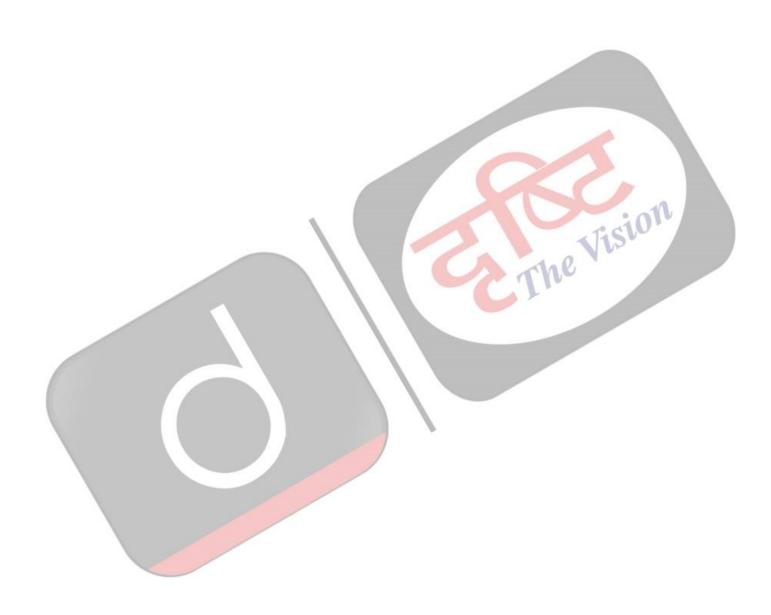


# **Bhagat Singh**

<u>//\_</u>





Also known as Shaheed-e-Azam (Great Martyr)



# Brief Description

- Birth: 28<sup>th</sup> September 1907, Banga, Punjab, British India (now in Pakistan)
- Jallianwala Bagh Massacre (1919): At age 12, witnessed the massacre; it ignited his patriotism
- Organizations:
  - 1924 Joined Hindustan Republican Association (HRA)
    - Renamed Hindustan Socialist Republican Association (HSRA) in 1928.
- Key Literary Contributions:
  - "Why I Am an Atheist"
  - "The Jail Notebook and Other Writings"

# Major Actions

- 1928 Assassinated J.P. Saunders (Lahore Conspiracy Case) to avenge Lala Lajpat Rai's death
- 1929 Bombed Central Legislative Assembly (with B.K. Dutt)

## Arrest & Trial

- Arrested in 1929 Assembly bombing
- Sentenced to death (Lahore Conspiracy Case)
- Hanged alongside Sukhdev and Rajguru (23<sup>rd</sup> March 1931)
   23<sup>rd</sup> March Martyrs' Day

# Relevance of Bhagat Singh's Ideologies

Key Ideals	Description	
Universal Brotherhood	Advocated peace, equality, and global unity	
Communal Harmony	Strongly opposed religious conflicts and divisions	
Youth in Politics	Encouraged students to actively participate in politics	
Empowerment of Marginalized	Championed the dismantling of caste hierarchies	
Revolutionary Spirit	Challenged oppression—an inspiration for modern movements	



## **Dynamic Nature of the Indian Constitution**

For Prelims: Chief Justice of India, Constitution, Privacy, Article 368, Types of Majority, Parliament, Fundamental rights, Supreme Court

**For Mains:** Constitution as a Living Document, Constitutional Amendments, Changing Social Contexts on Constitutional Interpretation.

#### Source: TH

## Why in News?

Recently, the <u>Chief Justice of India (CJI)</u> **D.Y. Chandrachud** emphasised the **dynamic nature of the** <u>Constitution</u>, asserting that **no single generation can claim a monopoly over its interpretation**.

 CJI emphasised the Constitution's relevance in its ability to adapt to changing social, legal, and economic contexts, contrasting this with the United States doctrine of originalism.

# Why Must Constitutional Doctrine Evolve with Society?

- Constitution as a Living Document: CJI highlighted the concept of a "living Constitution," which means the interpretation of the document must change with evolving societal norms.
  - This allows constitutional courts to **find solutions for new and novel problems that arise over time**, keeping the document relevant.
- **Different Social Contexts:** According to CJI, **no two generations** read the Constitution in the same social, legal, or economic context.
  - As society evolves, new challenges arise that require fresh interpretations of the Constitution to address contemporary needs, such as <u>legalising adultery</u>.
- Contrast with Originalism: CJI Chandrachud referenced the 2022 Dobbs v. Jackson Women's
   Health Organisation ruling by the US Supreme Court as an example of originalism, where the
   right to abortion was denied because it is not explicitly mentioned in the US Constitution.
  - He contrasted this with India's evolving approach, noting that originalism can lead to a rigid and restrictive interpretation of citizens' rights.
- Inflexibility: CJI Chandrachud pointed out that rigid adherence to the framers' original intent makes the Constitution inflexible. He emphasised that it was meant as broad, not iron-clad rules, which should evolve with the times.
  - Over-reliance on subjective interpretations can lead to **conservative readings**, **limiting future generations' ability** to address new challenges.

## What Role Does Constitutional Flexibility Play in Governance?

- Support for Progressive Reform: The Constitution's adaptability allows for reforms that meet current societal demands, from technological advancements to evolving human rights standards like data protection laws, such as data protection laws.
- Fostering Innovation in Law: A living Constitution creates room for innovative legal

- interpretations that can address emerging challenges, such as privacy concerns in a digital age.
- Safeguarding Citizens' Rights: A dynamic interpretation of the Constitution helps safeguard rights against conservative readings that could otherwise restrict freedoms.
- Adaptability: A flexible constitutional doctrine ensures institutions remain relevant in a rapidly evolving world, particularly in a growing knowledge economy.
- Inclusion of New Realities: The living Constitution doctrine allows the courts to incorporatenew social, economic, and legal contexts into their interpretations, ensuring that rights evolve with societal advancements.

#### What is the Nature of the Indian Constitution?

- Hybrid Structure: The Indian Constitution incorporates features of both rigid and flexible constitutions. This hybrid nature allows for adaptability while maintaining stability in the fundamental structure of the Constitution.
  - **Protecting Fundamental Values:** Rigidity ensures the protection of <u>fundamental rights</u> **and basic structure** against arbitrary changes.
  - **Preserving Federalism:** While the federal structure is rigidly defined, necessary changes can be made to adapt to new realities, such as the concurrent list.
  - **Balancing Welfare:** The combination of rigid rights and flexible <u>Directive Principles</u> of <u>State Policy (DPSP)</u> helps balance individual liberties with collective welfare.
  - **Ensuring Stability:** Rigidity fosters stability by requiring consensus for significant changes, preventing hasty amendments.
  - Fostering Democracy: Flexibility in legislative processes promotes democratic governance by allowing elected representatives to respond to public needs while adhering to constitutional limits.

