

THE HINDU

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With Practice Questions

By Prashant Tiwari



16 May, 2022



सपना एक देखोगे
मुश्किलें हजार आयेंगी,
लेकिन वो मंजर बड़ा
खूबसूरत होगा,
जब कामयाबी शोर
मचाएगी।



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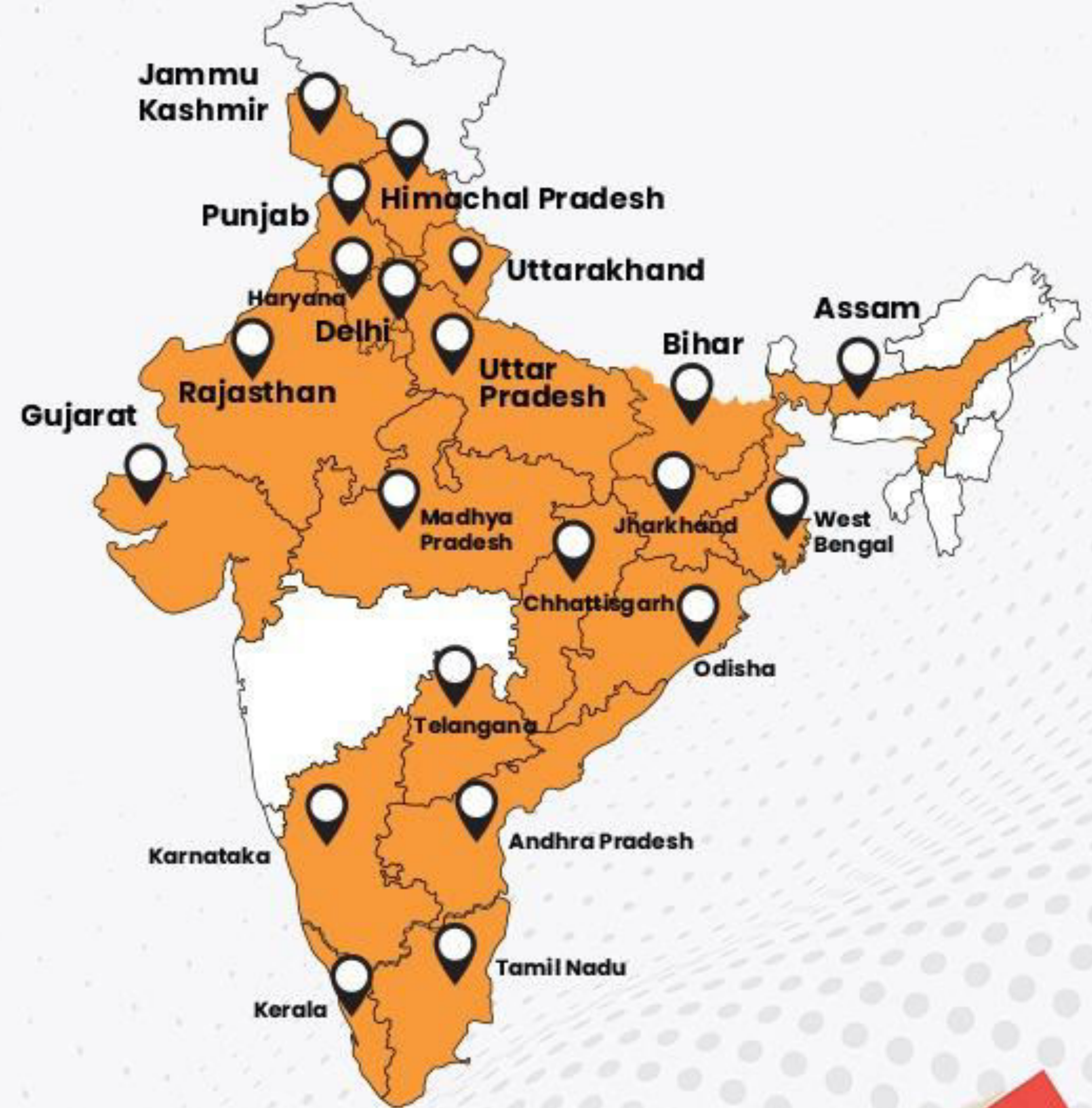


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In abeyance of Section 124A, a provisional relief

However, there could be a negation if governments are allowed to replicate their use of sedition through other statutes



SUHRITH PARTHASARATHY

In a brief order delivered in *S.G. Vombatkere vs Union of India*, a three-judge Bench of the Supreme Court of India effectively suspended the operation of Section 124A of the Indian Penal Code. The provision, which criminalises sedition, has been used by successive regimes, including by governments post-Independence, to suppress democratic dissent. Previously, during oral hearings, the Bench, presided by the Chief Justice of India, Justice N.V. Ramana, had indicated that it was of the view that the law was an anachronism, a colonial-era relic. Now, through an order on May 11, the Court has directed governments, both at the level of the Union and the States, to keep “all pending trials, appeals and proceedings” arising out of a charge framed under Section 124A “in abeyance”.

Basis of reconsideration

This direction was issued after the Union government filed an affidavit informing the Court that it had decided to re-examine the law. The deposition, by itself, offered no firm commitment on whether the Government would, in fact, recommend to Parliament a complete removal of Section 124A. But the Bench believed that the offer to reconsider the provision, if nothing else, showed that the Government was in broad agreement with the Court’s *prima facie* opinion on the matter, that the clause as it stands “is not in tune with the current social milieu, and was intended for a time when this country was under the colonial regime”.

