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IN FOCUS

Democratic Reforms
Corruption Index
FINTECH

Sensitization & Empowerment

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Centre for Transparency and Accountability in Governance (CTAG) empowers students, lawyers, and officials to enhance governance transparency and accountability. We promote quality research and offer free RTI training and consultation services.

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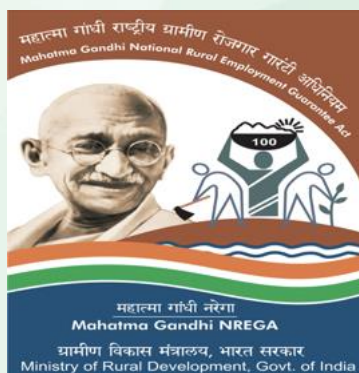
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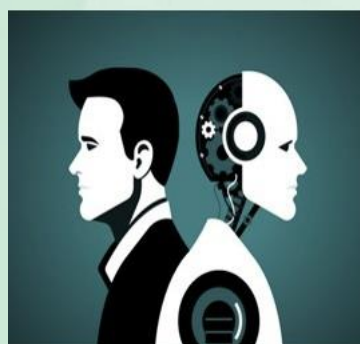
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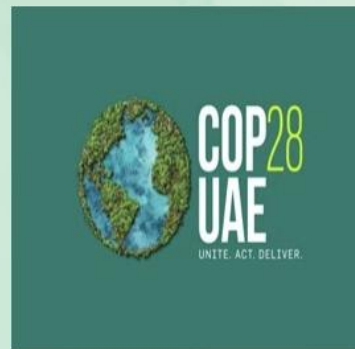
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Our Mentors



Hon'ble N. Santosh Hegde, an ex-Supreme Court Judge, former SGI, & Karnataka Lokayukta.



Toby Mendel, founder of Centre for Law and Democracy & Senior Director at ARTICLE 19.



Commodore Lokesh Batra (Rtd.) served for 36 years in the Indian Navy, currently an RTI activist.



Shailesh Gandhi, only activist chosen as Central Information Commissioner (2008-2012).



Maj General Anil Verma (Rtd.) heads ADR and National Election Watch.



Venkatesh Nayak, CHRI India's Director. His journey includes Access to Information Programme.



Li Bin is Professor at Beijing Normal University & member of International Institute of Space Law (IISL).



Prof. M Sridhar Acharyulu is former Central Information Commissioner & Advisor, Mahindra University.

From the Desk of the Director



Dear All,

I am thrilled to introduce you to our exciting new venture, "TAG" – Transparency and Accountability in Governance. TAG is not just a magazine; it's a bold initiative aimed at reshaping the discourse surrounding matters of governance, policy discussion, and accountability. Our motto, "SEE" – Sensitise, Empower, Enforce, encapsulates the essence of our mission and underscores the significance of our endeavour.

At TAG, we firmly believe in the power of information and awareness to drive positive change in governance. Our aim is to Sensitise individuals and communities to the complexities of governance, making them aware of their rights and responsibilities. Through in-depth analysis, insightful articles, and thought-provoking editorials, TAG will serve as a beacon of knowledge and understanding, helping citizens engage more effectively with the political and administrative processes that shape their lives.

Empowerment is at the heart of our vision. We strive to Empower citizens by providing them with the tools, knowledge, and resources they need to actively participate in the decision-making process. We will feature success stories, best practices, and case studies from around the world to inspire individuals and communities to take action, drive change, and hold their governments accountable.

Enforcement of transparency and accountability is the cornerstone of any thriving democracy. At TAG, we are committed to highlighting instances of both exemplary and lacking governance practices. We will scrutinize policies, investigate irregularities, and foster a culture of vigilance. By shining a light on areas that demand improvement and celebrating achievements in transparency, we aim to Enforce a higher standard of governance across the board.



Our magazine will serve as a platform for open and constructive dialogue. We will bring together diverse voices, including experts, policymakers, activists, and concerned citizens, to engage in informed discussions and debates. TAG will be a trusted source of information that transcends political boundaries, fostering a united commitment to strengthening governance worldwide.

In a world where transparency and accountability are vital for the well-being of societies, TAG aspires to be a driving force behind positive change. We invite you to join us on this transformative journey, to contribute your insights, and to be part of a global community that believes in the power of SEE – Sensitise, Empower, Enforce.

Thank you for your support and enthusiasm. Together, we can make governance more transparent, accountable, and responsive to the needs of the people.

Warm regards,

Prof. (Dr.) Jeet Singh Mann

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Political Parties' Disclosure of Reasons for Selecting Candidates with Criminal Cases

Various committees, reports, CSOs, Law Commission, Election Commission of India (ECI) and especially the judiciary have expressed grave concern on the prevalent criminality plaguing our polity. As a matter of fact in one of the judgements, the Supreme Court (SC) has lamented that corruption and criminality in our political system is like a cancer afflicting our democracy. A number of PILs have been filed for removing this grave affliction eating into the innards of our system of governance. To be fair to the SC, it has heard these PILs and has given a number of judgements with a view to apply pressure on the political parties so that they refrain from fielding candidates and later appointing the winners with criminal antecedents as ministers etc. However, the SC has not passed any judgement which clearly debars the fielding of tainted candidates by political parties. Perhaps the SC does not wish to be seen as stepping into the domain of the executive and hence desisted from crossing the Lakshman Rekha. With this as the backdrop, let us examine some of the recent SC judgements in this regard and evaluate the degree of their implementation. In order to curb the blatant practice of giving tickets to candidates with criminal background, the SC has,



*Authors are **Maj General Anil Verma (Rtd.)** who heads Association for Democratic Reforms & National Election Watch & **Ms Shivani Kapoor***



lately given four orders; 10th March, 2014 (Trial within one year); 1st November, 2017 (Special 11 fast-track courts); 25th September, 2018 (Publication of criminal cases); 13th February, 2020 (Reasons for giving tickets to candidates with criminal cases). Unfortunately, none of these orders have been able to dissuade parties from giving tickets to candidates with criminal background rather than entry to clean, credible and honest candidates. We will discuss the last two judgements in some detail. On 13th February 2020, the Supreme Court had directed political parties to list out reasons

on their website including their social media platforms for nominating candidates with criminal background within 72 hours of the selection of such candidates. This direction of the Apex Court had come in the light of a contempt petition filed against the non-implementation of its earlier order dated 25th September, 2018 on publication of criminal cases by candidates and political parties which clearly were not taken very seriously. Consequently, the Supreme Court had reprimanded political parties for failing to widely publish the details of criminal cases pending against the candidates selected by



them. Going one step further, the Supreme Court in its directions had also specifically instructed political parties to give reasons for such selection and why other individuals without criminal antecedents could not be selected as candidates. As per these mandatory guidelines, the reasons for such selection have to be with reference to qualifications, achievements, and merit of the candidate concerned. Sadly, even these directions of the Supreme Court have had no effect on the political parties in selection of candidates as they continued to follow their old practice of giving tickets to candidates based on 'Muscle and Money power'. **Election Commission of India (ECI) Letter dated 6th March 2020 in compliance with Supreme Court directions dated 13th February 2020** stated that political parties, both at the Central and State levels, must publish detailed information about candidates with pending criminal cases on their websites. This information includes the nature of offenses, whether charges have been framed, details of the concerned court, and the case number. Additionally, parties must justify their selection of candidates with criminal records, emphasizing

qualifications, achievements, and merit over mere electability. The disclosure of such details must also be made in local and national newspapers as well as on official social media platforms within 48 hours of candidate selection or at least two weeks before the first date for filing nominations. Furthermore, a specific timeline for periodic publicity of candidates' criminal antecedents during the campaign period has been outlined. Political parties are required to submit a compliance report to the Election Commission within 72 hours of selecting such candidates. Failure to comply will result in the Election Commission notifying the Supreme Court of the party's contempt of court orders or directions.

