

## ● POLITY

## ● ECONOMICS

## ● TECHNOLOGY

## ● ECOLOGY

## POLITY &amp; GOVERNANCE

**Karnataka halts jobs Bill as industry raises uproar**

As a draft Bill cleared by the Karnataka Cabinet mandating reservation for locals garnered adverse reactions from industry heads and trade bodies in the State has been “temporarily withheld”. The Karnataka State Employment of Local Candidates in the Industries, Factories and Other Establishments Bill, 2024 mandated that industries, factories, and other establishments appoint local candidates in 50 % of management positions and 70 % of non-management positions. The provisions were met with stiff opposition from industry heads, while Kannada organisations welcomed the move.

## INTERNATIONAL RELATIONS

**Nine of 13 crew members of capsized oil tanker rescued by Navy off Oman coast**

Indian Navy's mission-deployed warship INS Teg, assisting in a search-and-rescue (SAR) operation after the Comoros-flagged oil tanker MV Prestige Falcon capsized off the Oman coast, rescued nine crew members — eight Indians and one Sri Lankan. The tanker has a 16-member crew — 13 Indians and three Sri Lankans.

The vessel had capsized about 25 nautical miles southeast of Ras Madrakah in Oman on July 15 and rescue efforts in coordination with Oman authorities have been in progress since the morning of July 16. The efforts by Indian and Omani assets are being undertaken in challenging weather conditions as the area is experiencing rough sea and strong winds.

The Indian Navy's long-range maritime reconnaissance aircraft P8I is also assisting in the search for survivors. Stealth frigate INS Teg deployed in the region and undergoing Operational Turnround (OTR), was sailed at short notice to render SAR assistance. SAR efforts are progressing in coordination with Omani authorities and assets, in rough seas and strong winds.

Indian Navy's P8I is also assisting in search for survivors. Indian naval ships on deployment in the Gulf of Aden and the region regularly visit Oman ports for OTR, and P-8I long range maritime patrol aircraft have also been visiting Oman for the purpose, extending their reach and endurance.

## INTERNAL SECURITY

**Twelve Naxals killed during gunfight with police in Gadchiroli**

Twelve Naxalites, including women, from the Tipagad and Chandgaon Kasansur Dalams were killed in a gunfight with security forces in Gadchiroli district of Maharashtra on Wednesday. The operation involving seven C60 commando units of the State police, targeted a Maoist camp near Wandoli village, close to the Chhattisgarh border. The operation was based on credible intelligence indicating the presence of 12 to 15 Naxals, Neelotpal, Superintendent of Police, Gadchiroli.

One of the deceased Maoists had been identified as DVCM Laxman Atram, also known as Vishal Atram, who oversaw the Tipagad Dalam. He was responsible for north Gadchiroli division. The others are being identified. Among the recovered items were seven automatic weapons: three AK-47 rifles, two INSAS rifles, one carbine, and one self-loading rifle.

## INTERNATIONAL RELATIONS

**Trump's pick of J.D. Vance for VP signals shift away from Ukraine war**

Donald Trump picked J.D. Vance as his running mate, indicating a shift in foreign policy focus from Europe to Asia if Trump wins the upcoming election. Vance, a retired U.S. Marine and author, aligns closely with Trump and opposes extensive aid for Ukraine. He argues that U.S. military aid should not continue indefinitely, contrasting with current policies that support Ukraine against Russian aggression. His views could significantly influence Trump's foreign policy in a potential second term, potentially affecting American assistance to Ukraine if Trump is re-elected.

J D Vance strongly opposed the approval of \$61 billion in new military aid for Ukraine, which was delayed by Republican lawmakers. During this delay, Russia made significant military advances. Despite substantial past U.S. military aid to Ukraine since Russia's invasion in February 2022, Vance and other Trump allies argue against indefinite funding for the conflict. A potential Trump re-election could jeopardize future American assistance to Ukraine.

Mr. Trump has indicated a swift resolution to the conflict, which could potentially compel Kyiv to negotiate with Moscow under less favorable conditions. Despite signs that his administration might lean towards the Kremlin, Ukrainian President Volodymyr Zelenskyy expressed no worries about the possibility of Trump being re-elected.

Mr. Vance criticizes European countries for depending too heavily on U.S. security support, describing NATO nations as reliant on American welfare. He argues that the U.S. has excessively subsidized European security, amounting to trillions of dollars over time.



