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By saurabh Pandey



THE HINDU

Target Mains -2025/26 -

Q “Space technology advancement has both economic and military objectives ” Explain

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Q. Depsang and Demchok are involved in disputes between India and China belong to which among the following region.

(The Hindu)

A) Ladakh

B) Sikkim

C) Arunachal Pradesh

D) Uttarakhand

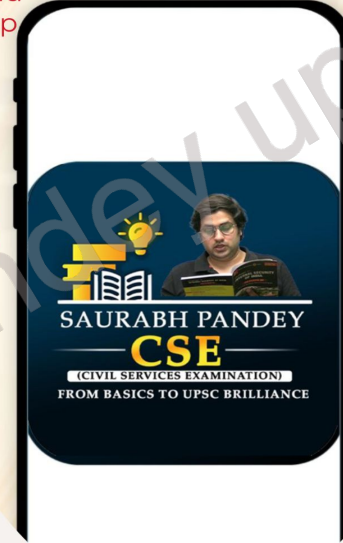
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Topic → ISRO's PSLV C60/SpaDeX Mission Overview



Launch Details

Mission: PSLV C60/SpaDeX

Launch Time: Monday at 9:58 p.m.

Location: Satish Dhawan Space Centre, Sriharikota



Space Docking Experiment

Objective: First attempt at Space Docking Experiment (SpaDeX)

Significance: Demonstrates in-space docking with two small spacecraft



Technological Milestone

Goal: Advance India's space docking capabilities

Importance: Crucial for satellite servicing and interplanetary exploration



Future Missions

Applications: Essential for lunar missions and Indian space station operations



Spacecraft Specifications

Spacecraft: Chaser (SDX01) and Target (SDX02)

Weight: Each approximately 220 kg

Orbit: 470-km circular orbit



Separation and Docking Process

Timeline:

SDX02 separates 15 minutes post-launch

SDX01 follows

Docking expected in the first week of January



Additional Payloads

Payloads: 24 PS4-Orbital Experiment Module payloads

Summary: ISRO's PSLV C60/SpaDeX mission is set to launch two small spacecraft to demonstrate in-space docking technology, a critical step for future space exploration endeavors



The PSLV-C60 rocket ahead of its launch on December 30, 2024

All eyes on PSLV-C60 mission as ISRO looks to end 2024 on a high

The PSLV-C60 flight is scheduled for 9:58 pm on December 30, 2024. The rocket will carry two satellites called SINO-1, dubbed 'Chaser' and SINO-2, dubbed 'Target'. Each weighs 220 kg. After launch and orbit insertion, the two satellites will rendezvous in low earth orbit, dock, and then undock.

IN A SPACE

Randeep Mohandas

The Indian Space Research Organisation (ISRO) hopes to end 2024 on a high with an exciting mission on the launch pad. It is the first time in one day we will see for interplanetary and human spaceflight. It also hopes to kickstart preparations for human spaceflight missions that have already been delayed for years.

Mission updates
PSLV-C60, The PSLV-C59 mission dedicated to NewSpace India Ltd. (NSIL) placed the European Space Agency's (ESA) Proba-3 spacecraft — short for 'Prober and Observer' — into a highly elliptical orbit of 600 km x 60,800 km as planned 30 minutes after liftoff. The third was from the Satish Dhawan Space Centre's first launch pad at 4:04 pm IST on December 5. This mission demonstrated the ability of ISRO's Polar Satellite Launch Vehicle (PSLV) to launch a spacecraft into such orbits.

After liftoff, the ESA-led the Yohkoh satellite in Australia began receiving telemetry from the satellite. The telemetry will be passed on to the ESA's mission control centre in Belgium, Belgium. A total of an experimental flight of Launch Vehicle Mark 3 (LV-M3) in 2014, ISRO had wanted to test the vehicle's ability to fly through the thickest part of the earth's atmosphere. The organisation designed a suborbital flight for this with an altitude of 125 km and a range of 1,000 km from Satish Dhawan Space Centre. The vehicle didn't carry a cryogenic engine in its third stage and didn't reach earth orbit by design.

The LV-M3 X test flight also tested the money characteristics of the crew module using the Crew module through the re-entry Experiment CARR. On December 18, 2024, the CARR module re-entered the earth's atmosphere after separating from the rocket and performed a controlled landing in the Bay of Bengal using its Reaction and Parachute. This successful mission was an important precursor to India's human spaceflight mission.

Ten years later, on the same day, December 19, 2024, ISRO began assembling the human-rated LV-M3 (LV-M3) for its first uncrewed mission. This was done by stacking the nozzle end segment of the 5,200 solid rocket motor with the first fuel tank module at 4:45 am on December 19. This marked the official launch campaign for the ISLV-M3 (LV-M3) mission. 'V' stands for the first Gaganyaan mission, and 'M3' for the first orbital module mission. The orbital module consists of the crew module and a service module.

