

MAINS MATRIX

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Implementing India's Labour Codes

India's labour regulatory landscape is undergoing a major transformation with the enactment of **four Labour Codes**—on *Wages; Industrial Relations; Social Security; and Occupational Safety, Health & Working Conditions*. These Codes, passed between **2019–2020**, consolidate **29 existing labour laws**, reduce compliance burdens, harmonise definitions, and aim to modernise worker protections.

Status of Implementation

Although the Central Government has completed its rule-making, the Labour Codes can be enforced only when **both Centre and States** notify the Rules. Most States and Union Territories have published **draft Rules**, but full implementation remains pending, reflecting federal complexities and administrative hesitations.

Rationale and Support

The reforms are viewed by industry and investors as a long-awaited structural

improvement. The earlier system of fragmented laws was widely criticised for rigidity, unpredictability, and discouraging formal employment. The Codes promise:

- Simplified compliance
- Improved worker-employer relations
- Expanded social security coverage
- Better wage protection

This is critical as India must generate **~78.5 lakh non-farm jobs annually till 2030** to absorb nearly **12 million youth** entering the working-age population each year.

Concerns and Criticisms

Labour unions and worker groups argue that the reforms tilt towards "pro-employer" flexibility and may weaken safeguards. Critiques include the dilution of collective bargaining, higher thresholds for layoffs, and inadequate consideration of recommendations of

the **Second National Commission on Labour (2002)**. Many fear erosion of rights in favour of ease of doing business.

Changing Nature of Work

New Codes must address evolving labour realities shaped by:

- Gig and platform work
- Artificial intelligence and automation
- Fragmentation of traditional employer-employee relationships

These shifts complicate social security delivery and challenge old notions of work, wage, and working conditions.

Need for Tripartite Consensus

The **Indian Labour Conference (ILC)**, India's premier tripartite consultative forum, has not met since **2015**, breaking with a long tradition. Reforms of this magnitude require **renewed dialogue** among the government, employers, workers, and States. Convening the **47th ILC** is essential for building trust and legitimacy.

Way Forward

Successful implementation demands:

- Holistic improvement of agricultural & industrial productivity
- Strengthened worker-employer trust
- Policy resilience against global uncertainties

- Sensitivity to modern forms of work

Labour reform must balance economic efficiency with worker dignity. The Labour Codes offer an opportunity to realign India's labour markets with contemporary developmental needs—provided implementation is thoughtful, inclusive, and consultative.

HOW TO USE IT

The new Labour Codes represent a paradigm shift in India's labour regulatory framework, moving from a **complex, fragmented, and rigid system** to a **consolidated, flexible, and formalized** one. The core challenge is to strike a delicate balance between **ease of doing business** for employers and **ensuring dignity, security, and rights** for workers, all while adapting to the realities of the **gig economy and the future of work**.

Primary Relevance: GS Paper II (Governance, Polity, Social Justice)

1. Government Policies and

Interventions for Development in various sectors:

- **How to use:** Analyze the Labour Codes as a major government policy intervention.
- **Key Points:**
 - **Rationale for Reform:** The consolidation of 29 laws into 4 Codes is aimed at reducing **compliance**

burdens, attracting investment, and encouraging the formalization of the economy. This is a direct policy response to long-standing criticisms of the previous regime.

○ **Implementation**

Challenge: The article highlights the **federal complexity** of implementation, where both the Centre and States must notify rules. This is a classic case study of the challenges in operationalizing national policies in a federal structure.

2. Development Processes and the Development Industry:

- **How to use:** Examine the role of tripartite consultation in policy-making.
- **Key Points:**
 - **Democratic Deficit in Policy-Making:** The fact that the **Indian Labour Conference (ILC) has not met since 2015** is a significant governance issue. For reforms of this magnitude to be legitimate and sustainable, a **tripartite consensus** (Government-Employers-Workers) is

essential. Its absence has led to widespread protests and a trust deficit.

3. Welfare Schemes for Vulnerable Sections of the population:

- **How to use:** Evaluate the Codes from the perspective of social justice and worker protection.
- **Key Points:**
 - **Expanded Social Security:** A key promise of the Codes is to extend social security benefits to workers in the **unorganized sector, gig economy, and platform workers**. This is a progressive step if implemented effectively.
 - **Criticism and Concerns:** Critics argue that provisions like higher thresholds for layoffs and the dilution of collective bargaining rights may weaken worker protections in favor of employer flexibility, potentially undermining the welfare of vulnerable workers.

Primary Relevance: GS Paper III (Economy)

1. Indian Economy and issues relating to planning, mobilization of

resources, growth, development and employment:

- **How to use:** Link the reforms directly to employment generation and economic growth.
- **Key Points:**
 - **Job Creation**
Imperative: The article provides a crucial statistic: India must generate **~78.5 lakh non-farm jobs annually till 2030**. The Labour Codes are positioned as a structural reform to create a more flexible labour market conducive to such job creation, especially in the manufacturing sector.
 - **Formalization of the Economy:** By simplifying laws, the Codes aim to bring more enterprises and workers into the formal sector, which broadens the tax base and improves access to social security.

2. Effects of liberalization on the economy, changes in industrial policy and their effects on industrial growth:

- **How to use:** Position the Labour Codes as the latest evolution in India's industrial and labour policy.
- **Key Points:**

- The Codes are a continuation of economic reforms aimed at making Indian industry more competitive globally by reducing the regulatory "rigidity" often cited as a barrier to growth.

Linkages to Other GS Papers**GS Paper IV (Ethics, Integrity and Aptitude)**

- **Ethics in Governance:** The reform process raises questions about **transparency, consultation, and inclusivity**. Bypassing the ILC can be seen as a lapse in ethical governance.
- **Conflict of Interest:** The challenge is to ethically balance the interests of capital (employers seeking flexibility) and labour (workers seeking security).
- **Empathy:** A civil servant must be sensitive to the concerns of both organized labour unions and the millions in the unorganized sector while implementing these codes

Understanding the Persistence of Infant Deaths in Tribal-Dominated Melghat**1. Introduction**

Melghat, a predominantly Korku tribal region in Maharashtra's Amravati district, continues to witness recurring infant deaths due to malnutrition despite three decades of interventions. The issue highlights deep systemic failures in healthcare delivery, nutrition governance, and tribal development.