ECI's Letter dated 10th October 2018 in compliance with Supreme Court directions dated 25th September 2018 stated that Candidates contesting elections are required to fill out forms provided by the Election Commission, ensuring all necessary particulars are included. Notably, candidates must prominently disclose any pending criminal cases in bold letters and inform their respective political parties if they are running on a party ticket.

Political parties, in turn, have an obligation to publish information regarding candidates with criminal antecedents on their websites. Additionally, both candidates and political parties with such antecedents must publish a declaration in newspapers at least three times between the last date of withdrawal of candidatures and two days before the date of the poll. This declaration must also be aired on TV channels 48 hours prior to the conclusion of the poll. In cases of non-compliance, returning officers will issue written reminders, and persistent non-compliance will prompt reporting to the Chief Electoral Officer of the state, who will then notify the Election Commission for further action. After the completion of elections, all political parties, both recognized and unrecognized, must submit a report to the Chief Electoral Officer within 30 days, confirming compliance with the directions and enclosing newspaper clippings containing the published declarations. Subsequently, the Chief Electoral Officer must, within the next 15 days, submit a report to the Election Commission confirming compliance and identifying any defaulters.

Format/Forms issued by ECI in pursuant to the aforementioned SC directions

It is to be noted that Form C7 and C8 should be duly signed by the office bearer of a political party with proper name and designation. Form C8 shall also bear seal of the concerned political party.

| <u>Format/Form</u> | <u>Action to be taken by</u> | <u>Platform</u> |
|--------------------|---|--|
| C1 | Candidates | To publish information regarding criminal background in Newspapers and TV |
| C2 | Political Parties | To publish information regarding criminal background in Newspapers, TV and Political party's website |
| C7 | Political Parties | To publish information regarding criminal background along with reasons in Newspapers, social media platforms, website of political parties |
| C8 | Political Parties to the Election Commission of India | Compliance Report with respect to the SC judgment dated 13th Feb, 2020 |

On 15th July 2021 and 20 July 2021, the Supreme Court again considered the contempt petition filed by a Bihar lawyer Brajesh Singh, against the wilful disobedience of the Apex Court's order dated 13th February 2020 by the political parties. While observing the egregious default by political parties, the Supreme Court also stated that neither the Legislature nor the Political Parties will ever be keen on taking steps to stop the entry of candidates charged with criminal cases.

The SC found 8 political parties guilty of not publishing criminal antecedents of the candidates (as per its February 2020 order) before

the Bihar assembly elections. The Court imposed a fine of Rs 5 lakhs each on CPI(M) & NCP and Rs 1 lakh each on BJP, JDU, RJD, CPI, RLD & LJP. Justice BR Govai said that "persons with criminal antecedents and involved in criminalisation of politics cannot be permitted to be law-makers, the apex court said it can only appeal to the conscience of lawmakers and hope they will wake up soon and carry out a major surgery for weeding out the malignancy of criminalisation in politics."

Association for Democratic Reforms (ADR) had analysed Format C7 of 732 candidates, who contested in the Rajasthan,

Madhya Pradesh, Chhattisgarh and Telangana Assembly Election 2023.

This data was compiled by ADR from political parties' websites as well as social media handles that were functional before and during the period of the above-mentioned State assembly elections. Most political parties published details as per form C7 on their social media handles such as Twitter. It must be noted that in some cases, parties may have published these details (elsewhere) and it may not have appeared in the records of ADR.

| <u>S. No.</u> | <u>State</u> | <u>Total Contesting Candidates</u> | <u>Number of Political Parties Analysed</u> | <u>Contesting Candidates Analysed from Shortlisted</u> | <u>Number of Candidates Analysed with Declared Criminal Cases</u> | <u>No. of Candidates with Criminal Cases having a Published</u> |
|---------------|--------------|------------------------------------|---|--|---|---|
|---------------|--------------|------------------------------------|---|--|---|---|



| | | | | <u>Political Parties</u> | | <u>Format C7</u> |
|---|----------------|-------------|------------|--------------------------|------------|------------------|
| 1 | Rajasthan | 1875 | 5 | 688 | 151 | 129 |
| 2 | Madhya Pradesh | 2534 | 8 | 836 | 264 | 133 |
| 3 | Chhattisgarh | 1181 | 5 | 296 | 52 | 41 |
| 4 | Telangana | 2290 | 5 | 463 | 265 | 147 |
| | Total | 7880 | 23* | 2283 | 732 | 450 |

As is evident from the above, the present law i.e. section 8 of the Representation of People's Act, 1951 and the repeated orders issued by courts have not been able to deter politicians with criminal backgrounds from contesting elections and after winning, occupying high offices as MPs, MLAs and Ministers. Conviction rate under our judicial system has been falling over the years. More importantly, the time taken for trials is unduly long. In addition, politicians do not even diligently or properly furnish each and every information as required under Form 26 or without constant reminders and warnings by the Election Commission of India. The result is that the law breakers have become law makers.

There is no dearth of solutions to

curb the ever-growing problem of criminality in politics. What is required is the courage and will to do the same. Lawmakers will not frame laws that ban the unimpeded and unchecked entry of politicians with criminal cases. Constitutional bodies and institutions will continue to take refuge under reasons like 'lack of power'. In fact, on 20th July, 2021 while hearing the contempt petition against publication of reasons for selection of candidates with criminal cases by political parties, the Bench headed by Justice R.F Nariman and Justice B.R Gavai had added, "We are certain that the legislative branch will not take this forward, not only in the foreseeable future, but at any time in the future". Given the current situation, where all political parties stand united and determined to

stall any attempts to bring accountability, transparency, and fairness in our electoral process, it becomes imperative to remind the key duty holders of their role duties in preserving, protecting, and defending the Constitution. The only way to remedy the existing problem of criminalization is to immediately act upon the plausible solutions offered by the judiciary, various committees, civil society, and citizens.

Until and unless these trends are not reined in, our current electoral and political situation is bound to deteriorate further. It is after all the electorate, who has to suffer on account of criminalization and often can do little but helplessly participate in the election of the mighty and moneyed criminal elements.

Navigating the RTI Filing Process

To effectively utilize the Right to Information Act, we will be clarifying all your questions regarding the same with the help of our Expert mentor and Guinness World Record holder for most letters published in newspaper, Mr. Subhash Chandra Agarwal. You can ask any question regarding the same by using the following form [hyperlinked here](#). Before that we will first guide you through the process of filing an RTI, now one can file requests both online and offline. Here's a detailed guide regarding the two formats:



How to File an RTI Online

- Navigate to www.rtionline.gov.in, and sign up by providing the required details such as name, email, and address.
- Submit Once logged in, click on "Submit Request" and follow the guidelines provided on the portal. Ensure your request is concise and clear.
- A nominal fee is required, which can be paid via internet banking or debit card.
- Post-submission, you can monitor the status of your RTI request through the portal.

How to File an RTI Offline

- Identify the PIO: Determine the Public Information Officer of the department you're inquiring about.
- Draft Your RTI: Draft your questions clearly and concisely in the prescribed RTI application format for the state [Annexure 1]. Include your contact details for the response.
- Pay the Fee: Attach the fee, usually through Indian Postal Order or court fee stamps.
- Send Your RTI: Mail your request via speed post or deliver it in person, ensuring you keep a copy for your records.

Tips for Filing an RTI

To enhance the effectiveness of an RTI application, consider these detailed tips with new examples:

Your request should be straightforward, avoiding any unnecessary complexity. For example, if inquiring about the status of a road repair, simply ask, "What is the current status of the road repair on [specific road/location] reported on [specific date]?"

Avoid lengthy narratives. A concise question like, "What are



the scheduled completion dates for the ongoing construction projects in [specific area]?" is more likely to get a prompt response than a detailed complaint about construction delays.

If you have multiple unrelated queries, file separate RTI applications for each topic. For instance, instead of combining questions about

municipal water supply issues and local park maintenance in one RTI, submit two different applications. This makes it easier for the PIO to address each query and increases accountability.

Request information for a practical duration. Rather than asking for a decade's worth of municipal budget allocations, you could ask, "Can you provide the

municipal budget summary for the fiscal year [specific year]?" This targeted approach helps in receiving focused and relevant information.

