

# Topics - MINDS MAPS included (Daily current affairs 21ST March 2025



- Offshore minerals act 2002
- *The Sillahalla Pumped Storage Hydro-Electric Project*
- BAN ON META BY CCI
- The Impact of 'America First' on Multilateralism
- MAINS



By saurabh Pandey



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**By saurabh  
pandey sir**



# Centre promises consultations, impact study for mining project off Kerala coast

Ministry of Mines says it is open to evaluating and implementing specific measures, similar to the annual trawling ban, to mitigate the environmental impact on marine ecosystems; the project will contribute to the State's GDP growth by creating a new revenue stream, says spokesperson

**Navamy Sudhish**  
KOLLAM

The offshore mining project off the Kerala coast will begin only after releasing a full environmental impact assessment (EIA) and conducting transparent, inclusive consultations with affected communities, an official spokesperson of the Union Ministry of Mines told *The Hindu* on Wednesday.

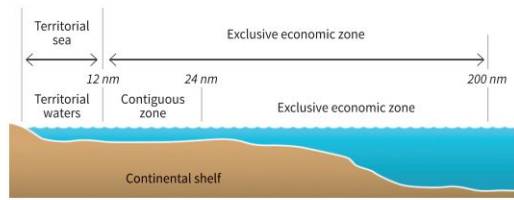
The EIA will be in public domain and undergo stakeholder consultations in compliance with Sub-rule 2(j) under Rule 15 of the Offshore Areas Mineral Conservation and Development Rules (OAMCDR), 2024, he said.

"The production plan will include a detailed environmental management plan (EMP). This plan will provide essential baseline environmental data, conduct an impact assessment, and outline appropriate mitigation measures. The EMP will be subject to approval by the Indian Bureau of Mines (IBM) to ensure adherence to regulatory standards. The Ministry is also preparing a standard operating

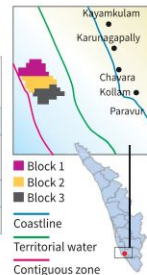
## Offshore Mineral Blocks

Generated by Geological Survey of India

	Kollam Block 1 79 sq km	Kollam Block 2 78 sq km	Kollam Block 3 85 sq km
Number of standard blocks	23	23	25
Resource Construction sand	100.33 million tonnes	100.64 million tonnes	101.45 million tonnes
Distance from the shore	33 km	30 km	27 km
Water depth	53.3 to 62.5 m	48.4 to 61.4 m	49.3 to 59 m



Source: Ministry of Mines' notice inviting tender (on November 28 2024) for grant of composite licence for 13 offshore mineral blocks under Tranche I



Kollam Parappu, or Quilon Bank, is between a water depth of 275-375 m, which is nearly 70 km away from the coast, while the offshore sand blocks are nearly 35 km away from the Quilon Bank at depths ranging from approximately 48 m to 63 m

UNION MINISTRY OF MINES

m to 63 m," he said. He pointed out that the Ministry is open to evaluating and implementing specific measures, similar to the annual trawl ban, to mitigate the environmental impact on marine ecosystems.

"Such measures will be carefully considered as part of a comprehensive strategy to promote sustainable offshore mineral development while safeguarding the marine environment," he said.

### On PSUs

As production leases and exploration-cum-production licences will be granted

to private parties as part of the project, its impact on the operations and future of public sector undertakings (PSUs), including the Kerala Minerals and Metals Ltd. (KMML), Indian Rare Earths Ltd. (IREL) and Travancore Titanium Products Ltd (TTPL), is another major concern.

"All the three PSUs are engaged in the mining of beach sand minerals (BSM). The BSM has not been delisted from the list of atomic minerals and continues to be mined only by government mining companies. Therefore, the operations of these PSUs will not be affected," he said.

The spokesperson said the project will contribute to the State's GDP growth by creating a new revenue stream for the government through royalties and auction proceeds.

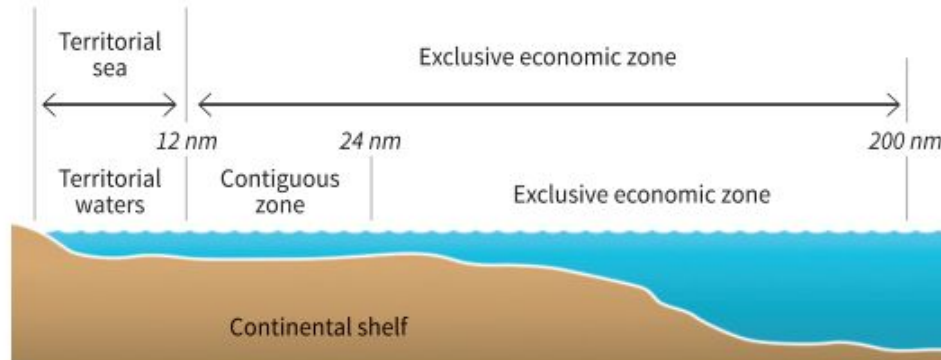
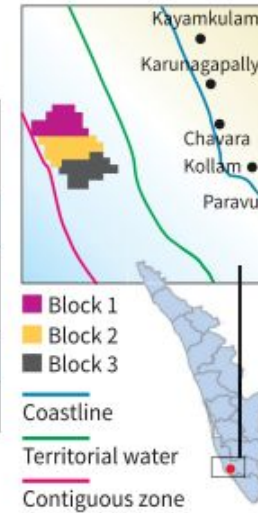
The auction process for the first tranche of mineral blocks is currently under way.

The official announcement of technically qualified bidders, as per the revised timeline, is scheduled to take place from May 30 to June 13.

# Offshore Mineral Blocks

Generated by Geological Survey of India

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The Offshore Areas Mineral (Development and Regulation) Act, 2002 and the rules made thereunder are applicable to mineral resources in the territorial waters, continental shelf, exclusive economic zone and other maritime zones of India.

Source: Ministry of Mines' notice inviting tender (on November 28 2024) for grant of composite licence for 13 offshore mineral blocks under Tranche I

# Offshore minerals act 2002



- **An Act to provide for development and regulation of mineral resources in the territorial waters, continental shelf, exclusive economic zone and other maritime zones of India and to provide for matters connected therewith or incidental thereto**



# **Introduction to the Offshore Areas Mineral (Development and Regulation) Act, 2002**



The Offshore Areas Mineral (Development and Regulation) Act, 2002 is a pivotal legislation that governs the exploration and mining of minerals in India's vast offshore territories. This Act was established to create a robust framework that ensures the sustainable development of minerals while safeguarding the environment. The legislation addresses the urgent need for regulation in a sector that holds significant economic potential but also poses environmental risks.