2. Judicial Response and the Current Crisis

- On **November 12**, the **Bombay High Court** strongly criticised the Maharashtra and Union governments for their “extremely casual” approach to the crisis.
- According to the **petitioner’s claims (June 2025)**:
 - 65 infants (0–6 months)** died due to malnutrition.
 - 220+ children** are in the **Severe Acute Malnutrition (SAM)** category.
 - Up to 50%** of SAM children risk death without urgent intervention.

The judicial intervention underscores the alarming continuity of health failures in the region.

3. Historical Context

- Melghat has been a hotspot of **infant and maternal mortality**

linked to malnutrition for over **30 years**.

- The crisis disproportionately affects the **Korku tribal community**, who face chronic deprivation, poor access to services, and social marginalisation.
- Despite repeated government programmes, structural issues remain unresolved.

4. Official Data and Government Response

Official Data (Amravati Zilla Parishad)

- April 2024 – March 2025**: 96 infant deaths
- Last 7 months**: 61 child deaths

Government Explanation for Deaths

- Attributed to:
 - Anaemia
 - Sickle cell disease
 - Pneumonia
 - Delayed treatment due to poor connectivity

Government Initiatives

- Hot cooked meals** in Melghat regions
- Eggs and bananas** four times a week for children

- **Village Child Development Centres (VCDs)** established in every gram panchayat

Despite these initiatives, outcomes remain poor due to structural and coordination challenges.

5. Broader State-Level Context

- Maharashtra continues to fare poorly in child nutrition indicators:
 - **35%** children under 5 are **stunted**
 - **35%** are **underweight**
- The state runs multiple programmes to treat malnourished children, yet persistent gaps undermine impact.

6. Key Challenges Identified

A. Infrastructure Deficits

- Poor road connectivity → delays in reaching hospitals
- Inadequate electricity supply
- Shortage of functional primary health centres

B. Systemic Governance Issues

- Multiple departments operate in **silos**
- **Inconsistent delivery** of nutritional supplements

- **Irregular monitoring** and poor inter-departmental coordination

C. Healthcare Workforce Crisis

- Chronic shortage of:
 - Paediatricians
 - Gynaecologists
 - Trained medical personnel
- Difficulty in retaining doctors despite financial incentives
- High absenteeism in remote postings

D. Health Indicators

- **IMR in Melghat:** 16.5
- **Maharashtra's average IMR (2024–25):** 15
- Intergenerational cycle of malnutrition persists.

E. Intergenerational Malnutrition

- Many tribal women enter pregnancy:
 - Underweight
 - Anaemic
- Result: **low-birth-weight babies**, weakened immunity → vulnerability to early childhood diseases.

7. Expert-Recommended Long-Term Solutions

1. Move Beyond Food Distribution

- Food supplies alone cannot solve chronic malnutrition.

2. Strengthen Maternal and Child Health Systems

- Build robust, well-tested healthcare systems focused on:
 - Maternal nutrition
 - Infant care
 - Early diagnosis and treatment

3. Skilled Community Health Workers

- Develop a cadre of **trained ASHA workers**, with specific knowledge of tribal health challenges.

4. Integrated Health and Nutrition Approaches

- Address co-morbidities (anaemia, sickle cell disease) through:
 - Screening
 - Early treatment
 - Nutrition counselling

5. Behaviour Change and Community Engagement

- Promote practices around:
 - Breastfeeding
 - Complementary feeding
 - Hygiene and sanitation

6. Improve Civic and Health Infrastructure

- Roads, electricity, functional PHCs, and referral transport services are essential.

8. THE GIST

Persistent infant deaths in Melghat despite years of programmes highlight structural and governance failures.

- **Systemic issues** include poor infrastructure, workforce shortages, weak coordination, and intergenerational malnutrition.
- A **comprehensive strategy** integrating health, nutrition, infrastructure, and community-based behaviour change is essential to prevent recurring tragedies.

How to use it

The situation in Melghat is not a sudden disaster but a **chronic, man-made crisis of governance and social exclusion**. It exemplifies the systemic failure to deliver basic constitutional promises—the **Right to Life, Health, and Food**—to historically marginalized tribal communities. It highlights the vast gap between policy formulation on paper and its implementation on the ground, especially in regions inhabited by vulnerable populations.

**Primary Relevance: GS Paper II
(Governance, Social Justice, Health)**

**1. Welfare Schemes for Vulnerable
Sections of the population by the
Centre and States and the**

Performance of these Schemes:

- **How to use:** This is the core of the analysis. Melghat is a stark example of the failure of multiple welfare schemes.

- **Key Points:**

- **Implementation Failure:** The article mentions various government initiatives (hot cooked meals, VDCs, eggs). The persistence of deaths proves that the issue is not a lack of schemes, but a catastrophic **failure in last-mile delivery, monitoring, and convergence.**
- **Lack of Convergence:** Multiple departments (Health, Women & Child Development, Tribal Affairs) work in "silos." There is no single-point accountability, leading to fragmented efforts and wasted resources.
- **Judicial Activism:** The Bombay High Court's criticism of the government's "extremely

casual" approach shows the failure of the executive and the subsequent need for judicial intervention to enforce accountability.

**2. Mechanisms, Laws, Institutions
and Bodies constituted for the
Protection and Betterment of these
Vulnerable Sections:**

- **How to use:** Analyze the institutional response to the plight of Scheduled Tribes.

- **Key Points:**

- **Protective Legislation:** Laws like the **Forest Rights Act (FRA), 2006** and the **PESA Act, 1996** aim to empower tribal communities. The crisis in Melghat indicates a failure to implement these empowering laws effectively, leaving the Korku tribe in a state of chronic deprivation.
- **Role of National Commissions:** The situation calls into question the effectiveness of institutions like the **National Commission for Scheduled Tribes (NCST)** in proactively addressing such systemic crises.

**Primary Relevance: GS Paper I
(Society & Social Justice)**

**1. Salient features of Indian Society,
Diversity of India.**

- **How to use:** Understand the social and cultural dimensions of the crisis.
- **Key Points:**
 - **Social Marginalization:** The crisis disproportionately affects the **Korku tribe**, one of the Particularly Vulnerable Tribal Groups (PVTGs). This highlights how **social hierarchy and historical marginalization** directly translate into poor health outcomes.
 - **Poverty and Deprivation:** The article points to "chronic deprivation" as a root cause, linking it to the broader issues of poverty and inequality in Indian society.

