membership except that one-half of the members of the commission should be such persons who have held office for at least ten years either under the government of India or under the Government of a state. The Constitution also authorizes the governor to determine the conditions of service of the chairman and members of the Commission.

The chairman and members of the Commission hold office for a term of six years or until they attain the age of 62 years, whichever is earlier (in the case of UPSC, the age limit is 65 years). However, they can relinquish their offices at any time by addressing their resignation to the governor.

The governor can appoint one of the members of the State Public Service Commission as an acting chairman in the following two circumstances:

a) When the office of the chairman falls vacant; or

b) When the chairman is unable to perform his functions due to absence or some other reason.

The acting chairman functions till the person appointed as chairman enters on the duties of the office or till the chairman is able to resume his duties.

Removal

Although the chairman and members of a State Public Service Commission are appointed by the governor, they can be removed only by the president (and not by the governor). The president can remove them on the same grounds and in the same manner as he can remove a chairman or a member of the UPSC. Thus, he can remove him under the following circumstances:

a) If he is adjudged an insolvent (i.e., has gone bankrupt); or

b) If he engages, during his term of office, in any paid employment outside the duties of his office; or

c) If he is, in the opinion of the president, unfit to continue in office by reason of infirmity of mind or body.

In addition to these, the president can also remove the chairman or any other member of State Public Service Commission for misbehavior. However, in this case, the president has to refer the matter to the Supreme Court for an enquiry. If the Supreme Court, after the enquiry, upholds the cause of removal and advises so, the president can remove the chairman or a member. Under the provisions of the Constitution, the advice tendered by the Supreme Court in this regard is binding on the president. However, during the course of enquiry by the Supreme Court, the governor can suspend the concerned chairman or member, pending the final removal order of the president on receipt of the report of the Supreme Court.

Further, the Constitution has also defined the term 'misbehaviour' in this context. The Constitution states that the chairman or any other member of a State Public Service Commission is deemed to be guilty of misbehavior if he (a) is

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concerned or interested in any contract or agreement made by the Government of India or the government of a state, or (b) participates in any way in the profit of such contract or agreement or in any benefit there from otherwise than as a member and in common with other members of an incorporated company.

Independence

As in the case of UPSC, the Constitution has made the following provisions to safeguard and ensure the independent and impartial functioning of a State Public Service Commission:

a) The chairman or a member of a State Public Service Commission can be removed from office by the president only in the manner and on the grounds mentioned in the Constitution. Therefore, they enjoy the security of tenure.

b) The conditions of service of the chairman or a member, though determined by the governor, cannot be varied to his disadvantage after his appointment.

c) The entire expense including the salaries, allowances and pensions of the chairman and members of a State Public Service Commission are charged on the consolidated fund of the state. Thus, they are not subject to vote of the state legislature.

d) The chairman of a State Public Service Commission (on ceasing to hold office) is eligible for appointment as the chairman or a member of UPSC or as the chairman of any other State Public Service Commission, but not for any other employment under the Government of India or a state.

e) A member of a State Public Service Commission (on ceasing to hold office) is eligible for appointment as the chairman or a member of the UPSC, or as the chairman of that State Public Service Commission or any other State Public Service Commission, but not for any other employment under the Government of India or a state.

f) The chairman or a member of a State Public Service Commission is (after having completed his first term) not eligible for reappointment to that office (that is, not eligible for second term)

Functions

A State Public Service Commission performs all those functions in respect of the state services as the UPSC does in relation to the Central services:

a) It conducts examinations for appointments in the services of the state.

b) It is consulted on the following matters related to personnel management:

i) All matters relating to methods of recruitment to civil services and for civil posts.

ii) The principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another.

iii) The suitablility of candidates for appointments to civil services and posts; for to another; and transfers from one service to another; and

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appointments by transfer or deputation. The concerned departments make recommendations for promotions and request the State Public Service Commission to ratify them.

iv) All disciplinary matters affecting a person serving under the government of the state in a civil capacity including memorials or petitions relating to such matters. These include:

- Censure (severe disapproval)
- Withholding of increments
- Withholding of promotions
- Recovery of pecuniary loss
- Reduction to lower service or rank (demotion)
- Compulsory retirement
- Removal from service
- Dismissal from service

v) Any claim for reimbursement of legal expenses incurred by a civil servant in defending legal proceedings instituted against him in respect of acts done in the execution of his official duties.

vi) Any claim for the award of a pension in respect of injuries sustained by a person while serving under the government of the state and any question as to the amount of any such award.

vii) Any other matter related to the personnel management.

The Supreme Court has held that if the government fails to consult the State Public Service Commission in these matters, the aggrieved public servant has no remedy in a court. In other words, the court held that any irregularity in consultation with the State Public Service Commission or acting without consultation does not invalidate the decision of the government. Thus, the provision is directory and not mandatory.

The additional functions relating to the services of the state can be conferred on State Public Service Commission by the state legislature. It can also place the personnel system of any local authority, corporate body or public institution within the jurisdiction of the State Public Service Commission. Hence, the jurisdiction of State Public Service Commission can be extended by an Act made by the state legislature.

The State Public Service Commission presents; annually, to the governor a report on its performance. The governor places this report before both the Houses of the state legislature, along with a memorandum explaining the cases where the advice of the Commission was not accepted and the reasons for such non-acceptance.

Limitations

The following matters are kept outside the functional jurisdiction of the State Public Service Commission. In other words, the State Public Service Commission is not consulted on the following matters:

a) While making reservations of appointments or posts in favour of any backward class of citizens.

b) While taking into consideration the claims of scheduled castes and scheduled

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tribes in making appointments to services and posts.

The governor can exclude posts, services and matters from the purview of the State Public Service Commission. The Constitution states that the governor, in respect to the state services and posts may make regulations specifying the matters in which, it shall not be necessary for State Public Service Commission to be consulted. But all such regulations made by the governor shall be laid before each House of the State legislature for at least 14 days. The State legislature can amend or repeal them.

Role

The Constitution visualizes the State Public Service Commission to be the 'watchdog of merit system' in the state. It is concerned with the recruitment to the state services and advises the government, when consulted, on promotion and disciplinary matters. It is not concerned with the classification of services, pay and service conditions, cadre management, training and so on. These matters are handled by the Department of Personnel or the General Administration Department. Therefore, the State Public Service Commission is only a central recruiting agency in the state while the Department of Personnel or the General Administration Department is the central personnel agency in the state.

The role of State Public Service Commission is not only limited, but also recommendations made by it are only of advisory nature and hence, not binding on the government. It is up to the state government to accept or reject that advice. The only safeguard is the answerability of the government to the state legislature for departing from the recommendation of the Commission. Further, the government can also make rules, which regulated the scope of the advisory functions of State Public Service Commission.

Also, the emergence of State Vigilance Commission (SVC) in 1964 affected the role of State Public Service Commission in disciplinary matters. This is because both are consulted by the government while taking disciplinary action against a civil servant. The problem arises when the two bodies tender conflicting advice. However, the State Public Service Commission, being an independent Constitutional body, has an edge over the SVC.

Finally, the State Public Service Commission is consulted by the governor while framing rules for appointment to judiciary service of the state other than the posts of district judges. In this regard, the concerned state high court is also consulted.

6.3.5 Staff Selection Commission

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Function of Commission
1. To make recruitment to (i) all Group "B" posts in the various Ministries/Departments of the Govt. of India and their Attached and Subordinate Offices.
2. To conduct examinations and/or interviews, whenever required for recruitment to the posts within its purview. The examinations would be held as far as possible at different centres and successful candidates posted, to the extent possible, to their home State/ Region.
3. In particular, to hold Open Competitive Examinations for recruitment to the posts are as follows: i) Lower Division Clerks in the various Ministries/Departments. ii) Grade "C" and Grade 'D" Stenographers of the Central Secretariat. iii) Assistants in the various Ministries/Departments. iv) Inspectors of Central Excise v) Sub-Inspectors in, Central Bureau of Investigation and Central Police Organisations; vi) Divisional Accountants, Auditors and Accountants vii) Junior Engineer (Civil and Electrical) in CPWD viii) Statistical Investigators ix) Tax Assistant x) Section Officer xi) Section Officer (Audit)
4. The Commission also holds Departmental Examination for promotion i) Lower Divisional Clerks to Upper Divisional Clerks Grade of the Central Secretariat ii) Stenographers Grade "D" to Stenographers Grade "C"
5. The Commission prepares schemes for recruitment to all Group "B" posts which are in the pay scale of ₹ 9300 to 34800 with a grade pay of ₹ 42000 or below and Group "C" non-technical posts in the Ministries/Departmental of the Govt. of India including its Attached and Subordinate Offices in consultation with the Departments concerned.
6. The Commission conducts examinations/selections for recruitment to all Group "B" posts which are in the pay scales the maximum of which is ₹10,500 or below and all Group "C" non-technical posts in the Ministries/Departments of the Govt. from time to time.
7. The Commission performs such other functions as may be entrusted to it by the Central Govt. from time to time.

6.4. Election Commission

The Election Commission is a permanent and an independent body established by the Constitution of India. It ensure free and fair elections in the country. Article 324 of the Constitution provides that the powers of superintendence, direction and control of elections to parliament, state legislatures, the office of president of India and the office of vice-president of India shall be vested in the election commission. Thus, the Election Commission is an all-

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India body in the sense that it is common to both the Central government and the state governments.

It must be noted here that the election commission is not concerned with the elections to panchayats and municipalities in the states. For this, the Constitution of India provides for a separate State Election Commission.

6.5 Comptroller and Auditor General of India

The Constitution of India (Article 148) provides for an independent office of the Comptroller and Auditor General of India (CAG). He is the head of the Indian Audit and Accounts Department. He is the guardian of the public purse and controls the entire financial system of the country at both the levels the Centre and the state. His duty is to uphold the Constitution of India and laws of Parliament in the field of financial administration. This is the reason why Dr. B.R. Ambedkar said that the CAG shall be the most important Officer under the Constitution of India. He is one of the bulwarks of the democratic system of government in India; the others being the Supreme Court, the Election Commission and the Union Public Service Commission.

6.6. Financial Administration

Financial Administration : Objectives

Financial administration which is characterised by deficit budgets, massive public debt and deficit financing.

These are as follows:

1) Management of the finances of public household
2) Implementation of projects and programmes
3) Provision for public goods and social services
4) Growth, Employment and Price Stability
5) Capital formation
6) Productive deployment of national funds
7) Facilitating smooth flow of parliamentary processes
8) Achieving equity and equality.

Principles of Financial Administration

The following may be listed as some of the important principles of financial administration

1) The principle of primacy of public interest, public choice and public policy
2) The principle of political direction and control
3) The principle of correspondence
4) The principle of unity of organisation and management
5) The principle of stability and balance
6) The principle of simplicity and flexibility
7) The principle of conduct, discipline and regularity

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8) The principle of public trust and accountability.

Four Distinct Phases- Financial Administrative History of India

Period I (1765-1858) - Creation of structure and concretisation.

Period II (1860-1919) - Development of systems and Procedures.

Period III (1919-1947) - Democratisation and Decentralisation

Period IV (1950-till date) - Development orientation.

New Emerging Trends - Financial Administration in India

1) Regulation and control of fiscal deficit
2) Cutback on non-development expenditure
3) Development of zero base perspective
4) De-emphasised public sector
5) Non-bureaucratic delivery of public goods and services
6) Focus on decentralized responsibility for financing development plans
7) Towards deregulation and liberalization

6.6.1 Enactment and Execution of Budget

Budgetary Cycle

In order to allow time for the executive and legislative processes to go through, budgeting is geared to a cycle. The process of approval is very significant in are possible form of government.

The cycle consists of four phases:

Preparation and submission;
Approval;
Execution; and Audit

At any given point of time, several cycles would be in operation and would be over lapping. Nevertheless, various segments of a cycle have different operational life.

Budget Preparation

In India, budget preparation formally begins on the receipt of a circular from the Ministry of Finance sometime during September/October, that is, about six months before the budget presentation. The circular prescribes the time-schedule for sending final estimates separately for plan and non-plan, and the guidelines to be followed in the examination of budget estimates to be prepared by the department concerned. The general rule is that the person who spends money should also prepare the budget estimates. Budget proposals normally contain the following information:

i) Accounts classification
ii) Budget estimates of the current year
iii) Revised estimates of the current year
iv) Actuals for the previous year; and
V) Proposed estimates for the next financial year.

Financial Year

When the first modern budget was presented in 1860, the financial year adopted by the government was from 1st May to 30th April. Beginning with the year 1866, however, the financial year was changed to 1st April to 31st March, in conformity with the practice in England.

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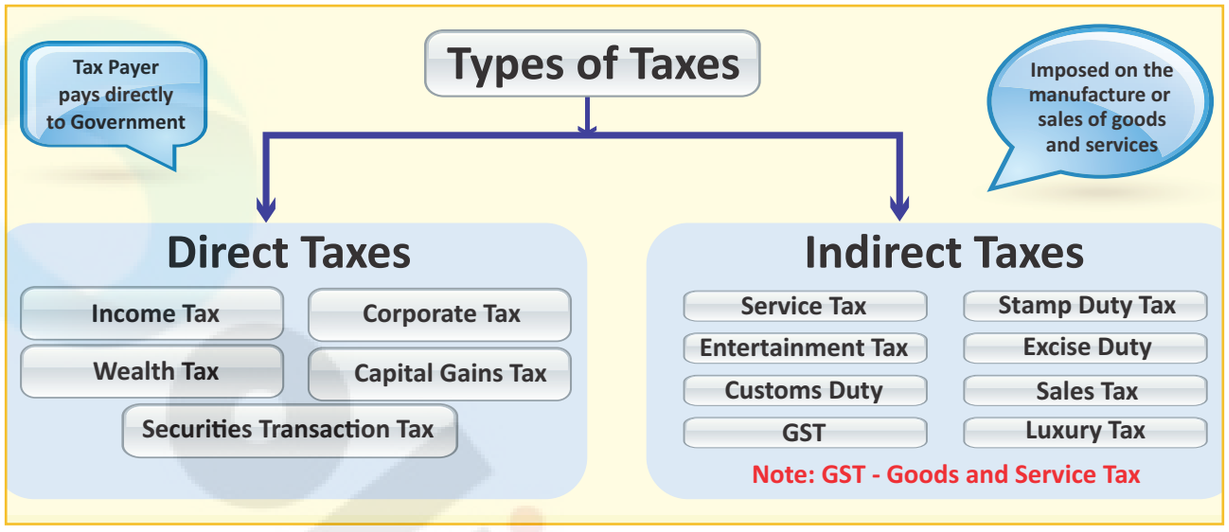
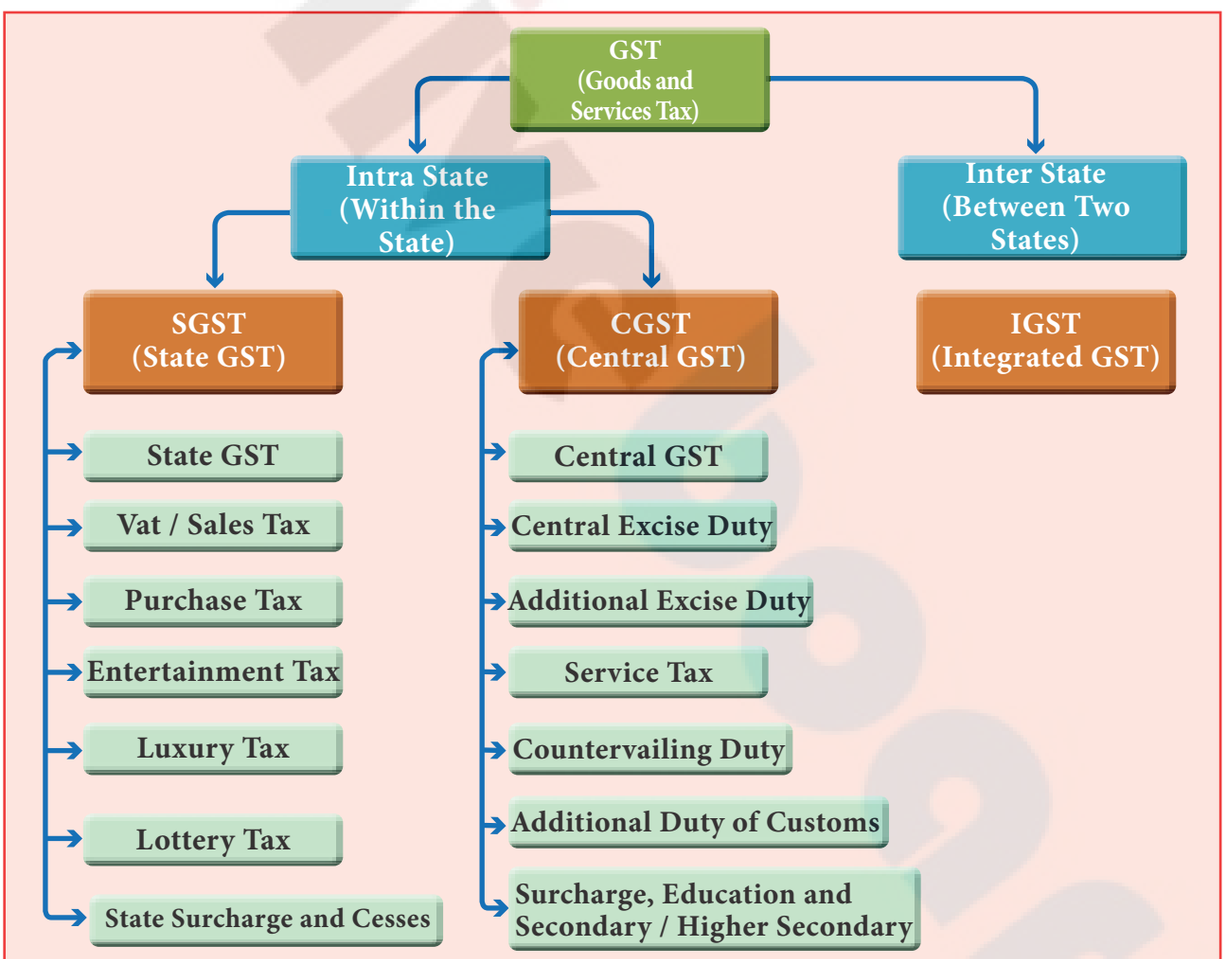
6.6.2 Tax Structure in India





GST Slab:

GST Tax slab of 5% - Skimmer, milk powder, fish fertilizers, Tea etc.
GST Tax slab of 12% - Butter, Cheese, Pickles, Fruit Juices, Tooth Powder, Medicine.
GST Tax slab of 18% - Icecreatm - Sauces, Mineral Water, Suit Case, Brief Case, Wrist Watches, Door
GST Tax slab of 28% - Pan Masala, Washing Machine, Vacuum Cleaner, Auto Mobiles, Motor Cycles

Commodities which will not cover under the ambit of GST.

Cooking Gas, Petrol, Diesel, Air Fuel, Natural Gas, Liquor except this all other goods comes under GST

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Glossary

- **Civil Service:** Those branches of public service that are not legislative, judicial, or military and in which employment is usually based on competitive examination. The entire body of persons employed by the civil branches of a government.
- **Appointment:** A non-elected government job. Most jurisdictions offer several kinds of appointments. A noncompetitive appointment is government employment obtained without competing with others, in the sense that is done without regard to civil service registers.
- **Civil Service Reform:** Civil service reform, which implies developing the capacity of the civil service to fulfill its mandate, defined to include issues of recruitment and promotion, pay, number of employees, performance appraisal and related matters.
- **Decentralization:** Decentralization is commonly regarded as a process through which powers, functions, responsibilities and resources are transferred from central to local governments and/or to other decentralized entities. In practical terms, decentralization is a process of striking a balance between the claims of the periphery and the demands of the centre.
- **E-democracy:** E-democracy is the utilization of electronic communications technologies, such as the Internet, to enhance democratic processes, including elections, forums and other participatory means. It is a relatively new political development, as well as the subject of much debate and activity within government, civic-oriented groups and societies around the world.
- **E-governance:** E-governance can be defined as the application of ICT tools in (1) the interaction between government and citizens and businesses, and (2) in internal government operations to simplify and improve democratic governance.
- **Good governance:** Good governance entails sound public sector management (efficiency, effectiveness and economy), accountability, exchange and free flow of information (transparency), and a legal framework for development (justice, respect for human rights and liberties) (World Bank).
- **Human Resources:** Human resources is a term with which many organizations describe the combination of traditionally administrative personnel functions with performance, Employee Relations and resource planning. The field draws upon concepts developed in Industrial/Organizational Psychology. Human resources has at least two related interpretations depending on context. The original usage derives from political economy and economics, where it was traditionally called labor, one of four factors of production. The more common usage within corporations and businesses refers to the individuals within the firm, and to the portion of the firm's organization that deals with hiring, firing, training, and other personnel issues.

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- **Integrity:** In public administration, integrity refers to "honesty" or "trustworthiness" in the discharge of official duties, serving as an antithesis to "corruption" or "the abuse of office." Integrity is a key element that completes the notion of accountability and transparency. It can also be defined as incorruptibility, an unimpaired condition or soundness and is synonymous to honesty.
- **Public Administration:** Public Administration is centrally concerned with the organization of government policies and programmes as well as the behavior of officials (usually non-elected) formally responsible for their conduct.
- **Transparency:** Transparency refers to unfettered access by the public to timely and reliable information on decisions and performance in the public sector, as well as on governmental political and economic activities, procedures and decisions
- **Welfare State:** Political system based on the premise that the government has the responsibility for the wellbeing of its citizens, by ensuring that a minimum standard of living is within everyone's reach. This commitment is translated into provision of universal and free education, universal medical care, insurance against disability, sickness, and unemployment, family allowances for income supplement, and old age pensions.

Evaluation

I. Choose the correct answer:

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1. Who appoints the members of the All India Services?
   a) The President
   b) The Union Home Minister
   c) The Chairman of the Union Public Service Commission
   d) The Attorney General of India

2. The Union Public Service Commission, which is concerned with the recruitment of civil services at the Centre,
   a) Was created through a presidential Ordinance in 1950
   b) Was created by an executive resolution which was duly endorsed by the Parliament
   c) Was provided in the Constitution
   d) Was provided under the Indian Independence Act, 1947.

3. The Composition of the Union Public Service Commission has been
   a) Laid down in the Constitution
   b) Determined by the Parliament
   c) Determined by the president
   d) Determined by the Union Home Ministry

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4. What is the chief function of the UPSC?

a) To conduct examinations for appointment to All India and Central Services
b) To advise the President regarding claims of civil servants for costs incurred in the course of execution of duties
c) to advise the President regarding disciplinary action against a civil servant
d) All the above

5. Members of the UPSC can be removed from office before the expiry of their term by

a) the Prime Minister
b) the Chairman of the UPSC
c) the President on the recommendation of the Supreme Court
d) The President on the recommendation of the Parliament

6. Which of the following has been wrongly listed at an All India Services?

a) India Police Service
b) Indian Administrative Service
c) Indian Foreign Service
d) Indian Economic Service

7. Which of the following is not a statutory functions of the UPSC?

a) To advise the government on the methods of recruitment, promotion and control of public services
b) To look after the interests and right of civil servants
c) To hear appeals from civil servants and redress their grievances
d) To act as a watchdog on the functioning of the state Public Service Commission

8. In India, new All India Services can be created

a) Through an amendment in the Constitution
b) By the Union Government in Consultation with the UPSC
c) By the Parliament
d) By the President on the Advice of the Union Council of Ministers

9. A member of a State Public Service Commission can be removed on the ground of misbehavior only after an enquiry has been conducted by

a) A committee appointed by the President
b) The Supreme Court of India
c) The High Court of the State
d) A committee appointed by the governor of the state

10. Expenses incurred out of the Contingency Fund of India are

a) Subsequently recouped by transferring savings from other heads of budget
b) recouped through supplementary, additional or excess grants by Parliament
c) not recouped till the whole fund is exhausted
d) recouped by collecting contributions from various states

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11. Which one of the following sets of Bills is presented to the Parliament along with the Budget?
    a) Contingency Bill and Appropriation Bill
    b) Finance Bill and Appropriation Bill
    c) Finance Bill and Appropriation Bill
    d) Direct Taxes and Indirect Taxes Bill

12. Under the Constitution, the Central Government collect various types of taxes, which it has to share with the state governments. Which of the following enjoys Constitutional authority to decide the share of the states in the taxes?
    a) The Union Finance Minister
    b) The Finance Commission
    c) The Planning Commission
    d) The Union Cabinet in consultation with the President

13. When an advance grant is made by the Parliament pending regular passage of the Budget, it is called
    a) Vote on Account
    b) Token Grant
    c) Supplementary Grant
    d) Vote on Credit

14. The Parliament exercises control over finances through several methods. Which one of the following has been wrongly listed?
    a) It prepare and passes central Budget
    b) It levies and collects the taxes
    c) It sanctions the amounts spent out of the Consolidated Fund of India

15. The Parliament of India generally holds three sessions. Which one of the following has been wrongly listed as a session of Parliament?
    a) Budget Session
    b) Monsoon Session
    c) Spring Session
    d) Winter Session

16. The Lok Sabha is superior to the Rajya Sabha because
    a) It is a directly elected house
    b) The Council of Ministers is accountable to it
    c) It controls the budget
    d) Of all the above reasons

17. A Joint Public Service Commission for two or more states
    a) Cannot be constituted under any circumstances
    b) Can be constituted by the Parliament on its own
    c) Can be constituted by the Parliament after a resolution to this effects is passed by the legislatures of the concerned states
    d) Can be constituted by the president on the recommendation of the Chairmen of the concerned State Public Service Commission

18. When was the Public Service Commission, a forerunner of Union Public Service Commission, was first of all set up in India?
    a) 1926 b) 1938 c) 1947 d) 1950

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II. Answer the following questions very shortly:

1. Define Public Administration.
2. Ministry of External Affairs.
3. What is Personnel Administration?
4. Write a short note on Indian Administrative Service.
5. Write a short note on UPSC.
6. Write a short note on SSC.
7. Write a short note on Financial Administration.

III. Answer the following questions shortly

1.Independent Regulatory Authority.
2.What is GST?
3.What is Informal communication?
4.Write about the two modes of recruitment to the All India Services.

IV. Answer the following questions detail

1. Write an essay about State Public Service Commission.
2. Write about the functions of SSC.
3. Explain the objectives of financial Administration.

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Unit 7 Challenges of Nation Building

Learning Objectives

- To outline the emergence and the phase-out of Princely States from pre-independence to post-independence
- To explain the need for the integration of Princely States in order to consolidate administrative and political fragments
- To compare the reasons between the apprehension of the Indian government and the insistence of citizens to reorganise States based on linguistic factors
- To discuss the effectiveness of the changes India underwent after the integration of Princely States and linguistic reorganisation of States
- To review the different Commissions set up by the government and Acts passed by the Parliament towards reorganisation of States
- To interpret the social, economic, political, linguistic, and administrative challenges of nation building
- To illustrate elaborately the various pressing factors that influenced the creation of Tamil Nadu State, thereby establishing a strong foundation for linguistic, ethnic, and political autonomy

7.1 Integration of Princely States

Emergence of Princely States in India

A 'princely state' or a 'native state' is a political unit of a larger administrative province, which either is ruled directly by monarchic lineage or serves as a subsidiary coalition with a more powerful monarchic government. These smaller administrative pockets were based on the political, cultural, lingual, and geographical landscape. In the westerns and central India princely states came into existence with the entry of Rajputs into the Indian sub-continent who migrated from Central Asia around 200 AD(CE). The word 'Rajput' means 'sons of kings'. Hence, princely states were established even before the Mughal and British colonial invasion. There were a number of Non-Rajput princely states too some ruled by Nawabs and Nijams, some ruled by native dynasties like Mysore, Travancore and Pudukottai. All those monarchical states subordinated to the British India were termed as Princely States. However, the word 'princely' was deliberately retained during the British regime, to ascribe subordination of the rulers in the sub-continent to the British Crown.

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Attempts at Integrating Princely States

As mentioned earlier, the princely states were fragmented administrative pockets and the subject of integration of princely states in the phase preceding Indian independence has a long history even before the Colonial invasion. Many dynasties attempted to integrate the princely states starting from the Maghadan Kings, Bimbisara, and Ajatasatru during Mauryans, Ashoka, Chandragupta and his son Samudragupta, all of them who almost managed to bring many smaller kingdoms together, but consolidating under one rule still remained a far cry. However, when the thirst for power, jealousy and frequent disagreements among kingdoms led to resentment and disunity, it paved way for Arab and Persian invasion, establishing the Moghul empire and eventually conquering the northern part of pre-independent India.

Princely States under British Raj

a) Gun Salute System:

Therefore, by the time European colonisation, i.e. the British, Portuguese, and French, started to take over, the disunity worked in their favour to establish their presence, initially through trade. Among the three, the British managed to institute sovereignty under the crown of many princely states but not all. There were 565 princely states in pre-independent India and, the 'gun salute' system under the British rule was an open gesture to announce the level of affiliation of a princely state to the British East India Company. Therefore, there were two kinds of princely states: 'Salute Princely States' and 'Non- Salute Princely States'.

b) Salute States

The 'Salute States' were States that had the British East India presence, and there were around 117 to 120 salute states. So, the heads, rulers, or princes of these states, were greeted with gun salutes. The number of guns used to salute a particular head of a State reflected the level of honour and prestige granted to a ruler. A 21-gun salute was the highest honour granted to a ruler and rulers of lesser ranks received a minimum of 9-gun salute. Some of the rulers who received the 21-gun salute include:

- His Highness the Maharaja Scindia of Gwalior
- His Highness the Maharaja Gaekwar of Baroda
- His Highness the Maharaja of Jammu and Kashmir
- His Highness the Maharaja of Mysore
- His Exalted Highness the Nizam of Hyderabad and Berar

Some of the rulers who received 9-gun salutes include:

- The Nawab of Sachin
- The Maharaja of Patna
- The Maharana of Wadhwan
- The Nawab of Loharu

c) Non-salute States

Among the 565 Princely States, only 117 to 120 were salute states, which implied there were many other States which were under the British rule or British Raj were non-salute states. The reasons include:

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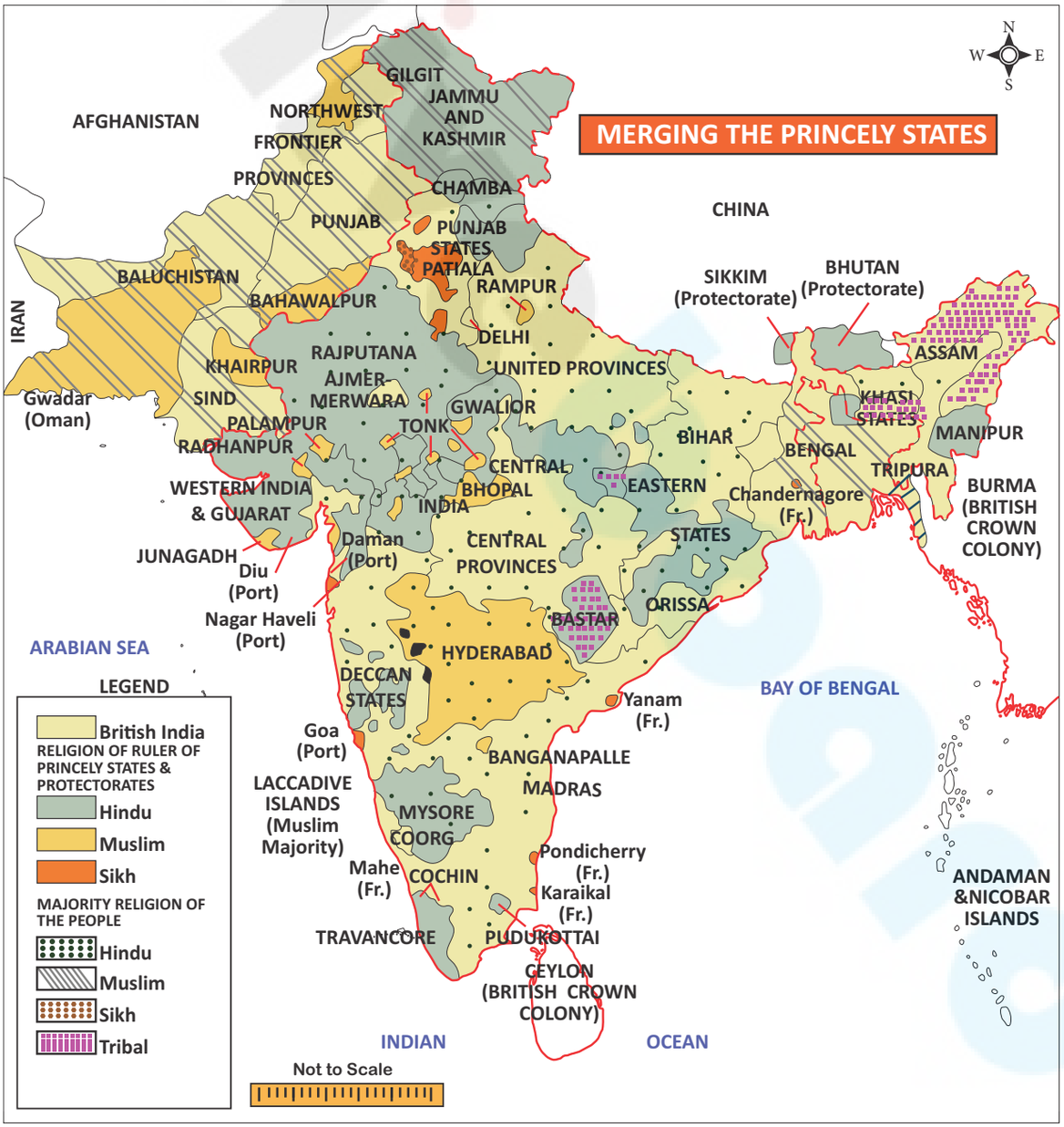
a) Some were not acknowledged as gun salute states
b) Some princely states were considered of lower prestige
c) Some princely states were obsolete but the rulers were permitted to their royal entitlements and even received pensions

Princely States of India

During the pre-independence phase, many princely states enjoyed the patronage of the British rule and were not eager to part with their privileges when the integration of States were proposed. Some of the rulers were looking forward to establishing finally their own independent State, and assert their autonomy, post-independence. A unification of princely states meant the end of British rule, as well as the dissolving of the princely states, and provinces. In 1947, the unification process began amidst high politics, diplomatic

Merging the Princely States



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negotiations and violence. The British Prime Minister, Clement Attlee, when addressing the House of Commons on 15th March 1946 acknowledged the fight for freedom and the lives lost towards the struggle for an independent nation. He also put forth the challenges that India would face given its complex cultural heritage. He said, "I am well aware, when I speak of India, that I speak of a country containing a congeries of races, religions and languages, and I know well all the difficulties thereby created. But those difficulties can only be overcome by Indians. We are very mindful of the rights of minorities and minorities should be able to live free from fear."

Activity

Identify the prominent personalities and discuss their contributions to our nation with your friend.

Nevertheless, the process towards nation building and negotiations to merge the States began in April 1947. Some of the problems faced towards nation building were communal riots, partition, and refugee crisis. Once India became independent, Sardar Vallabhai Patel took over as the Deputy Prime Minister and Minister of Home Affairs and the merging of 565 princely states began. He along with VP Menon, his Secretary, who did the groundwork as he was formerly an Indian civil servant, who had served the last three British viceroys, made political integration possible.

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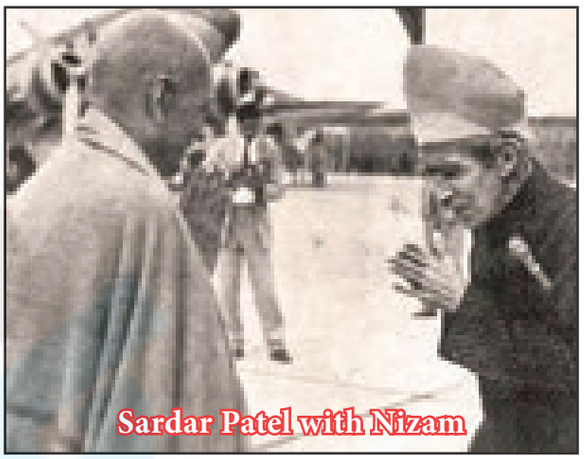
Sardar Patel and VP Menon convinced the heads of the Princely States to cooperate by joining the Indian Constituent Assembly. They were also promised that their personal assets and possessions would not be taken over by the government. Many princely states consented, except Junagadh, Kashmir, and Hyderabad who wanted to remain independent.

Junagadh

The Nawab of Junagadh, or his Dewan, Shah Nawaz Bhutto, father of Zulfikar Ali Bhutto, who later went on to become the President of Pakistan, both rejected the autocratic rule. Three States surrounding Junagadh, chose to be part of India, and the fourth side it is covered by the Arabian sea. The majority of the population were non-Muslims, nonetheless Dewan Bhutto joined Pakistan on 15th August 1947. People started to protest and insisted the Dewan to request the Indian government to take over the administration. By then, the Dewan had already flown with his family to Karachi, the then capital of Pakistan, along with the State's treasure.

Hyderabad

The Nizam of Hyderabad was yet another ruler who headed a State with predominantly non-Muslim population. However, Hyderabad was in the heart of India and anticipated independent status. Lord Mountbatten informed that it cannot become a Dominion. A 'dominion' meant a self-governing nation in the British Commonwealth. In addition, it became known that the Nizam became a prisoner of a communal organisation, Ittehad-ul-Musilmeen led by Kasim Razvi, whose armed volunteers were called 'razakars'. The Nizam had initially encouraged them but later lost control over their activities. In addition, the Nizam had also lifted the ban on imposed on Communist Party in 1943. The collaborated activities of the Razakars and the Communist party resulted in violence. Trains passing through the State were attacked. With barely any help from the Nizam, the Indian troops were sent into the State in September 1948. The Nizam was offered a large portion of wealth and privileges once he declared that Hyderabad will be part of India.



Sardar Patel with Nizam

As a result of the Communist anti-landlord uprising in Telangana region of Hyderabad was the Bhoodan movement, meaning the 'gifting of land'. The Bhoodan movement was initiated by Vinobha Bhave, a disciple of Mahatma Gandhi, who promoted the voluntary redistribution of land favouring the landless.

Jodhpur

Initially, Jodhpur had expressed their desire to join India, but when Maharaja Hanvant Singh took over as the ruler, he preferred joining Pakistan instead of India. Muhammed Ali Jinnah, allegedly offered Maharaja Hanvant Singh, free access to

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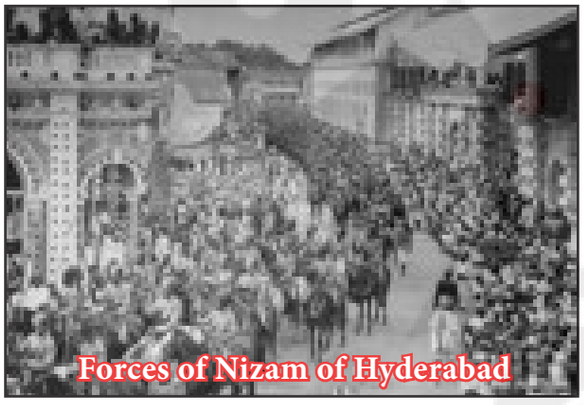
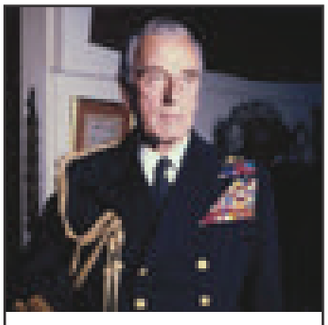
Karachi port, and arms manufacturing and importing them. Seeing the threat posed at the border, Patel made a better offer to Maharaja Hanvant Singh, by permitting importing of arms, rail connectivity between Jodhpur and Kathiawar and supply of grains to farmers during a famine. Fearing communal violence, because the population of Jodhpur were predominantly Hindus, Maharaja Hanvant Singh conceded to join India.


Forces of Nizam of Hyderabad

Kashmir

The only Princely State left was Kashmir, which had a Hindu ruler Maharaja Hari Singh. Since the majority of the population were Muslims, Pakistan assumed Kashmir belonged to them. Hence, on August 15th 1947, ruler Hari Singh proposed a standstill agreement allowing the mobility of people and goods. Pakistan consented but India refused, which provoked Pakistan to violate the Standstill agreement. When Hari Singh wanted military assistance from India,


Lord Mountbatten

Lord Mountbatten clarified that under the International law, India can send her military troops only if the State signs the instrument of accession, which Hari Singh promptly did, on 26th October 1954. On the very next day, 27th October 1954, the army was sent to Srinagar, ousting Pakistan from the Kashmir valley.

7.2 Linguistic Reorganisation of the State

Pre-Independence

Even before independence, the linguistic vibrancy of the land had a significant impact on mobilising movements and protests during the freedom struggle. Hence, the restructuring of the States based on vernacular languages was of strategic importance in integrating the States as one nation. In fact, when Annie Besant initiated the 'Home Rule Movement', there were more participants from the Southern region.

The plan for linguistic re-organisation began in 1917 by the Congress party; plans to redistribute the provinces on linguistic basis came to the fore and by the 1920s, there were expressions on the need to acknowledge vernacular languages for administration and formal education. In fact, many regional Congress members also insisted on linguistic provincials, especially the Andhra Provincial Congress Committee consolidated the Telugu speaking districts from the Madras Presidency in 1917. Noticing the rising demand for a linguistic assertion, the process of re-distribution of provinces began in 1927. After a long struggle that began in 1895, to separate from Bihar from the Odisha Province, Odisha became

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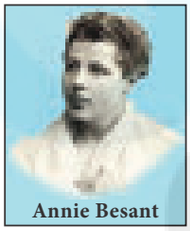
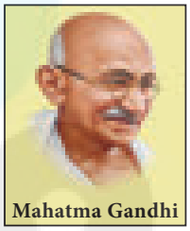
the first Indian State to be linguistically independent State in 1936. Prominent leaders such as Lokmanya Tilak, Annie Besant, and Mahatma Gandhi were all in favour of States reorganised on linguistic basis.


Annie Besant


Mahatma Gandhi

Bal Gangadhar Tilak

At the Wake of Independence

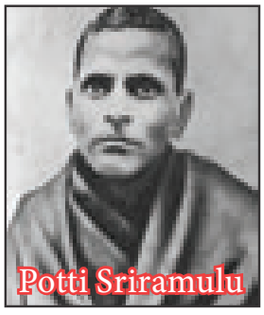
Once, India became independent, Congress was apprehensive about separating the States based on vernacular languages fearing more unrest, similar to the religious conflicts that lead to the partition. Eventually, in 1948, the Constituent Assembly set up the first Linguistic Province Commission (LPC), to review the practicality of linguistic provinces under the headship of Justice SK Dhar. This commission called, 'The Dhar Commission' did not favour the linguistic redistribution fearing threat to national unity and difficulty in the administrative process.

Such a decision did not go well with the citizens of the country, especially those in States with independent linguistic identity. Therefore, in 1948, Jawaharlal Nehru, Sardar Vallabhai Patel, and Pattabhi Sitaramayya, who was then the President of the Congress, set up the JVP Committee, to reconsider the demand of linguistic reorganisation.

The JVP Committee

Initially, the committee adamantly continued to oppose the reorganisation of linguistic States, insisting on higher ideals like unity and development. With the growing demand for linguistic autonomy, a report was generated enabling the creation of linguistic States. Agitation and movements across the country continued until the 1960s.

First Linguistic State


Potti Sriramulu

The first linguistic State was Andhra Pradesh comprising of Telugu speaking people established under pressure. Massive protests prevailed for a prolonged period, costing the life of Potti Sriramulu, who died on the 56th day of his hunger strike. Violent agitation followed all over Andhra Pradesh even after his death. Nehru was forced to declare the State of Andhra Pradesh, after merging Telugu speaking Hyderabad State and Andhra State in 1956.

State Reorganisation Commission

Heeding to the growing violent insistence for the creation of States based on linguistic factors from across the country, Jawaharlal Nehru appointed three members with Shri Saiyid Fazl Ali as the Chairman, Hridayanath Kunzru, and K.M. Panikkar as the members to set up the Fazl Commission, to review the demand for separate States. Finally, on 22nd December 1953, the Fazl Commission was in place. The Commission acknowledges four major criteria to consider for the reorganisation of the States based on languages, and the report was submitted

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in September 1955. The following were the recommendations in brief:

1. Linguistic and Cultural Homogeneity

To reject the ideology of a State speaking only one language because there are States where people speak multiple languages, whereas there are independent multiple States where communities speak the same language. For example, Hindi is spoken across the North Indian States.

2. Financial, Economic and Administrative Considerations

To ensure that the economic, political, and administrative functioning treats all sections of the society in a balanced manner because the Indian constitutions stand for equal rights and opportunities for all her citizens. To acknowledge that linguistic homogeneity aids in administration. However, it cannot be considered as a unifying principle, ignoring other aspects such as administrative, financial, and political.

3. Preservation and Strengthening of the Unity and Security of the Nation

To promote deeper nationalism, unilingual States must realise that a singular language will instill particularistic empathy, which should be countered with more positive and pluralistic measures to ensure deeper content to national feeling.

4. Planning and promotion of the welfare of the people in each state as well as of the Nation as a whole to meet the communicational, educational, and cultural needs of various linguistic communities, who either live in unilingual or multilingual communities of a particular administrative unit.

Eventually, the Commission suggested the reorganisation of the county into sixteen States and three Union Territories. The Indian government accepted the report, though it made few modifications and constituted the State Reorganisation Act in 1956. After the Act was passed by the Parliament, and the Indian government implemented it leading to the creation of 14 States and 6 Union Territories came into existence in 1st November 1956.

The States were Andhra Pradesh, Assam, Bihar, Bombay, Jammu and Kashmir, Kerala, Madhya Pradesh, Madras, Mysore, Odisha, Punjab, Rajasthan, Uttar Pradesh and West Bengal. The six union territories were Andaman and Nicobar Islands, Delhi, Himachal Pradesh, Laccadive, Minicoy and Amindivi Islands, Manipur and Tripura.

Emergence of More States

The reorganisation of States continued even after 1956, and not particularly based on vernacular language, after careful consideration by the Parliament. Some of the States that emerged after 1956 include:

- Bombay Reorganisation Act, 1960: Formation of Gujarat
- State of Nagaland Act, 1962: State of Nagaland, separate from Assam
- Punjab Reorganisation Act, 1966: Formation of Haryana
- New State of Himachal Pradesh Act, 1970
- North Eastern Reorganisation act, 1971: Formation of Manipur, Tripura, Meghalaya, Mizoram and Union

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territories of Arunachal Pradesh & Mizoram

- New State of Sikkim Act in 1975
- State of Arunachal Pradesh Act, State of Mizoram act 1986: Formation of the States of Mizoram and Arunachal Pradesh
- State of Goa Act in 1987
- Reorganisation Act, 2000: Formation of Chhattisgarh
- Reorganisation Act, 2000: Formation of Uttarakhand
- Bihar Reorganisation Act, 2000: Formation of Jharkhand
- Andhra Pradesh Reorganisation Act, 2014: Formation of Telangana

The formation of States remains a complex issue owing to various forms of diversity, such as culture, caste, religion, language, ethnicity, and even how a particular territory is geographically placed. Therefore, the undercurrent of the constant strife for a separate State lies in access to resources and more importantly asserting identity.

Activity

Draft a Commission to explore suggestions other than linguistic diversity to be a reason to create States. How can it contribute to the progress of the country?

7.3 India after Reorganisation

After 1947 – Independent India

During the British Colonial period, there were about 600 administrative units as the Princely States. Depending on the geographical, cultural, and religious preferences, people were given a choice to either stay back in the new country India or equally new country Pakistan. Meanwhile, there were other countries that were formed such as Bhutan. The current administrative units were formed between 1947 and 1950. Some places retained their boundaries from British India such as Mysore, Hyderabad, and Bhopal.

Amidst religious tensions, post-independence witnessed two nations, India and Pakistan. The independence of India led to the close of colonial rule and in the reorganisation of States, which were mostly based on languages, and the rest based on a geographical and cultural basis. Hence, the new nation of India was restructured and reorganised, which instituted easier governance and administration. The reorganisation of the country maintained cultural diversity, linguistic vibrancy, and glorious heritage. One of the primary concerns for the Indian government was to instil sentiments of unity and a deep sense of belonging to the country. During the national movement, Congress did take notice of the impact vernacular languages had in mobilising powerful participation towards freedom.

Immediately after independence, the same vigour had to be translated by redrawing the map of India, which was now destined for self-governance, replacing the colonial mapping, which had completely negated the local lingual, historical, and cultural dynamics of the land. The reorganisation of the States and granting self-governance to the States meant, the central government and the State government had to balance

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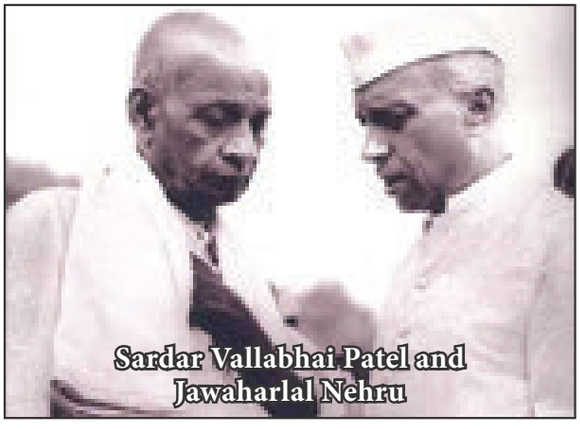
the powers. However, with the number of agitation that prevailed while restructuring the States based on language, made it clear, that the Centre was stronger than the States. Therefore, the process of nation-building was facing a new ordeal where the country was declared independent, but the States wanted a similar political consolidation based on ethnicity, geographical borders, language and more autonomy in local governance. The key leaders who paved the way for the restructuring include Jawaharlal Nehru and Sardar Vallabhai Patel. However, the pain of partition and circumstances under which the participation led to justifiable concerns for the two leaders. They did not want to divide the country any further because they had a vision a more pluralistic nation, a unified State than one that should be further divided based on any specific identity that differentiates people based on religion, language, or ethnicity. Hence, the apprehension to reorganise the States had its roots from past experiments and experiences. The former provinces and presidencies served the colonial administration, now the States had a specific cultural identity, linguistic individuality, economic viability, geographical placement, political improvement, and administrative convenience.


Sardar Vallabhai Patel and Jawaharlal Nehru

Challenges and Negotiations

After the establishment of States, with few more pending to get independent status as a State, the political and administrative history of India is placed within the democratic representation of the States, by legalising their political autonomy constitutionally.

Following the creation of the States, distribution of resources and right to access to resources became the next priority. Some States were large, and some were small. Some States, irrespective of their size, wielded more power than the rest. Therefore, the Central government had to ensure a balance was maintained between the developed and the underdeveloped States. This was ensured through assigning impartial supply of capital, development projects, and labour opportunities. Since the size of the States differed, smaller States raised concerns that the larger States would have more control over resources thus, moderating, or even violating the access of the smaller States to access resources. The result of such sentiments, will lead to resentment, worsen the economic disparity, and assert hegemonic usurpation of resources.

Post-independence, the cultural, social, political, linguistic, and economic restructuring process was implemented for specific political reasons. Restructuring could not be done with the language being the only criterion, because it stood in the way of national integration. It gave certain languages more privilege over the others, which did not go well with States whose linguistic population was lesser than other dominant languages. Therefore,

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structuring of States based on languages sparked a debate between national identity and linguistic-cultural identity. Some such communities include Bodos in Assam and the Coorgis in Karnataka. Even if two neighbouring States, spoke the same language, it still caused unrest concerning the assertion of national identity owing to caste, ethnic, and religious differences. Nevertheless, in 1950, 12 languages were recognised but later 22 languages were acknowledged, which shows the growing demand among linguistic-cultural communities aspiring for political identity.

Borders

Prior to independence, the land was divided into Provinces, Princely States, and Presidencies. Once States were declared, the borders had to be negotiated especially between States such as Karnataka and Maharashtra, Maharashtra and Gujarat, Haryana and Punjab, Odisha and West Bengal, and between Andhra Pradesh and parts of Madras Presidency.

Apart from the other differences, the dominant linguistic communities asserted their specific regional and cultural forms of power and identity. These very specific cultural and linguistic identities received patronage from the State. Here again, the State had to accommodate the cultural-linguistic minorities who spoke languages other than the language of the dominant population.

As expected, the dominant population started to assert their power over the minorities, by imposing the language of the dominant linguistic population in administration, education, employment, judiciary, and economy. To tackle the cultural autonomy, development issues, and regional inequalities. States had to strategise a standard agenda that ensured overall development of all linguistic communities. In spite of the efforts by the government to ensure uniformity, two cultures emerged, the elite and the mass.

Rise of Regional Political Parties

The regional parties across States started to emerge because of region-based identity movements and loyalty towards one's own region. Most of the political parties were capitalised on the local bases of power. The economic inequality and regional disparities slowed down the development pace and in some cases stalled progress. When regional political parties began to emerge, it meant more challenge for the Centre because the problems at the grassroots were not the same throughout the country.

Formation of States

The Parliament in recent context can form a new State by removing a particular locality from any State. Therefore, a single State has the potential to be multiple States. At the same time, the Parliament has the power to increase or reduce the land to be allotted for a particular State. Other powers include changing the boundary and even the name of the State. However, for all these changes to be implemented, a bill will be drafted and referred by the President to the legislature of the State that is in question. The legislature of the State will is granted a certain period to express their views of the State government and then a resolution will be presented before the assembly.

