

The Hindu Important News Articles & Editorial For UPSC CSE

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The Supreme Court recently intervened in the issue of state-led demolitions targeting accused individuals, particularly in Uttar Pradesh, Madhya Pradesh, and Rajasthan, where families were punished without due process.

➔ The Court issued binding directives to ensure accountability and prevent arbitrary action by public officials. It emphasised the constitutional rights of the accused and their families.

Supreme Court puts brakes on 'bulldozer culture'

➔ Bench says States indulging in naked display of 'might is right' without thinking about victims

➔ Court issues a series of 'binding directives' that include 15 days' prior notice to occupants

➔ Destroying homes, leaving families homeless nothing short of 'anarchy', says Justice Gai

Krishnadas Rajagopal
NEW DELHI

The Supreme Court on Wednesday said the States that metamorphose into judges to punish accused persons awaiting trial by driving bulldozers into their homes, indulge in a naked display of "might is right" without sparing a thought for families rendered shelterless and destitute overnight.

A Bench of Justices B.R. Gavai and K.V. Viswanathan, in its verdict, invoked extraordinary powers under Article 142 of the Constitution to issue a slew of "binding directives" to fasten accountability on public officials.

They include 15 days' prior notice of demolition to the occupants; the notice must provide details of the nature of the unauthorised construction, specific violations and grounds warranting demolition; the owner or occupants who

want to challenge the State action must be given a fair opportunity by the designated authority; the final order of the authority must have reasoned conclusions; the actual demolition must be video-graphed, etc.

Officials will face action
Officials who violate these directives would face contempt action and would be prosecuted. They would be liable for the restitution of the demolished property, the court said.

The 95-page judgment followed petitions representing citizens from several States, including Uttar Pradesh, Madhya Pradesh and Rajasthan, who had sought redress against the States' "bulldozer culture". The petitioners had complained that their properties were demolished by the State machinery without due process of law on the ground that they were accused of criminal offences. The petitions



Wheels of injustice: Workers razing the property of an accused in an RSS attack case in Jaipur in October, citing violations. PTI

even claimed the demolitions had a communal tone.

On September 17, the top court *suo motu* extended the ambit of the case and barred such demolitions across the country.

"The chilling sight of a bulldozer demolishing a building, when authorities have failed to follow the basic principles of natural justice and have acted without adhering to the principle of due process,

reminds one of a lawless state of affairs, where might was right," the Bench said.

'Collective punishment'
Justice Gai said the government could not transform itself into a judge to find an accused guilty without trial and deliver a "collective punishment" to him and his family by wrecking their home and their shared memories with a bulldozer. This

Jamiat hails verdict; victims 'disappointed'

NEW DELHI

Though the main petitioner, the Jamiat Ulama-i-Hind, termed the Supreme Court judgment against bulldozer demolitions "a historic verdict" which "set a template for the future", some of the victims expressed disappointment and demanded compensation. > PAGE 4

would be a violation of the 'rule of law', which was a part of the Basic Structure of the Constitution.

The judge said destroying family homes, leaving entire families homeless, was nothing short of "anarchy".

The executive actions of public officials must be consistent with maintaining public trust. "The greater the power to decide, the higher is the responsibility to be just and fair,"

Justice Gai observed.

"If his spouse, children, parents live in the same house or co-own the same property, can they be penalised by demolishing the property without them even being involved in any crime? As is well known, a pious father may have a recalcitrant son and vice versa. Depriving innocent people of their right to life by removing shelter from their heads, in our considered view, would be wholly unconstitutional," Justice Gai underscored.

An accused is presumed innocent until proven guilty in a court of law, the court reminded the States.

The principle of 'separation of powers' gave the courts, not the State, the authority to decide if a person was guilty of a crime or not. The State cannot take excessive measures even against convicts. There should be institutional accountability if public officials violate the rights of an accused or a convict

through arbitrary exercise of power, the court held.

The judgment said the burden was on the authorities to disprove in court the presumption that they did not demolish a structure to penalise the accused owner or occupant.

"When a particular structure is chosen all of a sudden for demolition and the rest of the similarly situated structures in the same vicinity are not even touched, mala fide may loom large," Justice Gai observed.

The court said for an average citizen, the construction of a house was often the culmination of years of hard work. "A house is not just a property but embodies the collective hopes of a family or individuals for stability, security, and a future... It gives a sense of dignity and a sense of belonging. If this is to be taken away, then the authority must be satisfied that this is the only option available," Justice Gai noted.

Context and Concerns over "Bulldozer Culture"

- ➔ The Supreme Court addressed the issue of state-led demolitions that targeted homes of accused persons awaiting trial, particularly criticising instances where demolitions were executed without due process.
- ➔ This judgement followed petitions from states such as Uttar Pradesh, Madhya Pradesh, and Rajasthan, where affected citizens alleged that demolitions were performed to punish the accused, often with communal undertones.