#### Amendment Procedures:

- Article 368 Delineates Two Main Methods of Amendment:
  - Special Majority of Parliament: Certain provisions like amending Fundamental Rights require a <u>special majority</u> of <u>Parliament for amendment</u>, which entails a **two-thirds majority of the members present and voting in each House**, along with a majority of the total membership of each House.
    - This ensures that significant changes garner substantial parliamentary support.
  - State Ratification: Other provisions like <u>election of the President and its manner</u> necessitate both a special majority in Parliament and ratification by at least half of the total states.
    - This process underscores the **federal structure of India, ensuring that states have a voice in substantial constitutional changes** that affect their governance.
- Simple Majority Amendments: Some provisions like formation of new states can be amended by a simple majority in Parliament, following the same procedure as ordinary laws.
  - These amendments do not fall under the purview of Article 368, indicating that certain aspects of the Constitution can be altered with relative ease.

## Cases Related to the Flexibility of the Indian Constitution

- Golak Nath vs. State Of Punjab Case, 1967: The <u>Supreme Court of India</u> ruled that Article 368 only lays down the procedure for amending the Constitution, stating that Parliament cannot curtail the fundamental rights of citizens and that all amendments are subject to <u>judicial review</u>.
- **Kesavananda Bharati v. State of Kerala Case, 1973:** The Supreme Court ruled that while Parliament has the power to amend the Constitution, it cannot alter its **basic structure**.
  - This case exemplifies flexibility as it allows for amendments while ensuring that **fundamental principles**, like democracy and secularism, **remain intact.**

## What are the Differences Between Flexible and Rigid Constitutions?

Aspect	Flexible Constitutions	Rigid Constitutions
Amendment Procedures	Amendments may become more easy and similar to passing ordinary laws as seen in the <b>United Kingdom's constitution.</b>	Amendments require a complex, specialised procedure, as seen in the <b>United States</b> .
Adjustability to Changing Needs	Easily adapts to societal changes and evolving circumstances. It is viewed as a living document that evolves with societal progress	Resists changes, prioritising stability over adaptability
Reflection of Public Opinion	Reflects changing public opinion and societal perspectives.	More likely to reflect the framers' views, less responsive to changes.
Assumption of Perfection	Assumes no constitution is perfect and open to change.	Assumes the constitution is a perfect guide for all times.
Adaptability in Federal Systems	Accommodates the diverse needs of federal units, fostering cooperation.	Provides stability and checks to maintain balance in federal systems.
Protection of Minority Rights	Frequent changes, sometimes influenced by <b>mobocracy</b> ( domination by the masses), <b>can negatively impact minority rights.</b>	Offers stronger protection, ensuring minority rights are safeguarded.

## Conclusion

The **balance between a rigid and flexible constitution is crucial** for fostering a dynamic legal framework that remains **relevant and responsive** to contemporary challenges. Ultimately, embracing constitutional flexibility is essential for promoting justice, equality, and democratic governance in an everchanging society.

#### **Drishti Mains Question:**

Q. Assess the balance of flexibility and rigidity in the Indian Constitution and its significance in addressing contemporary societal issues.

#### **UPSC Civil Services Examination Previous Year Question (PYQ)**

#### **Prelims:**

- Q. What was the exact constitutional status of India on 26th January, 1950? (2021)
- (a) A Democratic Republic
- (b) A Sovereign Democratic Republic
- (c) A Sovereign Secular Democratic Republic

(d) A Sovereign Socialist Secular Democratic Republic

Ans: (b)

#### **Mains:**

Q. What can France learn from the Indian Constitution's approach to secularism? (2019)

**Q**. Examine the scope of Fundamental Rights in the light of the latest judgement of the Supreme Court on Right to Privacy. **(2017)** 

# 57th Meeting of National Mission for Clean Ganga

For Prelims: National Mission for Clean Ganga (NMCG), Ganga River, Mahakumbh, Sewage Treatment Plants Central Pollution Control Board (CPCB), Smart Laboratory for Clean River' (SLCR) Project, National Ganga Council, Environment (Protection) Act (EPA),1986.

**For Mains:** Functioning of National Mission for Clean Ganga (NMCG) and its role in maintaining ecological health of Ganga river.

Source: PIB

# Why in News?

Recently, the **57<sup>th</sup> Executive Committee (EC)** meeting of <u>National Mission for Clean Ganga (NMCG)</u> approved key projects in various states.

■ These projects aimed towards the **conservation and cleanliness** of the <u>Ganga River</u>, and, for **IEC (Information, Education, and Communication)** activities during <u>Mahakumbh 2025</u>.

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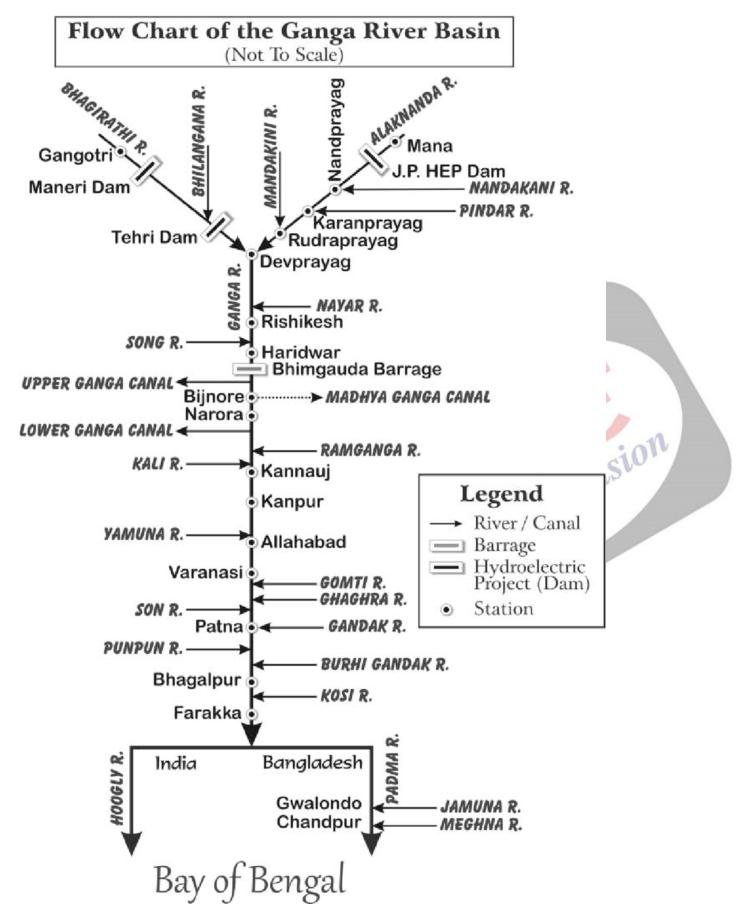
# What are the Key Projects Approved during the Meeting?