Nestled inside a chapter in the

penal code dealing with “Offences against the State”, Section 124A defines sedition as any action – “whether by words, signs, or visible representation” – which “brings or attempts to bring into hatred or contempt or excites or attempts to excite disaffection towards the Government established by law in India”. The word “disaffection”, the provision explains, “includes disloyalty and all feelings of enmity”. The section carries with it the prospect of life in prison. What is more, right from its inception, the offence has been treated as non-bailable. This means that a person arrested without trial has no inherent right to bail. He or she must apply to a judge to seek release.

Munshi amendment ignored

As is only too evident, the law was always meant to be used as a restraint on dissent, to crush any and every form of opposition aimed at the government. Indeed, it was by pointing to these repressive features and to the trials of Bal Gangadhar Tilak and Mohandas Gandhi that K.M. Munshi argued so forcefully in the Constituent Assembly to delete the use of the “equivocal” word “sedition” as a permitted restriction on free speech. Should the word not be deleted from the Draft Constitution, Munshi said, an “erroneous impression would be created that we want to perpetuate 124-A of the I.P.C.”.

Munshi’s amendment sailed through. The adopted Constitution did not permit a restriction on free speech on the grounds of sedition. But despite this, governments across India continued to charge people with the offence. In the 1950s, two different High Courts struck down Section 124A as offensive to freedom. But, in 1962, in *Kedar Nath Singh vs State of Bihar*, a five-judge Bench of the Supreme Court reversed these verdicts. The Court paid no heed to



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the debates that informed the Constituent Assembly. Instead, it found that Section 124A was defensible as a valid restriction on free speech on grounds of public order. However, while upholding the clause, the Court limited its application to “acts involving intention or tendency to create disorder, or disturbance of law and order, or incitement to violence”.

Quite apart from the limitations that it read in – which are by themselves ill-defined – the decision ignored the otherwise wide amplitude of the words used in Section 124A. It failed to recognise that terms such as “disaffection towards the government”, which are fundamentally vague, ought to have no place in a penal statute, and that, all along, the intention behind criminalising sedition was to quell the right to dissent. A supposed circumscription of the ambit of the offence was, therefore, never going to be effective.

Marginalised most affected

Since then, in its application by law enforcement – and indeed by judges hearing petitions for bail – the limitations imposed in *Kedar Nath Singh* have rarely been observed. And in recent years, we have seen an enhanced exploitation of the law, where even the most benign acts of opposition have been met with a charge of sedition. As is often the case with

abuses of this kind, it is the most marginalised sections of society that have faced the brunt of the harm.

An altered landscape

It is no doubt true that a law cannot be invalidated merely because it has been subject to misuse. But in the case of sedition, the rationale for the decision in *Kedar Nath Singh* and the survival of Section 124A have both become untenable with time. Since 1962, when the judgment was handed out, the Supreme Court’s reading of fundamental rights has undergone a transformative change. For instance, the Court has, in recent times, struck down penal laws on grounds, among other things, of imprecision in their language, and of the chilling effect that the restrictions have on free speech. Moreover, since 1973, sedition has also been treated as a cognisable offence; that is, the police can arrest persons suspected of having committed the offence without a warrant.

The altered landscape meant that when fresh challenges were mounted against Section 124A, the time to reconsider *Kedar Nath Singh* had clearly arrived. This reconsideration could have been done in different ways. The Court could have constituted a Bench of five judges to take a formal call on whether the judgment required express overruling. Alternatively, the Court could have treated its earlier verdict as a ruling rendered *per incuriam*; that is, as a decision that was rendered in ignorance of binding precedent and law.

How then, one might ask, could the Court have granted a temporary suspension of the provision? This the Bench did based on the Union government’s affidavit indicating a willingness to re-examine Section 124A. The affidavit allowed the judges to temporarily halt their exercise of judicial review and to issue instead an interim or-

der of the present kind: where the provision will be kept in abeyance until the Government, and Parliament, take a final call on the matter. To be sure, the Government has offered no plain pledge on what it might eventually choose to do. This only means that should the state choose to retain the law the Court can still step in.

In the long run, the decision in *Kedar Nath Singh* will require a clear disavowal. But in nullifying Section 124A, albeit for the present, the Court has provided provisional relief – allowing those accused of the offence to both seek bail in terms of the order, and to have their trials frozen.

“The essence of democracy,” as Munshi put it in the Constituent Assembly “is criticism of government.” The sedition law disregards this core spirit. It criminalises censure and opposition and it enervates, to the point of exhaustion, the basic structure of a democratic republic.

What the laws must have

If we have indeed seen the back of Section 124A we must see it as a success for freedom. But this result will be meaningless if our governments are allowed to replicate their use of sedition through the invocation of other statutes, on equally baseless grounds – various preventive detention laws and the Unlawful Activities (Prevention) Act, among others, have been repeatedly deployed as a means not merely to protect the country’s security but also to crack down on genuine acts of peaceful dissent and opposition. To protect our democracy, we must ensure that the constitutional guarantees to personal liberty and freedom do not go in vain. For that, each of our penal laws must be animated by a concern for equality, justice, and fairness.

Suhrith Parthasarathy is an advocate practising in the Madras High Court

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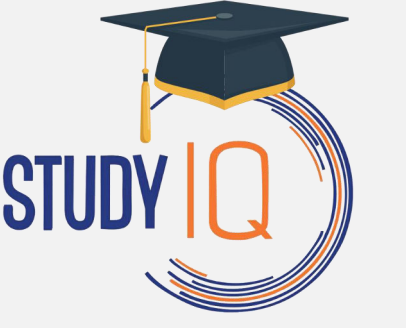
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This Delhi High Court split verdict needs to be resolved

The line of reasoning on the marital rape exception and protection of the institution of marriage is problematic



SHRADDHA CHAUDHARY

A division Bench of the Delhi High Court recently delivered a split verdict on whether exception two to Section 375 of the Indian Penal Code, i.e., marital rape exception, is unconstitutional. This exception states that sexual acts by a man with his adult wife are not rape.