## **Key Objectives and Provisions**

### **Regulation of Offshore Mining**

**Territorial Coverage:** The Act applies to India's territorial waters, continental shelf, exclusive economic zone, and other maritime zones, making it comprehensive in nature.

**Control Mechanisms:** Aims to regulate and control the exploration and mining activities in these zones, ensuring they are conducted responsibly.

# Framework for Licenses and Leases



**Transparent Processes:** Establishes a structured process for granting exploration licenses and mining leases, promoting fairness and transparency.

**Orderly Access:** Ensures an orderly approach for accessing offshore mineral resources, reducing conflicts and uncertainties.

## Sustainable Development

**Environmental Protections:** The Act emphasizes sustainable development principles, mandating environmental protection measures and pollution prevention strategies.

**Conservation Focus:** Highlights the need for conservation of offshore mineral resources, balancing economic benefits with ecological responsibilities.

## Central Government Powers

**Rule-Making Authority:** Empowers the central government to formulate rules and regulations tailored to offshore mining, ensuring responsiveness to new challenges.

**Adaptability:** Allows for flexibility and adaptability to changing circumstances, crucial in a dynamic sector like mining.

## Penalties for Non-Compliance

**Accountability Mechanisms:** The Act imposes strict penalties for non-compliance, thereby enforcing accountability among stakeholders.

**Regulatory Adherence:** Ensures that all parties adhere to the regulations to maintain the integrity of the offshore mining sector.

# Offshore Areas Mineral Trust



**Financial Safety Net:** Establishes a non-lapsable Offshore Areas Mineral Trust, which serves as a financial reservoir for exploration, disaster relief, and research.

**Community Benefits:** The trust focuses on mitigating adverse impacts on communities affected by exploration or production operations.

## Key Activities Regulated by the Act

**Reconnaissance:** Involves preliminary surveys to locate mineral resources, laying the groundwork for further exploration.

**Exploration:** Entails methods to discover, prove, or locate mineral deposits, crucial for resource assessment.

**Production:** Involves the commercial extraction of minerals, translating exploration efforts into economic activity.



A view of the Silahalla stream and surrounding forests, where a hydroelectric project has been proposed. FILE PHOTO

## TNPCB cancels hearing on Silahalla power project in the Nilgiris

**The Hindu Bureau**  
UDHAGAMANDALAM

The Tamil Nadu Pollution Control Board (TNPCB) cancelled the public consultation meeting that was to be held at Kundah in the Nilgiris on Thursday to gather public opinion on the controversial Silahalla Pumped Storage Hydroelectric Project.

The TNPCB's notification of the meeting – published over a week ago – had led to local residents, farmers' associations and conservationists voicing concerns against the project which residents believed had been cancelled.

### 'Affects livelihoods'

Farmers' associations and the Silahalla Protection Committee have been opposing the project since its announcement more than a decade ago. They argued that it would affect agricultural lands and the livelihoods of residents of more than 20 villages surrounding the Kundah taluk.

Residents had also planned to voice their op-

position during the public meeting with the TNPCB.

When contacted, Nilgiris Collector Lakshmi Bhavya Tanneeruv said that the Union Ministry of Environment and Climate Change had already conducted an environmental impact assessment of the project, and the TNPCB was to table it before local residents. "The project is in its nascent stage. People were confused that the meeting convened by the TNPCB was about land acquisition for the project, but it was to simply share the impact assessment and seek the opinion of the public," Ms. Tanneeru said, adding that the meeting between residents and the TNPCB would be rescheduled to a future date.

According to the Collector, the approval of the local communities was mandatory to implement the project by the government. "There is no doubt that the assent of local residents will be sought before the project is sanctioned, which could take many years," she added.



# ***The Sillahalla Pumped Storage Hydro-Electric Project***

- ***The Sillahalla Pumped Storage Hydro-Electric Project aims to construct two reservoirs in the Kundah region of Tamil Nadu's Nilgiri district.***
- ***A tunnel would be made to connect the two dams and water from the lower dam will be pumped to the upper dam to generate electricity mainly to address peak time deficiency.***
- ***Environmentalists and local communities are opposing the project on the grounds that it will be an environmental and livelihood disaster submerging nearly 800 acres of dense forests and prime agricultural lands, along with displacing over 10,000 people.***
- ***An ecologically fragile land, the Nilgiris is already facing enormous threats from illegal constructions and large scale encroachments***



**Pumped storage hydropower (PSH)** is a type of hydroelectric energy storage



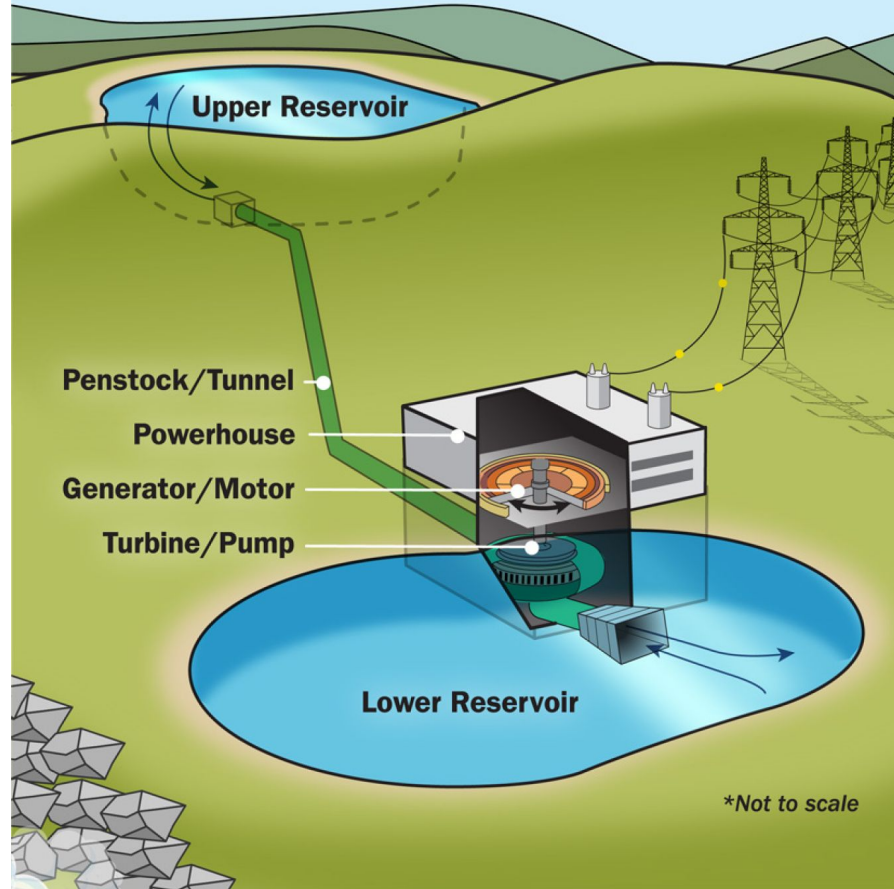
It is a configuration of two water reservoirs at different elevations that can generate power as water moves down from one to the other (discharge), passing through a turbine.

