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DAJLY NEWS

ANALYSIS

29 - J A N U A R Y - 2 0 2 2

FOREWORD

We, at Team Vedhik is happy to introduce a new initiative - "Daily Current Affairs_The Hindu" compilations to help you with UPSC Civil Services Examination preparation. We believe this initiative - "Daily Current Affairs_The Hindu" would help students, especially beginners save time and streamline their preparations with regard to Current Affairs. A content page and an Appendix has been added segregating and mapping the content to the syllabus.

It is an appreciable efforts by Vedhik IAS Academy helping aspirants of UPSC Civil Services Examinations. I would like to express my sincere gratitude to Dr. Babu Sebastian, former VC - MG University in extending all support to this endeavour. Finally I also extend my thanks to thank Ms. Shilpa Sasidharan and Mr. Shahul Hameed for their assistance in the preparing the compilations.

We welcome your valuable comments so that further improvement may be made in the forthcoming material. We look forward to feedback, comments and suggestions on how to improve and add value for students. Every care has been taken to avoid typing errors and if any reader comes across any such error, the authors shall feel obliged if they are informed at their Email ID.

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At the Centre

India must stay in step with the changes
in the Central Asian region

As the joint statement at the end of the India-Central Asia virtual summit on Thursday noted, ties between India and the region have been historically close, with “civilisational, cultural, trade and people-to-people linkages”, but the lack of access to land routes, and the situation in Afghanistan are among the biggest challenges. Hosted by Prime Minister Narendra Modi with the Presidents of the five Central Asian Republics (CARs), it was a first, building on years of dialogue. The summit also came after the meeting of NSAs in Delhi, where they built on several common themes of concern and priority. To begin with, there is the problem of routing trade – a paltry \$2 billion, spent mostly on Kazakhstan’s energy exports to India. In comparison, China’s CAR trade figures have exceeded \$41 billion – they could double by 2030 – apart from the billions of dollars invested in the Belt and Road Initiative. With Pakistan denying India transit trade, New Delhi’s other option is to smoothen the route through Iran’s Chabahar port, but that will involve greater investment in rail and road routes to Iran’s northern boundaries with the CARs, something India is hesitant to do in the face of U.S. sanctions. A third option is to use the Russia-Iran International North-South Transport Corridor via Bandar Abbas port, but this is not fully operational and at least two CARs (Uzbekistan and Turkmenistan) are not members. India too, has dragged its feet over TAPI gas pipeline plans (Turkmenistan-Afghanistan-Pakistan-India), due to supply guarantees, given the tensions with Pakistan. Finally, there is Afghanistan: the tenuous link between Central Asia and South Asia, where after the Taliban takeover, there is no official government, a humanitarian crisis is building, and there are worries of terrorism and radicalism spilling over its boundaries. Each theme has been outlined in the summit joint statement as areas to work upon. They have also agreed to more structured engagement, including the setting up of joint working groups, on Afghanistan and Chabahar, and more educational and cultural opportunities.

While the attempt by India to institutionalise exchanges and press the pedal on trade, investment and development partnerships with the CARs is timely, it is by no means the only country strengthening its ties here. While Russia is the most strategic player, China is now the biggest development and infrastructure partner to the countries. The CAR Presidents held a similar virtual summit with Chinese President Xi Jinping earlier. Pakistan has also increased its outreach to the CARs, signing transit trade agreements, offering trade access to the Indian Ocean at Gwadar and Karachi. India will need to move nimbly to ensure it stays in step with the changes, and to make certain the future of ties more closely resembles the deep ties of the distant past.

Economic crisis tightens grip on Sri Lanka's hinterland

Amid shortages, families are forced to ration tea and meals

MEERA SRINIVASAN
RATNAPURA

As Sri Lanka's economic crisis makes global headlines, estate worker B. Sundararajan is watching it manifest in his teacup.

In recent weeks, he has cut his usual, two cups of tea a day to one. "Milk powder is not easily available. When it is available it is not affordable. There is no other option but to cut down our tea," said the resident of Doloswala village in Sri Lanka's southern Ratnapura district. Besides the irony of a tea plantation worker, producing the famed 'Ceylon tea', rationing his own tea intake, Mr. Sundararajan's reality lays bare the severity of Sri Lanka's economic meltdown.

Rising inflation

The country's fast-depleting foreign reserves – \$3.1 billion at the end of 2021 – have pushed the Rajapaksa administration into a corner. The government needs dollars to import basic food items, fuel, and medicines, which have frequently been in shortage in recent months. As has milk powder, which Sri Lanka mostly imports and widely consumes in place of fresh milk.

Consumers are struggling to afford essentials such as rice, pulses, vegetables, fish, and meat whose prices are



Economic crisis has severely impacted daily-wage workers. ■ MEERA SRINIVASAN

soaring, amid import restrictions imposed to save foreign exchange. Consumer price inflation hit 14% last week. Finding LPG cylinders, in short supply, remains a challenge.