Directives Issued by the Supreme Court

- ➔ The Court, using its powers under Article 142 of the Constitution, laid out strict, binding directives for state authorities involved in demolitions.
- ➔ Key directives include a mandatory 15-day prior notice to occupants, specifying unauthorised construction violations and reasons for demolition.

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Daily News Analysis

- Occupants must be given an opportunity to contest demolition actions through a designated authority, and any final decision must be accompanied by detailed reasoning.
- The entire demolition process must be videographed, and violators of these guidelines would face prosecution and contempt action.

Ensuring Accountability of Public Officials

- Public officials who fail to adhere to these guidelines would be held accountable, facing contempt action, prosecution, and potential restitution of destroyed property.
- The Court emphasised the importance of public trust in executive actions, stressing that higher power mandates greater responsibility to act fairly and justly.

Rule of Law and the Rights of the Accused

- The Supreme Court reiterated the principle that an accused is innocent until proven guilty, emphasising the separation of powers where only the judiciary has the authority to convict.
- Collective punishment, such as demolishing family homes to penalise the accused, was deemed unconstitutional and against the "rule of law," which is part of the Basic Structure of the Constitution.

Protecting the Innocent and Maintaining Accountability

- The Court noted that innocent family members residing with the accused should not be subjected to punishment, questioning the fairness of penalising families uninvolved in alleged crimes.
- Officials must prove in court that a demolition was not a punitive measure against an accused person; selective demolitions could suggest a possible misuse of power.

Importance of Home and Dignity

- For many, building a home represents years of hard work and a source of dignity and security.
- The Court observed that demolishing homes should only occur as a last resort after thorough assessment, underscoring the sanctity and personal significance of family homes.

Prelims Practice Question

Ques : With reference to the Supreme Court of India consider the following statements:

1. The jurisdiction of the Supreme Court is smaller than that of Federal Court of Appeal established under Government of India Act, 1935.
2. The present sanctioned strength of Supreme Court is 34 including the Chief Justice of India.
3. The person appointed as a judge of the Supreme Court has to make and subscribe an oath or affirmation before the Chief Justice of India.

Which of the statements given above is/are not correct?

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

Ans : c)

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India's booming agricultural exports, valued at \$53.1 billion in 2022-23, raise concerns about sustainability.

- The production of high-demand commodities like tea and sugar presents ecological and social challenges, while alternative crops like millets offer sustainable solutions.
- Balancing economic growth with sustainability is crucial for India's agrarian economy.

India's tea, sugar exports raise sustainability concerns at home

Agricultural commodity production in India lives in a unique context – high domestic consumption and now rapidly growing exports – that may benefit producers and consumers, but increasing dependencies between different parts of the supply chain compromise ecological sustainability

Dasari Giridhar
Manan Bhan

India is one of the world's largest agricultural product exporters. Indian agricultural export was valued at \$53.1 billion in 2022-23, up from \$8.7 billion in 2004-05, a six-fold increase in less than two decades. For an economically developing economy like India, exports play a significant role in strengthening the economy by increasing revenue, foreign exchange, and transactional options. But the rapid surge in exports poses multiple challenges to sustainability of the production, processing, and distribution systems of the respective commodities.

In this context, it's important to answer two questions regarding the sustainability of an agricultural commodity.

First, when can an agricultural commodity be considered truly sustainable? The sustainability of such a commodity isn't just about economic sustainability, which is driven by productivity. Ecological and social factors, aided by good governance, help build a sustainable production system, so the sustainability of an agricultural system depends on three pillars: ecological factors, economic aspects, and social aspects, underpinned by robust policies underlying all of them.

Second, should sustainability considerations only apply to production? No. Since the lifecycle of a commodity extends across pre-sowing, on-farm production, and post-harvest stages, sustainability applies to them all. Tea and sugar, two prominent commodities in India with a large domestic and export-oriented consumption base, offer good examples to illustrate the problems herein.

Tea
India is the world's fourth-largest tea exporter and second-largest producer, contributing 10% of global exports. The latter totalled 188.76 million kg in 2022, with a value of \$64.34 million, and an increase of 21.47% year on year in volume and 12.43% year on year in value. The total value of Indian tea exports for 2022-23 was \$793.78 million. Domestic consumption constitutes 80% of total production. The top export destinations of Indian tea are the United Arab Emirates, Russia, Iran, the U.S. and the U.K.

There is also growing evidence of stresses being imposed on production systems across the tea value chain. Three major challenges in the tea industry are the management of human-wildlife interactions, burgeoning chemical use, and labour concerns. An estimated 70% of tea plantations are situated at the periphery of forests and host the migratory routes elephants need to move around, resulting in frequent interactions with humans and human property and damage.

Likewise, synthetic pesticides constitute up to 85% of total pesticide use in tea plantations. This degree of reliance on such pesticides increases the chemical residue in the final product. Researchers have already documented an increase in the incidence of DDT, Endosulfan 35 EC, Dieldrin 18.5 EC, and D-phenathrin 10 EC in tea. Exposure to these substances can increase the risk of cancer, diabetes, impaired neurodevelopment in children, and neurotoxicity.



