



# CURRENT AFFAIRS



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**Date - 11 August 2023**

## PROPOSED CHANGES TO ELECTION COMMISSION APPOINTMENT

*This article covers "Daily Current Affairs" and the topic details "Proposed Changes to Election Commission Appointment". The topic "Proposed Changes to Election Commission Appointment" has relevance in the "Indian Polity" section of the UPSC CSE exam.*

### **For Prelims:**

*What are the proposed Changes to the Election Commission Appointment Process?*

*What is the Election Commission?*

### **For Mains:**

*GS2: Indian Constitution, Appointments to various constitutional posts*

### **Why in the news?**

The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023, was presented in the Rajya Sabha on August 10, 2023. The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991, is repealed by this bill.

### **Proposed Changes to Election Commission Appointment**

#### **Composition of the Election Commission**

- As per Article 324 of the Constitution, the Election Commission comprises the Chief Election Commissioner (CEC) and other Election Commissioners (ECs), determined by the President.
- The bill maintains this composition and states that the President will appoint the CEC and ECs based on a recommendation from a Selection Committee.

#### **The Selection Committee**

- The Selection Committee includes –
  - Prime Minister as Chairperson,
  - Leader of the Opposition in House of People – Lok Sabha,
  - Union Cabinet Minister selected by the Prime Minister.
- If the Leader of the Opposition is not recognized, the role goes to the leader of the largest opposition party in Lok Sabha.

#### **Role of the Search Committee**

- A Search Committee, headed by the Cabinet Secretary and including two other high-ranking central government officials with election-related expertise, will create a list of five potential candidates.
- The Selection Committee may consider candidates beyond this list as well.

#### **Qualifications of CEC and ECs**

- Individuals with roles equivalent to a central government Secretary can become CEC and ECs.

- They must possess expertise in election management and conduct.

### **Salary, Allowances, and Service Conditions**

- The bill establishes that the salary, allowances, and service conditions for the CEC and other ECs will be the same as those of the Cabinet Secretary.

### **Term of Office**

- The bill retains the existing provision that the CEC and ECs serve for up to six years or until they turn 65, whichever comes first.
- If an EC becomes the CEC, their total term remains limited to six years.
- Reappointment is not permitted.

### **Decision-Making Process**

- All Election Commission decisions must be unanimous.
- If there's a disagreement between the CEC and other ECs, a majority vote settles the matter.

### **Removal and Resignation**

- Similar to Supreme Court judges, the CEC can only be removed following a process involving a motion passed by both Houses of Parliament, with a majority of total membership and at least two-thirds support from members present and voting.
- The CEC's resignation can be submitted to the President. The same procedures apply to the removal and resignation of ECs.

### **Background**

#### **Supreme Court's Ruling**

- In March 2023, the Supreme Court's five-judge bench ruled together that the President will choose the Chief Election Commissioner and Election Commissioners based on advice from a Committee.
- This Committee will have the
  - Prime Minister,
  - Leader of the Opposition in the Lok Sabha
  - Chief Justice of India (CJI).
- The court's decision was provisional, as it stated that Parliament has the authority to reverse the Supreme Court's ruling by enacting a new law regarding the matter.
- The Court's decision is based on understanding the intentions of the Constitution's founders by analysing debates from the Constituent Assembly. The verdict emphasises that the Assembly members agreed that elections should be overseen by an independent Commission, a significant departure from the previous system under the Government of India Act, 1935.
- The inclusion of the phrase "subject to the provisions of any law made in that behalf by Parliament" after thorough discussions indicates that the founders expected Parliament to establish rules for appointing the Chief Election Commissioner and Election Commissioners.
- The ruling examined various Constitution provisions, like those related to Supreme Court and High Court powers, and the establishment of Commissions for SC, ST, and Backward Classes. The Court noticed that while laws were created for these areas, no law exists for appointing the Chief Election Commissioner even after 70 years of independence.

