



PATRIOTIC IAS: Near Rajbanshi Hospital, Paidleyganj Road, Gorakhpur

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06_11_2024 DAILY CURRENT AFFAIRS

TOPICS COVERED

1. State has no right to acquire every private property, asserts SC (GS Paper-II: Right to Property)
2. I&B Ministry mulls treating Wikipedia as content publisher (PCS)
3. SC upholds validity of U.P. Madrasa Act, also confirms State's regulatory powers (GS Paper-II: Madrasa Act)
4. CVC has sought report from CPWD over CM House renovation: LoP (GS Paper-II: Statutory Bodies)
5. Folk singer Sharda Sinha passes away (PCS)
6. U.P. Cabinet approves new guidelines for appointment of DGP without Centre's nod (GS Paper: Appointment of DGP)
7. Sanjay Verma appointed new Maharashtra police chief (PCS)
8. Rising STEM research demands revitalised education (GS Paper-III: S&T)
9. A setback (GS Paper-II: IR)
10. A law that enables vigilante violence (GS Paper-II: Right to Religion)
11. An Act mired in controversy (GS Paper-III: Environment & Development)
12. On India-Canada diplomatic relations (GS Paper-II: India-Canada)
13. 2 judges disagree with CJI's remark on 'Iyer doctrine' (GS Paper II: Basic Structure Concept)
14. 'Law validity can't be challenged for Basic Structure's violation' (GS Paper II: Basic Structure Concept)
15. SC verdict safeguards right of madrasa students to pursue education, say Muslim bodies (GS Paper II: Right to Minorities)
16. 'Despite dip, Maharashtra Assembly sittings outstripped national average' (GS Paper II: State Legislature)
17. Buddhism can teach how to counter sectarianism: Murmu (PCS)

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State has no right to acquire every private property, asserts SC

GS Paper II: Right to Property

NEW DELHI

A nine-judge Constitution Bench of the Supreme Court, in a majority judgment, held on Tuesday that not every resource owned by private players can be considered a “material resource of the community” to be used by the government to serve the “common good”.

The decision dismissed such a power of acquisition by the state while noting that it reminded of a particular “rigid economic dogma” of the past. The court noted that the Indian economy has already transitioned from dominance of public investment to co-existence of public and private investments.

The majority opinion authored by Chief Justice D.Y. Chandrachud said the interpretation that every private property could be used by the state as mate-

2 judges refer to CJ’s remarks on V.R. Krishna Iyer

NEW DELHI

Two SC judges quoted a “harsh” observation made by Chief Justice D.Y. Chandrachud about Justice V.R. Krishna Iyer in a “proposed judgment”, which said “the Krishna Iyer doctrine does a disservice to the broad and flexible spirit of the Constitution”. » PAGE 12

rial resource to “subserve the common good” postulated a “rigid economic theory which advocates greater state control of private resources”.

The interpretation was introduced by Justice V.R. Krishna Iyer in his dissenting opinion in *Ranganath Reddy versus State of Karnataka* in 1977.

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State has no right to acquire every private property, asserts SC

राज्य को हर निजी संपत्ति अधिग्रहित करने का अधिकार नहीं है: सुप्रीम कोर्ट

Supreme Court's Decision on Material Resources of the Community

सामुदायिक संसाधनों पर सर्वोच्च न्यायालय का निर्णय

• A nine-judge Constitution Bench of the Supreme Court, in a majority judgment, held on Tuesday that not every resource owned by private players can be considered a “material resource of the community” to be used by the government to serve the “common good”.

नौ-न्यायाधीशों की संविधान पीठ ने मंगलवार को अपने बहुमत के फैसले में कहा कि निजी क्षेत्र द्वारा स्वामित्व में मौजूद हर संसाधन को सामुदायिक संसाधन नहीं माना जा सकता, जिसे सरकार सामान्य भलाई के लिए उपयोग कर सके।

• The decision dismissed such a power of acquisition by the state while noting that it reminded of a particular “rigid economic dogma” of the past.

इस निर्णय ने राज्य द्वारा ऐसी अधिग्रहण शक्ति को खारिज किया, और कहा कि यह

एक विशेष पुराने आर्थिक मतकी याद दिलाता है।

- The court noted that the Indian economy has already transitioned from dominance of public investment to co-existence of public and private investments.



न्यायालय ने उल्लेख किया कि भारतीय अर्थव्यवस्था पहले ही सार्वजनिक निवेश के प्रभुत्व से सार्वजनिक और निजी निवेश के सह-अस्तित्व में परिवर्तित हो चुकी है।

- The majority opinion authored by *Chief Justice D.Y. Chandrachud* said the interpretation that every private property could be used by the state as material resource to “subserve the common good” postulated a “rigid economic theory which advocates greater state control of private resources”.

मुख्य न्यायाधीश डी.वाई. चंद्रचूड़ द्वारा लिखित बहुमत राय में कहा गया कि इस व्याख्या के अनुसार राज्य हर निजी संपत्ति को सामान्य भलाई के लिए संसाधन के रूप में उपयोग कर सकता है, जिससे निजी संसाधनों पर राज्य नियंत्रण बढ़ाने का एक कठोर आर्थिक सिद्धांत प्रस्तुत होता है।

- The interpretation was introduced by *Justice V.R. Krishna Iyer* in his dissenting opinion in *Ranganath Reddy versus State of Karnataka* in 1977.

इस व्याख्या को न्यायमूर्ति वी.आर. कृष्णा अय्यर ने 1977 में रंगनाथ रेड्डी बनाम कर्नाटक राज्य मामले में अपने असहमति मत में प्रस्तुत किया था।

I&B Ministry mulls treating Wikipedia as content publisher

PCS

Aroon Deep
NEW DELHI

Even as Asian News International (ANI) sues the Wikimedia Foundation over the Wikipedia entry on the news agency, the Ministry of Information and Broadcasting has sent a missive to the online encyclopedia's parent, asking why it should not be treated as a publisher, and therefore directly liable for legal challenges against its content. The letter has not been released, and was announced by government sources.

The letter marks a significant step in the government's growing assertiveness over international websites and platforms. It

This would make the company liable in court cases when content is challenged

pointed to “many complain[t]s of bias and inaccuracies” on Wikipedia and concerns over “a small group having editorial control”. It asked “why Wikipedia shouldn't be treated as a publisher instead of [an] intermediary,” according to the communique.

A Wikimedia Foundation spokesperson did not confirm receipt of the letter, and had no immediate comment.

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I&B Ministry mulls treating Wikipedia as content publisher

सूचना एवं प्रसारण मंत्रालय

विकिपीडिया को कंटेंट प्रकाशक

मानने पर विचार कर रहा है

ANI Sues Wikimedia; Government Issues Notice to Wikipedia

ANI ने विकिमीडिया पर मुकदमा किया;

सरकार ने विकिपीडिया को नोटिस जारी किया

- Even as *Asian News International (ANI)* sues the *Wikimedia Foundation* over the Wikipedia entry on the news agency, the *Ministry of Information and Broadcasting* has sent a missive to the online encyclopedia's parent, asking why it should not be treated as a publisher, and therefore directly liable for legal challenges against its content.

एशियन न्यूज़ इंटरनेशनल (ANI) ने समाचार एजेंसी पर विकिपीडिया प्रविष्टि को लेकर विकिमीडिया फाउंडेशन पर

मुकदमा दायर किया है, इस बीच सूचना और प्रसारण मंत्रालय ने ऑनलाइन विश्वकोश की मूल





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कंपनी को पत्र भेजकर पूछा है कि इसे *प्रकाशक* के रूप में क्यों नहीं माना जाना चाहिए, और इस तरह इसकी सामग्री के खिलाफ कानूनी चुनौतियों के लिए सीधे जिम्मेदार क्यों नहीं ठहराया जाना चाहिए।

- The letter has not been released, and was announced by *government sources*.
यह पत्र जारी नहीं किया गया है, और इसकी घोषणा *सरकारी स्रोतों* द्वारा की गई थी।
- The letter marks a significant step in the government's growing assertiveness over *international websites and platforms*.

यह पत्र *अंतर्राष्ट्रीय वेबसाइटों और प्लेटफार्मों* पर सरकार की बढ़ती मुखरता में एक महत्वपूर्ण कदम है।

- It pointed to “many complaints of bias and inaccuracies” on Wikipedia and concerns over “a small group having editorial control”.

इसमें विकिपीडिया पर “पूर्वाग्रह और गलतियों की कई शिकायतों” और “एक छोटे समूह द्वारा संपादकीय नियंत्रण” को लेकर चिंताओं का उल्लेख किया गया है।

- It asked “why Wikipedia shouldn't be treated as a publisher instead of [an] intermediary,” according to the communique.

इस पत्र के अनुसार, इसमें पूछा गया है “क्यों विकिपीडिया को *मध्यस्थ* की जगह *प्रकाशक* के रूप में नहीं माना जाना चाहिए।”

- A *Wikimedia Foundation* spokesperson did not confirm receipt of the letter, and had no immediate comment.

विकिमीडिया फाउंडेशन के प्रवक्ता ने पत्र प्राप्ति की पुष्टि नहीं की, और तुरंत कोई टिप्पणी नहीं की।

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SC upholds validity of U.P. Madrasa Act, also confirms State's regulatory powers

GS Paper II: Madrasa Act

NEW DELHI

The Supreme Court on Tuesday partially upheld the constitutional validity of the Uttar Pradesh Madrasa Education Board Act of 2004 while confirming that the State can regulate madrasa education to ensure standards of excellence.

Though holding that the law secured the interests of the Muslim minority community in Uttar Pradesh, a three-judge Bench headed by Chief Justice D.Y. Chandrachud declared the provisions of the 2004 Act pertaining to higher education at the levels of Kamil (undergraduate studies) and



Maulana Khalid Rasheed Firangi Mahali, Imam of Eidgah, celebrates the Supreme Court verdict with madrasa students in Lucknow. PTI

Fazil (postgraduate studies) were in direct conflict with the provisions of the University Grants Commission Act, and thus, unconstitutional.

The Uttar Pradesh law had wandered into the Centre's exclusive domain under Entry 66 of the Un-

ion List in the Seventh Schedule of the Constitution. Entry 66 conferred the Union the authority to make laws to determine and regulate the standards of higher education.

The judgment, authored by the Chief Justice, said the 2004 Act, except at the

Kamil and Fazil levels, was "consistent with the positive obligation of the State to ensure that students studying in recognised madrasas attain a minimum level of competency that allows them to effectively participate in society and earn a living".

He observed that the Act, which allowed the Board to prescribe the curriculum, qualification of teachers and standards of infrastructure, did not directly interfere with the day-to-day administration of recognised madrasas.

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QUESTION OF LAW VALIDITY

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SC upholds validity of U.P. Madrasa Act, also confirms State's regulatory powers

सुप्रीम कोर्ट ने यूपी मदरसा अधिनियम की वैधता बरकरार रखी, राज्य की नियामक शक्तियों की भी पुष्टि की

Supreme Court Upholds Partial Validity of Uttar Pradesh Madrasa Education Board Act, 2004

सुप्रीम कोर्ट ने उत्तर प्रदेश मदरसा शिक्षा बोर्ड अधिनियम, 2004 की आंशिक वैधता को बरकरार रखा

- The Supreme Court on Tuesday partially upheld the constitutional validity of the Uttar Pradesh Madrasa Education Board Act of 2004 while confirming that the State can regulate madrasa



education to ensure standards of excellence.

सुप्रीम कोर्ट ने मंगलवार को उत्तर प्रदेश मदरसा शिक्षा बोर्ड अधिनियम, 2004 की संवैधानिक वैधता को आंशिक रूप से बरकरार रखते हुए यह पुष्टि की कि राज्य मदरसा शिक्षा को उत्कृष्टता के मानकों को सुनिश्चित करने के लिए विनियमित कर सकता है।

- Though holding that the law secured the interests of the *Muslim minority community* in Uttar Pradesh, a three-judge *Bench* headed by *Chief Justice D.Y. Chandrachud* declared the provisions of the 2004 Act pertaining to higher education at the levels of *Kamil (undergraduate studies)* and *Fazil (postgraduate studies)* were in direct conflict with the provisions of the *University Grants Commission Act*, and thus, unconstitutional.

हालांकि यह कानून उत्तर प्रदेश में मुस्लिम अल्पसंख्यक समुदाय के हितों की रक्षा करता है, परंतु मुख्य न्यायाधीश डी.वाई. चंद्रचूड़ की अध्यक्षता वाली तीन-न्यायाधीशों की पीठ ने 2004 अधिनियम के उन प्रावधानों को असंवैधानिक घोषित किया जो क़ामिल (स्नातक अध्ययन) और फ़ाज़िल (स्नातकोत्तर अध्ययन) के उच्च शिक्षा स्तर से संबंधित हैं, क्योंकि वे विश्वविद्यालय अनुदान आयोग अधिनियम के प्रावधानों के सीधे विरोध में थे।

- The *Uttar Pradesh law* had wandered into the *Centre's exclusive domain* under *Entry 66 of the Union List* in the *Seventh Schedule* of the *Constitution*. *Entry 66* conferred the *Union* the authority to make laws to determine and regulate the standards of higher education.

उत्तर प्रदेश कानून ने संविधान की सातवीं अनुसूची के संघ सूची के प्रवेश 66 के तहत केंद्र के विशेष अधिकार क्षेत्र में हस्तक्षेप किया था। प्रवेश 66 संघ को उच्च शिक्षा के मानकों को निर्धारित करने और उन्हें विनियमित करने के लिए कानून बनाने का अधिकार प्रदान करता है।

- The judgment, authored by the *Chief Justice*, said the 2004 Act, except at the *Kamil and Fazil levels*, was “consistent with the positive obligation of the State to ensure that students studying in recognised madrasas attain a minimum level of competency that allows them to effectively participate in society and earn a living”.

मुख्य न्यायाधीश द्वारा लिखे गए इस फैसले में कहा गया कि क़ामिल और फ़ाज़िल स्तरों को छोड़कर, 2004 अधिनियम “राज्य के उस सकारात्मक कर्तव्य के अनुरूप है, जिसमें यह सुनिश्चित किया गया है कि मान्यता प्राप्त मदरसों में पढ़ने वाले छात्र न्यूनतम दक्षता स्तर प्राप्त करें, जिससे वे समाज में प्रभावी ढंग से भाग ले सकें और अपनी जीविका कमा सकें।”

- He observed that the *Act*, which allowed the *Board* to prescribe the curriculum, qualification of teachers, and standards of infrastructure, did not directly interfere with the day-to-day administration of recognised madrasas.

उन्होंने देखा कि यह अधिनियम, जो बोर्ड को पाठ्यक्रम, शिक्षकों की योग्यता और बुनियादी ढांचे के मानकों को निर्धारित करने की अनुमति देता है, मान्यता प्राप्त मदरसों के दैनिक प्रशासन में सीधे हस्तक्षेप नहीं करता है।



CVC has sought report from CPWD over CM House renovation: LoP

GS Paper II: Statutory Bodies

The Leader of the Opposition (LoP) in the Delhi Assembly, Vijender Gupta, on Tuesday claimed that the Central Vigilance Commission (CVC) has sought a factual report from the Central Public Works Department (CPWD) over the “irregularities” in the construction of the Chief Minister’s 6, Flagstaff Road bungalow.

Mr. Gupta had filed a complaint with the CVC requesting a probe into the issue, alleging that the bungalow was renovated “flouting all building regulations” on an area of 40,000 sq. yards.

The CM House got a facelift during Aam Aadmi Party (AAP) national convener Arvind Kejriwal’s tenure as the Chief Minister.

The current Chief Minister, Atishi, does not reside there.

‘AAP leaders staunchly honest’

Responding to the claim, ruling AAP said, “The BJP may conduct as many investigations as it wants. Arvind Kejriwal and the Aam Aadmi Party are staunchly honest.”

The party said the BJP-led Centre had “unleashed countless investigations” against the AAP government, targeting its Ministers and MLAs. “Yet, they haven’t uncovered a single rupee of wrongdoing. This is the strongest testament to our unwavering honesty,” it added.

शिकायत दर्ज की थी, आरोप लगाया कि बंगले का नवीनीकरण 40,000 वर्ग गज के क्षेत्र में “सभी भवन नियमों की अवहेलना” करते हुए किया गया था।

CVC has sought report from CPWD over CM House renovation: LoP

सीवीसी ने सीएम हाउस के नवीनीकरण पर सीपीडब्ल्यूडी से रिपोर्ट मांगी है: एलओपी

Central Vigilance Commission Seeks Report on CM’s Bungalow Construction

केंद्रीय सतर्कता आयोग ने मुख्यमंत्री के बंगले के निर्माण पर रिपोर्ट मांगी

• The Leader of the Opposition (LoP) in the Delhi Assembly, Vijender Gupta, on Tuesday claimed that the Central Vigilance Commission (CVC) has sought a factual report from the Central Public Works Department (CPWD) over the “irregularities” in the construction of the Chief Minister’s 6, Flagstaff Road bungalow.

दिल्ली विधानसभामें विपक्ष के नेता विजेंदर गुप्ता ने मंगलवार को दावा किया कि केंद्रीय सतर्कता आयोग (CVC) ने केंद्रीय लोक निर्माण विभाग (CPWD) से मुख्यमंत्री के 6, फ्लैगस्टाफ रोड बंगले के निर्माण में “अनियमितताओं” पर एक तथ्यात्मक रिपोर्ट मांगी है।

• Mr. Gupta had filed a complaint with the CVC requesting a probe into the issue, alleging that the bungalow was renovated “flouting all building regulations” on an area of 40,000 sq. yards.

श्री गुप्ताने CVC में इस मुद्दे पर जांच के लिए



- The *CM House* got a facelift during *Aam Aadmi Party (AAP) national convener Arvind Kejriwal's* tenure as the *Chief Minister*.
मुख्यमंत्री आवासका नवीनीकरण आम आदमी पार्टी (AAP) के राष्ट्रीय संयोजक अरविंद केजरीवाल के मुख्यमंत्रीके कार्यकाल के दौरान हुआ।
- The current *Chief Minister, Atishi*, does not reside there.
वर्तमान मुख्यमंत्री, आतिशीवहां नहीं रहती हैं।

‘AAP leaders staunchly honest’

‘आप के नेता कट्टर ईमानदार’

- Responding to the claim, the ruling *AAP* said, “The *BJP* may conduct as many investigations as it wants. *Arvind Kejriwal* and the *Aam Aadmi Party* are staunchly honest.”
इस दावे के जवाब में, सत्ताधारी *AAP* ने कहा, “*BJP* जितनी चाहे जांच कर सकती है। *अरविंद केजरीवाल* और *आम आदमी पार्टी* कट्टर ईमानदार हैं।”
- The party said the *BJP-led Centre* had “unleashed countless investigations” against the *AAP government*, targeting its *Ministers* and *MLAs*. “Yet, they haven’t uncovered a single rupee of wrongdoing. This is the strongest testament to our unwavering honesty,” it added.
पार्टी ने कहा कि *BJP-नेतृत्व वाले केंद्र* ने *AAP सरकार* के खिलाफ “अनगिनत जांचें” की हैं, जो इसके *मंत्रियों* और *विधायकों* को निशाना बनाती हैं। “फिर भी, उन्होंने गलत काम का एक भी रुपया नहीं पाया है। यह हमारी अडिग ईमानदारी का सबसे मजबूत प्रमाण है,” पार्टी ने जोड़ा।

The Central Vigilance Commission (CVC)

केंद्रीय सतर्कता आयोग (CVC)

- The **Central Vigilance Commission (CVC)** is the main agency for **preventing corruption** in the Central government.
केंद्रीय सतर्कता आयोग (CVC) केंद्र सरकार में भ्रष्टाचार को रोकने के लिए मुख्य एजेंसी है।
- It was established in **1964** by an executive resolution of the **Central government**.
यह **1964** में केंद्र सरकार के एक कार्यकारी संकल्प द्वारा स्थापित किया गया था।
- Its establishment was recommended by the **Santhanam Committee on Prevention of Corruption (1962–64)**.
इसकी स्थापना की संस्तुति **1962–64** में गठित संतानम समिति द्वारा की गई थी।
- Thus, originally the CVC was neither a **constitutional body** nor a **statutory body**.
इस प्रकार, मूल रूप से CVC न तो एक संवैधानिक निकाय थी और न ही वैधानिक निकाय।
- In, **September 2003**, the Parliament enacted a law conferring **statutory status** on the CVC.