The system also requires power as it pumps water back into the upper reservoir (recharge).

PSH acts similarly to a giant battery, because it can store power and then release it when needed

# CLOSED-LOOP PUMPED STORAGE HYDROPOWER

Projects that are **not** continuously connected  
to a naturally flowing water feature





# The challenge of policing digital giants



**O**n November 18, 2024, the Competition Commission of India (CCI) issued a landmark order imposing a fine of ₹213.14 crore and forcing several behavioural remedies on Meta. This included a five year ban on sharing user data collected on WhatsApp with other Meta companies such as Facebook and Instagram, for advertising purposes. In turn, Meta approached the National Company Law Appellate Tribunal (NCLAT) in an appeal against CCI's order. The NCLAT, on January 23, 2025, granted a stay on the five-year ban from sharing user data and the penalty, subject to Meta depositing 50% of the total penalty.

The CCI's order found that the privacy policy update introduced by Meta's subsidiary, WhatsApp, in 2021 was an abuse of dominant position in the "Over-The-Top (OTT) messaging services for smartphones" and "Online Display advertising" markets in India. This update required users to mandatorily consent to expanded data-sharing, allowing Meta to provide access to such data to all of its other platforms; forcing users to accept a data-sharing agreement on a "take-it-or-leave-it" basis, combined with the competitive advantage this data provides in online digital display advertising, constitutes an abuse of dominant position. The updated policy was viewed as a strategy to strengthen the market power of WhatsApp, potentially harming competition and hindering other messaging platforms from competing on equal terms.

## The era of data

In the 21st century, the economy has become digital and data is the new oil, but unlike oil, the utility of data is virtually limitless. It can be collected, analysed, and reused indefinitely. In digital markets, data plays a foundational role in creating and sustaining dominance due to its unique characteristics and the competitive advantages it provides. Data is both the source and the enabler of dominance in digital markets. Platforms such as Meta leverage vast data pools collected from billions of users to refine algorithms, offer hyper-targeted advertising, and create personalised experiences, thereby locking consumers into their ecosystems. This dominance is further amplified by data-driven network effects, where more users generate more data, enhancing the platform's value and deterring competitors.

Meta is not the only tech giant to face scrutiny from the CCI. In 2022, Google was fined ₹1,337.76 crore for abusing its dominant position across several markets, including licensable operating systems for smart mobile devices, app stores for Android devices, non-OS-specific mobile web browsers, online video hosting platforms, and general web search services in India. Google was found to have abused its dominant position by

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mandating the pre-installation of its apps on Android devices. This penalty was later upheld by NCLAT in 2023.

## Global actions

The challenges posed by Meta's market dominance are not confined to India and have been a global regulatory concern. The Majority Staff Report on 'Competition in Digital Markets' (by the U.S. Subcommittee on Antitrust, Commercial and Administrative Law of the Committee on the Judiciary) highlighted the urgent need to reform antitrust laws to address the unprecedented market power of tech giants. Meta faces antitrust litigation in the U.S. over its acquisitions of Instagram and WhatsApp, accused of creating barriers to entry for competitors, while Google has been sued for monopolistic practices. In 2024, the US District Court for the District of Columbia found Google in violation of the Sherman Act due to exclusive agreements in search and advertising markets.

Australia has also taken steps to address the dominance of digital platforms. In Europe, the Facebook-Germany case stands out, where the Bundeskartellamt (Federal Cartel Office) found Meta had abused its dominant position by combining user data from various sources without explicit consent, violating both European Union (EU) competition law and the General Data Protection Regulation (GDPR). This decision accentuates how data misuse can erode consumer privacy and hinder competition by creating entry barriers.

In addition, Meta is under scrutiny in the EU for its ad-supported subscription service, while Google has already been fined over €8 billion across three major antitrust cases, including those targeting its anti-competitive practices in the mobile operating systems and app markets.

The parallels between the regulatory actions against Meta and Google emphasise the importance of addressing data exploitation, vertical integration, and anti-competitive practices through a multidisciplinary approach. Together, these approaches illustrate the challenge of harmonising regulatory philosophies to effectively tackle the monopolistic practices of global tech giants.

Google and Meta are not even the first tech giants to face policing for dominating markets in the U.S. In the past, a ruling in an antitrust lawsuit required AT&T to divest 22 operating companies, dismantling its monopoly. Similarly, anti-trust proceedings against Microsoft resulted in oversight, ensuring API access for third-party developers and greater flexibility for PC manufacturers.

The CCI orders against Google and Meta represent just a small chapter in the broader, well-documented concerns about the overwhelming dominance of "tech monopolies"

in key markets such as advertising, e-commerce and smartphone services. While the orders are a great beginning, a cycle of disputes across jurisdictions indicates that they may be stop-gap measures in regulating the free market in this context.

## On India's laws

India's competition law, namely, the Competition Act, 2002, currently lacks explicit provisions to address data-centric monopolies. While traditional frameworks focus on price-based dominance, digital markets often witness dominance arising from data aggregation. To address this gap, amendments to the Act should introduce "data monopolization" as a parameter for assessing market dominance by redefining key concepts such as "market power" and "dominant position" to reflect the realities of data-driven dynamics. The Act should also incorporate global best practices for addressing the concerns, such as mandating interoperability and data-sharing agreements or separation of integrated services. These measures could serve as effective solutions for entrenched monopolies and help level the playing field for smaller competitors while maintaining innovation incentives.