PSLV-C60 SPS&S
Just like the CARR mission preceded the human spaceflight mission, the SPS&S — short for 'Space Docking Experiment' — is a predecessor to ISRO's Bharatiah Bharatiah Station (BSS) and the

Chandrayaan-4 mission. SPS&S will demonstrate in-orbit docking. The year 2024 began with a PSLV flight and looks like it will end with one as well. The PSLV-C60 flight is currently scheduled for 9:58 pm on December 30, 2024. The rocket will carry two satellites called SINO-1, dubbed 'Chaser' and SINO-2, dubbed 'Target'. Each weighs 220 kg. After launch and orbit insertion, the two satellites will rendezvous in low earth orbit, dock, and then undock.

In addition, the fourth stage of the PSLV-C60 rocket will carry 20 star payloads of its own, designed by various ISRO centres, academic institutions, and Indian private companies. After inserting the satellites in orbit, the fourth stage will enter an orbit of its own, where its payloads will perform various tasks.

The PSLV-C60 mission will fly the rocket in two main configurations (called 'Chaser' and 'Target') will fly without its upper stage.

The 'Chaser' and 'Target' satellites will be placed in a 470-kilometre circular orbit with an inclination of 55°. The two will also have different velocities such that the gap between them increases to 10-20 km after a day.

The propulsion system on board the 'Target' satellite will be used to slow it down to the same speed as the 'Chaser' over time. They will eventually maintain a distance of 20 km in the same orbit heading up to the SPS&S mission first objective, called for rendezvous. Then they will move closer such that the gap drops to 3 km, 1.5 km, 500 m, 225 m, 65 m, and finally 3 m. Then 'Chaser' and 'Target' will dock.

After a rigid mechanical connection is realised between the two satellites, the electrical power transfer between 'Target' and 'Chaser' will be demonstrated before they undock and orbit part.

They will then operate their own star payloads with a mission life of two years. The 'Chaser' has a high-resolution camera. The 'Target' has a miniature multi-spectral payload and a radiation monitor. Earlier, an Indian private company named Nishat Technologies

became the first of its kind to integrate and test the two satellites.

POEM's two dozen payloads
PSLV-C60's fourth stage, called the PSLV Orbital Experimental Module (POEM-4), carries 24 payloads: 14 contributed by various ISRO centres and 10 by academia and private industry. POEM-4 will begin operations after satellite separation.

Of these, the Reconfigurable Robotic Manipulator (Technology Demonstrator, a.k.a. the 'Walloping Robotic Arm'), developed by ISRO's Remote Systems Unit (RSU), is expected to demonstrate a robotic arm that can move to different targets on the POEM using an inchworm walking technique.

The Vikram Sarabhai Space Centre (VSSC) developed the Delta Capture Robotic Manipulator. In a proof of concept, it will attempt to capture tethered space debris with a robotic gripper. The ISRO-led Institute of Space Research module for Orbital Plant Studies to study the germination and growth of eight crops needs a five- to seven-day experiment in a controlled environment.

The other experiments from ISRO centres include — a space from a press release — the Gradient Control Reaction Wheel Assembly (GRCA), the Multi-sensor Interface System with In-flight Antennas (MISA), the MEMS-based High Angular Rate Sensor (VSSC), the Lead

Experiment Experimental System (VSSC), the Highly Configurable Orbital Common Controller (Space Physics Laboratory), and the PLOE-G2 payload (Indian Institute of Space Science and Technology) "that hopes to qualify in-house equipment for small satellites."

(One experiment of note is the Army Plant Experimental Module in Space (APEMS) payload developed by Army University, Muziris. It will compare growth-related changes in plant callus cells using space-based plant growth in microgravity and on the ground.)

Another biological payload of note is the PSLV-4 developed by IISc College of Engineering, Bengaluru. It will measure the growth of the gut bacteria *Bacteroides thetaiotaomicron* in space. The experiment is expected to provide data to understand human physiology in space and astronaut health during crewed missions.

There are two notable communications payloads called the RCS Amateur Radio Payload for Information Transmission (ARPT) and Deorbitant. ARPT was developed by the I.I.T. Institute of Technology, Kharagpur, and the Ujjaini Amara Eshwar Chhatra at the U.S. Air Satellite Centre. It can transmit audio, text, and images from a satellite to the ground with frequency modulation in the VHF band. It is designed to provide amateur radio satellite services worldwide.

On December 18 ISRO began assembling the LV-M3 for its first uncrewed mission. This was done by stacking the nozzle end segment of the 5,200 solid rocket motor with the first fuel tank module at 4:45 am. This marked the official launch campaign for ISLV-M3 (LV-M3).