हाल ही में, सितंबर 2003 में, संसद ने CVC को वैधानिक दर्जा प्रदान करने वाला एक कानून पारित किया।

- In 2004, the **Government of India** authorized the CVC as the “**Designated Agency**” to receive written complaints for disclosure on any allegation of **corruption** or **misuse of office** and recommend appropriate action.

2004 में, भारत सरकार ने CVC को नामित एजेंसी के रूप में अधिकृत किया, जो भ्रष्टाचार या पद के दुरुपयोग के किसी भी आरोप पर लिखित शिकायतें प्राप्त कर सके और उपयुक्त कार्रवाई की सिफारिश कर सके।

- The CVC is conceived to be the **apex vigilance institution**, free of control from any **executive authority**, monitoring all vigilance activity under the **Central Government** and advising various authorities in **Central Government organizations** in planning, executing, reviewing, and reforming their vigilance work.

CVC को केंद्रीय सतर्कता संस्था के रूप में माना गया है, जो किसी भी कार्यकारी प्राधिकरण के नियंत्रण से मुक्त है और केंद्र सरकार के तहत सभी सतर्कता गतिविधियों की निगरानी करती है, साथ ही केंद्र सरकार संगठनों में विभिन्न प्राधिकरणों को उनके सतर्कता कार्यों की योजना बनाने, कार्यान्वित करने, समीक्षा करने और सुधार करने में सलाह देती है।

Composition

संरचना

- The CVC is a **multi-member body** consisting of a **Central Vigilance Commissioner** (chairperson) and not more than **two vigilance commissioners**.

CVC एक बहु-सदस्यीय निकाय है, जिसमें एक केंद्रीय सतर्कता आयुक्त (अध्यक्ष) और दो से अधिक सतर्कता आयुक्त नहीं होते हैं।

- They are appointed by the **President** by warrant under his hand and seal on the recommendation of a **three-member committee** consisting of the **Prime Minister** as its head, the **Union Minister of Home Affairs**, and the **Leader of the Opposition in the Lok Sabha**.

इन्हें राष्ट्रपति द्वारा उनके हाथ और मुहर के तहत तीन-सदस्यीय समिति की सिफारिश पर नियुक्त किया जाता है, जिसमें प्रधानमंत्री अध्यक्ष होते हैं, केंद्रीय गृह मंत्री और लोकसभा में विपक्ष के नेता शामिल होते हैं।

- They hold office for a **term of four years** or until they attain the **age of sixty-five years**, whichever is earlier.

वे चार वर्ष के कार्यकाल के लिए या पैंसठ वर्ष की आयु प्राप्त करने तक, जो भी पहले हो, कार्यालय में रहते हैं।

- After their tenure, they are not eligible for further **employment under the Central or a state government**.

अपने कार्यकाल के बाद, वे केंद्र या किसी राज्य सरकार के तहत आगे के रोजगार के लिए पात्र नहीं होते हैं।

- The **President** can remove the Central Vigilance Commissioner or any vigilance commissioner from office under the following circumstances:



राष्ट्रपति केंद्रीय सतर्कता आयुक्त या किसी भी सतर्कता आयुक्त को निम्नलिखित परिस्थितियों में पद से हटा सकते हैं:

- (a) If he is adjudged an **insolvent**;
(a) यदि वह **दिवालिया** घोषित किया गया हो;
- (b) If he has been convicted of an **offense** which (in the opinion of the **Central government**) involves **moral turpitude**;
(b) यदि वह ऐसे **अपराध** में दोषी पाया गया हो जो (केंद्र सरकार की राय में) **नैतिक पतन** से संबंधित हो;
- (c) If he engages, during his term of office, in any **paid employment** outside the duties of his office;
(c) यदि वह अपने कार्यकाल के दौरान अपने पद के कर्तव्यों के बाहर किसी भी **वेतनयुक्त रोजगार** में संलग्न हो;
- (d) If he is (in the opinion of the **President**), unfit to continue in office by reason of **infirmity of mind or body**;
(d) यदि वह (राष्ट्रपति की राय में), **मस्तिष्क या शरीर की दुर्बलता** के कारण कार्यालय में बने रहने के लिए अनुपयुक्त हो;
- (e) If he has acquired such **financial or other interest** as is likely to affect prejudicially his official functions.
(e) यदि उसने ऐसा **वित्तीय या अन्य हित** प्राप्त कर लिया हो जो उसके आधिकारिक कार्यों को प्रतिकूल रूप से प्रभावित कर सकता हो।

Removal Process for Central Vigilance Commissioner (CVC) केंद्रीय सतर्कता आयुक्त (सीवीसी) को हटाने की प्रक्रिया

- In addition to other grounds, the President can also remove the Central Vigilance Commissioner or any vigilance commissioner on grounds of *proved misbehavior or incapacity*. इसके अतिरिक्त, *सिद्ध दुर्व्यवहार या अक्षमता* के आधार पर राष्ट्रपति केंद्रीय सतर्कता आयुक्त या किसी भी सतर्कता आयुक्त को हटा सकते हैं।
- However, in such cases, the President must refer the matter to the *Supreme Court for an inquiry*. हालांकि, ऐसे मामलों में राष्ट्रपति को *जांच के लिए मामला सर्वोच्च न्यायालय को भेजना* होता है।
- If the *Supreme Court* upholds the grounds for removal and advises accordingly, then the President can remove him. यदि *सुप्रीम कोर्ट* हटाने के आधार को सही ठहराता है और इस संबंध में सलाह देता है, तो राष्ट्रपति उसे हटा सकते हैं।
- He is deemed guilty of misbehavior if he (a) is concerned or interested in any contract or agreement made by the *Central Government*, or (b) participates in any way in the profit, benefit, or emolument arising from such contract or agreement, except as a member and in common with other members of an *incorporated company*. यदि वह (a) *केंद्र सरकार* द्वारा किए गए किसी अनुबंध या समझौते में शामिल है या रुचि रखता है, या (b)



ऐसे अनुबंध या समझौते से उत्पन्न लाभ, लाभ या वेतन में किसी भी रूप में भाग लेता है, सिवाय एक पंजीकृत कंपनी के अन्य सदस्यों के समान सदस्य के रूप में।

Salary, Allowances, and Conditions of Service वेतन, भत्ते और सेवा की शर्तें

- The salary, allowances, and other conditions of service of the Central Vigilance Commissioner are similar to those of the *Chairman of UPSC*, and that of the vigilance commissioner is similar to a member of *UPSC*. केंद्रीय सतर्कता आयुक्त का वेतन, भत्ते और सेवा की अन्य शर्तें यूपीएससी के अध्यक्ष के समान हैं, और सतर्कता आयुक्त का यूपीएससी सदस्य के समान हैं।
- However, they cannot be varied to his disadvantage after his appointment. हालांकि, नियुक्ति के बाद इन्हें उनके हितों के खिलाफ नहीं बदला जा सकता।

Organization Structure of CVC सीवीसी का संगठनात्मक ढांचा

- The CVC has its own *Secretariat*, *Chief Technical Examiners' Wing (CTE)*, and a wing of *Commissioners for Departmental Inquiries (CDIs)*. सीवीसी के पास अपनी सचिवालय, मुख्य तकनीकी परीक्षक विंग (सीटीई) और विभागीय जांच आयुक्तों (सीडीआई) की एक शाखा है।

Secretariat सचिवालय

- The Secretariat consists of a *Secretary*, *Joint Secretaries*, *Deputy Secretaries*, *Under Secretaries*, and office staff. सचिवालय में एक सचिव, संयुक्त सचिव, उप सचिव, अवर सचिव, और कार्यालय स्टाफ शामिल हैं।

Chief Technical Examiners' Wing (CTE) मुख्य तकनीकी परीक्षकों का विंग (सीटीई)

- The Chief Technical Examiners' Organization constitutes the technical wing of the CVC, consisting of *Chief Engineers* (designated as Chief Technical Examiners) and supporting engineering staff. मुख्य तकनीकी परीक्षकों का संगठन सीवीसी की तकनीकी शाखा है, जिसमें मुख्य अभियंता (मुख्य तकनीकी परीक्षक के रूप में नामित) और सहायक इंजीनियरिंग स्टाफ शामिल हैं।
- Main functions assigned to this organization include: इस संगठन को सौंपे गए मुख्य कार्य निम्नलिखित हैं:
 1. *Technical audit* of construction works of government organizations from a vigilance angle. सतर्कता दृष्टिकोण से सरकारी संगठनों के निर्माण कार्यों का तकनीकी ऑडिट।



2. Investigation of specific cases of complaints relating to construction works. निर्माण कार्यो से संबंधित शिकायतों के विशिष्ट मामलों की जांच
3. Assistance to CBI in investigations involving technical matters and for property evaluation in Delhi. तकनीकी मामलों में सीबीआई की जांच में सहायता और दिल्ली में संपत्ति मूल्यांकन के लिए सहयोग।
4. Tendering of advice/assistance to the CVC and Chief Vigilance Officers in vigilance cases involving technical matters. तकनीकी मामलों में शामिल सतर्कता मामलों में सीवीसी और मुख्य सतर्कता अधिकारियों को सलाह/सहायता प्रदान करना।

Commissioners for Departmental Inquiries (CDIs) विभागीय जांच आयुक्त (सीडीआई)

- CDIs function as Inquiry Officers to conduct oral inquiries in departmental proceedings initiated against public servants. सीडीआई विभागीय कार्यवाहियों में मौखिक जांच करने के लिए जांच अधिकारी के रूप में कार्य करते हैं, जो सार्वजनिक कर्मचारियों के खिलाफ शुरु की जाती हैं।

Folk singer Sharda Sinha passes away

PCS

Press Trust of India
NEW DELHI

Popular folk singer Sharda Sinha, who was undergoing treatment at All India Institute of Medical Sciences (AIIMS)-Delhi, died on Tuesday night. She was 72.

Sinha was known among her fans for folk songs such as 'Kartik Maas Ijoriya' and 'Koyal Bin' as well as Bollywood numbers 'Taar Bijli' from 'Gangs of Wasseypur- II' and 'Babul' from 'Hum Aapke Hain Koun'.

Sinha, a Padma Bhushan recipient synonymous



Sharda Sinha was popularly known as 'Bihar Kokila'.

with folk songs in Bhojपुरi, Maithili, and Magahi languages, was on ventilator support following a health complication due to multiple myeloma, a form of blood cancer. She was

admitted to the ICU of the AIIMS last month.

Known as 'Bihar Kokila', Supaul-born Sinha was famous in her native State and parts of eastern Uttar Pradesh courtesy her folk songs sung on occasions like Chhath Puja and weddings. Some of her popular tracks are 'Chhathi Maiya Aayi Na Duaariya', 'Kartik Maas Ijoriya', 'Dwar Cherkai', 'Patna Se', and 'Koyal Bin'.

PM Narendra Modi expressed grief at her death, and said her demise is an irreparable loss to the music world.



Folk singer Sharda Sinha passes away

लोक गायिका शारदा सिन्हा का निधन

Popular Folk Singer Sharda Sinha Passes Away

लोकप्रिय लोक गायिका शारदा सिन्हा का निधन

- *Popular folk singer Sharda Sinha*, who was undergoing treatment at *All India Institute of Medical Sciences (AIIMS)-Delhi*, died on *Tuesday night*. She was 72.
लोकप्रिय लोक गायिका शारदा सिन्हा, जो अखिल भारतीय आयुर्विज्ञान संस्थान (AIIMS)-दिल्ली में इलाज करवा रही थीं, का मंगलवार रात निधन हो गया। वह 72 वर्ष की थीं।
- *Sinha* was known among her fans for folk songs such as '*Kartik Maas Ijoriya*' and '*Koyal Bin*' as well as Bollywood numbers '*Taar Bijli*' from '*Gangs of Wasseypur- II*' and '*Babul*' from '*Hum Aapke Hain Koun*'.
सिन्हा अपने प्रशंसकों में '*कार्तिक मास इजोरिया*' और '*कोयल बिन*' जैसे लोक गीतों के साथ-साथ '*गैंग्स ऑफ वासेपुर- II*' के '*तार बिजली*' और '*हम आपके हैं कौन*' के '*बाबुल*' जैसे बॉलीवुड गीतों के लिए जानी जाती थीं।
- *Sinha*, a *Padma Bhushan* recipient synonymous with folk songs in *Bhojpuri*, *Maithili*, and *Magahi* languages, was on *ventilator support* following a health complication due to *multiple myeloma*, a form of *blood cancer*. She was admitted to the *ICU of the AIIMS* last month.
पद्म भूषण से सम्मानित सिन्हा, जो भोजपुरी, मैथिली, और मगही भाषाओं के लोक गीतों के लिए प्रसिद्ध थीं, मल्टीपल मायलोमा, एक प्रकार के रक्त कैंसर के कारण स्वास्थ्य जटिलताओं के बाद वेंटिलेटर सपोर्ट पर थीं। उन्हें पिछले महीने AIIMS के ICU में भर्ती किया गया था।
- Known as '*Bihar Kokila*', *Supaul-born Sinha* was famous in her native state and parts of *eastern Uttar Pradesh* courtesy her folk songs sung on occasions like *Chhath Puja* and *weddings*. Some of her popular tracks are '*Chhathi Maiya Aayi Na Duaariya*', '*Kartik Maas Ijoriya*', '*Dwar Chekai*', '*Patna Se*', and '*Koyal Bin*'.
'बिहार कोकिला' के नाम से प्रसिद्ध, सुपौल में जन्मी सिन्हा अपने राज्य और पूर्वी उत्तर प्रदेश के कुछ हिस्सों में छठ पूजा और शादियों के अवसरों पर गाए जाने वाले लोक गीतों के लिए प्रसिद्ध थीं। उनके कुछ लोकप्रिय गीत हैं '*छठी मईया आई ना दुआरिया*', '*कार्तिक मास इजोरिया*', '*द्वार चेकाई*', '*पटना से*', और '*कोयल बिन*'।
- *PM Narendra Modi* expressed grief at her death and said her demise is an *irreparable loss to the music world*.
प्रधानमंत्री नरेंद्र मोदी ने उनके निधन पर शोक व्यक्त किया और कहा कि उनका निधन संगीत



U.P. Cabinet approves new guidelines for appointment of DGP without Centre's nod

Uttar Pradesh has been without a regular DGP since 2022; in October the Supreme Court had issued contempt notices to eight States for appointing *ad hoc* DGPs; matter to be heard today

GS Paper Appointment of GDP

NEW DELHI/LUCKNOW

A year after the Aam Aadmi Party (AAP) government in Punjab brought in a legislation to independently appoint the State Director General of Police (DGP) without the Centre's nod, the BJP government in Uttar Pradesh has approved similar guidelines for the selection of the State police chief bypassing the Centre.

U.P. has been without a regular DGP since 2022.

Despite multiple reminders sent by the Union Ministry of Home Affairs (MHA), the State has not formed a panel of senior Indian Police Service (IPS) officers eligible to be appointed State police chief, as prescribed by the Union Public Service Commission (UPSC) following a 2006 Supreme Court judgment.

The Cabinet cleared the Director General of Police, U.P. Selection and Appointment Rules, 2024, on Monday evening.



The new rules propose the selection and appointment of the DGP by a retired HC judge, skipping the need to send a shortlist to UPSC.

The decision comes a day before the Supreme Court is set to hear a clutch of petitions on the subject. In October, the top court issued contempt notices to Punjab, Uttar Pradesh, Andhra Pradesh, Rajasthan, West Bengal, Telangana, Jharkhand and Bihar for appointing *ad hoc* DGPs.

A press note by the U.P. government on Tuesday said the rules were in compliance with the Supreme Court verdict based on a petition filed by former U.P. DGP Prakash Singh in 1996.

"There is a proviso in the

2006 judgment that the directions (to appoint the DGP through the UPSC) will hold good till such time the State or Centre enact distinct laws. U.P. seems to have followed Punjab. They [the U.P. government] have been careful in incorporating the SC judgment of 2006 as well as 2019, which said that the officer should have a minimum tenure of six months. It can only be challenged on the grounds that they have completely bypassed the UPSC, except including its representative in the panel," said Mr.

Singh.

Former U.P. DGP Sulhan Singh, however, said it was against the SC judgment.

"The rules do not fulfil the criteria of police accountability and freedom from political interference. This is also against the 2006 Prakash Singh judgment. In 2019, the SC stayed the rules or Acts framed by various State governments regarding the appointments (bypassing the Centre), so the new legislation is a violation of that also," said Mr. Sulhan Singh who retired in 2017.

The new rules propose the selection and appointment of the DGP by a retired High Court judge, skipping the requirement to send a panel of three senior most Indian Police Service (IPS) officers to UPSC.

Currently, the committee to appoint the State DGP is headed by the UPSC chairperson and includes the Union Home Secretary, Chief Secretary, and one of the heads of the CAPF not from the same cadre.