And if the consumer is a daily-wage worker like Mr. Sundararajan, where his hard-won LKR 1,000 (₹366) wage is tied to tedious production targets, forgoing a cup of tea or even a meal, is the only option.

The story of Sri Lanka's economic crisis came to the fore amid the pandemic, which dealt a severe blow to the country's crucial, foreign exchange earning sectors. Colombo has foreign debt obligations totalling nearly \$7 billion this year, and Sri Lanka is "trying all options" to avoid a default, Finance Minister Basil Rajapaksa recently told the *Financial Times*.

India and China have extended emergency assis-

tance by way of loans and currency swaps, but Sri Lanka is still on the edge. The national polity, policy makers and think tanks are debating if the country should opt for an IMF bailout. Some analysts are even arguing that Sri Lanka must prepare to default, and subsequently restructure its debt, although the government is determined to keep the country's unblemished record in foreign debt servicing.

Meanwhile, Sri Lanka's plantation workers, like the nearly 900 employed in tea and rubber estates in Doloswala village, did not have to wait until the pandemic to know deprivation.

"Over the last few years, the 1,000 rupee-wage struggle of our workers was in focus. They won the wage, but there are 1,000 other problems facing the community for decades," said Anthony Masilamani, who works at the local administrative authority.

"Our people are still living in crammed line room housing, no matter how big their families are. Our schools don't have mathematics and science teachers for higher classes. We don't have enough toilets. This is our reality," he said, pointing out that the country's recent economic downturn aggravated the workers' misery, and didn't create it.

Willing to talk to Pakistan on pilgrim flights: India

Officials to meet to upgrade 1974 protocol on religious travel

SUHASINI HAIDAR

NEW DELHI

India is “positive” and “willing to engage” in talks with Pakistan on upgrading the 1974 joint protocol on religious pilgrimages to allow air travel and increase the number of shrines that pilgrims from both countries could visit, the Ministry of External Affairs (MEA) said on Friday.

The government’s response follows a report in *The Hindu* earlier this week that the Pakistan government had sent a proposal from the Pakistan Hindu Council (PHC) to allow a group of 170 pilgrims to fly directly from Karachi and Lahore to places of worship in India.

The MEA also confirmed that it hoped to secure clearances to transport food aid to Afghanistan over the land to Pakistan, which is otherwise closed, shortly.

“There is an interest on both sides to expand the



No boundaries: Hindus from Pakistan waiting on the Wagah border ahead of their pilgrimage to India in 2012. ■ AFP

agreed list of shrines and mode of travel. Let me underline that India has a positive approach on this matter and is willing to engage the Pakistani side,” said MEA spokesperson Arindam Bagchi in response to a question from *The Hindu*. The government hoped that the current time period when COVID-19 restrictions were in place could be “utilised to hold discussions under the bilateral protocol”, he said and hoped to facilitate “ear-

ly exchange of visits to all shrines of interest to pilgrims”.

While the MEA’s statement indicates the permissions requested for flights beginning January 29 have not been granted at present, the offer of talks with Pakistan on renegotiating the protocol is a rare departure from other issues where both sides have suspended talks for several years.

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Willing to talk to Pakistan on pilgrim flights: India

Sources noted that India had conveyed its position to Pakistan through formal channels as well, and officials on both sides could meet early next week to iron out the details of how to upgrade the protocols which mandate up to 20 visits by each side to the other, of groups, including Hindu, Muslim and Sikh pilgrims.

The new proposal, sent by the PHC, calls for pilgrim flights every month from each country to the other side, to give a push to its “faith tourism initiative”. “Even if there is some delay in agreeing to the flights, it is heartening that both governments are positive about the proposal,” its head Ramesh Kumar Vank-

wani said. The Pakistan High Commission here did not comment on the MEA statement. However, in a series of tweets about the impact of faith tourism and the newly reopened Kartarpur corridor, it said it had issued a visa to Indian national Sika Khan, who had reunited with his brother, Pakistani national Muhammed Siddique, after their separation during Partition, at Kartarpur this month.

“The story of the two brothers is a powerful illustration of how the historic opening of the visa-free Kartarpur Sahib Corridor in November 2019 by Pakistan is bringing people closer to each other,” the High Commission said.

Don't want wars, but won't let interests be ignored: Russia

Putin will decide response to U.S. proposals: Lavrov

REUTERS
MOSCOW

Russia on Friday sent its strongest signal so far that it is willing to engage with U.S. security proposals and reiterated that it does not want war over Ukraine.

“If it depends on Russia, then there will be no war. We don't want wars. But we also won't allow our interests to be rudely trampled, to be ignored,” Foreign Minister Sergei Lavrov told Russian radio stations in an interview.