*"Education is the ability to listen to almost anything without losing your temper or your self-confidence." - Robert Frost*

## INTERNAL SECURITY

## Amid rise in terror attacks, 12 militant groups found to be active in Jammu region

The Pir Panjal Valley and Chenab Valley in Jammu have seen a resurgence in militant activities, with suspicions of over 12 militant groups operating in small numbers. This escalation has resulted in 24 deaths recently. Security forces monitoring the region detected 16 to 19 signals from various areas following a deadly attack in Reasi on June 9, which claimed nine lives and injured over 33 people.

Authorities noted that militants in the region are utilizing offline mobile applications with pre-fed locations and Virtual Private Network (VPN) apps, which provide them an advantage in navigating difficult terrain and dense forests. These tools operate even without Internet access, aiding militants in their movements. Additionally, the use of YSMS technology, which is difficult to trace, and SIM-less phone activation, along with Bluetooth connections across borders, further complicates efforts by security forces to gather intelligence on militant activities and movements.

## POLITY &amp; GOVERNANCE

## Arrest and liberty

Two observations made in different contexts by the Supreme Court of India have raised relevant issues concerning personal liberty. The cases related to actions under the Prevention of Money Laundering Act (PMLA), and the significance of these observations lies in the extent to which courts are inclined to protect personal liberty in the face of a determined government that wants its agencies to have their way. One concerned the question whether an officer arresting a person on money-laundering charges should demonstrate the necessity for arrest for the action to be deemed valid; and the other voiced shock and revulsion at the ease and quickness with which courts were staying reasoned orders granting bail. A Bench headed by Justice Sanjiv Khanna granted interim bail, for the second time since his arrest in March, to Delhi Chief Minister Arvind Kejriwal, in the course of a discussion on the legality of his arrest by the Enforcement Directorate (ED). The 64-page verdict ended with a reference to a larger Bench the question whether the ED would have to prove the need or "necessity to arrest" a person, before effecting an arrest. Section 19 of PMLA speaks of the arresting officer being required to have "reason to believe" that the person is guilty of money-laundering before effecting arrest.

The PMLA casts a statutory obligation on an officer to both record reasons for arrest and convey grounds for arrest to the accused. Whether these obligations include a duty to demonstrate the necessity to arrest the person will have to be decided. It is established that the existence of a power is not sufficient justification for exercising it. The heartening feature of the Court's order is that it lays down the view that the authorised officer's decision on arrest ought to be rooted in compliance with statutory requirements, and one that a magistrate or judge can examine. The Court has also done well to reiterate that arrests under the PMLA cannot be on a mere whim; and that decisions during investigation should consider exculpatory material too, and not merely material against the accused. The other issue, regarding another Bench's shock over courts staying bail orders, touches upon a key aspect of

contemporary judicial functioning. The vehemence with which the prosecution argues its case, be it against bail or challenging a court's order granting it, seems to be a major factor in the approach of higher courts. As the Bench noted, a stay on reasoned orders ought to be rare exceptions based on grounds such as perversity by the lower court, and not done as a matter of routine.

## ECONOMICS &amp; DEVELOPMENT

## In search of jobs

The Annual Survey of Unincorporated Sector Enterprises (ASUSE) notes that just 21% of the total establishments used the Internet for entrepreneurial activities. The survey, quite similar to a previous report of the International Labour Organisation (ILO), says the unincorporated non-agricultural economy employed about 11 crore workers during October 2022 to September 2023 in comparison to about 9.8 crore workers during 2021-22. The ILO's India Employment Report had also warned that the share of manufacturing employment was stagnant, at around 12%-14% and the slow transition of jobs from agriculture to non agriculture reversed due to the COVID-19 pandemic. A Citigroup report too said the current rate of job creation will not be sufficient to meet future demand. The ASUSE had also noted that 'Other Services' contributed the maximum share (36.45%) to the total employment followed by 'trading' (35.61%) and 'manufacturing' (27.94%). Various Periodic Labour Force Surveys had also noted that 45.76% of the total workforce was engaged in agriculture and allied sectors during 2022-23.

To industrialise agriculture production, the government should consider more public and cooperative investment to create more jobs and ease the load on farmers. It has to bring on board the private and public sectors, labour unions, States and political parties to design a growth model with job creation at its centre. Recent global experiences suggest that economic growth without employment growth can cause social and political upheavals. This is not a problem that can be explained away, and an honest account of the problem will be a good starting point for mitigative measures.

