

GOVERNANCE

❖ **Representation in India's police forces**

➤ **CONTEXT:** On a national level, it will take another 24 years to have 33% women in police forces across States. These figures are a part of the India Justice Report 2022, released by Tata Trusts on Recently.

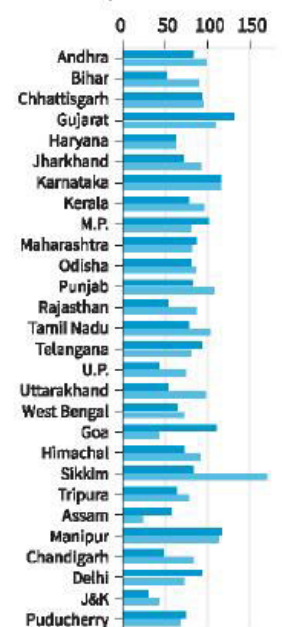
- It ranks police forces of States based on various indicators such as vacancies as against the sanctioned strength of personnel, representation of women and Scheduled Caste/Scheduled Tribe communities and so on.
- Overall, the Telangana police have bagged the top rank among States with populations over 10 million, while West Bengal has come in last.

Who is policing us?

These charts represent the reserved vacancies for women, SCs and STs as against the actual strength of these groups within the police force

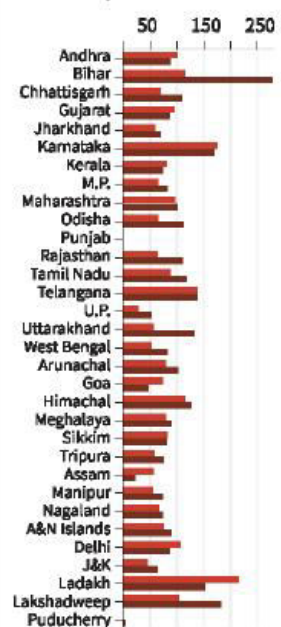
% of SC police constables and officers as against the reservation quotas set by the States

■ SC officers, actual to reserved ratio
■ SC constables, actual to reserved ratio



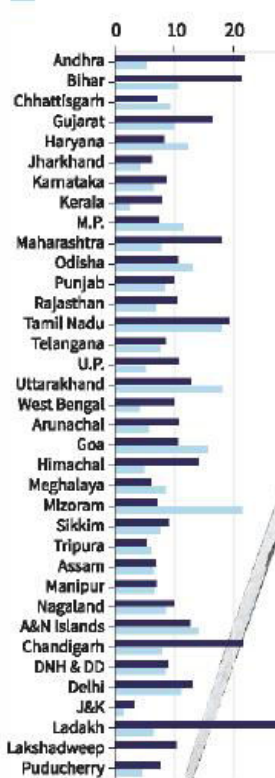
% of ST police constables and officers as against the reservation quotas set by the States

■ ST officers, actual to reserved ratio
■ ST constables, actual to reserved ratio



Share of women in the police forces of States as against their targets ranging from 10% to 35%

■ Share of women in police
■ Share of women as officers



➤ **What is the state of police vacancies?**

- The third edition of the India Justice Report notes that the gap between the sanctioned and actual strength in police forces, at a national level, remains “worryingly large”.
- As per the report’s findings, between January 2020 (second edition) and January 2022, the overall vacancies in police rose from 20.3% of the sanctioned strength to 22.1%.
- The report collates data from various official sources for 25 ranked States, dividing them into two clusters — 18 large and mid-sized States and seven small-sized States (populations up to 10 million). It also presents information for unranked States and Union Territories.
- In the case of police constables, as of January 2022, while West Bengal was the worst performer among large and mid-size States with vacancies amounting to 44.1% of the sanctioned strength, Kerala was at the top with constable vacancies making up 4.6% of the sanctioned strength.
- As for police officers (in civil as well as District Armed Reserve police), Bihar has the highest percentage of vacancies at 53.8% as against the sanctioned strength. The report also mentions that some States bring down their sanctioned strength, which can consequently result in reduced vacancy levels.
- For instance, between 2020 and 2022, Kerala reduced the sanctioned strength of civil police by 239 personnel, resulting in a reduction of vacancies while workload increased.