जगत के लिए एक अपूर्णीय क्षति है।



U.P. Cabinet approves new guidelines for appointment of DGP without Centre's nod

यूपी कैबिनेट ने केंद्र की मंजूरी के बिना डीजीपी की नियुक्ति के लिए नए दिशा-निर्देशों को मंजूरी दी

Uttar Pradesh has been without a regular DGP since 2022; in October the Supreme Court had issued contempt notices to eight States for appointing ad hoc DGPs; matter to be heard today

उत्तर प्रदेश 2022 से बिना नियमित डीजीपी के है; अक्टूबर में सुप्रीम कोर्ट ने एडहॉक डीजीपी नियुक्त करने पर आठ राज्यों को अवमानना नोटिस जारी किया था; मामले पर आज सुनवाई होगी

UP Approves Guidelines for Selection of State DGP Bypassing Centre

उत्तर प्रदेश ने केंद्र को दरकिनार करते हुए राज्य DGP की नियुक्ति के लिए दिशानिर्देशों को मंजूरी दी

Independent Appointment of DGP in Punjab and U.P. पंजाब और उत्तर प्रदेश में डीजीपी की स्वतंत्र नियुक्ति

- A year after the Aam Aadmi Party (AAP) government in Punjab brought in legislation to independently appoint the State Director General of Police (DGP) without the Centre's nod, the BJP government in Uttar Pradesh has approved similar guidelines for the selection of the State police chief bypassing the Centre.
- पंजाब में आम आदमी पार्टी (AAP) सरकार द्वारा केंद्र की मंजूरी के बिना स्वतंत्र रूप से राज्य पुलिस महानिदेशक (DGP) नियुक्त करने के लिए कानून लाने के एक साल बाद, उत्तर प्रदेश की भाजपा सरकार ने केंद्र को दरकिनार करते हुए राज्य पुलिस प्रमुख की नियुक्ति के लिए इसी तरह के दिशानिर्देशों को मंजूरी दी।
- U.P. has been without a regular DGP since 2022.
- उत्तर प्रदेश में 2022 से एक नियमित DGP नहीं है।
- Despite multiple reminders sent by the Union Ministry of Home Affairs (MHA), the State has not formed a panel of senior Indian Police Service (IPS) officers eligible to be appointed State police chief, as prescribed by the Union Public Service Commission (UPSC) following a 2006 Supreme Court judgment.
- गृह मंत्रालय (MHA) द्वारा कई बार अनुस्मारक भेजने के बावजूद, राज्य ने भारतीय पुलिस सेवा (IPS) के वरिष्ठ अधिकारियों का एक पैनल नहीं बनाया जो राज्य पुलिस प्रमुख नियुक्त किए जाने के पात्र हों, जैसा कि संघ लोक सेवा आयोग (UPSC) द्वारा 2006 के सर्वोच्च न्यायालय के निर्णय के बाद निर्धारित किया गया है।





- The Cabinet cleared the **Director General of Police, U.P. Selection and Appointment Rules, 2024**, on Monday evening.
- सोमवार शाम को मंत्रिमंडल ने उत्तर प्रदेश पुलिस महानिदेशक चयन और नियुक्ति नियम, 2024 को मंजूरी दी।
- The decision comes a day before the Supreme Court is set to hear a clutch of petitions on the subject.
- यह निर्णय सुप्रीम कोर्ट के इस विषय पर कई याचिकाओं की सुनवाई से एक दिन पहले आया है।
- In October, the top court issued contempt notices to Punjab, Uttar Pradesh, Andhra Pradesh, Rajasthan, West Bengal, Telangana, Jharkhand, and Bihar for appointing ad hoc DGPs.
- अक्टूबर में, शीर्ष न्यायालय ने पंजाब, उत्तर प्रदेश, आंध्र प्रदेश, राजस्थान, पश्चिम बंगाल, तेलंगाना, झारखंड और बिहार को अस्थायी DGPs नियुक्त करने के लिए अवमानना नोटिस जारी किए।
- A press note by the U.P government on Tuesday said the rules were in compliance with the Supreme Court verdict based on a petition filed by former U.P. DGP Prakash Singh in 1996.
- मंगलवार को उत्तर प्रदेश सरकार की प्रेस नोट में कहा गया कि नियम 1996 में पूर्व यूपी DGP प्रकाश सिंह द्वारा दायर याचिका के आधार पर सुप्रीम कोर्ट के निर्णय के अनुसार हैं।
- "There is a proviso in the 2006 judgment that the directions (to appoint the DGP through the UPSC) will hold good till such time the State or Centre enact distinct laws. U.P. seems to have followed Punjab. They [the U.P. government] have been careful in incorporating the SC judgment of 2006 as well as 2019, which said that the officer should have a minimum tenure of six months. It can only be challenged on the grounds that they have completely bypassed the UPSC, except including its representative in the panel," said Mr. Prakash Singh.
- "2006 के निर्णय में एक प्रावधान है कि निर्देश (UPSC के माध्यम से DGP की नियुक्ति के लिए) तब तक लागू रहेंगे जब तक राज्य या केंद्र अलग-अलग कानून नहीं बनाते। उत्तर प्रदेश ने पंजाब का अनुसरण किया है। [उत्तर प्रदेश सरकार] ने 2006 और 2019 के सुप्रीम कोर्ट के निर्णयों को शामिल करने में सावधानी बरती है, जिसमें कहा गया कि अधिकारी का न्यूनतम कार्यकाल छह महीने होना चाहिए। इसे केवल इस आधार पर चुनौती दी जा सकती है कि उन्होंने UPSC को पूरी तरह से दरकिनार कर दिया है, सिवाय इसके कि उन्होंने इसके प्रतिनिधि को पैनल में शामिल किया है," श्री प्रकाश सिंह ने कहा।
- Former U.P. DGP Sulkhan Singh said it was against the SC judgment.
- पूर्व उत्तर प्रदेश DGP सुलखान सिंह ने कहा कि यह सुप्रीम कोर्ट के फैसले के खिलाफ है।
- "The rules do not fulfill the criteria of police accountability and freedom from political interference. This is also against the 2006 Prakash Singh judgment. In 2019, the SC stayed the rules or Acts framed by various State governments regarding the appointments (bypassing the Centre), so the new legislation is a violation of that also," said Mr. Sulkhan Singh, who retired in 2017.
- "नियम पुलिस जवाबदेही और राजनीतिक हस्तक्षेप से स्वतंत्रता के मापदंडों को पूरा नहीं करते। यह 2006 के प्रकाश सिंह के फैसले के भी खिलाफ है। 2019 में, सुप्रीम कोर्ट ने नियुक्तियों के संबंध में विभिन्न राज्य सरकारों द्वारा बनाए गए नियमों या अधिनियमों पर रोक लगाई (जो केंद्र को दरकिनार करते हैं), इसलिए नया कानून उसका भी उल्लंघन है," 2017 में सेवानिवृत्त हुए श्री सुलखान सिंह ने कहा।



- The **new rules** propose the selection and appointment of the **DGP by a retired High Court judge**, skipping the requirement to send a panel of **three senior-most IPS officers to UPSC**.
- **नए नियम एक सेवानिवृत्त उच्च न्यायालय के न्यायाधीश द्वारा DGP का चयन और नियुक्ति का प्रस्ताव करते हैं, जिससे तीन वरिष्ठतम IPS अधिकारियों का पैनल UPSC को भेजने की आवश्यकता को छोड़ दिया गया है।**
- Currently, the **committee to appoint the State DGP** is headed by the **UPSC chairperson** and includes the **Union Home Secretary, Chief Secretary, and one of the heads of the CAPF** not from the same cadre.
- वर्तमान में, **राज्य DGP की नियुक्ति के लिए समिति की अध्यक्षता UPSC के अध्यक्ष द्वारा की जाती है और इसमें केंद्रीय गृह सचिव, मुख्य सचिव, और CAPF के किसी अन्य कैडर से एक प्रमुख शामिल होता है।**



PCS

Sanjay Verma appointed new Maharashtra police chief

Sanjay Kumar Verma was on Tuesday appointed as Maharashtra's new Director General of Police (DGP) in place of Rashmi Shukla, who was removed on a directive of the Election Commission of India (ECI), an official said. Mr. Verma, serving as Director General (Legal and Technical), is a 1990-batch IPS officer. The EC had on Monday ordered Ms. Shukla's immediate removal as police chief following complaints from Opposition parties. The Congress had approached the EC seeking Ms. Shukla's transfer, citing her alleged role in tapping phones of Opposition politicians. PTI

and Technical), is a 1990-batch IPS officer. **श्री वर्मा, जो निदेशक जनरल (कानूनी और तकनीकी) के रूप में सेवा दे रहे हैं, 1990 बैच के आईपीएस अधिकारी हैं।**

- The EC had on Monday ordered Ms. Shukla's immediate removal as police chief following complaints from Opposition parties. **सोमवार को EC ने विपक्षी दलों की शिकायतों के बाद श्रीमती शुक्ला को पुलिस प्रमुख के पद से तुरंत हटाने का आदेश दिया।**

Sanjay Verma appointed new Maharashtra police chief

संजय वर्मा महाराष्ट्र के नए पुलिस प्रमुख नियुक्त

Appointment of Sanjay Kumar Verma as Maharashtra DGP महाराष्ट्र के डीजीपी के रूप में संजय कुमार वर्मा की नियुक्ति

- Sanjay Kumar Verma was on Tuesday appointed as Maharashtra's new Director General of Police (DGP) in place of Rashmi Shukla, who was removed on a directive of the Election Commission of India (ECI), an official said. **मंगलवार को संजय कुमार वर्मा को महाराष्ट्र के नए पुलिस महानिदेशक (डीजीपी) के रूप में नियुक्त किया गया, रश्मि शुक्ला के स्थान पर, जिन्हें भारतीय चुनाव आयोग (ECI) के निर्देश पर हटा दिया गया, एक अधिकारी ने बताया।**

- Mr. Verma, serving as Director General (Legal and Technical), is a 1990-batch IPS officer. **श्री वर्मा, जो निदेशक जनरल (कानूनी और तकनीकी)**





- The Congress had approached the EC seeking Ms. Shukla's transfer, citing her alleged role in tapping phones of Opposition politicians. कांग्रेस ने EC से श्रीमती शुकला का स्थानांतरण करने का अनुरोध किया था, जिसमें विपक्षी नेताओं के फोन टैप करने में उनकी कथित भूमिका का हवाला दिया गया था।

Rising **STEM** research demands revitalised education

GS Paper III: S&T

Higher educational institutions in India face significant challenges. While private engineering colleges, the newer Indian Institutes of Technology (IIT) and universities have expanded access to education over the last few decades, studies show that a vast majority of students graduating from these colleges lack the basic skills that are required by industry. Research institutes have also voiced concerns about the quality of students who wish to pursue higher studies. While industries and premier research institutions have managed with top students from these colleges, there is a problem now. Across various sectors, there is a struggle to find students who are skilled, and it is alarming that the number of students pursuing higher education has dwindled. At this rate, institutions, which are already grappling with the issue of faculty shortages, will face even greater challenges in the years ahead. Large sums of money announced for initiatives such as quantum computing, cybersecurity or artificial intelligence could go underutilised in the absence of qualified talent. This widespread problem threatens the socio-economic fabric of the country.

Quality of training is an issue

The root cause lies in the quality of training in teaching institutions. Many faculty members are products of their own institutions and are often pressured to chase papers and patents for their colleges to maintain their rankings, often at the expense of scholarship and pedagogy. This results in poor-quality graduates, with a domino effect on industry standards, research output, and faculty quality. While upskilling programmes, outreach initiatives, internships and online courses could address the problem to some extent, these efforts are not scalable enough to meet ever-increasing demand for skilled professionals. This article offers some broad ideas, based on the experiences of the writers, which may be of help. These suggestions call for a rebalancing of current efforts and a more imaginative use of existing resources.

Premier institutes such as the IITs, the Indian Institutes of Information Technology, the National Institutes of Technology, the Indian Institutes of Science Education and Research, the Indian Institute of Science (IISc), and other centrally funded institutions recruit about 5% of India's undergraduate students. For instance, IIT Bhubaneswar admits fewer than 60 students annually for its computer science programme. In comparison, the private KIIT University admits over 2,000 students a year for the same discipline. Similar comparisons can be made between IIT Madras and private institutions such as SRM and VIT. This means almost all the students in the pipeline to industries and research institutions come from colleges where 95% of the students study. The proposals in this article aim to strengthen this pipeline and foster

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With large sums of money being announced for initiatives such as quantum computing, cybersecurity, or artificial intelligence, it is essential to find students who are skilled; it is a struggle now

greater collaboration between research institutions and teaching institutions. To make the distinctions clear in this article, institutions with large undergraduate programmes will be referred to as "teaching institutions" and those focused on research (such as premier institutes) as "research institutions," even though they engage in both teaching and research. The ideas in this article are for research institutions, teaching institutions, and the agencies that monitor them – all geared toward improving research, pedagogy, and incentive structures. These proposals echo the objectives of the National Education Policy (NEP) and the Anusandhan National Research Foundation (ANRF).

The first idea is to stop ranking teaching institutions and their faculty members based heavily on research output, such as papers and patents. Given the lack of a robust research environment in many teaching institutions, this emphasis on research output encourages participation in predatory conferences and publications. India, unfortunately, is a country with a large presence of predatory outlets. As a result, limited resources are diverted from improving pedagogy to producing low-quality research, further degrading student learning outcomes. Ranking teaching institutions separately, based more on their teaching quality, could alleviate some of this pressure.

Change focus

Until the quality of students entering the pipeline improves, faculty at teaching institutions should focus more on pedagogy and less on research. While this may reduce research output in the short term, it will significantly enhance the quality of education and research in the long term. Teaching institutions should lay greater emphasis on faculty development programmes, mentorship, teacher evaluations, and newer courses, online and offline. Collaborations with research institutions on teaching methods and pedagogy should be strongly encouraged. One way to achieve this is by creating a dedicated teaching track within the academic hierarchy at these institutions, such as 'teaching assistant, associate and full professor'. Faculty members interested in pursuing research should be encouraged to collaborate with their counterparts in research institutions. Funding agencies can incentivise and mandate such collaborative projects. The ANRF's Partnerships for Accelerated Innovation and Research (PAIR) programme already calls for such initiatives.

For this idea to succeed, it is important that faculty promotion criteria in teaching institutions are based on pedagogical skills, assessed through appropriate metrics. This can be incentivised through State and Central government funding to establish centres of excellence in pedagogy, such as centres of excellence in research, and by mandating pedagogical components and inter-institutional collaborations when evaluating

grant proposals.

Explore joint agreements

The second idea is for research institutions to establish joint degree agreements with teaching institutions. These agreements should be stronger than one-off workshops or outreach programmes. For instance, top-performing students at teaching institutions could spend their final two years in research institutions, receiving a "hyphenated degree" bearing the insignia of both institutions. To make this feasible, the curricula at teaching institutions must be aligned with those of research institutions, in content and pedagogy. Faculty from research institutions can engage with their counterparts in teaching institutions through regular workshops, on-site visits, and hands-on training in the best pedagogical practices. Resources must be allocated to support these partnerships as they will help reverse the decline in the quality of teaching in undergraduate-focused institutions. This initiative can begin with one research institution partnering with one teaching institution for a couple of degree programmes, and expand gradually.

Such joint agreements would yield three major benefits: improved student quality in research institutions, enhanced teaching and curriculum quality in teaching institutions, and revitalisation of the teaching institutions themselves. Variations of this model already exist on a small scale. For instance, select third-year civil engineering students from NIT Surat spend their final year at IIT Bombay and are automatically admitted to the M.Tech. programme. Similar student-transfer programmes exist between community colleges and research-intensive universities in the United States, significantly improving both access and quality. Many Indian teaching institutions already have agreements with international universities, so there is no reason why such agreements cannot be established in India, and even within the same city. These agreements would not only facilitate student mobility but also promote faculty exchanges between the two types of institutions. The ideas proposed in this article, which advocate a rebalancing of current efforts, can produce two key outcomes: a much needed refocus on pedagogy that will raise the quality of undergraduate education; and an improvement in research output as a result of less pressure on faculty. These proposals do not require major additional resources, but only a willingness to embrace creative thinking. While science and engineering have been used as examples, the ideas here are equally applicable to fields such as the arts, humanities, and social sciences. Revitalising the country's teaching institutions is critical to producing a larger, higher-quality talent pool, capable of driving innovative research and scientific discoveries.

The views expressed are personal





Rising STEM research demands revitalised education

बढ़ते STEM अनुसंधान के लिए पुनर्जीवित शिक्षा की आवश्यकता है

Challenges Facing Higher Educational Institutions in India भारत में उच्च शिक्षण संस्थानों के सामने चुनौतियाँ

- Higher educational institutions in India face significant challenges. भारत में उच्च शिक्षण संस्थान महत्वपूर्ण चुनौतियों का सामना कर रहे हैं।
- While private engineering colleges, newer IITs, and universities have expanded access to education, studies show that most students lack the basic skills required by industry. जबकि निजी इंजीनियरिंग कॉलेजों, नए आईआईटी और विश्वविद्यालयों ने शिक्षा की पहुँच बढ़ाई है, अध्ययन बताते हैं कि अधिकांश छात्रों में उद्योग द्वारा आवश्यक बुनियादी कौशल की कमी है।
- Research institutes have voiced concerns about the quality of students who wish to pursue higher studies. अनुसंधान संस्थानों ने उच्च शिक्षा प्राप्त करने के इच्छुक छात्रों की गुणवत्ता पर चिंता व्यक्त की है।
- Industries and premier research institutions have managed with top students, but now struggle to find skilled students across various sectors. उद्योगों और शीर्ष अनुसंधान संस्थानों ने प्रमुख छात्रों के साथ काम किया है, लेकिन अब विभिन्न क्षेत्रों में कुशल छात्रों की तलाश में संघर्ष कर रहे हैं।
- The number of students pursuing higher education has dwindled, raising concerns. उच्च शिक्षा प्राप्त करने वाले छात्रों की संख्या कम हो गई है, जिससे चिंताएँ बढ़ गई हैं।
- Institutions facing faculty shortages will face even greater challenges in the years ahead. फैकल्टी की कमी का सामना कर रहे संस्थानों को आने वाले वर्षों में और भी बड़ी चुनौतियों का सामना करना पड़ेगा।
- Large sums of money announced for initiatives like quantum computing, cybersecurity, or artificial intelligence could go underutilised without qualified talent. क्वांटम कंप्यूटिंग, साइबर सुरक्षा या कृत्रिम बुद्धिमत्ता जैसी पहलों के लिए घोषित बड़ी धनराशि प्रशिक्षित प्रतिभा की कमी के कारण कम उपयोग में आ सकती है।

Quality of Training is an Issue प्रशिक्षण की गुणवत्ता एक मुद्दा है

- The root cause lies in the quality of training in teaching institutions. मूल कारण शिक्षण संस्थानों में प्रशिक्षण की गुणवत्ता में है।
- Many faculty members are pressured to chase papers and patents for college rankings, often at the expense of scholarship and pedagogy. कई फैकल्टी सदस्यों पर कॉलेज की रैंकिंग के लिए पेपर्स



और पेटेंट हासिल करने का दबाव होता है, जो अक्सर शिक्षा और शिक्षाशास्त्र की कीमत पर होता है।

- This focus on research output results in poor-quality graduates, impacting industry standards, research, and faculty quality. इस अनुसंधान आउटपुट पर ध्यान देने से निम्न गुणवत्ता वाले स्नातक तैयार होते हैं, जो उद्योग मानकों, अनुसंधान और फैकल्टी गुणवत्ता को प्रभावित करते हैं।
- Upskilling programs and internships could help but aren't scalable enough to meet the demand for skilled professionals. अपस्किलिंग कार्यक्रम और इंटरनशिप मदद कर सकते हैं, लेकिन वे कुशल पेशेवरों की बढ़ती माँग को पूरा करने के लिए पर्याप्त नहीं हैं।

Premier Institutes and Their Student Pipeline प्रमुख संस्थान और उनके छात्र पाइपलाइन

- Premier institutes like IITs, IIITs, NITs, IISER, and IISc recruit about 5% of India's undergraduate students. आईआईटी, आईआईआईटी, एनआईटी, आईआईएसईआर और आईआईएससी जैसे प्रमुख संस्थान भारत के लगभग 5% स्नातक छात्रों की भर्ती करते हैं।
- IIT Bhubaneswar admits fewer than 60 students annually in computer science, while KIIT University admits over 2,000 students for the same field. आईआईटी भुवनेश्वर कंप्यूटर विज्ञान में प्रतिवर्ष 60 से कम छात्रों को प्रवेश देता है, जबकि किट विश्वविद्यालय उसी क्षेत्र में 2,000 से अधिक छात्रों को प्रवेश देता है।
- This highlights that most students entering industries come from colleges where 95% of students study. यह दर्शाता है कि उद्योगों में आने वाले अधिकांश छात्र ऐसे कॉलेजों से आते हैं जहाँ 95% छात्र पढ़ते हैं।