Descent ground station
There are two propulsion payloads developed by private industry. ISRO's LEO HPGC, developed by Bellatrix Aerospace, will test a green propulsion system with a thrust of 1 newton and a specific impulse of 220 seconds. Laterite, the VPM-20 developed by Mamant Space will test a monopropellant (the company has said it is a safer and better performing alternative to hydrazine, which is the most widely used propellant in the Indian space programme at present. VPM has a thrust of 1.1 N and a specific impulse greater than 200 seconds).

Two payloads will also be helping to demonstrate synthetic aperture radar (SAR) capability. SAR creates high-resolution images of objects on the ground by sending a radio-emitting antenna over the objects of interest. The SAR Imaging Demonstration Payload (SAR-IDP) from Caladise Space will test the generation, capture, and processing of SAR images in a space environment.

The Verma payload, from Persimil Space, will demonstrate SAR in a coherent form factor and test the performance of even advanced antennas — including a deployable reconfigurable antenna — that can help monitor all human and industrial activities on earth.

Finally, the MEMS-based Inertial Measurement Unit (ISIRI-PI) from developed at the MIT World Peace University, Pune, and the M3-PI from the private company TalciteSpace. SPS&S-PI will perform attitude determination and higher efficiency data processing. The M3-PI payload is a technology demonstrator planning to perform real-time data processing for earth observation. It will attempt to receive three real-time streaming data through an uplink from ground to orbit, conduct in-orbit computation, and downlink the model's inferences.

Outward to 2025

The year 2025 will be a pivotal year for Indian spaceflight with the launch of the first uncrewed ISLV-M3 mission. India will potentially get to see the light of the first mission in space when the International Space Station (ISS) is launched in 2025. This will be the first mission in space when the International Space Station (ISS) is launched in 2025.

We will also have the launch of the uncrewed ISLV-M3 mission. In 2025, promises to be an active payload and, in all, means, a defining year for space for India.

(Randeep Mohandas is a technical writer and space enthusiast in Pune. randeepmohandas@gmail.com)

The PSLV-C60 launch ahead of its launch on December 30, 2024



Topic → The Indian Space Research Organisation (ISRO) and Its Ambitious Plans for 2024

Introduction to ISRO's Vision

The Indian Space Research Organisation (ISRO) is gearing up for an exhilarating end to 2024, with plans to launch missions that will not only test groundbreaking technologies but also lay the groundwork for future interplanetary and human spaceflight endeavors. With aspirations that have been delayed for years, ISRO is determined to make significant strides in the realm of space exploration.

The Importance of Human Spaceflight

Well, it's not just about sending astronauts into space; it's about pushing the boundaries of what we know and can achieve. Human spaceflight opens doors to new scientific discoveries, technological advancements, and even international collaborations. It's a leap into the unknown that can yield benefits for humanity as a whole.

Mission Updates

PSLV-C59 Mission Overview

One of the most recent highlights in ISRO's journey is the PSLV-C59 mission. This mission was dedicated to NewSpace India Ltd. (NSIL) and successfully placed the European Space Agency's (ESA) Proba-3 spacecraft into a highly elliptical orbit.

Launch Details

The PSLV-C59 lifted off from the Satish Dhawan Space Center at 4:04 PM IST on December 5, 2024. Just 18 minutes post-launch, the mission achieved its goal, showcasing ISRO's prowess in launching spacecraft into complex orbits.

Significance of the Proba-3 Spacecraft

The Proba-3 mission, which stands for 'Project for Onboard Autonomy,' is a significant step in demonstrating advanced satellite technologies. The successful telemetry reception from the Yatharagga station in Australia right after separation is a testament to the mission's success.

Gaganyaan Mission Progress

Historical Context of Gaganyaan

The Gaganyaan mission is a cornerstone of ISRO's human spaceflight program. Back in 2014, ISRO aimed to test the capabilities of its Launch Vehicle Mark 3 (LVM-3) through a suborbital flight. This mission was crucial for understanding how to navigate through the Earth's atmosphere and safely return.

Current Developments

Fast forward to December 18, 2024, ISRO began assembling the human-rated LVM-3 (HLVM-3) for its first uncrewed mission. This marks a significant milestone in the Gaganyaan program, as it prepares for the first orbital module mission.

Upcoming Missions

PSLV-C60 SpaDeX Mission

As 2024 progresses, ISRO is also preparing for the PSLV-C60 mission, scheduled for December 30, 2024. This mission, known as SpaDeX (Space Docking Experiment), aims to demonstrate in-orbit docking capabilities.

Mission Objectives

The PSLV-C60 will carry two satellites, dubbed 'Chaser' and 'Target,' which will rendezvous in low Earth orbit. This mission is crucial for future projects like the Bharatiya Antariksh Station (BAS) and Chandrayaan-4.

Payloads and Experiments

The PSLV-C60 will also carry over 20 payloads designed by various ISRO centers and private companies. These payloads will conduct a range of experiments, further enhancing ISRO's capabilities in space technology.

