

24th Jan-2023(Tue) News Analysis

Content:

S.No	Article	No.of Words
1	India emerged as a rapid, growing economy after the pandemic: Commerce and Industry Minister	337
2	Supreme Court allows purse seine fishing twice a week outside Tamil Nadu's territorial waters	773
3	Mary Kom-led panel to probe wrestlers' charges	257
4	Democracy and its structural slippages	1073
5	The basic structure of the Constitution	1509
6	EU imposes new sanctions on Iran officials over protest crackdown	63
7	Burkina Faso asked French troops to quit, diplomatic note confirms	61
8	Japan PM Kishida prioritises military build-up and reversal of low birth rate	175
9	Grid failure causes massive power outage in Pakistan	335
10	SAT gives relief to NSE in co-location case of 2019	75
11	'No foreign investment cap on sovereign green bonds'	84
12	HC vacation Bench acted as a de-facto CJ: A.P. Chief Justice	213
13	Haryana IAS officer Ashok Khemka writes to CM Manohar Lal Khattar; seeks Vigilance Department posting to 'root out corruption'	810
	Total	5945 Words

1. India emerged as a rapid, growing economy after the pandemic: Commerce and Industry Minister

Piyush Goyal asks businesses and policymakers at B-20 dialogue meeting to adopt a sustainable and green approach

Commerce and Industry Minister Piyush Goyal on Monday asked businesses and policymakers at B-20 dialogue meeting, [a part of the G-20](#), to adopt a sustainable and green approach in business practices in view of disruptions caused by climate change.

The ‘B-20 India 2023’ dialogue is taking place under the theme of ‘RAISE’ — an acronym for Responsible, Accelerated, Innovative, Sustainable and Equitable businesses.

Addressing the [B-20’s Inception Meeting in Gujarat’s Gandhinagar](#), the Minister told the gathering of over 600 delegates to use the B-20 forum along with the G-20 to look at ways to collectively work towards a sustainable and equitable future agenda.

“Through the theme of G-20 in India — ‘one earth one family one future’ — India wants to inspire to care for each other, care for future, and care for the earth,” Mr. Goyal said.

He also talked about the measures India has taken in terms of adopting and implementing environmental goals.

“India regularly files UNFCCC report and has already exceeded its goal for 2030, of having a 40% share of renewable energy in its installed capacity in 2021. India takes each Sustainable Development Goal very seriously,” he said in his address at the plenary session of the Inception Meeting.

He also talked about how India has emerged as a rapid growing economy after the pandemic and is today a bright spot in the global environment.

Gandhinagar is hosting the first three-day meeting as part of the elaborate G-20 events and dialogues, while 14 other meetings and events will be held in various cities, including Ahmedabad, Surat, the Statue of Unity at Kevadiya, and Dhordo in Kutch.

In Kutch, the first meeting of the [G-20 countries’ tourism working group](#) will take place from February 7 to 10, while from February 9 to 10, a similar meeting of the ‘Urban 20 Inception’ will be held in Ahmedabad.

2. Supreme Court allows purse seine fishing twice a week outside Tamil Nadu's territorial waters

The apex court has imposed stringent conditions to regulate the extent of purse seine fishing outside the 12-nautical-mile limit off Tamil Nadu.

January 24, 2023 11:19 am | Updated 12:10 pm IST - NEW DELHI

The Supreme Court on Tuesday, January 24, 2023, allowed [purse seine fishing](#) outside the territorial waters of Tamil Nadu.

"We have allowed this because we thought everybody should survive, that's all," Justice A.S. Bopanna, who headed the Bench, orally remarked after pronouncing the order in court.

The court has imposed stringent conditions to regulate the extent of purse seine fishing outside the **12-nautical-mile limit off Tamil Nadu.**

For one, purse seine fishing **would be allowed only twice a week, on Monday and Thursday, that too between 8 am and 6 pm the same day.**

One of the lawyers objected that the timings may vary owing to sea conditions and weather. The boats may return late and docking time would cross the 8 pm mark.

"First of all, we are allowing you to do this (purse seine fishing) on the basic principle of 'living and letting live'... Come back faster," the court said.

