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POLITY AND GOVERNANCE

T.N. MOVES SC AGAINST GOVERNOR RAVI OVER DELAY IN CLEARING BILLS

CONTEXT: Tamil Nadu government moved a writ petition in the Supreme Court against Governor R.N. Ravi for delaying or failing to assent to bills passed by the Assembly, stymieing day-to-day governance.

BACKGROUND: The relationship between the Governor and the state government in Tamil Nadu has been strained for some time now. The Governor has been accused of overstepping his constitutional role and interfering in the functioning of the state government. The state government, on the other hand, has accused the Governor of being biased against it and acting in a partisan manner.

THE STORY SO FAR: The Tamil Nadu government has moved a writ petition in the Supreme Court against Governor R.N. Ravi for creating a "constitutional deadlock" by inexplicably delaying or even failing to consider and give assent to crucial Bills passed by the Assembly, and stymieing day-to-day governance in a way which is threatening to bring administration in the State to a grinding halt.

The petition, filed by senior advocate P. Wilson and advocate Sabarish Subramanian, accuses the Governor of positioning himself as a political rival to the legitimately elected government, and toying with the citizen's mandate.

The State has also alleged that the Governor has been delaying or refusing to sign remission orders, day-to-day files, appointment orders, approving recruitment orders, granting approval to prosecute Ministers and MLAs involved in corruption, and even Bills passed by the Tamil Nadu Legislative Assembly.

The petition further states that the Governor has failed to accord sanction for prosecution and investigation into cases of corruption involving moral turpitude of public servants, and issues pertaining to the premature release of prisoners.

The State has urged the Supreme Court to declare the Governor's inaction, omission, delay and failure to comply with the constitutional mandate as illegal and arbitrary. It has also sought a direction to the Governor to fix a deadline or an "outer time limit" for considering the Bills and government orders pending with his office.

RELEVANCE OF THE ISSUE:

The Governor of Tamil Nadu has been delaying or refusing to assent to bills passed by the Assembly, and to appoint key officials, such as the Chairman and members of the Tamil Nadu Public Service Commission. He has also been alleged to

have refused to accord sanction for prosecution and investigation into cases of corruption involving public servants. This has led to a backlog of over 20 bills, and has impacted the functioning of the state government. The Supreme Court has been urged to intervene and direct the Governor to act in accordance with the Constitution.

SIGNIFICANCE

The current crisis is just the latest manifestation of the rift between the Governor and the state government. It is important to note that the Governor's powers are not unlimited under the Constitution. The Governor is not supposed to act as a parallel government, and he is bound by the advice of the Council of Ministers, except in all matters where he has to act according to his discretion.

The Supreme Court has also ruled on several occasions that the Governor should not act in a partisan manner and should not interfere in the functioning of the state government. It is hoped that the Supreme Court will intervene in the Tamil Nadu case and direct the Governor to act in accordance with the Constitution.

INTERNAL SECURITY

APPLE CYBERATTACK ALERT: OPPOSITION CORNERS GOVT.

CONTEXT: Over a dozen Opposition leaders and journalists received email alerts from U.S.-based tech giant Apple on Monday night, informing them that their digital devices were being targeted by "state-sponsored attackers".

Ashwini Vaishnaw, Union Minister for Electronics and Information Technology launched an investigation into the alerts. Apple has issued a alert to users being targeted by state-sponsored attackers who are trying to remotely compromise the iPhone associated with your Apple ID. Apple also cautioned the there was a chance of these alerts being a false alarm, but also urged recipients to take the warning seriously.

Mr. Vaishnaw seized on a part of Apple's press statement that individuals in "150 countries" had received such alerts, but the company subsequently clarified that it was referring to the entire history of these alerts since 2021, not those sent in the immediate past. The Minister urged the iPhone manufacturer to cooperate with the government's investigation.



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POLITY AND GOVERNANCE

STAFF SHORTAGE, FINANCIAL DEPENDENCY PLAGUE LOCAL GOVERNANCE

CONTEXT: The report, Annual Survey of India's City-Systems (ASICS) 2023, was published by the Janaagraha Centre for Citizenship and Democracy, a non-profit institution.