POEM-4 and Its Payloads

Innovative Experiments

The PSLV Orbital Experimental Module (POEM-4) will carry 24 payloads, including innovative experiments like the 'Walking Robotic Arm' and the Debris Capture Robotic Manipulator. These experiments aim to push the boundaries of robotics and environmental monitoring in space.

Looking Ahead to 2025

The Significance of 2025 for ISRO

The year 2025 is poised to be a landmark year for ISRO, with the launch of the first uncrewed HLVM-3 missions. This could potentially lead to the first Indian in space since Rakesh Sharma in 1984.

Future Missions and Collaborations

In addition to the HLVM-3 missions, ISRO is also collaborating with NASA for the innovative SAR mission, promising an action-packed year ahead.

Conclusion

As we look forward to the end of 2024 and beyond, ISRO's ambitious plans are not just about reaching new heights in space; they are about inspiring a generation and paving the way for future explorations. With each mission, ISRO is not just launching rockets; it's launching dreams.

One Nation One Election and representative democracy



The Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, that was tabled in the Lok Sabha, proposes simultaneous elections for the Lok Sabha and State/Union Territory Legislative Assemblies with the insertion of Article 82(A). This ambitious reform seeks to synchronise elections, fix the tenure of the Lok Sabha, and simultaneously align elections to the State Assemblies. If the Lok Sabha or a State Assembly is dissolved before its five-year term, mid-term elections will only cover the remainder of the original tenure.

The Bill also amends Articles 83, 172, and 327, with changes effective from an 'appointed date', post-2029 general elections, thereby initiating simultaneous elections in 2034. A second Bill, the Union Territories Laws (Amendment) Bill, 2024, aligns the tenure of Union Territories' legislative Assemblies with the Lok Sabha and State Assemblies.

While the proposal seeks administrative efficiency and reduced election fatigue, critical questions arise: has the 'One Nation, One Election (ONOE)' process been truly inclusive and representative? Are there limits to our understanding of the representative spirit of Indian democracy?

Understanding representative democracy

Representative democracy is a system wherein citizens elect representatives to make decisions on their behalf. Rooted in the principles of free and fair elections, political accountability, and the protection of individual rights, it balances majority rule with the protection of minority interests. This form of governance becomes especially critical in diverse and populous countries such as India.

The theoretical underpinnings emphasise that elected representatives act as intermediaries, ensuring stable governance while accommodating competing interests. Citizens, being too numerous and diverse to participate directly in governance, delegate authority to their elected representatives. The system thrives on periodic elections, informed citizen participation, and institutional checks and balances.

Despite its theoretical merits, representative democracy faces growing challenges in practice. A 2024 Pew Research Center study across 24 nations, including Brazil, India, Nigeria, South Africa, the United Kingdom, and the United States, revealed widespread disillusionment with



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The process adopted for the One Nation One Election Bill had India's democratic fabric

the system. Citizens increasingly questioned its effectiveness, with some exploring alternatives such as direct democracy, expert rule, or even authoritarian regimes.

In 13 countries, significant segments supported strong leaders bypassing parliamentary checks, reflecting frustration with institutional inefficiencies. Alarmingly, military rule garnered between 15% to 17% support in nations such as Greece, Japan, the U.K., and the U.S. Such trends underscore growing distrust in representative systems, driven by perceived inefficiencies, corruption, and unfulfilled promises.

Jayaprakash Narayan's critique

In India, debates about representative democracy are not new. Jayaprakash Narayan, in his seminal work, *A Plea for Reconstruction of Indian Polity* (1959), offered a deep critique of parliamentary democracy. JP argued that the reliance on individual voting created an 'atomized society', where fragmented, partisan politics overshadowed the collective national interest.

JP highlighted the following defects – risks of minority governments: In a multi-party system like India, he warned that parliamentary democracy risks unstable and unrepresentative governments.

First, demagoguery and populism: JP highlighted how political parties manipulate public opinion through half-truths, empty promises, and divisive rhetoric.

Second, centralisation of power: Parliamentary democracy, according to JP, concentrates power in the state, weakening intermediary institutions between citizens and the national government.

Third, financial costs of elections: JP critiqued the exorbitant cost of elections, tethering democracy to moneyed interests and large organisations.

While critical, JP's analysis aimed to reform and strengthen democracy. His concerns resonate today as India debates ONOE and its implications for democratic representation.

For a reform as significant as ONOE, an inclusive and representative process is crucial. In representative democracies, public opinion shapes policy, holding governments accountable to citizens' aspirations and concerns. To achieve this, pre-legislative consultation becomes indispensable, enabling policymakers to gather diverse views, address challenges, and enhance transparency.

The Pre-Legislative Consultation Policy, 2014,

mandates a minimum 30-day period for public feedback on proposed legislation. It requires draft Bills to be accompanied by explanatory notes that clarify key provisions in accessible terms.

