

UPSC

GradeUP 365 Polity and Governance

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**Yearly Current Affairs
Compilation**

Sahi Prep Hai Toh Life Set Hai



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1. Constitutional Issues and Important Judgements

1.1. Kesavananda Bharati Case

Context: Recently, Kesavananda Bharati the head seer of the Edneer Mutt in Kasaragod district of Kerala since 1961 died.

- He challenged the Kerala Land Reforms (Amendment) Act 1969 and the 24th, 25th and 29th Constitutional amendments which gave the Parliament power to alter fundamental rights. This case is referred to as Kesavananda Bharati Sripadagalvaru and Others vs State of Kerala.
- A 13 judge Bench, the biggest so far was set up by the Supreme Court.
- He argued that the three amendments breached his fundamental rights under Article 25 (right to practice and propagate religion), Article 26 (freedom of religious denomination, including managing and administering its property) and Article 31 (right to property).

Highlights of the judgement:

- While the court said that Parliament had vast powers to amend the Constitution, it drew the line by observing that certain parts are so inherent and intrinsic to the Constitution that even Parliament cannot touch it. Thus, the doctrine of the basic structure **of the Constitution** was introduced.
- The court upheld the amendment that removed the fundamental right to property.
- It, however, did not specify what would constitute 'basic structure', leaving it open for courts to interpret on a case by case basis.
- Since then, the SC has through various rulings interpreted the doctrine to include the supremacy of the Constitution, the rule of law, independence of the judiciary, doctrine of separation of powers, federalism, secularism, sovereign democratic republic, the parliamentary system of government, the principle of free and fair elections and the welfare state. This list is not exhaustive.

What is the basic structure doctrine?

The original Weimar Constitution, which gave Parliament to amend the Constitution was used by Hitler to his advantage to make radical changes. Learning from that experience, the new German Constitution introduced substantive limits on Parliament's powers to amend certain parts of the Constitution which it considered 'basic law'.

Golak Nath Case

The three Constitutional amendments, challenged in the Bharati case, were passed to overcome the apex court's 1967 judgment in the Golak Nath case that ruled Parliament could

not amend fundamental rights, including the Right to Property.

The Golak Nath ruling interpreted Articles 13 and 368 of the Constitution. While Article 13 prohibits Parliament from framing 'laws' that violate fundamental rights guaranteed under Part III of the Constitution, Article 368 empowers Parliament to amend the Constitution.

It was held in the Golak Nath case that an amendment under Article 368 is defined as 'law' within the ambit of Article 13.

Parliament then passed the 24th, 25th and 29th amendments, allowing amendment of fundamental rights and putting some property issues beyond judicial review.

The 24th amendment, 1971, specifically empowered Parliament to amend any part of the Constitution. This meant the bar imposed in the Golak Nath case under Article 13 would not apply to any constitutional amendment under Article 368. Therefore, Parliament now had the power to amend fundamental rights.

1.2. Supreme Court judgment on right to protest

Context: The Supreme Court dismissed review petitions of its judgment in the case concerning the anti-CAA protests at Shaheen Bagh.

It reiterated that the constitutional guarantee of right to protest comes with some riders and there cannot be continued occupation of a public place in case of prolonged dissent or protest.

Kaniz Fatima vs Commissioner of Police case:

- The judgement stated that the right to protest cannot be any time and everywhere. There may be some spontaneous protests but in case of prolonged dissent or protest, there cannot be continued occupation of public places affecting the rights of others.
- In 1972, a Constitution Bench in the Himat Lal case held that while citizens cannot exercise their freedom to assemble peaceably in whatever place they please, and the State cannot by law abridge or take away the right of assembly by prohibiting assembly on every public street or public place. The **State can only make regulations** in aid of the right of assembly of each citizen and **can only impose reasonable restrictions** in the interest of public order.

<https://www.livelaw.in/top-stories/shaheen-bagh-judgment-review-supreme-court-right-to-protest-public-place-169798>

1.3. Contempt of Court

Context: Attorney General K K Venugopal gave his consent for the initiation of criminal contempt proceedings against stand-up comedian Kunal Kamra for his tweets.

About Contempt of Court:

- Article 129 of the Constitution conferred on the Supreme Court the power to punish contempt of itself. Article 215 conferred a corresponding power on the High Courts. The Contempt of Courts Act, 1971, gives statutory backing to the idea. Neither the constitution nor the 1971 act define contempt. The Contempt of Courts Act, 1971, gives statutory backing to the idea.
- Civil contempt is committed when someone wilfully disobeys a court order, or wilfully breaches an undertaking given to court.
- Criminal contempt consists of three forms:
 - words, written or spoken, signs and actions that “scandalise” or “tend to scandalise” or “lower” or “tends to lower” the authority of any court,
 - prejudices or interferes with any judicial proceeding and
 - interferes with or obstructs the administration of justice.
- In the case of a criminal contempt, the Supreme Court or the High Court may take action on its own motion or on a motion made by (a) the Advocate-General, or (b) any other person, with the **consent in writing of the Advocate-General or the Solicitor-General** in relation to the Supreme Court and the Advocate-General of the State in relation to the High Court.
- Contempt of court was one of the restrictions on freedom of speech and expression under Article 19(2) of the constitution of India.
- The rationale for this provision is that courts must be protected from tendentious attacks that lower its authority, defame its public image and make the public lose faith in its impartiality.
- The punishment for contempt of court is simple imprisonment for a term up to six months and/or a fine of up to ₹. 2,000.
- The Act additionally allows the High Court to punish for contempt of subordinate courts
- Fair and accurate reporting of judicial proceedings will not amount to contempt of court.
- Nor is any fair criticism on the merits of a judicial order after a case is heard and disposed of.

1.4. Sub categorisation of SCs and STs

Context: The issue of sub categorisation of SCs and STs is referred to a larger bench by the Supreme Court.

Judgment Details:

- A five-judge constitution bench of the Supreme Court observed that there can be sub classifications within scheduled castes (SCs) and scheduled tribes (STs) for granting them reservation; it disagreed with the Supreme Court verdict in E V Chinniah v State of Andhra Pradesh and Others 2005 case.
- In the 2005 decision in E V Chinniah v State of Andhra Pradesh and Others, the Supreme Court ruled that only the President has the power to notify the inclusion or exclusion of a caste as a Scheduled Caste, and states cannot tinker with the list and held that special protection of SCs is based on the premise that “all Scheduled Castes can and must collectively enjoy the benefits of reservation regardless of inter-se inequality” because the protection is not based on educational, economic or other such factors but solely on those

who suffered untouchability.

- Among the SCs and STs, there are some that remain grossly underrepresented despite reservation in comparison to other SCs and STs. The court had held that merely giving preference does not tinker, rearrange, subclassify, disturb or interfere with the list in any manner since there is no inclusion or exclusion of any caste in the list as notified under Article 341.
- The Constitution does not specify the castes and tribes that are to be called Scheduled Castes and Scheduled Tribes. This power is left to the central executive i.e. the President. The Constitution treats all SCs and STs as a single homogeneous group.
- The concept of a “creamy layer” within SCs was upheld by the court in a 2018 judgment in *Jarnail Singh v Lachhmi Narain Gupta* but the review of this judgement is pending.