Adhering to these principles, with examples tailored to common informational needs, should significantly improve the effectiveness of your RTI applications.

RTI Application Format [Annexure 1]

Andaman and Nicobar

Andhra Pradesh

Arunachal Pradesh

Assam

Bihar

Chandigarh

Chhattisgarh

Dadra & Nagar Haweli and

Daman & Diu

Delhi

Goa

Gujarat

Haryana

Himachal Pradesh

Jammu And Kashmir

Jharkhand

Karnataka

Kerala

Lakshadweep

Madhya Pradesh

Maharashtra

Manipur

Meghalaya

Mizoram

Nagaland

Orissa

Puducherry

Punjab

Rajasthan

Sikkim

Tamil Nadu

Telangana

Tripura

Uttar Pradesh

Uttarakhand

West Bengal

Case Analysis: State of Punjab vs. Principal Secretary to the Governor Of Punjab & Another

The Supreme Court of India's decision in "State of Punjab vs. Principal Secretary to the Governor of Punjab and Another" showcases the constitutional balance between the State's executive and legislative branches. This case revolves around the constitutional prerogatives of the Governor concerning assent to bills passed by the State Legislature, specifically under Article 200 of the Indian Constitution.

Crux of the Matter

The State of Punjab approached the Supreme Court under Article 32 of the Constitution, challenging the Governor's refusal to assent to four Bills passed by the Vidhan Sabha and his failure to recommend the introduction of certain Money Bills. The factual matrix reveals a constitutional stalemate where the Governor, citing legal advice, questioned the legality of the Vidhan Sabha sessions and consequently



withheld assent to the Bills. The procedural history is marked by the State's assertion of its legislative autonomy against the Governor's reservations, leading to a legal examination of the constitutional roles and limits of gubernatorial discretion in legislative matters.

Inquiries at the Heart

The case delves into two primary issues that are central to the dispute. The first issue pertains to a legal question, specifically whether the Governor possesses the authority to withhold action on Bills that have been

passed by the State Legislature. This inquiry is deeply anchored in the interpretation of Article 200 of the Constitution, which outlines the Governor's role in the legislative process. The second issue revolves around factual questions regarding the legality of the sessions of the Punjab Vidhan Sabha during which the contentious Bills were passed. This aspect examines the procedural validity of these sessions, taking into account the critical distinction between adjournment and prorogation of the legislative body, as well as scrutinizing the Speaker's



exclusive authority in regulating the House's proceedings. Together, these issues form the crux of the case, challenging the boundaries of gubernatorial discretion in the legislative process and the procedural sanctity of legislative sessions.

Deciphering the Verdict

The judgement, delivered by Chief Justice D.Y. Chandrachud, elaborates on the constitutional limitations of the Governor's role in the legislative process. The Court underscored that the Governor must act on the "aid and advice" of the Council of Ministers and cannot unilaterally withhold assent to Bills passed by the legislature, except in circumstances explicitly provided by the Constitution. The judgement delineates the distinction between adjournment and prorogation, affirming the legality of the Vidhan Sabha

sessions and the Bills passed therein. The legal significance of this judgement lies in its clarification of the Governor's role as a nominal head, who is bound by the advice of the Council of Ministers except in areas where the Constitution explicitly grants discretionary powers.

This case reiterates the principle of parliamentary sovereignty and the supremacy of elected bodies in legislative matters, affecting the dynamics of state governance and legislative processes in India. The Court's analysis rests on a harmonious interpretation of the Constitution, which aims to uphold the democratic ethos and the principle of collective responsibility of the executive to the legislature. It critically addresses the constitutional scheme, emphasising that the Governor's role in legislative matters is largely ceremonial and

guided by the elected government's advice. This analysis not only elucidates the legal position but also critiques the overreach of gubernatorial discretion, advocating for a restrained approach in line with constitutional governance.

While the case directly pertains to the legislative process, its implications extend to the broader constitutional framework, reinforcing the sanctity of democratic principles and the rule of law. It contributes to the jurisprudence on the separation of powers, affirming that the executive cannot override legislative prerogatives. This judgement may serve as a precedent in future disputes concerning gubernatorial powers, ensuring that the democratic mandate is not undermined by executive caprice.

AI & Originality: Case Analysis *Stephan Thaler v. Comptroller General of Patents Trade Marks and Design*

AI is posing a wide range of moral and legal issues, including whether AI can own copyright for the work it creates. Existing legislation states that AI cannot possess any type of copyright in the work it creates, as only human writers are granted copyright. Recently, [*In Stephen Thaler v. Comptroller General of Patents Trade Marks and Designs*](#), the UK Court of Appeal rejected Dr. Stephen Thaler's appeal, ruling that an AI system cannot be identified as the inventor on a patent application and that a human inventor is required to have the right to apply for an invention.

The only item eligible for copyright under the existing Copyright Act is an original work of authorship, and courts have construed authorship to imply a human author. For something to receive a copyright, the work has to be considered minimally creative and expressive. This question dates back to the 19th century case



[*Burrow-Giles Lithography vs Sarony*](#), which involved the question of whether a photograph could be copyrighted.

Today, we take it for granted that all images, whether captured on film or digitally, are copyrighted forms of expression. However, the US Supreme Court assumed that a photograph taken by a photographer will have the minimal creativity required for copyrightability, whether it be in the framing, settings used on the camera, the posing of subjects, or the selection of the subject

itself. In some cases, people have attempted to create art using AI, registered that work with the Copyright Office, and declared to the Copyright Office that the work was wholly produced by AI. Because there was no human authorship or expressive creativity in such instances, the Copyright Office refused a [copyright for those particular works](#).

AI and DATA: Analysis of Copyright infringement

AI and data are also a concern, as



as many people are upset about how AIs are trained. Recently, [New York Times](#) moved to Supreme court against Open AI and Microsoft AI alleging copyright infringement where LLMs were trained using their articles. Some cases have seen AI replicate an artist's style and produce new works in that original author's style after training on a dataset of a specific author's or painter's work. In general, you cannot get a copyright on a specific aesthetic, although you can do so for specific works of art. It appears that most AIs are almost worthless unless they have been trained on a large dataset, which typically entails collecting huge amounts of copyrighted content off the internet. If something appears to violate someone else's copyright, it probably does.

Copyright infringement occurs when someone reproduces their work and incorporates it into a data collection. However, even if something could initially be seen as copyright infringement, a fair use defense may be available. In

the [Perfect 10 v. Google case](#), Google scraped the entire internet, including photographs, and created thumbnails in search results, serving a different function than the original photos. The courts determined that while Google was infringing on copyright, it was legal to do so since the thumbnails served a different purpose than the original photos.

The [Authors Guild v. Google case](#), known as the Google Books Case, involved Google creating a large database of nearly every book ever published and allowing users to search through it. The court sided with Google, stating that while the initial formation of this data set and reproduction of these books might qualify as copyright infringement, the court allowed Google to get away with it because its purpose was for fair use purposes.

Both sides have valid points to make, but one may argue that an AI's actions are comparable to those of Google's search engine. Another counterargument is that

what the AI is actually doing is what every single person in the world is doing. While it is plausible that this will be resolved statutorily, there may be a carve out in the law that says that while people are performing the same procedure, [there is no fair use defense if an algorithm in an AI is doing it.](#)

Copyright infringement can still occur even if you do not have a copyright in the object in question. Infringing on someone else's copyright is often a strict liability offense, and the coder may theoretically be held accountable. However, there are unintended consequences that could arise from copyright infringement, and lawsuits are starting to pour in, testing out these copyright issues.

Stability AI, a technique developed to create generative tools like Diffusion, is facing lawsuits for allegedly downloading millions of photos from its website, potentially violating UK law's Standard of Fair Dealing. The company has been informed by Getty photos of



its intention to sue the company in the UK for illegitimately downloading millions of photos. Getty, however, claims that it is not attempting to shut down the business but rather to establish a license arrangement similar to Spotify's with its rights holders. Meanwhile, visual artists have brought a class action lawsuit against Stability AI, Midjourney, and Deviant Art for violating copyright by using artist's photographs to train their image generators and create [derivative works](#). The plaintiffs argue that AI-generated art is just modern-day collage tools that allow users to create unauthorised derivative works.