Need for a Rebalance in Efforts and Resource Usage प्रयासों और संसाधनों के उपयोग में संतुलन की आवश्यकता

- The proposals in this article aim to improve research, pedagogy, and incentive structures, echoing the objectives of the National Education Policy (NEP) and ANRF. इस लेख के प्रस्ताव अनुसंधान, शिक्षाशास्त्र और प्रोत्साहन संरचनाओं को सुधारने का लक्ष्य रखते हैं, जो राष्ट्रीय शिक्षा नीति (एनईपी) और अनुसंधान राष्ट्रीय अनुसंधान फाउंडेशन (एनआरएफ) के उद्देश्यों के अनुरूप हैं।

Stop Ranking Teaching Institutions on Research Output शिक्षण संस्थानों की रैंकिंग अनुसंधान आउटपुट पर करना बंद करें

- The first idea is to stop ranking teaching institutions and their faculty based heavily on research output like papers and patents. पहला विचार शिक्षण संस्थानों और उनकी फैकल्टी की रैंकिंग पेपर्स और पेटेंट जैसे अनुसंधान आउटपुट पर भारी निर्भरता के आधार पर करना बंद करना है।





- Emphasis on research output in teaching institutions often encourages participation in predatory conferences and publications. शिक्षण संस्थानों में अनुसंधान आउटपुट पर जोर अक्सर दुष्ट सम्मेलनों और प्रकाशनों में भाग लेने को प्रोत्साहित करता है।
- Ranking these institutions separately based more on teaching quality could alleviate some of this pressure. इन संस्थानों को अलग से शिक्षण गुणवत्ता के आधार पर रैंकिंग करना इस दबाव को कुछ हद तक कम कर सकता है।

Change Focus फोकस बदलना

- Until the quality of students entering the pipeline improves, faculty at teaching institutions should focus more on pedagogy and less on research. जब तक pipeline में आने वाले छात्रों की गुणवत्ता में सुधार नहीं होता, शिक्षण संस्थानों के फैकल्टी को पेडागॉजी पर अधिक ध्यान देना चाहिए और अनुसंधान पर कम।
- While this may reduce research output in the short term, it will significantly enhance the quality of education and research in the long term. इससे कम अवधि में अनुसंधान के परिणाम कम हो सकते हैं, लेकिन लंबे समय में शिक्षा और अनुसंधान की गुणवत्ता में सुधार होगा।
- Teaching institutions should lay greater emphasis on faculty development programmes, mentorship, teacher evaluations, and newer courses, both online and offline. शिक्षण संस्थानों को फैकल्टी विकास कार्यक्रमों, मेंटरशिप, शिक्षक मूल्यांकन, और नए कोर्सेस (ऑनलाइन और ऑफलाइन) पर अधिक जोर देना चाहिए।
- Collaborations with research institutions on teaching methods and pedagogy should be strongly encouraged. शिक्षण विधियों और पेडागॉजी पर अनुसंधान संस्थानों के साथ सहयोग को प्रोत्साहित किया जाना चाहिए।
- One way to achieve this is by creating a dedicated teaching track within the academic hierarchy at these institutions, such as 'teaching assistant, associate and full professor'. इसे प्राप्त करने का एक तरीका शैक्षणिक पदक्रम में एक विशेष शिक्षण ट्रैक बनाना है, जैसे 'टीचिंग असिस्टेंट, एसोसिएट और फुल प्रोफेसर'।
- Faculty members interested in pursuing research should be encouraged to collaborate with their counterparts in research institutions. अनुसंधान में रुचि रखने वाले फैकल्टी सदस्यों को अनुसंधान संस्थानों में अपने समकक्षों के साथ सहयोग करने के लिए प्रोत्साहित किया जाना चाहिए।
- Funding agencies can incentivise and mandate such collaborative projects. फंडिंग एजेंसियाँ ऐसे सहयोगात्मक प्रोजेक्ट्स को प्रोत्साहन और आवश्यकता प्रदान कर सकती हैं।
- The ANRF's Partnerships for Accelerated Innovation and Research (PAIR) programme already calls for such initiatives. ANRF के Partnerships for Accelerated Innovation and Research (PAIR) प्रोग्राम में पहले से ही ऐसे प्रयासों का समर्थन है।
- For this idea to succeed, it is important that faculty promotion criteria in teaching institutions are based on pedagogical skills, assessed through appropriate metrics. इस विचार की सफलता के



लिए आवश्यक है कि शिक्षण संस्थानों में फैकल्टी पदोन्नति के मापदंड पेडागॉजी कौशल पर आधारित हों, जिन्हें उचित मेट्रिक्स के माध्यम से आंका जाए।

- This can be incentivised through State and Central government funding to establish centres of excellence in pedagogy, such as centres of excellence in research, and by mandating pedagogical components and inter-institutional collaborations when evaluating grant proposals. इसे राज्य और केंद्रीय सरकार के फंडिंग के माध्यम से प्रोत्साहित किया जा सकता है ताकि पेडागॉजी में श्रेष्ठता केंद्र स्थापित किए जा सकें, जैसे अनुसंधान में श्रेष्ठता केंद्र, और अनुदान प्रस्तावों का मूल्यांकन करते समय पेडागॉजी घटकों और अंतर-संस्थान सहयोगों को अनिवार्य करके।

Explore Joint Agreements संयुक्त समझौतों का अन्वेषण करें

- The second idea is for research institutions to establish joint degree agreements with teaching institutions. दूसरा विचार अनुसंधान संस्थानों के लिए शिक्षण संस्थानों के साथ संयुक्त डिग्री समझौते स्थापित करने का है।
- These agreements should be stronger than one-off workshops or outreach programmes. ये समझौते सिर्फ एक बार की वर्कशॉप्स या आउटरीच प्रोग्राम्स से मजबूत होने चाहिए।
- For instance, top-performing students at teaching institutions could spend their final two years in research institutions, receiving a “hyphenated degree” bearing the insignia of both institutions. उदाहरण के लिए, शिक्षण संस्थानों के शीर्ष छात्र अपने अंतिम दो वर्ष अनुसंधान संस्थानों में बिता सकते हैं और उन्हें दोनों संस्थानों के चिह्न के साथ हाइफनेटेड डिग्री प्राप्त हो सकती है।
- To make this feasible, the curricula at teaching institutions must be aligned with those of research institutions, in content and pedagogy. इसे संभव बनाने के लिए शिक्षण संस्थानों के पाठ्यक्रम को अनुसंधान संस्थानों के साथ सामग्री और पेडागॉजी में संरेखित करना होगा।
- Faculty from research institutions can engage with their counterparts in teaching institutions through regular workshops, on-site visits, and hands-on training in the best pedagogical practices. अनुसंधान संस्थानों के फैकल्टी अपने समकक्षों के साथ नियमित वर्कशॉप्स, ऑन-साइट विजिट्स, और प्रायोगिक प्रशिक्षण के माध्यम से सर्वश्रेष्ठ पेडागॉजी अभ्यासों में संलग्न हो सकते हैं।
- Resources must be allocated to support these partnerships as they will help reverse the decline in the quality of teaching in undergraduate-focused institutions. इन साझेदारियों का समर्थन करने के लिए संसाधनों का आवंटन करना होगा क्योंकि ये स्नातक-केंद्रित संस्थानों में शिक्षा की गुणवत्ता में गिरावट को रोकने में सहायक होंगे।
- This initiative can begin with one research institution partnering with one teaching institution for a couple of degree programmes, and expand gradually. यह पहल एक अनुसंधान संस्थान द्वारा एक शिक्षण संस्थान के साथ कुछ डिग्री प्रोग्राम्स के लिए साझेदारी से शुरू हो सकती है और धीरे-धीरे विस्तार कर सकती है।
- Such joint agreements would yield three major benefits: improved student quality in research institutions, enhanced teaching and curriculum quality in teaching institutions, and revitalisation of the teaching institutions themselves. ऐसे संयुक्त समझौतों के तीन प्रमुख लाभ होंगे: अनुसंधान





संस्थानों में छात्रों की गुणवत्ता में सुधार, शिक्षण संस्थानों में शिक्षण और पाठ्यक्रम की गुणवत्ता में वृद्धि, और शिक्षण संस्थानों का पुनरोद्धार।

- Variations of this model already exist on a small scale. इस मॉडल के विभिन्न रूप पहले से ही छोटे पैमाने पर मौजूद हैं।
- For instance, select third-year civil engineering students from NIT Surat spend their final year at IIT Bombay and are automatically admitted to the M.Tech. programme. उदाहरण के लिए, NIT सूरत के तीसरे वर्ष के चयनित सिविल इंजीनियरिंग छात्र अपना अंतिम वर्ष IIT बॉम्बे में बिताते हैं और एम.टेक. प्रोग्राम में स्वचालित रूप से प्रवेश पाते हैं।
- Similar student-transfer programmes exist between community colleges and research-intensive universities in the United States, significantly improving both access and quality. इसी प्रकार के छात्र-स्थानांतरण कार्यक्रम संयुक्त राज्य अमेरिका में समुदाय कॉलेजों और अनुसंधान-केंद्रित विश्वविद्यालयों के बीच मौजूद हैं, जो पहुंच और गुणवत्ता में महत्वपूर्ण सुधार करते हैं।
- Many Indian teaching institutions already have agreements with international universities, so there is no reason why such agreements cannot be established in India, and even within the same city. कई भारतीय शिक्षण संस्थानों के पास पहले से ही अंतरराष्ट्रीय विश्वविद्यालयों के साथ समझौते हैं, इसलिए भारत में और यहां तक कि एक ही शहर में ऐसे समझौते स्थापित करने में कोई बाधा नहीं है।
- These agreements would not only facilitate student mobility but also promote faculty exchanges between the two types of institutions. ये समझौते केवल छात्र गतिशीलता को बढ़ावा नहीं देंगे बल्कि दोनों प्रकार के संस्थानों के बीच फैकल्टी एक्सचेंज को भी प्रोत्साहित करेंगे।
- The ideas proposed in this article, which advocate a rebalancing of current efforts, can produce two key outcomes: a much needed refocus on pedagogy that will raise the quality of undergraduate education; and an improvement in research output as a result of less pressure on faculty. इस लेख में प्रस्तावित विचार, जो वर्तमान प्रयासों का पुनर्संतुलन की वकालत करते हैं, दो प्रमुख परिणाम दे सकते हैं: पेडागॉजी पर पुनः ध्यान केंद्रित करना जो स्नातक शिक्षा की गुणवत्ता को बढ़ाएगा; और फैकल्टी पर कम दबाव के परिणामस्वरूप अनुसंधान परिणामों में सुधार।
- These proposals do not require major additional resources, but only a willingness to embrace creative thinking. इन प्रस्तावों के लिए कोई बड़े अतिरिक्त संसाधन की आवश्यकता नहीं है, बल्कि



GS Paper II: IR

A setback

The LDP's loss of majority in Japan could have implications for the world

The results of the October 27 general election in Japan have thrown all calculations within the G-7 country and one of the most powerful economies into disarray. The ruling Liberal Democratic Party (LDP) dropped from 256 seats to 191 seats in the 465-seat House of Representatives, and its partner Komeito, from 32 to 24, putting the coalition short of a majority. The LDP, in power for much of the past six decades, has been bleeding public support, particularly after Shinzo Abe stepped down in 2020 and was assassinated in 2022. Despite garnering sympathy, his successor Fumio Kishida faced questions over the LDP's links with the Korean Unification Church and a scandal over fundraising by LDP lawmakers, which forced him out earlier this year. This paved the way for a party election that veteran leader and former Defence Minister Shigeru Ishiba won. The larger reason for the loss is sluggish economic growth amidst an ageing population, which has no easy fix. As Mr. Ishiba, who took charge on October 1, tries to cobble together the numbers ahead of the opening of the Diet (parliament) session next Monday, it is by no means certain that he will succeed: the main opposition left-of-centre Constitutional Democratic Party (CDP), which increased its seats from 98 to 148, plans to win over coalition partners and independent lawmakers to form the next government. The process has also weakened the LDP, with factions blaming each other for the loss, for the campaign slush-fund "Uragane" scandal, and Mr. Ishiba's decision to have a snap poll.

No matter what the outcome of the Diet session is, it is clear that the government will be shaky, affecting Japan's global imprint at a time when it is much needed. Japan's moderating influence on the U.S., where the presidential elections could throw up a rocky result, may also be missed. Japan's regional rivals, Russia, China and North Korea, will be watching for signs of weakness in Japan's defence posture, given their concerns over Mr. Ishiba's proposal of an "Asian NATO". For India, the bilateral relationship with Japan is among the most steadfast pillars of foreign policy. Prime Minister Narendra Modi is to visit Japan next month for the annual summit, but given the political developments, it might have to be postponed. This could put many important negotiations, including the one over the troubled Bullet Train-Shinkansen project on hold. Plans for India-Japan joint projects across the Indo-Pacific and South Asian countries (Bangladesh, Sri Lanka and Africa), as a part of the Asia-Africa Growth Corridor, will be delayed further. This would, however, be only a matter of time rather than policy thrust, as like in India, there is bipartisan support in Japan for the importance of ties between the two countries.

केवल रचनात्मक सोच को अपनाने की इच्छा की आवश्यकता है।

A setback (बाधा)

The LDP's loss of majority in Japan could have implications for the world

जापान में एलडीपी का बहुमत खोना दुनिया के लिए प्रभावकारी हो सकता है

Impact of Japan's October 27 General Election Results

जापान के 27 अक्टूबर के आम चुनाव परिणामों का प्रभाव

- The results of the **October 27** general election in Japan have thrown all calculations within the **G-7** country and one of the most powerful economies into disarray.

जापान के 27 अक्टूबर के आम चुनाव के परिणामों ने G-7 देश और एक प्रमुख अर्थव्यवस्था के सभी अनुमानों को अस्त-व्यस्त कर दिया है।

- The ruling **Liberal Democratic Party (LDP)** dropped from **256 seats** to **191 seats** in the 465-seat House of Representatives, and its partner **Komeito**, from **32** to **24**, putting the coalition short of a majority.

लिबरल डेमोक्रेटिक पार्टी (LDP) 465 सदस्यीय प्रतिनिधि सभा में 256 सीटों से घटकर 191 सीटों पर आ गई है, और इसकी सहयोगी पार्टी **Komeito** भी 32 से 24 सीटों पर आ गई, जिससे गठबंधन को बहुमत से कम सीटें मिली हैं।

- The **LDP**, in power for much of the past six decades, has been bleeding public support, particularly after **Shinzo Abe** stepped down in **2020** and was assassinated in **2022**.

पिछले छह दशकों से सत्ता में रही LDP को जनता का समर्थन खोना पड़ा है, विशेषकर 2020 में शिंजो आबे के पद छोड़ने और 2022 में उनकी हत्या के बाद से।

- Despite garnering sympathy, his successor **Fumio Kishida** faced questions over the **LDP's** links with the **Korean Unification Church** and a scandal over fundraising by **LDP lawmakers**, which forced him out earlier this year.

सहानुभूति प्राप्त करने के बावजूद, उनके उत्तराधिकारी फुमियो किशिदा को LDP के कोरियाई यूनिफिकेशन चर्च के साथ संबंधों और



चंदा जुटाने के घोटाले के कारण सवालियों का सामना करना पड़ा, जिसने उन्हें इस वर्ष की शुरुआत में पद छोड़ने पर मजबूर कर दिया।

- This paved the way for a party election that veteran leader and former Defence Minister **Shigeru Ishiba** won.

इससे पार्टी चुनाव का मार्ग प्रशस्त हुआ, जिसे वरिष्ठ नेता और पूर्व रक्षा मंत्री शिगेरु इशिबा ने जीता।

- The larger reason for the loss is sluggish **economic growth** amidst an ageing population, which has no easy fix.

हार का मुख्य कारण धीमी आर्थिक वृद्धि और बुजुर्ग होती जनसंख्या है, जिसका कोई आसान समाधान नहीं है।

- As Mr. **Ishiba**, who took charge on **October 1**, tries to cobble together the numbers ahead of the opening of the **Diet** (parliament) session next **Monday**, it is by no means certain that he will succeed.

1 अक्टूबर को कार्यभार संभालने वाले श्री इशिबा अगले सोमवार को डाइट (संसद) सत्र की शुरुआत से पहले संख्याबल जुटाने की कोशिश कर रहे हैं, लेकिन उनके सफल होने की कोई निश्चितता नहीं है।

- The main opposition **left-of-centre Constitutional Democratic Party (CDP)**, which increased its seats from **98 to 148**, plans to win over coalition partners and independent lawmakers to form the next government.

मुख्य विपक्षी वामपंथी केंद्र की संवैधानिक डेमोक्रेटिक पार्टी (CDP) ने 98 से 148 सीटें हासिल की हैं और अगली सरकार बनाने के लिए गठबंधन साझेदारों और स्वतंत्र विधायकों को अपने पक्ष में करने की योजना बना रही है।

- The process has also weakened the **LDP**, with factions blaming each other for the loss, for the campaign slush-fund “**Uragane**” scandal, and Mr. **Ishiba**’s decision to have a snap poll.

इस प्रक्रिया ने LDP को भी कमजोर कर दिया है, जिसमें गुट एक-दूसरे को हार, “उरागाने” घोटाले और श्री इशिबा के आकस्मिक चुनाव के निर्णय के लिए दोष दे रहे हैं।

- No matter what the outcome of the **Diet** session is, it is clear that the government will be shaky, affecting Japan’s **global imprint** at a time when it is much needed.

डाइट सत्र के परिणाम चाहे जो भी हों, यह स्पष्ट है कि सरकार अस्थिर होगी, जिससे जापान की वैश्विक प्रभावशाली भूमिका पर असर पड़ेगा, जब इसकी अत्यधिक आवश्यकता है।

- Japan’s moderating influence on the **U.S.**, where the **presidential elections** could throw up a rocky result, may also be missed.

जापान का अमेरिका पर संतुलन बनाए रखने का प्रभाव, जहां राष्ट्रपति चुनाव के अनिश्चित परिणाम आ सकते हैं, भी कम हो सकता है।

- Japan’s regional rivals, **Russia**, **China** and **North Korea**, will be watching for signs of weakness in Japan’s **defence posture**, given their concerns over Mr. **Ishiba**’s proposal of an “**Asian NATO**.”