- **Sewage Treatment Plants (STPs):** The EC approved <u>STPs</u> in Katihar and Supaul in Bihar and Aligarh, Uttar Pradesh.
  - STPs purify water by **removing sewage and contaminants**, making it suitable to be released into natural water sources.
- Monitoring of STPs: It includes the installation of an <u>Online Continuous Effluent Monitoring</u>
   <u>System (OCEMS)</u> for strengthening the online continuous monitoring of existing STPs in the Ganga River Basin.
- Mahakumbh 2025 IEC Activities: To enhance cleanliness and awareness during Mahakumbh 2025, an IEC (Information, Education, and Communication) activity-based project has been approved.
  - The project includes decorating the mela area and city through 'Paint My City' and mural art.
- **PIAS Project**: The Committee also approved restructuring manpower under the <u>Pollution</u> Inventory, Assessment, and Surveillance (PIAS) project to enhance its effectiveness.
  - PIAS project is piloted by <u>Central Pollution Control Board (CPCB)</u> for the monitoring of industrial pollution.
- SLCR Project: The Committee approved key components of the 'Smart Laboratory for Clean

- River' (SLCR) project to accelerate the rejuvenation of **small rivers** across the country.
- Turtle and Gharial Conservation: Approval was granted for the freshwater turtle and gharial conservation breeding program at the <u>Kukrail Gharial Rehabilitation Center</u> in Lucknow, Uttar Pradesh.

## What are Key Facts About NMCG?

- **About**: It plays a crucial role in the **rejuvenation and protection** of the Ganga River.
  - It was registered as a society on 12<sup>th</sup> August 2011 under the Societies Registration Act, 1860.
- **Legal Framework:** It acted as the implementation arm of <u>National Ganga River Basin Authority (NGRBA)</u> which was constituted under the provisions of the <u>Environment (Protection) Act (EPA),1986.</u>
  - After the dissolution of NGRBA in 2016, it is the implementation arm of National Council for Rejuvenation, Protection and Management of River Ganga (National Ganga Council).
  - NGC ensures continuous adequate flow of water in the river and to prevent, control, and abate environmental pollution.
- Management Structure of NMCG: NMCG operates with a two-tier management structure and both are headed by the Director General (DG) of NMCG.
  - **Governing Council**: Oversees the general policies and direction of the NMCG.
  - Executive Committee: Authorised to approve projects with a financial outlay of up toRs 1,000 crore.
- Five-Tier Structure for Ganga Rejuvenation: The Environment Protection Act (EPA), 1986 envisages a five-tier structure at national, state and district levels to effective management and rejuvenation of the Ganga River.
  - National Ganga Council: Chaired by the Prime Minister of India, this council serves as the apex body for oversight.
  - Empowered Task Force (ETF): Chaired by the Union Minister of Jal Shakti, this task force is responsible for focused action on river Ganga rejuvenation.
  - National Mission for Clean Ganga (NMCG): Acts as the implementing agency for various projects aimed at Ganga cleaning and rejuvenation.
  - **State Ganga Committees:** These committees operate at the state level to implement **specific measures** within their jurisdictions.
  - District Ganga Committees: Established in each specified district adjacent to the Ganga River and its tributaries, these committees work at the grassroots level.



## What is the Namami Gange Programme?

■ **About:** It is an **integrated conservation mission** to accomplish the twin objectives of effective abatement of **pollution**, **conservation and rejuvenation** of National River Ganga.

- It was approved as 'Flagship Programme' by the Union Government in June 2014 with a budget outlay of Rs. 20,000 Crore.
- Flagship programmes are those which address **major national concerns** on health, education, environment, irrigation, urban and rural development etc.
- Key Pillars of the Programme:
  - Sewerage Treatment Infrastructure: To manage wastewater effectively.
  - River-Surface Cleaning: Removing solid waste and pollution from the river's surface
  - Afforestation: Planting trees and restoring green cover.
  - Industrial Effluent Monitoring: To protect the river from harmful industrial discharges.
  - **River-Front Development:** Creating **public spaces** along the river to promote community engagement and tourism.
  - **Biodiversity**: Enhancing the river's <u>ecological heal</u>th and supporting diverse biological communities.
  - Public Awareness: Educating citizens about the importance of river conservation.
  - Ganga Gram: To develop the villages located along the main stem of river Ganga as model villages.
- Integrated Mission Approach: It emphasises the linkage of economic development with ecological improvement, showcasing a commitment to sustainable growth.
  - **Clean energy, waterways,** biodiversity conservation, and wetland development are identified as priority areas for ongoing and future initiatives.

## **Case Study of Thames' Recovery**

- Overview: The River Thames was declared "biologically dead" in the 1950s, with extremely low dissolved oxygen levels caused by urban pollution, industrial waste, and inadequate sewage systems.
  - The river became a dumping ground for waste due to increasing city populations and poorly managed sanitation.
  - Prominent tributaries like the Fleet, which runs through central London, became notorious for their foul odours.
- The Great Stink of 1858: The culmination of the river's pollution issues occurred during thehot summer of 1858, known as the Great Stink.
  - High levels of human and industrial waste in the Thames prompted widespread public health concerns, leading to the implementation of a sewage network designed by civil engineer Sir Joseph Bazelgette.
- **Restoration Efforts:** By the 1970s, all sewage entering the Thames was **treated**, and regulations enacted between **1961 and 1995** improved water quality.
  - Established in 1989, **National Rivers Authority** played a crucial role in **monitoring** and maintaining water quality.
  - The installation of oxygenators, known as "bubblers," in the late 20<sup>th</sup> century significantly improved DO levels.
    - These devices inject oxygen into the water, supporting fish populations and overall aquatic health.