Sweet and sour: Workers harvest sugar cane in Kolhapur district in Maharashtra. FILE PHOTO

Finally, the labour rights and working conditions of the tea estates cannot be undermined. More than half of tea plantation workers are women and they are often underpaid. The working conditions are also hazardous and workers often lack protective gear. Despite regulations under the Plantations Labour Act 1951 (amended in 2010 to strengthen worker safety), safety standards are almost never fully enforced. There is a critical need for better management practices in and around tea estates in India, stricter monitoring of the maximum residue limits for pesticides, and better enforcement of existing labour regulations.

Sugar
India is the world's second-largest sugar producer, with 34 million metric tonnes of production, which is about a fifth of the global production. India's sugar exports grew by 291% from \$1.77 million in FY 2013-14 to \$4,600 million in FY 2021-22 and 64.90% in 2021-22. The country exported sugar to 121 countries, according to the Directorate General of Commercial Intelligence and Statistics. About 50 million farmers depend on sugar cane cultivation in India. An additional half million depend on sugar and allied factories. According to NITI Aayog, the industry has an annual turnover of ₹1 lakh crore.

But for the exports' economic value and the industry's significant rural employment, it also has considerable adverse environmental effects – but in particular water resource management.

Sugar cane is well-known for requiring a lot of water to cultivate. On average, 1 kg of sugar requires between 1,500 and 2,000 kg of water. Sugar cane and paddy occupy around 25% of the gross cropped area in India and consume 60% of the country's total irrigation water, reducing the availability for other crops and also stressing groundwater resources. In the

There needs to be more focus on addressing environmental issues and safeguarding the health and safety, of both workers and consumers, to develop an inclusive agrarian economy that benefits both local communities and global markets

last six or seven years, the area under sugar cane cultivation has almost doubled in Karnataka and Maharashtra.

Natural ecosystems like grasslands and savannahs in these states have also been converted to plant sugar cane. Along with the ensuing biodiversity loss, this change has increased the pressure on water resources and increased the need for sustainable water use and alternate cropping patterns. In fact, implementing drip irrigation in these States could lower water consumption by 40-50%.

The social dynamics of sugar industries narrate another story. Media reports have unearthed poor working conditions, including long working hours.

Rising temperatures in peninsular India acts as a threat multiplier, increasing the risks to workers' physical and mental well-being. Workers trapped in vicious debt cycles incur even more stress. Strengthening regulations and encouraging structured and responsible production practices are important to reduce these effects and promote sustainability.

Millets
Even as the sustainability challenges of these commodities persist, there are others that promote long-term ecological and socio-economic sustainability, and their successes could serve as templates to address the problems plaguing tea and sugar.

One prime example is millets, a sustainable option with which to increase

domestic consumption as well as exports. Millets are resilient to harsh conditions and don't require more inputs to weather resource constraints. They preserve soil health and ensure nutritional security.

The growing importance of millet export is evident in the export statistics. India reached a major milestone in 2021-22 when it exported millets valued at \$62.95 million, up from \$26.97 million in 2020-21, almost a 2.5-fold increase in a single year. In FY 2022-23, the country shipped 169,049.11 metric tonnes of millets and millet-related products worth \$75.45 million. This rising demand highlights their potential as a sustainable agricultural commodity contributing to economic growth and environmental resilience.

Agricultural commodity production in India lives in a unique context: a large domestic consumption base and now a rapidly growing export base. These dynamics may benefit producers and consumers but they could also yield a paradox: whereby increasing dependencies between different actors in the supply chain compromise ecological and social sustainability concerns. There are successful tales of increasing production and trade volumes but concerns also continue regarding the trickling down of some of those economic benefits to producers and farm labourers, and regarding the vitality of India's natural resources.

There needs to be more focus on addressing environmental issues and safeguarding the health and safety of both workers and consumers to develop an inclusive agrarian economy that benefits both local communities and global markets.

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Introduction

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Daily News Analysis

- India's agricultural exports reached \$53.1 billion in 2022-23, showing a six-fold increase from 2004-05, highlighting the economic significance of exports for revenue and foreign exchange.
- The rapid growth of exports, however, raises concerns about the sustainability of production, processing, and distribution systems.

Defining Sustainability for Agricultural Commodities

- **True Sustainability:** An agricultural commodity is sustainable when it meets economic, ecological, and social criteria, supported by strong governance.
- **Beyond Production:** Sustainability should encompass pre-sowing, on-farm, and post-harvest stages, as seen in tea and sugar industries.