जापान के क्षेत्रीय प्रतिद्वंद्वी रूस, चीन और उत्तर कोरिया जापान की रक्षा स्थिति में कमजोरी के संकेतों पर नजर रखेंगे, खासकर श्री इशिबा के “एशियाई NATO” प्रस्ताव के प्रति उनकी चिंताओं के कारण।





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- For **India**, the **bilateral relationship** with **Japan** is among the most steadfast pillars of foreign policy.
भारत के लिए, जापान के साथ **द्विपक्षीय संबंध** विदेश नीति के सबसे स्थिर स्तंभों में से एक हैं।
- **Prime Minister Narendra Modi** is to visit **Japan** next month for the **annual summit**, but given the political developments, it might have to be postponed.
प्रधानमंत्री नरेंद्र मोदी अगले महीने **वार्षिक शिखर सम्मेलन** के लिए जापान का दौरा करने वाले हैं, लेकिन राजनीतिक घटनाक्रमों के कारण इसे स्थगित करना पड़ सकता है।
- This could put many important negotiations, including the one over the troubled **Bullet Train-Shinkansen project** on hold.
इससे **बुलेट ट्रेन-शिंकानसेन परियोजना** सहित कई महत्वपूर्ण वार्ताओं पर रोक लग सकती है।
- Plans for **India-Japan joint projects** across the **Indo-Pacific** and **South Asian countries** (**Bangladesh, Sri Lanka, and Africa**), as a part of the **Asia-Africa Growth Corridor**, will be delayed further.
एशिया-अफ्रीका ग्रोथ कॉरिडोर के तहत भारत-जापान **संयुक्त परियोजनाओं** के योजनाओं में देरी होगी, जिसमें **हिंद-प्रशांत और दक्षिण एशियाई देश** (बांग्लादेश, श्रीलंका, और अफ्रीका) शामिल हैं।
- This would, however, be only a matter of time rather than policy thrust, as like in **India**, there is bipartisan support in **Japan** for the importance of ties between the two countries.
यह केवल समय का प्रश्न होगा न कि नीति का जोर, क्योंकि **भारत** की तरह, जापान में भी **दोनों देशों के संबंधों** के महत्व के लिए **द्विदलीय समर्थन** है।



Aadhaar biometric data access will aid forensics

GS Paper II: Right to Privacy vs. Right to dignity

The Unique Identification Authority of India (UIDAI) has strict regulations about the disclosure of data in order to protect a person's right to privacy and ensure that there is no misuse of personal data. In the normal course of events, the police do not have access to either demographic or biometric information in the Aadhaar database. While Section 33(1) of the Aadhaar Act permits the disclosure of certain information under an order of a court not inferior to that of a High Court judge, Section 29(1) and the proviso to Section 33 itself make it very clear that "core biometric information", which includes fingerprints and iris scans, cannot be shared with anyone for any reason whatsoever.

Upholding rights and the dilemma

However, there are cases, especially those which involve identifying unknown bodies, where access to fingerprint data can offer essential scientific support to an investigation and reinforce the fundamental right to a life with dignity. The dilemma here involves balancing the two components of the right to life i.e., the right to privacy with the right to life with dignity. A number of rulings by High Courts and the Supreme Court of India have highlighted the need for respectful and humane treatment of bodies. For example, courts have addressed issues such as the inhumane practice of keeping a prisoner's body hanging for an extended period after death during an execution (as outlined in certain prison manuals), as well as the need to ensure the respectful repatriation of the bodies of migrant workers who die abroad.

There are cases of deceased individuals who are unknown, but investigation by the police later show that they are predominantly from economically disadvantaged backgrounds. Many are daily wagers in the informal sector or are migrants moving between districts and States. They also involve individuals who have strained family relationships. These factors, of a lack of close connections, communication breakdown, and unequal access to the criminal justice system, are what frequently result in missing person



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While the Aadhaar Act's provisions on core biometric information help in protecting privacy, there is a compelling case in re-evaluating these restrictions in specific contexts

reports not being filed by family or the next of kin. These unidentified bodies are either homeless people or those living in makeshift accommodations on highways, victims of hit-and-run accidents without identification documents or mobile phones, or those with mental health issues and travelling to unfamiliar places. In some instances, they may be victims of homicide, with the bodies disposed of in remote areas by the perpetrators to escape detection.

When an unidentified body is found, the standard investigative procedure is to examine the body, photograph it and make a note of distinctive features such as tattoos, scars, or deformities. Evidence is collected from the scene, CCTV footage analysed, phone records if available, scrutinised and information sent to local police stations, border districts and the media. There are also checks against prior missing person reports. Fingerprints are also collected and sent to fingerprint bureaus to be matched against criminal records.

The value of fingerprints cannot be overstated. Even in cases where a body is severely decomposed, fingerprints can still be retrieved by experts – the ridge pattern-bearing skin of the fingertips is retrieved and placed in a solution of formaldehyde.

A limited database

Unfortunately, fingerprint databases for police investigations are often limited to the records of those with known criminal histories. In many States, these records are not yet digitised, making it even more difficult to cross-reference data quickly and efficiently. In these situations, accessing the Aadhaar database would help in the identification of bodies. If a fingerprint search returns a match, the police could potentially identify the individual, and help family members with the last rites. It would also ensure that investigations, especially in cases of homicide, proceed effectively.

In this scenario, the absolute prohibition in the Aadhaar Act, against sharing core biometric information for any purpose, is a significant

challenge. In the United States, law enforcement agencies can access advanced identification tools through the Deceased Persons Identification (DPI) Services. These services utilise advanced algorithms to match the deceased person's fingerprints against extensive databases which include those managed by the Departments of Homeland Security and Defense.

While the Aadhaar Act's provisions on core biometric information serve a crucial role in protecting privacy, there is a compelling case in re-evaluating these restrictions in specific contexts, such as identifying a deceased person. Providing the police with access to a deceased person's core biometric information, strictly based on a first information report (FIR), cannot be said to violate any constitutional norms.

Such disclosure, after verification of the FIR registered regarding the unidentified body under Section 194 of the Bharatiya Nagarik Suraksha Sanhita (earlier Section 174 of the Code of Criminal Procedure and which deals with police inquiry when information is received regarding unnatural deaths) should not, ideally, require a High Court order (as required by Section 33 of the Act). It can be on the order of the jurisdictional judicial magistrate. This reduces the burden on the higher judiciary in handling cases where access does not raise concerns about violations of privacy. Through well-defined and legally sound mechanisms, this approach ensures the dignity of both the living and the deceased.

Tracing the identities of the deceased using all available legal means is not just a practical necessity for law enforcement agencies aiming to uphold public safety or a way to provide closure to grieving families. It is a constitutional imperative. It is rooted in the right to life, which extends beyond mere animalistic existence. The law must safeguard this right for all individuals, particularly for those from poor, marginalised, and socially disadvantaged backgrounds, who already face unequal access to the criminal justice system.

The views expressed are personal



A law that enables vigilante violence

GS Paper II: right to Religion

On July 30, the Uttar Pradesh Legislative Assembly amended the State's stringent anti-conversion law of 2021 to make it even more repressive. The maximum jail term was increased to life imprisonment, securing bail was made more arduous, and the scope of illegal conversion was widened to include promise of marriage and trafficking. These changes express the intentions of the ruling Bharatiya Janata Party to intensify its attempts to criminalise interfaith relationships and consensual conversions to minority faiths, as part of its Hindutva ideology.

The amended section

The Assembly also amended Section 4 of the U.P. Prohibition of Unlawful Conversion of Religion Act, 2021, to allow "any person" to act as a complainant. This means that whether that person was being unlawfully converted or not becomes immaterial. For instance, a right-wing activist could lodge an FIR against a Christian prayer meeting, accusing its organisers of trying to convert the participants to Christianity through allurements. The police would be authorised to register an FIR on the activist's complaint even if nobody at the meeting lodged a complaint that they were being unlawfully converted.

Section 4 of the original law was much more specific in its scope. It allowed "any aggrieved person, his or her parents, brother, sister or any other person related to him or her by blood, marriage or adoption" to lodge an FIR. However, third-party elements, such as police officers, Sangh Parivar activists, and elected local representatives, regularly lodged complaints under the law. This brazen disregard for law has allowed unruly elements to disturb prayer meetings and peaceful gatherings claiming that these events were being used to coerce or allure "naive" and poor Hindus to turn to Christianity. Muslim men in consensual relationships with Hindu women



Omar Rashid

Journalist based in New Delhi

The amended Section 4 of the Uttar Pradesh anti-conversion law gives the police and vigilante groups the power to harass religious minorities and interfaith couples

are also victims of such vigilantes.

In September, in an affidavit submitted in the Allahabad High Court, the government doubled down on the right of its police force - and by extension, any other third-party element - to act as complainants under the law. The matter reached the Court after a pastor from Jaunpur, Durga Yadav, was booked for allegedly trying to convert Hindus to Christianity. Mr. Yadav challenged the FIR in Court saying the complaint had been lodged by a police officer and not by an alleged victim. The Court expressed concern over this trend in the State and sought a detailed response from the government, which pleaded that police officers did qualify as 'aggrieved' persons in cases of unlawful conversion as they handled law and order. The government also argued that the powers granted to a police officer under the Bharatiya Nagarik Suraksha Sanhita (BNSS) were not controlled by Section 4 of the unlawful conversion law.

What is worrying is that while amending the Section, the government had acknowledged that the competency to lodge FIRs was being redefined to "resolve certain difficulties" that arose in its "interpretation" in several cases. A substantial number of accused persons have challenged the legality of such FIRs lodged by third-party elements. In many cases, accused persons have received legal relief after courts questioned the locus of the complainants.

While the amended law became operative in August, the question of legality in several cases lodged before the amendment was brought about persists. By amending the law, and defending the 'illegal' FIRs lodged prior to it, the government has empowered the police with the right to criminalise peaceful religious meetings and gatherings. In a society where social gatherings and prayer meetings are a common part of culture and a way to social uplift for historically oppressed communities, the

power of the police and vigilante groups to criminalise their religious or personal lives or their personal relationships can have a chilling effect.

Matter of interpretation

The courts have been inconsistent in the way they have interpreted the original Section 4. Last February, a Division Bench of the High Court, hearing the petition of Jose Prakash George and 36 others, ruled that the embargo under Section 4 was absolute. It said that the complainant, a Vishva Hindu Parishad member, was not competent to lodge the FIR. The judges stressed that the phrase 'any aggrieved person' was qualified by the subsequent categories (his/her parents, siblings, spouse), which whittled down its scope. The Court said the 'aggrieved person' would have to be personally aggrieved by the unlawful conversion. However, in the *Daisy Joseph* case (2024), another Bench of the High Court postulated that an FIR could be lodged by 'any person' under the BNSS in the capacity of an informant. It added that the issue needed more legal consideration.

Similarly, in July, a Bareilly court acquitted two Hindu men of unlawful conversion charges and ordered legal action against the police officers for falsely implicating them on the basis of a complaint by a Hindutva activist. The court ruled that the FIR itself was illegal. However, in another case, a lower court in Lucknow convicted 16 people for mass conversion in September, on the complaint of an officer of the U.P. Anti-Terrorist Squad.

The Durga Yadav petition is still being heard in the High Court. Whichever way the court interprets the original Section 4, there is no ambiguity about the amended clause, which gives the police unhindered powers and vigilante groups the full backing of the legal system to harass and intimidate religious minorities and interfaith couples as part of a political agenda and threaten personal liberty.



A law that enables vigilante violence

एक ऐसा कानून जो निगरानी हिंसा को बढ़ावा देता है

Amendment of Anti-Conversion Law in Uttar Pradesh

उत्तर प्रदेश में एंटी-कन्वर्जन कानून में संशोधन

- On July 30, 2024, the Uttar Pradesh Legislative Assembly amended the State's stringent anti-conversion law of 2021 to make it even more repressive.
30 जुलाई 2024 को, उत्तर प्रदेश विधान सभा ने राज्य के 2021 के सख्त एंटी-कन्वर्जन कानून में संशोधन किया, जिससे इसे और अधिक कड़ा बना दिया।
- The maximum jail term was increased to **life imprisonment**, securing bail was made more arduous, and the scope of **illegal conversion** was widened to include promise of marriage and trafficking.
अधिकतम सजा को **उम्रभर की सजा** में बढ़ा दिया गया, जमानत प्राप्त करना और भी कठिन बना दिया गया, और **अवैध धर्म परिवर्तन** के दायरे को विवाह के वादे और तस्करी को शामिल करने के लिए बढ़ा दिया गया।
- These changes express the intentions of the ruling **Bharatiya Janata Party** to intensify its attempts to criminalize interfaith relationships and consensual conversions to minority faiths, as part of its **Hindutva** ideology.
इन परिवर्तनों से सत्तारूढ़ **भारतीय जनता पार्टी** की यह मंशा जाहिर होती है कि वह अपनी **हिंदुत्व** विचारधारा के तहत अंतरधार्मिक संबंधों और अल्पसंख्यक धर्मों में सहमति से किए गए धर्म परिवर्तन को अपराधीकरण की दिशा में और तीव्र प्रयास करेगी।

The Amended Section

संशोधित धारा

- The Assembly also amended **Section 4** of the **U.P. Prohibition of Unlawful Conversion of Religion Act, 2021**, to allow "any person" to act as a complainant.
विधानसभा ने **UP धर्म परिवर्तन (अवैध धर्म परिवर्तन) रोकथाम कानून, 2021** की धारा 4 में भी संशोधन किया, जिससे "कोई भी व्यक्ति" शिकायतकर्ता के रूप में कार्य कर सकता है।
- This means that whether that person was being unlawfully converted or not becomes immaterial. For instance, a **right-wing activist** could lodge an FIR against a Christian prayer meeting, accusing its organisers of trying to convert the participants to Christianity through allurements. इसका मतलब यह है कि उस व्यक्ति के अवैध रूप से धर्म परिवर्तन किए जाने का सवाल अप्रासंगिक हो जाता है। उदाहरण के लिए, एक **दक्षिणपंथी कार्यकर्ता** एक ईसाई प्रार्थना सभा के खिलाफ FIR दर्ज कर सकता है, इसके आयोजकों पर आरोप लगाते हुए कि वे प्रतिभागियों को आकर्षण के माध्यम से **ईसाई धर्म** में परिवर्तित करने की कोशिश कर रहे हैं।
- The police would be authorised to register an FIR on the activist's complaint even if nobody at the meeting lodged a complaint that they were being unlawfully converted.





पुलिस को कार्यकर्ता की शिकायत पर FIR दर्ज करने का अधिकार होगा, भले ही सभा में कोई भी यह शिकायत नहीं करता कि उन्हें अवैध रूप से धर्म परिवर्तन कराया जा रहा था।

Section 4 of the Original Law

मूल कानून की धारा 4

- **Section 4** of the original law was much more specific in its scope. It allowed “**any aggrieved person, his or her parents, brother, sister, or any other person related to him or her by blood, marriage or adoption**” to lodge an FIR.

मूल कानून की धारा 4 अपने दायरे में कहीं अधिक विशिष्ट थी। इसमें "किसी भी पीड़ित व्यक्ति, उसके माता-पिता, भाई, बहन, या उससे रक्त, विवाह या गोद लेने के द्वारा जुड़े किसी अन्य व्यक्ति" को FIR दर्ज करने की अनुमति दी गई थी।

- However, third-party elements, such as **police officers, Sangh Parivar activists, and elected local representatives**, regularly lodged complaints under the law.

हालांकि, तृतीय-पक्ष तत्व, जैसे पुलिस अधिकारी, संघ परिवार के कार्यकर्ता, और निर्वाचित स्थानीय प्रतिनिधि, नियमित रूप से कानून के तहत शिकायतें दर्ज करते थे।

- This brazen disregard for law has allowed unruly elements to disturb prayer meetings and peaceful gatherings claiming that these events were being used to coerce or allure “naive” and poor Hindus to turn to Christianity.

कानून की इस चतुराई से अनदेखी ने कानून-व्यवस्था से बाहर के तत्वों को प्रार्थना सभाओं और शांतिपूर्ण बैठकों को विघटित करने की अनुमति दी, यह दावा करते हुए कि इन घटनाओं का इस्तेमाल "नादान" और गरीब हिंदुओं को ईसाई धर्म की ओर खींचने या जबरदस्ती धर्म परिवर्तन करने के लिए किया जा रहा था।

- **Muslim men** in consensual relationships with Hindu women are also victims of such vigilantes. हिंदू महिलाओं के साथ सहमति से रिश्ते रखने वाले मुस्लिम पुरुष भी ऐसे उग्रवादियों के शिकार होते हैं।

Court Case Involving Pastor Durga Yadav

पादरी दुर्गा यादव से संबंधित न्यायालय मामला

- In **September 2024**, in an affidavit submitted in the **Allahabad High Court**, the government doubled down on the right of its **police force** – and by extension, any other third-party element – to act as complainants under the law.

सितंबर 2024 में, इलाहाबाद उच्च न्यायालय में प्रस्तुत एक शपथ पत्र में सरकार ने अपने पुलिस बल के अधिकार पर जोर दिया - और इसके द्वारा किसी अन्य तृतीय-पक्ष तत्व को - कानून के तहत शिकायतकर्ता के रूप में कार्य करने का अधिकार दिया।

- The matter reached the Court after a pastor from **Jaunpur, Durga Yadav**, was booked for allegedly trying to convert Hindus to Christianity.

यह मामला न्यायालय तक पहुंचा जब जौनपुर के एक पादरी, दुर्गा यादव, पर आरोप लगाया गया कि वह हिंदुओं को ईसाई धर्म में परिवर्तित करने की कोशिश कर रहे थे।



- Mr. Yadav challenged the FIR in Court saying the complaint had been lodged by a **police officer** and not by an alleged victim.
श्री यादव ने न्यायालय में FIR को चुनौती दी, यह कहते हुए कि शिकायत एक **पुलिस अधिकारी** ने की थी, न कि किसी कथित पीड़ित ने।
- The Court expressed concern over this trend in the State and sought a detailed response from the government, which pleaded that police officers did qualify as ‘aggrieved’ persons in cases of unlawful conversion as they handled law and order.
न्यायालय ने राज्य में इस प्रवृत्ति पर चिंता व्यक्त की और सरकार से विस्तृत जवाब मांगा, जिसमें सरकार ने यह दलील दी कि **पुलिस अधिकारी** अवैध धर्म परिवर्तन के मामलों में ‘पीड़ित’ व्यक्ति के रूप में योग्य होते हैं क्योंकि वे कानून-व्यवस्था का संचालन करते हैं।
- The government also argued that the powers granted to a police officer under the **Bharatiya Nagarik Suraksha Sanhita (BNSS)** were not controlled by **Section 4** of the unlawful conversion law.
सरकार ने यह भी तर्क दिया कि **भारतीय नागरिक सुरक्षा संहिता (BNSS)** के तहत पुलिस अधिकारी को दी गई शक्तियाँ अवैध धर्म परिवर्तन कानून की धारा 4 द्वारा नियंत्रित नहीं होतीं।

Worrying Amendments to the Anti-Conversion Law **धर्म परिवर्तन विरोधी कानून में चिंताजनक संशोधन**

- While amending the Section, the government acknowledged that the competency to lodge FIRs was being redefined to “resolve certain difficulties” that arose in its “interpretation” in several cases.
धारा में संशोधन करते समय, सरकार ने यह स्वीकार किया कि FIR दर्ज करने की क्षमता को "कुछ कठिनाइयों को हल करने" के लिए फिर से परिभाषित किया जा रहा था, जो इसके "व्याख्या" में कई मामलों में उत्पन्न हुई थीं।
- A substantial number of accused persons have challenged the legality of such FIRs lodged by third-party elements.
कई अभियुक्तों ने तीसरे पक्ष तत्वों द्वारा दर्ज की गई FIRs की वैधता को चुनौती दी है।
- In many cases, accused persons have received legal relief after courts questioned the locus of the complainants.
कई मामलों में, अभियुक्तों को कानूनी राहत मिली है, जब अदालतों ने शिकायतकर्ताओं के स्थान को प्रश्न किया।
- While the amended law became operative in **August 2024**, the question of legality in several cases lodged before the amendment persists.
जबकि संशोधित कानून **अगस्त 2024** में लागू हो गया, संशोधन से पहले दर्ज किए गए कई मामलों में वैधता का सवाल अब भी बना हुआ है।
- By amending the law, and defending the ‘illegal’ FIRs lodged prior to it, the government has empowered the police with the right to criminalise peaceful religious meetings and gatherings.
कानून में संशोधन करके, और इससे पहले दर्ज की गई ‘अवैध’ FIRs का बचाव करते हुए, सरकार ने पुलिस को शांतिपूर्ण धार्मिक सभाओं और बैठकों को अपराधीकरण करने का अधिकार दिया है।
- In a society where social gatherings and prayer meetings are a common part of culture and a way to social uplift for historically oppressed communities, the power of the police and vigilante



groups to criminalise their religious or personal lives or their personal relationships can have a chilling effect.