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## ECONOMICS &amp; DEVELOPMENT

## Intergenerational equity as tax devolution criterion

The Finance Commission (FC) decides the horizontal distribution formula once every five years. Despite repeated quinquennial revisits to this distribution formula, conceptually, it is predictable that equity is prioritised over efficiency. Equity in the distribution formula is about intragenerational equity, that is, to redistribute tax revenue among States. The undesirable consequence of this is the accentuation of intergenerational inequity within States. The argument is that intergenerational equity should be a factor in India's horizontal distribution formula for tax devolution.

### Intergenerational fiscal equity

In general, intergenerational equity is the principle of providing equal opportunities and outcomes to every generation. Intergenerational equity ensures that the decisions or actions of current generations should not burden the future generation.

For any government, there are only two ways to raise its revenue: tax or borrowing. If, in a period, the tax revenue equals the current expenditure of the government, then the current taxpayers pay for the public services they receive. If the government finances the current expenditure through borrowings, it means the future generation is going to pay higher taxes to repay this borrowing and interest. In other words, borrowing to meet the current expenditure of the government amounts to intergenerational inequity.

There is an argument in fiscal economics called Ricardian Equivalence Theory that whenever the government resorts to borrowing to finance current expenditure, households react through higher savings and thus enable the future generation to pay higher taxes as well as keep aggregate demand in the economy constant over different periods. This theory assumes that the current generation pays tax less than the value of the current public services it receives, and thus saves. Whereas in our present federal situation this is not the case. Households in developed States pay taxes that are not entirely used within the specific States, thus compelling such States to borrow more or curtail current expenditure. On the contrary, households in developing States pay taxes much less than the value of current expenditure and fill the gap by receiving higher financial transfers from the Union government.

### Versus intragenerational equity

Tamil Nadu, Kerala, Karnataka, Maharashtra, Gujarat, and Haryana are high-income States and Bihar, Uttar Pradesh, Madhya Pradesh, Rajasthan, Odisha and Jharkhand as low-income States. The own tax revenue financed up to 59.3% of revenue expenditure in high-income States, while in low-income States, their own tax revenue was financing only 35.9%. The Revenue Expenditure to GSDP ratio for high-income States was 10.9%, which is lower than the similar ratio of 18.3% for low-income States. Thus, while high-income States curtailed their revenue expenditure and began financing a substantial part of it through their own tax revenues, the low-income States not only had higher Revenue Expenditure to GSDP but also financed only a smaller portion of it through their own tax revenues. Nearly 57.7% of revenue expenditure in low-income States was financed by Union financial transfers, and only 27.6% of revenue expenditure was financed by Union financial transfers in high-income States.

First, low-income States finance a smaller portion of their revenue expenditure with their own tax revenue and also receive larger amounts of Union financial transfers. Second, high-income States finance a substantial portion of their revenue expenditure with their own tax revenue but receive too little Union financial transfers. Third, we can also deduce that the high-income States had to incur a deficit of 13.1%, and the low-income States ended up with a deficit of only 6.4% of revenue expenditure. Thus, the high-income States raise higher amounts of their own tax revenue and curtail their own revenue expenditure, yet incur higher deficits because of lower Union financial transfers compared to low-income States.

People of a State know the level of direct and indirect taxes they pay and expect an equivalent value of services from the government. So, the public services provided to the people of a State by both the State and the Union government should match this expectation. Any other fiscal behaviour would only result in burdening the high-income States with higher tax payments for both present and future generations. We understand the need for intragenerational equity across States in a federal system as it provides a larger unified market for everyone. Balancing both intragenerational and intergenerational equity is important, and it reiterates the need to balance equity and efficiency in the distribution formula for tax devolution to States. This squarely falls under the purview of the FC to have a fair mechanism to address the conflicting equity issues

### Address conflicting equities

Usually, FCs use indicators such as per-capita income, population, and area in the distribution formula. These indicators reflect the differences between States in terms of demand for public services (population and area) and the size of public revenue available (per capita income). These indicators carry a larger weight and assure equity in the distribution of Union financial transfers among States. Variables such as tax effort and fiscal discipline carry smaller weight in the distribution formula to reward the fiscal efficiency of States.

You may find that the equity variables are proxy variables, and that they do not reflect the actual fiscal situations in States. The efficiency indicators are fiscal variables from the State budget. The Union financial transfers make an impact only on the Budget and alter the fiscal behaviour of States. Therefore, it is appropriate to include more fiscal variables in the tax devolution criterion such that the Union financial transfers change the fiscal behaviour of the States in the desired direction.