Sustainability Challenges in the Tea Industry

- **Global Standing:** India is the world's fourth-largest tea exporter and second-largest producer, with major export markets in the UAE, Russia, and the U.S.
- **Human-Wildlife Conflicts:** About 70% of tea plantations border forests, leading to frequent interactions with wildlife, notably elephants, causing conflicts.
- **Chemical Use:** Heavy reliance on synthetic pesticides, with residues like DDT and Endosulfan found in tea, poses health risks to consumers.
- **Labour Issues:** Workers, primarily women, often face low wages, unsafe conditions, and inadequate protective gear despite regulations like the Plantations Labour Act, 1951.

Sustainability Issues in the Sugar Industry

- **Production Scale:** India is the second-largest sugar producer, exporting to over 121 countries; sugar exports increased by 291% from 2013-14 to 2021-22.
- **Water Consumption:** Sugar cane, a water-intensive crop, uses 1,500–2,000 kg of water per kg of sugar, depleting resources for other crops and stressing groundwater.
- **Biodiversity Impact:** Expanding sugarcane cultivation in Karnataka and Maharashtra has converted natural ecosystems, leading to biodiversity loss.
- **Labour Concerns:** Long working hours, harsh conditions, and rising temperatures exacerbate workers' health issues and debt stress, necessitating stronger regulations.

Millets: A Sustainable Alternative

- **Environmental Benefits:** Millets are drought-resistant, promote soil health, and ensure nutritional security, serving as an example of sustainable agriculture.
- **Export Growth:** Millet exports grew significantly, reaching \$75.45 million in 2022-23, indicating their potential for economic and environmental benefits.

Conclusion

- India's agriculture operates within a dual domestic and export market, raising ecological and social sustainability concerns in the supply chain.
- **Recommendation:** Addressing environmental challenges, worker welfare, and consumer safety is crucial for an inclusive and sustainable agrarian economy that benefits both local and global markets.

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Prelims Practice Question

Ques : Which of the following commodities is/are included under the Essential Commodities (EC) Act, 1955?

1. Oilseeds
2. Kerosene
3. Fertilizers
4. Pulses

Select the correct answer using the codes given below:

- a) 1 and 4 only
- b) 2, 3 and 4 only
- c) 1, 2 and 3 only
- d) 1, 2, 3 and 4

Ans : d)



A recent study highlights the severe decline of African elephant populations, with savannah and forest elephants facing significant threats from poaching and habitat loss.

- While northern regions have been hit hardest, conservation efforts in southern Africa show some population recovery.

Analysis of the news:

- A comprehensive study has revealed a sharp decline in African elephant populations over the past 50 years, focusing on savannah and forest elephants.
- Using data from 475 sites in 37 African countries, researchers found savannah elephant populations fell by about 70% and forest elephant populations by around 90% at the surveyed sites.
- On average, the total elephant population at these sites dropped by 77%, largely due to poaching and habitat loss.
- Some regions, particularly northern and eastern Africa, have seen local extinctions, with pressures highest in areas like the Sahel.
- However, certain areas in southern Africa, such as Botswana, Zimbabwe, and Namibia, have seen population increases due to effective conservation efforts and active management.
- The study did not calculate a total population but observed trends at surveyed locations, with previous estimates placing the combined population between 415,000 and 540,000 elephants as of 2016.

African Elephant

- Scientific Name:** *Loxodonta africana* (savanna elephant) and *Loxodonta cyclotis* (forest elephant)
- Habitat:** Found in various ecosystems across sub-Saharan Africa, including savannas, forests, deserts, and marshes.
- Physical Characteristics:** Largest land animals; savanna elephants have larger ears and are larger than forest elephants.
- Social Structure:** Matriarchal groups led by a female, with strong family bonds; males often live solitary or in bachelor groups.
- Diet:** Herbivorous, consuming up to 300 pounds of vegetation daily.
- Conservation Status:** The African forest elephant is critically endangered, while the African savanna elephant is endangered.
- Conservation Efforts:** African Elephant Action Plan and
- CITES :** Appendix I protection.



Shrinking species: An African elephant with her calves in northern Kenya. FILE PHOTO

Alarming rate of decrease in African elephant count

Reuters

African elephants, earth's largest land animals, are remarkable mammals that are very intelligent and highly social. They also are in peril. Fresh evidence of this comes in a study that documents alarming population declines at numerous sites across the African continent over about a half century.

Researchers unveiled on Monday what they called the most comprehensive assessment of the status of the two African elephant species – the savannah elephant and forest elephant – using data on population surveys conducted at 475 sites in 37 countries from 1964 through 2016.

Savannah elephant populations fell by about 70% on average at the surveyed sites and forest elephant populations dropped by about 90% on average at the surveyed sites, with poaching and habitat loss the main drivers. All told, there was a 77% population decrease on average at the various surveyed sites spanning both species. Elephants vanished at some sites while their populations increased in other places thanks to conservation efforts.

"A lot of the lost populations won't come back, and many low-density populations face continued pressures. We likely will lose more populations going forward," said George Wittemyer, a Colorado State University professor of wildlife conservation who helped lead the study published in the journal *Proceedings of the National Academy of Sciences*.

