



The Hindu Important News Articles & Editorial For UPSC CSE Friday, 28 March, 2025

Edition: International Table of Contents

Page 04	Tri-service exercise held in
Syllabus : Prelims fact	Arunachal takes integrated approach to surveillance
Page 06	Centre tells States to be prepared
Syllabus: GS 3: Enviroment and Disaster Management	to tackle heat-related ailments
Page 07	Access to abortion, foetal viability,
Syllabus : GS 2: Social Justice	and laws thereof: women are caught in the crossfire
Page 08	U.S. defence ties — India needs to
Syllabus: GS 2: International Relations	keep its eyes open
Page 10	The flawed push for a third
Syllabus: GS 2: International	language
Relations	
Page 08 : Editorial Analysis:	The judiciary's 'between a rock and
Syllabus : GS 2: Indian Polity	hard place' moment

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





Page 04: Prelims Fact

The Indian Armed Forces conducted Prachand Prahaar, a tri-service integrated multi-domain warfare exercise in Arunachal Pradesh from March 25 to 27, 2024.

Tri-service exercise held in Arunachal takes integrated approach to surveillance

The Hindu Bureau NEW DELHI

The Army conducted a triservice integrated multidomain warfare exercise, 'Prachand Prahaar', in the high-altitude terrain of Arunachal Pradesh from March 25 to 27, according to an official statement on Thursday. The exercise, aimed at "validating a fully integrated approach to surveillance, command and control, and precision firepower across the three services", brought together the operational teams in a synergised combat drill designed to simulate future warfare.

"Carried out under the aegis of the Eastern Command, the exercise show-cased the seamless integration of advanced surveillance, strike capabilities, and multi-domain operational planning. Cutting-edge platforms such as long-range maritime reconnaissance aircraft, armed helicopters, UAVs,



Army officers overseeing the presentation of combat drones during the exercise, March 27. X/@EASTERNCOMD

loitering munitions, and space-based assets were employed to achieve total situational awareness and rapid target engagement," the Defence Spokesperson for Manipur, Nagaland and Southern Arunachal Pradesh said in a statement. Once simulated targets were identified, they were swiftly neutralised through coordinated strikes involving fighter aircraft, longrange rocket systems, artillery up to calibre 155 mm, swarm drones, kamikaze drones, and armed helicopters. These operations were conducted within an electronically contested environment designed to replicate the modern battlefield scenarios, he added.

The statement highlighted that 'Prachand Prahaar' builds upon the momentum of Exercise Poorvi Prahar, which focused on the integrated application of aviation assets. This underscores the emphasis on "jointness, technological superiority, and readiness to tackle multi-domain threats," the statement concluded.

Key Highlights

- Held under the Eastern Command, the exercise aimed at enhancing joint operations, improving combat readiness, and integrating advanced surveillance and strike capabilities.
- Given the evolving nature of modern warfare, such exercises are crucial in strengthening India's defence preparedness, particularly along its sensitive borders.

Objectives of the Exercise

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.



- Validate integrated surveillance, command & control, and precision firepower across the three services.
- Simulate future warfare scenarios by incorporating advanced military technologies.
- Enhance joint operational capability in a contested electronic warfare environment.

Key Features

- Integration of Advanced Platforms:
 - o Long-range maritime reconnaissance aircraft
 - o Armed helicopters & UAVs (Unmanned Aerial Vehicles)
 - Loitering munitions & space-based assets
 - Swarm drones & Kamikaze drones
- Simulated Battlefield Environment:
 - o Electronic warfare conditions to test operational resilience.
 - Coordinated strikes involving fighter aircraft, long-range rocket systems, 155mm artillery, and armed helicopters.
- Continuation of Previous Exercises:
 - o Builds upon Exercise Poorvi Prahar, which focused on aviation asset integration.
 - o Emphasizes jointness, technological superiority, and readiness for multi-domain threats.

Strategic & Defence Relevance

- Strengthens interoperability between the Army, Navy, and Air Force.
- ▶ Enhances India's preparedness in high-altitude warfare, crucial for border security.
- Demonstrates capabilities in surveillance, precision strikes, and multi-domain operations, aligning with modern warfare tactics.

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.



UPSC Prilims Practice Question

Ques: Consider the following statements regarding Exercise 'Prachand Prahaar':

- 1. It was conducted in the high-altitude terrain of Ladakh.
- 2. It is a tri-service integrated multi-domain warfare exercise.
- 3. The exercise focused on joint surveillance, precision strikes, and electronic warfare.

Which of the statements given above is/are correct?

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

Answer: (b) 2 and 3 only



No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





Page 06: GS 3:Enviroment and Disaster Management

As India faces rising temperatures with the onset of summer, the Union Health Ministry has directed states

to strengthen preparedness for heat-related ailments. This directive emphasizes public health resilience, healthcare infrastructure readiness, and community-level interventions to mitigate the impact of extreme heat events.

1. Understanding Heat-Related Health Challenges

(i) Impact of Extreme Heat on Health

- Heatstroke & Heat Exhaustion: Dehydration, high body temperature, and organ failure in severe cases.
- Respiratory and Cardiovascular Stress:
 Vulnerable populations (elderly, children, pregnant women, outdoor workers) face increased health risks.
- Infectious Diseases: Contaminated water and food spoilage due to high temperatures may lead to gastrointestinal diseases.
- Mental Health Impact: Prolonged heatwaves can lead to fatigue, stress, and sleep disorders.

(ii) Vulnerable Regions & Populations

- Geographical Hotspots: States like Rajasthan, Gujarat, Maharashtra, Odisha, Andhra Pradesh, Telangana, and Delhi experience severe heatwayes.
- High-Risk Groups: Outdoor laborers, slum dwellers, rural populations, and people with pre-existing health conditions.

2. Government Measures & Preparedness Guidelines

Key Directives to States

o Health Facility Readiness:

Centre tells States to be prepared to tackle heat-related ailments

The Hindu Bureau

NEW DELHI

The Union government on Thursday directed the States to review the preparedness of health facilities for the management of heatstroke cases and heatrelated illnesses.

Union Health Secretary Punya Salila Srivastava, in a letter, noted that with the onset of summer, an increase in exposure to heat, including extreme conditions, may occur.

She said as some places in the country had begun experiencing high temperatures, health facilities needed to increase their resilience to heat by arranging uninterrupted power supply for the constant functioning of cooling appliances, installation of solar panels (wherever feasible), energy conservation measures and steps to reduce indoor heat through cool/green roofs (NDMA guidelines may be referred), window shades and so on.

Health facility preparedness must be reviewed for the availability of adequate quantities of essential medicines, intravenous fluids, ice packs, oral rehydration solution, and all necessary equipment to provide active, emergency cooling, the Ministry said.