2. Role of women and women's organization, population and associated issues, poverty and developmental issues.

- **How to use:** Focus on the gender and intergenerational aspects.
- **Key Points:**
 - **Intergenerational Cycle of Malnutrition:** The

article clearly outlines this vicious cycle: **Underweight and anaemic women → give birth to Low Birth Weight (LBW) babies → who are predisposed to malnutrition and disease.** Breaking this cycle requires a focused intervention on adolescent girls' and mothers' health.

Linkages to GS Paper III (Disaster Management, Economy)

1. Disaster and Disaster Management:

- **How to use:** Frame this as a "slow-onset disaster."
- **Key Points:**
 - Unlike an earthquake or flood, this is a creeping disaster caused by systemic neglect. It requires a **disaster management approach** focused on **prevention, preparedness, and early intervention**, rather than just a reactive health response.

2. Issues related to planning, mobilization of resources.

- **How to use:** Critique the planning and resource allocation.

- **Key Points:**

- The crisis reveals a failure in **spatial planning**—the inability to ensure that essential services like healthcare, roads, and electricity reach remote, difficult terrain. The **shortage of doctors** despite financial incentives points to a failure in human resource mobilization and management.

Supreme Court's Advisory Opinion on Governor's Powers Over State Bills

1. Introduction

The Supreme Court's recent advisory opinion under **Article 143** revisits the constitutional boundaries of the Governor's powers regarding assent to state legislation. The reference was necessitated by conflicting interpretations following the Court's April 2025 judgment in *State of Tamil Nadu vs Governor of Tamil Nadu*, which introduced timelines and the concept of "deemed assent"—moves that triggered constitutional ambiguity.

2. Background and Origin of the Case

- The **President of India** made a reference under **Article 143**,

seeking clarity on the scope of Articles **200** and **201**.

- This arose from the **April 2025 two-judge bench judgment**, which:
 - Prescribed a **three-month timeline** for Governors/President to act on Bills.
 - Invoked **Article 142** to declare "**deemed assent**" for Bills pending beyond time limits.
- The Union government expressed concerns that these directions altered the constitutional scheme.

3. Constitutional Questions Referred

The Supreme Court was asked to clarify:

A. Interpretation of Articles 200 & 201

- Whether the Governor must act only on ministerial advice.
- Scope of discretion in granting assent, returning Bills, or reserving them for the President.

B. Judicial Power to Prescribe Timelines

- Can courts impose timelines where the Constitution is silent?

C. Justiciability

- Whether Governor/President's actions *before* a Bill becomes law can be reviewed.

D. Scope of Article 142

- Whether Supreme Court can issue directions (like “deemed assent”) that effectively substitute constitutional authorities.

4. Supreme Court’s Advisory Opinion – Key Findings

4.1 Governor’s Powers Under Article 200

The Governor has **three options**:

1. **Grant assent**
2. **Reserve the Bill for President’s consideration**
3. **Return the Bill** (except Money Bills)

4.2 Discretion of Governor

- Governor **is not bound** by the aid and advice of the Council of Ministers when selecting among the three options.
- This discretion is constitutionally vested, not merely conventional.

4.3 Justiciability

- Governor’s functions under Article 200 are **generally non-justiciable**.
- Courts may intervene **only for prolonged, unexplained inaction** through limited mandamus.

4.4 Timelines

- Judiciary **cannot prescribe timelines** for the Governor or the President where the Constitution does not.
- The earlier directive of a **three-month limit** was held constitutionally unsustainable.

4.5 Pre-Enactment Review

- Courts **cannot review** decisions under Articles 200/201 **before** a Bill becomes law.

4.6 Article 142

- Article 142 **cannot override** constitutional processes.
- The **concept of “deemed assent”** is unconstitutional and cannot be created by judicial direction.

5. Historical Context and Divergent Views

5.1 Sarkaria Commission (1987)

- Viewed **only reservation of Bills for President** as a discretionary act, to be used sparingly.

5.2 Previous Supreme Court Judgments

- *Shamsher Singh (1974)* and *Rameshwar Prasad (2006)* held that Governor generally acts on **aid and advice** of ministers.

5.3 Punchhi Commission (2010)

- Recommended **time limits** for Governor's decision-making to prevent legislative paralysis.

The advisory opinion thus diverges from commissions advocating restraint and time-bound functioning.

6. Key Concerns and Implications

A. Impact on State Legislatures

- The interpretation may **enable delay** in gubernatorial assent, potentially derailing legislative priorities of elected governments.

B. Weakening Legislative Federalism

- Reinforces the Governor's discretionary space, raising concerns of:
 - **Central overreach**
 - Reduced accountability to the state government
 - Undermining of federalism—a **basic feature** of the Constitution.

C. Limiting Reformist Judicial Directions

- Rejects progressive attempts to introduce procedural clarity, including timelines and deemed assent.

D. Increased Scope for Constitutional Friction

- Heightens risk of conflict between the Governor's Office and state executive, especially in opposition-ruled states.

7. Way Forward

1. Responsible Constitutional Behaviour

- Governors must exhibit **"responsible urgency"** in dealing with Bills to uphold democratic functioning.

2. Respect for Federalism

- The Governor, as a central appointee, must respect the mandate of the state legislature and avoid functioning as a political veto.

3. Strengthening Conventions

- Codifying conventions or parliamentary guidelines on timelines may reduce ambiguities.

4. Cooperative Federalism

- Regular consultations between Centre, states, and Governors can reduce friction and enhance clarity.

8. THE GIST (UPSC Value Addition)

- Advisory opinion arose from a judgment introducing a **3-month timeline** and **deemed assent** for state Bills.

- Court clarified Governor's options under Articles **200/201**, emphasising **discretion** and rejecting judicial timelines.
- Historical commissions advocated **time limits and ministerial advice**, which the Court's opinion does not uphold.
- Raises concerns of **legislative delays** and **federal imbalance**, underscoring need for responsible gubernatorial conduct.

How to use it

This advisory opinion represents a pivotal moment in the **separation of powers and federal dynamics** in India. It firmly establishes the **Governor's discretionary power** in the legislative process, pushing back against judicial attempts to impose procedural timelines. This reinforces constitutional formalism but raises significant concerns about potential **gubernatorial overreach** and its impact on **legislative federalism**, especially in opposition-ruled states.

Primary Relevance: GS Paper II (Polity, Constitution, Governance)

1. Indian Constitution—historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

- **How to use:** This is the core of the topic. The opinion provides the definitive contemporary

interpretation of key constitutional articles.