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Activity: T-Chart (Graphic Organizer)

T-Charts are a type of graphic organizer in which a student lists and examines two facets of a topic, like the 'pros' and 'cons' associated with it, its advantages and disadvantages, facts vs. opinions, etc.

Courtesy: The Hindu – 19.2.2014

Topic : Andhra Pradesh was formally bifurcated by an Act of Parliament on June 2,2014. The event marked the end of the decades-old movement demanding a separate state.

❖ Evaluating the pros and cons of bifurcation of Telangana.

Advantages	Disadvantages

Activity: Group Discussion

Topic : After Right to Information and Right to Education, do you think that the time has come for a Right to Healthcare legislation given the poor state of public healthcare infrastructure in our country?

If the State Assembly passes the bill, then the President recommends the introduction of a separate bill in the Parliament. If the Parliament passes the bill, then the President ratifies it and a new State comes into existence.

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Activity

Setting up a Political Party

Organise groups and ask them to set up political parties that adhere to the rules of the Indian Constitution. Explore the procedure from setting up a party, registering it with the election commission, to contesting in the elections.

7.4. Social, Economic and Political Challenges of Nation Building

The difference between a State and a Nation must first be examined.

The State: A State exists where there is a territory, a people, a government and sovereignty, it may lack the feeling of nationality or of oneness among the people and yet remain a State. The sense of belonging together creates a readiness on the part of the members of a State to subordinate their differences to the common good.

The Nation: The word nation comes from the Latin and when first coined clearly conveyed the idea of common blood ties. It was derived the past participle of the verb nasci meaning to be born, and hence the Latin noun nationem connoting breed or race. The term 'nation' emphasises the consciousness of unity among its people and according to the older view, a nation need not necessarily be a State.

Activity
Think-Pair-Share

Topic: Culture played an important role in creating the idea of the nation in India.

Nationality

The idea of nationality is not easy to define, for there is not one single factor to which it can be traced. It is essentially a sentiment of unity, the resultant of many forces; a community of race and language, geographic unity, a community of religion, common political aspirations, and above all historical development.

He argues that a nation comes into existence only when several elements have come together, especially economic life, language, and territory. According to Ernest Renan, "a nation is a soul, a spiritual principle – only two things constitute this soul: one is in the past; the other is in the present". One is the possession in common of a rich legacy of remembrances, and the other is the actual consent. The desire to live together, the will to continue to value the heritage, which holds in common, contributes to the feeling of nationality.

Challenges

Know-How: The problem was not only increasing production but also reducing disparities. Pandit Jawaharlal Nehru preferred a planned and mixed economy to make India a self-reliant modern nation without compromising its democratic and federal bases. Five years plans ensured plenty of irrigation schemes, institution of basic industries, speedy electrification and extensions of infrastructure facilities India was able to eliminate diseases like malaria, to ensure self-sufficiency in food production, and to evolve and accelerate development of modern science and technologies.

However, during the late 60th and early 70th there were signs of recessions, which lead to political disturbances.

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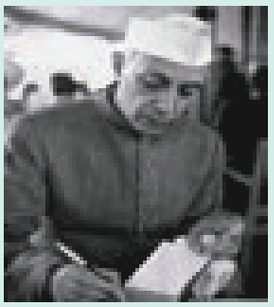
Nehru's letter to Chief Ministers on Nationalism. In 1953, after the success of Everest Expedition



"The final ascent of Everest has been a great achievement in which all of us should take pride. Here again there has been great pettiness and the narrowest type of nationalism shown by some people.

Controversies have arisen as to whether Tenzing got there first or Hillary, and whether Tenzing is an Indian national or a Nepalese national. It does not make the slightest difference ... Neither could have done so without the help of the other.

Indeed, both of them could not have done so without the help of the whole party, ... and the whole party could not have done so without the accumulated experience, labour and sacrifice of all their predecessors who tried to reach the top of Everest.

Great human achievements are always the result of combined endeavours in which numerous people take part. It may be that one person takes the last step, but the other persons also count and should not be forgotten.

For us to show a narrow and deplorable nationalism in such matters is not to add to the credit of our country but to lead people to think that we are petty in outlook and suffering from some kind of inferiority complex."

Wars with China and Pakistan added to economic miseries. Nationalisation of bank by Indira Gandhi, electronic revolutions introduced by Rajiv Gandhi did contribute to some positive changes. By 1990, India had come forward to adopt market oriented new economic policy, thus opening india to LPG (Liberalisation Privatisation and Globalisation)

Agriculture: The agriculture sector has been declining since the mid-1990s.There were several farmers suicides since 1990 and the export-oriented agriculture has ruined the farmers especially the cotton growing farmers in the Vidarbha region of Maharashtra.

India's agriculture sector, which houses more than 60 percent of the people, has grown at a rate of 1.65 percent between 1996/97 and 2004/05. This is cause for concern as it may produce India's second agrarian crisis. (The first one was at the beginning of the 1960s) Subsidies to the rich and middle-income farmers like free power, price supports, free water, and free fertilizer have not been reduced but a public investment that uplifts all has come down.

US$15 billion loan waiver for farmers announced in the populist Union budget of 2008/09 will not affect the majority of the marginal farmers. 80 percent of the marginal farmers do not have access to

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formal loans. Drought proofing 60 million hectares of arable land with the same amount of money would have produced results that are more inclusive.

Mandal Commission recommended reservation for OBCs in Unions educational and employment avenues.

Industry: The Industrial Disputes Act protects less than 10 percent of India's workforce, which means that more than 90 percent of the workers are in the unorganised sector. The public sector has unionised workers with greater bargaining power and the private sector keeps the workers from joining any union and from taking up any labour issues. Indian industry remains capital intensive, resulting in high-level unemployment in the formal sector. Unemployment is steadily rising resulting in informalisation and casualisation of work.

Activity

Discussion on Rights To Information Act

Land acquisition has become a major problem resulting in the displacement of tribals and their land. India's industrialisation is beginning to demand more and more land. Industrial land acquisition needs to be based on the consent of the local people. Acquisition needs to be preceded by compensation and welfare measures that rendered the acquisition of land for industrial purposes as a developmental endeavour. The current laws give the government substantial powers to acquire land. Forced land acquisition by the government has led to violent unrest in some parts of India.

Political Challenges: Interstate inequalities have increased in the post-1991 period. As the Central government's role in funding the State governments became less, the States needed to attract private investment. Some States have turned themselves a hub for foreign investment and some could not. This has resulted in the uneven development of States.

Union-State Relations: With more states in India coming under the influence of regional parties, the Union-State relations have suffered a setback. Earlier, the party in the centre and most of the states were same now the parties ruling the states are different and the regional parties are asking for more state autonomy and a greater role for the Inter-State council. They are also asking for more sharing of the finances from the centre (as the financial relations of the State are limited).

Challenges in Economy: Deaton and Dreze point out that the number of Indians living at less than a dollar a day has come down, even though there is a substantial debate about the extent of decline in the poverty rate. According to one widely quoted estimate, between 1993/94 and 1999/2000, the number of Indians living at less than a dollar a day came down from 36 percent to 26 percent. This means that India has about 270 million absolutely poor people when the figure for China is about 110 million.

Human development in areas such as primary education and health leave a lot to be desired. The result is that even though there has been a decline in the number of people below the poverty

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line, a strategy of inclusive growth would have achieved poverty alleviation more rapidly.

A shift to LPG since 1990 also resulted in increasing disparities leading to extensive socio-political unrest in different parts of the country. The scheduled caste, the scheduled tribes and other Backward communities, need to be given more attention, so as to ensure social integration and national unity.

Social Challenges: India's public health record presents a dismal picture during the reform period. The infant mortality rate declined by 30 percent in the 1980s but the same declined by only 12.5 percent in the 1990s. India's (80/1000) infant mortality rate was lower than Bangladesh's (91/1000) in 1990. In 1999, India's infant mortality rate (71/1000) had overtaken Bangladesh's (61/1000).

Communalism: India has witnessed communal violence since the time of partition. Political parties, movements with ulterior motives, fundamental groups spread the stories of hatred among the different communities. It is the 'narratives of hatred' spread by these groups that result in the communal clashes. Minorities are often victims of the communal clashes and their property and livelihood are greatly affected.

Caste and Gender Discrimination: Caste clashes and caste discrimination continues to be a major challenge for nation building. In spite of strict laws passed against untouchability, the practice continues in places where the caste system in pronounced. (Dis) honour killing is a major blow to the inter-caste marriages in India.

Women are not treated equally to men is a reality and their representation in politics is abysmally low and Violence Against Women (VAW) is increasing. 33% reservation of seats for women in the parliament and assembly seats are yet to be materialised.

The major challenge for India's development is inclusive growth. Growth has unambiguously reduced poverty and improved the human condition in India. However, the gains of the middle and richer classes have been greater than those that went to the poorer sections of society. This is evident from the fact that reforms in areas such as telecommunications, banks, stock markets, airlines, trade and industrial policy have not been matched by agricultural and human development. India's industrialisation continues to be capital and knowledge-intensive at a time when over 250 million people survive on less than a dollar a day. If India grows in this way it will take a longer time to eradicate poverty, illiteracy, and malnutrition. Moreover, slow progress in human development in areas such as education and health will make it tougher for India to grow in the long run.

The socio-economic and political challenges highlighted above are major challenges to nation building.

Activity

Development Plans

Frame 4 development projects that are State specific. Two development projects should target rural areas and two development projects that target urban areas.

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7.5 Formation of Tamil Nadu State

In the year 1802, Lord Wellesley created the Madras Presidency. Until the second half of the 18th century, the different small Kingdoms ruled South India. The British conquest of South India led to the integration of different

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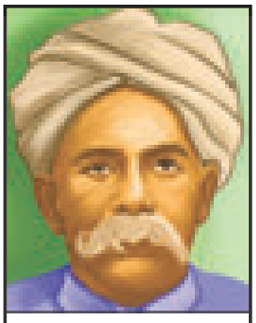
Kingdoms into one. This Madras Presidency was an administrative subdivision of British India. This administrative subdivision included the present day Tamil Nadu, Andhra Pradesh, some parts of Odisha, Kerala, Karnataka and the Lakshadweep. After the Independence Madras Presidency became the Madras State. Then due to the linguistically based reorganisation of Indian States on November 1, 1956, the new separate State for Tamils was created that was formerly known as the Madras State. Later the name of Madras State was renamed as Tamil Nadu after the great political struggle of Tamil people.

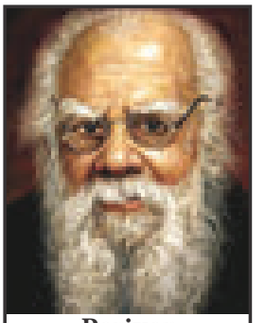
The Emergence of Linguistic Nationalism

In the early 20th century along with the national consciousness, the linguistic regional consciousness also emerged in the different parts of India due to the influence of the vernacular press and regional political associations. The 'Indian Nation' imagined by the Indian National Congress, a leading body of Nationalist movement contained several problems. One of the problems was it gave the honoured position of national language to Hindi. This created the way for the emergence of Tamil linguistic sub-nationalism in the second decade of the 20th century. It witnessed the emergence of the non-Brahmin movement as a complex issue that included caste conflict, linguistic nationalism and class struggle. T. Madhavan, Tyagaraja, and other non-Brahmin leaders formed the South Indian Liberal Federation.



Tyagarajar

T. Madhavan



Periyar
E.V. Ramaswamy

Bhaktvatsalam

Later it was popularly known as the 'Justice Party'. Justice Party was had contested in the provincial elections of Madras at 1920, and it emerged victoriously and formed the government. From 1920 to 1937, it formed four out of the five ministries. Finally, it lost to Congress in the 1937 election, it never recovered. Later emerged the leadership of Periyar E.V. Ramaswamy and his 'Self-respect Movement'. These movements created great influence in the Tamil people's cultural and political life. The consciousness of Tamil nationalism emerged in South India due to the impact of these movements.

The Idea of Dravida Nadu

Indian National Congress strengthened its organisation in Tamil country through the Civil- Disobedience

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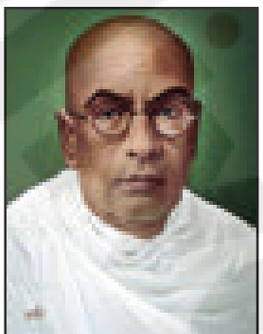
Achutha Menon

N. Sreekantan

Movement. In 1937, Congress won the Madras legislative assembly election and Rajaji became the Chief Minister. After

Maraimalai Adigal



Tiru. Vi.Kalyanasundaram

that he prioritised and implemented two public policies, first one was abolishing untouchability and the second one was adopting Hindi as the National language. Rajaji announcement that Hindi should be a compulsory subject in schools was perceived as an insult to the non-Brahmins pride as Dravidians/Tamilians. EVR Periyar and other Self-respect Movement members organised marches and massive anti-Hindi conferences. (Shiga Miwako and Karashima Noboru, Ed. 2014) Tamil scholars like Maraimalai Adigal, Tiru.Vi.Kalyanasundaram and others convened a lot of public meetings and created awareness among the people about the imposition of Hindi. EVR Periyar extended his wholehearted support to this agitation. He raised even a slogan, 'Tamil Nadu Tamilarukke' (Tamil State for Tamils). He organised the Dravida Nadu Conference in 1939 and demanded the separate Independent 'Dravida Nadu'.

Kamarajar and Rajaji

A consequence of this protests was the demand for the separated state for the non-Brahmin people, which also included the Tamils, Telugus, Kannadigas and Malayalees. In 1944, E.V. Ramasamy reorganised the Justice Party into Dravidar Kazhagam in the Salem conference in order to streamline the voice of the Tamils upon the social cause and for the upliftment of the Tamils. Periyar's Salem Conference was noted for its militancy and mass arousing spirit. Now, the object of the Dravidar Kazhagam was to proclaim a sovereign independent Dravidian Republic, which would be federal in nature with four units corresponding to the linguistic divisions, each having residuary powers and autonomy of internal administration. However, the struggle for Dravida Nadu could not get the support outside the Tamil speaking territory.

The Idea of the State of Dakshina Pradesh

Rajaji initiated the creation of a new concept of political state in South India. This initiation was to counter the Dravida movement. *Dakshina Pradesh* means the amalgamation of Tamil Nadu and Kerala. He spread his ideology through his followers like C.Subramaniam, Bhaktvatsalam, and some others. Rajaji's political idea was vehemently opposed by most of the political parties of South

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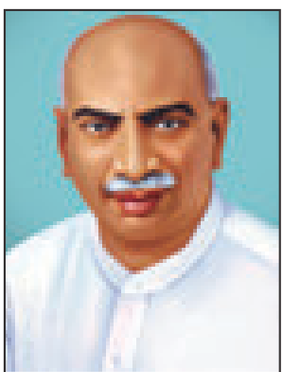
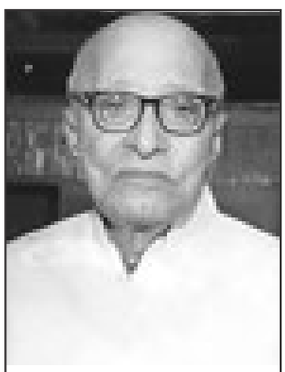
India. Sreekantan of the Revolutionary Socialist Party, Achutha Menon of Cochin Communist Party and A.K.Gopalan leader of the Travancore Communist Party strongly opposed the idea of the State of Dakshina Pradesh. E.V. Ramasamy wrote an editorial column in the press, *Viduthalai* and requested all Tamils to send telegrams against the formation of Dakshina Pradesh to the Chief Minister of Madras Government. Meanwhile, the people of Karnataka also opposed the concept of Rajaji, particularly Sardar Sarana Gowda of Karnataka People's Party. However, Rajaji and his supporters once again raised the concept of Dakshina Pradesh at Amritsar Congress Conference in 1956. There, K.Kamaraj, Chief Minister of Madras State reflected people's resistance and stood against Dakshina Pradesh. He opposed the Dakshina Pradesh concept in all the public meetings and it had aroused a great spirit among the Tamils, who were ready to fight against the concept of Dakshina Pradesh.



K.Kamaraj



Rajaji

Linguistic Reorganisation of Indian States after Independence

The demand of States on linguistic basis was developed even before the independence of India under British rule. After independence, the first ten years of nation-building between 1947 and 1956 saw the issue play a decisive role again and prompted the formation of two major policy directions: one was the official language policy and other the reorganisation of States, that is, federal restructuring. The reorganisation of the States on the basis of language, a major aspect of national consolidation and integration, came to the force almost immediately after independence.

The boundaries of provinces in pre-1947 India had been drawn in a haphazard manner as the British conquest of India had proceeded for nearly a hundred years. No heed was paid to linguistic or cultural cohesion so most of the provinces were multilingual and multi-cultural. The case for linguistic States as administrative units was very strong. Language is closely related to culture and therefore to the customs of people. Besides, the massive spread of education and the growth of mass literacy can occur through the medium of the mother tongue. Democracy can become real to the common people only when there is politics and administration or judicial activity unless a state is formed on the basis of such a predominant language.

Formation of Tamil Nadu

The formation of Tamil Nadu, based mainly on political trends and conceived after the linguistic status reorganisation, emerged as an offshoot of the freedom struggle of India. The trends and development in the socio-political scene of Madras-based on the Linguistic Movement. The States Reorganisation Commission submitted the final report

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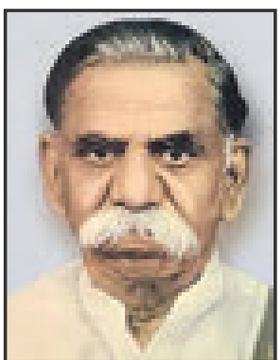
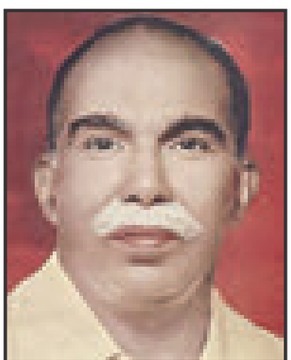
in 1955. It recommended the creation of the States of Madras, Mysore, and Kerala. According to States Reorganisation Commission, the new Madras State came into existence on 1st November 1956. The States Reorganisation Act, 1956 was a major reform of the boundaries of India's States and territories, organising them along linguistic lines. The State Reorganisation Commission recommended on the basis of the percentage of the people speaking Tamil, in the four taluks namely Agasteeswaram, Thovalai, Kalkulam, and Vilavancode to Tamil Nadu from the State of Travancore. The same yardstick was applied for the transfer of Shenkotta taluk to Tamil Nadu. However, while dealing with Devikulam and Peermedu (Idukki), even though the majority was Tamil speaking people and the representatives to the State assembly were Tamils the Commission used a different yardstick and recommended to retain in Travancore – Cochin State due to geographical reasons. For the first time in history Tamil Nadu has been created as a distinct linguistic State.



Ma. Po. Sivaganam



Jeevanandam

Struggle for Renaming Madras State into Tamil Nadu

After the attainment of a separate State for Tamils, they were not fully satisfied since they wanted to change the name of the State from Madras to Tamil Nadu. The struggle for the renaming of Madras State into Tamil Nadu continued for more than a decade. The States Reorganisation Commission had not recommended for the adoption of the name Tamil Nadu for the reorganised Madras State. Ma.Po. Si, tireless efforts an all-party conference was convened on 27th January 1956 which called for a general hartal on 20th Feb 1956. A number of protests and agitation took place in Madras State. Sankaralinganar, a freedom fighter and one of the disciples of Gandhi who belonged to Virudhunager demanded to rename Madras State as Tamil Nadu. He observed fast unto his death from 27 July 1956 to his last breath on 13th October 1956. The death of Sankaralinganar created a mass struggle in Madras State. College students, labourers, women, and different organisations openly participated in the movements. Later this affected the politics of Madras State. Owing to the influence of these movements, Congress lost its popularity among the people. Finally, it reflected in the 1967 general election, when Congress was totally swept away from Tamil Nadu and Dravida Munnetra Kazhagam (DMK) captured political power. DMK renamed the Madras State as 'Tamil Nadu'.

Activity

Trace the various movements in different cities within Tamil Nadu during the formation of the State. What were the different rallies and protests other than the ones mentioned in the text organised across Tamil Nadu?

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TAMIL NADU - DISTRICT

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Multi Culturalism, Diversity and Process of Nation Building

The new Indian nation evolved during the post-mutiny colonial period, through the national movement, was inspired by past experiences, and emerging ideas of democracy, liberalism and federalism. The age of monarchies were gone forever, the era of religious states too were gone. In an age of liberal democracy, peoples' will, rights and their linguistic, cultural identities, and their economic development have to be the basis of nation building. The great nation builders of modern times like Mahatma Gandhi and Jawaharlal Nehru were against religious or cultural nationalism (Hindu Nationalism, Muslim Nationalism or Two-Nation Theory. They acknowledged the plural base of emerging new India, hence advocated a democratic liberal and federal India. However, many thinkers have pointed out that the constitution of our New India through called India a union of states did not provide adequate financial and political powers for the constituent states. Over centralization along with insistence on a single national-official language (i.e.Hindi) replacing English would erode into the cultural and linguistic identity of the constituent regions. Jawaharlal Nehru could see the perils involved in replacing English with Hindi, hence gave an assurance on the continuance of English as long as the non-Hindi people desired the same.

Activity

Trace the various movements in different cities within Tamil Nadu during the formation of the State. What were the different rallies and protests other than the ones mentioned in the text organised across Tamil Nadu?

Glossary

- **British Commonwealth :** An association of nations involving the United Kingdom and many former British colonies that later became independent states but continue to pledge allegiance to the British Crown are British Commonwealth.
- **Cultural Homogeneity :** A State promoted standardisation of culture that interconnects the States, based on the supposition of establishing an ideal unified community is Cultural Homogeneity.
- **Constituent Assembly :** A body of representatives, who are elected by popular vote, with the objective of creating, changing, or drafting a constitution, i.e. a legal system that determines the fundamental political principles of a government is a Constituent Assembly.
- **Dominion :** A self-governing nation in the British Commonwealth is Dominion.
- **Dravidar Kazhagam :** A revolutionary movement that aimed at streamlining the voice of the Tamils towards social cause and for the upliftment of the Tamils is Dravidar Kazhagam.
- **House of Commons :** The lower house of the Parliament of the United Kingdom, whose members are elected

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by people. These members are known as 'Members of Parliament'.

- **Inter-state Council :** A constitutional body set up to develop and encourage a support system between the Centre and the State to improve the Inter-State coordination and cooperation in India is Inter-state Council.
- **Monarchic Government :** A kingdom or an empire ruled by king or a queen is monarchic government. However, in a constitutional monarchy, the powers of the monarch are limited but in absolute monarchy, the powers of the monarch are limitless.
- **Presidency :** A large administrative unit under the British Colonial rule that was governed by a Governor General, or Generals, appointed by Viceroys was called a Presidency. The three Presidencies under the British rule were the Bombay Presidency, the Calcutta Presidency, and the Madras Presidency.
- **Princely State :** Also known as a 'native state', a Princely State is a political unit of a larger administrative province that either is ruled directly by monarchic lineage (Indian royal family) or serves as a subsidiary coalition with a more powerful monarchic government (Colonial rulers).
- **Provinces :** A smaller administrative unit than a Presidency that was under the British Colonial rule was called a Province.
- **Taluk :** A tax or administrative district in some South Asian countries is a Taluk.
- **Union Budget :** The Union Budget also known as, the 'Annual Financial Statement' is the account or estimation of the Indian government's finances, i.e. receipts and expenditure for the fiscal (financial) year. The fiscal year begins from 1st April to 31st March. The Union Budget is of two types: Revenue Budget and Capital Budget.
- **Union Territories :** An administrative unit that comes under the governance of the Central government is a Union Territory. During the reorganisation of States, some administrative units were too weak, economically unstable, or were smaller in geographical area to be declared a State. Hence, these places were declared as Union Territories.
- **Viceroy :** An official of country, colony, or province, who rules as the representative of his or her king or sovereign is a Viceroy.

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Evaluation

I. Choose the correct answer:

1. What did the highest honour, the 21 gun salute granted to a royal member of a Princely State, indicate during the Colonial period?
   a. The Princely State has the strongest armed forces
   b. The Royal Member is the ruler of the largest Princely State
   c. The Princely State actively collaborates with the East India Company

YG1PIZ

2. Who is the author of "India's Struggle for Independence?"
   a. Hridayanath Kunzru
   b. Prof. Bipan Chandra
   c. Pattabhi Sitaramayya

3. Choose the States that were formed once the State Reorganisation Act was passed by the Parliament in 1956
   a. Andhra Pradesh, Punjab, Manipur, Tripura
   b. Andhra Pradesh, West Bengal, Madhya Pradesh, Bihar
   c. Andhra Pradesh, Laccadive, Odisha, West Bengal
   d. Andhra Pradesh, Tripura, West Bengal, Madras

4. How should Industrial Land Acquisition be processed and compensated?
   a. i. Obtain the consent of the local people
      ii. Compensate with welfare measures
   b. i. Obtain approval from the government
      ii. Compensate the displaced tribal people
   c. i. Obtain consent to set up the industry from the government
      ii. Compensate the government for providing land to set up the industry

5. Periyar E.V. Ramaswamy's 'Self-Respect Movement' triggered which of the following:
   a. Formation of the State of Tamil Nadu
   b. Abolition of Madras Presidency
   c. Inculcation of Tamil nationalism consciousness

6. What is the reason for State governments to seek foreign or private investment? Check more than one reason
   a. Private investments provide more funding
   b. Uneven distribution of funding among States by the Central government
   c. Increasing unemployment
   d. All of the above
   e. None of the above

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7. In 1956, Jawaharlal Nehru was forced to declare Andhra Pradesh as an independent State on linguistic grounds, owing to mass protests turned violent after:
   a. Resistance by the Nizam of Hyderabad to concede to the demands of India
   b. Hunger strike by Potti Sriramulu resulting in his death
   c. Protests by Vishalandhra movement

8. In 1950, how many languages were recognised?
   a. 26
   b. 22
   c. 12

II. Answer the following questions very shortly:

1. What did the Gun Salute system signify?
2. Define a Presidency and a Province
3. State the motivation of the Bhoodan movement.
4. Name the States that emerged from the former Madras Presidency.
5. List at least three Princely States along with their rulers who resisted merging with India after independence.

III. Answer the following questions shortly:

1. Distinguish between a Nation and a State.
2. Outline the reasons for communal violence.
3. How did the Dhar Commission respond to linguistic redistribution?
4. Why did Jawaharlal Nehru felt pressured to declare the first linguistic State?
5. Explain the role of VP Menon in merging the Princely States.

IV. Answer the following questions detail:

1. Discuss the emergence of regional political parties in the creation of linguistic States.
2. Describe the role of the Fazl Commission in linguistic State reorganisation.
3. Identify five major challenges in the process of Nation building in India.
4. How significant is the 'Self-respect Movement' in shaping Tamil identity?

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Unit 8 Planning and Development Politics

Learning Objectives

- To understand the meaning, evolution and objectives of planning.
- To trace the formation of the Planning Commission of India; to study the composition and functioning of the Commission.
- To examine the role of the Planning Commission towards achieving the ideals enshrined in the Indian constitution.
- To discuss the formation of NITI Aayog and to understand its composition and functioning.
- To understand the process of industrialization in India and to examine the role of the government in industrial development and regulation.
- To trace the process of land reforms in India.
- To examine the introduction of green revolution in India and to study its impact on the Indian economy.
- To discuss about white revolution in India and to examine its achievements.

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8.1 Planning: Meaning, Evolution and Objectives

Planning before Independence

Planning exists in all economies and political systems. A planned system aims at the systematic utilization of the available resources of the state for a long term progress. It is a process where the state aims to increase its output, national dividend, employment and also enhance the social welfare of the people. In such a system, all productive units in a country use their resources according to the directives of the government which is the central authority for development. It also includes laying down targets for public and private enterprises by the state. The state regulates and controls the functioning of both the private and public enterprises. All economic activities of the State are regulated by the government for the progress of the nation and the welfare of the people.

The modern state assumes welfare functions. Unlike the olden days, when states were "police states" concerned only with the security of the population and law and order, the welfare states have a wider role to play. They not only give good governance but also ensure socio-economic justice to the people. The democratic form of government gives opportunities and scope to realise the welfare state objectives of the modern state. The state recommends and implements socio economic reforms so that nations can shed their backwardness and move towards development. In India,

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the Planning Commission was set up with the objective of having a systematic process of planning in the nation so that the right strategy could be used for the appropriate utilization of resources of the country, for the needs of the present and the development of the future.

Activity

Group Discussion

Teacher can divide the class into five groups. Each group consists of three or five members and discuss the examples given below in the class.

What may be development for one may not be development for the other. Discuss.

Example 1: More wages means development for a worker, but it can go against the entrepreneur.

Example 2: A rich farmer or trader wants to sell food grains at a higher prices but a poor worker wants to purchase it for low prices.

Example 3: Construction of a dam means more and cheap power, but people who will lose their habitat will demonstrtate.

Example 4: To get more electricity, the industrialists may want more dams. But this may submerge the agricultural land and disrupt the lives of the people.

In this scenario it is worthy to follow the concept of sustainable development.

The need for economic planning was realized in India even before independence. In 1936, M.Visvesvarayya published a book entitled 'Planned Economy for India' in which he proposed a ten year plan for India. He is considered a pioneer of economic planning in India. In 1938, the National Planning Committee was

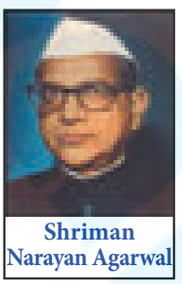
M.Visvesvarayya

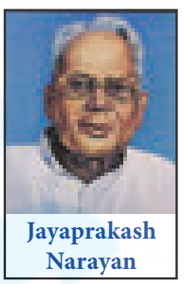
Jawaharlal Nehru

Netaji Subhash Chandra Bose

initiated within the All India Congress Committee by Netaji Subhash Chandra Bose. It had the task of preparing an economic plan for India so that many of the economic problems of the nation could be addressed. The committee could not complete its task due to the outbreak of the world war II and the imprisonment of some of the national leaders. In 1944, the Bombay Plan was prepared for economic development by Indian industrialists M.N.Roy. He proposed a plan which was called People's plan which gave more importance to agriculture and small scale industries. Later, the Gandhian Plan was put forward by Shriman Narayan Agarwal in 1944 and in 1950 Jayaprakash Narayan drafted the Sarvodaya plan. All these plans aimed at improving the economic conditions of the nation.

M.N.Roy


Shriman Narayan Agarwal


Jayaprakash Narayan

Planning after Independence

After Independence, the Directive Principles of State Policy were enshrined in Part IV of the Indian constitution to ensure socio-economic justice for the people.

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The constitution makers understood the importance of economic development along with guaranteeing social justice. Thus planning was considered essential for the long term development. Accordingly, the Government of India adopted planning as a means of fostering economic development. The Planning Commission was set up with the objective of increasing production so that higher levels of national and per capita income could be achieved. It aimed at guaranteeing employment and narrowing the gap between the rich and the poor. It also aimed at establishing an egalitarian society by giving a wider role to the state so that the goal of socio-economic justice could be guaranteed and economic development could be realised.

8.2 Planning Commission of India

The Planning Commission of India was set up in March 1950 by a resolution of the Government of India under the chairmanship of Pandit Jawaharlal Nehru - the first Prime Minister of India, to prepare a plan for the "most effective and balanced utilization of the country's resources". The Planning Commission played an advisory role with regard to the formulation of the plans. It was the duty of the Central and state governments to implement the planning programmes.

Activity

Identify the specific target and achievement focus of each of the 12 Five Year Plans.

Functions of Planning Commission

The Planning Commission had the function of assessing the resources of the nation so that they could be developed for the future needs of the country. These included material, capital and human resources. It was the primary duty of the Commission to prepare the plans so that these resources could be used in an effective and balanced manner. The resources had to be allocated among various sectors as per priorities and the stages of progress and completion of programmes was to be laid down to the Commission. The Commission had to identify the conditions and issues that would be a hindrance for development.

Activity

Think-Pair-Share

Topic 1 : Human development is the essence of social development

Topic 2 : Money cannot buy all the goods and services that one needs to live well.

It had to examine the ways by which the plan could be effectively implemented in the prevailing conditions of the nation. It also determined the stage by stage execution of the plan. The planning process had to be assessed periodically so that right strategies could be used to implement the plans. In the process, the Planning Commission had the function of advising the central and state governments with regard to the appropriate strategies of planning. The Commission also had to analyse particular issues and advice on it to the government. It was the role of the Commission to determine the rate of growth of the economy specifying the targets of the plan period for every sector.

Composition and Organization

The Planning Commission consisted of the Prime Minister and four full time

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members and a few part time members who were of cabinet rank. The full time members were persons who have excelled in the technical field, economy and administration. The Prime Minister is the chairman of the Planning Commission enabling the coordination of the functions of the Commission.

As per the recommendations of the Administrative Reforms Commission changes were made in the composition of the Commission. It included the Prime Minister as the Chairman who presides over the meetings of the Commission, a deputy chairman who is the de-facto executive head and who has the responsibility of formulating the drafts of the plan to the central cabinet, a secretary, four full time members and some cabinet ministers as part-time members. The Finance Minister and Planning Minister are ex-officio members of the Commission and a member secretary who is usually a senior IAS officer are also part of the Commission. The functioning of the administration was coordinated by the additional secretary. Senior officers in the ranks of deputy secretaries and under secretaries had to monitor the progress of the programmes. There were no representatives from the state government and it was a central body.

The Planning Commission of India worked on the principle of collective responsibility. It had three organs namely the General Division, Subject Division and the Administrative Division. The General Division relates to the entire economy and Subject Divisions concerns with specific areas of development like food and agriculture, power and irrigation, transportation etc. The Commission also includes the General administration branch and Evaluation Divisions.

Along with these, various other bodies also worked with the Planning Commission for the formulation and execution of plans. They are;-

i) National Planning Council

The National Planning Council was constituted during the Fourth Plan in 1965. It consisted of experts in science, engineering and economics and worked on areas that include agriculture, land reforms, irrigation, education, employment, industry, trade, management, family planning, social welfare, natural resources, transport and international trade. It was the responsibility of each of these groups to study in detail the needs of each of the areas and give the data to the Planning Commission.

ii) National Development Council (NDC)

The National Development Council included all the Chief Ministers of the States along with the Prime Minister as its chairman. The inclusion of the states enables the implementation of the plans in the respective states. Some cabinet ministers of the central government could also be present during the deliberations of the NDC. The NDC had the role of reviewing the implementation of the plans periodically and discusses various issues relating to the development of the state. It makes recommendations for the effective implementation of plans and also ensures involvement and support of the people in plan implementation. It works for effective administrative services and aims at developing resources that are essential for future development.

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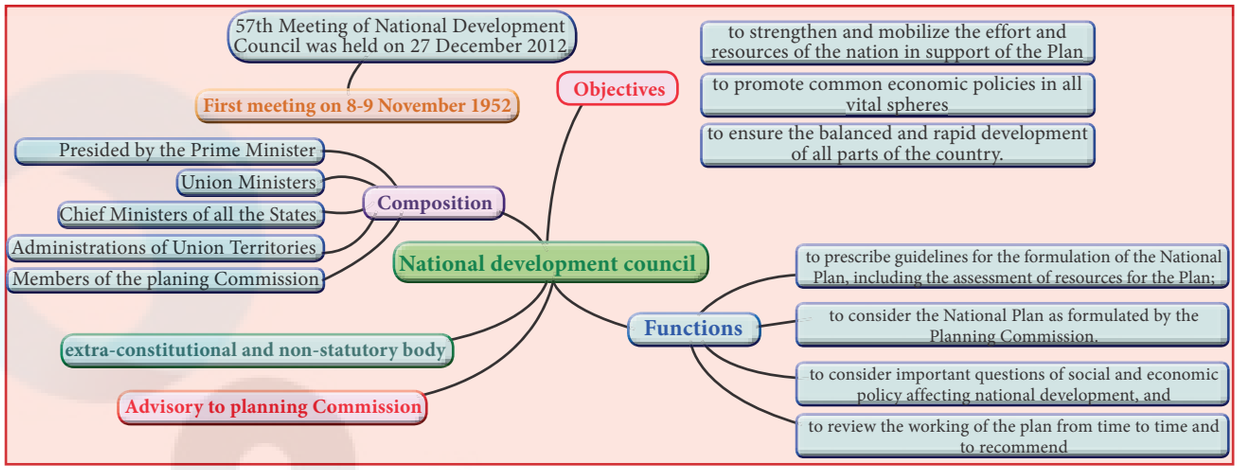

Activity

Interpretation of Cartoon

I am thinking of how to encourage our citizens to spend to get the economy moving.

As a class, discuss what you already know or think about the following topics:

1. Economic activities of the State
2. Social welfare of the people
3. Importance of economic development
4. Socio-economic justice
5. Employment

Efforts Towards Poverty Eradication

One of the major problems of India was poverty. The Planning Commission aimed not only at increasing the per capita income but also improving the quality of life of the people. Growth of the economy necessitated the inclusion of all sectors. It was also understood that the quality of life of the common man was interrelated to his economic conditions. So, it was realised by the state that it was important to guarantee people a decent standard of living along with proper access to education and health care which are next to food, clothing and shelter. But the challenge was that economic growth and reduction of poverty are not always related. From the fourth five year plan, the government focussed on this issue and concentrated on 'garibi hatao' during the early1970's.

Employment generation was considered to be one of the measures for reduction of poverty. There were many problems due to unemployment and underemployment. In all the five year plans emphasis was given to employment.

Ensuring Social Justice

Article 38(2) states "The State shall, in particular, strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations". This was kept in mind by the planners in formulating each of the plans.

Ensuring social justice has gone hand in hand with economic planning. Along with measures for development, it is also

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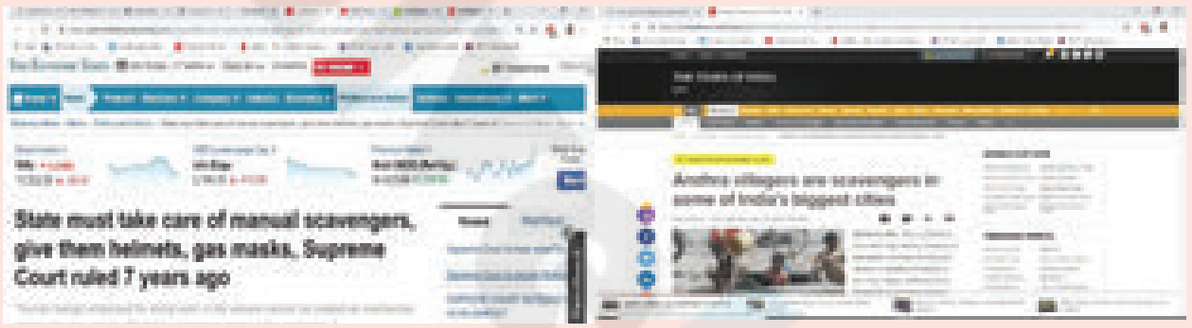
important to give equal opportunities to all with regard to education and employment. The establishment of a socialistic pattern of society ensured that there will be no concentration of wealth in the hands of a few so that exploitation and oppression could be ended.

Historically, the Indian society has fostered exploitation and suppression of one section by another. It was a challenge to the constitution makers to tackle all these traditional forces and social evils so that social and economic justice could be realized. The justiciable rights under Part III of the constitution dealing with Fundamental rights enables the citizens to get protection for all the rights required to live a complete life. The non-justiciable rights under Part IV on Directive Principles of State Policy ensures that the system functions in such a way that the inequalities of income among people is reduced and an egalitarian society is established.

Manual Scavenging



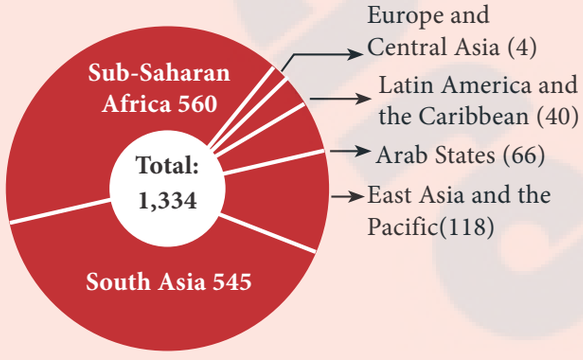
State instrumentalities and contractors engaged by them are under a constitutional obligation to ensure the safety of persons who are asked to undertake hazardous jobs such as manual scavenging, the Supreme Court said in a landmark judgment seven years ago. But, India continues human beings as manual scavenger in many cities.

The 2018 Global Multidimensional Poverty Index (MPI)

The 2030 Agenda for Sustainable Development reaffirmed the importance of multi-dimensional approaches to poverty eradication that go beyond economic deprivation. The 2018 MPI answers the call to better measure progress against Sustainable Development Goal 1 – to end poverty in all its forms; and opens a new window into how poverty - in all its dimensions – is changing.

With the 2018 estimates, the MPI measures acute multidimensional deprivations in 105 countries covering 77 percent of the global population.

2018 MPI estimates, by (millions)



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2018 MPI: dimensions, indicators, deprivation cutoffs, and weights

The MPI looks beyond income to understand how people experience poverty in multiple and simultaneous ways. It identifies how people are being left behind across three key dimensions: health, education and standard of living, comprising 10 indicators. People who experience deprivation in at least one third of these weighted indicators fall into the category of multidimensionally poor.

Dimensions of Poverty	Indicator	Deprived if living in the household where…	Weight
Health	Nutrition	An adult under 70 years of age or a child is undernourished.	1/6
	Child mortality	Any child has died in the family in the five-year period preceding the survey.	1/6
Education	Years of schooling	No household member aged 10 years or older has completed six years of schooling.	1/6
	School attendance	Any school-aged child is not attending school up to the age at which he/she would complete class 8.	1/6
Standard of living	Cooking Fuel	The household cooks with dung, wood, charcoal or coal.	1/18
	Sanitation	The household's sanitation facility is not improved (according to SDG guidelines) or it is improved but shared with other households.	1/18
	Drinking Water	The household does not have access to improved drinking water (according to SDG guidelines) or safe drinking water is at least a 30-minute walk from home, round trip.	1/18
	Electricity	The household has no electricity.	1/18
	Housing	Housing materials for at least one of roof, walls and floor are inadequate: the floor is of natural materials and/or the roof and/or walls are of natural or rudimentary materials.	1/18
	Assets	The household does not own more than one of these assets: radio, TV, telephone, computer, animal cart, bicycle, motorbike or refrigerator, and does not own a car or truck.	1/18

The rural urban divide was another important area where the Planning Commission had to concentrate. In the process of economic development, industrialization and urbanization increased and this had its impact on the Indian society and economy. Disparity in the development of the rural and urban population would foster inequality which is against the principle enshrined in the constitution. The Planning Commission recommended many programmes for the development of the rural economy so that the development of both the rural and urban population could be ensured.

Democratic Socialism

When India got independence, there were many problems that the nation had to handle. One among these problems was which would be the best strategy for long term development. Jawaharlal Nehru was the architect of planning in India. He was inspired by the soviet model of planning and was also inspired by the liberal principles of capitalism. He wanted to bring the two ideas together in India which was termed as democratic socialism.

Mixed Economy

The idea of a mixed economy was thus adopted which included the liberal policy of encouraging private enterprises and also promoting the public sector for the good of the society by socializing the means of production and giving powers to the state to have control over the economy. India is an inspiration to many nations for the idea of a mixed economy.

The Industrial Policy Resolution of 1956 was adopted by the Indian Parliament in April 1956. It was a guideline for the economic policy of the country. The five year plans were made on the basis of this resolution. It emphasised on more powers to the governmental machinery so that a socialistic pattern of society could be realized. The industries were divided into three categories. Firstly, there were industries which were entirely state owned. Secondly the category of industries which were state owned but the public enterprises could also be included and thirdly industries which were with the private sector. The state had control over all the industries and the third category of industries could not function only for self interest or profit motives but were regulated for the interest of the entire society. The welfare of the community was the top priority.

Planning was considered to be a prerequisite for a mixed economy. As the benefits of the public sector and the private sectors were to be integrated for the welfare of the community, the Five Years Plans were formulated in such a manner that the objectives of economic growth and social justice could be achieved. It also made the governments to formulate appropriate plans and adopt right strategies to bring about development in the right manner.

P.V.Narasimha Rao

After the introduction of economic reforms in 1991 by the Congress government led by Prime Minister P. V. Narasimha Rao, a new industrial policy was announced in July 1991 which aimed at taking steps to reduce bureaucratic control over the Indian industrial economy and liberalization so that the Indian economy

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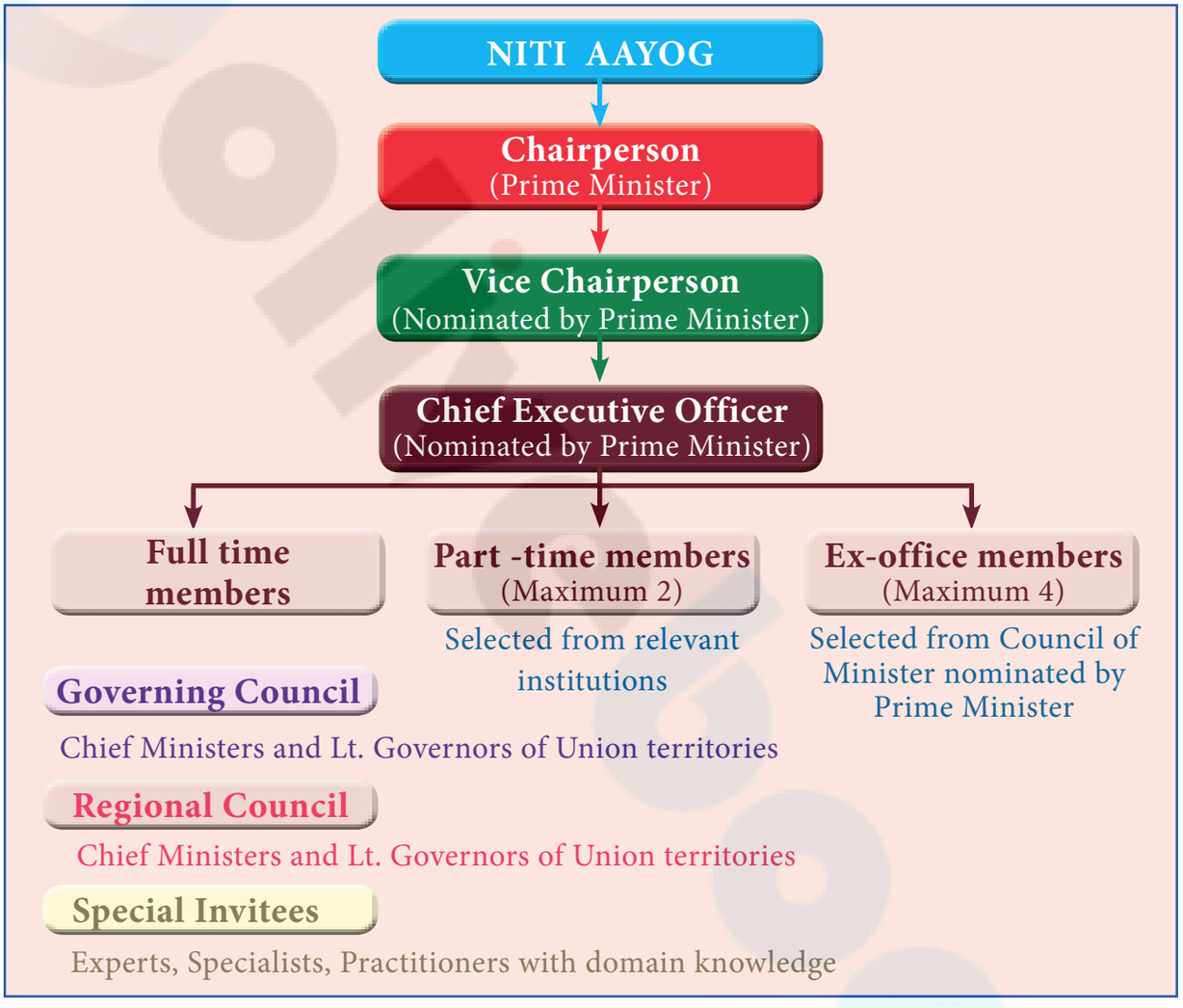
could be integrated with the world economy. Restrictions on direct foreign investment was removed. The reforms in the industrial policy was reflected in areas such as industrial licensing, foreign investment, foreign technology policy and public sector policy.

The seventh Five year plan got completed in 1990. Due to the economic condition of the country, the eighth five year plan could not be introduced in 1990. In the years 1990-91 and 1991-92 annual plans were formulated. The eighth five year plan was implemented in 1992.



NITI AAYOG

The National Institution for Transforming India

In 2015, the Government of India made a shift in its approach towards planning. It introduced a new Commission called the NITI Aayog (National Institution for Transforming India) which replaced the Planning Commission. It was formed with the idea of making the entire planning process more decentralized. In such a system the states could be involved in the formulation and implementation of developmental plans in a better manner. It aims at cooperative federalism where the states can play a wider role. It also focuses on need specific plans making the

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entire process inclusive so that all sections of the population could be a part of the developmental process.

The NITI Aayog functions as a think tank of the government. It has the function of providing the central government and the state governments with relevant and strategic technical advice relating to policy making. It advices on all issues of national and international importance and analyses on the best practices from our own country and from other nations of the world. The Government issued a resolution of the Union Cabinet on 1st January, 2015 by which the Planning Commission was replaced by the NITI Aayog.

Structure

The Prime Minister is the Chairman of the NITI Aayog. He appoints a Vice-Chairman. There are 5 full time and 2 part time members. It has a Governing Council which consists of the Chief Ministers of all the states and Lt. Governors of Union Territories. The Regional Councils are formed to address specific issues relating to the states or a region. It functions for a specific period of time. The Prime Minister has the power to invite experts, specialists and practitioners on particular domains as special invitees. The part time members are from leading universities and research organizations. Four members of the Union Council of Ministers are also nominated as ex-officio members. It also comprises of a Chief Executive officer(CEO).

The plurality and diversity of the Indian state was recognized by the government. The nature of each of the States and Union Territories is different. The needs of the people are different, the geographical condition of each of the regions vary and the economic conditions are different. Some states are more developed than other states. So, the government realized that a uniform plan of development for the entire nation is not a right approach and will not give desired results. Thus,the NITI Aayog was formed so that the needs of each of the regions could be addressed in the right manner.

Why NITI Aayog Replaced Planning Commission: Reasons

1. The new National Institution for Transforming India (NITI) will act more like a think tank or a forum, in contrast with the Commission which imposed five-year-plans and allocated resources to meet set economic targets.
2. NITI will include leaders of India's 28 states and 9 union territories. Its full-time staff - a Deputy Chairman, Chief Executive Officer and experts - will answer directly to the Prime Minister, who will be the Chairman. It is different from Planning Commission.
3. The major difference in approach to planning between NITI Aayog and Planning Commission is that the former will invite greater involvement of the states, while the latter took a top-down approach with a one-size-fits-all plan.
4. The Planning Commission's role was formulation of broad policy and its capacity was more advisory. NITI Aayog shall have powers for resource allocation to states, based on their respective needs.
5. The states had little direct say in policy planning, which was the purview of the Planning Commission. Involvement of the states was indirect through the National Development Council; which is not the case in the NITI Aayog.

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Activity

Have a discussion on the working of NITI Aayog in your class under the guidance of your teacher.

Activity

Compare the functioning of the Planning Commission and NITI Aayog and represent it in tabular form.

Objectives of NITI Aayog

The objectives of the NITI Aayog are:

To include the States in the planning process so that the Central government along with the State governments could identify developmental priorities and strategies. This would foster cooperative federalism as the states would be a part of the planning process. To formulate credible plans at the village level and aggregate it progressively. To ensure that the interests of national security are incorporated in economic strategy and necessary checks on indiscriminate tampering with ecology and environment policy and to check whether all sections of the population are benefitted from economic progress.

Long term policy and programme frameworks to be designed and their progress would be monitored by the Aayog and innovative improvements would be made. Partnership between key stakeholders, like-minded think tanks, educational and policy research institutions to be encouraged and knowledge, innovation and entrepreneurial support system to be created through a community of national and international experts, practitioners and other partners.

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The Commission also offers platform for resolution of inter-sectoral and inter-departmental issues so that the developmental programmes can be accelerated. It maintains a state-of art resource centre which will work for research on good governance and best practices in sustainable and equitable development. It will monitor and evaluate the implementation of the programmes so that needed resources could be identified.

The NITI Aayog also emphasises on technology upgradation and capacity building for implementation of programmes and initiatives. To undertake other activities that are necessary to further the execution of the national development agenda.

Some of the initiatives of the NITI Aayog include "15 year road map", 7 year vision, Atal Mission for Rejuvenation and Urban Transformation(AMRUT), Digital India, Atal Innovation Mission etc. The NITI Aayog signed the Sustainable Development Framework for 2018-2022. The commitment of the government in attaining the sustainable development goals is reflected by this. The areas that are focussed are poverty and urbanization, health, water and sanitation, education, job creation, gender equality, youth development.

The Planning Commission was set up by a resolution of the Government of India in 15th March 1950. It has been replaced by the National Institution for Transforming India, also called NITI Aayog. It was formed via a resolution of the Union Cabinet on January 1, 2015. The Prime Minister of India serves as the Chairperson of NITI Aayog.