Every State has a Fiscal Responsibility Act restricting the quantum of deficit and public debt. However, reduced Union financial transfers to some States compel them to breach this legal limit. Therefore, the FC should assign a larger weight to fiscal indicators and incentivise tax effort and expenditure efficiency through larger Union financial transfers. This will automatically ensure intergenerational fiscal equity and sustainable debt management by States.



*"If you invest more in your education, then you are likely to get more interest in it."*

—Benjamin Franklin

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## AGRICULTURE

## Choosing the right track to cut post-harvest losses

India ranks second in global agriculture production, but its share in global agricultural exports is only 2.4 %, placing it eighth in the world. This is attributed to several factors that include low productivity, an inability to meet desired quality standards and inefficiencies in the supply chain such as an inadequate transportation network and infrastructure, which also leads to significant post-harvest losses.

According to a Ministry of Food Processing Industries in 2022, India's post-harvest losses amount to approximately ₹1,52,790 crore annually. As India's population continues to grow, the challenge of meeting the food and nutrition demand of its people will continue to intensify. While growing more food is part of the solution, the prevention of post-harvest losses is crucial.

### A closer look at India's post-harvest loss

The biggest loss is from perishable commodities, which include livestock produce such as eggs, fish and meat (22%), fruits (19%) and vegetables (18%). During the export of perishables, approximately 19% of food is lost, particularly at the import-country (trade partner) stage. Storage, transportation and marketing play a critical role in ensuring that perishable products reach the consumer in time. The strengthening of agri-logistics is recognised as a priority by the Committee on Doubling Farmer's Income (DFI).

There are multiple logistical requirements in a single supply chain. Starting with first mile transport from farmgate to mandi (wholesale/retail), long haul or wholesale transportation by rail, road, water or air, and last mile transportation to the consumer. The trade of perishables faces a time shortage once the crop is harvested. The latest agriculture Census shows that 86% of farmers in India are small and marginal (SMF). They struggle to attain economy of scale due to the small production. Together with a lack of assured market connectivity, this results in post-harvest losses, which includes income losses for the farmers.

In India, food price volatility has been caused partly by supply constraints affecting perishable produce. As in a NITI Aayog report, the revenue of the Indian Railways is primarily driven by freight transport, which includes commodities such as iron, steel, fertilizers and agricultural produce. In the 2022 fiscal year, it accounted for 75% of its total earnings. The Indian Railways efficiently connects urban centres and rural areas across the country. The Food Corporation of India is heavily dependent on the Indian Railways to move approximately 90% of its food grains. In contrast, about 97% of fruits and vegetables are transported by road.

### Initiatives by the Railways

The Indian Railways has taken a few initiatives to improve its freight operations in perishables. The truck-on-train service carries loaded trucks on railway wagons. Efforts are being made to expand this service following successful trial runs involving commodities such as milk and cattle feed. During the COVID-19 pandemic, the Railways introduced parcel special trains to transport perishables and seeds between market and producers.

Additionally, to support SMFs, the Kisan Rail was initiated to connect perishables (inclusive of milk, meat and fish) production surplus regions to consumption regions more efficiently. A recent

study highlighted the impact of the Kisan Rail scheme on reducing post-harvest losses and enhancing farmer incomes in India. For example, grape growers in Nashik, Maharashtra, secured a net profit of ₹5,000 per quintal by supplying about 22,000 quintals using Kisan Rail. This highlights the advantage of using rail-based long-haul of fruits and vegetables.

In recent times, the role of the Railways in the agricultural sector has shown promising results. However, initiatives must also focus on increasing awareness and accessibility of farmers to available Railway schemes. Friends of Champions 12.3 India, a coalition of food supply chain actors powered by WRI India, also identified that multiple touch points during the transport of perishables using the Railways is a challenge.

Therefore, investment in specialised wagons for temperature-controlled transport and the establishment of rail-side facilities for safe cargo handling are essential. This would also present a significant opportunity to enhance food safety in the agriculture sector, by minimising spoilage and contamination risks, thereby supporting both domestic and export markets. Further, the DFI committee recommends streamlining loading and unloading processes to minimise transit times. It also emphasises addressing staffing shortages through recruitment and training initiatives. Prioritising the Railways over roadways, particularly for fruit and vegetable transportation, promises efficient transportation.