The Digital Personal Data Protection Act, 2023 provides an opportunity to complement competition law by regulating data collection, consent, and usage. However, the absence of explicit coordination mechanisms between the CCI and the Data Protection Board of India limits the effectiveness of addressing overlapping concerns. India could draw inspiration from the EU's integration of competition law with the Digital Markets Act (DMA) and GDPR to create frameworks that tackle data exploitation and anti-competitive practices comprehensively.

Addressing these challenges is crucial for India to fully harness the potential of its digital transformation, ensuring inclusive growth and equitable access to digital resources across the nation. The Economic Survey 2024-25, recently tabled in Parliament, underlines India's rapid digital transformation, and emphasises the critical role of artificial intelligence (AI) in shaping the nation's economic landscape. These developments underscore the imperative for India to adapt its regulatory frameworks, including competition law. As the digital economy continues to evolve, regulatory frameworks must not only catch up but also anticipate emerging challenges posed by rapidly advancing technologies and the ever-expanding influence of tech giants.

While the Meta case serves as a pivotal moment in India's efforts to regulate digital markets and address the complexities of data-driven monopolies, it also highlights the need for a more comprehensive and forward-looking approach to competition law.

There are lessons from the Meta case, which highlight the need for a more forward-looking approach to competition law



# **BAN ON META BY CCI**

## **Introduction to the CCI's Decision:**

On November 18, 2024, the Competition Commission of India (CCI) made headlines with a groundbreaking order against Meta, the parent company of WhatsApp, Facebook, and Instagram

## **The Fine Imposed:**

The CCI imposed a fine of ₹213.14 crore on Meta, a significant amount that reflects the seriousness of the violation

## **Behavioral Remedies Enforced:**

**Along with the fine, the CCI enforced several behavioral remedies. One of the most notable was a five-year ban on sharing user data collected on WhatsApp with other Meta companies for advertising purposes. This was a crucial step in protecting user privacy and ensuring fair competition in the digital marketplace.**

### **Key Behavioral Remedies:**

**Prohibition of data sharing for targeted advertising.  
Regular audits to ensure compliance.**

## **Meta's Response: Appeal to NCLAT**

In response to the CCI's order, Meta quickly took action by appealing to the National Company Law Appellate Tribunal (NCLAT). The tech giant argued that the CCI's decision was unjust and sought to overturn the penalties imposed.

Key Points of Meta's Appeal:

- Claims of unfair market treatment.

- Request for a review of the imposed fines and remedies.

## **Stay on the Ban and Penalty:**

On January 23, 2025, the NCLAT granted a stay on the five-year ban and the penalty, provided that Meta deposited 50% of the total fine. This stay raised questions about the effectiveness of regulatory actions and the ongoing battle between tech giants and regulatory bodies.

# Understanding the Abuse of Dominance:

## WhatsApp's Privacy Policy Update

The CCI's order stemmed from WhatsApp's controversial privacy policy update introduced in 2021. This update required users to consent to expanded data-sharing practices, which many viewed as an abuse of Meta's dominant position in the messaging and online advertising markets.

### **Key Aspects of the Policy Update:**

- Users faced a "take-it-or-leave-it" choice.

- Concerns over user data protection and privacy.

## The "Take-it-or-Leave-it" Approach:

The policy was criticized for its "take-it-or-leave-it" nature, forcing users to accept terms that allowed Meta to share their data across its platforms. This approach not only compromised user privacy but also stifled competition by giving WhatsApp an unfair advantage.

### Consequences of the Approach:

- Erosion of consumer trust.

- Distortion of competitive dynamics in the market.



## **Impact on Competition:**

**The CCI found that this data-sharing strategy could harm competition, making it difficult for other messaging platforms to compete on equal terms. The implications of this decision extend beyond India, highlighting the global challenges posed by tech monopolies.**

### **Broader Implications:**

**Potential for similar regulatory actions in other jurisdictions.**

**Increased scrutiny on data practices of tech giants globally.**

## **The Era of Data:**

### **Data as the New Oil**

**In today's digital economy, data is often referred to as the new oil. Unlike oil, which is a finite resource, data can be collected, analyzed, and reused indefinitely. This limitless utility makes data a powerful tool for companies like Meta.**

### **Significance of Data:**

**Data fuels innovation and personalization.**

**It serves as a competitive advantage for tech companies.**



# **The Role of Data in Digital Markets**

**Data plays a foundational role in creating and sustaining market dominance. Platforms like Meta leverage vast amounts of user data to refine algorithms, offer hyper-targeted advertising, and create personalized experiences, effectively locking consumers into their ecosystems.**

## **Effects of Data Dominance:**

**Reinforces the market share of dominant players.**

**Limits the entry opportunities for new competitors.**

# **Global Regulatory Actions:**

## **Scrutiny of Other Tech Giants**

**Meta is not alone in facing scrutiny from regulators. In 2022, Google was fined ₹1,337.76 crore for abusing its dominant position in various markets. This trend indicates a growing concern over the power held by tech giants and the need for regulatory oversight.**

### **Regulatory Landscape:**

**Increasing fines and investigations across the tech sector.**

**Calls for accountability in data handling practices.**

# **The Need for Antitrust Reform**

**The challenges posed by Meta's market dominance are not confined to India. Global regulatory bodies are increasingly recognizing the need to reform antitrust laws to address the unprecedented market power of tech giants. The U.S. Subcommittee on Antitrust has highlighted this urgent need, emphasizing the importance of a coordinated global response.**

## **Proposed Reforms:**

**Redefining market power in the context of data.**

**Establishing new regulations to manage data monopolization.**



# **India's Competition Law Landscape:**



## **Gaps in the Current Framework**

**India's Competition Act, 2002, currently lacks explicit provisions to address data-centric monopolies. Traditional frameworks focus on price-based dominance, leaving a gap in addressing the unique challenges posed by digital markets.**

### **Challenges Faced:**

**Difficulty in regulating data monopolies.**

**Need for updated legal frameworks to reflect digital realities.**

## **Proposed Amendments**

**To address these gaps, amendments to the Act should introduce "data monopolization" as a parameter for assessing market dominance. This would involve redefining key concepts like "market power" to reflect the realities of data-driven dynamics.**