## What is the National Ganga Council?

- About National Ganga Council (NGC): It was constituted in 2016, under the provisions of the Environment (Protection) Act, 1986, following the dissolution of the National Ganga River Basin Authority (NGRBA).
- Objective: The NGC aims to ensure the rejuvenation, protection, and management of the Ganga River and its tributaries through a comprehensive and coordinated approach
- Ministry: The Ministry of Water Resources, River Development and Ganga Rejuvenation (MoWR, RD & GR) is the nodal Ministry for the NGC.
- Functions: It formulates policies and strategies and monitors the progress of initiatives related to pollution abatement, ecological restoration, and sustainable management of river resources.
- Governance: It is chaired by the Prime Minister and the Chief Ministers of the States through which Ganga flows, viz., Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal,

## What are the Challenges in the Namami Gange Programme?

- Lack of Data and Effective Monitoring: Until 31<sup>st</sup> December, 2023, **457** projects had been taken up. Of these, **only 280** have been completed and "**made operational**". Most of these projects pertain to construction of STPs but there is **no data** which shows that the STPs are actually functioning.
- Neglect of Tributaries: Experts point out that neglecting smaller rivers has hampered overall cleanup efforts. For example, the Gomti River suffers from low oxygen levels, making it inhospitable for biodiversity.
- Industrial Pollution: Tanneries in Kanpur do not properly treat effluents, leading to high levels of harmful substances like chromium in discharged waste.
- Cost Overruns: <u>CAG</u> pointed out poor financial management for the programme in its report saying only 8 63% of the funds were utilised during 2014-15 to 2016-17. The CAG expressed strong concerns regarding the Centre's excessive spending on media campaigns.
- Ongoing Environmental Threats: Illegal sand mining and riverfront development projects require dredging the river that further interferes with the river's flow.

## **Way Forward**

- Enhance Financial Management: Improve financial management practices by ensuring that
  funds allocated to the Namami Gange programme are utilised effectively and transparently.
  Implement stringent auditing and reporting mechanisms to track expenditures.
- Strengthen Regulations: Promote sustainable industrial practices through incentives for adopting eco-friendly technologies and waste management systems.
- Revitalise Tributary Restoration Efforts: Targeted actions must be taken to improve health, including restoring natural flow and biodiversity of tributaries and smaller rivers.
- Monitoring and Data Systems: Develop a centralised database that integrates data from all
  projects under the Namami Gange programme, allowing for better tracking of progress and
  identification of areas needing improvement

#### **Drishti Mains Question:**

Q.How does the Namami Gange Programme and National Mission for Clean Ganga contribute to the conservation and rejuvenation of the Ganga River?

#### **UPSC Civil Services Examination, Previous Year Questions (PYQs)**

#### Mains

**Q.** Discuss the Namami Gange and National Mission for Clean Ganga (NMCG) programmes and causes of mixed results from the previous schemes. What quantum leaps can help preserve the river Ganga better than incremental inputs? **(2015)** 

# **Ensuring Discipline Among Judges**

For Prelims: Supreme Court, Article 121, Article 211, Article 124(4), President, High Court, Lok Sabha, Rajya Sabha, Contempt of Court, SC Collegium, National Judicial Council, National Judicial Oversight Committee.

**For Mains:** Need and provisions for ensuring discipline among judges.

#### Source: IE

#### Why in News?

Recently, the <u>Supreme Court (SC)</u> expressed **serious concern** over remarks made by a Karnataka **High Court** Judge.

■ The SC dropped its intervention after the **judge tendered an apology** but it highlights the **constitutional limitations** on how the judiciary can discipline judges.

## What are the Challenges of Disciplining Judges in India?

- Constitutional Protection: <u>Article 121</u> of the Constitution prohibits parliamentary discussion
  on the conduct of Supreme Court or High Court judges, except when a motion is made for their
  removal.
  - Article 211 of the Constitution prohibits state legislatures from discussing the conduct of Supreme Court or High Court judges in the discharge of their duties.
- Difficult Impeachment Process: <u>Article 124(4)</u> of the Constitution requires an impeachment motion to be supported by a majority of the total membership and at least two-thirds of members present and voting in each House.
  - The high impeachment threshold ensures judges aren't easily removed for trivial reasons but makes addressing misconduct that does not reach the level of impeachment difficult.
  - E.g. Impeachment proceedings have been triggered only five times in history and no judge of the Supreme Court has been impeached so far.
- Narrow Definition: The grounds of removal are proved misbehaviour or incapacity.
  - Misbehaviour under Article 124(4) of the Constitution is a high standard, covering corruption, lack of integrity, and moral turpitude.
  - Many instances of judicial misconduct, such as indiscipline, bias, or inappropriate conduct, do not meet the threshold for impeachment, leaving the judiciary with few options to address such behaviour.

## What is the Procedure of Removal of Judges?

- A judge of the Supreme Court can be removed from his Office by an order of the President.
- The President can issue the **removal order** only after an address by **Parliament** has been presented to him in the **same session** for such removal.
- The address must be supported by a special majority of each House of Parliament (i.e., a majority of the total membership of that House and a majority of not less than two-thirds of the members of that House present and voting).
- The grounds of removal are proved misbehaviour or incapacity.
- A judge of a <u>high court</u> can be removed in the same manner and on the same grounds as a judge of the Supreme Court
- The <u>Judges Enquiry Act</u>, <u>1968</u> regulates the **procedure** relating to the removal of a judge of the Supreme Court by the process of impeachment.
  - A removal motion signed by 100 members (in the case of <u>Lok Sabha</u>) or 50 members (in the case of <u>Rajya Sabha</u>) is to be given to the Speaker/ Chairman.
  - The Speaker/Chairman may **admit** the motion or **refuse** to admit it.
  - If it is **admitted**, then the Speaker/Chairman is to constitute a **three-member committee**

to investigate the charges.

- · The committee should consist of-
  - A chief justice or a judge of the **Supreme Court**
  - A chief justice of a high court
  - A distinguished jurist
- If the committee **finds the judge to be guilty** of misbehaviour or suffering from an incapacity, the House can take up the **consideration of the motion.**
- After the motion is passed by each House of Parliament by special majority, an address is presented to the president for removal of the judge.
- Finally, the president issues an order removing the judge.

## What are Other Provisions of Disciplining Judges?

- Judicial Intervention: The SC can take judicial action to discipline judges.
  - E.g. In 2017, the SC held Calcutta High Court's **C S Karnan** guilty of contempt of court, and sentenced him to six months' imprisonment.
- **Transfer Policy:** The <u>SC Collegium</u>, comprising five senior-most judges of the Supreme court including the CJI, recommends the **transfer of High Court judges**.
  - Since the decisions of the Collegium are opaque, this transfer policy can be deployed as a tool to discipline judges as well.
  - E.g. While impeachment of **Justice P D Dinakaran**, a Karnataka High Court judge pending, the Collegium transferred him to the **Sikkim High Court**.
- In-House Inquiry Procedure: Under the in-house inquiry procedure of 1999, the CJI can request a comment from the Chief Justice of the relevant High Court, who then seeks a response from the judge involved.
  - If a more thorough investigation is deemed necessary, a three-member committee
    comprising two chief justices from other high courts and one high court judge may be
    formed to conduct a fact-finding inquiry.
- Censure Policy: The judge concerned can be advised to resign from his office or seek voluntary retirement.
  - If the judge refuses to resign or retire, the CJI can advise the Chief Justice of the concerned High Court not to assign any judicial work to the judge.
- Restatement of Values of Judicial Life 1997: The SC adopted a Charter called the <u>Restatement</u> of Values of <u>Judicial Life</u> in 1997 consisting of <u>16 points</u>.
  - It is a code of judicial ethics and serves as a guide for an independent and fair judiciary which can help in maintaining discipline among judges.

