

UPSC Syllabus Topic GS2- polity- Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Issues with Delimitation and Potential Solutions

Context

Parliament:

- Parliament is the most important symbol of Indian democracy.
- It enables citizens to participate in decision-making through their representatives, holding the government accountable.

Membership of Parliament (MP)

Qualifications: Rajya Sabha:

- Must be a citizen of India and at least 30 years old.
- Should make an oath of allegiance to the Constitution.
- Must be a registered voter in the state from which election is sought.

Lok Sabha:

- Should be at least 25 years old.
- Must declare allegiance to the Constitution and uphold the sovereignty and integrity of India.
- Must possess qualifications laid down by Parliament by law.
- Must be a registered voter in any Indian constituency.
- Reserved seat candidates must belong to Scheduled Caste or Scheduled Tribe.

Indian Political System:

- India has around 4,126 Members of the Legislative Assembly, 543 Lok Sabha MPs, and 245 Rajya Sabha MPs.
- Grassroots politicians exist in municipal councils/corporations and panchayats, with varying representation.

Issues:

- Limited representation leads to a deficit in raising critical issues and law-making.
- Malapportionment in legislative weight favours citizens of specific states.
- The U.S. political system also employs malapportionment to some extent.

Delimitation and Indian Political System:

- Delimitation is a potential solution to restore proportionality, previously utilized in redistricting.
- The process was halted in 1976 during the Emergency, and its consequences can be biased towards certain populations.
- States with successful population control may lose representation.

Consequences of Delimitation:

- Between 1971 and 2011, Rajasthan and Kerala saw population changes.
- In the 2019 elections, each MP from Uttar Pradesh represented about three million voters, while one from Lakshadweep represented about 55,000.

How to Reduce Deleterious Consequences:

- Increase the number of Parliament seats significantly (to at least 848) to avoid any state losing seats.
- Consider factors beyond population in delimitation, such as geography, economics, and linguistic history.

Steps to Strengthen Indian Political System:

- Promote federalism to give states a better voice.
- Pursue constitutional reform for equal representation of states in the Rajya Sabha.
- Consider proportional representation for Lok Sabha and State Assembly elections.
- Introduce a system similar to Australia or France for more equitable representation.
- Increase the number of states in India for better governance.
- Empower mayors through direct elections in urban areas.

Way Forward:

- Set up a new State Reorganisation Commission to evaluate the viability of creating more states.
- Empower mayors in urban areas for better governance.
- Enhance local democratic representation to strengthen India's democracy.

These measures aim to address the concerns of citizens in various parts of India and enhance its democratic system.

UPSC Syllabus Topic GS2- Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Community Rights and Forest Conservation: Analyzing the Forest Conservation Amendment Act 2023

In India, the definition of a "forest" is not uniformly established at the national level. Instead, each state is responsible for determining what constitutes a forest within its territory. This decentralized approach to defining forests originates from a 1996 Supreme Court order known as the **T.N. Godavarman Thirumulkpad vs the Union of India judgment**.

Godavarman Thirumulkpad vs the Union of India judgment.

Types of Forests: State Forest Departments govern two primary types of forests as defined under the Indian Forest (IF) Act of 1927: a) Reserve Forests (RF): Rights are restricted unless specified. b) Protected Forests (PF): Rights are generally allowed unless prohibited.

Constitutional Provisions: The 42nd Amendment Act, 1976, shifted Forests from the State to the Concurrent List, allowing both state and central legislation. Article 51 A (g) declares it a fundamental

duty of every citizen to protect and improve the natural environment, including forests and wildlife. Similarly, Article 48 A, found in the Directive Principles of State Policy, obliges the state to strive to protect and enhance the environment, including forests and wildlife.

Forest Act and Amendment:

- **Indian Forest Act, 1927:** Established to consolidate laws related to forests and wildlife, it played a crucial role in designating reserved and protected forests post-independence. However, it faced challenges like overlooking certain forest areas and misclassifying non-forest lands.
- **Forest (Conservation) Act, 1980:** This Act aimed to strengthen forest protection by prohibiting the felling of forests for non-forestry purposes without the central government's approval. It was a response to rampant deforestation and aimed to ensure sustainable forest management.
- **T.N. Godavarman vs. Union of India, 1996:** A landmark Supreme Court ruling expanded the definition of forests to include all types, irrespective of their ownership or classification, under the Forest Conservation Act.
- **Amendments in 2016 and 2017:** Prior consent from the tribal grama sabha was mandatory for any alterations to forests for non-forest purposes.
- **Amendments in 2022:** Proposed changes allowed plantation development on non-FC Act lands, reflecting a balance between conservation and development needs.