➤ **How many States fulfil their quotas for women and SC/ST communities?**

- Despite years of reservations, Karnataka was found to be the only State to meet its SC, ST, and Other backward classes quotas, with no other State/UT managing to meet all three of their reservation targets.
- Among large and mid-sized States, Gujarat, at 131%, performed the best in terms of the percentage of actual SC police officers to its reservation quota, while Uttar Pradesh came in last, with just 43% SC officers against its quota.
- As for the constabulary workforce, Karnataka had 116% of SC constables against its quota, while Haryana had the lowest at 63%. As for small States, Goa and Sikkim were the best performers for the percentage of SC officers and constables, respectively.
- In terms of fulfilling reservations for STs, Karnataka, at 176%, was the best performer on the police officer level, going beyond its reserved ratio. For ST constables, Bihar fulfilled its quota by 278%, while Punjab came in last amid large and medium States at 0.01%.
- When it comes to women's representation in the police force, most States have their own specific quotas for how many women there should be in the police force. For instance, six UTs and nine States have a target of 33% reservation for women.
- Elsewhere, targets range from Bihar's 35% to 10% in Arunachal Pradesh, Meghalaya and Tripura. Five States/UTs, including Kerala and Mizoram, have no reservations.
- As per the findings, no State which had the 33% criteria, managed to meet it. However, among large and medium States, Andhra Pradesh which reserves 33% of overall police posts for women, performed the best with 21.8% being its share of women in police.
- Jharkhand was the worst performer with its share of women in police being just 6.2%. In small States, Himachal Pradesh was at the top with 14% of police personnel being women, while Tripura came in last with just 5.3%.
- Among Union Territories, Ladakh had 28.3% women in police, while Jammu and Kashmir had just 3.3%.

POLITY

❖ **Natural Justice and Proportionality**

➤ **CONTEXT: The Supreme Court set aside the orders passed by the Ministry of Information & Broadcasting (MIB), and the Kerala High Court refusing to renew a Malayalam news channel's broadcast license citing principles of natural justice and proportionality.**

- The Ministry of Information and Broadcasting refused to renew the broadcast license of a Malayalam channel on the ground that the Ministry of Home Affairs had declined to grant it security clearance while considering its request for renewal of license.
- The MHA had cited alleged links between the channel's promoters and Jamaat-e-Islami Hind for denying the security clearance. Following this, the channel was taken off the air.
- In 2022 Kerala High Court upheld the ban on the channel. The Apex Court stayed the Kerala High Court order and allowed the channel to resume operations.

• **Points of contentions:**

- ✓ In the hearing before the SC, the channels' promoters argued that they were not given a chance to defend themselves as the national security reasons cited to deny renewal of their license were submitted to the HC in a sealed cover.
- ✓ Further, it was contended that the fundamental right to freedom of speech and expression, which includes press freedom, can be restricted only on the grounds enumerated under Article 19(2) And there was no allegation that the channel violated the Programme and Advertising Code prescribed under the Cable Television Networking (Regulation) Act 1995 and the 1994 Rules.

➤ **Principles of Natural Justice:**

- The basic aim of the Principles of Natural Justice' is to prevent the contempt of justice which means arbitrary actions of the Executive or Judicial bodies in exercising their administrative as well as judicial or quasi-judicial functions in administering justice.
- These principles always become very effective to protect the fundamental, legal, or constitutional rights of common people from the misuse of powers of the administrative or judicial, or quasi-judicial authorities.
- The principles of natural justice were constitutionalized by SC's judgment in its 1978 ruling in "Maneka Gandhi vs Union of India".
- The Court observed that that there is an inherent value in securing compliance with the principles of natural justice independent of the outcome of the case.
- Actions which violate procedural guarantees can be struck down even if non-compliance does not prejudice the outcome of the case.