Savannah elephant populations fell by about 70% on average at the surveyed sites and forest elephant populations dropped by about 90% on average at the surveyed sites

The forest elephant population is estimated to be about a third that of savannah elephants. Poaching has affected forest elephants disproportionately and has ravaged populations of both species in northern and eastern Africa.

"We have lost a number of elephant populations across many countries, but the northern Sahel region of Africa – for example in Mali, Chad, and Nigeria – has been particularly hard hit. High pressure and limited protection have culminated in populations being extirpated," Wittemyer said. But in southern Africa, elephant populations rose at 42% of the surveyed sites. "We have seen real success in a number of places across Africa, but particularly in southern Africa, with strong growth in populations in Botswana, Zimbabwe and Namibia. For populations showing positive trends, we have had active stewardship and management by the governments or outside groups that have taken on a management role," Wittemyer said.

The study did not track a continent-wide population tally because the surveys used different methods over different time frames to estimate local elephant population density. Instead, it assessed population trends at each of the surveyed sites. A population estimate by conservationists conducted separately from this study put the two species combined at between 4,15,000 and 5,40,000 elephants as of 2016, the last year of the study period. It remains the most recent comprehensive continent-wide estimate.

The 29th COP negotiations focus on setting a new climate finance goal (NCQG) to aid developing countries in meeting emission targets.

➔ With varied funding options proposed, achieving consensus remains challenging, reflecting divergent priorities among participating nations.

'Unwieldy' first draft at COP29 sets 2030 goal of \$5 trillion

Jacob Koshy
NEW DELHI

Two days into 29th edition of the Conference of Parties (COP), the first major negotiating text that will decide if the two-week-long conclave will be a success has come out. While this is far from any semblance of finality, it lists out the universe of options before 190 countries that they must collectively whittle down – every country's vote is exactly as important as the other – and adopt before the conference ends.

The most prominent feature of the text is an ask of at least \$5-6.8 trillion until 2030, as the so called New Collective Quantified Goal (NCQG) on Climate Finance, for developing countries to meet their Nationally Determined Contribution (NDC), or volun-

tary targets that are updated periodically, where countries specify targetted action undertaken to reduce carbon emissions and substitute fossil fuel energy sources with renewable energy ones.

While there are multiple technical issues being deliberated upon at Baku, the headline-moment that the hundreds of negotiators are working upon, is the NCQG.

This is an estimate of the money that developing countries will collectively require from developed countries to adapt to climate change and shift to renewable sources without compromising on developmental needs.

The existing estimate, agreed upon in 2009, was to mobilise and deliver \$100 billion annually from 2020-2025 but was fulfilled – not to universal agree-



Building consensus: Bangladesh's Muhammad Yunus, centre right, attends the COP29 summit in Baku on Wednesday. AP

ment—only in 2022.

As the text stands however, there are a plethora of options within the NCQG. Large parts of the text are divided into 'options'. Regarding the quantum of NCQG itself there are four options. At the end of two weeks, countries are expected to choose one.

The range of options ex-

tend from the blanket \$5-7 trillion until 2030; 5.0-6.8 trillion for the pre-2030 period, and a separate 'adaptation finance' of \$215-387 billion annually up until 2030; or another that estimates \$ 455-584 billion per year, with no year specified and an acknowledgement that were "significant gaps and limitations due to gaps in information on the

processes and approaches used in determining needs, the methodologies and underlying assumptions used, and a lack of available data, tools, capacities."

Then there are other clauses, with their own sub-options, that call upon developed countries to explicitly acknowledge that they have not met their prior commitment of delivering \$100 billion in 2020 and 2025 and that they commit to paying the arrears. (In the UN accounting system, such flows have only been accounted upto 2022). There are disputes on whether, as developed countries, claim that \$115 billion had been delivered as climate finance in 2022.

A member of India's negotiating team told *The Hindu* that currently countries had formed blocks, or

negotiating alliances, among themselves and demanded insertions of paragraphs that included everybody's demands.

"India has a joint position with China and other developing countries as of now. Groups have sent representations and we are still analysing the latest version of the text. There are some major omissions. The text is too big now and it is a long road ahead," the person said.

"Countries asked for a new text that reflects all their positions. The new text does this but, unsurprisingly, it's now much longer and unwieldy, taking us back to the length the text was earlier in the year. It will need to be streamlined again to be workable," Joe Thwaites, Senior Advocate, International Climate Finance, said in a statement.

Analysis of the news:

- ➔ The 29th Conference of Parties (COP) has released an initial negotiating text, outlining options for climate finance commitments by 190 countries.
- ➔ The key issue in focus is the New Collective Quantified Goal (NCQG) on Climate Finance, proposing at least \$5-6.8 trillion by 2030 for developing countries to meet their climate targets.
- ➔ This funding would assist developing nations in achieving Nationally Determined Contributions (NDCs) by reducing emissions and transitioning to renewable energy.
- ➔ Multiple options for NCQG amounts are included in the text, ranging from a blanket \$5-7 trillion to other structured annual estimates.
- ➔ Clauses call for developed countries to recognize unmet commitments from the previous \$100 billion annual goal set for 2020-2025.
- ➔ The document will need streamlining over the two-week COP period for feasible agreements to be reached.