### Untapped opportunities

The Railways offers a tremendous opportunity to reduce post-harvest losses and positively impact not just livelihoods but also the environment. Findings from the Logistics Division, Ministry of Commerce, state that the Indian Railways generates up to 80% less carbon dioxide for freight traffic than road transport.

There is a need for adopting systems-based approach, cutting across modes of transport and geographies. The private sector can play a crucial role in enhancing operational efficiency and strengthening the rail infrastructure through public-private partnerships. The budgetary allocation for agriculture 2024 also aims to bridge the farm-to-market gap with modern infrastructure and value-addition support. Such Railway initiatives complement these efforts by supporting the efficient transportation of perishable goods and minimising post-harvest losses.



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## POLITY &amp; GOVERNANCE

## The problems with sub-caste reservations

The Supreme Court has reserved the decision on sub-caste reservation for SC/STs. Any decision on sub-caste reservation needed to be justified not only on legal grounds but also on academic grounds. The academic basis for sub-caste reservation seems to be weak. So far, the government has used three policy instruments namely legal safeguards against caste discrimination, reservation in the legislature, public jobs, education institutions, and measures to improve ownership of capital assets such as land, businesses and education levels.

Dr. B. R. Ambedkar justified these three sets of policy measures due to the denial of equal civic and property rights, employment, and education, as well as the physical and social isolation of untouchables as a whole, not specific sub-castes within the untouchable community since all suffered similarly from untouchability. But it needs to be understood that the three measures, namely legal safeguards, reservation, and economic/education empowerment measures were proposed as a complement to each other and not as substitutes or standalone solutions.

Ambedkar proposed legal safeguards against caste discrimination. He also believed that the law by itself would not ensure a fair share for untouchables in the legislature, jobs, and education. Therefore, the reservation was proposed as supplementary to legal measures. The legal safeguards and reservations together ensure a fair share in the “present.”

He also argued that while these measures address discrimination in the “present”, they have limitations in dealing with the consequences of past denials of the right to property, employment and education. Therefore, a third policy to improve the ownership of capital assets like land, business, and education was thought to be essential as complementary measure to the reservation policy. The purpose was to enhance the capabilities of untouchable youth to seek education and become capable of securing jobs under reservation.

Reservations in the legislature, public jobs and education institutions was needed for untouchables as a whole with a “social group focus”. The policy of economic empowerment was thought to be focused on those untouchable “individuals” who lack income earning capital assets and education. Therefore, any decision on sub-caste reservation must take these propositions into consideration. The supporters of sub-caste reservation argue that some sub-castes benefitted more than others, thus, the sub-castes that lag behind should have separate quotas. Assuming that some sub-castes lag behind others in job reservations, the low share may not necessarily be due to discrimination by other sub-castes. Some may lag behind in public jobs because they suffered from low education, which in turn is due to a lack of income earning capital assets. This reduces their capability to seek public jobs.

If this is the case, then the policy to improve the share of these sub-castes in jobs and admissions to educational institutions must focus on enhancing their ownership of capital assets and education. It should be focused on those SC “individuals” who lack ownership of capital assets and education. If the sub-caste reservation is given without improving their capital ownership and educational participation, they may continue to have a low share in

jobs and education, as the relatively better-off will have an edge in accessing jobs and education, which in all probability is the case even today. So, the policy of economic and educational empowerment, which Ambedkar suggested for adequate utilisation of the reservation policy, is a better alternative than sub-caste reservations with low capital ownership and low education.

It needs to be recognised by the legal authority that legal solutions for discriminated groups are determined by economic and social realities. In this context, the legal authority making the decision has to know the extent to which the under-representation in jobs of some SC sub-castes is due to caste discrimination, and the extent to which it is due to a lack of income sources and low education. If discrimination by other sub-castes is the reason for under-representation, which is unlikely, there may be a case for sub-caste reservations. But if it is due to a lack of capabilities on account of low income and education, then an “individual focus” policy is a better alternative, which will enable them to make effective use of job reservations.

The under-representation of some sub-castes, who seek sub-caste reservation, is mainly due to a lack of income earning assets and education, and unlikely due to discrimination by other SC sub-castes. The problem of low participation of some sub-castes in job reservation will have to be dealt with by improving their ownership of capital assets and education levels, which in turn will improve their capabilities to access jobs under reservation and education. But if legal authorities prefer sub-caste reservations without academic justification and the factual reality based on data of sub-castes, the problem may remain unaddressed. Besides, it will open the floodgates of demand for sub-caste reservations by thousands of sub-castes/tribes from SC/ST/OBC. In that case, the reservation policy will be a mirror image of caste society with its innumerable sub-castes.