- **Key Points:**

- **Interpretation of Articles 200 & 201:** The Court has clarified that the Governor's power to choose between the three options (assent, reserve, return) is a **constitutionally vested discretion**, not bound by ministerial advice. This settles a long-standing debate.
- **Basic Structure Doctrine:** The Court's refusal to intervene heavily is based on **separation of powers**. Imposing timelines or creating "deemed assent" was seen as a judicial overreach into the executive domain of the Governor.
- **Scope of Article 142:** The opinion curbs the expansive use of Article 142 (complete justice), stating it cannot be used to **override explicit constitutional processes** like the assent mechanism.

2. Functions and responsibilities of the Union and the States, issues and

challenges pertaining to the federal structure.

- **How to use:** This is the heart of the federalism debate ignited by the opinion.
- **Key Points:**
 - **Federal Tension:** The opinion strengthens the power of a **Union-appointed Governor** vis-à-vis an elected State Government. This creates an inherent tension and potential for conflict, undermining the federal balance.
 - **Legislative Paralysis:** By rejecting timelines, the Court has potentially enabled a scenario where a Governor can indefinitely delay a Bill passed by the state legislature, effectively creating a **pocket veto** and stalling the democratic will of the state.
 - **Contrast with Commissions:** The opinion diverges from the recommendations of the **Sarkaria and Punchhi Commissions**, which advocated for time-bound decisions and minimal use of discretion, highlighting a gap

between expert recommendations and judicial interpretation.

3. Separation of powers between various organs dispute redressal mechanisms and institutions.

- **How to use:** Analyze the judgment as a classic case of defining institutional boundaries.
- **Key Points:**
 - **Judicial Self-Restraint vs. Activism:** The Court exercised **self-restraint** by refusing to prescribe timelines, arguing that it is not the judiciary's role to legislate or create constitutional procedures where none exist.
 - **Executive Domain:** It firmly places the power and pace of assent within the **executive domain of the Governor**, making it "non-justiciable" except in cases of "prolonged, unexplained inaction."

4. Appointment to various Constitutional Posts, Powers, Functions and Responsibilities of various Constitutional Bodies.

- **How to use:** Understand the role and power of the Governor.
- **Key Points:**
 - The opinion significantly defines the **role of the**

Governor, moving it away from a purely ceremonial one to an office with substantive, discretionary powers in the legislative process.

The Amplitude of Gubernatorial Discretion: Analyzing the Supreme Court's Advisory Opinion

Introduction

The recent **Supreme Court advisory opinion under Article 143** marks a significant moment in Centre–State constitutional relations. Addressing **11 out of 14 questions** referred by the President, the Court examined the **contours of gubernatorial discretion** under **Article 200** regarding assent to State Bills. After more than seven decades of constitutional practice—and amidst rising political friction—the opinion provides an authoritative clarification of the Governor's powers but also raises concerns about the future of legislative federalism.

1. Background and Context

- The reference arose from persistent conflicts between elected State governments and Governors over Bills.
- Core issue: **Can a Governor exercise discretion in assenting, withholding, or reserving Bills for Presidential consideration?**

- Increasing litigation highlighted ambiguities in Articles **200** and **201**, prompting the Presidential reference.

2. Key Constitutional Questions Addressed

The Court evaluated whether discretion exists in:

1. **Granting assent** to Bills.
2. **Withholding assent**.
3. **Reserving Bills for the President**.
4. **Time limits** for decision-making by Governor/President.

These questions strike at the heart of legislative sovereignty and federal balance.

3. Major Holdings of the Supreme Court

a. Scope of Discretion

The Court held that a Governor may:

- **Assent**
- **Withhold assent**
- **Return a Bill**
- **Reserve it for Presidential consideration**

Thus interpreting Article 200 as implicitly allowing **limited discretionary space**.

b. No Judicially Enforceable Timelines

The Court ruled that:

- No rigid timelines can be imposed on the Governor or President.
- However, actions must be taken **“within a reasonable time”**, especially when Bills are **resubmitted**.

c. Judicial Review

Judicial review is permissible only in cases of:

- **Prolonged delay**
- **Unexplained inaction**
- **Indefinite withholding of assent**

This provides only a **narrow constitutional check**.

d. Resubmitted Bills

When a Bill is returned and passed again, the Governor must act **“as soon as possible”**, limiting further discretion.

4. Historical and Constitutional Evolution

a. Pre-Constitution Context

- **Government of India Act, 1935** explicitly granted wide discretionary powers to Governors.
- The **Constituent Assembly deliberately removed** these discretionary clauses to ensure responsible government.

b. Context of Anti-Defection Law

- The Court noted that post-1985 party discipline (Tenth Schedule) strengthened Cabinet advice.
- This, however, shaped the Court’s assumption that the **Council of Ministers would never advise actions like returning Bills**—a premise critiqued by scholars.

5. Critical Analysis of the Court’s Reasoning

a. Questionable Assumptions

- Political realities such as **coalition governments**, intra-party splits, or thin majorities may legitimately require advice to return or reconsider Bills.
- Thus, **absolute faith in Cabinet coherence** is misplaced.

b. Historical and Expert Views

- **B.N. Rau**, constitutional advisor, envisaged specific contexts for gubernatorial intervention.
- **Sarkaria Commission** recommended that discretionary power be **“narrow”** and confined to the **second proviso of Article 200**.
- The Court’s interpretation seems to **expand discretion beyond established convention**.

6. Concerns Regarding Expanded Discretion

a. Emergence of “Gubernatorial Governance”

Allowing undefined discretion without timelines risks enabling Governors to:

- Delay Bills,
- Block legislative agendas,
- Influence political outcomes.

b. Non-Justiciable Space

Because timelines are non-enforceable, executive federalism may increasingly depend on **individual gubernatorial conduct**.

c. Federal Tensions

When different parties control Union and States, the probability of friction heightens, especially since:

- Governors are often **political appointees**,
- Some view governorships as a **post-retirement reward** or **political placement**.

7. Historical Evidence of Delays

- **1988:** 74 Bills pending with the President; some stayed undecided for **7 years**.
- **Karnataka Education Bill (1983):** No decision for **6 years**.
- Expert bodies—**Sarkaria, Venkatachaliah, Punchhi Commissions**—consistently advocated **time-bound processes**.

These precedents justify concerns about potential misuse of discretion.

8. Way Forward

a. Constitutional Amendment

A strong case exists for **introducing explicit timelines** in Articles **200** and **201**—similar to Article 111 for the President.

b. Building Political Consensus

Since all major parties alternate between Union and State power, a bipartisan understanding is feasible and necessary.

c. Clarifying Conventions

Codifying constitutional conventions through legislation or formal guidelines could reduce ambiguity.