## How Discipline of Judges is Maintained Globally?

- Lithuania: In Lithuania, there are two institutions dealing with judicial discipline. They are the Judicial Ethics and Discipline Commission and the Judicial Court of Honour.
- **Germany:** According to Section 77 of the Judges Act, 1972, **federal states** have their own **special tribunals** for the supervision of judges of common courts.
  - Such a tribunal also exists at the federal level for federal judges, as a special senate within the German Federal Court of Justice.
- Scotland: The Lord President of the Court of Session may nominate a person to conduct investigations into disciplinary procedures.
- Bangalore Principles of Judicial Conduct: It aims to set ethical standards for judges, providing a framework for regulating judicial behaviour and offering guidance on maintaining judicial ethics.
  - It was adopted by the United Nations Economic and Social Council (ECOSOC) in 2006.
- UN Basic Principles on the Independence of the Judiciary 1985: These principles aim to bridge the gap between ideal judicial independence and real-world practices, ensuring justice is maintained, human rights are protected, and the judiciary operates free from discrimination.

## What Measures can be Taken to ensure Discipline among Judges?

- Establishment of a National Judicial Council (NJC): Revive and pass the <u>Judges (Inquiry) Bill.</u>
   2006. which aims to create the NJC to oversee inquiries into allegations of incapacity or misbehaviour by judges.
- Judicial Oversight Committee: Revive and pass the Judicial Standards and Accountability Bill, 2010 that provided for establishing the <u>National Judicial Oversight Committee</u>, the Complaints Scrutiny Panel, and an investigation committee.
- Clear Standards of Conduct: Develop and implement a Code of Conduct for judges that outlines expected behaviour, ethical standards, and procedures for addressing violations. This code should be publicly accessible to promote accountability.
- Judicial Performance Evaluation: Implement a system for evaluating judges' performance based on criteria such as case disposal rates, adherence to ethical standards, and feedback from litigants and peers.
  - For example, in **Odisha**, a judicial officer is expected to achieve workoutput equivalent to
     240 working days in a year.
- Asset Declaration and Transparency: Mandate judges to declare their assets and liabilities, and make this information publicly available. This measure can help deter corruption and enhance public trust in the judiciary.
- Mandatory Training and Workshops: Institute regular training programs and workshops on judicial ethics, anti-discrimination laws, and the importance of impartiality to foster a culture of accountability among judges.
- Judicial Independence Safeguards: While enhancing accountability, it is crucial to safeguard judicial independence. Any reforms should ensure that the processes for holding judges accountable do not undermine their ability to make impartial decisions.

#### **Drishti Mains Ouestion:**

Q. What measures can be implemented to promote accountability and high standards of conduct among judicial officers?

## **UPSC Civil Services Examination, Previous Year Question (PYQ)**

#### **Prelims**

Q.With reference to the Indian judiciary, consider the following statements: (2021)

- 1. Any retired judge of the Supreme Court of India can be called back to sit and act as a Supreme Court judge by the Chief Justice of India with the prior permission of the President of India.
- 2. A High Court in India has the power to review its own judgement as the Supreme Court does.

#### Which of the statements given above is/are correct?

- (a) 1 only
- **(b)** 2 only
- (c) Both 1 and 2
- (d) Neither I nor 2

Ans: (c)

#### Mains

**Q**.Critically examine the Supreme Court's judgement on 'National Judicial Appointments Commission Act, 2014' with reference to appointment of judges of higher judiciary in India. (2017)

# **Greenhushing and its Implications**

**For Prelims: Greenhushing,** ESG (environmental, social, and governance), Greenwashing, Carbon Neutrality, EU's Greenwashing Directive.

For Mains: Implications of greenhushing in global sustainability transition.

Source: DTE

## Why in News?

Recently, there has been an increase in <u>carbon-neutral certified firms</u> across the globe, but many **choose not to promote** their environmental achievements, leading to a global trend known as "greenhushing."

• Firms motivated by **altruism** and a desire to maintain their **social salience** are reluctant to communicate and tend to greenhush.

## What is Greenhushing?

- Greenhushing occurs when firms under report or strategically withhold information about their environmental goals and achievements.
- Greenhushing firms **don't advertise their green credentials** or deliberately remain silent about their future commitments to environmental sustainability.

# Why do Firms do Greenhushing?

- Litigation Concerns in the United States: In the US, public companies may face lawsuits if they are seen as prioritising sustainability over shareholder profits.
  - This legal risk discourages companies from openly discussing their environmental initiatives.
- Backlash Against ESG: In conservative states within the US, there has been backlash against ESG (environmental, social, and governance) efforts.
  - It has prompted some firms to stop discussing their environmental goals toavoid political and regulatory scrutiny.
- Lower Quality of Green Products: Many consumers associate green products with lower quality or higher prices.
  - Therefore, many companies are reluctant to promote the environmental benefits of their products which may harm their brand by reinforcing these negative perceptions.
- Avoiding Future Commitments: Companies that are vocal about their sustainability efforts
  often attract attention and are held to higher standards.
  - By remaining silent, firms can avoid expectations of future commitments or pressure to achieve more ambitious environmental goals.
- Avoiding Customer Discomfort: When people are on vacation, they often want to escape from problems like <u>climate change</u> or <u>resource depletion</u>.
  - Hence, many businesses in the tourism industry prefer not to communicate their environmental efforts to avoid making their customers uncomfortable.

- Greenwashing Accusations: Public accusations of greenwashing can harm a firm's image and cause reputational damage to brands. To avoid the negative impacts of criticism, these firms prefer to hide their achievements from external audiences.
  - **Greenwashing** is a term used where a company makes **false** or **misleading statements** that their products/services are more <u>sustainable</u> than they are in reality.
- Lack of Customer Demand: Many consumers are either unaware of <u>carbon neutrality</u> or rarely ask for **carbon neutral products** when making purchasing decisions.
  - Without the demand from customers, companies are reluctant to spend money on advertising their carbon neutrality.



## Why Firms Become Carbon Neutral Certified?

 Competitive Advantage: Carbon neutrality helps to differentiate themselves from competitors, attract talent and access finance at better terms.