• **Rules of Natural Justice:**

- ✓ Hearing Rule: Before arriving at any decision or judgment, the decision-making authority must make sure that both the parties in any dispute or any legal proceeding have been given a sufficient chance of being heard.
- ✓ Bias Rule: The decision-making authority must not be unfairly inclined towards the interest of any one particular party to the dispute, and must be neutral towards both parties.
- ✓ The Rule of Speaking Orders or Reasoned Decisions: This principle of Natural Justice provides that the person or judge delivering or deliberating any decision, must give detailed reasonable and legally acceptable decisions, so that the parties subject to such decisions can understand the reasons behind such decision.
- **Major Principles of the Principles of Natural Justice -**
- ✓ 'Nemo Judex in Causa Sua':
 - ✚ "No one should be a judge in his own case" because it leads to rule of biases.
 - ✚ Bias means an act which leads to unfair activity.
 - ✚ Therefore, the necessity of this rule is to make the judge impartial and given judgment on the basis of evidence recorded as per the case.
- ✓ 'Audi Alteram Partem' : No person can be condemned or punished by the court without having a fair opportunity of being heard.
- ✓ Reasoned Decision: Basically, this principle has 3 grounds on which it relies:
 - ✚ The aggrieved party has the chance to demonstrate before the appellate and provisional court, the reason which makes the authority to reject it.
 - ✚ It is a satisfactory part of the party against whom the decision is made.
 - ✚ The responsibility to record reasons works as obstacles against arbitrary action by the judicial power vested in the executive authority.
- Exceptions
 - ✓ During the Emergency period
 - ✓ Public interest
 - ✓ Express statutory provision
 - ✓ Nature of the case is not of a serious kind
 - ✓ If it doesn't affect the status of the individual
- Applicability
 - ✓ Court- except to ex-parte
 - ✓ Tribunals
 - ✓ Authority entrusted with discretion but subject to legal limitations
- **Doctrine of Proportionality**
 - Doctrine of Proportionality is a ground for judicial review.
 - In India, the doctrine of proportionality was adopted by the Supreme Court of India in the case of *Om Kumar v. Union of India*.
 - It is a principle where courts would examine priorities and processes of the administration for reaching or recalling a decision.
 - Proportionality means that the administrative action should not be more drastic than it ought to be for obtaining the desired result.
 - Thus this doctrine tries to balance means with ends.
 - *K.S. Puttaswamy vs Union of India (2017)* case the court held that any restriction placed on the right must conform to a doctrine of proportionality:
 - ✓ State action must have a legislative mandate
 - ✓ The state action must show that the objective of its law is founded on a legitimate governmental aim
 - ✓ The action must be proportionate, i.e., such state action must be necessary for a democratic society.
 - ✓ Such action must have no alternative and less intrusive measures available to achieve the same objective
 - The principle of proportionality calls for striking down of laws that are excessively harsh or disproportionate.
 - This doctrine is applied in following situations where an administrative action invades fundamental rights, courts make strict scrutiny of the administrative action and go into the question of the correctness of the choices made by the authority. The court would also balance adverse effects on the rights and objects sought to be achieved.
 - Where a question of quantum of punishment imposed by the administrative authority is involved, the court would not make strict scrutiny.
 - Courts follow the principle that though the quantum of punishment is within the jurisdiction of the administrative authority, arbitrariness must be avoided.

- **What is sealed cover jurisprudence?**
 - It is a practice used by the Supreme Court or lower courts of asking for or accepting information from government agencies in sealed envelopes that can only be accessed by judges.
 - Any specific law does not define the doctrine of sealed cover.
 - The Supreme Court derives its power to use it from the Supreme Court Rules and Section the Indian Evidence Act of 1872.
- **What the rules say?**
 - The information to be kept under sealed cover is of confidential nature.
 - No party would be allowed access to the contents of such information. Exception if the Chief Justice himself orders that the opposite party be allowed to access it.
 - The rules also mention that information can be kept confidential if its publication is not considered to be in the interest of the public.
 - Official unpublished documents relating to state affairs are protected and a public officer cannot be compelled to disclose such documents.

PRELIMS

1. Horseshoe kidney disorder

- **CONTEXT: While hearing a suo moto plea involving a four-year-old boy suffering from horseshoe kidney disorder since birth, the Delhi High Court directed All India Institute of Medical Sciences (AIIMS) to take urgent steps to import an injection required for treating the boy as the same is unavailable in India.**
 - Horseshoe kidney is a condition in which the kidneys are fused together at the lower end or base. By fusing, they form a "U" shape, which gives it the name "horseshoe."
 - Horseshoe kidney occurs during fetal development, as the kidneys move into their normal position in the flank area.
 - Horseshoe kidney occurs in about one in 500 children.
 - Horseshoe kidney can occur alone or in combination with other disorders.
- **The most common disorders seen with horseshoe kidney include:**
 - Turner syndrome a genetic disorder seen in girls that causes them to be shorter than others and to not mature sexually as they grow into adulthood.
 - Trisomy 18 a serious chromosome abnormality involving defects in nearly all organ systems, including horseshoe kidney in 20 percent of children affected
- **Other conditions associated with horseshoe kidney:**
 - Chromosomal conditions: Down syndrome, Turner syndrome, Trisomy 13 (Patau syndrome) and trisomy 18 (Edwards syndrome), serious conditions that cause severe birth defects (congenital disabilities).
 - Non-chromosomal conditions: Ellis-van Creveld syndrome, Fanconi anemia, Goltz syndrome, Kabuki syndrome, Pallister-Hall syndrome, VACTERL association.
- **Treatment:** There's no cure for horseshoe kidney. If there are no symptoms, one may not need any treatment. If there are symptoms treatment can be provided to improve symptoms.
- Surgery can:
 - Restore urine flow.
 - Correct vesicoureteral reflux.
 - Remove kidney stones.