Difference in composition

	NITI Aayog	Planning Commission
Chair Person	Prime Minister	Prime Minister
Vice-Chair Person	Appointed by PM	Deputy Chariman (nominated = Cabinet rank)
Governing council	CM's and L-G's	National Development council
Member secretary	To be known as the CEO and to be appointed by the Prime Minister	Secretaries or member secretaries were appointment through the usual process
Part-time members	To have a number of part-time members, depending on the need from time to time	Full Planning Commission had no provision for part-time members
Full-time members	the number of full-time members could be fewer than Planning Commission	The Last Commission had eight full-time members

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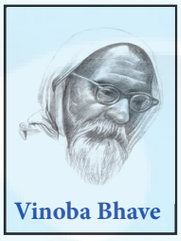
8.3 Land Reforms in India

Introduction


Vinoba Bhave

Land has been always considered as the most important element of Wealth. It is also used to not only to produce wealth in the form of Agricultural Products such as rice, wheat, etc., but also used as an instrument to control the tenants and labour. Despite efforts taken by the British Government during the Colonial Era such as Permanent Settlement Act, Land Regulation Acts, the friction between the land lords, tenants and labourers continued even after Independence. As it became very complicated after India's Independence, a series of measures have been taken to settle and prevent the problems between land lords and tenants, tillers and labourers.

At the time of independence, ownership of land was concentrated in the hands of a few. This led to the exploitation of the landless farmers and labourers and socio-economic inequality in the rural life. In the eve of independence, peasant riots broke out in many parts (Telengana, Travancore and Tanjore Districts in Tamil Nadu) of India. It was on this occasion, Vinobha Bhave launched Boodhan Movement in which the landlords were to voluntarily transfer their surplus lands, and the government would help with necessary legislations.

The distribution of lands were made among the landless poor. The Sarvodaya Movement, attempted to launch and strength co-operative societies to assist the poor farmers. In Tamil Nadu, Jagannathan and Krishnammal strived hard to make the Boodhan and Sarvodaya Movement popular among the rural people. Equal distribution of land was therefore an area of focus of Independent India's government. Laws for land ceiling were enacted in various states during the 1950s & 1960s and also from initiatives taken by the Federal Government.

Jagannathan and Krishnammal

Reform measures, can be classified into four main categories:

The first category was the enactment of laws related to tenancy reforms. These include attempts to regulate tenancy contracts both via registration and stipulation of contractual terms, such as share in tenancy contracts, as well as attempts to abolish tenancy and transfer ownership to tenants.

The second category of land reform acts attempts to abolish intermediaries. These intermediaries who worked under feudal lords (Zamindari) to collect rent for the British were reputed to allow a larger share of the surplus from the land to be extracted from tenants. Most states had passed legislation to abolish intermediaries prior to 1958.

The third category of land reform acts concerned efforts to implement ceilings on land holdings, with a view to redistributing surplus land to the landless.

Finally, the reform acts which attempted to allow consolidation of disparate land-

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holdings. Though these reforms and in particular the latter were justified partly in terms of achieving efficiency in agriculture, it is clear from the acts themselves and from the political manifestos supporting the acts that the main impetus driving the first three reforms was poverty reduction.

Land Reforms since Independence

The peculiarities of Indian agriculture, combined with the declared desire to bring about economic development as well as social justice led the govt., in the post-Independence period, to under-take a comprehensive programme of land reforms.

In short these reforms aimed at

- Abolition of Zamindars and intermediaries (middle men)
- Bringing land celing
- Protoection of tenants, tillers and labourers
- Cooperation among farming community

(a) Abolition of Intermediaries

One of the first aims of the agrarian reforms was to eliminate the middlemen such as the Zamindars and Jagirdars so as to bring the cultivator into direct relationship with the govt. The work of Zamindari abolition was comparatively easy in the temporarily settled areas such as Uttar Pradesh and Madhya Pradesh where adequate records and administrative machinery existed.

(b) Land ceiling

In order to achieve equality in possession and utilization of land, legislations were passed in all states imposing ceiling on existing land holdings as well as on future acquisition of land. However, provisions relating to level, transfers, and exemptions differed considerably from state to state. In Assam, Jammu and Kashmir, West Bengal and Manipur, there was one uniform ceiling limit irrespective of the class of land, ceiling being fixed at 50 acres, 22 ¾ acres and 25 acres respectively. But due to differences in uniformity among states, land celling became a political issue and was not properly implemented.

Tanjore Pannaiyaal Protection Act- 1952

At the time of independence, the feudal Serfdom system was followed in then undivided Tanjore area. Small tenant peasants and agri-worker severely suffered by this brutal system. To safeguard small tenants and agri - workers, the *Pannaiyaal Paathukaappu Sattam* (Tanjore Pannaiyaal Protection Act 1952) was implemented. In due course under needs of circumstances this act was expanded all over the state. As this act implements, all tenant peasants got their appropriate share in cultivation. Further more, Land Ceiling Act, 1961 was also enacted and updated subsequently for the needs of time. By this act, the surplus lands were taken from the landlords who possessed the land more than permissible level. These lands were distributed to landless peasants and agri – workers.

(c) Tenant Regulation

Third attempt was to bring uniformity and regulation of agrarian labour and tenancy. Consequently, governments in the Centre and States have formulated agrarian policy aimed at reducing disparities in wealth and income, eliminating exploitation, providing security for the

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tenant and worker, and opportunity to different sections of the rural population. With these guidelines provided by the Planning Commission, the State govts. adopted certain measures, viz., regulation of rents, security of tenure and conferment of ownership on tenants.

(d) Co-operative Farming

The fourth attempt was Co-operative farming where farmers take the land for lease and pool the resources to make a collective attempt to farm and the profit will be equally divided after settling the rent and expenses. Until late 1960's, a total of 7294 cooperative farming societies having a membership of 1.88 lakhs had been formed and these covered an area of 3.93 lakh hectares. However, many of these societies were defunct and some existed only on paper for the sake of obtaining state grants though their land was cultivated in the old way. In these, there was neither the pooling of resources nor joint operation of land. A number of these were formed with a desire to evade land reforms measures in various states.

Indian Union Co-operative Act- 1904

On the basis of Indian Union Co -operative Act, 1904, the Madras State Co-operative Act, was enacted. This act was further strengthened after independence. The Co-operative organizations functions in three ways such as Co-operative Banks, Land Development Banks, Co-operative Societies. Co-operative organizations functioning in Tamil Nadu, apart from Agriculture, includes various hand craft industries like Cotton weaving, silk weaving and pottery. Tamil Nadu currently has more than 10, 000 Co-operative Societies.

Land Bill: Six facts you need to know

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Bill, 2015 seeks to Amend the Act of 2013 (LARR Act, 2013).
2. The Bill creates five special categories of land use: 1. defence, 2. rural infrastructure, 3. affordable housing, 4. industrial corridors, and 5. infrastructure projects including Public Private Partnership (PPP) projects where the central government owns the land.
3. The Bill exempts the five categories from provisions of the LARR Act, 2013 which requires the consent of 80 per cent of land owners to be obtained for private projects and that of 70 per cent of land owners for PPP projects.
4. The Bill allows exemption for projects in these five categories from requiring Social Impact Assessment be done to identify those affected and from the restrictions on the acquisition of irrigated multi-cropped land imposed by LARR Act 2013.
5. The Bill brings provisions for compensation, rehabilitation, and resettlement under other related Acts such as the National Highways Act and the Railways Act in consonance with the LARR Act.
6. The Bill changes acquisition of land for private companies mentioned in LARR Act, 2013 to acquisition for 'private entities'. A private entity could include companies, corporations and nonprofit organisations.

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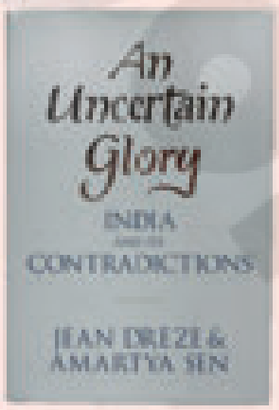
Activity

❖ The students are asked to find out the land reforms shared out by Tamil Nadu Government.

Activity

Have a discussion on Land ceiling reference in Tamil Nadu since 1960 in the class under the guidance of your teacher.

Tamil Nadu's Development Experience



"While India has increased its per capita income in recent years through fairly sustained high growth rates in income, its human development indicators still trail those of some countries with similar incomes. An oft-cited example is Bangladesh which, despite lower per capita incomes, fares better than India in various human development parameters. It is in this regard that states like Tamil Nadu within the country have been hailed as a model in recent years for combining relatively high growth with high levels of human development. In fact, Tamil Nadu along with Kerala, is likely to rank at the top among South Asian countries, with regard to attainments in health and education.

Amartya Sen

Tamil Nadu has been a State that is witness to a long history of social and political mobilisation against caste-determined hierarchies; and it has been pointed out that its relatively better performance in terms of growth, poverty reduction and human development can be attributed to such collective action (Kalaiyarasan, 2014).

Tamil Nadu is a State that continued to have poverty levels higher than the national average even until the 1980s. It is only since the early 1990s that we witness rapid reduction in poverty and improvement in per capita incomes. As Dreze and Sen (2013) point out, the State's investments in social infrastructure, such as the free Mid-day Meal Scheme (MDMS) for school children, driven by the emergence of concerted public action with its roots in social movements that sought to question and delegitimise social hierarchies and democratise public spheres have been critical to this shift.

Further, the case of Tamil Nadu clearly demonstrates that investments made in social welfare need not undermine the growth imperative as it was believed that such investments dried up resources for productive growth-enhancing investments. In fact, it would appear that investments in social sectors driven by democratising collective action have led to translation of such inputs into growth increases. Importantly, the improvements in growth have allowed the State to mobilise resources that could be channelled back into social sectors."

Source: Tamil Nadu Human Development Report, State Planning Commission, 2017.

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8.4 Green Revolution and White Revolution

Green Revolution

Introduction

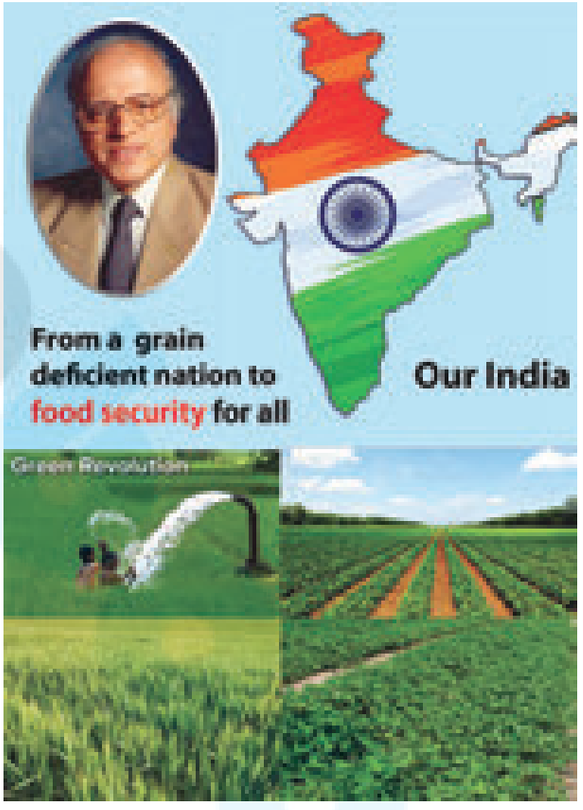
Agriculture has been the most intensive form of economic activity leading to 12-15% of its contribution to GDP. Agriculture is not only for sustaining the food grains and vegetation to cater to the requirements of the growing population but has its contribution in creating largest employment sector, fostering one large section of the Indian industry called Agrarian Industry and has been contributing and earning foreign exchange to our nation. Agriculture is not just grains alone, but it spreads to various Agricultural Tertiary sectors such as Coconut Farming, Orchids and cash crops such as Cashew Nuts, Coffee, Tea, Pepper and Vegetables.

Activity

- Visit a village and observe the farming activities. Understand ownership, tenancy, agricultural activities and the nature of farming in the village.
- Understand roof top gardening, vertical gardening and organic farming and do an experimentation of the same.

The primary need to sustain Indian agriculture to cater the growing requirements of the population was felt immediately after Independence. However the nature of importance that was given to Agriculture varied from the First Five Year plan to 12th Five Year Plan. Because in the initial years after independence, the importance was given to setting of industry and industrial system in India. In the first 10 years after Independence, with the continuous adoption of primitive technology of farming the agricultural outcome was able to meet the basic needs of the population that was growing around 2.5% annually. It was during the 1960's when India began to face the shortfall in meeting the population needs. Because, the Food Grain production did not increase to cater to the needs of the population. This led to the Green Revolution.

Green Revolution in India



As we all know that India is basically an agricultural country with the growing population dependent on agriculture. With the experience of India's first two five-year plans, it was realised that agriculture in India had serious shortfalls namely,

a) It was not able to produce required grains to suit the growing population.

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b) Insufficiency in production due to the traditional agricultural practice which was primitive in use of technology.

c) The pattern of agriculture was not only very primitive but farmers relied on long term crop patterns which took long time to see the results.

d) Since India is a monsoon dependent state the agricultural output was dependent on the nature of rainfall, insufficient rain fall resulted in drought which affected the grain production in India leading to famine, starvation and deaths.

During 1960's a New Agriculture Policy was formulated on the basis of suggestions given by the Ford Foundation. In its report 'India's Crisis of Food and Steps to Meet it' the Ford Foundation's agricultural experts suggested certain reforms. The Government of India introduced the reforms in agriculture. These reforms were adopted as a collective programme in order to bring existing and new irrigation facilities, application of fertilizers, hybrid seeds that can bring high yield, pesticides, insecticides etc.. This new way was gradually adopted in Indian agriculture. This was called GREEN REVOLUTION. The plan for Green Revolution was formulated by the notable Indian agriculture scientist Dr. M.S. Swaminathan who was later known as Father of India's Green Revolution. In simple terms, the increased use of fertilizers and irrigation are known collectively as the Indian Green Revolution. The Green Revolution took place between 1967-78 which resulted in 50% increase in agricultural production.

In 1960, seven districts in seven states were selected by the Indian Government for a pilot project known as Intensive Area Development Programme (IADP). As the results were far more satisfactory, the reform programme was extended to other States. Hence, this programme was extended to remaining states and one district from each state was selected for intensive development. Subsequently it was extended to 144 districts in 1965.

In the initial stage, this programme was implemented around 2 million hectares of area. Gradually the coverage of the programme was enlarged and total area covered by this Green Revolution programme was estimated as 70 million hectares which accounted to 40% of the agricultural cover. Consequently, farming activities began to take throughout the year, that is, from single cropping pattern to multiples of cropping and mixed cropping, which meant not just the cultivation of wheat or rice alone as in the traditional farming pattern. Due to the geo-climate variations in different parts of India, farmers in India adopted different types of cropping pattern. Northern States of India like Punjab, Haryana and Uttar Pradesh quickly found better results with regard to wheat, while Southern states like Karnataka, Tamil Nadu etc found lesser rate of success in regard to cultivation of rice. However, the over all result in the long run was more impressive to alleviate food shortage.

Major impacts of Green Revolution

❖ Substantial Increase in Agricultural Production

Volume of agricultural outcome increased by two to three fold compared to the period in 1950's. The increased production of rice, wheat, cereals and vegetables had erased the humiliation that India had to import grains from the United States during the PL-140 programme in 1950's. Moreover the agricultural goods were freely available to the people in the open market.

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❖ Increased Opportunity in Agricultural Employment

Due to intensive cropping throughout the year, the demand for agricultural employment increased. The demand was felt in two groups namely, unskilled agrarian labour to work in the farm and qualified agricultural engineers and experts to help and facilitate the knowledge regarding scientific farming.

❖ Agriculture, Industry and Market

The Green Revolution in India not only brought a change in agricultural activity, but also brought a healthy relationship between market and industry. As the scientific farming was more dependent on agricultural engineering such as farm equipments, tractors etc., industries began to show interest to produce farm equipments to suit the increasing demand at low cost. At the same time the market also began to play effective role in processing and supplying the products to the consumers.

❖ Inter State Exchange and Market Mechanism

One of the major problem faced by the states in India was that the Green Revolution was beneficial only to those states where the soil was fertile. Hence, states that produced in excess distributed their output to other states which were climatically dry such as Vidarbha and Telangana. Hence, inter-state agrarian market began to grow to cater the needs of the consumption. Concequently, the import burden came down drastically.

❖ Disparity between small farmers and big farmers

Farmers holding very small pieces of land had to compete with the large land holders with regard to finance, infrastructure and agrarian market forces. This led to marginalization of farmers and they were disinterested towards new techniques in farming. Hence, there was variations among farmers and also variation in various regions across India.

❖ Mass Movement

Green Revolution brought majority of farming community in India together both for their personal and national socio-economic welfare. This led to substantial increase in income status of the farming community as the high yield of food grain led high income. Agricultural market also played crucial role in creating competitive pricing which helped the farming community to sell their goods in the open market. Hence, the whole farming community in India took part in the Green Revolution. Unlike industrialization, agriculture showed very short term profit and growth. Hence, it articulated the revolutionary feeling among the agrarian community to actively participate in the Green Revolution.

Major Shortfalls of the Green Revolution

The following factors have been the shortfalls due to Geo-Climatic factors in India.

1. Regional, crop and farming variations.
2. Widened the gap between rich and poor agriculturist.
3. Lack of finance among small scale farmers to put up with initial investment
4. It forced the farmers to use harmful fertilizers and pesticides to increase the crop output.
5. Lack of socialization and preparedness with regard to adopting new technology.
6. It has become a never ending process due lack of adequate check on population overgrowth.

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Achievements of Green Revolution

1. It brought down the scarcity of food grains.
2. It encouraged the farmers to test new varieties of high yield seeds and varieties of crops.
3. It stimulated to bring radical changes in fishing, poultry and dairy industries namely Blue, Yellow and White Revolution.
4. Cash and spice crops were also given equal importance which led India to export cash crops to various countries resulting in high export earnings. However, other necessary crops like sugarcane, oilseeds and cereals were not shown adequate interest by the farmers. Their importance was felt only during 1970's and early 1980's.

White Revolution

In 1950's, India was not just struggling to achieve self-sustenance in agriculture production, but also in producing milk products such as dairy milk, butter and infant feeds. India has been importing butter, milk power and infant milk feeds.

Very similar to revolution in agriculture the need was felt in animal husbandry to produce milk products.

Major Reasons for the White Revolution

Rearing cows and buffaloes was considered secondary to agriculture.

It was non-profit mode of small scale industry because of its primitiveness and poor maintenance of farms and animal sheds.

The milk producing animals such as cows and buffaloes were native Indian origin which did not produce enough milk to supply bigger population.

Farming in India was a rural industry which was suffering from necessary supporting systems like transportation, preservation and distribution of milk and other dairy products.

Farming also suffered from the usage of age old primitive technology and inadequate of veterinary specialists. Mortality rate of cows and buffaloes was very high due to communicable diseases which forced the milk vendors to show a very poor interest to continue the business in a large scale. A rural development programme was started by India's National Dairy Development Board (NDDB) in 1970. This national grid aimed to augment the milk production and distribute across all parts of the nation so as to prevent shortage of milk products.

Do YOU KNOW?

Tamil Nadu Co-operative Milk Producers' Federation (TCMPF)

The Tamil Nadu Dairy Development Corporation Limited was formed in 1972 to manage the activities such as milk procurement, processing and marketing of the milk and milk products. Based on Dr.Kurien pattern, Tamil Nadu Co-operative Milk Producers' Federation (TCMPF) was formed in 1981. The per capita availability of milk in Tamil Nadu has increased from 169 gm/day in 1993-94 to 268 gm/day in 2017-18.

The Government of India adopted the method and process followed by Gujarat's AMUL (Anand Milk Union Limited) founded by Verghese Kurien. AMUL had a humble beginning in 1950's in Gujarat with less then 200 farms. Milk was collected from these farms and it was supplied to the consumers in Mumbai(then

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called Bombay). As it was found very profitable among the farming community it was extended to more numbers in Gujarat. In 1960's AMUL became a very well established dairy society in India. In 1966, Prime Minister Lalbahudar Sastri inaguraged Operation Flood with NDDB headed by Mr. Verghese Kurien. Verghese Kurien became the architect of the programme and gave professional help in bringing this White Revolution in 1970's.

"In 1955 our butter imports were 500 tons per year; today our cooperatives alone produce more than 12,000 tons of butter. Similarly, we imported 3000 tons of baby food in 1955; today our cooperatives alone produce 38,000 tons of baby food. By 1975 all imports of milk and milk products stopped. The import permitted was that of food aid under Operation Flood."

-Verghese Kurien.

Activity

Collect information about Aavin in Tamilnadu and study its impact.

Major Objectives of the Operation Flood:

1. To increase milk production ("a flood of milk")
2. To increase rural incomes of dairy sheds.
3. To provide fair prices for consumers
4. To reduce the import burden on the national exchequer.
5. To establish a National Milk Grid.
6. To meet nutrients needs.

The White Revolution or Operation Flood programme was implemented in three phases. In the first phase (1970-79), 18 of the country's main milk sheds were connected to the consumers of the four major cities namely Mumbai, Delhi, Calcutta and Madras. The total cost of this phase was Rs.116 crores.

In the second phase (1981–85), the milk sheds were increased from 18 to 136 and the city market points increased to 290 for urban distribution of milk. By the end of 1985, more than 43,000 self sustaining village cooperatives with 42.5 lakh milk producers were covered. Domestic milk powder production increased from 22,000 tons in the pre-project year to 140,000 tons by 1989.

Do YOU KNOW?

1. Sir Viswesvarayya who is considered to be a pioneer in economic planning in India was a chief civil engineer, scholar, statesman, politician and the 19th Diwan of Mysore, who served from 1912 to 1919. He received India's highest honour, the Bharat Ratna, in 1955.
2. While the World Milk Day is celebrated on June 1 each year, National Milk Day is celebrated on November 26th. This day marks the birth anniversary of Verghese Kurien, the Father of White Revolution in India.

In the third phase (1985–96), the dairy cooperatives were enabled to expand and strengthen the required facilities to procure and market increasing volumes of milk. Veterinary medical care, cattle nutrition and artificial insemination services for cooperative members were expanded along with intensified dairy farm education. It went with adding 30,000 new

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dairy cooperatives to the 42,000 existing societies organized during Phase II. Milk sheds peaked to 173 in 1988-89 with the numbers of women members and Women's Dairy Cooperative Societies increasing significantly.

Major Achievements of the White Revolution.

The phenomenal growth of milk production in India – from 20 million metric tons to 100 million MT with in a span of 40 years was made possible only because of the dairy cooperative movement. This has propelled India to emerge as the largest milk producing country in the World today. It not only achieved self sufficiency but also increased the production infant milk powder very considerably.

The dairy cooperative movement facilitated the Indian dairy farmers to take interest in cows and buffaloes which has resulted in the 500 million cattle population in the country which is the largest in the world.

The dairy cooperative movement has spread across the length and breadth of the country, covering more than 125,000 villages of 180 districts in 22 states.

The movement has been successful because of a well-developed network of procurement and distribution system with the support of National, State and Village governance.

8.5 Industrialization

Industrialization has been one of the most significant processes in the Indian economic development since independence. After independence, the leaders understood the importance of industrialization for our country. They initiated the process of industrialization under the Industrial Policy Resolution 1956 and in all the five year plans industrialization was given due importance. The initiatives of the governments led to a considerable increase in industrial production making India the sixth most industrial country in the world. The development in industries spread across both small scale and large scale and included consumers, intermediate and capital goods.

Due to the progress in industrialization a change in foreign trade of India could be seen. India increased the export of engineering goods. Correspondingly, there was development of technological and managerial skills as the industries had to be operated and also planning and designing of the industries had to be done in an efficient manner. Heavy industries were developed and high technical capability also had to be developed in terms of improved infrastructure, advanced technology and appropriate production equipments. The engineering industry was the key to the industrial development of India. It had to be developed as per the strategy of the planners to accelerate industrialisation in India.

During the planning process, there was development of basic and capital

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goods industries. The productive capital of these industries increased from 50 percent in 1959 to 79 percent in 1990-91. This showed an increase in employment. The number of workers in factories and mines increased tremendously. Industrialization improved the iron and steel, fertilizers, chemicals, cement and non-ferrous metals industries. New capital goods industries were started and developed.

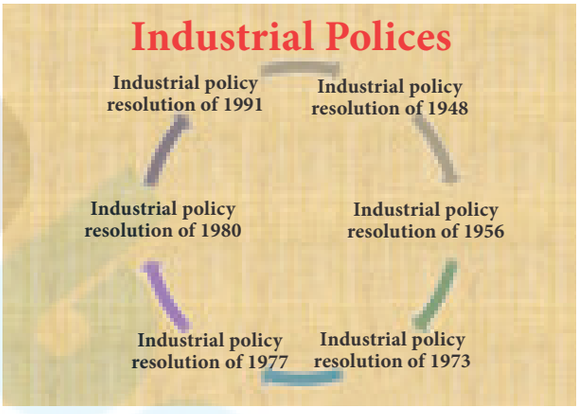
During this period, there was a huge expansion of infrastructural facilities in the country. The petrochemical industries developed with efficient refineries, pipelines, storage and distribution systems. These were drastic changes in the economy with improved irrigation system, storage works and canals, hydro and thermal power generation, improved railway system and well laid national and state highways. Better transportation and developed telecommunication system were instrumental in connecting India to the rest of the world.

With the introduction of economic reforms in India, there were changes in the industrial pattern of India. There was faster growth of capital goods and consumer goods and there was a slowdown in the rate of growth of basic industries. The growth in banking, insurance and commerce and also the expansion and modernization of ports, shipping and both domestic and international air services have all been due to these economic changes which led to enlargement in industries.

Tremendous changes happened in the field of science and technology as well. The contribution of Indian scientists to different fields including agriculture, industry, technology, communication etc. have been tremendous. Many people were trained in the technical field which included cement factories, chemical fertiliser units, oil refineries, power houses, steel plants, locomotive factories,engineering industries etc.

Industrial policy

An effective industrial policy is essential for any industrialised nation. It enables the state to have proper policies, rules and regulations so that the industries can be regulated and the process of industrialization benefits the economy and the society.



Industrial Policy Resolution 1948

As the Indian system incorporated the concept of a mixed economy, the Industrial Policy Resolution adopted in 1948 emphasised that both the public sector and private sectors would function in their respective spheres. All the key industries were to be under the control of the central government. The public sector had control over arms and ammunitions, the production and control of atomic energy, railways etc. which were to be the exclusive monopoly of the central government. The state also had control over

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coal, iron and steel, aircraft manufacturing, ship building etc.. Private enterprises and the cooperatives managed the remaining industries.

Industrial Policy Resolution 1956

A new industrial policy was formulated and was adopted in April 1956. As per this policy, three categories of industries were specified. There were industries which were totally controlled by the state, industries which were owned by the state and the private enterprises which could supplement in the management of such industries and the third category of industries were those which were exclusively managed by the private enterprises. The industries of the private sector were to be encouraged by the state by improved systems of transport, power sector and other services. The small scale industries and cottage industries were also to be encouraged by the state.

Industrial Policy, 1980

An industrial policy was announced by the congress government in July 1980. It stressed on a pragmatic approach towards development acknowledging the Industrial Policy Resolution of 1956. It emphasised on an integrated industrial development with setting up of nucleus plants in industrially backward regions. Small scale units and cottage industries were to be started which could function more effectively using improved technology. It aimed at promoting a concept of economic federalism.

The industrial policy of 1980 made considerable changes by bringing about a liberalised licensing policy by which the large undertakings were much benefitted as they were made free from the MRTP Act and FERA. The government delicensed industries which were located in the areas that were declared as backward. The concept of broad banding was introduced. This gave flexibility to the manufacturers in production as the products could be designed as per the demands of the market.

Industrial Policy 1991

A new industrial policy was introduced by the P.V.Narasimha Rao government in July 1991. This was a landmark in the economic history of the nation because the government had introduced its policy of liberalization.

New Economic Policy was introduced in India on July 24, 1991 under Prime Ministership of P.V. Narasimha Rao, Dr. Manmohan Singh the Finance Minister is regarded as the Father of New Economic Policy of India.

The Act from centralized bureaucratic control. The conditions of public enterprises was reexamined as they showed very less rate of growth. So, entrepreneurs were freed from restriction of MRTP Act and restrictions on direct foreign investment was removed. The Indian economy was integrated with the world economy through this policy of liberalization. Major reforms were introduced in the areas of industrial licensing, foreign investment, foreign technology, public sector policy and MRTP Act.

Changes were made with regard to industrial licencing which was abolished for many industries. As per the new Act,18 industries were included for compulsory licensing. Some of the industries in this category were coal and lignite, petroleum, sugar, industrial explosives, hazardous

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chemicals, electronic aerospace and defence material, drugs and pharmaceuticals etc..It comprised of industries which were related to security concerns, health, environment etc. In 1993, three more industries were removed from the list of 18 industries under the compulsory licensing. They were motor cars, white goods (which include refrigerators, washing machines, air conditioners etc.) and raw hides and skins and patent leather.

Activity

Make a presentation on large scale industries in India.

Rehabilitation schemes were introduced with the help of the Board for Industrial and Financial Reconstruction (BIFR) so that the public enterprises whose performance was poor could be improved. During such a rehabilitation process, the interest of the workers of such industries was to be protected.

Competition Act, 2002

The Monopolies and Restrictive Trade Practices Act (MRTP),1969 was repealed by the Ministry of Corporate Affairs and this was replaced by the Competition Act,2002 which was later amended in 2007 and 2009. The MRTP Act had the objective of preventing the concentration of money and checking unfair practices in trade so that monopolistic practices could be stopped. But, the new Act encouraged freedom of trade so that there was healthy competition and the consumer could get the best products. Emphasis was given to regulating the activities of the companies. The companies did not have to get the prior approval of the government in making changes in their establishments.

In spite of many efforts towards industrialization, there are also few inadequacies. India still has the problem of unemployment and underemployment. Uniform development in all regions is a challenge to the policy makers and the larger society. Even after long years of independence and industrialization, governments have to still design programmes for poverty eradication. The industrialization process leads to the development of large sectors but the small and medium sectors still have a long way to go. More and more industries are concentrated in cities. In terms of development there is a vast difference between the urban areas and the rural areas. Issues relating to urbanization and migration are bigger challenges to the state.

Glossary

- **Five Year Plan :** The Indian economy focussed on centralized and integrated planning since independence. These were carried out through the five year plans of the Planning Commission.
- **Welfare State :** A welfare state not only protects the people but also takes care of the social and economic wellbeing of its citizens.
- **Public Sector :** The public sector is that part of the economy which is controlled by the state. It includes public services and public enterprises.
- **Private Sector :** The private sector is that part of the national economy that is not under direct state control. It is run by private individuals or groups for profit.
- **Administrative Reforms Commission:** It is the committee appointed by

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the government of India for giving recommendations for reviewing the public administrative system of India.

- **Planned Economy :** It is a type of economic system where investment and the allocation of capital goods take place according to economic and production plans.
- **Capital Goods :** Goods that are used in producing other goods, rather than being bought by consumers.
- **Liberalisation :** It is any process whereby a state lifts restrictions on some private individual activities. The term is most often used in discussing economic liberalization.
- **FERA :** Foreign Exchange Regulation Act is an act which was enacted to regulate payments and foreign exchange in India.
- **Per Capita Income :** Per Capita income measures the average income earned per person in a given area in a specified year. It is calculated by dividing the area's total income by its total population.
- **Zamindari System :** Zamindari System was introduced during the British rule in India. Zamindars were recognized as owner of the lands and were given the rights to collect the rent from the peasants.
- **Land Ceiling Act :** The urban land ceiling act was passed in India in 1976. It means fixing maximum size of land holding that an individual can own.
- **Urbanization :** It is the shift of population from rural to urban areas. It leads to an increase in urban population and has an impact on the individuals and the society.
- **Animal Husbandry :** It is concerned with animals that are raised for meat, fibre, milk, eggs, or other products. It includes care, breeding and the raising of livestock.
- **Rural-Urban Divide :** The glaring disparities in income distribution, consumption, and quality of life between rural and urban areas.
- **GDP :** Gross Domestic Product (GDP) is a monetary measure of the market value of all the final goods and services produced in a period of time which is often calculated annually.

Evaluation

I. Choose the correct answer

1. The chairman of the Planning Commission is

   a. The President b. The Prime Minister
   c. The Home Minister d. The Finance Minister

2. NITI Aayog was introduced under the Prime Ministership of

   a. Manmohan Singh b. Narasimha Rao
   c. Vajpayee d. Narendra Modi

3. Who among the following used the term 'Evergreen Revolution' for increasing agricultural production in India?

   a. Norman Borlaug b. M.S Swaminathan
   c. Subramanian d. R.K.V Rao

D6T9G7

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4. Who is the father of Green Revolution in India?

a. Norman Borlaug
b. M.S Swaminathan
c. Raj Krishna
d. R.K.V Rao

5. Green Revolution refers to

a. Use of green manure
b. Grow more crops
c. High Yield Variety Programme
d. Green Vegetation

6. The Green Revolution in India was an introduction of high-yielding varieties (HYV) of seeds for

a. Millet
b. Pulse
c. Wheat
d. Oilseed

7. In which Five year plan was green revolution introduced?

a. Fourth Five Year Plan
b. Fifth Five Year Plan
c. Sixth Five Year Plan
d. Seventh Five Year Plan

8. Who started the White Revolution in India?

a. Norman Borlaug
b. Raj Krishna
c. R.K.V Rao
d.Verghese Kurien

9. Where is the AMUL dairy located?

a. Ajmer in Rajasthan
b. Anand in Gujrat
c. Balrampur in Uttar Pradesh
d. Udupi in Karnataka

10. Match the following:

1. Planning Commission	a) Narendra Modi
2. NITI Aayog	b) M.S.Swaminathan
3. Green Revolution	c) Verghese Kurian
4. White Revolution	d) Jawaharlal Nehru

1) b a d c
2) d a b c
3) c b a d
4) a d b c

11. The following question consists of two statements, one labeled the Assertion (A) and the other labeled as the Reason (R).

Assertion (A): Agriculture and Industrialization are equally important for a country's progress.

Reason (R): Industries should be developed without compromising on agriculture.

Codes;

a) Both A and R are true and R is the correct explanation of A
b) Both A and R are true but R is not a correct explanation of A
c) A is true, but R is false
d) A is false, but R is true

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II. Answer the following questions very shortly

1. What do you mean by democratic socialism?
2. Explain the meaning of a mixed economy.
3. Define cooperative federalism.
4. Write a note on operation flood.

III. Answer the following questions shortly

1. What are the features of a welfare state?
2. Examine the role of the National Development Council.
3. Discuss the composition of the NITI Aayog.
4. Describe the features of Industrial policy resolution, 1991.

IV. Answer the following questions in detail

1. Discuss the role of NITI Aayog.
2. Examine the process of industrialization in India.
3. What are the attempts towards land reforms in India since independence?
4. What were the impacts of the green revolution?
5. Enumerate the major achievements of white revolution.

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Unit 9 India and the World

Learning Objectives

- To know about the role of India in the contemporary world.
- To grasp the policies of India towards super powers.
- To ponder over the futuristic ideals of the modern world.
- To understand about nuclear policies and it's peaceful purpose.
- To explore about globalization and it's impact in India and third world.
- To understand environmental changes and sustainable development and India's role.

G2B3Y4

9.1 Evolution of India's foreign policy (1947-54)

Independence and Partition

In the pre-independence era India's foreign policy was the responsibility of the British Raj. India contributed to the British victory in the second world war by providing necessary man power and materials. With the end of the Second World War in 1945 and the subsequent independence of India in August 1947 from the British Raj, India had to deal with the outside world by herself and have to build her own foreign policy. The post-war global political events and India's own political climate shaped India's foreign policy.

The world was polarised into two military blocs and each bloc tried to overcome the other which was known as the Cold War. Though a major war was averted, each bloc was spending enormous money in military buildups due to which tense condition prevailed. The newly liberated countries were not in a position to squander their resources in conflicts between two military blocs. They had to divert all their reources for nation building. An ideological battle known as the Cold War happened between the two superpowers of that time – the United States of America and the Soviet Union. These were also extraordinary global circumstances with the emergence of newer nations from the clutches of colonisation with new boundaries. There was large scale human migration taking place across continents while the war-tired Western powers were working on framing a new world order. The world also witnessed the formation of the United Nations Organisation on October 24 1945, through the Atlantic Charter.

Jawaharlal Nehru was the architec of India's foreign policy. India's ideological alignment, its role in the U.N and its commitment to a peaceful world were at stake. Nehru's foreign policy took in to consideration, independent India's priorities such as nation's socio-economic development, modernization, global peace, avoidance of war, peaceful and

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constructive relationship with other nations, decolonization of Afro-Asian countries, strengthening the UN and economic cooperation with other countries.

Pakistan was formed after the partition of the Indian sub-continent in 1947. This event witnessed the largest transporation of refugees across the boundary in human history. The Kashmir issue continues to be one of the fundamental aspects that drives India's foreign policy causing three wars since 1947.

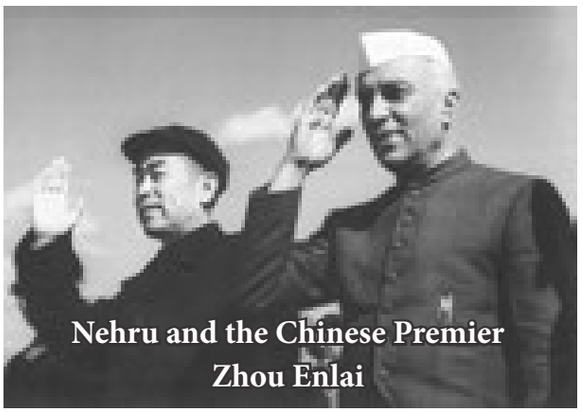
Panchsheel and Non-Aligned Movement (1954-1991)

Non-Aligned Movement

Nehru also firmly believed that India must develop and maintain a close friendship with its neighbours, especially with China as both countries have a long history of civilizational and cultural ties. This led to the signing of the Panchsheel Treaty between India and China in 1954 between Nehru and the Chinese Premier Zhou Enlai. The Panchsheel consists of five principles with which the two nations would conduct relations between them. This included;

Panchsheel Principles

- Respecting each other's territory and sovereignty
- Non-aggression
- Non-interference in each other's internal affairs
- Diplomatic equality and cooperation
- Peaceful Co-existence



Nehru and the Chinese Premier Zhou Enlai

Despite the agreement, India and China eventually fought a war in 1962 on border disputes. The border dispute between the two nations stands till now and it is one of the top issues that determine India's foreign policy. Attempts are onto resolve this issue through negotiations.

Pandit Nehru, who held the position of Minister for External Affairs for 17 years (1947-64) was assertive about India having its own foreign policy without getting caught in the Cold War. This led to the formation of the Non-Aligned Movement (NAM) in 1961.

DO YOU KNOW?

Bandung Conference(Indonesia) held on April 18-24, 1955 attended by 29 Heads of States are the immediate antecedent for the creation of Non-Aligned Movement.

Nehru was one of the founding fathers of the NAM along with Gamal Abdel Nasser of Egypt, Kwame Nkrumah of Ghana, Ahmed Sukarno of Indonesia and Josip Broz Tito of Yugoslavia. Nehru repeatedly explained the concept of 'Non-Alliance' that it did not mean neutrality, Non-Alliance meant not committing militarily to any super powers or military bloc, but retaining independence to decide issues on the basis of merit and concentrating on

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peaceful cooperation among nations. It was this freedom of choice that enabled India to procure arms from western countries during its war with China, and enter into a diplomatic treaty with Soviet Union just before the Bangladesh war in 1971.

The thought of not aligning with the two power blocs existed even before the formation of NAM. The Bandung Asian-African Conference held in 1955 had the principles of such a movement which later became the foundation of NAM in 1961.

Activity

Have a discussion on the 'Ten Principles of Bandung' under the guidance of your teacher in the class.

As a powerful advocate of decolonisation of Asia and Africa, Nehru's India envisioned the NAM as an alternative to the USA and the Soviet Union blocs for newly emerging independent countries. This was the central idea of NAM which several new nations decided to be part of as they did not want their country to become a theatre for the cold war.

Fall of the Soviet Union and Economic Liberalisation (1991-present)

The economic compulsion, casued by the fall of Soviet Union and the rise of Liberalisation, Privatisation and Globalisation – LPG forced India to move away from its largely socialistic economy to a market economy. India hence had to open its doors to Foreign Direct Investments (FDI) and it was the beginning of improving relations with the USA.

In present days, India faces a new set of challenges and its foreign policy is tranformed, without changing its core principles, to cope with the ever-changing nature of geopolitics. China has become one of the world powers which has a bearing in South Asia and our neighbourhood policy. With a growing economy, India has also become a regional power and hence it needs to be more responsible than ever before. These changes require India to finetune its foreign policy to protect its interests and improve ties with its neighbours.

Other factors that have contributed in building India's relations with the outside world over the years include its civilian and defence Nuclear capability and its increasing presence in key international institutions such as the BRICS, G20, SCO, MTCR, etc.. Having steadily grown in stature, several global powers have voiced their opinion for the inclusion of India as a permanent member of the UN Security Council. To summarise the essence of India's foreign policy, it is worthy to mention that it holds a rare distinction of being the only nation to have friendly ties with Israel, Iran, Palestine and Saudi Arabia.

9.2 India-United States of America (USA) Relations

History

Formal political relations with the USA began during World War II. The first exchange of envoys, Thomas Wilson and Sir Girija Shankar Bajpai, took place in

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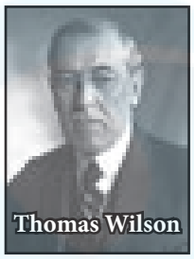
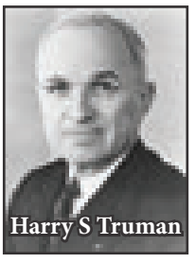
1940 which resulted in the establishment of a diplomatic office in Delhi.


Thomas Wilson

Sir Girija Shankar Bajpai


Harry S Truman

It was not until 1946, under the presidency of Harry S Truman, that the full-fledged diplomatic relations emerged between India and the US. This was consolidated further after India became independent in 1947.

During the partition, Kashmir, acceded to India, which Pakistan contested. Pakistan claimed that this accession was done forcibly by India. This issue was taken up by the United Nations for discussion in 1948, as a result of which, a U.N. Commission for India and Pakistan (UNCIP) was set up. India was stated that this was a "completely wrong" move and strongly criticised USA and U.K for their role. Nehru's first visit to the United States followed soon after the formation of the commission.

South East Asian Treaty Organization (SEATO)

Central Treaty Organization (CENTO)

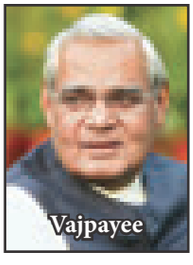
Devoid of personal rapport between the heads of the two states and mutual criticisms, the gap between India and USA further widened. Things did not improve with the formation of an American sponsored alliance system - SEATO (South East Asian Treaty Organization) and CENTO (Central Treaty Organization). Pakistan's inclusion in the organisation and the resulting US-Pakistan military pact left little hope for any improvement in the bilateral relations. Although there were small periods of a better environment in the second term of Eisenhower and during Kennedy's term, it was still a very long way from 'all-weather friendly' ties.

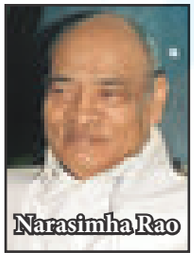
The USA tried to interfere and influence India's domestic (economic) programmes when India sought economic and technical assistance from her for industrialization.

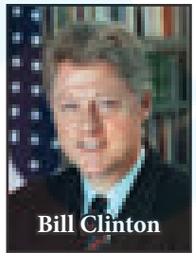
Under PL480, five agreements were signed between India and USA for supply of agricultural commodities to India in 1954.

Post-Cold War Relations

Fifty years after India's independence, emerging from the devastation of long colonisation, India became the largest democratic nation whose commitment to peace was undeterred by internal diversity or external factors. India's demographic asset with IT (Information Technology) capabilities and English speaking abilities was a thriving ground for feeding the global talent force for the age of the internet. At the turn of the millennium, it was clear that the Asian giants - China and India were out of the deep slumber, marking the shift of power from west to east. With the change of attitude between Indian and American leadership during the Rao-Clinton period, there was the birth of a new strategic partnership.


Vajpayee


Narasimha Rao


Bill Clinton

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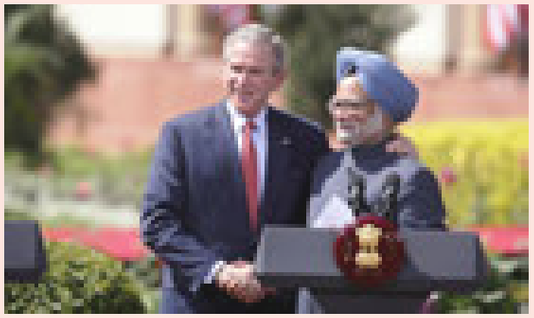
The position taken by the US, not to back Pakistan during the Kargil war, for violating the LoC (Line of Control) was welcomed in India. In 2000, Clinton's visit to India was seen as the emergence of a new era in India-USA relations. Vajpayee befittingly referred to India as a neighbour and partner of the United States on the digital map. Further, science and technology, environmental sustainability, climate change, education, HIV, tsunami relief etc., became areas of collaboration. Subsequently, despite minor issues, US-India ties during the Bush administration continued on the same path of progress, lending the term 'natural allies' more meaning. The relations further matured into co-operation on defence, civil nuclear energy and enhanced people to people ties during the Obama administration.

TIMELINE: India-USA Relations

S. No	Year	Important Events
1	1949	Prime Minister Nehru Visits USA
2	1978	President Carter Visits India
3	1991	Economic Reforms
4	May 11, 1998	India Tests Nuclear Devices, USA imposes economic sanctions
5	2000	Clinton Trip Signals Warming Ties
6	2001	USA Lifts India Sanctions
7	2005	Energy Security Dialogue
8	2005	USA, India Sign New Defense Framework
9	2005	Landmark Civil Nuclear Deal
10	2010	Economic and Financial Partnership
11	2010	USA, India Hold First Strategic Dialogue
12	2010	Obama Backs India Bid for UN Security Council
13	2011	USA, India Ink Cybersecurity Memorandum
14	2015	Obama's Second India Visit Elevates Ties
15	2016	Obama Recognizes India as Major Defense Partner
16	2019	Trump Ends India's Special Trade Status

India–United States Civil Nuclear Agreement



The 123 Agreement signed between the United States of America and the Republic of India is known as the USA–India Civil Nuclear Agreement or India-USA nuclear deal.The framework for this agreement was a July 18 2005, joint statement by the Indian Prime Minister Manmohan Singh and the US President George W. Bush, under which India agreed to separate its civil and military nuclear facilities and to place all its civil nuclear facilities under International Atomic Energy Agency (IAEA) safeguards and in exchange the United States agreed to work toward full civil nuclear cooperation with India.

The deal places under permanent safeguards those nuclear facilities that India has identified as "civil" and permits broad civil nuclear cooperation, while excluding the transfer of "sensitive" equipment and technologies, including civil enrichment and reprocessing items even under IAEA safeguards.

On October 1, 2008 the USA Senate also approved the civilian nuclear agreement allowing India to purchase nuclear fuel and technology from and sell them to the United States.

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Way Forward

The apparent choice for isolationist tendencies visible in the Trump administration has caused anxiety and reactions in the world. Although there is continuity in the India-USA ties under the new administration calling the partnership "two bookends of stability". However, the trade and technology conflicts and America. First policy are potential roadblocks in an otherwise deepening friendship. The USA attempts to undermine the traditional India-Iran ties pose serious challenges for Indian foreign policy. India is in pursuit of autonomy in foreign policy and is balancing the India-USA ties with that of other major partners.

9.3 India–Russia Relations

Indian-Soviet Union Relations (1947-1991)

Indian Prime Minister Jawaharlal Nehru's visit to the USSR

The Soviet Union was India's closest friend and a strategic partner since 1947. The relationship between the two countries has withstood several challenging geopolitical circumstances. Unlike the USA, Russia has historically understood and respected India's strategic autonomy. It views India as an ancient civilisation rich in culture, knowledge systems and wisdom. This basic quality of the relation has enabled the bilateral ties to flourish over the years.

Initially, when India became free, the Soviet Union (USSR) under the leadership of Joseph Stalin was suspicious of the genuineness of India's independent policy of non-alignment. However, India-Soviet bonhomie started with the Indian Prime Minister Jawaharlal Nehru's visit to the USSR in June 1955 which was followed by the Soviet Premier Nikita Khrushchev's visit to India in December 1955.

USSR Premier Nikita Khrushchev's visit to India

This was also the time when India adapted Soviet-style state planning and a 'socialistic pattern of society'. In this era, the USSR used instruments of aid, trade and diplomacy in developing countries to limit Western influence. Subsequently, India-Soviet relations flourished over the decades in the fields of metallurgy, defence, energy and trade sectors.

The India-Soviet Treaty of Peace, Friendship and Cooperation was signed by the two sides in 1971. This was a landmark in the relationship between the two countries.

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During the India–Pakistan war in 1971, the USSR took a firm position in favour of India and sent ships to the Indian Ocean to counter any move by the USA, which had already sent its 7th Fleet into the Bay of Bengal. The results of the 1971 India–Pakistan war and emergence of Bangladesh established a trusted partnership between India and the USSR.

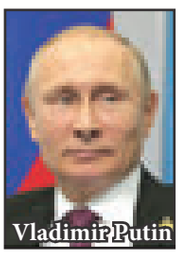
India-Russian Relations (1991-present)

With the fall of the USSR in 1991, bilateral relations between Russia and India went through a period of uncertainty. The Treaty of 1971 became ineffective as the Soviet regime no longer existed. Russia was also pressed to shift its focus towards domestic affairs and its relations with the USA and Europe. India now had to deal with a Russia which did not have an interest nor the resources for developing its ties with other nations.

During his visit to New Delhi in 1993, the Russian President Boris Yeltsin signed a new Treaty of Friendship which was an effort to rekindle the spirit in which the 1971 Treaty was signed. However, the fundamental character of the Treaty was transformed as the new Treaty just called for regular consultation and coordination in case of any threat to peace. Unlike in the Soviet era, Yeltsin described India as a 'natural partner' but he did not give the impression of a 'special relationship'. Though the relationship continued between the two countries in the early 1990s, the 'benign neglect' of India by Russia in this period was evident.

Joseph Stalin

Boris Yeltsin


Vladimir Putin

Deal for S-400 Air Defence System

India and Russia have formally inked the $ 5.2 billion deal for S-400 system in the year 2018.The air defence system is expected to be delivered by the year 2020. 400 Triumf is an advanced surface-to-air missile system, developed by Russia's state-owned company Almaz-Antey, and can shoot down hostile aircraft and ballistic missiles. It has an estimated range of 250 kilometres and a possible upgrade is speculated to extend it to 400 kilometres.

The new Russian leadership under Vladimir Putin (President, 2000–present) reversed the Yeltsin-era drift in India-Russia bilateral relations. Russia signed the Declaration on Strategic Partnership with India in 2000 and established the institution of annual summit meetings. Its declaration was further elevated to the level of "Special and Privileged Strategic Partnership" in 2010. Moscow realized that as a Eurasian power, an active Russian role in an emerging Asia would be limited without a solid partnership with old friends like India.

Areas of Cooperation

Currently, India is the largest importer of Russian defence equipment. The defence facet of the relationship is one of the strongest pillars of the India-Russia relationship and has gone through the test of time. Russia is also the only country that lays emphasis on sharing high-end defence technology with India which highlights the mutual trust between the two countries.

India, Russia and other neighbouring countries are engaged in efforts to operationalise the International North-South Transport Corridor (INSTC) which promises to propel connectivity and trade relations between the two countries.

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India and Russia deeply cooperate in a diverse set of areas which includes nuclear energy, trade, oil and gas, space program, science and technology, at the UN, BRICS, SCO and other international fora. The two countries share common ground on critical global challenges such as terrorism, cybersecurity, climate change, preventing the weaponisation of outer space and prevention of weapons of mass destruction. Russia also supports India's permanent membership of the United Nations Security Council. It also has remained a strong supporter of India in the Kashmir issue which is of India's core interest.

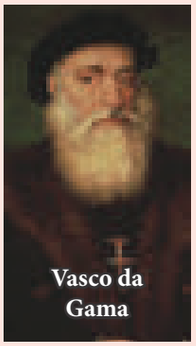
9.4 India-European Union Relations

Activity

India- European Union

Why India needs resources and expertise from the European Union? Discuss.

The period of colonialism ushered in a time of intense contact between India and Europe. Even people belonging to non-colonial European nations came to India to "work among the masses" or to study Indian culture, and their contributions to social development, education and healthcare in India are significant. There was not only an exchange of ideas and technology, but the culture and ethos of both these entities were mutually influenced, notwithstanding the fact that this was a period of economic exploitation of the colonised by the colonisers. One of the things that permeated the Indian ethos was a sense of nationhood, which soon, by the early 20th century, led to an overwhelming desire and movement for independence.



Vasco da Gama

In 1498, Portuguese sailor Vasco da Gama succeeded in finding a sea route to India from Europe which opened the doors for direct trade between Europe and India.

Post-Independence (1947-Current)

By the end of World War II, the European powers were no longer in a position to continue to stay in control of the Indian sub-continent and so withdrew, leaving colonial India as two nations, divided on the basis of religion.

BREXIT (Britain's Exit)

After months of negotiation, the UK and EU agreed a Brexit deal at Brussels summit.

What is Brexit?

Brexit is a term used to denote Britain's Exit.