एक ऐसे समाज में, जहां सामाजिक सभाएँ और प्रार्थना बैठकें संस्कृति का सामान्य हिस्सा हैं और ऐतिहासिक रूप से दबाए गए समुदायों के लिए सामाजिक उत्थान का एक तरीका हैं, पुलिस और उग्रवादियों के पास उनके धार्मिक या व्यक्तिगत जीवन या व्यक्तिगत संबंधों को अपराधीकरण करने की शक्ति ठंडक प्रभाव डाल सकती है।

Matter of Interpretation

व्याख्या का मामला

- The courts have been inconsistent in the way they have interpreted the original Section 4. अदालतें मूल धारा 4 की व्याख्या करने में असंगत रही हैं।
- Last **February 2024**, a Division Bench of the High Court, hearing the petition of **Jose Prakash George** and 36 others, ruled that the embargo under Section 4 was absolute. पिछले फरवरी 2024 में, उच्च न्यायालय की एक डिवीजन बेंच ने **जोसे प्रकाश जॉर्ज** और 36 अन्य की याचिका की सुनवाई करते हुए फैसला किया कि धारा 4 के तहत प्रतिबंध पूर्ण था।
- It said that the complainant, a **Vishva Hindu Parishad** member, was not competent to lodge the FIR. इसने कहा कि शिकायतकर्ता, एक **विश्व हिंदू परिषद** का सदस्य, FIR दर्ज करने के लिए सक्षम नहीं था।
- The judges stressed that the phrase '**any aggrieved person**' was qualified by the subsequent categories (his/her parents, siblings, spouse), which whittled down its scope. न्यायाधीशों ने जोर देकर कहा कि '**किसी भी पीड़ित व्यक्ति**' वाक्यांश को बाद की श्रेणियों (उसके/उसकी माता-पिता, भाई-बहन, जीवनसाथी) द्वारा योग्य किया गया था, जिससे इसका दायरा संकुचित हो गया।
- The Court said the '**aggrieved person**' would have to be personally aggrieved by the unlawful conversion. अदालत ने कहा कि '**पीड़ित व्यक्ति**' को अवैध धर्म परिवर्तन से व्यक्तिगत रूप से आहत होना चाहिए।
- However, in the **Daisy Joseph case (2024)**, another Bench of the High Court postulated that an FIR could be lodged by '**any person**' under the **BNSS** in the capacity of an informant. हालांकि, **डेजी जोसेफ मामले (2024)** में, उच्च न्यायालय की एक अन्य बेंच ने यह निष्कर्ष निकाला कि FIR को '**किसी भी व्यक्ति**' द्वारा **BNSS** के तहत एक सूचनाकर्ता के रूप में दर्ज किया जा सकता है।
- It added that the issue needed more legal consideration. इसने यह जोड़ा कि इस मुद्दे पर अधिक कानूनी विचार-विमर्श की आवश्यकता थी।
- Similarly, in **July 2024**, a **Bareilly** court acquitted two Hindu men of unlawful conversion charges and ordered legal action against the police officers for falsely implicating them on the basis of a complaint by a **Hindutva activist**. इसी तरह, **जुलाई 2024** में, एक **बरेली** अदालत ने दो हिंदू पुरुषों को अवैध धर्म परिवर्तन के आरोपों





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से बरी कर दिया और हिंदुत्व कार्यकर्ता की शिकायत के आधार पर उन्हें झूठा फंसाने के लिए पुलिस अधिकारियों के खिलाफ कानूनी कार्रवाई का आदेश दिया।

- The court ruled that the FIR itself was illegal.
अदालत ने निर्णय दिया कि FIR स्वयं अवैध थी।
- However, in another case, a lower court in **Lucknow** convicted 16 people for mass conversion in **September 2024**, on the complaint of an officer of the **U.P. Anti-Terrorist Squad**.
हालांकि, एक अन्य मामले में, **लखनऊ** की एक निचली अदालत ने **सितंबर 2024** में **U.P. एंटी-टेरिस्ट स्क्वाड** के एक अधिकारी की शिकायत पर 16 लोगों को सामूहिक धर्म परिवर्तन के लिए दोषी ठहराया।
- The **Durga Yadav** petition is still being heard in the High Court.
दुर्गा यादव याचिका अभी भी उच्च न्यायालय में सुनवाई के अधीन है।
- Whichever way the court interprets the original Section 4, there is no ambiguity about the amended clause, which gives the police unhindered powers and vigilante groups the full backing of the legal system to harass and intimidate religious minorities and interfaith couples as part of a political agenda and threaten personal liberty.
चाहे अदालत मूल धारा 4 की व्याख्या किसी भी तरीके से करें, संशोधित धारा के बारे में कोई अस्पष्टता नहीं है, जो पुलिस को बिना किसी रुकावट के शक्तियाँ देती है और उग्रवादियों को कानूनी प्रणाली का पूरा समर्थन देती है ताकि वे धार्मिक अल्पसंख्यकों और अंतरधार्मिक जोड़ों को राजनीतिक एजेंडे के तहत उत्पीड़ित और डराने-धमकाने का काम कर सकें और व्यक्तिगत स्वतंत्रता को धमकी दे सकें।



An Act mired in controversy

Land with water bodies needs to be preserved, not subsumed by large projects

GS Paper III: Environment & Development

STATE OF PLAY

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The Tamil Nadu Land Consolidation (for Special Projects) Act, 2023, came into effect on October 18, sparking controversy. While the State government sees the Act as a necessary step to streamline land acquisition for large-scale infrastructure projects, the law has drawn sharp criticism from environmentalists, farmers' associations, and civil society groups, who fear that it could further erode the State's already dwindling water bodies and undermine the rights of local communities.

The Act aims to simplify the consolidation of government land for "special projects," which include infrastructure, industrial, agricultural, and commercial developments requiring no less than 100 hectares. Under the law, land, even if it contains water bodies, can be acquired for special projects by entities in exchange for land elsewhere.

On paper, the Act is presented as a way of protecting water channels that may change course over time or pass through private land. Critics argue that in practice, however, what is actually a crucial environmental concern could become an unchecked opportunity for land acquisition and privatisation of the State's water bodies.

What was more worrying was that the Act was passed quickly with little discussion or scrutiny. This raised concerns on why the government was in a rush. The Minister for Revenue and Disaster Management, K.K.S.S.R. Ramachandran, defended the Act, stating that it primarily aims to tackle the inefficiencies and



delays created by the fragmentation of land laws. However, activists argue that the provisions in fine print leave far too much room for potential misuse.

The provisions allowing the government to designate projects as "special" and expedite land acquisition are particularly concerning. Under the Act, any project requiring more than 100 hectares of land can be approved for consolidation, even if water bodies are located within the proposed land. This could pave way for large infrastructure projects to proceed unchecked, with little regard for environmental impact or the interests of local communities. Further, the public has little say over which projects are designated as "special." The decision rests entirely with the government, as public hearings only occur after the project has been approved.

Protections for farmers or other local stakeholders are not explicitly stated. Activists say that once the land is handed over to private corporations, these communities could find themselves excluded from decision-making processes, with their access to water sources severely restricted.

The rules under the Act outline a process where project proponents can prepare land consolidation proposals to be reviewed by an expert committee. The committee is responsible for publishing the proposal details in newspaper,

conducting public hearings, and then drafting a land consolidation scheme. Once the government approves the scheme, it will be published in the gazette.

While the inclusion of an expert committee aims to bring transparency to the process, environmental advocates remain sceptical. With the committee largely composed of government-appointed officials, questions arise about whether it will truly serve the public interest.

Moreover, experts argue that the Act fails to address the need for safeguarding hydrological pathways – the inlets and outlets crucial for maintaining the ecological balance of water bodies. If these natural water channels are encroached upon, the water bodies could be severely impacted, threatening the livelihoods of thousands who depend on them.

The Act makes provisions for compensating landowners and offering them alternative lands, but it fails to provide safeguards for those whose livelihoods directly depend on these ecosystems. Additionally, it does not clearly define the role of the Tamil Nadu Pollution Control Board in the land consolidation process, even though pollution is a significant concern in areas near water bodies.

These concerns take on added significance when viewed in the context of how land use changes contribute to environmental disasters such as flooding. In December 2021, the Tamil Nadu government informed the Madras High Court that 47,707 acres of water body land across the State were under encroachment. This shows the pressing need to protect these critical ecosystems, rather than allowing them to be subsumed for large projects.



An Act mired in controversy

विवादों में घिरा एक अधिनियम

Land with water bodies needs to be preserved, not subsumed by large projects

जल निकायों वाली भूमि को संरक्षित करने की आवश्यकता है, न कि बड़ी परियोजनाओं में समाहित करने की

The Tamil Nadu Land Consolidation (for Special Projects) Act, 2023
तमिलनाडु भूमि संकेंद्रण (विशेष परियोजनाओं के लिए) अधिनियम, 2023

- The Tamil Nadu Land Consolidation (for Special Projects) Act, 2023, came into effect on **October 18**, sparking controversy.
तमिलनाडु भूमि संकेंद्रण (विशेष परियोजनाओं के लिए) अधिनियम, 2023, 18 अक्टूबर को लागू हुआ, जिससे विवाद उत्पन्न हुआ।
- While the State government sees the Act as a necessary step to streamline land acquisition for large-scale **infrastructure projects**, the law has drawn sharp criticism from **environmentalists**, **farmers' associations**, and **civil society groups**, who fear it could further erode the State's already dwindling **water bodies** and undermine the rights of local communities.
राज्य सरकार इस अधिनियम को बड़े पैमाने पर **अवसंरचना परियोजनाओं** के लिए भूमि अधिग्रहण को सुव्यवस्थित करने के एक आवश्यक कदम के रूप में देखती है, लेकिन इस कानून ने **पर्यावरणवादियों, किसान संघों और सिविल सोसाइटी समूहों** से तीव्र आलोचना प्राप्त की है, जो चिंतित हैं कि यह राज्य के पहले से घटते **जल निकायों** को और भी नष्ट कर सकता है और स्थानीय समुदायों के अधिकारों को कमजोर कर सकता है।
- The Act aims to simplify the consolidation of government land for "**special projects**," which include **infrastructure, industrial, agricultural, and commercial developments** requiring no less than **100 hectares**.
यह अधिनियम "**विशेष परियोजनाओं**" के लिए सरकारी भूमि के संकेंद्रण को सरल बनाने का उद्देश्य रखता है, जिसमें **अवसंरचना, औद्योगिक, कृषि और वाणिज्यिक विकास** शामिल हैं, जिन्हें कम से कम **100 हेक्टेयर** भूमि की आवश्यकता होती है।
- Under the law, land, even if it contains **water bodies**, can be acquired for special projects by entities in exchange for land elsewhere.
कानून के तहत, भूमि, यदि इसमें **जल निकाय** हैं, तो विशेष परियोजनाओं के लिए अन्यत्र भूमि के बदले में संस्थाओं द्वारा अधिग्रहित की जा सकती है।
- On paper, the Act is presented as a way of protecting **water channels** that may change course over time or pass through private land.
कागज पर, यह अधिनियम **जल चैनलों** की रक्षा करने के एक तरीके के रूप में प्रस्तुत किया गया है, जो समय के साथ अपना मार्ग बदल सकते हैं या निजी भूमि से होकर गुजर सकते हैं।





- Critics argue that in practice, however, what is actually a crucial **environmental concern** could become an unchecked opportunity for **land acquisition** and **privatisation of the State's water bodies**.
आलोचक तर्क करते हैं कि व्यावहारिक रूप से, जो वास्तव में एक महत्वपूर्ण पर्यावरणीय चिंता है, वह भूमि अधिग्रहण और राज्य के जल निकायों के निजीकरण के लिए एक अनियंत्रित अवसर बन सकता है।
- What was more worrying was that the Act was passed quickly with little discussion or scrutiny. जो और भी चिंताजनक था, वह यह था कि इस अधिनियम को कम चर्चा या निरीक्षण के साथ जल्दी पास कर दिया गया था।
- This raised concerns on why the government was in a rush.
इससे यह सवाल उठता है कि सरकार इतनी जल्दी में क्यों थी।
- The **Minister for Revenue and Disaster Management, K.K.S.S.R. Ramachandran**, defended the Act, stating that it primarily aims to tackle the inefficiencies and delays created by the fragmentation of land laws.
राजस्व और आपदा प्रबंधन मंत्री, के.के.एस.एस.आर. रामचंद्रन ने इस अधिनियम का बचाव करते हुए कहा कि इसका मुख्य उद्देश्य भूमि कानूनों के विभाजन द्वारा उत्पन्न अस्थिरताओं और देरी को दूर करना है।
- However, activists argue that the provisions in fine print leave far too much room for potential **misuse**.
हालांकि, कार्यकर्ताओं का कहना है कि fine print में दिए गए प्रावधान संभावित **दुरुपयोग** के लिए बहुत अधिक जगह छोड़ते हैं।
- The provisions allowing the government to designate projects as “**special**” and expedite **land acquisition** are particularly concerning.
प्रावधान जो सरकार को परियोजनाओं को “**विशेष**” घोषित करने और **भूमि अधिग्रहण** को तेजी से पूरा करने की अनुमति देते हैं, विशेष रूप से चिंताजनक हैं।
- Under the Act, any project requiring more than **100 hectares** of land can be approved for consolidation, even if **water bodies** are located within the proposed land.
इस अधिनियम के तहत, कोई भी परियोजना जिसे **100 हेक्टेयर** से अधिक भूमि की आवश्यकता हो, उसे संकेंद्रण के लिए मंजूरी दी जा सकती है, भले ही प्रस्तावित भूमि में **जल निकाय** स्थित हों।
- This could pave the way for large **infrastructure projects** to proceed unchecked, with little regard for **environmental impact** or the interests of local communities.
यह बड़े **अवसंरचना परियोजनाओं** के लिए मार्ग प्रशस्त कर सकता है, जो **पर्यावरणीय प्रभाव** या स्थानीय समुदायों के हितों की कोई परवाह किए बिना आगे बढ़ सकती हैं।
- Further, the public has little say over which projects are designated as “**special**.”
इसके अलावा, जनता को यह तय करने में बहुत कम अधिकार है कि कौन सी परियोजनाएँ “**विशेष**” के रूप में नामित की जाएं।
- The decision rests entirely with the government, as **public hearings** only occur after the project has been approved.
निर्णय पूरी तरह से सरकार के पास होता है, क्योंकि **सार्वजनिक सुनवाई** केवल परियोजना की मंजूरी के बाद होती है।



Protections for Farmers or Other Local Stakeholders

किसानों या अन्य स्थानीय हितधारकों के लिए सुरक्षा

- Protections for farmers or other local stakeholders are not explicitly stated.
किसानों या अन्य स्थानीय हितधारकों के लिए सुरक्षा स्पष्ट रूप से उल्लिखित नहीं है।
- Activists say that once the land is handed over to private corporations, these communities could find themselves excluded from decision-making processes, with their access to water sources severely restricted.
कार्यकर्ताओं का कहना है कि एक बार जब भूमि को निजी कंपनियों के हाथों में सौंप दिया जाएगा, तो ये समुदाय निर्णय-निर्माण प्रक्रियाओं से बाहर हो सकते हैं, और उनके जल स्रोतों तक पहुंच पर गंभीर प्रतिबंध हो सकते हैं।

Rules under the Act

अधिनियम के तहत नियम

- The rules under the Act outline a process where project proponents can prepare land consolidation proposals to be reviewed by an expert committee.
अधिनियम के तहत नियम एक प्रक्रिया को रेखांकित करते हैं जिसमें परियोजना प्रस्तावक भूमि संकेंद्रण प्रस्ताव तैयार कर सकते हैं जिन्हें विशेषज्ञ समिति द्वारा समीक्षा किया जाएगा।
- The committee is responsible for publishing the proposal details in newspapers, conducting public hearings, and then drafting a land consolidation scheme.
समिति प्रस्ताव विवरणों को अखबारों में प्रकाशित करने, सार्वजनिक सुनवाई आयोजित करने और फिर भूमि संकेंद्रण योजना का मसौदा तैयार करने के लिए जिम्मेदार है।
- Once the government approves the scheme, it will be published in the gazette.
एक बार जब सरकार योजना को मंजूरी दे देती है, तो इसे गजट में प्रकाशित किया जाएगा।

Concerns Over the Expert Committee

विशेषज्ञ समिति पर चिंता

- While the inclusion of an expert committee aims to bring transparency to the process, environmental advocates remain sceptical.
हालांकि विशेषज्ञ समिति का समावेश प्रक्रिया में पारदर्शिता लाने का उद्देश्य है, पर्यावरणीय समर्थक संदेहास्पद बने हुए हैं।
- With the committee largely composed of government-appointed officials, questions arise about whether it will truly serve the public interest.
चूंकि समिति प्रमुख रूप से सरकारी-नियुक्त अधिकारियों से बनी है, ऐसे सवाल उठते हैं कि क्या यह वास्तव में सार्वजनिक हित की सेवा करेगी।

Failure to Safeguard Hydrological Pathways

हाइड्रोलॉजिकल मार्गों की सुरक्षा में विफलता



- Experts argue that the Act fails to address the need for safeguarding hydrological pathways — the inlets and outlets crucial for maintaining the ecological balance of water bodies.
विशेषज्ञों का कहना है कि अधिनियम हाइड्रोलॉजिकल मार्गों की सुरक्षा की आवश्यकता को संबोधित करने में विफल है – जल निकायों के पारिस्थितिकीय संतुलन को बनाए रखने के लिए महत्वपूर्ण जल प्रवेश और निकासी।
- If these natural water channels are encroached upon, the water bodies could be severely impacted, threatening the livelihoods of thousands who depend on them.
यदि इन प्राकृतिक जल चैनलों में अतिक्रमण किया जाता है, तो जल निकायों पर गंभीर प्रभाव पड़ सकता है, जो उन हजारों लोगों की आजीविका के लिए खतरा पैदा कर सकता है जो इन पर निर्भर हैं।

Compensation for Landowners

भूमि मालिकों के लिए मुआवजा

- The Act makes provisions for compensating landowners and offering them alternative lands, but it fails to provide safeguards for those whose livelihoods directly depend on these ecosystems.
अधिनियम भूमि मालिकों को मुआवजा देने और उन्हें वैकल्पिक भूमि प्रदान करने के लिए प्रावधान करता है, लेकिन यह उन लोगों के लिए सुरक्षा प्रदान करने में विफल है जिनकी आजीविका सीधे इन पारिस्थितिकीय प्रणालियों पर निर्भर है।
- Additionally, it does not clearly define the role of the **Tamil Nadu Pollution Control Board** in the land consolidation process, even though pollution is a significant concern in areas near water bodies.
इसके अलावा, यह भूमि संकेंद्रण प्रक्रिया में **तमिलनाडु प्रदूषण नियंत्रण बोर्ड** की भूमिका को स्पष्ट रूप से परिभाषित नहीं करता, भले ही जल निकायों के पास प्रदूषण एक महत्वपूर्ण चिंता हो।

Land Use and Environmental Disasters

भूमि उपयोग और पर्यावरणीय आपदाएँ

- These concerns take on added significance when viewed in the context of how land use changes contribute to environmental disasters such as flooding.
इन चिंताओं को बढ़ा हुआ महत्व मिलता है जब भूमि उपयोग परिवर्तन को इस संदर्भ में देखा जाता है कि यह पर्यावरणीय आपदाओं जैसे बाढ़ में कैसे योगदान करता है।
- In December 2021, the Tamil Nadu government informed the **Madras High Court** that **47,707 acres** of water body land across the State were under encroachment.
दिसंबर 2021 में, तमिलनाडु सरकार ने **मद्रास उच्च न्यायालय** को सूचित किया कि राज्यभर में **47,707 एकड़** जल निकाय भूमि अतिक्रमण के तहत थी।
- This shows the pressing need to protect these critical ecosystems, rather than allowing them to be subsumed for large projects.
यह इन महत्वपूर्ण पारिस्थितिकीय प्रणालियों की रक्षा करने की अत्यधिक आवश्यकता को दिखाता है, बजाय इसके कि उन्हें बड़े परियोजनाओं के लिए समाहित किया जाए।



On India-Canada diplomatic relations

Why has India accused Canada of acting as a safe haven for Khalistani terrorists and sympathisers? Is Canadian Prime Minister Justin Trudeau pandering to the 'Sikh vote bank' with these allegations? Why has Canada been reluctant to extradite individuals to India?

