

# THE PALA CIVIL TIMES



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## PRELIMS CORNER

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**Ordinance making power  
State formation**

**UPSC PYQ analysis - Polity**

## What does the latest ruling mean for Forest Rights Act?

A recent order by the Lucknow Bench of the Allahabad High Court has brought fresh attention to the long-standing tensions between forest-dwelling communities and forest bureaucracy in India. By quashing the District Level Committee's 2021 decision to reject the Tharu community's forest rights claims in Lakhimpur, Uttar Pradesh, and clarifying that any earlier law or court order inconsistent with the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 must yield to the later statute, the Court has underscored the need to uphold the rights of forest-dwellers over administrative convenience or conservation-centric interpretations. This development, centered on the District Collector-chaired DLC, highlights both the promise of the FRA as a tool for justice and the persistent resistance it faces on the ground.

**(Read the full report on Page 2)**

INDIAthroughMAPS



Puducherry, Assam, West Bengal, Kerala, Tamil Nadu 2026 result outcome; official government formation pending

Map not to scale  
Source: Election commission of India

## What does the latest ruling mean for Forest Rights Act?

The Forest Rights Act (FRA), 2006 represents a significant shift in India's forest governance as the law explicitly acknowledges that colonial and post-colonial forest policies displaced these communities and denied them their customary rights. By legally recognising both individual rights, such as habitation and cultivation, and community rights, including grazing, fishing, and collection of minor forest produce, the Act provides a framework for livelihood security and protection against arbitrary eviction.

### Empowerment and Decentralisation through Gram Sabha

A key strength of the FRA lies in its emphasis on decentralisation through the Gram Sabha, which is empowered to initiate and verify claims and also to manage and conserve forest resources. This makes it one of the rare examples of genuine grassroots participation in environmental governance. The Act also marks a conceptual shift from the traditional "fortress conservation" approach to a more inclusive model.

### Administrative Resistance and Implementation Gaps

However, despite its progressive design, the implementation of FRA has been marked by serious challenges. One of the most significant issues is administrative resistance, particularly from the forest bureaucracy, which often views the Act as a mechanism for regularising encroachments rather than recognising rights. District Level Committees frequently reject claims or rely on outdated legal frameworks, reflecting a reluctance to shift from state-centric control to community-based governance.

FRA's implementation varies significantly across states, highlighting challenges in cooperative federalism. While states like Odisha and Chhattisgarh have made relatively better progress, others continue to rely heavily on restrictive forest laws. The Act also contributes to the broader debate between conservation and rights. Overall, the FRA represents a transformative legal framework that seeks to balance environmental conservation with the rights and livelihoods of forest-dependent communities. However, its success depends not merely on its provisions but on effective implementation, institutional accountability, and a shift in governance mindset towards recognising communities as partners rather than obstacles in conservation.

### Legal Conflicts and Misapplication of Laws

This problem is compounded by legal conflicts and misapplication of laws. Although the FRA, as a later legislation, should override earlier forest laws under the doctrine of *lex posterior*, authorities often continue to invoke colonial-era statutes and previous court orders to deny rights. This creates a situation where the legal hierarchy is not respected in practice, undermining the effectiveness of the Act.

### Weak Enforcement and Continued Evictions

Another major concern is the weak enforcement of FRA provisions. While the Act contains mechanisms to penalise non-compliance, these are rarely invoked, and accountability of implementing authorities remains limited. At the same time, evictions of forest dwellers continue in many areas under the guise of forest protection or encroachment removal, even though the FRA explicitly prohibits eviction until the claims process is complete.

### Key Issues and Emerging Dimensions

The selective recognition of rights further limits the impact of the Act. While individual forest rights receive some attention, community forest rights, which are critical for collective resource management and sustainable use, are often neglected. Similarly, rights such as grazing and habitat use are frequently ignored or restricted. These issues are aggravated by low awareness among Gram Sabhas and a lack of political will, with some state governments viewing the FRA as an obstacle to development projects and therefore slowing down its implementation.

## SC brings survivors of forcible ingestion of acid in RPwD Act

In a significant step, the Supreme Court has expanded the definition of acid attack victims under the Rights of **Persons with Disabilities Act, 2016** to include victims of forcible acid ingestion, not just acid-throwing. Invoking **Article 142**, the Court made this interpretation retrospectively applicable from 2016, ensuring immediate access to legal and welfare benefits. This marks a shift towards a more inclusive and victim-centric legal framework.