However, the process adopted for ONOE fell short. First, inadequate consultation period: The high-level committee issued a public notice on January 5, 2024, inviting suggestions on ONOE. Citizens were given just 10 days – until January 15 – to respond, undermining the spirit of the 2014 policy. Second, lack of explanatory material: Despite the high-level committee being established in September 2023, no explanatory notes or background papers were provided, limiting citizens' understanding of the proposal's scope and challenges. Third, framing of questions: The high-level committee's approach, seeking 'yes/no' responses on supporting ONOE, appeared perfunctory, giving the impression the matter was already settled.

Such procedural lapses risk alienating citizens and stakeholders, undermining trust in the reform process. In a diverse democracy like India, meaningful public engagement is vital to ensure that policy reflects varied perspectives and fosters consensus.

Implications for representative democracy

The ONOE Bill raises critical questions about the representative nature of Indian democracy. First, centralisation versus federalism: synchronising elections risks a further centralising of power, potentially undermining the federal spirit of the Constitution. State-specific issues may be overshadowed by national narratives. Second, inclusivity and participation: by curtailing consultation and rushing reforms, the government risks sidelining citizens' voices, weakening democratic inclusivity. Third, electoral accountability: frequent elections, while resource-intensive, enhance accountability by enabling voters to evaluate governments regularly. Simultaneous elections could dilute this accountability.

India's democratic fabric thrives on citizen participation, inclusivity, and accountability. Reforms such as ONOE, while aimed at efficiency, must not compromise these principles. A rushed process undermines trust and risks centralisation. Only by adhering to the principles above can our democracy remain truly representative in letter and spirit.

The views expressed are personal

Topic --The Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024

Introduction to the Bill

The Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, recently tabled in the Lok Sabha, is a significant legislative proposal that aims to revolutionize the electoral landscape in India. This ambitious reform seeks to synchronize elections for the Lok Sabha and State/Union Territory Legislative Assemblies by inserting Article 82(A) into the Constitution. But what does this mean for the average citizen? Let's dive into the details.

Key Provisions of the Bill

Simultaneous Elections Explained

At its core, the Bill proposes that elections for the Lok Sabha and State Assemblies occur simultaneously. This means that if the Lok Sabha or a State Assembly is dissolved before its five-year term, mid-term elections will only cover the remainder of the original tenure. This could potentially streamline the electoral process and reduce the frequency of elections.

Amendments to Existing Articles

The Bill also amends Articles 83, 172, and 327, with changes set to take effect from an 'appointed date' after the 2029 general elections, initiating simultaneous elections in 2034. Additionally, a second Bill, the Union Territories Laws (Amendment) Bill, 2024, aligns the tenure of Union Territories' legislative Assemblies with the Lok Sabha and State Assemblies.

The Rationale Behind the Bill

Administrative Efficiency

One of the primary motivations behind this proposal is to enhance administrative efficiency. By synchronizing elections, the government hopes to reduce the logistical challenges and costs associated with conducting multiple elections in a short span of time.

Reducing Election Fatigue

Let's face it; frequent elections can lead to voter fatigue. The ONOE (One Nation, One Election) initiative aims to alleviate this issue, making the electoral process less cumbersome for both voters and the administration.

The Concept of Representative Democracy

What is Representative Democracy?

Representative democracy is a system where citizens elect representatives to make decisions on their behalf. It's built on the principles of free and fair elections, political accountability, and the protection of individual rights. In a diverse country like India, this form of governance is crucial.

Challenges Faced by Representative Democracy

However, representative democracy is not without its challenges. A recent Pew Research Center study highlighted widespread disillusionment with democratic systems across various nations, including India. Citizens are increasingly questioning the effectiveness of their representatives, leading some to explore alternatives like direct democracy or even authoritarian regimes.

Critique by Jayaprakash Narayan

Key Defects in Parliamentary Democracy

Jayaprakash Narayan, a prominent figure in Indian politics, critiqued parliamentary democracy in his work, "A Plea for Reconstruction of Indian Polity." He argued that the reliance on individual voting creates an 'atomized society' where fragmented politics overshadow the collective national interest. He pointed out several defects, including the risks of minority governments and the centralization of power.

The Importance of Inclusivity in Reforms

Pre-Legislative Consultation Policy

For reforms as significant as ONOE, inclusivity is paramount. The Pre-Legislative Consultation Policy, established in 2014, mandates a minimum 30-day period for public feedback on proposed legislation. This is crucial for ensuring that diverse views are considered.

Shortcomings in the ONOE Process

Unfortunately, the process for ONOE fell short of these standards. Citizens were given only 10 days to respond to the proposal, and there was a lack of explanatory material to help them understand the implications of the Bill. This raises concerns about the inclusivity of the reform process.