- Brexit is the withdrawal of the United Kingdom (UK) from the European Union (EU), following a referendum held on 23 June 2016 in which 51.9 per cent of those voting supported leaving the EU.
- The invocation of Article 50 of the Lisbon Treaty set a two-year process which was due to conclude with the UK's exit on 29 March 2019.
- On 21 March 2019 the European Council agreed to the UK's request to extend the deadline and extended it to 12 April 2019.

After Independence in 1947, India continued to be closely involved with Europe, primarily with the UK, as part of the Commonwealth of Nations. India's relations

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with the rest of Europe were hued by the Cold War. India espoused a Non-Aligned stance which was viewed with distrust and her closeness to the Soviet Union after the war with China in 1962 led to a further schism. Engagement in trade, technology, education did exist but were in low key till India instituted liberalization in 1991.

In 1994, the India -EU Cooperation Agreement was signed which made India one of the first countries in the world to engage with the EU as an entity. In 2004 the EU-India Strategic Partnership was concluded. However, the attempts since 2007 to arrive at a free trade agreement have been deadlocked since 2013. The EU was India's largest trading partner in 2018-19 with USD 104.3 billion in bilateral trade, but BREXIT might impact that going forward.

Another issue in the EU-India relationship which the Common Agenda on Migration and Mobility seeks to address is preventing illegal migration and streamlining mobility for citizens.

The EU and India have some common interests other than trade – preventing climate change, maintenance of the Iran nuclear deal, increased cooperation in education and technology including nuclear energy. The EU model of federal democratic government with devolved state power should be of interest to India who has to deal with a federal structure and a multicultural society too.

9.5 India-Japan Relations

History

Nalanda University in India

The relations between India and Japan can be traced back to the 6th century when Buddhism reached Japan. Historical records indicate that scholars from Japan visited Nalanda University in India and one of the most famous travellers was Tenjiku Tokubei. Tenjiku, is the Japanese name for India, meaning "the heavenly abode". The earliest political exchange was established between Japan and the Portuguese colonies in India, particularly Goa.

The Japan- India Association was set up in 1903, post which the direct political exchanges began in the Meiji era (1868-1912). Since then, the two countries have exchanged cultural, social, economic and political ties.

Post Indian Independence

The diplomatic relations between the two countries began with the signing of Japan's Peace Treaty with India in 1952, after the end of World War II. India was one of the first countries to extend diplomatic ties, with the invitation to the Asian Games held in New Delhi in 1951. The relations were further strengthened by the mutual visits of Japanese Prime Minister Nobuke Kishi and Jawaharlal Nehru. India became the first receipt of Japan's yen loan and gradually emerged as India's largest aid donor. Many Indian political and economic thinkers praised Japanese economic rebuilding as success after the war.

Japanese Prime Minister Nobuke Kishi and Jawaharlal Nehru

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The relations between the two countries suffered a setback during the cold war years, as Japan aligned with the United States while India chose to adhere to Non-alignment policy. Further, the relations were hampered when Japan took a neutral stand during the Sino-Indian border war of 1962. While Japan's economic engagements with East and South-East Asian nations deepened during the 1970s and 1980s, India was left outside the gamut of the definitions of Asia. Japan also regarded nuclear tests by India as a threat to its Non-Proliferation objective.

Yoshiro Mori

The relations started to improve with the visit of Prime Minister Yoshiro Mori to India in 2000. There are dialogue mechanisms in diverse fields such as economy, commerce, financial services, health, road transport, shipping, education etc. to name a few sectors.

Economic Relations

Sony, Yamaha, Honda and Toyota have become household names in India, with the setting up of their manufacturing facilities in the country. Suzuki's partnership with the Indian automobile company - Maruti Suzuki is one of the largest car manufacturers. Japan's support for India's efforts in economic development, in priority areas like power, transportation, environmental projects and projects related to basic human needs have been significant.

Prime Minister Yoshiro Mori's visit to India in August 2000 provided the momentum to strengthen the Japan-India relationship. Mr. Mori and Prime Minister Atal Bihari Vajpayee decided the establishment of "Global Partnership between Japan and India". Since Prime Minister Junichiro Koizumi's visit to India in April 2005, Japan-India annual summit meetings have been held in respective capitals. When Prime Minister Manmohan Singh visited Japan in December 2006, Japan-India relationship was elevated to the "Global and Strategic Partnership".

Security Cooperation

During Prime Minister Singh's visit to Japan in October 2008, two leaders issued "the Joint Declaration on Security Cooperation between Japan and India".

Japan signed the Declaration on Security Cooperation with India in October 2008, only the third country with which to have such a security relationship after the USAand Australia. This event sent a positive message to the world community that Japan and India were keen on strengthening their bilateral ties beyond cheque book diplomacy. The rise of China also serves as a significant reason for the realignment of partnerships in the region. Besides increasing the number of bilateral visits by the top defence and military officials as a part of their 'strategic and global partnership', both are engaged in initiatives on maritime security, counter terrorism, counter-proliferation, disaster management and energy security.

In September 2014, Prime Minister Narendra Modi paid an official visit to Japan and had a summit meeting with Prime Minister Shinzo Abe. In December 2015, Prime Minister Abe paid an official visit to India and had a summit meeting with Prime Minister Narendra Modi. They announced "Japan and India Vision 2025 Special Strategic and Global Partnership Working Together for Peace and Prosperity of the Indo-Pacific Region and the World" a joint statement that would serve as a guide for the "new era in Japan-India relations."

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In November 2016, Prime Minister Modi paid an official visit to Japan and had a summit meeting with Prime Minister Abe. Prime Minister Abe stated that this summit would lead the prosperity and stability of the Indo-Pacific region as a result of coordinating the "Free and Open India and Pacific Strategy" and the "Act East" policy.

Japan expects India for improving the business environment, including the easing of regulations and the stabilization of the system. India established the "Japan Plus" office in the Ministry of Commerce and Industry in October 2014 as a "one-stop" location for resolving problems faced by Japanese companies. Japan and India agreed to set up 11 candidates of Japanese industrial townships around DMIC and CBIC areas in April 2015. Prime Minister Abe requested India's early decision on introducing special incentive packages in Japanese industrial townships in December 2015 and November 2016.

India decided to introduce the Shinkansen system in December 2015, when Prime Minister Abe visited India. The Japan's Shinkansen system is the highest class of High-Speed Railway systems around the world in terms of its safety and accuracy. Japan and India confirmed that the general consultant would start its work in December 2016 with the construction work to begin in 2018, and the railway operation would commence in 2023.

India has been the largest recipient of Japanese ODA loan in the past decades. Delhi Metro is one of the most successful examples of Japanese cooperation through the utilization of ODA.

India's primary exports to Japan have been petroleum products, chemicals, elements, compounds, non-metallic mineral ware, fish and fish preparations, metalliferous ores and scrap, clothing and accessories, iron and steel products, textile yarn, fabrics and machinery etc. India's primary imports from Japan are machinery, transport equipment, iron and steel, electronic goods, organic chemicals, machine tools, etc. Japanese FDI into India has mainly been in automobile, electrical equipment, telecommunications, chemical and pharmaceutical sectors.

In terms of human resource development in the manufacturing sector in India, Japan announced its cooperation of training 30,000 Indian people over next 10 years in the Japan-India Institute for Manufacturing (JIM), providing Japanese style manufacturing skills and practices, in an effort to enhance India's manufacturing industry base and contribute to "Make in India" and "Skill India" Initiatives. JIM and the Japanese Endowed Courses (JEC) in engineering colleges will be designated by Japanese companies in India, and this is a good example of cooperation between the public and private sectors. In summer 2017, the first four JIMs started in the States of Gujarat, Karnataka, Rajasthan and Tamil Nadu, and the first JEC was established in the State of Andhra Pradesh. Since then, four more JIMs and one JEC have started. Those institutes are also expected to give more Indian students the ambition to study the Japanese language.

Cultural Relations

The year 2012 marked the 60th anniversary of the establishment of diplomatic relations between Japan and India. Various cultural events took place both in Japan and in India to promote mutual understanding between the two

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countries, under the theme of "Resurgent Japan, Vibrant India: New Perspectives, New Exchanges."

During the visit of our Prime Minister to Japan in November 2016, the two Prime Ministers agreed to mark the year 2017 as the Year of Japan-India Friendly Exchanges to further enhance people-to-people exchanges between Japan and India.

9.6 India-Africa Relations

Introduction

Asia and Africa are home to some of the most ancient civilizations in the world. They have enjoyed significant trade, cultural, economic, and political exchanges for over a millennium. Trade included items such as carved beads, cotton, and terracotta for soft carved ivory and gold. The earliest known exchanges are that of food crops and domestic livestock which date back to the second millennium BCE. The first-ever written account of such a trade relationship was that of a 10th century Byzantine logbook that came to be known as the 'Periplus of the Erythraean Sea' or a guidebook to trade along the Red Sea. In the following centuries, the interests of both entities have expanded and diversified.

Post-War Era

The Indian independence was declared in the year 1947. It is notable however that most African countries were very intent on seceding from the influence of Europe.

Ever since India declared independence, it had raised its voice for African liberation representing their case at multiple international forums. The end of racial struggle and decolonization became the rallying point of India–Africa relations.

NAM and Africa

The Non-Aligned Movement was conceptualized as a response to the formation of power-blocs in the USA and the USSR during the cold war. In order to prevent a third world war, the newly decolonized countries of Africa, Asia, and Latin America declared neutrality. A key role was played in this process by the then Heads of African State of Egypt and Ghana along with India, Indonesia and Yugoslavia.

NAM was also started as an anti-colonial alliance to prevent the regression of its countries to war resource hosts. Africa being the nest of colonies, began resistance movements against the colonial forces with resounding successes. In the years it took to dismantle the systemic racism and slavery in the continent, Dr Nkrumah along with the other founders of NAM declared that Africa shall always be the first to fight racial discrimination and maintain the principles of Non-Alignment. The post-Nehruvian India in the 1970s carried forward the anti-imperialistic and anti-racial worldview.

Indian Diaspora in Africa

Diaspora refers to people of a specific ethnic background establishing a community far away from their native lands. The Britishers shipped many Indian labourers to the Afro-Carribean islands to produce sugar, rubber, and other cash crops. An estimate of 769,437

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Indians migrated to Mauritius, South Africa, Reunion Island, Seychelles, and East African region during the colonial period. Currently, Durban in South Africa is home to 1.3 million Indians. It is the largest Indian city outside India, followed by Mauritius and the Reunion Islands.

Asia-Africa Growth Corridor: The Asia-Africa Growth Corridor (AAGC) is an India-Japan economic cooperation agreement aimed at the socio-economic development of Asia and Africa. The vision document for AAGC was released by India in the 2017 African Development Bank meeting. The aim of the AAGC is to develop infrastructure and digital connectivity in Africa through India-Japan collaboration. It is viewed as an India-Japanese response to China's Belt and Road Initiative (BRI).

9.7 India-Latin America and Caribbean Relations

Background

The relationship between India and Latin America and Caribbean (LAC) has long been "Out of sight; Out of Mind". The geographical distance between them meant that there wasn't a strategic compulsion nor economic rationale to proactively build ties. Yet, the Latin America and Carribean nations and India maintained a history of warm friendship.

Latin America and Carribean nations share the spirit of anti-colonialism with India though many of them had gained independence almost a century before (19th century) India became free. Societies in Latin America and Carribean also have an ancient and rich civilizational value like India and other parts of Asia and Africa. One could hence draw similarities in some cultural practices between India and the Latin America and Carribean region. Latin America and Carribean countries such as Suriname and Guyana have a sizeable population of Indian origin who were shipped by the colonial powers as slaves centuries ago. This forms the basis of India's ties with Latin America and Carribean.

List of Countries in Latin America and Caribbean - 40

- Latin America is generally understood to consist of the entire continent of South America in addition to Mexico, Central America, and the islands of the Caribbean.
- Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, French Guiana, Guadeloupe, Guatemala, Haiti, Honduras, Martinique, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, Saint Barthélemy, Saint Martin, Saint Pierre and Miquelon, Uruguay, Venezuela.
- **Caribbean countries**
  Antigua and Barbuda, Bahamas, Barbados, Cuba, Dominica, Dominican Republic, Grenada, Haiti, Jamica, St. Kitts and Nevis, St. Lucia, St. Vincent and Grenadines, Trinidad and Tobago.

Post-Independence

1947-1991: After India's independence, its engagement with Latin America and Carribean was limited. State visits from India have also been negligible in this period with

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Nehru's visit to Mexico in 1961 and Indira Gandhi's visit to 8 Latin American and Carribean nations in 1968.

Relations at present

India and Brazil are the two components of BRICS which was formed in 2006. This getting together of Brazil-Russia-India-China and South Africa (BRICS) has provided a platform for India to actively engage with Latin America and Carribean. The grouping of these emerging nations of the world facilitates greater economic and cultural exchange between India and Latin America and Carribean. The 2014 BRICS summit in Brazil enabled the Indian Prime Minister to hold meetings with other Latin America and Carribean leaders on the sidelines.

With a population of about 620 million and a resource-rich land, Latin America and Carribean presents itself as a great opportunity for India to expand its global footprint. With the advancement of technology and transport mechanisms, the geographical distance can be narrowed to facilitate deeper engagement. History of friendly relations between Latin America and Carribean and India also provides a foundation for enhanced cooperation in the 21st century.

9.8 India and Regional Organisations

SAARC (South Asian Association for Regional Cooperation)

SAARC was established on 8 December 1985 with the signing of the SAARC Charter in Dhaka to promote economic cooperation and development, the welfare of the people and for the close cultural and historical links among the South Asian Countries. SAARC comprises of eight Member States: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. The Secretariat of the Association was set up in Kathmandu on 17 January 1987.

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Activity

The reason why South Asia is the least integrated region in the World is because the economic linkages are very weak among the countries of the region. Discuss with your pair.

The objectives of the Association are:

- To promote the welfare of the peoples of South Asia and to improve their quality of life.
- To accelerate economic growth, social progress and cultural development in the region and to provide all individuals with the opportunity to live in dignity and to realize their full potentials.

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- To promote and strengthen collective self-reliance among the countries of South Asia.
- To contribute to mutual trust, understanding and appreciation of one another's problems.
- To promote active collaboration and mutual assistance in the economic, social, cultural, technical and scientific fields to strengthen cooperation with other developing countries.
- To strengthen cooperation among themselves in international forums on matters of common interests.
- To cooperate with international and regional organizations with similar aims and purposes.

Quadrilateral Security Dialogue (QUAD)

- It is an informal mechanism between India, the US, Australia and Japan, and interpreted as a joint effort to counter China's influence in the India-Pacific region.
- The idea of the QUAD could be originally attributed to Japanese Prime Minister Shinzo Abe.
- It got operationalized in 2007 and was revived in 2017.

On the organisational structure, The SAARC has a four-tier institutional set-up, which includes the summits comprising of the Heads of all the South Asian States and they meet once in every two years; The

Council of Ministers comprises of the Ministers of Foreign / External Affairs of the Member States the Standing Committee comprises of the Foreign Secretaries of the SAARC Member States and the Technical Committees comprising representatives of Member States are responsible for the implementation, coordination and monitoring of the programmes in their respective areas of cooperation. Until now nearly eighteen summits have been hosted by the member states.

The SAARC member counties taking the growing economy scenario in South Asia have formed the South Asian Free Trade Area (SAFTA). The agreement came into force in 2006, succeeding the 1993 SAARC Preferential Trading Arrangement. One of the main aims of the SAFTA is to recognize the need for special and differential treatment of developing counties in South Asia and formulate policies that would support the growth of the entire region.

ASEAN

ASEAN (Association of South-East Asian Nations) was established on 8 August 1967 in Bangkok, Thailand, with the signing of the ASEAN declaration or popularly known as the Bangkok declaration by the founding fathers of ASEAN, namely Indonesia , Malaysia, Philippines, Singapore and Thailand. Since the establishment of ASEAN, other South-East Asian Nations who were not part of the organisation initially have also joined, which includes Brunei Darussalam joining on 7 January 1984, Vietnam on 28 July 1995, Laos and Myanmar on 23 July 1997, and Cambodia on 30 April 1999. ASEAN has around ten primary member states and it has been the only official organization that pursued regional economic integration in East Asia. It is responsible for several economic integration initiatives in East Asia including

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- the ASEAN Free Trade Agreement (AFTA),
- the ASEAN Framework Agreement on Services (AFAS) and
- the ASEAN Investment Area (AIA).

Asia Reassurance Initiative Act (ARIA)

- It aims to establish a multifaceted USA strategy to increase USA security, economic interests, and values in the Indo-Pacific region.
- The new law mandates actions countering China's illegal construction and militarization of artificial features in the South China Sea and coercive economic practices.
- ARIA recognizes the vital role of the strategic partnership between the USA and India in promoting peace and security in the Indo-Pacific region and it calls for strengthening diplomatic, economic, and security ties between both the countries.
- USA recently renamed its strategically important Pacific Command (PACOM) as the USA Indo-Pacific Command, indicating that for USA government, East Asia and the Indian Ocean Region are gradually becoming a single competitive space and India is a key partner in its strategic planning.
- USA launched Indo-Pacific Business Forum as an economic pillar for country's Indo-Pacific Strategy.

Although India's Association with South-East Asian Countries has been for centuries, its recent initiative towards engaging South-East Asia started in the early '90s. India's new growth story in the '90s made India take interests on its new initiative "Look-East policy" and began reviving its economic relations with South-East Asia. Meanwhile, having been for years influenced by China and other western partners, ASEAN too realized the importance of India as the third-largest economy in Asia and an emerging regional power. This understanding led to the acceptance of India as ASEAN's sectoral partner in early 1992 and its full dialogue partner in July 1996. The Look East Policy over the years has matured into an action-oriented programme, namely 'Act East Policy'. The Prime Minister of India at the 12th ASEAN India Summit and the 9th East Asia Summit held in Nay Pyi Taw, Myanmar, in November 2014, formally enunciated the Act East Policy. India's relationship with ASEAN is one of the key pillars of India's foreign policy and the foundation of Act East Policy.

Important initiatives of India – ASEAN relations include Political-Security Cooperation, Economic Cooperation, Socio-Cultural Cooperation and Connectivity. In addition, financial aid schemes have also been established for socio-economic development.

BRICS

The acronym, **BRICS** stands for (**Brazil, Russia, India, China and South Africa**) and was coined by Jim O'Neill of Goldman Sachs in 2001 as part of an economic modelling exercise to forecast global economic trends over the next half-century. He predicted that

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by the year 2050, Brazil, Russia, India and China would become bigger than the six most industrialized nations in dollar terms and would completely change the power dynamics of the last 300 years.

One of the major achievements of BRICS is the establishment of the New Development Bank (NDB) which has come into existence on 7 July 2015, with the vision of mobilizing resources for infrastructure and sustainable development projects in BRICS and other emerging economies and developing countries. The NDB helps the member countries to raise and avail resources for their infrastructure and sustainable development projects. Contingent Reserve Arrangement is another BRICS initiative that acts as a financial safety instrument for BRICS countries in the event of a financial crisis.

9.9 Indian Diaspora

Diaspora refers to the movement of the population from its original homeland meaning a country's native people move out to some other homeland or country. A group of people with the same culture or belonging to the same country might vacate their original homeland and relocate in some other country or homeland due to several reasons such as economy, livelihood, political situations and other social conditions. Sometimes people are even chosen to leave their homelands and settle elsewhere. Such movement or relocation of the population can be either voluntary or forced due to traumatic events, wars, colonialization, slavery or from natural disasters. Feeling of persecution, loss and yearning to go back home is common amongst the people of the forced diaspora. Voluntary diaspora consists of a community of people who have left their homelands in order to search for better economic opportunities, for example, the gigantic emigration of people from depressed regions of Europe to the United States during the late 1800s. Unlike the forced diaspora, people from voluntary diaspora take immense pride in their shared experience and are convinced of the strength in numbers both socially and politically.

Diasporas play a major role in the economic development of their homeland. They also act as senders of remittances, they promote trade and FDI, create and nurture entrepreneurship and help in exchange of new knowledge and skills.

The Indian diaspora is a common term used to represent the people who have migrated from territories and states that come under the jurisdiction of the Republic of India. This diaspora is presently estimated to be over 30 million, encompassing NRIs (Non-Resident Indians) and PIOs (Persons of Indian Origin) spread all over the world.

Over Thirty-one million people of Indian birth or descent are part of the Indian diaspora spread around the world. Of them 3.1. million, or 10 per cent, are Indian-Americans living in the US. The Indian-American diaspora has proven to be a vital resource contributing to the economic, political and social development of India.

The Indian Diaspora is categorised as:

- NRI – Indian citizens living abroad for an indefinite period of time for whatsoever purpose.
- PIO – Overseas Indians who have claimed the citizenship of another country and have settled there.

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❖ SPIO – Stateless Person of Indian Origin, those citizens who do not have documents to substantiate their origination as Indian.

The Indian government recognises the significance of Indian Diaspora, as it has brought economic, financial and global recognition. These citizens have been away from India but are striving to make India shine on the global arena.

In the period after India became free, Prime Minister Jawaharlal Nehru pursued a policy of "active dissociation" from the Indian diaspora. He was concerned about the impact of connecting with and advocating for, this diaspora on the sovereignty of host countries. It was under the regime of Rajiv Gandhi that there was a boost in the diaspora policy. He offered support at Fiji Indian crisis in 1986. Besides, having realized Indian diaspora as a strategic asset, he took administrative measures to establish the Indian Overseas department in 1984.

The policy of reaching out to the Indian diaspora began during the leadership of Atal Bihari Vajpayee. During his tenure as the Prime Minister, the Pravasi Bharatiya Divas was first launched in 2003. It is to be celebrated on 9th of January which marks the day when Mahatma Gandhi returned to India from South Africa. The government planned to celebrate it annually by holding events including conferring awards on the prominent members of the Indian diaspora. The initiatives undertaken by the Indian government during last two decades has bolstered the role and significance of Indian diasporic community in the development of the country, in addition to attracting global investment, aids and technology. India's diaspora has sent $79 billion back home, retaining its position as the world's top recipient of remittances.

Tamil Diaspora

The Tamil Diaspora refers to the people who emigrated from their native lands in Tamil Nadu, Puducherry and Sri Lanka. They are spread over fifty countries across the world in South East Asia, Oceania, the Americas and the Caribbean, Europe, Middle East and Africa. Throughout ancient history, the Tamils have been seafarers with a strong interest in exploring beyond their lands. The Tamils hence have a long history of overseas migration.

The early settlement patterns could be traced to sugarcane plantations in Mauritius, Jamaica, Trinidad and Tobago, Suriname, Guyana, rubber estates and railways in Malaysia, coffee and tea plantations in Sri lanka. In addition to being taken as labour, there were voluntary emigrants who took up clerical, administrative and military duties. It is these emigrants who gradually became dominant in trade and finance in South East Asia, particularly in Myanmar, Singapore, Malaysia and South Africa.

Status of Tamil around the world

1. Countries where Tamil is an official language are Singapore, Sri Lanka.
2. Countries where Tamil is Recognized as Minority Language are Canada, Malaysia, Mauritius and Seychelles, South Africa, Reunion and France.

The modern Tamil diaspora accounts for around 3.5 million people who voluntarily migrated as skilled professionals to several countries across the world which includes Singapore, the United Kingdom and the United States. Singapore has a dedicated Tamil newspaper, Tamil TV channel and radio for the promotion of the language.

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Many Tamil diasporas across the world participate in the annual Pravasi Bharatiya Divas festival. Despite moving out of their homeland, they remain culturally engaged and contribute to the spreading of Indian and Tamil culture across the world.

Glossary

Cold War : Ideological War between Russia and USA.

LAC : Line of Actual Control between India and China.

Aksai Chin : Indian territory in Ladakh region claimed by China.

Cultural Revolution : Happened in China between 1966-76, under the leadership of Mao.

Communism : Ideology related with workers equality. Followed by USSR between 1917-91.

Cuban Crisis : Closest Nuclear encounter between USA and USSR.

Evaluation

I. Choose the Correct answer

1. India is the founding member of _____.
   a) UN b) ASEAN c) OAC d) OPEC
2. Which of the following treaties was signed between India and Russia in 2010?
   a) Treaty of Peace, Friendship and Cooperation
   b) New Treaty of Friendship
   c) Declaration of Strategic Partnership
   d) Special and Privileged Strategic Partnership

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3. What is the name of India-Japan join cooperation in Africa?
   a) India-Africa Forum Summit b) Non-Alignment Movement
   c) Asia-Africa Growth Corridor d) Asian-African Nations Conference
4. In Which city was the SAARC Charter signed?
   a) New Delhi b) Colombo c) Islamabad d) Dhaka
5. Panchsheel Principle was agreed between _____.
   a) India-China b) India- Pakistan c) India- Srilanka d) All
6. Who initiated NAM?
   a) Nehru b) Tito c) Nasser d) All
7. 123 agreement is between
   a) Indo-Russia b) Indo-America c) Indo-Pakistan d) Indo-Africa
8. Match the following:

1. SCO	a) 2015
2. SAARC	b) 2001
3. New Development Bank	c) 1985
4. Launch of Pravasi Bharatiya Divas	d) 2003

1) b c a d 2) b d a c
3) c b a d 4) a d b c

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9. 1962 war fought between _____.

a) India-China b) India- Russia c) India – Srilanka d) India- Pakistan

10. Consider the following:

I. To promote the welfare of the peoples of South Asia and to improve their quality of life;
II. To promote and strengthen collective self-reliance among the countries of South Asia;
III. To strengthen cooperation among themselves in international forums on matters of common interests.

Which of the above statements include SAARC Charter and its main area of focus?

a. Only I is correct b. Only II is correct
c. I and III are correct d. I, II and III are correct.

II. Answer the following questions very shortly

1. Explain Non-Alignment Movement.
2. Define 'Diaspora'.
3. What is Liberalisation, Privatisation and Globalisation?
4. What are the tenets of India's foreign policy?
5. How is the Indian Diaspora categorised?
6. Explain the objectives of BRICS.

III. Answer the following questions shortly

1. Write a note on India-USA nuclear deal.
2. Write about the Tamil Diaspora across the world.
3. Write a note on India-E.U relations.
4. Write a note on India-Japan relations.
5. What was Africa's role in the formation of NAM?

IV. Answer the following questions in detail

1. Write an essay about SAARC.
2. Evaluate India- American relations in the 21st century.
3. Critically examine the relationship between India and ASEAN.
4. How did India's foreign policy evolve since independence?

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Unit 10 India and It's Neighbours

Learning Objectives

- To understand about India's states and role in the modern world.
- To know about various peace Initiatives taken for India.
- To know about India's relations with neighbour Nations.
- To explore further about India's dynamic role as a peace loving Nation.
- To ponder about India's Nuclear States.
- To find out the economic and trade relations.
- To investigate India as a super power in the 21st century.

Introduction

India has a long land frontier and coastline. It shares boundaries with Afghanistan, Bangladesh, Pakistan, Bhutan, China, Myanmar (Burma),Nepal, and Sri Lanka. India has adopted a foreign policy of neutrality and non-involvement.

With India being situated in a politically sensitive geography, her relations with the neighbours are always characterized by ups and downs.The foreign policy orientations and attitudes of all these countries towards India exercised profound influence on the framers of the India's foreign policy. On its part India tried to maintain cordial and friendly relations with these countries but has faced considerable difficulties in dealing with some of the neighbouring countries and often they have adopted hostile postures towards India.

In her relations with the neighbours, India has been following the five principles of the famous Panchsheel.

10.1 India- Afghanistan Relations

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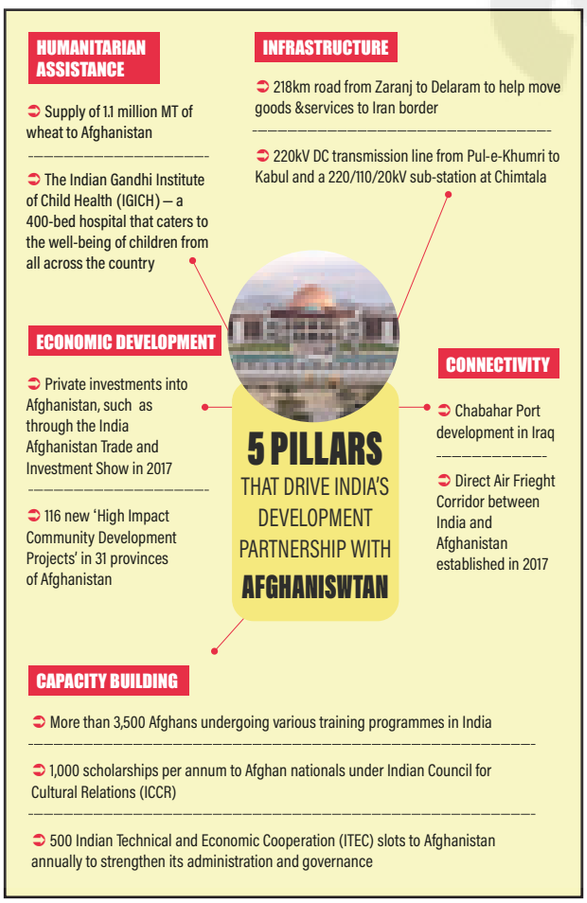
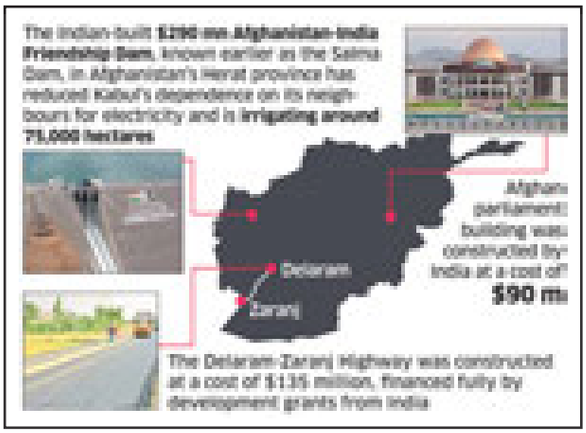
India has sought to establish its presence in Afghanistan from the early days of its independence in 1947.In 1950, Afghanistan and India signed a "Friendship Treaty."

India had robust ties with Afghanistan during King Zahir Shah's regime. Prior to the Soviet invasion in 1979, India had formalized agreements and protocols with various Pro-Soviet regimes in Kabul. While India's role in Afghanistan was constrained during the Anti-Soviet jihad, between 1979 and 1989, India expanded its development activities in Afghanistan, focusing upon industrial, irrigation, and hydroelectric projects.

King Zahir Shah

After the Taliban consolidated their hold on Afghanistan in the mid-1990s, India





struggled to maintain its presence and to support anti-Taliban forces. However, Indian objectives in Afghanistan remained modest given the constrained environment. India aimed to undermine the ability of the Taliban to consolidate its power in Afghanistan, principally by supporting the Northern Alliance in tandem with other regional actors. Working with Iran, Russia, and Tajikistan, India provided important resources to the Northern Alliance, the only meaningful challenge to the Taliban in Afghanistan. Since 2001, India has relied upon development projects and other forms of humanitarian assistance. Expanding India's presence in Afghanistan through increased Indian training of Afghan civilian and military personnel, development projects, and expanded economic ties. India and Pakistan competition in Afghanistan is seen as a new "Great Game".

In 2005, India proposed Afghanistan's membership in SAARC and in April 3, 2007 it joined.

India-Afghanistan: Strategic interests

Afghan is India's natural ally. India is interested in retaining Afghanistan as a friendly state from which it has the capacity

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to monitor Pakistan and cultivate assets to influence activities in Pakistan. While India is keenly interested in cultivating a significant partnership with Afghanistan, Pakistan is trying to deny India such opportunities.

India's interest in Afghan is more than just Pakistan-centric and reflects its aspiration to be seen as a regional power. Islamic fundamentalism in Pakistan and Afghanistan has dangerous effects in the domestic social fabric of India.

India-Afghanistan: Economic interests

Afghanistan has a mineral wealth of about US $1-3 trillion which includes Iron ore, Lithium, Chromium, Natural Gas, Petroleum etc. Safeguarding Indian investments and personnel in Afghanistan is of utmost importance to India as Indian investment in Afghan amounts to about US $3bn.

The top commodities exported by India were man-made staple fibers, cereals, tobacco, electrical machinery, dairy product, eggs, honey, rubber products, pharmaceuticals, clothing accessories, boilers and machineries whereas the imports mainly comprised of fresh fruits, dried fruits/nuts, raisins, vegetables, oil seeds, precious/semi-precious stones etc. To achieve the possibilities of trade, India and Afghanistan signed a Preferential Trade Agreement in March 2003 under which India allowed substantial duty concessions ranging from 50% to 100% to certain category (38 items) of Afghan dry fruits. In November 2011, India removed basic customs duties for all products of Afghanistan (except alcohol and tobacco) giving them duty free access to the Indian market. India is one of the major export destinations of Afghanistan's goods.

The operation of the Chabahar port in Iran could substantially increase Afghanistan's exports by providing a new transit route for Afghan to trade with India and the rest of the world. Recently the Indian government has approved USD 85 Million for upgrading the capacity of Chabahar Port in Iran for an alternate trade transit route for Afghanistan.

India-Afghanistan: Security Interests

India faced many security challenges from the Taliban in Afghan during the 1990s.Pakistan has raised and supported several militant groups such as Lashkar-e-Taiba, Harkat-ul-Mujahideen/Harkat-ul-Ansar, and Harkat-ul-Jihad-al-Islami among others, which operate in India. All of these groups have trained in Afghanistan, with varying proximity to the Taliban and by extension Al-Qaeda. Thus India is absolutely clear that Afghanistan should not again become a terrorist safe haven. Radical ideologies and terrorism spreading in this region are a security threat for India.

With Pakistan increasing its strategic depth in Afghanistan, it can reverse the gain of India. Pakistan can incubate and move around various anti-India groups in Afghan especially in Loya Paktia. The

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golden crescent comprising of Iran, Afghan, and Pakistan is a worry for India, especially with respect to the issue of drug abuse in Punjab. Islamic State is using Afghan as an outpost in Asia as it has come under stress in Iraq and Syria.

Indian policy on Afghanistan

In 2011, India became the first country that Afghanistan signed a strategic partnership agreement. Until then, India was following the US demand of India's limited cooperation with Afghanistan. India has repeatedly stressed that its relationship with Afghanistan is independent of Pakistan. India argues that the tripartite relationship between India, Pakistan, and Afghanistan is mutually independent. In both the 1965 and 1971 wars, Afghanistan was non-committal and did not support India. On the Kashmir issue, Afghanistan has not publicly supported India. India has not entered the debate on the Durand Line.

India also realises that stability can result in Afghanistan only if all the major actors and countries have a stake in its stability, growth and prosperity. India has been championing efforts to attract regional and trans-regional investment into Afghanistan that provides a viable alternative to the dominant narrative of extremism and offers job opportunities to its population by pioneering events like the Delhi Investment Summit on Afghanistan in June 2012. Recognising that the region holds the key to peace in Afghanistan, India is spearheading commercial confidence building measures in the region within the purview of the Heart of Asia Process. Multilaterally, it helped initiate a dialogue on Afghanistan through various platforms like the Afghanistan-India-US trilateral and the Afghanistan-India-Iran trilateral that seek to bring together international partners with disparate worldviews in pursuit of the common goal of securing peace and prosperity in Afghanistan. India also expressed its support to international cooperation on Afghanistan at the UN and at various international conferences focused on the future of Afghanistan, including the seminal Tokyo Developmental Conference in July 2012 and London Conference in December 2014.

In1999,Pakistan terrorists hijacked Indian Airlines flight IC:814 and landed it in Kandahar,Afghanistan during Taliban rule.

In 2015, in a first major offensive military platform to Kabul, India gifted three Mi 25 attack helicopters. The delivery marks the first time India has gifted offensive combat capability to Afghanistan, a sensitive topic in the past due to strong objections by Pakistan. Under the agreement, India will also train Afghan defence personnel in operations.

Way Ahead

India's developmental approach has earned it immense goodwill among the Afghan people. However, the "soft power" strategy has limitations. Thus, India is in the dilemma between continued soft-power or to aggressively push its hard power.

While India's principled position that it will not directly or publicly talk to the Taliban until it engages the Afghan government, it is necessary that India stays abreast of all negotiations and isn't cut out of the resolution process. It is hoped that a robust channel is open between Indian intelligence agencies and all important groups in Afghanistan, including the Taliban, in order to ensure that Indian

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Indian Developmental projects in Afghanistan

- The restoration of the Stor palace in the same city.
- Rebuilding of the Habibia High School, also in the capital, and providing it with grants-in-aid.
- Financing the establishment of the Afghan National Agriculture Sciences and Technology University (ANASTU) in Kandahar and assisting it in various ways.
- Constructing the Chimtala power substation in Kabul.
- Building the cricket stadium in Kandahar; Lets Afghanistan's national cricket team use an Indian stadium as its home ground.
- Building a cold storage warehouse in Kandahar.
- Upgrading telephone exchanges in some provinces.
- Expanding the national television network.
- Digging tube wells in some of the provinces.
- India has donated buses, helicopters, Ambulance etc., to Afghanistan.

interests, development projects, and citizens are kept secure.

India should leverage the goodwill it enjoys among the Afghan people. India must intensify its dialogue with regional and global stakeholders, and impress upon them that any dialogue with the Taliban must not come at the cost of the hard-fought victories of the Afghan people in the past two decades; on establishing constitutional democracy and the rule of law, and securing the rights of women and minorities. It is time for India to engage the Taliban to secure its interests. India also needs to reassess its policy choices in close coordination with Russia and Iran, constantly reminding them that complete surrender to the Taliban's demands will be detrimental to their own security.

10.2 India – Pakistan Relations

History has been uncharitable to India and Pakistan, two close neighbours who, just a little over seven decades, shared geography, culture, religion, language, and the very ethos and philosophy of life that sustained an ancient civilization. The bitter partition of India and Pakistan, led mass migration amidst horrendous violence as Muslims fled to Pakistan and Hindus and Sikhs to India in millions. The tragedy that began at the time of partition continues to have effect until this day in forms of wars that both countries fought and the menace of terrorism for which both countries are victims.

Kashmir Imbroglio

The region of Kashmir is at the heart of hostility between the neighbours and was the cause of two of their three wars since independence from Britain in 1947. Under the partition plan provided by the Indian Independence Act, Kashmir was free to accede to either India or Pakistan. The Maharaja of Kashmir, Hari Singh, initially wanted Kashmir to become an independent nation - but in October 1947 chose to join India, in return for its help against an

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invasion of tribesmen from Pakistan. A war erupted and India approached the United Nations asking it to intervene.

Activity

Courtesy: The Hindu cartoon

If China can be India's largest trading partner why can't India be Pakistan's, burying the issue of Kashmir through free movement of capital and people? Discuss.

The war came to an end on January 1, 1949, by a UN-mandated ceasefire line, along with the deployment of a UN peace-keeping group at the ceasefire line. This was the first Indo-Pakistani war. This proved to be the longest-running war over Kashmir, but was also the least costly as a result of the limited nature of the firepower employed by both sides. As a fallout of end of war in Kashmir a result of the ceasefire agreement, a Line Of Control (LOC) was established between the opposing armies, which left Pakistan occupying about a third of the State.

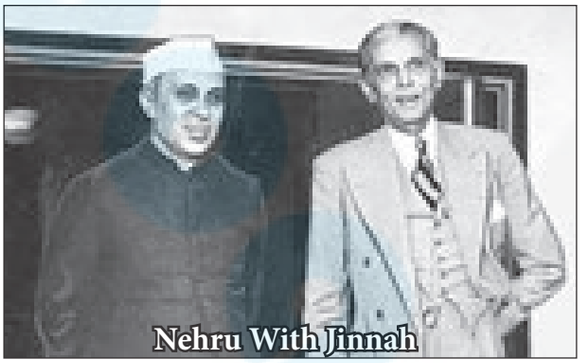
Maharaja Hari Singh

The United Nations recommended holding a plebiscite to settle the question of whether the state would join India or Pakistan. However the two countries could not agree to a deal to demilitarise the region before the referendum could be held. In July 1949, India and Pakistan signed an agreement to establish a ceasefire line as recommended by the UN and the region became divided. A second war followed in 1965. The only declared war between Pakistan and India was in 1971, rest of the wars were more related to the border skirmish and not a declared battle. What is more, since the time both nations got their freedom, they have always been assuring each other that both stood for peace and not for war.

India–Pakistan war in 1971

(Lt-Gen. A.A.K. Niazi signs instrument of surrender in the presence of Lt. Gen. Jagjit Singh Aurora)

Then in 1999, India fought a brief but bitter conflict with Pakistani-backed forces known as the Kargil War. By that time, India and Pakistan had both declared themselves to be nuclear powers. Separatists began an insurgency against Indian rule in 1989 backed by Pakistan and since then tens of thousands of people have been killed there due to terrorism.



Nehru With Jinnah

Mass migration from India to Pakistan and Pakistan to India

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Simla Agreement (1972)

The Simla Agreement was signed between India and Pakistan on 2 July 1972 in Shimla, the capital city of the Indian state Himachal Pradesh. It followed the Bangladesh Liberation war in 1971 that led to the independence of Bangladesh, which was earlier known as East Pakistan and was part of the territory of Pakistan. India entered the war as an ally of Bangladesh which transformed the war into an Indo-Pakistan War of 1971. The agreement was ratified by the Parliaments of both the nations in same year. The treaty was signed in Simla by Zulfiqar Ali Bhutto, the President of Pakistan, and Indira Gandhi, the Prime Minister of India. The agreement also paved the way for diplomatic recognition of Bangladesh by Pakistan.

Zulfiqar Ali Bhutto with Indira Gandhi

Today the question of India – Pakistan relations revolves around three major issues; Kashmir, Terrorism and Economic relations. While, each of these aspects are interlinked, it is important to understand by itself these issues are a major concern for the peace of South Asia. Having not been able to take over Kashmir, and also having lost East Pakistan (now called Bangladesh) due to India's intervention in 1971, Pakistan is keen in destabilising India by supporting terrorism.

Repealing Article 370

On August 5, 2019, the President of India gave assent to the Constitution (Application to Jammu and Kashmir) Order, 2019, issued under Article 370(1) of the Constitution of India. While exercising power under Article 370 (1), the President has repealed all the clauses of Article 370.However, Article 370(1) has been extended with certain modifications. By virtue of those modifications, all the provisions of the Constitution of India shall be applicable to Jammu and Kashmir.

Major issues-in India-Pakistan relation

1. Siachen Dispute

Indian and Pakistani forces have faced off against each other in mountains above the Siachen glacier in the Karakoram range, the world's highest battlefield, since 1984.The two sides have been trying to find a solution that would allow them to withdraw troops, but no solution has been arrived at so far.

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Surgical Strikes

It was launched as a response to Pakistan's frequent provocations along the border and Line of Control.

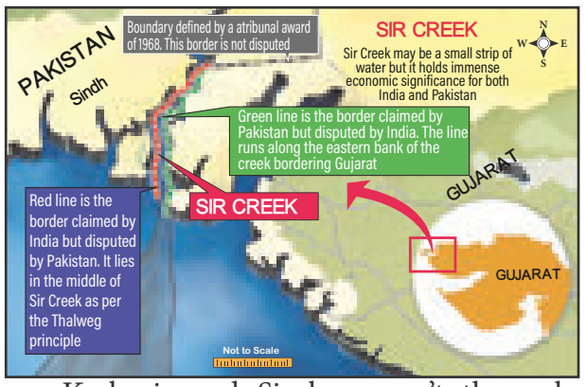
What is a surgical strike?

- Surgical strikes are attacks on particular opponent targets.
- They aim at having a minimum damage to the surrounding structures including civilian buildings.
- They aim at having a zero or minimum deaths of civilians.

2. Water Sharing Issue

The two countries disagree over use of the water flowing down rivers that rise in Kashmir and run into the Indus river basin which goes to Pakistan.The use of the water is governed by the 1960 Indus Water Treaty under which India was granted the use of water from three eastern rivers, and Pakistan the use of three western rivers.Pakistan says India is unfairly diverting water with the upstream construction of barrages and dams. India denies the charge.

3. Sir Creek Dispute



Kashmir and Siachen aren't the only issues the two nuclear powers of South Asia lock horns. Sir Creek is another major issue that's been waiting for a resolution for over 70 years. Sir Creek is a 96-km strip of water disputed between India and Pakistan in the Rann of Kutch marshlands. Originally named Ban Ganga, Sir Creek is named after a British representative. The Creek opens up in the Arabian Sea and roughly divides the Kutch region of Gujarat from the Sindh Province of Pakistan. The dispute lies in the interpretation of the maritime boundary line between Kutch and Sindh. Before India's independence, the provincial region was a part of the Bombay Presidency of British India. But after India's independence in 1947, Sindh became a part of Pakistan while Kutch remained a part of India. Apart from its strategic location, Sir Creek's core importance is fishing resources. Sir Creek is considered to be among the locking horns over the presence of great oil and gas concentration under the sea, which are currently unexploited.

A CENTURY-OLD DISPUTE

1908
- Dispute arises between the Rao (ruler) of Kutch and the Sindh government over the collection of firewood from the creek area

1914
- Bombay government resolution map places the boundary on the eastern bank of the creek but its para 10 speaks of the mid-channel being the boundary. All these areas were under the jurisdiction of the Bombay province

APRIL-MAY 1965
- India & Pakistan armies clash in the Rann of Kutch

February 1968
- India-pakistan tribunal on the Kutch border gives its award, which upholds 90 per cent of India's claim. But it does not cover Sir Creek.

1997
- India and Pakistan resume composite dialogue and, among the issues, is the resolution of the Sir Creek dispute

2005-2007
- Two rounds of joint surveys of Sir Creek carried out by a joint India-Pakistan team.

2008
- At the fourth round of the composite dialogue in Islamabad, the two sides agree on a joint map of the area, which had been worked out through the joint survey

June 2012
- After dialogue resumes on the Sir Creek issue in New Delhi, the two sides "reiterate their desire to find an amicable solution of issue through sustained dialogue"

List of major insurgent attacks

- Insurgents attack on Jammu and Kashmir State Assembly: A car bomb exploded near the Jammu and Kashmir State Assembly on 1 October 2001, killing 27 people. It was an attack that was blamed on Kashmiri separatists. It was one of the most prominent attacks against India apart from the attack on the Indian Parliament in December 2001.
- Assassination of Abdul Ghani Lone: Abdul Ghani Lone, a prominent All Party Hurriyat Conference leader,

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TIMELINE: India-Pakistan relations

A timeline of the rocky relationship between the two nuclear-armed South Asian neighbours.

S. No.	Year	Important Events
1.	1947	Britain, as part of its pullout from the Indian subcontinent, divides it into secular (but mainly Hindu) India and Muslim Pakistan on August 15 and 14 respectively.
2.	1947/48	The first India-Pakistan war over Kashmir is fought, after armed tribesmen (lashkars) from Pakistan's North-West Frontier Province (now called Khyber-Pakhtunkhwa) invade the disputed territory in October 1947.
3.	1954	The accession of Jammu and Kashmir to India is ratified by the state's constituent assembly.
4.	1963	Following the 1962 Sino-Indian war, the foreign ministers of India and Pakistan - Swaran Singh and Zulfiqar Ali Bhutto - hold talks under the auspices of the British and Americans regarding the Kashmir dispute.
5.	1964	Following the failure of the 1963 talks, Pakistan refers the Kashmir case to the UN Security Council.
6.	1965	India and Pakistan fight their second war.
7.	1966	On January 10, 1966, Indian Prime Minister Lal Bahadur Shastri and Pakistani President Ayub Khan sign an agreement at Tashkent (now in Uzbekistan), agreeing to withdraw to pre-August lines and that economic and diplomatic relations would be restored.
8.	1971	India and Pakistan go to war a third time, this time over East Pakistan.
9.	1972	Pakistani Prime Minister Zulfikar Ali Bhutto and Indian Prime Minister Indira Gandhi sign an agreement in the Indian town of Simla.
10.	1974	The Kashmiri state government affirms that the state "is a constituent unit of the Union of India". Pakistan rejects the accord with the Indian government.
11.	1988	The two countries sign an agreement that neither side will attack the other's nuclear installations or facilities.
12.	1989	Armed resistance in the Kashmir valley begins.
13.	1992	A joint declaration prohibiting the use of chemical weapons is signed in New Delhi.
14.	1998	India detonates five nuclear devices at Pokhran. Pakistan responds by detonating six nuclear devices of its own in the Chaghai Hills.
15.	1999	Indian Prime Minister Atal Bihari Vajpayee meets with Nawaz Sharif, his Pakistani counterpart, in Lahore. Kargil war was an armed conflict between India and Pakistan later in the same year.
16.	2001	Tensions along the Line of Control remain high, with 38 people killed in an attack on the Kashmiri assembly in Srinagar.
17.	2007	On February 18, the train service between India and Pakistan is bombed near Panipat, north of New Delhi. Sixty-eight people are killed, and dozens injured. (Samjhauta Express)
18.	2012	In November, India executes Pakistani national Kasab, the lone survivor of a fighter squad that killed 166 people in a rampage through the financial capital Mumbai in 2008, hanging him just days before the fourth anniversary of the attack.
19.	2016	India launches what it calls "surgical strikes" on terrorist units in Pakistan-occupied Kashmir in September, less than two weeks after an attack on an Indian army base leaves 19 soldiers dead.
20.	2019	In the early hours of February 26, India conducts air attacks against what it calls Pakistan-based rebel group Jaish-e-Mohammad (JeM)'s "biggest training camp", killing "a very large number of terrorists".

was assassinated by an unidentified gunmen during a memorial rally in Srinagar. The assassination resulted in wide-scale demonstrations against the Indian forces for failing to provide enough security cover for Mr.Lone.

- The 2008 Mumbai attacks (Also referred to as 26/11) were a series

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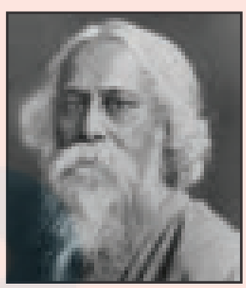
of terrorist attacks that took place in November 2008: 10 members of Lashkar-e-Taiba, an Islamic terrorist organisation based in Pakistan, carried out 12 coordinated shooting and bombing attacks lasting four days across Mumbai. The attacks, which drew widespread global condemnation, began on Wednesday 26 November and lasted until Saturday 29 November 2008. At least 174 people died, including 9 attackers, and more than 300 were wounded.

- 2016 Uri attack: A terrorist attack by four heavily armed terrorists on 18 September 2016 near the town of Uri in the Indian state of Jammu and Kashmir killed 18 and left more than 20 people injured. It was reported as "the deadliest attack on security forces in Kashmir in two decades".
- 2019 Pulwama attack: On 14 February 2019, a convoy of vehicles carrying security personnel on the Jammu Srinagar national highway was attacked by a vehicle-bound suicide bomber in Lethpora near Awantipora, Pulwama district, Jammu and Kashmir. The attack resulted in the death of 38 Central Reserve Police Force (CRPF) personnel. The responsibility of the attack was claimed by the Pakistan-based Islamist militant group Jaish-e-Mohammed.

10.3 India – Bangladesh Relations

Bangladesh is one of the most important neighbours of India. Bangladesh is also a key partner to India in the South Asian region, and is crucial both for stability in the north-eastern region and as a bridge to South-East Asia. It is an important lynchpin to India's 'Look East' policy.

In 1970, the Bengali Awami League Party won the Pakistani National Elections. But West Pakistan refused to recognize the election results and used brutal force to suppress the agitation by the Awami League Party. This situation led to near war scenario, with armed east Bengalis forming the Mukti Bahini (freedom force). India's support to the Mukti Bahini by training and the supply of arms, became imminent with millions seeking refuge in India. Pakistan's pre-emptive strike at India provided the Indian army the much needed excuse to attack East Pakistan. By December 1971, Bangladesh emerged as an independent state.



Rabindranath Tagore

Historical Relations with Bangladesh can be traced to the idea of India and Pakistan pre-dating 1947. The population of both the countries share close and multi-faceted socio-cultural,religious and linguistic ties. What is more, both countries have a distinct honor of having their national anthem written by the same poet 'Rabindranath Tagore.' The creation of Bangladesh with the support of India, is a significant milestone in the history of South Asia.

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Establishment of a new state provided a chance for India to have a friendly neighbor. In January 1972, Mujibur Rahman assumed power as the Prime Minister of Bangladesh and his tenure happened to be one of the best times in India – Bangladesh Relations. His tenure also witnessed the signing of Indo-Bangladesh Friendship Treaty.

Sheikh Hazina and Begum Khaleda Zia

Major Issues in Indo Bangladesh Relations

1. **The Farakka Barrage:** Of the various issues responsible for deteriorating Indo-Bangladesh relations, commissioning Farakka dam in West Bengal, about 11 miles from Bangladesh's border, has perhaps attracted the most International attention. India maintains that it needs the barrage for the purpose of flushing the Hooghly River to make it free from silt and therefore keep the port of Calcutta operational and also to meet the demand from Kolkata for industrial and domestic use, and for irrigation purposes in other parts of West Bengal. Despite the negotiations since 1970's at both regional and international levels, both the nations have still not been able to reconcile with a proper solution.

2. **Sharing of Teesta Water:** The Teesta River originates from Teesta Kangse glacier about 7,068 metres (23,189 ft.) height and flows southward to Sikkim, West Bengal and Bangladesh. This river merges with the Brahmaputra river when it enters Bangladesh and ends in the Bay of Bengal. The dispute was started when West Bengal government began constructing barrages on the river in 1979 mainly for irrigation purposes. The Bangladesh Government opposed it and argued that the major rice producing areas of Bangladesh, especially the 'rice bowl' Rangpur region lie in the Teesta and Brahmaputra river basin. In 1983, an adhoc agreement on water sharing was signed between both counties. Yet, being an upper riparian state, India has not been able to supply the promised amount of water. Politically river water sharing continues to haunt both the countries.