### Legal Provisions and Punishment

Under the Bharatiya Nyaya Sanhita, 2023:

**Section 124(1):** Acid attack causing grievous hurt is punishable with minimum 10 years to life imprisonment, along with a fine to cover medical expenses.

**Section 124(2):** Attempt to commit acid attack attracts 5–7 years imprisonment plus fine.

### Compensation and Rehabilitation Framework

Compensation to acid attack victims is governed by the Section 396 of Bharatiya Nagarik Suraksha Sanhita, 2023 which mandates every State to establish and implement **Victim Compensation Schemes**. Compensation awarded under these schemes is in addition to fines imposed on offenders. Mechanisms such as the **Central Victim Compensation Fund (CVCF)** under the Nirbhaya Fund provide financial support to States, while the National Legal Services Authority formulates model schemes and guidelines to ensure uniformity and adequacy in compensation across States. States are responsible for implementing these schemes through legal services authorities and designated boards.

Despite a robust legal and institutional framework, significant challenges persist, including weak enforcement of acid sale regulations, delays in compensation, inadequate long-term rehabilitation, and systemic fragmentation across legal, medical, and welfare domains. In this context, the Supreme Court's progressive expansion under the Rights of Persons with Disabilities Act, 2016 marks an important shift towards a more inclusive and rights-based approach. However, real impact depends on strengthening implementation—ensuring timely compensation, stricter regulation, expanded welfare coverage, and better coordination across institutions.

### Role of the PwD Act, 2016

The Rights of Persons with Disabilities Act, 2016 plays a crucial role by:

- Recognising acid attack survivors as persons with disabilities
- Ensuring access to financial assistance, identity cards, reservations, and welfare benefits
- Promoting principles of dignity, non-discrimination, and social inclusion

The recent inclusion of forcible ingestion victims strengthens the Act's rights-based approach to disability and rehabilitation.

### Governance and Institutional Response

The government has adopted a multi-layered approach:

- Regulation of acid sale through Poison Rules and MHA advisories
- Implementation of schemes like Mission Shakti for women's safety
- Establishment of One Stop Centres (OSCs) for integrated support (medical, legal, psychological)
- Emergency response systems like 112 (ERSS) and Women Helpline (181)
- Capacity building via Bureau of Police Research and Development (BPR&D)

# SCIENCE

## Mexico City is sinking so fast, it can be seen from space

Mexico City is experiencing severe land subsidence, sinking at nearly 25 cm per year, making it one of the fastest-sinking cities globally. Built on an ancient lakebed, the city's fragile geological base has made it highly vulnerable to long-term environmental stress.

### Causes of Subsidence

The primary driver of subsidence is excessive groundwater extraction, which has caused the aquifers beneath the city to shrink. Since Mexico City is built on a soft, water-saturated ancient lakebed, the removal of groundwater leads to compaction of these loose sediments, resulting in gradual land sinking. Rapid urban expansion and population pressure (~22 million people) have further increased water demand, accelerating this process. As a result, the city has been undergoing continuous subsidence for over a century.

### Impacts on Infrastructure and Society

Subsidence has serious implications:

- Damage to critical infrastructure such as metro systems, drainage networks, roads, and housing
- Tilting of heritage structures like the Metropolitan Cathedral
- Aggravation of urban water crisis due to aquifer depletion

Thus, it poses both economic and governance challenges for urban sustainability.

### Scale and Magnitude of the Problem

Subsidence in some areas reaches ~2 cm per month, with total sinking exceeding 12 metres over a century. The scale is now visible from space, underscoring severe and cumulative environmental degradation.

The sinking of Mexico City highlights the intersection of urbanisation, resource mismanagement, and environmental vulnerability. Advanced missions like NISAR demonstrate how international collaboration and cutting-edge technology can transform our ability to monitor and respond to such crises. Strengthening data-driven governance and sustainable resource management will be crucial in addressing similar challenges globally.

**NISAR NASA-ISRO SYNTHETIC APERTURE RADAR**  
 A NEW EYE ON OUR PLANET

**NISAR (NASA-ISRO Synthetic Aperture Radar) is a first-of-its-kind dual-band radar satellite developed jointly by ISRO and NASA.**

- Uses advanced radar to observe Earth's land and ice surfaces with high precision.
- Provides open-access data for the global scientific community and policymakers.
- Launched to support understanding of our changing planet and improve life on Earth.

