

ANANTAM IAS

INDIAN POLITY & GOVERNANCE

CURRENT AFFAIRS COMPASS

JANUARY - DECEMBER 2025



for UPSC CIVIL SERVICES EXAMINATION

PRELIMS REVISION SCHEDULE (QIP)

- ▶ Classes starts from 12th Jan Onwards
- ▶ Test Timing – 4:45 PM to 5:45 PM
- ▶ Class Timing – 2:00 PM to 4:30 PM
- ▶ Test Discussion Timing – 6:00 PM onwards

STRATEGY CLASSES by Ashish Bharti Sir			SCIENCE & TECHNOLOGY by Jawala Sir			ECONOMY by Raja Sir		
Date	Syllabus	Tests	Date	Syllabus	Tests	Date	Syllabus	Tests
12 Jan	Lecture-1: PYQ trend analysis	No Tests	11 Feb	Lecture-9: Biotechnology	Test-9	12 Mar	Lecture-11: Inflation, GDP and National Accounting	Test-11
13 Jan	Lecture-2: Prelims Aptitude class 1- terminology analysis, logical analysis, statement analysis, factual analysis	No Tests	12 Feb	Lecture-10: Biotechnology	Test-10	13 Mar	Lecture-12: Demand, supply and Misc. micro economic topics	Test-12
14 Jan	Lecture-3: Prelims aptitude class 2	No Tests	13 Feb	Lecture-11: IT and Computers	Test-11	HISTORY by Ashish Bharti Sir		
15 Jan	Lecture-4: Practice class	No Tests	14 Feb	Lecture-12: IT and Computers	Test-12			
POLITY by Vaibhav Mishra Sir			GEOGRAPHY & ENVIRONMENT by Gaurav Tripathi sir			14 Mar	Lecture-1: Ancient India - Foundations	Test-1
						16 Mar	Lecture-2: Ancient India -Classical & Early Medieval	Test-2
16 Jan	Lecture-1: Political Theory + Constitution	Test-1	16 Feb	Lecture-1: Trend analysis & Basics of Geography	Test-1	17 Mar	Lecture-3: Early Medieval India	Test-3
17 Jan	Lecture-2: Democracy + Power + Ideologies	Test-2	17 Feb	Lecture-2: Climatology	Test-2	18 Mar	Lecture-4: Medieval India -Sultanate & Mughals	Test-4
19 Jan	Lecture-3: Preamble + Union & Territory	Test-3	18 Feb	Lecture-3: Oceanography & Indian Climate	Test-3	19 Mar	Lecture-5: Culture, Religion & Terminology (Ancient-Medieval)	Test-5
20 Jan	Lecture-4: Fundamental Rights	Test-4	19 Feb	Lecture-4: Geomorphology, Indian Physiography & Drainage 1	Test-4	20 Mar	Lecture-6: Modern India - Company Rule	Test-6
21 Jan	Lecture-5: Directive Principles & Fundamental Duties	Test-5	20 Feb	Lecture-5: Indian Physiography & Drainage 2 & Resources	Test-5	21 Mar	Lecture-7: Socio-Religious Reform & Legislations	Test-7
22 Jan	Lecture-6: Union Executive	Test-6	21 Feb	Lecture-6: Biomes & Indian Vegetation	Test-6	23 Mar	Lecture-8: Early National Movement (1857-1905)	Test-8
23 Jan	Lecture-7: Parliament & State Legislature	Test-7	23 Feb	Lecture-7: Basics of Ecology	Test-7	24 Mar	Lecture-9: National Movement - Assertive Phase	Test-9
24 Jan	Lecture-8: Judiciary	Test-8	24 Feb	Lecture-8: Climate change & Biodiversity	Test-8	25 Mar	Lecture-10: Gandhian Phase	Test-10
27 Jan	Lecture-9: Federalism	Test-9	25 Feb	Lecture-9: International conventions	Test-9	26 Mar	Lecture-11: Towards Independence (1935-1947)	Test-11
28 Jan	Lecture-10: Emergency Provisions & Bodies	Test-10	26 Feb	Lecture-10: Legislations, Rules & Misc.	Test-10	27 Mar	Lecture-12: Post-Independence + High-Yield Revision	Test-12
29 Jan	Lecture-11: Polity Current Affairs	Test-11	ECONOMY by Raja Sir			INTERNATIONAL RELATIONS by Vishal Sir		
30 Jan	Lecture-12: Polity Current Affairs	Test-12	27 Feb	Lecture-1: Banking	Test-1	28 Mar	Lecture-1: United Nations System & Global Governance	Test-1
SCIENCE & TECHNOLOGY by Jawala Sir			28 Feb	Lecture-2: Banking	Test-2	30 Mar	Lecture-2: Arms Control, Nuclear Regimes & Strategic Governance	Test-2
			2 Feb	Lecture-1: Space Technology	Test-1	2 Mar	Lecture-3: Monetary Policy and Money supply	Test-3
3 Feb	Lecture-2: Space Technology	Test-2	3 Mar	Lecture-4: Monetary Policy and Money supply	Test-4	01 Apr	Lecture-4: Global & Regional Organisations (Power Blocs)	Test-4
4 Feb	Lecture-3: Space Technology	Test-3	5 Mar	Lecture-5: Financial Market Dynamics	Test-5	GOVT. SCHEMES / MISCELLANEOUS by Vishal Sir		
5 Feb	Lecture-4: Nuclear Technologies	Test-4	6 Mar	Lecture-6: Fiscal Policies and Taxation Issues	Test-6	02 Apr	Lecture-1	Test-1
6 Feb	Lecture-5: Nuclear Technologies	Test-5	7 Mar	Lecture-7: Fiscal Policies and Taxation Issues	Test-7	03 Apr	Lecture-2: cover all the important miscellaneous current affairs	Test-2
7 Feb	Lecture-6: Energy Technology	Test-6	9 Mar	Lecture-8: External Sector & BoP	Test-8	04 Apr	Lecture-3: cover all the important miscellaneous current affairs	Test-3
9 Feb	Lecture-7: Defense Technology, Nanotechnology, IPR	Test-7	10 Mar	Lecture-9: External Sector & BoP	Test-9			
10 Feb	Lecture-8: Biotechnology	Test-8	11 Mar	Lecture-10: IMF/WB/WTO treaties	Test-10			

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UPSC SHINING STARS-2025



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FUNDAMENTAL RIGHTS

1. IT (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) AMENDMENT RULES, 2025

- **Nodal Ministry:** Ministry of Electronics and Information Technology (**MeitY**).
- **Parent Legislation:** **Information Technology Act, 2000** (specifically exercising powers under **Section 87**).
- **Target Area:** Regulation of **Synthetically Generated Information (SGI)** (Deepfakes) and procedural reform of content takedown orders.
- **Effective Date:** November 15, 2025.
- **Applicability:** Applies to all **Intermediaries** (ISPs, Search Engines, etc.) with specific additional compliance for **Significant Social Media Intermediaries (SSMIs)**.

Key Definitions & Terminologies

- **Synthetically Generated Information (SGI):** Information artificially created, modified, or altered by a computer resource that appears reasonably authentic or true (Deepfakes).
- **Reasoned Intimation:** The new legal standard for takedown orders. It must be:
 - **Written** (not verbal).
 - Cite the **specific legal provision** violated.
 - Cite the **specific URL** (no blanket account bans).
- **Significant Social Media Intermediary (SSMI):** Defined under **2021 Rules**; Social media platforms with **>50 lakh (5 million)** registered users in India.

Institutional & Authority Hierarchy (Crucial for MCQs)

- **Authority to Issue Takedown Orders (Intimations):**
 - **Government (Civil):** Rank of **Joint Secretary** or above (Union or State).
 - **Law Enforcement (Police):** Rank of **Deputy Inspector General (DIG)** or above.
- **Oversight Mechanism:**
 - **Monthly Review Board:** Conducted by an officer of the rank of **Secretary** (Union or State) to validate the necessity and proportionality of orders issued.

Specific Mandates (The "Numbers" Rule)

- **Labeling SGI (Deepfakes):**
 - **Visual Content:** Label/Metadata must cover at least **10%** of the total surface area.
 - **Audio Content:** Label/Disclaimer must be audible for the **initial 10%** of the duration.
- **Immutability:** Intermediaries are **prohibited** from removing or modifying these unique identifiers/labels.
- **Verification:** SSMLs must deploy technical measures to verify user declarations regarding synthetic content.

Static-Current Linkage

- **Section 79 (IT Act, 2000): "Safe Harbour"** clause. Protects intermediaries from liability for third-party content *if* they observe "due diligence."
 - *Current Update:* The amendment **removes** the proviso for "Voluntary Takedown" immunity. Safe Harbour is now strictly tied to compliance with valid legal orders.
- **Section 69A (IT Act, 2000):** Power to block public access to information (National Security, Public Order, etc.).
- **Shreya Singhal vs. Union of India (2015):**
 - SC struck down **Section 66A** (arbitrary arrests).
 - Upheld **Section 69A** but mandated safeguards (reasoned orders, review committees). The 2025 Rules align with this by mandating "Reasoned Intimations" and "Specific URLs."

Common Traps / Confusing Points

- **Trap 1 (Ranks):** An SHO (Station House Officer) or DM (District Magistrate) **CANNOT** issue a "Reasoned Intimation" under these rules. It must be **DIG** or **Joint Secretary**.
- **Trap 2 (Scope):** SGI labeling rules apply to **all** content that is synthetically generated, not just political or harmful content.
- **Trap 3 (Penalty):** Non-compliance does **not** attract automatic criminal imprisonment for executives under these specific rules; it attracts **loss of Safe Harbour protection** (opening the platform to civil/criminal liability under IPC/IT Act).
- **Trap 4 (Voluntary Action):** Platforms can still remove content voluntarily, but they **no longer enjoy statutory immunity** for doing so under the specific proviso that was omitted.

Frequently Asked UPSC Dimensions

- **Right to Privacy (Article 21):** Conflict between "Metadata Tracing" (for deepfake detection) and "End-to-End Encryption."
- **Freedom of Speech (Article 19(1)(a)):** The shift to "Specific URLs" rather than "Account Blocking" is a pro-speech safeguard (Proportionality Doctrine).
- **Federalism:** Both **Central** and **State** government officers (of appropriate rank) can issue intimations.

MCQ Focus: Elimination Clues

- *Statement:* "The Station House Officer (SHO) is empowered to issue reasoned intimations for content removal." → **Incorrect** (Eliminate).
- *Statement:* "The rules mandate a label covering 50% of the screen for deepfakes." → **Incorrect** (10%).
- *Statement:* "The Monthly Review is conducted by a Judicial Committee." → **Incorrect** (Executive Officer - Secretary level).

- *Statement:* "The amendment grants immunity to platforms for voluntary takedown of unlawful content." → **Incorrect** (This immunity was removed).

2. INTERNET SHUTDOWNS IN INDIA (2024 TREND & LEGAL FRAMEWORK)

Context & (2024 Data)

- **Report Title:** "Emboldened Offenders, Endangered Communities" (released by **Access Now** & **#KeepItOn** coalition).
- **Global Status:** India ranked **2nd** globally in internet shutdowns in 2024 (surpassed by **Myanmar**).
 1. *Note:* This breaks India's 6-year streak of being #1 globally.
- **The Numbers:**
 1. **Total Shutdowns: 84** (Access Now data) / **60** (SFLC data).
 2. **Trend:** A **decline** compared to 2023 (116 shutdowns).
- **Top States (2024):**
 1. **Manipur** (21 incidents)
 2. **Haryana** (12 incidents)
 3. **Jammu & Kashmir** (12 incidents)
- **Primary Triggers:** Protests (41), Communal Violence (23), **Examinations** (5 - e.g., Jharkhand, Assam).

Statutory & Legal Framework

- **Parent Act:** Telecommunications Act, 2023
- **Governing Rules:** Telecommunications (Temporary Suspension of Services) Rules, 2024
 - *Before 2017:* Shutdowns were ordered under **Section 144 of CrPC** (Criminal Procedure Code). This is now technically incorrect but still occasionally misused.
- **Authorized Officers (Who can order a shutdown?):**
 - **Union Govt:** Secretary, **Ministry of Home Affairs (MHA)**.
 - **State Govt:** Secretary, **Home Department**.
 - **Emergency Provision:** In "unavoidable circumstances," an officer of **Joint Secretary** rank or above (authorized by the Home Secretary) can issue the order.
 - **Validation:** Such emergency orders must be confirmed by the Competent Authority within **24 hours**.

Oversight Mechanism (Review Committee)

- **Mandate:** The Suspension Order must be forwarded to a Review Committee **by the next working day**.
- **Composition (State Level):**
 1. **Chief Secretary** (Chairman)
 2. Secretary, Law/Legal Remembrancer
 3. Secretary (Any dept other than Home)
- **Composition (Central Level):**
 1. **Cabinet Secretary** (Chairman)
 2. Secretary, Legal Affairs
 3. Secretary, DoT (Telecom)
- **Timeline:** Committee must meet within **5 working days** to record findings.

Landmark Supreme Court Judgment**Case:** *Anuradha Bhasin vs. Union of India (2020)*

- **Fundamental Right Status:**

- Freedom of Speech & Expression (Art 19(1)(a)) and Freedom to Practice Trade (Art 19(1)(g)) **through the medium of the internet** is a constitutionally protected right.
- *Crucial Distinction:* "Right to Internet" itself is **not** explicitly declared a fundamental right, but using it as a *medium* is protected.

- **Doctrine of Proportionality:** Suspensions cannot be "**indefinite.**" They must be temporary and proportionate to the threat.

- **Publication:** All shutdown orders must be **published in the public domain** to allow legal challenge.

Static-Current Linkage

- **Digital India vs. Shutdowns:** Frequent shutdowns contradict the objectives of the **Digital India Mission** and **UPI** adoption.
- **Economic Impact:** Reports often cite losses in **Foreign Direct Investment (FDI)** and gig-economy disruptions.
- **UN Human Rights Council (2016 Resolution):** Condemns intentional disruption of internet access (India is a signatory but maintains sovereign right for security).

Common Traps / Confusing Points

- **Trap 1 (Authority):** The **District Magistrate (DM)** or SP *cannot* unilaterally order a shutdown under the 2017 Rules (unlike Section 144 CrPC). It requires Home Secretary level authorization or confirmation.
- **Trap 2 (Grounds):** "Public Emergency" or "Public Safety" are the **only** valid grounds. "Preventing cheating in exams" is **not** a valid ground under the Telegraph Act (though states still do it).
- **Trap 3 (Review):** The Review Committee is **Executive**, not Judicial. It is headed by the **Cabinet/Chief Secretary**, not a High Court Judge.

MCQ Focus: Elimination Clues

- *Statement:* "The District Magistrate is the final competent authority to order internet shutdowns in a district." → **Incorrect** (Home Secretary).
- *Statement:* "Indefinite suspension of the internet is permitted in cases of national security." → **Incorrect** (Violates *Anuradha Bhasin* judgment).
- *Statement:* "Internet shutdowns are governed by the Information Technology Act, 2000." → **Incorrect** (Telegraph Act, 1885).
- *Statement:* "India had the highest number of internet shutdowns in the world in 2024." → **Incorrect** (Myanmar was #1).

3. RIGHT TO PROPERTY & ADEQUATE COMPENSATION (SC RULING JAN 2025)

(Current Context)

- **Case Name:** *Bernard Francis Joseph Vaz v. Government of Karnataka (2025)*.
- **The Ruling:** The Supreme Court held that "**Adequate Compensation**" is an inherent part of Article 300A. The State cannot deprive a person of property without paying fair value.

- **Trigger:** A 22-year delay in paying compensation for land acquired for the **Bengaluru-Mysuru Infrastructure Corridor Project (BMICP)**.
- **Judicial Intervention:**
 - The Court used its **extraordinary powers under Article 142** ("Complete Justice").
 - It shifted the date for determining the **Market Value** of the land from **2003** (original notification) to **2019** to account for inflation and delay.

Constitutional Status: Right to Property

- **Article 300A:** "No person shall be deprived of his property save by **authority of law**."
 - **Location:** Part XII (Finance, Property, Contracts and Suits) -> *Not Part III*.
 - **Nature of Right:** It is a **Constitutional Right** and a **Human Right** (but *not* a Fundamental Right).
- **Evolution:**
 - **Pre-1978:** Property was a Fundamental Right under **Article 19(1)(f)** and **Article 31**.
 - **44th Amendment Act (1978):** Repealed Art 19(1)(f) and Art 31; introduced Article 300A to reduce litigation against land reforms.

"Authority of Law" - The 7 Procedural Rights

(*Re-affirmed in Kolkata Municipal Corp. v. Bimal Kumar Shah, 2024*) The phrase "Authority of Law" in Art 300A is not just the existence of a statute. It mandates **7 procedural safeguards**:

1. **Right to Notice:** Clear intimation of acquisition.
2. **Right to be Heard:** Opportunity to object.
3. **Right to a Reasoned Decision:** State must explain *why* objections were rejected.
4. **Public Purpose:** Acquisition *must* be for public use only.
5. **Right to Fair Compensation:** Restitution is mandatory.
6. **Right to Efficient Process:** No indefinite delays.
7. **Right of Conclusion:** Physical possession must be taken to close the process.

Static-Current Linkage

- **Article 142:** Used in this case to shift the valuation date. This article grants the SC power to pass *any* decree necessary for doing "complete justice."
- **Land Acquisition Act, 2013 (LARR Act):** Replaced the colonial 1894 Act.
 - **Key Feature:** Mandates **Social Impact Assessment (SIA)** and higher compensation (4x market value in rural, 2x in urban areas).
- **Adverse Possession:** In *Vidya Devi v. State of HP (2020)*, SC ruled the State *cannot* claim adverse possession to grab citizens' land.

Common Traps / Confusing Points

- **Trap 1:** Right to Property is a *Statutory Right* only.
 - **Correction:** It is a **Constitutional Right** (Higher status than statutory, lower than Fundamental).
- **Trap 2:** The Constitution explicitly mentions "Adequate Compensation" in Art 300A.
 - **Correction:** Art 300A text **does not** explicitly mention "compensation." The SC *interpreted* it to exist within the phrase "Authority of Law."
- **Trap 3:** Writ Petition for property violation.
 - **Correction:** Since it's not a Fundamental Right, you generally move the **High Court (Article 226)**, not directly the Supreme Court (Article 32), unless an FR (like Art 14 - Arbitrariness) is also violated.

MCQ Focus: Elimination Clues

- *Statement:* "The 44th Amendment abolished the Right to Property completely." → **Incorrect** (Moved to Art 300A).
- *Statement:* "The State can acquire private property for private industry without public purpose." → **Incorrect** (Public Purpose is a mandatory pre-condition).
- *Statement:* "Article 300A is part of the Basic Structure of the Constitution." → **Incorrect** (Not explicitly declared so, unlike Art 14/21).
- *Statement:* "The Supreme Court invoked Article 142 to enhance compensation in the 2025 BMICP case." → **Correct**.

4. INCLUSIVE DIGITAL ACCESS & ARTICLE 21 (SC RULING 2025)**(Current Context)**

- **Case Name:** *Amar Jain vs. Union of India & Ors. (2025)*.
- **The Ruling:** The Supreme Court declared that "**Inclusive and meaningful digital access**" to e-governance and welfare systems is an intrinsic part of the **Fundamental Right to Life and Personal Liberty (Article 21)**.
- **Specific Beneficiaries:** The judgment specifically addressed barriers faced by:
 - **Visually Impaired persons.**
 - **Acid Attack Survivors** (due to facial disfiguration affecting biometric/Face ID systems).
- **Directives Issued:**
 - Centre must revise **Digital KYC (Know Your Customer)** norms to ensure they are accessible.
 - Issued **20 specific directions** to make the e-KYC process compatible with the **Rights of Persons with Disabilities (RPwD) Act, 2016**.

Constitutional & Legal Framework

- **Article 21 (Life & Dignity):** Digital access is now interpreted as essential for a "dignified life" because lack of access leads to exclusion from welfare schemes (ration, banking, pension).
- **"Principle of Substantive Equality" (Article 14):**
 - *Formal Equality:* Treating everyone the same (e.g., one standard App for all).
 - *Substantive Equality:* Accounting for differences to ensure equal **outcomes** (e.g., special features for PwDs). The SC invoked this principle.
- **Article 38 (DPSP):** Mandates the State to promote a social order ensuring **social justice** and minimizing inequalities.

Statutory Linkage: RPwD Act, 2016

- **Section 42:** Mandates the government to ensure that all content available in audio, print, and electronic media is in **accessible format** for PwDs.
- **Section 40:** Mandates the Central Govt to lay down **Standards of Accessibility** (physical and digital environment).

Static-Current Linkage (The "Internet Rights" Evolution)

- **Faheema Shirin vs. State of Kerala (2019):** Kerala HC declared Right to Internet Access as part of **Right to Education (Article 21A)** and **Right to Privacy (Article 21)**.
- **Anuradha Bhasin vs. Union of India (2020):**



- SC held that Freedom of Speech (Art 19(1)(a)) and Trade (Art 19(1)(g)) **using the medium of the internet** is constitutionally protected.
- *Distinction*: The 2020 judgment focused on the **medium**; the 2025 *Amar Jain* judgment focuses on **accessibility/inclusion** as a facet of human dignity (Article 21).

Common Traps / Confusing Points

- **Trap 1**: "Right to Internet" is an independent Fundamental Right explicitly mentioned in the Constitution.
 - *Correction*: It is **not** explicit. It is *read into* Article 19 (as a medium) and Article 21 (for essential services).
- **Trap 2**: The 2025 ruling applies only to government websites.
 - *Correction*: It covers "welfare delivery systems" and "banking," implying compliance for private intermediaries (banks/fintech) handling public functions (KYC).
- **Trap 3**: Biometric failure denies welfare only due to technical glitches.
 - *Correction*: The SC highlights that **exclusion due to design** (e.g., face recognition for acid attack survivors) violates **Article 14**.

MCQ Focus: Elimination Clues

- *Statement*: "The Supreme Court has struck down the requirement of e-KYC for all citizens." → **Incorrect** (It directed *revision* for accessibility, not removal).
- *Statement*: "Substantive Equality mandates treating unequals differently to achieve equality." → **Correct**.
- *Statement*: "Digital Access is part of the Basic Structure of the Constitution." → **Incorrect** (It is part of Article 21, but "Basic Structure" is a specific judicial doctrine not explicitly invoked here).
- *Statement*: "The Rights of Persons with Disabilities Act, 2016 was enacted to give effect to the UN Convention on Rights of PwDs (UNCRPD)." → **Correct**.

5. PERSONALITY RIGHTS (THE "RIGHT TO PUBLICITY")

(Current Context)

- **Context**: In 2024-25, the **Delhi High Court** issued landmark "John Doe" orders (injunctions against unknown entities) to protect the personality rights of celebrities like **Anil Kapoor, Jackie Shroff, Amitabh Bachchan**, and **Ajay Devgn**.
- **Trigger**: Rise of **Generative AI** (Deepfakes), voice cloning, and unauthorized merchandise using celebrity catchphrases (e.g., "Jhakaas", "Bhidu").
- **Definition**: "Personality Rights" refer to the right of an individual to control the commercial use of their **identity**, including:
 - Name, Image, Voice, Signature.
 - **Distinctive Mannerisms** & Catchphrases.

Legal Status in India (Crucial for Statement MCQs)

- **Statutory Status**: India has **NO separate/dedicated statute** (Law) for Personality Rights.
- **Source of Right**: It is a judge-made law derived from a mix of:
 1. **Article 21 (Constitution)**: Right to Privacy and Dignity (*K.S. Puttaswamy* case).
 2. **Intellectual Property Laws**:
 - **Copyright Act, 1957**: Moral Rights of Performers (Section 38A/38B).
 - **Trade Marks Act, 1999**: Section 14 (prevents using personal names falsely).

3. **Tort Law:** The Common Law remedy of "**Passing Off**" (misrepresenting goods as endorsed by the celebrity).

Two Components of Personality Rights

1. **The Right of Publicity:** The right to keep one's image and likeness from being **commercially exploited** without permission or contractual compensation. (Economic aspect).
2. **The Right to Privacy:** The right to be left alone and not have one's personality represented publicly without permission. (Dignity aspect).

Landmark Judgments

- **R. Rajagopal vs. State of Tamil Nadu (1994):** The SC first recognized that "Right to Privacy" includes the right to control the commercial use of one's identity.
- **Titan Industries vs. M/s Ramkumar Jewellers (2012):** Delhi HC defined specific elements of Personality Rights (identity + commercial value).
- **Anil Kapoor vs. Simply Life India (2024):** Restrained AI-generated "morphing" and "gifs" that exploited the actor's persona for monetary gain.

Exceptions (The "Free Speech" Balance)

- **Article 19(1)(a):** Personality rights are **NOT absolute**. They are balanced against Freedom of Speech.
- **Permitted Uses:**
 - **Satire & Parody** (e.g., Mimicry is generally allowed if not deceptive/defamatory).
 - **News & Current Affairs** (Public Interest).
 - **Biopics:** Generally allowed if based on public records (*Sushant Singh Rajput* case logic), but commercial exploitation requires consent.

Common Traps / Confusing Points

- **Trap 1:** Personality Rights expire immediately upon death.
 - *Clarification:* The legal position on **Post-Mortem** rights in India is **unclear/grey**. Unlike the US (Elvis Act), India has no clear statute saying rights survive death, but courts often protect heirs against "unjust enrichment."
- **Trap 2:** Only celebrities have Personality Rights.
 - *Clarification:* **Every individual** has Personality Rights (derived from Privacy/Art 21), but "Right to Publicity" (commercial value) is usually claimed by celebrities who have "monetizable fame."
- **Trap 3:** It is protected under the *Patents Act*.
 - *Clarification:* Incorrect. It is linked to **Trademarks** and **Copyrights**.

MCQ Focus: Elimination Clues

- *Statement:* "Personality Rights are codified under the Personal Data Protection Act, 2023." → **Incorrect** (Not explicitly codified there; DPDP Act protects *data*, not "persona" directly).
- *Statement:* "Use of a celebrity's voice by AI without consent violates their Fundamental Right under Article 21." → **Correct**.
- *Statement:* "Satire and mimicry are strictly prohibited under the new Delhi HC guidelines." → **Incorrect** (Article 19(1)(a) protects genuine artistic expression).

1. Consider the following statements regarding the legal status of 'Personality Rights' in India:

1. They are codified under a dedicated statute known as the 'Protection of Personality Rights Act, 2024'.
2. They are primarily a form of judge-made law derived from Article 21 and Intellectual Property statutes.

Which of the statements given above is/are correct?

- A. 2 only
- B. Neither 1 nor 2
- C. 1 only
- D. Both 1 and 2

2. The 'Right to Publicity', which allows an individual to control the commercial use of their identity, is not absolute. It must primarily be balanced against which Fundamental Right?

- A. Right against Exploitation (Article 23)
- B. Freedom of Speech and Expression (Article 19(1)(a))
- C. Freedom of Religion (Article 25)
- D. Right to Equality (Article 14)

6. ONLINE CONTENT REGULATION (OTT & DIGITAL NEWS)

Current Regulatory Architecture

- **Primary Regulation: IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.**
- **Dual Ministry Control (Crucial for MCQs):**
 - **MeitY (Ministry of Electronics & IT):** Regulates **Social Media Intermediaries** (Facebook, X, WhatsApp).
 - **MIB (Ministry of I&B):** Regulates **Digital Media** (News Publishers) and **OTT Platforms** (Netflix, Hotstar).
- **Certification Status:**
 - **OTT Content:** Is **NOT** certified by the Central Board of Film Certification (CBFC). It follows a **Self-Classification** model.
 - **Theatrical Films:** Must be certified by CBFC under the *Cinematograph Act, 1952*.