The Supreme Court confirmed that persons suffering from disabilities are also socially backward and entitled to the same benefits of relaxation as Scheduled Caste/Scheduled Tribe candidates in public employment and education.

1.5. Padmanabhaswamy Temple Case

Context:

The Supreme Court held that the former Travancore royal family is the “human ministrant” or the shebait (manager) of the properties belonging to Sri Padmanabha, chief deity of the Sri Padmanabhaswamy temple in Kerala.

More about the case:

- As per the Instrument of Accession signed between the princely state of Travancore and the Government of India, the administration of the Padmanabhaswamy Temple was vested in the Ruler of Travancore.
- In 1971, privy purses to the former royals were abolished through the 26th constitutional amendment stripping their entitlements and privileges.
- Arguments were raised on whether the Amendment would transfer the temple and properties into the hands of the State.
- The Kerala High Court, in 2011, directed the State to take over the temple and exhibit its treasures for public viewing in a museum.
- The Supreme court overturned this ruling and upheld the rights of the Travancore royal family as the shebait of the temple.
- It said that the temple is not the property of the royal family but a public institution but the royal family enjoys the rights over temple administration, as per custom.
- The Kerala high court concluded that after the definition of ‘Ruler’ in Article 366 (22) of the Constitution of India was amended by the Constitution (Twenty Sixth Amendment) Act, 1971 and the successor to the former royals could not claim to be in control of the Sree Padmanabha Swamy Temple.
- But the Supreme Court held that the definition would apply for the purpose of shebait rights and would devolve to the successor.

1.6. Mirror Order

Context: The Supreme Court has applied the principle of “mirror order” in a child custody case

where one of the estranged parents is living abroad in Kenya.

More about mirror order:

- A mirror order is one that is issued by another court which contains the same terms as those that are contained in the order that is being mirrored.
- When a competent court in India passes a series of the conditions for the transfer of custody of a child to a parent living abroad, an identical or mirror order is passed by an equally competent court to ensure that the conditions of custody are met.
- A 'mirror order' is ancillary or auxiliary in character. It supports the original order passed by the court which has exercised primary jurisdiction over the custody of a child.
- This mechanism ensures that the foreign court shall have the obligation to enforce the terms contained in the order, including the obligation to effectuate the prompt return of the child at the end of a designated period of time.
- It is a remedy against transnational parental abduction of children in inter-country marriages.

1.7. Inner Line Permit (ILP)

Context: The Supreme Court declined to stay the operation of the Adaptation of Laws (Amendment) Order, 2019, issued by the President.

More about the Order: It was to amend the Bengal Eastern Frontier Regulation, 1873 thereby extending the ILP to Manipur and parts of Nagaland that were not earlier protected by ILP. The order was challenged as the amendment deprived Assam of the powers to implement the Inner Line system in its districts.

More about ILP: ILP regulates visits of Indians to States where the ILP regime is prevalent under Section 2 of the Bengal Eastern Frontier Regulation, 1873. It is currently operational in the states of **Arunachal Pradesh, Mizoram, Nagaland and Manipur**. Citizens of other States require ILP for visiting these three States.

Origins of ILP: Under the Bengal Eastern Frontier Regulation Act, 1873, the British framed regulations restricting the entry and regulating the stay of outsiders in designated areas. This was to protect the British's own commercial interests by preventing "British subjects" from trading within these regions. In 1950, the Indian government replaced "British subjects" with "Citizen of India".

<https://indianexpress.com/article/explained/what-is-inner-line-permit-and-will-it-address-north-east-states-concerns-over-cab-6145508/>

1.8. Sixth Schedule

Context:

Recently, civil society and political groups in Arunachal Pradesh demanded for the state to be brought under the ambit of the Sixth Schedule. Similar demand was made by some sections of people in the Union Territory of Ladakh.

About Sixth Schedule:

- The Sixth Schedule of the Constitution has provisions for the administration of tribal areas in the states of Assam, Meghalaya, Tripura and Mizoram as per Article 244 of the Constitution. It has provisions for the constitution of Autonomous District Councils (ADCs) and the Regional Councils.
- Each autonomous district and regional council consists of not more than 30 members, of which four are nominated by the governor and the rest via elections. All of them remain in power for a term of five years.
- The governors of these states are empowered to reorganise boundaries of the tribal areas.
- ADCs are like miniature states having specific powers and responsibilities in respect of all the three arms of governance: Legislature, executive and judiciary.
- The ADCs are empowered with civil and judicial powers, and can constitute village courts within their jurisdiction to hear trials of cases involving the tribes. The jurisdiction of high courts for each of these cases is specified by the Governor of that state.
- ADCs are empowered to make laws in respect of areas under their jurisdiction, which cover land, forest, cultivation, inheritance, indigenous customs and traditions of tribals, etc. and also to collect land revenues and certain other taxes.
- Also, acts passed by Parliament and state legislatures may or may not be levied in these regions unless the President and the governor gives her or his approval, with or without modifications in the laws for the autonomous regions.

2. Centre State Relations

2.1. 15th Finance Commission Recommendations

Context:

The final report to the Finance Commission with recommendations for the 2021-26 period was tabled in Parliament on February 1, 2021.

Apart from the vertical and horizontal tax devolution, local government grants, disaster management grant, the Commission was asked to examine whether a separate mechanism for funding of defence and internal security ought to be set up and offering performance incentives for States that deliver on reforms.

About Finance Commission (FC):

Finance Commission is set up under Article 280 of the Constitution of India.

It is a constitutionally mandated body that is at the centre of fiscal federalism.

Its core responsibility is

- To evaluate the state of finances of the Union and State Governments,
- Vertical Devolution: Recommend the sharing of taxes between them,
- Horizontal Devolution: Lay down the principles determining the distribution of these taxes among States.

FCs generally submit their reports for a five-year duration. The XV FC, however, was given an extension of a year due to uncertainties in key macro areas (new monetary policy framework, GST, bankruptcy code, etc.).

Key recommendations:

- **Share of states in central taxes:** The share of states in the central taxes for the 2021-26 period is recommended to be **41%, same as that for 2020-21**. This is less than the 42% share recommended by the 14th Finance Commission for 2015-20 period. The adjustment of 1% is to provide for the newly formed union territories of Jammu and Kashmir, and Ladakh from the resources of the centre.
- **Criteria for devolution:** The criteria for distribution of central taxes among states for 2021-26 period is the same as that for 2020-21.