Both sides of the debate on whether the produced images would be considered derivative works face challenges, as copyrighted images are protected, while an artist's aesthetic is not. In most cases, decisions about copyright infringement are made picture by picture. [The Andersen v. Stability AI](#) case asserts that Stable Diffusion uses training images to produce seemingly new images through a mathematical

from its website. Stable Diffusion is known for its transparency about where it obtains its data, software process, making them derivative works of the specific images used to build a specified output.

The plaintiffs argue that every piece of work produced by AI is a derivative, and that derivatives are considered changed under the Copyright Act. Fair use in copyright litigation is a complex issue that requires a change or transformative approach. The term "derivative work" does not apply to all works that draw from previously published works, as it only applies when the work substantially mimics another piece of work. This means that there are few things that are strictly new and original throughout literature, science, and art.

Artists like Virgil, Bacon, Shakespeare, and Milton have learned from the rich resources of historical knowledge and classical studies available to them in their day. However, not all works of art are new, unpublished, or legally competent to be protected.

Conclusion:

with many images from stock photo websites and even mimicking the Getty Watermark.

Copyright infringement criteria typically include proving the act of real copying, proving that the copied material is substantially identical, or that it was appropriated improperly or illegally. The general consensus is that unlawful appropriation must have been a protectable expression of the earlier work that was copied, and the amount of that copying must have exceeded de-minimis, or the bare minimum that the law doesn't actually permit.

The question of whether art created by AI based on taught pictures is inherently a derivative work and if it violates the copyright of the original work is also up for debate. Copyright decisions are nearly typically made on an individual basis, and it is difficult to determine if anything produced by this technique is inevitably an infringement. Even if the defendants agree that there was copying, the issue is not resolved.

[by Rishiraj Chandan]

Women Take the Lead in Rural Employment Revolution

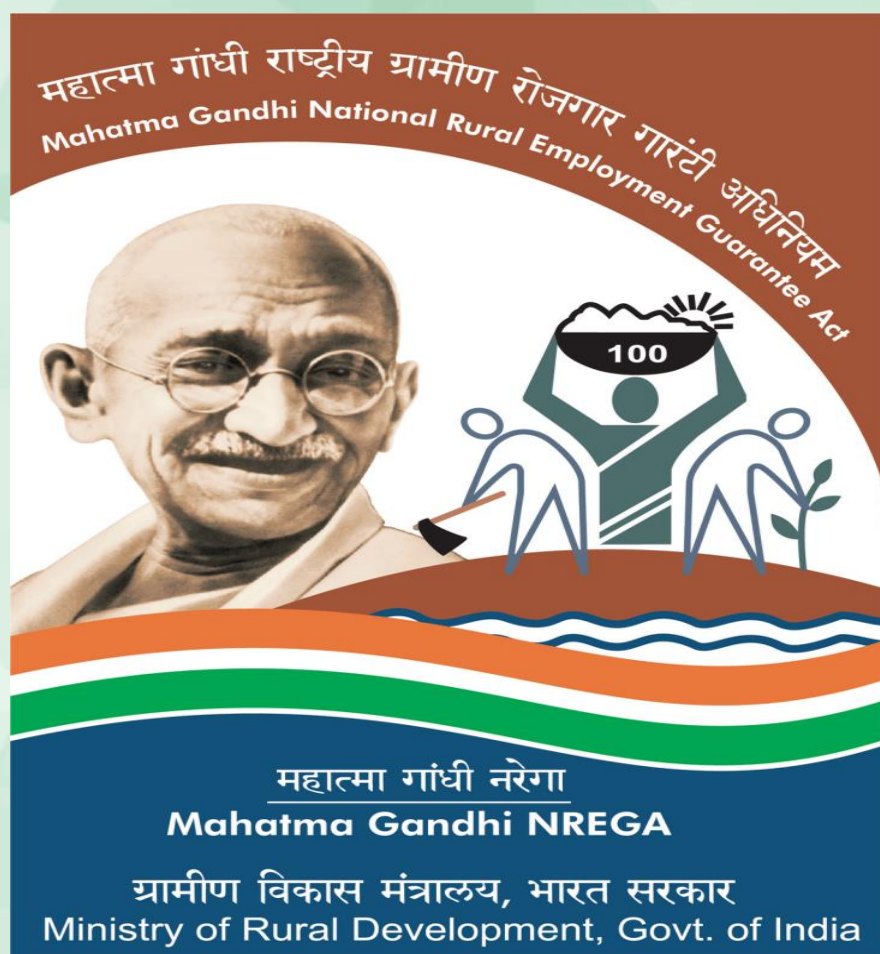
The Indian rural employment landscape has witnessed a remarkable shift with women increasingly becoming the driving force behind the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS). This article delves into the growing participation of women in this scheme and explores the broader implications for female labour force participation in India.

Rising Tide in Rural Employment

Recent data points to an unprecedented surge in women's participation in MGNREGS, reaching a 10-year high of 57.8% in 2022-23. This rise is particularly notable in states like Bihar and Uttar Pradesh. Factors contributing to this trend include state-driven initiatives and policy focus on enhancing women's involvement in rural employment. This upward trajectory not only signifies a shift in employment patterns but also reflects the success of targeted efforts to integrate women into the workforce.

Broader Context of Female Labor Force Participation

The increase in female labor force participation is not just confined to MGNREGS. The broader landscape of rural employment in



India is changing, with schemes like Deendayal Antyodaya Yojana National Rural Livelihood Mission (DAY-NRLM) playing a pivotal role. These initiatives have led to a significant rise in rural female labor force participation rates, empowering women through skilling support and credit access. This shift is indicative of a larger transformation in the rural economy, where women are increasingly taking on diverse

and economically vital roles. The growing participation of women in MGNREGS and other rural employment schemes marks a significant step towards gender parity in the workforce. This trend not only empowers women but also contributes to the economic development of rural India. The continued support and expansion of such initiatives can further accelerate this positive change, paving the way for a more inclusive and equitable employment landscape.

India's Economic Ascent: A Path to \$7 Trillion by 2030

India's economy, on an upward trajectory, is estimated to grow by 7% in FY25, heralding its rise as a \$7-trillion economy by 2030. Despite global uncertainties, such as the Red Sea crisis, India's robust economic policies and structural reforms are paving the way for this optimistic outlook.