The 3-Tier Grievance Redressal Mechanism

The IT Rules, 2021 mandate a three-level structure for handling user complaints against OTT/Digital News:

1. **Level I (Self-Regulation):**
 - **Publisher:** Must appoint a **Grievance Officer** (resident in India).
 - **Timeline:** Must resolve the grievance within **15 days**.
2. **Level II (Self-Regulatory Body):**
 - **Industry Body:** An independent body headed by a retired Judge (SC/HC) or eminent person.
 - **Registration:** Must be registered with the **MIB**.
3. **Level III (Oversight Mechanism):**
 - **Government:** Inter-Departmental Committee (IDC) constituted by the **MIB**.
 - **Power:** Can issue blocking orders or warnings (Advisory nature).

Content Classification (OTT Specifics)

OTT platforms must self-classify content into **5 Age-Based Categories:**

1. **U** (Universal)
2. **U/A 7+**
3. **U/A 13+**
4. **U/A 16+**
5. **A** (Adult)

- **Parental Locks:** Mandatory for content classified as **U/A 13+** or higher.
- **Age Verification:** Reliable mechanism required for **"A"** rated content.

Statutory & Legal Framework

- **Cable Television Networks (Regulation) Act, 1995:** The *Programme Code* under this Act serves as the ethical benchmark for digital news publishers.
- **Cinematograph (Amendment) Act, 2023:**
 - Addresses **Piracy:** Unauthorized recording (camcording) is now a punishable offence (Jail up to 3 years + Fine).
 - **Perpetual Validity:** Certificates issued by CBFC are now valid **perpetually** (previously valid for only 10 years).

Common Traps / Confusing Points

- **Trap 1:** "The CBFC censors content on Netflix/Prime."
 - *Correction:* **Incorrect.** OTTs self-regulate; CBFC has no jurisdiction over streaming content.
- **Trap 2:** "MeitY regulates all online content."
 - *Correction:* **Incorrect.** MeitY handles the *tech/platform* aspect (Social Media). MIB handles the *content* aspect (News/OTT).
- **Trap 3:** "Digital News Publishers are exempt from the IT Rules, 2021."
 - *Correction:* **Incorrect.** They are explicitly covered and must adhere to the *Code of Ethics*.

MCQ Focus: Elimination Clues

- *Statement:* "The Inter-Departmental Committee (Level III) has the power to impose criminal penalties on OTT directors." → **Incorrect** (It is an oversight/advisory body; penalties come from courts/statutes).
- *Statement:* "The Grievance Officer at Level I must be a resident of India." → **Correct**.
- *Statement:* "OTT platforms are regulated under the Cinematograph Act, 1952." → **Incorrect** (IT Act, 2000 via IT Rules 2021).
- *Statement:* "Parental locks are mandatory only for 'A' rated content." → **Incorrect** (Mandatory for U/A 13+ and above).

ANANTAM IAS

Regulatory Landscape of Indian Media Sectors: Statutory vs. Self-Regulatory Frameworks

Feature	Print Media (Newspapers/Journals)	Television News (Broadcast)	Films (Theatrical Release)	Digital Media (OTT & Online News)
Primary Regulator	Press Council of India (PCI)	Self-Regulatory Bodies (e.g., NBSA, BFCCC)	Central Board of Film Certification (CBFC)	MeitY (Intermediaries) & MIB (Digital News/OTT)
Legal Basis	Press Council Act, 1978 (Statutory)	Cable Television Networks (Regulation) Act, 1995	Cinematograph Act, 1952 (Statutory)	IT Act, 2000 (via IT Rules, 2021)
Nature of Regulation	Statutory Oversight (Adjudicatory)	Self-Regulation (guided by Programme Code)	Pre-Censorship (Certification)	Soft-touch Self-Regulation (Post-publication grievance)
Power to Punish	Can warn, admonish, or censure; cannot penalize/imprison.	NBSA can impose fines; MIB can revoke license (rare).	Can cut/modify scenes or deny certification (effectively banning).	Can order content blocking (Level III) or removal.
Appellate Authority	Decisions of PCI are final and cannot be appealed before a court of law.*	MIB (Inter-Ministerial Committee)	High Courts (FCAT was abolished in 2021).	Inter-Departmental Committee (IDC) / High Courts.

7. UTTARAKHAND UNIFORM CIVIL CODE (UCC) ACT, 2024

(Current Context)

- **Status:** Uttarakhand is the **First State in Independent India** to enact a Uniform Civil Code. (Goa has a Civil Code, but it is the *Portuguese Civil Code of 1867*, pre-independence).
- **Legislative Route:** Passed by the State Assembly (Feb 2024) and received **President's Assent** (March 2024).
 - *Why President's Assent?* Because "Marriage and Divorce" are in the **Concurrent List (Entry 5)**. To override existing Central laws (like Shariat Act, Hindu Succession Act) in the state, Presidential assent is mandatory under **Article 254(2)**.
 - **Implementation:** Officially implemented from **January 2025**.

Key Provisions & Mandates

- **Applicability:** Applies to all residents of Uttarakhand, **except Scheduled Tribes (STs)**.
- **Marriage Age:** Standardized at **18 years (Women)** and **21 years (Men)** for all communities.
- **Banned Practices:**
 - **Polygamy** (Bigamy) is completely banned.
 - **Nikah Halala** and **Iddat** (specific to Islamic personal law) are criminalized/banned.
 - **Triple Talaq** is already banned centrally, but UCC reinforces codified divorce grounds.
- **Succession (Inheritance):**
 - **Abolishes the Coparcenary System** (ancestral joint family property rights found in Hindu law).
 - **Coparcenary System** - Individuals in **Hindu Joint Family** who acquire a right to the ancestral property **by birth**.
 - **Equal Rights:** Sons and daughters get equal shares in property.
 - **Class-I Heirs:** The Act elevates both parents (Mother and Father) to Class-I heirs (previously, often only the mother was Class-I in Hindu law).
 - **Class-I Heirs** - When a Hindu male dies **intestate** (without a Will), his property passes first to **Class-I Heirs**.

The "Live-in Relationship" Clause (High-Yield for MCQs)

- **Mandatory Registration:** Live-in partners **must register** their relationship with the Registrar within **1 month**.
- **Extraterritorial Jurisdiction:** Applies to Uttarakhand residents even if they are living in a **live-in relationship outside the state**.
- **Penalty:** Non-registration attracts a **attracts up to 6 months jail or ₹25,000 fine** or both.
- **Child Legitimacy:** Children born from live-in relationships are legally considered **legitimate**.

Exemptions (The "Trap" Zone)

- **Scheduled Tribes (STs):** The Act explicitly **EXCLUDES** members of Scheduled Tribes (as defined under **Article 342** read with **Article 366(25)**).
 - *Reason:* To protect customary rights guaranteed under the Constitution.

Constitutional & Legal Framework

- **Article 44 (DPSP):** "The State shall endeavour to secure for the citizens a Uniform Civil Code throughout the territory of India."
- **Entry 5, List III (Concurrent List):** Covers Marriage, Divorce, Infants, Minors, Adoption, Wills, Intestacy, and Succession.
- **Sarla Mudgal Case (1995):** SC emphasized the need for a UCC to prevent "conversion for bigamy."

Common Traps / Confusing Points

- **Trap 1:** "It is the first UCC in India."
 - *Correction:* **Incorrect.** Goa was the first (Portuguese Civil Code). Uttarakhand is the first to *legislate* it post-1947.
- **Trap 2:** "It applies to all citizens in Uttarakhand without exception."
 - *Correction:* **Incorrect. Tribals (STs)** are exempt.
- **Trap 3:** "Non-registration of live-in relationships attracts only a fine."
 - *Correction:* It attracts **imprisonment** as well.

MCQ Focus: Elimination Clues

- *Statement:* "The Uttarakhand UCC Act abolishes the Hindu Undivided Family (HUF) tax status." → *Note:* It abolishes the coparcenary *system* for succession, which effectively impacts the legal basis of HUF property division.
- *Statement:* "The Act was implemented without Presidential assent as it is a State subject." → **Incorrect** (Concurrent List requires President's assent to prevail over Central law).
- *Statement:* "The Code applies to the Tharu and Buksa tribes of Uttarakhand." → **Incorrect** (They are STs, hence exempt).

8. SC RULING ON ARTISTIC FREEDOM VS. OBSCENITY

(Current Context)

- **The Ruling:** The Supreme Court granted **interim protection from arrest** to the content creators (Ranveer Allahabadi).
- **Key Observation:** While the Court flagged the content as "vulgar," it emphasized that **criminal proceedings (arrests)** are a drastic step for artistic expression.
 - *Principle:* Public intolerance or "outrage" cannot override the Constitutional guarantee of **Article 19(1)(a)**.

The Legal Distinction: Vulgarity vs. Obscenity (Crucial Concept)

Indian law distinguishes between "Vulgarity" (which is tolerated/distasteful) and "Obscenity" (which is criminal).

- **Vulgarity:**
 - Refers to conduct that is crude, coarse, or lacks refinement.
 - *Status:* Generally **protected** under **Free Speech** unless it crosses the threshold into obscenity.
- **Obscenity:**
 - Refers to content that appeals to "**prurient interests**" (lustful desires) and has the tendency to "**deprave and corrupt**" the mind.
 - *Status:* **Not protected**. It is a valid ground for restriction under **Article 19(2)** ("Decency or Morality").
 - **Defamation** is *both* a Civil Wrong and a Criminal Offence.
 - **Obscenity** and **Hate Speech** are primarily Criminal Offences
 - "Hate Speech" is **NOT defined** in any Indian Statute (IPC/BNS).

Relevant Statutes

1. **Indian Penal Code (IPC) / Bharatiya Nyaya Sanhita (BNS):**
 - **Section 296, BNS:** Punishes "obscene acts or songs" in any public place to the annoyance of others.
 - **Section 294, BNS:** Prohibits the sale/distribution of obscene books/content.
2. **Information Technology Act, 2000:**
 - **Section 67:** Punishes publishing or transmitting **obscene material** in electronic form.
 - *Penalty:* Imprisonment up to 3 years (first conviction).

The "Community Standards" Test (Judicial Precedent)

How does the Court decide if a comedy set is "Obscene"?

- **Old Standard: Hicklin Test (1868)** – If *any* isolated part of the work could corrupt a vulnerable person (like a child), the *whole* work was banned. (Discarded by SC).

- **Current Standard: Ayeek Sarkar vs. State of West Bengal (2014)** – The SC adopted the "**Community Standards Test**".
 - **Criteria:** The work must be judged **as a whole**.
 - **Benchmark:** Would the work offend the "Average, Reasonable Person" applying contemporary community standards? (Hypersensitive persons are *not* the benchmark).

Common Traps / Confusing Points

- **Trap 1:** "Obscenity is defined in the Constitution."
 - **Correction: No.** It is mentioned as **a ground for restriction in Art 19(2)**, but *defined* by Courts and IPC sections.
- **Trap 2:** "Vulgarity is a criminal offence under Section 294 IPC."
 - **Correction: Incorrect.** Only *Obscenity* is penalised. Mere vulgarity is not a crime.
- **Trap 3:** "The Hicklin Test is currently used to determine obscenity in India."
 - **Correction: Incorrect.** It was overruled by the *Ayeek Sarkar* judgment (2014).

MCQ Focus: Elimination Clues

- **Statement:** "The Supreme Court has held that protection of public morality allows the State to ban all forms of vulgar comedy." → **Incorrect** (Only 'Obscenity' falling under reasonable restrictions can be banned; vulgarity is often protected).
- **Statement:** "Under the IT Act, 2000, publishing sexually explicit content is a non-bailable offence." → **Correct** (Section 67A/67B are stringent).
- **Statement:** "Freedom of Speech under Article 19(1)(a) is absolute for stand-up comedians." → **Incorrect** (Subject to Art 19(2) - Decency/Morality).

9. SENIOR CITIZENS' RIGHT TO EVICT RELATIVES (MAINTENANCE ACT, 2007)

- **Context:** The Supreme Court clarified the extent to which Senior Citizens can use the **2007 Act** to evict relatives (children/heirs) from their property.
- **Key Verdict:** The **Maintenance Tribunal** constituted under the Act **has the power** to order the eviction of children/relatives from the property of a senior citizen.
- **Overruling High Courts:** The SC set aside contradictory judgments from various High Courts (some of which had held that Tribunals can only order *monetary* maintenance, not eviction).

The Statute: Maintenance and Welfare of Parents and Senior Citizens Act, 2007

- **Objective:** To provide a speedy and inexpensive mechanism for the maintenance of parents and senior citizens.
- **Key Definitions:**
 - **Senior Citizen:** Any Indian citizen aged **60 years or above**.
 - **Parent:** Father or mother (biological, adoptive, or **step-parent**). **Need not be a senior citizen** (e.g., a 55-year-old mother can claim maintenance).
 - **Maintenance:** Includes food, clothing, residence, and medical attendance.
- **The Tribunal:**
 - Presided over by an officer not below the rank of **Sub-Divisional Officer (SDO)**.

- **Legal Representation:** Lawyers are BARRED from representing parties by Statute (Sec 17), but Courts have allowed it under Advocates Act

Section 23: The "Revocation of Property Transfer" Clause

This is the strongest provision in the Act:

- **Scenario:** If a senior citizen transfers property (gift/deed) to a child/relative *on the condition* that they will provide basic amenities/physical needs...
- **Violation:** ...and if the transferee **refuses** to provide such amenities.
- **Consequence:** The Tribunal can declare the transfer **VOID** (deemed to have been made by fraud/coercion/undue influence).
 - *Effect:* The senior citizen gets the property ownership back.

Static-Current Linkage

- **Article 41 (DPSP):** State shall make effective provision for securing the right to public assistance in cases of **old age**, sickness, and disablement.
- **Article 21:** Right to Life includes the right to live with **dignity**. The SC interpreted "Maintenance" essentially as a tool to protect Article 21 rights of the elderly.

Common Traps / Confusing Points

- **Trap 1:** "Only biological parents can claim maintenance under this Act."
 - *Correction:* **Step-parents** and **Adoptive parents** are also covered. Even **childless senior citizens** can claim maintenance from relatives who would inherit their property.
- **Trap 2:** "The Act applies only to parents aged 60+."
 - *Correction:* For "**Parents**," there is **NO age limit** to claim maintenance (a 50-year-old destitute mother can claim). For "**Senior Citizens**" (non-parents), the age is 60+.
- **Trap 3:** "Appeals against Tribunal orders go to the High Court."
 - *Correction:* Appeals first go to the **Appellate Tribunal**, then to the High Court.
- **Trap 4:** "Lawyers can argue cases in the Tribunal."
 - *Correction:* **Section 17** explicitly **prohibits** legal practitioners.

MCQ Focus: Elimination Clues

- *Statement:* "The Maintenance Tribunal can order the eviction of a son from the father's house only if the son is abusive." → **Correct** (Harassment/non-maintenance is ground for eviction).
- *Statement:* "Under the 2007 Act, property transfers made by senior citizens are irrevocable." → **Incorrect** (Section 23 makes them revocable if conditions are violated).

10. COPYRIGHT, FAIR DEALING & ANI VS. YOUTUBERS CASE

(The Case Context)

- **The Dispute:** ANI (news agency) issued copyright strikes against several YouTubers for using its footage in their commentary/news videos. ANI also filed lawsuits for **Defamation** and **Trademark Disparagement**.
- **YouTuber's Defense:** They claimed "**Fair Dealing**" under **Section 52** of the Copyright Act, arguing the clips were used for "**Criticism, Review, and News Reporting**".
- **Key Judicial Intervention (Delhi High Court - 2025):**
 - The Court refused to order a "blanket takedown" of the videos.
 - Instead, it ordered a "**Surgical Removal**" (red-lining) of specific *defamatory* portions (e.g., calling ANI "extortionist") while preserving the legitimate commentary.

- **Significance:** It reinforces that copyright cannot be weaponized to silence criticism, but "reputation" (Defamation) is a separate restriction.

Statutory Framework: Copyright Act, 1957

- **Section 52 (The "Fair Dealing" Clause):**

- This section lists specific exceptions where using copyrighted material **does NOT** constitute infringement.
- **Key Permitted Acts:**
 1. **Private/Personal Use** (including Research).
 2. **Criticism or Review** (of that work or any other work).
 3. **Reporting Current Events** (News reporting).

- **Section 14:** Grants **Exclusive Rights** to the copyright owner (to reproduce, store, communicate to the public).

- **Section 37:** Protecting "Broadcast Reproduction Rights" (often cited by News Agencies).

"Fair Dealing" (India) vs. "Fair Use" (USA)

- **India (Fair Dealing):**

- **Restrictive/Exhaustive:** You are protected *only* if your usage falls into the specific categories listed in **Section 52**. If it's not on the list, it's infringement.
- **No Statutory Definition:** The term "Fair Dealing" itself is **not defined** in the Act; it is interpreted by courts based on facts.

- **USA (Fair Use):**

- **Broad/Illustrative:** It is an open-ended doctrine based on a **4-Factor Test** (Purpose, Nature, Amount, Effect on Market). It is generally more flexible than Indian law.

Key Judicial Doctrines

1. **De Minimis Non Curat Lex:** "The law does not concern itself with trifles."
 - Used as a defense when the usage is so minimal (e.g., 5 seconds of a 1-hour video) that it causes no harm.
2. **The 3-Factor Test (Civic Chandran Case):** To determine Fair Dealing in India:
 - **Quantum:** Amount of work used.
 - **Purpose:** Commercial vs. Non-commercial/Educational.
 - **Competition:** Does it steal the market of the original work?

Common Traps / Confusing Points

- **Trap 1:** "Fair Use is a statutory right in India."
 - *Correction:* India follows **Fair Dealing** (Section 52), not the US doctrine of "Fair Use."
- **Trap 2:** "News agencies have perpetual copyright on their footage."
 - *Correction:* Broadcast Reproduction Rights (Section 37) last for **25 years**. Copyright in works (films/sound) generally lasts for **60 years**.
- **Trap 3:** "Giving credit to the original author automatically makes it Fair Dealing."
 - *Correction:* **False**. Attribution is necessary but *insufficient*.

MCQ Focus: Elimination Clues

- *Statement:* "The Copyright Act, 1957 explicitly defines the term 'Fair Dealing'." → **Incorrect** (It lists exceptions but doesn't define the *term*).

- Statement: "Use of copyrighted material for reporting current events constitutes infringement if permission is not taken." → **Incorrect** (Protected under Section 52(1)(b)).

Comparative Framework: IPR Regime in India

Feature	Copyright	Patent	Trademark	Geographical Indication (GI)
Subject Matter	Creative Works: Literary, artistic, musical, films, software code.	Inventions: New products or processes involving an inventive step & industrial application.	Brand Identity: Logos, symbols, words, sounds, shapes that distinguish goods/services.	Origin: Goods with specific quality/reputation attributable to a specific geographical origin .
Governing Statute	Copyright Act, 1957	Patents Act, 1970	Trade Marks Act, 1999	GI of Goods Act, 1999
Nodal Department	DPIIT (Min. of Commerce & Industry)*	DPIIT (Min. of Commerce & Industry)	DPIIT (Min. of Commerce & Industry)	DPIIT (Min. of Commerce & Industry)
Duration of Protection	Lifetime of Author + 60 Years (from year of death).	20 Years (from date of filing). <i>Non-renewable.</i>	10 Years. <i>Perpetually Renewable</i> every 10 years.	10 Years. <i>Perpetually Renewable</i> every 10 years.
Registration Mandatory?	No. Right exists from moment of creation. (Registration helps in evidence).	Yes. No protection without registration.	No. (Unregistered marks protected under common law tort of "Passing Off").	Yes. Mandatory for claiming rights.



UNION EXECUTIVE

1. DEDICATED CELL FOR MERCY PETITIONS

(Current Context)

- **Action:** The **Maharashtra Home Department** has established a dedicated "**Mercy Petition Cell**".
- **Objective:** To expedite the processing of mercy petitions filed by death row convicts.
- **Trigger:** To comply with the strict **timelines** mandated by the new criminal code, **Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023**.
 - **Significance:** Delay in deciding mercy petitions is a valid ground for commuting a death sentence to life imprisonment (*Shatrughan Chauhan vs. UOI, 2014*). This cell aims to eliminate such "inordinate delays."

Statutory Framework: BNSS, 2023 (Crucial Changes)

The BNSS (Sections 472 & 473) has codified the procedure for mercy petitions, which was earlier largely convention-based.

- **Section 472(1):** A convict can file a mercy petition within **30 days** of the dismissal of their appeal by the Supreme Court.
- **Single Petition:** The petition can be filed initially to the **President** or the **Governor**.
- **Timeline for Govt:** The Centre/State Govt must seek the Governor's/President's comments and place the petition before them within **60 days**.
- **Finality:** The decision of the President under Article 72 is final Statutorily under (Sec 472), but subject to Judicial Review (Art 32/226)

Constitutional Powers: President vs. Governor

Feature	President (Article 72)	Governor (Article 161)
Jurisdiction	Cases under Union Law & Court Martial .	Cases under State Law .

Death Sentence	Can Pardon, Reprieve, Respite, Remit, Suspend, Commute death sentences.	Can Suspend, Remit, or Commute a death sentence. CANNOT Pardon (i.e., completely absolve) a death sentence.*
Court Martial	Can grant pardon for Court Martial sentences.	NO power over Court Martial sentences.

Static-Current Linkage

- **Shatrughan Chauhan Case (2014):** Supreme Court ruled that "**Undue Delay**" in deciding a mercy petition is a violation of **Article 21** (Right to Life) and is a ground for **commutation** to life imprisonment.
- **Epuru Sudhakar Case (2006):** Established that the clemency power is subject to **Judicial Review** if it is exercised:
 - Without application of mind.
 - On political considerations.
 - Mala fide.

Common Traps / Confusing Points

- **Trap 1:** "The Governor has no power regarding death sentences."
 - *Correction:* The Governor cannot *Pardon* (acquit/free fully), but can **suspend, remit, or commute** (change death to life) a death sentence.
- **Trap 2:** "Under BNSS, there is no time limit for filing a mercy petition."
 - *Correction:* BNSS introduces a strict **30-day limit** for the convict to file after SC dismissal.
- **Trap 3:** "The President acts on his own discretion for mercy petitions."
 - *Correction:* The President is bound by the **advice of the Council of Ministers** (*Maru Ram vs Union of India*).

MCQ Focus: Elimination Clues

- *Statement:* "The Bharatiya Nagarik Suraksha Sanhita (BNSS) allows the convict to file a mercy petition at any time before execution." → **Incorrect** (30-day window).
- *Statement:* "Judicial Review of the President's decision on a mercy petition is completely barred." → **Incorrect** (Limited review exists).

2. LEGAL STANDING OF 'BLOOD MONEY' (DIYAT)

(Current Context)

- **Case Focus: Nimisha Priya**, an Indian nurse on death row in Yemen for the murder of a Yemeni national.
- **The Issue:** The Indian government informed the Supreme Court that "**Blood Money**" is the *only* option to save her from execution, as legal appeals have been exhausted.
- **Term:** Known as '**Diyat**' in Islamic Sharia law.
- **Mechanism:** It is financial compensation paid to the victim's family (heirs) in exchange for pardoning the convict. If accepted, the death sentence (Qisas) is dropped.

Legal Status in India (Crucial for MCQs)

- **General Rule:** India's legal system **DOES NOT** recognize "Blood Money."
 - *Principle:* Murder is considered a **crime against the State**, not a private dispute between two families. Therefore, a private compromise (paying money) cannot quash a murder charge.

• **The Exception (Italy Marines Case, 2021):**

- The Supreme Court closed criminal proceedings against two Italian marines who killed Kerala fishermen after Italy paid ₹10 crore compensation.
- *Legal Basis:* The SC used its **extraordinary power under Article 142** (to do "complete justice"), interpreting the compensation as an "ex-gratia" payment under international arbitration awards, *not* technically as "blood money" under Indian penal law.

Comparison: Blood Money vs. Plea Bargaining (India)

India has "**Plea Bargaining**" (introduced in 2005), but it is distinctly different from Blood Money.

Feature	Blood Money (Diyat)	Plea Bargaining (India)
Applicability	Applies to Murder (Heinous crimes) & Bodily harm.	NOT applicable to Murder or crimes with Death/Life sentence.
Crimes Covered	Intentional/Unintentional Killing.	Only offences with punishment < 7 years .
Exclusions	-	Excluded: Crimes against Women, Children (<14 yrs), or affecting socio-economic condition.
Outcome	Full Pardon (Acquittal/Release).	Reduced Sentence (Conviction remains, but jail time decreases).

Common Traps / Confusing Points

- **Trap 1:** "The Indian Government pays Blood Money for its citizens abroad."
 - *Correction:* **Incorrect.** The Government of India (MEA) facilitates diplomatic negotiations but **does NOT pay** the blood money from the Consolidated Fund of India.
- **Trap 2:** "Plea Bargaining in India is available for all crimes."
 - *Correction:* **Incorrect.** It is barred for heinous crimes (Murder, Rape) and crimes against women/children.

MCQ Focus: Elimination Clues

- *Statement:* "The Code of Criminal Procedure (CrPC) allows for the compounding of murder charges if the victim's family accepts compensation." → **Incorrect** (Murder is a non-compoundable offence in India).
- *Statement:* "The Supreme Court invoked Article 142 to allow compensation in the Enrica Lexie (Italian Marines) case." → **Correct.**

3. CONSTITUTION (130TH AMENDMENT) BILL, 2025

(The Bill)

- **Objective:** To mandate the removal of high constitutional functionaries (Prime Minister, Chief Ministers, and Ministers) if they are arrested and detained in custody for **serious offences**.
- **Trigger Event:** If the functionary remains in custody for **30 consecutive days**.
- **Scope of "Serious Offence":** Any offence punishable with imprisonment of **5 years or more** under any law for the time being in force.

Key Constitutional Amendments

The Bill proposes to insert new clauses in the following Articles:

1. **Article 75:** Regarding Union Ministers & Prime Minister.
2. **Article 164:** Regarding State Ministers & Chief Ministers.
3. **Article 239AA:** Regarding Ministers/CM of NCT of Delhi.

The "31st Day" Mechanism (Automatic Cessation)

- **For Ministers (Union/State):**
 - If detained for 30 days, the PM/CM *must* advise the President/Governor to remove them.
 - **Automatic Removal:** If no advice is tendered, the Minister **automatically ceases** to hold office from the **31st day**.
- **For Prime Minister / Chief Minister:**
 - They **must resign** by the 31st day of detention.
 - If they do not resign, they **automatically cease** to hold office from the day falling thereafter.

Rationale & Legal Basis

- **Statement of Objects & Reasons:** Cites "Constitutional Morality" and the need to maintain integrity in public life (preventing governance from jail).
- **Manoj Narula vs. Union of India (2014):** The SC observed that persons with criminal antecedents should not be Ministers, though it left it to the "wisdom" of the PM/CM. This Bill seeks to make that expectation a **legal mandate**.