Implications for Indian Democracy

Centralization vs. Federalism

The ONOE Bill raises critical questions about the balance of power in Indian democracy. Synchronizing elections could lead to a centralization of power, potentially undermining the federal spirit of the Constitution. State-specific issues may be overshadowed by national narratives.

The Need for Electoral Accountability

Frequent elections enhance accountability by allowing voters to evaluate their representatives regularly. However, simultaneous elections could dilute this accountability, making it essential to consider the long-term implications of such reforms.

Conclusion

In conclusion, while the Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, aims to streamline the electoral process and reduce election fatigue, it raises significant questions about the inclusivity and representative nature of Indian democracy. As we move forward, it's crucial to ensure that reforms do not compromise the democratic principles that underpin our society.

Saurabh pandey upsc

The challenge of holding judges accountable

The review mechanism for judges in India requires proved misbehaviour or incapacity to be decided by a committee set up under the Judges (Inquiry) Act, 1968. This committee functions like a trial court, but is set in motion only after a successful attempt to impeach the judge is moved either in the Lok Sabha or the Rajya Sabha

LETTER & SPIRIT

Kunal Shankar

A speech delivered by Justice Shekhar Kumar Yadav of the Allahabad High Court, that made apparent his biases against the Muslim community, at an event organised by the legal cell of the Vaidya Hindu Parishad within the Court precincts on December 8, has once again spotlighted the difficulty in India's review mechanism to hold judges of the higher judiciary accountable.

The review mechanism requires "proved misbehaviour or incapacity" to be decided by a three-member committee set up under the Judges (Inquiry) Act, 1968. This committee functions like a trial court, but is set in motion only after a successful attempt to impeach the concerned judge is moved either in the Lok Sabha or the Rajya Sabha, which must be approved by the presiding officer of the House – the Speaker in the case of the Lok Sabha, or the Vice-President/Chairman in case of the Rajya Sabha. The provisions for this mechanism flows from Articles 124 (4), (5), 217, and 218 of the Constitution of India, and the those of Judges (Inquiry) Act, 1968.

Justice V. Ramaswami's trial

Only two judges out of seven so far, aside from Justice Yadav against whom impeachment has been attempted, have been found guilty for their "misbehaviour" by the three-member committee, which must comprise of a Supreme Court judge, a Chief Justice of a High Court and an eminent jurist.

The first was retired Supreme Court Justice V. Ramaswami, who was found guilty of extravagant spending on his official residence such as buying air conditioners, plush furniture and bedding, without following due process, much like the accusations made against Trinamool Congress MP Mahua Motir by the ruling BJP last year. While such misdemeanours by current accounts of corruption seem like an arcane quibble over propriety, they nevertheless animated public discourse on a judge's conduct in the late 80s and early 90s. Such discussions led to the foundation of the 'Restatement of Values of Judicial Life' adopted by the Supreme Court on May 7, 1997, as the code of conduct for those holding high offices in judiciary.

Speaking to *The Hindu*, retired Madras High Court Justice K. Chandru, who played a pivotal role in the impeachment proceedings against Justice Ramaswami, recollected how the judge "bought 6-7 maces, one with a silver head to denote that Chief Justice's arrival and took it on a cargo plane in 1988, and not by rail," following his elevation as the Chief Justice of the Punjab and Haryana High Court. "There was no tendering process that was followed for the purchase of the maces," Justice Chandru added. He was referring to the colonial practice followed at the Madras HC where an order precedes a judge, to signal his arrival to ensure those in the hallway and the courthouse "maintain decorum". Justice Ramaswami deemed it fit to continue this practice at the Punjab and Haryana High Court, which did not have this practice as it was founded in independent India, much to the shock of his "brother judges". In his Tamil book, *I too became a Judge*, Justice Chandru recalled a letter dated August 18, 1988, in which then Chief Justice V. Ramaswami's colleagues wrote "You will remember that most of us told you later

too that we are opposed to the introduction of maces. Maces are but a relic of the imperial past and out of tune with our socialist pattern of society."

The adverse verdict by the three-member panel constituted under the Judges Inquiry Act against V. Ramaswami set the precedent for then CJI Sabyasachi Mukherjee declining not to allocate any work to him in 1993. The failure of the impeachment motion in the Lok Sabha that year, did not lead to a reversal of the CJI's decision. No cases were listed for hearing before Justice Ramaswami's bench until his retirement three years later.

Article 124 (4) of the Constitution stipulates that the panel's finding must be voted upon by Parliament. The motion requires either a two-thirds majority of present MPs voting in favour of the motion or an absolute majority in each House, for the judge to be removed. On May 10, 1993, of the 401 members present in the Lok Sabha, 196 voted for Ramaswami's removal. While no one voted against the motion, 205 abstentions by the ruling Congress ensured the defeat of the impeachment.