- Maintaining Social Salience: Some firms seek carbon neutrality to maintain their social salience and build stronger relationships with stakeholders to improve public perception and stakeholder trust.
- **Ethical Commitment:** Ethically motivated firms pursue **carbon neutrality** because they believe it is the right thing to do.
  - These companies are driven by a passion for environmental sustainability and a sense of responsibility to protect the planet.

## What are Concerns with Greenhushing?

- **Rising Global Trend:** A report by climate consultancy **South Pole** found that **58%** of companies surveyed are reducing their **climate communication** due to increased regulation and scrutiny.
- Reduced Transparency: When companies do not openly communicate their sustainability efforts, it becomes difficult to assess the progress they are making in reducing carbon emissions.
  - It reduces the ability to track and verify climate action progress.
- Slowing Global Sustainability Transition: If these businesses withhold information about their environmental efforts, it could delay the adoption of sustainable practices, weakening the overall global effort to combat climate change.
- Domino Effect: Fear of backlash and retaliation from regions or industries that oppose sustainability efforts deter other businesses and companies from adopting sustainable practices.
- Impact on Consumers: When companies are silent about their sustainability achievements, it may lead to consumers continuing to buy products that are less sustainable, inadvertently slowing down the demand for eco-friendly alternatives.

## What can be Done to Address Greenhushing?

- Highlighting Sustainability: Companies should emphasise that environmental sustainability is a
  journey and not a destination.
  - Engaging their audiences and highlighting their efforts for continuous improvement can **reduce criticism** and **allay concerns** about greenwashing accusations.
- Stronger Regulations and Guidelines: Better regulations can bring clarity, build trust and level the playing field. Eg. <u>EU's Greenwashing directive</u> bans misleading advertisements and provides consumers with **better product information**.
- Consumer Education on Sustainability: Increasing consumer awareness about sustainability
  can help reverse negative perceptions of green products and choose companies that are more
  sustainable.

#### **Drishti Mains Question:**

Q.Discuss the concept of "greenhushing" in the context of corporate environmental responsibility. What are its implications for sustainability reporting?

# Birth Anniversary of Gandhi Ji and Shastri Ji

**2<sup>nd</sup> October,** every year is celebrated as the **birth anniversary** of <u>Mahatma Gandhi</u> **and** <u>Lal Bahadur</u> <u>Shastri</u>. Both of these leaders have played a monumental role in shaping our Nation.

## What are the Key Facts About Mahatma Gandhi?

- Birth: 2<sup>nd</sup> October **1869 in Porbandar (Gujarat).**
- Brief Profile: Lawyer, politician, social activist, and writer who became the leader of the nationalist movement against the British rule of India.
- Books Written: Hind Swaraj, My Experiments with Truth (Autobiography)
- Death: He was shot dead by Nathuram Godse on 30<sup>th</sup> January 1948.
  - 30<sup>th</sup> January is observed as Martyrs' Day.

# **Mohandas Karamchand Gandhi**



"The weak can never forgive. Forgiveness is the attribute of the strong."

#### **Brief Description**

Birth: 2<sup>nd</sup> October 1869, Porbandar (Gujarat).

2<sup>nd</sup> October is observed as International Day of Non-Violence.

Profile: Lawyer, Politician, Social activist, Writer and led Nationalist Movement.

Father of the Nation (first called by Netaji Subhash Chandra Bose).

Ideology: Believed in the ideas of non-violence, Truth, Honesty, Care for Mother Nature,

Compassion, Welfare of Downtrodden etc.

Political Mentor. Gopal Krishna Gokhale

Death: Shot dead by Nathuram Godse (30th January, 1948).

30th January is observed as Martyrs' Day

Nominated for the Nobel Peace Prize five times.





#### Gandhi in South Africa (1893-1915)

Used satyagraha against racist regime (Native Africans and Indians were discriminated)

Pravasi Bharatiya Divas (PBD) is celebrated every year on 9th January, to commemorate his return from South Africa.

#### Contribution in India's Freedom Struggle

Small-scale movements like Champaran Satyagraha (1917)—First Civil Disobedience, Ahmedabad Mill Strike (1918) - First Hunger Strike, and Kheda Satyagraha (1918)—First Non-Cooperation.

Nationwide Mass Movements: Against Rowlatt Act (1919), Non-Cooperation Movement (1920-22), Civil Disobedience Movement (1930-34), Quit India Movement

Gandhi-Irwin Pact (1931): Between Gandhi and Lord Irwin that marked the end of a period of civil disobedience.

Poona Pact (1932): Between Gandhi and B.R. Ambedkar; this abandoned the idea of separate electorates for the depressed classes (Communal Award).



Hind Swaraj, My Experiments with Truth (Autobiography)

Weeklies Harijan, Navjivan, Young India, Indian Opinion.

## Gandhi Peace Prize

is given by India for social, economic, and political transformation through Gandhian methods.

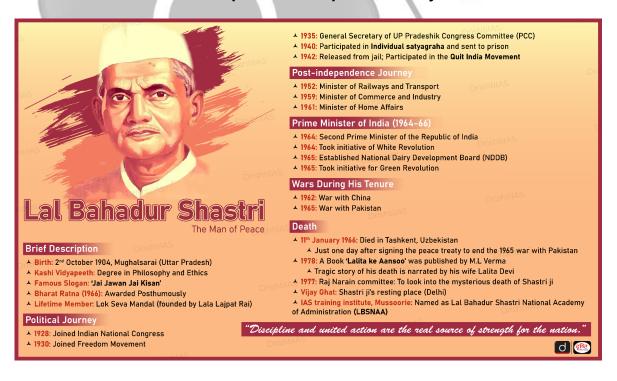
"Happiness is when what you think, what you say, and what you do are in harmony."

You must not lose faith in humanity. Humanity is an ocean; if a few drops of the ocean are dirty, the ocean does not become dirty"

- Role in India's Freedom Struggle
  - Leadership of the Indian National Congress (INC): Mahatma Gandhi became a prominent leader of the INC in the early 20<sup>th</sup> century, advocating for non-violent resistance and mass mobilization to challenge British rule.
    - The Belgaum session in 1924 was the only Congress session which was presided over by Gandhi Ji.
  - Non-Cooperation Movement (NCM) (1920-1922): Gandhi launched the NCM in response to the <u>lallianwala Bagh massacre</u> and the repressive <u>Rowlatt Act.</u>
    - He **urged Indians to boycott** British institutions, goods, and honours, leading to widespread participation across the country.
    - Gandhi Ji was awarded the **Kaisar-i-Hind gold medal in 1915** for his service in the **Boer War** but **returned it in 1920** to protest the Jallianwala Bagh massacre.
  - Salt March (1930): Gandhi led the Salt March to the Gujarati coastal town of Dandi, protesting the British salt tax. This marked the beginning of the Civil Disobedience Movement.
  - **Quit India Movement (QIM) (1942)**: Gandhi called for the QIM, demanding an end to British rule in India.
    - His slogan, "Do or Die," inspired millions to participate in protests, strikes, and acts of civil disobedience, marking a significant escalation in the freedom struggle.
  - Philosophy of Non-Violence: Throughout his activism, Gandhi emphasized the principles
    of <u>Satyagraha (truth force) and Ahimsa (non-violence)</u>, advocating for peaceful protests
    and moral integrity.
    - His approach not only influenced the Indian independence movement but also inspired civil rights movements worldwide such as Nelson Mandela and Martin Luther King Jr.
    - 2<sup>nd</sup> October is also observed as the **International Day of Non-Violence**, established by the <u>United Nations General Assembly</u> on 15<sup>th</sup> June 2007.