2. Coastal Aquaculture Authority (Amendment) Bill 2023

- **CONTEXT: The Coastal Aquaculture Authority (Amendment) Bill 2023 was introduced in the Lok Sabha.**
- **Highlights of the Bill**
 - The Bill seeks to amend the Coastal Aquaculture Authority Act 2005.
 - The Bill seeks to decriminalise the offences under the Act for promoting ease of doing business and to fine-tune the operational procedures of the Coastal Aquaculture Authority. It also has a provision to prevent the use of antibiotics and pharmacologically active substances which are harmful to human health in coastal aquaculture.
 - **Objectives:** It aimed at promoting newer forms of environment-friendly coastal aquaculture including cage culture, seaweed culture, marine ornamental fish culture, and pearl oyster culture which has the potential for creating additional employment opportunities.
- **Aquaculture**
 - It is the breeding, rearing, and harvesting of fish, shellfish, algae, and other organisms in all types of water environments.
- **Potential in India**

- India is the 3rd largest fish producing and 2nd largest aquaculture nation in the world after China.
 - The Blue Revolution in India demonstrated the importance of the Fisheries and Aquaculture sector.
 - The sector is considered as a sunrise sector and is poised to play a significant role in the Indian economy in near future.
 - In the recent past, Indian fisheries have witnessed a paradigm shift from marine-dominated fisheries to inland fisheries, with the latter emerging as a major contributor to fish production from 36% in the mid-1980 to 70% in the recent past.
- **Initiatives**
- Pradhan Mantri Matsya Sampada Yojana (PMMSY): the Government of India approved the flagship scheme, Pradhan Mantri Matsya Sampada Yojana (PMMSY), in May 2020 under the Aatmanirbhar Bharat COVID-19 relief package with a vision to bring about Blue Revolution through sustainable and responsible development of the fisheries sector.
 - New sub-scheme named Pradhan Mantri Matsya Kisan Samridhi Sah-Yojana (PMMKSSY) announced in the Union Budget 2023-24 to further enhance the earnings and incomes of fishermen, fish vendors and micro & small enterprises engaged in the fisheries sector.

ANSWER WRITING

Q. India-Bhutan shares a unique partnership marked by decades-old multi-sectoral cooperation. However, certain issues must be addressed to continue this relationship. Elaborate.

The relationship between India and Bhutan is based on the pillars of trust, goodwill, and mutual understanding. The two neighbours have a close civilisational, cultural and economic relationship that dates back centuries. The basic framework of India-Bhutan relations is the **Treaty of Friendship and Cooperation** signed in 1949 between the two countries, which was renewed in 2007.

Multi-Sectoral Cooperation between India and Bhutan:

- **Trade and Economic ties:** India is Bhutan's largest trading partner and remains the leading source of investments in Bhutan. In 2021, India formalised the opening of **seven new trade routes** for Bhutan's bilateral and transit trade with India. **New market access** was also provided for allowing the formal export of 12 Agri-products from Bhutan to India.
- **Digital cooperation:** In recent times, there has been cooperation in newer areas beyond the traditional realms of cooperation. For e.g.: the establishment of digital infrastructure such as **Third International Internet Gateway**. Further, the integration of Bhutan's **DrukRen** with **India's National Knowledge Network** is a key cooperation in the domain of e-Learning.
- **Financial cooperation:** Under Financial Cooperation/Integration, the first phase of the RuPay project was launched in Bhutan. India's **Bharat Interface for Money (BHIM)** was also launched in 2021.
- **Space cooperation:** Space Cooperation is a new and promising area of bilateral cooperation. Both PMs of India and Nepal jointly inaugurated the **Ground Earth Station of the South Asia Satellite (SAS)** in Thimphu in 2019, constructed with the support of ISRO. Further, The India-Bhutan SAT was launched into space in 2022 by ISRO's Polar Satellite Launch Vehicle (PSLV).
- **Hydro-power cooperation:** Mutually beneficial hydro-power cooperation with Bhutan forms the core of bilateral economic cooperation. Four hydroelectric projects (HEPs) including the **Mangdechhu** are already operational in Bhutan and are supplying electricity to India.
- **Educational, Cultural Cooperation and People-to-People Exchanges:** There is close bilateral cooperation in the educational and cultural fields between India and Bhutan. Over 950 scholarships are being provided annually by the government of India for Bhutanese students to study in India in a wide range of disciplines, including medicine, engineering, etc. A number of Bhutanese pilgrims travel to Bodhi Gaya, Rajgir, Nalanda, Sikkim, Udayagiri, and other Buddhist sites in India.