**CORE FEATURES**

- First-of-its-kind dual-band (L & S band) Synthetic Aperture Radar mission
- Uses SweepSAR technology for high-resolution, wide-swath imaging
- Provides fully polarimetric and interferometric data (important for precise deformation mapping)
- Revisits global land and ice surfaces every 12 days

**UNIQUE TECHNOLOGICAL EDGE**

- Dual-frequency radar enables better penetration and sensitivity
  - L-band: penetrates vegetation, useful for biomass & subsurface
  - S-band: sensitive to surface changes
- Capable of millimetre-level change detection, crucial for tracking subsidence and tectonic shifts
- Works day-night and all-weather, unlike optical satellites

**INDIA-US COLLABORATION**

- Joint mission of ISRO and NASA
- Represents one of the most advanced civil space cooperation projects globally
- Data will be open-access, supporting global scientific research and policy
- OPEN DATA FOR ALL**

**INDIA'S STRATEGIC GAINS**

- Strengthens India's leadership in earth observation and geospatial intelligence
- Enhances disaster management capabilities (cyclones, floods, landslides, earthquakes)
- Supports sectors like agriculture, water resources, and urban planning

**EXPANDED APPLICATIONS**

- Climate monitoring: ice sheets, sea-level rise, carbon cycles
- Agriculture: crop area mapping, soil moisture, biomass estimation
- Water governance: aquifer changes, drought assessment
- Infrastructure: monitoring land subsidence in cities (e.g., Mexico City-type cases)

**POLICY RELEVANCE**

- Supports evidence-based policymaking in climate adaptation and disaster risk reduction
- Aligns with global commitments like SDGs and climate agreements
- Useful for early warning systems and long-term environmental monitoring

**MISSION AT A GLANCE**

- Mission Type: Earth Observation (Radar)
- Bands: L-band (24 cm) & S-band (10 cm)
- Orbit: Near-polar, Sun-synchronous
- Repeat Cycle: 12 days
- Agency: ISRO (India) & NASA (USA)
- Data Access: Open and free for all users

**HOW NISAR WORKS**

Radar beam sent towards Earth → Signal reflected back from Earth's surface → Data captured in L & S bands simultaneously → High-resolution images & precise change detection

**WHY NISAR MATTERS**

NISAR will provide unprecedented insights into Earth's dynamic processes, helping societies build a more resilient and sustainable future.

### Applications and Significance

The crisis has been mapped using the NISAR satellite, a joint mission of NASA and ISRO.

- It uses advanced radar imaging to detect surface deformation in real time
- Enables high-resolution monitoring, potentially down to building-level accuracy
- Helps in understanding subsurface changes like aquifer depletion

This represents a major advancement in Earth observation capabilities.

### India's Emerging Space Start-up Ecosystem

The NISAR satellite provides high-resolution, real-time data on land deformation, making it a critical tool for evidence-based governance. It enables governments to detect early signs of subsidence, earthquakes, landslides, and other geophysical risks, thereby strengthening disaster preparedness and mitigation strategies.

In urban contexts, such data supports better planning of infrastructure, zoning, and resource use. For instance, in Mexico City, NISAR's observations can help authorities identify high-risk zones, stabilise critical infrastructure like transport and drainage systems, and design sustainable groundwater management policies.

## Jobs to GDP to debt: The state of poll state economies

The 2026 Assembly elections in states like Assam, Kerala, Tamil Nadu, and West Bengal reflected decisive voter behaviour, either rewarding incumbents or demanding change. These outcomes can be partly understood through underlying economic indicators such as growth, employment, and fiscal health, which shape voter expectations and political accountability.

### Economic Growth and Income Trends

Over the past decade (2015–2024), Assam emerged as the fastest-growing economy among the four states, with strong Gross State Domestic Product (GSDP) growth and the highest increase in per capita income. Although it still has a relatively low income base, it is rapidly catching up with West Bengal.

Tamil Nadu has also performed well, achieving higher per capita income than Kerala due to stronger and more consistent growth. In contrast, Kerala and West Bengal recorded relatively slower growth rates, with per capita income rising at a modest pace. This indicates a divergence where traditionally stronger social-sector states are now lagging in income growth compared to more dynamic economies.

### Employment and Labour Market Stress

All four states exhibit higher Labour Force Participation Rates (LFPR) than the national average, indicating strong demand for jobs. However, this has translated into varying levels of unemployment stress.

West Bengal faces the highest unemployment rate. Kerala, despite high LFPR, has relatively low unemployment. Tamil Nadu presents a mixed picture, where even with lower LFPR than Assam, unemployment remains elevated, pointing to structural issues in job generation.