Resignation before accountability

The second judge to face an impeachment motion was Justice Soumitra Sen of the Calcutta High Court. Justice Sen became the first judge of India's higher judiciary who was voted to be removed by the Rajya Sabha.

overwhelming majority, but he resigned in September 2001, days before the motion was to be tabled in the Lok Sabha. Justice Sen was found guilty of misappropriating ₹33.23 lakh in a case in 1983, as a court-appointed receiver in his capacity as a lawyer, and misrepresenting facts before a Calcutta court.

Similarly, Chief Justice of the Sikkim High Court, P.D. Dinakaran resigned on July 29, 2001, the day of the first sitting of the three-member panel constituted under the Judges Inquiry Act, to look into 16 charges, some of them as grave as appropriating more than 300 acres of lands from farmers in Tamil Nadu's Tiruvallur district, after he became a judge of the Madras High Court.

Such instances highlight that members of India's higher judiciary enjoy a disproportionately greater level of immunity when compared with even elected officials as they "continue to enjoy the perks of being a retired judge, like pension" and other benefits, said jurist Mohan Gopal, who was part of the three-member committee in the Dinakaran case. Such resignations abort the trial and subsequent impeachment, something not afforded to even sitting or former Chief Ministers, like in the case of Jayalalitha in the disproportionate assets petition decided in 2014.

The Forum for Judicial Accountability (FJA) that led the campaign against judicial corruption in the Dinakaran case, wrote to the three-member committee

August 6 that year, seeking a continuation of the committee's investigations arguing that "the jurisdiction of the Committee is untouched by the factum of removal...". The FJA's contention was that there were two separate parts to the removal process of a justice – one that concerns finding guilt, which is governed by Article 124 (5) and the second, which is impeachment, which is governed by Article 124 (4) and is within the jurisdiction of Parliament. "The purpose of impeachment is not merely removal from office, but a more substantial one about accountability to the people whose trust is alleged to be breached and whose confidence in judiciary needs to be reinforced," the FJA argued.

Though Article 124(5) of the Constitution uses the words "removed from office" and is silent on the issue of disqualification from holding future office, the finding of guilt by the Committee and the subsequent proceedings in Parliament will have the effect of disqualifying the person from holding public office in future. It may be noted that Justice V. Ramaswami having been found guilty by the Committee, continued to hold office as a judge of the Supreme Court and retired with all the benefits, taking advantage of the defeat of the impeachment motion. Post retirement he was appointed as Chairperson of the Tamil Nadu Law Commission," said FJA.

The need to complete proceedings

RTI petitions by former *Frontline* legal affairs editor, V. Venkatesan revealed that both jurist Mohan Gopal and the Chairman of the three-member panel retired justice Atab Alam believed the work of the committee must continue. The RTI replies made public a set of correspondence between Mohan Gopal and the two members of the committee, and of the committee with the Rajya Sabha Chairperson Hamid Ansari. Mr. Venkatesan has included these letters as annexures to his 2014 book *Constitutional Conundrums: Challenges to India's Democratic Process*. In his August 15, 2011 letter to Justice Atab Alam and J. S. Kohar, the then Chief Justice of the Karnataka High Court, Mr. Gopal writes, "the resignation of Justice P.D. Dinakaran presents our Committee with an unprecedented situation. Any decision by the sale will have a profound and far reaching impact on the framework for judicial accountability in our country – both in terms of [of] the future implementation of the Judges Inquiry Act, 1968, and in terms of the manner in which the current Constitutional and legal framework for judicial accountability is reformed."

While the investigation and the proof stage arises only when there is a prayer for removal from office and the essential first step or that purpose, it would be an error to ignore the independent role and value of the investigation and proof part of the process in and by itself... A view that the resignation would result in the investigation and proof process being aborted would in effect place in the hands of the judge who is the object of the investigation the power to end the investigation against him by resigning – an absurd situation that the legislature could not have intended. In such circumstances, there would be no incentive arising from this process for any judge to avoid misbehaviour as any judge can end investigation into charges against him at any point by resigning from office."

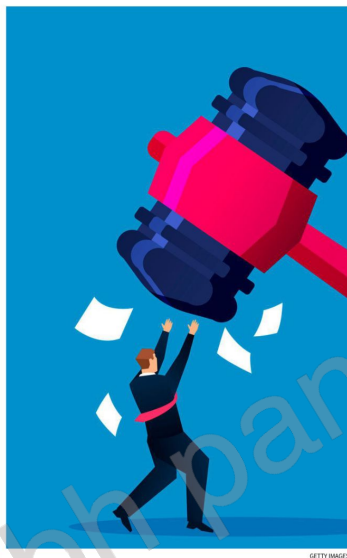
While the Chair Justice Atab Alam concurred and sought the continuation of the Committee, the request was rejected by Rajya Sabha Chairman Hamid Ansari.