Conclusion

The Supreme Court’s advisory opinion expands the **amplitude of gubernatorial discretion**, diverging from the cautious approach recommended by successive commissions and the original constitutional vision. By creating a **non-justiciable zone** around gubernatorial action without enforceable timelines, the opinion opens the door to increased Centre–State conflict. While the Court’s reasoning seeks to preserve constitutional balance, the absence of temporal limits risks undermining democratic accountability.

Ultimately, introducing clear timelines and codifying constitutional conventions may be essential to ensuring that discretion strengthens, rather than distorts, cooperative federalism.

How to use it

This advisory opinion represents a pivotal moment in the **separation of powers and federal dynamics** in India. It firmly establishes the **Governor's discretionary power** in the legislative process, pushing back against judicial attempts to impose procedural timelines. This reinforces constitutional formalism but raises significant concerns about potential **gubernatorial overreach** and its impact on **legislative federalism**, especially in opposition-ruled states.

Primary Relevance: GS Paper II (Polity, Constitution, Governance)

1. Indian Constitution—historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

- **How to use:** This is the core of the topic. The opinion provides the definitive contemporary interpretation of key constitutional articles.
- **Key Points:**
 - **Interpretation of Articles 200 & 201:** The Court has clarified that the

Governor's power to choose between the three options (assent, reserve, return) is a **constitutionally vested discretion**, not bound by ministerial advice. This settles a long-standing debate.

- **Basic Structure Doctrine:** The Court's refusal to intervene heavily is based on **separation of powers**. Imposing timelines or creating "deemed assent" was seen as a judicial overreach into the executive domain of the Governor.
- **Scope of Article 142:** The opinion curbs the expansive use of Article 142 (complete justice), stating it cannot be used to **override explicit constitutional processes** like the assent mechanism.

2. Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure.

- **How to use:** This is the heart of the federalism debate ignited by the opinion.
- **Key Points:**

- **Federal Tension:** The opinion strengthens the power of a **Union-appointed Governor** vis-à-vis an elected State Government. This creates an inherent tension and potential for conflict, undermining the federal balance.
- **Legislative Paralysis:** By rejecting timelines, the Court has potentially enabled a scenario where a Governor can indefinitely delay a Bill passed by the state legislature, effectively creating a **pocket veto** and stalling the democratic will of the state.
- **Contrast with Commissions:** The opinion diverges from the recommendations of the **Sarkaria and Punchhi Commissions**, which advocated for time-bound decisions and minimal use of discretion, highlighting a gap between expert recommendations and judicial interpretation.

3. Separation of powers between various organs dispute redressal mechanisms and institutions.

- **How to use:** Analyze the judgment as a classic case of defining institutional boundaries.
- **Key Points:**
 - **Judicial Self-Restraint vs. Activism:** The Court exercised **self-restraint** by refusing to prescribe timelines, arguing that it is not the judiciary's role to legislate or create constitutional procedures where none exist.
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 - The opinion significantly defines the **role of the Governor**, moving it away from a purely ceremonial one to an office with substantive, discretionary powers in the legislative process.

Society Must Reclaim Respectful and Open Dialogue

Introduction

Democratic societies thrive on disagreement handled with dignity. Yet today, public discourse is marked by **shrill partisanship, emotional manipulation, and the erosion of the middle ground**. From television studios to digital spaces, meaningful debate is being replaced by polarizing performances. Reclaiming respectful dialogue is essential not just for social harmony but for the health of democracy itself.

1. The Current Crisis in Public Discourse

a. Deterioration of Debate

Public debate has shifted from reasoned deliberation to **confrontational shouting matches**, where winning arguments has replaced understanding and empathy.

b. Polarizing Platforms

Television debates, political rallies, and social media have turned into **ideological battlegrounds**. Their design and incentives reward outrage, speed, and emotional extremes.

c. Drivers of Division

- **Profiteers of division** who gain political or commercial advantage from polarization

- **Digital algorithms** engineered to amplify anger
- **Tribal allegiances** where loyalty to one's group overrides commitment to truth
- **Growing disdain for neutrality**, which is now equated with weakness or indecision

2. The Vanishing Middle Path

a. Forced Binaries

Society is increasingly pushed into rigid **left-versus-right** or **for-us-or-against-us** categories, leaving no space for ambiguity or nuance.

b. Marginalization of Impartiality

Individuals who exercise balanced judgment are labelled irrelevant or disloyal, reducing space for **moderation** and reason.

c. Suppression of Dissent

Instead of debating opposing views, communities resort to **ridicule, exclusion, or character attacks**, stifling dialogue.

d. Courageous Neutrality

In such an environment, practicing neutrality—once seen as a democratic virtue—has become an **act of courage**.

3. Impact on Decision-Makers and Mediators

a. Survival Over Substance

For administrators, policy-makers, mediators, and journalists, **surviving hostile ecosystems** becomes more important than facilitating balanced dialogue.

b. Distorted Attitudes

- Compromise is portrayed as **betrayal**
- Reflection or self-doubt is treated as **weakness**
- Nuanced positions are dismissed as **confusion**

c. Emotional Consequences

Those who pursue dialogue over division experience **exhaustion, anxiety, and self-censorship**, weakening institutions that rely on impartiality.

4. Misuse of Neutrality and Philosophical Lens

a. Selective Neutrality

Many individuals adopt neutrality selectively—condemning faults in rival groups while ignoring similar flaws within their own.

b. Corrosive Civic Culture

Such hypocrisy transforms conversation into **performances of self-righteousness**, undermining truth-seeking behaviour.

c. Philosophical Warning

Philosopher **Jay Garfield** warns that such polarization weakens civil discourse, the **foundation of**

democracy. Without shared norms of respect and humility, dialogue collapses.

d. Imperative of Mutual Engagement

A healthier society demands engagement **across divides**, openness to other perspectives, and acceptance of human fallibility.