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## INTERNATIONAL RELATIONS

**Nepal's governments are the most unstable in the world**

Khadga Prasad Oli of the Communist Party of Nepal (Unified Marxist-Leninist) became the Prime Minister of Nepal early this week, the fourth time he is holding the post. Mr. Oli got the top post after his party withdrew support to the government led by Communist Party of Nepal (Maoist-Centre) leader Pushpa Kamal Dahal and formed the government with the support of the Opposition party, Nepali Congress (NC).

Mr. Dahal's party had won only 32 seats in the 2022 general elections, in alliance with the NC—which won 89 seats—and other parties but had no qualms about forming the government as the PM, with the support of Mr. Oli's UML (78 seats), which was part of the opposing coalition. Following his ascension to the post, Mr. Dahal went on to face four trust votes after shifting alliances each time to remain in power for nearly two years. The coming together of the UML and the NC led to the fall of Mr. Dahal's government as he lost his fifth vote of confidence, 63 to 194 in the 275-member House of Representatives.

Mr. Oli's new government is the 30th instance of a head of government since Nepal became an elected democracy in 1990. From 1990 to 2008, the country was a constitutional monarchy with an elected parliament and the PM was the head of government, except for a brief period when erstwhile king Gyanendra usurped power. Since 2008, the country has been a constitutional republic.

Despite the change from being a constitutional monarchy to a republic, no Prime Minister has had the opportunity to serve a full term. The late G.P. Koirala had the longest tenure as PM, three years and 188 days between 26 May 1991 and 30 November 1994.

Partially, the fact that PMs do not serve their full terms is related to Nepal's coalitional politics due to a fractured polity, that has become more diverse since 2008 and since the promulgation of the 2015 Constitution, which guaranteed proportional representation for some seats in the Pratinidhi Sabha (House of Representatives). While there have been 30 tenures for PMs in the last 34 years, only 13 individuals have served as PMs.

But the frequent changes in government with tenures far shorter than the full five years means that Nepal has one of the most unstable governments. San Marino has had the highest number of tenures—62 with an average tenure of six months, but this is by design as heads of government serve six-month terms. Bosnia-Herzegovina is second with 35 terms, but the nation's presidency is a three-member collective body, whose chairperson rotates every eight months or so.

Nepal leads all countries with non-mandated "completed" tenures—25, with each tenure averaging only 14.72 months or nearly a year and three months only. The repeated changes in government and what is perceived as a "game of thrones" in Nepal has meant that the promise of a stable, democratic and federal republic order, envisaged by the two Jan Andolans—one in 1989-90 and the other between 2005 and 2008—resulting in a popularly elected Constituent Assembly, has been belied so far. This has led to some, such as former PM Baburam Bhattarai, suggesting the need for a directly headed head of government (President) to ensure a stable term for the executive.

## POLITY &amp; GOVERNANCE

**On political representation of women**

In the recently concluded general elections in the U.K., a record 263 women MPs (40%) have been elected to the House of Commons. The South African National Assembly has around 45% women representation, while the U.S. House of Representatives has 29%. Universal suffrage was achieved in various parts of the world after prolonged political movements. New Zealand as a self-governing unit under British rule was the first to grant universal women suffrage in 1893. The U.K., itself provided all its women the right to vote only in 1928. The U.S., granted equal voting rights through the nineteenth amendment only in 1920.

What about women representatives in independent India?

India as a sovereign republic provided the right to vote for all its women right from the first general elections in 1952. The percentage of women MPs in the Lok Sabha had been very low between 5% and 10% till 2004. It rose marginally to 12% in 2014 and currently stands at 14% in the 18th Lok Sabha. The representation in State Legislative Assemblies is even poorer with the national average being around 9%.

The 73rd and 74th amendments of the Constitution in 1992/1993, provided for one-third reservation for women in panchayats and municipalities. However, attempts between 1996 and 2008 to provide similar reservation in the Lok Sabha and assemblies were unsuccessful.

How do women MPs fare worldwide?