The Bench said only vessels registered under the marine fishing regulation law would be allowed to do purse seine fishing.

Tracking devices should be installed in these boats. The court has also prescribed a colour code for them. The fishing crew need to mandatorily carry identity cards.

Tamil Nadu's objection

Tamil Nadu had vehemently objected to purse seine fishing, even beyond the 12 nautical mile border.

"The mouth of purse seine net is one hectare and it would drag out anything and everything from the bowels of the sea. I cannot go by the Centre's suggestion to police, monitor or manage purse seine fishing. The livelihood of small fishermen operating within the territorial waters would be put at risk," the State, represented by senior advocate Mukul Rohatgi and advocate D. Kumanan, had argued.

The State had referred to a 1993 decision of the Supreme Court in *State of Kerala versus Joseph Antony*, which had upheld the ban on purse seine fishing beyond the territorial waters as it affected the livelihood of traditional fishermen.

One of the primary ecological arguments against purse seine nets is that they tend to draw only the targetted fish but also at-risk varieties, including turtles.

It is prohibited by Tamil Nadu, Kerala, Puducherry, Odisha, Dadra and Nagar Haveli, Daman and Diu and Andaman and Nicobar Islands in their respective territorial waters of up to 12 nautical miles.

States like Gujarat, Andhra, Goa, Karnataka, West Bengal have not imposed any such ban on purse seine fishing. Maharashtra has issued certain orders for regulation of purse seine fishing in its territorial waters.

The Fisheries Department of the Union government had recommended the lifting of the ban on purse seine fishing in a report submitted by an expert committee on November 15.

The expert panel had refused to accept that purse seine fishing caused "serious resource depletion". It had recommended purse-seiners to fish territorial waters and the Indian Exclusive Indian Exclusive Economic Zone (EEZ) subject to certain conditions.

The Union government had sought six months to prepare a uniform national plan for purse seine fishing.

'No prohibition'

Senior advocate Gopal Sankaranarayanan, for purse seine fishermen, had argued that there had not been any prohibition on purse seine fishermen operating beyond territorial waters for the past 30 years.

Mr. Sankaranarayanan had said the fishing season would end by the last week of February, and some relief from the court was urgently needed.

He had said 17 lakh fishermen use purse seine nets. They were not "affluent", but small fishermen who had worked their way up the pecking order in the fishing community. Mr. Sankaranarayanan said purse seine fishing was introduced in 1954. Technology has changed for the better and could be used to monitor fishermen and keep a check on whether they operate beyond the 12 nautical mile limit.

"The fishing season for south Tamil Nadu started two weeks ago and will go on for another four weeks. The season for north Tamil Nadu will start in two weeks. This time is crucial," Mr. Sankaranarayanan had said.

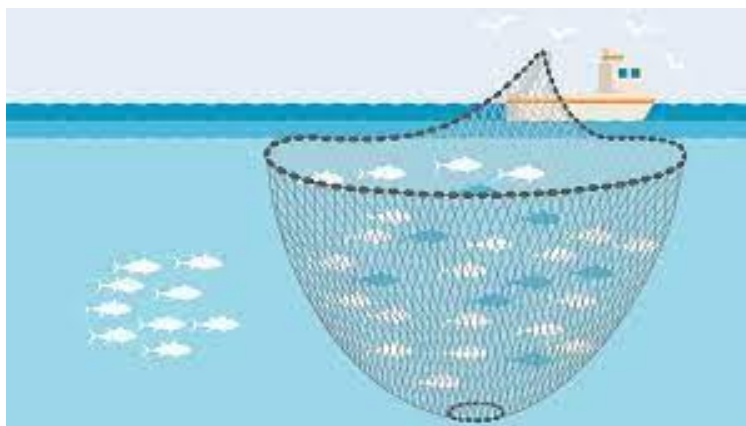
He had said the State did not have any jurisdiction outside the nautical limit of its territorial waters and cannot restrict them from fishing there.

The court was hearing a petition filed by Fishermen Care to stay a Tamil Nadu government order of February 17, 2020 which had banned the large nets used to catch schools of fish in the deep waters of the sea.

