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### 1. A process where free and fair elections will be a casualty

**Context:** The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023 was the first law enacted by Parliament, under Article 324(5) of the Constitution, dealing with the appointment of the Chief Election Commissioner (CEC) and Election Commissioners (EC). This law was made in response to a Supreme Court of India order of March 2023 according to which the CEC and ECs should be appointed on the basis of a recommendation made by a high-power committee comprising the Prime Minister, the Leader of Opposition (LoP) in the Lok Sabha and the Chief Justice of India (CJI).

#### Key points

- **Background:** A new law was enacted in 2023 for the appointment of the Chief Election Commissioner (CEC) and Election Commissioners (ECs). This law was passed under Article 324(5) of the Constitution following a Supreme Court order in March 2023.
- **Key features of the law:** The selection panel includes the Prime Minister, the Leader of Opposition (LoP) in the Lok Sabha, and a cabinet Minister chosen by the Prime Minister. The law replaces the earlier proposal that included the Chief Justice of India (CJI) in the selection panel. A search committee, headed by the Law Minister and two senior bureaucrats, prepares a list of five candidates for consideration. The final selection is made by a majority decision in the selection panel.
- **Challenges:** The law has been challenged for not following the earlier Supreme Court directive regarding the selection panel's composition. The new selection committee structure creates a built-in majority for the government, making the process less independent. The LoP has dissented in the selection process, arguing that it should be paused until the court reviews the law.
- **Concerns Over Selection Process:** The ECI has the constitutional duty to conduct free and fair elections, as stated in past court rulings. The new selection method does not ensure the appointment of individuals with absolute impartiality and proven competence.
- **Issues with the Composition of the Selection Committee:** The selection committee is chaired by the Prime Minister, with a cabinet Minister chosen by the Prime Minister and the LoP as members. The President is required to appoint individuals recommended by this committee. This structure gives a clear majority to the government-supported candidate, as the cabinet Minister is unlikely to oppose the Prime Minister.
- **Constitutional Concerns:** The law is considered arbitrary and lacks a rational basis, which may violate Article 14 of the Constitution. The fairness of elections is a part of the basic structure of the Constitution, and a biased selection process can undermine free and fair elections. The Supreme Court will have to review whether this law upholds constitutional principles.
- **Conclusion:** The new law raises concerns over fairness and impartiality in appointing Election Commissioners, potentially undermining free and fair elections. The Supreme Court's review will determine its constitutional validity and democratic impact.

**2. Trump 2.0 and the new matrix of U.S.-India defense ties**

**Context:** Prime Minister Narendra Modi's brief and official working visit on February 13, 2025, to the United States has, rightfully, got a lot of attention. Among other things, it managed to give a push to the U.S.-India bilateral defence engagement. Defence acquisitions will certainly expand interoperability, as the joint statement underscored. Among the agreements announced is about India likely to be proceeding with the purchase and co-production of the 'Javelin' Anti-Tank Guided Missile (ATGM) and 'Stryker' Infantry Combat Vehicles (ICVs). Co-production of the 'Javelin' and the 'Stryker' will boost domestic manufacturing and help integrate India more into the supply chain for these systems.

**Key points**

- **Current initiatives:** *Expansion of maritime surveillance* - India is to buy six more P-8I maritime patrol aircraft to augment the Indian Navy's Maritime Domain Awareness (MDA).  
*Potential cooperation in advanced defence technologies* - Greater cooperation following a review is possible in undersea systems and fifth-generation fighter aircraft, as well as accelerated cooperation in space, air defence, and anti-tank missiles.  
*Reciprocal defence procurement (RDP) agreement* - Under this, both countries will align their acquisition mechanisms and foster a mutual supply of defence services and goods.  
*Strengthening bilateral defence ties* - All these announcements augur well for deeper defence cooperation between the two countries.
- **Challenges:** *Possibility of F-35 procurement* - Mr. Trump, in the joint press conference with Mr. Modi, did reiterate (as the joint statement suggests) the possibility of New Delhi purchasing the F-35 Lightning II fighter aircraft.  
*Difficulties in integrating the F-35* - Integrating the F-35 would be the most difficult to pull off as the Indian Air Force (IAF) has too many persistent gaps, which it is struggling to fill.  
*Need for Tejas induction* - These capability deficits include inducting the lightweight Tejas-Mark 1A and the Mark-II jets, which are expected to replace the MiG-21 squadrons, most of which have been retired.
- **Benefits of the deal with U.S.:** *Trump administration's F-35 offer* - In this context, the Trump administration's latest offer of the F-35 is not new, as (the late) Ashton Carter, who was Defence Secretary under the Obama administration, had made a similar bid to sell the fifth-generation fighter aircraft.  
*Price comparison with Rafale* - In contrast, India purchased the Rafale for \$244 million apiece, but with a substantial weapons package, consisting of the 300-kilometre range Scalp air-to-ground cruise missile and the 150-kilometre range Meteor missiles.
- **Conclusion:** More consequentially the IAF and the Government of India will need to consider potential American restrictions on the use of the F-35 that may come with its sale. In a nutshell, while U.S.-India defence cooperation has acquired a stable momentum, there are still some challenges that both sides need to address. The Modi-Trump engagement has prepared a template which should now be used by both sides to move quickly on key deliverables.