The two judgments discuss several important issues in coming to their diametrically opposed decisions. Due to space constraints, I will focus on the analyses in both opinions of the constitutionality of the exception in terms of Article 14 of the Constitution of India (right to equality before the law and equal protection of laws). This right does not absolutely preclude differential treatment of two classes of persons. It seeks only to ensure, simply speaking, that like classes are treated alike.

One of the tests under Article 14 is that of reasonable classification, which has two prongs. First, where two classes of persons (say adults and children) are treated differently, it must be established that they are indeed distinguishable from each other. This is the condition of intelligible differentia. Second, there should be a rational nexus, or logical relation-

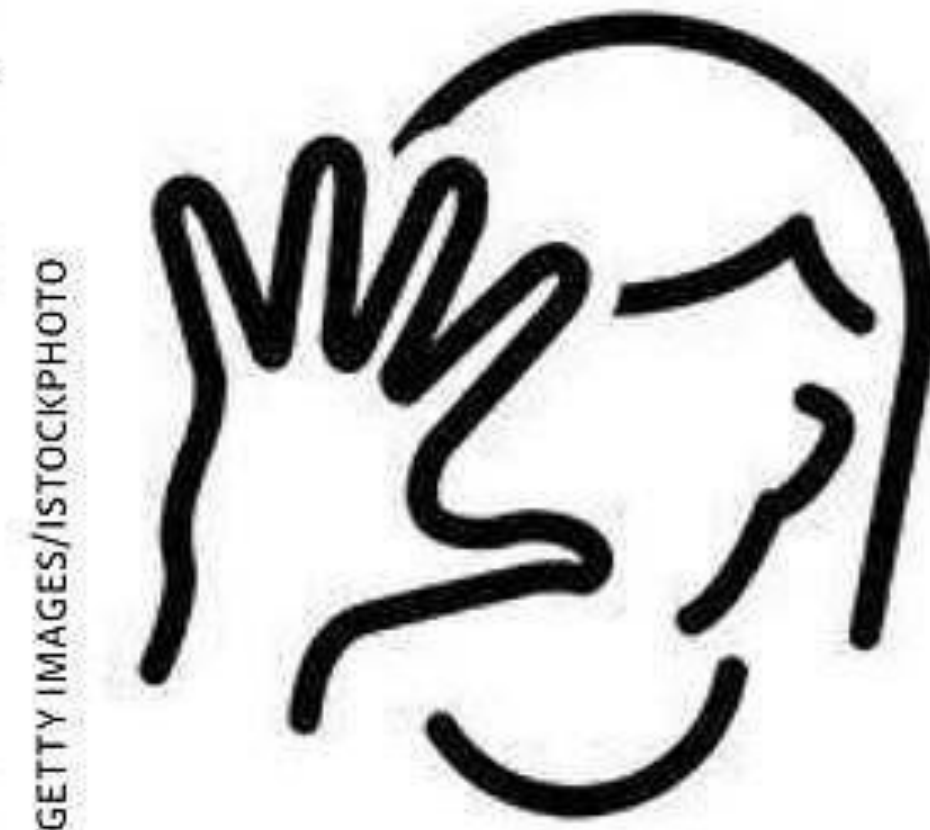
ship, between a law which treats the two classes differently (say, by prohibiting children from performing dangerous labour) and the object or purpose of the law (the protection of children).

The intelligible differentia

In this case, the intelligible differentia of marital rape exception is, by agreement, between married and unmarried women. Per Justice Rajiv Shakti, marital rape exception fails the second condition. The object of the law, he concludes, is to punish certain sexual acts when done without consent. In this view, what defines the wrong of rape is its harmful nature and the lack of consent. To this object, he finds marriage irrelevant. For him, a woman who faces non-consensual sexual acts has been raped, regardless of her relationship with the perpetrator. Since there is no rational nexus between the differentia (married and unmarried women) and the object of the law (punishing non-consensual sexual acts), marital rape exception fails the test of reasonable classification and must be struck down as unconstitutional.

The learned judge rightly observes, furthermore, that in applying this classification test, courts must not lose sight of the substance of Article 14, which is equal protection of laws. In going through the motions of the test, therefore, courts should not validate inequality or discrimination.

Per Justice C. Hari Shankar, though the object of the main pro-



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vision is, indeed, to punish acts of rape, the object of marital rape exception is to keep the 'taint' of the allegation of rape outside the marital sphere, and thereby protect the institution of marriage. In light of this object, he concludes, the differential treatment of married and unmarried women is not unconstitutional. However, no reasons are given as to why, if marital rape is recognised, the institution of marriage would be threatened. The experiences of countries where the offence is recognised give no evidence of a weakening or destruction of marriage or, more importantly, a causation between the ability of wives to prosecute their husbands for rape and the weakening or destruction of marriage. How, then, is the nexus rational?