Additional Points:

Purse seine fishing, deployed widely on India's western coasts, **uses a large vertical net to surround dense shoals of pelagic or midwater fish in the open ocean, and then draws in the edges like tightening the cords of a drawstring purse**

Purse-seine fishing in open water is generally considered to be an efficient form of fishing. **It has no contact with the seabed and can have low levels of bycatch (accidental catch of unwanted species)**. Purse seines can also be used to catch fish congregating around fish aggregating devices.



3. Mary Kom-led panel to probe wrestlers' charges

Union Sports Minister Anurag Thakur on Monday announced that six-time World champion and Olympic medallist boxer **M.C. Mary Kom will head a government-appointed five-member Oversight Committee to investigate the charges levelled by some prominent wrestlers against Wrestling Federation of India (WFI) president Brij Bhushan Sharan Singh.**

Olympic medallist wrestler Yogeshwar Dutt, well-known shuttler Trupti Murgunde, former Target Olympic Podium Scheme (TOPS) CEO Commander Rajesh Rajagopalan and former Executive Director (Team) of the Sports Authority of India (SAI) Radhica Sreeman are the other committee members.

“It [the oversight committee] will investigate the serious charges levelled by the wrestlers and will submit its report within a month. Till then, the committee will carry out the WFI’s day-to-day work,” said Mr. Thakur. The panel will probe the allegations of sexual misconduct, harassment and intimidation, financial irregularities and administrative lapses, said a release.

Ms. Kom and Mr. Dutt are also part of a seven-member committee formed by the Indian Olympic Association (IOA) to look into the wrestlers’ allegations. Ms. Kom heads the IOA panel as well.

Several top Haryana-based World and Olympic medallist wrestlers, including Vinesh Phogat, Bajrang Punia and Sakshi Malik, began a protest in Delhi on Wednesday last. It was called off following assurances from Mr. Thakur.

The Ministry had sought an explanation from the WFI. The federation rejected all the allegations, claiming the protest was part of a “larger conspiracy to malign and defame” Mr. Singh, a BJP MP from Kaiserganj in Uttar Pradesh, who has criminal cases pending against him.

In the ring

The announcement of an Oversight Committee headed by M.C. Mary Kom comes a week after wrestlers levelled allegations against Wrestling Federation of India chief Brij Bhushan Sharan Singh. A look at the developments over the past week:

Jan. 18: Wrestlers begin protest at Jantar Mantar in New Delhi

Jan. 18: Sports Ministry sends notice to WFI seeking explanation

Jan. 19: Sports Minister Anurag Thakur meets wrestlers, assures them that the charges would be looked into



Mary Kom

Jan. 20: Protest called off

Jan. 20: WFI replies to notice, rejects all allegations

Jan. 21: Sports Ministry asks WFI executive committee to abstain from activities of the federation

4. Democracy and its structural slippages

Harbans Mukhia taught history at Jawaharlal Nehru University

The democracy that is functional around the world today — even as it has a long history of evolution — **was essentially a 19th century to 20th century western creation**. Every civilisation, of course, claims to have had some form of democratic origin. But the institution of universal adult franchise and governance through regular and multi-party elections (the universal norm today) has at the most a 100 years or less of practice behind it. Even in the most “advanced” democracies such as the United States, “universal franchise” of the 1920s did not include African-American citizens. In Britain, women obtained the right to vote in the 1930s, in France in 1944, and in Switzerland as late as 1971, over two decades after their Indian sisters.

Devolution and capitalism

Basic to democracy is the devolution of power, and with it, welfare from the elite echelons to the ground level. **Devolution occurs on the premise of the individual and equality. In practice, is there a good record for these principles?** If one is to go by the long view of history, the answer is ‘yes, most effectively’. The near-universal abolition of autocratic monarchies and hereditary aristocracies and their replacement by governance through popular mandate (with exceptions) and the spread of economic resources, infrastructure, education, health, etc. to the masses, with all their shortcomings and lacunae, call for acknowledgment even as the demand for these grows every day, constantly, and legitimately.

Yet, there is an unbreakable link between the wide spread of this devolution and capitalism. In capitalism’s basic requirement to seek freedom for resources such as land, labour, and movement from the autocratic restraints of medieval monarchies, the notions of the individual’s rights and equality evolved, culminating in the notion of a free market for every kind of resource mobilisation, including labour. It also implied a great deal of uniformity.