To escape the Sun, a mother covers her son with her stole on Thursday. NAGARA GOPAL

"Rainwater harvesting and recycling plants may also be explored for selfsufficiency in water," she

The Ministry said that public health and clinical guidelines on 'heat and health' are available on the website of the National Centre for Disease Control.

"States should disseminate these guidance documents to all districts for effective preparedness of health departments and health facilities to prevent, manage, and monitor the health impact of extreme heat," she said.

From March 1, through daily surveillance, patient-level information on clinical diagnosis of heatstroke is being captured on the Integrated Health Information Platform for all States and Union Territories.

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





- Uninterrupted power supply for cooling appliances.
- Installation of solar panels and adoption of energy-efficient measures.
- Cool/green roofing techniques (as per NDMA guidelines) to lower indoor temperatures.
- Medical Infrastructure Preparedness:
 - Stockpiling of essential medicines, IV fluids, ice packs, and oral rehydration salts (ORS).
 - Availability of cooling equipment in emergency care units.
 - Ensuring water conservation through rainwater harvesting & recycling plants.
- Public Health Awareness & Surveillance:
 - Dissemination of 'Heat & Health' guidelines by the National Centre for Disease Control (NCDC).
 - Daily surveillance & data collection on heatstroke cases via the Integrated Health Information Platform (IHIP).

3. Broader Implications of Heatwave Management

(i) Climate Change and Rising Heatwaves

- o The frequency, duration, and intensity of heatwaves have increased due to global warming.
- o India's average temperature has risen by 0.7°C between 1901 and 2018 (IMD report).

(ii) Need for Long-Term Strategies

- o Urban Planning & Heat-Resilient Cities:
 - Increased green cover, reflective roofing, and improved ventilation in urban areas.
- Agricultural Adaptation:
 - Water conservation, drought-resistant crops, and early warning systems for farmers.
- Occupational Safety Guidelines:
 - Enforcing mandatory rest breaks, shaded workspaces, and hydration facilities for outdoor laborers.

4. Way Forward: Strengthening India's Heat Action Plan

- Scaling Up Early Warning Systems: Collaborating with IMD, NDMA, and local governments for timely alerts.
- Community-Based Interventions: Creating heat shelters, providing water stations, and promoting public awareness campaigns.
- Legislative & Policy Measures: Integrating heatwave mitigation strategies into the National Action Plan on Climate Change (NAPCC) and state-specific climate policies.

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.



Conclusion

The Centre's directive highlights the urgent need for preparedness and proactive measures to combat heat-related illnesses. Strengthening health infrastructure, improving public awareness, and adopting climate-resilient strategies are essential for safeguarding public health against extreme heat conditions.

UPSC Mains Practice Question

Ques: Discuss the impact of heatwaves on public health in India. Suggest measures to improve preparedness and mitigation. (250 words)



No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





Page 07:GS 2: Social Justice: Issues related to women

The debate on abortion rights is shaped by complex ethical, legal, and medical considerations, particularly regarding foetal viability—the stage at which a foetus can survive outside the womb.

Access to abortion, foetal viability, and laws thereof: women are caught in the crossfire

Studies show that most women do not believe that abortion is family planning, and a majority believe it is a sin. Given this context, it can be surmised that abortion is often a last measure, not a first choice. Why, then, does the general opinion among providers seem to paint all women as ignorant beneficiaries?

Christianez Ratna Kiruba Radhikaa Sharma

heard, too often to ignore, doctors bemoan abortions – having to perform them, counselling women who approach them, the very concept of it. Not all, but enough of us would say, "They're basically making us commit murder," in a dozen different ways, each more or less as unempathetic.

unempathetic.

The image seared into memory from medical school is of a woman in tears, undergoing a procedure with minimal sedation to undergo an abortion at 14 weeks, as the service provider, a consultant, kept muttering under her breath, 'making me a culprit in her crime, and now she has tears?' These statements, it seems, grow stronger, and more it seems, grow stronger, and more vitriolic, the later the abortion is cheduled. It seems that the more advanced the gestation is, the stronger are these ethical pangs.

In the debate over abortion rights, few In the debate over abortion rights, few concepts are as legally and ethically contentious as foetal viability — the point at which a foetus can survive outside the womb. The problem is that there is no single, definitive moment when viability occurs. Though several different definitions of foetal viability have sixted, it is safe to say that the foetus' right to life grows stronger as the period of the pregnancy progresses. However, this vagueness of viability lends itself to legal and ethical arguments surrounding

and ethical arguments surrounding abortions across the world. India can consider itself somewhat lucky. In the same year that the U.S. Supreme Court overturned Roe v. Wade Supreme Court overturned Roe v. Wade and set abortion rights back by half a century, the Indian top court delivered a momentous judgment. It noted that single "unmarried" women, who often struggle to access abortion care, are naturally granted reproductive choice as part of their personal liberty. These rulings are generally praised for giving women bodily autonomy for abortions – amended from 20 weeks up to 24 weeks in 2021.

What happens after 24 weeks? That's where the question of foetal viability enters, and the ethical argument surrounding abortions heat up. The most recent amendment to The Medical Termination of Pregnancy Act, 1971 (MTP Act) allows abortions to be conducted by

Act) allows abortions to be conducted by one registered medical practitioner (RMP) until 20 weeks, and two RMPs up to 24 weeks of pregnancy. From 24 to 30 weeks of pregnancy, all abortions must be reviewed by a medical board. Medical boards are governed by strict laws. They can only approve cases where the foetus has abnormalities that are



The Supreme Court ruled that all women, regardless of marital status, have the right to safe and legal abortion up to 24 weeks of gestation, striking down the distinction between married and unmarried and unmaromen in the MTP Act. Image used for rep

incompatible with life, or if continuing the pregnancy would significantly harm the pregnant person's health. "Even if a foetus has some serious illness but can be medically managed with available facilities, even if the life expectancy is limited in a foetus with thalassemia, we do not recommend [an abortion]. Jyoti Bunglowalla, an obsetrician in indore, says. This reflects the general medical doctrine, where the sanctivity of life outweighs the quality of life.

"Late-term abortions are mostly in cases of assault, especially cases of minors, where the victim doesn't really come out about the pregnancy until it is at an advanced stage," Dr. Bunglowalla says. "We have to remember that these are not common cases. We have great medically managed with available

are not common cases. We have great

are not common cases. We have great legislations protecting both women and doctors for abortions up to 20 weeks." The decision-making process for these abortions is on a case-by-case basis, and guided by the Medical Board. Their decisions can be appealed in a court of law, and here, the subjectivity of law deepens even more.