Strengthening through Structural Reforms

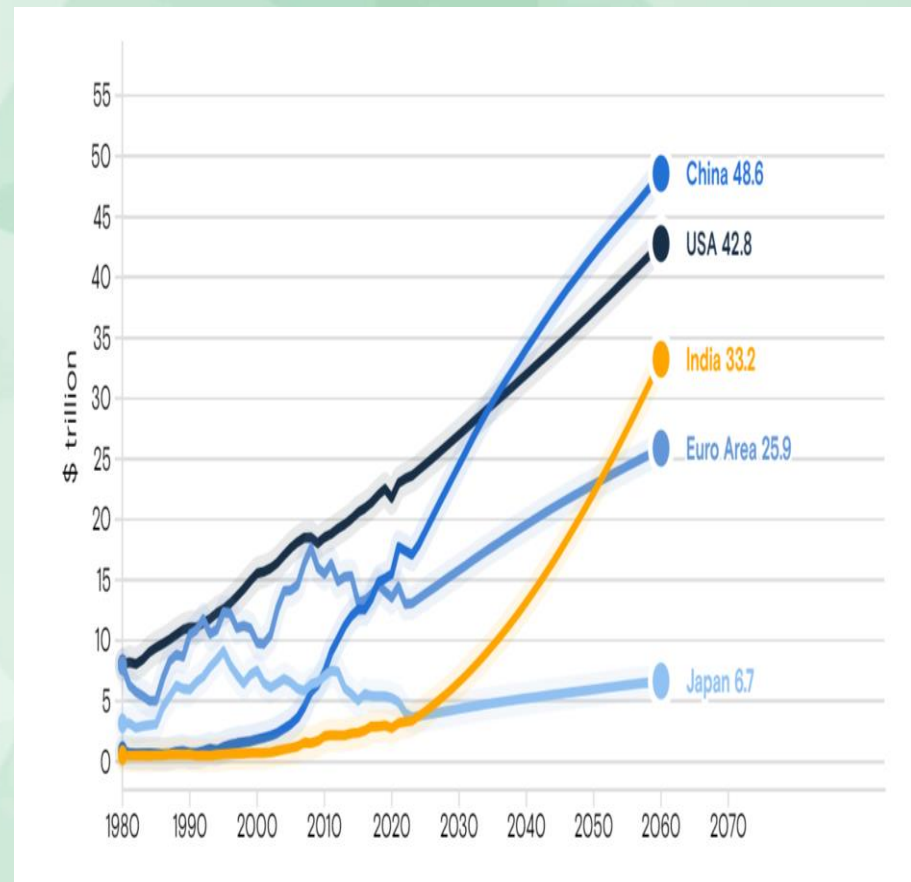
The heart of India's economic resilience lies in its structural reforms and the robustness of its financial sector. The government's strategic moves, including bank recapitalization, mergers, and enactment of progressive laws like the Insolvency and Bankruptcy Code, have been pivotal. These reforms have not only fortified the financial sector but also transformed the twin balance sheet issue into an advantage, thereby enhancing investor confidence and economic stability.

Capital Expenditure and Financial Markets: Catalysts for Growth

A key driver of India's economic momentum is its focus on capital expenditure (capex). Public sector investments have seen a remarkable increase, rising from

₹5.6-lakh crore in FY15 to ₹18.6-lakh crore in FY24. This capex-led growth strategy is boosting infrastructure development, vital for long-term economic sustainability. Concurrently, the Indian financial markets are showing exceptional strength. The inclusion of Indian bonds in JP Morgan's Emerging Markets Bond Index and India's strong performance in equity markets underline this robustness. These factors are instrumental in reducing government borrowing costs and attracting global investments.

India stands at a critical juncture of economic transformation. From tackling the challenges of the pandemic to implementing far-reaching reforms, the journey has been marked by resilience and strategic planning. As India strides towards becoming a global economic powerhouse, it continues to balance growth with sustainable and inclusive development. The path ahead, though filled with challenges, presents immense opportunities for India to establish itself as a major player in the global economy.



Tamil Nadu's Towards a Trillion \$ Economy: GIM 2024 Highlights

The recent Tamil Nadu Global Investors Meet (GIM) 2024 has set a groundbreaking trajectory for Tamil Nadu's economy. With its ambitious goal to achieve a \$1 trillion economy by 2030, the event, held on January 7 and 8, 2024, at Chennai Trade Centre, marked a significant leap forward in attracting global investments and fostering economic growth.

Strategic Investments and Partnerships

The GIM 2024, under the aegis of Chief Minister M.K. Stalin, witnessed unprecedented participation from 9 partner countries and over 30 nations, reflecting the global confidence in Tamil Nadu's economic potential. Key industry leaders committed to a staggering ₹6.64 lakh crore investment through 631 Memoranda of Understanding (MoU). Notable agreements include major investments in green energy, e-vehicles, and advanced electronics, signaling a shift towards sustainable and high-tech industries. This influx of investment is expected to generate approximately 26.90 lakh jobs, with a significant focus on direct employment.

Regional Development and Future Outlook

A pivotal aspect of GIM 2024 was



its emphasis on balanced regional development. The distribution of investments beyond Chennai and Coimbatore to include southern regions and tier 2 and 3 cities marks a strategic move to alleviate urban migration and promote equitable growth. The Chief Minister's assurance of streamlined project clearances and a single-window system demonstrates the government's commitment to actualizing these investment plans. However, challenges such as land acquisition for infrastructure projects and the gap between MoU

signings and project realization remain critical areas to address. The Tamil Nadu Global Investors Meet 2024 has undoubtedly set a new benchmark in the state's economic history. While the road to a trillion-dollar economy is ambitious, the robust investor turnout and diverse investment portfolio reflect a promising future. Tamil Nadu's journey towards this goal will require sustained effort, transparency, and strategic policymaking, keeping in mind the broader vision of inclusive and sustainable growth.

GPAI's AI Unity Pledge at New Delhi

The Global Partnership on Artificial Intelligence (GPAI) Summit 2023 was a landmark event where 29 member nations adopted the New Delhi resolution, a strategic commitment to collaborative development and regulation of Artificial Intelligence (AI). This resolution marks a significant advancement in international cooperation in AI.

At the heart of the summit was the unanimous adoption of the New Delhi resolution by all 29 GPAI member nations. This resolution is a commitment to foster collaborative efforts among member countries in AI, emphasizing the need for innovation and application in key sectors such as healthcare and agriculture.

Rajeev Chandrasekhar, India's Minister of State for Electronics and Information Technology, highlighted the resolution's goal of positioning GPAI at the forefront of shaping AI's future.

The Role and Future Direction of GPAI

GPAI's role extends beyond the resolution, aspiring to lead global conversations on AI governance. The focus is on ensuring AI safety and trustworthiness. Recognizing the global impact of AI, Chandrasekhar emphasized the importance of safe and



trusted AI access as the internet reaches more users worldwide. The summit also underscored the urgency for like-minded countries to expedite the formulation of AI regulations, with the goal of having concrete frameworks in place by the next GPAI meeting in Korea.

Addressing Challenges and Opportunities in AI

The declaration acknowledged the need to address AI's associated risks, including misinformation, unemployment, transparency issues, and threats

to human rights and democratic values. It stressed the importance of equitable access to AI resources for societies to fully leverage and develop competitive AI solutions. Chandrasekhar expressed optimism about reaching a consensus on AI standards among the majority of countries, which would aid in handling disagreements with other nations. The resolution also recognized the imperative to seize AI's new opportunities while managing its risks.

The GPAI Summit 2023 thus set a new course for international cooperation in AI, with a strong emphasis on safety, trust, and collaborative innovation.

Decoding Swachh Survekshan Awards for Sustainable Future

The Swachh Survekshan Awards, an annual event recognizing excellence in public sanitation across cities, towns, and states in India, has once again highlighted the persistent challenges and evolving dynamics in the realm of urban cleanliness and sanitation. The awards, now in their eighth iteration, have become a benchmark for assessing the effectiveness of urban sanitation policies.

Consistent Top Performers and Emerging Trends

Notably, Indore and Surat have emerged as joint winners this year, marking a continuity in excellence for Indore and a significant leap for Surat. This consistency among top performers, including Bhopal, Indore, Surat, and Visakhapatnam, underscores a form of stagnation in the rankings, where top cities remain unchallenged. However, beyond the top 10, there's a notable volatility in rankings, indicating a dynamic landscape in urban sanitation across India. The awards' methodology, creating numerous sub-categories, allows a diverse range of cities to achieve recognition, yet also raises questions about the potential for over-segmentation and the true reflectiveness of these rankings on the ground realities.

SWACHH SURVEKSHAN 2023 SURVEY:

CLEANEST CITIES

(with population of more than 10 lakh):

1. Indore & Surat
2. N/A
3. Navi Mumbai
4. Visakhapatnam
5. Bhopal

CLEANEST CITIES

(with population less than 1 lakh):

1. Sasvad (Maharashtra)
2. Patan (Gujarat)
3. Lonavala (Maharashtra)
4. Karad (Maharashtra)
5. Panchgani (Maharashtra)

STATE RANKING (states with more than 100 urban local bodies):

TOP 5

1. Maharashtra
2. Madhya Pradesh
3. Chhattisgarh
4. Odisha
5. Telangana

BOTTOM 5

23. Tripura
24. Nagaland
25. Rajasthan
26. Mizoram
27. Arunachal Pradesh



Beyond the Numbers: A Holistic Approach Needed

While the awards have successfully fostered a competitive spirit among cities, they inadvertently draw attention away from the systemic issues hindering broader improvements in sanitation. Factors such as economic conditions, historical contexts, and geographical locations play significant roles in a city's sanitation status. Therefore, future iterations of the survey could benefit from a more nuanced approach, perhaps by temporarily retiring consistent toppers to focus on cities facing persistent challenges. This shift could

illuminate the underlying issues preventing widespread sanitation improvements and promote sustainable practices beyond mere rankings.