3. **New Moore Island or South Talpatti** (Known in Bangladesh): New Moore Island is a small uninhabited offshore sandbar landform in the Bay of Bengal, off the coast of the Ganges-Brahmaputra Delta region. It emerged in the Bay of Bengal in the aftermath of the Bhola cyclone in 1970, and disappeared at some later point. For nearly 30 years, India and Bangladesh have argued over control of a tiny rock island in the Bay of Bengal but later in 2010 the rising sea levels have resolved the dispute for them as the island was submerged. New Moore Island, in the Sunderbans, has been completely submerged, Its disappearance has been confirmed by satellite imagery and sea patrols. Scientists at the School of Oceanographic Studies have noted an alarming increase in the rate at which sea levels have risen over the past decade in the Bay of Bengal. Although the island was uninhabited and there were no permanent settlements or stations located on it, both India and Bangladesh claimed sovereignty over it because of speculation over the existence of oil and natural gas in the region.

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The Resolution: In Permanent Court of Arbitration (PAC) the dispute was settled in July 2014 by a final verdict not open to appeal and in favour of Bangladesh. The Permanent Court of Arbitration (PCA) verdict awarded Bangladesh with 19,467 km^2 out of 25,000 km^2 disputed area with India in the Bay of Bengal. However New Moore Island has fallen in India's part of the Bay of Bengal.

India- Bangladesh Border

India and Bangladesh have a 2,979 km land border and 1,116 km of riverine boundary. They also share 54 common rivers, including the Brahmaputra. India' s West Bengal, Meghalaya, Mizoram, Assam and Tripura share 4,096 km border with Bangladesh.

Tripura and other northeastern states are surrounded by Bangladesh, Myanmar,Bhutan and China on three sides and the only land route access to these states from within India is through Assam and West Bengal by Siliguri or the Chicken's Neck Corridor.

4. Chakmas Refugees Issue: The Chakmas and Hajongs living in the Chittagong Hill Tracts fled erstwhile East Pakistan in 1964-65, since they lost their land to the development of the Kaptai Dam on the Karnaphuli River. In addition, they also faced religious persecution as they were non-Muslims and did not speak Bengali. They eventually sought asylum in India. The Indian government set up relief camps in Arunachal Pradesh and a majority of them continue to live there even after five decades. According to the 2011 census, 47,471 Chakmas live in Arunachal Pradesh alone.

5. Border Issue: Bangladesh and India share a common border of 4096 km running through five states, namely, West Bengal, Assam, Meghalaya, Tripura and Mizoram. There are 162 enclaves between Bangladesh and India. The border regions have emerged as a major transit point for smugglers of contraband goods, human traffickers and terrorist and insurgent groups living near the border. Hence, border management has become a major challenge for both countries.

Through negotiation between India and Bangladesh 50 enclaves were transferred to India and 111 transferred to Bangladesh. While the border issue is sorted to a great extent, through related issues like illegal arms smuggling, human trafficking,drug trafficking and cross border terrorism continue to haunt India and Bangladesh.

Trade and Connectivity

- Trade has been growing steadily between the two countries at about 17% in the last 5 years.
- A bus service and a train service between Kolkata and Dhaka was also launched.
- Memorandam of Understanding (MoU) has been signed on the development of Ashuganj-Zakiganj stretch of Kushiyara river and Sirajganj-Daikhawa stretch of the Jamuna river to improve connectivity between the two countries and this will help reduce cost of cargo

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movement to northeast India and also reduce congestion through the Siliguri's 'Chicken's Neck' corridor.

- Connectivity is an issue of mutual interest as these initiatives on passenger and goods trains will be of benefit to both Bangladesh and northeast India.
- Dhaka also has the central role in shaping the future of sub-regional cooperation with Bhutan, Burma, India and Nepal. It is also a land bridge to East Asia and the fulcrum of a future Bay of Bengal community.
- However, the most important issue in contemporary Asian geopolitics is transit and connectivity. In 2016 when Chinese President Xi Jinping visited Bangladesh, it agreed to join the Belt and Road Initiative (BRI).
- China is already investing in a number of infrastructure projects in the country including the deep sea port at Chittagong. It is likely that these projects will now be subsumed under the BRI project which is the matter of concern for India.

Energy Cooperation

- Energy cooperation between the two sides has also shown a lot of positivity with Indian state Tripura supplying a total of 160 MW of power to Bangladesh in addition to the 500 MW the country is receiving from West Bengal since 2013.
- Bangladesh has sought extra 100 MW electricity from India to solve its power crisis, and will be likely on the negotiating table.

Defence Cooperation

- There are talks that a defence treaty is to be signed between India and Bangladesh, it will be a long-term defence deal that will allow for increased defence cooperation, information sharing, joint exercises, training and so on. However, India needs to figure out where it can meet Bangladesh's security concerns, considering Bangladesh's largest defence partner is China.
- Expanding security cooperation with India could only enhance Dhaka's global leverage. For India, a strong partnership with Bangladesh will help boost the prospects of peace and prosperity in the eastern subcontinent.
- Defence deal between the two nations on the basis of sovereign equality and geopolitical realities will take us a long way ahead.

The India-Bangladesh relations can be summarised as hanging on three 'T's – 1. Tackling Terrorism, 2. Trade + Transit and 3. Teesta Treaty. we should hope to resolve the issues and take the relationship forward so that the growing mutual trust and political comfort between Delhi and Dhaka will have a long-term consequence. It is important for India's North-East as well.

10.4 India-China Relations

The Modern history of India-China relations starts after 1949, with China becoming a Communist country. India was one of the first country to recognise the People's Republic of China. However, the initial relationship did not last long as India became suspicious of China's intention when Tibet was occupied by the Chinese army in 1950. The Hindi – Chini – Bhai Bhai (Indians and Chinese are brothers)

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enthusiasm in the 1950s did cast off some of India's fears, but all these developments that happened in due course were lost with the India and China war of 1962. India-China relations can be broadly categorised into three aspects – border issue; economic interests; and cooperation on international issues.

India and China are civilizational powers with long and historical legacies. Buddhism went from India to China along with texts and culture. Fa Hien and Xuan Zhang are some of the travellers who came to ancient India to study. Add to the cultural relations, the ancient Silk Road allowed closer economic relations.

Border Issue

India and China share over 4056 km long border. It is divided into three sections; the border to the east of Bhutan, central border across Utter Pradesh, Punjab and Himachal Pradesh and the border separating Jammu and Kashmir from Chinese territories of Sinkiang and Tibet.

India – China border is known as the McMahon Line, named after Arthur Henry McMahon who was the Secretary of State for India in the British Cabinet. This demarcation was determined in 1914 at the Conference of the representatives of British India, Tibet and China held at Shimla. The boundary line was drawn taking into consideration of the natural boundary as it passes through Tibetan Plateau in the north and Indian hills in the South. This boundary was accepted by all the representatives, although, China at a later date condemned it as an imperialist line. India continues to accept this line as the border with China.

In 1949, at the end of a protracted civil war, a communist regime was establised in China. China had always treated Tibet as its Province and used to collect tributes from her. The Communist regime also treated it as one of her autonomous Provinces. But, a theocratic Tibet could not reconcile with socialist China. The Tibetan issue, particularly granting asylum to Tibetan leader Dalai Lama and his people was a cause of rift between these two countries.

The roots of the India-China border issue can be traced to centuries, its immediate reason relates to China's occupation of Tibet in 1950. China's reasons for occupation is based on historical linkage and ideological fervour.

Ever since the occupation of Tibet, China started claiming many of Indian territory as theirs. Despite the talks both the countries had since the 1950s, there was hardly any progress in the clear demarcation of borders. Nonetheless, there was information about frequent cross border infiltrations. By 1961, India decided to firmly fix the borders and launched 'forward policy', establishing military posts in the disputed territories. This

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move by India did not go well with China and it launched a massive attack on Arunachal Pradesh and Ladakh on October 20, 1962. The war lasted only for 31 days, yet it made a long lasting humiliating impact on India.

India-China War,1962

- When China announced that it would be occupying Tibet, India sent a letter of protest proposing negotiations on the Tibet issue. China was even more active in deploying troops on the Aksai Chin border.
- In 1954, China and India concluded the Five Principles of Peaceful Coexistence, under which, India acknowledged Chinese rule in Tibet.
- In July 1954, Nehru wrote a memo directing a revision in the maps of India to show definite boundaries on all frontiers; however, Chinese maps showed some 120,000 square kilometres of Indian territory as Chinese. On being questioned, Zhou Enlai, the first Premier of People's Republic of China, responded that there were errors in the maps.
- The People's Republic of China's leader, Mao Zedong felt humiliated by the reception Dalai Lama obtained in India when he fled there in March 1959. Tensions increased between the two nations when Mao stated that the Lhasa rebellion in Tibet was caused by Indians.
- China's perception of India as a threat to its rule of Tibet became one of the most prominent reasons for the Sino-Indian War.
- In October 1959, India realised that it was not ready for war after a clash between the two armies at Kongka Pass, in which nine Indian policemen were killed, the country assumed responsibility for the border and pulled back patrols from disputed areas.
- On October 20, 1962, China's People's Liberation Army invaded India in Ladakh, and crossed the McMahon Line in the then North-East Frontier Agency.
- Till the start of the war, the Indian side was confident that war would not be started and made little preparations. India had deployed only two divisions of troops in the region of the conflict, while the Chinese troops had three regiments positioned.
- In 1962, the world's two most populous countries went to war. The Sino-Indian War claimed about 2,000 lives and played out in the harsh terrain of the Karakoram Mountains, some 4,270 meters (14,000 feet) above sea level.
- After hundreds of more deaths and an American threat to intervene on behalf of the Indians, the two sides declared a formal ceasefire on November 19, 1962. The Chinese announced that they would "withdraw from their present positions to the north of the McMahon Line."
- Thus, the India-China War of 1962 ended and Colombo Conference was convened by Non-Aligned activist to resolve the dispute amicably.

India-China War,1962

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Six-Nation Colombo Conference- (10 December 1962)

Pursuant to growing tension between India and China and the war, Mrs. Sirimavo Bandaranaike convened what came to be known as the Colombo Conference, bringing together the leaders of Burma, Cambodia, Egypt, Ghana and Indonesia to mediate and reach a possible solution to the conflict between the two Asian giants. India accepted the principles of the Colombo Conference in toto while China accepted them in principle, as the basis to start negotiation.

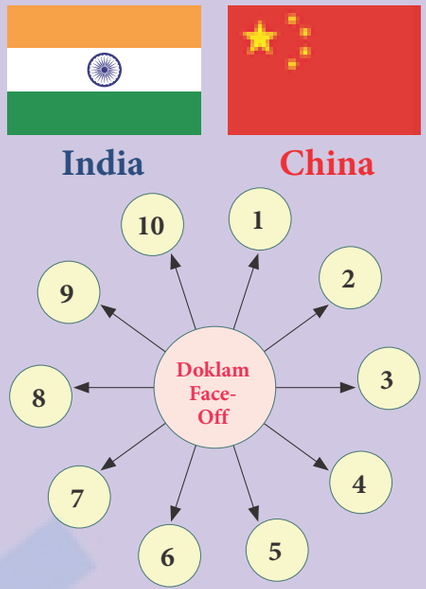
Even until this day, the 1962 Sino-Indian War is a widely debated topic. The end of the war threw a new boundary line between India and China known as Line of Actual Control (LAC). In 1993, an Agreement on the Maintenance of Peace and Tranquility along the Line of Actual Control (LAC) on the India-China border Areas was signed during Prime Minister Narasimha Rao's visit to China. The LAC continues to be a matter of irritation between both countries.

Economic Interests

Since the mid-1980s, India and China started having a closer bilateral economic relations. The process of dialogue initiated by the governments of the two countries helped in identifying the common trade interests. In 1984, India and China entered into a Trade Agreement, which provided them with the status of Most Favoured Nation (MFN). Since 1992, India and China have been involved in a full-fledged bilateral trade relations.

India was the 7th largest export destination for Chinese products and the 27th largest exporter to China. India's top exports to China included diamonds, cotton yarn, iron ore, copper and organic chemicals. China's top exports to India include electrical machinery, equipment, fertilizers, Chinese antibiotics, Chinese organic chemicals. The cumulative Chinese investment in India till March 2017 stood at US$ 4.91 billion and the cumulative Indian investment in China till March 2017 reached US$ 705 million.

Activity



Guided Discussion Teacher divide the class into two groups and ask them to refer e-paper of The Hindu (27.1.2018 – The HINDU Explainer) and Indian Express (28.8.2018 – A Year after Doklam face-off). After reading two Articles by the students teacher can organise the activity in the class.

1. **What is the Doklam issue all about?**
2. **How did it come about?**
3. **Why does it matter?**
4. **Did Bhutan raise it with China?**
5. **When and why, did the face-off begin?**
6. **What were India's concerns?**
7. **When did negotiations between India and China to resolve the crisis begins?**
8. **What arguments did India put forth in these negotiations?**
9. **What led to a breakthrough?**
10. **Had China entered Doklam earlier?**

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Cooperation on International Issues

In the international arena, India and China are competitors for resources. Investments in many of the developing countries by both these emerging Asian giants are all to meet the increasing economic demands of India and China. Despite the widespread competition, India and China have also found some real convergence of interests. Both the countries support for multipolar world order and resist interventionist foreign policy doctrines emanating from the West, particularly the United States. In addition, China and India also share wide-ranging concerns on climate change, trade negotiations, energy security, and global financial crisis. India and China also play a significant role in the WTO and global trade negotiations in the hope for getting better leverage for the developing world over developed states.

In addition to this significant role, China and India are also partners in major international organisations like BRICS (Brazil, Russia, India, China and South Africa), ASEAN (Association of Southeast Asian Nations), EAS (East Asian Summit), SCO (Shanghai Cooperation Organisation), etc.

10.5 India – Sri Lanka Relations

Since the Independence of India in 1947 and Sri Lanka in 1948, both India and Sri Lanka enjoyed closer relations with each other. Despite these closer relations, domestic developments in Sri Lanka has always had a negative impact on each other relations. The main reason for this negative impact is because of the ethnic crises between the Tamils and the Sinhalese and the Indian response towards this issue. Security interests and the shared ethnicity of Tamils living in southern India and in northern and eastern Sri Lanka are the two major factors in Indo – Sri Lankan relations.

Ethnic Composition

According to the 1921 Census, there were nearly 10 principal races, three pairs being subdivisions of larger groups, in Sri Lanka (then known as Ceylon). Of these three were principal races namely, the Low Country and Kandyan Sinhalese, the Ceylon and Indian Tamils, and the Ceylon and Indian Moors. Four other specified races were the Burghers, Eurasians, Malays and Veddas.

The predominant community Sinhalese, which is about three-quarters of the population, are Buddhist and Speak Sinhalese.

The Indian Tamils in Sri Lanka are also largely Hindus. The Muslims mainly of Tamil origin speak both Tamil and Sinhala.

Major Issues in India and Sri Lanka Relations

One of the first issues between India and Sri Lankan began with the Ceylon Citizenship Act of 1948, where the Plantation Tamils or Malayaha Tamizhar were deprived of their citizenship.

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Ethnic crisis in Sri Lanka has enormous impact on India- Sri Lanka relations due to large Tamil speaking population in southern India as well as the attempts by Sri Lanka to balance India's influence with the Tamils in Sri Lanka by building geo-strategic pressure by engaging the West or the Chinese selectively. Sri Lanka is critical to India's coastal security and its interests in the Indian Ocean Region. Any presence of external powers will hence have drastic impact on its defence and security.

Since the end of Eelam War IV, India – Sri Lanka relations have been more constructive. In the recent years the bilateral trade has increased manifold. Nevertheless there are few major concerns both countries need to work out.

Return of Sri Lankan Tamil Refugees continues to be a matter of concern. Unless, there is favorable political situation in Sri Lanka, refugees will not return to their homeland.

The attack on the Indian fishermen continues and has become a regular occurrence. There have been many suggestions to solve this crisis, including deep sea fishing, lease in perpetuity of Katchatheevu, alternate day fishing by Indian and Sri Lankan fishermen, etc., but sadly none of these suggestions have seen the light of the day.

Sri Lankan Tamil Refugees Issue

In 1948, immediately after the country's independence, a controversial law labelled the Ceylon Citizenship Act was passed in the Sri Lankan Parliament which deliberately discriminated against the Tamils of South Indian origin, whose ancestors had settled in the country in the 19th and 20th centuries. This Act made it virtually impossible for them to obtain citizenship and over 700,000 Tamils (consisting of up to 11% of the country's total population) were made stateless. In 1964, a pact was signed between Bandaranaike and the then Indian Prime Minister Lal Bahadur Shastri to repatriate much of the population of the stateless Tamils. Over the next 30 years, successive Sri Lankan governments were actively engaged in deporting over 300,000 Tamils back to India. It wasn't until 2003, after a state-sponsored programme against Tamils and a full-scale civil war, that Indian Tamils were granted citizenship but by this time, their population had dwindled to just 5% of the country's population. Tamils repatriated to India were assimilated with location population after taking Indian citizenships.

Around 62,000 refugees, living in 107 camps across Tamil Nadu, have been receiving various relief measures of the Central and State governments. In addition, in recent years, the Tamil Nadu government has taken steps for scores of young boys and girls of the refugee community to join professional courses, particularly engineering. This has benefitted eligible candidates among 36,800 non-camp refugees in the State too.

Change in status quo

At present, for both India and Sri Lanka, the repatriation of refugees must be a priority. Tamil Nadu hosts the largest number of Sri Lankan Tamil refugees in India. It would be in the interest of both the countries to find the permenant resolution for this problem. While for India a long-standing problem would be resolved, for Sri Lanka it would be a step towards ethnic reconciliation.

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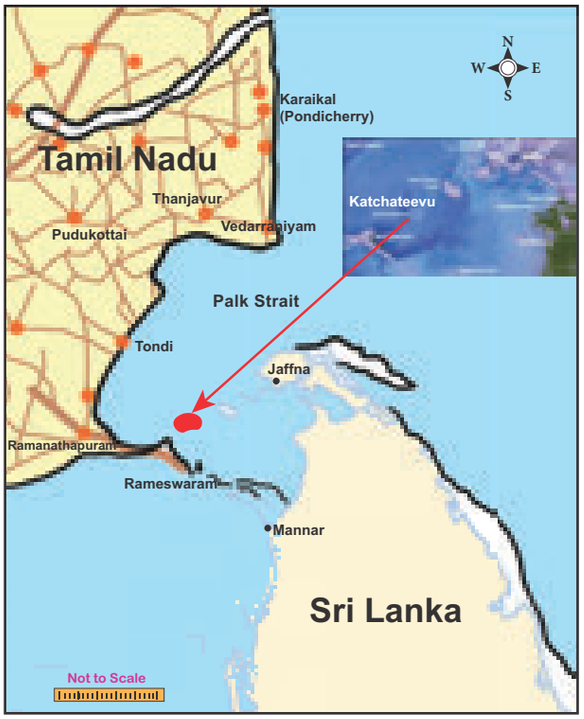
The two governments can come out with a comprehensive package on voluntary repatriation, after involving representatives of the refugee community, the Tamil Nadu government and Sri Lanka's Northern Provincial Council.

For refugees who want to stay back, India can consider providing them citizenship, as it did for refugees from Pakistan and Afghanistan. This can be acheived by filtering out any potential anti-social or anti-state elements, leading to the eventual closing down of refugee camps in Tamil Nadu. Such a process will bring an end to an episode that has lasted longer than the civil war of Sri Lanka.

Katchatheevu

Kachatheevu originally belonged to kings of Ramanathapuram. No maps of Sri Lanka showed it as its territory. However, seeing it's strategic location, Sri Lanka started claiming it. The issue was discussed some times during the meeting between Indian and Sri Lankan leaders. However in 1974 Indira Gandhi signed an agreement whereby Kachatheevu was given to Sri Lanka. Katchatheevu is an uninhabited 285-acre island situated in between India and Sri Lanka in the Gulf of Mannar. It has a Catholic shrine and has been declared as a sacred area by the government of Sri Lanka. The shrine attracts devotees from both the countries. This 1974 agreement had secured the rights of Indian fishermen only to dry their nets and use the Church for religious observance. But then in 1976, delimitation of International Maritime Boundary Line (IMBL) was agreed upon as required by the UNCLOS. With this, Indian fishermen do not have any right to even engage in drying of nets and use of Church because 1976 agreement superseded 1974 agreement. Since then our fishermen are facing innumerable problems.



Nehru-Kotelawala Pact (1954)

The Nehru-Kotelawala Pact was an agreement that was signed between Jawaharlal Nehru, the Prime Minister of India, and John Kotelawala, the Prime Minister of Sri Lanka, on 18 January 1954. It was an agreement regarding to the status and future of people of Indian origin in Ceylon. They were brought by British from Madras Presidency in British India to work in tea, coffee and coconut plantations of British Ceylon.

In the pact, India accepted in principle the repatriation of Indian population in Ceylon. But Jawaharlal Nehru only supported voluntary repatriation of those who accepted Indian citizenship. India disagreed on Sri Lankan position that suggested granting Indian citizenship to people, who failed to qualify for Sri Lankan citizenship.

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Fishermen Issue

- According to Joint Working Group on Fisheries (JWGF) data, 111 boats of Tamil Nadu fishermen and 51 Indian fishermen were in arrest or detention in Sri Lanka's Northern Province in 2019.
- Reasons include on-going disagreement over the territorial rights to the island of Kachchatheevu, and the damaging economic and environmental effects of trawling.
- Due to the dearth of multi-day fishing capability, Indian fishermen cannot shift their fishing effort from the Palk Bay area to the offshore areas way beyond the continental shelf.
- Also, due to a gradual drop in fish count in the Indian waters, Indian fishermen are forced to wander into Sri Lankan waters as the catch is insufficient here.
- In November 2016, an inter-ministerial delegation discussed terms for a joint working group, but the Sri Lankan delegation rejected India's request for a three year grace period so that the government can assist fishermen to move from bottom trawling fishing method to another sustained and effective method.

Shastri – Srimavo Agreement, 1964

Mrs Srimavo Bandaranaike visited India in 1964. After prolonged negotiations, an agreement was signed between Bandaranaike and Shastri.

- It sought to solve the problem of 9 lakh 75 Thousand stateless persons in Sir Lanka using the following formula:
- 3 lakh people will get Sir Lankan citizenship.
- 5 lakh 25 thousand will get Indian citizenship. They were to move to India in a period spanning over 15 years.
- Remaining 1.50 lakh stateless persons fate was to be decided later.

Rajiv – Jayawardene Agreement (Indo-Sri Lanka Accord), 1987

Diplomatic agreement between PM Rajiv Gandhi and Srilanka President JR Jayawardane to solve the ethnic problem.

- An autonomous unit comprising northern and eastern provinces (where Tamils are concentrated) would be constituted.
- Elections to provincial councils were to be completed by Dec 31, 1987 in the presence of Indian observers.
- Emergency was to be lifted from northern and eastern provinces.
- Tamil, Sinhalese and English would be official languages of Sir Lanka.
- Deployment of IPKF to guarantee and enforce cessation of hostilities between Lankan army and Tamil militants.

Agreement was vehemently opposed by Sri Lankans and an attack was attempted on Rajiv Gandhi when he was inspecting guard of honour at Colombo airport.

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India's rehabilitation measures for Sri Lankan Tamils

The construction of 43,000 houses for resettlement and rehabilitation of IDPs in Northern and Eastern Provinces is part of the overall commitment to build 50,000 houses announced by Prime Minister Manmohan Singh during the State visit of the President of Sri Lanka Mahinda Rajapaksa to India, in June 2010, 47,000 have been completed until 2018. USD 350 million grant to build the houses was one of the largest grants by India in any country. Indian PM flagged off a train service at the north-western Sri Lankan town of Talaimannar - the closest point to India - restored after decades of civil war, completing the reconstruction of the entire Northern Province Railway Line. Accompanied by Sri Lankan President Maithripala Sirisena, Modi also unveiled a plaque inaugurating Talaimannar 1650 Pier Railway station.

The newly-constructed 63-km railway track is the last segment of the 265-km long, prestigious Northern Railway Line Reconstruction Project which is being executed by IRCON International Ltd., a Government of India owned company.

During the period of Lal Bahadur Sastri's premiership an agreement was reached between the two nations in resolving the issues of Indian origin Tamils.

India agreed to provide citizenship to two thirds of the people of Indian origin; But the ethnic conflict between native Tamils (Eelam Tamils) and the Singhalese erupted into a protracted civil war, revolting a massive influx of Tamil refugees into India.

Way Ahead

- India can try to get back the island of Kachchatheevu atleast on "lease in perpetuity" or by negotiations.
- Permit licensed Indian fishermen to fish within a designated area of Sri Lankan waters and vice versa.
- There is a glaring need for institutionalisation of fishing in Indian waters by the Government of India so that alternative means of livelihood are provided.
- Government will have to mark up a comprehensive plan to reduce the dependence of Indian fishermen on catch from Palk Bay.

If these social issues can be sorted out. India and Sri Lankan can become prime movers in the regional polity.

10.6 India – Nepal Relations

India and Nepal are geographically close to each other. Nepal's lowland areas are a part of the Gangetic plain and it occupies the central part of the Himalayan foothills and mountains that extends between China and South Asia. Nepal and India share a border of over 1850 kms in the East, South and West with five states, Sikkim, West Bengal, Bihar, Uttar Pradesh and Uttarakhand sharing their borders. Nepal had been earlier the only Hindu Kingdom in the world. However, one –eighth of its population are Buddhists and there is a small population of Muslims and Christians living in the country.

While Nehru always regarded Nepal as a sovereign state, at the same time it was

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considered as an integral part of India's security system. Occupation of Tibet by China in 1951 affirmed Nepal's importance in India's security umbrella. It was never a "threat from Nepal" but "threat to Nepal", that India could not afford. An important step towards establishing such an order was the signing of Treaty of Peace and Friendship between India and Nepal on July 31, 1950.

India's overtures to Nepal went beyond the security interest. On the same day of signing Peace and Friendship Treaty, both the countries also signed Treaty of Trade and Commerce. This agreement became a hallmark of close economic relations between both the countries.

Political Relations

India's relations with Nepal in the immediate aftermath of independence of both the countries revolved around the political struggle between the King and the Rana's, (Prime Ministerial clan of Nepal). While negotiating the 1950 Treaty India was also persuading Nepal's Rana rulers to liberalize their political system to become more democratic and accommodate a section of the population that was fighting to get political rights and freedom. However, India's advice did not seem to be making much impact on the Ranas, which forced New Delhi to adapt proactive stance and intervene directly in the Nepali situation.

India's approach to Nepal remained consistent ever after the death of Nehru. The subsequent Prime Ministers Lal Bahadur Shastri, Indira Gandhi, Rajiv Gandhi, VP Singh and Chandrashekar followed the same policies for Nepal. There were numerous bilateral visits taken by Prime Ministers of both countries to improve ties.

Lal Bahadur Shastri | Indira Gandhi | Rajiv Gandhi | VP Singh | Chandrashekar

Nepal revolution 2008

Post 1990's India has been following a twin pillar policy since restoration of the multi-party system. The pillars include constitutional monarch and multi-party democracy sustaining together. But, this policy started experiencing strains with the beginning of new millennium due to two reasons, namely, the changing character of monarchy and the growing intensity of the Maoist insurgency.

Do YOU KNOW?

Nepal, the only South Asian country to have never been formally colonized, is situated between India and China, two massive competing economies, each with a unique historical relationship with the Himalayan region.

Current Issues on India-Nepal Relations

Context

- Nepal and China finalized the protocol of their Transit and Transport deal.
- Nepal declined to attend BIMSTEC military exercise (MILEX 2018) hosted by India.

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Brief background of relationship

- India and Nepal share a very special relationship with each other. They share a common culture and terrain south of the Himalaya. Bound by languages and religions, marriage and mythology, the links of their civilizational contacts run through both the countries.
- At the people to people level, relations between India and Nepal are closer and more multifaceted than between India and any other country.
- Republic of India and Nepal began their formal relationship with the 1950 Indo-Nepal Treaty of Peace and Friendship. This treaty is the cornerstone of our current relation with Nepal.

Significance of Nepal Strategic relations

- Nepal's geographical location is unique such that it is a natural buffer between India and China.
- Since Nepal is a landlocked country it greatly depends on India for its interaction with the outside world.

Prime Minister Modi gave a new "5T" (Tradition, Trade, Tourism, Technology and transport) formula for India-Nepal relation during his visit in May, 2018.

Political relations

- Nepal shares a special relationship with India historically.
- India has a treaty of peace and friendship with Nepal since 1950.
- This treaty is instrumental for a close cooperation between the two countries.
- India has always considered South Asia to be its sphere of influence.

Cultural relations

- India and Nepal share a common culture and have a long history of people to people relationship.
- Nepali and Indian people visit each other's country for religious pilgrimage. Pashupati and Janakpur are traditional centres in Nepal whereas Varanasi and the four Dhaams are important pilgrimage destination in India.
- The Buddhist network is interlinked -- Lumbini is in Nepal, while Kushinagar, Gaya and Sarnath are in India.
- It is said that India and Nepal have 'Roti-Beti ka Rishta' (ties of food and family).

India-Nepal Treaty of Peace and Friendship-1950

The 1950 India-Nepal Treaty of Peace and Friendship is a bilateral pact between the Government of Nepal and Government of India aimed at establishing a close strategic relationship between the two South Asian neighbours. The treaty was inked at Kathmandu on July 31, 1950 by then Prime Minister of Nepal Mohan Shamsher Jang Bahadur Rana and the then Indian ambassador to Nepal, Chadreshwar Narayan Singh. The treaty permits free movement of people and goods between the two countries and a close relationship and collaboration on matters of defence and foreign affairs.

Areas of Cooperation

1. Trade and Economic

- India is Nepal's largest trade partner and the largest source of foreign investments, besides providing transit for almost the entire trade which Nepal has with other countries.

2. Indian Investment in Nepal

- Indian firms are the leading investors in Nepal, accounting for about 40% of the total approved foreign direct investments.

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3. **Water Resources and energy cooperation**

- A three–tier mechanism established in 2008, to discuss all bilateral issues relating to cooperation in water resources and hydropower.
- Nepal has many fast flowing rivers and its terrain makes it ideal for hydroelectric power generation. Nepal's installed capacity is less than 700 MW while it has a potential to generate over 80,000 MW.
- A 900 megawatts hydropower project Arun III has been launched recently.
- An Agreement on "Electric Power Trade, Cross-border Transmission Interconnection and Grid Connectivity" was signed between India and Nepal in 2014.
- A Joint Technical Team (JTT) has been formed for preparation of long-term integrated transmission plan covering projects up to 2035.

4. **Defense Cooperation**

- The Gorkha Regiments of the Indian Army are raised partly by recruitment from hill districts of Nepal.
- Since 1950, India and Nepal have been awarding Army Chiefs of each other with the honorary rank of General.
- Bilateral defense cooperation includes assistance to Nepal Army in its modernization through provision of equipment and training.
- About 250 training slots are provided every year for training of Nepal Army personnel in various Indian Army Training institutions.
- India and Nepal conducted a joint military exercise, Surya Kiran XIII from May 30 to June 12 in Uttarakhand this year.

5. **Infrastructure and connectivity**

- Recently a MoU was signed on Raxaul-Kathmandu railway line. A postal highway project is also being undertaken.
- Both the countries are also focused on inland waterways connectivity.

6. **People to People cooperation**

- The Governments of India and Nepal have signed three sister-city agreements for twinning of Kathmandu-Varanasi, Lumbini-Bodhgaya and Janakpur-Ayodhya.
- Direct bus service between Janakpur and Ayodhya under Ramayan Circuit under Swadesh Darshan Scheme was launched.
- Nepal and India share Hindu and Buddhist heritage. Lumbini, the birth place of Lord Buddha is in Nepal while Bodh Gaya where he attained enlightenment is in India. Similarly the hindu pilgrimage places are also spread in both countries.

Activity

Courtesy: The Hindu cartoon

Give two reasons why King Gyanendra refused to accept the transition from a feudal autocracy and monarch to a democratic republic.

Challenges

1. **Border issues:**

- The two major areas of dispute at Susta and Kalapani (India-China-Nepal tri-junction).
- Countries agreed to start talks at the

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foreign secretary-level in order to resolve the problem, however, only a single round of talk has taken place in 2015.

2. Internal Security

- There is an open border between India and Nepal which leads to illegal migration and human trafficking.
- Indo-Nepal border is used as launch pad by maoist, terrorist and drug traffickers.

3. Trade

- Nepal's trade deficit with India has surged in recent years with continuously rising imports and sluggish exports.
- Indo-Nepal trade continues to remain massively in India's favor.

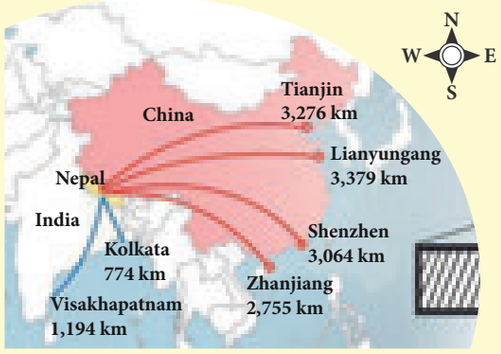
4. Peace and Friendship Treaty

- The India-Nepal Treaty of 1950 has been criticized by the Nepali political elite as an unequal one.
- Treaty obliged Nepal to inform India and seek its consent for the purchases of military hardware from third countries. Nepal wants to change this provision.
- The Nepal-India Eminent Persons' Group (EPG) is revisiting all bilateral agreements to submit a comprehensive report to both governments on how to reset bilateral relations.

5. Nepal's growing proximity to China

- Nepal's attempt to balance the overwhelming presence of India next door by reaching out to China is resented by India as such actions heighten India's security concerns.
- Chinese are building a number of highways from the Tibetan side into Nepal, all the way down to East-West highway that traverses Nepal.
- China plans to extend the Tibet railway to Kathmandu across the border in the next few years.
- Nepal signed the Belt and Road Initiative (BRI) Framework agreement with China last year.
- China is trying to contest Indian interests by cultivating local interest groups that could advance China's interests in Nepal.

Land-locked himalayan kingdom just got alternate trade routes, but will it help?



- According to the Transit and Transport Agreement between Nepal and China. Nepalese traders can use rail or road to access seaports.
- China to give permit to trucks and containers ferrying Nepal bound cargo to and from Xigatse in Tibet.
- Nepal to access Chinese territory from six check points.

ROADBLOCKS

- Distance an issue as nearest Chinese port is more than 2.000km away from Nepal.
- Traders say lack of proper roads and customs infrastructure on the Nepalese side is a challenge.

Transit and Transport deal

- Nepal and China finalized the Protocol of **Transit and Transport deal**. As per the agreement Nepal can access four ports and three dry ports paving way for the use of Chinese ports for trade. This will reduce Nepal's dependency on India for its trade.
- These and other road and railway projects between China and Nepal will allow China to potentially project power against India on a different section of the Sino-Indian boundary.

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Why China cannot replace India vis-à-vis Nepal?

- India has an advantage of geography on its side. Chinese rail and port connectivity projects are not very feasible owing to the difficult terrain.
- The nearest Chinese ports will be close to 3000 km away while Kolkata and Visakhapatnam ports, which Nepal currently uses are much more closer.

10.7 India – Bhutan Relations

India shares a special relation with Bhutan. Being a land locked country, Bhutan is depended on India for most of its products and financial support and India on its part has been providing all possible support. This makes both the countries ideal example for good neighbourly relations.

King Jigme Wangchuck with his father Ugyen Wangchuck

Timeline of events:

1. **Treaty of Punaksha** (1910): Bhutan become protectorate state of British India. It means Bhutan to have internal autonomy and not external autonomy
2. **Treaty of Friendship and Cooperation(1949) :** India and Bhutan signed the Treaty of Peace and Friendship on August 8, 1949, in Darjeeling.

- The treaty is termed as the continuation of the Anglo-Bhutanese Treaty of 1910. It treats the Himalayas as the sentinel of India's security
- The Indo-Bhutan Treaty is dubbed as the corner stone of Bhutan's foreign policy.

Diplomatic relations between India and Bhutan was established in 1968 with the appointment of a resident representative of India in Thimpu. Before this India's relations with Bhutan were looked after by the Political Officer in Sikkim.

On India's initiative, Bhutan has become a member of the Colombo Plan in 1965, joined Universal Postal Service in 1969 and finally India sponsored Bhutan's membership in 1971. Bhutan's relations with the NAM (Non- Aligned Movement) countries is yet another initiative of India.

	Bhutan – 1949
Non interference in internal affairs	Article 2 – foreign policy to be guided on advice from India.
Defence	Article 6 – no restriction on arms imports as long as not aimed against India or exported to India
Foreign Relations	Aricle 2

Revised treaty (2007)

- On request of Bhutan, India revised treaty of friendship and cooperation
- It has been suggested that the revised one modifies India's role from guiding partner to a close friend and equal partner.
- Under the revised norms Bhutan no longer require India's approval over importing arms.

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- There are no limitations for Bhutan with respect to other countries, but it cannot use its territory for activities against India's security threat.

3. **India-Bhutan Trade And Transit Agreement (1972):** It provides for duty-free transit of Bhutanese exports to third countries.

- **Treaty of Cooperation in Hydropower and Protocol (2006)**: Under this, India has agreed to assist Royal government of Bhutan in developing a minimum of 10,000 MW of hydropower and import the surplus electricity from this to India by the year 2020.

Areas of cooperation

Hydropower Cooperation

- India has constructed three hydroelectric projects (HEPs) in Bhutan totaling 1416 MW.
- Hydropower exports provide more than 40% of Bhutan's domestic revenues and constitute 25% of its GDP.
- Presently, there are three Inter-Government(IG) model is under construction.

Security Cooperation

- Both the countries have conducted joint military operation against insurgents. The most notable was in 2004 when the Royal Bhutanese army conducted operations against ULFA (United Liberation Front of Assam).

Diplomatic Cooperation

- Regular visits between highest level Government functionaries of both the countries have become a tradition. For example, in 2014, our Prime Minister chose Bhutan as his first country to visit after getting elected.
- India sends foreign service officers to Bhutan to maintain good diplomatic relations.
- Bhutan is a founding member of the South Asian Association for Regional Cooperation (SAARC). It is also a member of BIMSTEC, World Bank, the IMF, Group of 77 and others.

Economic Cooperation

- Bhutanese currency is Ngultrum (Nu.) and is officially pegged to the Indian Rupee (Rs.).
- India remains the single largest trading partner of Bhutan.
- In 2016 a new trade agreement was signed. This agreement aims at cutting down the documentation related to trade and establishing additional trading points in Bhutan.
- India also offers duty free transit to Bhutan for trade with third countries.

Educational and Cultural cooperation

- Many Bhutanese students pursue under-graduate courses in Indian universities on self-financing basis.
- India-Bhutan foundation was established in 2003 for improving people to people cooperation in the areas of culture, education and environment protection.

Gross Nations Happiness

The fourth King of Bhutan King Jigme Singye Wangchuck coined the phrase "Gross Nations Happiness" in 1972 and declared that is more important than GDP.

Areas of Contentions

- The Motor Vehicles Agreement that was signed in 2015 involving Bangladesh, Bhutan, India and Nepal (BBIN) was blocked by Bhutan's upper house citing environmental concerns.

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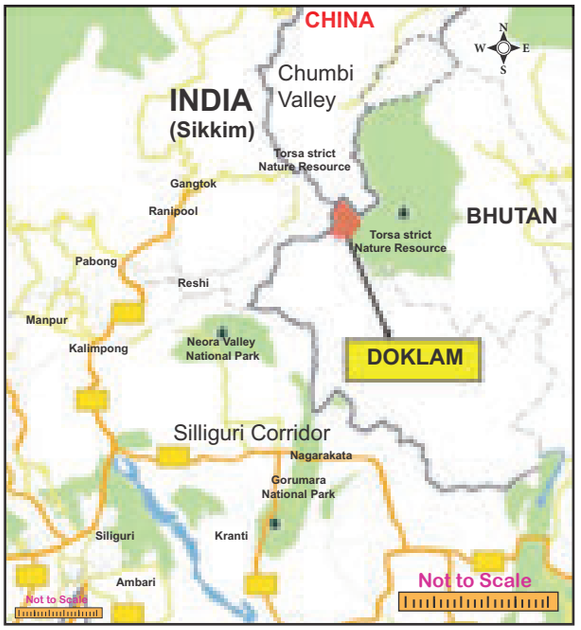
- Growing and unsustainable trade imbalance is in favor of India. Bhutan's trade deficit is set to worsen as India's Good and Services Tax (GST) makes its exports to Bhutan cheaper and imports from Bhutan more expensive
- Bhutan wants to increase its export power tariff to India as it is lesser than the cost of production.
- Bhutan has been taken as safe haven by insurgent elements like National Democratic Front for Bodoland (NDFB), United Liberation Front of Assam (ULFA) militants and Kamtapur Liberation Organization (KLO) that often pose threat to internal peace and security in the northeast region of India.

Doklam Issue

Doklam, or Donglang in China, is an area spread over less than a 100 sq km comprising a plateau and a valley at the trijunction between India, Bhutan and China. It is surrounded by the Chumbi Valley of Tibet, Bhutan's Ha Valley and Sikkim.

Despite several rounds of engagement between China and Bhutan, the dispute between the two over Doklam has not been resolved. It flared up in 2017 when the Chinese were trying to construct a road in the area, and Indian troops, in aid of their Bhutanese counterparts, objected to it resulting in the stand-off. Doklam is strategically located close to the Siliguri corridor, which connects mainland India with its north-eastern region. The corridor, also called Chicken's Neck, is a vulnerable point for India. In recent years however, China has been beefing up its military presence in the Chumbi Valley, where the Chinese are at a great disadvantage militarily. Both Indian and Bhutanese troops are on a higher ground around the Valley.



Issue with Hydropower projects

- Bhutan supplies power to India at very cheap rate.
- Bhutan alleged that India wanted greater role in management on joint venture Hydro projects in Bhutan.
- Cross Border Trade of Electricity (CBTE) issued by power ministry will establish the monopoly of India being Bhutan's sole power market. It restricts the type of hydro power investments that could be made in Bhutan.
- Hydro power plants are also attached with certain environmental concerns.

Steps taken to boost relations

- There is a frequent visit of state heads to boost the bilateral relations.
- India announced assistance for establishment of an E-Project covering all the 20 districts of Bhutan.
- The Prime Minister coined the idea of B2B as 'Bharat to Bhutan' for building effective and renewed bilateral relationship.
- Bhutan recently become the largest beneficiary of India's foreign aid.
- A 1,000 strong Indian Military Training

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Team (IMTRAT) is permanently based in western Bhutan to train the Royal Bhutan Army, while other units regularly cooperate with the Royal Bhutan Army.

Way Ahead

1. India-Bhutan relationship is like 'milk and water'. They cannot be separated. Therefore India should leave no stone unturned to maintain good relations with Bhutan.
2. India needs to complete some of the hydropower projects that were delayed due to lack of funds.
3. India has a very good relationship with Bhutan whereas China has many border disputes with Bhutan. This relationship and goodwill must be maintained to counter China's strategic calculations in Bhutan and the region.
4. India needs to augment the connectivity of Bhutan and its North Eastern states for the region's economic development.
5. India needs to combine the Gross National Happiness of Bhutan with its own economic development to maintain a shared prosperity and relationship between the two countries.

10.8 India – Myanmar Relations

Every Burmese Buddhist wish is to come to India at least once in their lifetime and offer prayers in Bodh Gaya. Long before both nations became independent states, diverse indigenous population living in the border areas, mainly Mizos, Nagas, Kukis, Tangkhul and Paite, enjoyed close familial, linguistic, religious and cultural ties. It's only after the arrival of British were the borders demarcated and the emergence of two different nations.

India – Myanmar (formerly known as Burma) relations goes back to 2500 years. For the Burmese, Buddhist connections binds both India and Burma together. According to the legend of Shwedagon Pagoda – the heart of the temple is on the buried strands of Lord Buddha's hair gifted by him to two Burmese merchants. It's this belief that made King Ashoka to build pagodas in Burma and also for the spread of Buddhism.

Ethnic Composition

The defence of Burma is in fact the defence of India and it is India's primary concern no less than Burma's to see that its frontiers remain inviolate. In fact, no responsibility can be considered too heavy for India when it comes to the question of defending Myanmar.

- K. M Panikkar

Modern Era

The Historical close relations between Myanmar and India found it's low point during the British rule when the Indians had to face resentment amongst the Burmese as the Indian soldiers (under the British Army) fought against the BIA (Burma Independence Army). Burma always perceived that Indian officers and staff functioned as tools of the British colonial regime.

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Introduction

India shares a long land border of over 1600 Km with Myanmar as well as a maritime boundary in the Bay of Bengal. Four north-eastern states viz. Arunachal Pradesh, Nagaland, Manipur and Mizoram share boundary with Myanmar.

These geo-strategic realities encompass our broader interests in the Indian Ocean region. Both countries share a heritage of religious, linguistic and ethnic ties.

Further, Myanmar is the only ASEAN country adjoining India and, therefore, our gateway to South East Asia with which we are seeking greater economic integration through India's 'Look East' and now 'Act East' policy. Business opportunities that emerge from a surging economy in Myanmar also provide new vistas for engagement.

1) India's Look East Policy

India's Look East policy represents its efforts to cultivate extensive economic and strategic relations with the nations of Southeast Asia in order to bolster its standing as a regional power and a counterweight to the strategic influence of the People's Republic of China.

Two highways involving Myanmar play a vital role in improving connectivity in the South East Asian region.

2) India-Myanmar-Thailand Friendship Highway

India and Myanmar have agreed to a 4-lane, 3200 km triangular highway connecting India, Myanmar and Thailand. The route will run from India's northeastern states into Myanmar, where over 1,600 km of roads will be built or improved. This is expected to be completed by April 2021.

3) Access to North-east

The Kaladan Multi-modal Transit Transport Project will connect the eastern Indian seaport of Kolkata with Sittwe seaport in Myanmar by sea; it will then link Sittwe seaport to Lashio in Myanmar via Kaladan river boat route and then from Lashio on to Mizoram in India by road transport.

Various Aspects of India – Myanmar Relationship

Defence and Security Cooperation

1. It has strengthened over the years. Exchange of high-level visits, signing of MoU on border cooperation, training army, air force and naval staff are important indicators in this direction.
2. Myanmar side has provided assurances at the highest levels that it will cooperate with India in taking necessary action

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in preventing the use of Myanmar territory for anti-India activity.

Commercial Cooperation

1. A bilateral Trade Agreement was signed in 1970.
2. India is the fifth largest trading partner of Myanmar but trade remains below potential.
3. India's exports to Myanmar include sugar pharmaceuticals, etc.
4. India is presently the tenth largest investor with an approved investment of US$ 740.64 million.
5. Most India's investments have been in oil & gas sector. Indian companies have evinced interest in investing in Myanmar and major contracts have been won by Indian companies.
6. Besides normal trade, both sides have also taken steps to bolster trade across the land border. Cooperation in the banking sector is crucial for investment and trade. United Bank of India signed banking agreements with banks of Myanmar (MFTB, MICB, MEB, and 9 private banks) to facilitate bilateral trade
7. Myanmar is an important partner in our energy relations with other countries in the region.

Culture relations

India and Myanmar share close cultural ties and a sense of deep kinship given India's Buddhist heritage.

1. Restoration of the Ananda Temple in Bagan
2. GOI donation of a 16 foot replica of the Sarnath Buddha Statue which has been installed at the premises of Shwedagon Pagoda in Yangon.
3. The 'Samvad-II' Interfaith dialogue was held on 6-7 August 2017, Yangon.
4. ICCR and Sitagu International Buddhist Academy organised an International Conference on Buddhist Cultural Heritage
5. India has responded to Myanmar's interest in restoring and renovating two historic temples in Bodh Gaya built by Myanmar rulers King Mindon and King Baygyidaw. These temples and inscriptions will now be restored with the assistance of the Archaeological Survey of India as a bilateral friendship project.

Indian diaspora

1. The origin of the Indian community in Myanmar is traced to the mid-19th century with the advent of the British rule in Lower Burma in 1852.
2. The two cities Yangon and Mandalay had a dominating presence of Indians in civil services, education, trade and commerce during the British rule.

Bilateral Cooperation in Regional/Sub-regional context

ASEAN: As the only ASEAN country which shares a land border with India, Myanmar is a bridge between India and ASEAN.

BIMSTEC: Myanmar is a signatory to the BIMSTEC Free Trade Agreement. Myanmar is the lead country for the energy sector. Myanmar trades mostly with Thailand and India in the BIMSTEC region. Myanmar's major exports to India are agricultural products like beans, pulses and maize and forest products such as teak and hardwoods. Its imports from India include chemical products, pharmaceuticals,

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electrical appliances and transport equipment.

Mekong Ganga Cooperation: Myanmar is a member of the Mekong Ganga Cooperation (MGC) since its inception in November 2000. MGC is an initiative by six countries – India and five ASEAN countries namely, Cambodia, Laos, Myanmar, Thailand and Vietnam – for cooperation in the fields of tourism, education, culture, transport and communication. The chairmanship of MGC is assumed by member countries in alphabetical order.

SAARC: Myanmar was given the status of observer in SAARC in August 2008.

1. In India, we often say Myanmar is our "gateway" to the East. Against the rhetoric, the existing connectivity between the two neighbours remains much to be desired. With long land and maritime boundaries, the neighbours are yet to take full advantage of geography.
2. Historically, India has been a major player in Myanmar's socio-economic landscape till the 1960s. The advent of military dictatorship and its economic policies reduced India's interactions with Myanmar.
3. As the political transition in Myanmar picks up momentum, it provides an excellent opportunity to explore new avenues of cooperation.

10.9 India – Maldives Relations

The archipelago of Maldives consists of 1192 islands of which roughly 200 islands are inhabited with an estimated population of 430,000 and 80 islands with tourist resorts. The capital Male is the hot seat of Maldives' power and is also the most populated Island. Being a completely Sunni Muslim country with a liberal following, Islam is the only state religion and practising of other religions are strictly private affairs within the homes.

The first state level visit was in 1974 when Prime Minister Mr Ahmed Zaki of Maldives made an official visit to India.

India - Maldives formal relations began with the declaration of Maldivian independence in November 1965. India was the first country to recognise Maldives. After which there has been frequent visits by the leaders of both countries. Most of these visits have benefited Maldives economically.

This cordial relationship continued even during President Nasheed tenure. President Nasheed's maiden international trip after coming to power was to India in 2008. During this visit, India promised a $100 million loan to improve the tourism industry in Maldives. Since then there have been frequent visits by officials and President Nasheed to New Delhi until 2012 when President Nasheed was overthrown in a bloodless coup.

Mohamed Nasheed

Maldives importance to India: Security

- **Geostrategic Location:** Maldives is located just 700 km from the strategic Lakshadweep island chain and 1,200 km from the Indian mainland, and the growing Chinese presence in the archipelago could have serious security implications.

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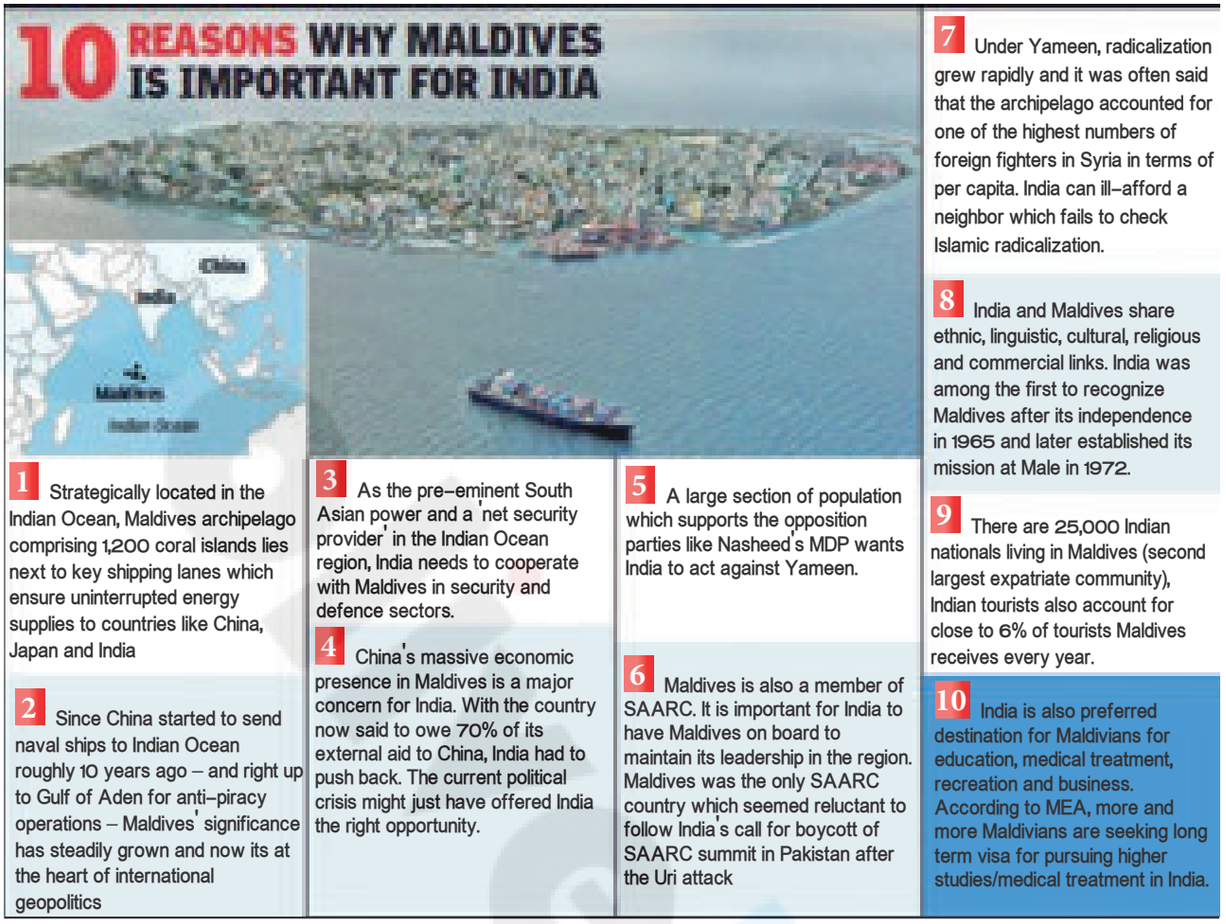

- **Indian Ocean Region hegemony:** Chinese heavy presence in Maldives would have given China an opportunity and a base to influence and control the Indian Ocean region. Also, the energy supplies coming from Gulf nations to India pass through this area.
- **Regional imbalance:** India enjoys unparalleled access and influence in many of the Indian Ocean island states, including the Maldives, Seychelles, and Mauritius which has been a problem for China. China-Maldives bonhomie can act as a counter to Indian influence in the region.