Most Indian cities lack transparency and do not publish accessible civic and financial data

Table 1 | The table shows asymmetry of mayor/council powers across various city categories

Percentage of cities...	Mega	Large	Medium	Small	Total
with a five-year mayoral tenure	38%	68%	67%	84%	83%
with a directly elected Mayor	0%	39%	33%	36%	36%
that can approve the city budget	75%	34%	40%	11%	12%
that can borrow without the prior sanction of the State	13%	16%	12%	15%	15%
that can invest without the prior sanction of the State	75%	63%	40%	42%	42%
that have complete power over their staff	0%	0%	0%	0%	0%
that can levy all key taxes	0%	0%	2%	0%	2%
Average no. of functions devolved by law (number)	11	8	13	11	9
Total population (in mn)	57.84	57.88	28.93	173.9	318.5

Mega cities (>4 million population), large cities (1-4 million), medium cities (5,00,000-1 million), small cities (<5,00,000)

Table 3 | The table shows the asymmetry of financial transparency in the capital cities of India. Figures denote % of capital cities

Type of data	Mega	Large	Medium	Small	Total
Annual audited financial statement	17%	50%	29%	23%	28%
Quarterly audited financial statement	0%	0%	0%	0%	0%
City budget	100%	100%	57%	38%	66%
Ward budget	17%	0%	0%	0%	3%
Internal audit	0%	0%	0%	8%	3%

BACKGROUND: An annual survey of Indian cities shows that a majority of local governments are financially dependent on their State governments. They also have limited control over who to hire and how to distribute work. The report found that only Assam empowers its city governments to collect all key taxes. Except five States — Bihar, Jharkhand, Odisha, Meghalaya, and Rajasthan — all the others have to get approval from the State before borrowing money.

SUMMARY OF THE ANNUAL SURVEY OF INDIA'S CITY-SYSTEMS (ASICS) 2023

KEY FINDINGS:

- **Financial Dependence:** A majority of Indian city governments are financially dependent on their state

governments.

- **Limited Control:** City governments have limited control over who to hire and how to distribute work.
- **Asymmetry of Power:** Megacities have more of a say over their finances than smaller cities, but their mayors do not have a five-year tenure and are not directly elected.
- **Lack of Transparency:** There is a lack of transparency in publishing cities' civic information, with only 11 of the 35 states/union territories enacting the Public Disclosure Law.
- **Poor Staffing Levels:** 35% of posts in India's municipal corporations are vacant, with the vacancy rate increasing to

41% among municipalities and 58% among town panchayats.

RELEVANT INFORMATION:

Comparison with Other Metropolises: Indian cities have a crippling shortage of staff compared to other metropolises such as New York, London, and Johannesburg. For example, there are 5,906 city workers in New York and 2,936 in London for every one lakh population, compared to just 317 in Bengaluru, 586 in Hyderabad, and 938 in Mumbai.

Impact on City Governance: The financial dependence, limited control, lack of transparency, and poor staffing levels of Indian city governments have a significant impact on city governance. They make it difficult for city governments to be effective and accountable to their citizens.

RECOMMENDATIONS:

The report recommends a number of measures to improve city governance in India, including:

- Empowering city governments with greater financial and administrative autonomy.

Chart 2 | The chart shows the availability of civic data in capital cities



Chart 4 | The chart shows the vacancy (in %) in local governance

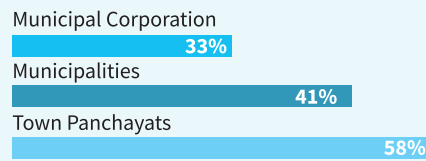
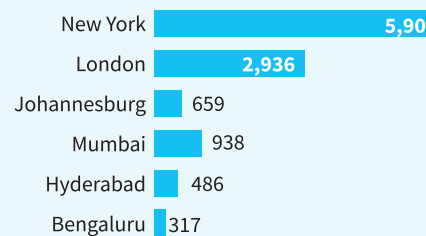


Chart 5 | The chart shows municipal staff per lakh population in Indian and global cities



- Enhancing transparency and accountability in city governance.
- Improving staffing levels and capacity building in city governments.
- Learning from best practices in other countries.

CONCLUSION:

The Annual Survey of India's City-Systems (ASICS) 2023 highlights the challenges faced by Indian city governments. By addressing these challenges, we can improve city governance and make our cities more liveable and sustainable.