5. Broader Societal Consequences

a. Political Dysfunction

- Frequent legislative **deadlocks** or superficial, rubber-stamp decisions
- Declining respect for **judicial autonomy**
- Leaders reduced to **factional representatives** rather than statesmen

b. Social and Individual Costs

- Rising **stress, anxiety, and burnout**
- Communities segregated by ideology, caste, or identity
- Workplace conflicts, discrimination, and loss of cohesion

c. Digital Amplification

- **Misinformation campaigns** erode trust
- Emotional manipulation drives extreme reactions

- Homophily creates echo chambers that **widen opinion gaps**

6. The Path Forward: Solutions and Imperatives

a. Moral Imperatives

- **Defend neutrality** as a democratic virtue
- Embrace **complexity**, ambiguity, and multi-causal reasoning
- Value balance and restraint in judgment

b. Practical Social Requirements

- Recognize opponents as **fellow citizens**, not enemies
- Engage with humility and genuine listening
- Accept imperfection in both self and others

c. Democratic Necessity

The middle path is not idealism; it is essential for:

- **Restoring democratic governance**
- **Rebuilding mutual trust**
- **Ensuring peaceful coexistence and collective progress**

Conclusion

At a time when outrage is celebrated and moderation mocked, society must

consciously reclaim the values of **respectful dialogue, reasoned disagreement, and empathetic understanding**. Choosing understanding over discord and reason over rage is an act of civic courage. It is the only sustainable path to protect democracy from the corrosive effects of polarization and to secure a stable, humane, and forward-looking society.

How to use it

The degradation of public discourse from **reasoned deliberation** to **polarized performance** is a critical threat to the foundational values of Indian democracy. It corrodes the **ethical foundations of governance**, impedes effective policy-making, and fragments the **social fabric**. Reclaiming respectful dialogue is not a soft, idealistic goal but a **hard necessity for administrative efficacy, social harmony, and the survival of democratic institutions**.

Primary Relevance: GS Paper IV (Ethics, Integrity & Aptitude)

1. Ethics and Human Interface:

- **How to use:** This is the core ethical dimension of the issue.
- **Key Points:**
 - **Essence of Ethical Discourse:** The article laments the shift from "reasoned deliberation" to "emotional manipulation" and "shrill partisanship."

Ethical discourse is rooted in **respect for the other, empathy, and a commitment to truth** over the desire to "win."

- **Moral Virtues vs. Vices:** The crisis represents a triumph of vices like **intolerance, arrogance, and tribalism** over virtues like **humility, impartiality, and courage**.

2. Attitude: content, structure, function; its influence and relation with thought and behaviour; moral and political attitudes; social influence and persuasion.

- **How to use:** Analyze the attitudes that drive polarized discourse.
- **Key Points:**
 - **Impact of Attitude:** The "growing disdain for neutrality" and the treatment of compromise as "betrayal" are specific, dangerous attitudes that directly influence public behavior, leading to legislative deadlocks and social conflict.
 - **Courageous Neutrality:** The article reframes neutrality not as passivity but as

a **courageous attitude** essential for balanced judgment, a key attribute for a civil servant.

3. Emotional Intelligence:

- **How to use:** Link the solution to emotional intelligence competencies.
- **Key Points:**
 - The ability to engage in respectful dialogue requires high **emotional intelligence**—specifically, **empathy** (to understand opposing views), **self-regulation** (to control the impulse to retaliate), and **social skill** (to build consensus).

4. Contributions of Moral Thinkers and Philosophers:

- **How to use:** Use the philosophical lens provided in the article.
- **Key Points:**
 - The reference to philosopher **Jay Garfield's warning** provides a theoretical foundation. It connects the crisis to the philosophical principle that **civil discourse is the bedrock of democracy**. This can be supplemented with Indian

thinkers like **Gandhi**, whose emphasis on *Satyagraha* (holding onto truth) and respect for the opponent is the antithesis of today's discourse.

5. Public/Civil Service Values and Ethics in Public Administration:

- **How to use:** Directly apply the problem and solution to the role of a civil servant.
- **Key Points:**
 - **Threat to Administration:** For an administrator, a polarized environment means "surviving hostile ecosystems becomes more important than facilitating balanced dialogue." This is a direct impediment to good governance.
 - **The Civil Servant's Role:** The civil servant must embody the "middle path." They must defend **impartiality and neutrality** as essential for fair administration, engage with all stakeholders with **humility**, and make decisions based on **reason and evidence**, not political pressure or public outrage.

Linkages to Other GS Papers

GS Paper II (Governance)

- **Challenges to Governance:** The article explicitly lists "political dysfunction," "legislative deadlocks," and "declining respect for judicial autonomy" as consequences. This shows how degraded discourse directly leads to **governance failure**.
- **Role of Media and Social Media:** The critique of "polarizing platforms" and "digital algorithms" falls under the governance of information technology and media ethics.

GS Paper I (Indian Society)

- **Salient Features of Indian Society:** The erosion of respectful dialogue threatens the "**unity in diversity**" fabric of Indian society, leading to communities "segregated by ideology."
- **Social Empowerment:** The "suppression of dissent" and use of "character attacks" often disproportionately silence marginalized voices, hindering true social empowerment.

Bridging India's Numeracy Gap

Introduction

Foundational Literacy and Numeracy (FLN) lie at the core of the National Education Policy (NEP) 2020, which rightly identifies early learning as the bedrock of India's human capital development. While initiatives such as the NIPUN Bharat Mission have helped strengthen foundational literacy, **India continues to face a persistent and widening "numeracy gap."** This gap threatens educational progress, employability, and economic growth.

1. Current Status: Understanding the Numeracy Challenge

a. Policy Push and Initial Progress

- NEP 2020 prioritizes FLN as a national learning goal.
- The NIPUN Bharat Mission has improved reading skills and classroom practices.

b. Persistent Learning Divide

Despite progress, **numeracy consistently lags behind literacy** across states.

ASER 2024 Findings:

- **48.7%** of Class 5 children can read fluently.
- Only **30.7%** can solve basic division — a stark **18-percentage-point gap**.
- No state reports numeracy outcomes higher than literacy.

The gap is structural, not incidental.

2. Root Causes of India's Numeracy Gap

a. Cumulative Nature of Mathematics

Mathematics concepts build sequentially:

Place value → Addition/Subtraction → Multiplication → Division → Fractions → Algebra

Early gaps compound, leading to later inability to grasp complex ideas.

b. Traditional Pedagogy and Curriculum Mismatch

- Syllabus-driven teaching advances regardless of actual learning levels.
- Teachers often "teach to the textbook," not to the child's ability.
- Learning-level heterogeneity in classrooms widens the gap.

c. Disconnection Between School Math and Real Life

- Students struggle to apply classroom arithmetic in real-life contexts.
- Conversely, children exposed to real-life math (e.g., shopkeeping) fail to translate those skills into formal academic tasks.

This disconnect reduces motivation and confidence.