Static-Current Linkage (The "Disqualification" Gap)

- **Current Law (RPA, 1951):** A legislator (MP/MLA) is disqualified only upon **conviction** (Section 8). Mere arrest/trial does not disqualify them.
- **The Gap:** Currently, there is no specific bar in the Constitution preventing a jailed person (undertrial) from continuing as a Minister/CM, provided they don't miss House proceedings for **60 days** (Article 101/190).
- **This Bill:** Shifts the bar from "Conviction" to "**Prolonged Detention**" (**30 days**) for Ministers.

Common Traps / Confusing Points

- **Trap 1:** "The Bill disqualifies the person from being an MP/MLA."
 - *Correction:* **NO**. It only removes them from the **Ministerial post** (Executive). They continue to be an MP/MLA until convicted.
- **Trap 2:** "The removal is immediate upon arrest."
 - *Correction:* **NO**. It triggers only after **30 consecutive days** of custody.
- **Trap 3:** "A removed Minister cannot be reappointed."
 - *Correction:* The Bill allows for **Reappointment** once the person is released from custody (no permanent ban if not convicted).
- **Trap 4:** "It applies to all offences."
 - *Correction:* Only offences punishable with **5 years or more**.

MCQ Focus: Elimination Clues

- *Statement:* "The 130th Amendment Bill empowers the President to remove a Chief Minister of a State if arrested by the CBI." → **Incorrect** (The mechanism is automatic cessation or removal by the Governor; President removes Union Ministers).

4. PRESIDENT'S RULE IN MANIPUR (2025)

(Current Context)

- **Imposition Date:** President's Rule was imposed in Manipur in **February 2025**.
- **Trigger Event:** Resignation of Chief Minister **N. Biren Singh** amidst ongoing ethnic violence (Meitei-Kuki conflict) and the threat of a no-confidence motion.
- **Historical Context:** This is the **11th time** Manipur has been placed under President's Rule (Manipur now holds the record for highest impositions, surpassing UP).

Constitutional Provisions (Article 356)

- **Grounds for Imposition:**
 - **Article 356:** If the President is satisfied (on Governor's report or *otherwise*) that the State Govt cannot be carried on in accordance with the **Constitution** (Failure of Constitutional Machinery).
 - **Article 365:** If a State fails to comply with any direction given by the Centre, it is lawful for the President to hold that a situation for Article 356 has arisen.
- **Parliamentary Approval:**
 - Must be approved by **both Houses** within **2 months**.
 - **Type of Majority: Simple Majority** (Majority of members present and voting). (*Note: National Emergency requires Special Majority*).
- **Duration:**
 - Initial valid period: **6 months**.
 - Max duration: **3 years** (with approval every 6 months).
 - **Beyond 1 Year:** Extension beyond 1 year is possible *only* if:
 1. A **National Emergency** is in operation.
 2. The **Election Commission** certifies that elections cannot be held.

S.R. Bommai Case (1994) Guidelines (The "Gold Standard")

- **Judicial Review:** The Presidential Proclamation is **subject to Judicial Review**. The Court can examine if the "material" behind the decision was relevant and mala fide.
- **Floor Test:** The majority of the government must be tested on the **floor of the Assembly**, not in the Governor's office (Raj Bhavan).
- **Dissolution Power:** The President **CANNOT dissolve** the Assembly until Parliament approves the Proclamation. Until then, the Assembly can only be **suspended**.
 - *If Parliament rejects it:* The suspended government/assembly revives.
- **Secularism:** Anti-secular politics by a State Govt is a valid ground for Article 356.

Static-Current Linkage

- **Article 355:** Imposes a duty on the Union to protect every State against "**External Aggression**" and "**Internal Disturbance**" and to ensure governance follows the Constitution. The Centre often invokes Art 355 before escalating to Art 356.

- **Revocation:** The President can revoke the proclamation **at any time** by a subsequent proclamation.
 - *Key Point:* **NO Parliamentary approval** is needed for revocation.

Common Traps / Confusing Points

- **Trap 1:** "President's Rule requires a Special Majority for approval."
 - *Correction:* **Incorrect.** It requires only a **Simple Majority.**
- **Trap 2:** "The Assembly is automatically dissolved upon the proclamation."
 - *Correction:* **Incorrect.** It is suspended. Dissolution happens only *after* Parliament approves the proclamation (Bommai guidelines).
- **Trap 3:** "President's Rule can be extended indefinitely."
 - *Correction:* **Incorrect.** Maximum limit is **3 years** (unlike National Emergency which can go indefinitely).

MCQ Focus: Elimination Clues

- *Statement:* "The proclamation of President's Rule in Manipur is immune from Judicial Review." → **Incorrect** (S.R. Bommai case made it justiciable).
- *Statement:* "To extend President's Rule beyond one year, the Election Commission's certificate is mandatory." → **Correct.**
- *Statement:* "Manipur has been under President's Rule for the longest continuous duration in Indian history." → **Incorrect** (Punjab and J&K hold records for longer durations; Manipur has high *frequency*).

5. JUDICIARY VS. EXECUTIVE (SEPARATION OF POWERS)

(Current Controversy)

- **The Trigger:** Vice-President Jagdeep Dhankhar recently criticized the Supreme Court, labeling it a "**Super Parliament**".
- **Key Contentions raised by VP:**
 1. Questioned the Judiciary's power to **set deadlines** for the President/Governor to give assent to Bills.
 2. Criticized the scrapping of the **NJAC Act** (99th Amendment) as undoing the "will of the people."

Constitutional Reality

- **"Super Parliament" Myth:**
 - The Constitution is Supreme, not the Parliament.
 - **Article 13:** Explicitly declares that any law violating Fundamental Rights is *void*. The Judiciary is the **sole interpreter** of whether a law violates the Constitution.
- **Judicial Review of Assent:**
 - While the President/Governor has discretion, "**Undue Delay**" (Pocket Veto used indefinitely) violates the spirit of Parliamentary Democracy.
 - The SC *can* intervene to ensure constitutional compliance (as seen in the recent **Tamil Nadu Governor case**, where the SC ruled that 'Withholding Assent' implies a mandatory return to the Legislature; it does NOT kill the Bill).
- **Accountability:**
 - Judges are **NOT** above the law. They can be removed by Parliament for "**Proved Misbehaviour or Incapacity**" (Article 124(4)).

The Doctrine: Separation of Powers

- **Indian Model:** Unlike the strict separation in the USA, India follows a system of "**Checks and Balances**" with *functional overlap*.
- **Article 50 (DPSP):** "The State shall take steps to separate the judiciary from the executive in the public services of the State."
- **Article 121 & 211:** Parliament/State Legislatures **CANNOT discuss** the conduct of a Judge (except during an impeachment motion).
- **Article 122 & 212:** Courts **CANNOT inquire** into the validity of legislative proceedings on grounds of "procedural irregularity."

Landmark Judgments

- **Kesavananda Bharati Case (1973):** Established that Parliament has the power to amend *any* part of the Constitution, **except** its Basic Structure (which includes Separation of Powers).
- **Ram Jawaya Kapur Case (1955):** SC held that our Constitution does not strictly recognise the doctrine of separation of powers (like the US), but the functions of the different parts or branches of the government are sufficiently differentiated.

Common Traps / Confusing Points

- **Trap 1:** "Separation of Powers is explicitly mentioned in the Preamble."
 - *Correction:* **Incorrect.** It is implied in the Basic Structure and mentioned in **Article 50** (DPSP), not the Preamble.
- **Trap 2:** "The Judiciary can direct the Parliament to enact a specific law."
 - *Correction:* Generally **No.** Under the Separation of Powers, courts cannot legislate. They can only *recommend* or issue guidelines (like *Vishaka Guidelines*) until a law is made (using Article 142).
- **Trap 3:** "The President is answerable to the Supreme Court for all his acts."
 - *Correction:* **Article 361** grants the President and Governors **immunity** from being answerable to any court for the exercise of their powers.

MCQ Focus: Elimination Clues

- *Statement:* "In India, the Doctrine of Separation of Powers is applied strictly as it is in the United States." → **Incorrect** (India follows a flexible model).
- *Statement:* "The Supreme Court has the power to strike down a Constitutional Amendment if it violates the Basic Structure." → **Correct** (NJAC case is the prime example).
- *Statement:* "Article 50 is a Fundamental Right ensuring independent judiciary." → **Incorrect** (It is a DPSP).

6. ELECTION OF THE VICE-PRESIDENT OF INDIA (2025)**(Current Context)**

- **Event:** The 17th Vice-Presidential Election is scheduled for **September 9, 2025**.
- **Returning Officer:** The **Secretary-General of Rajya Sabha** is appointed as the Returning Officer (RO) for this election. (*Note: The post of RO rotates between the Secretary-Generals of Lok Sabha and Rajya Sabha for each election*).
- **Superintendence:** The election is conducted by the **Election Commission of India (ECI)** under Article 324.

The Electoral College (Who Votes?)

- **Article 66(1):** The VP is elected by an electoral college consisting of **members of both Houses of Parliament**.
- **Composition:**
 - **Elected** Members of Rajya Sabha (233).
 - **Nominated** Members of Rajya Sabha (12).
 - **Elected** Members of Lok Sabha (543).
 - *Total Strength: 788 Members.*
- **Value of Vote:** Unlike the Presidential election (where value differs by state population), the value of the vote of every MP in the VP election is **ONE (1)**.

Comparison: VP vs. President Electoral College

Feature	Presidential Election	Vice-Presidential Election
Nominated MPs	Excluded (Cannot vote).	Included (Can vote).
State MLAs	Included (Elected MLAs vote).	Excluded (State Assemblies have NO role).
Delhi/Puducherry MLAs	Included.	Excluded.

The Election Process

- **System:** Proportional Representation by means of the **Single Transferable Vote (STV)**.
- **Voting Mode: Secret Ballot.**
 - *Special Pen:* Electors must use *only* the specific pen provided by the ECI. Using any other pen invalidates the vote.
- **Anti-Defection Law:** Political parties **CANNOT issue a Whip** to their MPs for this election. Voting against party lines does not attract disqualification.

Nomination Requirements (2025)

- **Proposers & Seconders:** A candidate's nomination must be subscribed by at least **20 Electors** as Proposers and **20 Electors** as Seconders. (*For President, it is 50 + 50*).
- **Security Deposit: ₹15,000** (to be deposited with RBI).
- **Maximum Nominations:** A candidate can file a maximum of **4 nomination papers**.

Legal Framework & Disputes

- **Dispute Resolution (Article 71):** All doubts and disputes regarding the election of the VP are decided by the **Supreme Court**, whose decision is **final**.
- **Grounds for Voiding:**
 - Bribery or "Undue Influence" as defined in **Sections 170 & 171 of the Bharatiya Nyaya Sanhita (BNS), 2023**.
 - If the nomination was wrongly rejected.
- **Effect of Voiding:** If the SC declares the election void, acts done by the VP *prior* to that declaration are **NOT invalidated**.

Common Traps / Confusing Points

- **Trap 1:** "The Vice-President is elected by the same electoral college as the President."
 - *Correction: Incorrect.* MLAs are absent, and Nominated MPs are present for VP.

- **Trap 2:** "The Speaker of Lok Sabha acts as the Returning Officer."
 - *Correction:* **Incorrect.** It is the Secretary-General (rotating between LS and RS).
- **Trap 3:** "If the election is delayed, the outgoing VP continues until a successor takes charge."
 - *Correction:* **Correct.** Under Article 67(c), the VP continues to hold office notwithstanding the expiration of the term until the successor enters office.
- **Trap 4:** "The election must be held within 6 months of vacancy."
 - *Correction:* For VP, the Constitution says "as soon as possible" (Article 68), unlike the 6-month mandatory limit for the President.

MCQ Focus: Elimination Clues

- *Statement:* "The value of the vote of a Rajya Sabha MP is higher than that of a Lok Sabha MP in the Vice-Presidential election." → **Incorrect** (All have value 1).
- *Statement:* "The Election Commission, in consultation with the Central Government, appoints the Returning Officer." → **Correct.**

Comparative Framework: Removal of President vs. Vice-President

Feature	President (Impeachment)	Vice-President (Removal)
Constitutional Article	Article 61	Article 67(b)
Grounds for Removal	"Violation of the Constitution" (Term not defined in Constitution).	NO specific ground mentioned in the Constitution. (Can be removed for any reason).
Initiation	Can start in Either House (Lok Sabha or Rajya Sabha).	Can start ONLY in Rajya Sabha.
Notice Period	14 Days (Signed by 1/4th members of the initiating House).	14 Days.
Majority Required (Step 1)	Special Majority: 2/3rd of the Total Membership of the House.*	Effective Majority in Rajya Sabha (Majority of then members).*
Majority Required (Step 2)	Same Special Majority in the second House.	Simple Majority in Lok Sabha (Agreed to).*
Role of Nominated MPs	Can Vote (They participate in removal but not election).	Can Vote (They participate in both).
Role of States (MLAs)	No Role (Unlike election where they vote).	No Role.

7. FURLOUGH VS. PAROLE (PRISONER RIGHTS)

(Current Context)

- **Why in News?** The terms frequently surface due to controversies involving high-profile convicts (e.g., Ram Rahim, Bilkis Bano convicts) being released repeatedly.
- **Legal Basis:**
 - **"Prisons"** is a **State Subject** (List II, Entry 4 of the Seventh Schedule).

- Governed by the **Prisons Act, 1894** and individual **State Prison Manuals**.
- **BNSS, 2023 (Section 473)**: Empowers the "Appropriate Government" to suspend or remit sentences, which forms the statutory basis for these releases.

The Key Difference: Parole vs. Furlough

The Supreme Court (in *State of Gujarat vs. Narayan Sai, 2021* and *Asfaq vs. State of Rajasthan, 2017*) established the following distinctions:

FEATURE	PAROLE	FURLOUGH
Purpose	Granted for a Specific Exigency (e.g., death in family, marriage, serious illness).	Granted to break the monotony of jail life and maintain family ties. No specific reason is needed.
Nature of Right	It is a Privilege, not a right . It can be denied even if the reason is valid.	It is treated as a Conditional Right for the prisoner, provided they meet good conduct.
Effect on Sentence	The period of parole is NOT counted as part of the sentence. (The sentence is "Suspended" during this time).	The period of furlough IS COUNTED as time served. (The sentence "Continues to run").
Granting Authority	Usually the Divisional Commissioner or District Magistrate.	Usually the DG / IG of Prisons .
Frequency	Can be granted multiple times a year based on need.	Limited frequency (e.g., once a year) as per State rules.
Eligibility	Available for short-term and long-term imprisonment.	Usually available only for Long-Term convicts (e.g., Life Convicts) who have served a minimum period (e.g., 5 years).

Landmark Judgments

1. **Asfaq vs. State of Rajasthan (2017):**

- SC ruled that **Furlough** is a tool for "Reform" and keeping the convict connected to society to prevent recidivism (re-offending).
- **Parole** is an administrative relief for specific emergencies.

2. **Home Ministry Guidelines (2020):**

- MHA advised States **NOT** to grant parole/furlough to prisoners involved in:
 - Terrorism (UAPA).
 - Heinous crimes (Rape/Murder).
 - Crimes against the State.

Common Traps / Confusing Points

- **Trap 1:** "Parole is a Fundamental Right under Article 21."

- *Correction: Incorrect.* It is a statutory/administrative privilege.
- **Trap 2:** "The period spent on Parole reduces the total time a convict spends in jail."
 - *Correction: Incorrect.* Parole pauses the clock. If you have a 10-year sentence and go on parole for 1 month, you still serve the full 10 years inside.
- **Trap 3:** "The President/Governor grants Parole under Article 72/161."
 - *Correction: Incorrect.* Parole is granted by administrative authorities (DM/Commissioner)

MCQ Focus: Elimination Clues

- *Statement:* "Furlough is granted to a prisoner only when there is a medical emergency in the family." → **Incorrect** (That is Parole; Furlough needs no specific reason).
- *Statement:* "The period of release on furlough is counted towards the total period of the sentence." → **Correct.**
- *Statement:* "Prison administration is a subject under the Union List." → **Incorrect** (State List).

8. REMISSION OF SENTENCE (EXECUTIVE POWER)

(Current Context)

- **Case Focus:** *Bilkis Bano vs Union of India (Jan 2024).*
- **The Verdict:** The Supreme Court **quashed** the remission granted by the Gujarat Government to 11 life convicts.
- **The Legal Twist:** The Court ruled that the "Appropriate Government" to grant remission is the State where the **offender was sentenced (Trial State)**, NOT the State where the **offence was committed**.
 - *Application:* Since the trial was transferred to **Maharashtra** (to ensure fairness), only the Maharashtra Government had the power to grant remission, not Gujarat.

Legal Framework: Constitutional vs. Statutory

Remission exists on two levels in India:

1. **Constitutional (Articles 72 & 161):**
 - **President (Art 72) & Governor (Art 161):** Have sovereign power to grant pardon, remission, reprieve, etc.
 - *Nature:* It is an executive act of grace. It is **not** subject to the rigid restrictions of the CrPC/BNSS.
2. **Statutory (Sections 432, 433, 433A CrPC / Sec 473, 475 BNSS):**
 - **Section 432 (Sec 473 BNSS):** "Appropriate Government" may remit the whole or part of the punishment.
 - **Section 433A (Sec 475 BNSS) - The 14-Year Rule:**
 - A person serving **Life Imprisonment** (for an offence where death was a possible penalty) **CANNOT** be released on remission unless they have served at least **14 years of actual imprisonment**.

"Life Imprisonment" Clarified

- **Gopal Vinayak Godse vs. State of Maharashtra (1961):** The SC clarified that "Life Imprisonment" means imprisonment for the **rest of the convict's natural life**.
- *Myth Buster:* It is **NOT** automatically 14 years or 20 years. 14 years is merely the *minimum threshold* after which the Executive *can* consider remission. If remission is denied, the convict stays in jail till death.

Common Traps / Confusing Points

- **Trap 1:** "Remission wipes out the guilt of the convict."
 - *Correction:* **Incorrect.** Remission only reduces the *sentence* (duration).
- **Trap 2:** "The State Government can remit sentences in cases investigated by the CBI."
 - *Correction:* **Incorrect.** Under **Section 435 CrPC (Sec 477 BNSS)**, if the case was investigated by a Central Agency (CBI, NIA), the State Govt **MUST consult the Central Govt** before granting remission.
- **Trap 3:** "Life convicts have a Fundamental Right to remission after 14 years."
 - *Correction:* **Incorrect.** There is no *right* to remission;

MCQ Focus: Elimination Clues

- *Statement:* "Under the Code of Criminal Procedure, the power to grant remission lies exclusively with the Governor." → **Incorrect** (It lies with the 'Appropriate Government' as a statutory body; Governor is Constitutional).
- *Statement:* "If a trial is shifted from State A to State B, the 'Appropriate Government' for remission is State A." → **Incorrect** (It is State B - the Trial State).
- *Statement:* "The Supreme Court has held that mass remission without examining individual cases is invalid." → **Correct.**

9. PRESIDENTIAL REFERENCE ON GOVERNOR & PRESIDENT'S POWERS (2025)

(The Context)

- **The Trigger:** In *April 2025*, the Supreme Court (in *State of TN vs Governor*) had imposed **strict timelines** (e.g., 1 month) for Governors to decide on Bills.
- **The Action:** The President of India invoked **Article 143(1)** to seek the Supreme Court's opinion on whether the Judiciary *can* impose such deadlines on high constitutional functionaries (Governor/President).
- **The Verdict (Nov 2025):** A 5-Judge Constitution Bench ruled that **Judiciary CANNOT impose fixed timelines** on the President or Governors, as it violates the **Separation of Powers**.

Key Findings of the Advisory Opinion

1. **No "Deemed Assent":**
 - The Court rejected the concept of "Deemed Assent" (i.e., if a Governor delays, the Bill is automatically considered passed).
2. **Separation of Powers:**
 - Prescribing rigid timelines for the Head of State (President/Governor) amounts to **Judicial Overreach**.
3. **Status of "Withholding Assent":**
 - The Court reiterated that a Governor **cannot sit on a Bill indefinitely**. However, the remedy for delay is **Judicial Review**.
4. **President's Discretion (Article 201):**
 - Confirmed that the President is **NOT bound by any timeline** when a Bill is reserved for their consideration.

Static Theory: Article 143 (Advisory Jurisdiction)

- **Source:** Borrowed from the **Government of India Act, 1935** (Section 213).

- **Two Categories of Reference:**
 - **Article 143(1):** Question of Law/Fact of **Public Importance** (Pre-Constitution or Post-Constitution matters).
 - *SC's Role:* The Court **MAY refuse** to give an opinion (e.g., it refused in the *Ayodhya Case, 1993*).
 - **Article 143(2):** Disputes arising out of **Pre-Constitution Treaties/Agreements**.
 - *SC's Role:* The Court **MUST** give an opinion.
- **Binding Nature:**
 - The opinion is **NOT binding** on the President.
 - The opinion is **NOT a Judgment/Decree** (it is advice).
 - *However:* It carries high judicial weight and is generally respected.

Common Traps / Confusing Points

- **Trap 1:** "The Supreme Court's opinion under Article 143 is binding on the President."
 - *Correction:* **Incorrect.** It is **advisory**.
- **Trap 2:** "The Supreme Court is bound to give an opinion on every reference made by the President."
 - *Correction:* **Incorrect.** Under Art 143(1), the **SC can refuse** (e.g., if the question is political). It is bound only under Art 143(2).

MCQ Focus: Elimination Clues

- *Statement:* "Advisory Jurisdiction of the Supreme Court can be invoked by the Governor of a State." → **Incorrect** (Only by the **President**).
- *Statement:* "Minimum 5 Judges are required to hear a Presidential Reference." → **Correct** (Article 145(3) requires a **Constitution Bench** of 5+ judges).



PARLIAMENT

1. THE IMMIGRATION AND FOREIGNERS ACT, 2025

- **Objective:** To consolidate and modernize India's fragmented immigration laws into a **single comprehensive statute**.
- **Repealed Acts:** This new Act **repeals and replaces** four colonial and older laws:
 1. **The Passport (Entry into India) Act, 1920**
 2. **The Registration of Foreigners Act, 1939**
 3. **The Foreigners Act, 1946**
 4. **The Immigration (Carriers' Liability) Act, 2000**
- **Statutory Status:** It gives formal statutory backing to the **Bureau of Immigration (BoI)**, which previously operated largely on executive orders.

Key Provisions & Institutional Mechanism

1. **Bureau of Immigration (BoI):**
 - The Act formally constitutes the BoI to handle immigration functions (Visa, Entry, Exit).
 - Headed by a **Commissioner of Bureau** appointed by the Central Government.
2. **Digital Reporting Obligations:**
 - **Educational Institutions:** Universities/Colleges must report foreign student details **electronically** to the Registration Officer.
 - **Medical Institutions:** Hospitals must report details of foreign patients and deaths within **7 days**.
 - **Accommodation Keepers:** Mandatory to maintain electronic records of foreign guests and report their arrival/departure.
3. **Carrier Obligations (Airlines/Ships):**
 - **Advance Passenger Information (API):** Carriers must submit a "General Declaration" to Immigration Officers **45 minutes prior** to departure.

- **No Clearance:** Aircraft/Ships cannot leave without immigration clearance.
- 4. **Biometric Data:**
 - Empowers Immigration Officers to collect **biometric information** (photographs, fingerprints) from foreigners upon entry or during their stay.

New Visa & Entry Regimes

- **Visa Categories:** The Act acknowledges 9 categories of e-Visas (including the newly added **Ayush Visa** for medical tourism in traditional medicine).
- **Illegal Entry:** Stricter penalties (up to **3-7 years imprisonment**) for entering without valid documents or using forged passports.
- **Exemptions (The "Nepal-Bhutan" Clause):**
 - Citizens of **Nepal and Bhutan** entering via land/air (from their own countries) are **exempt** from the mandatory visa requirement, provided they carry valid ID (as per the *Immigration and Foreigners (Exemption) Order, 2025*).
 - **OCI Cardholders:** Are covered under specific reporting requirements (e.g., if studying in India), though they have lifelong entry privileges.

Common Traps / Confusing Points

- **Trap 1:** "The Foreigners Act, 1946 is still the primary law for deporting illegal immigrants."
 - *Correction:* **Incorrect.** It has been **repealed**. All deportation powers now flow from the 2025 Act.
- **Trap 2:** "Only the Central Government can deport a foreigner."
 - *Correction:* While the primary power is with the Centre, powers are often **delegated** to District Magistrates (DMs) and Superintendents of Police (SPs), a practice continued under the new framework.

MCQ Focus: Elimination Clues

- *Statement:* "Under the new Act, Universities are legally bound to report the admission of foreign students to the Bureau of Immigration." → **Correct.**
- *Statement:* "The Act introduces a statutory 'Commissioner of Bureau' to head the immigration apparatus." → **Correct.**

2. SANSAD BHASHINI (AI IN PARLIAMENT)

- It is an **Artificial Intelligence (AI)-based** real-time translation system deployed in the Parliament of India.
- **Objective:** To break the language barrier in the House by allowing Members of Parliament (MPs) and the public to hear speeches in their **mother tongue**.
- **Key Feature:** It translates speeches instantly into all **22 Scheduled Languages** (Eighth Schedule).
- **Significance:** Previously, manual interpretation was available only for a few languages (like English, Hindi, and some regional ones) and depended on the availability of interpreters. This tool democratizes participation for MPs who are not fluent in Hindi or English.

The Technology: 'Bhashini' Platform

- **Parent Mission:** Developed under the **Digital India Bhashini Mission**.
- **Nodal Ministry:** **MeitY** (Ministry of Electronics and Information Technology).
- **Mechanism:** It uses **Natural Language Processing (NLP)**.

- **'Bhasagaurav'**: The underlying credo is to treat Indian languages as a resource, creating a "Voice-based Internet" for India.

Constitutional Linkage

- **Article 120**: Prescribes the language to be used in Parliament (Hindi or English).
 - *Provision*: The **Presiding Officer** (Speaker/Chairman) may permit any member who cannot adequately express himself in Hindi/English to address the House in his **Mother Tongue**.
 - *Role of Tech*: Sansad Bhashini makes this proviso practically effective by removing the logistical hurdle of finding manual interpreters for every dialect.
- **Eighth Schedule**: The tool covers the 22 languages listed here.

3. NATIONAL COOPERATIVE POLICY 2025

- **Launch Context**: Replacing the 23-year-old policy of **2002**, this new policy aligns with the vision of "**Sahkar-se-Samridhi**" (Prosperity through Cooperation).
- **Global Context**: 2025 is designated as the **UN International Year of Cooperatives**.
- **Drafting Committee**: Formulated by a 48-member committee headed by **Suresh Prabhu** (Former Union Minister).
- **Objective**: To make cooperatives a "Second Engine" of India's growth and achieve the goal of **Viksit Bharat by 2047**.
- **Institutional Shift**: This is the first major policy since the creation of the separate **Ministry of Cooperation** (2021).

Key Targets & Pillars (The "6 Pillar" Strategy)

The policy is built on **6 Strategic Pillars**:

1. **Strengthening the Foundation** (Legal reforms).
2. **Promoting Vibrancy** (New business ecosystems).
3. **Making Cooperatives Future-Ready** (Technology/AI).
4. **Promoting Inclusivity** (Focus on Women/SC/ST).
5. **Entering New Sectors** (Green Energy, Tourism).
6. **Shaping the Young Generation** (Skill development).

Quantifiable Targets:

- **Universal Reach**: Establish at least **one cooperative society in every village** (Primary Agricultural Credit Society - PACS).
- **Growth**: Increase the number of cooperatives by **30%**.
- **Membership**: Bring **50 crore** citizens into the active cooperative fold.
 - **GDP**: Triple the cooperative sector's contribution to GDP by **2034**.