The analysis highlights that economic growth alone is insufficient without job creation and fiscal discipline. While states like Assam demonstrate the benefits of rapid growth, others reveal the risks of slow income growth, unemployment stress, and unsustainable fiscal practices. Going forward, state governments must balance growth with employment generation, welfare spending with capital investment and short-term political incentives with long-term fiscal sustainability. Ultimately, electoral outcomes reflect not just economic performance, but also how effectively governments translate growth into jobs, incomes, and stable public finances.

### 1. The state of income growth

PER CAPITA GSDP (in Rs cr)

■ 2014-15 ■ 2023-24



COMPOUND ANNUAL GROWTH RATE (CAGR, in %)

State	Per capita GSDP	GSDP
Assam	7.80%	11.40%
Kerala	4.90%	8.60%
TN	6.40%	10.30%
WB	4.90%	9.10%

NOTE: PER CAPITA INCOME, OWN REVENUE, AND EXPENDITURE HAVE BEEN CALCULATED USING STATE-WISE POPULATION PROJECTIONS FOR THE RESPECTIVE YEARS USING POPULATION PROJECTIONS BY THE NATIONAL COMMISSION OF POPULATION.

SOURCES: RBI; MOSPI; NATIONAL COMMISSION ON POPULATION; STATE BUDGET DOCUMENTS OF VARIOUS STATES FOR 2025-26; PRS

### Fiscal Health and Government Finances

A critical constraint for incoming governments is fiscal sustainability. The fiscal deficit, ideally capped at 3% of GSDP, has been exceeded by West Bengal, indicating higher borrowing levels. More concerning is the presence of revenue deficits in most states (except Assam), which implies that borrowed funds are being used for day-to-day expenditures such as salaries and subsidies rather than productive capital investment. This weakens long-term growth potential. Additionally, rising expenditure on unconditional cash transfers or “freebies,” particularly in West Bengal, raises concerns about fiscal prudence. When such spending is financed through borrowing, it creates a cycle of debt without asset creation.

### Rising Debt and Interest Burden

Sustained borrowing has led to increasing interest payment obligations across states. While West Bengal already had a high baseline, states like Kerala and Tamil Nadu have seen sharp increases in interest burdens. This reduces fiscal space for development spending and constrains future policy choices.

## Households face rising medical inflation

Medical inflation in India remains significantly high, with estimates around 12–13%, despite lower official figures in the 2025 Economic Survey. High healthcare costs, combined with limited insurance coverage, expose households to financial distress, especially during chronic illness or emergencies.

Out-of-pocket expenditure (OOPE) continues to dominate healthcare financing, with average hospitalisation costs rising sharply—often exceeding monthly household incomes, particularly in private hospitals.

### Nature of Healthcare Financing in India

India's healthcare system is largely OOPE-driven, reflecting gaps in financial protection.

- Private hospitals account for a majority of hospitalisations
- Public healthcare remains underfunded and overburdened
- Insurance coverage is incomplete and uneven

This structure increases vulnerability to catastrophic health expenditure and indebtedness.

### Key Drivers of Medical Inflation

**a) Technological Advancements** - Introduction of advanced diagnostics and treatments increases costs due to high capital investment and import dependence.

**b) Epidemiological Transition** - Rising burden of non-communicable diseases (NCDs) and ageing population increases long-term healthcare demand.

**c) Pharmaceutical Inflation** - Rising drug prices and limited coverage under price control mechanisms contribute to higher treatment costs.

**d) Supply Chain and Global Factors** - Import dependence and global disruptions raise input costs for hospitals and medical devices.

Rising medical inflation in India reflects deeper structural issues in healthcare financing, delivery, and regulation. While existing schemes provide partial relief, sustainable affordability requires stronger public provisioning, better regulation of private players, and expanded financial protection.



### Structural Issues in Healthcare Delivery

**Privatisation and Profit Orientation** - A large share of care is delivered by private providers, often operating on profit-driven models, leading to high and variable pricing.

**Public Sector Constraints** - Inadequate infrastructure, workforce shortages, and quality gaps push patients towards expensive private care.

**Regulatory Gaps** - Weak implementation of pricing regulations under the Clinical Establishments (Registration and Regulation) Act, 2010 leads to overcharging and lack of standardisation.

### Insurance Coverage and the "Missing Middle"

Government schemes like Ayushman Bharat Pradhan Mantri Jan Arogya Yojana provide coverage to vulnerable populations, but challenges persist:

- Claim rejections, delays, and administrative inefficiencies
- Limited coverage (mainly hospitalisation, not medicines or outpatient care)

A significant "missing middle" remains—those ineligible for public schemes yet unable to afford private insurance—leaving a large population uninsured.

