



THE  HINDU

DAILY NEWSPAPER ANALYSIS



23 / 12 / 2025

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Putin's visit to India and the aftermath

Russian President Vladimir Putin's visit to India (December 4 and 5) for the India-Russia Annual Summit had sparked a great deal of interest across the world, apart from India itself, though for different reasons. The West, which since the Ukraine conflict in 2022, has boycotted the Russian President, was keen to see how the visit would turn out, and whether it would undermine the embargo they had imposed on him for reasons that are well known. The Elephant and the Bear, however, managed to adroitly handle the situation, and in a manner that gave little reason for satisfaction to the West, even while maintaining a veneer of strategic autonomy.

A deep connection

Meetings between the heads of state of India and Russia have always been viewed as seminal events. They have often produced transformative results. Few in India can possibly forget how the India-Soviet Treaty of Peace, Friendship and Cooperation signed between the two countries in 1971, when Indira Gandhi was the Prime Minister of India and Leonid Brezhnev was the General Secretary of the Communist Party of the Soviet Union, transformed the strategic landscape of South Asia. It enabled India to defeat Pakistan and ensure the liberation of East Pakistan, which became the nascent state of Bangladesh. Less significant, but reminiscent of Russia's willingness to extend its hand of friendship to India, was Mr. Putin's gesture in 2009 during a summit meeting with Prime Minister Manmohan Singh of waiving penalties to enable India to secure its second aircraft carrier supplied by Russia. Other instances, not all of it known to the outside world, but significant in so far as the close friendship between the leaders of the two countries, also exist. This has been the glue sustaining a relationship born out of mutual accommodation and faith.

The closeness of the relationship has often irked the West, which, even as it tilted towards Pakistan most of the time and railed against India's policy of non-alignment, viewed Russia's backing for India as an anti-West manoeuvre.

After 1971, the India-Russia relationship took on a fresh dimension, and since the Gorbachev era in Russia, India-Russia ties have gone from strength to strength. The presidency of Mr. Putin for the past quarter of a century further cemented the friendship. Successive Indian Prime Ministers have sustained this relationship.

The Russia-Ukraine war, however, became a test case in so far as India-Russia relations were concerned; India maintained strict neutrality, but it refused to join the anti-Russia bandwagon. This has since been a point of contention between India and the West.

The recent visit of the Russian leader is his first to India after the West imposed embargo on visits and meetings. Mr. Putin's Delhi visit was, hence,



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invested with far greater interest than might otherwise have been the case. An earlier summit between the Indian and Russian leaders had taken place in Tianjin (in China), where Mr. Putin and Mr. Modi had displayed a great deal of warmth towards each other. This had, however, been anathema to the West.

The Joint Statement

Relations between Russia and the West have, if anything, deteriorated further ever since. Some in the West were possibly anticipating a shift in the content of the India-Russia relationship given the current flux in global politics, U.S. President Trump's heightened tariffs on India for continuing to purchase Russian oil in the wake of the conflict in Ukraine, and other aspects. However, this has been belied, as the optics of the latest visit indicate.

The West, especially the U.S. and countries of the European Union, are certain to be disappointed at the outcome. Apart from the public display of warmth by the Indian Prime Minister and the Russian President on the latter's arrival in Delhi, the relationship between the two countries, often touted as a relationship carved in stone, remains unaffected.

The Joint Statement issued following the 23rd India-Russia Annual Summit makes this clear. Support for a further strengthening of the Special and Privileged Strategic Partnership between India and Russia (marking the 25th Anniversary of the Declaration of Strategic Partnership between India and Russia), for instance, remains unchanged. The statement reiterates the special nature of the longstanding time-tested relationship characterised by mutual trust and respect for each other's core national interests. The Joint Statement further envisages exploring new avenues for cooperation, while strengthening cooperation in traditional areas.

The optics of the visit were, hence, excellent. The media coverage exceeded expectations. The body language demonstrated by the two principals left nothing to be desired. There were more than the usual references to connectivity, and cooperation on transport corridors, especially on the Northern Sea route through the Arctic, and the Chennai-Vladivostok Eastern Maritime Corridor. Technology and industrial collaboration also found prominent mention.

Leaving out defence matters

Yet, defence matters, which had so far provided the main spark as far as the relationship was concerned, were conspicuously absent from the Joint Statement. This has been a core item during the Putin era – and unless there was a deliberate decision to maintain diplomatic silence on supposedly controversial aspects and subjects, it would appear that the essence of the India-Russia relationship was changing. The reasons for this have yet to be explained, and give room for deep

thought, especially during a period of global flux. The defence relationship and cooperation had always been seen and accepted as the bedrock of India-Russia relations; in this instance, however, it has been pushed into the background as of now. This is not merely significant, but could mark a shift in India's attitude and approach, which has so far been (at least in defence matters) largely pro-Russia in outlook.

India has, of late, diversified its defence purchases to include countries such as Israel and France. Nevertheless, Russia has over the years provided the main sinews for India's defence. It has been India's most consistent ally in conflicts with countries such as Pakistan, with the latter being consistently backed by the West. It is not merely the consistency of Russian support, but also the quality of many of the items that Russia has been willing to supply India that has added a great deal of heft to India's defence capabilities. At present, as was amply proved during Operation Sindoor in May 2025, Russia's S-400 air and missile defence system (which has acquired a near mythical status and is widely credited with India's success during the conflict), the Brahmos missile that India has jointly developed with Russia, and is a critical part of India's arsenal, apart from items such as the Sukhoi SU-30 MKI, the T-90 Tanks, and transport helicopters, form an integral part of India's defence structure. Considerable advances have also been made with regard to joint manufacturing and future collaboration between India and Russia in the arcane area of defence.