### **Future Directions:**

**Establishing clearer definitions for market power.**

**Implementing robust measures to curb data monopolies**

## **Conclusion**

**The CCI's landmark order against Meta marks a significant step in regulating digital markets in India. As the digital economy continues to evolve, it is crucial for regulatory frameworks to adapt and address the complexities of data-driven monopolies. The ongoing battle between tech giants and regulatory bodies highlights the need for a comprehensive approach to competition law that ensures fair competition and protects consumer privacy.**

### **Key Takeaways:**

**The CCI's actions against Meta set a precedent for future regulatory interventions.**

**The necessity for updated competition laws reflects the unique challenges of the digital era.**

**Ongoing global scrutiny of tech giants emphasizes the importance of consumer protection and fair market practices**

# The assault on multilateralism and international law



**T**he mantra of 'America First' is shaping U.S. President Donald Trump's administration, marking a significant turning point for multilateralism and international law. Since the beginning of his second term, a series of measures have signalled the U.S.'s withdrawal from the very multilateral institutions and agreements it once helped establish. These include calls for withdrawal from key entities such as the World Health Organization, the UNHRC, and the Paris Climate Agreement and sanctions against the International Criminal Court (ICC) and its officials. The most recent addition in this series is the introduction of the Disengaging Entirely from the United Nations Debacle (DEFUND) Act by Republican Senator Mike Lee from Utah, which would allow the U.S. to withdraw from the United Nations. The new American approach has serious consequences for an international order based on multilateral cooperation and respect for international law.

## Back to political and economic isolationism

First, the proposed DEFUND Act poses a threat to the legitimacy of the UN, which, despite its shortcomings, remains one of the most remarkable examples of international cooperation in the post-Second World War era. Should the DEFUND Act pass, it could sever the U.S.'s relationship with the UN by repealing critical legislation such as the United Nations Participation Act of 1945 and the United Nations Headquarters Agreement of 1947. This would halt all financial contributions to the UN and prohibit U.S. participation in UN peacekeeping operations.

Additionally, it would revoke the functional immunity of UN officials from other countries working in the U.S., making it difficult for the UN to effectively carry out important functions such as peacekeeping and the protection of human rights. These possible measures against the UN represent an attack on multilateral political cooperation, which is the bedrock of a rules-based international order.



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The U.S.'s unilateral actions are a turning point and could invite global retaliation, but this is also a chance for non-western nations to take up leadership roles

Second, a February 6 Executive Order imposed sanctions on the International Criminal Court (ICC), located in The Hague, which serves as the first permanent court punishing individuals for crimes such as genocide, crimes against humanity, and war crimes. Following the Second World War, the U.S. was instrumental in establishing the Nuremberg Tribunal to hold individuals accountable for such atrocities. The U.S. Chief Prosecutor at the Nuremberg trials, Robert H. Jackson, famously stated that "the willingness to submit enemies to the rule of law marked a triumph of reason over power".

The legacy of Nuremberg is echoed in the mission of the ICC, notwithstanding the fact that the U.S. is not a member of the ICC and has not ratified the Rome Statute. The executive order accuses the ICC of engaging in "illegitimate and baseless actions targeting America" and its close ally, Israel. Such accusations undermine the court's purpose and function to ensure accountability and prevent impunity for perpetrators of grave crimes violating human rights.

## Trade troubles

Third, the reinvigorated economic nationalism in the Trump administration has led to the implementation of aggressive tariffs in the name of American safety and national security. A historical parallel can be drawn to the era of the 1930s when trade protectionism, triggered by the Smoot-Hawley Tariff Act enacted by the U.S., had dire economic consequences and saw the world spiralling into the chaos of the Second World War. It was this recognition of the economic and political vulnerabilities of countries due to isolationism that led to the adoption of a rules-based multilateral trading order in the form of the General Agreement on Tariffs and Trade (GATT) of 1947, which later evolved into the World Trade Organization (WTO).

Today, the WTO is also facing an existential crisis due to the U.S. blockade on appointments to the Appellate Body of the WTO Dispute

Settlement, and a looming threat of U.S. withdrawal.

## Action and reaction

Overall, the growing anti-internationalist sentiment in the U.S. and the unilateral actions taken by the Trump administration are bound to jeopardise multilateral political and economic cooperation among states. This, in turn, would lead to the devaluation of international institutions that govern and facilitate global cooperation. These institutions, founded on the principle of shared sovereignty, play a crucial role in creating and interpreting international law while maintaining a rules-based international order. Withdrawal from, and restricting the functioning of international institutions and agreements would have significant repercussions for the pressing issues of our time, such as climate change, environmental degradation, public health, respect and accountability for human rights, and economic stability and growth.

Furthermore, the U.S. risks facing retaliation from other states and may find that initiatives such as MAGA, or 'Make America Great Again', cannot thrive without the support of multilateral cooperation. Consequently, resistance from the international community is essential, as mutual enrichment among nations can only be achieved through cooperation rather than coercion. On the positive side, this scenario offers non-western nations such as India, the chance to assume leadership roles.

India has consistently emphasised the importance of multilateralism and adherence to international law. Aply, during the G-20 Foreign Ministers' Meeting (February 2025), in Johannesburg, External Affairs Minister S. Jaishankar reiterated the need for an inclusive and multilateral approach to global challenges and called for prioritising international law and peaceful resolutions. Additionally, this also serves as an opportune moment to reform the UNSC, as India has been consistently demanding.

# **The Impact of 'America First' on Multilateralism**



## **Introduction to 'America First'**

- **The 'America First' mantra is a hallmark of President Donald Trump's administration.**
- **It signifies a pivotal shift in U.S. foreign policy, impacting multilateralism and international law.**
- **This approach has sparked global concern about the future of international cooperation.**

# The Shift in U.S. Foreign Policy

The U.S. has begun withdrawing from multilateral institutions and agreements. This shift represents a fundamental change in U.S. global engagement.

## Withdrawal from Multilateral Institutions

World Health Organization (WHO): Criticized for COVID-19 handling; U.S. withdrawal raises global health cooperation concerns.

UN Human Rights Council (UNHRC): U.S. claims bias against Israel; withdrawal signals reduced interest in global human rights advocacy.

Paris Climate Agreement: U.S. exit undermines global climate change efforts.

## The DEFUND Act and Its Implications

Proposed by Senator Mike Lee, the DEFUND Act (Disengaging Entirely from the United Nations Debacle (DEFUND) Act) could lead to U.S. withdrawal from the United Nations, threatening international cooperation.

## **Political and Economic Isolationism**

### **Threats to the United Nations**

The DEFUND Act threatens the UN's legitimacy by potentially severing U.S. ties and halting financial contributions.