Mains Practice Question

Ques : Describe the major outcomes of the 29th session of the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC). What are the commitments made by India in this conference?

In News : Booker Prize

British writer Samantha Harvey won the Booker Prize 2024 for fiction with *Orbital*, a short, wonder-filled novel set aboard the International Space Station.



About Booker Prize:

- It is the world's leading literary award for a single work of fiction.
- Founded in the UK in 1969, the Booker Prize initially rewarded Commonwealth writers and now spans the globe: it is open to anyone regardless of origin.
- It aims to promote the finest in fiction by rewarding the best novel of the year written in

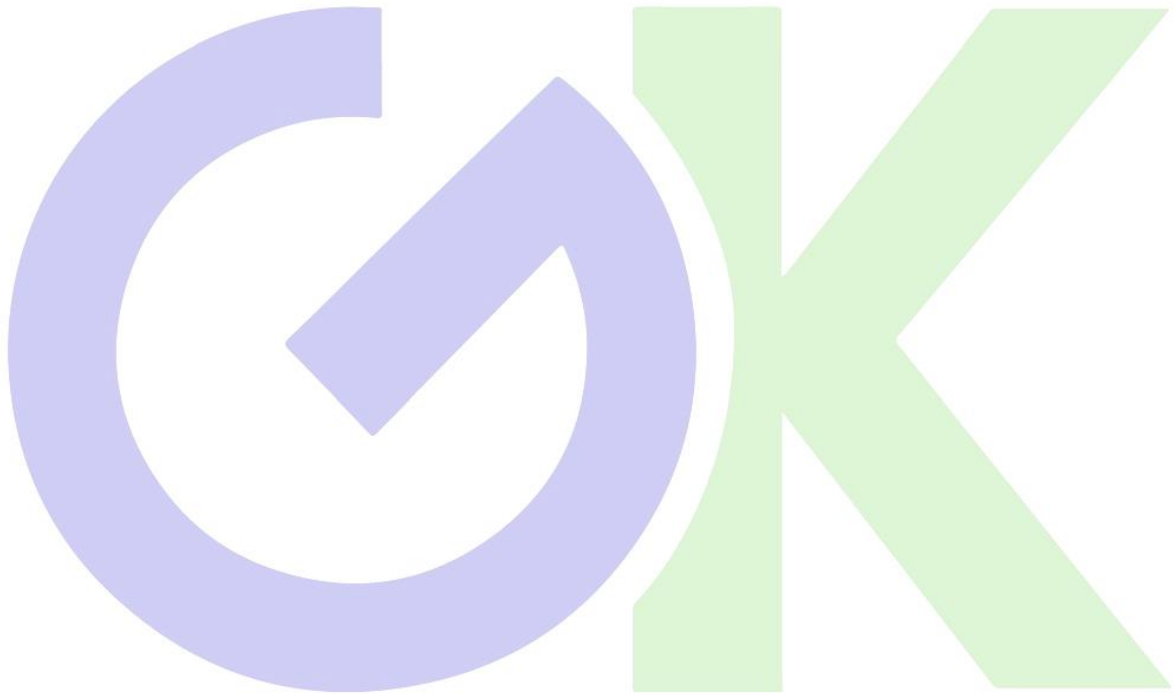
Eligibility:

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Daily News Analysis

- The Booker Prize awards any novel originally written in English and published in the UK and Ireland in the year of the prize, regardless of the nationality of their author.
- The novel must be an original work in English (not a translation).
- It must be published by a registered UK or Irish imprint; self-published novels are not eligible.
- The winner receives £50,000, and each shortlisted author will be given £2,500.
- The Booker Prize Foundation: It is a registered charity established in 2002. Since its inauguration in 2005, it has been responsible for the award of the Man Booker Prize for Fiction and the Man Booker International Prize.



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The perfect cocktail of layered discrimination

Delimitation, the biggest elephant in the room called the Indian Union, is about to take centre stage. Statesmen such as Indira Gandhi and Atal Bihari Vajpayee appreciated the explosive potential of delimitation and kicked the can down the road, as it were, to be handled by a future generation. Here we are as that future generation. Do we kick the can further down the road? Do we detonate it? Or do we defuse it? We, the people of India, are at a historical crossroad. Will India remain a federal union? Or will it become an ethno-linguistic majoritarian mega state with minority ethno-linguistic minorities?

Federalism is part of the inviolable basic structure of the Constitution of India. The Indian Union is a federal union. States are the federating units. Most States find their basis in language and many States of the Indian Union are continuations of ethno-linguistic homelands that have existed for centuries or even millennia. This is precisely why the Supreme Court of India has termed States as political units and not arbitrary administrative units.