INTERNATIONAL RELATIONS

AKHAURA-AGARTALA RAIL LINK TO BE INAUGURATED VIRTUALLY BY PM MODI, SHEIKH HASINA TODAY

CONTEXT: Prime Minister Narendra Modi and his Bangladesh counterpart Sheikh Hasina will virtually inaugurate 12.24 km Akhaura-Agartala rail link, with a 6.78-km dual gauge line in Bangladesh and 5.46 km in Tripura. The project was revived in 2010, when Prime Minister Manmohan Singh signed an agreement to rebuild the connection during Ms. Hasina's visit to New Delhi.



Bangladesh and northeast India will re-establish rail connectivity through Tripura, after a gap of nearly seven and a half decades. One of the main drivers behind the initial construction of the junction in the late 19th century was the demand from Assam's tea industry, which wanted a connection to the Chittagong port.

This rail link is being seen as a first step to connect Tripura to Kolkata through Bangladesh. At present, trains to Agartala must run through a longer route via Guwahati and Jalpaiguri stations. The link will significantly reduce the time and distance needed to reach Tripura, southern Assam, and Mizoram from Kolkata. It will also help boost India-Bangladesh trade in agriculture products, tea, sugar, construction items, iron and steel, consumer items, besides people-to-people ties. The Akhaura-Agartala Cross-Border Rail Link project was supported by a grant aid of ₹ 392.52 crore extended to Bangladesh by the Indian government.

INTERNATIONAL RELATIONS

THE STANCE OF THE MALDIVES PRESIDENT-ELECT ON INDIA

CONTEXT: President-elect Mohamed Muizzu has emphasised his desire to send Indian troops out of the country, while pledging to safeguard the Maldives's independence and sovereignty.

According to the Maldives National Defence Force (MNDF), 75 Indian military personnel stay in the Maldives to maintain and operate the Dornier aircraft and two helicopters gifted to the Maldives by the Government of India. The helicopters have been present in the Maldives for over a decade, predating the term of the outgoing President Mr. Solih, who rose to presidency in 2018, beating President Abdulla Yameen (Mr. Muizzu was fielded by the opposition coalition led by President Yameen). The Dornier aircraft was presented to the Maldives in 2020, following a request from Male. The choppers and the aircraft are used for a range of functions such as medical evacuation, search and rescue operations, training, surveillance, and patrol.

For Mr. Muizzu, his former boss President Yameen, and the political camp they represent, relations with India remain a sensitive matter. The Yameen administration's pro-China tilt is no secret, and during his term from 2013 to 2018, Maldives-India relations were particularly strained, more so after Mr. Yameen's insistence that India take back the helicopters it gifted.

While Mr. Muizzu maintains that he is "pro-Maldives" first, and that he will not allow Indian, Chinese, or any other country's military presence in the Indian Ocean archipelago, he has on many occasions sought to highlight the benefits of Chinese assistance to the Maldives, without commenting on Male's debt obligations, including to China.

The Maldives is facing a major economic challenge, as it prepares to pay about \$570 million annually in 2024 and 2025 to service external debt. In 2026, Mr. Muizzu's government will have to service a record \$1.07 billion in external debt. Mitigating the looming debt crisis may prove rather challenging without the cooperation of India and China, the Maldives's main lenders and development partners.

India has emerged as the Maldives's main security and economic partner, committing \$1.4 billion towards the socio-economic development needs of Maldivians. The Indian establishment sees its own security interests closely tied to the Indian Ocean island nation, amid its concerns of a growing Chinese presence in the region.

Maldives is a member of the 'Colombo Security Conclave', that began as a trilateral initiative with India and Sri Lanka, and later included Mauritius, for maritime cooperation in the region.

"Doing nothing is very hard to do. You never know when you're finished."—Leslie Nielsen

SCIENCE AND TECHNOLOGY

ETHICS, PARLIAMENTARY CONDUCT AND THE INDIAN MP

CONTEXT: A senior MP from the Bharatiya Janata Party, Nishikant Dubey, lodged a complaint with the Speaker alleging that Ms. Moitra had received money from a businessman for putting questions up in Parliament with a view to promoting the person's business interests. The Speaker in turn referred the complaint to the Ethics Committee for examination and a report.