## What are the Key Facts About Lal Bahadur Shastri?

- Birth: He was born on 2<sup>nd</sup> October 1904 in Mughalsarai, Uttar Pradesh.
- Brief Profile: He was the second Prime Minister of India, known for his leadership and his slogan "Jai Jawan Jai Kisan," emphasising the importance of both soldiers and farmers in nation-building.
- Death: He died on 11<sup>th</sup> January 1966, in Tashkent, Uzbekistan.
  - He was the first person to be posthumously awarded the Bharat Ratna (1966).



- His Role in Nation Building:
  - Leadership in the <u>1965 Indo-Pak War:</u> Lal Bahadur Shastri effectively led India during the <u>1965 war</u>, boosting national morale.
  - Green Revolution: Shastri played a key role in promoting the Green Revolution, which
    helped India increase agricultural production and move towards self-sufficiency in
    food grains, addressing the nation's food security challenges.
  - **National Integration:** worked to foster national unity and integration by promoting harmony among diverse regions, languages, and cultures.
    - While simultaneously encouraging policies of industrialization and self-reliance to strengthen India's economic growth and reduce dependence on foreign imports.
  - Civil Services: Shastri emphasized the need for civil servants to maintain high ethical standards, transparency, and dedication, ensuring that the administration remained free from corruption and was committed to public service.
    - Eg. **He resigned as Rail Minister in 1952,** taking moral responsibility for a rail accident that resulted in casualties.

#### **UPSC Civil Services Examination, Previous Year Question (PYQ)**

# Q. With reference to the British colonial rule in India, consider the following statements: (2019)

- 1. Mahatma Gandhi was instrumental in the abolition of the system of 'indentured labour'.
- 2. In Lord Chelmsford's 'War Conference', Mahatma Gandhi did not support the resolution on recruiting Indians for World War.
- 3. Consequent upon the breaking of Salt Law by Indian people, the Indian National Congress was declared illegal by the colonial rulers.

#### Which of the statements given above are correct?

- (a) 1 and 2 only
- **(b)** 1 and 3 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

Ans: (b)

#### Q. Who among the following translated the Autobiography of Madam Curie in Hindi? (2008)

- (a) Atal Bihari Vajpayee
- (b) Lal Bahadur Shastri
- (c) Choudhary Charan Singh
- (d) Gobind Vallabh Pant

Ans: (b)

# **Shedding Colonial Practices in Armed Forces**

#### Source: IE

## Why in News?

Recently, the Defence minister released a publication on 'Colonial Practices and the Armed Forces-A Review' which proposes shedding colonial practices and advocated indigenisation in the doctrines, procedures and customs practised in the Armed Forces.

 Earlier, <u>Project Udbhav</u> was launched to synthesise ancient wisdom with contemporary military practices.

## What are the Key Changes Proposed to Shed Colonial Vestiges?

- Focus on Indigenous Strategies: Efforts are underway to foster India-centric strategic thinking among young military leaders by incorporating texts from ancient Indian strategists into their courses.
  - Eg. Land campaign studies of Indian Generals such as <u>Marathas</u> or <u>Sikhs</u> and naval exploits of <u>Raja Raja Chola I</u> and his son <u>Rajendra Chola</u>.
  - It could also include the **governance model of Emperor** Chandragupta Maurya.
- Incorporating Indigenous Texts: The Army Training Command has drafted reading material on ancient Indian concepts and doctrines for Army personnel.
  - It includes the 'Pearls of Ancient Indian Wisdom' with extracts from the Gita, Panchatantra, Arthashastra, Chanakya Niti and Thirukkural.
- Pan-India Character of Infantry Regiments: The military is exploring ways to give a morepan-India character to the Army's infantry regiments, enhancing diversity and representation across units.
- Enhanced Use of Indian Cultural Elements: More Indian poetry, prayers, songs will be used in military training institutions replacing colonial era literature, such as "IF by Rudyard Kipling" and the current prayer in English at NDA.
- Drafting a Tri-Service Act: A major structural change being discussed is the replacement of the three individual service Acts with a consolidated <u>tri-service Act</u> to streamline governance across the Army, Navy, and Air Force.

#### What is Project Udbhav?

- About: It aims to integrate India's rich historical military knowledge with modern military practices.
  - It is a joint initiative between the Indian Army and the United Services Institution of India (a think tank).
- Incorporating Ancient Texts and Philosophies:
  - Chanakya's Arthashastra: It emphasises the importance of strategic partnerships, alliances, and diplomacy, aligning with modern military practices like international cooperation and soft power.
  - Thirukkural by Thiruvalluvar: It promotes ethical conduct in all situations, including warfare, aligning with modern military ethics like just war principles and the Geneva Convention.
  - Military Campaigns of Ancient Leaders: Indian leaders such as Chandragupta Maurya, Ashoka, and the Cholas offer valuable insights into governance and military success.
- Prominent Military Campaigns:
  - Naval Battle of Saraighat (1671): Lachit Borphukan's Naval Battle of Saraighat is a prime example of using diplomacy, psychological warfare, military intelligence, and exploiting Mughal weaknesses.
  - Chhatrapati Shivaji and Maharaja Ranjit Singh: Both leaders employed tactics to defeat numerically superior Mughal and Afghan forces which are key lessons in asymmetric warfare and naval defence.

Indic Studies at Defence Institutions: Academic institutions such as the College of Defence
Management (CDM) have conducted studies that link Indian culture with strategic thinking,
contributing valuable content to Project Udbhav.

## What are Previous Initiatives to Shed Colonial Legacy?

- Flag: The Indian Navy has renamed 'Jack' to 'National Flag' and 'Jackstaff' to 'National Flag Staff'.
- Insignia: The colonial cross of **St. George** was replaced with **Shivaji's octagonal stamp in** September 2022.
- Rank: The epaulettes (insignia of rank), traditionally adorned with **Nelson's ring**, now bear the imprint of **Chatrapati Shivaji**.
- Traditional Dress: Adoption of Kurta-Pyjama in naval messes.
- Ceremonial Practices: The Indian Army has started phasing out traditional practices such as horse-drawn buggies.