GS Paper II: India-Canada

EXPLAINER

Nissim Mannathukkaren

The story so far:

Recently, Canada and India each expelled their top diplomats due to the fallout from Canadian Prime Minister Justin Trudeau's allegation last year that there were possible links of Indian intelligence with the killing of a Canadian citizen, Hardeep Singh Nijjar, in Canada. India had categorised Nijjar as a Khalistani terrorist (he had faced no criminal charges in Canada, but was put on a no-fly list and his bank accounts were frozen). The row seems to be escalating Canadian Hindu-Sikh tensions.

Is there a historical context?

India's long-held complaint has been that Canada acts as a safe haven for Khalistani separatists/extremists. Its biggest grouse has been Canada's failure in preventing the 1985 Air India bombing (perpetrated by Canada-based Khalistani extremists) and the lack of support in subsequent investigations.

The bombing killed 329 people (including children), the biggest airline terrorist act before 9/11.

Is there a Sikh 'vote bank' in Canada?

Vote bank is an Indian terminology unfamiliar to Canadians. Sikhs constitute only 2% of Canada's population but their political clout is far disproportionate because of geographic concentration. At one point, there were four Sikh ministers in the Trudeau cabinet. Most of the Sikh MPs are from Trudeau's Liberal Party. However, there is no public evidence to state that the only motive for the Trudeau government to lay these accusations against India is to pander to Sikh voters (of whom Khalistanis are only a minority).

What we have as 'evidence' is the Trudeau government dropping the words Sikh and Khalistani from a government report which identified, for the first time, Khalistani extremism amongst the top five terrorism threats in Canada; the Canadian parliament marking Nijjar's killing by holding a moment of silence; Mr. Trudeau and other party leaders attending Sikh community festivals which featured Khalistan flags and the glorification of Talwinder Parmar, the Air India bombing mastermind; and also drawing support from known Khalistani sympathisers. But all parties, not just the Liberal Party, have indulged in these kinds of acts. While Mr. Trudeau and his government have affirmed the territorial integrity of India, they have not explicitly condemned Khalistani extremism. But this 'vote bank' is not as India perceives it. In surveys, 54% of Sikhs in Canada intend to vote for the Conservative Party and 21% for Trudeau's party in the next elections.

The Trudeau government has already been pilloried about its failures in countering Chinese interference in Canadian elections. A public inquiry into foreign interference has currently been instituted by the Canadian government. Therefore, an accusation such as this could bolster its weak image.

But the Canadian newspaper, *The Globe and Mail*, which exposed Chinese interference and was about to publish the allegations regarding India last year (before Mr. Trudeau went public with it), and other news outlets, have criticised Mr. Trudeau only for using a serious national security issue for political grandstanding, rather than manufacturing the case to pander to Sikh voters as India alleges.



Tensions high: Protests demanding the permanent closure of the Consulate General of India, in Vancouver, British Columbia, Canada on October 18. REUTERS

Are there political and cultural misunderstandings?

There are misunderstandings on both sides. Canadian scholars have argued that despite the fact that a vast majority of the victims of the Air India bombing were Canadian citizens (of Indian descent), the Canadian government, for a long time, had seen it as a "foreign tragedy" and the victims as not "real Canadians", clearly betraying systemic racism. Both Conservative and Liberal governments treated the victims shoddily until an official apology was issued by Conservative Prime Minister Stephen Harper in 2010. This racial prejudice is also emphasised by the fact that despite it being Canada's worst terrorist act, 90% Canadians had little or no knowledge of it, and more than 50% under the age of 35 had never even heard of it. Further, as no Khalistani terrorist act has been perpetrated in Canada since then, the public is unaffected, and ignorant of Khalistani activism.

The Indian public, conversely, assumes that institutions work the same as in India. The rule of law is enforced in a more systematic manner in Canada than in India. Canadian police independence is guarded, and whenever there were attempts by politicians to interfere illegally, there has been a huge public outcry. Ujjal Dosanjh, a former Liberal cabinet minister, who himself was subject to life-threatening attacks by Khalistani extremists, has argued that while Canadian politicians have allowed Khalistani ideas to flourish, the law enforcement has not been soft on Khalistani terrorism. While the Air India investigations failed to a large extent, the evidence on hand does not suggest, as believed in India, that they were politically motivated to support the

Khalistani extremists. The public inquiry that went into the Air India bombing, instead, was scathing about the security and investigation failures and termed them: "inconceivable, incomprehensible, indefensible, incompetence."

Additionally, India is angry that Khalistani referendums are held in Canada and that Khalistani parades glorify the assassination of Indira Gandhi. However, freedom of speech and expression is a much guarded value in Canada and there is a high threshold on what constitutes as hate speech that can be prosecuted. Referendums and non-violent separatism advocacy are legal in Canada, and referendums have been held to seek the separation of Quebec from Canada. Burning the Canadian flag or the Bible in themselves are not criminal.

However, Canadian critics have argued for stronger legal vigilance around Khalistani hate speech especially when threats are issued.

What are the legal complexities?

India's extradition requests, for those who it terms as Khalistani terrorists, are very often denied not due to political reasons but because they do not meet Canadian legal standards. Western democracies are wary of extraditions to countries with much poorer human rights records, where political dissenters and opponents are jailed for prolonged periods without criminal culpability, and without trial and bail, especially under anti-terror laws such as the Unlawful Activities (Prevention) Act (UAPA). Other reasons include the weakness of evidence solely relying on statements from the accused in custody, and (as journalist Praveen Swami has noted) the inadmissibility of Indian intelligence evidence in courts abroad as it is not gathered under the Indian

Telegraph Act and the Information Technology Act. Only six wanted individuals have been extradited to India from Canada from 2002-2020 (this number is 10 for the U.S., and just one for the U.K.).

Notably, India has not managed to secure the extraditions of Mehl Choksi, Nirav Modi, Lalit Modi and Vijay Malyya (the last three from the U.K. with which India has friendly relations).

What role has the media played?

The Canadian media has asked some tough questions of the government and presented India's version about the dangers of Khalistani diaspora politics. Conversely, the TV media in India, while rightly questioning Western hypocrisy on some matters, has substituted journalism with jingoism, and uncritically pushed the government's narrative. It has spread disinformation that nobody was convicted for the Air India bombings (Underjit Singh Reyat, the bomb-maker, spent nearly 30 years in jail); that Mr. Trudeau "admitted" that there was no evidence for his accusations, etc.

Parallely, the *Globe and Mail* (and other newspapers) which had asked Mr. Trudeau to provide more facts on his allegations last year, is presently attacking him for being soft on the "overtly hostile" actions of the Indian government, and for "curiously unwilling to acknowledge that India is, if not an enemy quite yet, certainly an adversary." The reason is that this time around, the revelations are from the Canadian police and are not just "credible allegations" but "strong evidence." It remains to be seen if it passes muster in the courts.

Nissim Mannathukkaren is Professor, International Development Studies, Dalhousie University, Canada

THE GIST

India's long-held complaint has been that Canada acts as a safe haven for Khalistani separatists/extremists. Its biggest grouse has been Canada's failure in preventing the 1985 Air India bombing (perpetrated by Canada-based Khalistani extremists) and the lack of support in subsequent investigations.

Vote bank is an Indian terminology unfamiliar to Canadians. Sikhs constitute only 2% of Canada's population but their political clout is far disproportionate because of geographic concentration. There is no public evidence to state that the only motive for the Trudeau government to lay these accusations against India is to pander to Sikh voters (of whom Khalistanis are only a minority).

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On India-Canada diplomatic relations

भारत-कनाडा राजनयिक संबंधों पर

Why has India accused Canada of acting as a safe haven for Khalistani terrorists and sympathisers? Is Canadian Prime Minister Justin Trudeau pandering to the 'Sikh vote bank' with these allegations? Why has Canada been reluctant to extradite individuals to India?

भारत ने कनाडा पर खालिस्तानी आतंकवादियों और उनके समर्थकों के लिए सुरक्षित पनाहगाह बनने का आरोप क्यों लगाया है? क्या कनाडा के प्रधानमंत्री जस्टिन ट्रूडो इन आरोपों के ज़रिए 'सिख वोट बैंक' को खुश करने की कोशिश कर रहे हैं? कनाडा भारत को व्यक्तियों को प्रत्यर्पित करने में क्यों अनिच्छुक रहा है?

Canada and India Diplomatic Expulsions

कनाडा और भारत के कूटनीतिक निष्कासन

- Recently, Canada and India each expelled their top diplomats due to the fallout from Canadian Prime Minister **Justin Trudeau's allegation** last year that there were possible links of **Indian intelligence** with the killing of a Canadian citizen, **Hardeep Singh Nijjar**, in Canada.
हाल ही में, कनाडा और भारत ने एक दूसरे के शीर्ष कूटनीतिकों को निष्कासित किया, क्योंकि कनाडा के प्रधानमंत्री जस्टिन ट्रूडो ने पिछले साल यह आरोप लगाया था कि भारतीय खुफिया एजेंसियों का कनाडाई नागरिक **हारदीप सिंह निज्जर** की हत्या से **संभावित संबंध** हो सकते हैं।
- India had categorised Nijjar as a **Khalistani terrorist** (he had faced no criminal charges in Canada, but was put on a no-fly list and his bank accounts were frozen).
भारत ने निज्जर को **खालिस्तानी आतंकवादी** के रूप में वर्गीकृत किया था (उसे कनाडा में कोई आपराधिक आरोप नहीं थे, लेकिन उसे उड़ान प्रतिबंध सूची में डाल दिया गया था और उसके बैंक खाते भी फ्रीज़ कर दिए गए थे)।
- The row seems to be escalating **Canadian Hindu-Sikh tensions**.
यह विवाद कनाडाई **हिंदू-सिख तनावों** को बढ़ाता हुआ प्रतीत होता है।

Is there a historical context?

क्या इसका ऐतिहासिक संदर्भ है?

- India's long-held complaint has been that Canada acts as a safe haven for **Khalistani separatists/extremists**.
भारत की दीर्घकालिक शिकायत यह रही है कि कनाडा **खालिस्तानी अलगाववादी/उग्रवादी तत्वों** के लिए एक सुरक्षित आश्रय स्थल बनता है।





- Its biggest grouse has been Canada's failure in preventing the **1985 Air India bombing** (perpetrated by Canada-based Khalistani extremists) and the lack of support in subsequent investigations.
इसका सबसे बड़ा आरोप **1985 एयर इंडिया बमबारी** में कनाडा द्वारा असफलता रही है (जो कनाडा आधारित खालिस्तानी उग्रवादियों द्वारा की गई थी) और इसके बाद की जांचों में सहयोग की कमी रही है।
- The bombing killed **329 people** (including children), the biggest airline terrorist act before **9/11**.
इस बमबारी में **329 लोग** मारे गए थे (जिसमें बच्चे भी शामिल थे), यह **9/11** से पहले का सबसे बड़ा विमान आतंकवादी हमला था।

Is there a Sikh 'vote bank' in Canada?

क्या कनाडा में सिखों का 'वोट बैंक' है?

- Vote bank is an Indian terminology unfamiliar to Canadians. Sikhs constitute only **2% of Canada's population** but their political clout is far disproportionate because of geographic concentration.
वोट बैंक एक भारतीय शब्दावली है जो कनाडाई लोगों के लिए अपरिचित है। सिख **कनाडा की जनसंख्या का केवल 2%** हैं, लेकिन उनका राजनीतिक प्रभाव अनुपातहीन है क्योंकि वे एक निश्चित भौगोलिक क्षेत्र में एकत्रित हैं।
- At one point, there were **four Sikh ministers** in the Trudeau cabinet.
एक समय पर, डूडो मंत्रिमंडल में **चार सिख मंत्री** थे।
- Most of the Sikh MPs are from **Trudeau's Liberal Party**.
सभी सिख सांसदों में से अधिकांश **डूडो की लिबरल पार्टी** से हैं।
- However, there is no public evidence to state that the only motive for the Trudeau government to lay these accusations against India is to pander to Sikh voters (of whom Khalistanis are only a minority).
हालांकि, कोई सार्वजनिक प्रमाण नहीं है जो यह साबित करता हो कि डूडो सरकार का भारत के खिलाफ आरोप लगाने का एकमात्र उद्देश्य सिख मतदाताओं (जिनमें खालिस्तानी केवल अल्पसंख्यक हैं) को रिझाना था।
- What we have as 'evidence' is the Trudeau government dropping the words **Sikh and Khalistani** from a government report which identified, for the first time, **Khalistani extremism** amongst the top five terrorism threats in Canada;
हमारे पास जो 'प्रमाण' है, वह है डूडो सरकार द्वारा **सिख और खालिस्तानी** शब्दों को एक सरकारी रिपोर्ट से हटाना, जिसमें पहली बार कनाडा में **खालिस्तानी उग्रवाद** को शीर्ष पांच आतंकवादी खतरों में पहचाना गया था;
- the Canadian parliament marking Nijjar's killing by holding a **moment of silence**;
कनाडा की संसद द्वारा निज्जर की हत्या पर **मौन धारण** द्वारा शोक जताना;
- Mr. Trudeau and other party leaders attending **Sikh community festivals** which featured Khalistan flags and the glorification of **Talwinder Parmar**, the Air India bombing mastermind;



प्रधानमंत्री डूडो और अन्य पार्टी नेताओं द्वारा **सिख समुदाय के त्योहारों** में भाग लेना, जिनमें खालिस्तान ध्वज और **तलविंदर परमार** की महिमा का प्रदर्शन किया गया, जो एयर इंडिया बमबारी के मास्टरमाइंड थे;

- and also drawing support from known **Khalistani sympathisers**.

और साथ ही **खालिस्तानी समर्थकों** से समर्थन प्राप्त करना।

- But all parties, not just the Liberal Party, have indulged in these kinds of acts. लेकिन सभी दल, केवल लिबरल पार्टी ही नहीं, इन तरह के कृत्यों में लिप्त रहे हैं।
- While Mr. Trudeau and his government have affirmed the **territorial integrity of India**, they have not explicitly condemned **Khalistani extremism**.

हालांकि **प्रधानमंत्री डूडो** और उनकी सरकार ने **भारत की क्षेत्रीय अखंडता** की पुष्टि की है, उन्होंने **खालिस्तानी उग्रवाद** की स्पष्ट रूप से निंदा नहीं की है।

- But this 'vote bank' is not as India perceives it. In surveys, **54% of Sikhs in Canada** intend to vote for the **Conservative Party** and **21% for Trudeau's party** in the next elections.

लेकिन यह 'वोट बैंक' जैसा भारत इसे समझता है, वैसा नहीं है। सर्वेक्षणों में, **कनाडा में 54% सिख** आगामी चुनावों में **कंजरवेटिव पार्टी** के लिए वोट देने का इरादा रखते हैं और **21% डूडो की पार्टी** के लिए।

- The Trudeau government has already been pilloried about its failures in countering **Chinese interference** in Canadian elections.

डूडो सरकार पहले ही कनाडाई चुनावों में **चीनी हस्तक्षेप** को नकारने में अपनी विफलताओं के लिए आलोचना का सामना कर चुकी है।

- A public inquiry into foreign interference has currently been instituted by the Canadian government.

कनाडा सरकार द्वारा वर्तमान में विदेशी हस्तक्षेप पर एक सार्वजनिक जांच स्थापित की गई है।

- Therefore, an accusation such as this could bolster its weak image.

इसलिए, इस तरह का आरोप उसकी कमजोर छवि को मजबूत कर सकता है।

- But the Canadian newspaper, **The Globe and Mail**, which exposed **Chinese interference** and was about to publish the allegations regarding India last year (before Mr. Trudeau went public with it), and other news outlets, have criticised Mr. Trudeau only for using a serious national security issue for political grandstanding, rather than manufacturing the case to pander to Sikh voters as India alleges.