Economic relations

- **Indian expatriates:** There are about 25,000 Indian expatriates in Maldives who are engaged in a number of professional pursuits and their security is also of prime concern for India.
- **Blue economy:** Maldives plays an integral role in realising the potential of Indian Ocean blue economy as a contributor to the security and sustainable development of sea resources.
- **Tourism:** India and Maldives see regular tourist visits between the two and Indian tourists also account for close to 6% of tourists Maldives receives each year.
- **Health:** India is a preferred destination for Maldives citizens seeking health services, which boosts Indian healthcare sector.

Political relations

- **Political chaos:** Uncertainty in Maldives could prove a fertile breeding ground for extremism and religious fundamentalism, smuggling and drug trafficking.Islamic State (IS) and Lashkar-e-Taiba are also reported to have established bases in Maldives.

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SAARC factor

- SAARC has a special importance for India because it includes all of India's neighbors but China. Of late, China has been creating inroads into SAARC countries which is reducing India's influence in the bloc, for example Pakistan's CPEC, China's Hambantota port etc. and Maldives could be China's next destination.

Recent development in India-Maldives relations: India and Maldives relations have seen many ups and downs caused by changing political situations in both countries and some external factors. During Maldivian Presidential elections in 2013 Abdulla Yameen defeated Mohamed Nasheed to become the President. During Yameen's term, Maldives relations with India deteriorated while its closeness with China increased, which is highlighted by:

- Cancellation of GMR project, 2012: Maldives annulled the $500 million contract with GMR Group to develop a modern International Airport near Male, which was given to a Chinese company.
- Cancellation of Indian PM's trip, 2015:Due to turbulent political situation in Maldives, Indian PM cancelled his trip to Maldives.
- China Maldives FTA, 2017: China and Maldives signed an FTA, which is China's second FTA with a South Asian country after Pakistan, while there is no FTA between India and Maldives.
- Joint patrolling with Pakistan, 2018:During Pakistan's Army Chief's visit, Maldives announced joint patrolling with Pak Navy to guard Maldivian Exclusive Economic Zone, with an indirect reference to a perceived threat from India.

During all these negative developments in Maldives, India responded with patience and composure, trying to revive relations diplomatically. However, the election of Solih,in 2018, as the new President of Maldives has caused a thaw in India-Maldives relations which can be gauged by:

- Despite opposition from Indian Ocean Rim Association, India convinced IORA Committee for Senior Officials in favour of Male, following which Maldives was inducted as the newest member of IORA recently.
- Maldives has asked India for a Dornier aircraft and the MEA has responded positively to its request.
- Maldives' new government has decided to pull out of the free trade agreement (FTA) with China, realizing the one-sided nature of the FTA.

Concerns between India and Maldives

- **Chinese inroads:** Chinese infrastructure projects in Maldives directly compete with Indian infrastructure companies' business prospects.
- **China Maldives FTA:** An FTA with China would have raised the issue of diverting Chinese products into India through Maldives. Maldivian government has not cleared its stand on future Chinese investments yet and may continue to engage deeply with China.
- **Low bilateral trade:** Bilateral trade between both, which stands at US $200 million annually, is quite low.

India's relations with Maldives began to improve with the Presidential elections in 2018. Ibrahim Solih's electoral victory has opened a new chapter in the India – Maldives relations. Prime Minister Modi attended the Solih's swearing-in ceremony and affirmed

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India's commitment to peace and friendship with Maldives. The President of the Republic of Maldives, H.E. Mr Ibrahim Mohamed Solih, State Visit to India from 16-18 December 2018, keeping India first policy is yet another opportunity for both counties to come together for a closer relationship. As a step towards furthering closer relations between both countries, India promised $1.4 billion financial assistance package for socio-economic development of the island nation.

Way forward: Recent change in the attitude of Maldivian government is an opportune moment for India to redraw bilateral relations between both by helping Maldives to resuscitate its economy. Some major area of confidence building are

- Investment cooperation with Maldives should be enhanced by establishing an advisory cell to guide all stake-holders i.e. Indian missions overseas and prospective Indian investors, to delineate touchy areas and risky investments, with full knowledge of the local conditions.
- 'Free-Purse' policy of aid to Maldives is needed if India wants to offset Chinese big-ticket investments in Maldives.
- India must enhance anti-terrorism cooperation and intensify cooperation in the areas of training and capacity building of the Maldives National Defense Force and the Maldives Police Service.
- A regular bilateral security dialogue amongst the officials of both sides should be instituted to expand the scope of security cooperation. This should be supplemented by Track-II and Track-1.5 dialogues.
- While dealing with smaller neighbors like Maldives, India needs to become a lot more magnanimous, staying true to its own "Gujral Doctrine," thus creating greater confidence.
- The SAARC and IORA can provide a platform to work on lingering concerns. Moreover, India, Maldives and Sri Lanka can explore ways to strengthen trilateral mechanisms to address these issues.

Glossary

- **MOU:** Memorandum of understanding between two or more nations which further strengthen the policies economic cultural or other relations.
- **NWFP:** Federally administered province in India during British rule.
- **Diplomacy:** It is an Institution or concept which enthuse relations among nation.
- **WTO:** World Trade Organization is a trade organization to formulate economic and trade policies between the nations of the world.
- **SAARC:** South Asian Association for Regional Cooperation is a regional organization for strengthening cooperation among the countries in South Asia.
- **Trust Deficit:** it is the diplomatic factor concerned with the strained relations between Nations.
- **NAM:** Non-Aligned Movement is an organization established by third world countries to keep themselves neutral.
- **SPDC:** State Peace and Development Council is an official name of Military Government of Burma.
- **Bretton Woods System:** It established the rules for commercial and financial relations among the world.
- **Super Power:** Super power countries are economically and militarily advanced.

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Operation Cactus: The Day India Saved the Maldives

In 1988 a group of 80-200 Sri Lankan militants from the People's Liberation Organisation of Tamil Eelam (PLOTE), backed by Maldivian businessman Abdulla Luthufi, mounted a coup in the Maldives in November 1988. After infiltrating the country's capital of Male, the militants spread out and seized key areas in the city in an attempt to overthrow the then President Abdul Gayoom. Gayoom, however, escaped, taking refuge in the Maldives National Security Service headquarters.

President Abdul Gayoom reached out to a number of nations, including India, Pakistan, the United States, Britain, Malaysia, Sri Lanka and other states. The US and Britain, after talks, decided they wouldn't intervene directly, but said they would coordinate a response with India. Under the guidance of then Prime Minister Rajiv Gandhi, India responded with an overwhelming speed and efficiency.

Indian Troops were in the Maldives within hours of receiving the message from President Gayoom. At 15:30 hours on 3 November 1988, India approved the dispatch of troops to the Maldives. Troops were deployed in one swift motion. Less than 16 hours since President Gayoom's SOS call, Indian paratroopers were en route, leaving from the Agra Air Force Station on an Ilyushin Il-76 aircraft. After a journey covering over 2,500 kilometres, the aircraft of the 44 Squadron of the Indian Air Force landed at Hulhule Airport. Barely a kilometre from the besieged capital, the troops quickly began their advance into the capital.

While the PLOTE militants seized many key points across the city, the one area they had forgotten to keep an eye on was Hulhule Airport. With no one keeping watch over this point of entry, Indian troops landed, and quickly took control of the airport. They then made their way into the capital using commandeered boats and rescued President Gayoom, driving out the militants.

The mission was concluded with no casualties to the Indian side. Operation Cactus was testimony to the fact that India could play a role in ensuring security in Asia. India's swift, decisive action was hailed by the international community, ranging from US President Ronald Reagan to Margaret Thatcher.

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10.10 Recent Innovations in Foreign Policy

Gujral Doctrine of Reciprocity

I.K. Gujral

L9H2Y4

The Gujral Doctrine is a set of five principles to guide the conduct of foreign relations with India's immediate neighbours as spelt out by I.K. Gujral, first as India's foreign minister and later as the Prime Minister. Among other factors, these five principles arise from the belief that India's stature and strength cannot be divorced from the quality of its relations with its neighbours. It, thus, recognises the supreme importance of friendly, cordial relations with neighbours. These principles are:

- First, with neighbours like Bangladesh, Bhutan, Maldives, Nepal and Sri Lanka, India does not ask for reciprocity, but gives and accommodates what it can in good faith and trust;
- Second, no South Asian country should allow its territory to be used against the interest of another country in the region;
- Third, no country should interfere in the internal affairs of another;
- Fourth, all South Asian countries must respect each other's territorial integrity and sovereignty; and,
- Finally, they should settle all their disputes through peaceful bilateral negotiations.

According to Gujral, these five principles, scrupulously observed, will recast South Asia's regional relationship, including the tormented relationship between India and Pakistan, in a friendly, cooperative mould.

The key differences between "Look East Policy" and "Act East Policy"

The focus of the "Look East Policy" was to increase economic integration with the South East Asian countries and the area was just confined to South East Asia only. On the other hand the focus of the "Act East Policy" is economic and security integration and focussed area increased to South East Asia plus East Asia.

The Objective of "Act East Policy" is to;

1. Promote economic cooperation, cultural ties and develop strategic relationship with countries in the Asia-Pacific region through continuous engagement at regional, bilateral and multilateral levels.
2. To increase the interaction of the North-Eastern Indian states with other neighbouring countries.
3. To find out the alternatives of the traditional business partners like; more focus on the Pacific countries in addition to the South East Asian countries.

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"Look East Policy" of India

Look East Policy of India was launched by the former Prime Minister P.V. Narasimha Rao in 1991. The main focus of this policy was to shift the country's trading focus from the west and neighbours to the booming South East Asian countries. The NDA government in the centre upgraded this policy as the "Act East Policy" at the East Asia Summit held in Myanmar in November 2014.

What is Neighbourhood first policy?

- It is part of India's foreign policy that actively focuses on improving ties with India's immediate neighbours which is being termed as Neighbourhood first policy in the media.
- It was started well by inviting all heads of state/heads of government of South Asian countries during the inauguration of Prime Minister Narendra Modi's first term and later held bilateral talks with all of them individually which was dubbed as a mini SAARC summit.
- Prime Minister made his first foreign visit to Bhutan in his first term.

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Evaluation

I. Choose the correct answer

E1L3H7

1. Act East policy was initiated by
   a) Narendra Modi
   b) Indira Gandhi
   c) Narasimha rao
   d) Rajiv Gandhi

2. India Sent IPKF to
   a) Bangladesh
   b) Maldives
   c) Srilanka
   d) Mynnmar

3. Who is the architect of Modern India?
   a) M.N.Roy
   b) B.R.Ambedkar
   c) Jawaharlal Nehru
   d) Raja Ram Mohan Roy

4. Kacchativu is in
   a) Srilanka
   b) Burma
   c) Bhutan
   d) Maldives

5. Who was the King of Kashmir during Indian Independence?
   a) Gurmeet Singh
   b) Amarindu Singh
   c) Karan Singh
   d) Hari Singh

6. India worked for Rehabilitation of _____country.
   a) Afghanistan
   b) Venezuela
   c) Cuba
   d) China

7. Simla Agreement signed by_____.
   a) Indira Gandhi
   b) Jawaharlal Nehru
   c) Lalbhahdur Shashtri
   d) V.P Singh

8. Shimla Agreement was between
   a) India-Pakistan
   b) India-America
   c) India-Russia
   d) None

9. 9/11 attack happened in
   a) USA
   b) Pakistan
   c) Spain
   d) India

10. UN was established in the year
   a) 1945
   b) 1946
   c) 1919
   d) 1944

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11. Consider the following:

1) The focus of the "Look East Policy" was to increase economic integration with the South East Asian countries and the area was just confined to South East Asia only.

2) On the other hand the focus of the "Act East Policy" is economic and security integration and focussed area increased to South East Asia plus East Asia.

The codes

a) 1 alone correct
b) 2 alone correct
c) Both 1 & 2 are correct
d) Neither 1 nor 2 is correct

12. Match the following:

1. New constitution of Nepal	-	a) 2014
2. Act East Policy	-	b) 1988
3. Operation Cactus	-	c) 2007
4. Samjhauta Express bombings	-	d) 2015

1) d a b c
2) b d a c
3) c b a d
4) a d b c

II. Answer the following questions very shortly

1. Explain about Siaghen issue.
2. What is Farakka Barrage issue?
3. Write the significance of India-Afghanistan relations.
4. Write a note on Rajiv-Jayawardene Accord.

III. Answer the following questions shortly

1. Examine India-Bhutan relations in brief.
2. Write a summary on Operation Cactus.
3. What are the objectives of 'Act East Policy'?

IV. Answer the following questions in detail

1. Elaborate the Kashmir imbroglio between India and Pakistan
2. What is the India-China border conflict?
3. What are the areas of cooperation between India and Nepal?
4. Explain about "Belt and Road Initiative (BRI)" policy of China.
5. Write a note on Indo-Bangladesh relations in the 21st century.
6. What are the defence and security; and cultural cooperation between India and Myanmar?

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Unit 11 International Organisations

Learning Objectives

V6U2T4

- To understand International Organisations.
- To trace the origin of International Organisations.
- To enable the student to understand the background of the origin of United Nations.
- To enable the student to understand the role of international Organisations such as the United Nations and its various branches.
- To make the students understand the role of International financial Institutions.
- To impart knowledge on the role of International Human Rights Organisations in protection and promotion of human rights.

11.1 Introduction

When we think of international Organisations, it is often considered as a twentieth century phenomenon that began with the establishment of the League of Nations in 1919. However, in the late nineteenth century, in order to deal with specific issues, nations had already established international Organisations. Among them were the International Telecommunication Union (ITU), established in 1865 (originally called the International Telegraph Union), and the Universal Postal Union which was established in 1874. Both of these systems are today part of the United Nations system. The International Peace Conference held in The Hague in 1899 elaborated the instruments for settling crises peacefully preventing wars and codifying rules of warfare. Established the Permanent Court of Arbitration (PCA) which began its work in 1902. It is the predecessor of the United Nations International Court of Justice (ICJ). The outbreak of World War I in August 1914, and the destruction that followed, exposed the limitations of these mechanisms. It was also followed by the end of an international system called the Concert of Europe that had prevented the continent from the scourge of war since the Napoleonic adventures a century earlier. Between the years 1914-18, Europe witnessed the worst human loss in its history where around twenty million people lost their lives. Empires collapsed (the Ottoman, the Austro-Hungarian and temporarily the Russian) and new nations such as Czechoslovakia, Estonia, and Finland were born, radical revolutions took place in Russia and Germany. In other words, a new world order emerged.

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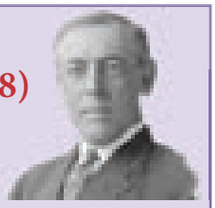
11.2. League of Nations

President Wilson's Fourteen Points (1918)



1. Open diplomacy
2. Freedom of the Seas
3. Removal of economic barriers
4. Reduction of armaments
5. Adjustment of colonial claims
6. Evacatory Conquered territories in Russia
7. Preservation of Belgian sovereignty
8. Restoration of French territory
9. Redrawing of Italian frontiers
10. Division of Austria- Hungary
11. Redrawing of Balkan boundaries
12. Limitations on Turkey
13. Establishment of an independent Poland
14. Creation of an Association of Nations, (League of Nations).

Amidst the carnage, President Woodrow Wilson in January 1918, outlined his idea of the League of Nations which received widespread support given the utter devastation caused by World War I. For many the idea of an international Organisation seemed to be the answer for settling disputes before they escalated into military conflicts. Although the United States failed to join the League of Nations, President Woodrow Wilson chaired the Versailles Peace Conference's commission on the establishment of an international Organisation. Wilson declared in a joint session of the U.S. Congress that:

"It is a definite guaranty of peace. It is a definite guaranty by word against aggression. It is a definite guaranty against the things which have just come near bringing the whole structure of civilization into ruin. Its purposes do not for a moment lie vague. Its purposes are declared, and its powers are unmistakable. It is not in contemplation that this should be merely a league to secure the peace of the world. It is a league which can be used for cooperation in any international matter".

The League after being housed temporarily in London, commenced operation in the year 1920 in Geneva, Switzerland. Initially it had some success when it settled disputes between Finland and Sweden over Aland Islands, between Germany and Poland over Upper Silesia and between Iraq and Turkey over the city of Mosul. The League with some success alleviated the refugee crisis in Russia and combatted the international opium trade. The League acted as an umbrella Organisation for agencies such as the International Labor Organisation (ILO) and the Permanent Court of International Justice and it later became a model for the future United Nations (UN).

The League of Nations was dominated by the victors of World War I that included France and Great Britain along with Japan and Italy as the other two permanent members of the League Council. There were twenty eight founding members who were represented in the General Assembly who were mostly from Europe and Latin America. The League of Nations was one that was Eurocentric. Virtually all of Africa, Asia and the Middle East were controlled by European imperial powers. The League also established the mandate system to prepare natives of different regions for self-government and independence. However, it was short sighted and the mandates exploded only after the League ceased to exist

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Causes for the failure of the league of nations:

The reasons for the League of Nations to fail were multiple. The absence of the United States was a significant factor in rendering the League ineffectual. Its importance was further minimized when Germany and the Soviet Union who were briefly members had undermined the significance of the Organisation. Germany joined in 1926 and exited after the Nazis came to power in 1933. In the year 1933 Soviet Union entered the League and was expelled following their attack on Finland in 1939 which also made the USSR the only nation to be expelled from the League.

Japan left the League in 1933 following criticism by the league of its occupation of Manchuria and Italy too was equally dismissive of its membership obligations after its occupation of Ethiopia. These acts of aggression was not adequately countered by the League and the global economic crisis of 1930s certainly curbed the enthusiasm of others and more particularly France and Britain who were not willing to fight distant wars that would not have an immediate effect on their national security. Thus they turned to the policy of appeasement which also failed.

In 1938 at the Munich Conference, Britain and France agreed to the dismantling of Czechoslovakia by agreeing to the addition of Sudetenland to Hitler's Reich. Finally, Germany attacked Poland after concluding pact with the Soviet Union in 1939 which dashed all hopes that were placed on the League of Nations. The League of Nations was not capable of applying sufficient pressure on the aggressor nations as it could only impose verbal or economic sanctions against them and these methods failed to intervene militarily.

The League of Nations did not have authority beyond its member nations and this made it possible for countries suffering from the pressure of economic sanctions to trade with non-members. Additionally, since the League did not have an army of its own, military intervention meant that member states (France and Britain) would have to supply necessary troops.

Critical Debate

Topic : Why was the League of Nations unable to ensure World peace?

Following points can be discussed in the debate:

a. Dominated by European people.

b. Fails to oppose racial discrimination

c. Britain, France, Italy and Japan dominated the League.

However, neither country was interested in engaging in potentially costly conflicts in Africa or Asia. The League expelled the Soviet Union in 1939, and it was known widely that the League had failed and did not become what President Woodrow Wilson had hoped as a 'definite guarantee of Peace'. Nevertheless, the onset of the Second World War made it clear there was a definite need for an international Organisation that would safeguard the world from yet another world war in the future. It was also unanimously that agreed that that a repetition of the League of Nations could not be allowed.

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Activity

Think-Pair-Share

Do you think the American decision not to join the League was a major setback to the organisation?

11.3 The United Nations

Although the League of Nations did not succeed in its objectives, it however, ignited the dream for a universal Organisation that would work to preserve peace in the world. With the end of the Second World War which witnessed around 72 million casualties, the idea of the United Nations was born. World leaders who had collaborated to bring the war to an end felt a strong need for a mechanism that would ensure lasting peace and prevent future wars. It was also felt that this was possible only through a global Organisation where all nations would work together.

The name 'United Nations' was coined by the then United States President Franklin D. Roosevelt and was first officially used in 1942 when representatives from twenty six nations signed the Declaration by United Nations to continue to fight together against the axis powers in order to obtain just peace. Thus unlike the League of Nations, it began as an alliance that came into being soon after the United States' entry into the war following the attack on Pearl Harbour by Japan and Germany's declaration of war against the United States in December 1941. In August 1944, delegates from China, Soviet Union, United Kingdom and the United States, met in Dumbarton Oaks to draw the basic blueprint for the new International Organisation and by October the outline of the United Nations Charter was ready.

Four main purposes of the United Nations

- Military security
- Economic and social progress
- Upholding of human rights
- International justice.

Following the surrender of Germany in the year 1945, representatives from fifty countries met in San Francisco on June 26, 1945 and signed the Charter. With the conclusion of the Pacific war in October 24, 1945, the United Nations officially came into existence. While making the UN Charter, the drafters faced the same issue that the League of Nations faced which was to lay the foundation of an international organisation that would guarantee peace.

The basic dilemma remained unchanged – how to balance national sovereignty and international idealism? How could one draft a Charter that would effectively deal with the fact that some countries were more equal than others? How could one make sure that one

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Activity -Group Discussion

New Directions For The United Nations

Ban Ki Moon

These are testing times for everyone. People everywhere live in growing anxiety and fear. There is near – universal loss of trust in institutions and leaders.

Amid such uncertainty, our future depends on a United Nations that brings together the countries of the world not only to talk and debate, but also to agree and to act; that mobilizes civil society, business, philanthropists, and ordinary citizens to help the world governments solve current problems; and that delivers peace, development, human rights, global public good and hope to people around the world every day.

Courtesy : New Directions for the UN, article by Former Secretary General of the United Nations.

Topic for Group Discussion : How successful has the United Nations been?

country could not simply walk out when it did not like the decisions of the UN, as Japan had done earlier in the 1930s. The simple solution that the drafters came up with was the veto power. Veto power was granted to the five founding members of the UN – China, France, Great Britain, the United States and the Soviet Union who are also known as the Permanent Five (P-5). Although the founders of the UN were keenly aware of the failures of the League of nations, most of its ideals constituted the core element of the UN Charter. Most evidently, the UN Charter and the League of Nations Covenant had promotion of international security and the peaceful settlement of disputes as its key goals, however, the Charter included two more elements that were also given importance.

Although it was reflected briefly in article 23 of the League of Nations Covenant, the UN Charter included social and economic progress into its key goals. The emphasis laid on social and economic progress was rooted in the inter-war years. Many saw the global economic crisis of the 1920s to the 1930s as the root cause of political upheavals that led to the rise of ultra nationalism and acts of aggression that resulted in the Second World War. Thus the UN was created to be an active participant in world affairs.

11.3.1 Structure of the United Nations

In 1945, the six major organs of the UN were (i) the General Assembly, (ii) The Security Council, (iii) Economic and Social Council (iv) Trusteeship Council, (v) International Court of Justice and (vi) the Secretariat.

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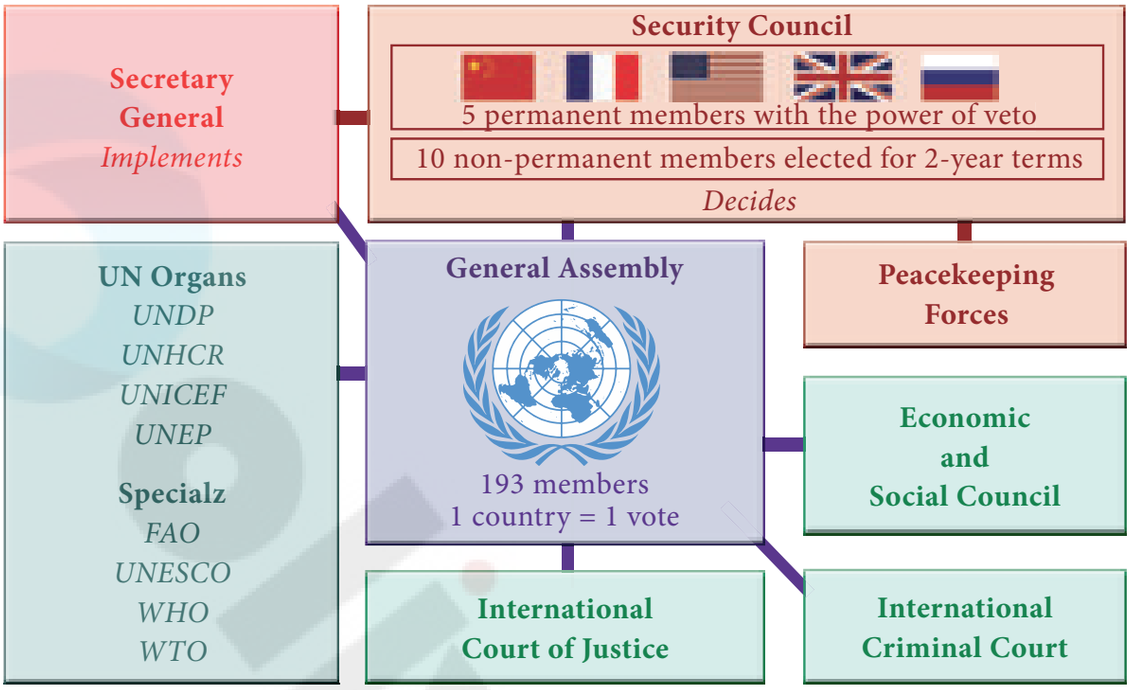

The Trusteeship Council became obsolete following the completion of the decolonization process which it oversaw. However, these organs constitute the basic superstructure of the UN. All organs of the UN meet regularly and members vote to make decisions, issue declarations and discuss issues that are of prime importance. Yet the functions of the organs differ significantly vis-à-vis each other. While the General Assembly is the Parliament of the UN, the Security Council is its executive committee, the secretariat is the operational body or the bureaucracy that runs the UN.

11.3.2 The General Assembly

The General Assembly is the main deliberative organ of the UN which is comprised of Member States and each one has a vote no matter its influence or size. Discussions often include issues arising under the UN Charter, decisions on international peace and security, admitting new member states and the UN budget is decided by two-thirds majority. It is based on the principle of one nation one vote. Resolutions taken by the General Assembly are only recommendations to the member states, but since they represent the views of majority of the world, it carries with it a heavy moral weight and often leads countries to join international agreements called treaties, conventions, protocols, etc., that ultimately has an impact on the world. The General Assembly's sessions begin in September every and most resolutions are made between September and December. Requests for special sessions may be initiated by the Security Council or if a majority of its members make a request. At the beginning of each regular session, the General Assembly has a two-week general debate in which heads of State present their views on a wide range of issues such as terrorism, war, poverty, hunger and disease. The work of the General Assembly is carried out by six committees:

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List of United Nations Peacekeeping Operation					
S.No	Continent	Name of Operation	Location	Conflict	Year of Operation
1	Africa	United National Operations in the Congo (ONUC)	Democratic Republic of the Congo	Congo Crisis	1960-1964
2	Asia	United Nations India- Pakistan Observation Mission (UNIPOM)	India Pakistan	Indo- Pakistan War of 1965	1965-1966
3	Europe	United Nations Disengagement Observer Force (UNDOF)	Israel Syria Lebanon	Agreed withdrawal by Syrian and Israeli forces following the Yom Kippur War	1974
4	Africa	United Nations Operation in Somalia I (UNOSOM I)	Somalia	Somali Civil War	1992-1993
5	Africa	United Nations Mission for Rwanda (UNAMIR)	Rwanda	Rwandan Civil War	1993-1996
6	America	United Nations Mission in Haiti (UNMIH)	Haiti	1991 Coup and military rule in Haiti	1993-1996
7	America	United Nations Mission in Bosnia and Herzegovina (UNMIBH)	Bosnia and Herzegovina	Bosnia War	1995-2002
8	Europe	United Nations Interim Administration Mission in Kosovo (UNMIK)	Kosovo	Kosovo War	1999
9	Africa	United Nations Mission in Sierra Leone (UNAMSIL)	Sierra Leone	Sierra Leone Civil War	1999-2006
10	Africa	United Nations Mission in Ethiopia and Eritrea(UNMEE)	Eritrea Ethiopia	Eritrean-Ethiopian War	2000-2008
11	Africa	United Nation Mission in the Sudan(UNMIS)	Sudan	Second Sudanese Civil War	2005-2011
12	Asia	United Nations Integrated Mission in Timor- Leste (UNMIT)	East Timor	2006 East Timor Crisis	2006-2012
13	Europe	United Nations Supervision Mission in Syria (UNSMIS)	Syria	Syrian Civil War	2012
14	America	United Nations Mission for Justice Support in Haiti (MINUJUSTH)	Haiti	2004 Haiti rebellion	2017

India' Aspirations to Become a Permanent Member of UNSC:

Indian strategic interest in the Council seat has also been shaped by its history of interacting with the Security Council. In the early years of its independence during its armed conflict with Pakistan on Kashmir, India paid the price for being "idealistic" to take the Kashmir issue to the UN wherein it had to battle hard realpolitik of Cold war years leading to UN interventions over the Kashmir dispute. To prevent this negative outcome ever again, the Indian presence at the Security Council, it is hoped will ensure Indian interests are not sacrificed at the altar of great power politics. Most importantly, it will stall any possible intervention by China, a permanent member at the behest of its ally Pakistan.

Indian interests in the Security Council also flow from the larger, many foreign policy debates in India on whether it will be a status quo power that accepts liberal norms and positions itself as a "responsible stakeholder' in the international system or a revisionist power that seeks to redefine the norms of international engagement. Many pundits agree that India would be moderately revisionist that seeks to adjust international norms and frameworks that suits its global vision, without seeking to overthrow the current international system.

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India has always seen itself as a champion, a 'moralistic force' of the so called Third World, the developing states. Former Secretary General Kofi Annan has been quoted as saying that India has been one of the most significant votaries of shaping the UN agenda on behalf of the developing world. At his speech in New Delhi, Annan stated: "Indians have better understood than many other peoples that the goals of the 'larger freedom' that which include development, security and human rights are not alternatives. They have been single-mindedly pursuing larger freedom through pluralist democracy."

Criticism of Veto Power in UNSC

The veto power has been criticized for its undemocratic nature. A single country can prevent a majority of the Security Council from taking any action. For example, the United States routinely casts lone vetoes of resolutions criticizing Israel. The permanent members also veto resolutions that criticize their own actions. In 2014, Russia vetoed a resolution condemning its annexation of Crimea. Amnesty International claimed that the five permanent members had used their veto to "promote their political self interest or geopolitical interest above the interest of protecting civilians."

Some critics see the fact that veto power exclusive to the permanent five as being anachronistic, unjust, or counterproductive. Peter Nadin writes that "The veto is an anachronism. In the twenty-first century, the veto has come to be almost universally seen as a disproportionate power and an impediment to credible international action to crises." The "enormous influence of the veto power" has been cited as a cause of the UN's ineffectiveness in preventing and responding to genocide, violence, and human rights violations. Various countries outside the P5, such as the Non-Aligned Movement and African Union have proposed limitations on the veto power. Reform of the veto power is often included in proposals for reforming the Security Council.

It has been argued that with the adoption of the "Uniting for Peace" resolution by the General Assembly, and given the interpretations of the Assembly's powers that became customary international law as a result, that the Security Council "power of veto" problem could be surmounted. By adopting A/RES/377 A, on 3 November 1950, over two-thirds of UN Member states declared that, according to the UN Charter, the permanent members of the UNSC cannot and should not prevent the UNGA from taking any and all action necessary to restore international peace and security, in cases where the UNSC has failed to exercise its "primary responsibility" for maintaining peace. Such an interpretation sees the UNGA as being awarded "final responsibility"—rather than "secondary responsibility"—for matters of international peace and security, by the UN Charter. Various official and semi-official UN reports make explicit reference to the Uniting for Peace resolution as providing a mechanism for the UNGA to overrule any UNSC vetoes; thus rendering them little more than delays in UN action, should two-thirds of the Assembly subsequently agree that action is necessary.

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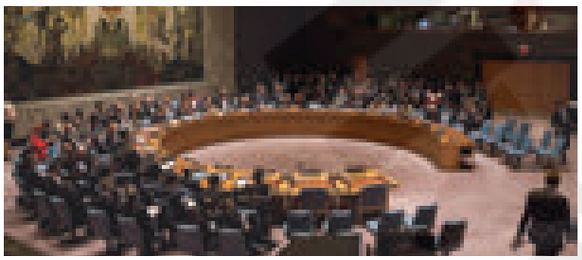
Six Main Committees of the General Assembly

- Disarmament and International Security Committee
- Economic and Financial Committee
- Social, Humanitarian and Cultural Committee
- Special Political and Decolonization Committee
- Administrative and Budgetary Committee
- Legal Committee.

11.3.3 The Security Council



Under the UN Charter the Security Council has the responsibility to maintain international peace and security. Unlike the General Assembly which has regular meetings, the Security Council does not have such meetings and can be convened at any time whenever there is a threat to international peace. Member States are obligated to carry out the decision of the Security Council which are legally binding. When a threat to peace is brought to the Council, it generally asks the conflicting parties to reach an agreement by peaceful means and if fighting breaks out, the council tries to secure a ceasefire through negotiations, economic sanctions or by authorizing the use of force which will be carried out by a willing member of the UN.

The Council would also decide on peacekeeping operations to build lasting peace. The Security Council has fifteen members which includes five permanent members (P-5). The other ten members are elected by the General Assembly on rotation basis for a period of two years. In order to pass a resolution in the Security Council nine out of fifteen votes is required. However, if any one of the P-5 Members votes 'No', often referred as Veto, the resolution does not pass. There are at present, proposals to include more permanent members into the Council and these proposals are under discussion by the Member States of the UN.

11.3.4 The Economic and Social Council

The Economic and Social Council of the UN which has fifty-four members who are chosen for equal geographical representation and serve a three-year term is the central body of the UN for coordinating the economic and social work of the UN and the UN system. Over seventy percent of the UN System is devoted to promoting higher standards of living, alleviating poverty through full employment; economic and social progress; and development. It promotes, economic growth in developing countries, supports human rights, and fosters world cooperation to alleviate poverty and under-development. In order to address specific needs of the council, it has established a number of specialized agencies such as the Food and Agriculture Organisation (FAO), The World Health Organisation (WHO), the UN Educational, Scientific and Cultural Organisation (UNESCO), UN Development

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Programme (UNDP), UN Children's Fund (UNICEF), and the UN High Commissioner for Refugees (UNHCR).

11.3.5 The Trusteeship Council

Under the UN Charter, the Trusteeship Council was assigned to monitor the administration of eleven Trust Territories – former colonies. At the end of the Second World War, this system was created for the advancement of the inhabitants of those dependant territories for their progressive development towards self-governance or independence.

Eleven Trust Territories and more than seventy colonial territories achieved independence with the help of the United Nations. In 1994, Palau became the last Trust Territory to become independent and subsequently the council decided to suspend operations and meet when occasion might require. China, France, United Kingdom, the Russian Federation and the United States who are permanent members of the UN Security Council comprise the Trusteeship Council. All Members of the Council have one vote and decisions are made by a simple majority. Since the process of decolonisation has been completed the Trusteeship Council is no longer relevant in present scenario.

11.3.6 The International Court of Justice

The UN's main judicial organ is the International Court of Justice (ICJ) and is located in The Hague, Netherlands. The ICJ or World Court was established in 1945 and began it functions in 1946. It's predecessor was the Permanent Court of Arbitration (PCA). The Court settles disputes between nations and does not take up individual cases according to international law. Unless required by special treaty provisions, a country does not need to take part in a proceeding if it does not wish to. If any country accepts the jurisdiction of the court, then it must comply with its decisions.

Since 1946, the ICJ has examined over 150 cases and issued numerous judgements pertaining to economic rights, environmental protection, rights of passage, the non-use of force, non-interference in the internal affairs of states, diplomatic relations, hostage-taking, the right of asylum and nationality. The court is presided by fifteen judges elected for nine year terms, each belonging to a different nation. The judges are selected by both the General Assembly and the Security Council. The court and its offices occupy the 'Peace Palace' which was constructed by the Carnegie Foundation which a non-profit Organisation to serve as the headquarters of the Permanent Court of International Justice under the League of Nations. The UN makes an annual contribution to the Foundation for the use of the building. UNSC refer cases to the ICJ.

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Activity

Students are asked to find the most important cases referred to international court of justice.

11.3.7 The Secretariat

The UN Secretariat administers the programs and the policies laid out by the other principal organs of the UN. The Secretary General heads the Secretariat and is appointed by the General Assembly on the recommendations of the Security Council. The Secretary General is appointed for a five-year term which is renewable. As the chief administrative officer of the UN the Secretary General directs the work of other staff in the Organisation who are known as international civil servants.

List of Secretary Generals

1. Trygve Lie (Norway), 1946- 1952
2. Dag Hammarskjöld (Sweden), 1953-1961
3. U Thant (Burma, now Myanmar), 1961-1971
4. Kurt Waldheim (Austria), 1972-1981
5. Javier Pérez de Cuéllar (Peru), 1982-1991
6. Boutros Boutros-Ghali (Egypt), 1992-1996;
7. Kofi Annan (Ghana), 1997-2006
8. Ban Ki-moon (Republic of Korea), 2007- 2016
9. Antonio Guterres (Portugal) 2017 – continuing

Unlike diplomats who represent a particular country, these international civil servants work for all 193 Member States and take orders from the Secretary General and not from governments. The Secretariat is headquartered at New York and has its offices at Geneva, Vienna, Nairobi, Addis Ababa, Beirut, Santiago and Bangkok. Comprising of over 16,000 staff drawn from member states, the Secretariat administers to the day-to-day work of the Organisation.

These duties are varied and range from peacekeeping operations, mediating international disputes, surveying social and economic trends to laying the groundwork for international agreements and organizing international conferences. The role of the Secretariat which is multi-faceted is under constant pressure from the dyad of nation-state imperatives and universal goals.

The Secretary-General may bring to the attention of the Security Council matters that may in his opinion disturb international peace and security. He can also use his good offices to prevent conflicts or promote peaceful settlements of disputes between nations. The Secretary General can also act upon his own discretion to deal with humanitarian or any other problem that might require special importance.

The UN family though is much larger, is encompassed by fifteen agencies and several programs and bodies. Some of these Organisations were founded during the era of the League of Nations such as the International Labor Organisation (ILO). Many more were created since 1945 to address and solve specific issues and problems since 1945 for which the UN was established. This has resulted in much complexity of the UN and in the following decades since the founding of the Organisation contribute to the escalation of tasks that the UN had been charged to undertake. As a result, new bodies were added on a regular basis while some were

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made to be temporary bodies such as the UNHCR, they have nevertheless become permanent organs. The UN also has a hybrid set of subsidiaries and partners and throughout its history it has been associated with almost three thousand non-governmental Organisations.

Envisioned in 1945 in article 77 of the UN Charter, it states explicitly that the UN 'may make suitable arrangements for consultation with nongovernmental Organisations which are concerned with matters within its competence'. This made it possible for the UN to work with hundreds of NGOs to undertake humanitarian work in conflict zones, for example, the UN Mission in Bosnia and Herzegovina(UNMIBH) between 1995-2002. In 2007, thirty-two NGOs issued an open letter to the Secretary General to pressurize Sudan's government to permit a Joint African Union/United Nations Peacekeeping force to enter the conflict-ridden Darfur region. In the following sections, some of the important organs of the United Nations such as the International Monetary Fund, the World Bank and international Organisations such as Asian Development Bank, Amnesty International and Human Rights Watch would be examined.

The ECOSOC under the UN mandate coordinates the economic and social work of the UN and the UN family of Organisations. It therefore plays a key role in fostering international cooperation for development. While the Security Council was charged with weighty issues of military security, the ECOSOC was left to deal with questions of economic security. However, these were not to be taken lightly as many who were involved in the drafting of the UN Charter considered the great economic depression during the 1930s as the root cause for the second World War. The ECOSOC although a relatively powerless body of the UN structure, oversees a number of functional and regional commissions. The Commission on Human Rights monitors the observance of human rights across the world. Other bodies focus on social development, the status of women, environmental protection, crime prevention and narcotic drugs. However, the ECOSOC's mission continues to remain amorphous. The true global economic power infact lies with the so called three sisters (i) the World Bank (ii) The International Monetary Fund and (iii) the World Trade Organisation.

11.4 The World Bank

The World Bank which is based in Washington, was originally known as the International Bank for Reconstruction and Development (IBRD). The World Bank or often referred to as the Bank Group was founded in 1945 and serves as the largest source of funding and knowledge for developing countries in the world. The term "world bank" was first used in reference to IBRD in an article in the Economist on July 22, 1944, in a report on the Bretton Woods Conference. The primary focus of the Bank is to work with the poorest people and the poorest countries through its five

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institutions to reduce poverty, increase economic growth and increase the quality of life by using its financial resources and its extensive experience. The World Bank is managed by its member countries who are either lenders, borrowers or donors.

Debate

Do you think the World Bank is politicised now? Is it partial? or Impartial?

Many developing countries in the world use the World Bank's assistance ranging from loans and grants to technical assistance and policy advice. The Bank works with a wide range of actors that includes government agencies, civil society Organisations, other aid agencies and the private sector. Although the fundamental mission of the World Bank is reducing poverty and improving the quality of life has not changed, in recent times it is adjusting its approaches and policies to the needs of developing countries in the new economic context. Challenges to development now requires institutions that are not only close to the people but are also capable of mobilizing key actors whether the government, private sector or the civil society to address global threats. In order to address these challenges, the Bank has sharpened its focus on strategic priorities, reforming its business model and improving its governance. These reforms include inclusiveness, innovation, efficiency, effectiveness and accountability and fall into five areas:

Reforming the Lending model: By modernizing its financial services and lending model, the Bank seeks to provide more tailored responses to the borrowers' needs. Calling for closer attention, the approach seeks to establish substantial results and for stream lined processes, improved supervision and higher risk investment.

Increasing Voice and Participation: With an additional seat in the Board of Directors for Sub-Saharan Africa and an increase in voting power of developing countries, the Bank seeks to elevate the representation and influence of developing and transition countries that are in the Bank Group.

Promoting Accountability and Good Governance: Among its key concerns, the Bank has governance and anticorruption across sectors and countries. This is based on the mandate to reduce poverty – a capable and accountable state creates opportunities for all to develop.

Five Institutions of the World Bank

- The International Bank for Reconstruction and Development
- The International Development Association
- International Finance Corperation
- The Multilateral Investment Guarantee Agency
- The International Centre for Settlement of Investment Disputes

Increasing Transparency, Accountability and Access to Information: The Bank's ability to access information policy provides opportunities for the Bank to share its knowledge and experience with a wide audience in order to enhance its quality of operations by providing more information about projects and programs than ever before.

Modernizing the Organisation: To make it a better development partner, the Bank is undergoing a series of reforms. There are

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three main areas in which these reforms are taking place (i) it is modernizing its lending and knowledge products and services to better serve its clients and to serve their efforts to reduce poverty better, (ii) improvements in sharing and access to knowledge and expertise both from within and outside is being undertaken and (iii) it is modernizing the processes and systems that underpin the Bank's work.

Since the beginning of operations in 1946 with thirty-eight members, there has been a dramatic change in the number of members and the conditions in the world. As many nations became independent from colonial rule, they gradually joined the institution and subsequently the bank and the development needs of member states expanded. There are five institutions that constitute the World Bank (i) the International Bank for Reconstruction and Development, (ii) International Development Association (iii) International Finance Corperation, (iv) The Multilateral Investment Guarantee Agency and (v) The International Centre for Settlement of Investment Disputes.

The International Bank for Reconstruction and Development (IBRD): The main objective of the IBRD is to reduce poverty in middle-income countries and credit worthy low income by promoting sustainable development through loans, guarantees and analytical and advisory services. It was established in 1945 and has 184 members. Its net income and allocable income for the fiscal year in June 2018 amounted to $698 billion.

The International Development Association: It supports country-led initiatives for poverty reduction in the poorest countries with interest-free credits and grants with money received from contributions made by members. It was established in the year 1960 and its total commitment amounted to $24 billion in the fiscal year June 2018.

The International Finance Corporation: It provides loans to the private sector to promote economic development in developing countries. It was established in 1956 with 176 members and its investments in the year 2018 amounted to $23.3 billion.

The Multilateral Investment Guarantee Agency: This agency encourages private companies to invest in developing countries by providing guarantees against such risks as breach of contract, conflict, war and currency inconvertibility. It was established in the year 1988 with 164 members with net business reaching a record high of $5.3 billion.

The International Centre for Settlement of Investment Disputes: It encourages foreign investment in developing countries by providing facilities for arbitration of investment disputes. It was established in 1966 with 140 members.

11.5 The International Monetary Fund(IMF)

The International Monetary fund or the Fund is the world's largest premier international financial institution. It was conceived at the Bretton Woods conference in 1944 as a global response

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to the great economic depression of the 1930s. The fundamental idea for setting up an international financial institution was to help avoid the 'beggar thy neighbour' policies that characterized that period.

It was established to provide short term and medium term finance to member countries facing balance of payments difficulties so that they could pursue policies of economic adjustment that did not rely on competitive devaluation and protectionist trade policies.

The Mandate of the International Monetary Fund

The International Monetary Fund (IMF) is an independent international Organisation with 185 member countries with the objective to promote economic stability and growth. The member countries are the shareholders in the cooperative and provide capital for the International Monetary Fund through quota subscription. The IMF in return provides its members with macroeconomic policy advice, financial aid in times of balance payments need and technical assistance and training to improve national economic management. The IMF is one of the several autonomous Organisations of the UN with the designation of specialized agency and is also a permanent observer of the UN. Article 1 of the IMF mandate sets out the following objectives:

- To promote international monetary cooperation through a permanent institution which provides the machinery for consultation and collaboration on international monetary problems.
- To facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy.
- To promote exchange stability, to maintain orderly exchange arrangements among members, and to avoid competitive exchange depreciation.
- To assist in the establishment of a multilateral system of payments in respect of current transactions between members and in the elimination of foreign exchange restrictions which hamper the growth of world trade.
- To give confidence to members by making the general resources of the IMF temporarily available to them under adequate safeguards, thus providing them with opportunity to correct maladjustments in their balance of payments without resorting to measures destructive of national or international prosperity.
- To shorten the duration and lessen the degree of disequilibrium in the international balances of payments of members.
- The mandate of the IMF gives it a unique character as an international monetary institution having broad oversight responsibilities for the proper functioning and development of the international and monetary financial system.

Functions of the International Monetary Fund:

The IMF pursues a wide range of functions in accordance with its mandate. It is as follows:

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Surveillance of Members' Economic Policies: nations who are members agree to pursue economic policies that are consistent with the objectives of the IMF and the articles of agreement confer on the IMF the legal authority to oversee compliance with this obligation which makes the IMF the only Organisation that has the mandate to examine regularly the economic conditions of virtually all countries in the world.

Financing Temporary Balance of Payment Needs: in order to enable countries to make orderly corrective measures and avoid disorderly adjustment of the external imbalance, the IMF lends to its member countries to provide a temporary respite from balance of payments. In addition to providing direct funding to member countries, the IMF also plays a catalytic role in mobilizing external financing for countries' balance of payment needs.

Combatting Poverty in Low Income Countries: The IMF provides low-income member countries with concessional loans to help these countries in their efforts to eradicate poverty. In this endeavour, the IMF works closely with the World Bank and other development partners. In addition, the IMF participates in two international initiatives to provide debt relief (i) Heavily Indebted Poor Countries (HIPC) and (ii) Multilateral Debt Relief Initiative (MDRI).

Mobilizing External Financing: The IMF's endorsement of a countries policies serve as an important catalyst in mobilizing external funding from bilateral and multilateral lenders and donors. Policy assessments and recommendations of the IMF also provide important signals to investors and financial markets regarding a country's economic future and the impact on investor and market confidence in the economy.

Strengthening the International Monetary System: Being the central institution in the international monetary system, the IMF serves as a forum for consultation and collaboration by members on international and monetary matters. It works with other multilateral institutions to devise international rules that would help prevent and promote an orderly resolution of international economic problems.

Increasing the Global Supply of International Reserves: If there is a global need to supplement existing reserves, the IMF has the authority to issue an international asset called the Special Drawing Right (SDR). These SDRs belong to the net international reserves of members and can be exchanged for convertible currencies.

Building Capacity Through Technical Assistance and Training: The IMF with its expertise provides training and technical assistance for member countries to design economic policies and improve economic management capabilities. This helps in reduction of policy failures and resilience to shocks and facilitates program design and implementation. These activities are important particularly for developing countries where resources are scarce and institutions are often weak.

Dissemination of Information and Research: The IMF is a premier source for Economic analysis of its member countries' economic policies and statistical information. The IMF disseminates information through numerous reports, research studies and specialized statistical publications. It also conducts research in areas that are in accordance with its mandate and operations mainly to improve its economic analysis and its advice to

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member countries. These publications often appear in books, articles in journal, working papers, occasional papers and the internet.

However there prevails a general criticism that the MIF, at present, function as an institution to promote corporate interests, through commercialisation of the services, including education and health, and by subordinating peoples' welfare and development to profiteering business interest, and the sovereign states are compelled to be subservient to international corporate business.

11.6 Asian Development Bank

Unlike the IMF which is largely self-financing, Multilateral Development Banks (MDBs) are highly dependent on shareholder contributions particularly in terms of financing their operations of their soft loan windows, that provide grants and low interest loans to very poor countries. MDBs belong to a complex set of public institutions that can be categorized as (i) global, (ii) regional and (iii) Sub-regional. Categorizations of all MDBs are done by taking into consideration their regional coverage. This facilitates the process of clearly understanding the similarities and differences among them by using common denominators rather than extensive individual assessments.

Most MDBs fall in the above mentioned three categories and directly target a particular continent such as the Asian Development Bank, the African Development Bank, Asian Infrastructure and Investment Bank, New Development Bank, Inter-American Development Bank, Islamic Development Bank, European Investment Bank, etc. During the late 1930s and early 1940s, the concept of economic development began to emerge in the contemporary sense. The prominent British economist John Maynard Keynes addressed economic and social needs that emerged in the post-war period. Harry Dexter White- an American economist was a key figure in envisioning the set of institutions that were to be created as envisioned by John Maynard Keynes. White, in the year 1942 paved the path towards the fundamentals of a development policy when he prepared a proposal for a United Nations Stabilization Fund and Bank for Reconstruction and Development of the United and Associated Nations, that would provide the basis for a post-war international monetary reform. The proposal called for the creation of two related institutions with the powers, resources and structure adequate to address major issues in the post-war period.

MDBs such as the World Bank and the Asian Development Bank (ADB) are publicly financed institutions that are responsible for setting the development agenda of their member countries. Almost all countries in the world with the exception of Cuba and North Korea are members of MDBs. All countries with membership in MDBs contribute to the institution since they are affiliated to and avail loans from them. MDBs emphasize that largescale development projects such as hydroelectric dams, irrigation projects, transportation development, oil and gas projects have the potential to reduce poverty and increase economic activities that would be aimed at development. However, on the contrary, there are others who oppose such development projects since they have terrible consequences to the environment and their lives, negates the Banks' claim. Many argue that the damage done through these projects not only affect their welfare, but have negative social, economic and environmental results that are irreversible.

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The Asian Development Bank is a regional multilateral finance institution that is dedicated to the realization and reduction of poverty in Asia and the Pacific. The ADB was founded in1966 and has 62 member countries and most of them belong to the region. The ADB has an equity capital of $44 billion and reserves of $7.9 billion. Since its beginning in 1966 to the year 2002 the Bank has approved loans to both the public and private sectors amounting to $98.831 billion and disburses $5 billion in loans and projects across the region and earns from it an annual return of $500 million.

The ADB's Poverty Reduction Strategy (PRS) is the central component of its Long-Term Strategic Framework (LTSF 2001 - 2015). This fifteen-year agenda of the ADB subscribed to the United Nations Millennium Development Goals to achieve the target of halving the number of people living in poverty worldwide. According to the Bank's claim, its development agenda is to improve the welfare of the people living in Asia and the Pacific, more particularly about 900 million Asians who are living in poverty and earn less than a dollar a day. Among the priorities of the ADB are economic growth, human development, gender and development, good governance, environmental protection, private sector development and regional co-operation. The ADB now operates through five geographically contiguous areas which addresses country and sector themes. The groupings are (i) East and Central Asia, (ii) the Mekong, (iii) the pacific, (iv) South Asia and (v) South-East Asia. Each of the regional departments undertake country planning and programming of sub-regional and country-specific assistance. Similar to any other bank, the ADB receives resources from its shareholders. Japan and the United States have the largest shares among the 62 country members that amounts to 15.9 percent of shares.

