



**CURRENT AFFAIRS DAILY
COMPILATION**

MAINS – 01.01.2023

INDEX

S.No	NEWS	SOURCE	RELEVANT TOPICS IN GS MAINS SYLLABUS
1	Ahilyabai Holkar	The Indian Express	GS I Modern Indian History from about the middle of the eighteenth century until the present-significant events, personalities, issues
2	Rule of law and its relevance	The Hindu	GS II Indian Constitution—Historical Underpinnings, Evolution, Features, Amendments, Significant Provisions and Basic Structure.

GS I Modern Indian History from about the middle of the eighteenth century until the present- significant events, personalities, issues.

1. Ahilyabai Holkar

Maharashtra Education Minister Deepak Kesarkar told the state Legislative Council that he has sought a proposal from the district administration to rename the Western Maharashtra city of Ahmednagar as ‘Punyashlok Ahilyadevi Nagar’, after the 18th century Malwa queen, Ahilyabai Holkar.

Ahilyabai Holkar

- Born in Chondi village of Ahmednagar to the village head Mankoji Shinde, on May 31, 1725, Ahilyabai was one of the few women rulers of Medieval India. While the education of girls and women was rare at that time, Mankoji insisted on it for his daughter.
- When she was eight years old, Malhar Rao Holkar, the army commander to Peshwa Bajirao, is believed to have spotted her at a temple service in Chondi. Impressed by her devotion and character, he decided to get his son, Khande Rao, married to her.
- Ahilyabai took control of Malwa after her husband’s death in the Battle of Kumbher against the king of Bharatpur in 1754.
- She excelled at administrative and military strategies under the guidance of her father-in-law, who believed she should lead her people, and not die by Sati after Khande Rao passed away.
- After the death of her father-in-law and son a few years later, she petitioned the Peshwa to become the ruler, backed by the support of her army.



Role in administration and temple-building

- Nehru described Holkar’s rule, which lasted for thirty years (1765-1795), as “almost legendary as a period during which perfect order and good government prevailed and the people prospered.

- She was a very able ruler and organizer, highly respected during her lifetime.” Similarly glowing accounts are found elsewhere.
- According to an article in Google’s Arts and Culture platform, “During her reign, Malwa was never once attacked, when at that time the whole of Central India was facing a power struggle, with battles being fought for the throne. Under her rule, Malwa remained an oasis of stability and peace.”
- It adds that under Holkar, the city of Maheshwar became a literary, musical, artistic and industrial centre, and she helped establish a textile industry there, which is now home to the famous Maheshwari saris.
- Her role in the restoration of Hindu temples is often emphasised. In 1780, she had the Kashi Vishwanath temple in Varanasi rebuilt, nearly a century after Mughal king Aurangzeb ordered its destruction.
- Apart from holy sites like Badrinath, Dwarka, Omkareshwari, Gaya, and Rameswaram, Holkar also supported the construction of resting lodges for travellers, and of public ghats.

Source: The Indian Express

Practice question: Women shouldered critical responsibilities in India’s struggle for freedom.

Discuss the role of women in the freedom struggle.

GS II Indian Constitution—Historical Underpinnings, Evolution, Features, Amendments, Significant Provisions and Basic Structure.

2. Rule of law and its relevance

India, with a score of 0.50 on the 'rule of law' index, has ranked 77 out of 140 countries. Govt eyes better rule of law index score.

Rule of Law

- The expression “Rule of Law” is derived from the French phrase ‘le principe de legalite’ meaning the principle of legality.
- The rule of Law is one of the basic and general principles of the constitution. It is characterized in the words of Max Weber as – “legal domination as an idea of government of law rather than an idea of men.”

- So, in essence rule of law means that everyone from the government to its officials, together with citizens should act according to the law.

Dicey's Concept of Rule of Law

- It would be appropriate to discuss the views of Dicey, as he is known to be the main exponent of the concept of rule of law. However the origin of his doctrine was attributed to Sir Edward Coke. He introduced for the first time that, 'King is under God and the Law.'
- The firm base of rule of law owes its exposition to Albert Venn Dicey. Dicey, in his book Law and Constitution in the year 1885 further developed this concept given by Coke.
- According to Dicey's theory, rule of law has three pillars based on the concept that "a government should be based on principles of law and not of men", these are-
 - ✓ Supremacy of Law;
 - ✓ Equality before the Law; and
 - ✓ Predominance of Legal spirit.
- **Supremacy of Law:** This is the first pillar of Dicey's concept of rule of law. It means that the law rules over all people including the persons administering the law.
- According to Dicey the absolute supremacy of the law as opposed to the arbitrary power of the government is what constitutes the rule of law. In other words a man should only be punished for the distinct breach of law, and not for anything else.
- The person cannot be punished by the government merely by its own fiat but only according to the established law.
- Further, Dicey asserted that discretion has no place where there is supremacy of law. According to him discretion is a link to arbitrariness.
- Dicey says that wherever there is discretion, there is room for arbitrariness and discretionary authority on the part of the government to jeopardize the legal freedom of the people.
- **Equality before Law:** The second important pillar of Dicey's concept of Rule of Law is Equality before Law. In other words, every man irrespective of his rank or position is subject to the ordinary law and jurisdiction of the ordinary court and not to any special court.
- According to him special law and special courts is a threat to the principles of equality. Therefore he is of the view that there should be the same set of laws for all the people and should be adjudicated by the same civil courts.

- **Predominance of the legal spirit:** The third pillar of Dicey's concept of Rule of Law is predominance of legal spirit. According to Dicey, for the prevalence of the rule of law there should be an enforcing authority and that authority he found in the courts.
- He believed that the courts are the enforcer of the rule of law and hence it should be free from impartiality and external influence.
- Independence of the judiciary is therefore an important pillar for the existence of rule of law. He asserted that the courts of law and not the written constitution are the ultimate protector of an individual's fundamentals.
- Dicey's theory has been criticised by many from various angles but the basic tenet expressed by him is that power is derived from, and is to be exercised according to law.
- In substance, Dicey's emphasis, on the whole, in his enunciation of rule of law is on the absence of arbitrary power, and discretionary power, equality before law, and legal protection to basic human rights and these ideals remain relevant and significant in every democratic country even today.

Rule of Law Under Indian Constitution

- In order to develop Indian democracy, rule of law has played a great role. At the time of framing of Constitution, the framers had two options i.e. USA and England. Some of the provisions were adopted from USA and some of them were adopted from England. Rule of law was adopted from England by our constitutional fathers and many provisions were incorporated in the Indian Constitution.
- Indian Constitution is considered to be supreme and no one is above Indian Constitution. Rule of law is also given impliedly in the preamble and such concept is enshrined in Part III of the Indian Constitution.
- In case of violation of such rights, one can approach Supreme Court or High Court under **Article 32 and 226** of the Indian Constitution. The Constitution of India is enriched with the principles of law i.e. justice, equality and liberty.
- Any law made by the Central government or State government must be complied in accordance with the Constitution of India. If any law made by the legislature contravenes with the provisions of the Constitution then such law will be declared void.
- Under Article 32 of the Indian Constitution, the Supreme Court has the power to issue writs in the nature of Habeas Corpus, mandamus, prohibition, quo warranto, and certiorari.

- The power of judicial review is also given to Supreme Court in order to prevent any ultra vires law so as to preserve 'Rule of law'.

Rule of Law Index

- It was released by an international civil society organisation, **World Justice Project (WJP)**.
- The index is prepared by examining these above four principles through eight factors: 1) constraints on government powers, 2) absence of corruption, 3) open government, 4) fundamental rights, 5) order and security, 6) regulatory enforcement, 7) civil justice and 8) criminal justice.
- Overall, India has been ranked 77 out of 140 countries. On individual parameters, India ranks 94 out of 140 as far as adherence to fundamental rights is concerned, 111 out of 140 in civil justice, 89 out of 140 in criminal justice and 93 out of 140 in absence of corruption.

Conclusion

- Rule of law is mostly believed to be a modern concept which is a gift of democracy however it is something which is fundamental to the very basic idea of good governance.
- We need to focus on the weaknesses and loopholes so that we can remove or plug them. Having said this, we cannot resist ourselves from adding that it is not that only the three organs of the State are to be blamed for the dismal state of rule of law in the society.
- Other actors like the media, civil society and even the ordinary citizen cannot run away from their respective responsibilities. Therefore it is equally important that all the actors of the society ensure for the maintenance of Rule of Law.

Source: Times of India

Practice question: The bedrock of our democracy is the rule of law and that means we have to have an independent judiciary, judges who can make decisions independent of the political winds that are blowing. comment