Russia has massed tens of



Hot spot: Ukrainian troops conducting drills at a firing ground near Lviv city. ■ AP

thousands of troops near the Ukrainian border as it presses demands for a redrawing of post-Cold War security arrangements in Europe.

Mr. Lavrov said the West was ignoring Russia's interests but there was at least

“something” in the responses submitted by the U.S. and NATO on Wednesday to Russia's proposals. Without giving details, he said the U.S. counter-proposals were better than NATO's. Russia was studying them and President Vladimir Putin would decide how to respond.

Mr. Lavrov said he expected to meet U.S. Secretary of State Antony Blinken again in the next couple of weeks.

While the U.S. and NATO responses have not been made public, both have stated they are willing to engage with Moscow on a series of topics, including arms control.

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Engage in debates in the House, not in ridiculing each other: SC

‘Elected members are expected to show statesmanship and not brinkmanship’

KRISHNADAS RAJAGOPAL
NEW DELHI

A nation aspiring to be a “world leader” should debate on the welfare of its citizens rather than make Parliament a stage to exchange jeers and launch personal attacks on one another, the Supreme Court said in a judgment on Friday.

To see Members of Parliament and Legislative Assemblies ridicule each other instead of engaging in constructive debates in Houses is hardly worthy of the claim that “we are the oldest civilisation on the planet and the world’s largest democracy”.

With the completion of 75 years of Independence and ambitions of becoming a world leader, elected members should at least know that they are expected to show statesmanship and not brinkmanship in the House.

“For becoming world leaders and self-dependent/

 The philosophical tenet that one must agree to disagree is seldom seen during debates... It has become common to hear that the House could not complete its usual scheduled business and most of the time had been spent in jeering and personal attacks against each other

SUPREME COURT



reliant, quality of debates in the House ought to be of the highest order,” a three-judge Bench led by Justice A.M. Khanwilkar said in the judgment. Legislature is the first place where justice is dispensed to the common man through a democratic process, it observed.

Intransigent place

The order dealt with the year-long suspension of 12 BJP MLAs from the Maharashtra Legislative Assembly for disorderly conduct.

Parliament or the State legislatures are no places to create a ruckus. “It is a place where policies and laws are propounded for governing the citizenry. It is here that the entire range of activities concerning the masses until the last mile, are discussed and their destinies are shaped,” Justice Khanwilkar, who authored the judgment, wrote. The goal of the House was to ensure the welfare and happiness of “we the people of this nation”.

The court pointed out that

Parliament and Assemblies were becoming more and more an intransigent place. “The philosophical tenet that one must agree to disagree is seldom seen during debates... It has become common to hear that the House could not complete its usual scheduled business and most of the time had been spent in jeering and personal attacks against each other,” it noted.

The Bench, including Justices Dinesh Maheshwari and C.T. Ravikumar, said disheartened observers felt it was high time to take corrective steps.

Justice Khanwilkar observed, “Aggression during the debates has no place in the setting of country governed by the Rule of Law. Even a complex issue needs to be resolved in a congenial atmosphere by observing collegiality and showing full respect and deference towards each other.”

SC quashes a year's suspension of 12 Maharashtra BJP MLAs

'Illegal to suspend beyond a session; governments can manipulate numbers'

KRISHNADAS RAJAGOPAL
NEW DELHI

The Supreme Court on Friday revoked the one-year suspension of 12 MLAs from the Maharashtra Assembly, calling it an "irrational" act that would impact the democratic set-up, leave constituencies unrepresented and help governments on a "thin majority" manipulate numbers.

The BJP legislators were suspended for a year for "grossly disorderly conduct" in the House during the monsoon session in 2021.

A Bench of Justices A.M. Khanwilkar and C.T. Raviku-

A suspension beyond the remainder period of the ongoing session would not only be grossly irrational measure, but also violative of the basic democratic values owing to unessential deprivation of the member concerned, and more importantly, the constituency would remain unrepresented in the Assembly

JUSTICE A.M. KHANWILKAR
Supreme Court



mar quashed the resolution of July 5 last year as "unconstitutional" and traversing beyond the powers of the Assembly.

The court said it was illegal to suspend a sitting legis-

lator beyond the ongoing session.

"A suspension beyond the remainder period of the ongoing session would not only be grossly irrational measure, but also violative of the

basic democratic values owing to unessential deprivation of the member concerned, and more importantly, the constituency would remain unrepresented in the Assembly," Justice Khanwilkar observed.

"It would also impact the democratic set-up as a whole by permitting the thin majority government [coalition government] of the day to manipulate the numbers of the Opposition party in the House in an undemocratic manner," he added.

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SC quashes suspension of 12 BJP MLAs

The court held that the such suspensions would cripple the Opposition's ability to effectively participate in the discussion/debate in the House owing to the constant fear of its members being suspended for longer period.