Certain issues that need to be addressed for cohesive and durable relationship between India and Bhutan:

- **Addressing the China factor:** The country's geostrategic location makes Bhutan very important in India's perception of national security. The possibility of a boundary deal between China and Bhutan is to be looked at from the perspective of its impact on India's strategic interests in the region.
- **India's paternalistic attitude:** One of the issues as pointed out by experts is India's paternalistic attitude towards Bhutan. The crisis in Indo-Bhutan relations exploded in 2013, apparently over an alleged attempt by India at thwarting the Bhutanese bid to diversify its foreign policy.
- **Allegations about interference in internal politics:** Critics have argued that at times there has been interference from India's side in the internal politics of Bhutan.
- **Issues raised with respect to hydroelectric projects:** Experts argue that the economic advantages of collaborating on hydropower projects have decreased. Interest rates have gone up and profits per unit of electricity have gone down, leading to a major increase in Bhutan's debts.

As a friendly and helpful neighbour, India has been responsive to Bhutan's needs. Bhutan plays a very significant role in India's foreign policy and is strategically important for India. Therefore, further steps should be taken to maintain a sustained relationship by addressing the aforementioned issues.

MCQs

- Which of the following are part of the rules of the Principles of Natural Justice:
 - Nobody shall be sentenced without being heard.
 - Nobody shall be the judge of his own case.
 - The authority shall act bonafide.
 - Bail is the norm, jail is an exception.

Choose the correct answer using the codes given below
a) 1,2 and 3 only b) 2,3 and 4 only c) 3 and 4 only d) 1 and 4 only
- With reference to the term "Sealed Cover Jurisprudence" often mentioned in news recently, consider the following statements
 - It is a practice used by the Supreme Court only
 - Supreme Court derives its power to use it from Section 123 of the Indian Evidence Act of 1872

Which of the statements given above is/are correct?
a) 1 only **b) 2 only** c) Both 1 and 2 d) Neither 1 nor 2
- With reference to Horse Shoe Kidney Disorder consider the following
 - Horseshoe kidneys are often asymptomatic and so are often identified incidentally.
 - The diagnosis of a horseshoe kidney is most commonly made using either ultrasound or CT scans.
 - There is no cure for horseshoe kidney.

Which of the above statement/s is/are correct?
a) 1 only b) 1 and 3 only c) 2 and 3 only **d) 1,2 and 3**
- With reference to the 'Fisheries sector in India' consider the following statements:
 - India is the second major producer of fish through aquaculture in the world.
 - Andhra Pradesh is the leading state in marine fish production.
 - India is the largest fish exporter in the world..

Which of the statements given above is/are correct?
a) 1 only b) 2 only c) 1 and 3 only d) 2 and 3 only
- Netravali Wildlife Sanctuary often mentioned in news is situated in which of the following state?
a) Goa b) Maharashtra c) Karnataka d) Kerala
- Which of the following factors may lead to rise in Inflation in India?
 - Reduction in Repo rate
 - Bumper crop production
 - Increase in crude oil price

Select the correct answer using the code given below.
a) 1 only b) 2 and 3 only **c) 1 and 3 only** d) 1, 2 and 3
- With reference to UN Statistical Commission consider the following
 - Recently India has been elected as a member to the commission for the first time and the term beginning from 2024.
 - The term of office of members is four years.
 - It is the highest decision making body for international statistical activities

Which of the above statement/s is/are correct?
a) 1 and 2 only **b) 2 and 3 only** c) 1 and 3 only d) 1,2 and 3
- Under the Kisan Credit Card scheme, short-term credit support is given to farmers for which of the following purposes?
 - Working capital for maintenance of farm assets
 - Purchase of combine harvesters, tractors and mini trucks
 - Consumption requirements of farm households
 - Post-harvest expenses
 - Construction of family house and setting up of village cold storage facility

Select the correct answer using the code given below:
a) 1, 2 and 5 only **b) 1, 3 and 4 only** c) 2, 3, 4 and 5 only d) 1, 2, 3, 4 and 5
- In India in-situ monazite (containing ~55-60% total Rare Earth Elements oxide) resource occurring in the coastal beach placer sands in parts of which of the following costal state/states?
 - Kerala,
 - Tamil Nadu
 - Odisha
 - Andhra Pradesh
 - Maharashtra
 - Gujarat

Choose the correct answer using the codes given below?
a) 2,3 and 4 only b) 1,5 and 6 only c) 1,2 and 4 only **d) 1,2,4,5 and 6**
- In India in-situ monazite resource occurring inland placer sand in parts of which of the following state/s?
 - Jharkhand
 - West Bengal
 - Tamil Nadu

d) All of the above