The Swachh Survekshan Awards serve as a crucial barometer for India's progress in urban sanitation. However, to ensure the movement remains sustainable and inclusive, a balanced approach that acknowledges the complexities of urban sanitation is imperative. Going forward, it's essential to focus not just on the 'numbers game' but on fostering holistic and inclusive improvements across all cities.



Analysis of Paytm's Regulatory Turmoil

The recent regulatory crackdown on Paytm Payments Bank Ltd (PPBL) by the Reserve Bank of India (RBI) has sent ripples through the financial sector, highlighting the complexities and challenges faced by digital payment platforms. This article delves into the reasons behind RBI's stringent measures and its implications for the future of digital banking in India.

Regulatory Concerns and Compliance Failures

RBI's actions against PPBL stem from various compliance failures and regulatory concerns. These include serious violations of Know Your Customer (KYC) norms, such as the existence of numerous non-KYC compliant accounts and usage of single PAN cards for multiple accounts. Additionally, the company faced allegations of submitting false compliance information, with a particular focus on the inadequacies in their Video-Based Customer Identification Process (V-CIP). The monetary penalties imposed by RBI and the temporary restriction on onboarding new customers in March 2022 highlight the bank's continued non-compliance issues.

Impact on Customers and Market Response

The consequences of RBI's

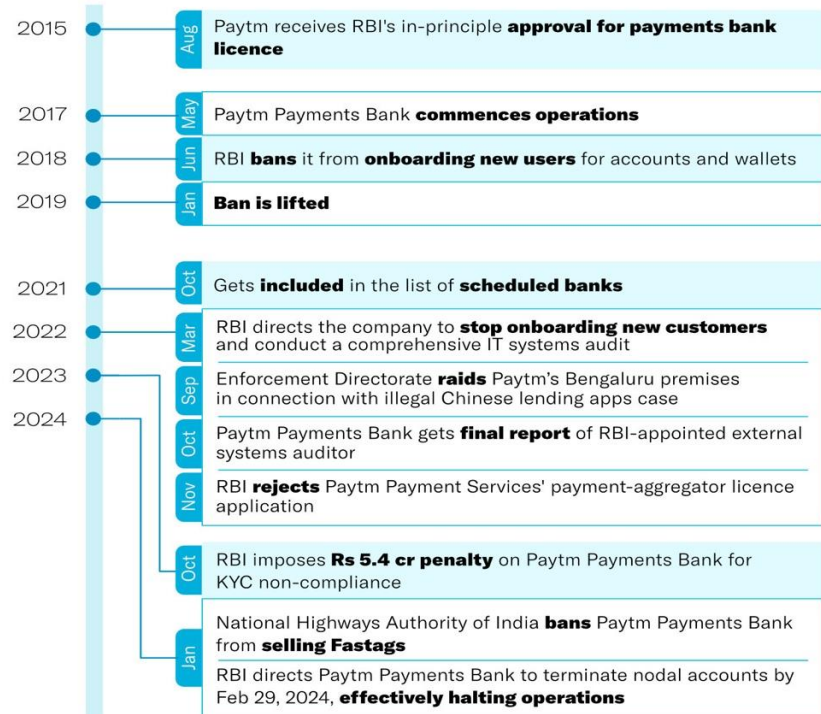
directives have significant implications for PPBL's customers and the broader market. Customers face restrictions on depositing or topping up accounts, with potential disruptions in digital transactions, including wallet services and FASTags. The market reaction was swift and severe, with a notable plunge in PPBL's parent company One97 Communications Ltd.'s share prices. This situation underscores the fragility of customer confidence in digital banking platforms and the critical

importance of regulatory compliance.

The RBI's stringent action against Paytm Payments Bank serves as a cautionary tale for the fintech industry. It underscores the necessity for stringent adherence to regulatory norms and the importance of transparent, robust compliance mechanisms. As digital banking continues to evolve, we need a balanced approach, ensuring innovation led growth while safeguarding consumers and financial stability.

No bank, no problem

Paytm Payments Bank has been consistently hauled up by the RBI over a range of issues



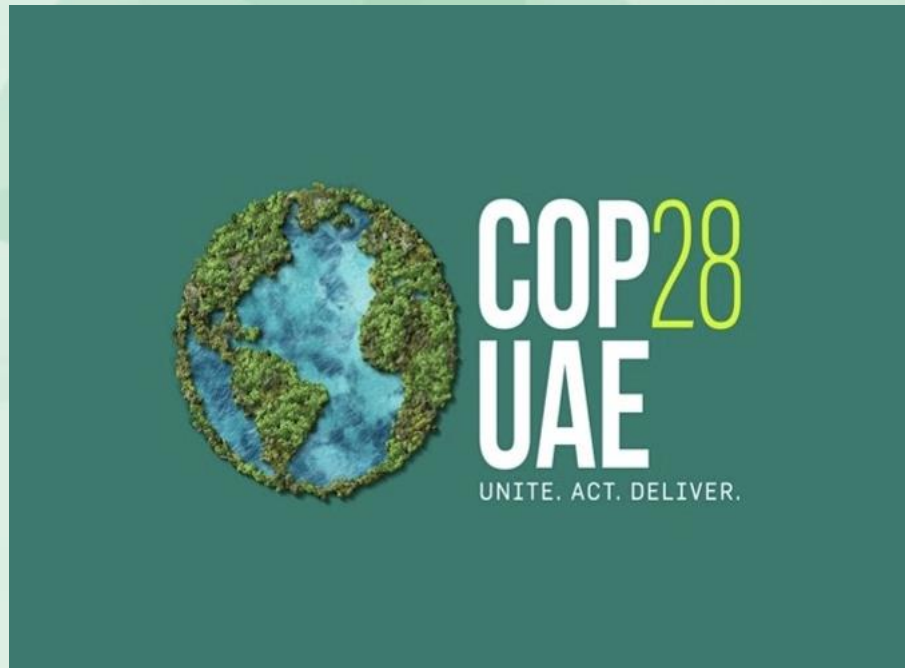
THE KEN

Graphic by Adhithi Priya R, 31 Jan '24

Source: RBI, Paytm

COP28 marks turning point of Climate Action

World leaders convened at the 28th Conference of Parties (COP28) in Dubai to confront the pressing issue of climate change against the backdrop of escalating environmental crises. The summit, held in the United Arab Emirates, stirred controversy due to the host nation's significant ties to fossil fuel industries. Despite this, COP28 marked a pivotal moment in the global effort to combat climate change, as leaders grappled with the imperative to transition away from fossil fuels while addressing the urgent need for equitable climate action.



Agreements and Ambitions

At the heart of COP28 discussions was the recognition of the imperative to transition away from fossil fuels in energy systems. For the first time in COP history, countries acknowledged the necessity of this transition in a "just, orderly, and equitable manner." However, the absence of a concrete timeline and mandatory commitments left room for scepticism. Many stakeholders, including the US, UK, and EU, advocated for more ambitious measures, calling for a clear phase-out strategy for fossil fuels. Despite these reservations, the agreement set global targets to accelerate renewable energy capacity and enhance energy

efficiency, signalling a significant step forward in climate action.

The Urban Imperative

Urban centres emerged as focal points in the COP28 discourse, reflecting the growing recognition of cities' pivotal role in climate action. With over half of the global population residing in urban areas, cities account for a substantial share of energy consumption and greenhouse gas emissions. COP28 witnessed a dedicated ministerial meeting on urbanization and climate change, underscoring the need for multi-level governance and direct actions at the city level. City representatives advocated for greater recognition and empowerment, emphasizing the

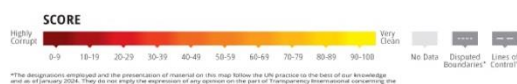
principle of "nothing for us without us" to redefine the governance framework of COPs.