While India, no doubt, has certain new options to enlarge its military stockpile, Russia has historically been its largest most reliable and significant supplier of state-of-the-art weaponry on land, sea, and air. Of late, Russia has offered more of the same. A shift towards Western sources, given the current state of global politics, could therefore prove detrimental to India's interests. While this might bring about greater European and U.S. endorsement of India's policies, the actual costs need to be weighed carefully. It should be evident that little scope for a change exists, given that the West has never been a reliable partner while Russia has been.

To provide verisimilitude to what has been mentioned here about the less-than-friendly ties between India and the U.S., the U.S. Administration has recently notified Congress of a \$686 million sustaining and modernisation package for Pakistan's F-16 fighter jet fleet. The package would include avionics upgrades and cryptographic modules, mission planning software, simulators and logistical support from contractors. The latest notification comes on top of the \$400 million upgrade programme, announced earlier in 2025. This is notwithstanding a recent Washington Declaration that has averred that U.S.-India ties are the defining relationship of the 21st century.

Context

Putin's visit reaffirmed India's strategic autonomy and enduring Russia partnership, even as defence cooperation enters a phase of quiet recalibration.

பாதுகாப்பு ஒத்துழைப்பு அமைதியான மறுசீரமைப்பின் ஒரு கட்டத்தில் நுழைந்தாலும், புடினின் வருகை இந்தியாவின் மூலோபாய சுயாட்சி மற்றும் நீடித்த ரஷ்யா கூட்டாண்மையை மீண்டும் உறுதிப்படுத்தியது.

UPSC CSE Syllabus GS Paper 2 : International Relations



The Hindu – Newspaper 23/12/2025

Keystone IAS Academy, Anna Nagar West, Chennai – 40. Mobile : 7305777541 / 9894996777

Context

Russian President **Vladimir Putin** visited India (Dec 4–5) for the **23rd India–Russia Annual Summit**

First visit after **Western embargo** post **Ukraine war**

Closely watched by **U.S. & EU**

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Significance of India–Russia Relations

Described as a “**Special and Privileged Strategic Partnership**”

Rooted in **1971 Indo-Soviet Treaty**

Based on **mutual trust, strategic autonomy, and respect for core interests**

Russia has been India’s **most consistent strategic supporter**, especially against Pakistan

The Hindu – Newspaper 23/12/2025

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India's Position on Ukraine War

Maintained **strategic neutrality**

Refused to join Western sanctions

Continued **energy and defence cooperation** with Russia

→ Reinforces India's **multi-alignment policy**

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Key Outcomes of the Visit

Joint Statement reaffirmed:

Strategic partnership

Cooperation in **connectivity, technology, trade**

Focus areas:

Northern Sea Route (Arctic)

Chennai–Vladivostok Maritime Corridor

Strong **optics & symbolism**, positive media coverage

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Major Concern: Defence Cooperation Missing

Defence traditionally the **bedrock** of ties

No explicit defence references in Joint Statement

Raises questions:

- Tactical diplomatic silence?

- Gradual diversification away from Russia?

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Importance of Russia in India's Defence

Key systems:

S-400 air defence

BrahMos missile (jointly developed)

SU-30 MKI, T-90 tanks

Russia remains **largest defence supplier**

Proven reliability vs West's inconsistent stance

Western Contradictions

U.S. approved **\$686 million F-16 upgrade package for Pakistan**

Despite claims of **India–U.S. ties being “defining relationship”**

→ Highlights limits of Western reliability

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Recently, India signed a deal known as ‘Action Plan for Prioritization and Implementation of Cooperation Areas in the Nuclear Field’ with which of the following countries? (2019)

- (a) Japan
- (b) Russia
- (c) The United Kingdom
- (d) The United States of America

Ans: B

What is the significance of Indo-US defence deals over Indo-Russian defence deals? Discuss with reference to stability in the Indo-Pacific region. (2020)

Mains Practice Questions

GS Paper 2 – International Relations

Assess the significance of Russian President Vladimir Putin's visit to India in the context of India's strategic autonomy and changing global geopolitics.

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Right to Disconnect: Drawing the line after work

The Right to Disconnect Bill has been introduced as a private member's bill, a form of legislation that is rarely enacted. It comes in the context of India's recent consolidation of labour law through the four labour codes, which regulate working hours, overtime, and employer control. Against this background, the Bill marks a pivotal moment in Indian labour law. In this age of digital technologies, work increasingly extends beyond the physical workspace. Therefore, it is only prudent for the legislature to reconsider how labour law responds to constant connectivity. However, it does so in a framework that regulates work primarily through time-based constructs.

Indian labour law is yet to define what constitutes as 'work' in a digital economy. While the Bill regulates after-hours communication, it does so without clarifying the scope of 'work'. This omission becomes crucial when the Bill is read alongside other codes governing working time and employer control. Therefore, we examine unresolved questions concerning the definition of 'work', the scope of the proposed right, and its potential constitutional character, while drawing a comparison as well.