"There would be no purposeful or meaningful debates but one in *terrorem* and as per the whims of the majority. That would not be healthy for the democracy as a whole," it observed. It explained that suspension was essentially a disciplinary measure.

Justice Khanwilkar said, "Suspension for a period of one year would assume the character of punitive and punishment worse than expulsion. Suspension for long

period and beyond the session has the effect of creating a *de facto* vacancy though not a *de jure* vacancy".

Suspension of members or their withdrawal was meant to protect the House from disturbances or obstruction. The power of suspension was different from the privilege to inflict punishment on a member, he stated.

The law required the Speaker to adopt a "graded approach", based on objective and rational standards to ensure that the House functioned smoothly.

The Bench had orally agreed during the hearing that prolonged suspension was worse than disqualification from the House.

States must decide on SC/ST quota in promotions: court

Bench refuses to set norm on poor representation

KRISHNADAS RAJAGOPAL
NEW DELHI

The Supreme Court on Friday refused to lay down the “yardstick” for determining the inadequacy of representation for granting reservation in promotions for Scheduled Caste and Scheduled Tribe candidates in government jobs. It held ‘cadre’,

and not class or group or the entire service, as the unit for the purpose of collection of quantifiable data for giving promotion quotas.

The court stuck firm by the decisions of its Constitution Benches in the Jarnail Singh and M. Nagaraj cases that the question of adequate representation of SC/ST communities ought to be left to the respective States to determine.

“Determination of inadequate representation of

SCs and STs in services under a State is left to the discretion of the State, as it depends upon myriad factors which this Court cannot envisage... Laying down of criteria for determining the inadequacy of representation would result in curtailing the discretion given to the State governments,” a Bench of Justices L. Nageswara Rao, Sanjiv Khanna and B.R. Gavai noted.

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States must decide on quota in promotion: SC

The court underscored that the “collection of information on inadequacy of representation of SC/ST communities cannot be with reference to the entire service or class/group, but it should be relatable to the grade/category of posts to which the promotion is sought”.

Explaining why ‘cadre’ should be the unit for the purpose of collection of quantifiable data in relation to promotional posts, the court said otherwise the entire exercise of reservation in promotions would be rendered meaningless if data pertaining to the representation of SCs and STs is done with reference to the entire service. The term ‘cadre’ means the strength of a service or part of a service sanctioned as a separate unit. It is the choice of a State to constitute cadres. The en-

tire service cannot be considered to be a cadre for the purpose of promotion from one post to a higher post in a different grade. Promotion is made from one grade to the next higher grade, in relation to which cadres are constituted

“Before providing for reservation in promotions to a cadre, the State is obligated to collect quantifiable data regarding inadequacy of representation of SCs and STs. Collection of information regarding inadequacy of representation of SCs and STs cannot be with reference to the entire service or ‘class’/‘group’. It should be relatable to the grade/category of posts to which promotion is sought,” Justice Rao, who authored the 68-page judgment, reasoned. The court set aside its earlier judgment in the B.K. Pavithra II case.

Graft talk and the top court's inexplicable silence

Left unchallenged, a former CJI's insinuations against the judiciary could gravely erode faith in the institution's integrity



DUSHYANT DAVE

December 10, 2021, was a dark day in the history of the Indian judiciary, particularly the Supreme Court of India's. In a televised interview, where the pointed question was on whether there is corruption in the Supreme Court of India, the former Chief Justice of India, Justice Ranjan Gogoi, said: "Corruption is as old as society. Corruption has become an acceptable way of life and judges don't fall from heaven."

It weakens confidence

Justice Gogoi's attack was against the entire Supreme Court and scandalised the entire institution of the Supreme Court, which demands immediate redress. Wilmot, C.J. in *R. vs Almon*, had as early as 1765 observed: "...and whenever men's allegiance to the law is so fundamentally shaken, it is the most fatal and most dangerous obstruction of justice and, in my opinion, calls out for a more rapid and immediate redress than any other obstruction whatsoever; not for the sake of the Judges, as private individuals, but because they are the channels by which King's Justice is conveyed to the people."

The Constitution Bench of the Supreme Court in *Brahma Prakash Sharma vs State of U.P.* (1953) said: "It would be only repeating what has been said so often by various Judges that the object of contempt proceedings is not to afford protection to Judges, personally from imputations to which they may be exposed as individuals; it is in-

tended to be a protection to the public whose interests would be very much affected if by the act or conduct of any party, the authority of the court is lowered and the sense of confidence which people have in the administration of justice by it is weakened."