Major Initiatives under the Policy

1. Model Cooperative Village:

- Target to develop **5 Model Cooperative Villages per Tehsil**.
- These villages will act as self-reliant units driven by cooperative economic models.

2. Tribhuvan Sahkari University:

- Establishment of India's first **National Cooperative University** for professional training and capacity building.

3. "Sahkar Taxi" & Gig Economy:

- Introduction of cooperative models in the **Gig Economy** (e.g., app-based taxis) to ensure profits go to drivers (owners) rather than aggregators.

4. White Revolution 2.0:

- Focus on expanding dairy cooperatives to uncovered panchayats and empowering women.

5. Digitalization:

- **Cooperative Stack:** Developing a digital public infrastructure for cooperatives.
- **Computerization of PACS:** Connecting all PACS to a common national software (ERP).

Constitutional & Legal Framework (Static Linkage)

- **Subject:** "Cooperative Societies" is a **State Subject** (Entry 32, List II, Seventh Schedule).
 - *Exception:* **Multi-State Cooperative Societies (MSCS)** are regulated by the Centre (MSCS Act, 2002).
- **97th Constitutional Amendment Act, 2011:**
 - **Article 19(1)(c):** Made forming a cooperative society a **Fundamental Right**.
 - **Article 43B (DPSP):** State shall promote voluntary formation and democratic control of cooperatives.
 - **Part IX-B (Articles 243ZH to 243ZT):** Mandates specific rules for incorporation, elections, and audit.
 - *Judicial Check:* In **Union of India v. Rajendra N. Shah (2021)**, the Supreme Court struck down Part IX-B for **State Cooperatives** (for lack of ratification) but upheld it for **Multi-State Cooperatives**.

Common Traps / Confusing Points

- **Trap 1:** "The Policy mandates the Centre to take over all cooperative banks."
 - *Correction:* **Incorrect.** Banking regulation remains with RBI (under Banking Regulation Act), and administrative control of state co-ops remains with the State Registrar of Cooperatives (RCS).
- **Trap 2:** "The 97th Amendment is fully valid for all cooperatives."
 - *Correction:* **Incorrect.** The SC declared it **unconstitutional** for state-level societies (for violating federal principles) but **valid** for Multi-State Societies.
- **Trap 3:** "There was no national policy before 2025."
 - *Correction:* There was a **National Policy on Cooperatives, 2002**.

MCQ Focus: Elimination Clues

- *Statement:* "The National Cooperative Policy 2025 aims to replace the State Cooperative Acts with a single Central Act." → **Incorrect** (Cooperation is a State subject; the policy guides states to adopt model bye-laws, not replace laws forcibly).
- *Statement:* "Establishing a cooperative society is a Fundamental Right under Article 19." → **Correct**.
- *Statement:* "The policy introduces 'Sahkar Taxi' to promote cooperative models in the gig economy." → **Correct**

Comparative Table: PACS vs. FPOs vs. SHGs

Feature	Primary Agricultural Credit Society (PACS)	Farmer Producer Organization (FPO)	Self-Help Group (SHG)
Primary Objective	To provide Short-term Credit (loans) and input services to farmers.	To aggregate produce for better Market Access & Bargaining Power .	To promote Savings & Thrift among members and provide internal lending.

Legal Status	Registered under the State Cooperative Societies Act .	Can be registered under the Companies Act OR Cooperative Societies Act .	Informal association. Usually not registered, but linked to banks via NABARD's SHG-Bank Linkage Program .
Membership	Primarily Farmers .	Primarily Producers (Milk producers, Fishermen, Weavers, etc.).	Homogeneous group of Poor/Marginalized individuals (mostly Women)
Governing Structure	Democratic: One Member, One Vote.	Professional: Board of Directors + CEO.	Participatory: Consensus-based decision making.
Key Promoter/Nodal Agency	State Government / DCCB (District Central Cooperative Bank).	SFAC (Small Farmers' Agribusiness Consortium) / NABARD / NCDC .	NRLM (National Rural Livelihood Mission) / NABARD / NGOs.

4. THE PROMOTION AND REGULATION OF ONLINE GAMING ACT, 2025

- **Objective:** To create a centralized framework that **promotes** "E-Sports" and "Social Gaming" while **prohibiting** "Online Money Games" (Real Money Gaming).
- **Nodal Ministry: Ministry of Electronics and IT (MeitY).**
- **Key Legal Change:** It effectively **abolishes the distinction** between "Game of Skill" and "Game of Chance" *when money is involved*.
 - *Impact:* Previously, skill-based games (like Fantasy Sports/Poker) were protected by Supreme Court judgments. Under this Act, if a game involves **monetary stakes**, it is classified as an "Online Money Game" and prohibited, regardless of the skill element.

Key Definitions & Classifications

The Act divides online games into three distinct categories:

1. Online Money Game (Prohibited):

- Any game where a user deposits money/stakes with the **expectation of winning** monetary enrichment.
- *Status:* **Banned**. Offering, advertising, or facilitating payments for these is a non-bailable offence.

2. Online Social Game (Permitted):

- Games played solely for entertainment/recreation **without any monetary stakes** or winnings.
- *Status:* **Regulated** (Must register with the Authority).

3. E-Sports (Promoted):

- Defined as competitive video gaming events (tournaments) where the outcome depends on **physical dexterity, mental agility, and strategic thinking**.
- *Status:* **Encouraged**. The Government will set up training academies and recognize it as a sport.

Institutional Framework

- **National Online Gaming Commission (NOGC):**
 - A central regulatory body established to:
 - Classify games (Social vs. Money).
 - Register permissible platforms.
 - Handle grievances.
- **Independent Safety:** The Act mandates **Age-Gating** (verification of user age) and strict **KYC norms** even for permissible social games to prevent addiction and minor usage.

Constitutional Conflict (Mains/Statement Linkage)

- **Centre vs. State (Federalism):**
 - *State Argument:* "Betting and Gambling" is strictly a **State Subject** (Entry 34, List II).
 - *Centre Argument:* Online gaming operates across borders via the internet/telecom, falling under "**Communication**" (Entry 31, List I) and "**Inter-State Trade**" (Entry 42, List I).
- **Article 19(1)(g):**
 - Critics argue the blanket ban on skill-based money games violates the Fundamental Right to trade (Right to Profession), citing *K.R. Lakshmanan v. State of Tamil Nadu* (where SC held horse racing/skill games cannot be banned).

Common Traps / Confusing Points

- **Trap 1:** "The Act legalizes betting apps if they pay 28% GST."
 - *Correction: Incorrect.* Taxation (GST) and Legality are separate. Even if tax is paid, offering a prohibited "Online Money Game" is a criminal offence under this Act.
- **Trap 2:** "Fantasy Sports are exempt from the ban because they are games of skill."
 - *Correction: Incorrect.* Under the 2025 Act, if the Fantasy Sport involves *paying entry fees to win money*, it falls under the "Online Money Game" prohibition.
- **Trap 3:** "The Act is implemented by the Ministry of Youth Affairs and Sports."
 - *Correction: Incorrect.* While Sports Ministry handles E-sports promotion, the *Regulator* and the *Act* are under **MeitY**.

5. SPEAKER'S INACTION ON DEFECTION PETITIONS

(Current Context)

- **The Issue:** The Supreme Court condemned the trend of Speakers "sitting on" disqualification petitions indefinitely, effectively defeating the purpose of the **Tenth Schedule** (Anti-Defection Law).
- **Power to Direct:** The SC clarified that Constitutional Courts **CAN direct** the Speaker to decide pending disqualification petitions within a "**Reasonable Timeframe.**"
- **Article 142:** If the Speaker fails to comply with the timeline, the SC can invoke its **extraordinary powers under Article 142** to remove the disqualification proceeding from the Speaker's jurisdiction or pass orders itself.

The "Reasonable Time" Precedent

- **Keisham Meghachandra Singh Case (2020):**
 - The SC held that a period of **3 months** is generally reasonable for a Speaker to decide a disqualification petition, absent exceptional circumstances.

Judicial Framework: Review of Speaker's Decision

The Speaker's power under the **Tenth Schedule** is that of a **Quasi-Judicial Tribunal**.

Landmark Case	Key Principle
Kihoto Hollohan (1992)	Judicial Review is permissible ONLY after the Speaker has made a final decision . Courts cannot intervene at the interlocutory (intermediate) stage. <i>(Exception added later: unless there is 'total inaction')</i> .
Ravi S. Naik (1994)	The Speaker acts as a neutral adjudicator , not a political figure.
Nabam Rebia (2016)	A Speaker CANNOT decide disqualification petitions if a resolution for their own removal is pending.

Independent Tribunal (Proposed Reform)

- In the **Karnataka MLAs Case (2020)** and recent observations, the SC has suggested that Parliament should amend the Constitution to strip the Speaker of disqualification powers.
- **Alternative:** Disqualification disputes should be decided by an **Independent Tribunal** (headed by retired judges) to ensure impartiality, as Speakers are invariably political appointees.

Common Traps / Confusing Points

- **Trap 1:** "The Supreme Court can disqualify a member directly."
 - *Correction:* Generally, the SC directs the Speaker to decide. However, under **Article 142**, the SC has disqualified a Minister (in the Manipur case) when the Speaker refused to act for years.
- **Trap 2:** "Judicial Review is barred under the Tenth Schedule."
 - *Correction:* **Incorrect.** Paragraph 6 says the Speaker's decision is final, but *Kihoto Hollohan* struck this down as unconstitutional. Judicial Review is fully applicable on grounds of mala fide, perversity, or violation of natural justice.
- **Trap 3:** "The Governor can direct the Speaker to decide disqualification."
 - *Correction:* **Incorrect.** The Speaker is master of the House. The Governor cannot interfere in the internal legislative proceedings (Article 212). Only Courts can review quasi-judicial acts.

MCQ Focus: Elimination Clues

- *Statement:* "The Constitution mandates a 6-month time limit for the Speaker to decide defection cases." → **Incorrect** (No time limit in Constitution; '3 months' is a judicial guideline).
- *Statement:* "The decision of the Speaker regarding disqualification is immune from judicial review." → **Incorrect** (Subject to JR).
- *Statement:* "The Supreme Court can invoke Article 142 to effectively decide a disqualification petition if the Speaker fails to act." → **Correct**.

6. PRIVATE MEMBER'S BILL

- **Who is a "Private Member"?**
 - Any Member of Parliament (MP) who is **NOT a Minister**.
 - Even an MP from the **Ruling Party** is a "Private Member" if they do not hold a ministerial portfolio.

- **What is a PMB?** A bill introduced by such a member for legislative consideration.
- **Current Context (2025):** The PRS Legislative Research highlights a sharp **decline** in the time allotted and discussed for PMBs.
 - In the 17th Lok Sabha (2019-24), despite 700+ introductions, only **2** were discussed in Lok Sabha.
- **Historical Success:**
 - Total PMBs passed since 1952: **14**.
 - Last PMB passed: **The Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Bill, 1970**.
 - *Result:* No Private Member's Bill has become an Act in the last **55 years**.

Procedure & Admissibility (High Yield)

- **Notice Period:** The member must give at least **1 Month's Notice** before introducing the Bill. (Govt bills need 7 days).
- **Drafting:** The responsibility of drafting lies entirely with the **Member concerned** (unlike Govt bills drafted by the Law Ministry).
- **Admissibility Check:** The Speaker (LS) or Chairman (RS) decides on the admissibility.
- **The "Friday" Rule:** PMBs are taken up for discussion *only* on **Fridays** (usually the last 2.5 hours of the sitting).
- **The Ballot System:** Since hundreds of PMBs are introduced, a **Ballot (Lottery) System** determines which bills are actually taken up for discussion.

Comparative Table: Public Bill vs. Private Member Bill

Feature	Public Bill (Government Bill)	Private Member Bill
Introduced By	A Minister .	Any MP other than a Minister .
Notice Period	7 Days .	1 Month .
Impact of Rejection	Defeat in Lok Sabha may lead to the Resignation of the Government (Loss of Confidence).	Rejection has NO implication on the government's stability.
Drafting Support	Law Ministry / Dept.	Member's own resources.
Time Allotted	Can be discussed on any day.	Discussed only on Fridays .

Significance vs. Reality

- **Why they matter:** They act as a "pathfinder" for legislation.
 - *Example:* The **Transgender Persons (Protection of Rights) Bill, 2014** (passed in RS, initiated by Tiruchi Siva) forced the Govt to bring its own law later.
- **The "Veto" Power:** Even if a PMB passes the ballot, the **Committee on Private Members' Bills and Resolutions** (Lok Sabha) classifies bills into Category A (urgent) and Category B. Only 'A' get priority.

Common Traps / Confusing Points

- **Trap 1:** "Private Member Bills can only be introduced by Opposition MPs."
 - *Correction:* **Incorrect**. Ruling party MPs (non-ministers) introduce them frequently.
- **Trap 2:** "The President's prior recommendation is never required for PMBs."

- *Correction: **Incorrect.*** If a PMB involves expenditure from the Consolidated Fund of India (Financial Bill) or formation of new states, **Prior Recommendation** is mandatory, just like for Govt bills.
- **Trap 3:** "A Private Member Bill has never been passed in India."
 - *Correction: **Incorrect.*** 14 have been passed (though none recently).

7. PARLIAMENTARY MOTIONS

The "Big Four" Motions In the Parliament -

Feature	Adjournment Motion	Privilege Motion	Censure Motion	No-Confidence Motion
Primary Purpose	To draw attention to a definite matter of urgent public importance	To censure a Minister for committing a breach of privilege	To censure the Govt for specific policies or actions.	To ascertain if the Govt still enjoys the confidence of the House.
House	Lok Sabha Only	Both Houses (LS & RS).	Lok Sabha Only.	Lok Sabha Only.
Support Needed	50 Members to admit.	No fixed number (Speaker/Chairman decides).	No leave of House required (Speaker decides).	50 Members to admit.
Scope of Target	The Government (generally).	An Individual Minister.	Individual Minister, Group of Ministers, or Whole Council.	Entire Council of Ministers ONLY.
Reasons Required?	Yes , the matter must be specific and urgent.	Yes , specific breach must be cited.	Yes , specific reasons/charges must be stated.	NO. No reasons need to be given in the notice.
Consequence if Passed	House adjourns; indicates strong disapproval.	Minister is admonished; Govt does not fall.	Govt need not resign , but must pass a Confidence Motion soon to prove majority.	Govt MUST RESIGN.

8. DISQUALIFICATION OF CONVICTED CANDIDATES (RPA, 1951)

- **The Statute: Representation of the People Act (RPA), 1951.**
- **Section 8(3):** A person convicted of any offence and sentenced to imprisonment for **not less than 2 years** shall be disqualified from the date of such conviction.
- **Duration of Ban:** The disqualification continues for a further period of **6 years** after their release from prison.
 - *Total Ban:* Jail Term + 6 Years.
- **Section 8(4) (The "Lifeline" - Repealed):**
 - Previously, sitting MPs/MLAs had a **3-month window** to appeal, during which disqualification wouldn't apply.
 - **Lily Thomas Case (2013):** The Supreme Court declared Section 8(4) **unconstitutional**. Now, disqualification is **immediate** upon conviction (unless the conviction itself is stayed).

The "Stay on Conviction" vs. "Stay on Sentence"

This is the most critical distinction for Prelims:

- **Stay on Sentence (Suspension):** The court says, "You don't have to go to jail immediately while your appeal is pending."
 - *Effect:* It **DOES NOT** save the MP/MLA from disqualification. They lose their seat.
- **Stay on Conviction:** The appellate court says, "We are putting the 'guilty' tag on hold because the judgment seems prima-facie erroneous."
 - *Effect:* This **SAVES** the MP/MLA. The *disqualification is lifted*, and they can regain their seat (e.g., the *Rahul Gandhi* case in 2023).

The Debate: Lifetime Ban?

- **Current Status:** There is **NO lifetime ban** on convicted persons contesting elections (only the 6-year cooling-off period applies).
- **ECI & Amicus Curiae View:** The Election Commission has consistently supported a **Lifetime Ban** for heinous crimes to decriminalize politics.
- **Government View:** The Centre generally opposes a lifetime ban, arguing that "disqualification for 6 years is sufficient" and a lifetime ban might be discriminatory compared to other professions.
- **Comparison:**
 - *Civil Servants:* A conviction usually leads to **permanent dismissal**.
 - *Politicians:* Can return after 6 years. Critics call this a violation of **Article 14** (Equality).

Important Judgments

- **Lily Thomas v. Union of India (2013):** Struck down Section 8(4); immediate disqualification.
- **Public Interest Foundation v. Union of India (2018):** SC refused to disqualify candidates merely on "framing of charges". Instead, it ordered political parties to **publicize the criminal antecedents** of their candidates (in newspapers/TV).
- **Lok Prahari v. Election Commission (2018):** SC clarified that if a conviction is stayed, the disqualification is also stayed.

Common Traps / Confusing Points

- **Trap 1:** "A person is disqualified only if sentenced to more than 5 years."
 - *Correction:* **Incorrect.** The threshold is **2 years**.
- **Trap 2:** "Disqualification applies only if the person is actually sent to jail."
 - *Correction:* **Incorrect.** Even if the jail term is suspended (bail granted), the *conviction* stands, and disqualification applies immediately.
- **Trap 3:** "The President of India decides on disqualification under Section 8 of RPA."
 - *Correction:* **Incorrect.** For Section 8 (conviction), the disqualification is **automatic** by operation of law. The President/Governor decides on disqualifications related to *Office of Profit or Unsound Mind* (Article 102/191) on ECI's advice

Do ECI's has Power to Remove Disqualification (Section 11)

- **Legal Basis:** Section 11 of the **Representation of the People Act (RPA), 1951**.
- **The Provision:** The Election Commission may, for reasons to be recorded, **remove** any disqualification (except for corrupt practices under Section 8A where the President decides) or **reduce the period** of any such disqualification.
- **Scope:** This applies to disqualifications arising from **conviction** (Section 8) and **failure to lodge election expenses** (Section 10A)

9. LOSS OF SEAT DUE TO ABSENCE (ARTICLE 101(4))

Core Constitutional Provision

- **Article 101(4):** If a member of either House of Parliament is absent from **all meetings** of the House for a period of **60 days** without the permission of the House, the House **MAY** declare his/her seat vacant.
- **Applicability:** Applies to both **Lok Sabha** and **Rajya Sabha** MPs. (A similar provision exists for State MLAs/MLCs under **Article 190(4)**).

The "60 Days" Calculation

While counting the 60-day period, the following are **EXCLUDED**:

1. Any period during which the House is **Prorogued**.
2. Any period during which the House is **Adjourned for more than 4 consecutive days**.

The Process: Is it Automatic?

- **No, it is NOT automatic.**
- Just because an MP is absent for 61 days does not mean they instantly lose their seat.
- **Procedure:** The **House** must pass a **motion** to declare the seat vacant. If the House chooses to condone the absence, the MP retains the seat.
 - *Historical Example:* In 2000, Barjinder Singh Hamdard (Rajya Sabha MP) lost his seat under this provision. It is rarely used.

Recent Context / Rights of Arrested MPs

- MPs who are **arrested/detained** do not automatically lose their seat. However, they cannot attend Parliament without the **Court's permission**.
- If the Court denies permission to attend, and their absence crosses 60 days (excluding breaks), they *risk* losing their seat under Article 101(4) if the House decides to move against them.

Common Traps / Confusing Points

- **Trap 1:** "The seat becomes automatically vacant on the 61st day of absence."
 - *Correction: Incorrect.* The House has the discretion to declare it vacant or ignore it.
- **Trap 2:** "The Speaker alone decides on disqualification under Article 101(4)."
 - *Correction: Incorrect.* The decision is taken by the **House** via a motion. (Unlike Defection, where Speaker decides).
- **Trap 3:** "The 60 days includes periods of prorogation."
 - *Correction: Incorrect.* Prorogation and adjournment > 4 days are excluded.

ANANTAM IAS



JUDICIARY

1. TRIAL IN ABSENTIA (SECTION 356 BNSS)

(The Major Shift)

- **What is it?** A legal process where a criminal trial proceeds, concludes, and judgment is delivered even if the accused is **not physically present** in the court.
- **The Target:** It specifically targets **Proclaimed Offenders** (fugitives) who have fled the country or are evading arrest (e.g., terror suspects, economic offenders).
- **Old Law (CrPC Section 299):** Previously, courts could only *record evidence* in the absence of the accused. They could **not** pass a final judgment or sentence until the accused was arrested and brought to court.
 - *New Change:* BNSS Section 356 allows the **entire trial to be completed and sentence pronounced** in their absence.

Conditions for Invoking Section 356

1. **Status of Accused:** The person must be declared a **Proclaimed Offender** (under Section 82 of CrPC/Section 84 of BNSS).
2. **Nature of Offence:** It applies **ONLY** to offences punishable with:
 - **Death,**
 - **Life Imprisonment,** or
 - **Imprisonment of 10 Years or more.**
3. **Procedural Safeguards:**
 - **Two Warrants:** The Court must have issued two warrants of arrest that returned unexecuted.
 - **Public Notice:** A notice requiring the accused to appear must be published in **two local newspapers** (one in English, one in Vernacular).
 - **Waiting Period:** The trial cannot commence immediately. The court must wait for a period of **90 days** from the date of framing charges before proceeding in absentia.

Legal Rights of the Fugitive

- **Legal Representation:** Even if the accused is absent, the State must provide a **defence counsel** (lawyer) at its own expense to ensure a fair trial.
- **Right to Appeal:** The convicted fugitive **can appeal** against the judgment.
 - *Time Limit:* An appeal can be filed within **3 years** from the date of judgment.

2. SECTION 479 BNSS (RELIEF FOR UNDERTRIALS)

- **Context:** MHA has directed States/UTs to implement this section immediately to address **prison overcrowding**.
- **Replaces:** It replaces **Section 436A** of the old Code of Criminal Procedure (CrPC), 1973.
- **Objective:** To facilitate the release of **Undertrial Prisoners** on bail if they have already served a significant portion of the maximum possible sentence.

Key Provisions (The 1/3rd vs 1/2 Rule)

This is the most critical area for Prelims. The law creates two categories of undertrials:

1. **First-Time Offenders (New Relief):**
 - If a person has **no past criminal precedent**, they shall be released on bond/bail if they have undergone detention for **One-Third (1/3rd)** of the maximum imprisonment specified for that offence.
2. **Other Offenders (General Rule):**
 - For repeat offenders or general cases, the rule remains: Release on bond/bail if they have undergone detention for **One-Half (1/2)** of the maximum imprisonment.

Exclusions (Who is NOT eligible?)

Section 479 does **NOT** apply to:

1. Offences punishable with **Death**.
2. Offences punishable with **Life Imprisonment**.
3. Proceedings against a person involving **more than one offence** (e.g., if charged with robbery AND murder).

Institutional Duty (Jail Superintendent)

- **New Mandate:** The BNSS explicitly mandates the **Jail Superintendent** to:
 - Identify eligible prisoners.
 - **File the bail application** on their behalf in the court.
 - *Impact:* Previously, the **burden was often on the poor prisoner** to hire a lawyer to cite Section 436A. Now, the **jail authority is legally bound** to initiate the process.

3. APPOINTMENT OF AD-HOC (RETIRED) JUDGES IN HIGH COURTS

- **The Rule:** The Supreme Court has ruled that High Courts can initiate the process of appointing retired judges as *ad-hoc* judges if:
 1. Vacancies in the High Court exceed **20%** of the sanctioned strength.
 2. Cases in a particular category have been pending for over **5 years**.
 3. More than **10%** of the backlog constitutes old cases (5+ years).

- 4. The rate of disposal is lower than the rate of fresh case institution.
- **Objective:** To tackle the "docket explosion" (pendency) without waiting endlessly for regular appointments (which is a long process).

Constitutional Provision: Article 224A

- **Article 224A:** Deals with the "**Appointment of retired Judges at sittings of High Courts.**"
 1. It is often called a "**dormant provision**" which the SC has now activated.
- **Who Appoints?** The **Chief Justice of the High Court (CJHC)**.
- **Required Consents:**
 1. **Previous Consent of the President** (Crucial point: Not the Governor).
 2. **Consent of the person** (the retired judge) to be appointed.
- **Tenure:** Usually for a period of **2 to 3 years**.

Status, Powers & Salary

- **Jurisdiction:** The appointee has all the **jurisdiction, powers, and privileges** of a Judge of that High Court.
- **The "Deeming" Fiction:** While they act as judges, they are **NOT deemed to be a Judge** of the High Court for other purposes (e.g., they don't get seniority over sitting judges, cannot be transferred).
- **Emoluments:** They do not draw the full salary again. They get a fixed honorarium (usually the difference between full salary and their pension) + allowances. The expenses are charged on the **Consolidated Fund of the State**.

Comparison: Ad-hoc Judges in SC vs. HC

FEATURE	SUPREME COURT (ARTICLE 127 & 128)	HIGH COURT (ARTICLE 224A)
Who is Appointed?	Art 127: Sitting HC Judge. Art 128: Retired SC/HC Judge.	Art 224A: Retired HC Judge.
Appointing Authority	Chief Justice of India (CJI).	Chief Justice of High Court (CJHC).
Consent Required	President's consent.	President's consent.
Purpose	Art 127: Lack of Quorum .	Art 224A: Mounting Arrears (Pendency).

4. IS OFFERING A BRIBE A CRIME IF REFUSED?

Core Legal Position

- **The Answer: YES.** Offering a bribe is a punishable offense, even if the public servant **refuses** to accept it.
- **The Logic:** The crime is in the *act of offering* (Active Bribery) with the *intent* to induce improper performance of a public duty. The refusal by the official does not nullify the criminal intent or the act of the giver.

Statutory Framework (Prevention of Corruption Act, 1988 as amended in 2018)

- **Section 8 (The "Bribe Giver" Section):**

- The 2018 Amendment introduced a specific provision targeting the **Giver**.
- It states that any person who **gives or promises to give** an undue advantage to another person with the intention to induce a public servant to perform their duty improperly is punishable.
- **Punishment:** Imprisonment up to **7 Years** or fine or both.
- **Refusal is Irrelevant:** The section penalizes the *attempt* and the *offer*. The completion of the transaction (acceptance) is not required for the giver to be liable.

Pre-2018 vs. Post-2018 Status

- **Before 2018:**
 - Offering a bribe was legally treated as "**Abetment**" (instigating a public servant to commit a crime) under **Section 12**.
- **After 2018:**
 - It is now a **Substantive Offense** (standalone crime) under **Section 8**, removing any ambiguity.

Exceptions

- **Section 8:**
 - A person who is **compelled** (forced) to give a bribe is **NOT** liable if:
 - They report the matter to the law enforcement authority (like CBI/ACB) within **7 Days** of giving the bribe.

5. REMOVAL OF JUDGES (HIGH COURT & SUPREME COURT)

- **The Event:** In July 2025, over 145 MPs from Lok Sabha and 50+ MPs from Rajya Sabha submitted motions for the removal of **Justice Yashwant Varma** (High Court Judge).
- **Significance:** This highlights the *initiation* phase of the removal process, which is rare.
- **Key Provisions Invoked:**
 - **Article 124(4):** Removal procedure for Supreme Court Judges.
 - **Article 217(1)(b) & Article 218:** Apply the *same* procedure (Article 124(4)) to High Court Judges.

Constitutional Grounds

A judge of the Supreme Court or High Court can be removed **ONLY** on two grounds:

Proved Misbehaviour and Incapacity

The Procedure (Judges Inquiry Act, 1968)

The Constitution lays down the *principles*, but the detailed process is in the **Judges (Inquiry) Act, 1968**.