Shanghai Cooperation Organisation

Key takeaways of the meet/Qingdao declaration

- India refused to endorse the ambitious Chinese Belt and Road Initiative (BRI).
- India coined SECURE strategy for comprehensive security in the SCO region.

Shanghai Cooperation Organisation (SCO)

- It is an Eurasian political, economic, and security Organisation formed in 2001 and headquartered in Beijing.
- It owes its origin to its predecessor Shanghai Five (a multilateral forum founded by 5 countries China, Russia, Kazakhstan, Kyrgyzstan and Tajikistan in Shanghai in 1996).
- Its driving philosophy is known as the "Shanghai Spirit" which emphasizes harmony, working by consensus, respect for other cultures, non-interference in the internal affairs of others, and non-alignment.
- SCO comprises eight-member states, India, Kazakhstan, China, Kyrgyz Republic, Pakistan, Russian, Tajikistan and Uzbekistan.
- 2018 year meet is India's first participation in the summit as a full-time member. India, along with Pakistan, became full-time members during the Astana summit in Kazakhstan in June 2017.
- Besides it has 4 observer states and 6 dialogue partners.

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Organisation of the Petroleum Exporting Countries (OPEC)

Asian Premium

- It is the extra charge being collected by OPEC countries from Asian countries when selling oil.
- It has roots in the establishment of market oriented crude pricing in 1986.
- There are 3 important benchmarks in global market, representing the cost of oil produced in respective geographies.

  Brent: Light sweet oil representative of European market

  West Texas Intermediate(WTI): US market

  Dubai/Oman: Middle East and Asian Market.
- However, US and Europe had an advantage because their markets and prices were based on future trading and reflected every trend in the crude market. On the other hand, Asia represented by Dubai/Oman do not have any derivative trading, doesn't have that edge.
- Hence, price charged from Asian countries remained $1-$2 dollar higher than that from Europe and the US. This price differential is termed as 'Asian Premium'.

About OPEC

- It is an intergovernmental organisation whose stated objective is to "co-ordinate and unify petroleum policies among Member Countries, in order to secure fair and stable prices for petroleum producers; an efficient, economic and regular supply of petroleum to consuming nations; and a fair return on capital to those investing in the industry."
- It is headquartered at Vienna, Austria.
- It was set up at the 1960 Baghdad Conference with Iran, Iraq, Kuwait, Saudi Arabia and Venezuela as founding members.
- It accounts for an estimated 44 percent of global oil production and 81.5 percent of the world's "proven" oil reserves.

International Atomic Energy Agency

- It is the world's central intergovernmental forum for scientific and technical cooperation in the nuclear field.
- It is an autonomous international Organisation within the United Nations system set up in July 1957 through its own international treaty, the IAEA Statute.
- The IAEA reports to both the United Nations General Assembly and Security Council.
- It works for the safe, secure and peaceful uses of nuclear science and technology.
- Contributing to international peace and security and the United Nations' Sustainable Development Goals.
- It is headquartered in Vienna, Austria. India is a member of IAEA.
- The objective of IAEA Safeguards is to deter the spread of nuclear weapons by the early detection of the misuse of nuclear material or technology.
- In 2009, an Agreement between the Government of India and the IAEA for the Application of Safeguards to Civilian Nuclear Facilities was signed. Then in 2014, India ratified an Additional Protocol (as part of its commitments under US-India Nuclear Deal) to its safeguards agreements with the International Atomic Energy Agency (IAEA).
- The AP is an important tool of the IAEA, over and above the provisions of the safeguard agreement, to verify the exclusively peaceful nature of a country's nuclear programme.

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BIMSTEC

- BIMSTEC is a regional Organisation comprising seven Member States lying in the littoral and adjacent areas of the Bay of Bengal including Bangladesh, Bhutan, India, Nepal, Sri Lanka, Myanmar and Thailand.
- This sub-regional Organisation came into being on 6 June 1997 through the Bangkok Declaration.
- Its Secretariat has been established at Dhaka.

About South-South Cooperation (SSC)

- South South Cooperation (SSC) is defined as the exchange and sharing of developmental solutions among countries in the global south.
- The formation of SSC can be traced to the 1955 Bandung Conference.

IBSA

- It is an international tripartite grouping for promoting international cooperation of India, Brazil and South Africa.
- It was formally established by the Brasilia Declaration of 6 June 2003 by external affairs ministers of India, Brazil and South Africa.

IBSA Mechanism for Development Cooperation - IBSA Fund for the Alleviation of Poverty and Hunger

- It was set up with the objective of facilitating the execution of human development projects to advance the fight against poverty and hunger in developing countries.
- Each member country contributes $1 Million annually to this fund.
- The IBSA Fund is managed by the United Nations Office for South-South Cooperation (UNOSSC).

North Atlantic Treaty Organisation (NATO), 1949

The North Atlantic Treaty Organisation was created in 1949 by the United States, Canada, and several Western European nations to provide collective security against the Soviet Union.

Signing of the NATO Treaty

NATO was the first peacetime military alliance the United States entered into outside of the Western Hemisphere. The nations of Western Europe wanted assurances that the United States would intervene automatically in the event of an attack. As a result of tensive negotiations the North Atlantic Treaty was signed in 1949. In this agreement, the United States, Canada, Belgium, Denmark, France, Iceland, Italy, Luxemburg, the Netherlands, Norway, Portugal, and the United Kingdom agreed to consider attack against one an attack against all, along with consultations about threats and defense matters. The collective defense arrangements in NATO served to place the whole of Western Europe under the American "nuclear umbrella." Although formed in response to the exigencies of the developing Cold War, NATO has lasted beyond the end of that conflict, with membership even expanding to include some former Soviet states. It remains the largest peacetime military alliance in the world.

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About UN Global Counter-Terrorism Coordination Compact

- It is an agreement between the UN chief, 36 Organisational entities, the International Criminal Police Organisation (INTERPOL) and the World Customs Organisation, to better serve the needs of Member States when it comes to tackling international terrorism.

Objective

- To ensure that the United Nations system provides coordinated capacity-building support to Member States, at their request, in implementing the UN Global Counter-Terrorism Strategy and other relevant resolutions.
- To foster close collaboration between the Security Council mandated bodies and the rest of the United Nations system.
- The UN Global Counter-Terrorism Compact Coordination Committee will oversee and monitor the implementation of the Compact which will be chaired by UN Under-Secretary-General for counterterrorism.
- It will replace the Counter-Terrorism Implementation Task Force, which was established in 2005.

International Treaties

Comprehensive Nuclear Test Ban Treaty

What is CTBT?

- It is a multilateral treaty banning all nuclear explosions for both military and civilian purposes.
- It was negotiated at the Conference on Disarmament in Geneva and adopted by the United Nations General Assembly. It was opened for signature on 24 September 1996.
- The CTBT with its 183 signatories and 163 ratifications is one of the most widely supported arms-control treaties.
- It can only enter into force after it is ratified by eight countries with nuclear technology capacity, namely China, Egypt, India, Iran, Israel, North Korea, Pakistan and the United States.
- The Treaty establishes a CTBT Organisation (CTBTO), located in Vienna, to ensure the implementation of its provisions, including provisions for international verification measures.

India's stand on CTBT

- India did not support the Comprehensive Nuclear Test Ban Treaty in 1996 and still does not due to following reasons: CTBT does not address complete disarmament (supported by India), discriminatory in nature with permanent UNSC members.
- Another major concern was the Entry-Into Force (EIF) clause, which India considered a violation of its right to voluntarily withhold participation in an international treaty. The treaty initially made ratification by states that were to be a part of the CTBT's International Monitoring System (IMS) mandatory for the treaty's EIF. Because of this, India withdrew its participation from the IMS.

Treaty on the Non-Proliferation of Nuclear Weapons (NPT) 1968

- Its objective is to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament.
- India, Israel, North Korea, Pakistan and South Sudan are not parties to this treaty.

11.7 International Non-Governmental Organisations

International Non-Governmental Organisations (INGOs) have been growing

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both in number and influence around the world. INGOs range widely in scope, size, membership and home location. Some examples of INGOs are Amnesty International, Human Rights Watch and Medecins Sans Frontiers (MSF; also known as Doctors Without Borders). INGOs have been increasingly engaged in policy making and policy processes. Domestically INGOs have access to policy makers and work to influence policy through lobbying efforts and information campaigns. At the international scenario, INGOs often work with intergovernmental Organisations and donor agencies and can have tremendous sway in certain policy domains. Recently the work of INGOs have been linked with their efforts to changes in trade and investment patterns and decisions in terms of humanitarian intervention, economic sanctions and aid allocation.

Until the adoption of the UN Charter in 1945, the term non-governmental Organisation did not exist. In the year 1910, a group of 132 Organisations came together to form the Union of International Organisations. In 1929 a group of Organisations that regularly attended the League meetings and formed the Federation of Private and Semi-Official International Organisations established in Geneva. When the UN Charter was finalized, the San Francisco Conference agreed to make provision for both intergovernmental Organisations and private Organisations to have formal relations with the ECOSOC. In terms of according status for both types of Organisations, members were unwilling to give same status to the two types of international Organisations. Under Article 57, a new term Specialized Agencies was introduced to define inter-governmental Organisations. Under Article 71, a new second term was introduced – non-governmental Organisations.

The UN is an organisation of governments of the world while the non-governmental Organisation represents the people of all nations of the world.

Article 71

"The Economic and Social Council may make suitable arrangements for consultation with non-governmental Organisations which are concerned with matters within its competence. Such arrangements may be made with international Organisations and, where appropriate, with national Organisations after consultation with the Member of the United Nations concerned."

Activity

Students are requested to find out World Bank Sponsored projects in India.

Amnesty International

Amnesty international is one of the largest international non-governmental Organisation that works for the rights of humans across the globe. Its work is a worldwide campaign movement that seeks to promote all human rights that are established in the Universal Declaration of Human Rights (UDHR) and other international human rights instruments. It has more than 2.2 million people as members, signatories and supporters spread across 150 countries in the world. Amnesty International was formed in London in 1961 by its founder Peter Benson. In the year 1977, the Amnesty International was awarded the Nobel Peace Prize for its campaign against torture. Some of the important objectives of the Amnesty International are as follows:

- Protection of women
- Protection of children

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- Ending illegal torture and execution
- Protection of prisoners of conscience (freedom of conscience, expression and the release of all prisoners of conscience)
- Protection of refugees
- Protection and overcoming the phenomenon of human rights violations that are related to his physical and psychological integrity
- Abolishing the death penalty, torture and other cruel treatment has held prisoners
- Fair (fair and fast) trials for political prisoners
- Overcoming the phenomenon of discrimination on any grounds: gender, race, religion, language, political opinion, national or social origin, and others
- Regulation of the global arms trade.

Human Rights Watch

The Human Rights Watch was founded in 1978 with the founding of its Europe and Central Asia Division then known as the Helsinki Watch. It is a non-profit non-governmental Organisation. Its staff consists of human rights professionals including country experts, lawyers, journalists and academics belonging to diverse backgrounds and nationalities. The Human Rights Watch is known for its accurate findings, impartial reporting, effective usage of media and targeted advocacy often in partnership with local human rights groups. Human Rights Watch publishes more than 100 reports on human rights practices in 90 countries across the world. The mission statement of the Human Rights watch states that "Human Rights Watch defends the rights of people worldwide. We scrupulously investigate abuses, expose the facts widely, and pressure those with power to respect rights and secure justice".

Achievements of Human Rights watch

Human Rights watch wins United Nations prize

(New York)- Human Rights Watch has won the 2008 United Nations Prize for Human Rights, in recognition of the vital role played by the Human Rights movement in trying to end abuses over the past 60 years. The award given every five years, was bestowed in New York on December 10, 2008, the 60th anniversary of the Universal Declaration of Human Rights.

Human Rights Watch is an independent, international Organisation that works as part of a vibrant movement to uphold human dignity and advance the cause of human rights for all". It's core values are that it is guided by principles of International human rights and humanitarian law and respect for the dignity of the human individual. Human Rights Watch in order to maintain it independence claims that it does not accept government funds directly or indirectly or support from any private funder that could compromise its objectivity and independence. It also does not embrace any political cause and is non-partisan and strives to main neutrality in situations of armed conflict.

Human Rights Watch is committed to maintaining high standards of accuracy and fairness that includes seeking out multiple perspectives to develop and in-depth analytical understanding of events. It recognizes the particular responsibility for victims and witnesses who share their experiences with them. The Human Rights Watch is actively focussed on impact. The

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Human Rights Watch now has thematic divisions or programs on arms, business and human rights, children's rights, disability rights, the environment and human rights, health and human rights, international justice, lesbian, gay, bisexual and transgender rights, refugees, terrorism and counterterrorism, women's rights and emergencies.

United Nations Human Rights Council (UNHRC)

- It is a specialized agency of United Nations to protect and promote human rights across the world set up in 2006.
- The Council consists of 47 members, elected yearly by the General Assembly through direct and secret ballot for three-year terms.
- India was elected with highest number of votes by General Assembly to the United Nations Human Rights Council (UNHRC).
- Members are selected via the basis of equitable geographic rotation using the United Nations regional grouping system.
- Members are barred from occupying a seat for more than two consecutive three-year terms.

Activity

Have a debate on role of Human Right Watch in Protecting Human Rights across the world.

Greenpeace

Greenpeace is a non-governmental environmental Organisation with offices in over 39 countries and an international coordinating body in Amsterdam, the Netherlands Greenpeace was founded in 1971 by Irving Stowe and Dorothy Stowe, Canadian and US ex-pat environmental activists. Greenpeace states its goal is to "ensure the ability of the Earth to nurture life in all its diversity" and focuses its campaigning on worldwide issues such as climate change, deforestation, overfishing, commercial whaling, genetic engineering, and anti-nuclear issues. It uses direct action, lobbying, research, and ecotage to achieve its goals. The global Organisation does not accept funding from governments, corporations, or political parties, relying on three million individual supporters and foundation grants. Greenpeace has a general consultative status with the United Nations Economic and Social Council and is a founding member of the INGO Accountability Charter, an international non-governmental Organisation that intends to foster accountability and transparency of non-governmental Organisations. Greenpeace is known for its direct actions and has been described as the most visible environmental Organisation in the world.

Conclusion

International Organisations have become an increasingly common phenomenon in international life. The proliferation of international Organisations and treaty arrangements among states represents the formal expression of the extent to which international politics is becoming more and more institutionalized. In addition to the burgeoned scholarship on international Organisations, in the past decade, theories have been devoted to understanding why institutions exist, how they function, what are the effects they have on world politics have become increasingly refined and the empirical methods

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employed for analysis more sophisticated. These and other emerging forms of analysis would help frame a new research agenda for the study on international Organisations. In the coming years students will need to pay close attention to the changing patterns of international Organisations' norms and practices and the broader ability of international Organisations to keep step with the changes in the world and the challenges it would face.

Glossary

- **The International Telecommunication Union (ITU):** originally the International Telegraph Union, ITU was formed at the International Telegraph Convention, held in Paris on 17 May 1865.
- **The Universal Postal Union (UPU):** established by the Treaty of Bern of 1874, is a specialized agency of the United Nations (UN) that coordinates postal policies among member nations.
- **International Peace Conference originally The Paris Peace Conference:** also known as the Versailles Peace Conference, on 18 January 1919 of the victorious Allied Powers following the end of World War I to set the peace terms for the defeated Central Powers.
- **The International Court of Justice (ICJ):** sometimes called the World Court, is the principal judicial organ of the United Nations (UN).
- **The Permanent Court of Arbitration (PCA):** is an intergovernmental Organisation located at The Hague in the Netherlands.
- **The League of Nations:** abbreviated as LN or LoN, was an intergovernmental organisation founded on 10 January 1920 as a result of the Paris Peace Conference that ended the First World War.
- **The United Nations (UN)** is an intergovernmental Organisation tasked with maintaining international peace and security, developing friendly relations among nations.
- **The Concert of Europe** represented the European balance of power from 1815 to 1848.
- **The International Labour Organisation (ILO)** was established as an agency of the League of Nations following World War I.
- **The International Monetary Fund (IMF),** also known as the Fund, is an international Organisation headquartered in Washington, D.C.
- **The World Bank (WB)** also known as the International Bank for Reconstruction and Development (IBRD), is an international financial institution that provides interest-free loans and grants to the governments of poorer countries for the purpose of pursuing capital projects.
- **The Asian Infrastructure Investment Bank (AIIB)** is a multilateral development bank that aims to support the building of infrastructure in the Asia-Pacific region.
- **The Asian Development Bank (ADB)** is a regional development bank established on 19 December 1966, which is headquartered in the Ortigas Center located in the city of Mandaluyong, Metro Manila, Philippines.
- **Amnesty International** (commonly known as Amnesty or AI) is an non-governmental Organisation focused on human rights.
- **Human Rights Watch (HRW)** is an international non-governmental Organisation, founded in 1978,

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headquartered in New York City, that conducts research and advocacy on human rights.

- **The League Council** the main constitutional organs of the League of Nations were the Assembly, the Council, and the Permanent Secretariat.
- **General Assembly (UNGA or GA)** is one of the six principal organs of the United Nations (UN), the only one in which all member nations have equal representation.
- **Munich Conference.** The Conference held in Munich on September 28-29, 1938, during which the leaders of Great Britain, France, and Italy agreed to allow Germany to annex certain areas of Czechoslovakia.
- **Trusteeship Council** is one of the six principal organs of the United Nations, established to help ensure that trust territories were administered in the best interests of their inhabitants and of international peace and security.
- **International non-governmental Organisation (INGO)** has the same mission non-governmental Organisation (NGO), but it is international in scope and has outposts around the world to deal with specific issues in many countries.

Evaluation

I. Choose the correct answer

A7N2A8

1. What was the first postal Organisation originally called?
   (a) International Telegraph
   (b) International Telecommunication Union
   (c) Universal Postal Union
   (d) International Telecommunication Department
2. In the year 1902, the Convention for the Pacific Settlement of International Disputes established the _____.
   (a) International Court of Justice (b) Permanent Court of Arbitration
   (c) International Criminal Court (d) Permanent Court of International Justice
3. Who among the following individuals outlined the idea of the League of nations?
   (a) Eleanor Roosevelt (b) Woodrow Wilson
   (c) Franklin D Roosevelt (d) Theodore Roosevelt
4. The 1938 Munich Conference agreed to the dismantling of _____.
   (a) Yugoslavia (b) Czechoslovakia (c) Austria (d) Poland
5. Who coined the name United Nations?
   (a) Eleanor Roosevelt (b) Woodrow Wilson
   (c) Franklin D Roosevelt (d) Theodore Roosevelt
6. Veto powers in the United Nations were given to which of the following five counties
   (a) China, Britain, France, USA, Japan
   (b) China, France, Great Britain, USA, Russia
   (c) China, France, Britain, USA, Germany
   (d) China, France, Great Britain, USA, Soviet Union

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7. Match the Following:

1. General Assembly	a) Decolonization Process
2. Economic and Social Council	b) The Main Deliberative organ of the United Nations
3. International Criminal Court	c) China, France, Great Britain, USA, Soviet Union
4. The Security Council	d) UNESCO

1) b a d c
2) b d a c
3) c b a d
4) a d b c

8. Match the following:

1. Kurt Waldheim	a) Portugal
2. Kofi-Annan	b) Republic of Korea
3. Boutros Boutros-Ghali	c) Myanmar
4. Antonio Guteres	d) Norway

1) a d b c
2) b d a c
3) c b a d
4) a d b c

9. Name two International Non-Governmental Organisations that work for the protection and promotion of human rights

(a) Human Rights Watch (b) Amnesty International
(c) The World Bank (d) Asian Development Bank

II. Answer the following questions very shortly

1. Define International Organisations.
2. Define international non-governmental Organisations.
3. List out the General Secretaries of the United Nations since 1946
4. List out a few specialized agencies of the ECOSOC.
5. What are the six branches of the United Nations?
6. Define CTBT

III. Answer the following questions shortly

1. Write a short note on Trusteeship Council.
2. What are the six main committees of the General Assembly?
3. The Idea of international Organisations was a definite guarantee for peace – briefly.
4. What are the five institutions of the World Bank?

IV. Answer the following questions in detail

1. What are international Organisations? Describe their growth and role in world affairs.
2. Write an essay on the evolution of the League of Nations and discuss why it failed to fulfill its purpose.
3. Examine the growth and role of the United Nations.
4. Discuss in detail the role of the ECOSOC.

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Unit 12 Environmental Concerns and Globalisation

Learning Objectives

- To understand the need for protecting global environment.
- To trace the origin, development, role and significance of various multilateral environmental mechanisms.
- To assess India's stance on international environmentalism.
- To introduce students to the concept of indigeneity, indigenous people and indigenous rights.
- To explore the ever-growing realm of globalisation with special reference to India.

W5A9I6

Quotable Quote

"If conservation of natural resources goes wrong, nothing else will go right"

- M. S. Swaminathan

12.1 Protection of Global Environment

The protection of environment as a global requirement is a post-industrialization revelation. Major concerns like deforestation, industrial pollution, greenhouse gas (GHG) emissions, depletion of ozone layer, global warming and the consequent rise sea levels etc. have been acknowledged to be matters that require immediate and serious interventions given the adverse impacts they cause. In 1982, the UN General Assembly, through its "World Charter for Nature", underscored that the entire humanity is a part of nature, and life depends on nature. The idea of sustainable development that propels the contemporary debate of environmentalism focusses immensely on conservation of biodiversity in terms of prevention of environmental pollution, protection of wetlands, and promotion of ecological balance. Globally, the UN continues to be the lynchpin in global environmental governance, through its organs and various specialized agencies.

Top Ten Global Carbon Emitters

1. China	6. Japan
2. The US	7. Germany
3. The EU	8. Iran
4. India	9. Saudi Arabia
5. Russia	10. South Korea

Genesis of Institutional Protection of Environment

The topics of securitization and protection of environment is a natural offshoot of the complex relations that exist between the human life and ecology. Nature in its capacity as a life-supporting system has various implications across different spectra including ecology, peace, conflict, human rights and security. Given the irreplaceable role played by nature in the sustenance

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of life, an institutional approach vis-à-vis environment was found necessary. Hence, environmental law emerged as the sole option which could transact proper business in the realm of ecological equilibrium. Although the institutional manifestations and legal frameworks as an expression of international interests in the protection of environment is a 20th century product, the very germination of the seeds of environmental thought from an institutional perspective dates back to 1872 since the formation of a non-governmental congress of private citizens for the protection of nature. It later led to the establishment of a consultative commission at Berne to deal with international protection of nature. However, the First World War made the commission's activities futile. But, after the World War II, the commission was rechristened as the first intergovernmental body, with legal recognition, for environmental protection.

The Brunnen Conference for Protection of Nature in 1947, sponsored by the Swiss League, adopted a draft constitution for the International Union for the Protection of Nature. There has been further institutional evolution on environmental matters. As far as the UN is concerned, the Economic and Social Council (ECOSOC) is the only organ which directly works on environmental policies. Besides, around eight of the specialized bodies within the UN ambit also directly engage with environmental concerns. With the constitution of UN Educational, Scientific and Cultural Organisation (UNESCO) in 1945, the post-war phase gained a boost on building consensus on environmental issues. The second overture in this track with the establishment of International Union for Conservation of Nature (IUCN) in 1948 which lifted the global environmental narrative to a higher trajectory.

Since then, efforts were accelerated on lines of crafting a set of international laws regarding environmental protection. Environmental law, in its policy dimension, is a collection of agreements, treaties, conventions, declarations, principles, opinions of jurists, practices and pertaining to mutual rights and obligations among states. The success of environmental law as method relies upon the cooperation and coordination among states by means of international responsibility on ecological considerations at any policy arena given.

12.2 Multilateral Conferences on Environment

Environmental diplomacy has become an important subset of internationalism in the 1970s. Numerous efforts, formally and informally, have been afoot to protect the environment at the international level. The United Nations (UN) remains the main impetus and driver of incorporating environmental concerns in this direction. A series of the important conferences as follows:

Ramsar Convention, 1971

The Convention on Wetlands, also called the Ramsar Convention, is an international treaty calling for "the conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world". It was adopted at Ramsar, Iran in 1971 and came into force in 1975. The United Nations Educational, Scientific and Cultural Organisation (UNESCO) is the depository of the Convention. The Secretariat of Ramsar Convention is functioning within the headquarters of the International Union for the Conservation of Nature (IUCN) in Gland, Switzerland. On 21 August 2015,

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the Contracting Parties approved the Four Ramsar Strategic Plan for 2016-2024. The World Wetlands Day is celebrated on 2nd February every year. The Montreux Record is "a register of wetland sites on the List of Wetlands of International Importance where changes in ecological character have occurred, are occurring, or are likely to occur as a result of technological developments, pollution or other human interference". It is maintained as part of the Ramsar List. Under the three pillars of the Convention, the contracting parties commit to:

Activity

Explore how the application of Artificial Intelligence can help conserve environment better.

1) Work towards the wise use of all their wetlands;
2) Designate suitable wetlands for the list of Wetlands of International Importance (the "Ramsar List") and ensure their effective management;
3) Cooperate internationally on trans-boundary wetlands, shared wetland systems and shared species.

The World Heritage Convention, 1972

The World Heritage Convention in 1972 sought to identify and protect the world's natural and cultural heritage considered to be of Outstanding Universal Value. It defines the criteria for the selection of natural and cultural sites to be inscribed on the UNESCO's World Heritage List. The enforcement of the Convention is carried out through the Operational Guidelines, which reflects the procedures for new inscriptions, site protection, danger-listings, and the provision of international assistance under the World Heritage Fund. Moreover, the Convention is administered by the World Heritage Committee supported by the UNESCO World Heritage Centre, which is the secretariat of the Convention based at Paris. The Committee is also assisted by the three technical advisory committees – IUCN, ICOMOS and ICCROM.

Activity

Explore the concept of Blue Economy and its relevance.

UN Conference on the Human Environment (1972)

The UN Conference on the Human Environment or the Stockholm Conference was the first major multilateral conference on environmental issues. It was held at Stockholm in Sweden from June 5-16, 1972. The conference, which was attended by delegations from 114 governments, was a breakthrough by scripting a new discourse on environmental politics by laying the foundation of a global environmental governance regime based on international cooperation. The United Nations Environment Programme (UNEP), was also an institutional innovation of the Stockholm Conference.

Convention on International Trade in Endangered Species of Wild flora and fauna (CITES), 1973

As an output of the 1973 resolution of the International Union for Conservation of Nature (IUCN), the CITES, which took place at Washington, seeks to control or prevent international commercial trade in endangered species or products derived from them. It is not a direct attempt towards the

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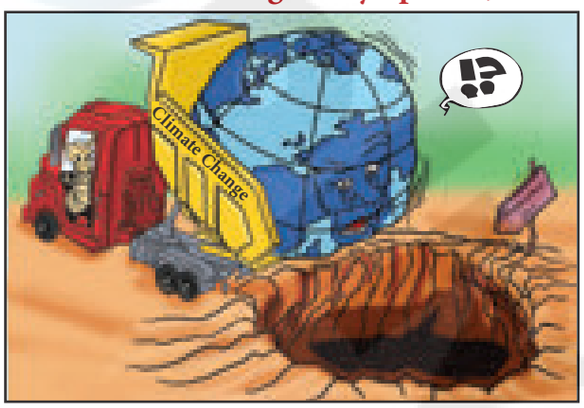
protection of the endangered species but aims to reduce the economic incentive that triggers the poaching of endangered species and the destruction of their habitat. Hence, the Convention seeks to eliminate this illicit market by decimating the end-user demand. The CITES, also called the Washington Convention entered into force in 1975.

Convention on Migratory Species, 1979



The Convention on the Conservation of Migratory Species of Wild Animals, also known as the Convention on Migratory Species (CMS) or the Bonn Convention, which came into force 1983, seeks to "conserve terrestrial, marine and avian migratory species throughout their range". It proposed strict protective measures for endangered migratory species. Besides, multilateral agreements for the conservation and management of migratory species along with cooperative research activities which constitute the mandate of the Convention. Appendix I of the Convention deals with the list of migratory species that are categorized as endangered which requires immediate international cooperation to mitigate the same. On the other hand, Appendix II is a composite of other species that require significant attention or benefit from international agreements under the Convention.

Vienna Convention for the Protection of Ozone Layer, 1985

The Vienna Convention for the Protection of the Ozone Layer is a multilateral environmental agreement, which kick-started global cooperation for the protection of Earth's ozone layer. It was adopted on 22 March 1985. Subsequently, the Montreal Protocol on Substances that Deplete the Ozone Layer was adopted on 16 September 1987 which came into effect in 1989. This international treaty looks into eliminating the use of ozone-depleting substances (ODS). The Ozone Secretariat located at Nairobi, Kenya is the Secretariat for both the Vienna Convention and Montreal Protocol.

World Commission on Environment and Development, 1987

The World Commission on Environment and Development (WCED), also known as the Brundtland Commission after its chairperson Gro Harlem Brundtland, helped chalk out the strategies for environmental conservation and sustainable development. Its final report titled Our Common Future, published in 1987 underscores the interdependence of environmental protection with other factors like economic development and energy production and have become the lynchpin of the international environmental law until now. The idea of sustainable development received the first-ever official definition under this initiative.

Basel Convention on Trans-boundary Movement of Hazardous Wastes, 1989

The Basel Convention which came into force in 1992, was a response to NIMBY (Not in My Back Yard) syndrome, that grappled the industrialized world in the 1980s with

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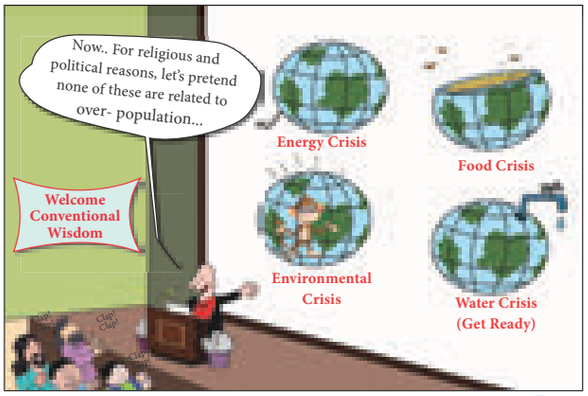
regard to the heightening concerns about the hazardous wastes and the public resistance to it resulting in an upsurge of disposal costs. It created a market for hazardous wastes particularly in the environmentally-less-conscious Least Developed Countries (LDCs) which offered cheap disposal alternatives. The Convention sought to reduce the trans-boundary movement of hazardous wastes by taking necessary steps to minimize the creation of such wastes along with measures to prohibit the shipment of such substances from the developed world to the LDCs.

United Nations Conference on Environment and Development, 1992

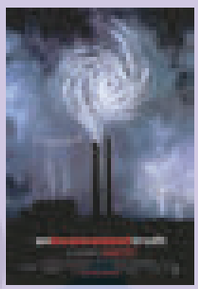
The United Nations Conference on Environment and Development, which also earned fame as the Earth Summit, was held on during 3-14 June 1992 at Rio de Janeiro. The Summit which is credited to be the biggest international conference in the history of international relations, focussed on myriad issues ranging from patterns of production to alternative sources of energy, public transportation and the growing need for environmental awareness. Agenda 21, the Rio Declaration on Environment and Development, the Statement of Forest Principles, the United Nations Framework Convention on Climate Change, and the United Nations Convention on Biological Diversity are the documental results of the two-week summit. The Rio process also triggered the constitution of a couple of follow-up mechanisms such as the Commission on Sustainable Development, Inter-Agency Committee on Sustainable Development, and the High-level Advisory Board on Sustainable Development. The conference was also regarded as the 'Parliament of the World'.



Activity

Must watch Documentary film

Director Davis Guggenheim eloquently weaves the science of global warming with former USA Vice President Al Gore's



personal history and lifelong commitment to reversing the effects of global climate change in the most talked-about documentary of the year.

An audience and critical favorite, "An Inconvenient Truth" makes the compelling case that global warming is real, man-made, and its effects will be cataclysmic if we don't act now. Gore presents a wide array of facts and information in a thoughtful and compelling way: often humorous, frequently emotional, and always fascinating. In the end, An Inconvenient Truth accomplishes what all great films should: it leaves the viewer shaken, involved and inspired.

UN Convention to Combat Desertification, 1994

As the only legally binding international agreement connecting environment and development on lines of sustainable land management, the 1994 UN Convention to

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Combat Desertification (UNCCD) aims to address a range of most vulnerable ecosystems, particularly the arid, semi-arid, and dry sub-humid areas, known as the drylands. The newly adopted UNCCD 2018-2030 Strategic Framework, through its Land Degradation Neutrality (LDN) measures, is a bid to restore the productivity of the degraded lands along with improving the livelihood of people in these regions. The Secretariat of the Convention, established in 1999, functions at Bonn in Germany. Since 2001, the Conference of Parties (COP), which is the supreme decision-making apparatus, meets biennially and have had 13 sessions till date. The Ankara and Changwon Initiatives are the latest the agenda launched by the UNCCD.

Activity

Read about the most important environmental movements at the national and state levels.

General Assembly Special Session on the Environment, 1997

In a bid to review the progress of the post-Earth Summit environmental regime, the UN General Assembly (UNGA) convened a Special Session on Implementation of Agenda 21 during June 23-27, 1997. The session sought to scrutinise the trajectory of the success of Agenda 21 and attempted to evolve a new narrative on the environmental conservation by intensifying the commitment of member states. The special session, which is also known as "Earth Summit + 5", adopted "Programme for the Further Implementation of Agenda 21, including Statement of Commitment".

Activity

Have a discussion on why is international agreements an necessary for the reduction of greenhouse gases.

Kyoto Protocol, 1997

The Kyoto Protocol, adopted on 11th December 1997, is an international environmental treaty that enhances the scope of the UNFCCC (1992) that imposed legal commitment on the ratified State Parties to reduce greenhouse gas (GHG) emissions. It came into force on 16th February 2005. Considering the historical responsibility of the developed world for the high levels of GHG footprint, the treaty places a stringent mandate on them under the principle of "common but differentiated responsibilities". The COP 7 held at Marrakesh in Morocco in 2007 adopted the detailed framework for the protocol. It is usually referred to as the "Marrakesh Records". After the first commitment which began in 2008, the protocol was amended on 8 December 2012 at Doha, Qatar.

The Doha Amendment to the Kyoto Protocol endorsed a second commitment to the Annex I countries starting from 1 January 2013 to 31 December 2020. Along with a series of changes on certain Articles, the protocol now requires the State Parties to report a revised list of GHG for the period second commitment. Unlike the first commitment target of reducing emissions to an average of five per cent below 1990 levels, a minimum eight per cent reduction against the same year benchmark is expected under the second commitment. The three market-based mechanisms identified by the Kyoto Protocol to meet the targets are International Emissions Trading, Clean Development Mechanism and Joint Implementation,

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which help support green investment and provide cost-effective means to realize the emission targets.

World Summit on Sustainable Development, 2002

The UN-backed World Summit on Sustainable Development took place at Johannesburg, South Africa during August 26 – September 6, 2002. The Convention which was informally referred to as Earth Summit 2002 went on to resuscitate the spirit of its prequel by tabling new challenges and concerns that affect the environmental realm. This renewed environmentalism in the new format offered a sustainability-driven roadmap in addressing the problems of the millennium. The Johannesburg Declaration on Sustainable Development, the documental by-product of the summit, reemphasized the basic tenets of the multilateral initiatives in the past with more force. It postulated the necessity of a time-bound structure of actions expected from the member states over an array of agreements including Agenda 21. Moreover, the Convention succumbed to severe castigations from various quarters over its inability to bring any new arrangement of its own.

UN Conference on Sustainable Development, 2012

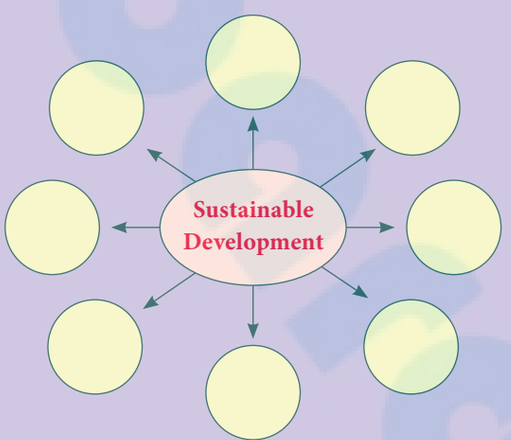
The UN Conference on Sustainable Development, also known as Rio+20, was held at Rio de Janeiro, Brazil on 20-22 June 2012. With its uncompromising stand on rolling out an affirmative sustainable development plan, the member states focussed on evolving a process for the development of Sustainable Development Goals (SDGs) that combines with Millennium Development Goals (MDGs). Moreover, the adoption of ground-breaking guidelines for green economy policies was another result of the Rio+20. The conference also sought to constitute an inter-governmental process under the General Assembly to frame a strategy concerning finance vis-à-vis sustainable development. An agreement to establish a high-level political forum for sustainable development was also achieved. The report of the conference was themed "The Future We Want".

UN Sustainable Development Summit, 2015

As a high-level plenary meeting of the UNGA, the UN Sustainable Development Summit, which spanned over 25-27 September 2015 at the UN Headquarters in New York, adopted the post-2015 agenda titled "Transforming our World: 2030 Agenda for Sustainable Development". It is a composite of a Declaration, 17 Sustainable Development Goals (SDGs) and 169 targets. The SDGs came into effect in 2016 and will guide the discourse on sustainable development until 2030.

Activity

Make a copy of diagrams complete it by naming eight types of Sustainable Development Goals (SDG)



Discuss - Why is it important for future generations that development should be sustainable?

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The Sustainable Development Goals adopted are as follows	
Goal 1	End poverty in all its forms everywhere
Goal 2	End hunger, achieve food security and improved nutrition and promote sustainable agriculture
Goal 3	Ensure healthy lives and promote well-being for all at all ages
Goal 4	Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
Goal 5	Achieve gender equality and empower all women and girls
Goal 6	Ensure availability and sustainable management of water and sanitation for all
Goal 7	Ensure access to affordable, reliable, sustainable and modern energy for all
Goal 8	Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
Goal 9	Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation
Goal 10	Reduce inequality within and among countries
Goal 11	Make cities and human settlements inclusive, safe, resilient and sustainable
Goal 12	Ensure sustainable consumption and production patterns
Goal 13	Take urgent action to combat climate change and its impacts
Goal 14	Conserve and sustainably use the oceans, seas and marine resources for sustainable development
Goal 15	Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss
Goal 16	Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
Goal 17	Strengthen the means of implementation and revitalize the global partnership for sustainable development

Paris Agreement, 2016

The Paris Agreement (L'accord de Paris in French) is a multilateral agreement within the precincts of the UNFCCC. It provides an enhanced framework for the mitigation of greenhouse gases emission, adaptation and finance starting in the year 2020. It was opened for signature on 22 April 2016 and came into force on 4 November 2016. As an instrument to combat climate change, the Paris Accord aims to keep global temperatures "well below" 2.0 C (3.6 F) above pre-industrial times and "endeavour to limit" them even more to, 1.5 C. It also helped reach a consensus on limiting the human-driven greenhouse gases emission to the levels naturally absorbable by trees, soil and oceans, between 2050 and 2100.

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India's Commitment to Paris Deal

- In anticipation of this moment, countries publicly outlined what post-2020 climate actions they intended to take under the new international agreement, known as their Intended Nationally Determined contributions.
- In its INDC, India has pledged to improve the emissions intensity of its GDP by 33 to 35 per cent by 2030 below 2005 levels. It has also pledged to increase the share of non-fossil fuels-based electricity to 40 per cent by 2030. It has agreed to enhance its forest cover which will absorb 2.5 to 3 billion tonnes of carbon dioxide (CO_2, the main gas responsible for global warming) by 2030 INDCs.
- India has also reiterated its need for international finance and technology support to meet its climate goals. In this regard, it has said it would require at least US $ 2.5 trillion (at 2014-15 prices) to meet its climate change actions between now and 2030.

Apart from the mandatory periodical review every five years to assess the contributions of the State Parties, the treaty also ensures that the developed countries shall help LDCs in adapting with the climate change through "climate finance" to enable them to switch over to renewable energy. Until now, 184 out of the 197 State Parties have ratified the treaty.

Activity

US President Donald Trump has announced withdrawl from Paris deal. In the context the students are requested to discuss the world response regarding post Kyoto to reduce globe warming.

12.3 India's Stand on Environmental Issues

India's engagement in global environmental governance has been remarkable. From the 1972 Stockholm Conference to the COP21 in 2015, New Delhi possesses impressive credentials in terms of the diplomatic and administrative capital invested. The then Prime Minister Indira Gandhi's speech at the Stockholm Conference evoked a new sense of politico-environmental consciousness which held the developed countries, i.e. North, responsible for escalating the ecological threat indicators. The ideological undercurrents of the Indian environmental policies, particularly the climate change, can be traced back to the preparations for the Rio Earth Summit 1992 wherein an important report titled "Global Warming in an Unequal World" of the Centre for Science and Environment (CSE) which attacked the West for its ginormous contribution to the global carbon footprint as "carbon colonialism". India has invariably rejected GHG reduction commitments from the developing countries as inequitable provided that the "South" has played a little role in triggering the so-called "climate issues" of the present day magnitude.

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Domestically, measures are taken at the constitutional and statutory levels to address environmental concerns. Some of the important legal documents dealing with environment in the country are: Environment Protection Act (1986), Wildlife Protection Act (1972), Air (Prevention and Control of Pollution) Act (1981), Water (Prevention and Control of Pollution) Act (1974), Indian Forest Act (1927) and so forth. The Ministry of Environment, Forest and Climate Change is the nodal agency responsible for environmental policy formulation and implementation in the country. The judiciary also plays an unparalleling role through the instrument of judicial activism on environmental matters.

National Green Tribunal

National Green Tribunal, established in 2010, deals with the expeditious disposal of cases of environmental importance.

India and International Cooperation on Environment

New Delhi is a member of many of the multilateral environmental conventions, treaties and institutions. The Indian government underscores the historical responsibility of the west in the environmental degradation and projects its low per capita emissions. Climate change, as exemplified in the national policy narrative, acquires the position of being a development issue, basing "inter-generational equity" (which stands for greater environmental protection) that requires the current generation to treat development as a matter of urgency so that the upcoming generations receive an Earth invulnerable to climate change.

Nagoya Protocol

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity, also known as the Nagoya Protocol on Access and Benefit Sharing (ABS) is a 2010 supplementary agreement to the 1992 Convention on Biological Diversity (CBD).

Its aim is the implementation of one of the three objectives of the CBD the fair and equitable sharing of benefits arising out of the utilization of genetic resources, thereby contributing to the conservation and sustainable use of biodiversity.

As a party to the Paris Accord, India subscribes to the non-negotiable nature of the agreement. Besides, the Government of India reemphasises "equity" and Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC). New Delhi's commitment to decarbonisation embraces a strategy to reduce its reliance on coal and to evolve a renewable energy-driven economy. India's role in global agenda of environmentalism reached a new high with the establishment of the International Solar Alliance, an idea proposed by the Indian government, in 2016.

Cochin International Airport

Cochin International Airport (CIAL), Kerala, is the world's first fully solar-powered airport.

Despite pushing a stern rhetoric, India's environmental profile is one of the worst in the world. According to a report

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International Solar Alliance

- The International Solar Alliance (ISA) is an alliance of more than 122 countries initiated by India, most of them being sunshine countries, which lie either completely or partly between the Tropic of Cancer and the Tropic of Capricorn, now extended to all members of UN.
- The Paris Declaration establishes ISA as an alliance dedicated to the promotion of solar energy among its member countries.
- Objectives: The ISA's major objectives include global deployment of over 1,000GW of solar generation capacity and mobilisation of investment of over US$ 1000 billion into solar energy by 2030.
- What it does? As an action-oriented organisation, the ISA brings together countries with rich solar potential to aggregate global demand, thereby reducing prices through bulk purchase, facilitating the deployment of existing solar technologies at scale, and promoting collaborative solar R&D and capacity building.
- When it entered into force? When the ISA Framework Agreement entered into force on December 6th, 2017, ISA formally became a de-jure treaty based International Intergovernmental Organisation, headquartered at Gurugram, India.

India is a party to the following international conventions, treaties and institutions

- Convention on International Trade in Endangered Species of Wild Flora and Fauna
- International Union for Conservation of Nature and Natural Resources
- The United Nations Educational, Scientific and Cultural Organisation
- Convention on Conservation of Migratory Species of Wild Animals
- International Whaling Commission
- Ramsar Convention
- United Nations Forum on Forestry
- International Tropical Timber Organisation
- Convention on Biological Diversity
- International Network for Bamboo and Rattan
- Asia Pacific Forestry Commission
- United Nations Convention to Combat Desertification
- United Nations Framework Convention on Climate Change
- Kyoto Protocol

launched by Global Carbon Project in 2018, India is the 4th largest emitter of carbon which accounts for 7% of the global emissions in the year 2017. Another report titled Environmental Performance Index (EPI) for the year 2018 ranks India 177 among 180 countries. The low ranking is deemed to be a result of poor performance in the environmental health policy and deaths due to air pollution.

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12.4 Indigenous People and their Rights

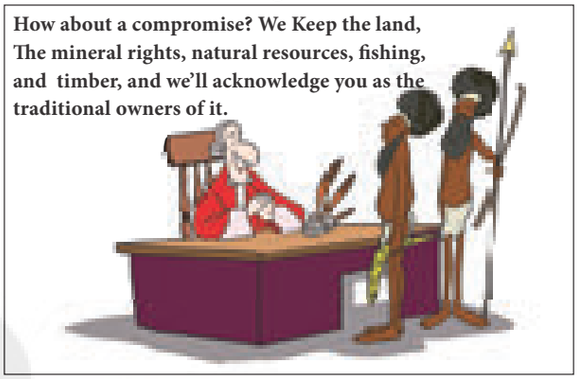
Definition

In a popular sense, the very meaning of cultural diversity is often represented by indigenous peoples. Approximately 350 million indigenous peoples belonging to 5000 different cultures are residing over 20 percent of the Earth's territory. Of all the challenges concerning the realm of indigenous people and their rights, the most arduous has been the inability to reach a consensus on who are indigenous peoples. Hence, the dilemma centres on the fundamental question vis-à-vis the factors that converge in building what indigeneity means. Even the UN Working Group on the Rights of Indigenous Peoples could not arrive at a formal definition that explains the true identity of theirs. The primary dilemma that made this process a rigmarole was the inconclusiveness on working out a set of absolute parameters that assign indigeneity to a group.

Self-Identification

There is no international agreement on the definition of indigenous peoples. Indigenous communities decide their case of indigeneity. It is called "Self-Identification".

Is it the smallness in the population that matters? Or is it the proximity to one's own land, and the corresponding longevity, and a conventional non-industrial lifestyle that make up the indigenous identity? An element of uniformity was achieved on defining certain groups such as the First Nation/Native American of North America, the residents of the Amazon jungles, Inuit from the far North and the indigenous groups based in Papua New Guinea. Out of the multiple attempts in search of a universally recognized definition, the one by Julian Berger, a UN official, stands important. According to him, "the notion of belonging to a separate culture with all its various elements – language, religion, social, political systems, moral values, scientific and philosophical knowledge, beliefs, legends, laws, economic systems, technology, art, clothing, music, dance, architecture, and so on – is central to indigenous people's own definition". He further states, indigenous peoples:



1) Are the descendants of the original habitants of a territory which has been overcome by conquest;
2) Are nomadic and semi-nomadic peoples, such as shifting cultivators, herders and hunters and gatherers, and practice a labour-intensive form of agriculture which produces little surplus and has low energy needs;
3) Do not have centralized political institutions and organize at the level of the community and make decisions on a consensus basis;
4) Have all the characteristics of a national minority: they share a common language, religion, culture, and other identifying characteristics and a relationship to a particular territory but are subjugated by a dominant culture and society;

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5) Have a different world view, consisting of a custodial and non-materialist attitude to land and natural resources, and want to pursue a separate development to that proffered by the dominant society;
6) Consist of individuals who subjectively consider themselves to be indigenous, and are accepted by the group as such.

The contemporary understanding is that the indigenous peoples, in general, are marked by deficits in authority and political power, and the corresponding absence of inclusion. Their existence is also characterized by subordination to an immigrant or ethnic group-dominant state. It is important to note that their indigeneity is not a product of the lack of power. Rather, the powerlessness emanates from their indigeneity. These groups, with their inherent and inviolable constancy to the conventional way of life-based on the endemic values and traditions, kept them aloof from the evolution that helped advance the social, political and economic establishments. In turn, the indigenous peoples were looked upon as a threat to this "march of progress" and the changing order of life. It is also important to know that the indigenous populations are not essentially "socially-static" or status-quoists. The global tendency to accuse them as conservative is a result of their slow pace of response to the assimilation and adaptation against the increasing complexity of the macro-social systems.

World Indigenous People Day

DO YOU KNOW?

International Day of the World's Indigenous People is celebrated on 9th August every year.

Let's have a look at some of the most important indigenous societies in the world:

Name of the Community	Place of Origin
Haida	West Coast of Canada
Inuit/Eskimo	Canada/Arctic/Alaska/ Greenland
Yanomami	Amazon Basin
Blackfoot	Canada/United States
Mohawk	Canada/United States
Innu	Labrador/Quebec, Canada
Maori	New Zealand
Chittagong Hill Tribes	Bangladesh
Sami	Scandinavia
Bushmen	Southern Africa
Aka	Central Africa
Okiek	Kenya
Vedda	Sri Lanka
Jarawas	Andaman Islands
Agta	Philippines
Penan	Borneo
Jahai	Northern Malaysia
Aborigines	Australia
Ache	Paraguay
Yanama	Tierra del Fuego
Ainu	Japan
Chukchi and Yupik	Eastern Siberia
Nia/Nganasan	North-Central Siberia

Building an Indian conceptual case of indigeneity receives both theoretical and empirical setbacks. Officially, the Government of India hardly recognizes any community in the country as indigenous. However, experts are of the view that there are three assumptions that help construct

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an Indian approach towards the puzzle of indigenous identity. They are: a) Indigenous are those groups of people who have lived in a region or country to which they belong before colonization or conquest by people from outside that region or country. b) They have become marginalized as a result of colonization or conquest of that region or country. c) Such groups are governed more by means of their own social, economic and cultural institutions rather than the laws which are applicable to the society or country as a whole. Besides, the concept of indigeneity in India is a product of the prevailing "tribal consciousness". The idea of tribal identity has more often than not guided the national debates on what constitutes indigenous populace in India.

The indigenous groups in India have been referred under multiple titles. Adivasis (original inhabitants), Aborigines, Adim Jati (ancient tribes) or Vanavasi (forest dwellers). Under the constitution, they are recognized as "Scheduled Tribes" and their territories as "Scheduled Areas". In spite of the absence of a formal definition by the Government of India, a loose definition in terms of reaching a legal consensus was constructed by bringing a set of features like "'primitive' traits, distinctive culture, geographical isolation, shyness of contact with the community at large and backwardness". Groups with a demographic base of millions such as Gondas and Bhils to the Great Andamanese, who are of around just dozens in strength, come under this category. Furthermore, Sharad Kulkarni, in his work "India: Indigenous communities in the sub-continent" (1988), says:

"The indigenous tribal peoples of India have lost most of their tranquil habitats; they have also lost some of their confidence and identity. Forces of oppression and exploitation have encroached upon tribal life and have reduced many of them to sub-human conditions. The laws meant for their protection have remained largely ineffective. However, efforts made some impact in raising their standard of living. Social activists have contributed to mobilizing them for the protection of their rights. The picture is rather gloomy and unclear but there are rays of hope on the horizon".

Activity

Identify the indigenous peoples based in the state of Tamil Nadu.

Threats and Issues faced by Indigenous People

- Discrimination and structural violence
- Eviction from homeland resulting in the denial of land rights
- Technology-driven forced resettlement
- Exploitation of intellectual property such as traditional arts, stories etc.
- Physical removal from native territories
- Lack of access to traditional resources
- Destructive development and forced displacement
- Question of Autonomy and Self-Determination
- Neglect by civil society
- Only a few countries recognize indigenous peoples as legitimate groups
- Minimal political participation
- Poverty
- Health issues
- Unemployment

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It is noteworthy that the Indian stance of indigeneity also coincides with the global strides of anticolonial imperatives supported by the canons of subaltern inputs. In addition, the concept of indigeneity in India more or less overlaps with what can be called "tribal consciousness". Globally, the indigenous groups are subjected to a great deal of challenges. By virtue of their identity, they are often mistreated as second-class citizens by the so called "mainstream" citizens. The major challenges faced by the indigenous peoples are as follows:

Rights of the Indigenous People

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted on 13 September 2007 by the UN General Assembly. As the most comprehensive international instrument on the indigenous peoples' rights, it seeks to ensure a "universal framework of minimum standards for the survival, dignity and well-being of the indigenous peoples of the worlds". The Declaration contains 46 Articles which is the outcome of a drafting process which began in 1985 by the Working Group on Indigenous Populations. In its essence, the UNDRIP is a manual for the governments of the world on how to revere the human rights of the indigenous communities. It also serves in helping the enforcement of other mechanisms, affecting indigenous groups, like the Convention on the Rights of the Child, ILO Convention 169, and the Convention on the Elimination of All Forms of Discrimination against Women.