Stopping the heart beat In 2023, a 27-year-old mother of two did not discover her pregnancy until almost 25 weeks. This was due to lactational amenorrhoea a condition where breastfeeding mothers do not resume their menstrual cycles. Her previous pregnancy a year back, had led her to develop postpartum depression and psychosis, which was being managed on medication. With a breastfeeding infant medication. With a breastleeding infant and a serious mental health condition, she sought an MTP, and a medical board was set up. While the MTP was initially allowed, a member of the board emailed the court. At this late stage, they stated, they would either have to deliver a preterm baby who would need intensive



Late-term abortions are mostly in cases of assault, especially cases of minors, where the victim doesn't really come out about the pregnancy until it is at an advanced stage

care, or would have to stop the heartbeat to complete the abortion. This email was sent five days after the MTP had been allowed, and the petitioner was now 26 weeks pregnant.

Despite the fact that "stopping the heartbeat" is a routine procedure in late-term abortions for foetuses with congenital anomalies, this case was dependent on morality. The woman was asked if she would want to "stop the heartbeat", without considering the heartbeat", without considering the moral and emotional burden it placed on her. No, she said, but she was resolute in not wanting the child either. The court ruled for her to continue the pregnancy. Others have been denied late-term about the child entire them. The law accedes to women their reproductive choice, but it may also favour the unborn child's right to live – as long as they do not show amy

to live - as long as they do not show any obvious congenital anomalies. This, despite the fact that most of these judgments state that the foetus would almost certainly suffer harm if the pregnancy were to be terminated at that

point.
"While it is possible to resuscitate and manage a 24 weeker in a state-of-the art private facility, it is rare," Shrutl Kashyap, a paediatrician, says. "When you think of Indian set-ups, with the scarcity of resources, maybe a 26 week [foetus] can be managed, given the best possible care." The 24-week limit is based on the

theoretical concept of viability. So what happens as medical advancements allow us to resuscitate foetuses at an even earlier period? Will abortion rights be based on neonatal medicine developments?

question of ethics

Philosophically speaking, one could argue for or against the rights of the foetus, depending on one's own beliefs. Ethics in medicine are led by the premise of primum non nocere or 'first, do no harm'. This, arguably, should prioritise the rights of the pregnant person, and the harm that she may incur. "Now the problem [beyond 24 weeks] is that even if one terminates the pregnancy, they'll have a premature delivery. The news makes it sound like doctors are denying abortions. At that point we have to consider both the foetus and the mother's life. Even the case of the 14-year-old [who approached the court] at 30 weeks – her abortion was not carried out because there was a high risk depending on one's own beliefs. Ethics in carried out because there was a high risk to her life if the abortion is carried out at that stage. If there is any risk, how can one conscientiously agree [to provide an abortion)?" However, cases like the 2023

However, cases like the 2023 judgement show that the courts can, and do, prioritise foetal life over the mother's mental and physical health. Late term abortions are not requested commonly-and this case may have set a precedent, showing that women can be compelled to carry pregnancies, even if they wouch that the pregnancy is unwanted and dangerous to their well-being. Studies have consistently shown that most women do not believe that abortion is a method of family planning, and a majority believe it is a sin. Given this

majority believe it is a sin. Given this context, it can be surmised that abortion is often a last measure, not a first choice. Why, then, does the general opinion among providers seem to paint all women as ignorant beneficiaries?

Exception to the law

One must remember that the MTP Act doesn't provide abortions on request. It is an exception to the law against abortions, to protect providers from the Indian Penal Code in very specific cases. This means that doctors often seek to protect themselves. "When providers attend to an unmarried person seeking an MTP they unmarried person seeking an MTP, they ask for consent – but this is usually because they want to protect themselves against lawsuits," Sita Srinivasan, a gynaecologist practising in Assam, says.

(Dr. Christianez Ratna Kiruba is an internal medicine doctor with a passion for patient rights advocacy. christianezdennis@gmail.com, Radhikaa Sharma is a public health physician in Delhi, and an associate editor for Nivarana.)

THE GIST

Few concepts are as contentious as foetal viability. It is safe to say that the foetus' right to life grows stronger as the pregnancy progresses. However, this vagueness of viability lends itself to legal and ethical arguments that surround abortions across the world

The recent amendment to the MTP Act allows abortions to be conducted by one registered medical practitioner until 20 weeks, and two RMPs up to 24 weeks of pregnancy. From 24 to 30 weeks of pregnancy, all abortions must be reviewed by a medical board

Boards will only approve cases where the foetus has abnormalities incompatible with life, or if the pregnancy would harm the woman. 'If a foetus has a serious illness that can be medically managed, abortion is not recommended.' Here sanctity of life outweighs quality of life

History shows that courts can, and do, prioritise foetal life over the mother's mental and physical health. A legal precedent has already been established that women can be compelled to carry pregnancies, even if they vouch that the pregnancy is unwanted and dangerous to their well-being. their well-being

The Medical Termination of Pregnancy (MTP) Act, 1971, and its amendments have extended abortion rights in India, but significant medicolegal barriers remain after 24 weeks.

While India has expanded reproductive rights, recent cases demonstrate that women's autonomy is still contested, as courts and medical boards weigh the sanctity of foetal life against maternal well-being.

Understanding India's Abortion Law & Amendments

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





- Legal Framework: The MTP Act, 1971
 - o Initially permitted abortion only under strict medical grounds up to 20 weeks.
 - The 2021 amendment extended abortion rights up to 24 weeks for certain categories of women (survivors of rape, incest, and vulnerable groups).
 - o Post-24 weeks, termination requires approval from a medical board and is allowed only if:
 - o The foetus has anomalies incompatible with life.
 - The pregnancy poses a grave risk to the woman's health.
- Foetal Viability & Late-Term Abortions
 - o The concept of foetal viability is vague and varies with medical advancements.
 - Globally, viability is considered around 24-28 weeks, but in India, medical infrastructure challenges viability at 26+ weeks.
 - Ethical Dilemma: Should abortion rights be restricted as neonatal care improves?

Ethical & Legal Debates: Foetal Rights vs. Women's Rights

- Ethical Considerations
 - The principle of 'primum non nocere' (first, do no harm) raises a dilemma—should maternal autonomy or foetal life take precedence?
 - o Medical professionals often face moral conflicts, particularly in late-term abortions.
- Judicial Precedents & Conflicting Rulings
 - 2023 Case: A woman denied abortion at 26 weeks despite mental health risks. The court ruled for continuation of pregnancy.
 - Courts often prioritize the foetus' right to life over the woman's right to bodily autonomy, creating legal precedents that may restrict future cases.

Challenges in Accessing Safe Abortions

- Medical Barriers
 - Medical boards follow strict criteria:
 - Even if a foetus has a serious but manageable illness, abortion is denied.
 - Doctors fear litigation, leading to over-cautious refusals.
- Social & Cultural Stigma
 - Studies show most women do not consider abortion as family planning and many view it as a sin.
 - o Unmarried women face greater obstacles, including provider bias and lack of awareness.