Step 1: Initiation

- A removal motion must be signed by:
 - **100 Members** (if introduced in Lok Sabha).
 - **50 Members** (if introduced in Rajya Sabha).
- It is submitted to the Presiding Officer (Speaker/Chairman).

Step 2: Admission

- The Speaker/Chairman may **admit** or **refuse** to admit the motion.
- Trap: It is **not mandatory** for the Speaker to accept the motion.

Step 3: The Inquiry Committee

- If admitted, a **3-Member Committee** is constituted to investigate the charges:

1. Chief Justice of India (or a Judge of SC).
2. Chief Justice of a High Court.
3. A Distinguished Jurist.

Step 4: The Report (Binding Nature)

- **If Committee says "Not Guilty":** The process **ENDS** there.
- **If Committee says "Guilty":** The House *can* take up the motion for consideration.

Step 5: Voting (Special Majority)

- The motion must be passed by **BOTH Houses** of Parliament in the **same session**.
- **Majority Required: Special Majority**
 1. Majority of the **Total Membership** of the House (>50%).
 2. Majority of not less than **2/3rds** of members **present and voting**.

Step 6: Presidential Order

- If passed by Parliament, the President issues an order removing the judge.

Important Historical Facts

- **"Impeachment":** The Constitution uses the word "Impeachment" **only for the President** (Article 61). For judges, it uses **"Removal"**. However, colloquially, it is often called impeachment.
- **Track Record: NO judge** has ever been successfully removed in India so far.
 - *Justice V. Ramaswami (1993)*: Motion defeated in Lok Sabha (Congress abstained).
 - *Justice Soumitra Sen (2011)*: Resigned after Rajya Sabha passed it but before Lok Sabha could vote.

MCQ Focus: Elimination Clues

- *Statement*: "The procedure for the removal of a High Court Judge is different from that of a Supreme Court Judge." → **Incorrect** (It is exactly the same).
- *Statement*: "If the Inquiry Committee finds the judge innocent, the Parliament can still vote on the motion." → **Incorrect** (The process drops).

6. LEGAL AID IN INDIA (30 YEARS OF NALSA)

- **National Legal Services Day:** Celebrated on **November 9**.
- **Significance:** It marks the enforcement of the **Legal Services Authorities Act, 1987**, which came into force on **9th November 1995**. (Hence, 2025 marks the 30th anniversary).
- **Objective:** To provide "Free and Competent Legal Services" to the weaker sections of society.

Constitutional Basis

- **Article 39A (DPSP):** Inserted by the **42nd Amendment (1976)**. It directs the State to ensure that the legal system promotes justice on a basis of **equal opportunity** and provides **free legal aid**.
- **Article 14:** Equality before Law.
- **Article 21:** The Supreme Court (in *Hussainara Khatoon case*) declared the **Right to Free Legal Aid** as an integral part of the Fundamental Right to Life and Personal Liberty.

Institutional Framework (The 4-Tier Structure)

AUTHORITY	LEVEL	HEADED BY (PATRON-IN-CHIEF)	EXECUTIVE AUTHORITY
NALSA	National	Chief Justice of India	Executive Chairman (Serving SC Judge, nominated by President).
SLSA	State	Chief Justice of High Court	Executive Chairman (Serving HC Judge).
DLSA	District	—	Chairman (District Judge).
TLSC	Taluk/Sub-division	—	Chairman (Senior-most Judicial Officer).

Who is Eligible for Free Legal Aid? (Section 12)

Free legal services are NOT just for the "Poor." The Act specifies distinct categories under **Section 12**:

- Women and Children** (Regardless of income).
- Members of **SC/ST**.
- Industrial Workmen**.
- Victims of **Trafficking** or Begar.
- Victims of **Mass Disasters** (Violence, Flood, Drought, Earthquake, Industrial disaster).
- Disabled Persons** (Divyangjan).
- Persons in Custody** (Undertrials/Convicts).
- Income Criteria:** Persons with annual income less than the prescribed limit (Limit varies by State; for Supreme Court cases, the limit is usually ₹5 Lakh).

Lok Adalats (Statutory Status)

- Status:** Given statutory status under the Legal Services Authorities Act, 1987.
- Nature of Award:** The award (decision) of a Lok Adalat is deemed to be a **Decree of a Civil Court**.
- Lok Adalats follow the principles of natural justice** — but they **are not bound by the strict procedure of courts**.
- Lok Adalat can take **both civil and criminal cases**, but only **compoundable offences**.
- Finality:** The award is **FINAL and BINDING** on all parties.
- No Appeal:** **NO appeal** lies against the award of a Lok Adalat in any court of law.

Key Initiatives in News (2025 Context)

- LADCS (Legal Aid Defense Counsel System):** A NALSA initiative to provide full-time professional lawyers (like Public Defenders) to accused persons in criminal cases, replacing the old "assigned counsel" system.
- Tele-Law 2.0:** Connecting beneficiaries with panel lawyers via video conferencing at Common Service Centres (CSCs).
- Nyaya Bandhu:** Pro-bono legal services by lawyers.
- DISHA Scheme:** A comprehensive scheme by the Ministry of Law & Justice for "Designing Innovative Solutions for Holistic Access to Justice."

Common Traps / Confusing Points

- **Trap 1:** "Free Legal Aid is a Fundamental Right mentioned in Part III."
 - *Correction:* **Incorrect.** It is explicitly mentioned in **Part IV (DPSP Article 39A)**. However, courts interpret it as part of Article 21.
- **Trap 2:** "The Central Government appoints the Executive Chairman of NALSA."
 - *Correction:* **Incorrect.** The **President** appoints them in consultation with the **Chief Justice of India**.
- **Trap 3:** "Lok Adalat awards can be appealed in the High Court."
 - *Correction:* **Incorrect.** There is **no provision for appeal**.

Comparative Table: Lok Adalats vs. Gram Nyayalayas

FEATURE	LOK ADALAT	GRAM NYAYALAYA
Statutory Basis	Legal Services Authorities Act, 1987.	Gram Nyayalayas Act, 2008.
Nature of Function	Conciliatory (ADR). It does not "judge" or "adjudicate"; it facilitates a Compromise/Settlement between parties.	Adjudicatory. It functions as a proper Court . It hears arguments and delivers a Judgment on merits.
Presiding Officer	Usually a Judicial Officer + a Lawyer + Social Worker.	Nyayadhikari (a Judicial Magistrate of First Class), appointed by State Govt in consultation with the High Court.
Jurisdiction	Civil Cases & Compoundable Criminal Cases.	Civil Suits & Criminal Cases (specified in the Schedules of the Act). It can conduct Summary Trials .
Evidence Act	Not Bound by the Indian Evidence Act or CPC. Follows principles of Natural Justice .	Not Bound by the strict rules of Evidence Act (but follows principles of natural justice).
Status of Decision	Deemed to be a Decree of a Civil Court .	Deemed to be a Decree of a Civil Court (Civil) or Judgment (Criminal).
Appeal	NO Appeal lies against its award (Final & Binding).	Appeal Allowed: • Civil: Appeal lies to District Court . • Criminal: Appeal lies to Sessions Court .
Mobility	Can be organized anywhere (Mobile Lok Adalats exist), but usually held in court premises.	Explicitly designed to be Mobile Courts (visiting villages).

7. THE "RAREST OF RARE" DOCTRINE & DEATH PENALTY

Context

- **The Verdict:** The Kolkata Sessions Court convicted Sanjay Roy for the rape and murder of a trainee doctor but **declined** to award the death penalty.
- **Reasoning:** The judge ruled that while the crime was heinous, **the case did not satisfy** the "Rarest of Rare" threshold required for capital punishment.

The "Rarest of Rare" Doctrine (Static Core)

- **Origin:** Estb. by the SC in landmark case **Bachan Singh v. State of Punjab (1980)**.
- **The Principle:**
 - **Rule:** Life Imprisonment is the rule.
 - **Exception:** Death Penalty is the exception.
 - **Threshold:** Death can only be awarded when the alternative option (Life Imprisonment) is "**unquestionably foreclosed**".
- **Constitutional Validity:** The SC upheld the constitutionality of the Death Penalty (under Section 302 IPC) but restricted its use to prevent arbitrariness, balancing it with **Article 21** (Right to Life).

Death Penalty for Rape

Under the **Bharatiya Nyaya Sanhita (BNS), 2023**, the death penalty is possible for rape in specific conditions:

1. **Rape Causing Death:** If the rape causes the death of the woman or leaves her in a **Persistent Vegetative State** (Section 66).
2. **Rape of Minor:** Rape of a girl **under 12 years** of age (Section 65).
3. **Gang Rape:** Gang rape of a woman **under 18** (Section 70).

Common Traps / Confusing Points

- **Trap 1:** "The Death Penalty is mandatory for rape and murder cases under the new BNS."
 - *Correction:* **Incorrect.** It is a *maximum* punishment, not mandatory. The discretion lies with the judge.

8. NEED FOR A LAW ON DOMESTIC WORKERS

Core Context

- **The Issue:** Domestic work is the **largest sector of female employment** in urban India, yet it remains largely **informal, unregulated, and invisible**.
- **Key Challenges:**
 - Exclusion from the definition of "Workmen" under the **Industrial Disputes Act, 1947**.
 - Lack of minimum wages, fixed working hours, or social security (PF/Pension).
 - Rampant abuse, lack of dignity, and trafficking (placement agencies often act as trafficking hubs).

Current Legal Framework

While there is **no single central law** dedicated to domestic workers, they are covered partially under various acts:

1. **Unorganized Workers' Social Security Act, 2008:**

- Domestic workers are included in the definition of "unorganized workers," making them eligible for social security schemes (like PM-SYM).
- 2. **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act):**
 - Explicitly includes "**dwelling place or a house**" in the definition of a workplace.
 - *Mechanism:* Domestic workers can file complaints with the **Local Complaints Committee (LCC)** at the district level (since they don't have an Internal Committee).
- 3. **Minimum Wages Act, 1948:**
 - Several states (e.g., Kerala, Tamil Nadu, Rajasthan) have included domestic workers in the Schedule of Employment, entitling them to minimum wages. *However, this is not uniform across India.*

International Standards (ILO Convention 189)

- **ILO Convention 189 (Decent Work for Domestic Workers):** Adopted in 2011.
- **Key Provision:** It recognizes domestic work as "**Work**" and domestic workers as "**Workers**" who are entitled to the same basic rights as other workers.
- **India's Stance:** India voted in favor of adoption but has **NOT ratified**.

Common Traps / Confusing Points

- **Trap 1:** "There is a Central Law mandating minimum wages for domestic workers across all states."
 - *Correction:* **Incorrect.** Minimum wages for domestic workers are a **State subject** (Scheduled Employment). Some states have notified it, others have not.

9. DOCTRINE OF PROSPECTIVE OVERRULING

- **It is** a judicial tool where the Court declares a law or legal principle invalid, but mandates that the ruling will apply **only to future cases** (prospectively).
- **The Effect:** It saves past transactions/judgments based on the old (now invalid) law from being reopened or declared illegal.
- **Origin:** It originated in the **American Jurisprudence**.
- **Indian Debut:** It was first applied in India in the landmark ***I.C. Golaknath v. State of Punjab (1967)*** case.
 - *Context:* The SC ruled that Parliament cannot amend Fundamental Rights. However, to prevent chaos, it validated the 1st, 4th, and 17th Amendments and said the restriction applies only to *future* amendments.

Why is it used?

- **Default Rule:** normally, a court judgment is **Retrospective** (it implies the law was *always* this way).
- **The Problem:** If a tax law or land law used for 20 years is suddenly struck down retrospectively, millions of closed cases would have to be reopened, and governments might have to refund billions in taxes.
- **The Solution:** To prevent this administrative chaos and financial instability, the Court uses **Article 142** (Power to do complete justice) to restrict the judgment's operation to the future.

Recent Context (2024-25 Debate)

- **Mineral Rights Case (2024):** A 9-Judge Bench ruled that States *can* tax mineral rights (overturning older judgments).
- **The Conflict:** The States wanted to collect taxes *retrospectively* (from 1989), which would bankrupt mining companies. The Companies argued for **Prospective Overruling** (tax us only from today).

- *Verdict*: The SC allowed retrospective tax but waived the *interest* and *penalties* for the past period, balancing the doctrine.

Common Traps / Confusing Points

- **Trap 1**: "Prospective Overruling is explicitly mentioned in Article 141 of the Constitution."
 - *Correction*: **Incorrect**. It is a **judicial innovation** borrowed from the US; it is not explicitly written in the Constitution.

MCQ Focus: Elimination Clues

- *Statement*: "The Doctrine of Prospective Overruling was first laid down in the Kesavananda Bharati case." → **Incorrect** (*Golaknath* case, 1967).
- *Statement*: "This doctrine invalidates all past actions taken under the law that has been declared unconstitutional." → **Incorrect** (It validates past actions and invalidates only future ones).

10. E-ZERO FIR INITIATIVE

(The Initiative)

- **It is** a digital mechanism allowing citizens to file a **Zero FIR** online (via CCTNS portal or mobile apps) **without visiting a police station**.
- **Zero FIR Concept**: An FIR that can be registered at **ANY police station**, irrespective of the place of the incident (Jurisdiction).
 - It is numbered "**0**" (Zero) because the station registering it does not have the jurisdiction to investigate. It is then transferred to the relevant police station for investigation.
- **The "e" Aspect**: Previously, Zero FIR required a physical visit. The **e-Zero FIR** integrates this with the CCTNS (Crime and Criminal Tracking Network & Systems), enabling remote filing.

Legal Backing: BNSS, 2023

- **Section 173 of BNSS**:
 - It explicitly mandates that a police officer **CANNOT refuse** to register an FIR on the grounds of jurisdiction.
 - It gives statutory recognition to **e-FIR**.
- **The "3-Day Rule"**: For an e-FIR to be treated as a regular legal FIR, the complainant must sign the physical copy within **3 days**.

How it Works

1. **Citizen** files complaint online (e-Zero FIR).
2. **Receiving Station** registers it as "Zero FIR".
3. **Transfer**: The system/officer transfers it electronically to the **Jurisdictional Police Station**.
4. **Regular FIR**: The concerned station converts the "Zero FIR" into a "Regular FIR" and begins the investigation.

Common Traps / Confusing Points

- **Trap 1**: "The police station registering a Zero FIR conducts the full investigation."
 - *Correction*: **Incorrect**. They only carry out immediate necessary steps (like a medical exam for a victim) and then **transfer** the case. They do not conduct the full investigation.
- **Trap 2**: "Zero FIR was introduced for the first time in 2025."
 - *Correction*: **Incorrect**. The concept of Zero FIR was introduced on the recommendation of the **Justice Verma Committee (2013)** after the Nirbhaya case. The "e-Zero FIR" is the digital upgrade in 2024-25.

11. TRIPLE TEST FOR OBC RESERVATION IN LOCAL BODIES

(The Context)

- **The Issue:** While the Constitution mandates reservation for SCs and STs in local bodies (based on population), it leaves OBC reservation to the discretion of State Legislatures.
- **The Barrier:** The Supreme Court ruled that States cannot simply provide OBC reservation in local bodies based on general assumptions. Unless they fulfill specific criteria known as the "**Triple Test**".
- **Recent News:** The Allahabad High Court had struck down the UP Government's draft notification for urban local body elections because it failed this test.

The "Triple Test" Conditions

Laid down by the Supreme Court in **Vikas Kishanrao Gawali v. State of Maharashtra (2021)** (reiterating the 2010 *K. Krishnamurthy* judgment), a State must fulfill **all three** conditions before reserving seats for OBCs in local bodies:

1. **Dedicated Commission:** The State must set up a dedicated commission to conduct a rigorous **empirical inquiry** into the nature of backwardness *specifically* in the context of local bodies.
2. **Proportion Specification:** The Commission must specify the proportion of reservation required **local body-wise**.
3. **The 50% Ceiling:** The total reservation (SC + ST + OBC) in any local body **shall not exceed 50%** of the total seats.

Constitutional Provisions (Static Core)

- **Article 243D(6):** Allows the State Legislature to make provisions for reservation of seats in **Panchayats** for "Backward Class of Citizens".
- **Article 243T(6):** empowers State Legislatures to enact laws for reserving seats in Municipalities for Backward Classes of citizens.
- **Key Distinction:** Unlike Article 15(4) and 16(4) (Education/Jobs), where backwardness is assessed on social and educational grounds, "backwardness" for local bodies is regarding **political representation**.

Common Traps / Confusing Points

- **Trap 1:** "The Triple Test applies to OBC reservation in Central Government Jobs."
 - *Correction:* **Incorrect.** It applies **ONLY** to reservation in **Local Bodies** (Panchayats/Municipalities).
- **Trap 2:** "The National Commission for Backward Classes (NCBC) conducts the Triple Test inquiry."
 - *Correction:* **Incorrect.** A **State-level Dedicated Commission** must be constituted for this specific purpose.
- **Trap 3:** "OBC reservation in local bodies is a constitutional mandate like SC/ST reservation."
 - *Correction:* **Incorrect.** It is an **enabling provision** (discretionary for the State), whereas SC/ST reservation is mandatory under Articles 243D/243T.

12. DOCTRINE OF ESCHEAT

(Definition)

- "**Escheat**" is a common law doctrine which implies that if a person dies **Intestate** (without a Will) and without leaving any **legal heirs**, their property ultimately devolves (transfers) to the **State**.
- **Article 296 (Constitution of India):**
 - It explicitly deals with property accruing by **Escheat, Lapse, or Bona Vacantia**.

- **Provision:** Any property in the territory of India which, if this Constitution had not come into operation, would have accrued to His Majesty (King of UK) or the Ruler of an Indian State, shall now accrue to the **Union or the State** (depending on where the property is situated).

"Escheat" vs. "Bona Vacantia"

While often used interchangeably, there is a technical difference:

1. **Escheat:** Applies specifically when an **individual** dies without heirs/will.
2. **Bona Vacantia:** A broader term for "ownerless goods". It applies when property has no claimant for other reasons (e.g., a Company is dissolved and leaves behind assets, or a Trust is extinguished).

Judicial Precedent

- **Kutchi Lal Rameshwar Ashram Trust v. Collector, Haridwar (2017):**
 - The Supreme Court ruled that Escheat is **NOT automatic**.
 - **Burden of Proof:** The State has a "heavy burden" to prove that the deceased left absolutely **no heirs**.
 - **Public Notice:** The State cannot simply take over; it must issue public notices and actively search for claimants.

Common Traps / Confusing Points

- **Trap 1:** "Doctrine of Escheat allows the government to confiscate property of criminals."
 - *Correction:* **Incorrect.** Confiscation is a penalty. **Escheat is a succession rule** for ownerless property.
- **Trap 2:** "Under Article 296, all ownerless property belongs to the Central Government."
 - *Correction:* **Incorrect.** It usually accrues to the **State Government** where the property is located, unless it is property legally vested in the Union.

13. DOCTRINE OF SEVERABILITY

- **The Principle:** When a court finds a specific provision of a law unconstitutional, **it does not necessarily strike down the entire law**. Instead, it "severs" (separates) the invalid portion from the valid portion.
- **The Outcome:** The unconstitutional part is declared **void**, while the rest of the Act continues to remain **valid** and operational.
- **The Logic:** The Judiciary aims to save the legislation as much as possible, respecting the intent of the Legislature.

Constitutional Source

- **Article 13:** It states that laws inconsistent with or in derogation of Fundamental Rights shall be void **"to the extent of such inconsistency"**.

The "Separability" Test (*R.M.D. Chamarbaugwalla Case*)

In *R.M.D. Chamarbaugwalla v. Union of India (1957)*, the Supreme Court laid down the rules to decide if severability applies:

1. **Distinctness:** Can the invalid part be clearly separated from the valid part?
2. **Intent:** If the invalid part is removed, does the remaining law still reflect the original intent of the legislature?
3. **Survival:** Can the valid part stand on its own and be enforceable?
 - *If YES:* Only the bad part goes.

- *If NO (Inextricably Mixed):* The **Entire Act** is struck down.

Landmark Examples

- **A.K. Gopalan v. State of Madras (1950):** The SC struck down **Section 14** of the Preventive Detention Act (*which barred the detainee from disclosing grounds of detention to the court*) but kept the rest of the Act valid.
- **NJAC Case (2015):** The Supreme Court struck down the **entire** 99th Constitutional Amendment and the NJAC Act because the unconstitutional parts were so core to the law that nothing valid could survive without them.

Common Traps / Confusing Points

- **Trap 1:** "Doctrine of Severability applies only to pre-Constitutional laws."
 - *Correction:* **Incorrect.** It applies to **both** pre-Constitutional laws (Art 13(1)) and post-Constitutional laws (Art 13(2)).
- **Trap 3:** "**Doctrine of Severability** is the same as **Doctrine of Eclipse.**"
 - *Correction:* **Incorrect.**
 - *Severability:* The part is dead/removed.
 - *Eclipse:* The part is dormant/shadowed (unenforceable) but can be revived if the Constitution is amended.

14. MANDATORY DISCLOSURE OF ARREST GROUNDS (ARTICLE 22 & BNSS)

(The Verdict)

- **The Ruling:** The Supreme Court held that **communicating the grounds of arrest** to an accused is **mandatory** and sacrosanct. This applies to offences under both the **Indian Penal Code (IPC)** and the new **Bharatiya Nyaya Sanhita (BNS)**.
- **Mode of Communication:** The Court reiterated that the grounds must be communicated in a **language understood** by the arrestee.
- **Written Grounds:** Drawing from the *Pankaj Bansal (2023)* precedent (PMLA case), the trend is now to provide grounds **in writing** to ensure the accused can effectively seek legal remedies (bail).

Constitutional & Statutory Framework

1. Article 22(1) (Fundamental Right):

- "No person who is arrested shall be detained in custody without being informed, **as soon as may be**, of the grounds for such arrest." This is a fundamental right, not just a procedural rule.

2. Section 47 of BNSS, 2023 (Replaces Section 50 of CrPC):

- **Duty of Police:** Every police officer attempting to arrest a person without a warrant **MUST** inform them of the full particulars of the offence and the grounds for arrest.
- **Right to Bail:** If it is a bailable offence, the police must explicitly inform the arrestee of their right to be released on bail.

"Reasons" vs. "Grounds" of Arrest

The Court distinguished between the two:

- **Reasons:** The internal police justification (e.g., "suspicion of theft").

- **Grounds:** The specific **facts and allegations** (e.g., "You were seen entering the bank at 10 PM and fingerprints match").
 - *Verdict:* The police must share the **Grounds**, not just generic reasons or section numbers.

Precedents (The Evolution)

- **D.K. Basu v. State of West Bengal (1997):** Laid down the "Arrest Memo" guidelines.
- **Pankaj Bansal v. Union of India (2023):** SC ruled that for **PMLA (Money Laundering)** arrests, the ED must furnish the grounds of arrest **in writing**.

Common Traps / Confusing Points

- **Trap 1:** "The police can withhold grounds of arrest in cases of terrorism or national security."
 - *Correction: Incorrect.* Under Article 22(1), grounds *must* be communicated. However, under **Preventive Detention** laws (Article 22(3)), facts considered "against public interest to disclose" may be withheld, but the *grounds* for detention must still be given to allow representation.
- **Trap 2:** "Informing the family member of the arrestee is a substitute for informing the arrestee."
 - *Correction: Incorrect.* Informing the family (Section 48 BNSS) is an *additional* duty. The primary duty is to inform the **arrestee** directly.
- **Trap 3:** "This right applies only to Cognizable Offences."
 - *Correction: Incorrect.* It applies to **any arrest** (with or without warrant).

ANANTAM IAS



FEDERALISM

1. CASTE CENSUS

- For the first time since **1931**, the upcoming Census (likely 2026-27) likely to include data on **Other Backward Classes (OBCs)** and other castes, alongside the mandatory SC/ST data.
- **The Precedent:**
 - **1881-1931:** Caste data was collected in every British-era census.
 - **1941:** Data collected but not published (WWII).
 - **1951-2011:** Independent India decided **NOT** to enumerate caste (except SCs/STs) to prevent "casteism."
 - **SECC 2011:** A separate Socio-Economic and Caste Census was conducted, but the **caste data was never released** due to "errors and complexities" (approx. 46 lakh caste names reported).

Census vs. SECC (The Most Critical Distinction)

This is the highest probability area for a "Statement-based" question.

FEATURE	DECENNIAL CENSUS	SOCIO-ECONOMIC CASTE CENSUS (SECC)
Legal Basis	Census Act, 1948.	Executive Order (No specific Act).
Confidentiality	Strictly Confidential (Section 15 of Act). Data cannot be revealed to any agency or court.	NOT Confidential. Personal data is <i>open</i> for use by Govt departments to grant/restrict benefits.
Purpose	To provide a general demographic " Portrait " of the nation.	To identify specific " Beneficiaries " for welfare schemes (BPL status).

Agency	Registrar General of India (RGI) (Home Ministry).	Ministry of Rural Development (Rural) + MoHUA (Urban) + RGI (Caste).
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Constitutional & Legal Framework

- **Union List (Entry 69):** "Census" is an exclusive Union subject.
 - *Trap:* States (like Bihar, Karnataka) conduct "Surveys," not "Censuses," utilizing **Entry 45 of Concurrent List** ("Collection of Statistics").
- **Article 340:** Empowers the President to appoint a Commission to investigate the conditions of socially and educationally backward classes. (Data is needed to fulfill this).
- **Article 341 & 342:** Defines SCs and STs.
 - *Note:* SC status is **Religion-Specific** (Hindu, Sikh, Buddhist only), while ST and OBC status is **Religion-Neutral**.

Why is Caste Census Needed Now?

1. **Rohini Commission & Sub-categorization:** The Commission (for sub-categorizing OBCs) faced hurdles due to the **lack of data** on the population of individual OBC castes.
2. **Breaching the 50% Cap:** To legally justify exceeding the 50% reservation cap (set by *Indra Sawhney, 1992*), states need "quantifiable data" of backwardness (as mandated by *M. Nagaraj* and *Jarnail Singh* judgments).
3. **SC Sub-Classification (2024 Judgment):** The Supreme Court recently ruled that states **CAN** sub-classify SCs/STs. This requires fresh empirical data on which sub-castes are "more backward."

CENSUS 2027

Core Context (The Decision)

- **The Approval:** The Union Cabinet, chaired by PM Narendra Modi, approved the proposal for **Census of India 2027** on **December 12, 2025**.
- **Significance:** It will be the **16th Census** of India and the **8th after Independence**. It breaks the hiatus caused by the missed 2021 Census (delayed due to COVID-19).

Timeline & Phases

The Census will be conducted in **two distinct phases**:

1. **Phase I (Houselisting & Housing Census):**
 - **Activity:** Listing of houses and assessing amenities (water, electricity, housing quality).
2. **Phase II (Population Enumeration):**

Key Innovations

1. **Digital Census:** It will be India's **first fully digital Census**.
 - **Data Collection:** Via mobile apps (Android & iOS) by enumerators.
 - **Self-Enumeration:** A new option for citizens to **self-enumerate** online (fill their own data) will be provided.
2. **Caste Enumeration:**
 - **Decision:** The Cabinet Committee on Political Affairs (CCPA) decided to include **Caste Enumeration** in Census 2027.
 - **Method:** Caste data will be captured electronically during **Phase II (Population Enumeration)**.

- *Note:* This is the first time since **1931** that comprehensive caste data (beyond SC/ST) will be collected in a decadal census.