It is important to note that human history has been witness to several experiences of equality, mostly in its religious form: non-theistic Buddhism and monotheistic religions such as Christianity, Islam and Sikhism were proponents of social equality. However, equality here demanded the subjugation of the individual to the community or society.

Clearly, humanity’s urge for equality has erupted over and over again in different parts of the world at different times; it was the same urge that had led to the most recent experiment of Marxian socialism in about a third of the globe and a large chunk of the population. However, it is equally important to note that no egalitarian ideology has ever been able to create an egalitarian society. What it does is to reshuffle existing social hierarchies and create some space for the upward movement of the lower rungs. But the urge for equality has found diverse ways to seek utterance. Its current urge seeks to establish uniformity through the same or similar institutions and practices.

The uniformity takes the form of periodic multi-party “free and fair” elections and guarantees of various kinds of freedoms, especially of the market. The elections are a means of self-correction of government policies and actions.

The conduct of elections

Are elections truly free and fair?

To begin with, **elections divide voters into a dubious majority and a minority. The majority-minority division of 50% plus one and 50% minus one is, in principle,** hardly a decisive mandate even as this is treated as one empirically. But the practice of elections belies even this notion of “majority”; there is hardly a government anywhere in the world and at any time that governs through a majority of the mandate. **Usually, 30% to 40% of the votes cast give a party a comfortable majority to rule legitimately.** This is structured into multi-party elections through “the first past the post” principle; but even in a system such as the United States, Donald Trump could defeat Hillary Clinton even as she received some 2.5 million more popular votes than him, in 2016.

In practice again, contrary to theory, even as the voter is all alone in the polling booth voting as an untrammelled individual, her/his vote is still conditioned by numerous demands on it by family, community, religion, culture, and, above all, by the political alternatives offered by political parties. A loss of individuality is implicated here. The individual does not create the choices which are given by parties, very often wrapped in false propaganda and even more false promises. The individual has the “freedom” to choose one or another of these.

The complete equation of democracy with electoral politics draws one’s attention away from any alternative form of governance. There is no space here for diversity.

A reinforcement of identities

This democracy came to India in its most modern form: unconditional adult franchise and multi-party periodic elections. Yet, the operative categories of electoral politics here have mostly been pre-modern: identity politics of caste, sub-caste, community, region, language, etc. Not long ago we were familiar with acronyms such as AJGAR (Ahir, Jat, Gurjar and Rajput castes) and MY (Muslims and Yadavs) and so on, signifying the vote base of different political parties, or what came to be picturesquely called the ‘vote bank’.

Jawaharlal Nehru had hoped that education and the experience of democracy would force a retreat on these operative categories and generate a more “modern” consciousness among the masses. What has emerged is contrary to this. The very success of these mobilisations has reinforced identities instead of weakening them. The Bharatiya Janata Party is determined to create the biggest vote bank which would be ever hard to defeat: the entire Hindu population, comprising 80% of the populace. It can afford to marginalise and thus disenfranchise all others in the residual 20%. Remember the explicit assertion of this strategy by the Uttar Pradesh Chief Minister in the form of his line, “80 versus 20” during the run-up to the Assembly elections?

So, as long as we practise this form of democracy, its fault lines and, above all, its link with capitalism will remain unbroken. Yet, the fact that humanity has throughout history sought one or another form of social equality keeps the possibility of this urge erupting yet again more amenable to achieving a reality that has eluded us so far. What its form and its grade of success will be are hard to guess. What can be said confidently is that history is still unfolding and creating a future for us.

5. The basic structure of the Constitution

Krishnadas Rajagopal

At the heart of the current debate over the Supreme Court Collegium and the striking down of the National Judicial Appointments Commission, is a fundamental question — does Parliament have unlimited power to amend the Constitution or is it subject to inherent limitations?