An MP who takes money for putting questions up in Parliament, they will be guilty of breach of privilege and contempt of the House. Such complaints are invariably referred to the Committee of Privileges for investigation. This committee, after a proper investigation, submits its findings in a report along with the recommendation for action against the MP in question. If a case involving illegal gratification for conducting parliamentary work is proven, the MP may even be expelled from the House. There have been such instances in the Lok Sabha where MPs were expelled from the House on this ground.

In the first case, in 1951, H.G. Mudgal, an MP of the Provisional Parliament, was found guilty of promoting the interests of a business association in return for financial benefits by putting questions up, and moving amendments to a Bill which affected the interests of that business association. A special committee of the House found that his conduct was derogatory to the dignity of the House and inconsistent with the standards which Parliament is entitled to expect of its members. But he resigned before he was expelled by the House (the action recommended was his expulsion). In 2005, a sting operation by a private channel showed 10 Members of the Lok Sabha accepting money for putting questions up in Parliament. Again, a special committee was appointed which found them guilty of conduct unbecoming of a member and recommended their expulsion which was accepted by the House. All the MPs were expelled. However, Ms. Moitra's case has been referred to the Ethics committee although the allegation is about illegal gratification for doing parliamentary work.

The Ethics Committee of the Lok Sabha is a relatively new committee which was set up in 2000, with a mandate to examine every complaint that related to the unethical conduct of MPs referred to it and to recommend action. It was also tasked with formulating a code of conduct for MPs. An interesting aspect of this committee is that the term 'unethical conduct' has not been defined anywhere. It is left entirely to the committee to examine a particular act of conduct and decide whether it is unethical or not.

In Ms. Moitra's case, if the complaint is about her having accepted illegal gratification, then the case becomes a case of breach of privilege and cannot be dealt with by the ethics committee. Since a public servant accepting a bribe is a criminal offence, it is normally investigated by the criminal investigative agencies of the government. Parliamentary committees do not deal with criminal investigation. They decide on the basis of evidence whether the conduct of the MP is a

breach of privilege or contempt of the House and punish them accordingly. But the punishment by the House relates to his functioning in the House. Otherwise, he will be liable to be punished for the criminal offence, as in the law. It may be remembered that the 10 MPs who were expelled from the Lok Sabha are still facing trial under the Prevention of Corruption Act.

Parliament does the investigative work through its committees which function under the Rules of the House. The usual methods are examination of the written documents placed before the committee by the complainant and the witnesses, oral examination of all the relevant witnesses, deposition of experts, if deemed necessary, sifting of the whole volume of evidence placed before the committee, and arriving at findings on the basis of the evidence. If the committee examines a complaint against a member of the House, he can appear before it through an advocate and also cross-examine the complainant and other witnesses on permission by the chair. Findings are arrived at after the analysis of all the evidence made available to the committee. In the ultimate analysis, the committee takes a view on the basis of common sense. The findings of the committee of Parliament can be said to be on the basis of preponderance of probabilities. The rules of evidence under the Evidence Act are not applicable to a probe by a parliamentary committee. The question of the relevance of the evidence of a person or a document is finally decided by the Speaker only, and not according to the Evidence Act.

GEOGRAPHY

OCTOBER RAINFALL IN SOUTHERN INDIA 'SIXTH LOWEST' SINCE 1901

CONTEXT: Rainfall during the northeast monsoon, which replaced the southwest monsoon in October and brings vital rain to several parts of southern India, has been the "sixth lowest" since 1901 so far.

In September, the agency had forecast 'normal' rainfall for Tamil Nadu, coastal Andhra Pradesh and Kerala, but October rainfall saw a 60 % rainfall deficiency in these regions due to the prevailing El Nino and, paradoxically, a positive India Ocean Dipole (IOD). A positive IOD usually brings good rainfall.

Historically, an El Nino year and positive IOD individually means normal rainfall over southern India in October. This year, however their combined effect seems to have reduced rainfall. Rainfall in November in these regions is likely to be 'normal', though this can mean anything from a 23 % deficiency to 23 % excess rain, given the inherent variability in November rainfall. The El Nino conditions are expected to get stronger and will continue to do so until March 2024.