### **Sanctions on the International Criminal Court (ICC)**

Sanctions undermine the ICC's role in punishing crimes like genocide, questioning U.S. commitment to international law.

## **Trade Protectionism and Economic Nationalism**

### **Historical Context: The Smoot-Hawley Tariff**

The Trump administration's tariffs echo the Smoot-Hawley Tariff of the 1930s, which had severe economic consequences.

### **The Current Crisis in the World Trade Organization**

The WTO faces a crisis due to U.S. actions, threatening global trade stability.

# **Consequences of Unilateral Actions**

## **The Devaluation of International Institutions**

Anti-internationalist sentiment in the U.S. risks devaluing institutions crucial for global cooperation.

## **The Role of Non-Western Nations**

Non-Western nations, like India, have opportunities to lead in promoting multilateralism and international law.

## **Conclusion**

The 'America First' policy has profound implications for multilateralism and international law.

U.S. withdrawal from key institutions threatens international cooperation.

Global collaboration is essential to address pressing issues like climate change and human rights



# How do habitual offender laws discriminate?

How are habitual offenders deemed so? What is the history behind denotified and nomadic tribes being seen as 'criminal tribes'? Why are States such as Gujarat not keen to repeal the habitual offender laws?

## EXPLAINER

Abhinav Lakshman

### The story so far:

**M**onths after the Supreme Court of India questioned the need for decade-old laws that have classified a section of criminals as "habitual offenders" across India, the Government of India has revealed in Parliament that such laws continue to operate in as many as 14 States and Union Territories.

### What has the SC said about the matter in the past?

In October last year, while deciding a matter on caste discrimination within Indian jails, the Supreme Court of India had called into question the very basis of the "habitual offender" classification, noting it was "constitutionally suspect" and used to "target members of denotified tribes".

The recent information revealed in the Lok Sabha on March 11 by the Union Social Justice Ministry showed that some States like Gujarat have argued for the continuation of the law given that the "intent" of its use is not suspect, while others are in the process of discontinuing its application, like Punjab. States like Haryana have already repealed it. The government has said that the Union Ministry of Home Affairs communicates with States on these laws and the status of their repealing from time to time.

### What is the origin of the 'habitual offender' classification?

According to the National Commission for Denotified, Nomadic, and Semi-Nomadic tribes headed by Biju Ranji Lade, which submitted its report in 2017, the beginning of "criminalising" communities in India began with Regulation XVII of 1753, which gave magistrates "summary powers" to put to work or imprison certain communities or tribes based on suspicion alone. The Indian Penal Code of 1860 and the Criminal Procedure Code of 1861 further set up the mechanism to maintain a register of "vaccos and thugs", before culminating it in the Criminal Tribes Act (CTA) of 1871. It was through this Act, the Lade Commission notes, that "the phrase 'criminal tribe' was first concocted, and the system of registration began". The law provided for a gang, a tribe, or a class of people to be declared criminal, and was strengthened throughout the next few decades. In 1924, the law was applied to all of colonial India which increased the number of communities declared "criminal" exponentially, according to the Lade report.

Just as the Constitution of India was being adopted, the government's Criminal Tribes Act Enquiry Committee Report (1948-50) was published, which recommended the repealing of the CTA, and encouraged "central legislation applicable to all habitual offenders without any distinction based on caste, creed, or birth". In 1952, based on this report, the Government of India repealed all criminal tribes laws across the country, leaving the communities notified under these laws to be classified as "denotified, nomadic, and semi-nomadic" (DNT, NT, SNT) tribes.

By this time, States had already started enacting "habitual offender" laws across the country, such as the Madras Restriction of Habitual Offenders Act, 1948, which was extended to Delhi in 1951. Rajasthan passed a similar law in 1953, and over the next two decades more



**Criminal by 'habit'** Members of various denotified tribes take an oath during the first conference of Bharat People's Rights Organisation in 2012. FILE PHOTO

States - Andhra Pradesh, West Bengal, Karnataka, Goa, Himachal Pradesh, Uttar Pradesh, etc. - adopted laws on "habitual offenders", all of them moved away from the premise of classifying communities as "prone to crime", by defining a "habitual offender" in terms of the convictions they have had.

However, even though the CTA Enquiry Report had led to the reforming of habitual offender laws, by centering individuals over communities, more than a decade later, when the Lokur Committee in 1965 was looking at denotified tribes, it saw them as communities with an "anti-social heritage". Some specific communities were even described as having an "affinity for crime".

### What were some of the crimes which made one a 'habitual offender'?

Habitual offender laws have a schedule of crimes for which the classification could be invoked. Across States, this included crimes like "being a thug", "belonging to a gang of dacoits", "living on the earnings of prostitution", and half-a-dozen entries on "larking".

Registers were maintained, and rules and regulations were formulated by States on how 'habitual offenders' were to be treated within prisons, leading to jail manuals across the country adopting the language of "habitual offenders", with some of them explicitly allowing for erewhile "criminal tribe" community members to be designated as "habitual offenders" (for example in Rajasthan). But in 1959, the custodial death of Budhan Sagar, a member of a denotified community from West Bengal, led to national outrage over the concept of "habitual offenders" and how it was being used by the police.

### When did change start?

From the outrage over Mr. Sagar's death, an advocacy group was formed known as the Denotified and Nomadic Tribes Rights Action Group (DNTNTR) by writers Mahawewa Devi and G.N. Devi, who also spearheaded the launching of a magazine named after Budhan, which wrote about issues faced by these communities. The

DNTNTR studied the conditions of denotified tribes and prepared a report.

In 1958, the DNTNTR wrote to the National Human Rights Commission (NHRC) in India and the United Nations Secretary General, noting that even though the CTA had been repealed, "the police as well as the general public continue to treat most of these unfortunate communities as 'born criminals' and 'habitual criminals'", citing the habitual offender law in Bombay.

"Every day brings in instances of mob-lynching, arson, and police atrocities enacted upon the innocent and helpless DNTs," the letter said.

Reacting to this letter, the NHRC formed an Advisory Group which in 2000, concluded that these "habitual offender" laws can be repealed. Since then, every National Commission that has dealt with the issue of DNT, NT, SNT communities has mentioned the adverse effect of "habitual offender" laws on these communities.