Indian unity was forged in the anti-imperialist struggle against British imperialism and that unity continues in independent India through a delicate balance of power distribution between federating units and ongoing dialogue between diverse peoples of the Indian subcontinent.

What is delimitation? Article 82 of the Indian Constitution requires that the number of Lok Sabha seats per State is recalibrated after each Census by the Delimitation Commission, in accordance with the population. Delimitation last happened based on the 1971 census, when in 1976, the Indira Gandhi government suspended the delimitation process for 25 years, until 2001. It was further suspended for another 25 years by the A.B. Vajpayee government, and would lapse by 2026, unless another amendment is introduced. The freezing of delimitation was done in order not to disincentive States that were effective in population control. However, the Narendra Modi government has given hints about undertaking fresh delimitation before the elections in 2029.

Delimitation as a threat

Total Fertility Rate (TFR) is a demographic indicator that estimates the average number of children a woman gives birth to during her reproductive years. Even today, TFR of non-Hindi States such as Kerala, Tamil Nadu and West Bengal is in the 1.6-1.8 range, below the replacement level of 2.1. The TFR of Hindi heartland States such as Bihar, Chhattisgarh, Madhya Pradesh, Rajasthan and Uttar Pradesh, at about 3.5, is well above the replacement level. This has been true for many decades and thus by now, a recalibration via delimitation will mean a radical decrease in the proportion of non-Hindi State seats in the Lok Sabha. For example, if



Salem Dharanidharan

a spokesperson of the Dravida Munnetra Kazhagam (DMK) party and the Deputy Secretary of the party's IT wing



Garga Chatterjee

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Under the existing formulation of delimitation, there is a grave risk of some 'unsuccessful' States becoming the 'owners of an imperial centre', imperilling 'successful' States

delimitation takes place, the proportion of seats in Parliament for the southern States would be reduced from 25% to 17% and the number of seats from Hindi heartland States where the Bharatiya Janata Party (BJP) has electoral dominance would increase from 40% to 60%.

States such as Karnataka, Maharashtra and Tamil Nadu already receive only about 30% of the total funds that contribute as direct taxes, while Bihar and Uttar Pradesh receive between 250% and 350% of their overall contribution. The decision of 16th Finance Commission to include the 2011 Census instead of the 1971 Census to devolve funds to States will be even more discriminatory to developed States. It is cause for worry that continuation of the same pattern would profoundly exacerbate the already existing bias against the non-Hindi States.

Fostering discrimination

India was conceived as a permanent, multi-ethnic, multi-lingual federal union, and not as a mono ethno-linguistic majoritarianism territory. The difference with states such as China and Russia is that they are only federal in name, the population being made of an ethno-linguistic group with a majority of upwards of 80% and several other small minority nationalities. In India's case, however, there never was a majority ethno-linguistic group. India is a federation of various ethno-linguistic stakeholders, none of whom is a majority in India. But the major ones among them form the basis of various linguistic States, where they are super majority. But with long-term differences of TFR among States, and thereby, ethno-linguistic groups, this long-settled pattern faces the threat of being unsettled. Since 1947, the population proportion of Bengali, Kannada, Malayalam, Marathi, Odia, Punjabi, Tamil and Telugu have all decreased while the population proportion of one language, Hindi, has massively increased, from 36% to nearly 43%; 43% is not too far away from the majority.

The ratio of Lok Sabha seats allocated to a State to the total number of Lok Sabha seats represents the Stakeholdership Index of a State in matters of the Union. Delimitation will reward the non-performers of population control policies that will effectively dominate and determine the policy of the Union. The performers will have a declining say and will be reduced to being mere revenue contributors. The proportion of GDP and revenue from non-Hindi States is much greater than their population percentage while the proportion of GDP and revenue from Hindi States is lesser than their population percentage.

Post delimitation, States such as Bihar and Madhya Pradesh, where the BJP is dominant, will have their Stakeholdership Index nearly double, whereas States such as Kerala and Tamil Nadu where the BJP has one to zero seats will see it being reduced by 30%-40%. Such a situation would skew Indian democracy in favour of the

Hindi States, with other regions risking a loss of electoral dominance. Without electoral dominance and representation in the Union, this would further alienate the non-Hindi states.

Thus, the implementation of delimitation will create the perfect cocktail of layered discrimination. Non-Hindi States that have implemented population control measures successfully will lose a say in Union affairs. Non-Hindi States that contribute a majority of GDP, resources, revenue and taxes will lose say in how their monies are used. The 'unsuccessful' will create policies for the 'successful' with money from the 'successful'. No taxation without representation was the cry in the Boston Tea Party. In a similar vein, delimitation will further shrink the representation of States that produce taxes. This is a very risky and dangerous path to pursue. There is no place for any system in India where some States increasingly look like owners of an imperial centre while others mimic colonies. Therefore, it is necessary to balance two competing constitutional values: formal equality in voting and federalism.