Circular line of reasoning

Moreover, according to this opinion, all non-consensual sex cannot be considered rape because the marital rape exception takes sexual acts within marriage outside the purview of the offence and label of 'rape'. Marriage, with-

in which there is a 'legitimate' expectation of sex, materially changes the nature of the act in this view, although the opinion does not explain why it is 'legitimate expectation' and not consent which ought to determine the nature of sex in marriage. Surely, as the honourable judge himself affirms, there can be no legitimate expectation of forced sex. Though he agrees that women's sexual autonomy deserves respect, and any legitimate expectation of sex within marriage ends where her rights to sexual autonomy and bodily integrity begin, he does not think that this means that non-consensual or forced sex within marriage ought to be rape.

This is a circular and inconsistent line of reasoning. The existence of the exception itself upholds the reasonableness and constitutionality of the exception. Consider, if murder was legally defined as intentional killing, and an exception stated that no intentional killing on Mondays would be murder. Would it not be circular, when examining the reasonableness of this exception, to say that it is perfectly valid on the ground that the exception itself removes a class of intentional killings from the ambit of the offence of murder and, therefore, these intentional killings cannot be equated with other intentional killings? Likewise, autonomy (meaning self-governance) is axiomatically antithetical to force. If I can be forced or otherwise compelled to do what is against my will or without my con-

sent by another, my right to self-govern is extinguished. Marriage has nothing to do with this.

A negation of autonomy

On such a line of reasoning, the honourable judge makes a seriously problematic assertion: that rape by a stranger is worse than rape by a husband. The assertion flattens the diversity of experiences of rape survivors without an iota of evidence in its support. Non-consensual or forced sex within marriage may be culturally normalised and legally validated, but there is no forgone conclusion that marriage makes the experience of 'non-consensual/forced sexual acts' less wrong or harmful. In fact, forced sexual acts by a person who is meant to love you and who has constant access to your body because of the proximity of marriage, can be worse. The physical violation can be aggravated by breach of trust, fear of continuing violation of bodily integrity and the perversity of being in an intimate relationship with a person who wilfully negates your sexual autonomy.

The consequence of this split verdict is a legal stalemate. We can only hope now, that the matter will be resolved by the Supreme Court of India, or preferably by Parliament itself.

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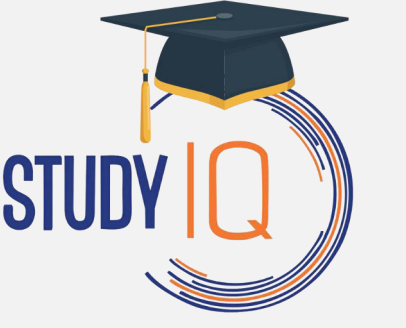


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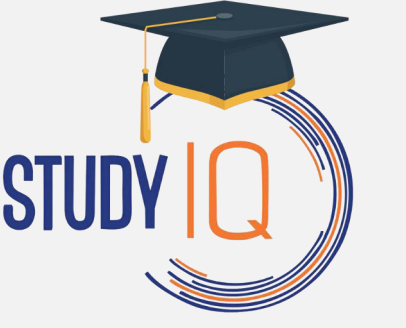
Fuel to fire

The focus must be on Russia ending the war and not on expanding NATO

Russia invaded Ukraine on February 24 apparently to stop NATO's further expansion into its neighbourhood. But in less than three months, the same invasion has pushed two countries in that neighbourhood to consider NATO membership. Last week, the Prime Minister and President of Finland, which has stayed neutral since the end of the Second World War, said they hoped their country would apply for NATO membership "without delay". Sweden, which has stayed out of military alliances for 200 years, stated that NATO membership would strengthen its national security and stability in the Baltic and Nordic regions. If these two countries now formally apply for membership, it would be the biggest strategic setback for Russian President Vladimir Putin whose most important foreign policy focus has been on weakening NATO. Particularly alarming for Russia is the case of Finland, with which it has a hostile past. Stalin invaded Finland in 1939 demanding more territories. Though the Red Army struggled in the initial phase of the war, it forced Finland to sign the Moscow Peace Treaty, ceding some 9% of its territory. But a year later, the Finns, in an alliance with the German Nazis, attacked the Soviet troops. Peace was established along the 1,340-km Finnish-Russian border after the Nazis were defeated in the Second World War. Now, Ukraine appears to have deepened the security concerns of Finland and Sweden.

It is still not clear whether these countries would be inducted into NATO any time soon. Within the alliance, decisions are taken unanimously. Turkey has already expressed its opposition to taking the Nordic countries in. While the U.S. and the U.K. are pushing for NATO's expansion, Germany and France have taken a more cautious line. Hungary, which has deep ties with Russia and has already held up the EU's plan to ban Russian oil imports, has not made its views clear. But the mere declaration of intent by Finland and Sweden to join NATO has sent tensions in Europe soaring, with Russia threatening 'military and technical' retaliation. Normatively speaking, Finland and Sweden are sovereign countries and free to take decisions on joining any alliance. It is up to NATO to decide whether they should be taken in or not. But a bigger question these countries as well as Europe as a whole face is whether another round of expansion of NATO would help bring in peace and stability in Europe, particularly at a time when the continent is facing a pre-First World War-type security competition. It would escalate the current crisis between nuclear-armed Russia and NATO to dangerous levels. Already the several rounds of NATO expansion and Russia's territorial aggression have brought the world to its most dangerous moment since the 1962 Cuban missile crisis. Russia should immediately halt the war and all the stakeholders should focus on finding a long-term solution to the crisis.

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About North Atlantic Treaty Organization:

- It is **an intergovernmental military alliance.**
- Established by **Washington treaty.**
- Treaty that was **signed on 4 April 1949.**
- **Headquarters** — Brussels, Belgium.
- **Headquarters of Allied Command Operations** — Mons, Belgium.