3. Consequences of the Numeracy Gap

a. Academic Fallout

- High failure rates in mathematics and science in board examinations.
- Dropouts before Class 10 often linked to incomprehensible math instruction.

b. Long-Term Economic and Social Impact

- Restricted access to higher education and vocational pathways.
- Lower employability in a technology-driven labour market.
- National productivity suffers due to poor foundational skills.

4. Addressing the Gap: Policy Solutions and Way Forward

A. Extend FLN Interventions to Upper Primary Grades

Current programs target only **Class 1–3**, but the data shows the crisis extends far beyond.

Evidence (ASER 2024):

- 70% of Class 5 and
- 50% of Class 8 students **cannot solve basic division.**

Successful Model:

Dadra and Nagar Haveli, Daman and Diu improved outcomes significantly by **extending FLN pedagogy up to middle grades.**

B. Introduce FLN+ Skills

Beyond foundational numeracy, students need:

- Fractions
- Decimals
- Percentages
- Ratios
- Integers

These are essential for:

- Board exams
- Higher-order math
- Logical reasoning
- Everyday problem-solving

C. Reform Classroom Pedagogy

- Shift from grade-level curriculum to **learning-level teaching.**
- Use **activity-based, child-friendly NIPUN methods** even for advanced concepts.
- Enable continuous remedial support through targeted instructional planning.

D. Make Mathematics Meaningful and Real

- Integrate numeracy with real-life tasks: measurement, budgeting, shopping, time, mapping.
 - Build problem-solving skills instead of rote processes.
 - Empower children to see math as relevant, useful, and intuitive.
-

Conclusion

India's numeracy gap is deep, widespread, and consequential. While literacy initiatives have made encouraging strides, **mathematics remains a critical weak link** in the education system. Addressing this requires a comprehensive strategy that:

- Extends foundational support to middle grades,
- Introduces essential FLN+ concepts, and
- Anchors mathematics in real-life applications.

Bridging the numeracy gap is not merely an education reform — it is a **social, economic, and developmental imperative**.

How to use it

The persistent numeracy gap represents a critical **failure in the delivery of quality education**, threatening to undermine the demographic dividend and the goals of the National Education Policy (NEP) 2020. It is not just a pedagogical issue but a **broader governance and developmental challenge** with direct implications for **social equity, economic productivity, and national competitiveness**.

Primary Relevance: GS Paper II
(Governance, Social Justice)

1. Issues Relating to Development and Management of Social Sector/Services relating to Health, Education, Human Resources:

- **How to use:** This is the core area. The numeracy gap is a direct outcome of challenges in the education sector.
- **Key Points:**
 - **Policy-Implementation Gap:** While the **NEP 2020** and **NIPUN Bharat Mission** correctly identify Foundational Literacy and Numeracy (FLN) as a priority, the stark data (e.g., 30.7% of Class 5 students can do division vs. 48.7% who can read) reveals a **severe implementation deficit**, particularly in numeracy.
 - **Governance Challenge:** The gap highlights failures in **teacher training, pedagogical methods, and curriculum design**. The system's focus on "syllabus-driven teaching" over "learning-level teaching" is a fundamental governance flaw in educational administration.

2. Welfare Schemes for Vulnerable Sections:

- **How to use:** Analyze the equity dimension of the learning crisis.
- **Key Points:**
 - The numeracy gap disproportionately affects children from **economically weaker sections and first-generation learners** who lack academic support at home. This exacerbates existing social inequalities and hinders social mobility.

Primary Relevance: GS Paper III (Economy)

1. Indian Economy and issues relating to Planning, Mobilization of Resources, Growth, Development and Employment:

- **How to use:** Link the numeracy gap to human capital formation and economic growth.
- **Key Points:**
 - **Human Capital Crisis:** Foundational numeracy is the bedrock of a skilled workforce. The gap creates a **weak foundation for future engineers, data analysts, scientists, and even skilled technicians**, directly impacting the quality of human capital.

- **Impact on Employability:** In a technology-driven economy, poor numeracy skills lead to **lower employability** and restrict individuals to low-skill, low-wage jobs, thereby affecting overall productivity and economic growth.

2. Inclusive Growth and associated issues/challenges:

- **How to use:** Frame the issue as a barrier to inclusive growth.
- **Key Points:**
 - Without addressing this foundational skill gap, policies for inclusive growth will remain ineffective. A large section of the youth will be excluded from the benefits of a growing economy, perpetuating cycles of poverty.

Linkages to GS Paper IV (Ethics)

- **Ethics in Governance:** The persistence of this gap raises questions about the **accountability and commitment** of the education bureaucracy.
- **Impartiality and Social Justice:** Ensuring every child, regardless of background,

achieves foundational numeracy is a matter of **social justice and equitable governance**.

Clarifying the “1 Doctor per 1,000 People” Benchmark – Debunking a WHO Myth

Introduction

The discourse on India’s doctor-population ratio is often anchored around a widely cited but **incorrect claim** that the World Health Organization (WHO) prescribes a benchmark of *1 doctor per 1,000 population*. Recent clarifications and expert analyses reveal that this benchmark has **no official basis**, raising concerns about data misuse and misinformed policymaking.

1. The Myth of the WHO Benchmark

a. Common Misrepresentation

Indian government statements from 2015 onwards frequently refer to the **1:1,000 doctor-population ratio** as a WHO-recommended norm.

b. WHO's Official Clarification

WHO categorically states that it **does not recommend any country-level doctor-population ratio**, nor does it prescribe specific numerical guidance on how many doctors a country must have.

c. Historical Shift

- **Pre-2000:** Government maintained WHO had no such benchmark.
- **2015–2024:** Shifted to citing 1:1,000 as WHO standard in Parliament and policy documents.

This marks the beginning of a **policy narrative built on an incorrect attribution**.

2. Data Calculation Discrepancies

a. Government's Counting Method

The ratio is made to appear more favourable by:

- Assuming **100% availability** of all allopathic doctors.
- Adding **AYUSH practitioners** *without* adjusting for actual availability.

This artificially lowers the doctor-population ratio.

b. Parliamentary Data Variations

Charts and replies show fluctuating ratios—from **1:1,672 to 1:1,900**—reflecting inconsistent calculation methods.

3. Expert Verification and Origins of the Myth

a. Expert Observations

- **Dr. Chandrakant Lahariya:** WHO has *never* issued a doctor-population norm.

- **Dr. Kiran Kumbhar:** No WHO document supports the 1:1,000 figure.

b. Where Did the Myth Begin?