COP28 underscored the urgency of collective action to mitigate the impacts of climate change and transition towards sustainable practices. While the agreements reached represent significant progress, challenges persist in translating commitments into tangible outcomes, particularly for vulnerable communities in the Global South. Moving forward, continued dialogue, inclusive governance, and concrete actions at the local level will be essential to realize the ambitious goals set forth at COP28 and safeguard the planet for future generations.



CORRUPTION PERCEPTIONS INDEX 2023

The perceived levels of public sector corruption in 180 countries/territories around the world.



#CPI2023

www.transparency.org/cpi

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The 2023 Corruption Perceptions Index (CPI), released by Transparency International, offers a revealing snapshot of the global state of corruption. Based on a scale where 0 signifies high corruption and 100 denotes cleanliness, the index combines expert assessments and business opinions to present a nuanced view of corruption worldwide.

Global Landscape of Corruption

The 2023 index paints a vivid picture of the state of corruption worldwide. Top-ranking nations, including Denmark, Finland, and New Zealand, set benchmarks in governance.

Stagnant Fight Against Corruption

However, the global average stagnates at 43, with over two-thirds of countries scoring below 50, signalling prevalent corruption issues. The report underscores the urgent need for robust legal systems to combat corruption effectively.

Regional Dynamics and India's Position

Regionally, the Asia-Pacific faces significant challenges, with most countries scoring below the regional and global average. In South Asia, India's score dropped

to 39, ranking it 93rd and highlighting issues ahead of elections and concerns over narrowing civic space. Neighbouring countries like Pakistan and Sri Lanka show stronger judicial oversight, aiding government accountability.

The CPI 2023 is a clarion call for robust legal frameworks and political commitment to combat corruption. It stresses the need for transparent institutions and independent judicial systems as key to a corruption-free society.



Quiz Quest: Unveiling Transparency

- Q1.** Which of the following is NOT correct regarding Digilocker, a key initiative under the 'Digital India' programme of the Government of India?
- A. Indian citizens who sign up for a Digilocker account get a dedicated cloud storage space that is limited to their Aadhar number
 - B. It aims to eliminate the use of physical documents and provide access to their digital documents anytime, anywhere and share it online
 - C. Citizens can self-upload documents and digitally sign them using the e-sign facility
 - D. The slogan of Digilocker is "My documents, Anytime, Anywhere"
- Q2.** Which of the following mobile payment applications is developed by the National Payments Corporation of India based on UPI?
- A. MYGOV
 - B. BHIM
 - C. UMANG
 - D. PhonePe
- Q3.** Which of the following initiative of MHRD deals with E-Governance for institutions/universities?
- A. SAMARTH
 - B. VIDWAN
 - C. IRINS



D. SWAYAM

Q4. _____ provides network backbone and E-governance support to government bodies in India.

- A. National Informatics Centre
- B. NASSCOM
- C. Department of Information Technology
- D. State Bank of India

Q5. Which of the following is the national repository of high-quality resources in foundational literacy and numeracy?

- A. Digital Infrastructure for Knowledge Sharing (DIKSHA)
- B. National Institute of Open Schooling (NIOS)
- C. National Repository on Open Educational Resources (NROER)
- D. National Professional Standards for Teachers (NPST)

International Webinar on Labour Law Enforcement: Challenges & Remedies

On March 30th – 31st, 2024



About the Webinar: There is no dearth of Labour Laws to protect workers in organized and unorganized sectors across the globe. However, there is a dearth of quality administration, governance, and enforcement of Labour laws meant to protect workers in one form or another. The State Agencies created by the governments for Labour law governance and enforcement are also reluctant to enforce Labour law in their respective jurisdiction. Liberalisation, Privatisation and globalization, up to some extent, are also responsible for diluting the enforcement of Labour law for the promotion of trade and business by ignoring the sustainable development of all the stakeholders involved in the production, distribution, or supply of goods and services in all the sectors across the globe. Workers' associations or Unions have also failed to ensure strict compliance with Labour laws. This Intentional Webinar is designed to examine and explore the impediments in the quality enforcement of Labour laws and submit appropriate declarations to the Labour law and policy institutions.

The Abstracts, Articles and Registration details shall be submitted to the Convener, with Heading LLE-March 2024, to ctag@nludelhi.ac.in. Abstracts received after the stipulated deadline will not be entertained for participation in the Webinar.

Payment Link: [Webinar on Labour Law Enforcement \(razorpay.com\)](https://razorpay.com)

More Details can be accessed here: <https://www.linkedin.com/company/centre-for-transparency-and-accountability-in-governance-ctag/>

Publication of a Special Book on “Personal Data Privacy”

NO CHARGES FOR THE PUBLICATION

In continuation of the dissemination of original and innovative endeavours in transparency and accountability in governance, the CTAG has decided to publish a book titled “**Personal Data Privacy**” with an ISBN, covering the following themes.

Sub-Themes

- a) Contemporary challenges of Right to Personal Data Privacy and public governance-larger public interest.
- b) Decoding the Digital Personal Data Protection Law.
- c) Effectiveness of Right to Privacy law.
- d) Judicial approach in Protection of Personal Data Privacy; regulators of Personal Data Protection governance.
- e) Liability of Personal Data Protection: State & Non—State actors.
- f) Right to Personal Data Privacy and Access to Public Services.
- g) Right to Personal Data Privacy and Right to Information Law.
- h) Right to Privacy of Public servants and public governance- Accountability.
- i) Rise of Artificial intelligence and digital data analytics.
- j) Role of the Judiciary in analysing Right to Personal Data privacy.
- k) Safeguarding right to Personal Data privacy in cyberspace.
- l) The Right to Personal Data Privacy in the Digital Age.
- m) EXEMPTIONS to the right to personal data protection under the DPDP Act 2023.
- n) The commodification of Personal data versus the right to information autonomy of the individual.
- o) Any other theme directly or indirectly related to the Right to Personal Data privacy.

A research paper should apply research skills and use of appropriate research methodology. A research paper should be thematic, and identifying sub-themes is highly appreciated. It should have proper research questions and should also reflect the findings. **A research paper should not be more than 10000 words.**

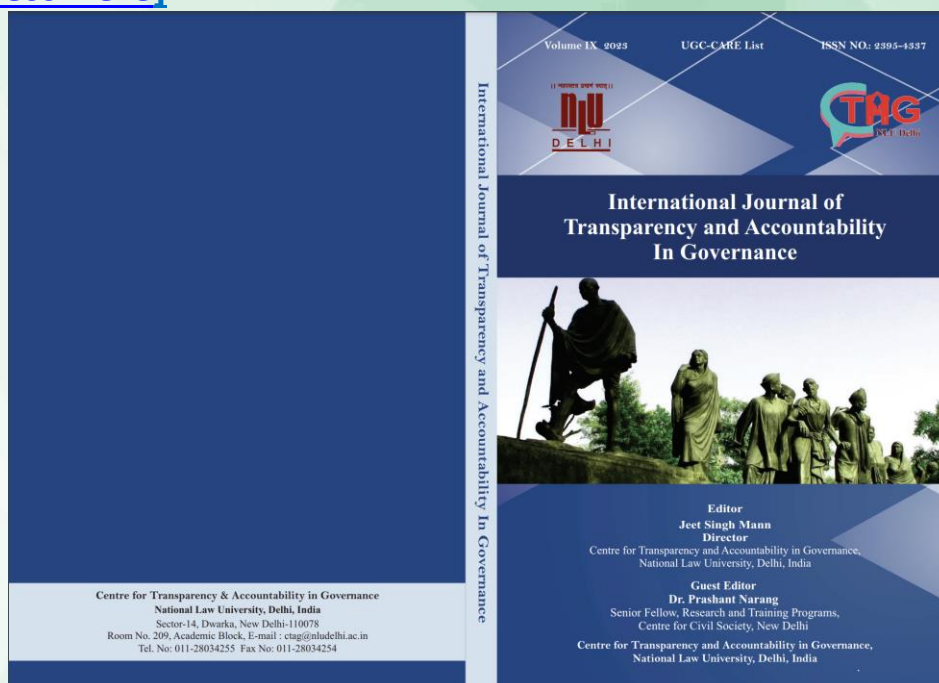
Important Date: The last date for submission is **15 April 2024**