The importance of Lumbini

Modi's visit is political and strategic and is an opportune time for India to do much more in the region



RANJIT RAE

Prime Minister Narendra Modi's visit to Lumbini, Nepal, though only for a few hours, is full of symbolism and substance. No Indian Prime Minister has visited Lumbini in the last few decades. Mr. Modi's visit is a combination of personal desire and political and strategic goals. For him, it is the fulfilment of a wish articulated in 2014 when he first became Prime Minister. Since he could not travel to Lumbini during his previous visits to Nepal, as Ambassador, I planted, on his behalf, a sapling of the sacred Bodhi tree in the gardens of the Maya Devi temple where Gautama Buddha was born.

Amid the strife and turmoil and the anger and hatred that we see in society, the Prime Minister's visit also provides a moment for quiet reflection and a reiteration of the message of peace, compassion and non-violence preached by the Buddha and spread by the roaring lions in the four directions, as depicted in the Lion Capital of Ashoka, our national emblem – a message that calls for shunning extremes in ideology and thought and following the middle path forged through tolerance, dialogue and debate, and reconciliation and consensus.

The birthplace of the Buddha

The visit is political, since it will, hopefully, put to rest the unnecessary debate on whether the Buddha was born in Nepal, which, for Nepal, is a sensitive issue. Any assertion to the contrary results in anti-India demonstrations in a country whose national identity is tied to Lumbini, the birthplace of the Buddha.

It is strategic, in the face of the growing presence of China in Lumbini, which is close to the Indian border; the largest monastery has been built by the Chinese who sponsor and support international conferences on Buddhism in Nepal as well as the massive celebrations on Buddhist festivals such as Vesak. In pre-COVID-19 times, there was a steady flow of Chinese tourists to Lumbini and



Pilgrims meditate at the wall below the nativity scene in the Maya Devi Temple in Lumbini, Nepal. ■ AFP

reports about potential Chinese investments in the region. The Chinese are leaving no stone unturned to exploit the soft power potential of Buddhism, a fast-growing religious tradition that has half-a-billion adherents (largely in East and Southeast Asia). During a visit to Myanmar some years ago, this writer saw huge crowds in the capital city Yangon, which was decked up for the occasion. They were waiting patiently for a glimpse of Buddhist relics from China.

India is home to some of the most sacred sites of Buddhism: the place of Lord Buddha's enlightenment, Bodh Gaya; of his first sermon, Sarnath; and of his Mahaparinirvana, Kushinagar. And this is not counting Shravasti, where the Buddha preached for many years; Nalanda; and Rajgir, among several others. Unfortunately, India remains largely unrepresented in Lumbini, but for a small museum building that was constructed with Indian assistance in the late 1990s. A proposal for a 'sound and light show' remains in limbo.

Lumbini is home to beautiful monasteries from several countries. The first foreign monastery in Lumbini was built by a Vietnamese monk, Thay Huyen Dieu. He subsequently built another one in Bodh Gaya. (In large part, due to his efforts, a visit to Bodh Gaya has become *de rigueur* for every visiting communist politician from Vietnam.) India does not have a monastery in Lumbini. Mr. Modi's visit is an opportune time to remedy the situation and announce

the establishment of an Indian monastery.

There is much else that India can do in Lumbini. More than 50 years ago, United Nations Secretary-General U Thant had set up an international committee for the development of Lumbini. A master plan was developed by the Japanese architect Kenzo Tange. Since then, Nepal has been implementing the plan, albeit at a lethargic pace. From time to time, Nepalese leaders have talked about reviving the committee to inject more dynamism into the project. India could assist them in this regard.

Both Lumbini and the Mahabodhi Temple in Bodh Gaya are UNESCO World Heritage sites – they are to Buddhists what Mecca is to Muslims or Kashi is to Hindus, and should be visited at least once in a lifetime. However, the footfalls of Buddhist pilgrims remain low. For years there has been talk about developing a Buddhist circuit with seamless connectivity and comfortable travel between the major pilgrimage sites in Nepal and India. Unfortunately, talk has not fully translated into action. Though the roads network on the Indian side is much better today, the link roads connecting Nepal with the Indian highway system need to be upgraded. It is a nightmare to cross the Sunauli-Bhairahawa India-Nepal check post along the Uttar Pradesh-Nepal border that is designated for tourists. Perhaps travel by road, rather than helicopter, would give the Prime Minister an idea of the poor state of border infrastructure and im-

migration and other facilities in the area. Of course, now with the construction of airports in Kushinagar (India) as well as Bhairahawa (Nepal) travel would be easier. Speedy construction of the integrated check post would also boost tourism and the local economy.

Developing the Buddhist circuit

While there is a master plan to develop Lumbini, the absence of one is glaring in Bodh Gaya. Bodh Gaya has developed in an unplanned fashion with the secular and the sacred jostling cheek by jowl; it is like any other small town in India – chaotic, dirty and noisy. It is anything but serene. There is an urgent need to adopt a master plan and develop Bodh Gaya as a sacred place for pilgrimage for both Hindus and Buddhists. The relationship between the monasteries of foreign countries in Bodh Gaya and the local communities is fraught. A high-level coordination committee comprising representatives of State and Central governments as well as of foreign monasteries should be set up to resolve problems. The monasteries are headed by monks who are greatly revered in their home countries and should be treated with respect and reverence. Bodh Gaya can also learn from the experience of Lumbini with the establishment of a twinning arrangement between the two towns. Efforts should be made for the entire Buddhist circuit, namely Lumbini-Bodh Gaya-Sarnath-Kushinagar, to be declared a UNESCO World Heritage Site with master plans for each segment of the circuit.

India can also take the initiative to organise an international conference on the development of the Buddhist circuit; this will give a sense of participation and ownership to Buddhist countries. This could be a joint initiative of India and Nepal. India can also establish an international museum of Buddhist traditions in Bodh Gaya and invite all Buddhist countries to participate.

If we implement some of these suggestions and improve infrastructure in the area, millions of devotees who wish to walk in the footsteps of the Buddha would be forever grateful.

Ranjit Rae is the author of 'Kathmandu Dilemma: Resetting India-Nepal Ties' and a former Ambassador to Nepal

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The birthplace of the Buddha

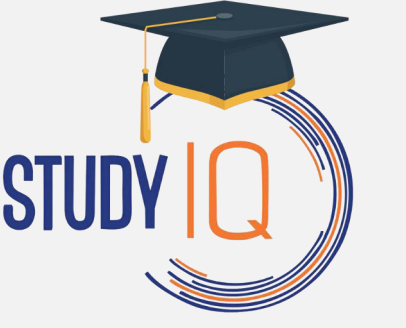
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•Life of Buddha

- Buddha is also called as **Sakyamuni or Thathagata**. He is considered as the founder of **Buddhism**. He was born as Siddhartha to **Suddhodhana**, the ruler of **Sakyan republic**, and his wife **Maya**, on **Vaisaka Purnima** in the **Lumbini** gardens near **Kapilvastu** in the 6th century BC
- Siddhartha married **Yashodhara** and had a son **Rahula**. His luxury life left him dissatisfied and he was troubled by the signs of sickness, old age and death that he observed in the worldly life.
- At the age of 29, he decided to leave the palace in search of peace and understanding of the world's ills.
- At the age of 35, again on **Vaisaka Purnima**, he attained enlightenment at what is now famously known as **Bodh Gaya**. He gave his first sermon in a deer park at **Sarnath** before his first disciples
- **Buddha attained Mahaparinirvana at Kusinara**



The road to safety

The onus for disciplining traffic on roads lies as much on citizens as it does on the government



ASHISH KUNDRA

Road safety is an issue of universal concern. All of us are road users. Yet, it barely captures our attention, except when it involves a celebrity hit-and-run case. The statistics are startling. Every year, mega Indian cities witness nearly 50,000 accidents. A quarter of them are fatal. More than half of these are on account of over speeding and a quarter due to dangerous driving. Nearly half of those who lose their lives are pedestrians. Almost half of these avoidable deaths are due to collisions with buses and trucks. The burden of death is borne by the young. The opportunity cost of lost human lives is immense.

Lessons from trials

In the case of New Delhi, road deaths peaked in 2009. Since then, they have gradually tapered despite burgeoning numbers of vehicles. This improvement came on the back of commendable interventions by the Delhi Police on black spots, traffic calming measures, and enhanced enforcement. The Delhi government has now initiated a drive to enforce lane discipline, starting with strict compliance on the bus lane. This required a reorientation in approach by all road users. Buses, like big bullies, hitherto had a free run. Now, deviations from the lane invite harsh penalties. Trials over the last one month have thrown up several lessons.

First, it would be useful to look at the skill sets of Indian drivers. A learner's license, issued after a test on a basic understanding of road signages and traffic rules, is the first requirement. A driving skill test confirms the ability of the driver to wield the wheel. A sense of entitlement, especially among the elite, makes them look for shortcuts. Going to a test track is considered infra dig. A word with a friendly official helps, or in some cases the unscrupulous tout swings into action. Delhi now has automated driving test centres, which have reduced the margin of human intervention. Consequentially, failure rates (about 40%) are far higher than other cities. Even so, a mere skill test doesn't equip a person with driving etiquette – sticking to the lane; signalling while turning; maintaining speed and traffic signals; and respecting the rights of pedestrians, overtaking norms and parking rules. The gap between a lab environment test and reality leaves much to be desired. Perhaps an addi-

tional step of mandatory simulator tests and psychological evaluation could be embedded in the regulatory framework – more so for drivers of heavy transport vehicles.

The second aspect is the amenability of road design to accommodate all users fairly. Buses must stick to their lanes and stop at designated bus stops. This would require a free passage in the bus lane, which people tend to clutter by parking their vehicles or street vendors use for brisk sales. Auto rickshaws and taxis encroach on the bus shelter, soliciting passengers on their way home. Clearly, our roads need to make spaces for all users – pedestrians/cyclists, buses, other vehicles – and designate pick-up and drop-off points for taxis and auto rickshaws. This entails re-modelling our roads with intuitive road designs and signages, which mark out different zones of road usage. A pilot stretch has been redesigned collaboratively with IIT Delhi.

Enforcement of traffic discipline involves multiple agencies – the road-owning agency, the municipal body, the traffic police and the transport enforcement wing. Most drivers stick to the lane, unless forced by impediments, given the deterrence of heavy penalties. Private vehicle users also need to abide by these rules. Similarly, speeding cameras installed by traffic police in the city, with the automatic number plate recognition system, saw a spike in the number of challans and a slowdown of vehicles in the city. Technology tools and deploying artificial intelligence would introduce necessary deterrence for traffic violations.

Using public transport

The propensity of people to use personal vehicles instead of public transport also adds to the chaos. Some of this is attributable to need for improvement in efficiencies of public transport, but partly on account of personal choices. Delhi has the highest per capita registration of personal vehicles – nearly 110 cars per 1,000 people, as against a national average of 25. At one level, there is a need to introduce Mobility as a Service (MaaS) solutions, which integrate all options of public mobility on a common digital platform. A commuter could then choose to hop onto a bus, metro, a cab or an auto. A government-backed digital aggregator of all mobility options would make public transport more efficient and provide inbuilt solutions for last-mile and first-mile connectivity.