लेकिन कनाडाई समाचार पत्र, **द ग्लोब एंड मेल**, जिसने **चीनी हस्तक्षेप** को उजागर किया था और जो पिछले साल भारत से संबंधित आरोप प्रकाशित करने वाला था (उससे पहले जब **प्रधानमंत्री डूडो** ने इसे सार्वजनिक किया था), और अन्य समाचार एजेंसियों ने केवल **प्रधानमंत्री डूडो** की आलोचना की है कि उन्होंने एक गंभीर राष्ट्रीय सुरक्षा मुद्दे का इस्तेमाल राजनीतिक दिखावे के लिए किया, न कि भारत के आरोपों के अनुसार सिख मतदाताओं को रिझाने के लिए मामला गढ़ने के लिए।

Political and Cultural Misunderstandings

राजनीतिक और सांस्कृतिक गलतफहमियां





- There are misunderstandings on both sides.
दोनों पक्षों में गलतफहमियां हैं।
- Canadian scholars have argued that despite the fact that a vast majority of the victims of the Air India bombing were Canadian citizens (of Indian descent), the Canadian government, for a long time, had seen it as a “foreign tragedy” and the victims as not “real Canadians”, clearly betraying **systemic racism**.
कनाडाई विद्वानों का कहना है कि एयर इंडिया बम धमाका के अधिकांश पीड़ित कनाडाई नागरिक (भारतीय मूल के) थे, फिर भी कनाडाई सरकार ने इसे लंबे समय तक एक "विदेशी त्रासदी" माना और पीड़ितों को "सच्चे कनाडाई" के रूप में नहीं देखा, जो स्पष्ट रूप से **संविधानिक नस्लवाद** को दर्शाता है।
- Both Conservative and Liberal governments treated the victims shoddily until an official apology was issued by Conservative Prime Minister **Stephen Harper** in 2010.
कंज़र्वेटिव और लिबरल सरकारों ने पीड़ितों को उपेक्षित रखा, जब तक कि **2010 में कंज़र्वेटिव प्रधानमंत्री स्टीफन हार्पर** द्वारा आधिकारिक माफी नहीं दी गई।
- This racial prejudice is also emphasised by the fact that despite it being **Canada's worst terrorist act, 90% Canadians** had little or no knowledge of it, and more than **50% under the age of 35** had never even heard of it.
यह नस्लीय पूर्वाग्रह इस तथ्य से भी प्रकट होता है कि यह कनाडा का सबसे बड़ा आतंकवादी कृत्य होने के बावजूद, **90% कनाडाईयों** को इसके बारे में कम या बिल्कुल भी जानकारी नहीं थी, और **35 साल** से कम उम्र के **50%** से अधिक लोगों ने कभी इसके बारे में सुना भी नहीं था।
- Further, as no **Khalistani terrorist act** has been perpetrated in Canada since then, the public is unaffected, and ignorant of **Khalistani activism**.
इसके अलावा, चूंकि तब से कनाडा में कोई खालिस्तानी आतंकवादी कृत्य नहीं हुआ है, जनता अप्रभावित है और **खालिस्तानी सक्रियता** से अनजान है।
- The Indian public, conversely, assumes that institutions work the same as in India.
इसके विपरीत, भारतीय जनता मानती है कि संस्थाएं भारत के समान काम करती हैं।
- The rule of law is enforced in a more systematic manner in **Canada** than in India.
कनाडा में कानून का शासन भारत की तुलना में अधिक व्यवस्थित तरीके से लागू किया जाता है।
- **Canadian police independence** is guarded, and whenever there were attempts by politicians to interfere illegally, there has been a huge **public outcry**.
कनाडाई पुलिस की स्वतंत्रता की रक्षा की जाती है, और जब भी राजनेताओं द्वारा अवैध रूप से हस्तक्षेप करने की कोशिश की जाती है, तो जनता का आक्रोश उत्पन्न होता है।
- **Ujjal Dosanjh**, a former **Liberal cabinet minister**, who himself was subject to **life-threatening attacks** by **Khalistani extremists**, has argued that while Canadian politicians have allowed **Khalistani ideas** to flourish, the law enforcement has not been soft on **Khalistani terrorism**.
उज्जल दोसांझ, एक पूर्व लिबरल कैबिनेट मंत्री, जो खुद खालिस्तानी उग्रवादियों द्वारा प्राणघातक हमलों का शिकार हुए थे, ने कहा है कि जबकि कनाडाई राजनेताओं ने खालिस्तानी विचारों को फलने-फूलने की अनुमति दी, कानून प्रवर्तन खालिस्तानी आतंकवाद पर नरम नहीं पड़ा है।
- While the **Air India investigations** failed to a large extent, the evidence on hand does not suggest, as believed in India, that they were politically motivated to support the **Khalistani extremists**.



जबकि एयर इंडिया जांचों में बड़े पैमाने पर विफलता रही, हाथ में उपलब्ध प्रमाण यह नहीं दिखाते हैं, जैसा भारत में माना जाता है, कि ये राजनीतिक रूप से प्रेरित थे और खालिस्तानी उग्रवादियों को समर्थन देने के लिए थे।

- The public inquiry that went into the **Air India bombing**, instead, was scathing about the security and investigation failures and termed them: “**inconceivable, incomprehensible, indefensible, incompetence.**”

एयर इंडिया बम धमाके की सार्वजनिक जांच इसके बजाय सुरक्षा और जांच विफलताओं पर कड़ी आलोचना करती है और इन्हें: “अकल्पनीय, अव्याख्येय, अपरिवर्तनीय, अक्षमता” बताया गया।

- Additionally, India is angry that **Khalistan referendums** are held in **Canada** and that **Khalistani parades** glorify the assassination of **Indira Gandhi**.

इसके अलावा, भारत को गुस्सा है कि कनाडा में खालिस्तान जनमत संग्रह आयोजित होते हैं और खालिस्तानी परेड इंदिरा गांधी की हत्या की महिमा गाती हैं।

- However, **freedom of speech** and expression is a much guarded value in **Canada** and there is a high threshold on what constitutes as **hate speech** that can be prosecuted. हालांकि, कनाडा में विचार और अभिव्यक्ति की स्वतंत्रता एक बहुत संरक्षित मूल्य है और ऐसे भाषण की एक उच्च सीमा है जिसे घृणा भाषण के रूप में अभियोजित किया जा सकता है।
- **Referendums** and **non-violent separatism** advocacy are legal in **Canada**, and referendums have been held to seek the separation of **Quebec** from **Canada**.

जनमत संग्रह और अहिंसक अलगाववाद की वकालत कनाडा में कानूनी है, और क्यूबेक को कनाडा से अलग करने के लिए जनमत संग्रह आयोजित किए गए हैं।

- Burning the **Canadian flag** or the **Bible** in themselves are not criminal. कनाडाई झंडा या बाइबल को जलाना खुद में अपराध नहीं है।
- However, Canadian critics have argued for stronger legal vigilance around **Khalistani hate speech** especially when **threats** are issued.

हालांकि, कनाडाई आलोचकों ने खालिस्तानी घृणा भाषण के खिलाफ कड़े कानूनी सतर्कता की वकालत की है, खासकर जब धमकियां जारी की जाती हैं।

Legal Complexities

कानूनी जटिलताएँ

- India's extradition requests, for those it terms as **Khalistani terrorists**, are often denied not due to political reasons but because they do not meet **Canadian legal standards**. भारत के प्रत्यर्पण अनुरोध, जिन्हें वह खालिस्तानी आतंकवादी मानता है, अक्सर राजनीतिक कारणों से नहीं, बल्कि इस कारण अस्वीकृत होते हैं क्योंकि वे कनाडाई कानूनी मानकों को पूरा नहीं करते हैं।
- Western democracies are wary of extraditions to countries with much poorer **human rights records**, where political dissenters and opponents are jailed for prolonged periods without criminal culpability, and without trial and bail, especially under anti-terror laws such as the **Unlawful Activities (Prevention) Act (UAPA)**.

पश्चिमी लोकतांत्रिक देश उन देशों में प्रत्यर्पण से सतर्क रहते हैं जिनका मानवाधिकार रिकॉर्ड बहुत खराब है, जहाँ राजनीतिक असहमतियों और विपक्षियों को बिना किसी अपराध के लंबी अवधि





तक जेल में रखा जाता है, और बिना मुकदमे और जमानत के, विशेषकर आतंकवाद विरोधी कानून जैसे अवैध गतिविधि (रोकथाम) अधिनियम (UAPA) के तहत।

- Other reasons include the weakness of evidence solely relying on statements from the accused in custody, and (as journalist **Praveen Swami** has noted) the inadmissibility of Indian intelligence evidence in courts abroad as it is not gathered under the **Indian Telegraph Act** and the **Information Technology Act**.

अन्य कारणों में अभियुक्तों के बयान पर आधारित साक्ष्य की कमजोरी शामिल है, और (जैसा कि पत्रकार **प्रवीण स्वामी** ने उल्लेख किया है) भारतीय खुफिया साक्ष्य की विदेशों में अदालतों में अस्वीकार्यता है क्योंकि यह भारतीय टेलीग्राफ अधिनियम और सूचना प्रौद्योगिकी अधिनियम के तहत एकत्र नहीं किया गया है।

- Only **six** wanted individuals have been extradited to India from Canada from **2002-2020** (this number is **10** for the **U.S.**, and just **one** for the **U.K.**).

केवल छह वांछित व्यक्तियों को 2002-2020 के बीच कनाडा से भारत प्रत्यर्पित किया गया है (यू.एस. के लिए यह संख्या 10 है, और यू.के. के लिए केवल एक)।

- Notably, India has not managed to secure the extraditions of **Mehul Choksi, Nirav Modi, Lalit Modi** and **Vijay Mallya** (the last three from the **U.K.** with which India has friendly relations).

महत्वपूर्ण बात यह है कि भारत मेहुल चोकसी, निरव मोदी, ललित मोदी और विजय मल्या के प्रत्यर्पण को सुरक्षित करने में असफल रहा है (अंतिम तीन यू.के. से, जिसके साथ भारत के अच्छे संबंध हैं)।

- **What role has the media played?**

मीडिया ने क्या भूमिका निभाई है?

- The **Canadian media** has asked some tough questions of the government and presented India's version about the dangers of **Khalistani diaspora politics**.

कनाडाई मीडिया ने सरकार से कुछ कठिन सवाल पूछे हैं और खालिस्तानी प्रवासी राजनीति के खतरों पर भारत के दृष्टिकोण को प्रस्तुत किया है।

- Conversely, the TV media in India, while rightly questioning Western hypocrisy on some matters, has substituted journalism with **jingoism**, and uncritically pushed the government's **narrative**.

इसके विपरीत, भारत के टीवी मीडिया ने, जबकि कुछ मामलों में पश्चिमी द्वैधता पर सही सवाल उठाए, पत्रकारिता को देशभक्ति से बदल दिया है, और बिना आलोचना किए सरकार की कहानी को बढ़ावा दिया है।

- It has spread **disinformation** that nobody was convicted for the **Air India bombings** (**Inderjit Singh Reyat**, the bomb-maker, spent nearly **30 years** in jail); that Mr. Trudeau "admitted" that there was no evidence for his accusations, etc.

इसने यह गलत सूचना फैलायी कि एयर इंडिया बम धमाकों के लिए किसी को दोषी नहीं ठहराया गया (बम बनाने वाले इंदरजीत सिंह रेयत ने लगभग 30 साल जेल में बिताए); कि मि. ट्रूडो ने "स्वीकार किया" कि उनके आरोपों के लिए कोई साक्ष्य नहीं था, आदि।

- Parallely, the **Globe and Mail** (and other newspapers) which had asked Mr. Trudeau to provide more facts on his allegations last year, is presently attacking him for being soft on the "overtly hostile" actions of the **Indian government**, and for "curiously unwilling to acknowledge that India is, if not an enemy quite yet, certainly an **adversary**."





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साथ ही, ग्लोब एंड मेल (और अन्य समाचार पत्रों) ने पिछले साल मि. डूडो से उनके आरोपों पर अधिक तथ्य प्रदान करने के लिए कहा था, वर्तमान में उन्हें भारत सरकार की "खुली दुश्मनी" वाली कार्रवाइयों पर नरम होने के लिए और "अजीब तरह से यह स्वीकार करने में असमर्थ" होने के लिए हमला कर रहा है कि भारत, अगर अभी दुश्मन नहीं भी है, तो निश्चित रूप से एक प्रतिद्वंदी है।

- The reason is that this time around, the revelations are from the **Canadian police** and are not just "credible allegations" but "strong evidence."
कारण यह है कि इस बार, खुलासे कनाडाई पुलिस से हैं और ये केवल "विश्वसनीय आरोप" नहीं हैं बल्कि "मजबूत साक्ष्य" हैं।
- It remains to be seen if it passes muster in the courts.
यह देखना बाकी है कि क्या यह साक्ष्य अदालतों में खरा उतरता है।



2 judges disagree with CJI's remark on 'Iyer doctrine'

Justice Nagarathna says judges should desist from criticising past judges; Justice Dhulia says criticism could have been avoided; they refer to CJI's remark included in a draft judgment

GS Paper II:

Krishnadas Rajagopal
NEW DELHI

Two Supreme Court judges on the nine-member Bench headed by Chief Justice of India D.Y. Chandrachud, which held that not all private property is material resources of the community, quoted a "harsh" observation made by the Chief Justice about Justice V.R. Krishna Iyer in a "proposed judgment".

Justice Iyer was a former top court judge whose humanism and reforms in criminal justice are considered legendary. His coinage "bail is the rule, jail is the exception" is still assiduously quoted in Supreme Court judgments.

Justices B.V. Nagarathna and Sudhanshu Dhulia, in separate opinions, referred to a "proposed judgment" of the Chief Justice's which, according to them, had observed that "the Krishna Iyer doctrine does a disservice to the broad and flexible spirit of the Constitution".

Majority judgment

The majority judgment pronounced by the Chief Justice, for himself and seven other members of the



Merely because of the paradigm shift in the economic policies cannot result in branding the judges of yesteryear as doing a disservice to the Constitution

JUSTICE B.V. NAGARATHNA

Bench and published on the Supreme Court website on Tuesday, does not contain the "disservice" remark. The published judgment authored by the Chief Justice, however, referred to "the Krishna Iyer Doctrine" with regard to laying down "a preference of economic and social policy". The Chief Justice, in his final opinion, said the court must not tread into the domain of economic policy.

Usually, draft opinions are circulated among the members of a Bench. It is rare for judges to quote from a "proposed" judgment.

Justice Nagarathna's opinion said judges of posterity must not lose sight of the times in which past judges like Justice Iyer discharged their duties and the socio-economic policies that were pursued by the state

in their time.

"Merely because of the paradigm shift in the economic policies of the state to globalisation, liberalisation and privatisation, compendiously called the 'Reforms of 1991', which continue to do so till date, cannot result in branding the judges of this court of the yesteryear 'as doing a disservice to the Constitution'," Justice Nagarathna wrote.

She said judges should not follow this practice of decrying past judges. The answer lay in meeting modern challenges by choosing only that part of the past wisdom apposite for the present without decrying those who served before them.

"The institution of the Supreme Court of India is greater than individual judges, who are only a part of it at different stages of

history of this great Country! Therefore, I do not concur with the observations of the Chief Justice in the proposed judgment," Justice Nagarathna categorically said.

'Fairness, equity'

Justice Dhulia, who authored the lone dissent on the Bench, referred to the criticism in the proposed judgment as "harsh, and could have been avoided".

"The Krishna Iyer Doctrine, or for that matter the O. Chinnappa Reddy Doctrine, is familiar to all who have anything to do with law or life. It is based on strong humanist principles of fairness and equity. It is a doctrine which has illuminated our path in dark times," Justice Dhulia reflected.

Justice Dhulia said judges like Justice Iyer were not only known for their intellect but, more importantly, for their empathy for the people, "as the human being was at the centre of their judicial philosophy".

"In the words of Justice Krishna Iyer himself: 'The courts too have a constituency – the nation – and a manifesto – the Constitution'," Justice Dhulia reminded.

2 judges disagree with CJI's remark on 'Iyer doctrine'



‘अय्यर सिद्धांत’ पर सीजेआई की टिप्पणी से 2 जज असहमत

Justice Nagarathna says judges should desist from criticising past judges; Justice Dhulia says criticism could have been avoided; they refer to CJI’s remark included in a draft judgment

न्यायमूर्ति नागरत्ना ने कहा कि न्यायाधीशों को पूर्व न्यायाधीशों की आलोचना करने से बचना चाहिए; न्यायमूर्ति धूलिया ने कहा कि आलोचना से बचा जा सकता था; उन्होंने मसौदा फैसले में शामिल सीजेआई की टिप्पणी का हवाला दिया

Harsh Observations on Justice V.R. Krishna Iyer's Doctrine

न्यायमूर्ति वी.आर. कृष्णा अय्यर के सिद्धांत पर कठोर टिप्पणियां

- **Two Supreme Court judges**, Justices B.V. Nagarathna and Sudhanshu Dhulia, quoted a "harsh" observation made by **Chief Justice D.Y. Chandrachud** about Justice V.R. Krishna Iyer's doctrine.
दो सुप्रीम कोर्ट के न्यायाधीशों, न्यायमूर्ति बी.वी. नागरथना और सुधांशु धूलिया ने न्यायमूर्ति डी.वाई. चंद्रचुद द्वारा न्यायमूर्ति वी.आर. कृष्णा अय्यर के सिद्धांत पर की गई "कठोर" टिप्पणी का उल्लेख किया।
- Justice Iyer was a **former Supreme Court judge**, known for his **humanism** and **criminal justice reforms**. His quote "**bail is the rule, jail is the exception**" is still quoted in **Supreme Court judgments**.
न्यायमूर्ति अय्यर सुप्रीम कोर्ट के पूर्व न्यायाधीश थे, जो अपने मानवतावादी दृष्टिकोण और आपराधिक न्याय सुधारों के लिए प्रसिद्ध थे। उनका उद्धरण "जमानत नियम है, जेल अपवाद है" आज भी सुप्रीम कोर्ट के निर्णयों में उद्धृत किया जाता है।
- The **majority judgment**, written by Chief Justice D.Y. Chandrachud, did not include the "**disservice**" remark but referred to the "**Krishna Iyer Doctrine**" regarding **economic** and **social policy**.
बहुमत निर्णय, जो न्यायमूर्ति डी.वाई. चंद्रचुद द्वारा लिखा गया था, में "disservice" टिप्पणी शामिल नहीं थी, लेकिन इसमें "कृष्णा अय्यर सिद्धांत" का उल्लेख आर्थिक और सामाजिक नीति के संदर्भ में किया गया।
- Justice Nagarathna **disagreed** with the Chief Justice's view and emphasized that judges must respect the **historical context** and challenges faced by past judges like Justice Iyer.
न्यायमूर्ति नागरथना ने मुख्य न्यायाधीश के दृष्टिकोण से असहमत होते हुए यह जोर दिया कि न्यायाधीशों को न्यायमूर्ति अय्यर जैसे पिछले न्यायाधीशों द्वारा किए गए कार्यों और उनके द्वारा सामना की गई ऐतिहासिक चुनौतियों का सम्मान करना चाहिए।
- Justice Nagarathna stated that modern challenges should be met by selectively using **past wisdom** without **decrying** previous judges.





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न्यायमूर्ति नागरथना ने कहा कि **आधुनिक चुनौतियों** का समाधान पिछले ज्ञान के उचित उपयोग द्वारा किया जाना चाहिए, न कि पिछले न्यायाधीशों की निंदा करके।

- Justice Dhulia, who **dissented**, called the criticism in the proposed judgment “**harsh**” and emphasized the **humanist principles** of Justice Iyer's doctrine, based on **fairness** and **equity**.

न्यायमूर्ति धूलिया, जिन्होंने **असहमतिपूर्वक** निर्णय दिया, ने प्रस्तावित निर्णय में की गई आलोचना को “**कठोर**” कहा और न्यायमूर्ति अय्यर के सिद्धांत की **मानवतावादी प्रवृत्तियों** को, जो **निष्पक्षता** और **समानता** पर आधारित हैं, महत्वपूर्ण बताया।

- Justice Dhulia also noted that judges like Justice Iyer were known not just for **intellect**, but for their **empathy** and **human-centric judicial philosophy**.

न्यायमूर्ति धूलिया ने यह भी नोट किया कि न्यायमूर्ति अय्यर जैसे न्यायाधीश केवल **बौद्धिकता** के लिए नहीं, बल्कि अपनी **सहानुभूति** और **मानवकेंद्रित न्यायिक दर्शन** के लिए प्रसिद्ध थे।

The **Krishna Iyer Doctrine**, according to Justice Dhulia, illuminated the path in **dark times**, with Justice Iyer asserting that “The courts too have a constituency — the **nation** — and a **manifesto** — the **Constitution**.”

न्यायमूर्ति धूलिया के अनुसार, **कृष्णा अय्यर सिद्धांत** ने **अंधेरे समय** में मार्गदर्शन किया, जिसमें न्यायमूर्ति अय्यर ने यह स्पष्ट किया था कि “न्यायालयों का भी एक निर्वाचन क्षेत्र है – **राष्ट्र** — और एक घोषणा पत्र है – **संविधान**।”