THE GIST

Only two judges so far have been found guilty for their "misbehaviour" by the three-member committee, which must comprise of a Supreme Court judge, a Chief Justice of a High Court and an eminent jurist.

Article 124 (4) of the Constitution stipulates that the panel's finding must be voted upon by Parliament. The motion requires either a two-thirds majority of present MPs voting in favour of the motion or an absolute majority in each House, for the judge to be removed.

Such instances highlight that members of India's higher judiciary enjoy a disproportionately greater level of immunity when compared with even elected officials as they "continue to enjoy the perks of being a retired judge, like pension" and other benefits, said jurist Mohan Gopal.



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Topic → holding judges accountable

Judges (Inquiry) Act, 1968

The Judges (Inquiry) Act, 1968, establishes a framework for addressing allegations of misconduct against judges. This mechanism is crucial for ensuring that judges are held accountable for their actions, but it is fraught with challenges.

Structure of the Review Committee

The review process is conducted by a three-member committee, which includes a Supreme Court judge, a Chief Justice of a High Court, and an eminent jurist. This structure aims to provide a balanced and fair assessment of the allegations.

Process of Impeachment

However, the process is initiated only after a successful impeachment motion is moved in either the Lok Sabha or the Rajya Sabha, which adds layers of complexity and potential political influence to the proceedings.

Historical Context of Judicial Accountability

Justice V. Ramaswami's Case

The case of Justice V. Ramaswami serves as a significant historical reference point. He was found guilty of extravagant spending and misconduct, yet the impeachment motion against him failed due to political maneuvering.

Findings and Consequences

Despite being found guilty, Ramaswami continued to serve as a judge, highlighting the inadequacies of the accountability mechanisms in place. This case set a troubling precedent for future judicial conduct.

Other Notable Cases

Other judges, such as Justice Soumitra Sen and Chief Justice P.D. Dinakaran, also faced impeachment motions but managed to resign before accountability could be enforced, further complicating the landscape of judicial accountability in India.

The Challenges of Accountability

Resignation vs. Impeachment

The ability of judges to resign before facing impeachment raises questions about the effectiveness of the current system. Unlike elected officials, judges can evade accountability, which undermines public trust in the judiciary.

The Role of the Forum for Judicial Accountability

Organizations like the Forum for Judicial Accountability have advocated for reforms to ensure that judicial misconduct is addressed thoroughly, regardless of a judge's resignation. They argue that accountability is essential for maintaining public confidence in the judicial system.

Conclusion

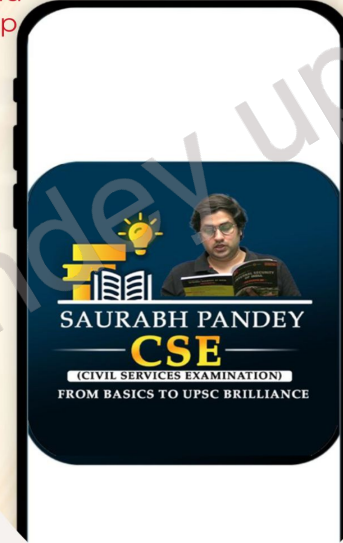
The speech by Justice Shekhar Kumar Yadav has brought to light the pressing need for reform in the mechanisms that hold judges accountable in India. As the judiciary plays a crucial role in upholding democracy, ensuring its integrity is paramount. The current system, with its loopholes and political entanglements, must evolve to foster greater accountability and transparency.

YEAR END

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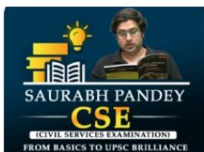
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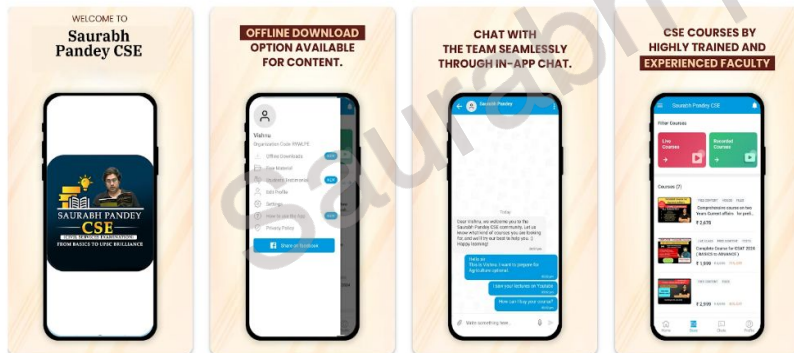
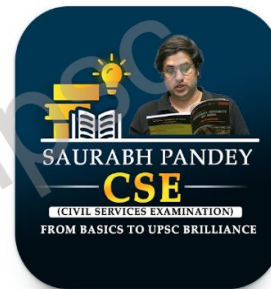
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