Disciplining traffic on roads is a mammoth exercise in collective behavioural change. The onus of change lies as much on citizens as on the government.

Ashish Kundra is Principal Secretary Transport, Government of Delhi. Views are personal

The onus for disciplining traffic on roads lies as much on citizens as it does on the government

Every year, mega Indian cities witness nearly 50,000 accidents.

First, it would be useful to look at the skill sets of Indian drivers.

The second aspect is the amenability of road design to accommodate all users fairly.

Delhi has the highest per capita registration of personal vehicles — nearly 110 cars per 1,000 people, as against a national average of 25.



Rajiv Kumar takes charge as Chief Election Commissioner

Pg no. 11 GS 2

He will preside over the 2024 Lok Sabha election

SPECIAL CORRESPONDENT

NEW DELHI

Election Commissioner Rajiv Kumar on Sunday assumed charge as the 25th Chief Election Commissioner (CEC).

Mr. Kumar succeeds Sushil Chandra, who retired on Saturday.

After assuming charge, Mr. Kumar said a lot had been done over the past 70 years by the Election Com-



Rajiv Kumar taking charge as the CEC in New Delhi on Sunday. ■ PTI

mission of India (ECI) to ensure free and fair elections. "The Commission will follow the time-tested and de-

mocratic methods of consultations and consensus-building in bringing about any major reforms responsible under the Constitution. ECI will not shy away from taking tough decisions," he said.

Mr. Kumar added that technology would be used further to simplify processes and to bring about transparency and ease of voter services.

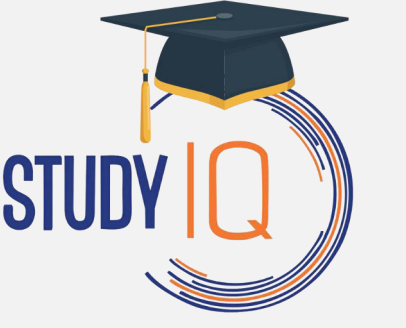
A former Finance Secretary, Mr. Kumar will preside over the 2024 Lok Sabha election as his tenure as the CEC is till February 2025.

- **About the Election Commission of India:**

The Election Commission of India (ECI) is an autonomous constitutional authority responsible for administering Union and State election processes in India.

- **It was established in accordance with the Constitution on 25th January 1950 (celebrated as national voters' day). The secretariat of the commission is located in New Delhi.**
- **The body administers elections to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the offices of the President and Vice President in the country.**

- **Appointment & Tenure of Commissioners:**
 - **The President appoints CEC and Election Commissioners.**
 - **They have a fixed tenure of six years, or up to the age of 65 years, whichever is earlier.**
 - **They enjoy the same status and receive salary and perks as available to Judges of the Supreme Court (SC) of India.**



MAP Based Question:- Where Koilastila Gas field is Located?

Prelims Practice

With reference to the reorganization of states, consider the following statements:

1. Under Article 3, the Parliament's power to diminish the areas of a state includes the power to cede Indian territory to a foreign state.

2. Any bill contemplating the changes can be introduced in the Parliament only with the prior recommendation of the President.

Which of the statements given above is/are **NOT** correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

राज्यों के पुनर्गठन के संदर्भ में निम्नलिखित कथनों पर विचार कीजिए:

1. अनुच्छेद 3 के तहत, एक राज्य के क्षेत्रों को कम करने की संसद की शक्ति में भारतीय क्षेत्र को एक विदेशी राज्य को सौंपने की शक्ति शामिल है।

2. परिवर्तनों पर विचार करने वाला कोई भी विधेयक राष्ट्रपति की पूर्व सिफारिश से ही संसद में पेश किया जा सकता है।

ऊपर दिए गए कथनों में से कौन-सा/से सही नहीं है/हैं?

- (A) केवल 1
- (B) केवल 2
- (C) 1 और 2 दोनों
- (D) न तो 1 और न ही 2

Mains Practice Question:

**Increasing Inflation in rural area has larger consequences in India. Explain.
(150 Words)**

**ग्रामीण क्षेत्र में बढ़ती मुद्रास्फीति का भारत में व्यापक परिणाम है। समझाना।
(150 शब्द)**

**Have you written today's answer at -
<https://www.upsciq.com/upsc-answer-writing/>**

About the gas field-

- **Kailashtilla Gas Field** is a natural gas field at **Sylhet, Bangladesh**.
- It was discovered in **1962** by **Pakistan Shell Oil Company**.





Answer: (a) I only

Explanation:

Statement 1 is incorrect: The power of Parliament to diminish the area of a state (under Article 3) does not cover cession of Indian territory to a foreign country. Hence, Indian territory can be ceded to a foreign state only by amending the Constitution under Article 368.

Statement 2 is correct: A bill contemplating the changes of reorganisation of states can be introduced in the Parliament only with the prior recommendation of the President; and before recommending the bill, the President has to refer the same to the state legislature concerned for expressing its views within a specified period.

Answer:-

- **Give a brief introduction about Inflation.**
- **Inflation is at an all time high in the last 8 years.**

Body:

- **Recently inflation is drastically increasing in urban as well as rural areas.**
- **High Inflation in rural areas has greater consequences.**
- **The poor in the rural areas are mostly engaged in labour activity or small peasants or small land holding agricultural labourers who depended on their wages for their livelihood .**
- **The expenditure on the food is increasing whereas the wages remain the same → drive them into indebtedness.**
- **Less Spending on Agriculture → Food Security → More Inflation.**
- **Less Spending on Health Services, Education etc.**

Conclusion:

It will require proactive intervention from the Government to protect the rural population by speeding up vaccination.