#### **UPSC Civil Services Examination Previous Year Question (PYQ)**

#### **Prelims:**

Q.Consider the following statements in respect of the National Flag of India according to the Flag Code of India, 2002: (2023)

**Statement-I**: One of the standard sizes of the National Flag of India is 600 mm x 400 mm.

**Statement-II**: The ratio of the length to the height (width) of the Flag shall be 3:2.

#### Which one of the following is correct in respect of the above statements?

- (a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
- **(b)** Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-I
- (c) Statement-I is correct but Statement-II is incorrect
- (d) Statement-I is incorrect but Statement-II is correct

Ans: (d)

# **India Becomes 3rd Most Powerful Nation in Asia**

#### Source: PIB

According to the **Asia Power Index 2024**, India surpassed Japan to **become the third-largest power**, reflecting its increasing geopolitical stature. This achievement is driven by India's dynamic growth, youthful population, and expanding economy, solidifying its position as a leading force in the region.

#### Key Factors Behind India's Rise:

- **Economic Growth**: India's **strong** <u>post-pandemic recovery</u> has led to a 4.2-point increase in its Economic Capability.
- Future Potential: India's Future Resources score increased by 8.2 points, signalling a potential demographic dividend.
- Diplomatic Influence: India's non-aligned strategy has enabled it to navigate complex global dynamics, ranking 6<sup>th</sup> in diplomatic dialogues in 2023, showcasing its active role in multilateral forums.

#### India's Role in Asia:

• India's growing influence in Asia is driven by its resource base and strategic autonomy. With economic growth and a rising workforce, India is well-positioned to expand its role, especially in the Indo-Pacific region.

#### Asia Power Index:

- It was **launched by the Lowy Institute in 2018**, and assesses power dynamics across **27 Asia-Pacific countries**.
- The 2024 edition is the most comprehensive yet, including measures of both material capabilities and international influence.

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# **High Strokes Rate in India**

Source: DTE

- A recent study published in 'The Lancet Neurology' reveals that India has witnessed a
  dramatic rise in strokes over the past three decades.
- A **stroke** is a medical emergency caused by a lack of blood flow to part of brain. It can be caused by a narrowed blood vessel, bleeding, or a clot that blocks blood flow.
- India reported over 1.25 million new stroke cases in 2021, a significant rise from 650,000 cases in 1990, marking a 51% increase.
- The prevalence of strokes in India has increased from 4.4 million in 1990 to 9.4 million in 2021.
- India now contributes 10% to the global burden of stroke.

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# Oxygen Bird Park (Amrit Mahotsav Park)

Source: PIB

Recently, the **Ministry of Road Transport & Highways** inaugurated <u>Oxygen Bird Park</u> (Amrit Mahotsav Park) in Nagpur, Maharashtra.

- It is an **eco-initiative** developed by the <u>National Highways Authority of India (NHAI)</u> along the Nagpur-Hyderabad **National Highway-44**.
- It has fast-growing, oxygen-producing trees aimed to combat <u>air pollution</u> and foster a healthier environment.
- It is designed to mimic natural ecosystems to conserve both **local and** migratory bird species.

- It aims to preserve rare and endangered tree species native to Central India like the Vulnerable
   Indian Bael, Gum Karaya and the Endangered Yellow Flame of the Forest.
- It also features a lotus/lily pad pond, <u>reed bed</u> (natural water filtration), bamboo and palm plantation.
- A part of the park is dedicated to <u>social forestry</u>. Social forestry focuses on **growing trees on** unused land, either individually, in groups, or in strips.

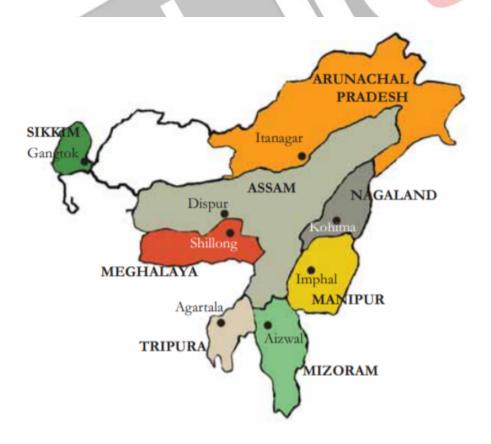
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# Bharatiya Kala Mahotsav

#### Source: PIB

On 28<sup>th</sup> September 2024, the <u>President</u> launched the first edition of Bharatiya Kala Mahotsav at Rashtrapati Nilayam in **Secunderabad (Hyderabad).** 

- It is an eight-day festival, organised by the Rashtrapati Nilayam in collaboration with the Ministry of Development of the North-east Region (DoNER) and the Ministry of Culture.
- It is to celebrate the vibrant cultural heritage and showcase the art, crafts, and culinary diversity of the North-Eastern states.
- It also serves as a platform for cultural exchange and aims to connect the North-East with the southern regions of the nation.
- Rashtrapati Nilayam: It is one of India's three presidential retreats (one is in Delhi and the other is in Shimla) and the only one in Southern India.
  - It was constructed in 1860 with a total land area of 90 acres and was taken over by the Nizam of Hyderabad after independence.



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# **Tsangyang Gyatso Peak**

#### Source: TOI

Recently, a peak in Arunachal Pradesh was named 'Tsangyang Gyatso Peak' after the 6th Dalai Lama , **Tsangyang Gyatso** on which China objected.

- China condemned the naming of the peak calling it an illegal operation in "Chinese territory".
  - o China claims the entire Arunachal Pradesh as "South Tibet". Beijing calls the region "Zangnan" in the Chinese language.
- Tsangyang Gyatso was born in Tawang and lived during the 17<sup>th</sup>-18<sup>th</sup> century CE.
- India described the naming as a **tribute** to Tsangyang Gyatso's "**timeless wisdom**" and his contributions to the Monpa community (an ethnic group native to the Tawang region).
- A team from National Institute of Mountaineering and Adventure Sports (NIMAS) scaled the **6,383-metre peak** facing steep ice walls, dangerous <u>crevasses</u>, and a two-kilometre-long glacier.
  - The peak is located in the **Gorichen range** of Arunachal Pradesh Himalayas.
  - A crevasse is a deep, wedge-shaped opening in a glacier. Crevasses usually form in the top 50 metres of a glacier. The Vision
  - NIMAS comes under the **Ministry of Defence**.

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