The Chief Justice of India, D. Y. Chandrachud compared the ‘basic structure’ of the Constitution to the North Star, an unfailing guide which shows the way when the path appears convoluted. His observation marks the response of the Supreme Court to a recent statement made by Vice President Jagdeep Dhankar that the basic structure doctrine introduced by a 13-judge Bench 40 years ago, in the *Kesavananda Bharati Sripadagalvaru versus State of Kerala* through a 7:6 wafer-thin majority judgment, diluted parliamentary sovereignty. The opinion of the Vice President and the reply from the top judge have come amidst an ongoing verbal skirmish initiated by the government over the striking down of the 99th Constitutional Amendment and the National Judicial Appointments Commission (NJAC) Act in a 4:1 majority decision of the Supreme Court in October 2015. The government is now vying, after a gap of nearly eight years, for a stronger, if not dominant, spot in judicial appointments to constitutional courts. It remains bitter about the failure of the NJAC, a constitutional amendment, it said, was an exercise of the “will of the people” through Parliament.

At the heart of both the *Kesavananda Bharati* case, better known as the Fundamental Rights case, and the current debate over the Collegium, a powerful body of Supreme Court judges which recommends names for judicial appointments, is a fundamental question — **does Parliament have unlimited power to amend the Constitution or is it subject to inherent limitations?**

The basic structure doctrine

The *Kesavananda Bharati* judgment held that **Parliament cannot use its constituent power to alter the basic structure or the essential features of the Constitution**. The Parliament, as senior advocate Nani Palkhivala said (at whose memorial lecture Chief Justice Chandrachud gave his reply) cannot cease to be a creature of the Constitution and become its master.

The basic structure or framework of the Constitution is its living spirit, holding up the body of its text. Its existence cannot be pin-pointed to any particular provision of the text. It is the “soul” of the Constitution, inextricably linked to the values enshrined in the Preamble, without which the document and the ideas that make it sacred would collapse. “A Constitution is a living system. But just as in a living, organic system, such as the human body, [where] various organs develop and decay, yet the basic structure or pattern remains the same with each of the organs having its proper function, so also in a Constitutional system the basic institutional pattern remains even though the different component parts may undergo significant alterations. For it is the characteristic of a system that it perishes when one of its essential component parts is destroyed,” the Supreme Court explained in the 703-page Kesavananda Bharati verdict of April 24, 1973.

Granville Austin’s *Working of a Democratic Constitution* said the basic structure doctrine “is fairly said to have become the bedrock of constitutional interpretation in India”. The Constitution Bench in the NJAC judgment encapsulated the principle behind the basic structure theory when it said “a change in a thing does not involve its destruction”.

Different judges on the Kesavananda Bharati Bench gave different examples of what constituted the ‘basic structure’ of the Constitution, including supremacy; the federal and secular character of the Constitution; separation of powers among the legislature, executive and judiciary; dignity of the individual; unity and integrity of the nation; sovereignty of India; democratic character of our policy; welfare state and egalitarian society; liberty of thought, expression, belief, faith and worship and equality of status and opportunity among other essential features.

The Kesavananda Bharati case

Justice O. Chinnappa Reddy in his *The Court and the Constitution of India: Summits and Shallows* says Chief Justice S. M. Sikri, who led the Kesavananda Bharati Bench, never divulged from where he derived the basic structure formula. “Since there are no signposts signalling basic features of the Constitution, every attempt to discover a basic feature becomes a ‘voyage of discovery’,” Justice Reddy wrote.

The Kesavananda Bharati case came to the Supreme Court almost immediately after the Indira Gandhi government rode to victory in the 1971 elections on the popular slogan of ‘garibi hatao’ with almost 350 seats out of a total of 540. The government, smarting primarily under the Supreme Court’s Golak Nath verdict which upheld the power of judicial review of constitutional amendments, introduced several Constitutional Amendments. The 24th Constitutional Amendment changed Article 13, a provision which mandated that no ‘law’ could take away or abridge fundamental rights. The Golak Nath judgment had interpreted the term ‘law’ in Article 13(2) to include ‘constitutional amendments’ too. The Parliament through the 24th Amendment said a constitutional amendment cannot be rendered void merely because it infringed fundamental rights. It also modified Article 368, a provision which dealt with constitutional amendments, to enable the Parliament to add, vary or repeal any Article of the Constitution. The 13-judge Bench upheld the Parliament’s power to amend the Constitution as long as it adhered to its basic structure or essential features.