Criteria	14th FC 2015-20	15th FC 2020-21	15th FC 2021-26
Income Distance	50	45	
Area	15		
Population (1971)	17.5	-	
Population (2011)	10	15	
Demographic Performance	-	12.5	
Forest Cover	7.5		
Forest and Ecology	-	10	
Tax and fiscal efforts	-	2.5	

- **Income distance:** Income distance is the distance of a state's income from the state with the highest income. A state with lower per capita income will have a higher share to maintain equity among states.
- **Demographic performance:** The demographic performance criterion has been used to reward efforts made by states in controlling their population. States with a lower fertility ratio will be scored higher on this criterion.
- **Forest and ecology:** This criterion has been arrived at by calculating the share of the

dense forest of each state in the total dense forest of all the states.

- **Tax and fiscal efforts:** This criterion has been used to reward states with higher tax collection efficiency. It is measured as the ratio of the average per capita own tax revenue and the average per capita state GDP during the three years between 2016-17 and 2018-19.

Grants

Over the 2021-26 period, the following grants will be provided from the centre's resources:

- **Revenue deficit grants:** 17 states will receive grants worth Rs 2.9 lakh crore to eliminate revenue deficit.
- **Sector-specific grants:** Sector-specific grants of Rs 1.3 lakh crore will be given to states for eight sectors: (i) health, (ii) school education, (iii) higher education, (iv) implementation of agricultural reforms, (v) maintenance of PMGSY roads, (vi) judiciary, (vii) statistics, and (viii) aspirational districts and blocks. A portion of these grants will be performance-linked.
- **State-specific grants:** The Commission recommended state-specific grants of Rs 49,599 crore. These will be given in the areas of: (i) social needs, (ii) administrative governance and infrastructure, (iii) water and sanitation, (iv) preservation of culture and historical monuments, (v) high-cost physical infrastructure, and (vi) tourism.
- **Grants to local bodies:** The total grants to local bodies will be Rs 4.36 lakh crore (a portion of grants to be performance-linked) including: (i) Rs 2.4 lakh crore for rural local bodies, (ii) Rs 1.2 lakh crore for urban local bodies, and (iii) Rs 70,051 crore for health grants through local governments.
 - Grants to local bodies (other than health grants) will be distributed among states based on population and area, with 90% and 10% weightage, respectively.
 - No grants will be released to local bodies of a state after March 2024 if the state does not constitute a State Finance Commission and act upon its recommendations by then.
- **Disaster risk management:** The cost-sharing pattern between the centre and states is: (i) 90:10 for north-eastern and Himalayan states, and (ii) 75:25 for all other states. State disaster management funds will have a corpus of Rs 1.6 lakh crore (centre's share is Rs 1.2 lakh crore).

Fiscal roadmap:

- **Fiscal deficit and debt levels:** The Commission suggested that the centre bring down the fiscal deficit to 4% of GDP by 2025-26. For states, it recommended the fiscal deficit limit (as % of GSDP) of 3% during 2023-26.
- **Extra annual borrowing** worth 0.5% of GSDP will be allowed to states during 2021-25 upon undertaking power sector reforms.
- **Revenue mobilisation:** The coverage of provisions related to tax deduction and collection at source (TDS/TCS) should be expanded. Computerised property records should be integrated with the registration of transactions, and the market value of properties should be captured.
- **GST:** The inverted duty structure between intermediate inputs and final outputs present in GST needs to be resolved. Rate structure should be rationalised by merging the rates of 12% and 18%.

- An independent Fiscal Council should be established with powers to assess records from the centre as well as states. The centre as well as states should not resort to off-budget financing.
- States may form an independent debt management cell to manage their borrowing programmes efficiently.

Other recommendations:

- **Health:** States should increase spending on health to more than 8% of their budget by 2022. Centrally sponsored schemes (CSS) in health should be flexible enough to allow states to adapt and innovate. **All India Medical and Health Service should be established.**
- **A dedicated non-lapsable fund called the Modernisation Fund for Defence and Internal Security (MFDIS) will be constituted** to primarily bridge the gap between budgetary requirements and allocation for capital outlay in defence and internal security. The fund will have an estimated corpus of Rs 2.4 lakh crore over the five years (2021-26).
- **Centrally Sponsored Schemes (CSS):** A threshold should be fixed for annual allocation to CSS below which the funding for a CSS should be stopped. Third-party evaluation of all CSS should be completed within a stipulated time frame.

2.2. Power of the Governor to summon the Legislative Assembly

Context: Recently, the Governors of Rajasthan and Kerala delayed summoning the respective legislative assemblies.

- The Rajasthan Governor delayed the summoning of the house even after the Chief Minister recommendation to summon it for proving majority. Similarly, the Governor of Kerala delayed the summoning of the house to discuss the central farm laws.

Constitutional Provisions:

- Under Article 174, a governor shall summon the House at a time and place, as she or he thinks fit.
- Article 163 says the governor shall exercise her or his functions with the aid and advice of the council of ministers.
- The two Articles, 174 and 163, are read together to outline the governor's powers in summoning, proroguing or dissolving the House.

Supreme Court views about the issue:

- In the **Nabam Rebia case, 2006**, the Supreme Court had stated that a "governor can summon, prorogue and dissolve the House, only on the aid and advice of the council of ministers".
- But the court also clarified that if the governor had reasons to believe that the chief minister and her or his council of ministers have lost the confidence of the House, a floor test could be ordered.

Constituent Assembly debate on Article 174:

- The third clause in the Draft allowed the Governor to exercise her or his discretion to summon, prorogue and dissolve the assembly.
- B.R. Ambedkar's move to omit clause 3, as the same was inconsistent with the scheme of a "constitutional" governor received the assent of the assembly.

Sarkaria Commission 1983 said that “so long as the Council of Ministers enjoys the confidence of the Assembly, its advice in these matters, unless patently unconstitutional, must be deemed binding on the Governor. It is only where such advice, if acted upon, would lead to an infringement of a constitutional provision, or where the Council of Ministers has ceased to enjoy the confidence of the Assembly, that the question arises whether the Governor may act in the exercise of his discretion”.

3. Working of the Legislature

3.1. Voting and Division of Votes in the Rajya Sabha

Context: Opposition parties in the Rajya Sabha alleged that the Deputy Chairperson rushed through the passage of farm bills and neglected the call for division of votes by members.

About Voting in Rajya Sabha:

Matters in parliamentary democracy are generally decided by voting. In parliamentary parlance this is called ‘Division’, *i.e.*, dividing the House to decide a matter by majority vote.

Rules 252 to 254 of the Rules of Procedure and Conduct of Business in Rajya Sabha provide for the different methods of Division in the House.

Voice vote: On the conclusion of a debate, the Chairman puts the question before the House and invites those who are in favour of the motion to say “Aye” and those against the motion to say “No”. Then the Chairman says: “I think the Ayes or the Noes, (as the case may be) have it”. If the opinion of the Chairman as to the decision is not challenged he says twice: “The Ayes or the Noes, (as the case may be) have it” and the question before the House is determined accordingly. The Chairman does not announce the numbers of “Ayes” and “Noes”.