Way Forward: Strengthening Abortion Rights & Policies

- Need for Clarity in the Law
 - Establish clearer guidelines on late-term abortion approvals.

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.



- o Protect doctors from unnecessary legal risks while ensuring women's rights.
- Medical & Judicial Sensitization
 - Medical practitioners and courts must adopt a more empathetic, rights-based approach to abortion cases.
 - o Awareness campaigns can combat stigma and misconceptions.
- ➡ Enhancing Reproductive Healthcare Access
 - o Expand abortion facilities in rural areas.
 - Strengthen mental health support for women seeking abortions.

Conclusion

India has progressive abortion laws compared to many countries, but medicolegal barriers and judicial interpretations continue to challenge women's autonomy. The right to abortion should not be conditional on foetal viability alone but should consider the mental, physical, and socio-economic well-being of women.

UPSC Mains Practice Question

Ques: Discuss the ethical dilemmas surrounding abortion with reference to the concept of foetal viability. How does Indian law balance the rights of the unborn child with the reproductive autonomy of women? (250 words)



No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





Page 08:GS 2: International Relations

India's defence sector is undergoing a transformation with a focus on self-reliance under the Aatmanirbhar Bharat initiative. However, the Indian Air Force (IAF) faces challenges due to the slow production of indigenous fighter aircraft by Hindustan Aeronautics Limited (HAL). As India continues to be one of the largest arms importers, its growing reliance on U.S. defence technology raises questions about strategic autonomy.

U.S. defence ties — India needs to keep its eyes open

t is no state secret that the defence public sector undertakings have the Indian armed forces as their captive customers. In fact, with the 'Aatmanirbhar Bharat' campaign, this dependence has only increased and has added to the stress of planners in the Indian Air Force (IAF) as they juggle with a depleting squadron strength in the IAF due to a poor production rate by Hindustan Aeronautics Limited. After the IAF chief made his angst clear at the Aero India-2025 show in Bengaluru in February, there has been a flurry of media statements about how a reinvigorated environment is now geared up to supply Tejas MK1A Light Combat Aircraft (LCA) jets. This month, the handing over event of the first rear fuselage for the Tejas, made by a private manufacturer - with the Defence Minister and the IAF chief present - has also been highlighted in the media.

Even as the report of the Ministry of Defence committee looking into the IAF's needs (including imports) is being evaluated, there are three facts that should help keep us grounded.

SIPRI report and U.S. policy

First, the latest Stockholm International Peace Research Institute (SIPRI) report for 2020-24 shows that India is still the second highest arms importer in the world. However, the fact that India's imports have reduced by 9.3% from 2015-19 is good news, but with a rider – expensive weapon systems such as aircraft, tanks, top end radars, and specialised armament, would continue to be imported for many more years and contribute to the import bill.

Second, the IAF has thrown its full weight behind indigenous fighter aircraft – LCA Tejas Mk1A, Tejas Mk2 and the Advanced Medium Combat Aircraft (AMCA), all of which are planned with American engines. The IAF's kinetic operational potential would, thus, become a function of America's calculations of India's worth in its strategic calculus. Would India be weaned away from its heavy dependence on



Air Vice Marshal Manmohan Bahadur (retired)

is former Additional Director General, Centre for Air Power Studies

New Delhi needs to avoid a dependency that affects its strategic autonomy Russia, which contributes to 36% of its arms imports? The IAF's inventory of 270 Sukhoi Su-30 fighters, S-400 missile systems and similar big-ticket items for the Indian Army and the Indian Navy stand out against a positive affirmation.

Third, the frequent coinage of fancy-sounding new policies in India-U.S. relations in the past two decades should keep India on its toes *vis-à-vis* their demonstrated short shelf life. Whatever became of the 'Defence Technology and Trade Initiative' of 2012 which was much tom-tommed, and also said to bring in niche cutting-edge technology and usher in a new paradigm in defence cooperation? Are we sure that the end result of the recently announced framework for the 'U.S.-India Major Defence Partnership in the 21st Century' would be any different considering the tempestuous churn in American foreign policy with a transactional new U.S. administration under President Donald Trump?

'Partnership' is the key word

There is historical reality to back this negative appreciation. The joint statement, after U.S. Secretary of Defence Ashton Carter's visit to India in April 2016, said that [a] "defense relationship is a key component of the strategic partnership between India and the US." Similar sentiments have been expressed recently after the Trump-Modi talks.

The key word is 'partnership'. But the million-dollar question is whether two nations that are culturally, financially and with differing world outlooks, be true partners. An article by Anna Simons, Professor of Defence Analysis, in the Winter 2013-14 issue of the U.S. Army War College magazine, *Parameters*, says that "..a partnership can succeed only if it is grounded in mutual indispensability", since "..anything less creates a dependency, and a dependency by definition is not partnership." This raises the question whether India and the U.S. are indispensable to each other. And if they are not,

then can Washington and New Delhi be true partners?

The indispensability factor can be tested by seeking answers to three pointers. First, are both parties equals, interchangeable and can blend seamlessly? Second, is a division of tasks possible for joint programmes? Third, can the expertise possessed by each nation complement and fill the gaps that exist in the other's capabilities? A truthful analysis of their respective defence research and development and manufacturing sectors shows that there is great asymmetry in the capabilities, and the follow up can only result in India's stifling dependency on the U.S.

But the same questions can be asked about the other relationships of India too, say with Russia, Israel or France. The answer lies in whether India has a political indispensability quotient in such strategic relationships or whether it is like the U.S.-Pakistan 'partnership' that broke when Islamabad outlived Washington's geo-political interests and was dumped like a fly in a tea cup. Or, even the recent unravelling of the U.S.'s decades long and iron-clad trans-Atlantic partnership with Europe, leading to questions being asked about the reliability of the Trumpian friendship.

Looking ahead

This brings us back to the theme of this article. Are we heading the correct way as we look to the U.S. for our strategic armament needs? The answer, surprisingly, actually lies with Washington on whether the U.S. wants a 'true partnership', in which case it has to make India politically indispensable to itself (the U.S.) by imbuing a special friendly slant in our relations. On India's part, New Delhi must ensure that its decisions 'insure' its interests against any U.S. policy reversal in the geopolitical environment that it is placed in. Even as India imports vitally needed aircraft and other equipment, its eyes need to be wide open to avoid a dependency that would negatively affect its strategic autonomy.