Some ambiguity

The Bill provides employees the right to not respond to work-related calls or mails beyond the prescribed working hours. However, it fails to address whether such after-hours engagement falls within the legal constructs of work.

This ambiguity is particularly obvious in the interaction of the Bill with the Occupational Safety, Health and Working Conditions Code, 2020, which continues governing working hours and overtime in Indian labour law. However, the Bill does not clarify whether after-hours digital



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Until the Bill directly addresses how digital labour complies with existing labour laws, it continues to rely on a framework designed to regulate physical workplaces

engagement amounts to "work" under the Code. This inadvertently creates a conceptual gap where communication is regulated without being integrated in the legal framework governing working time. As a consequence, the right to disconnect operates more as a behavioural norm than a labour standard.

Approach of other jurisdictions

The gaps become apparent when compared with jurisdictions that have already imbibed the right to disconnect in their legal regimes. In the European Union, employer control became a key parameter for assessing working time. Through judicial precedents, an expansive definition was adopted, which included on-call time, standby periods, and other forms of availability, even where no active work is performed but the employer continues to exercise control. This principle further evolved through decisions such as *SIMAP*, *Tycos*, and *Jaeger*, where the European Court of Justice equated employer's control with work. Similarly, France does not try to redefine work. Instead, its labour law demarcates working time and rest time. Periods of availability under employer control are considered working time, and digital communication is integrated into this framework through collective bargaining.

Germany enforces strict working time and rest period regulations as well. These comparisons are not offered for replication in India, but to engage with an unresolved legal question: when does an employee's time belong to the employer?

The Indian labour code contains mandatory rules, prescribing limits on working hours, and contractual terms negotiated through employer policy and agreements. The Right to Disconnect Bill does not specify whether the given right is a mandatory labour standard or its term can be

modified via a contract.

Another question concerns the Bill's constitutional character. The freedom to disengage bears an evident relationship with Article 21 of the Constitution. Yet the Bill neither traces its constitutional lineage nor articulates how these guarantees are to be realised within the workplace. The Bill leaves unresolved whether the right to disconnect is purely statutory or indicative of a deeper constitutional engagement between work and individual autonomy.

Conclusion

The Bill recognises that digital work has blurred the traditional boundaries between working time and personal time, but it does not explain how this transformation is to be accommodated within the legal framework which governs working hours, overtime and employer control.

A comparative study reveals that the right to disconnect becomes effective when an employee's time is treated as working time. This gap is yet to be filled. Until the Bill addresses how digital labour complies with existing labour laws, it will continue to rely on a framework designed for regulating physical workplaces.

The Bill leaves open whether the right has a constitutional character. Although there is an evident connection between Right to Disconnect and individual autonomy under Article 21 of the Constitution, this is not made apparent by the legislature. The Bill neither identifies this gap nor acknowledges it, which leaves it open to divergent interpretations.

For these reasons, the Bill is best seen as the beginning of a broader conversation, one that the Indian labour law jurisprudence will eventually address.

Context

The Right to Disconnect Bill highlights the challenge of regulating digital labour within a time-based labour law framework and signals the need to rethink work, autonomy and employer control in the digital age.

துண்டிப்பு உரிமை மசோதா, டிஜிட்டல் தொழிலாளர்களை நேர அடிப்படையிலான தொழிலாளர் சட்ட கட்டமைப்பிற்குள் ஒழுங்குபடுத்துவதில் உள்ள சவாலை எடுத்துக்காட்டுகிறது மற்றும் டிஜிட்டல் யுகத்தில் வேலை, சுயாட்சி மற்றும் முதலாளி கட்டுப்பாட்டை மறுபரிசீலனை செய்ய வேண்டியதன் அவசியத்தை சமிக்ஞை செய்கிறது.

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GS Paper 2: Indian Polity / Social Justice / Governance

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Context

Today, because of **mobile phones, WhatsApp, emails and laptops**, work does not stop when office hours end. Even after work time, employees are expected to answer calls, reply to messages, or finish tasks. This affects **mental health, family life and personal freedom**.

To address this, a **Right to Disconnect Bill** has been introduced in India as a **Private Member's Bill**. It aims to give employees the **right to not respond to work-related calls or messages after official working hours**.

Public Bill vs Private Bill

Public Bill	Private Bill
1. It is introduced in the Parliament by a minister.	1. It is introduced by any member of Parliament other than a minister.
2. It reflects of the policies of the government (ruling party).	2. It reflects the stand of opposition party on public matter.
3. It has greater chance to be approved by the Parliament.	3. It has lesser chance to be approved by the Parliament.
4. Its rejection by the House amounts to the expression of want of parliamentary confidence in the government and may lead to its resignation.	4. Its rejection by the House has no implication on the parliamentary confidence in the government or its resignation.
5. Its introduction in the House requires seven days' notice.	5. Its introduction in the House requires one month's notice.
6. It is drafted by the concerned department in consultation with the law department.	6. Its drafting is the responsibility of the member concerned.