1. **Counting:** If the opinion of the Chairman is challenged, if he thinks fit, ask the members who are for “Aye” and those for “No” respectively to rise in their places and a count be taken. In this case, the names of the voters are not recorded.

If a member wants to challenge the opinion of the Chairman as to the decision on a question, he must do so immediately after the Chairman expresses the view, “I think the Noes/Ayes have it” and before he declares the result.

When a division is about to be taken, only members of the House have the right to be present in the Inner Lobby and all other persons, including those to whom as a courtesy right of access is allowed, must vacate it.

A member of the other House, who is a Minister, can be present in the House during a division though he has no right to vote.

2. **Division by automatic vote recorder:** Each member is provided with a voting console containing four buttons, ‘P’ for PRESENT, ‘A’ for AYES, ‘O’ for ABSTAIN and ‘N’ for NOES. The member can change his vote at any time. A member with the permission of the Chairman can vote verbally too.
3. **Division by going into the Lobbies:** If the Chairman decides that the votes shall be recorded by the members going into the Lobbies, he may direct the ‘AYES’ to go into the Right Lobby and the ‘NOES’ into the Left Lobby.

3.2. Suspension of Rajya Sabha MPs

Context: Eight Rajya Sabha members have been suspended from the Upper House for one week for their unruly behavior during the passage of farm bills.

More about suspension: It is the duty of the Presiding Officer, Speaker of Lok Sabha and Chairman of Rajya Sabha to maintain order so that the House can function smoothly.

Withdrawal of members: Like the Speaker in Lok Sabha, the Chairman of Rajya Sabha is empowered under Rule Number 255 of its Rule Book to “direct any Member whose conduct is in his opinion grossly disorderly to withdraw immediately” from the House.

Unlike the Speaker, the Rajya Sabha Chairman does not have the power to suspend a Member. The House has to move a motion under Rule Number 256 of its Rule Book to suspend a member. The House may, by another motion, terminate the suspension. The period of suspension should not exceed the remainder of the Session.

While the Speaker is empowered to place a Member under suspension, the authority for revocation of this order is not vested in her. It is for the House to resolve on a motion to revoke the suspension.

https://rajyasabha.nic.in/rsnew/rs_rule/generalrulesproc.asp

3.3. Deputy Speaker of Lok Sabha

Context: In the 17th Lok Sabha, the post of Deputy Speaker is lying vacant.

This is the first time that the Lok Sabha has functioned for over a year without having a Deputy Speaker.

About Election of Deputy Speaker:

- Article 93 of the Constitution of India provides for the election of both the Speaker and the Deputy Speaker of the Lok Sabha.
- According to the Rules of Procedure and Conduct of Business in Lok Sabha, "The election of a Deputy Speaker shall be held on such a date as the Speaker may fix.
- By convention the position of Deputy Speaker of Lok Sabha is offered to the opposition party.
- Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 or the rules of the Lok Sabha does not contain any provisions for the recognition of the Opposition party and Leader of the Opposition (LoP) of the Lok Sabha, however by convention party which secures at least 10% of the seats and is the largest opposition party is recognised as Opposition party and its leader as Leader of the Opposition (LoP) of the Lok Sabha by the Speaker. But in the 16th and 17th Lok Sabha no opposition party has secured these 10% seats and the office of Leader of the Opposition has been vacant since 2014.

Role, responsibilities and powers:

- The Deputy Speaker presides over the Lok Sabha when the Speaker is absent from the sitting of the House.
- The Deputy Speaker is the ex-officio Chairperson of the Committee on Private Members Bills and Resolutions and the joint committee on Library.

3.4. Question hour In Parliament

Context: Due to covid-19 protocol the question hour in the monsoon session of Parliament was dropped.

About Question Hour:

It is the first hour of business every day when Parliament is in session

There are four categories of questions that can be asked in this period.

- **Starred questions** require an oral answer from the minister in charge and must be submitted 15 days in advance. Under this category, the MP raising the question is allowed two supplementary questions while other MPs can also ask questions depending on the Speaker's discretion.
- **Unstarred questions** require a written response and generally address concerns related to data and information, but do not allow supplementary questions. These too must be submitted 15 days in advance.
- **Short notice questions** address urgent matters that have public importance and can be submitted within less than 10 days. Like starred questions, it is answered orally and can be followed by supplementary questions depending on the Speaker's discretion.
- **Questions to private members** are usually related to "some Bill, Resolution or other matter connected with the business of the House for which that Member is responsible".

https://www.prsindia.org/administrator/uploads/general/1408616558_Primer%20on%20Parliamentary%20Procedures.pdf

4. Important Legislations

4.1. Foreign Contribution (Regulation) Amendment Act, 2020

Context: Foreign Contribution (Regulation) Amendment Bill, 2020 received the assent of the President of India.

Key Highlights of the Amendment:

- Prohibition on "public servant" from receiving foreign contributions: The reason for inclusion of "public servant" is to prevent those discharging public duty from being influenced through foreign funding and avoid any conflict of interest.
- Identification Documentation: Person seeking prior permission, registration or renewal of registration must provide Aadhaar number of all its office bearers, directors or key functionaries, as an identification document or a copy of the passport or the Overseas Citizen of India card for identification in case of a foreigner.
- Prohibition on transfer of foreign contribution: Earlier, non-government organisations (NGOs) registered under Act were permitted to transfer the foreign contribution received by such NGO to any other registered NGO and any other unregistered person, with prior permission of the Ministry of Home Affairs.
- Lowering the cap on administrative expenses: Decreased the cap on using the foreign contribution for administrative expenses from 50% to 20%. This amendment is to promote utilisation of such funds towards the objective of the grant.
- Opening of bank account in State Bank of India, Delhi: Earlier the foreign contribution

recipient was permitted to receive foreign contribution in an account opened in any of the scheduled banks. The Amendment requires the recipient of foreign contribution to receive such amount only in an account designated as "FCRA Account" opened in a branch of the State Bank of India (SBI) at New Delhi.

- Power to prohibit a foreign contribution recipient from utilising/receiving its funds: The Amendment has added a provision to restrict usage of unutilised foreign contribution if, based on a summary inquiry the Government believes that such person has contravened provisions of the Act.
- The Amendment gives the Government of India the power to suspend the registration certificate of a person for up to 360 days from earlier 180 days.

4.2. Maharashtra Shakti Bill, 2020

Context: In the backdrop of an increase in the number of cases of violence, specifically sexual violence against women and children, Maharashtra had brought Shakti Bill.

It proposes stricter punishments, including the death penalty and increased prison sentences, for crimes such as rape, acid attack and sexual offences against children.

Provisions of the Bill:

- It proposes punishments for crimes that were not specifically covered under the laws for crimes against women and children earlier.
- These include threatening women and defaming them on social media, making false complaints about rape and acid attacks, non-cooperation of social media platforms and public representatives in such investigations and bringing in restrictions to protect the identity of victims in molestation cases and acid attacks, just like in rape cases.
- In acid attack cases, the penalty levied on the accused will be made available to the survivor for medical expenses as well as getting plastic surgery.