Key Concerns in India-U.S. Defence Relations

1. India's Dependence on Arms Imports

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





- According to the Stockholm International Peace Research Institute (SIPRI) report (2020-24), India remains the second-largest arms importer globally.
- Although imports have reduced by 9.3%, India still relies on external suppliers for advanced military technology.
- High-end weapon systems (aircraft, tanks, radars) continue to be imported, impacting India's strategic independence.

2. Reliance on U.S. Defence Technology

- India's indigenous fighter programs like Tejas Mk1A, Tejas Mk2, and AMCA are planned with American engines.
- This could make India's military operational capability dependent on U.S. strategic decisions.
- The shift from Russia (36% of India's arms imports) to the U.S. raises concerns about long-term security.

3. Short Shelf Life of U.S. Defence Agreements

- The Defence Technology and Trade Initiative (DTTI) of 2012, once promoted as a game-changer, has faded without major results.
- The new U.S.-India Major Defence Partnership must be evaluated carefully, considering America's history of shifting alliances (e.g., U.S.-Pakistan relations).

Strategic Partnership vs. Dependency

- Professor Anna Simons (U.S. Army War College) argues that a true partnership exists only when both nations are mutually indispensable.
- India and the U.S. have cultural, financial, and geopolitical differences, raising doubts about whether they can be equal partners.
- Three key tests for strategic partnership:
 - a. Equality & Interchangeability Can both countries operate seamlessly together?
 - b. Division of Tasks Can joint defence programs have shared responsibilities?
 - c. Complementary Capabilities Can India and the U.S. fill each other's gaps in technology?
- India's dependency on the U.S. could mirror Pakistan's past reliance, which collapsed once Washington's geopolitical interest shifted. Similarly, the U.S.'s weakening relations with Europe under President Trump highlight the volatility of American alliances.

The Road Ahead for India

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





- Avoiding Overdependence: India must ensure its defence acquisitions do not compromise strategic autonomy.
- Diversifying Partnerships: Instead of relying solely on the U.S., India should maintain strong ties with Russia, Israel, and France.
- Strengthening Indigenous Capabilities: The success of Aatmanirbhar Bharat depends on boosting domestic defence manufacturing to reduce long-term reliance on imports.
- ➡ Ensuring Policy Stability: India should demand long-term commitments from the U.S. to prevent sudden policy shifts.

Conclusion

While India's defence ties with the U.S. offer significant advantages, they must be pursued with caution. Strategic autonomy should remain the guiding principle, ensuring India does not become overly dependent on any single nation. New Delhi must keep its eyes open and 'insure' its interests against unpredictable geopolitical shifts in Washington.

UPSC Mains Practice Question

Ques: Discuss the role of India's defence partnerships with major powers (U.S., Russia, France, Israel) in ensuring national security. How can India balance these partnerships while maintaining strategic autonomy? **(250 words)**



No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





Page 10 :Social Justice : Education

The National Education Policy (NEP) 2020 proposes a three-language policy in schools, mandating the study of a third language. However, this approach raises concerns about feasibility, cognitive impact, and resource allocation in India's educational system.

The flawed push for a third language

While students can study multiple languages privately, it's not cost-effective to fund the teaching of more than two languages in public schools. When India's schools struggle with basic proficiency in two languages, enforcing a third without any clear benefits is deeply flawed

FULL CONTEXT

K. Ashok Vardhan Shetty

vidence-based policymaking relies on data, research, and straitical analysis – motion ideology, untested assumptions or political convenience. It ensures that policies address real needs, maximise effectiveness, and avoid unnecessary burdens. By this standard, the National Education Policy (NEP) 2020 p push for a third language in schools falls to meet the mark.

What do surveys say? Any discussion on teaching a third language must begin with an honest evaluation of India's school system and its capacity to teach subjects effectively. The Programme for International Student Assessment (PISA), a global test which Assessment (PISA), a global test which evaluates reading, math, and science skills of 15-year-olds, conducted every three years by the Organisation for Economic Co-operation and Development, highlights India's strugge In 2009, India ranked 73 out of the 74 participating countries, ahead of only Kyrgyzstan. Since then, India has withdrawn from PISA. In contrast, countries like Singanore, China, South withdrawn from PISA. In contrast, countries like Singapore, China, South Korea, Estonia and Finland have consistently ranked near the top, reflecting the strength of their school education systems. Domestic surveys paint an equally dismal picture. The National Achievemed

Survey (NAS), conducted every three years since 2001, assesses learning years since 2001, assesses learning outcomes in classes 3, s, and 10. NAS 2017 found that only 45% of Class 8 students could read a simple paragraph in their regional language or Hindi; only 47% could write an essay or letter; and just 42% had a good grasp of grammar. NAS 2021 showed slight improvements of 56% respectively. NAS 2018 found that English proficiency, tested only at the Class 10 level, was equally poor. Notably, NAS does not assess proficiency, raising concerns about policymakers' reluctance to carmina size of the fellowing concerns about policymakers' reluctance to ceruins size in the fellowing concerns about policymakers' reluctance to ceruins size in the fellowing concerns about policymakers' reluctance to ceruins size of Education Report (ASER), conducted by the NoO Pratham,

(ASER), conducted by the NGO Pratham assesses school enrolment and learning outcomes in rural India. ASER 2018 found outcomes in rural mana. Assix 2018 round that 27% of Class 8 students couldn't read even a Class 2-level text properly in their regional language or Hindi. This worsened to 30.4% in 2022. In 2016, the percentage of Class 8 students who could not read even simple sentences in English was 73.8%; in 2022, it was still a creaming 52 set. 14 in MS ASIP does.

was 73.8%; in 2022, it was still a staggering 53.8%. Like NAS, ASER does not evaluate third-language proficiency. Many of India's school students are struggling with even their mother tongue and barely managing English, which raises the question: isn't it better to teach two languages well rather than three poorly? The absence of credible data on third-language proficiency slieds the policy from scrutiny. Even NEP 2020 fails to address this data zarn.

to address this data gap. Therefore, wouldn't it be wiser to Therefore, wouldn't it De wiser to allocate scarce resources toward strengthening core subjects like math and science, and emerging technologies such as Artificial Intelligence (AI)? China is already piloting AI in 184 schools, including for six-year-olds. Estonia, Canada, South Korea, and the U.K. are integrating AI into secondary education. integrating AI into secondary education.