Procedure

- **Notice period:** Minimum 1 month
- **Discussion day:** Usually Friday afternoons
- **Steps:** Introduction → Limited debate → Withdrawal / Vote
- Very few reach voting stage

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Important Facts

- Only 14 PMBs passed since Independence
- Last PMB passed by both Houses: 1970
- 17th Lok Sabha (2019-24):
 - Lok Sabha: 729 PMBs introduced, only 2 discussed
 - Rajya Sabha: 705 introduced, 14 discussed
- 18th Lok Sabha (till May 2025):
 - Lok Sabha: 64 introduced, none discussed
 - Rajya Sabha: 82 introduced, only 1 discussed

Notable Examples

- Muslim Wakfs Bill, 1952 → led to Waqf Act, 1954
- Rights of Transgender Persons Bill, 2014 (RS) → led to 2019 Act
- Right to Disconnect Bill, 2019 → sparked national debate on work-life balance

Major Issues

No clear definition of “**work**” in digital economy

Not aligned with existing labour codes on working hours & overtime

Unclear whether right is **mandatory or contractual**

Constitutional linkage with **Article 21 not explicitly recognised**

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Comparative Perspective

EU: Employer control = working time

France & Germany: Clear work–rest demarcation

Digital communication integrated into labour law

Significance

Addresses work-life balance

Protects mental health and autonomy

Beginning of labour law reform for digital workplaces

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With reference to the Parliament of India, consider the following statements: (2017)

A private member's bill is a bill presented by a Member of Parliament who is not elected but only nominated by the President of India.

Recently, a private member's bill has been passed in the Parliament of India for the first time in its history.

Which of the statements given above is/are correct?

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

Ans: (d)

Mains Practice Questions

GS Paper 2 – Social Justice / Governance

Discuss the concept of the Right to Disconnect in the digital age. What are the legal and constitutional challenges associated with its implementation in India?

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Death knell for the rural job guarantee

The Viksit Bharat - Guarantee for Rozgar and Ajeevika Mission (Gramin) Act (VB-G RAM G), 2025 Act, which replaces the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), received the President's assent on Sunday.

Article 21 of the Constitution guarantees the right to life. The Supreme Court in *Olga Tellis v. Bombay Municipal Corporation* in 1985 ruled that "if there's an obligation upon the State to secure to the citizens an adequate means of livelihood and right to work, it would be sheer pedantry to exclude the right to livelihood from the content of the right to life."

MGNREGA, arrived at through sustained social movements and passed unanimously in Parliament, envisions the right to work as a necessary condition for the right to life. It is, therefore, a departure from earlier public works programmes as MGNREGA's provisions amount to justiciable rights – the right to work on demand, the right to unemployment allowance if work is not provided within 15 days, the right to payment of wages within 15 days and payment of delay compensation otherwise, gender parity in wages, minimum wages, among others. The Act also envisaged relief from ecological distress through the creation of long-term sustainable assets. As an engine to implement the 73rd Constitutional Amendment, MGNREGA strengthened the panchayat raj institutions.

Five broad positive outcomes of MGNREGA can be identified as (a) it is universal and not targeted, (b) it resulted in an increase in rural incomes, (c) it counters gender and caste inequalities, (d) it creates quality assets and (e) it empowers communities. Within a few years of MGNREGA, studies showed that incomes of workers increased, overall poverty fell and school enrolment increased. According to an India Human Development Survey, reliance on



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teaches in Azim Premji University, Bangalore and is affiliated with LibTech India. Views are personal

money lenders decreased by 21%. About 45% of female MGNREGA workers were either not working or worked only on family farms before the Act. Women's participation has been around 58% in MGNREGA over the last five years. In the face of mounting evidence, even the World Bank changed from referring to it as a "barrier to development" in 2009 to calling it a "stellar example" of rural development in 2014. MGNREGA's role during the COVID pandemic is widely known.

Many issues

Perhaps the chronicle of death was foretold over the last decade. Chronic underfunding has resulted in persistent wage payment delays, a fact acknowledged by the Ministry of Finance. Budget constraints have meant that officials have resorted to rationing work. Activists and researchers routinely brought up exclusions leading to denial of rights arising from opaque technocratic initiatives such as a photo-based attendance app and complex payment systems. Such initiatives gave new ammunition for corruption as these widened the gulf between workers and officials. Staff shortage exacerbated corruption. Built-in principles to mitigate corruption like social audits have been underfunded.

The VB-G RAM G Act was steamrolled in Parliament in such a scenario. Section 5(1) of this Act gives arbitrary, discretionary powers to the Union government to decide where, what and how public works will happen. According to Section 4(5), the Union government will determine and prescribe "State-wise normative allocations" of funds based on "objective parameters". Instead of demand-driven, as MP Manoj Jha put it, this makes it "command-driven" rendering it to a centrally sponsored allocation based model, putting States at the mercy of the Centre. Local autonomy ideas of MGNREGA stand compromised.

In the *Swaraj Abhiyan* case in 2018, the Supreme Court ordered the Union government to pay compensation for delays in payments caused by it. The new Act places no obligation on the Union government for payment delays. Roughly 90% of the MGNREGA expenditure is borne by the Union government and 10% by the States. As per Section 22 of the new Act, barring some States, the Centre to State ratio of funds has been altered to 60:40. Further, the new Act states that "expenditure by a State in excess of its normative allocation shall be borne by the State government". Taken together, these clauses might lead to political favouritism towards some States and victimisation of others.

Forced to be fiscally prudent, States are likely to stifle work demand leading to increased unemployment and distress migration.

The opportunity to work anytime in the year is vital, especially for the landless and women. However, the proposition (Section 6(2)) in the new Act to not provide any employment for 60 days during the agricultural season, will only ossify the entrenched land, caste and gender inequalities. Despite support for MGNREGA from farmers' platforms and evidence pointing to farmers benefiting from MGNREGA, the new Act attempts to legally pit farmers with labourers. The new Act claims to provide 125 days of employment per household per year. However, if in the current funding situation, average days of work per year per household was around 50, the claim of 125 days of employment in a year is a red herring. Finally, the new Act has no new provisions to mitigate corruption.

MGNREGA combines Mahatma Gandhi's ideas of local governance with B.R. Ambedkar's spirit of empowering citizens with rights. By formalising the decade-long slow poisoning of the MGNREGA, the new Act undermines both Gandhi and Ambedkar.

Context

The VB-G RAM G Act, 2025 marks a shift from a rights-based, demand-driven rural employment guarantee to a centrally controlled, fiscally constrained programme, undermining livelihood security, federalism, and constitutional values.

VB-G RAM G சட்டம், 2025, உரிமைகள் அடிப்படையிலான, தேவை சார்ந்த கிராமப்புற வேலைவாய்ப்பு உத்தரவாதத்திலிருந்து மையப்படுத்தப்பட்ட கட்டுப்பாட்டு, நிதி ரீதியாக கட்டுப்படுத்தப்பட்ட திட்டத்திற்கு மாறுவதைக் குறிக்கிறது, இது வாழ்வாதாரப் பாதுகாப்பு, கூட்டாட்சி மற்றும் அரசியலமைப்பு மதிப்புகளைக் குறைமதிப்பிற்கு உட்படுத்துகிறது.

UPSC CSE Syllabus GS Paper 2: Indian Polity



The Hindu – Newspaper 23/12/2025

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Context

VB-G RAM G Act, 2025 replaces **MGNREGA**

MGNREGA was rooted in **Article 21 (Right to Life & Livelihood)**

Olga Tellis case (1985): Right to livelihood is part of Right to Life

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Why MGNREGA Was Unique

MGNREGA created **justiciable rights**, unlike earlier welfare schemes:

Right to work on demand

Unemployment allowance if work not provided in 15 days

Timely wage payment & delay compensation

Minimum wages & gender wage parity

Strengthened **73rd Constitutional Amendment (Panchayati Raj)**

Ecological asset creation

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Positive Outcomes of MGNREGA

Universal programme (not targeted)

Increased rural incomes & reduced poverty

Reduced caste & gender inequalities

Women participation ~58%

Reduced dependence on moneylenders (↓ 21%)

Community empowerment & crisis support (COVID-19)

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Systematic Weakening Over the Years

Chronic underfunding → wage delays

Rationing of work due to budget constraints

Exclusion due to:

- Tech-heavy systems (apps, payment complexities)

Staff shortages → corruption

Social audits underfunded

Key Problems with VB-G RAM G Act, 2025

1. Centralisation of Power

Section 5(1): Union govt decides **where, what, how** works happen

Section 4(5): State-wise **normative fund allocation**

Shift from **demand-driven** to **command-driven** model

Weakens local autonomy & Panchayati Raj

2. Fiscal Burden on States

Funding ratio changed from **90:10** → **60:40**

States must bear excess expenditure

Risk of:

- Political favouritism

- Suppression of work demand

- Distress migration

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3. Removal of Accountability

No obligation on Centre for wage delay compensation

Violates **Swaraj Abhiyan (2018) SC ruling**

4. Seasonal Employment Restriction

No work for **60 days during agricultural season**

Harms:

- Landless labourers

- Women workers

Reinforces caste & gender inequalities

5. Employment Claims Not Credible

Promises 125 days of work

Actual average earlier \approx 50 days

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No additional funding → claim misleading

6. Corruption Not Addressed

No new safeguards

Existing transparency mechanisms weakened

Conclusion

MGNREGA embodied:

Gandhi → decentralised governance

Ambedkar → rights-based empowerment

New Act dilutes both principles

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Among the following who are eligible to benefit from the “Mahatma Gandhi National Rural Employment Guarantee Act”? (2011)

- (a) Adult members of only the scheduled caste and scheduled tribe households
- (b) Adult members of below poverty line (BPL) households
- (c) Adult members of households of all backward communities
- (d) Adult members of any household

Ans: (d)

“An essential condition to eradicate poverty is to liberate the poor from the process of deprivation.” Substantiate this statement with suitable examples. **(2016)**

“Poverty alleviation programs in India remain mere showpieces until and unless they are backed up by political will.” Discuss with reference to the performance of the major poverty alleviation programmes in India. **(2015)**

Mains Practice Questions

GS Paper 2 – Indian Polity

Critically examine how the replacement of MGNREGA by the VB-G RAM G Act alters the nature of the right to work in India.

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On the right to a healthy environment

Amid rising air pollution, legal interpretations linking environmental rights to the right to life and explicit constitutional provisions to enforce environmental protections, emphasising the state's responsibility, is the need of the hour

LETTER & SPIRIT

C.B.P. Srivastava

Come winter and the national capital wakes up with thick smog and severely low air quality, which cripples the city and poses serious health challenges. The directions given by the Delhi government and the Directorate of Education to ensure work from home and to run classes in schools in hybrid mode respectively do not bring much succour, as possible health hazards continue to haunt Delhiites and those living in the National Capital Region (NCR) districts.

Some of the major causes of air pollution include the burning of fossil fuels, transport, industrial processes, waste management, demolition and agriculture. However, particulate matter is the most deadly of them all causing major health hazards like stroke, heart and lung diseases which kill large number of people every year.

Severity of particulate matter

Particulate matter is defined for the purpose of quality regulations. Particles having a diameter of 10 microns or less (PM 10) may enter the body through breathing and adversely affect health. On the other hand, fine particulate matter includes particles having a diameter of less than 2.5 microns (PM2.5). Particles emitted from the burning of diesel called IPM (Diesel Particulate Matter) are mostly less than 1 micron in size and constitute a sub-category of PM2.5. These cause severe health hazards, even in children. In this context, the Commission for Air Quality Management (CAQM) has amended the Graded Response Action Plan (GRAP) and made it mandatory to close schools in Delhi and NCR districts under Phases 3 and 4 of the plan. Earlier, the decision to implement these measures was at the discretion of the State government. Moreover, as an additional directive under Phase 3 of the GRAP, State governments will now have to stagger the timings of public offices and municipal bodies in Delhi and NCR districts.

Constitutional provisions

Though the original Constitution did not mention any provisions for environmental protection, the concepts of natural justice and protection of nature were enshrined in the entire constitutional scheme. This is the reason why, by way of liberal interpretation, the Supreme Court gave its opinion that clean environment shall be included in the meaning of life under Article 21 in *Maneka Gandhi versus Union of India*, 1979.

However, over the years, especially after growing demands for proper safeguards for the protection of the environment and sustainable development, India has adopted policies for which it needs proper and effective constitutional provisions. This led to the insertion of Articles 48A and 51A (g) as responsibilities of the state and citizens respectively. A significant aspect of Article 48A is that the Constitution intends to make agriculture and environment compatible. In *Sabharwal Kumar versus State of Bihar*, 1989, the Supreme Court read Articles 48A and 51A (g) with Article 21, and inferred that the state is constitutionally obliged to take steps to protect and improve the environment so that every citizen is able to enjoy his right to pollution free air and water, which are necessary for a meaningful life.

However, since the mid-1980s,



Intense pollution: A layer of smog seen over moving traffic near the ITO area, in New Delhi on December 22, 2014. (HUMAY VISTA)

increasing privatisation and economic liberalisation have degraded the environment on a large scale due to which the judiciary had to step in to provide guidelines to strike a balance between economic development and environmental protection. The judiciary's commitment to social good in general, and environmental protection in particular, has resulted in the innovative use of Public Interest Litigations (PILs) under Articles 32 and 226 of the Constitution, as a tool for social and environmental justice.

Moreover, a healthy environment is also one of the elements of a welfare state. Under Section 2(a) of the Environment (Protection) Act, 1986, 'environment' includes water, air and land, and the interrelationship which exists between the three and human beings, other living creatures, plants, microorganisms and property. The right to live in an environment free of danger of disease and infection is an important attribute of the right to live with human dignity.

The right to live in a healthy environment as part of Article 21 of the Constitution was first recognised in *Burali and Entitlement Kendra versus State of U.P.*, 1985. In 1987, the Supreme Court in *M.C. Mehta versus Union of India* treated the right to live in a pollution free environment as part of the fundamental right under Article 21 of the Constitution.

Disasters and environmental protection

During times of disasters and calamity, whether natural or man-made, the issue of protecting the environment assumes greater significance. The concept of 'absolute liability' was introduced for disasters arising out of the storage, leak or use of hazardous substances such as in the *Bhopal Gas Leak case*. While strict liability is the concept that makes a defendant responsible for the consequences of an action, even if he did not intend to cause harm or was not at fault, absolute liability is the imposition of legal responsibility on a party for damages caused, regardless of fault or

negligence, but with certain exceptions. Moreover, strict liability is used in both criminal and civil law.

Two more principles that assume significance in cases of disasters which affect the environment include the 'precautionary principle' and the 'polluter pays principle'. These concepts were explained in the *Indian Citizens' Welfare Forum versus Union of India*, 1996. The precautionary principle is an approach wherein states should adopt precautionary measures if there are serious threats to the environment.

According to the United Nations, this principle needs to be widely adopted by nations according to their own capabilities. In cases where there are threats of serious or irreversible damage, a lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures which could prevent environmental degradation. The precautionary principle is a part of the law of the land and should be applied when there is a threat of serious or irreversible environmental damage. The traditional concept that development and ecology are opposed to each other, is no longer acceptable. Sustainable development should be prioritised.

On the other hand, the polluter pays principle is the commonly accepted practice that those who are responsible for the pollution should bear the costs of managing it to prevent damage to human health or the environment. For instance, a factory that produces a potentially poisonous substance as a by-product of its activities is held responsible for its safe disposal. The polluter pays principle is part of a set of broader principles to guide sustainable development worldwide.

Public trust doctrine

Another major idea behind the principles of environmental protection is the public trust doctrine. In *M.C. Mehta versus Kamal Nath*, the Supreme Court explained the doctrine as a reflection of a social contract between the state and the people, in which the state serves as the trustee while the people or the communities own the resources.

Although the state holds certain rights over said resources, it shall not utilise them for personal gains and shall be used only for the benefits of the people.