Women representation in parliament varies across different democracies. It is a perennial issue to promote higher representation for women who constitute half the population in all countries. The important methods used across the world to ensure higher representation of women are (a) voluntary or legislated compulsory quotas for candidates within political parties and (b) quota in parliament through reservation of seats. Quotas within political parties provide more democratic choice to voters and allows flexibility to parties in choosing women candidates. Opponents of having a reserved quota in parliament for women argue that it would be seen as women not competing on merit. As the seats reserved for women would be rotated after each delimitation, it may also reduce the incentive for MPs to work hard to nurture their constituencies. Countries like Bangladesh and Pakistan that have quotas in parliament fare poorer than countries with political party quotas.

What is the 106th amendment?

As on April 2024, India ranks 143 in the list of countries in the 'Monthly ranking of women in national parliaments' published by the Inter-Parliamentary Union, a global organisation for national parliaments. The Trinamool Congress has the highest proportion of women MPs in the current Lok Sabha at 38%. The ruling Bharatiya Janata Party and principal Opposition Congress party have around 13% each. Naam Tamilar Katchi, a State party in Tamil Nadu, has been following a voluntary quota of 50% for women candidates in the last three general elections.

However, voluntary or legislated quotas within political parties are unlikely to yield the desired representation in our country. The Parliament passed 106th constitutional amendment, in September 2023, provided for one-third reservation of seats for women in the Lok Sabha and State legislative assemblies. This would ensure a fair representation of women in legislatures that would increase



gender sensitivity in parliamentary processes and legislation.

This reservation shall come into effect based on the delimitation exercise after the relevant figures of the first Census conducted after the commencement of this act is published. Hence, the Census which is overdue since 2021 should be conducted without any further delay to ensure that this reservation is implemented starting with the general elections in 2029.

## POLITY & GOVERNANCE

### What does Maharashtra's Public Security Bill stipulate?

On July 11, the Bharatiya Janata Party (BJP)-led MahaYuti government tabled the Maharashtra Special Public Security (MSPS) Act, 2024, aimed at curbing the 'menace of Naxalism' in urban areas. The provisions of the proposed Bill, which allows the State to declare any organisation as 'unlawful' with offences categorised as cognisable and non-bailable. The Maoist-hit States of Andhra Pradesh, Telangana, Chhattisgarh and Odisha have already implemented Public Security Acts to prevent unlawful activities.

#### Why was the Bill proposed?

According to Deputy Chief Minister Devendra Fadnavis, Naxalism is not limited to rural areas, but is increasing in urban areas through frontal organisations. These active frontal organisations of Naxal groups give constant and effective support in terms of logistics and safe refuge to its armed cadre. Citing 'safe houses and urban dens of the Maoist network in the cities of Maharashtra,' such unlawful groups 'propagate their ideology of armed rebellion against the constitutional mandate and disrupt public order in the State. The unlawful activities of such frontal organisations need to be controlled through effective legal means

and that existing laws are ineffective to tackle the issue. The government considers it expedient to enact a special law for more effective prevention of unlawful activities," said Mr. Fadnavis, who is also the guardian minister of the Naxal-affected Gadchiroli bordering Chhattisgarh and Telangana.

#### How different is it from the UAPA?

The Unlawful Activities (Prevention) Act, 1967 (UAPA) is invoked in cases related to Naxalism and terrorism empowers the state to classify organisations as 'unlawful associations.' However, in the MSPS Act, an advisory board of three persons who are or have been qualified to be appointed as judges of the High Court shall oversee the confirmation process, while under UAPA, a tribunal led by a High Court judge verifies the State's declaration.

In addition to the UAPA, the State also enforces the Maharashtra Control of Organised Crime Act, 1999 (MCOCA) to address perceived extreme situations involving individuals labelled as 'urban Naxals'. If the proposed legislation is passed, it would allow the State police and security agencies to arrest individuals without a warrant and often without informing them of the charges. All offences under this Act would be cognisable and non-bailable.

#### What are its key provisions?

The MSPS Act empowers the State to designate any suspected 'organisation' as an 'unlawful organisation' and outlines four offences for which a person may be penalised — (i) being a member of an unlawful organisation, (ii) being a member and raises funds for an unlawful organisation or harbours any member of the unlawful organisation, (iii) whoever manages or assists in the management of an unlawful organisation, or promotes or assists in promoting a meeting, and (iv) whoever commits or abets or attempts to commit or plans to commit any unlawful activity. These offences carry sentences ranging from two to seven years, along with fines between ₹2 lakh and ₹5 lakh.



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