The Supreme Court found advocate Prashant Bhushan guilty of contempt of court, in 2020, "for shaking the confidence of the public in the institution as a whole" and for creating an "impression that ... Judges who have presided in the Supreme Court in the period of last six years have a particular role in the destruction of Indian democracy". The Court found that the attending circumstance to be taken into consideration was about the "person who makes the statement"; it held that "it is not expected of a person who is a part of the system of administration of justice and who owes a duty to the said system, to make such tweets which are capable of shaking the confidence of general public," the judgment read.

A bench presided by the now former CJI, Justice Gogoi, had in fact initiated contempt proceedings against a former Supreme Court judge, Justice Markandey Katju for similar utterances (against judges in a blog), but these were dropped after his unconditional apology.

So what happens when a scurrilous attack is made and the Court is scandalised by a former CJI?

A top judge and his conduct

Justice Gogoi's conduct raises serious questions. During his tenure as CJI, as many as eight cases of a particular business group were assigned to the Benches presided by Justice Arun Mishra, former judge of the Supreme Court. These cases were all decided in favour of the said business house, giving it relief running into thousands of crores



GETTY IMAGES/ISTOCKPHOTO

of rupees. Interestingly, in one such case, C.A. No. 11133/2011, the said business house has settled the matter with the Gujarat Urja Vikas Nigam Limited recently, according to reports, forgoing a claim of ₹ 11,000 crore but only after a five-judge Bench of the Supreme Court decided to rectify the judgment in favour of the business house under an extraordinary curative power.

Sadly, other States or authorities have not come forward with similar curative petitions for the Court to act. One gets the impression that States or authorities are happy to accept even decisions against them running into crores of rupees which are made in questionable circumstances. Thus, what they could not do directly they are allowing it to be done indirectly – by their silence.

Interestingly, this case – C.A. No. 11133/2011 was taken up during the summer vacation in 2019.

Another matter of the same business group (C.A. No. 9023/2018), which was also not an urgent vacation matter, was listed on May 21, 2019 when the following order was made: "Heard the arguments of Mr. Ranjit Kumar, learned Senior Counsel appearing for the appellant. List tomorrow, i.e. Wednesday, the 22nd May, 2019 for further arguments."

On May 22, the matter was con-

cluded and judgment reserved with the following order: "Heard Mr. Ranjit Kumar, learned senior counsel appearing on behalf of the appellant and Mr. Tushar Mehta, learned Solicitor General appearing on behalf of the respondent. Arguments concluded. Judgment reserved."

Pertinently, on April 8, 2019, the Registrar Judicial of the Supreme Court had passed the order stating that "regular hearing matters will be taken up as per guidelines and norms approved by the Hon'ble The Chief Justice of India", that was, CJI Gogoi. So, has he self-incriminated himself?

On this issue, I had addressed a letter on August 16, 2019 to the then CJI, Justice Gogoi, and other judges of the Supreme Court pointing out the gross abuse of the judicial process, with this request: "I do hope and trust that you would look into the matter and take corrective steps as deemed appropriate to protect this institution." Sadly, my letter though received was not even acknowledged.

A Constitution Bench of Supreme Court, to which Justice Arun Mishra was a party has held in 2018 "that the Chief Justice is the Master of the Roster; he alone has prerogative to the constitute Benches of the Court and allocate cases to the Benches so constituted", and that, "In view of the aforesaid, any order passed which is contrary to this order be treated as ineffective in law and not binding on the Chief Justice of India."

Why would the now former CJI, Justice Gogoi, allow matters of one business group to be heard by a Bench presided by a particular judge? Why would he not take any action after his attention was drawn to the irregularities? At his book launch on December 8, 2021, the now former CJI welcomed the industrialist concerned and his fa-

mily as guests.

It has happened only once in the history of the Supreme Court when a Bench presided by (now former) CJI Justice K.N. Singh had heard and decided matters pertaining to a particular business group giving it substantial relief. But then perhaps following the outcry from Members of the Bar and the then Attorney General, the (now former) CJI H.J. Kania acted swiftly and decisively to recall those orders and restore the image and the reputation of the Supreme Court, thereby sub serving the rule of law.

The Court must act

Crony capitalism is a curse on this nation. The Supreme Court itself has come down heavily on corruption in public life and has directed time and again that action be taken against bureaucrats and politicians found guilty of corruption. Corruption is indeed a bane as far as our democracy is concerned. The judiciary must be fiercely independent and free from any kind of influence. It is indeed so, generally and by and large. It has served the nation well. The former CJI, Justice Gogoi, has done great disservice to the institution that he purportedly served. So, one wonders why there is an absolute silence on the part of this great institution. Surely, actions are needed against the former CJI, Justice Gogoi, and his actions or inactions. The Court has itself held that in such a situation, it must act on its own without waiting for the Attorney General or any person to move the Court. If not done, citizens' faith in the integrity of the institution will be seriously eroded – perhaps irreparably.