- First appeared in **Medical Council of India's "Vision 2015" Report** (2011).
- Later cited by researchers without verification.
- Cross-citation converted an assumption into a "fact".

Thus, a **self-reinforcing cycle of misinformation** emerged.

4. What WHO Actually Prescribes

a. Global Benchmark for the SDGs

WHO uses a **composite index** for essential health services, prescribing:

- **4.45 skilled health workers (doctors + nurses + midwives) per 1,000 population.**

b. Historical Evolution

- **2006:** Minimum threshold was 2.25.
- **Revised:** Increased to current 4.45 to align with SDG service coverage.

c. Key Clarification

WHO **never prescribes how many of these must be doctors.**

Thus, the benchmark concerns *teams of health workers*, not doctors alone.

5. India's Current Position and Real Challenges

a. Global Ranking

- **Doctors per 1,000:** 0.7 → Rank **118/181** countries
- **Health workers per 1,000:** 3.06 → Rank **122/181**, below WHO's 4.45 threshold

b. The Real Problem: Distribution, Not Numbers

Experts highlight:

- Acute **rural-urban disparity**
- Clustering of doctors in urban areas
- Shortage of specialists in district hospitals
- Politicized inclusion of AYUSH to inflate numbers

Thus, **access**, not absolute numbers, is India's main crisis.

6. Key Conclusions

a. Myth Debunked

The **1:1,000 doctor-population ratio is not a WHO standard.**

b. Data Misuse

The metric is used politically to demonstrate progress and justify policy choices.

c. True Bottleneck

India's challenge lies in **deep structural inequities**:

- Concentration of doctors in cities
- Vacancies in rural PHCs and CHCs
- Weak primary care systems

d. Policy Recommendation

Shift from **numerical targets** to:

- Strengthening rural health workforce
- Incentivising deployment
- Building nurse-midwife-led teams
- Ensuring equitable distribution across regions

Conclusion

India's health discourse must move beyond the **fictional 1:1,000 benchmark** and confront the real issue: **inequitable distribution of health workers** that leaves large sections of the population without basic healthcare access. Correcting this requires structural reforms, realistic workforce planning, and transparency in data use.

Critical Insight:

India's healthcare challenge is not meeting an invented ratio but correcting the deep rural-urban imbalance in the availability of skilled health workers.

How to use it

The debunking of the "1:1000 doctor-population ratio" myth reveals a critical failure in **evidence-based policymaking and data integrity**. It

highlights how a **misleading narrative can be used to mask deep-seated structural problems** in India's healthcare system, primarily the **inequitable distribution of health workers** rather than an absolute shortage. This calls for a shift from chasing a fictitious numerical target to addressing the real governance challenges of access, quality, and equity.

Primary Relevance: GS Paper II (Governance, Social Justice, Health)

1. Issues Relating to Development and Management of Social Sector/Services relating to Health:

- **How to use:** This is the core of the analysis. The myth has directly impacted health policy planning and evaluation.
- **Key Points:**
 - **Flawed Policy Benchmark:** For years, government policy and parliamentary answers have used this incorrect benchmark to measure progress. This has likely led to **complacency and misallocation of resources**, as the focus remained on a gross number rather than on the quality and distribution of healthcare.

- **The Real Crisis - Distribution & Access:** The article correctly identifies that India's real problem is not the doctor count but the **acute rural-urban disparity, clustering of specialists in cities, and vacancies in Primary Health Centres (PHCs)**. This is a fundamental failure in ensuring access to healthcare, a key component of the right to health.
- **Data Integrity in Governance:** The use of inflated numbers by including AYUSH practitioners without adjusting for actual availability points to a **governance deficit in data transparency and accountability**. Good governance requires honest metrics to diagnose problems accurately.

2. Important Aspects of Governance, Transparency and Accountability:

- **How to use:** Critique the process that allowed this myth to perpetuate.
- **Key Points:**
 - **Lack of Due Diligence:** The fact that a

claim from a non-official report (MCI's Vision 2015) was elevated to a policy truth without verification from the WHO demonstrates a lack of rigorous, evidence-based decision-making.

- **Political Use of Data:** Using a favourable but artificially inflated ratio can be seen as an attempt to showcase progress, undermining informed public debate and accountability.

Linkages to Other GS Papers

GS Paper III (Economy)

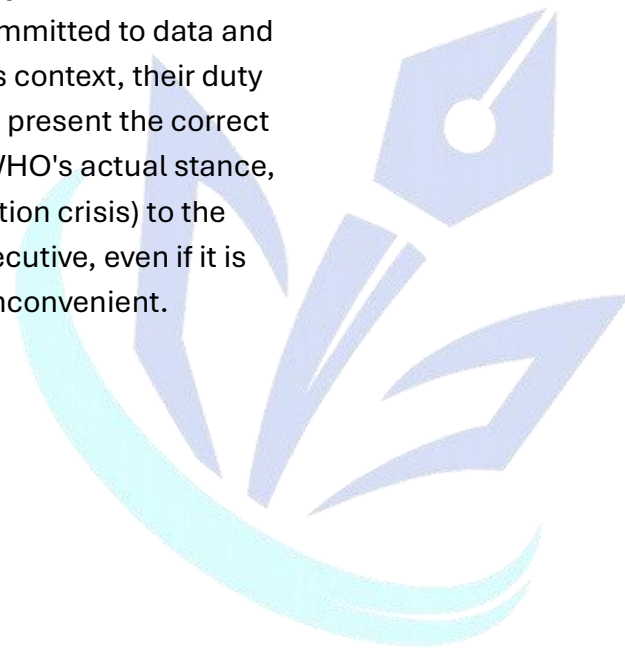
- **Resource Mobilization:** The discussion touches on the efficient mobilization and deployment of human resources (doctors and nurses) in the health sector, which is critical for the economy's human capital.
- **Inclusive Growth:** The rural-urban divide in healthcare access is a stark example of exclusion, hindering inclusive growth.

GS Paper IV (Ethics, Integrity & Aptitude)

- **Ethics in Governance:** The perpetuation of a known myth in official documents raises serious ethical questions

about **integrity, transparency, and objectivity** in public administration.

- **Attitude:** It reflects an attitude of seeking shortcuts and presenting a favourable picture rather than tackling the hard, structural problems.
- **Impartiality and Non-partisanship:** A civil servant must be committed to data and truth. In this context, their duty would be to present the correct facts (the WHO's actual stance, the distribution crisis) to the political executive, even if it is politically inconvenient.



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