Possible solutions

There can be many solutions. First, just follow what Mrs Gandhi and A.B. Vajpayee did and extend the freeze by another 25 years and defer to a future generation.

Second, permanently freeze delimitation as far as the India-wide redistribution of seats across States is concerned.

Third, go through with delimitation as envisaged. But supplement it with a long-due new grand federal compact such that the Concurrent List is abolished in favour of an expanded State list, all residual powers vested to the States and large-scale transfer of subjects are made from the Union list to the State list, keeping external defence, external affairs and currency in Delhi's hands. This would balance delimitation with decentralisation, softening the majoritarian blow inherent in delimitation.

Fourth, preserve the present seat proportion between States in the Lok Sabha but increase the number of seats in each State to partially offset the representational deficit of population explosion States.

India is a unique experiment. It is not an ethnic-linguistic majoritarian empire like Russia or China. It is not a mono-linguistic nation state such as Bangladesh and Thailand. India is like Africa or Europe, a tapestry of languages, ethnicities, cultures, civilisations and faiths, but with a crucial difference. It is bound in an inseparable political Union born in the crucible of anti-imperialist struggle with one, unified voice when speaking to others. India is the grandest experiment of plurality in modern human history. Majoritarianism and partisanship cannot be allowed to undo it and threaten its unity. History will not forgive us.

GS Paper 02 : Indian Polity & Social Justice

UPSC Mains Practice Question: Delimitation, if implemented without balancing federal principles, could exacerbate regional disparities in India. Discuss the potential impact of delimitation on India's federal structure and suggest measures to preserve equitable representation across states. (150 words/10m)

Context :

- The issue of delimitation in India, which involves redrawing Lok Sabha constituency boundaries based on population, is gaining prominence.
- The demographic disparities between Hindi-speaking and non-Hindi-speaking states could lead to major political shifts.
- This threatens to undermine India's federal structure, fostering regional inequalities and alienation.

Introduction: Delimitation as a Critical Issue

- Delimitation, a process of recalibrating the number of Lok Sabha seats per state based on population, is set to become a major issue in India.
- Previous leaders like Indira Gandhi and Atal Bihari Vajpayee deferred the issue, recognizing its explosive potential.
- The current generation is now at a crossroads regarding how to address this challenge.

Federalism and India's Political Structure

- India is a federal union, with states as the federating units, primarily based on language and ethnicity.
- The Supreme Court has emphasised that states are not arbitrary administrative units but political entities.
- Indian unity was forged in the struggle against British imperialism, and it continues through a balance of power distribution between states.

What is Delimitation?

- According to Article 82 of the Indian Constitution, delimitation recalculates the number of Lok Sabha seats after every Census based on population.
- The process was last conducted based on the 1971 Census.
- The Indira Gandhi and Vajpayee governments suspended delimitation for 25 years each.
- The freeze will end in 2026, unless a new amendment is passed.
- The central government has hinted at a fresh delimitation before the 2029 elections.

The Threat of Delimitation

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Daily News Analysis

- **Disproportionate Impact on Non-Hindi States:** States like Kerala, Tamil Nadu, and West Bengal, with low fertility rates (1.6-1.8), may see a significant reduction in their representation in Parliament. In contrast, Hindi-speaking states with higher fertility rates (around 3.5) could see an increase in seats, thus strengthening the political dominance of Hindi heartland states.
 - If delimitation occurs, southern states' parliamentary seats would drop from 25% to 17%, while Hindi heartland states' share would increase from 40% to 60%.
- **Discriminatory Fund Allocation:** States such as Maharashtra, Tamil Nadu, and Karnataka contribute more in taxes but receive significantly less in return compared to states like Bihar and Uttar Pradesh. The 16th Finance Commission further exacerbates this imbalance.

Risks of Majoritarianism and Regional Alienation

- India's diversity of ethno-linguistic groups, unlike countries like China or Russia, is central to its federalism.
- However, with demographic changes and population growth concentrated in the Hindi-speaking regions, there is a risk that these states could dominate national policy at the expense of more developed, non-Hindi states.
- Delimitation could lead to reduced representation for non-Hindi states in Union affairs, diminishing their influence despite contributing a disproportionate share of GDP and taxes.

Proposed Solutions

- **Extend the Freeze:** Like previous governments, extend the freeze on delimitation for another 25 years, leaving the issue for future generations.
- **Permanently Freeze Delimitation:** Discontinue any future redistribution of seats across states.
- **Implement Delimitation with New Federal Compact:** Proceed with delimitation but simultaneously restructure federalism by transferring more powers to the states, especially on matters currently under the Concurrent List.
- **Increase Seats in Existing States:** Retain the current seat allocation but increase the number of seats in each state to counterbalance the population growth in certain states.

Conclusion: The Need for Balance

- India's federal structure is a unique experiment in diversity, unlike any other nation-state.
- Delimitation must be handled carefully to avoid disrupting the delicate balance of power and to preserve India's unity.