Increased household indebtedness due to distress financing, reduced access to timely and quality healthcare, widening inequalities in access, and adverse impacts on human capital and productivity. These outcomes are closely linked to structural policy constraints such as low public health expenditure (around 2% of GDP or less), a fragmented healthcare delivery system, weak enforcement of price regulations, and poor integration across primary, secondary, and tertiary care.

## MSP methodology should reflect changing reality

India's Minimum Support Price (MSP) system is based on cost estimates derived from the Comprehensive Scheme for Studying Cost of Cultivation, done by the Directorate of Economics & Statistics. It follows a **triennial sampling method**, where villages are surveyed over a three-year cycle. While methodologically robust, this system has remained largely unchanged despite significant structural shifts in agriculture, raising concerns about its contemporary relevance.

### Key Issue: Time Lag and Cost Misalignment

A key limitation of the MSP framework is the time lag in cost data, which often reflects conditions from 2–3 years earlier. During input shocks—such as the rise in fertilizer, fuel, and labour costs in 2021–22—MSP revisions fail to capture real-time costs, with studies indicating that MSP may need to be 20–30% higher to maintain intended margins. As a result, while MSP remains stable in normal periods, it becomes misaligned during volatility, adversely affecting farmer profitability.

### Changing Agricultural Practices: Mechanisation Gap

Rapid expansion of mechanisation under schemes like Sub-Mission on Agricultural Mechanization (SMAM) has altered cost structures.

- Growth of Custom Hiring Centres (CHCs) has shifted farmers from ownership to service-based machinery use.
- However, existing estimation methods still reflect older ownership patterns, leading to inaccurate cost capture.

This creates discrepancies between estimated and actual farm-level costs.

A calibrated reform of the MSP framework is essential to align it with evolving agricultural realities. This requires introducing limited indexing of MSP to volatile input costs such as fuel and fertilizers, improving the frequency and regional representation of cost data, and refining cost estimation methods to better capture changes in mechanisation and interest components. Equally important is strengthening procurement systems for pulses, oilseeds, and other alternative crops to promote diversification, alongside leveraging technology such as real-time data systems and remote sensing for more accurate and timely cost assessment.



### MSP and Cropping Patterns

Evidence shows that MSP act as a procurement-backed assurance mechanism. Crop choices are influenced more by procurement support, irrigation access, subsidies, and market linkages. For instance, Punjab remains dominated by the rice–wheat system due to assured procurement. States like Rajasthan, MP, Maharashtra show diversification towards pulses/oilseeds due to better market ecosystems. Thus, weak procurement for alternative crops limits diversification despite MSP announcements.

### Link with Crop Diversification Challenges

The MSP framework contributes to structural issues such as the dominance of the rice–wheat system driven by assured procurement and subsidies, limited crop diversification despite ecological and economic needs, and regional imbalances in cropping patterns.

### Link with Crop Diversification Challenges

- **Income Stability:** MSP acts as a safety net, especially for small and marginal farmers, discouraging them from changing present patterns.
- **Low-income Trap:** Without accurate cost coverage, farmers face squeezed margins despite MSP increases.
- **Resource Stress:** Continued focus on water-intensive crops (rice, wheat) leads to soil degradation and groundwater depletion.
- **Market Distortions:** Subsidies and procurement skew cropping patterns, affecting long-term sustainability.

## PRELIMS CORNER :

1) With reference to the Indian polity, consider the following statements :

I. An Ordinance can amend any Central Act.

II. An Ordinance can abridge a Fundamental Right.

III. An Ordinance can come into effect from a back date.

Which of the statements given above are correct?

- (a) I and II only  
 (b) II and III only  
 (c) I and III only  
 (d) I, II and III

2) Consider the following pairs:

State	Description
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I. **Arunachal Pradesh** : The capital is named after a fort, and the State has two National Parks

II. **Nagaland** : The State came into existence on the basis of a Constitutional Amendment Act

III. **Tripura** : Initially a Part 'C' State, it became a centrally administered territory with the reorganization of States in 1956 and later attained the status of a full-fledged State

How many of the above pairs are correctly matched?