Investigation and trial under Shakti Bill:

- Setting up Special investigation teams, involving at least one woman officer.
- The time period for investigation into any crime against women and children has been reduced to 15 working days from the earlier two months.
- The trial will also take place within 30 days instead of two months.
- The period within which one can appeal against a court order will be brought down to just 15 days from the current six months.
- Setting up 36 special courts to hear only cases pertaining to crimes against women and children.

4.3. Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020

Context: Uttar Pradesh Governor promulgated the Ordinance to regulate the procedure for undergoing religious conversion and prohibits unlawful religious conversion. The bill was passed in the budget session of the UP assembly in February 2021.

Provisions of the Act:

- **Procedure for religious conversion:** Submit an advance declaration of the proposed religious conversion to the District Magistrate. Any violation of this procedure shall attract a jail term of upto five years and a fine of upto Rs 25,000.
- **Causing religious conversion:** The Ordinance prohibits conversion of religion through:
 - Force, misrepresentation, undue influence, and allurements, or
 - Fraud, or
 - marriage.
 - But it allows a person re-converting to his/her immediate previous religion.
- A marriage which was done for the sole purpose of unlawful conversion is declared void.
- Punishment for causing unlawful conversion is a prison term upto 10 years and/or a minimum fine of Rs. 15,000.
- Each repeat offence will attract double the punishment specified for the respective offence.
- The victim of conversion is provided with compensation of up to five lakh rupees by the accused.
- All offences under the Ordinance are cognisable and non-bailable.
- The burden of proof of the lawfulness of a religious conversion lies on the persons causing or facilitating such conversions.

5. Elections

5.1. Elections to Rajya Sabha

Context: In view of the current public health emergency, the Election Commission of India invoked its powers under Article 324 of the Constitution of India and section 153 of the Representation of the People Act, 1951 to extend the period of Rajya Sabha election.

About elections to Rajya Sabha:

- As per Section 154 of the Representation of Peoples Act, 1951, the tenure of a Rajya Sabha member is six years. A third of Members of Parliament in the Rajya Sabha from each State retire once in two years and polls are held to fill up the vacancies.
- In addition, vacancies that arise due to resignation, death or disqualification are filled up through bypolls after which those elected serve out the remainder of their predecessors' term.
- Only elected members of the State Legislative Assemblies can vote in a Rajya Sabha election.
- Voting is by single transferable vote, as the election is held on the principle of proportional representation.
- The Jammu and Kashmir, Delhi and Puducherry Assemblies elect members to the Rajya Sabha to represent the three Union Territories.
- The Rajya Sabha polls have a system of open ballot, but it is a limited form of openness. Each party MLA must show his or her marked ballots to the party's authorised agent, before they are put into the ballot box. Showing a marked ballot to anyone other than one's own party's authorised agent will render the vote invalid. Not showing the ballot to the authorised agent will also mean that the vote cannot be counted. And independent candidates are barred from showing their ballots to anyone.

- The Supreme Court struck down the provision of 'none of the above' option as it is only for elections held on the basis of universal adult suffrage, and cannot be applied to indirect elections based on proportional representation.
- The Supreme Court ruled that not voting for the party candidate will not attract disqualification under the anti-defection law.
- The Supreme Court ruled that a member can vote in a Rajya Sabha election even before taking oath as legislator.

5.2. Right to recall panchayat member

Context:

The Haryana Assembly passed a Bill which provides the right to recall members of Panchayati Raj institutions.

The Bill allows the recall of village sarpanches and members of the block-level panchayat samitis and district-level zila parishads if they fail to perform.

According to a statement of objectives, the amendment is aimed at increasing their accountability to the voters.

To recall a sarpanch and members of the two bodies, 50% members of a ward or gram sabha have to give in writing that they want to initiate proceedings. This will be followed by a secret ballot, in which their recall will require two-third members voting against them.

The Right to Recall under section 19 of Punjab Panchayat Act, 1994, enables Panchs (elected members) to remove a sarpanch by moving a no-confidence motion.

Currently, in India neither the State Legislations nor the Parliament has recall provisions except in some local bodies in the states of:

- Rajasthan
- Punjab
- Madhya Pradesh
- Chhattisgarh

Right to Recall is a tool of participatory democracy in which the electorate has the power to remove the elected officials before the expiry of their usual term.

5.3. Voting Rights to Non Resident Indians (NRIs)

Context:

The Election Commission (EC) approached the Law Ministry to permit **NRIs to cast their votes from overseas** through postal ballots by extending the Electronically Transmitted Postal Ballot System (ETPBS).

More about the procedure:

Any NRI interested in voting through the postal ballot in an election will have to inform the Returning Officer (RO) not later than five days after the notification of the election.

On receiving such information, the RO will dispatch the ballot paper electronically.

The NRI voters will download the ballot paper, mark their preference on the printout and send it back along with a declaration attested by an officer appointed by the diplomatic or consular representative of India in the country where the NRI is resident.

About ETPBS

It is developed by the Election Commission of India with the help of the Centre for Development of Advanced Computing (C-DAC), for the use of the Service Voters.

It has two layers of security. Secrecy is maintained through the use of OTP and PIN and no duplication of casted ETPB is possible due to the unique QR Code.

Postal Voting Eligibility:

1. Service Voter:
 - a. Members of Armed Forces of India
 - b. Members Assam Rifles, CRPF, BSF, ITBF; GREF in Border Road Organisation; Central Industrial Security Force
 - c. Employed under the Government of India, in a post outside India
 - d. Member of an Armed Police Force of a State, and serving outside that state
2. Spouses of the above mentioned members
3. Special voters such as the President of India, Vice President, Governors, Union Cabinet ministers, Speaker of the House and government officers on poll duty.
4. Voters under preventive detention
5. Absentee voters: voters employed in essential services and unable to cast their vote due to their service conditions
 - a. Officials of the Delhi Metro Rail Corporation, Northern Railway (Passenger and Freight) Services and media persons are notified as absentee voters.
6. voters who test positive for COVID-19 or are suspected to be COVID-affected

Present system: Voting rights for NRIs were introduced only in 2011, through an amendment to the Representation of the People Act 1950.

An NRI can vote in the constituency in which her place of residence, as mentioned in the passport, is located.

She/he can only vote in person and will have to produce her passport in original at the polling station for establishing identity.

There is no provision of voting by post, or voting at Indian Missions abroad or online voting.

This system is costly because they have to travel to India solely for voting and inconvenient due to compulsions of employment, education or other engagements.

Other proposals: A 12-member committee was set up after the 2014 Lok Sabha elections to study mainly three options — voting by post, voting at an Indian mission abroad and online voting. The committee ruled out online polling as it felt this could compromise “secrecy of voting”. It also shot down the proposal to vote at Indian missions abroad as they do not have adequate

resources. In 2015, the panel finally recommended that NRIs should be given the “additional alternative options of e-postal ballot and proxy voting”, apart from voting in person.