### 3. Not A Zero-Sum Game

**Context:** The principle of democracy based on universal adult franchise lies at the foundation of the Union of India's constitutional scheme. It is in the service of this principle that, until 1976, the number of seats in legislatures across the country was readjusted after every Census in independent India. During the Emergency, the number of seats in Parliament was frozen till 2001 so that population control measures could be implemented. Subsequent extensions delayed delimitation to 2026, creating a backlog.

#### Key points

- **Current Controversy:** Recent exchanges between Tamil Nadu CM M.K. Stalin and Union Home Minister Amit Shah revived debates on delimitation. Delayed 2021 Census (now overdue by 5 years) adds urgency, as it is critical for delimitation and women's reservation.
  - *North vs. South* - Fears of Southern states losing political clout due to lower population growth.
  - *Gains vs. Losses* - Perception that populous northern states will dominate post-delimitation.
  - *Subsidies Debate* - Claims that economically developed southern states subsidize others.
- **Democratic Representation vs. Federal Equity:** *One Person, One Vote* - A vote in Uttar Pradesh (high population) holds less weight than in Tamil Nadu (smaller constituencies). Delimitation is necessary to uphold electoral equality.  
*Federalism Concerns* - Southern states argue delimitation would penalize success in population control and economic development. Fear of reduced parliamentary representation despite higher fiscal contributions.
- **Development & Demographic Divides:** Southern states' progress linked to historical, political, and social factors, not just recent policies. Capital-rich vs. labour-rich states: Northern states supply labour, which is as critical as capital from the South.
- **Political Trust & Central-State Relations:** States accuse the Centre of undermining federalism (e.g. through Governor interventions). Delimitation seen as another tool to centralize power.
- **Political & Cultural Concerns:** *Anxieties of Marginalization* - Southern states worry about diminished influence in national policymaking. Cultural identity concerns tied to political representation.  
*Women's Reservation* - Implementation of 33% reservation for women in legislatures is stalled, linked to delimitation and Census delays.
- **Way ahead:** *Avoid Zero-Sum Framing* - Representation and federalism must coexist; neither should dominate at the expense of the other.  
*Census Urgency* - Expedite delayed Census to provide data clarity for delimitation and women's reservation.  
*Rise Above Partisanship* - Parties must prioritize national cohesion over short-term electoral gains. Collaborative federalism needed to balance democratic equality and regional equity.

#### 4. Trilateral Highway

**Context:** The Trilateral Highway holds the key to the success of the Act East Policy, but unfortunately, due to disturbances in Myanmar, the construction of the vital road has been delayed, and no one is sure when the project will be completed. The decision to construct the highway, connecting India, Myanmar and Thailand, was taken in 2002, and the actual construction started in 2012. It will be a 1,360-kilometre-long, four lane highway, and it is vital for connecting India to the ASEAN countries by road. The signing of the India-Bangladesh protocol route opened a maritime route, and when the Trilateral Highway becomes operational, it will open the ASEAN countries to the region.

#### Key points

- **India-Myanmar-Thailand Trilateral Highway (IMT-TH):** The India-Myanmar-Thailand Trilateral Highway (IMT-TH) is a key infrastructure project aimed at improving connectivity between India, Myanmar, and Thailand. It is a 1,360-km corridor that would connect Kolkata in India to Bangkok in Thailand.
- **Economic Benefits for Northeast India:** The IMT-TH opens direct trade routes to Southeast Asia, creating new markets for agriculture, textiles, and handicrafts, and attracting investments in food processing, logistics, and tourism to spur industrial growth.
- **Reducing Insurgency and Unrest in Northeast:** When young people are unemployed, they often resort to engaging in insurgent activities and violence.
- **Access to Low-Cost Labour in Myanmar:** Indian businesses, particularly in electronics, could use Myanmar as a cost-effective manufacturing hub and transport finished products to Southeast Asian markets.
- **Strategic Counterbalance to China: Trade Route Diversification** - The IMT-TH provides India with a critical overland trade route, bypassing the heavily trafficked Malacca Strait where China exerts significant influence.  
*Regional Coalition* - By strengthening ties with Myanmar and Thailand, India builds a coalition of like-minded nations to maintain sovereignty in the face of China's regional influence.
- **Indo-Bangladesh Protocol on Inland Water Transit and Trade:** This Protocol was first signed in 1972. It was last renewed in the year 2015 for a period of five years with a provision for its automatic renewal for a further duration of five years providing long term assurance to various stakeholders.
- **Significance of Indo-Bangladesh Protocol:** The trade between India and Bangladesh will improve with the Indo-Bangladesh Protocol on Inland Water Transit and Trade. According to a PTI report, the Indo-Bangladesh protocol route will use NW-1 as well as NW-2 on the Indian side. This waterway will connect landlocked countries such as Bhutan, Nepal and Myanmar.
- **Conclusion:** Trilateral highways are a transformative project that not only boosts economic integration between the neighbouring countries but also strengthens India's strategic position in the Indo-Pacific, reducing reliance on China while fostering regional cooperation and growth.