The 25th Constitutional Amendment introduced Article 31C into the Constitution to implement the Directive Principles of State Policy under Article 39 (b) and (c) for distribution of material resources of the community and to prevent concentration of wealth. The government's aim was to facilitate nationalisation of industries and socialist measures. The Amendment mandated that any law enacted with this objective cannot be "deemed" void on the ground that it was inconsistent with fundamental rights. The latter half of Article 31C added that such a law would be outside judicial review. In fact, even a petition cannot be filed in court challenging such a law. In short, the Amendment gave Directive Principles primacy over fundamental rights and judicial review of the apex court.

Senior advocates Soli Sorabjee and Arvind Datar in their *Nani Palkhivala — The Courtroom Genius* described the great lawyer arguing that Article 31C was the "forerunner of a totalitarian State". The 13-judge Bench invalidated the part of Article 31C which took away the power of judicial review of the court.

However, the *Kesavananda Bharati* judgment gave no relief to the petitioner-*seer* when it upheld the 29th Constitutional Amendment which incorporated two land reform provisions made in the Kerala Land Reforms Act, 1963 in the Ninth Schedule, immunising them from litigation claiming violation of fundamental rights. A fourth constitutional amendment, the 26th, on abolition of privy purses, was not considered by the Court.

The (counter) arguments

Mr. Sorabjee and Mr. Datar, in their book, condense the submissions of the Union and the States, represented by senior advocate H. M. Seervai and then Attorney General Niren De, that constitutional amendments should not be nullified by the court as they mirror the "democratic will of the people". An argument which has surfaced again through Mr. Dhankar after four decades. But Mr. Palkhivala had met this argument with a prescient one of his own, "people are not associated with the amending process at all. Parliament cannot be equated with the people, the Parliament's will is not the people's will".

The aftermath

The judgment was delivered on the last working day of Chief Justice Sikri. Justice A.N. Ray, the fourth in line of seniority and who was part of the minority which upheld the unlimited power of Parliament to amend the Constitution, superseded Justices J. M. Shelat, K.S. Hegde and A. N. Grover to become the 14th Chief Justice of India. All three of his colleagues resigned. A similar supersession followed when Justice H. R. Khanna, after his lone but historic dissent upholding the fundamental right to life and personal liberty in the Habeas Corpus case during the darkest days of Emergency, was overlooked for Chief Justiceship. These incidents could be directly linked to the Supreme Court evolving the Collegium system to protect judicial independence, which is also part of the basic structure doctrine.

The basic structure doctrine had survived an aborted attempt to overrule the *Kesavananda Bharati* judgment by another 13-member Bench led by Chief Justice Ray. It came in handy when the court, in the *Indira Gandhi versus Raj Narain* case, removed the 39th Constitutional

Amendment passed during the Emergency period which put the elections of the President, Vice President, Prime Minister and Lok Sabha Speaker beyond judicial review.

In 1980, the court once again used the basic structure formula, in the *Minerva Mills* challenge to the 42nd Amendment, to uphold judicial review of constitutional amendments and to protect fundamental rights.

Over the years, the courts have clarified the basic structure, including that of the “primacy to the opinion of the Chief Justice of India in judicial appointments and transfers in the context of the independence of the judiciary as a part of the basic structure of the Constitution to secure the rule of law essential for preservation of the democratic system”.



6. EU imposes new sanctions on Iran officials over protest crackdown

The EU on Monday placed 37 more Iranian officials and entities on an asset-freeze and visa-ban **blacklist over Tehran's bloody crackdown on protesters**. The bloc targeted the Minister of Sports and the command of the Revolutionary Guards in 12 regions of Iran in its fourth round of sanctions, the EU's official journal said.

7. Burkina Faso asked French troops to quit, diplomatic note confirms

Burkina Faso asked France to move its troops out of the country within a month, according to a diplomatic letter from the authorities. The Foreign Ministry's letter, dated last Wednesday, ends the 2018 agreement under which French troops were stationed there, and sets a deadline of a month for departure.

8. Japan PM Kishida prioritises military build-up and reversal of low birth rate

Prime Minister Fumio Kishida said on Monday that Japan faces the severest security environment since the end of the Second World War and pledged to push a military build-up under a **newly adopted security strategy**, and tackle rapidly declining births so the country can sustain national strength.