Under proxy voting, a registered elector can delegate his voting power to a representative. The Law Ministry accepted the recommendation on proxy voting. The Union Cabinet passed the proposal on proxy voting rights for NRIs in 2017. The government then brought a Bill amending the Representation of the People Act 1950. The Bill lapsed with the dissolution of the 16th Lok Sabha.

In this recent proposal, the EC pushed only for postal voting rights for NRIs, not proxy voting. To extend the postal voting facility to overseas voters, the government only needs to amend the Conduct of Election Rules 1961. It doesn't require amendment to the Representation of the People Act 1950.

<https://www.indembassyhanoi.gov.in/page/nri-voting-rights/>

[https://eci.gov.in/voter/overseas-](https://eci.gov.in/voter/overseas-electors/#:~:text=You%20can%20enroll%20as%20a,address%20mentioned%20in%20your%20passport.)

[electors/#:~:text=You%20can%20enroll%20as%20a,address%20mentioned%20in%20your%20passport.](https://eci.gov.in/voter/overseas-electors/#:~:text=You%20can%20enroll%20as%20a,address%20mentioned%20in%20your%20passport.)

5.4. U.S. Electoral College

Context: Joe Biden was elected as the President of the United States of America by securing 306 electoral votes.

How to become President of the United States?

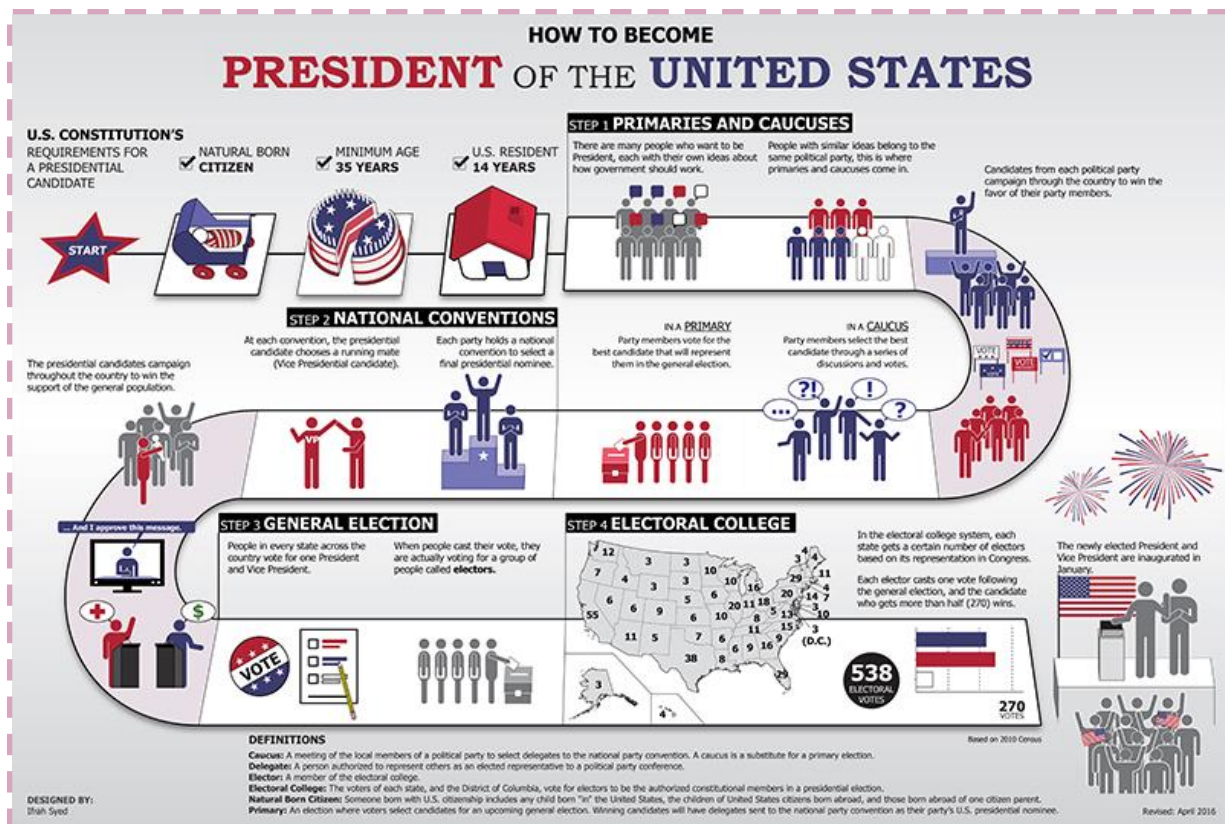


Image: How to become President of the United States?

Source: usa.gov

The winner of the U.S. presidential election is determined not by the popular vote but through a system called the Electoral College, which is mandated in the Constitution and allots "electoral votes" to states and the District of Columbia based on their congressional representation.

Technically, Americans are casting votes for electors, not the candidates themselves.

Each state gets as many electors as it has lawmakers in the US Congress (representatives in the House and senators). There are 538 electoral votes, hence 270 votes are needed to win the election.

Except for the two states of Maine and Nebraska which divide up their electoral college votes according to the proportion of votes each candidate receives in all the other states the candidate winning the popular vote of that state wins all the electoral votes of that state.

In case no candidate gets the 270 electoral votes, the House of Representatives, the lower house of US Congress, will then vote to elect the President.

Read more at:

https://economictimes.indiatimes.com/news/et-explains/what-happens-when-the-us-electoral-college-meets-on-monday/articleshow/79721697.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

Read more at:

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college-meets-on-monday/articleshow/79721697.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

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6. Institutions

6.1. General consent to CBI

Context:

Jharkhand became the latest state to withdraw general consent to the CBI. Currently, Mizoram, West Bengal, Rajasthan, Maharashtra, Punjab, Chhattisgarh and Kerala have withdrawn general consent to the CBI.

About General Consent:

- The CBI is governed by the Delhi Special Police Establishment Act (DPSEA). This law makes the CBI a special wing of Delhi Police and thus its original jurisdiction is limited to Delhi.
- Section 6 of the DPSE Act authorises the central government to direct CBI to probe a case within the jurisdiction of any state on the recommendation of the concerned state government. The Supreme Court and High Courts, however, can order CBI to investigate such a crime anywhere in the country without the consent of the state.
- Consent of the state government is not mandatory to investigate the central government employees.
- For other matters, the CBI needs consent of the state government in whose territorial jurisdiction, the CBI has to conduct an investigation. This is unlike other central government agencies, for example, the National Investigation Agency (NIA), which by law, enjoys an all India jurisdiction.

Types of consent:

- When a state gives a **general consent** to the CBI for probing a case, the agency is not required to seek fresh permission every time it enters that state in connection with investigation or for every case.
- When a general consent is withdrawn, CBI needs to seek case-wise consent for investigation from the concerned state government. If this **specific consent** is not granted, the CBI officials will not have the power of police personnel when they enter that state.