In March 2007, the United Nations Committee on the Elimination of Racial Discrimination noted the way "habitual offender" laws were being applied and called for its repeal. In 2008, the National Commission on DNT, SNT, NT headed by B.S. Renke noted the negative effect of the laws on the lives of these communities.

In 2014, the High-Level Committee of the Tribal Affairs Ministry, headed by Professor Virginius Saxa noted, "The tag of criminality attached to DNTs and to the nomadic way of life of nomadic tribes persists to the present day. The explanation lies, in good measure, in the Criminal Tribes Act being replaced in many States by the Habitual Offenders Act". In 2020, journalist Sakanya Santha reported on widespread caste-discrimination within Indian prison systems, including the treatment meted out to those who have been classified as "habitual offenders", based on which she filed a petition in the Supreme Court.

### How has States reacted?

Deciding this case in October 2024, a Bench headed by then Chief Justice D.Y. Chandrachud had noted that while "habitual offenders" laws were not the

subject of the matter specifically, it felt compelled to make some observations.

It said, "The 'habitual offender' legislations were enacted to replace the Criminal Tribes Act. However, in States such as Rajasthan, they were used to refer to members belonging to criminal tribes, denotified tribes. Applying that logic, several Prison Manuals/Rules have also referred to 'habitual offender' to mean members of Denotified Tribes or wandering tribes... This cannot be accepted. A whole community ought not to have either been declared a criminal tribe in the past or a habitual offender in the present. It would not be wrong to say that the classification of 'habitual offender' has been used to target members of Denotified Tribes."

Further down in the judgment, the Supreme Court went on to "urge" the State governments to review whether there remained any need for such "habitual offender" laws in the country.

According to the latest information provided by the States and UTs to the Ministry of Home Affairs, Punjab has said that it has not implemented the law for over five years and neither had any register been maintained in this time. Similarly, the Odisha government has said that no case had been registered under the law in the last five years and Andhra Pradesh has said that no one in their jails currently was imprisoned under the law.

Some States like Goa have argued that since there are no DNTs in their State, there is no scope of the law being misused to target them and have indicated that they may be allowed to continue using them. Gujarat has opted against repealing it saying it "does not intend" to harass. Telangana has called the law preventive, whereas Uttar Pradesh has said that since all "habitual offender" provisions had been covered under their Goodness Act, it does not matter if it is repealed.

According to the latest available records of the National Crime Records Bureau (for 2022), about 1.9% of India's 1.29 lakh convict population have been classified as "habitual offenders", with the highest proportion seen in Delhi, where 25.5% of convicts are classified as such.

## THE GIST

▼ In October last year, while deciding a matter on caste discrimination within Indian jails, the Supreme Court of India had called into question the very basis of the "habitual offenders" classification, noting it was "constitutionally suspect" and used to "target members of denotified tribes".

▼ Habitual offender laws have a schedule of crimes for which the classification could be invoked. Across States, this included crimes like "being a thug", "belonging to a gang of dacoits", "living on the earnings of prostitution", and half-a-dozen entries on "larking".

▼ In March 2007, the United Nations Committee on the Elimination of Racial Discrimination noted the way "habitual offender" laws were being applied and called for its repeal.

# What is the Origin of the 'Habitual Offender' Classification?



## Introduction to Habitual Offender Classification

The term "habitual offender" in India is deeply rooted in history, carrying significant stigma and discrimination.

Understanding its origin is crucial to addressing ongoing social implications

# Historical Context of Criminalization in India



Regulation XXII of 1793: Allowed imprisonment based on suspicion, institutionalizing discrimination.

Indian Penal Code of 1860: Systematically criminalized communities, focusing on "dacoits and thugs."

Criminal Tribes Act of 1871: Introduced the term "criminal tribe," leading to widespread registration and discrimination.

## The Evolution of Criminal Tribes Act

By 1924, the CTA was applied across colonial India, increasing the number of communities labeled as "criminal."

## **The Shift Towards Habitual Offender Laws**

Criminal Tribes Act Enquiry Committee Report (1949-50): Recommended repealing the CTA and proposed central legislation for habitual offenders.  
1952: Repeal of criminal tribes laws, redefining affected communities as "denotified, nomadic, and semi-nomadic" tribes.

## **State-Level Habitual Offender Laws**

Various states enacted their own laws, such as the Madras Restriction of Habitual Offenders Act.  
Other states like Rajasthan and Andhra Pradesh followed, creating a patchwork of laws.

## **The Impact of Habitual Offender Classification**

Despite changes, the Lokur Committee in 1965 perpetuated the idea of inherent criminality in certain groups.

## **Advocacy and Change**

Formation of Denotified and Nomadic Tribes Rights Action Group (DNT-RAG) by Mahasweta Devi and G.N. Devy.

1998: Reports to NHRC and UN highlighted ongoing discrimination.

## **Recent Developments and Recommendations**

2007: UN Committee on the Elimination of Racial Discrimination called for the repeal of habitual offender laws.

## **Conclusion**

The "habitual offender" classification is a legacy of historical injustices and systemic discrimination.

Understanding this history is essential for fostering a more equitable society.

# 'Inflation going up in South from migration from poorer States'

SBI research report says southern States display a higher trend in prices of various items, rate cut over the cycle could be at least 75 basis points

**Lalatendu Mishra**

MUMBAI

**L**abour migration from low-income to high income States in search of employment is resulting in higher inflation in richer States in the South, such as Kerala and Tamil Nadu, as per a State Bank of India (SBI) report.

"The region-wise analysis of retail prices shows southern States display a higher trend in prices for items like vegetables, cereals and most of the pulses," SBI researchers said.

"North-east and western regions have had lowest inflation against higher inflationary trends displayed by southern and eastern regions," they said.

A back-of-the-envelope analysis indicated that in the post-pandemic period (FY21-FY25), inflation declined by 3.4% in the North-east, while in the South, it declined by only 2.6%, the officials said.

## Higher taxes in South

Primary trends suggest higher taxes levied on petrol/diesel, liquor, and registration charges for automobiles and flats by the southern States could be the driver of higher inflations, the paper stated.

Going by the share of sales tax collection by States, southern States

## Migrating inflation

Region-wise analysis of retail prices reveal southern States exhibit higher trend in prices for items like vegetables, cereals, most pulses



- Northeast and western regions have had lowest inflation than southern/eastern regions
- Higher taxes on petrol/diesel, liquor by southern States could also be boosting prices
- In post-pandemic period, inflation slid 3.4% in the NE while in the South it dipped by only 2.6%

hold the highest share of 30%, followed by northern region, as per the report.