020's trilingual policy mplifies a complex issue, offering a



single-sentence endorsement without

ferences to global best practices. The Cambridge Handbook of Third The Cambridge Handbook of Third Language Acquisition highlights that cognitive benefits occur when learners are challenged but not overwhelmed. Learning a third language (23) increases cognitive load. If students are still struggling with their first (14) and second (12) languages, learning 12 may exceed their cognitive capacity, causing mental fatigue and diminished learning efficiency. It also reduces practice time for L1 and L2, risking their attrition, with 12 being more vulnerable. Cross-linguistic interference can cause pronunctation, grammar, and wocabulary mix-ups. Achieving equal fluency in three languages is rare; one typically dominates while the others weaken. Research also shows that language similarity impacts whose that language similarity impacts shows that language similarity impacts while the others weaken. Research also shows that language similarity impacts learning case. Speakers of Marathi, Punjabi, and Odia (Indo-Aryan Janguages family) experience facilitative transfer when learning Hindi as 12 due to shared grammar, vocabulary, and phonetics. In contrast, Tamil (Dravidian). Santali (Austro-Asiatic), and Mizo (Sino-Tibetan) speakers face non-facilitative transfer, making L3 acquisition much harder and creating an asymmetric learning burden

NEP 2020's rigid trilingual mandate overlooks these complexities.

overlooks these complexities.

Implementation challenges
While students can study multiple
languages privately, it's not cost-effective
to fund the teaching of more than two
languages in public schools. Adding a
third language requires significant
investments in teacher recruitment,
training, textbooks, and technology – a
major challenge for rural schools and
budget-constrained States.
NFP 2020 claims that no language will
be forced on States, and students are free
to choose any three languages, provided
that at least two are native to India.
However, this "choice" is illusory, Imagine
a school in Tamil Nadu where 20%
students want to learn Pelugu, 20%
students want to learn periodical to
hire erough qualified teachers for each
language. There is a hidden push here for
language there is a hidden push here for
states because cost and supply
constrains wall course despots to offer rinian or sanskrit in non-thindi-speaking States because cost and supply constraints will compel schools to offer one or both as the third language. NEP 2020's three-language policy ignores these real-world challenges.

A policy stuck in the past NEP 2020 vaguely mentions

A policy stuck in the past NFP 2020 vaguely mentions using technology for language learning but overlooks the game-changing potential of Al-powered translation tools. They can instantly translate text, images, and audio across languages, and also convert text in any language to audio in another language and vice versa, reducing the necessity for multillingual education in its current form.

While learning one's mother tongue or

While learning one's mother tongue or While learning one's mother tongue or regional language and English are essential for foundational literacy and should be taught using traditional classroom methods enhanced by modern digital tools, the third language doesn't require the same proficiency or classroom instruction. Instead, why not leverage AI to let students learn additional languages

instruction. Instead, why not leverage A1 to let students learn additional languages independently, based on their needs and at their own pace? This approach would be cost-effective and flexible. The NEP 2020's approach to language learning clashes with the aspirations of parents and students. It treats languages as cultural pursuits, ignoring their practical value in the job market. Additionally, the policy reveals its ideological bias by dedicating more discussion to Sanskrit – a language with little practical use and limited career opportunities – than English. At a time when nations across Europe, Asia and Latin America, including Russia, China, South Korea, Japan and Brazil, are actively promoting English education, the NEP 2020 fails to acknowledge its crucial role in higher education, science and technology, and global job markets.

technology, and goous por markets.

Lessons from Singapore
In From Third World to First, Lee Kuan
Yew, himself of Chinese origin, recounts
how he resisted intense pressure from
Singapore's Chinese majority (74.3% of
population) to declare Mandarin as the
sole national language. Recognising that
this would alteane Malays (13.5%), Tamilis
(9%) and other minorities, and to ensure
fairness, Lee chose English – a colonial
legacy but a neutral language – as
Singapore's lingua franca.
Singapore adopted a bilingual
education system, with students learning
English as their first language and their

education system, with students learning English as their first language and their mother tongue (Mandarin, Malay, or Tamil) as the second. Parents supported English-medium education for better career prospects, while the mother tongue reinforced cultural identity. This policy fostered social cohesion, prevented

ethnic tensions, and ensured cultural preservation. English also drove Singapore's economic rise, transforming it into a global hub for multinational corporations, finance, and innovation. Singapore's school education system is among the best in the world – in PISA rankings, it was 1 in 2015, 2 in 2018, and 1 again in 2022.

again in 2022.

Why Hindi won't work as a unifier
The 2011 Census states that 43.63% of
Indians speak Hindi. However, noted
scholar G.N. Poey, in India: A Linguistic
Givilization, reveals this figure is inflated
by including 53 other languages as
'dialects' of Hindi. Several of these
languages like Awardhi, Bhojuni,
Brajbhasha, Magadhi, Chartisgarhi, and
Rajasthani, are completely independent
languages, much older than Hindi.
Sexiduding these, true Hindi speakers
account for just 25% of the population.
Moreover, the 2011 Census highlights
that 63.46% of Indians have never left
their birthplace, 85.27% remain within
their native district, and 95.28% never
ingirated out of their home State. With job
opportunities concentrated in non-Hindi
speaking States in the south and west and
New Delhi, inter-State migrations are
mostly away from the Hindi heartland.

New Delhi, inter-State migrations are mostly away from the Hindi heartland. When only 25% of Indians speak Hindi and 95% of Indians speak Hindi home States and use only their languages, the push for Hindi as a national lingua franca, whether direct or indirect, is completely misguided.

The idea that a single language is essential for national unity is a European interpret. It is held with and 20th centuries.

import. In the 19th and 20th centuries, Germany, Italy, Poland, Hungary, Romania and several other European Romania and several other European countries embraced linguistic nationalism. But applying this model to India – one of the world's most linguistically diverse civilisations – is deeply flawed. It is like replacing a vibrant, biodiverse forest with a sterile vibrant, biodiverse forest with a sterile monoculture. Historian John Keay, in Midnight's Descendants, credits India's linguistic flexibility for its unity, unlike Pakistan, which tried imposing Urdu as the sole national language, allenating Bengalis and leading to Bangladesh's creation. India recognised 22 languages the Constitution's Eighth Schedule, reorganised States linguistically, and retained English as an official languag defusing tensions, preserving unity, and strengthening federalism.

Evidence over ideology
The NEP 2020's mandatory
three-language policy is a textbook
example of ideology trumping evidence.
When India's schools struggle with basic

when find seconds a simple conclusion.

The find seconds are simple conclusion of the proficing a third without any clear benefits or consideration for cognitive strain, funding and implementation is deeply flawed.

One reason non-Hindi speaking southern States, particularly Tamil Nadu, outperform the Hindi heartand economically is because of their greater embrace of English. Tamil Nadu's successful two-language policy, in place since 1968, proses that linguistic pragmatism fuels progress. Vet, NEP 2020 disregards both internal successes and global best practices, pushing a rigid trilingual mandate.