In India, Clause (b) of Article 39 provides that material resources shall be owned by the community and Clause (c) of the Article says that the state shall have the responsibility to prevent any concentration of the means of production. Further, when the state takes steps for the welfare of the people, the citizens have a duty to allow the state to do so. Thus, the relationship of the state and citizens is guided by *ius publicum*, or public law. It also refers to the right, title or dominion of public ownership which means that the government has the right to own resources for the benefit of the public. This is very well articulated in the Constitution, especially in the Directive Principles.

For example, in *Radhey Shyam Sahu*, the Supreme Court held that the doctrine of public trust emanates from the provisions of Article 21 of the Constitution protecting the life of the people and put the state under the obligation to maintain public parks for the citizens.

So far as the effects of climate change are concerned, the top Court in *M. K. Ranjitsinh versus Union of India*, 2024 recognised the right against adverse effects of climate change as being part of the right to life under article 21 and also with the right to equality under Article 14 of the Constitution.

Despite the fact that national and foreign governments have claimed to have taken steps for the protection of the environment, their claims have been far from satisfactory. Moreover, as judicially recognised rights cannot be directly claimed unless linked to any of the rights provided in Part III of the Constitution, the state may also become reluctant to take steps with concern. It is therefore the opportune moment to expressly include the right to a clean and healthy environment in the Constitution to make both the state and the citizens equally responsible.

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THE GIST

▼ The directions given by the Delhi government and the Directorate of Education to ensure work from home and to run classes in schools in hybrid mode respectively do not bring much succour, as possible health hazards continue to haunt Delhiites and those living in the National Capital Region (NCR) districts.

▼ During times of disasters and calamity, whether natural or man-made, the issue of protecting the environment assumes greater significance.

▼ Despite the fact that national and foreign governments have claimed to have taken steps for the protection of the environment, their claims have been far from satisfactory.

Context

Indian constitutional jurisprudence has evolved to recognise a clean and healthy environment as part of the right to life, but explicit constitutional incorporation is now essential to address pollution, climate change, and state accountability.

இந்திய அரசியலமைப்பு நீதித்துறை, சுத்தமான மற்றும் ஆரோக்கியமான சூழலை வாழ்வதற்கான உரிமையின் ஒரு பகுதியாக அங்கீகரிக்கும் வகையில் உருவாகியுள்ளது, ஆனால் மாசுபாடு, காலநிலை மாற்றம் மற்றும் மாநில பொறுப்புணர்வை நிவர்த்தி செய்வதற்கு வெளிப்படையான அரசியலமைப்பு ஒருங்கிணைப்பு இப்போது அவசியம்.

UPSC CSE Syllabus
GS 2 Indian Polity / GS Paper 3: Environment & Ecology



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Context

Severe **air pollution & smog in Delhi–NCR**, especially in winter

PM2.5 and PM10 causing serious public health crisis

Administrative measures (WFH, hybrid schools, GRAP) are **short-term relief**

Air Pollution & Health

PM10: Particles ≤ 10 microns \rightarrow enter lungs

PM2.5: Particles ≤ 2.5 microns \rightarrow enter bloodstream

Diesel Particulate Matter (DPM): < 1 micron, extremely harmful

Causes: fossil fuels, transport, industry, construction, waste burning, agriculture

Health impacts: stroke, heart disease, lung disease, child health damage

GRAP & CAQM

CAQM amended GRAP

Mandatory school closure under **Phase 3 & 4**

Staggered office timings in Delhi–NCR

Shift from **State discretion** → **mandatory enforcement**

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Constitutional Evolution of Environmental Rights

Article 21 – Right to Life

Maneka Gandhi v. Union of India (1978)

→ Life includes **quality of life**

Rural Litigation & Entitlement Kendra (1985)

→ Healthy environment part of Article 21

M.C. Mehta v. Union of India (1987)

→ Right to pollution-free environment is a **Fundamental Right**

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Directive Principles & Fundamental Duties

Article 48A: Duty of State to protect environment

Article 51A(g): Duty of citizens to protect environment

Subhash Kumar v. State of Bihar (1991)

→ Articles 48A & 51A(g) read with Article 21

→ State constitutionally bound to ensure clean air & water

Role of Judiciary

Expansion of **PILs** under **Articles 32 & 226**

Balancing **development vs environment**

Judicial activism due to liberalisation & environmental degradation

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Key Environmental Law Principles

1. Absolute Liability

Oleum Gas Leak Case

Hazardous industries → **liability without exceptions**

2. Precautionary Principle

Vellore Citizens' Welfare Forum (1996)

Prevent damage even without full scientific certainty

Recognised as **law of the land**

3. Polluter Pays Principle

Polluter bears cost of environmental damage

Linked to sustainable development

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Public Trust Doctrine

M.C. Mehta v. Kamal Nath

State is **trustee of natural resources**

Resources must be used for **public benefit**

Linked with:

Article 39(b) – community ownership of resources

Article 39(c) – preventing concentration of wealth

Radhey Shyam Sahu case

→ State must protect public parks

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Climate Change & Fundamental Rights

M.K. Ranjitsinh v. Union of India (2024)

Right against adverse effects of climate change:

Part of **Article 21**

Linked to **Article 14 (Equality)**

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Need for Explicit Constitutional Right

Environmental rights currently **judicially derived**
Cannot be directly enforced unless linked to Part III
Article argues for:
Explicit constitutional recognition
Equal responsibility of **State & citizens**

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How does biodiversity vary in India? How is the Biological Diversity Act, 2002 helpful in the conservation of flora and fauna? (2018)

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Mains Practice Questions

GS Paper 2 – Indian Polity / GS Paper 3

Explain how the judiciary has interpreted the right to a healthy environment as part of Article 21 of the Constitution. Why is this interpretation significant today?