Major Changes under the Forest Conservation Amendment Act 2023:

1. **Reduced Forest Protections and Exclusion of Areas:** The Act reduces legal protections for many forests, particularly those converted for non-forest use after 1996, and applies only to areas categorized under the 1927 Forest Act or designated after October 25, 1980, excluding others from its scope.
2. **Economic Exploitation:** It facilitates economic activities in forests, such as ecotourism and safari, which were previously restricted.
3. **Security Infrastructure:** The government can construct security measures in forest areas, especially within 100 kilometers of international borders.
4. **Removal of Prior Consent:** The requirement for tribal consent for altering forests for non-forest purposes has been removed.
5. **Compensatory Afforestation:** The Act includes provisions for afforestation or reforestation by private entities, without specific guidelines on tree types.
6. **Impact on Forest Rights Act:** The amendment potentially limits the application of the Forest Rights Act, affecting indigenous communities' rights to forest land.

Major Concerns Related to the Forest Conservation Amendment Act 2023:

1. **Neglect of Indigenous Rights:** The Act fails to recognize the rights of indigenous communities, potentially obstructing their access to forest resources and traditional lands.
2. **Contradiction in Forest Governance:** It challenges the concept of decentralized forest governance, conflicting with federal norms and the concurrent jurisdiction of forests.
3. **Ambiguity in Strategic Projects:** Defining strategic projects, such as security infrastructure, is vague, leading to potential misuse and misinterpretation regarding forest land use.
4. **Environmental Security Overlooked:** The Act does not prioritize internal environmental security, a concern for states frequently facing natural disasters.

5. **Compensatory Afforestation Concerns:** The lack of specifics on the types of trees for afforestation could lead to environmental mismatches and ineffective reforestation efforts

UPSC Syllabus Topic **GS2- International relation- India and its neighborhood-relations.**

Countering Terrorism Strategies – Advocating Realism over Machismo in Combatting Terrorism

In India, the definition of a "forest" is not uniformly established at the national level. Instead, each state is responsible for determining what constitutes a forest within its territory. This decentralized approach to defining forests originates from a 1996 Supreme Court order known as the T.N.

Regarding the Mumbai attacks of 2008

In 2008, synchronized shootings and explosions in Mumbai, India, were carried out by terrorists from the Lashkar-e-Taiba organization, which is located in Pakistan. It is still regarded as one of the biggest terrorist attacks in modern Indian history.

What is the nature of Israel and Palestine's conflict?

The Israel-Palestine conflict is a protracted disagreement between Israelis and Palestinians about sovereignty, national identity, and territory that includes concerns about Jerusalem control, security, and boundaries. Multiple wars and ongoing tensions have resulted from it.

What distinguishes Israel's and India's responses to the assaults from one another?

- **India's Reaction to the Mumbai Attacks of 2008:**
- **Strategic Modesty: India held off on taking direct military action against Pakistan.**
- **Global diplomacy was emphasized in order to win over the United States and other countries.**

Refraining Escalation: We avoided a potential nuclear crisis and economic downturn during the global financial crisis.

Israel's Response to 2023 Hamas Attack:

- **Military Action:** Israel responded to the Hamas attack with a violent military response.
- **Global Perception:** This action inadvertently brought the Palestinian issue to the forefront globally.
- **Contrasting Outcome:** Unlike India's approach, Israel's response increased international sympathy for the Palestinian cause.

What impact did India's restraint have on Pakistan?

- **Economic Decline:** Post-26/11, Pakistan experienced a significant economic downturn. Real GDP growth plummeted, and foreign direct investment dropped by 42% by 2010.
- **International Image:** The global perception of Pakistan shifted negatively. The United Nations designated the Lashkar-e-Tayyiba (LeT) as a terrorist organization in 2010,

reinforcing its association with terrorism.

- **Reduced U.S. Aid:** Following 9/11, there was a call, notably by then-Senator Joe Biden, to reduce U.S. military aid to Pakistan, which had increased post-9/11 for combating Taliban and al-Qaeda militants.
- **Legislative Changes:** The U.S. Senate passed the revised Kerry-Lugar Bill in 2009, tripling non-military assistance to Pakistan but imposing conditions that were perceived as offensive by Pakistan, further straining relations.

What should be done?

- **International Diplomacy:** Focus on diplomacy and building international alliances, similar to India's garnering of global support post-Mumbai attacks.
- **Economic Stability:** Prioritize maintaining economic stability during global crises, as India did by avoiding war during the 2008 financial crisis.
- **Counter-Terrorism Measures:** Implement calculated, targeted actions against terrorism, akin to India's Balakot air strikes, demonstrating strength without widespread conflict.
- **Avoid Aggressive Responses:** Learn from Israel's 2023 response to Hamas, understanding that aggressive military action can inadvertently increase global sympathy for the opposition's cause.