India should learn from Singapore and adopt a pragmatic two-language policy, and adopt a pragmatic two-language policy.

adopt a pragmatic two-language policy, emphasising English for global competitiveness and regional languages for cultural preservation. Linguistic nationalism must give way to policies that

empower students. Writer is a retired IAS officer and formed VC of Indian Maritime University, Chennai

THE GIST

The Cambridge Handbook of Third Language Acquisition highlights that cognitive benefits occur when learners are challenged but not overwhelmed. Learning a third language (L3) increases cognitive load.

NEP 2020 vaguely mentions using technology for language learning but overlooks the game-changing potential of Al-powered translation tools.

The 2011 Census states that 43.63% of Indians speak Hindi. However, noted scholar G.N. Devy, in India A Linguistic Civilization, reveals this figure is inflated by including 53 other languages as "dialects" of Hindi. Several of these languages as "dialects" of Languages in the Marchis Languages as "dialects" of Hindi. Several of these languages is "dialects" of Languages (Linguistics) and the Marchis Languages (Linguistics) and the Marchis Languages (Linguistics) and the Marchis Languages (Linguistics) and Linguistics) and Languages (Linguistics) and Langu languages like Awadhi, Bhojpuri, Brajbhasha, Magadhi Chattisgarhi, and Rajasthani, are completely independent

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.



Key Issues:

1. Poor Foundational Proficiency in Languages:

- PISA Rankings: India ranked 73rd out of 74 countries in 2009; since then, India has withdrawn from PISA.
- o NAS Findings: In 2017, only 48% of Class 8 students could read a simple paragraph in their regional language or Hindi. In 2021, this improved to 56%.
- o ASER Data: In 2018, 27% of Class 8 students could not read a Class 2-level text; in 2022, this worsened to 30.4%.
- English Proficiency: ASER 2016 found 73.8% of Class 8 students could not read simple English sentences. By 2022, this was still high at 53.3%.
- o No Data on Third-Language Proficiency: The lack of the effectiveness of enforcing a third language.

2. Cognitive and Learning Burdens:

- o The Cambridge Handbook of Third Language Acquisition highlights that excessive cognitive load can hinder learning.
- Students struggling with their first (L1) and second (L2) languages will find learning a third (L3) overwhelming.
- Language Similarity Effect: Hindi is easier to learn for Marathi/Odia speakers but difficult for Tamil/Santali speakers, creating an asymmetrical burden.

3. Implementation Challenges:

Resource Constraints:

- Hiring teachers for multiple languages is financially and logistically challenging.
- Rural schools lack infrastructure for effective language instruction.
- Illusory Choice: While NEP 2020 allows students to pick their third language, in reality, schools will offer only cost-effective options like Hindi or Sanskrit, limiting true choice.

4. Economic and Technological Considerations:

- Artificial Intelligence (AI) in Education: AI-powered translation tools reduce the need for rigid multilingual education.
- o Global Economic Needs: Nations like China, Japan, and South Korea emphasize English for global competitiveness.
- Lessons from Singapore: Singapore adopted a two-language model (English + mother tongue), balancing economic aspirations with cultural identity. The country ranks among the best in global education indices.

5. Linguistic Nationalism vs. Practicality:

- Hindi as a Lingua Franca?: The 2011 Census states 43.63% of Indians speak Hindi, but G.N.
 Devy argues this figure is inflated by including 53 distinct languages.
- o Low Internal Migration: 95.28% of Indians remain within their home state, reducing the necessity for a common national language.

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.



Historical Lessons:

- Pakistan's Urdu Imposition: Linguistic rigidity led to the alienation of Bengalis and the creation of Bangladesh.
- India's Linguistic Flexibility: The recognition of 22 languages in the Eighth Schedule has preserved national unity.

Conclusion:

- The NEP 2020's three-language policy lacks empirical support and ignores India's existing language proficiency issues.
- A two-language model (English + Regional Language) would be more practical, aligning with global economic demands and local linguistic diversity.
- India should prioritize foundational literacy, Al-driven language learning, and pragmatic policymaking over ideological language enforcement.

UPSC Mains Practice Question

Ques: Critically evaluate the National Education Policy (NEP) 2020's three-language formula. How feasible is its implementation across India's diverse linguistic landscape? **(250 words)**



No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





Page : 08Editorial Analysis The judiciary's 'between a rock and hard place' moment

he facts in the Justice Yashwant Varma case are indeed disturbing. In an apparent accidental fire in an outhouse on the premises of his official bungalow in New Delhi (while he was not in town), the fire department seemed to have found several sacks of high value currency notes (₹500), which had been burnt, some partially. Someone in the police/fire department recorded a video when the firemen were trying to douse the fire.

The next evening, the Delhi police chief reported the incident to the Chief Justice of the Delhi High Court, where Justice Varma is a senior judge. This was then conveyed to the Chief Justice of India (CJI), who convened a meeting of the Collegium. A decision was taken to repatriate Justice Varma back to his parent court, the High Court of Allahabad. Justice Varma's response was also sought where he denied that any money had been stored in that room and even suggested that it might be a conspiracy against him.

However, when the news of the incident spread, it caused such a public furore that the CJI convened other meetings of the Collegium and decided to institute an in-house enquiry conducted by a three-judge committee which included two Chief Justices of the High Court of Himachal Pradesh and Punjab and Haryana, and a lady judge from the Karnataka High Court. The CJI also sought the call records of Justice Varma as well as those of his staff for the last six months. The CJI decided to release all the information related to the incident in the public domain, which included the video of the currency notes being found. These steps were indeed a case of welcome transparency. The CJI thereafter advised the Chief Justice of the Delhi High Court not to assign any judicial work to Justice Varma till such time as the inquiry is completed. Though Justice Varma's explanation does not appear to be very credible, one should still await the findings of the inquiry committee. There is no doubt that the report of the committee will shed light on what really happened.

A triggering of the government

The public furore that erupted has enabled the government to fish in the troubled waters of the judiciary, and the government is now using this incident to try and retake control of the power of appointing judges. To this end, the Vice-President of India (and the Chairman of the Rajya Sabha) has invited political leaders from the government and the Opposition to discuss why the National Judicial Appointments Commission (NJAC) Act, which was struck down by the Supreme Court of India as violative of the basic structure of the Constitution, should not be brought back. The NJAC Act essentially formed an appointment committee comprising the CJI, two senior judges of the Court, the Union Law Minister and two eminent persons to be nominated by a committee



Prashant Bhushan

is a Public Interest Lawyer practising before the Supreme Court of India

comprising the CJI, the Prime Minister of India and the Leader of the Opposition in the Lok Sabha. It also placed the secretariat of this commission with the Law Ministry. Seven judges of the Court held the view that this would provide substantial scope to the government to interfere with judicial appointments and that would erode the independence of the judiciary, which is part of the basic structure of the Constitution. Thus, despite the NJAC Act having been brought by way of a constitutional amendment, it was declared invalid by the Court.