Mr. Kishida's government in December adopted key security and defence reforms, **including a counterstrike capability that breaks from the country's exclusively self-defence-only postwar principle**. Japan says the current deployment of missile interceptors is insufficient to defend it from rapid weapons advancement in China and North Korea.

Policy speech

In his policy speech opening this year's parliamentary session, Mr. Kishida said active diplomacy should be prioritised, but it requires "defence power to back it up."

He said **Japan's new security strategy is based on a realistic simulation** "as we face the most severe and complex security environment since the end of Second World War and a question if we can protect the people's lives in an emergency."

9. Grid failure causes massive power outage in Pakistan

Press Trust of India

Pakistan faced a major power breakdown on Monday due to a "frequency variation" in the national grid, leaving millions of people in large parts of the country, including capital Islamabad and financial hub Karachi, without electricity. The Ministry of Energy said the system of frequency of the national grid went down at 7.34 a.m. local time. "System maintenance work is progressing rapidly," it tweeted.

Energy Minister Khurram Dastgir said the restoration work was going on. “I can assure you that power will be fully restored across the country within the next 12 hours,” he was quoted as saying by Geo News. Explaining the failure, he said the authorities shut down the power generation system at night due to lower demand in winter to save fuel costs.

But when the systems were turned on in the morning, “**frequency variation and voltage fluctuation were observed in the south of the country...** somewhere between Dadu and Jamshoro” resulting in shutting down of power generating units one by one, he said.

No electricity

People in Pakistan’s financial capital Karachi woke up on Monday with no electricity available anywhere in the metropolis. According to details, the major power breakdown also hit other cities but Karachi was the worst affected. In Peshawar, some people were reportedly unable to get drinking water as the pumps were powered by electricity.

It is not the first time that the country has faced such a crisis. In October 2022, Pakistan witnessed a 12-hour power outage due to technical glitches in the distribution system.

Pakistan is grappling with one of the country’s worst economic crises in recent years amid dwindling foreign exchange reserves. **The crisis forced the government earlier this month to order shopping malls and markets to close by 8:30 p.m. for energy conservation purposes.**

The sorry state of the country’s power sector is emblematic of its ailing economy. The power outages occur frequently due to lack of funds to upgrade aging infrastructure.

10. SAT gives relief to NSE in co-location case of 2019

The **Securities Appellate Tribunal (SAT)** on Monday set aside a ruling by the SEBI against the National Stock Exchange (NSE) in a co-location case of 2019, according to an order published on the tribunal’s website.

The tribunal ordered the NSE to pay the **₹1-billion penalty for system lapses** but set aside a disgorgement of almost ₹11 billion for illegal gains levied by markets regulator SEBI.

11. ‘No foreign investment cap on sovereign green bonds’

Reuters

The sovereign green bonds issued by the Indian government will not have any restrictions on foreign investment, the Reserve Bank of India said.

Such securities will be counted as specified securities under the fully accessible route, the central bank said in a notification

The RBI had earlier this month announced an auction of ₹160 billion of sovereign green bonds.

The fully-accessible route includes securities which do not have any restrictions on holdings by foreign investors.

12. HC vacation Bench acted as a de-facto CJ: A.P. Chief Justice

Andhra Pradesh High Court Chief Justice Prashant Kumar Mishra took a serious view of the hasty manner in which a vacation Bench had apparently stayed the operation of the G.O. No.1 (dated January 2, 2023) during the previous hearing of the PIL filed by CPI State secretary K. Ramakrishna, on January 12. Through the G.O., certain curbs were imposed on holding meetings and rallies on public roads.

Taking up the matter on Monday as per the directions of the Supreme Court, which refused to interfere with the interim order (issued by the vacation Bench) that the G.O. be suspended till January 23, Chief Justice Mishra made a caustic remark that the vacation court acted as a 'de-facto CJ' and belittled the CJ's position by taking up the case as if the petitioner staged a protest to deal with the case urgently.

Advocate-General S. Sriram said no citizen was entitled to claim that he/she had a vested fundamental right to conduct a meeting on a public road, and the State had not banned any meetings on public roads.