- (a) Only one  
 (b) Only two  
 (c) All the three  
 (d) None



## WONDERS OF INDIA

*Discover the diverse cultural heritage of India, one tradition at a time.*



### Champaner-Pavagadh Archaeological Park

The Champaner-Pavagadh Archaeological Park, located in the Panchmahal district of Gujarat, is a UNESCO World Heritage Site known for its unique blend of archaeological, historical, and living cultural heritage. Centred around the volcanic Pavagadh Hill, which rises about 800 metres above the plains, the site preserves a continuous record of human settlement from prehistoric (Chalcolithic) times to the medieval period. It includes remains of an early Hindu hill fortress, later transformed into a 15th–16th century Islamic capital under Sultan Mahmud Begda.

Spread across multiple zones, the park contains fortifications, palaces, temples, mosques, residential areas, and sophisticated water management systems. A highlight is the Jama Masjid, an architectural masterpiece that influenced later mosque designs in India, reflecting a harmonious fusion of Hindu and Islamic styles. At the same time, the Kalika Mata Temple continues to function as an important pilgrimage centre, symbolising the site's living cultural dimension.

What makes Champaner-Pavagadh exceptional is that it remains the only complete and largely unchanged pre-Mughal Islamic city in India, with many areas still unexcavated. Despite being abandoned in the 16th century, its urban planning—integrating religious, administrative, and agricultural spaces—remains clearly visible. Protected under national and state laws and managed by multiple agencies including the Archaeological Survey of India, the site stands as a remarkable testimony to India's layered cultural history and architectural innovation.



# Prelims Corner: Explanations

1) The correct answer is (c) I and III only.

Under **Article 123**, the President has the power to promulgate ordinances during the recess of Parliament, and such ordinances have the same force as an Act of Parliament.

**Statement I is correct** because an ordinance can modify, repeal, or amend any Central Act, just like a law passed by Parliament. It can even alter tax laws or replace existing statutes, reflecting its wide legislative reach.

**Statement II is incorrect** because an ordinance is subject to the same constitutional limitations as parliamentary legislation. It cannot abridge or take away Fundamental Rights, as guaranteed under Part III of the Constitution. Any such attempt would be unconstitutional and liable to judicial review.

**Statement III is correct** since an ordinance, like a regular law, can have retrospective effect. It may come into force from a back date if explicitly stated.

2) The correct answer is (b) Only two.

**Pair I is correct.** Arunachal Pradesh's capital, Itanagar, derives its name from the historic Ita Fort (meaning "fort of bricks"), built in the 14th century. The state is also home to two national parks—Namdapha and Mouling—making the description accurate.

**Pair II is incorrect.** Nagaland was created as a separate state under the State of Nagaland Act, 1962, and formally came into existence in 1963. It was carved out of Assam's Naga Hills–Tuensang Area, a tribal region specified under the Sixth Schedule. Its formation was not based on a Constitutional Amendment Act but through parliamentary legislation.

**Pair III is correct.** Tripura was initially classified as a Part 'C' state under the original constitutional scheme of 1950. Following the States Reorganisation Act, 1956 and the 7th Constitutional Amendment, Part 'C' states were abolished, and Tripura became a Union Territory under central administration. It was later granted full statehood in 1972.



## ORDINANCE-MAKING POWER OF THE PRESIDENT (ARTICLE 123)



### 1. BASIC PROVISION

Under Article 123, the President can promulgate ordinances when Parliament is not in session.



These ordinances have the same force and effect as an Act of Parliament, but are temporary laws.

### 2. NATURE OF POWER



It is a **legislative power**, not an independent parallel to Parliament.



Exercised only on the **advice of the Council of Ministers** (not discretionary).



Intended to meet **urgent situations** requiring immediate action.

### 3. CONDITIONS FOR PROMULGATION

An ordinance can be issued only when:



Both Houses are not in session



Either House is not in session



The President is satisfied that immediate action is necessary.



This satisfaction is subject to judicial review on grounds of mala fide, as clarified after the 44<sup>th</sup> Constitutional Amendment.

### 4. SCOPE AND LIMITATIONS

#### COEXTENSIVE WITH PARLIAMENT'S LAW-MAKING POWER



Can legislate on Union and Concurrent List subjects



Can amend, repeal laws, or introduce new laws

#### SUBJECT TO CONSTITUTIONAL LIMITS



Cannot violate Fundamental Rights



Cannot amend the Constitution

### 5. DURATION AND APPROVAL



Must be laid before Parliament when it reassembles.



After 6 weeks of reassembly, if not approved



Earlier, if disapproved by both Houses



MAXIMUM LIFE: 6 months + 6 weeks (practically)

CEASES TO OPERATE:

