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EDITORIAL 01

On the right path: On the announcement of elections in Jammu and Kashmir

Elections, as a first step, will address the yearning for substantive democracy in J&K

With the Election Commission of India (ECI) announcing the dates for elections in Jammu and Kashmir (J&K) — in three phases between September 18 and October 1 — a major **lacuna** in the conduct of democracy in the province has been addressed. The absence of an elected and functioning State legislature, along with the **abrogation** of special status and the bifurcation of the erstwhile State, followed by J&K's **diminution** into a Union Territory (UT) had resulted in significant despondency and alienation among the people. The absence of a legislature to express concerns and the **muzzling** of dissent by arresting students, journalists, lawyers among other civil society representatives under the Unlawful Activities (Prevention) Act and the Public Safety Act have been recipes for furthering the alienation. In its judgment that upheld the abrogation of special status — a flawed one — the Supreme Court had also



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ordered that elections to the Legislative Assembly had to be held by September 30, 2024, besides expressing its opinion on the need to restore statehood as soon as possible. The ECI has done well to **heed** the first directive. The absence of an elected legislature has meant that the people have lacked a voice to **articulate** their concerns even as they have **yearned** for their rights of electoral participation. This is evident in the participation levels in the local body and parliamentary elections since 2019 — the numbers were much higher than in earlier elections, especially in the Valley.

In the last-held Assembly elections nearly a decade ago, the mandate was split on communal lines with the Bharatiya Janata Party (BJP) winning nearly all of the seats that it contested in Jammu, and the Peoples Democratic Party (PDP), the National Conference (NC) and the Congress winning most of the seats in the Valley. Much water has flowed down the Jhelum after the formation of the coalition government between the PDP and the BJP, an unnatural alliance that was **doomed** to fail. The NC and Congress had fought the 2024 general election as part of the INDIA bloc and there is the likelihood of an alliance between these parties and smaller ones in these elections. The need for like-minded parties, that agree on changing the status quo in the UT by bringing back statehood and promoting

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secular governance, to come together, is promising not only for electoral tactical purposes. It is an **imperative** in order to ensure that the discourse in the province, which has been beset with fresh waves of terrorism in Jammu and south Kashmir, is not communalised. An election that is contested on civic issues and rights discourses, rather than on communal lines, would help bring back peace to India's northernmost province.

SUMMARY

The Election Commission of India (ECI) has announced elections in Jammu and Kashmir (J&K) to address a major issue in the province's conduct of democracy. The absence of an elected state legislature, abrogation of special status, and the division of J&K into a Union Territory (UT) have led to significant despondency and alienation among the people. The Supreme Court's decision to hold elections to the Legislative Assembly by September 30, 2024, emphasized the need to restore statehood as soon as possible. The lack of an elected legislature has led to higher participation levels in local body and parliamentary elections since 2019. The need for like-minded parties to come together to change the status quo in the UT by bringing back statehood and promoting secular



governance is promising for electoral tactical purposes and ensuring peace in the northernmost province.

Vocabulary

1. Yearning

Synonyms: Longing, desire, craving

Antonyms: satisfaction, contentment, fulfillment

2. Substantive

Synonyms: Real, actual, tangible

Antonyms: Trivial, empty, hollow

3. Lacuna

Synonyms: Gap, void, omission, cavity

Antonyms: Completeness, wholeness, presence

4. Abrogation

Synonyms: Abolition, repeal, revocation

Antonyms: Enactment, ratification, assertion



5. Diminution

Synonyms: Reduction, decrease, lessening

Antonyms: Augmentation, growth, expansion

6. Muzzling

Synonyms: Gagging, restricting, suppressing

Antonyms: Amplifying, empowering, liberating

7. Heed

Synonyms: Attention, notice, consideration

Antonyms: Disregard, ignore, neglect

8. Articulate

Synonyms: Eloquent, clear, coherent

Antonyms: Confused, muddled, mute

9. Doomed

Synonyms: Condemned, destined, hopeless

Antonyms: Saved, rescued, redeemed



10. Imperative

Synonyms: Urgent, essential, necessary

Antonyms: Optional, discretionary, mild

EDITORIAL 02

To abide or not: On the Karnataka case and corruption charges

*Corruption charges need credible probe, not processes tainted by
politics*

The decision of Karnataka Governor Thaawarchand Gehlot to grant approval to a private complainant to open an investigation and prosecute Chief Minister Siddaramaiah on corruption charges raises familiar politico-legal questions. Foremost is the constitutional question whether a Governor can use his role as a **sanctioning** authority for **prosecution** against a serving Chief Minister in a manner contrary to the advice of the Council of Ministers. And in political terms, one may ask whether the Governor's action against a Chief Minister is desirable in a time of increasing conflict between the two offices. In his writ petition challenging the order, Mr.



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Siddaramaiah has sought to highlight that the Governor was bound to abide by the advice given to him — to refuse sanction in this case. Some judicial **precedents** say a Governor may arrive at an independent conclusion if the Council demonstrates bias or fails to consider relevant material. However, political realities would suggest the possibility of Governors being selective in pursuing this course of action. Amidst the Opposition's demands for Mr. Siddaramaiah's resignation, the Karnataka High Court has asked the trial court to **defer** any **precipitate action** until it hears his challenge to the Governor's order. The allotment of sites by the Mysore Urban Development Authority to landowners who had lost their land in the course of acquisition may or may not involve corruption, and allegations in this regard will require a thorough investigation.

The State government believes that the judicial inquiry it has ordered is enough for now, a step the Governor thinks is inadequate. The Chief Minister's wife was given 38,284 square feet of land in lieu of an extent of 1,48,104 sq.ft she had lost. However, whether it amounts to any illegality would depend on whether Mr. Siddaramaiah had anything to do with the decision. He **vehemently** denies being involved in any way and has repeatedly said that the sites were sanctioned when the BJP was in power in the State.

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Private complainants have obtained sanction for prosecution of public servants in the past, but whether it can be given to them after the Prevention of Corruption Act was amended in 2018 has to be considered. Section 17A was introduced then as a filtering mechanism to deter **vexatious** complaints. It bars police officers from opening a probe without approval from the appropriate authority, making it reasonable to suggest that private parties cannot be given such approval. Public discourse on corruption in the last few decades has **hovered** between a **hankering** for punishing political leaders involved in it and deep suspicion over the motives of regimes and agencies that seek to prosecute them. Any criminal process will have to be credible and independent, but contemporary events, politically **tainted** as they are, contain little evidence of independence or **credibility**.

SUMMARY

The Karnataka Governor's decision to grant approval to a private complainant to prosecute Chief Minister Siddaramaiah on corruption charges raises constitutional and political questions. The Governor's action against a Chief Minister is seen as undesirable in a time of increasing conflict between the two offices. Siddaramaiah argues that the Governor was bound to abide by the advice given to him and refuse sanction in this case. The Karnataka High Court

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has asked the trial court to defer any action until it hears his challenge to the Governor's order. The State government believes the judicial inquiry is enough for now, but the Governor believes it is inadequate. The allotment of sites by the Mysore Urban Development Authority may involve corruption, and allegations in this regard require a thorough investigation.

Vocabulary

1. Abide

Synonyms: Endure, tolerate, obey

Antonyms: Refuse, resist, reject

2. Credible

Synonyms: Trustworthy, reliable, plausible

Antonyms: Dubious, suspicious, false

3. Tainted

Synonyms: Contaminated, polluted, corrupted

Antonyms: Pure, clean, honest



4. Sanctioning

Synonyms: Approving, condoning, ratifying

Antonyms: Denying, prohibiting, vetoing

5. Prosecution

Synonyms: Litigation, indictment, accusation

Antonyms: Defence, acquittal, exoneration

6. Precedents

Synonyms: Examples, cases, rulings

Antonyms: Innovations, exceptions, deviations

7. Defer

Synonyms: Postpone, delay, put off

Antonyms: Advance, proceed, pursue

8. Precipitate action

Meaning: To take sudden, hasty, or rash action without fully considering the consequences or potential outcomes.



9. Vehemently

Synonyms: Passionately, fiercely, intensely

Antonyms: Mildly, quietly, calmly, gently

10. Vexatious

Synonyms: Troublesome, annoying, irritating

Antonyms: Pleasant, agreeable, cooperative

11. Hovered

Synonyms: Floated, suspended, lingered

Antonyms: Moved, proceeded, advanced

11. Hankering

Synonyms: Yearning, longing, craving, desire

Antonyms: Apathy, indifference, detachment