#### **Appointment Process before the Supreme Court ruling:**

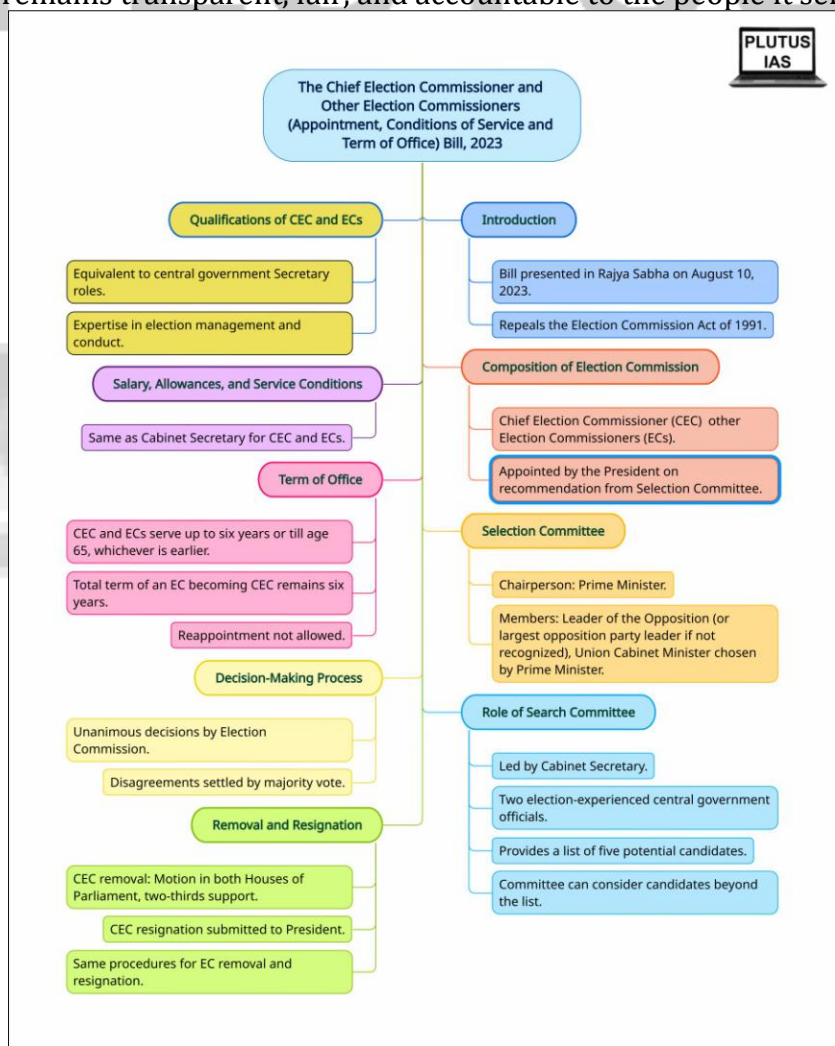
- The Constitution (Articles 324-329, Part XV) empowers the Election Commission with "superintendence, direction, and control of elections." It comprises the Chief Election Commissioner and other Election Commissioners, as determined by the President.

- However, the Constitution doesn't prescribe a specific procedure for their appointment.
- Thus, the President appointed them based on advice from the Union Council of Ministers headed by the Prime Minister.

### Critical Analysis:

- The removal of the Chief Justice of India (CJI) from the Committee involved in the appointment process raises concerns about the balance of power and the potential influence of the executive branch over the Election Commission.
- The participation of the CJI ensured a broader representation of checks and balances in the appointment process, enhancing the impartiality and credibility of the Commission.
- To enhance the credibility and independence of the Election Commission, a way forward could involve the formation of a broader committee for appointments. This committee should include a diverse group of stakeholders such as legal experts, eminent personalities from academia, representatives from civil society, and retired members of the judiciary.
- By ensuring that the majority of the committee members do not have affiliations with the union government, the process would be shielded from undue political influence.

In conclusion, the evolving approach towards appointing the Chief Election Commissioner and Election Commissioners underlines the importance of maintaining a strong, impartial, and independent Election Commission. This is a fundamental step in upholding the democratic fabric of a nation and ensuring that the electoral process remains transparent, fair, and accountable to the people it serves.



**Sources:**

Centre's new Bill on Election Commission members' appointments: How it plans to amend the process | Explained News – The Indian Express

**Q1. With reference to the proposed changes to Election Commission Appointment, consider the following statements:**

1. The President shall appoint the Chief Election Commissioner and other Election Commissioners based on a recommendation from a Selection Committee.
2. The Selection Committee comprises the Prime Minister, the Leader of the Opposition in Lok Sabha, and a Union Cabinet Minister chosen by the Prime Minister.
3. If the Leader of the Opposition is not recognized, the role goes to the Speaker of the Lok Sabha.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 3 only
- (d) None

**Answer: (a)**

**Q2. Consider the following :**

1. Individuals with roles equivalent to a central government Secretary can become Chief Election Commissioner and Election Commissioners.
2. The salary, allowances, and service conditions for the Chief Election Commissioner and other Election Commissioners will match those of the Cabinet Secretary.
3. The Chief Election Commissioner and other Election Commissioners serve for up to six years or until they turn 65, whichever comes first.
4. If an Election Commissioner becomes the Chief Election Commissioner, their total term can be extended beyond six years through reappointment.