ECONOMICS AND DEVELOP-

SEPT. CORE SECTOR GROWTH SLIPS TO 8.1 %

CONTEXT: Output growth across India's eight core infrastructure sectors slowed to a four-month low of 8.1% in September, from 12.5% in August, with the Index of Core Industries (ICI) sliding to a seven-month low.

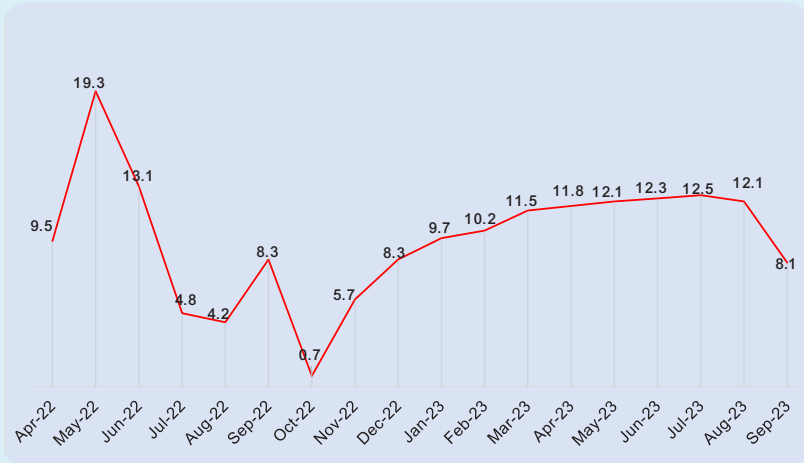


FIGURE: Line chart representation of the core sector growth rates (on Y-o-Y basis in per cent)

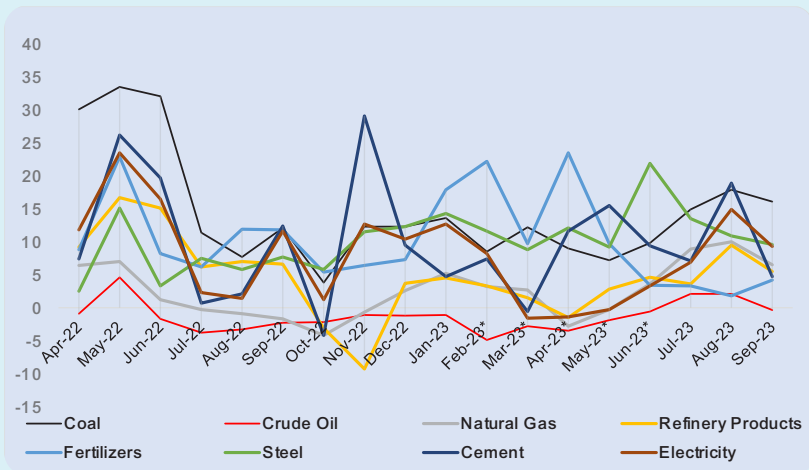


FIGURE: Line chart representation of the sub-sectorial growth rates (on Y-o-Y basis in per cent) of core sector industries.

The core sectors constitute a tad more than 40 % of the Index of Industrial Production (IIP), which is expected to slip back into single digit growth after hitting a 14-month high of 10.4 % in August.

While coal, steel and electricity registered healthy year-on-year growth, crude oil output slid back into contraction mode after two months, snapping a two-month streak when all sectors recorded growth. Barring fertilizers, output slowed at all the sectors vis-à-vis their pace in August. Growth in cement production hit a six-month low of 4.7 %, while fertilizers output rose 4.2 %, the a four-month high. Coal production grew 16.1 %, the second highest pace in at least 13 months, while steel and electricity rose 9.6 % and 9.3 %, respectively. Natural gas output rose 6.5 %, the slowest uptick in three months, while output of refinery products increased by 5.5 %. Sequentially, September's average output was 4.8% below August with each

of the eight sectors logging month-on-month dips in production.

A pickup in rainfall expectedly flattened the core sector expansion in September to a four-month low. The IIP growth is likely to moderate to high single digits in September, taking a cue from the core sectors' trajectory. Coal output expanded by double digits for the third consecutive month in September while steel and electricity also clocked robust growth, she noted.