Dushyant Dave is a Senior Advocate at the Supreme Court of India and a former President of the Supreme Court Bar Association

To the poll booth, with no donor knowledge

Worries over the electoral bond scheme go beyond its patent unconstitutionality – it befouls democracy and elections



SUHRITH PARTHASARATHY

Late last year, the Union government authorised the State Bank of India to issue and encash a new tranche of electoral bonds, the 19th such parcel since the scheme's notification in 2018. The timing of the announcement was predictable, with elections slated to be held to five different State Assemblies beginning next month. Now, as a result, voters in those States will go to the ballot box with no knowledge about the donors backing the various contestants.

Anything but transparent

Ensuring citizens have access to information, especially material on political funding, one would think, is an essential feature of a democracy. But ever since its introduction, the electoral bond scheme has envenomed the democratic process, by destroying altogether any notion of transparency in political funding. In this time, the Supreme Court of India has paid scant attention to the issue. It has allowed the scheme to continue unabated and has denied an interim stay on its operation without so much as conducting a full-fledged hearing.

In one such provisional order, the Court asserted that the bonds were not, in fact, anonymous. Voters interested in finding out the identity of political donors, the Bench said, could simply perform what the order described as “match the following.” According to the Court, since both the purchase and the encashment of bonds are made through banking

channels, all it would take for a person to glean the identity of a donor was for her to look through every corporation's financial statement – these records, the Court said, ought to be available with the Registrar of Companies.

Parties have no obligation

Even assuming for a moment that voters have the resources to go through annual returns filed by every corporation in India, what the order ignored was that there is no attendant obligation on political parties to provide details to the public on each donation received by them through electoral bonds. Companies are also under no obligation to disclose the name of the party to whom they made the donation. Therefore, this “match the following” exercise apart, from being impossible to perform, will also do nothing to pierce the veil concealing the bonds. This is because anonymity is written into the programme's ideals; it represents the basic leitmotif of the system.

When he explained the contours of the electoral bond scheme to the Lok Sabha, the then Union Finance Minister Arun Jaitley stressed on this very feature. “The donor will know, which party he is depositing money to,” he said. “The political party will file return with the Election Commission [of India]. Now, which donor gave to which political party, that is the only thing which will not be known.” This avowed objective runs athwart one of the most basic features of a democracy, that the right to freedom of expression, which the Constitution guarantees, includes within it a right to know.

The electoral bond scheme is designed to allow an individual, or any “artificial juridical person”, including body corporates, to purchase bonds issued by the State



GETTY IMAGES/ISTOCKPHOTO

Bank of India during notified periods of time. These instruments are issued in the form of promissory notes, and in denominations ranging from ₹1,000 to ₹1 crore. Once purchased, the buyer can donate the bond to any political party of their choice and the party can then encash it on demand. The purchasers are not obliged to disclose to whom they presented the bond, and a political party encashing a bond is compelled to keep the donor's identity secret.

Untenable arguments

What is more, a series of restrictions that were in place before the scheme's introduction have now been done away with. For example, amendments have been made removing a previous prohibition that disallowed a company from donating anything more than 7.5% of its net profits over the course of the preceding three years. Similarly, a mandate that a company had to have been in existence for at least three years before it could make donations (a requirement that was aimed at discouraging persons from using shell corporations to funnel money into politics) was also lifted.

Thus, through its very architecture, the electoral bond scheme permits unlimited and anonymous corporate funding of political parties. In its defence, the Govern-

ment says two things: one, that voters have no fundamental right to know how political parties are funded and two, that the scheme helps eliminate the role of black money in funding elections. On any reasonable examination, it ought to be clear that neither of these arguments is tenable.

First, the Supreme Court has consistently held that voters have a right to freely express themselves during an election and that they are entitled to all pieces of information that give purpose and vigour to this right. Surely, to participate in the electoral process in a meaningful manner and to choose one's votes carefully, a citizen must know the identity of those backing the candidates.

Second, as affidavits filed by the Election Commission of India in the Supreme Court have demonstrated, the scheme, if anything, augments the potential role of black money in elections – it does so by, among other things, removing existing barriers against shell entities and dying concerns from donating to political parties.

Moreover, even if the bonds were meant to eliminate the presence of unaccounted currency, it is difficult to see what nexus the decision to provide complete anonymity of the donor bears to this objective. Indeed, it is for this reason that the Reserve Bank of India reportedly advised the Government against the scheme's introduction.

For the higher judiciary

The worries over the electoral bond scheme, however, go beyond its patent unconstitutionality. This is because in allowing anonymity it befouls the basis of our democracy and prevents our elections from being truly free and fair. There are, therefore, few issues of greater moral urgency than this that are awaiting the Supreme

Court's consideration. Yet, despite challenges to the scheme having been launched quickly on the heels of its notification in 2018, the Court has failed to hear and decide on the programme's validity.