6.2. Civil Services Board

Context: Punjab became the 20th state to constitute a Civil Service Board (CSB).

More about CSB:

1. It is to be headed by the Chief Secretary.
2. It enforces a minimum tenure of at least two years for civil servants.
3. Recommendations for transfers before the two year tenure will be examined by the board.
4. The final authority is the Chief Minister.

7. Governance

7.1. Right to Information (RTI) Act, 2005

Context: The year 2020 marks 15 years of the enactment of the Right to Information (RTI) Act.

About RTI:

The intent behind the enactment of the Act is to promote transparency and accountability in the working of Public Authorities.

Under the RTI Act, 2005, Public Authorities are required to make disclosures on various aspects of their structure and functioning. This includes:

1. Disclosure on their organisation, functions, and structure,
2. Powers and duties of its officers and employees, and
3. Financial information.

If such information is not made available, suo moto, citizens have the right to request for it from the Authorities.

'Public Authorities' include bodies of self-government established under the Constitution, or under any law or government notification.

The first request for information goes to the Central/State Assistant Public Information Officer and Central/State Public Information Officer, designated by the Public Authorities. These Officers are required to provide information to an RTI applicant within 30 days of the request. Appeals from their decisions go to an Appellate Authority. Appeals against the order of the Appellate Authority go to the State Information Commission or the Central Information Commission.

Working of RTI, Act 2005:

- Between 40 and 60 lakh RTI applications are filed every year, but less than 3 per cent Indian citizens have ever filed an RTI plea.
- According to the 'Report Card of Information Commissions in India, 2018-19' released by the Satark Nagrik Sangathan (SSN) and the Centre for Equity Studies (CES),
 - Less than 45% of applications filed received the information they had sought.
 - But of the 55% who did not receive the information, less than 10% filed appeals.

- As of 31 March 2019, there were 2.18 lakh appeals and complaints pending before the State Information Commissions (SICs).
- It took an average of more than a year for most SICs to dispose of complaints/appeals.
- Information sought is rejected by quoting exemptions under section 8 of the RTI Act, prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the state, relation with foreign states or lead to incitement of an offence.
- In the last 15 years, at least 86 people who had filed RTI applications have been killed while 175 others have been attacked.

Right to Information (Amendment) Act, 2019: Changes brought in

Provision	RTI Act, 2005	RTI (Amendment) Act, 2019
Term	The Chief Information Commissioner (CIC) and Information Commissioners (ICs) (at the central and state level) will hold office for a term of five years.	Removes this provision and states that the central government will notify the term of office for the CIC and the ICs.
Quantum of Salary	The salary of the CIC and ICs (at the central level) will be equivalent to the salary paid to the Chief Election Commissioner and Election Commissioners, respectively. Similarly, the salary of the CIC and ICs (at the state level) will be equivalent to the salary paid to the Election Commissioners and the Chief Secretary to the state government, respectively.	Removes these provisions and states that the salaries, allowances, and other terms and conditions of service of the central and state CIC and ICs will be determined by the central government.
Deductions in Salary	The Act states that at the time of the appointment of the CIC and ICs (at the central and state level), if they are receiving pension or any other retirement benefits for previous government service, their salaries will be reduced by an amount equal to the pension.	Removes these provisions.

7.2. Mission Karmayogi

Context: The National Programme for Civil Services Capacity Building (NPCSCB), “Mission Karmayogi” has been launched with the objective of enhancing governance through Civil Service

Capacity Building.

Mission Karmayogi will have the following six pillars:

1. Policy Framework,
2. Institutional Framework,
3. Competency Framework,
4. Digital Learning Framework (Integrated Government Online Training Karmayogi Platform (iGOT-Karmayogi),
5. electronic Human Resource Management System (e-HRMS), and
6. Monitoring and Evaluation Framework.

Institutional Framework:

1. Prime Minister's Public Human Resources (HR) Council
2. Capacity Building Commission
3. Special Purpose Vehicle for owning and operating the digital assets and the technological platform for online training
4. Coordination Unit headed by the Cabinet Secretary
5. Programme Management Unit

Mission Karmayogi aims to prepare the Indian Civil Servant for the future by making him more creative, constructive, imaginative, innovative, proactive, professional, progressive, energetic, enabling, transparent and technology-enabled. Empowered with specific role-competencies, the civil servant will be able to ensure efficient service delivery of the highest quality standards.

The **core guiding principles** of the Programme will be:

1. Supporting Transition from 'Rules based' to 'Roles based* HR Management. Aligning work allocation of civil servants by matching their competencies to the requirements of the post.
2. To emphasize on 'on-site learning' to complement the 'off-site' learning.
3. To create an ecosystem of shared training infrastructure including that of learning materials, institutions and personnel.
4. To calibrate all Civil Service positions to a **Framework of Roles, Activities and Competencies (FRACs)** approach and to create and deliver learning content relevant to the identified FRACs in every Government entity.
5. To make available to all civil servants, an opportunity to continuously build and strengthen their **Behavioral, Functional and Domain Competencies** in their self-driven and mandated learning paths.
6. To enable all the Central Ministries and Departments and their Organizations to directly invest their resources towards co-creation and sharing the collaborative and common ecosystem of learning through an annual financial subscription for every employee.
7. To encourage and partner with the best-in-class learning content creators including public training institutions, universities, start-ups and individual experts.
8. To undertake data analytics in respect of data emitted by iGOT- Karmayogi pertaining to various aspects of capacity building, content creation, user feedback and mapping of competencies and identify areas for policy reforms.

The Programme will be delivered by setting up an **Integrated Government Online Training-iGOT Karmayogi** Platform. The platform brings the scale and state-of-the-art infrastructure to augment the capacities of over two crore officials in India. The platform is expected to evolve into a vibrant and world-class market place for content where carefully curated and vetted digital e-learning material will be made available. Besides capacity building, service matters like confirmation after probation period, deployment, work assignment and notification of vacancies etc. would eventually be integrated with the proposed competency framework.

7.3. Non-Personal Data Governance Framework

Context: Gopalakrishnan committee on non-personal data (NPD) governance which was constituted by the Ministry of Electronics and Information Technology submitted its report.