ECOLOGY AND ENVIRONMENT

STOCKTAKING CLIMATE FINANCE — A CASE OF CIRCLES IN RED INK

CONTEXT: The issues relating to climate finance are likely to be prominent in the Conference of the Parties (COP 28) meeting (November 30–December 12), in Dubai, in the context of Climate Change 2023: Synthesis Report providing the main scientific input to the global stocktake at COP.

The report which says that the current temperature increase at 1.1° Celsius is responsible for frequent hazardous weather will feed into the global stocktake. Thus, the developed countries and climate vulnerable countries are likely to demand a ramping up of mitigation action by the developing countries — which is likely to be countered with the demand that the developed countries have not been able to meet the mark of a mobilisation of \$100 billion climate finance. Providing finance to developing countries is the operationalisation of the anchor sheet principle of the Common but Differentiated Responsibilities and Respective Capabilities.

Estimating adequate climate finance

The developed countries are required in mandatory terms to provide financial resources to developing country parties. Under Article 9 of the Paris Agreement on Climate Change, it is also mandatory for the developed countries to provide in their Biennial Update Reports (BUR), information relating to the financial resources which they have provided and, also, the projected levels of public financial resources to be provided to developing country parties. At the Copenhagen Change Conference in 2009, the developed countries made the commitment to mobilise \$100 billion per year by 2020. Further, the developed countries are required, in accordance with the decision accompanying the Paris Agreement, to collectively mobilise \$100 billion through 2025, before a new collective quantified goal (NCQG) 'from a floor of \$100 billion per year is to be set at the end of 2024'. At the 26th United Nations Climate Change conference in Glasgow in 2021, the developed countries noted, with deep regret, of being able to mobilise only a total of \$79.6 billion.

The Paris Agreement is based on the self-determined efforts of all the parties inscribed in the nationally determined contributions (NDCs), which contain the mitigation efforts to be made by a party for the next five years. Entire NDCs put

together project a picture of overshooting the 1.5° C temperature goal. Going by the needs of countries in the Global South expressed in their NDCs, the amount quantified for the first time touches close to \$6 trillion until 2030. For India, its third BUR says that its financial needs derived from its NDCs for adaptation and mitigation purposes for 2015-30 are \$206 billion and \$834 billion, respectively. Most of the financial needs are required in transitioning towards low-carbon, cleaner energy systems from traditional systems, which will not be funded by the designated financial mechanisms of the United Nations Framework Convention on Climate Change (UNFCCC). Additionally, India has reiterated its demand for a just transition at COP27 as '3.6 million people in 159 districts in India are entrenched in the fossil fuel economy through direct or indirect jobs related to the coal mining and power sector'. They will have to be supported with suitable economic opportunities and livelihoods.

The developed countries are mandatorily required to provide financial resources to developing country parties, but there is no agreed approach among developed countries to share the burden of this goal. One analysis suggests that the United States provided just 5% of its fair share in 2020. Without any mandatory formula for collecting money, it is difficult to predict how the said money or the NCQG for climate finance will be mobilised. Neither the UNFCCC nor the Paris Agreement mention the criterion for mobilisation. Instead, the mobilisation is done with the help of a replenishment process.

The Global Environment Facility, a UNFCCC-designated funding agency providing grant and concessional loan to developing countries, is replenished every four years. A similar approach has been borrowed into the Green Climate Fund (GCF) by the developed countries to mobilise finance. The GCF, set up to administer a portion of the \$100 billion for developing country parties to switch over to low-emissions and climate resilient development path, had its second replenishment on October 5, 2023. In the second pledging conference, only 25 countries out of 37 developed countries met in Bonn, pledging to contribute \$9.3 billion in new contributions. Interestingly, the GCF includes voluntary contributions by nine developing countries. More contributions in the GCF serve the purpose of counting international public climate finance more easily as it has been subject of debate as to what counts as international public climate finance.

Strong political will, perceived urgency and enlightened self-interest of the elite Global North were writ large in the case of a perceived collapse of global public good (global financial stability) in 2009-10 when the G-20 governments quickly responded to the global financial crisis, getting \$1.1 trillion in a few weeks to support the International Monetary Fund and multilateral development banks to save the global financial system. Unfortunately, these factors are missing when it comes to the necessary climate finance transfers from developed to developing countries to safeguard another global common — the atmosphere.

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