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Step up

CSR as corporate obligation can support costs of restoring grasslands

The December 19 judgment by a Supreme Court Bench placing corporate environmental responsibility inside the legal meaning of corporate social responsibility (CSR) reframes how the Court reads CSR in Indian company law while continuing its attempts since 2021 to reduce deaths of great Indian bustards from power infrastructure. The Bench has treated the CSR regime as an enforceable obligation rather than an undertaking at companies' discretion while also reading social responsibility to include environmental and wildlife protection through the Companies Act itself. According to the Court, a corporation as a legal person shares the duty under Article 51A(g), which means spending CSR funds on environmental measures can be framed as discharging one's constitutional obligation rather than engaging in charity. For great Indian bustards, the Court has thus strengthened the legal basis for conservationists to demand corporate financing for projects to recover species endangered by corporate activity. The Court's 2021 interim order restricted overhead transmission lines across 99,000 sq. km and required a committee-led approach to feasibility and undergrounding. In 2024, it constituted an expert committee to balance species protection with climate commitments and renewable energy build-out, which the new order has operationalised. If CSR and project-linked financing become easier to compel, they can support the recurring costs of breeding and releasing chicks and of restoring grasslands and maintaining them.

However, the verdict is also a legal interpretation; it does not specify which companies must pay how much, where, when, and with what audit trail (the penalty for non-compliance will remain according to existing provisions). The Court's shift from a large-area approach, as in its 2021 order, to revised priority areas also reduces conflict with renewable energy deployments while pushing some of the onus to the accurate mapping of habitats – a problem given bustards move around and infrastructure risks can lie outside formal boundaries. The judgment improves the legal position for getting companies to pay for prevention and recovery and specifies a narrower but more detailed habitat and infrastructure plan. Whether it is sufficient will depend less on the doctrine it announces and more on whether governments and utilities can deliver the undergrounding and rerouting work at the required pace, and whether corporate funding translates to outcomes on the ground.

Context

The Supreme Court has transformed CSR from voluntary philanthropy into a constitutional and legal obligation, strengthening corporate accountability in biodiversity conservation, particularly for the Great Indian Bustard.

உச்ச நீதிமன்றம், தன்னார்வ தொண்டு நிறுவனத்திலிருந்து சமூக பொறுப்புணர்வு (CSR) என்பதை ஒரு அரசியலமைப்பு மற்றும் சட்டப்பூர்வ கடமையாக மாற்றியுள்ளது, இது பல்லுயிர் பாதுகாப்பில், குறிப்பாக கிரேட் இந்தியன் பஸ்டர்டுக்கு, பெருநிறுவன பொறுப்புணர்வை வலுப்படுத்துகிறது.

UPSC CSE Syllabus

GS Paper 2: Indian Polity

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Context

Supreme Court ruling on **Great Indian Bustard (GIB) conservation**

Ongoing judicial efforts (since 2021) to reduce bird deaths due to **power transmission lines**

Judgment links **Corporate Social Responsibility (CSR)** with **constitutional environmental duties**

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Key Judicial Interpretation

CSR is not discretionary charity, but an **enforceable corporate obligation**

Court reads CSR under the **Companies Act** to include:

- Environmental protection

- Wildlife conservation

Corporations, as **legal persons**, share duties under **Article 51A(g)**

(Fundamental Duty to protect environment)

→ Spending CSR funds on environment = **discharge of constitutional duty**, not philanthropy

Great Indian Bustard (GIB) Protection

2021 Interim Order

Restricted overhead transmission lines across ~99,000 sq km
Committee-led assessment for undergrounding feasibility

2024 Expert Committee

Balanced:

- Species conservation
- Climate commitments
- Renewable energy expansion

2025 Order

Operationalises expert recommendations
Shifts from large-area bans to **priority habitat zones**

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Limitations of the Judgment

Does **not specify**:

- Which companies must pay

- Quantum of CSR contribution

- Timelines or audit mechanisms

Penalties remain as per **existing CSR provisions**

Habitat mapping challenges:

- Bustards are migratory

- Infrastructure risks may lie outside mapped zones

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Balancing Environment & Development

Reduced conflict with:

- Renewable energy projects

Focus on:

- Undergrounding / rerouting transmission lines

- Accurate ecological mapping

Success depends on:

- Government implementation capacity

- Speed of infrastructure modification

- Translation of CSR funds into real outcomes

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Corporate social responsibility makes companies more profitable and sustainable. Analyse. (2017)

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With reference to Corporate Social Responsibility (CSR) rules in India, consider the following statements: (2024)

1. CSR rules specify that expenditures that benefit the company directly or its employees will not be considered as CSR activities.
2. CSR rules do not specify minimum spending on CSR activities.

Which of the statements given above is/are correct?

- [A] 1 only**
- [B] 2 only**
- [C] Both 1 and 2**
- [D] Neither 1 nor 2**

Answer: A

Mains Practice Questions

GS Paper 2 – Indian Polity / Governance

“Corporate Social Responsibility in India is moving from voluntary philanthropy to enforceable obligation.” Analyse this statement in light of recent Supreme Court judgments.

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