Recommendations of the Committee:

- **Definition of NPD:** It is defined as 'data that is not personal data, or when it is without any personally identifiable information'.
 - It includes data that
 1. Never related to an identified or identifiable natural person;
 2. anonymized personal data, and aggregated data to which certain data transformation techniques are applied to the extent that individual specific events are no longer identifiable.
- **Three categories of NPD:**
 1. Public NPD: Data collected or generated by any government agency, and includes data collected during execution of all publicly funded works;
 2. Private NPD: NPD collected by entities/persons other than governments through assets and processes privately owned by the entity/person. It includes derived/observed data collected through private effort, such as through use of algorithms or proprietary knowledge; and
 3. Community NPD: Data that pertains to a community of natural persons. It can include NPD about animate and inanimate things or phenomena. Such data shall not include private NPD. The definition of community NPD is wide in its ambit, with a community defined as any group of people that are bound by common interests and purposes, and involved in social and/or economic interactions. Examples cited include data collected by municipal corporations and public electric utilities. It also includes user information collected by telecom companies, e-commerce players, and ride-hailing platforms.
- **Sensitive NPD:** The NPD committee has recommended classification of NPD into general NPD, sensitive NPD and critical NPD.
- Storage restrictions will also apply to NPD based on sensitivity
 - General NPD can be stored anywhere in the world;
 - Sensitive NPD can be transferred outside India, but it must be stored in India, and
 - Critical NPD must be stored in India.
- Factors for determining sensitivity of NPD include national security or strategic interests;

risk of collective harm to a group; business sensitive or confidential information, or anonymised data, which carries the risk of re-identification.

- **Consent requirement for collection and processing of NPD:** For anonymised personal data, the individual to whom the data pertains must be considered as the data principal of such NPD.
- **Different roles in the NPD ecosystem:**
 - Data principal: This is essentially the entity/individual to whom the collected data pertains.
 - Data custodian: The entity that undertakes collection, storage and processing of data, keeping in mind best interest of the data principal.
 - Data trustee: The data principal will exercise its rights through a data trustee. Data trustees can recommend to the 'data regulator' for enforcement of transparency and reporting mechanisms on data custodians.
 - Data trusts: Institutional structures for sharing a given dataset as per specified rules and protocols.
- **Ownership of data:** The NPD committee adopted the notion of 'beneficial ownership/interest' of data, as many actors may have simultaneous ownership rights and privileges to data, due to the non-rivalrous nature of data.
- **Introducing a new category of 'data businesses':** Entities involved in data collection or processing will be classified as 'data businesses' based on a certain threshold of data collected/processed.
- **Sharing of NPD:** Grounds specified for sharing of data are national security, law enforcement, community use, policy development and better delivery of public services.
- **NPD Regulatory Authority:** Along with having an enforcing role it will also have an 'enabling role'.
- **On technology architecture:**
 - Mechanism for accessing data
 - Distributed storage for data security
 - Standardised data exchange approach
 - Prevent de-anonymisation

7.4. National Recruitment Agency (NRA)

Context:

The Union Cabinet approved the proposal to set up the **National Recruitment Agency (NRA)**. NRA will be a Society registered under the Societies Registration Act. It will be headed by a Chairman of the rank of the Secretary to the Government of India.

- The NRA will conduct the Common Eligibility Test (CET) to screen/shortlist candidates for the Group B and C (non-technical) posts in government and public sector banks. This test aims to replace multiple examinations conducted by different recruiting agencies for selection to government jobs advertised each year, with a single online test.

Salient features:

1. The Common Eligibility Test will be held **twice a year**.

2. There will be different CETs for graduate level, 12th Pass level and 10th pass level to facilitate recruitment to vacancies at various levels.
3. The CET will be conducted in **12 major Indian languages**. Currently, recruitment to Central Government jobs were held only in English and Hindi.
4. To begin with, CET will cover recruitments made by three agencies : viz. Staff Selection Commission, Railway Recruitment Board and the Institute of Banking Personnel Selection. This will be expanded in a phased manner. However, the present recruitment agencies, IBPS, RRB and SSC will remain in place.
5. CET will be held in 1,000 centres across India with an examination centre in every district of the country. There will be a special thrust on creating examination infrastructure in the 117 aspirational districts.
6. CET score will be **valid for three years**.
7. There shall be no restriction on the number of attempts to be taken by a candidate to appear in the CET subject to the upper age limit.
8. Age relaxation for SC/ST and OBC candidates as per existing rules will apply.
9. The curriculum for CET would be common.
10. Based on the screening done at the CET score level, final selection for recruitment shall be made through separate specialised Tiers (II, III, etc.) of examination which shall be conducted by the respective recruitment agencies.

7.5. Committee for the Reform of Criminal Laws

Context: The Ministry of Home Affairs had set up a National Level Committee under Ranbir Singh to bring reforms to the existing criminal laws in India, namely the Indian Penal Code, 1860, The Code of Criminal Procedure, 1973, and the Indian Evidence Act, 1872.

- This committee has been tasked with suggesting reforms based on the pendency of cases, based on inconsistencies and inefficiencies in procedure pertaining to arrest, bail, investigation and trial of a case; arbitrariness in police and prosecutorial actions; equation of victims to witnesses, etc.

7.6. e-Courts Project

Context: The adaptation of video conferencing during the current pandemic times by the higher judiciary in India has led to the debate of extending the e-Courts Project to include video conferencing in its implementation.

About e-Courts Project:

- It is a Pan-India Project, monitored and funded by the Department of Justice, Ministry of Law and Justice, Government of India for the District Courts across the country.
- The eCourts Project was conceptualized on the basis of the “National Policy and Action Plan for Implementation of Information and Communication Technology (ICT) in the Indian Judiciary 2005” submitted by eCommittee, Supreme Court of India with a vision to transform the Indian Judiciary by ICT enablement of Courts.
- The objective of the e-Courts project is to provide designated services to litigants, lawyers and the judiciary by universal computerization of district and subordinate courts in the

country by leveraging Information and Communication Technology (ICT) for improved justice delivery.

7.7. Data Governance Quality Index

Context: Department of Fertilizers under the Ministry of Chemicals and Fertilizers has been ranked 2nd amongst the 16 Economic Ministries / Departments and 3rd out of the 65 Ministries / Departments with a score 4.11 on a scale of 5 on Data Governance Quality Index (DGQI),

It is based on the survey conducted by Development Monitoring and Evaluation Office (DMEO), Niti Ayog to assess different Ministries /Departments performance on the implementation of Central Sector Schemes (CS) and Centrally Sponsored Schemes (CSS).

Objective:

Assessing data preparedness of Ministries/Departments on a standardized framework to drive healthy competition among them and promote cooperative peer learning from best practices.

In this survey, an online questionnaire was prepared under six major themes of DGQI:

1. Data Generation;
2. Data Quality;
3. Use of Technology;
4. Data Analysis, Use and Dissemination;
5. Data Security and
6. HR Capacity and Case Studies.

To avoid straight-forward irrelevant comparisons, Ministries / Departments were classified in six categories: Administrative, Strategic, Infrastructure, Social, Economic and Scientific.

7.8. Public Affairs Index (PAI)

It is released by the **Public Affairs Centre** (PAC), a not for profit organization based in Bengaluru. It is annually released and ranks the States on governance performance based on a composite index in the **context of sustainable development** defined by the three pillars of equity, growth and sustainability.

Findings of 2020 Report:

- Large States category: Kerala is the best governed state while Uttar Pradesh is at the bottom.
- Small state category: Goa is ranked first while Manipur is at the bottom.
- Union territory category: Goa is ranked first while Dadar and Nagar Haveli is at the bottom.