A delay in adjudication, as we have seen in a plethora of cases that are pending consideration, invariably presents a *fait accompli*. In this case, the damage from the pendency is all the starker, because the integrity of the electoral process is at stake. Judges of yore warned as far back as in 1957 of the threats posed by limitless corporate funding of elections. Chief Justice M.C. Chagla of the Bombay High Court predicted that any decision to allow companies to fund political parties might “ultimately overwhelm and even throttle democracy in this country”.

Justice P.B. Mukharji of the Calcutta High Court used language that was stronger still. “To induce the Government of the day by contributing money to the political funds of political parties, is to adopt the most sinister principle fraught with grave dangers to commercial as well as public standards of administration,” he wrote. “...The individual citizens although in name equal will be gravely handicapped in their voice because the length of their contribution cannot ever hope to equal the length of the contribution of the big companies.”

Today, those dangers are heightened by individual voters not only being in a position where they are unable to match contributions made by corporations but also find themselves in a position where they have no knowledge over the identity of the donors bankrolling the political establishment. Can there be a greater threat to our democracy?

Suhrit Parthasarathy is an advocate practising at the Madras High Court

'Banks to transfer 15 NPAs worth ₹50,000 cr. to NARCL'

Transfers part of Phase I, to take place by March 31: Khara

SPECIAL CORRESPONDENT
MUMBAI

Banks have finalised plans to transfer by the end of this fiscal year 15 Non-Performing Asset (NPA) accounts worth ₹50,000 crore to the National Asset Reconstruction Company Ltd. (NARCL), or the 'bad bank' set up to help resolve the stress.

"A total of 38 accounts aggregating to ₹82,845 crore have been identified for transfer to NARCL; however the transfer will happen in a phased manner," State Bank of India (SBI) chairman Dinesh Khara said in a briefing.

"Under Phase I, about 15 accounts, aggregating to



Dinesh Khara

₹50,335 crore, are expected to be transferred in the current financial year, i.e. on or before March 31," he said.

Mr. Khara said all requisite approvals, including from the RBI, for setting up NARCL and the India Debt Resolution Company Ltd.

(IDRCL) have now been received and that both companies were ready to commence business.

The broad features of the arrangement are that NARCL will acquire and aggregate the identified NPA accounts from the banks, while IDRCL, under the exclusive arrangement, will handle the debt resolution process.

The final approval and ownership for the resolution shall lie with NARCL as the principal. This arrangement will also be in full conformity with the provisions of the SARFAESI Act as well as outsourcing guidelines of the Reserve Bank.

Philippines inks \$375 mn BrahMos missile deal

This is the first export order for missile

DINAKAR PERI

NEW DELHI

The Philippines on Friday signed a \$374.96-million deal with BrahMos Aerospace Private Ltd. for the supply of shore-based anti-ship variant of the BrahMos supersonic cruise missile. This is the first export order for the missile, a joint product of India and Russia.

The contract was signed by Delfin N. Lorenzana, Defence Secretary of the Philippines, and Atul Dinkar Rane, Director General of BrahMos Aerospace Pvt. Ltd., in a virtual ceremony.

Speaking at the signing ceremony, Mr. Lorenzana said it was an absolute honour to be the first foreign nation to acquire the supersonic cruise missile system.

“As the world’s fastest supersonic cruise missiles, the BrahMos missiles will provide deterrence against any attempt to undermine their sovereignty and sovereign rights, especially in the West



Officials participating in the deal signing ceremony.

■ SPECIAL ARRANGEMENT

Philippine Sea,” he said. “Equipping our Navy with this vital asset is imperative as the Philippines continues to protect the integrity of its territory and defend its national interests.”

Stating that BrahMos missiles would certainly beef up the firepower of the Philippine Navy, particularly the Philippine Marine Corps coastal defence regiment, Mr. Lorenzana said the system would provide counter-attack capabilities within the Philippine exclusive economic zone.