How many of the abovementioned statements are correct ?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All Four

**Answer: (c)**

**Q3. In light of the Supreme Court's emphasis on an independent Election Commission, how does the appointment process outlined in the proposed bill ensure that the appointment of the Chief Election Commissioner aligns with principles of accountability and avoids potential misuse for political purposes?**

**Gaurav Nikumbh**



## LAND DEGRADATION

*This article covers "Daily Current Affairs" and the topic details "Initiatives to Combat Land Degradation and Promote Afforestation". The topic "Initiatives to Combat Land Degradation and Promote Afforestation" has relevance in the Environment section of the UPSC CSE exam.*

### **For Prelims:**

*About Land degradation?*

### **For Mains:**

*GS 3: Environment*

*Government Initiatives for Afforestation and to combat Land Degradation?*

*Challenges of Land Degradation?*

*Challenges Associated with Afforestation?*

### **Why in the news:**

In a written response presented in the Lok Sabha, the Union Minister of State for Environment, Forest and Climate Change highlighted significant measures adopted by India to address land degradation and encourage afforestation.

### **About Land degradation:**

Land degradation refers to the deterioration of the quality and health of land resources, often resulting from various human activities and natural processes. It encompasses a range of negative changes that affect the soil, water, and vegetation on the land. Land degradation can have significant environmental, economic, and social consequences, including reduced agricultural productivity, increased vulnerability to natural disasters, loss of biodiversity, and diminished ecosystem services.

**Land degradation can be organized into several categories based on the processes and causes involved:**

### **Soil Erosion:**

- **Water Erosion:** Removal of soil particles by water, often due to raindrop impact and surface runoff.
- **Wind Erosion:** Movement of soil particles by wind, leading to loss of topsoil and reduced soil fertility.

**Desertification:** The process by which fertile land becomes desert due to factors such as deforestation, overgrazing, and improper agricultural practices.

**Salinization:** Accumulation of salts in the soil, usually as a result of poor drainage, irrigation, and water management.

**Waterlogging:** Excessive accumulation of water in the soil, which can lead to decreased soil productivity and root damage.

**Deforestation:** Clearing of forests for agriculture, logging, urbanization, or other purposes, resulting in soil erosion, loss of habitat, and disruption of ecosystems.

**Urbanization and Infrastructure Development:** Expansion of urban areas and construction of infrastructure can lead to soil compaction, sealing of soil surfaces, and disruption of natural drainage systems.

**Mining and Quarrying:** Extraction of minerals and resources from the land can result in soil degradation, habitat destruction, and pollution of soil and water.

**Improper Agricultural Practices:** Overuse of chemical fertilizers and pesticides, monoculture farming, and excessive tilling can degrade soil quality and reduce its fertility.

**Climate Change:** Altered precipitation patterns and increased temperatures can exacerbate existing land degradation processes.

### **Nagar Van Yojana (NVY) Overview:**

Introduced in 2020, the Nagar Van Yojana (NVY) is a visionary initiative aimed at establishing 1000 urban forests, known as Nagar Vans, in cities equipped with Municipal Corporations, Municipal Councils, Municipalities, and Urban Local Bodies (ULBs). NVY's ambitious objective is to create holistic and healthy living environments for city residents while also significantly contributing to cleaner, greener, and more sustainable urban centers.

### **Key Features of NVY:**

- **Green Space Creation:** NVY primarily focuses on creating green spaces within urban settings, enhancing the aesthetic appeal of these areas.
- **Biodiversity Awareness:** The initiative has a goal of raising awareness about plants and biodiversity, promoting environmental stewardship, and fostering a sense of responsibility toward the environment.
- **In-Situ Conservation:** NVY supports the in-situ conservation of vital flora native to each region, emphasizing the importance of preserving local plant species.
- **Environmental Improvement:** By mitigating pollution, providing cleaner air, reducing noise levels, encouraging water harvesting, and countering the urban heat island effect, NVY contributes to significant environmental improvements in cities.
- **Health and Climate Resilience:** Apart from enhancing the health and well-being of urban residents, NVY also plays a role in making cities more resilient to climate-related challenges.
- **Progress and Impact:** Since its launch, NVY has shown impressive progress, with a total of 385 projects sanctioned across the country. This remarkable momentum underscores India's commitment to transforming its cities into thriving, eco-conscious communities.

### **Government Initiatives for Afforestation and to combat Land Degradation:**

- **National Forest Policy (NFP) 1988:**
  1. The National Forest Policy (NFP) of 1988 sets a target at the national level to attain a minimum of one-third of the total land area covered by forests or trees.
  2. Its objectives include maintaining ecological balance, conserving natural heritage, and preventing soil erosion in critical areas.
- **National Mission for a Green India (GIM):** GIM, part of the National Action Plan on Climate Change (NAPCC), aims to increase forest and tree cover, restore degraded ecosystems, and enhance biodiversity.
- **Forest Fire Protection & Management Scheme (FFPM):** This scheme focuses on preventing and managing forest fires, contributing to the overall health of forested regions.
- **Compensatory Afforestation Fund:** The concept involves utilizing funds collected when forest land is diverted for non-forest purposes to undertake afforestation and reforestation projects, thereby restoring forest cover.
- **National Coastal Mission Programme:** This initiative focuses on conserving and managing mangroves and coral reefs along India's coastline.
- **State-Specific Initiatives:** Mission Haritha Haram in Telangana and the Green Wall initiative in Haryana are examples of state-specific efforts to promote afforestation and combat land degradation.
- **Bonn Challenge Pledge:** India's commitment to restoring 26 million hectares of degraded and deforested land by 2030 as part of the voluntary Bonn Challenge demonstrates the nation's dedication to global land restoration and combating desertification efforts.

### **Challenges of Land Degradation:**

#### **Soil Erosion:**

- Soil fertility reduction due to intense rain and wind removing topsoil.

- Erosion accelerated by improper agricultural practices and deforestation.
- Altered weather patterns from climate change, such as excessive rainfall, exacerbating soil degradation by causing runoff.

**Desertification:**

- Arid and semi-arid regions experiencing soil degradation and vegetation loss.
- Overgrazing and unsustainable land practices intensify desertification.

**Industrialization and Urbanization:**

- Urban expansion and industrial activities leading to soil sealing, hindering water infiltration and nutrient cycling.
- Industrial pollution contaminating soil and water resources.

**Land Pollution and Contamination:**

- Inadequate disposal of waste and hazardous materials causing soil contamination and reduced productivity.
- Landfills and improper waste management contribute to land degradation.

**Challenges Associated with Afforestation:**

**Species Selection:**

- Selecting tree species compatible with the local ecosystem.
- Risk of invasive species outcompeting native vegetation.

**Survival and Growth:**

- Ensuring successful establishment and growth of newly planted trees.
- Factors like water availability, soil quality, and climate influencing tree adaptation.

**Competing Land Uses:**

- Conflicts arising when afforestation competes with agriculture, urbanization, or other land uses.
- Balancing conservation goals with economic activities presents challenges.

**Ecosystem Imbalance:**

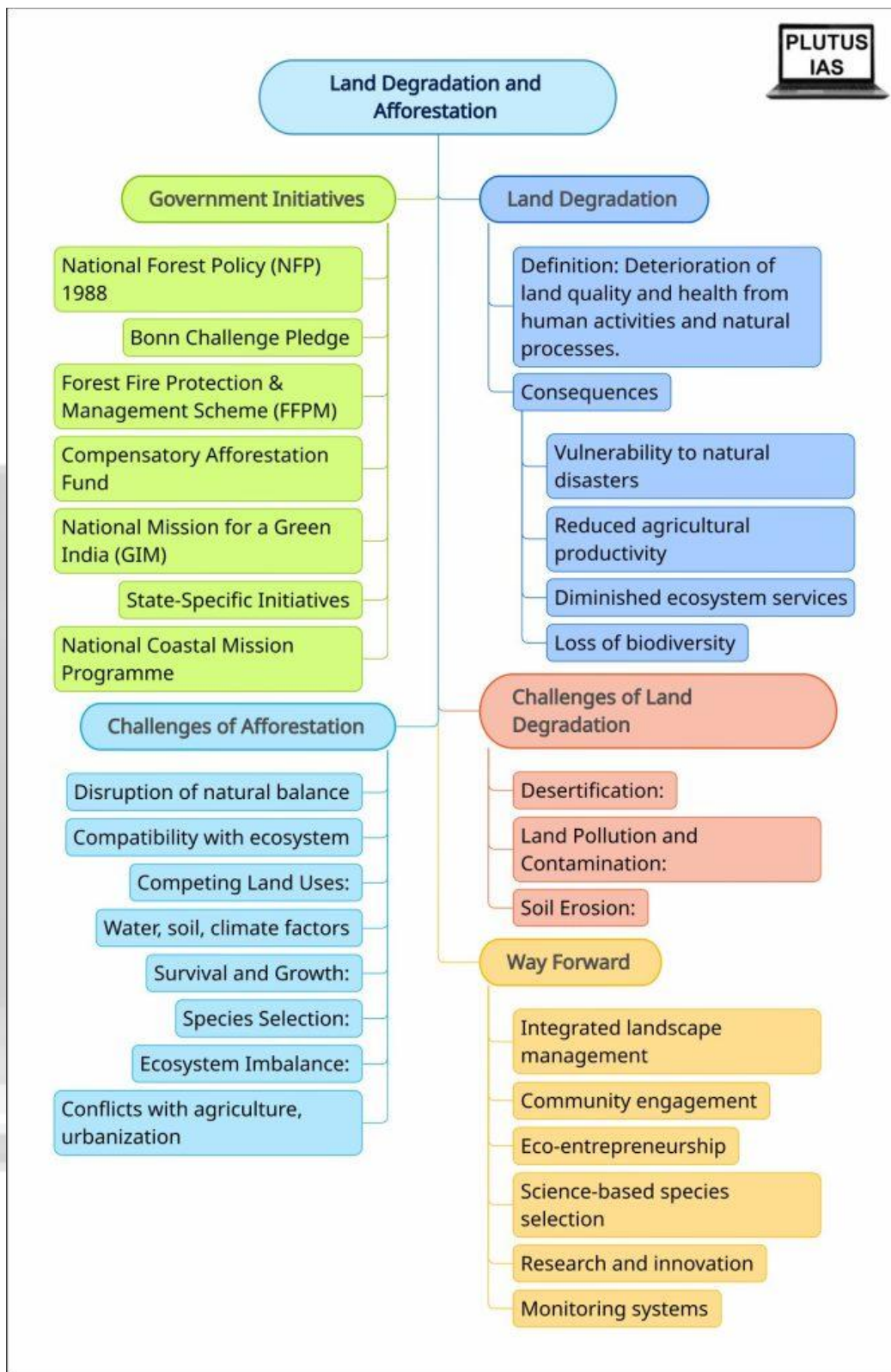
- Hasty afforestation without considering native species and ecosystems disrupts natural balances.
- Monoculture planting leading to loss of biodiversity.

**Community Participation:**

- Engaging local communities in afforestation efforts crucial for sustained success.
- Insufficient community involvement may result in resistance or unsustainable practices.

**Way Forward:**

- A holistic approach involving integrated landscape management, science-based species selection, bio-engineering solutions, and the incorporation of traditional ecological wisdom can lead to effective afforestation.
- Encouraging eco-entrepreneurship, establishing sustainable financing mechanisms, implementing robust monitoring systems, prioritizing research and innovation, and fostering community engagement are critical steps toward achieving successful afforestation and combating land degradation.



**SOURCE:**

<https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1946401>

**Q1. With reference to CAMPA fund, consider the following statements:**

1. The Supreme Court of India ordered the creation of the CAMPA fund in 2002 through the TN Godhavarman Vs Union of India case.
2. Under the CAF Act, 100% of the funds collected are given to the states for afforestation 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**

**Q2. Consider the following statements regarding Nagar Van Scheme:**

1. Nagar Van scheme is aimed at establishing 200 Urban Forests across India within the next five years
2. The Ministry of Urban Development has launched the 'Nagar Van' initiative.

**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**

**Q3. Discuss the multifaceted challenges posed by land degradation and its implications for ecological, social, and economic well-being. Examine the strategies, policies, and international collaborations that can effectively address land degradation while promoting sustainable development.**

**Rishabh**

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