At the same time, rural areas will also need greater fiscal support, both in terms of direct income support to revive demand in the economy but also through various subsidies and protection from the rising inflation in input prices.

MAP Based Question:- Where is Majuli Island Located?



Prelims Practice

Consider the following statements with reference to the Preamble:

1. The secular word was originally mentioned in the preamble.
2. The Preamble has been amended two times so far.

Which of the statements given above is/are correct?

- (a) I only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

प्रस्तावना के संदर्भ में निम्नलिखित कथनों पर विचार करें:

1. धर्मनिरपेक्ष शब्द का मूल रूप से प्रस्तावना में उल्लेख किया गया था।
2. प्रस्तावना में अब तक दो बार संशोधन किया जा चुका है।

ऊपर दिए गए कथनों में से कौन-सा/से सही है/हैं?

- (A) केवल 1
- (B) केवल 2
- (C) 1 और 2 दोनों
- (D) न तो 1 और न ही 2

Mains Practice Question:

Regardless of present challenges, the latent resources of the north eastern region can add to the development goals of the country. Elaborate.(150 Words)

वर्तमान चुनौतियों के बावजूद, उत्तर पूर्वी क्षेत्र के अव्यक्त संसाधन देश के विकास लक्ष्यों को जोड़ सकते हैं। विस्तृत। (150 शब्द)

**Have you written today's answer at -
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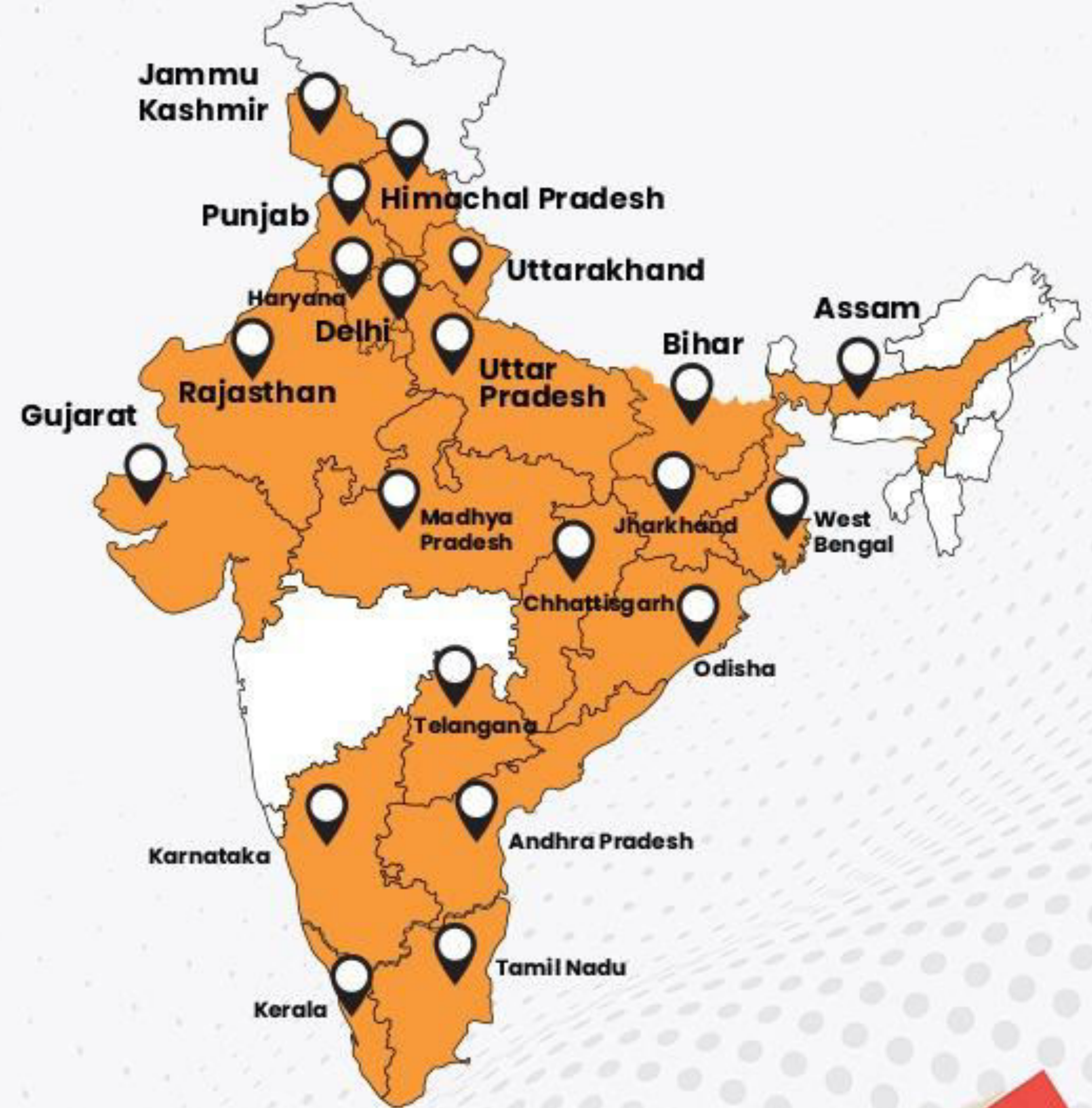


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Thank you