3. Technology Stack:

- **CMMS Portal:** A "**Census Management & Monitoring System**" for real-time tracking.
- **HLB Creator:** "**Houselisting Block Creator**" web-map application for mapping enumeration blocks.
- **CaaS: "Census-as-a-service"** will deliver data to ministries in a clean, machine-readable and actionable format.

Legal Framework

- **Act:** Conducted under the **Census Act, 1948**.
- **Rules:** Governed by the **Census Rules, 1990**.

Nodal Authority: Office of the **Registrar General and Census Commissioner of India** (under Ministry of Home Affairs).

Common Traps / Confusing Points

- **Trap 1:** "The Census Act, 1948 mandates the government to release all collected data."
 - *Correction:* **Incorrect.** The government has discretion on what to release.
- **Trap 2:** "Bihar conducted a Caste Census in 2023."
 - *Correction:* **Incorrect.** Legally, it was a "**Caste-based Survey**". Only the Centre can conduct a "Census."

2. FREEBIES VS. WELFARE SCHEMES

Core Fact

- **Definition:** There is **NO precise legal definition** of the term "Freebie" in the Representation of the People Act (RPA), 1951, or the Constitution.
- **The Conflict:** The debate is distinguishing between "**Welfare Measures**" (Constitutional duty under DPSP) and "**Freebies**" (Fiscal irresponsibility to lure voters).

The Landmark Judgment: *S. Subramaniam Balaji Case (2013)*

- **The Verdict:** The Supreme Court ruled that promises made in an **Election Manifesto** do **NOT** constitute a "Corrupt Practice" under **Section 123** of the RPA, 1951.
- **The Logic:** A manifesto is a statement of policy. If a party comes to power, the promise is implemented via law/budget, which is a legislative process, not individual bribery.
- **The Directive:** The SC directed the Election Commission of India (ECI) to frame guidelines within the **Model Code of Conduct (MCC)** to regulate such promises.

Constitutional Provisions (The Shield)

- **Article 282:** This is the primary constitutional backing for such spending. It allows the Union or a State to make any grant for any "**Public Purpose**," even if it falls outside their legislative competence.
- **Directive Principles (DPSPs):**
 - **Article 38:** Promote welfare and minimize inequalities in income.
 - **Article 39:** Ensure equitable distribution of resources.

ECI Guidelines (Part VIII of MCC)

Post the 2013 judgment, the ECI added guidelines to the Model Code of Conduct:

1. **Rationale:** Political parties must explain the **rationale** of the promise and how it will be funded.
2. **Trust:** Promises should not be such that they shake the "purity of the election process."
3. **Proforma:** ECI introduced a standardized disclosure form for parties to detail the financial implications.
 - *Limitation:* The MCC is **not legally enforceable** in court (it lacks statutory backing), making these guidelines largely "moral pressure."

Economic Concept: Merit vs. Non-Merit Goods

- **Merit Goods:** Goods with positive externalities (e.g., Free Education, Healthcare, Public Transport, PDS Ration). These are generally *accepted* as Welfare.
- **Non-Merit Goods:** Private consumption goods (e.g., Free Gold, Consumer Electronics, Electricity beyond basic needs). These are debated as *Freebies*.

Common Traps / Confusing Points

- **Trap 1:** "Promising freebies in a manifesto is considered bribery under Section 123 of RPA."
 - *Correction:* **Incorrect.** The SC explicitly ruled in *Balaji (2013)* that it is NOT bribery.
- **Trap 2:** "The Election Commission has the power to deregister a party for making financially unviable promises."
 - *Correction:* **Incorrect.** The ECI has no power to deregister a party on these grounds.
- **Trap 3:** "Article 282 restricts the spending power of the State to only subjects in the State List."
 - *Correction:* **Incorrect.** It allows spending for *any* public purpose, regardless of legislative lists.

3. DEREGULATION COMMISSION

- **Context:** The Government has proposed setting up a statutory/institutional mechanism called the **Deregulation Commission**.
- **Objective:** To systematically identify, review, and recommend the repeal or amendment of outdated, redundant, and overlapping laws and regulations.
- **The Goal:** To reduce the "**Regulatory Cholesterol**" on businesses and citizens, furthering the aim of "*Minimum Government, Maximum Governance.*"

Key Functions

1. **Regulatory Guillotine:** A review process where regulations are reviewed enmasse, and those not justified are automatically repealed.
2. **Cost of Compliance:** Assessing the economic cost imposed by specific rules on MSMEs and corporates.
3. **Simplification:** Merging multiple forms/returns into single windows

Background & Precedents

- **Jan Vishwas (Amendment of Provisions) Act, 2023:** A major precursor where the government **decriminalized** hundreds of minor procedural offences to reduce harassment.
- **Ramanujam Committee:** Previously set up to identify archaic laws for repeal.

- **Sunsetting Clauses:** The Commission is expected to push for "Sunset Clauses" in future legislations— meaning a law effectively "expires" after a fixed period (e.g., 10 years) unless Parliament reviews and renews it.

Comparison: Law Commission vs. Deregulation Commission

FEATURE	LAW COMMISSION OF INDIA	DEREGULATION COMMISSION (PROPOSED)
Primary Focus	Legal Reform (Substantive Law). Focuses on justice delivery, uniform civil code, criminal justice reforms.	Regulatory Reform (Procedural Law). Focuses on reducing friction, compliance burden, and red tape.
Nature	Ad-hoc (reconstituted every 3 years).	Likely to be a standing/permanent body to ensure continuous review.
Target Audience	Judiciary, Lawyers, Citizens (Rights).	Businesses, Investors, Citizens (Ease of Living).

Common Traps / Confusing Points

- **Trap 1:** "The Deregulation Commission is a Constitutional Body under Article 323B."
 - *Correction:* **Incorrect.** It is an executive/statutory initiative, not a constitutional body.
- **Trap 2:** "The Commission has the power to repeal laws directly."
 - *Correction:* **Incorrect.** It is an **advisory body**. It recommends repeals; Parliament (for laws) or Ministries (for rules) must officially act to remove them.

MCQ Focus: Elimination Clues

- *Statement:* "The concept of '**Sunsetting of Laws**' implies that a law is automatically renewed every year." → **Incorrect** (It expires unless renewed).
- *Statement:* "The Jan Vishwas Act was a major step towards deregulation by decriminalizing minor economic offences." → **Correct.**

4. ADI KARMYOGI PROGRAMME (ABHIYAN)

1. Context

- **Launch by:** Ministry of Tribal Affairs on **August 19, 2025**.
- **Parent Umbrella:** Part of the **Janjatiya Gaurav Varsh** celebrations.
- **Objective:** To create a cadre of **20 Lakh Tribal Change Leaders** (Adi Karmayogis) to ensure responsive governance and last-mile service delivery in **1 Lakh tribal-dominated villages**.
- **Motto:** Based on three pillars: **Sewa** (Service), **Sankalp** (Resolve), and **Samarpan** (Dedication).

2. The "3-Tier" Leadership Structure

Unlike "Mission Karmayogi" which focuses only on civil servants, **Adi Karmyogi** extends to the community level.

CATEGORY	WHO ARE THEY?	ROLE
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1. Adi Karmayogi	Government Officers (State, District, Block, Village level).	To move from "Rule-based" to " Role-based governance "; act as facilitators.
2. Adi Sahyogi	Professionals (Doctors, Teachers) & Youth .	To provide technical support, mentorship , and bridge the gap between admin & people.
3. Adi Saathi	Community Leaders (SHG women, Tribal elders).	To mobilize the community and ensure participation in Gram Sabhas.

3. Key Components of the Abhiyan

- **Adi Sewa Kendra:** A **Single-Window Service Center** to be established in every tribal village for grievance redressal and scheme saturation.
- **Adi Sewa Samay:** A unique initiative where government officers and volunteers dedicate **1-2 hours fortnightly** to sit with the community and resolve issues on the spot.
- **Village Vision 2030:** A "**bottom-up**" planning exercise where each village prepares its own development roadmap (*Village Action Plan*) aligned with SDGs.
- **Governance Process Labs:** An immersive training module for officers to sensitize them to tribal culture and specific administrative challenges.

4. Adi Karmayogi Student Chapters (New & Unique)

- **What is it?** Student chapters launched in premier institutes like **IITs, IIMs, AIIMS, and NITs**.
- **Purpose:** To connect bright young minds with tribal development challenges (internships, hackathons, mentorship).
- **Financial Support:** Access to a **₹50 Crore Venture Capital Fund** for tribal-led startups and innovations coming out of these chapters.

5. Strategic Links

The programme acts as the "human resource" arm for:

- **PM-JANMAN** (For PVTGs).
- **Dharti Aaba Janjatiya Gram Utkarsh Abhiyan** (For saturation of schemes in tribal villages).
- **Mission Karmayogi** (National Programme for Civil Services Capacity Building).

Common Traps for Prelims

- **Trap 1:** "Adi Karmayogi is exclusively for training Tribal Department officers."
 - *Correction:* No, it includes **Community Leaders (Saathis)** and **Youth/Professionals (Sahyogis)** as well.
- **Trap 2:** "It is implemented by the Ministry of Personnel (DoPT)."
 - *Correction:* It is a flagship initiative of the **Ministry of Tribal Affairs** (though aligned with the broader Mission Karmayogi framework).

5. INTER-STATE WATER DISPUTES (ISWD)

- **The News:** The Central Government has extended the tenure of the **Ravi and Beas Waters Tribunal** by another year.

- **Origin:** Constituted in **April 1986** under the **Inter-State River Water Disputes Act, 1956**.
- **Parties Involved:** Punjab, Haryana, and Rajasthan.

Why the Delay? (39 Years and Counting)

- **The "Interim" Award:** The Tribunal gave its first report in **1987**, increasing the shares of both Punjab and Haryana.
- **The Stalemate:** Both states filed clarification petitions (under Section 5(3) of the Act) challenging the award. These petitions have been pending for decades.

Constitutional Framework

- **Article 262:**
 - **Clause (1): Parliament** may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution, or control of the waters of any inter-state river or river valley.
 - **Clause (2): Parliament** may, by law, provide that **neither the Supreme Court nor any other court** shall exercise jurisdiction in respect of any such dispute.
- **Legislative Competence (VII Schedule):**
 - **Entry 17 (State List):** Water (water supplies, irrigation, canals, drainage, embankments, water storage, and water power) is a **State Subject**.
 - **Entry 56 (Union List):** Regulation and development of **inter-state rivers and river valleys** to the extent to which such regulation and development under the control of the Union is declared by Parliament to be expedient in the public interest.

The Legal Mechanism: ISRWD Act, 1956

- **Ad-hoc Tribunals:** Under the **Inter-State River Water Disputes Act, 1956**, the **Centre** sets up a specific Tribunal for a specific dispute (e.g., Kaveri Tribunal, Mahanadi Tribunal) upon a state's request.
- **Binding Nature:** The decision of the Tribunal is **Final and Binding** on the parties. It has the **same force as an order or decree of the Supreme Court**.
- **River Boards Act, 1956:** Enacted to advise the central government on the development of inter-state rivers.

The Proposed Reform (Single Tribunal)

The **Inter-State River Water Disputes (Amendment) Bill** (often in discussion) proposes:

1. **Single Standing Tribunal:** To replace all existing ad-hoc tribunals with one permanent body having multiple benches.
2. **Dispute Resolution Committee (DRC):** A mandatory mechanism for **negotiation** before a dispute is referred to the Tribunal.
3. **Data Bank:** A centralized agency to maintain data (a major bone of contention is often incorrect flow data).

Role of Supreme Court

- **The Bar:** Article 262(2) explicitly bars the SC from interfering.
- **The Loophole:** The Supreme Court **DOES intervene** frequently. How?
 - Using **Article 136 (Special Leave Petition):** The SC holds that while it cannot decide the *technical* water sharing (quantum), it can check if the Tribunal's award is arbitrary, violated natural justice, or if the Act was not followed properly.
 - Using **Article 21 (Right to Life):** Access to drinking water.

Common Traps / Confusing Points

- **Trap 1:** "Water is exclusively a Union Subject since rivers flow across states."
 - *Correction:* **Incorrect.** It is primarily a **State Subject** (Entry 17), subject to Union intervention (Entry 56).
- **Trap 2:** "The Supreme Court has original jurisdiction (Article 131) to decide inter-state water disputes."
 - *Correction:* **Incorrect.** Article 131 explicitly **excludes** matters referred to in Article 262.
- **Trap 3:** "The President of India sets up the Water Dispute Tribunals."
 - *Correction:* **Incorrect.** The **Central Government** sets them up under the ISRWD Act, 1956.

MCQ Focus: Elimination Clues

- *Statement:* "Under Article 262, the Parliament has the power to restrict the Supreme Court from adjudicating inter-state river water disputes." → **Correct.**
- *Statement:* "The River Boards Act, 1956 provides for a permanent tribunal for settling disputes." → **Incorrect** (It provides for advisory boards; the ISRWD Act provides for Tribunals).
- *Statement:* "The award of a Water Disputes Tribunal is non-binding and advisory in nature." → **Incorrect** (It is binding and equals an SC decree).

Inter-State River Water Disputes Tribunals

TRIBUNAL NAME	YEAR OF CONSTITUTION	STATES / UTS INVOLVED	CURRENT STATUS
Krishna Water Disputes Tribunal - I	1969	Maharashtra, Karnataka, Andhra Pradesh	Final Award Given & Notified. The award is binding.
Godavari Water Disputes Tribunal	1969	Maharashtra, Karnataka, Andhra Pradesh, Madhya Pradesh, Odisha	Final Award Given (1980) & Notified. The award is binding.
Narmada Water Disputes Tribunal	1969	Rajasthan, Madhya Pradesh, Gujarat, Maharashtra	Final Award Given (1979) & Notified. The award is binding.
Ravi & Beas Water Disputes Tribunal	1986	Punjab, Haryana, Rajasthan	Report Submitted (1987) but Not Notified.
Cauvery Water Disputes Tribunal	1990	Karnataka, Tamil Nadu, Kerala, Puducherry	Final Award (2007) Modified by SC (2018).
Krishna Water Disputes Tribunal - II	2004	Maharashtra, Karnataka, Andhra Pradesh, Telangana	Reports Submitted; Allocation Pending.

Vansadhara Water Disputes Tribunal	2010	Andhra Pradesh, Odisha	Report Submitted but Not Fully Notified.
Mahadayi (Mandovi) Water Disputes Tribunal	2010	Goa, Karnataka, Maharashtra	Final Award Given (2018).
Mahanadi Water Disputes Tribunal	2018	Odisha, Chhattisgarh	Adjudication Ongoing. Final report and award are awaited.

6. CENTRE-STATE CLASHES ON VICE-CHANCELLOR (VC) APPOINTMENTS

Core Context (The Controversy)

- **The Trigger:** The UGC has proposed new **Draft Regulations (2025)** for the appointment of VCs and teachers.
- **The Issue:** State Governments (like Kerala, West Bengal, Tamil Nadu) argue that these rules undermine their authority and empower the **Governor (Chancellor)** and the **Centre (UGC)** to control appointments in State Universities.
- **The Pattern:** Several states have passed Bills to remove the Governor as the Chancellor of State Universities.

Appointment Process: Central vs. State Universities

FEATURE	CENTRAL UNIVERSITIES	STATE UNIVERSITIES
Established By	Act of Parliament.	Act of State Legislature.
Visitor/Chancellor	President of India is the "Visitor".	Governor is usually the "Chancellor" (by State Act).
Search Committee	Constituted by the Visitor. Nominees from the Executive Council & Visitor.	Traditionally constituted by the State Govt/Chancellor.
Appointing Authority	President (on advice of Ministry of Education).	Governor (often acts in <i>discretion</i> as Chancellor).

The New Draft UGC Regulations, 2025 (Key Changes)

1. **Committee Composition:** The Search-cum-Selection Committee will have **3 members**:
 - 1 Nominee of the Chancellor (Governor).
 - 1 Nominee of the UGC Chairman (Centre's influence).
 - 1 Nominee of the University (Syndicate/Senate).
 - *Impact:* This removes the State Government's direct nominee from the decisive trio.

2. **Chancellor's Power:** The Chancellor (Governor) shall directly constitute the committee, reducing the State Government's role to a bystander.
3. **Lateral Entry:** Experts from industry, public policy, and PSUs can now be VCs.

Legal & Constitutional Framework

- **Concurrent List (Entry 25):** "Education, including technical education, medical education and universities" is in the **Concurrent List**.
 - *Implication:* Both Parliament and State Legislatures can make laws.
- **Repugnancy (Article 254):** If a State law (State University Act) conflicts with a Central law (UGC Act/Regulations), the **Central law prevails**.
- **The Sarkaria Commission:** Governor to act as the Chancellor and work in **personal capacity**.
- **The Punchhi Commission:** explicitly recommended that the **Governor should NOT be the Chancellor** of State Universities.
- **The Supreme Court Verdict (Gambhirdan K Gadhvi Case, 2022):**
 - The SC ruled that **UGC Regulations are mandatory** for State Universities if they want Central funding/recognition.
 - Any appointment of a VC contrary to UGC regulations is **void ab initio**.

Common Traps / Confusing Points

- **Trap 1:** "Education was originally in the Concurrent List."
 - *Correction:* **Incorrect**. It was originally in the **State List**. It was moved to the **Concurrent List** by the **42nd Amendment Act, 1976**.

MCQ Focus: Elimination Clues

- *Statement:* "In case of a conflict between the UGC Regulations and a State University Act regarding VC appointments, the State Act prevails due to federal principles." → **Incorrect** (UGC Regulations prevail).
- *Statement:* "The President of India is the Visitor of all State Universities." → **Incorrect** (Only Central Universities; for State Universities, it is usually the Governor as Chancellor).

7. NEW QUOTA POLICY & REGULATIONS FOR LADAKH (2025)

- **The Authority:** The **President of India** notified **four** crucial regulations for Ladakh under **Article 240** (Power of President to make regulations for certain Union Territories).
- **The Context:** Since Ladakh became a UT in 2019, there have been persistent protests demanding statehood, 6th Schedule status, and job protection. These regulations aim to address the "Protection of Land and Jobs" demands.

Key Provisions of the 4 Regulations

1. **Job Reservation (The 95% Formula):**
 - **Regulation:** *Ladakh Civil Services Decentralisation and Recruitment (Amendment) Regulation, 2025*.
 - **Quota:** **85%** of non-gazetted posts are reserved for **Resident Ladakhis**.
 - **EWS Addition:** With the existing 10% EWS (Economically Weaker Sections) quota, the **total reservation** for locals effectively touches **95%**.
 - **Residuary:** Non-locals can contest only for the remaining **5%** (Unreserved).
2. **Domicile Criteria (Who is a Local?):**
 - **Regulation:** *Union Territory of Ladakh Reservation (Amendment) Regulation, 2025*.

- **Criteria:** A non-local must have resided in Ladakh for a continuous period of **15 years** (calculated from Oct 31, 2019) to be eligible for the domicile quota.
- 3. **Official Languages:**
 - **Regulation:** *Ladakh Official Languages Regulation, 2025.*
 - **New List:** The official languages of the UT will now include **Bhoti** and **Purgi**, alongside **Hindi, English, and Urdu**.
- 4. **Hill Councils (Women Empowerment):**
 - **Regulation:** *Ladakh Autonomous Hill Development Councils (Amendment) Regulation, 2025.*
 - **Reform:** It mandates **33% reservation for Women** in the **Leh and Kargil Autonomous Hill Development Councils (LAHDCs)**.

Constitutional Framework

- **Article 240:** Empowers the President to make regulations for the peace, progress, and good government of UTs like Ladakh, Andaman & Nicobar, Lakshadweep, Dadra & Nagar Haveli and Daman & Diu, and Puducherry (only when its assembly is suspended/dissolved).
 - *Note:* These regulations have the **same force and effect** as an Act of Parliament.
- **6th Schedule vs. Statutory Councils:**
 - The **LAHDCs** (Leh & Kargil) are **statutory bodies** (created under a 1997 J&K Act), NOT constitutional bodies under the 6th Schedule.

Common Traps / Confusing Points

- **Trap 1:** "The new regulations grant Ladakh inclusion in the 6th Schedule."
 - Correction: **Incorrect.** They only amend statutory provisions for jobs and Hill Councils. The 6th Schedule demand is distinct.
- **Trap 2:** "The President made these regulations under Article 123 (Ordinance Power)."
 - Correction: **Incorrect.** For UTs, the President uses **Article 240**, not Article 123 (though the effect is similar to law).

8. PAN-INDIA SPECIAL INTENSIVE REVISION (SIR) OF ELECTORAL ROLLS

- **What is SIR?** It is a comprehensive **house-to-house** verification exercise conducted by the ECI to update the electoral rolls.
- **Difference from SSR (Special Summary Revision):**
 - **SSR (Routine):** Done **annually**; focuses on adding new voters (18+) and voluntary corrections.
 - **SIR (Intensive):** Done **periodically** (not annually); involves **100% physical verification** by Booth Level Officers (BLOs) visiting *every* household to identify dead/shifted/duplicate voters and "ghost" entries.
- **Objective:** To create a "**Clean and Error-free**" voter list, possibly setting the groundwork for a **Common Electoral Roll** (for Lok Sabha, Assembly, and Local Body elections).

Legal & Constitutional Backing

- **Article 324:** Grants the ECI "superintendence, direction, and control" of the preparation of electoral rolls.
- **Representation of the People Act (RPA), 1950:**

- **Section 21(3):** Empowers the ECI to direct a "**Special Revision**" of the electoral roll for any constituency at *any* time (distinct from the annual revision under Section 21(2)).
- **Qualifying Dates:** The SIR uses **Jan 1, Apr 1, Jul 1, and Oct 1** as qualifying dates for age eligibility (a reform introduced in 2022).

The Process

1. **Enumeration:** BLOs visit houses with pre-filled forms (based on existing data).
2. **Verification:**
 - **Existing voters:** Verified physically.
 - **"Unlinked" Voters:** Voters whose lineage/records don't link back to previous intensive revisions may be issued notices to prove eligibility.
3. **Aadhaar Linking:** The collection of Aadhaar data is **Voluntary** (Form 6B). It is used for de-duplication but **cannot** be a ground for deleting a voter if not provided.

Common Traps / Confusing Points

- **Trap 1:** "SIR is conducted every year before the budget session."
 - *Correction:* **Incorrect.** It is an **occasional/special** exercise (last major one in Bihar was in 2003).
- **Trap 2:** "Aadhaar linkage is mandatory during the SIR process."
 - *Correction:* **Incorrect.** The Supreme Court and ECI rules maintain that Aadhaar is **voluntary** for voters.

MCQ Focus: Elimination Clues

- *Statement:* "Section 21(3) of the RPA, 1950 empowers the ECI to conduct an intensive revision of rolls at any time." → **Correct.**
- *Statement:* "The Special Intensive Revision (SIR) relies solely on online self-verification by voters." → **Incorrect** (The defining feature is **House-to-House** physical verification by BLOs).



EMERGENCY AND GOVERNANCE BODIES

1. 10 YEARS OF NITI AAYOG (2015–2025)

Core Context

- **The Occasion:** January 1, 2025, marked the completion of a decade since NITI Aayog replaced the Planning Commission.
- **The Shift:** It represented a paradigm shift from "**Top-Down Planning**" to "**Bottom-Up**" and "**Evidence-Based Policy Making**".

Structure & Composition (Static Core)

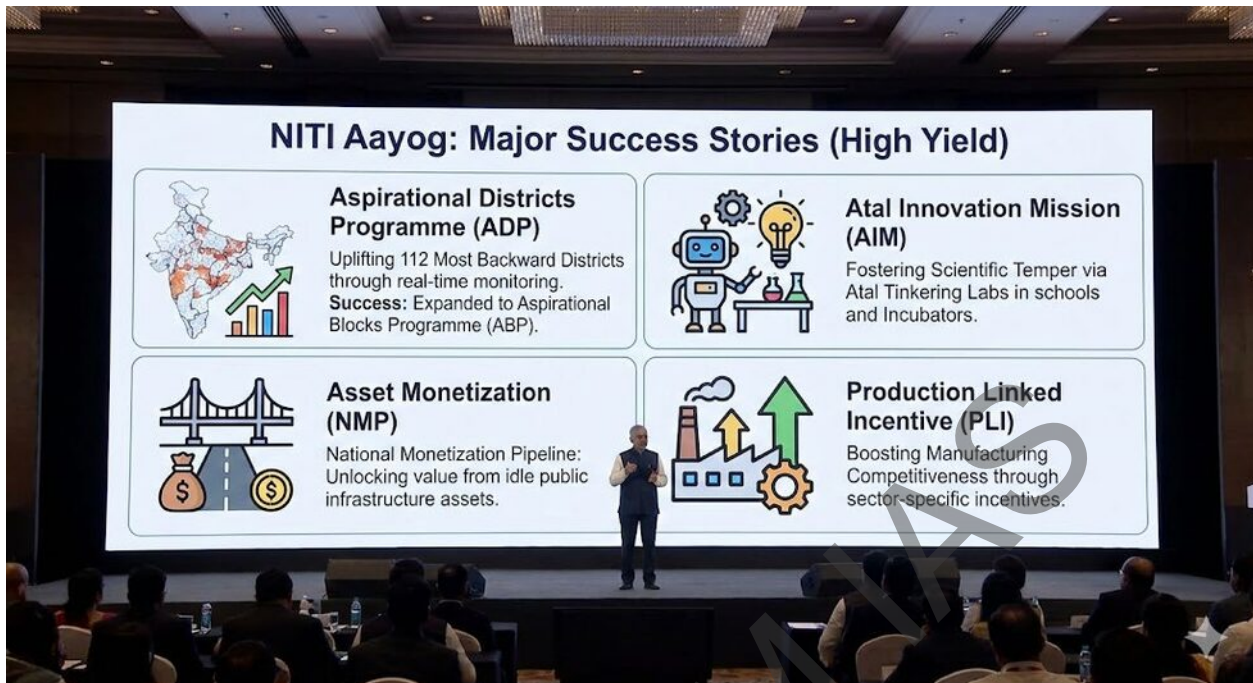
- **Nature:** It is an **Executive Body** (created by a Cabinet Resolution), neither Constitutional nor Statutory.
- **Chairperson:** Prime Minister.
- **Governing Council:** PM + CMs of all States + Lt. Governors of UTs. (This is the "**Team India**" wing).
- **Regional Councils:** Formed for specific contingencies/regions, chaired by PM or his nominee.
- **Appointments:**
 - **Vice-Chairperson:** Appointed by PM (Rank of Cabinet Minister).
 - **CEO:** Appointed by PM for a fixed tenure (Rank of Secretary to GoI).

Key Pillars of Work (The "4 Cs")

1. **Cooperative Federalism:** Acting as a friend/philosopher to states (e.g., **SATH-E project** for education in states).
2. **Competitive Federalism:** Nudging states to improve by ranking them on performance.
 - **Key Indices:** **SDG India Index**, **Health Index**, **School Education Quality Index (SEQI)**, **Composite Water Management Index**.
3. **Collaborative Policymaking:** Bringing experts, academia, and private sector together (e.g., **Atal Innovation Mission**).

4. Conflict Resolution: Resolving inter-ministerial and centre-state disputes.

Major Success Stories



- **Aspirational Districts Programme (ADP):** Using 49 indicators to monitor and uplift 112 most backward districts. *Success:* Expanded to **Aspirational Blocks Programme (ABP)** in 2023.
- **Atal Innovation Mission (AIM):** Establishing **Atal Tinkering Labs** in schools to foster a scientific temper.
- **Asset Monetization:** Drafting the **National Monetization Pipeline (NMP)** to unlock value from idle public assets.
- **Production Linked Incentive (PLI):** NITI Aayog played a key conceptual role in designing PLI schemes for manufacturing.