Human Rights, Self-Determination and Nationality	
Articles 1 – 6	❖ Right to all human rights ❖ Right to freedom and equality and right against exploitation ❖ Right to self-determination ❖ Right to autonomy or self-government ❖ Right to maintain their distinct political, legal, economic, social and cultural identity ❖ Right to nationality
Life, Liberty, Culture and Security	
Articles 7 – 10	❖ Right to life, liberty and security ❖ Right against forced assimilation or destruction of culture ❖ Right to belong to an indigenous community or a nation ❖ Right against forced removal or relocation
Culture, Religion and Language	
Articles 11-13	❖ Right to culture ❖ Right to spiritual and religious traditions and customs ❖ Right to know and use language, histories and oral traditions

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Education, Media and Employment	
Articles 14-17	❖ Right to establish educational systems and access to culturally sensitive education ❖ Right to accurate reflection of indigenous cultures in education ❖ Right to create media in their own language and access to non-indigenous media ❖ Right to employment
Participation and Development	
Articles 18-24	❖ Right to participation in decision making ❖ Right of free, prior and informed consent for laws and policies ❖ Right to their own political, economic and social system, subsistence and development ❖ Right to economic and social well-being ❖ Right against violence and discrimination of indigenous elders, women, youth, children and persons with disabilities ❖ Right to set priorities and strategies for development ❖ Right to health
Land and Resources	
Articles 25-32	❖ Right to spiritual relationship with traditional land and resources ❖ Right to own, use, develop and control traditional land and resources ❖ Right to indigenous laws and traditions on land and resources ❖ Right to get back or to be compensated against the land acquisitions without their free, prior and informed consent ❖ Right against militarization on indigenous land without their free, prior and informed consent ❖ Right to cultural and intellectual property ❖ Right to decide on land and resource development
Self-Government and Indigenous Laws	
Articles 33-37	❖ Right to identity, membership and citizenship ❖ Right to distinctive institutional structures and customs ❖ Right to individual responsibilities ❖ Right to maintain and develop contacts, relations and cooperation ❖ Right to recognition, observance and enforcement of treaties and agreements

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Implementation	
Articles 38-42	❖ Right to be consulted by the states in taking measures to achieve the ends of the Declaration ❖ Right to financial and technical assistance from States for the enjoyment of the rights contained in the Declaration ❖ Right to just and fair procedures for the conflicts and disputes with States or other parties ❖ The responsibility on the UN system and other intergovernmental agencies to contribute towards realization of the provisions of the Declaration. ❖ The responsibility of the UN, its bodies, including to Permanent Forum on Indigenous Issues, to promote respect for and full application of the provisions of the Declaration.
Nature of Guarantee	
Articles 43-44	❖ The rights as enshrined are considered the minimum standards for the survival, dignity and well-being of the indigenous people. ❖ Equal guarantee of all rights to male and female indigenous individuals.

12.5 Contemporary Development Projects and Necessity of Right to Development

Trade, investment, finance, aid, debt, technology, innovation and global governance, all have consequences for the achievement of the right to development, as do the global challenges mentioned above. The right to development demands that these difficult and diverse issues be addressed comprehensively and coherently with the ultimate policy objective of securing freedom from fear and freedom from want for everyone. This ultimate objective of development is broadly reflected in diverse and evolving policy arenas.

For example, the Marrakesh Agreement Establishing the World Trade Organisation states that "relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living, [and] ensuring full employment, while allowing for the optimal use of the world's resources in accordance with the objective of sustainable development". Similarly, the General Assembly in its annual resolutions on the right to development affirms human rights and improved human wellbeing as guiding considerations for multilateral trade negotiations and calls for mainstreaming the right to development and strengthening the global partnership for development within international trade institutions among other things. The right to development provides a framework for the consideration of extraterritorial obligations and the obligations of States in their collective capacities, including as members of international Organisations like the World Trade Organisation and multilateral development banks, and as actors in global trade, investment and finance.

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As trade negotiations have proliferated and the human rights impact of trade and investment agreements is better understood, it has become increasingly clear that States must step up their efforts to integrate human rights, including the right to development, in new trade and investment in order to fulfil their human rights commitments. Likewise, the obligations outlined in the Declaration require that aid or official development assistance, as well as international lending, should be adequate, effective and transparent, administered through participatory and accountable processes, and targeted towards the countries, people and groups most in need, including within those States where the ability to mobilize domestic resources is weakest.

12.6 Globalisation: Concept, Causes and Consequences

Meaning

Globalisation postulates a structure of interaction among countries leading to an integrated world economy. This interaction is manifested in a variety of expressions ranging from social to political and cultural to economic and technological by means of improvising the means of communication, infrastructure and transportation. International trade and cross-border investments are acknowledged to be the vital factors in creating an integrated world economy. The idea of integration requires further examination given the inherent complexity. Theoretically, it consists of two subsets namely negative integration and positive integration. The former talks of the policy of free trade, which talks of removing trade barriers or protective barriers such as tariffs and quotas whereas the latter focusses on standardizing international economic laws and policies.

At any given layer of the term Globalisation in its truest sense refers to an emanating system of an international network on economic and social lines. One of the earliest applications of the term 'Globalisation' can be traced back to a 1930 publication titled 'Towards New Education' which sought to imply an overview of the human experience in education. In 1897, another term "corporate giants", coined by Charles Russell Tazel, found its place in the economic literature that meant the big trusts and large enterprises. These two terms began to be used interchangeably between 1960 and 1980 by scholars within the realm of economics and other social sciences.

World Bank defines Globalisation as "the growing integration of economies and societies around the world". The transformation of the term 'Globalisation' to a conceptual framework triggered a new array of thinking providing new interpretations and discourses on the global economic narrative. With the end of the Cold War, the concept made its way to be representing a world that is progressively interdependent in its economic and informational dimension. Acting as a paradigm of spatial-temporal processes of change, Globalisation unpacks a template of fundamental metamorphosis which rescripts the international economic patterns.

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According to World Health Organisation (WHO), "Globalisation, or the increased interconnectedness and interdependence of people and countries, is generally understood to include two interrelated elements: the opening of borders to increasingly fast flows of goods, services, finance, people and ideas across international borders; and the changes in institutional and policy regimes at the international and national levels that facilitate or promote such flows. It is recognized that Globalisation has both positive and negative impacts development". It is clear that WHO provides a holistic approach in defining the notion of Globalisation by embracing socio-economic and politico-technological paradigms.

Globalisation as a key element in the theory and practice of business posits a construct of connectivity across various spectra. The International Monetary Fund's (IMF) identification of the four basic tenets of Globalisation in 2002 subsided the ambiguities concerning the term to a large extent. They are as follows: trade and transactions, capital movements and investment, migration and movement of people and the spreading of knowledge.

Vectors of Globalisation

Globalisation as a process exhibits an array of patterns at various levels.

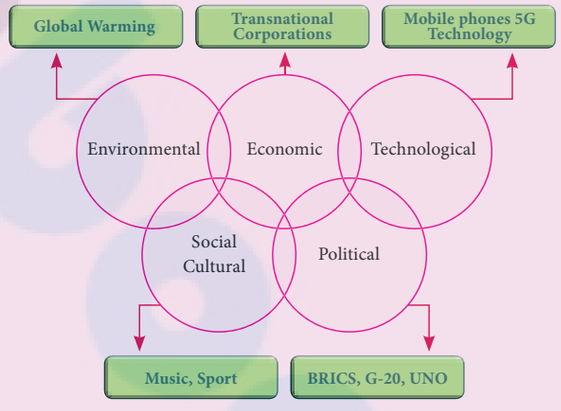
Economic Dimension

Basing free trade in its axis, there is no room for dubiety that this is the highest manifestation of Globalisation. It is evident that the process of economic Globalisation has in the recent past has been dominated by a group of developed countries like the US, Japan, China etc. Multinational corporations (MNCs) such as Google, Microsoft, Apple, McDonalds etc. and international Organisations like IMF and World Bank are at the forefront as the global market determinants. According to Bottery, economic Globalisation can be aptly expressed as the convergence of three different factors. They are as follows: 1) Increasing movement of capital around the world through information and technology. 2) The prevalence of supranational bodies such as the World Trade Organisation (WTO), the World Bank, and the IMF. 3) Increased influence of Transnational Companies (TNCs).

Activity

Make a copy of diagram. Complete it by adding two or three examples under each area.

Inter dependence and Globalisation



Cultural Dimension

Globalisation acts as an agent of transmission of ideas and cultures across the world. It is more often used in synonymous with the term "modernity". Mostly, the patterns of this process was geared toward creating a "homogenous" standards of practices, and inculcation of ideas and values, short of a single world culture. Arguably, the inception of this vector could be traced back to the nascence

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of global trade. Every commodity is an expression of one's culture. For instance, the Indian fashion industry embraced the "denim" clothing since the advent of western textile MNCs into the domestic market. Moreover, thanks to the growing domains of communication, particularly in the form of social media platforms such Facebook, Twitter and so forth, which bring peoples hailing from different regions and cultural affiliations together, making this exchange a cakewalk. These new synthetic and virtual interaction which replaced the physical interaction across various quarters, help rewrite the new order of global subcultures. Globalisation, in this sense, unlike some critics claim, is not amounting to westernization or Americanization. In cultural terms, it represents a template of mutual reciprocity. Hence, it's not just about how non-western societies adapt the cultural aspects of the west, but also the cases wherein the western system imbibe foreign values, both tangibly and intangibly.

Political Dimension

With the end of the Second World War in 1945, the hitherto-dominated control of the state apparatuses over the welfare of citizens were slowly eroding. The period, since then, was characterized by the emergence of non-state actors like Non-Government Organisations (NGOs) and supranational Organisations as important players in the domain of human affairs. The trends went one to experience the rising membership of nation-states in multilateral bodies such as the UN, European Union (EU) and so forth. Furthermore, the dissemination of liberal-democratic ideas, collapse of communist systems like USSR, and galloping number regional Organisations also add up to the political undercurrents of Globalisation. Ideologically, Globalisation fosters a cosmopolitan character over nationalistic sentiments. Though a single world government may be impractical, in realist terms, a considerable amount of cooperation has been able to be achieved among the comity of nations. Critics opine that with the increasing role of non-state actors, the state systems are facing the erosion of sovereignty as they are losing the hitherto-enjoyed control over economic activities.

Merits of Globalisation

a) The world has become more interdependent economically, socially, culturally, and politically.

b) The concept of free trade ensure job growth; increases competition; movement of labour; economic prosperity; minimal interference of state in economic activities.

c) It seeks to bring economic balance to poor regions by injecting technology and foreign capital.

d) It helps alleviate poverty and promotes economic prosperity.

e) It promotes inter-cultural communication and cosmopolitanism.

Demerits of Globalisation

a) The most important accusation ever raised against globalisation is that the "rich becomes richer and poor becomes poorer".

b) Risks of the theft of intellectual property are high.

c) Inequitable distribution of resources.

d) States become subservient to corporate interests.

In the book 'The Race to the Top: The Real Story of Globalisation', Thomas Larsson argues that Globalisation "is the process of the shrinking of the world, the shortening of distances, and the closeness of things. It allows the increased interaction of any person on one part of the world to someone found on the other side of the world, in order to benefit".

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The UNDP reports that "during the most recent period of rapid growth in global trade and investment, 1960 to 1998, inequality worsened both internationally and within countries. The richest 20 percent of the world's population consume 86 percent of the world's resources while the poorest 80 percent consume just 14 percent".

12.7 India and Globalisation

The general idea of Globalisation in India is related to the integration of the national economy with the world economy. Hence, it underscores the opening up of the domestic economy to foreign direct investment (FDI) which requisites a conducive environment for foreign firms to invest in various fields of economic activities. This calls for the removal of restraints and barriers for allowing the entry of multinational corporations (MNCs) into the domestic market.

Activity

Identify the top ten MNCs functioning in India.

India's present ascendancy in the economic trajectories is a consequence of the New Economic Policy (NEP) which initiated a massive scheme of fiscal reforms following the 1991 financial crisis. It liberated the country from the shackles of the socialist model and reconfigured the domestic economic structure which helped improve the poor standards of living. The balance of payments crisis gave an impetus for a new economic discourse in the country which in turn led to policy development that embraced an export-friendly ecosystem along with the inflow of foreign capital. The crisis was a result of the soaring currency reserves which reached up to a mark of almost billion which took inflation to an upsurge at an annual rate of 17 per cent. Furthermore, the fiscal deficit was surging and an unstable economy reigned in.

The NEP, popularly known as the Liberalisation, Privatisation and Globalisation (LPG), that came up in July 1991, sought to transform the national economy to a globally competent and fast growing economy. Industry, trade and finance constituted the major sectors which underwent a dramatic change. The economic compulsions both at home and abroad necessitated a reorientation that would fasten the country with the global market on a rapid pace. As initiated in the 1990s, the most important measures taken up as part of the LPG can be summarised as follows:

The three industries reserved for the public sector are:

1. Arms and ammunition and allied items of defence equipment, defence aircraft and warships.
2. Atomic energy.
3. Railway transport

a) **Devaluation:** The foremost attempt towards globalisation was devaluating the national currency by 18-19 against major currencies in the foreign exchange market. The measure sought to help survive the balance of payment crisis.

b) **Disinvestment:** In a bid to boost privatisation, the government began selling the shares of the public sector undertakings (PSUs) to private players.

c) **Elimination of License Raj:** Doing away with industrial licensing constituted another strategy to boost the spirit of a liberal market. As a result, most of the industrial initiatives were exempted from license from the government.

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d) Foreign Direct Investment (FDI): This opened the vistas of foreign capital flow, by allowing overseas companies to invest directly into the Indian market. In 2018, the Government of India allowed 100% FDI in some sectors like single-brand retail and construction.

e) Abolition of MRTP Act: In pursuance of liberalisation, the Monopolies and Restrictive Trade Practices (MRTP) Act (1969), which regulates monopolistic, restrictive and unfair trade practices, was abolished by the Government of India. It was replaced the Competition Act in 2002, which introduced a new focus of promoting competition instead of anti-monopoly measures.

List of industries which mandatorily require licensing are as follows:

- Distillation and brewing of alcoholic drinks.
- Cigars and Cigarettes of tobacco and manufactured tobacco substitutes.
- Electronic Aerospace and Defence equipment: all types.
- Industrial explosives including detonating fuses, safety fuses, gun powder, nitrocellulose and matches.
- Hazardous chemicals.
- Drugs and Pharmaceuticals.

Activity

1. Students are requested get some insight on the presence status of Globalisation, concerns of world and India with regard to Globalisation.
2. Students are requested understand the importance of World Trade Organisation (WTO) in the context of Globalisation.
3. Analysis the world Trade scenario in context of World Trade War (WTW).

Glossary

- **Abatement:** Reducing the degree or intensity of, or eliminating, pollution.
- **Air Quality:** A measure of the level of pollution in the air.
- **Biodiversity:** The variety of life on this planet and how it interacts within habitats and ecosystems. Biodiversity covers all plants, animals and micro-organisms on land and in water.
- **Biomass:** All the living material in a given area; often refers to vegetation.
- **Carbon Credit:** A unit of carbon dioxide bought to reduce greenhouse gas emissions.
- **Ecosystem:** The interacting system of a biological community and its nonliving environmental surroundings.
- **Environment:** The sum of all external conditions affecting the life, development, and survival of an organism.
- **Environmental Impact Statement:** A statement about the expected effects on the environment of a proposed project or development such as a new road or waste water treatment plant, including how any severe effects on the environment will be addressed.
- **Greenhouse Effect:** The warming of the Earth's atmosphere caused by a build-up of carbon dioxide or other trace gases; many scientists believe that this build up allows light from the sun's rays to heat the Earth but prevents a counterbalancing loss of heat.
- **Radioactive:** A material is said to be radioactive if it emits radiation.
- **Reforestation:** The process of planting trees in forest lands to replace those that have been cut down.

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❖ **Sustainable Development:** Development using land or energy sources in a way that meets the needs of people today without reducing the ability of future generations to meet their own needs.

❖ **Thermal Pollution:** Discharge of heated water from industrial processes that can affect the life processes of aquatic organisms.

❖ **Zero Emissions:** An engine, motor or other energy source that does not produce any gas or release any harmful gases directly into the environment.

Evaluation

I. Choose the correct answer

1. Where is the Secretariat of the World Heritage Convention situated?
   (a) New Delhi (b) Paris
   (c) Berlin (d) Washington

2. Where was the UN Conference on Human Environment (1972) was held?
   (a) Paris (b) Athens
   (c) Stockholm (d) Moscow

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3. Who among the following was the Chairman of WCED, 1987?
   (a) Gro Harlem Brundtland (b) Ban Ki Moon
   (c) Shashi Tharoor (d) Vandana Shiva

4. International Day of the worlds indigenous people is celebrated on _____.
   (a) 15th August (b) 9th August
   (c) 26th August (d) 6th August

5. _____ is the world first fully solar powered airport
   (a) Cochin International airport (b) Chennai International airport
   (c) Indhira Gandhi International airport (d) Chatrapathi Shivaji International airport

6. The report themed "The Future We Want" deals with_____.
   (a) Rio+18 (b) Rio+19
   (c) Rio+20 (d) Rio+21

7. The Montreal Protocol deals with_____.
   (a) Ozone Layer (b) Ocean Health
   (c) Forests (d) Desert

8. National Green tribunal is established in _____ year
   (a) 2009 (b) 2010
   (c) 2014 (d) 2019

9. The Jarawa tribes are found at_____.
   (a) Assam (b) Lakshadweep
   (c) Sri Lanka (d) Andaman Islands

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10. The world wetlands day is celebrated on _____

(a) 2nd February (b) 3rd March

(c) 2nd April (d) 2nd January

II. Answer the following questions very shortly

1. What is Indigeneity?
2. What is Globalisation?
3. What is Kyoto Protocol?
4. Define Environmentalism.
5. What is Environmental Law?
6. Define Environmental Activism.

III. Answer the following questions shortly

1. Briefly discuss the factors that led to inception of Liberalisation, Privatisation and Globalisation (LPG) in India.
2. Give an account on Scheduled Tribes in India.
3. Briefly discuss the significance of Foreign Direct Investments (FDI) in India.
4. Give a brief account of the Ramsar Convention.
5. Write a short note on Paris Agreement (2016).

IV. Answer the following questions in detail

1. Trace the evolution of Environmental Movements in India.
2. Critically analyse the Environmental Protection Act, 1986.
3. Examine the challenges faced by Indigenous communities.
4. Discuss the Organisation, powers and functions of the National Green Tribunal of India.

Reference Books

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- Harihar Bhattacharyya and Lion König. Globalisation and Governance in India: New Challenges to Society and Institutions, Routledge Publications, 2015.
- D. D. Mishra, Fundamental Concepts in Environmental Studies, S. Chand & Company, 2010.
- Mahesh Rangarajan. Environmental Issues in India: A Reader, Pearson Education India, 2006.

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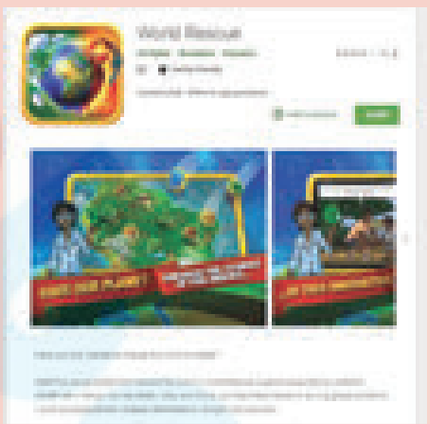
Web links

- Department of Economic and Social Affairs, UN. https://www.un.org/development/desa/indigenouspeoples/about-us.html
- Department of Environment, Government of Tamil Nadu. http://www.environment.tn.gov.in/
- Environment, UN Digital Library. https://research.un.org/en/docs/environment/treaties
- International Monetary Fund. https://www.imf.org/
- Ministry of Commerce and Industry. https://commerce.gov.in/
- Ministry of Environment, Forest and Climate Change, Government of India. http://www.moef.nic.in/index.php

ICT Corner

World Rescue



Through this activity you will learn more about World Rescue

Procedure:

Step - 1 Open Browser and https://play.google.com/store/apps/details?id=com.zudigital.worldrescue (or) Scan the QR Code.

Step - 2 Click on continue to start the game.

Step - 3 Follow the instructions given.

URL:

https://play.google.com/store/apps/details?id=com.zudigital.worldrescue

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*Pictures are indicatives only.

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Annexure

I. List of Constitutional Amendments of India (1st to 103rd Amendment)

Amendment	Year	Objectives
1st Amendment Act	1951	Added Ninth Schedule to protect the land reform, Added three more grounds of restrictions on freedom of speech and expression, viz., public order, friendly relations with foreign states and incitement to an offence. Empowered the state to make special provisions for the advancement of socially and economically backward classes.
2nd Amendment Act	1952	Readjusted the scale of representation in the Lok Sabha by providing that one member could represent even more than 7,50,000 persons.
3rd Amendment Act	1954	Empowered the Parliament to control the production, supply and distribution of the food stuffs, cattle fodder, raw cotton, cotton seed and raw jute in the public interest.
4th Amendment Act	1955	Made the scale of compensation given in lieu of compulsory acquisition of private property beyond the scrutiny of courts.
5th Amendment Act	1955	Empowered the president to fix the time-limit for the state legislatures. Extended the reservation of seats for the SCs and STs and exclusive representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a period of ten years (i.e. up to 1970)
6th Amendment Act	1956	Taxes on the sale or purchase of goods other than newspapers, where such scale or purchase takes place in the course of inter-state trade or commerce.
7th Amendment Act	1956	State reorganization
8th Amendment Act	1959	Abolition of Zamindaris
9th Amendment Act	1960	Facilitated the cession of Indian territory of Berubari Union (located in West Bengal) to Pakistan as provided in the Indo-Pakistan Agreement (1958).
10th Amendment Act	1961	Incorporated Dadra and Nagar Haveli in the Indian Union

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11th Amendment Act	1961	Changed the procedures of election of the vice-president by providing for an electoral college instead of a joint meeting of the two Houses of Parliament. Provided that the election of the president or vice-president cannot be challenged on the ground of any vacancy in the appropriate electoral college.
12th Amendment Act	1962	Incorporated Goa, Daman and Diu in the Indian Union.
13th Amendment Act	1962	Gave the status of a state to Nagaland and made special provisions for it.
14th Amendment Act	1962	Incorporated Puducherry in the Indian Union.
15th Amendment Act	1963	Increased the retirement age of high court judges from 60 to 62 years.
16th Amendment Act	1963	Included sovereignty and integrity in the forms of oaths or affirmations to be subscribed by contestants to the legislatures, members of the legislatures, ministers, judges and CAG of India.
17th Amendment Act	1964	Prohibited the acquisition of land under personal cultivation unless the market value of the land is paid as compensation.
18th Amendment Act	1966	The power of Parliament to form a new state also includes a power to form a new state or union territory by uniting a part of a state or a union territory to another state or union territory.
19th Amendment Act	1966	Abolished the system of Election Tribunals and vested the power to hear election.
20th Amendment Act	1966	Validated certain appointments of district judges in the UP which were declared void by the Supreme Court
21st Amendment Act	1967	Included Sindhi as the 15th language in the Eight Schedule.
22nd Amendment Act	1969	Facilitated the creation of a new autonomous State of Meghalaya within the State of Assam.
23rd Amendment Act	1969	Extended the reservation of seats for the SCs and STs and exclusive representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a further period of ten years (i.e. up to1980)
24th Amendment Act	1971	Affirmed the power of Parliament to amend any part of the constitution including fundamental rights. Made it compulsory for the president to give his assent to a Constitutional Amendment Bill

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25th Amendment Act	1971	Curtailed the fundamental right to property. Provided that any law made to give effect to the Directive Principles contained in Article 39 (b) or (c) cannot be challenged on the ground of violation of the rights guaranteed by Articles 14, 19 and 31.
26th Amendment Act	1971	Abolished the privy purses and privileges of the former rulers of princely states.
27th Amendment Act	1971	Empowered the administrators of certain union territories to promulgate ordinances.
28th Amendment Act	1972	Abolished the special privileges of ICS officers and empowered the Parliament to determine their service conditions.
29th Amendment Act	1972	Included two Kerala Acts on land reforms in the Ninth Schedule.
30th Amendment Act	1972	Did away with the provisions which allowed an appeal to the Supreme Court in civil cases involving an amount of 20,000 and provided instead that an appeal can be filed in the Supreme Court only if the case involves a substantial question of law.
31st Amendment Act	1972	Increased the number of Lok Sabha seats from 525 to 545
32nd Amendment Act	1973	Made special provisions to satisfy the aspirations of the people of the Telangana region in Andhra Pradesh.
33rd Amendment Act	1974	Provided that the resignation of the members of Parliament and the state legislatures may be accepted by the Speaker/Chairman only if he is satisfied that the resignation is voluntary or genuine.
34th Amendment Act	1974	Included twenty more land tenure and land reforms acts of various states in the Ninth Schedule.
35th Amendment Act	1974	Terminated the protectorate status of Sikkim and conferred on it the status of an associate state of the Indian Union. The Tenth Schedule was added laying down the terms and conditions of association of Sikkim with the Indian Union.
36th Amendment Act	1975	Made Sikkim a full-fledged State of the Indian Union and omitted the Tenth Schedule.
37th Amendment Act	1975	Provided legislative assembly and council of ministers for the Union Territory of Arunachal Pradesh.
38th Amendment Act	1975	Empowered the president to declare different proclamation of national emergency on different grounds simultaneously.

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39th Amendment Act	1975	Placed the disputes relating to the president, vice-president, prime minster and speaker beyond the scope of the judiciary. They are to be decided such authority as may be determined by the Parliament.
40th Amendment Act	1976	Empowered the Parliament to specify from time to time the limits of the territorial waters, the continental shelf, the exclusive economic zone (EEZ) and the maritime zones of India.
41st Amendment Act	1976	Raised the retirement age of members of State Public Service Commission and Joint Public Service Commission from 60 to 62.
42nd Amendment Act	1976	It is also known as Mini-Constitution. It was enacted to give effect to the recommendations of Swaran Singh Committee). Added three new words (i.e. socialist, secular and integrity) in the Preamble. Added Fundamental Duties by the citizens (new Part IVA). Made the president bound by the advice of the cabinet. Added three new Directive Principle viz., equal justice and free legal aid, the participation of workers in the management of industries. Shifted five subjects from the state list to be concurrent list, viz., education, forests, protection of wild animals and birds, weights and measures and administration of justice, constitution and organisation of all courts except the Supreme Court and the high courts. Empowered the Centre to deploy its armed forces in any state to deal with a grave situation of law and order.
43rd Amendment Act	1977	Restored the jurisdiction of the Supreme Court and the high courts in respect of judicial review and issue of writs
44th Amendment Act	1978	Empowered the president to send back once the advice of cabinet of reconsideration. However, the reconsidered advice is to be binding on the president, Replaced the term 'internal disturbance' by 'armed rebellion' in respect of national emergency. Made the President declare a national emergency only on the written recommendation of the cabinet. Deleted the right to property from the list of Fundamental Rights and made it only a legal right.

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45th Amendment Act	1980	Extended the reservation of seats for the SCs and STs and exclusive representation for the Anglo-Indian in the Lok Sabha and the state legislative assemblies for a further period of ten. Facilitated the extension of President's rule in Punjab beyond one year without meeting the two special conditions for such extension.
46th Amendment Act	1983	Interstate sale tax
47th Amendment Act	1984	Land reforms enacted for the state of Assam, Bihar, Harayana, Tamil Nadu, Uttar Pradesh, and West Bengal.
48th Amendment Act	1984	Continuation of force in Punjab.
49th Amendment Act	1984	Gave a constitutional sanctity to the Autonomous District Council in Tripura.
50th Amendment Act	1984	Empowered the Parliament to restrict the Fundamental Rights of persons employed in intelligence organisations and telecommunication systems set up for the armed forces or intelligence organisations.
51st Amendment Act	1984	Provided for reservation of seats in the Lok Sabha for STs in Meghalaya, Arunachal Pradesh, Nagaland and Mizoram as well as in the Legislative Assemblies of Meghalaya and Nagaland.
52nd Amendment Act	1985	This amendment is popularly known as Anti-Defection Law, Provided for disqualification of members of Parliament and state legislatures on the ground of defection and added a new Tenth Schedule containing the details in this regard.
53rd Amendment Act	1986	Made special provisions in respect of Mizoram and fixed the strength of its Assembly at a minimum of 40 members.
54th Amendment Act	1986	Increased the salaries of the Supreme Court and high court judges and enabled the Parliament to change them in the future by ordinary law.
55th Amendment Act	1986	Made special provisions in respect of Arunachal Pradesh and fixed the strength of its Assembly at a minimum of 30 members.
56th Amendment Act	1987	Fixed the strength of the Goa Legislative Assembly at a minimum of 30 members.
57th Amendment Act	1987	Reserved seats for the STs in the legislative assemblies of the states of Arunachal Pradesh, Meghalaya, Mizoram and Nagaland.

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58th Amendment Act	1987	Provided for an authoritative text of the Constitution in Hindi language and gave the same legal sanctity to the Hindi version of the Constitution.
59th Amendment Act	1988	Provided for the declaration of national emergency in Punjab on the ground of internal disturbance.
60th Amendment Act	1988	Increased the ceiling of taxes on professions, trades, callings and employments from Rs.250 per annum to Rs.2,500 per annum.
61st Amendment Act	1989	Reduced the voting age from 21years to 18 years for the Lok Sabha and state legislative assembly elections.
62nd Amendment Act	1989	Extended the reservation of seats for the SCs and STs and exclusive representation for the Anglo-Indian in the Lok Sabha and the state legislative assemblies for the further period of ten years (i.e., up to 2000)
63rd Amendment Act	1989	Repealed the changes introduced by the 59th Amendment Act of 1988 concerning Punjab. In other words, Punjab was brought at par with the other states in respect of emergency provisions.
64th Amendment Act	1990	Facilitated the extension of the President's rule in Punjab up to a total period of three years and six months.
65th Amendment Act	1990	Provided for the establishment of a multi-member National Commission for SCs and STs in the place of a Special Officer for SCs and STs.
66th Amendment Act	1990	Included 55 more land reforms Acts of various states in the Ninth Schedule.
67th Amendment Act	1990	Facilitated the extension of the President's rule in Punjab up to a total period of four years.
68th Amendment Act	1991	Facilitated the extension of the President's rule in Punjab up to a total period of five years.
69th Amendment Act	1991	Accorded a special status to the Union Territory of Delhi by designing it as the National Capital Territory of Delhi.
70th Amendment Act	1992	Provided for the inclusion of the members of the Legislative Assemblies of National Capital Territory of Delhi and the Union Territory of Puducherry in the Electoral College for the election of the president.

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71st Amendment Act	1992	Included Konkani, Manipuri, and Nepali languages in the Eighth Schedule. With this, the total number of scheduled languages increased to 18.
72nd Amendment Act	1992	Provided for reservation of seats for the STs in the legislative assembly of Tripura
73rd Amendment Act	1992	Granted constitutional status and protection to the Panchayati-raj institutions. For this purpose, the Amendment has added a new Part-IX entitled as 'the panchayats' and a new Eleventh Schedule containing 29 functional items of the panchayats.
74th Amendment Act	1992	Granted constitutional status and protection to the urban local bodies. For this purpose, the Amendment has added a new Part IX-A entitled as 'the municipalities' and a new Twelfth Schedule containing 18 functional items of the municipalities.
75th Amendment Act	1994	Provided for the establishment of rent tribunals for the adjudication of disputes concerning rent, its regulation and control and tenancy issues including the rights, title, and interest of landlords and tenants.
76th Amendment Act	1994	Included the Tamil Nadu Reservation Act of 1994 (which provided for 69 percent reservation of seats in educational institutions and posts in state services) in the Ninth Schedule to protect it from judicial review. In 1992, the supreme court ruled that the total reservation should not exceed 50 percent.
77th Amendment Act	1995	Provided for reservation in promotions in government jobs for SCs and STs.
78th Amendment Act	1995	Included 27 more land reforms Acts of various states in the Ninth Schedule. With this, the total number of Acts in the Schedule increased to 282 But, the last entry is numbered 284.
79th Amendment Act	1999	Extended the reservation of seats for the SCs and STs and exclusive representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a further period of ten years (i.e., up to 2010)
80th Amendment Act	2000	Provided for an 'alternative scheme of devolution' of revenue between the Centre and state

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81st Amendment Act	2000	Empowered the state to consider the unfilled reserved vacancies of a year as a separate class of vacancies to the filled up in any succeeding year or years
82nd Amendment Act	2000	Provided for making of any provision in favour of the SCs and STs for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to the public services of the Centre and the states.
83rd Amendment Act	2000	Provided that no reservation in panchayats need be made for SCs in Arunachal Pradesh
84th Amendment Act	2001	Extended the ban on readjustment of seats in the Lok Sabha and the state legislative assemblies for another 25 years (i.e., up to 2026) with the same objectives of encouraging population limiting measures.
85th Amendment Act	2001	Provided for 'consequential seniority' in the case of promotion under the rule of reservation for the government servants belonging to the SCs and STs with retrospective effect from June 1995
86th Amendment Act	2002	Made elementary education a fundamental right. The newly added Article 21-A declares that 'the State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may determine. 'Changed the subject matter of Article 45 in Directive Principles. Added a new fundamental duty under Article 51-A which reads – 'It shall be the duty of every citizen of India who is a parent or guardian to provide opportunities for education to his child or ward between the age of six and fourteen years'.
87th Amendment Act	2003	Provided for the readjustment and rationalization of territorial constituencies in the states by the population figures of 2001 census and not 1991 census as provided earlier by the 84th Amendment Act of 2001
88th Amendment Act	2003	(Article 268-A) – The Centre levies taxes on services. However, their proceeds are collected as well as appropriated by both the Centre and the states.

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89th Amendment Act	2003	Bifurcated the erstwhile combined National Commission for Scheduled Castes and Scheduled Tribes into two separate bodies, namely, National Commission for Scheduled Castes (Article 338) and National Commission for Schedules Tribes (Article 338-A). Both the Commission consist of a Chairperson, a Vice-Chairperson and three other members. The President appoints them.
90th Amendment Act	2003	Provided for maintaining the representation of the Scheduled Tribes and non Scheduled Tribes in the Assam legislative assembly from the Bodoland Territorial Areas District (Article 332 (6)
91st Amendment Act	2003	The total number of ministers, including the Prime Minister, in the Central Council of Minister, shall not exceed 15% of the total strength of the Lok Sabha (Article 75 (1A)). The total number of ministers, including the Chief Minister, in the Council of Ministers in a state shall not exceed 15% of the total strength of the Legislative Assembly of the state. However, the number of ministers, including the Chief Minister, in a state shall not be less than 12 (Article 164 (1A)).
92nd Amendment Act	2003	Included four more languages in the Eighth Schedule. They are Bodo, Dogri (Dongri), Maithili (Maithili) and Santhali. With this, the total number of constitutionally recognised languages increased to 22.
93rd Amendment Act	2005	Empowered the state to make special provisions for the socially and educationally backward classes or the Scheduled Castes or the Scheduled Tribes in educational institutions including private educational institutions. This Amendment was enacted to nullify the Supreme Court judgment in the Inamdar case (2005) where the apex court ruled that the state cannot impose its reservation policy on minority and non-minority unaided private colleges, including professional colleges.
94th Amendment Act	2006	Freed Bihar from the obligation of having a tribal welfare minister and extended the same provision to Jharkhand and Chhattisgarh. This provision will now apply to the two newly formed states and Madhya Pradesh and Orissa.

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95th Amendment Act	2009	Extended the reservation of seats for the SCs and STs and exclusive representation for the Anglo-Indians in the Lok Sabha and the state legislative assemblies for a further period of ten years, i.e., up to 2020 (Article 334).
96th Amendment Act	2011	Substituted 'Odia' for 'Oriya' Consequently, the 'Oriya' language in the Eighth Schedule shall be pronounced as 'Odia'.
97th Amendment Act	2011	Gave a constitutional status and protection to co-operative societies. It made the right to form co-operative societies a fundamental right (Article 19). It included a new Directive Principle of State Policy on the promotion of co-operative societies (Article 43-B). It added a new Part IX-B in the constitution which is entitled as 'The Co-operative societies' (Articles 243-ZH to 243-ZT).
98th Amendment Act	2013	To empower the Governor of Karnataka to take steps to develop the Hyderabad-Karnataka Region.
99th Amendment Act	2014	It provided for the establishment of National Judicial Commission.
100th Amendment Act	2014	This amendment is the Land Boundary Agreement (LBA) between India and Bangladesh.
101st Amendment Act	2016	Goods and Service Tax (GST).
102nd Amendment Act	2018	Constitutional status to National Commission of Backward Classes.
103rd Amendment Act	2019	10% Reservation for Economically Weaker Section.

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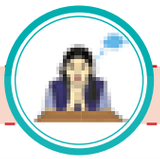
Key Terms



Acquired Territories	–	வாங்கிய பிரதேசங்கள்
Administrative Reforms	–	நிர்வாக சீர்திருத்தங்கள்
Administrative Reforms Commission	–	நிர்வாக சீர்திருத்த ஆணையம்
All India Services	–	அகில இந்தியப் பணிகள்
Amnesty International	–	சர்வதேச பொது மன்னிப்பு சபை
Arthasastra	–	அர்த்தசாஸ்திரம்
Asian Development Bank	–	ஆசிய வளர்ச்சி வங்கி
Asian Investment Infrastructure Bank	–	ஆசிய முதலீடு மற்றும் கட்டமைப்பு வங்கி
Asserting Identity	–	அடையாளத்தை உறுதிப்படுத்துதல்
Barbarism	–	நாகரீகமற்ற நிலை
Bicameral Legislature	–	ஈரவைச் சட்டமன்றம்
Bicameralism	–	ஈரவை சட்டமன்றமுறை
Boycott	–	புறக்கணிப்பு
Budget	–	வரவு செலவுத் திட்டம்
Burdensome	–	சுமையான
Bureaucracy	-	அதிகாரத்துவம்/ஆட்சிபணியர்
Business Advisory Committee	–	தொழில் ஆலோசனை குழு
Cabinet	–	அமைச்சரவை
Capitalism	–	முதலாளித்துவம்
Carbon colonialism	–	கரிம காலனியாதிக்கம்
Civil Disobedience	–	சட்ட மறுப்பு
Collective responsibility	–	கூட்டுப் பொறுப்பு
Collegiate executive	–	கூட்டு செயலாட்சி
Colonial Regime	–	காலனித்துவ ஆட்சி
Committee of Privileges	–	உரிமைகள் குழு
Committee on Delegated Legislation	–	ஒப்படைப்புச் சட்டமியற்றலுக்கான குழு
Committee on Estimates	–	மதிப்பீட்டுக் குழு
Committee on Government Assurances	–	அரசாங்க உறுதிமொழிகள் குழு
Committee on Public Accounts	–	பொதுக் கணக்குக் குழு
Committee on Public Undertakings	–	பொதுத்துறை நிறுவனங்களுக்கான குழு
Committee on Rules	–	விதிமுறைகளுக்கான குழு
Committee Stage	–	குழு நிலை
Communal Violence	–	வகுப்புவாத வன்முறை

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Communalism	–	வகுப்புவாதம்
Communism	–	பொதுவுடைமை
Commutation	–	தண்டனையைக் குறைத்தல்
Concert of Europe	–	ஐரோப்பிய ஒப்பந்தக் கூட்டமைப்பு
Concurrent List	–	பொதுப்பட்டியல்
Congeries of Races	–	பந்தயங்களின் கூட்டாளிகள்
Consolidated Fund of India	–	இந்தியாவின் நிரந்தர தொகுப்பு நிதி
Constitution	–	அரசமைப்பு
Constitutional Democracy	–	அரசமைப்பிலான மக்களாட்சி
Conventions	–	மரபுகள்
Co-operative Federalism	–	கூட்டுறவுக் கூட்டாட்சி
Cosmopolitanism	–	உலகளாவிய குடிமை
Coterminous	–	சமஎல்லையுடையவை
Cottage Industries	–	குடிசைத் தொழில்கள்
Council of States	–	மாநிலங்களவை
Covenanted Service	–	உடன்படிக்கை சேவை
Criminal Law	–	குற்றவியல் சட்டம்
Cultural diversity	–	பண்பாட்டு பன்முகத்தன்மை
Decentralization	–	அதிகாரப்பரவல்
Defacto	–	நடைமுறை அதிகாரம் பெற்ற
Democratic Federalism	–	மக்களாட்சி கூட்டாட்சி
Democratic socialism	–	மக்களாட்சியிலான சமதர்மம்
Democratic state	–	மக்களாட்சி அரசு
De-subsidization	-	தள்ளுபடி
Dharma	–	தர்மம்
Diplomacy	–	தூதாண்மை
Distribution of Powers	–	அதிகாரப் பங்கீடு
Division of powers	–	அதிகாரப் பகிர்வு
Double ballot electoral system	–	இரு வாக்குச்சீட்டு வாக்காளர் முறைமை
Dual Citizenship	–	இரட்டைக் குடியுரிமை
Dyarchy	–	இரட்டையாட்சி
Economic Reforms	–	பொருளாதார சீர்திருத்தங்கள்
Election Commission	–	தேர்தல் ஆணையம்
Electoral College	–	வாக்காளர் தொகுதி முறைமை
Electors	–	வாக்காளர்கள்

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Embassies Abroad	–	வெளிநாடுகளில் தூதரகங்கள்
Embodiment	–	வடிவமாகும்
Emergency	–	நெருக்கடிநிலை
Environmental degradation	–	சுற்றுச்சூழல் சீர்கேடு
Environmentalism	–	சுற்றுச்சூழலியம்
Envisaged	–	சிந்தித்தவர்
Equality	–	சமத்துவம்
European Colonization	–	ஐரோப்பிய குடியேற்றம்
Evolved Constitution	–	பரிணாம வளர்ச்சியிலான அரசமைப்பு
External Aggression	–	வெளிப்புற ஆக்கிரமிப்பு
Extremism	–	தீவிரவாதம்
Fascist	–	பாசிசவாதி
Federalism	–	கூட்டாட்சி
Feudal rule	–	நிலப்பிரபுத்துவ ஆட்சி
Finance Commission	–	நிதி ஆணையம்
Flexible Constitution	–	நெகிழும் அரசமைப்பு
Foreign exchange	–	அந்நிய செலாவணி
Fraternity	–	சகோதரத்துவம்
Gazette of India	–	இந்திய அரசுப் பதிவிதழ்
General Assembly	–	பொதுச் சபை
Geographical Landscape	–	புவியியல் இயற்கை
Globalization	-	உலகமயமாக்கல்
Glorious Revolution	–	மகத்தான புரட்சி
Good and Services Tax (GST)	–	சரக்கு மற்றும் சேவை வரி
Grants-in-Aid	–	நிதி நல்கைகள்/நிதியுதவி
Gun Salute	–	துப்பாக்கி வணக்கம்
Hegemonic Usurpation	–	மேலாதிக்க விரோதம்
Homogeneity	–	ஓரினத்தன்மை
House of the People	–	மக்களவை
Human Rights Watch	–	மனித உரிமைகள் கண்காணிப்பகம்
Humanity	–	மனிதகுலம்
Impartial Civil Services	–	பாரபட்சமற்ற பொது சேவை
Impeachment	–	கண்டன தீர்மானத்தின் மூலம் பதவி நீக்கம்
Imperialism	–	ஏகாதிபத்தியம்
Indian Administrative Service (IAS)	–	இந்திய குடிமைப் பணி

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Indigenous People and their Rights	–	பூர்வ குடிமக்களின் உரிமைகள்
Indologist	–	இந்தியவியல்
Industrial pollution	–	தொழிற்சாலை மாசுபாடு
Industrialization	–	தொழில்மயமாதல்
Institutional Memory	–	நிறுவன நினைவகம்
Intellectual property	–	அறிவுசார் சொத்து
Intensive Area Development Programme (IADP)	–	தீவிர வட்டார வளர்ச்சித் திட்டம்
Interim Constitution	–	இடைக்கால அரசமைப்பு
International Court of Justice	–	பன்னாட்டு நீதிமன்றம்
International Labour Organization	–	பன்னாட்டுத் தொழிலாளர் அமைப்பு
International Monetary Fund	–	பன்னாட்டு நிதி முனையம்
International Monetary Fund	–	சர்வதேச நாணய நிதியம்
International Non-Governmental Organizations	–	பன்னாட்டு அரசு சாரா அமைப்புக்கள்
International organizations	–	பன்னாட்டு அமைப்புக்கள்
International Peace Conference	–	பன்னாட்டு அமைதி மாநாடு
International solar Alliance	–	பன்னாட்டு சூரிய மின் உற்பத்தி கூட்டணி
International Telecommunication Union	–	பன்னாட்டு தொலைத்தொடர்பு அமைப்பு
Internationalism	–	சர்வதேசியம்
Inter-State Council	–	மாநிலங்களுக்கு இடையேயான குழு
Judicial Positions	–	நீதித்துறை நிலைகள்
Jurisdiction	–	அதிகாரவரம்பு
Large scale industries	–	பெரிய அளவிலான நிறுவனங்கள்
Lawful Intervention	–	சட்டரீதியான தலையீடு
League Council	–	சங்க குழு
League of Nations	–	பன்னாட்டு சங்கம்
Legislature	–	சட்டமன்றம்
Legitimacy	–	சட்டபூர்வமான தன்மை
Liberalism	–	தாராளவாதம்
Liberty	–	சுதந்திரம்
Manusmriti	–	மனுநீதி
Materialism	–	பொருள் முதல்வாதம்
Mixed Economy	–	கலப்புப் பொருளாதாரம்
Mobilising Movements	–	இயக்கங்களை அணிதிரட்டுதல்
Monarch	–	அரசர்
Monarchic Lineage	–	முடியாட்சி மரபு

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Money Bill	–	நிதி முன்வரைவு
Monopolistic	-	முற்றுரிமை / ஏகபோகம்
Monotheistic God	–	ஓரிறை வழிபாடு
Morality	–	நீதிநெறிமுறைமை
MRTP	–	எம்.ஆர்.டி.பி
Munich Conference	–	மூனிச் மாநாடு
Myriad	-	எண்ணற்ற
Nation	–	தேசம்
National Dairy Development Board (NDDB)	–	தேசிய பால் பொருட்கள் மேம்பாட்டு வாரியம்
National Development Council	–	தேசிய வளர்சிக்குழு
National Emergency	–	தேசிய நெருக்கடிநிலை
National exchequer	–	தேசிய கருவூலம்
National Fraternity	–	தேசிய சகோதரத்துவம்
National Milk Grid	–	தேசிய பால் கட்டுப்பாட்டு வலையமைப்பு
Nationalism	–	தேசியவாதம்
Nationalist	–	தேசியவாதி
Native Elites	–	சொந்த உயரடுக்கு
Natural Rights	–	இயற்கை உரிமைகள்
Nepotism	–	தகுதியாலன்றி (வேண்டியவருக்கு ஆதரவு)
NITI Aayog	–	நிதி ஆயோக்
Non- profit non- Government organization	–	ஆதாயமில்லா அரசு சாரா அமைப்புக்கள்
Non-Money Bill	–	நிதி சாரா முன்வரைவு
Non-tax Revenue	–	வரி சாரா வருவாய்
Non-Violence	–	வன்முறையின்மை
Oath	–	உறுதிமொழி
Official Parlance	–	அதிகாரப்பூர்வ பேச்சு
Operation flood	–	வெள்ள நடவடிக்கை
Ordinances	–	அவசரச்சட்டம்
orthodox	–	பழமைப்பற்று
Ozone layer	–	ஓசோன் படலம்
Parliamentary Constituencies	–	நாடாளுமன்றத் தொகுதிகள்
Passive Resistance	–	சாத்வீக எதிர்ப்பு/செயலற்ற எதிர்ப்பு
Patriotism	–	தேசப்பற்று
Patronage	-	ஆதரவு
Permanent Court of Arbitration	–	நிரந்தர நடுவர் தீர்ப்பாயம்
Permanent House	–	நிரந்தர அவை

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Personal Dignity	–	தனிமனித மாண்பு
Pluralistic Nation	–	பன்முக நாடு
Police State	–	காவல் அரசு
Political Autonomy	–	அரசியல் சுயாட்சி
Political Extremism	–	அரசியல் தீவிரவாதம்
Political Fragments	–	அரசியல் துண்டுகள்
Polity	–	அரசியல் முறையமைவு
Polygamy	–	பலதாரமணம்
Polytheism	–	பல தெய்வக்கொள்கை
Portfolios	–	துறைகள்
Poverty Alleviation	–	வறுமை ஒழிப்பு
Prerogative	–	தனிச்சிறப்புரிமை
Primary sector	–	முதல்நிலை துறை
Princely State	–	சுதேச அரசு
Private Member Bill	–	தனி நபர் மசோதா
Proclamation of Emergency	–	நெருக்கடிநிலைப் பிரகடனம்
Proletariat	–	பாட்டாளிகள்
Propaganda	–	பரப்புரை
Proportional Representation	–	விகிதாச்சார பிரதிநிதித்துவம்
Proportional representation system	–	விகிதாச்சார பிரதிநிதித்துவ முறை
Provincial Autonomy	–	மாகாண சுயாட்சி
Quasi Sovereignty	–	ஓரளவிலான இறையாண்மை
Quota	–	இட ஒதுக்கீடு
Radical Humanism	–	தீவிர மனிதநேயம்
Ramification	–	கிளைத்தல்
Rationalism	–	பகுத்தறிவு வாதம்
Renaissance	–	மறுமலர்ச்சி
Renewable energy	–	புதுபிக்கத்தக்க ஆற்றல்
Republic	–	குடியரசு
Republicanism	–	குடியரசுவாதம்
Reputable Profession	–	மரியாதைக்குரிய தொழில்
Resentment	–	சீற்றமாக
Revenue Affairs	–	வருவாய் விவகாரங்கள்
Rigid Constitution	–	நெகிழா அரசமைப்பு
Royal Entitlements	–	அரச உரிமை

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Rule of law	–	சட்டத்தின் ஆட்சி
Salute States	–	வணக்கமுறைமை சுதேச அரசுகள்
Sanatan Dharma	–	சனாதன தர்மம்
Sati	–	உடன்கட்டை ஏறுதல்
Satyagraha	–	சத்தியாகிரகம்
Satyagrahi	–	சத்தியாகிரகி
Scheduled and Tribal Areas	–	அட்டவணை மற்றும் பழங்குடியினப் பகுதிகள்
Scientific Humanism	–	அறிவியல் சார் மனிதநேயம்
Secondary sector	–	இரண்டாம் நிலைத் துறை
Secular	–	மதச்சார்பற்ற
Secularism	–	மதச்சார்பின்மை
Select Committee	–	தேர்வுக் குழு
Self determination	–	சுய நிர்ணயம்
Self-Realisation	–	சுய புரிதல்
Small scale industries	–	சிறிய அளவிலான நிறுவனங்கள்
Social Justice	–	சமூக நீதி
Social Revolution	–	சமூகப் புரட்சி
Social Stigma	–	சமூக களங்கம்
Social Transformation	–	சமூக மாற்றம்
Socialist	–	சமதர்மவாதி
Socialization	–	சமூகமாக்கல்
Sovereign	–	இறையாண்மையுள்ள
Sovereignty	–	இறையாண்மை
Speaker	–	அவைத்தலைவர் / சபாநாயகர்
Standing Committee	–	நிலைக்குழு
State	–	அரசு
Statesman	–	ராஜதந்திரி
Statutes	–	விதிகள்/சட்ட விதிகள்
Statutory Bodies	–	சட்டப்படியான அமைப்புக்கள்
Sustainable development	–	நீடித்த மேம்பாடு
Sustainable Development Goals	–	நீடித்த மேம்பாட்டு இலக்குகள்
Swaraj	–	சுயராஜ்யம்
Swatch Bharat Abhiyan	–	தூய்மை இந்தியா திட்டம்
Tax Revenue	–	வரி வருவாய்
Tertiary sector	–	கடை நிலைத் துறை

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The Chief Electoral Officer	–	தலைமை தேர்தல் அதிகாரி
Traditional Leader	–	பாரம்பரிய தலைவர்
Transnational Forces	–	சர்வதேச சக்திகள்
Trusteeship	–	பொறுப்பாண்மை
Trusteeship Council	–	பொறுப்பாண்மை குழு
Tyranny	–	கொடுங்கோலாட்சி
Unethical	-	நெறிமுறையற்ற
Unified State	–	ஒன்றுபட்ட அரசு
Union Public Service Commission	–	மத்திய அரசுப் பணியாளர் தேர்வாணையம்
Union Territories	–	ஒன்றியப் பிரதேசங்கள்
Union Territories	–	ஒன்றியப் பிரதேசங்கள்
Unionised Organisation	–	தொழிற்சங்க அமைப்பு
Unitary	–	ஒற்றையாட்சி
United Nations	–	ஐக்கிய நாடுகள்
Universal adult franchise	–	வயது வந்தோர் வாக்குரிமை
Universal Declaration of Human Rights (UDHR)	–	அனைத்துலக மனித உரிமைகள் பிரகடனம்
Universal Postal Union	–	சர்வதேச தபால் அமைப்பு
Universalism	–	சர்வதேசத்துவம்
Unlawful	-	சட்டவிரோத
Untouchability	–	தீண்டாமை
Varna	–	வர்ணம்
Vernacular Languages	–	வட்டார மொழி
Veto	–	ரத்து அதிகாரம்
Voluntary Associations	–	தன்னார்வ அமைப்புக்கள்
Water Disputes Tribunal	–	நதி நீர் பிரச்சனை தீர்ப்பாயம்
Welfare State	–	மக்கள் நல அரசு
World Bank	–	உலக வங்கி
Zonal Councils	–	மண்டலக் குழுக்கள்

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