Government's game plan

In the recent past, the Narendra Modi government has seriously interfered with the appointment of judges despite the law being that the power of selection is with the Collegium of the Supreme Court and that the government can only return the name of the judges selected by the Collegium once to the Collegium if it is dissatisfied. Thereafter, if the Collegium reiterates its choice, the government is left with no option but to notify the appointment. However, in recent years, the Modi government has stymied the selection of independent judges by the Collegium, by sitting on recommendations, sometimes for years, without any response, and without notifying the appointments. Even when it is forced to respond and it returns the names with objections, and thereafter, even after it is unanimously reiterated by the Collegium, it has still not notified the appointments of many judges who are considered 'inconvenient' to the government. At the same time it is quick to notify the appointments of those judges that the government likes.

During these years, on several occasions, the Collegium appears to have bent backwards to appease the government by selecting some judges who are favoured by the government in order to get some of those that it has recommended appointed. This has led to the appointment of many judges who are either committed to the government's Hindutva ideology or who are weak and unable to resist the diktats and wishes of the government. As a result of this, the independence of the judiciary has been substantially eroded in recent years.

Now, using the Justice Varma case, the government is seeking even greater control and say in the matter of appointments of judges. If the government succeeds in this attempt, it will no doubt erode the independence of the judiciary already in a precarious state - even further. This government has been trampling on the fundamental rights of people, rampantly misusing the enforcement agencies and bulldozing the rule of law by using bulldozers. In these circumstances, it is essential for public opinion and the Opposition to see through the government's game plan and resist such an

attempt. There is no doubt that the collegium system of the appointment of judges is far from perfect and that its lack of transparency and any proper criteria for selecting judges have led to much nepotism and improper appointments through the Collegium as well. However, the solution is not greater government control. The problem with the Collegium is that it comprises sitting judges who are very busy with their judicial work and have little time to devote to this

Appointment of judges, issue of corruption Every year, hundred judges of the High Court and the Supreme Court are to be selected. In any proper selection process, at least a 1,000 candidates have to be examined for their relative merits and demerits. For this, the right criteria and method to judge people on those criteria should be devised. Unfortunately this has not been done. The solution is to have a full-time judicial appointments commission, comprising retired judges and other eminent public men, who are totally independent of the government, and with a secretariat under their control which would select judges in a transparent manner. This would be a much better solution to address the problem of the appointment of judges - and what the Campaign for Judicial Accountability & Judicial Reforms has been advocating for a long time. However, the particular problem highlighted by the Justice Varma case is the problem of corruption in the Indian judiciary, which also needs a solution. The Constitution only provided for impeachment as a method. But this method has not been found to be practical or desirable because it starts with the signatures of 100 Members of Parliament to begin with, and ends with a vote in both Houses of Parliament.

Both are political processes, which often get politicised by political parties. This is why no judge has ever been successfully impeached in the history of the country, despite public knowledge that there is much corruption in the higher judiciary. What we need is a high-powered and full-time judicial complaints commission comprising five men/women who are independent of the government as well the judiciary. This complaints commission can receive complaints against judges of the higher judiciary from people. If they feel that there is a prima facie case, they can have the matter investigated or hold the trial of the judge through another committee, much like the judges inquiry committee.

However, the commission should decide what needs to be done with that judge, and their decision should be final, subject to judicial review only in exceptional circumstances. These matters should not go to Parliament at all. This would address the problem of judicial misconduct and corruption to a substantial degree.

Solutions to address the key issues of misconduct and corruption and appointments exist, while also keeping the independence of the judiciary intact

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





Paper 02: Indian Polity

UPSC Mains Practice Question: The independence of the judiciary is a part of the basic structure of the Constitution. Discuss how the appointment of judges impacts judicial autonomy and the balance of power in India.

Context:

The Justice Yashwant Varma case has ignited a debate on judicial integrity, transparency, and the larger issue of judicial appointments in India. The incident, involving the discovery of sacks of high-value currency notes in an outhouse on his premises, has led to a public outcry and a high-level inquiry. The government's reaction, using the controversy to push for greater control over judicial appointments, raises concerns about judicial independence.

Key Issues:

1. Justice Varma Case and Judicial Transparency:

- o The accidental fire in an outhouse of Justice Varma's official residence led to the discovery of partially burnt high-value currency notes.
- o A video recording of the incident was leaked, triggering a Collegium inquiry into the matter.
- The Chief Justice of India (CJI) instituted a three-judge committee to investigate the incident and advised the Delhi High Court to withdraw judicial work from Justice Varma until the inquiry is completed.
- While the steps taken reflect an unprecedented level of transparency, the inquiry's findings will determine the implications on judicial credibility.

2. Government's Attempt to Revive NJAC:

- o The controversy has provided the government with an opportunity to push for the revival of the National Judicial Appointments Commission (NJAC).
- The Vice-President of India has initiated discussions with political leaders on reinstating NJAC, which was earlier struck down by the Supreme Court for violating the basic structure of the Constitution.
- o The NJAC Act proposed a judicial appointment committee comprising government representatives, which the judiciary rejected due to concerns over executive interference.

3. Government's Role in Judicial Appointments:

 Despite the Supreme Court ruling, the Modi government has been accused of deliberate delays in clearing judicial appointments.

No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.





- The government often sits on Collegium recommendations or selectively notifies appointments, favoring judges aligned with its ideology.
- o This has led to allegations that judicial independence is being eroded, with the judiciary occasionally compromising to ensure certain appointments go through.

4. The Problem of Judicial Corruption and Accountability:

- The Justice Varma case highlights the issue of corruption in the judiciary. However, the only current mechanism for removal is impeachment, which is impractical and highly politicized.
- No judge has ever been successfully impeached, despite public knowledge of corruption in the higher judiciary.
- o The solution is a Judicial Complaints Commission, comprising independent retired judges and eminent persons, which can investigate allegations and take action without political interference.

5. Need for a Transparent and Independent Judicial Appointments Process:

- o The Collegium system is far from perfect, suffering from lack of transparency, nepotism, and absence of proper selection criteria.
- o A full-time Judicial Appointments Commission, independent of the government and judiciary, can ensure a merit-based selection process.
- The commission should have a dedicated secretariat and evaluate candidates thoroughly before appointment.

Conclusion:

- While the Justice Varma case raises valid concerns about judicial misconduct, it should not be used as a pretext for executive overreach in judicial appointments.
- o Judicial independence is paramount for democracy, and any dilution of the Collegium system in favor of NJAC-like mechanisms would be detrimental.
- o The need of the hour is to institutionalize reforms that enhance transparency in judicial appointments and ensure an independent mechanism for judicial accountability.



No: 1521, Second Floor, H-Block, 5th Street, Anna Nagar, Chennai-40.