Flagship Indices (The "Big 5") released by NITI Aayog -



Comparison: NITI Aayog vs. Planning Commission

FEATURE	PLANNING COMMISSION	NITI AAYOG
Approach	Top-Down (Centre decides, States follow).	Bottom-Up (States are partners).
Finance	Allocated Funds to Ministries & States.	No Financial Powers (Advisory only).
Role	Imposed policies; "One Size Fits All".	"Think Tank"; Customised solutions.
States' Role	Limited	High (Governing Council meets regularly).

MCQ Focus: Elimination Clues

- *Statement:* "NITI Aayog is a statutory body established under the NITI Act, 2015." → **Incorrect** (Executive Body).
- *Statement:* "The Aspirational Districts Programme is monitored by the Ministry of Rural Development." → **Incorrect** (Anchored by NITI Aayog).
- *Statement:* "The Vice-Chairperson of NITI Aayog enjoys the rank of a Cabinet Minister." → **Correct**.

2. THE LOKPAL OF INDIA**Core Context**

- **Event:** The Lokpal of India celebrated its **Foundation Day** in January 2025.
- **Mandate:** It is the apex statutory **anti-corruption ombudsman** to inquire into allegations of corruption against public functionaries.

Structure & Composition

- **Status: Statutory Body** (Not Constitutional).
- **Composition: Chairperson + Maximum 8 Members.**
 - **Judicial Members:** 50% must be Judicial Members (Former Judges of SC or Chief Justices of HC).
 - **Social Diversity:** 50% of the members **must** come from SC, ST, OBC, Minorities, and Women.
- **Term:** 5 Years or until the age of **70 years**.

Appointment Process

Appointed by the **President** on the recommendation of a **Selection Committee** comprising:

1. **Prime Minister** (Chairperson).
2. **Speaker of Lok Sabha**.
3. **Leader of Opposition (LoP)** in Lok Sabha.
4. **Chief Justice of India (CJI)** or a Judge nominated by him.
5. **One Eminent Jurist** (Nominated by the President based on the recommendation of the first four).

Jurisdiction (Who is covered?)

1. **Prime Minister:** Covered, but with **Exceptions** (International relations, external and internal security, public order, atomic energy, space).

- **Safeguard:** Inquiry against PM requires approval of **2/3rd of the full bench** and must be held *in camera* (secret).
- 2. **Ministers & MPs:** subject to Article 105.
- 3. **Central Govt Officials:** Groups **A, B, C, and D** officers.
- 4. **Others:** Any society/trust/body receiving foreign contribution (FCRA) above ₹10 Lakh or fully/partly financed by the Government.

Powers of Lokpal

- **Superintendence over CBI:** It can direct the CBI to investigate cases. If a case is referred to CBI by Lokpal, the investigating officer **cannot be transferred** without Lokpal's approval.
- **Search & Seizure:** Can authorize search and seizure of assets even *before* the trial begins.
- **Civil Court Powers:** Has powers of a civil court for summoning, examining evidence, etc.

Can Lokpal Probe Complaints Against HC Judges?

- **NO,** The Supreme Court has **stayed** (halted) the Lokpal's order that claimed it could investigate HC judges.

Common Traps / Confusing Points

- **Trap 1:** "The Lokpal can initiate an investigation *suo motu* (on its own)."
○ **Correction: Incorrect.** Lokpal **CANNOT** take suo motu action. It can only act on a **complaint**.
- **Trap 2:** "Anonymous complaints are accepted to protect whistleblowers."
○ **Correction: Incorrect.** The Act does **NOT** allow anonymous complaints. The complainant's identity is required (though protected).
- **Trap 3:** "The Lokpal has its own dedicated investigation wing."
○ **Correction: Correct.** The Act mandates an Inquiry Wing and a Prosecution Wing, but it often relies on CBI/CVC.

3. ELECTION COMMISSION OF INDIA (ECI) @ 75

Core Context (The Diamond Jubilee)

- **Foundation Day:** Established on **January 25, 1950** (celebrated as **National Voters' Day** since 2011).
- **Theme 2025:** "*Nothing Like Voting, I Vote for Sure*".
- **Significance:** It is a permanent, **Constitutional Body** (Article 324).
- **New Initiatives (2025):** Release of *commemorative postage stamp* on "Inclusive Elections"; **Launch of Books:** "India Votes 2024" and "Belief in the Ballot".

The New Appointment Act, 2023

The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 has overhauled the appointment process.

1. Selection Committee:

- **Old Norm (SC Judgment in Anoop Baranwal Case):** PM + LoP + CJI.
- **New Law (2023 Act):**
 1. **Prime Minister** (Chairperson).
 2. **Leader of Opposition** in Lok Sabha (Member).
 3. **Union Cabinet Minister** nominated by the PM (Member).

- *Impact:* The Chief Justice of India (CJI) is **REMOVED** from the selection process, effectively giving the Executive (Govt) a 2-1 majority.
- 2. **Search Committee:** A committee headed by the **Cabinet Secretary** prepares a panel of 5 names for the Selection Committee.
- 3. **Qualification:** Must have held a post equivalent to the **Secretary to the Government of India**.

Composition & Structure (Article 324)

- **Strength:** Currently **3 Members** (1 CEC + 2 ECs).
 - **History:** It was a single-member body until 1989. Made multi-member permanently in **1993**.
- **Decision Making:** By **Majority**. The CEC does **not** have a veto; they are "first among equals".
- **Tenure:** **6 years** or up to age **65**, whichever is earlier.
- **Reappointment:** They are **NOT** eligible for reappointment.

Removal

- **Chief Election Commissioner (CEC):**
 - **Grounds:** Proved misbehavior or incapacity.
 - **Process:** Same as a **Judge of the Supreme Court** (Special Majority in Parliament).
 - **Security of Tenure:** **Available**.
- **Other Election Commissioners (ECs):**
 - **Process:** Removed by the President **ONLY on the recommendation of the CEC**.
 - **Security of Tenure:** **NOT Available** constitutionally (they serve at the pleasure of the President, subject to CEC's recommendation).

ECI has jurisdiction over election to:

- **Parliament** (Lok Sabha + Rajya Sabha), **State Legislatures** (Assembly + Council), **President, Vice-President**.
- **But NOT over :** Panchayats and Municipalities elections (Conducted by **State Election Commissions** under Art 243K/ZA).

Common Traps / Confusing Points

- **Trap 1:** "The Constitution prescribes the qualifications of the members of the Election Commission."
 - **Correction: Incorrect.** The Constitution left it to Parliament. The 2023 Act now prescribes them (Secretary rank).
- **Trap 3:** "The Model Code of Conduct (MCC) is a statutory set of rules."
 - **Correction: Incorrect.** MCC is **NOT statutory**. It is a consensus-based set of guidelines.

MCQ Focus: Elimination Clues

- **Statement:** "The Selection Committee for the CEC consists of the PM, the Speaker, and the Leader of Opposition." → **Incorrect** (Speaker is not involved; Cabinet Minister is).
- **Statement:** "The Election Commission of India resolves disputes relating to splits and mergers of recognized political parties." → **Correct** (Under Section 29A of RPA, 1951 & Symbols Order 1968).
- **Statement:** "The ECI advises the President on the disqualification of MPs." → **Correct** (Binding advice under Art 102).

4. CENTRAL INFORMATION COMMISSION (CIC) & VACANCY CRISIS

Core Context (The 2025 SC Stance)

- **The Case:** *Anjali Bhardwaj v. Union of India*.
- **The Issue:** The Supreme Court slammed the Centre and States for keeping the CIC and State Information Commissions (SICs) defunct or under-staffed.
- **SC Direction:** The Court directed that the **absence of a recognized LoP** should not stall appointments of CIC and IC.

Static Core: The Central Information Commission

- **Nature: Statutory Body** (constituted under the **Right to Information Act, 2005**). It is **NOT** a Constitutional body.
- **Composition: 1 Chief Information Commissioner (CIC) + Not more than 10 Information Commissioners (ICs).**
- **Jurisdiction:** Appeals against Central Govt Ministries and PSUs. (The CIC ruled that ALL High Courts fall under CIC jurisdiction (not SICs) because they are constituted under the Union List (Entry 78)..)

Appointment Process (High Yield)

Appointed by the **President** on the recommendation of a Committee consisting of:

1. **Prime Minister** (Chairperson).
2. **Leader of Opposition (LoP)** in Lok Sabha.
3. **Union Cabinet Minister** nominated by the PM.
 - *Note:* If there is no recognized LoP, the *Leader of the Single Largest Opposition Party* is included (clarified by DOPT guidelines and SC).

The Game Changer: RTI (Amendment) Act, 2019

The 2019 Amendment significantly altered the independence of the Commission.

FEATURE	ORIGINAL ACT (2005)	AMENDED ACT (2019) & RULES
Tenure	Fixed 5 Years (or age 65).	"As prescribed by Centre" (Currently notified as 3 Years).
Status/Salary	Equivalent to Chief Election Commissioner (CEC) / Supreme Court Judge.	"As determined by Centre" (De-linked from CEC/Judges).
State ICs	Tenure/Salary fixed by the Act (same as Election Commissioner).	Tenure/Salary now controlled by the Central Government .

Powers & Functions

- **Suo Motu Disclosure:** Under **Section 4**, it can direct public authorities to publish information proactively.
- **Civil Court Powers:** While inquiring into a complaint, it has powers of a civil court (summoning, requiring documents, etc.).
- **Penalty:** Can impose a penalty of **₹250 per day** (up to ₹25,000) on erring Public Information Officers (PIOs).

- **Compensation:** Can order a public authority to compensate the applicant for loss/detriment.
- **Binding Nature:** The decisions of the CIC are **binding** (subject to Writ Jurisdiction of High Courts/SC).
- **Report to:** Central Govt. Annually.

Common Traps / Confusing Points

- **Trap 1:** "The CIC is eligible for reappointment."
 - *Correction:* **Incorrect.** The CIC is **NOT eligible for reappointment.** An Information Commissioner *can* be elevated to CIC, but the *total* tenure cannot exceed 5 years (now subject to new rules).
- **Trap 2:** "The CIC submits its annual report to the President."
 - *Correction:* **Incorrect.** It submits the report to the **Central Government**, which then tables it in Parliament.
- **Trap 3:** "Political Parties are under the RTI Act."
 - *Correction:* **Technically Yes, practically No.** The CIC declared National Political Parties as "Public Authorities" in 2013, but parties have **refused to comply**, and the decision has not been enforced or challenged successfully in SC yet.

MCQ Focus: Elimination Clues

- *Statement:* "The salary and allowances of the Chief Information Commissioner are constitutionally protected and cannot be varied to his disadvantage." → **Incorrect** (The 2019 Amendment removed this protection; Centre controls it).
- *Statement:* "The State Information Commissioner is appointed by the Governor on the recommendation of a committee headed by the Chief Minister." → **Correct.**

5. QUALITY COUNCIL OF INDIA (QCI)

- **Establishment:** Set up in **1997**.
- **Nature:** It is an **Autonomous Body** registered as a **Non-Profit Society** (under the Societies Registration Act, 1860).
 - *Note:* It is **NOT** a statutory body (not created by an Act of Parliament) and **NOT** a constitutional body.
- **Model:** It is a **Public-Private Partnership (PPP)** model.
 - **Promoters:** Government of India + 3 Industry Associations (**ASSOCHAM, CII, FICCI**).
- **Nodal Ministry:** **Department for Promotion of Industry and Internal Trade (DPIIT)**, Ministry of Commerce & Industry.

Structure & Appointment

- **Chairperson:** Appointed by the **Prime Minister of India**.
 - *Process:* The industry recommends a name to the government, and the PM appoints them.
- **Governing Council:** **38 members** with equal representation from Government, Industry, and other stakeholders.

Key Functions & Boards

- It works as the national accreditation body.
- It has been established to create a mechanism for independent third-party assessment of products, services, and processes.
- It leads a nationwide quality movement in the country through the National Quality Campaign.

QCI operates through 5 Constituent Boards that act as the pillars of India's Quality Ecosystem:

1. **NABL:** National Accreditation Board for Testing & Calibration Laboratories (Labs).
2. **NABH:** National Accreditation Board for Hospitals & Healthcare Providers (Hospitals).
3. **NABET:** National Accreditation Board for Education and Training (Schools/Vocational).
4. **NABCB:** National Accreditation Board for Certification Bodies (Certification agencies).
5. **NBQP:** National Board for Quality Promotion.

Recent Initiatives (Current Affairs 2025)

- **QCI Surajya Recognition & Ranking Framework:**
 - **Objective:** To rank States/UTs on quality parameters to drive excellence.
 - **Pillars:**
 - **Shiksha (Education):** Rankings based on NABL/NABET accreditations.
 - **Swasthya (Health):** Rankings based on NABH/NABL certifications (Ayushman Bharat).
 - **Samriddhi (Prosperity):** Based on ZED (Zero Defect Zero Effect) certification for MSMEs.
- **Gunvatta Sankalp:** A series of state-level quality pledges (held in UP, Odisha, Nagaland, etc.) to mobilize quality consciousness at the grassroots.
- **Sarpanch Samvaad:** A mobile app to create a network of Sarpanchs across India for sharing best practices.

6. NATIONAL MEDICAL COMMISSION (NMC)

Core Context (The Milestone)

- **The Event:** The NMC has completed 5 years of operation.
- **Origin:** It was established by the **National Medical Commission Act, 2019**.
- **The Shift:** It replaced the erstwhile **Medical Council of India (MCI)**.
 - *Why?* The MCI was plagued by corruption and was an "elected" body (doctors electing doctors), creating a conflict of interest. The NMC is a "**Selected**" body (appointed by the Govt) to ensure accountability.

Structure & Composition (NMC)

- **Strength: 33 Members.**
 - **Chairperson:** Appointed by the Central Government.
 - **Ex-Officio Members:** Presidents of the 4 Autonomous Boards, DGHS, DG-ICMR, etc.
 - **Part-Time Members:** Representing States/UTs and medical experts.
- **Search Committee:** headed by the **Cabinet Secretary**.
- **Medical Advisory Council (MAC):** A platform where **States/UTs** can express their views. It advises the NMC (ensuring federal participation).

The 4 Autonomous Boards

Unlike the centralized MCI, the NMC works through **four** distinct boards:

BOARD NAME	FUNCTION
1. UG Medical Education Board (UGMEB)	Sets standards/curriculum for MBBS.

2. PG Medical Education Board (PGMEB)	Sets standards/curriculum for PG (MD/MS).
3. Medical Assessment & Rating Board (MARB)	The "Inspector". It inspects colleges, grants permission for new seats, and rates institutions. It can impose fin es.
4. Ethics & Medical Registration Board (EMRB)	Maintains the National Medical Register (NMR) and regulates professional conduct/ethics.

Key Reforms & Powers

1. NExT (National Exit Test):

- A common final-year exam for MBBS students.
- Acts as: **Licentiate Exam** (to practice) + **PG Entrance** (replacing NEET-PG) + **Screening Test** for Foreign Medical Graduates (FMGs).
- *Status:* Implementation currently delayed (likely 2026); mock tests planned.

2. Fee Regulation: The NMC has the power to frame guidelines for the determination of fees for **50% of seats** in private medical colleges and Deemed Universities.

3. Community Health Providers (CHPs):

- The Act allows granting a **limited license** to practice medicine at the mid-level to persons connected with the modern scientific medical profession (e.g., Nurse Practitioners).

4. National Medical Register (NMR): A dynamic, digital database linked with Aadhaar to track active doctors and eliminate "ghost" practitioners.

Comparison: MCI vs. NMC

FEATURE	MEDICAL COUNCIL OF INDIA (MCI)	NATIONAL MEDICAL COMMISSION (NMC)
Selection	Elected Body (Doctors elected members).	Appointed Body (Selected by Search Committee).
Power	Highly Centralized.	Decentralized into 4 Autonomous Boards.
Fee Control	No power to regulate private fees.	Can regulate fees for 50% seats in private colleges.
Focus	Licensing & Recognition.	Quality Assessment, Rating & Ethics.

Common Traps / Confusing Points

- **Trap 1:** "The NMC is an elected body representing doctors."
 - *Correction: Incorrect.* It is a *regulatory* body appointed by the Government to represent the *public interest*, not a representative body (Guild) of doctors.
- **Trap 2:** "NExT is only for students studying in Indian medical colleges."
 - *Correction: Incorrect.* It applies to **Foreign Medical Graduates (FMGs)** as well. It replaces the FMGE.

MCQ Focus: Elimination Clues

- *Statement:* "The Medical Assessment and Rating Board (MARB) has the power to grant permission for the establishment of new medical colleges." → **Correct.**

7. 50 YEARS OF NATIONAL EMERGENCY (1975–2025)

Core Context

- **The Event:** June 25, 2025, marked 50 years since the proclamation of the National Emergency.
- **The Proclamation:** Issued by President **Fakhruddin Ali Ahmed** on the advice of Prime Minister **Indira Gandhi**.
- **The Ground: "Internal Disturbance"**
- **Significance:** It is often cited as the "darkest period" of Indian democracy, leading to the suspension of civil liberties, press censorship, and mass arrests.

Constitutional Provisions (Article 352)

- **Grounds for Declaration:**
 - War.
 - External Aggression.
 - **Armed Rebellion** (Replaced "Internal Disturbance" by the **44th Amendment, 1978**).
- **Process (Post-1978 Reforms):**
 - **Written Advice:** President can proclaim ONLY on the **written advice** of the **Cabinet** (not just the PM).
 - **Approval:** Must be approved by both Houses within **1 month** (earlier 2 months) by a **Special Majority** (earlier Simple Majority).
 - **Periodic Approval:** Once approved, it continues for **6 months** at a time (indefinitely with 6-monthly approvals).

The "Correction": 44th Amendment Act, 1978

The Janata Government enacted the 44th Amendment to ensure such an Emergency could never be abused again.

FEATURE	PRE-1978 POSITION (DURING EMERGENCY)	POST-1978 POSITION (AFTER 44TH AMD)
Ground	"Internal Disturbance" (Vague).	"Armed Rebellion" (Specific).
Cabinet Role	Oral advice of PM was sufficient.	Written advice of Cabinet is mandatory.
Judicial Review	Barred by 38th Amendment (1975).	Restored (Minerva Mills Case confirmed it is subject to Judicial Review).
Revocation	Only by President.	Lok Sabha can force revocation by passing a resolution (Simple Majority).

Fundamental Rights	All could be suspended.	Article 20 & 21 CANNOT be suspended under any circumstances.
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Impact on Centre-State & Legislature

- **Executive:** Centre gets power to give directions to States on **any matter**. (State Govts are NOT suspended, but come under complete control of Centre).
- **Legislature:**
 - Parliament can legislate on **State List** subjects (Law remains valid for 6 months after Emergency ends).
 - **Life of Lok Sabha:** Can be extended by **1 year** at a time (The 5th Lok Sabha was extended twice).

Fundamental Rights (Article 358 vs 359)

- **Article 358 (Automatic Suspension):**
 - Automatically suspends **Article 19** (Freedoms).
 - *Condition:* Only applies if Emergency is due to **War or External Aggression**. (Art 19 is NOT suspended for "Armed Rebellion").
- **Article 359 (Presidential Order):**
 - Suspends the **Enforcement** (Right to move court) for other Fundamental Rights.
 - *Exception:* **Articles 20** (Protection in conviction) and **21** (Life & Liberty) are **immune**.

Common Traps / Confusing Points

- **Trap 1:** "During National Emergency, the State Governments are suspended and President's Rule is imposed."
 - *Correction:* **Incorrect**. State Governments continue to function, but they are constitutionally bound to follow *all* directions of the Centre.
- **Trap 2:** "Article 352 has been used only once in 1975."
 - *Correction:* **Incorrect**. It has been used **3 times**:
 1. 1962 (China War).
 2. 1971 (Pakistan War).
 3. 1975 (Internal Disturbance).

MCQ Focus: Elimination Clues

- *Statement:* "The President can declare a National Emergency based on the oral advice of the Prime Minister." → **Incorrect** (Written advice of Cabinet is mandatory).
- *Statement:* "Under Article 359, the President can suspend the right to move the court for the enforcement of Article 21." → **Incorrect** (Article 21 is sacrosanct post-44th Amd).
- *Statement:* "A resolution disapproving the continuance of the Emergency must be passed by a Special Majority in the Lok Sabha." → **Incorrect** (Revocation requires only a **Simple Majority**).

8. SUPREME COURT VERDICT ON MODIFICATION OF ARBITRAL AWARDS

Core Verdict (The "4:1" Majority)

- **The Case:** *Gayatri Balasamy v. ISG Novasoft Technologies Ltd.* (2025).

- **The Bench:** 5-Judge Constitution Bench led by **CJI Sanjiv Khanna**.
- **The Ruling:** The Court held by a **4:1 majority** that Courts **DO HAVE a "limited power"** to modify arbitral awards under **Section 34** of the Arbitration and Conciliation Act, 1996.
- **The Shift:** This judgment **overruled/clarified** the earlier position (e.g., *NHAI v. M. Hakeem, 2021*) which stated that **judges could only "set aside" or "uphold" an award but never modify it.**

When can Courts Modify an Award? (4 Specific Grounds)

The majority (CJI Khanna) laid down **four specific scenarios** where modification is allowed to prevent "endless litigation cycles":

1. **Severability:** If the "bad" part of the award is separate from the "good" part, the Court can remove (sever) the bad part and uphold the rest.
2. **Obvious Errors:** Correction of **clerical, typographical, or arithmetic errors** apparent on the face of the record.
3. **Interest Component:** Courts can modify the **Post-Award Interest** (e.g., reducing an exorbitant interest rate fixed by the arbitrator).
4. **Article 142 (Supreme Court Only):** The SC can use its extraordinary power to do "complete justice" to modify an award.

The Dissent (Justice K.V. Viswanathan)

- **The View:** Justice Viswanathan gave the **lone dissenting verdict**.
- **Argument:** He argued that the Arbitration Act acts as a "complete code" and **strictly bars modification**.
- **Reasoning:** Allowing courts to modify awards violates the principle of **"Party Autonomy"** (parties chose arbitration to avoid courts) and turns the Court into an appellate body, which defeats the purpose of arbitration.

Statutory Context (Section 34) of The Arbitration and Conciliation Act, 1996

- **Section 34:** Provides for "Application for **Setting Aside** Arbitral Award".
- **The Conflict:** The text of the law only uses the word **"Set Aside"**. It does *not* explicitly use the word **"Modify"**.
- **Majority's Logic:** To strictly interpret "set aside" would mean that for even a small error, the *entire* award would be cancelled, forcing parties to start arbitration from scratch (wasting years). Hence, a "limited power to modify" is read into the statute to ensure justice.

MCQ Focus: Elimination Clues

- *Statement:* "Under the 2025 Supreme Court verdict, Courts have absolute power to modify any part of an arbitral award." → **Incorrect** (Only "Limited Power").
- *Statement:* "The Supreme Court held that the power to 'set aside' under Section 34 includes the implied power to correct clerical errors." → **Correct**.

9. DIRECTORATE OF REVENUE INTELLIGENCE (DRI)

- **Context:** Directorate of Revenue Intelligence (DRI) - seized 39.2 kg of hydroponic weed at Mumbai.
- **Status:** It is the **Apex Anti-Smuggling Intelligence Agency** of India.
- **Parent Body:** It works under the **Central Board of Indirect Taxes and Customs (CBIC)**, Ministry of Finance.
- **Establishment:** Constituted in **1957**.

- **Mandate:**
 - Preventing outright **smuggling** (Gold, Narcotics, Fake Currency, Wildlife).
 - Combating **commercial fraud** (Under-invoicing/Over-invoicing of imports/exports).
 - Enforcing provisions of the **Customs Act, 1962** and **NDPS Act, 1985**.

Key Powers & Jurisdiction

- **Not Statutory:** The DRI is not a statutory body. However, its officers are empowered as "Customs Officers" under the **Customs Act, 1962**.
- **NDPS Powers:** DRI officers are also empowered to effect seizures and make arrests under the **Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985**.
- **Lead Agency for Smuggling:** It is the lead agency for the **Anti-Smuggling National Coordination Centre (SCord)**.
- DRI is the only agency with the power to invoke the COFEPOSA Act (preventive detention for smugglers) effectively across India.

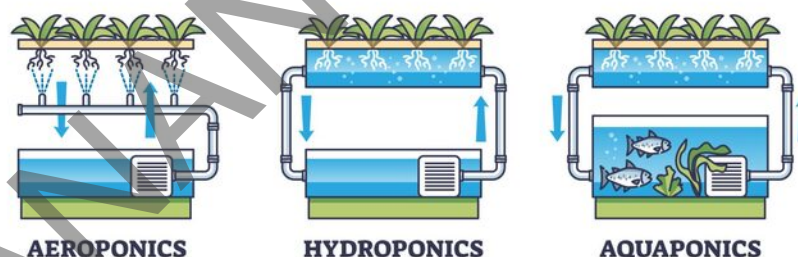
10. OPERATION WEED OUT

Context: The 39.2 kg seizure was part of this specific operation targeting hydroponic weed smuggling from Thailand (Bangkok)

The Contraband: Hydroponic Weed

- **What is it?** A variant of the Cannabis plant grown using the **Hydroponics technique** (Soil-less cultivation).
 - Instead of soil, the roots are submerged in a nutrient-rich water solution.

GROWING SYSTEMS



Common Traps / Confusing Points

- **Trap 1:** "DRI is the primary agency for Money Laundering investigations."
 - **Correction: Incorrect. Enforcement Directorate (ED)** handles Money Laundering (PMLA). DRI handles Smuggling/Customs Evasion (though they often share intel).
- **Trap 2:** "DRI reports to the Ministry of Home Affairs."
 - **Correction: Incorrect.** It reports to the **Ministry of Finance** (Dept of Revenue). The **NIA** and **NCB** report to the Ministry of Home Affairs.

11. CENTRAL BOARD OF FILM CERTIFICATION (CBFC)

Core Context

- **The Issue:** Recently, films dealing with **Caste** (e.g., Dalit identity), **Mythology** (interpretations of epics), and **Political References** (emergency or leaders) have faced heavy cuts or delays in certification.

Static Core: The Body

- **Nature:** It is a **Statutory Body** established under the **Cinematograph Act, 1952**.
- **Ministry:** Functions under the **Ministry of Information and Broadcasting (I&B)**.
- **Headquarters:** **Mumbai** (with 9 regional offices).
- **Composition:**
 - **Chairperson** + Non-official members (appointed by the Central Government).
 - They serve for **3 years** or until further orders.

Certification Categories (The 4 Types)

Under the Act, CBFC grants one of four certificates:

1. **U (Unrestricted):** Universal exhibition.
2. **UA (Unrestricted with Caution):** Parental guidance advised for children under 12 years.
3. **A (Adults Only):** Restricted to adults (18+).
4. **S (Special Class):** Restricted to members of a specific profession (e.g., Doctors, Scientists).

The Cinematograph (Amendment) Act, 2023

To curb piracy and streamline certification, the 1952 Act was amended recently.