General Studies Paper I	
A	History of Indian culture will cover the salient aspects of art forms, literature and architecture from ancient to modern times;
B	Modern Indian history from about the middle of the eighteenth century until the present-significant events, personalities, issues;
C	Freedom struggle-its various stages and important contributors / contributions from different parts of the country;
D	Post-independence consolidation and reorganization within the country;
E	History of the world will include events from 18 th century such as industrial revolution, world wars, re-drawal of national boundaries, colonization, decolonization,
F	Political philosophies like communism, capitalism, socialism etc.-their forms and effect on the society
G	Salient features of Indian Society, Diversity of India;
H	Effects of globalization on Indian society;
I	Role of women and women's organization;
J	Social empowerment, communalism, regionalism & secularism
K	Salient features of world's physical geography;
L	Geographical features and their location- changes in critical geographical features (including water bodies and ice-caps) and in flora and fauna and the effects of such changes;
M	Important Geophysical phenomena such as earthquakes, Tsunami, Volcanic activity, cyclone etc.
N	Distribution of key natural resources across the world (including South Asia and the Indian subcontinent);
O	Factors responsible for the location of primary, secondary, and tertiary sector industries in various parts of the world (including India);
P	Population and associated issues;
Q	Urbanization, their problems and their remedies
General Studies Paper II	
A	India and its neighbourhood- relations;
B	Important International institutions, agencies and fora- their structure, mandate;
C	Effect of policies and politics of developed and developing countries on India's interests;
D	Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests.
E	Indian Constitution, historical underpinnings, evolution, features, amendments, significant provisions and basic structure;
F	Comparison of the Indian Constitutional scheme with other countries;
G	Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein; Inclusive growth and issues arising from it;
H	Parliament and State Legislatures - structure, functioning, conduct of business, powers & privileges and issues arising out of these;
I	Structure, organization and functioning of the executive and the judiciary, Ministries and Departments;

J	Separation of powers between various organs dispute redressal mechanisms and institutions;
K	Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional bodies;
L	Statutory, regulatory and various quasi-judicial bodies;
M	Mechanisms, laws, institutions and bodies constituted for the protection and betterment of these vulnerable sections;
N	Salient features of the Representation of People's Act;
O	Important aspects of governance, transparency and accountability, e-governance- applications, models, successes, limitations, and potential;
P	Citizens charters, transparency & accountability and institutional and other measures;
Q	Issues relating to poverty and hunger,
R	Welfare schemes for vulnerable sections of the population by the Centre and States, Performance of these schemes;
S	Issues relating to development and management of social sector / services relating to education and human resources;
T	Issues relating to development and management of social sector / services relating to health
General Studies Paper III	
A	Indian Economy and issues relating to planning, mobilization of resources, growth, development and employment;
B	Effects of liberalization on the economy, changes in industrial policy and their effects on industrial growth;
C	Inclusive growth and issues arising from it;
D	Infrastructure Energy, Ports, Roads, Airports, Railways etc. Government budgeting;
E	Land reforms in India
F	Major crops, cropping patterns in various parts of the country, different types of irrigation and irrigation systems;
G	Storage, transport and marketing of agricultural produce and issues and related constraints;
H	e-technology in the aid of farmers; Technology Missions; Economics of Animal-Rearing.
I	Issues of buffer stocks and food security, Public Distribution System- objectives, functioning, limitations, revamping;
J	Food processing and related industries in India – scope and significance, location, upstream and downstream requirements, supply chain management;
K	Issues related to direct and indirect farm subsidies and minimum support prices
L	Awareness in the fields of IT, Space, Computers, robotics, nano-technology, bio-technology;
M	Indigenization of technology and developing new technology;
N	Developments and their applications and effects in everyday life;
O	Issues relating to intellectual property rights
P	Conservation, environmental pollution and degradation, environmental impact assessment
Q	Disaster and disaster management
R	Challenges to internal security through communication networks, role of media and social networking sites in internal security challenges, basics of cyber security;
S	Money-laundering and its prevention;

T	Various forces and their mandate;
U	Security challenges and their management in border areas;
V	Linkages of organized crime with terrorism;
W	Role of external state and non-state actors in creating challenges to internal security;
X	Linkages between development and spread of extremism.
General Studies Paper IV	
A	Ethics and Human Interface: Essence, determinants and consequences of Ethics in human actions;
B	Dimensions of ethics;
C	Ethics in private and public relationships. Human Values - lessons from the lives and teachings of great leaders, reformers and administrators;
D	Role of family, society and educational institutions in inculcating values.
E	Attitude: Content, structure, function; its influence and relation with thought and behaviour;
F	Moral and political attitudes;
G	Social influence and persuasion.
H	Aptitude and foundational values for Civil Service , integrity, impartiality and non-partisanship, objectivity, dedication to public service, empathy, tolerance and compassion towards the weaker sections.
I	Emotional intelligence-concepts, and their utilities and application in administration and governance.
J	Contributions of moral thinkers and philosophers from India and world.
K	Public/Civil service values and Ethics in Public administration: Status and problems;
L	Ethical concerns and dilemmas in government and private institutions;
M	Laws, rules, regulations and conscience as
N	sources of ethical guidance;
O	Accountability and ethical governance; strengthening of ethical and moral values in governance; ethical issues in international relations and funding;
P	Corporate governance.
Q	Probity in Governance: Concept of public service;
R	Philosophical basis of governance and probity;
S	Information sharing and transparency in government, Right to Information, Codes of Ethics, Codes of Conduct, Citizen's Charters, Work culture, Quality of service delivery, Utilization of public funds, challenges of corruption.
T	Case Studies on above issues.