Contact Information: Heading- PDP Book 2024 and Email ID to: CTAG@NLUDELHI.AC.IN

More Details can be accessed here: <https://www.linkedin.com/company/centre-for-transparency-and-accountability-in-governance-ctag/>

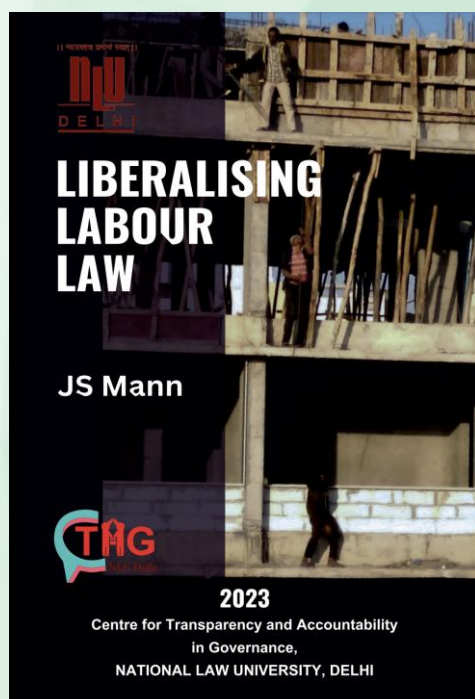
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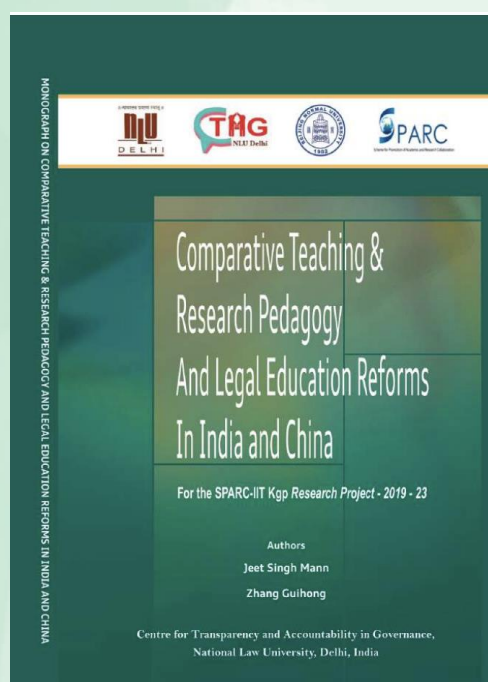


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Liberalising Labour Law by JS Mann



**Comparative Teaching & Research Pedagogy
And Legal Education Reforms In India and China
By Jeet Singh Mann & Zhang Guihong**



TAG Magazine Publication Policy

➤ Introduction

TAG Magazine is a student-run publication committed to maintaining the highest standards of integrity, quality, and responsibility. As the editors of TAG, we recognize the importance of establishing clear guidelines to uphold these principles. This publication policy outlines the key standards and expectations for contributors to ensure the ethical and professional conduct of our magazine.

➤ Conflict of Interest

TAG Magazine strictly prohibits conflicts of interest that compromise the integrity of our content.

Disclosure: All contributors and staff members must promptly disclose any potential conflicts of interest to the editor-in-chief. This includes institutional conflicts, financial interests, personal relationships, or any other circumstances that could reasonably be perceived as influencing editorial decisions. Submissions from current or former students of NLU Delhi are prohibited.

Avoidance: Contributors should avoid situations where their personal interests could conflict with the impartiality and objectivity of TAG Magazine's content.

Editorial Integrity: Editors and staff members must ensure that conflicts of interest do not impact the assignment, editing, or publication of any article. We prioritize the accuracy and fairness of our reporting above all else.

➤ Plagiarism and Academic Integrity

TAG Magazine maintains a zero-tolerance policy towards plagiarism and upholds the highest standards of academic integrity.

Originality: All content must be original and properly attributed. Plagiarism of any form, including the copying of text, images, or ideas without appropriate citation, is strictly prohibited.

Citation: Proper citation and referencing must be employed in accordance with recognized style guides (e.g., APA, MLA) when using external sources.

Authorship: Authors must claim ownership of their work and avoid submitting content that has been published elsewhere without proper acknowledgment. Not more than 3 authors are permitted per submission. The submissions must at most be of 2500 words, font Times New Roman, Line Spacing 1.5, font size 12 and include an abstract as well as a references column at the end.

➤ Controversial Topics

TAG Magazine is committed to open dialogue and respects diverse perspectives.

Balanced Reporting: We encourage balanced reporting and presenting multiple viewpoints on controversial topics, ensuring that our coverage is fair, accurate, and free from bias.

Fact-Checking: Contributors are responsible for fact-checking all content to the best of their ability. Inaccurate or misleading information will not be tolerated and may result in blacklisting of the contributor.

Editorial Independence: TAG Magazine maintains editorial independence and does not allow external influences, whether from advertisers, sponsors, or other stakeholders, to compromise our editorial decisions.

➤ Respect for Privacy and Ethics

TAG Magazine is committed to respecting privacy rights and adhering to ethical standards in reporting.

Informed Consent: We seek informed consent when reporting on individuals, particularly in sensitive or potentially invasive situations. This includes interviews, photographs, or any form of identification.



Minors: Special care must be taken when dealing with minors. Parents or guardians must provide informed consent for any content featuring minors.

➤ **Corrections & Accountability**

TAG Magazine takes no responsibility for errors committed by the contributors.

Corrections: Any factual errors or inaccuracies must be promptly corrected, and the corrections should be noted in the relevant article.

➤ **Monitoring/ Facilitation**

All drafts of the magazine before publication shall be subject to the scrutiny/facilitation by the Registrar.

➤ **Non-Compliance**

By adhering to the principles outlined in this publication policy, we maintain the credibility and professionalism of TAG Magazine. All contributors, editors, and staff members are expected to familiarize themselves with these guidelines and uphold them in every aspect of their work.

➤ **Grievances**

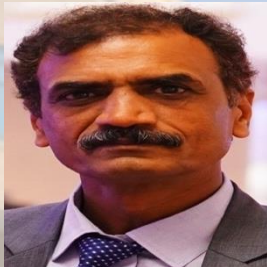
In case of any genuine grievance related to rejection of publication in the magazine may be filed to CTAG, NLU, Delhi. (ctag@nludelhi.ac.in) within a week from the release of the magazine.

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Call for Magazine Blogs & Articles

- Call For Short Articles, Blogs and Case Analysis on Good Governance and Transparency.
- For guidelines refer to the abovementioned Publication Policy.
- The Submissions shouldn't exceed more than 800 words.
- OSCOLA format for citations.
- The deadline for the submission is **20th** of each month for next month's publication. {E-mail on ctag@nludelhi.ac.in or mtag.ctag@nludelhi.ac.in}

About Centre for Transparency and Accountability in Governance (CTAG)

CTAG, National Law University Delhi has been constituted to uphold the commitment of the rule of law and good governance. The Centre emphasizes on sensitizing people on transparency and accountability in governance; empowering people such as students, lawyers, and public officials to contribute effectively to ensure transparency and accountability in governance; and creating and promoting quality research in the area of transparency and accountability in governance.

The Centre also provides, free of cost, for training, sensitization and consultative services on RTI to people.

The Centre has organised national and International Conferences on good governance issues. The Centre also provides for free of cost consultative services, training, sensitization and promotion, on Right to Information, Labour and Industrial Laws governance and other governance related issues.