- **Perpetual Validity:** Certificates are now valid **perpetually** (previously valid for only 10 years).
- **New UA Sub-categories:** The 'UA' category is further divided into age-based markers: **UA 7+, UA 13+, and UA 16+** (aligned with OTT rules).
- **Anti-Piracy:** Introduction of strict **jail terms** (up to 3 years) and fines for recording films in theatres ("camcording").

The Appellate Mechanism

- **Old System:** Appeals against CBFC decisions went to the **FCAT (Film Certification Appellate Tribunal)**.
- **Current System (Post-2021):** The **FCAT was abolished** in 2021 by the Tribunals Reforms Act.
 - **Where do appeals go now?** Directly to the **High Court**.

Common Traps / Confusing Points

- **Trap 1:** "CBFC is an autonomous constitutional body."
 - **Correction: Incorrect.** It is a **Statutory Body** under the I&B Ministry.
- **Trap 2:** "If a filmmaker is unhappy with CBFC cuts, they can approach the Film Certification Appellate Tribunal (FCAT)."
 - **Correction: Incorrect.** FCAT was **abolished in 2021**. They must now go to the **High Court**.
- **Trap 3:** "The CBFC can only certify films but cannot order cuts."
 - **Correction: Incorrect.** While the *name* says Certification, the Act empowers it to **refuse** certification or suggest **modifications (cuts)** if the content violates guidelines (e.g., against public order, decency).

MCQ Focus: Elimination Clues

- **Statement:** "The 'S' certificate issued by CBFC implies the film is suitable for students." → **Incorrect** (It stands for **Special Class**, e.g., doctors/scientists).
- **Statement:** "Certificates issued by the CBFC are valid for a period of 10 years." → **Incorrect** (Now valid **Perpetually** under the 2023 Amendment).
- **Statement:** "The Central Board of Film Certification functions under the Ministry of Culture." → **Incorrect** (Ministry of **Information & Broadcasting**).

12. UPSC @ 100 (1926–2026)

Core Context

- **The Event:** On October 1, 2025, UPSC entered its **Centenary Year**.
- **Origin:** The first "Public Service Commission" was established on **October 1, 1926** under the Chairmanship of **Sir Ross Barker**.
- **The Mandate:** Responsible for the "Merit-based selection" of India's "Steel Frame".

Evolution & Historical Timeline

- **1924 (Lee Commission):** Recommended the establishment of a Public Service Commission (PSC) for India.
- **1926:** The first PSC was set up (functions limited to conducting exams for the Indian Civil Service/ICS).
- **1935 (GoI Act, 1935):** Reorganized as the **Federal Public Service Commission (FPSC)**. It also created separate Provincial PSCs.
- **1950 (Constitution):** Renamed as **Union Public Service Commission (UPSC)** and granted **Constitutional Status** under Article 315.
 - *Note:* The first Indian Chairman after independence was **H.K. Kripalani**.

CONSTITUTIONAL STATUS

- UPSC is a **constitutional body**.
- Established under **Article 315** of the Constitution of India.
- **Constitution provides for:**
 - UPSC (for the Union)
 - State Public Service Commissions (SPSC)
 - Joint State Public Service Commission (Parliament to create it by law)

COMPOSITION (ARTICLE 316)

- Consists of:
 - Chairman
 - Other Members
- **Appointed by** the President of India.
- At least half of the members must have held office for **minimum 10 years** under:
 - Government of India, or
 - Government of a State.

TENURE & SERVICE CONDITIONS

- **Tenure:** 6 years or until 65 years of age, whichever is earlier (UPSC).
- **Resignation:** To the President.
- **Removal:** By the President on recommendation of Supreme Court (Article 317).
- **Grounds:** proven misbehaviour or incapacity.

INDEPENDENCE OF UPSC

- Security of tenure.
- Conditions of service cannot be varied to their disadvantage.
- **Expenses charged** on Consolidated Fund of India.
- Chairman **not eligible for further government employment** (except as Chairman of UPSC or SPSC).

FUNCTIONS OF UPSC (ARTICLE 320)

UPSC shall be consulted on:

- **Recruitment** to All India Services and Central Services.
- Methods of recruitment.
- **Appointments, promotions, transfers.**
- Disciplinary matters.
- Claims relating to legal expenses of civil servants.
- Pension matters.

Note : President may exclude certain matters from UPSC consultation (Article 320(3)).

NATURE OF UPSC'S ADVICE

- UPSC's role is advisory, **not binding.**
- Government may reject UPSC advice, but **reasons must be placed before Parliament.**

REPORTING FUNCTION (ARTICLE 323)

- UPSC submits **Annual Report to the President.**
- Report **laid before both Houses of Parliament**, along with a memorandum of action taken.

Key Exam Reforms (High Yield)

- **1979 (Kothari Committee):** Introduced the **Three-Stage** structure (Prelims, Mains, Interview).
- **1989 (Satish Chandra Committee):** Introduced the **Essay Paper.**

Recent Civil Services Reforms (Mission Karmayogi & More)

Core Context

- **The Philosophy:** The government is pushing for a transition from a "Rule-Based" bureaucracy to a **"Role-Based"** one.
- **Goal: To create "Future-Ready"** civil servants who are creative, proactive, professional, and technology-enabled.

Key Initiatives & Reforms

1. Mission Karmayogi (NPCSCB):

- **Full Form:** National Programme for Civil Services Capacity Building.
- **Objective:** To standardize training and capacity building across all levels (Group A, B, and C).

2. iGOT-Karmayogi Platform:

- **Nature:** An online training platform (Integrated Government Online Training).
- **Function:** Provides "anytime-anywhere" learning. It moves away from "one-time training" to "continuous learning".

3. Lateral Entry:

- **It is Direct recruitment of domain experts** (private sector/academia) at the level of Joint Secretary, Director, and Deputy Secretary.
- **Objective:** To bring in fresh ideas, specialized domain knowledge, and efficiency.
- **Agency:** Conducted by UPSC. (**Note** - the UPSC advertisement for 45 lateral entry posts was cancelled by the Centre due to lack of reservation rosters)

4. Aarambh (Common Foundation Course):

- An initiative to bring all probationers of All India Services and Central Civil Services together for a common foundation course at LBSNAA, fostering camaraderie and breaking "silos" early on.

5. e-HRMS 2.0 (Digitization):

- **End-to-end digitization of HR processes** (Service Books, Leave, Tour, Transfer, Vigilance status) to ensure transparency and reduce administrative friction.

Common Traps / Confusing Points

- **Trap 1:** "The Constitution specifies the strength of the UPSC Commission."
 - *Correction: Incorrect.* The Constitution leaves the strength to the **discretion of the President.** (Usually 9-11 members including Chairman).
- **Trap 2:** "The Lee Commission (1924) recommended the abolition of the ICS."
 - *Correction: Incorrect.* It recommended the establishment of a Commission to *recruit* for it. The ICS was abolished/transformed into IAS only after Independence.

MCQ Focus: Elimination Clues

- *Statement:* "The Chairman of UPSC is eligible for further employment under the Government of India after retirement." → **Incorrect** (Strictly prohibited to ensure independence).
- *Statement:* "The recommendations of the Lee Commission led to the establishment of the first Public Service Commission in India in 1926." → **Correct.**

ANANTAM IAS



POLICIES

1. GYAN BHARATAM MISSION

Core Context

- **The Origin:** Announced in the Union **Budget 2025-26** by the Finance Minister.
- **Predecessor:** It is a restructured and expanded version of the **National Mission for Manuscripts (NMM)**, which was originally established in 2003.
- **Nodal Ministry:** **Ministry of Culture** (It is a Central Sector Scheme).

Mandate & Objectives

- **The Goal:** To survey, document, conserve, and digitize India's vast manuscript heritage.
- **The Target:** To document and digitize **1 Crore (10 Million)** manuscripts from academic institutions, museums, temples, libraries, and private collections.
- **Key Outcome:** Creation of a **National Digital Repository (NDR)** of Indian manuscripts to make them accessible to scholars worldwide.
- **Technology:** Utilization of **AI (Artificial Intelligence)** and **HTR (Handwritten Text Recognition)** to decipher ancient scripts and tag metadata.

What counts as a "Manuscript"?

According to the **National Mission for Manuscripts** (and adopted by Gyan Bharatam):

1. **Handwritten:** Must be a handwritten composition (on paper, bark, palm leaf, cloth, metal, etc.).
2. **Age:** Must be at least **75 years old**.
3. **Scientific/Historical Value:** Must have significant value.
 - *Exclusion: Lithographs (stone prints) and Printed Volumes are NOT considered manuscripts.*

Implementation Framework

- **Structure:** It operates through a network of **Cluster Centres** and **Independent Centres**.
- **Delhi Declaration:** It commits to making manuscript conservation a "mass movement" .

Common Traps / Confusing Points

- **Trap 1:** "Gyan Bharatam Mission is an initiative of the Ministry of Education (MoE)."
○ *Correction:* **Incorrect.** It falls under the **Ministry of Culture.**
- **Trap 2:** "Any book older than 100 years is considered a manuscript under this mission."
○ *Correction:* **Incorrect.** It must be **handwritten** and the cutoff is **75 years.**
- **Trap 3:** "The mission deals only with Sanskrit manuscripts."
○ *Correction:* **Incorrect.** It covers **all Indian languages and scripts** (e.g., Pali, Prakrit, Tamil, Persian, Arabic, etc.).

MCQ Focus: Elimination Clues

- *Statement:* "The Gyan Bharatam Mission aims to establish a National Digital Repository for lithographs and printed historical documents." → **Incorrect** (Focus is strictly on *Manuscripts*).
- *Statement:* "The National Mission for Manuscripts has been subsumed/restructured into the Gyan Bharatam Mission." → **Correct.**
- *Statement:* "Under the mission criteria, a manuscript must be at least 100 years old to qualify for conservation." → **Incorrect** (75 years).

2. PRASHAD SCHEME

- **Full Form:** Pilgrimage Rejuvenation and Spiritual Heritage Augmentation Drive.
- **Launch Year:** 2014-15.
- **Nodal Ministry:** Ministry of Tourism.
- **Objective:** Holistic development of **identified pilgrimage destinations** (infrastructure, connectivity, amenities).

Funding Pattern (High Yield)

- **Central Sector Scheme:** It is a **100% Centrally Funded** scheme.
- It also seeks to leverage **Corporate Social Responsibility (CSR)** funds and **Public-Private Partnerships (PPP)** for sustainability.
- **Implementation Agency:** by the **State/UT Governments.**

Coverage (As of 2025)

- **Sites:** Covers **41 sites** in 25 States (e.g., Varanasi, Amritsar, Ajmer, Mathura, Velankanni, Kamakhya).
- **Recent Additions (Context):** New projects like the development of **Bhadrachalam Group of Temples** and **Ramappa Temple** (UNESCO site) in Telangana were recently inaugurated.

Key Components

- **Infrastructure:** Last-mile connectivity, ATMs, money exchanges, eco-friendly modes of transport.
- **Tourist Amenities:** Waiting rooms, first aid centers, craft haats/bazaars.

Comparison: PRASHAD vs. SWADESH DARSHAN

FEATURE	PRASHAD	SWADESH DARSHAN
Focus	Specific Pilgrimage/Heritage Sites (Individual Cities/Temples).	Thematic Circuits (e.g., Ramayana Circuit, Buddhist Circuit, Coastal Circuit).

Ministry	Ministry of Tourism.	Ministry of Tourism.
Funding	100% Central Funding.	100% Central Funding

Common Traps / Confusing Points

- **Trap 1:** "PRASHAD is a Centrally Sponsored Scheme with a 60:40 fund sharing ratio."
 - *Correction:* **Incorrect.** It is a **Central Sector Scheme** (100% funded by Centre).
- **Trap 2:** "The scheme is implemented by the Archaeological Survey of India (ASI)."
 - *Correction:* **Incorrect.** It is implemented by the **Ministry of Tourism** through State agencies. ASI plays a role only in obtaining NOCs for protected monuments.

3. DRAMATIC PERFORMANCES ACT, 1876

Core Context

- **The Trigger:** The Prime Minister recently cited this Act as a prime example of "colonial baggage," that it empowered the British to arrest people merely for performing/dancing.
- **Current Status:** The Act was **formally repealed** by the Indian Parliament in **2018**. However, it had effectively been a "dead letter" in many states since 1956 after being declared unconstitutional by High Courts.

Historical Background

- **The Catalyst:** The British government was alarmed by the use of theatre as a tool for nationalist propaganda.
 - *Key Play:* "**Nil Darpan**" (1860) by **Dinabandhu Mitra** (depicting the plight of Indigo farmers), satire titled "**Gajadananda and the Prince**" (mocking a Bengali notable for socializing with the Prince of Wales during his 1875 visit).
- **The Viceroy:** Enacted during the time of **Lord Lytton**.
- **Objective:** To suppress "seditious" theatre that exposed colonial exploitation.

Key Provisions

1. **Government Discretion:** The Local Government could prohibit any play if it was of the opinion that the performance was:
 - Scandalous or defamatory.
 - Likely to excite feelings of disaffection (Sedition).
 - Likely to "deprave and corrupt" persons.
2. **No Proof Needed:** The ban was based on the "**opinion**" of the government; no concrete judicial proof was required initially.
3. **Search & Seizure:** Magistrates were empowered to enter, search, and seize venues suspected of hosting such plays.

Post-Independence Status & Judicial Intervention

- **Article 372:** The Act continued in force after 1947 due to Article 372 (Continuance of existing laws).
- **The Turning Point (1956):** In the landmark case **State of U.P. v. Baboo Lal**, the **Allahabad High Court** declared the Act **Unconstitutional**.

- **IPTA Connection:** The 1956 case involved the **Indian People's Theatre Association (IPTA)** attempting to stage a play based on Munshi Premchand's story *Idgah*.
- While this Act is gone, the **Bharatiya Nyaya Sanhita (BNS)** retains provisions against "acts prejudicial to national integration" (Section 152), which can theoretically cover seditious performances

Common Traps / Confusing Points

- **Trap 1:** "The Dramatic Performances Act, 1876 was repealed immediately after Independence in 1947."
 - *Correction:* **Incorrect.** It remained on the statute books for decades. It was declared void by courts in the 1950s but formally repealed by Parliament only in **2018**.
- **Trap 2:** "The Act applied only to English language plays."
 - *Correction:* **Incorrect.** It targeted vernacular plays (Bengali, Marathi, etc.) which were the main vehicles of nationalist sentiment.

MCQ Focus: Elimination Clues

- *Statement:* "The Dramatic Performances Act, 1876 is currently a valid central law used to regulate theatre in India." → **Incorrect** (Repealed in 2018).
- *Statement:* "The Allahabad High Court struck down the Act in 1956 for violating Article 19 of the Constitution." → **Correct**.

4. PROTECTION OF INTERESTS IN AIRCRAFT OBJECTS BILL, 2025

Core Context

- **The Crisis:** When **Go First** airlines filed for insolvency, the NCLT (National Company Law Tribunal) imposed a **moratorium** under the IBC, preventing foreign lessors from repossessing their aircraft.
- **The Impact:** This spooked international lessors, leading to a downgrade in India's compliance rating by the **Aviation Working Group (AWG)** and increasing lease rentals for Indian carriers.
- **The Bill:** It aims to implement the Cape **Town Convention (CTC)** fully into Indian law, ensuring that lessors can repossess aircraft easily in case of default, bypassing the IBC moratorium.

The Cape Town Convention (CTC)

- **What is it?** The *Convention on International Interests in Mobile Equipment* (and its Aircraft Protocol), adopted in **2001** in Cape Town.
- **India's Status:** India acceded to it in **2008**.
- **Objective:** To standardize transactions involving movable property (aircraft engines, airframes, helicopters) and protect the rights of creditors (lessors).

Key Provisions of the Bill

1. Primacy over National Laws:

- The Bill creates a legal framework that holds **primacy over other conflicting laws** (specifically the Insolvency and Bankruptcy Code, 2016, and the Companies Act, 2013).
- *Effect:* If an airline goes bankrupt, the **moratorium** (which usually stops all recovery actions) will **NOT apply** to aircraft, engines, and helicopters.

2. IDERA:

- **Full Form:** Irrevocable De-registration and Export Request Authorization.
 - **Function:** It is a pre-signed authorization by the airline. If they default, the lessor can use IDERA to approach the DGCA to deregister and export the aircraft within **5 working days**, without needing court consent.
3. **Remedies for Creditors:**
- Allows creditors to take possession, sell, or lease the aircraft upon default.
 - Provides for "Interim Relief" by courts within strict timelines.

Jurisdiction & Applicability

- **Applicable To:** Airframes, Aircraft Engines, and Helicopters.
- **Not Applicable To:** Military, Customs, or Police aircraft (State Aircraft).

5. THE NATIONAL SPORTS GOVERNANCE BILL, 2025

Core Context

- **The Problem:** Indian sports administration was plagued by **lack of accountability, unlimited tenures** and frequent **suspensions by International Bodies**.
- **The Solution:** This Bill creates a **statutory framework** to regulate the functioning of **Sports Regulatory Board of India (SRBI)** and the **Indian Olympic Association (IOA)**, ensuring they comply with **International Charters**.

Key Institutional Structures

1. **Sports Regulatory Board of India (SRBI):**
 - **Role:** The new Regulator. It grants **recognition** to NSFs and the IOA. (*Only recognized bodies can receive Central Government funding*).
 - **Powers:** Can suspend recognition if bodies fail to comply.
 - i. It can create **Ad-hoc bodies** to run sports if international recognition is lost.
 - **Composition:** Chairperson + Members with expertise in sports law/administration.
 - **Appointed by:** **Central Govt** on recommendation of a Search Committee.
2. **Appellate Sports Tribunal (AST):**
 - **Role:** To adjudicate sports-related disputes (e.g., selection bias, election disputes, disciplinary issues).
 - **Chairperson:** A sitting or former **Judge of the Supreme Court** or **Chief Justice of a High Court**.
 - **Appeals:** Decisions can be appealed to the **Supreme Court**.

Governance Reforms

- **Age Limit:** Members must be between **25 and 70 years**.
 - *Exception:* Persons aged **70–75** can serve if international rules specifically permit it.
- **Tenure Limits:**
 - President/Secretary/Treasurer cannot serve more than **3 consecutive terms**.
 - **Cooling-off period** is mandatory after consecutive terms.
- **Athlete Representation:** The Executive Committee (max 15 members) **MUST** include:
 - At least **2 Outstanding Sportspersons**.
 - At least **4 Women**.
 - **At least 25% of members** must be prominent sportspersons.

Common Traps / Confusing Points

- **Trap 1:** "The Bill mandates that the Sports Minister is the ex-officio Chairman of the National Sports Board."
 - *Correction:* **Incorrect.** The Board members are appointed based on recommendations of a search committee.
- **Trap 2:** "The National Sports Tribunal's decision is final and cannot be challenged in any court."
 - *Correction:* **Incorrect.** Appeals lie to the **Supreme Court of India.**
- **Trap 3:** "The Bill bans politicians from holding office in Sports Federations."
 - *Correction:* **Incorrect.** It does not ban politicians explicitly, but imposes strict **Age and Tenure limits** which effectively curbs the "lifetime fiefdoms" often held by politicians.

6. LAWS GOVERNING IMPORT OF GOLD IN INDIA (RANYA RAO CASE CONTEXT)

Core Context

- **The Incident:** In **March 2025**, Kannada actress **Ranya Rao** was arrested by the Directorate of Revenue Intelligence (DRI) at Bengaluru Airport, for attempting to smuggle over **14 kg of gold** from Dubai, to evade Customs Duty.

Statutory Framework (Customs Act, 1962)

1. **Smuggling Definition:** Importing goods secretly to evade duty or violating prohibitions is "Smuggling" under **Section 2(39) of Customs Act, 1962.**
2. **Confiscation:** Any gold imported contrary to law is liable for **confiscation** under **Section 111.**
3. **Arrest & Bail:**
 - If the value of smuggled goods exceeds **₹50 Lakh**, the offence is **Non-Bailable** (Section 104).
4. **Burden of Proof:** Under **Section 123**, in cases of gold seizure, the **burden of proof** lies on the **accused.**

Baggage Rules, 2016

- **Duty-Free Allowance:**
 - Applicable **ONLY** if the passenger has stayed abroad for **more than 1 year.**
 - **Men:** Up to **20 grams** (Max value cap: **₹50,000**).
 - **Women:** Up to **40 grams** (Max value cap: **₹1,00,000**).
 - *Note:* This limit applies *only* to **Jewellery**. It does **NOT** apply to Gold Bars or Coins.
- **Import on Payment of Duty:**
 - Passengers returning after **6 months** of stay abroad can bring up to **1 kg of gold** by paying the applicable Customs Duty (currently ~15% + Cess).
 - Gold imported *in excess* of 1 kg or without declaring is considered **Prohibited Goods.**

The Green Channel vs. Red Channel

- **Green Channel:** For passengers with **No Dutiable Goods.** Ranya Rao attempted to walk through this channel despite carrying 14 kg.
- **Red Channel:** For passengers with goods to **declare** (paying duty).

Common Traps / Confusing Points

- **Trap 1:** "A male passenger can bring 50 grams of gold duty-free if he stays abroad for 1 year."
 - *Correction:* **Incorrect.** The weight limit is **20 grams**, and the value cap is **₹50,000**.
- **Trap 2:** "Gold coins and bars are part of the duty-free baggage allowance."
 - *Correction:* **Incorrect.** Duty-free allowance is strictly for **Jewellery**. Coins/Bars attract duty from the first gram.
- **Trap 3:** "Smuggling gold is a civil offence punishable only by a fine."
 - *Correction:* **Incorrect.** It is a **Criminal Offence**. If value > ₹1 Crore, it can lead to **7 years imprisonment** under Section 135.

ANANTAM IAS

PRELIMS REVISION SCHEDULE (QIP)

- ▶ Classes starts from 12th Jan Onwards
- ▶ Test Timing – 4:45 PM to 5:45 PM
- ▶ Class Timing – 2:00 PM to 4:30 PM
- ▶ Test Discussion Timing – 6:00 PM onwards

STRATEGY CLASSES by Ashish Bharti Sir			SCIENCE & TECHNOLOGY by Jawala Sir			ECONOMY by Raja Sir		
Date	Syllabus	Tests	Date	Syllabus	Tests	Date	Syllabus	Tests
12 Jan	Lecture-1: PYQ trend analysis	No Tests	11 Feb	Lecture-9: Biotechnology	Test-9	12 Mar	Lecture-11: Inflation, GDP and National Accounting	Test-11
13 Jan	Lecture-2: Prelims Aptitude class 1- terminology analysis, logical analysis, statement analysis, factual analysis	No Tests	12 Feb	Lecture-10: Biotechnology	Test-10	13 Mar	Lecture-12: Demand, supply and Misc. micro economic topics	Test-12
14 Jan	Lecture-3: Prelims aptitude class 2	No Tests	13 Feb	Lecture-11: IT and Computers	Test-11	HISTORY by Ashish Bharti Sir		
15 Jan	Lecture-4: Practice class	No Tests	14 Feb	Lecture-12: IT and Computers	Test-12			
POLITY by Vaibhav Mishra Sir			GEOGRAPHY & ENVIRONMENT by Gaurav Tripathi sir			14 Mar	Lecture-1: Ancient India - Foundations	Test-1
						16 Mar	Lecture-2: Ancient India -Classical & Early Medieval	Test-2
16 Jan	Lecture-1: Political Theory + Constitution	Test-1	16 Feb	Lecture-1: Trend analysis & Basics of Geography	Test-1	17 Mar	Lecture-3: Early Medieval India	Test-3
17 Jan	Lecture-2: Democracy + Power + Ideologies	Test-2	17 Feb	Lecture-2: Climatology	Test-2	18 Mar	Lecture-4: Medieval India -Sultanate & Mughals	Test-4
19 Jan	Lecture-3: Preamble + Union & Territory	Test-3	18 Feb	Lecture-3: Oceanography & Indian Climate	Test-3	19 Mar	Lecture-5: Culture, Religion & Terminology (Ancient-Medieval)	Test-5
20 Jan	Lecture-4: Fundamental Rights	Test-4	19 Feb	Lecture-4: Geomorphology, Indian Physiography & Drainage 1	Test-4	20 Mar	Lecture-6: Modern India - Company Rule	Test-6
21 Jan	Lecture-5: Directive Principles & Fundamental Duties	Test-5	20 Feb	Lecture-5: Indian Physiography & Drainage 2 & Resources	Test-5	21 Mar	Lecture-7: Socio-Religious Reform & Legislations	Test-7
22 Jan	Lecture-6: Union Executive	Test-6	21 Feb	Lecture-6: Biomes & Indian Vegetation	Test-6	23 Mar	Lecture-8: Early National Movement (1857-1905)	Test-8
23 Jan	Lecture-7: Parliament & State Legislature	Test-7	23 Feb	Lecture-7: Basics of Ecology	Test-7	24 Mar	Lecture-9: National Movement - Assertive Phase	Test-9
24 Jan	Lecture-8: Judiciary	Test-8	24 Feb	Lecture-8: Climate change & Biodiversity	Test-8	25 Mar	Lecture-10: Gandhian Phase	Test-10
27 Jan	Lecture-9: Federalism	Test-9	25 Feb	Lecture-9: International conventions	Test-9	26 Mar	Lecture-11: Towards Independence (1935-1947)	Test-11
28 Jan	Lecture-10: Emergency Provisions & Bodies	Test-10	26 Feb	Lecture-10: Legislations, Rules & Misc.	Test-10	27 Mar	Lecture-12: Post-Independence + High-Yield Revision	Test-12
29 Jan	Lecture-11: Polity Current Affairs	Test-11	ECONOMY by Raja Sir			INTERNATIONAL RELATIONS by Vishal Sir		
30 Jan	Lecture-12: Polity Current Affairs	Test-12	27 Feb	Lecture-1: Banking	Test-1	28 Mar	Lecture-1: United Nations System & Global Governance	Test-1
SCIENCE & TECHNOLOGY by Jawala Sir			28 Feb	Lecture-2: Banking	Test-2	30 Mar	Lecture-2: Arms Control, Nuclear Regimes & Strategic Governance	Test-2
			2 Feb	Lecture-1: Space Technology	Test-1	2 Mar	Lecture-3: Monetary Policy and Money supply	Test-3
3 Feb	Lecture-2: Space Technology	Test-2	3 Mar	Lecture-4: Monetary Policy and Money supply	Test-4	01 Apr	Lecture-4: Global & Regional Organisations (Power Blocs)	Test-4
4 Feb	Lecture-3: Space Technology	Test-3	5 Mar	Lecture-5: Financial Market Dynamics	Test-5	GOVT. SCHEMES / MISCELLANEOUS by Vishal Sir		
5 Feb	Lecture-4: Nuclear Technologies	Test-4	6 Mar	Lecture-6: Fiscal Policies and Taxation Issues	Test-6	02 Apr	Lecture-1	Test-1
6 Feb	Lecture-5: Nuclear Technologies	Test-5	7 Mar	Lecture-7: Fiscal Policies and Taxation Issues	Test-7	03 Apr	Lecture-2: cover all the important miscellaneous current affairs	Test-2
7 Feb	Lecture-6: Energy Technology	Test-6	9 Mar	Lecture-8: External Sector & BoP	Test-8	04 Apr	Lecture-3: cover all the important miscellaneous current affairs	Test-3
9 Feb	Lecture-7: Defense Technology, Nanotechnology, IPR	Test-7	10 Mar	Lecture-9: External Sector & BoP	Test-9			
10 Feb	Lecture-8: Biotechnology	Test-8	11 Mar	Lecture-10: IMF/WB/WTO treaties	Test-10			