"Reading between the lines, we believe that migration of labour from low-income States to high income states in search of employment opportunities is resulting in higher inflation in high income States than lower income States as vouched by food inflation across cohort of high income/middle income and low-income States suggesting higher purchasing power anchors higher inflation," India's largest lender said in the report.

Officials said that while India's Consumer Price Index-based (CPI) inflation moderated to a 7-month low of 3.6% in February on easing food and vegetable prices, State-wise data showed inflation in bigger States continued to outstrip the all-India inflation rate of the same month.

"Among the States, Kerala clocked the highest inflation rate of 7.3% in Feb, followed by Chhattisgarh 4.9%," they said.

## Rural vs. urban

Nine major States', rural inflation is higher than the all-India rural inflation. While, there are eight States where urban inflation is higher than all-India urban inflation, it said.

Stating that CPI inflation may slow to 3.9% in Q4 FY25 and average 4.7% in FY25, SBI said based on this, "we expect FY26 inflation may come 4.0-4.2% and core inflation in the range of 4.2% to 4.4%."

"With benign inflation this month and going forward, we expect a cumulative rate cut over the cycle could be at least 75 basis points, with successive rate cuts in the next policy meetings in April and August [this year]," it added.

# Labour Migration and Inflation Trends in India



## Key Insights



**Labour Migration Impact:** Movement from low-income to high-income states, such as Kerala and Tamil Nadu, is linked to rising inflation in these regions, as per a State Bank of India (SBI) report.



**Rising Retail Prices:** Southern states are experiencing an increase in retail prices for essential goods like vegetables, cereals, and pulses.



**Regional Inflation Disparities:** The North-east and western regions of India have the lowest inflation rates, contrasting with higher rates in the southern and eastern regions.



**Taxation and Inflation:** Higher taxes on petrol, liquor, and property registration in southern states are contributing to inflation.



**Inflation Statistics:** In February, Kerala recorded the highest inflation rate at 7.3%, while the national Consumer Price Index (CPI) inflation was at a 7-month low of 3.6%.



**Rural vs. Urban Inflation:** Nine major states report rural inflation exceeding the national average, while eight states have higher urban inflation than the national average.



**Future Inflation Outlook:** SBI predicts a potential slowdown in CPI inflation to 3.9% in Q4 FY25, with possible rate cuts in future policy meetings





# Canada's canola farmers squeezed by trade wars



**Under attack:** The price of canola in Canada has plunged as a result of Chinese and U.S. tariffs. REUTERS

**Agence France-Presse**  
MONTREAL

To sow or not to sow? Canola farmers in Canada's vast western Prairies region have found themselves in the crossfire of trade wars with both the United States and China.

"We have two economic superpowers of the world having a trade war with us at the same time," Rick White, head of the Canadian Canola Growers Association, told AFP.

"We've had our challenges but nothing of this magnitude. This is the worst of all scenarios," he said, weeks before planting is to begin.

Canada, a major agricultural economy, is among the world's top producers of canola—an oilseed crop that is used to make cooking oil, animal meal and biodiesel fuel. But the bulk of canola exports go to just two customers, the United States and China, two countries with which Ottawa is now in standoffs over tariffs.

A few days ago, Beijing announced 100% tariffs on canola oil and meal in response to Ottawa's levies on Chinese electric vehicles, which align with those imposed on China by the U.S. under former president Joe Biden. Meanwhile, since coming to office in January, U.S. President Donald Trump has threatened widespread tariffs on imports of Canadian goods into the United States.

The price of canola has plunged as a result of the Chinese tariffs, dragging the price of European rapeseed down with it.

## Seeding soon

All of this must be sorted out in the coming weeks, fumes Jason Johnson, a farmer from Manitoba province in Canada's agricultural heartland. "We're going to be seeding in about a month and once we do, we can't change crops," he said, while waiting for a call from a seed dealer about possible alternative crops.

China accounts for nearly one-third of Canadian canola exports, mainly seeds, while the U.S. is the largest market for canola oil and meal.

Mr. Johnson believes it was wrong for Canada to impose tariffs on China. "We should go back to China and say, 'We'll lift our tariffs if you lift yours,' basically doing a Trump by threatening tariffs and then retracting them," he told AFP.

On his 2,500-acre farm just north of the Canada-U.S. border, he grows canola each year on about 1,000 acres, and feels certain the United States will ramp up tariffs against Canada that will be widespread and hit hard. Those tariff threats have already sent shockwaves through Canada, as more than 75% of its exports go to the United States. A trade war between the two neighbors, with Canada retaliating, would cause significant damage to the Canadian economy.

Canola Council of Canada chief executive Chris Davison is urging the Canadian government "to immediately engage with China, with a view to resolving this issue."

Ottawa and Beijing have been at loggerheads for several years, relations having soured after Canada detained a senior Huawei executive on a US warrant in December 2018.

# Trade Wars Impacting Farmers


 **Trade Wars Impacting Farmers:** Canola farmers in Canada are facing challenges due to simultaneous trade wars with the U.S. and China.

 **Major Canola Producer:** Canada is one of the world's top canola producers, primarily exporting to the U.S. and China.

 **Tariff Consequences:** China has imposed 100% tariffs on Canadian canola oil and meal, leading to a significant drop in canola prices.

 **Seeding Timeline:** Farmers like Jason Johnson are concerned about the timing of planting, as they cannot change crops once seeding begins.

 **Call for Negotiation:** The Canola Council of Canada is urging the government to engage with China to resolve trade issues.

 **Economic Risks:** A trade war with the U.S. could severely damage the Canadian economy, given that over 75% of canola exports go there.

 **Historical Context:** Relations between Canada and China have been strained since the detention of a Huawei executive in 2018.

**Summary:** Canadian canola farmers are caught in a trade conflict with the U.S. and China, facing severe economic repercussions as tariffs impact exports and prices.

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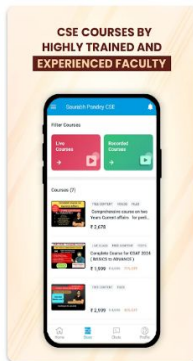
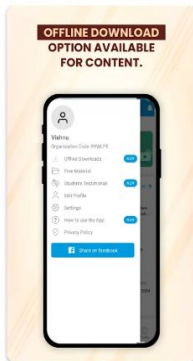
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