Appearing for the petitioner, senior advocate Raju Ramachandran said there was a complete ban on the fundamental right to assemble and movement under the G.O.

13. Haryana IAS officer Ashok Khemka writes to CM Manohar Lal Khattar; seeks Vigilance Department posting to 'root out corruption'

On January 9, the Haryana government transferred Ashok Khemka — his 56th posting in a career spanning about 31 years.



Senior IAS officer Ashok Khemka, who built a **reputation as an upright officer during his three-decade career — highlighted by more than 50 postings** — has written to Haryana Chief Minister Manohar Lal Khattar and offered to "to root out corruption" with a stint in the Vigilance Department.

In his letter to Mr. Khattar, Mr. Khemka — whose professional life has been **marked by controversies and frequent transfers, often to Departments seen as unimportant** — said he sacrificed his Service career in his zeal to end corruption.

While there is not enough work in his present posting — the Archives Department — some officers are overloaded with multiple charges and Departments due to which they are always fire-fighting, Mr. Khemka pointed out.

In the letter dated January 23, Mr. Khemka wrote "**lopsided distribution of work does not serve public interest**". On January 9, the Haryana government transferred Mr. Khemka — his 56th posting in a career spanning about 31 years.

Mr. Khemka, who was at the time Additional Chief Secretary in the Science and Technology Department, has been posted as Additional Chief Secretary in the Archives Department.

The 1991-batch Haryana-cadre Indian Administrative Service (IAS) officer came to the national limelight in **2012 when he cancelled the mutation of a Gurugram land deal linked to Congress leader Sonia Gandhi's son-in-law Robert Vadra**. Mutation is part of the process to transfer ownership of a piece of land.

In his letter to the Chief Minister, Mr. Khemka offered his services to head the Vigilance Bureau "to root out corruption".

"As you know, corruption is all-pervasive. When I see corruption, it hurts my soul. In my zeal to root out the cancer, I have sacrificed my Service career. Without rooting out corruption as per stated government policy, the dream of a citizen to achieve his true potential can never be realised. **He will be reduced to fighting for survival on a daily basis,"** he wrote.

He mentioned that he has always been at the forefront in the fight against graft and Vigilance is the main arm of the government to root out corruption. "Towards the end of my Service career, I offer my services to head the Vigilance Department to root out corruption.

"If given an opportunity, I assure you there would be real war against corruption and no one however high and mighty will be spared," wrote Mr. Khemka.

He wrote that the Supreme Court, in the 1987 'PK Chinamy versus Government of Tamil Nadu and Others' case, **held that a public officer should be given posting and work commensurate to his status.**

"I have been assigned the Archives Department vide Government Order dated January 9, 2023," wrote Mr. Khemka.

He mentioned that the Department's annual budget is a meagre ₹4 crore — "less than 0.0025% of the total State Budget".

"My annual salary as an Additional Chief Secretary is ₹40 lakh, which in itself is 10% of the Department's budget," he added. "Besides, the time required in the Archives is not more than one hour-a-week," he wrote.

"On the other hand, some officers are much overloaded with multiple charges and Departments, due to which they are always engaged in fire-fighting.

"A lopsided distribution of work does not serve public interest. The Civil Services Board must be allowed to function as per the Statutory Rules and make prior recommendations to you, taking into account the integrity, competence, and intellect of each officer," wrote Mr. Khemka.

The transfer to the Archives Department came days after Mr. Khemka wrote to Chief Secretary Sanjeev Kaushal, indicating that he didn't have work following the merger of the Science and Technology Department into the Higher Education Department.

During the past decade, Mr. Khemka has been posted in Departments often seen as unimportant. Over his entire career, on an average, he has been transferred about every six months. This is the fourth time that Mr. Khemka has been posted to the Archives Department — three of these stints have been during the tenure of the BJP-led government.

He earlier served as Director General and later Principal Secretary of the Archives Department. Mr. Khemka was first transferred to the Department in 2013 when the Congress was in power. Mr. Khemka has, in the past, indicated some disappointment over having been "left behind" in his career.

After a round of promotions last October, he tweeted, "**Congratulations to my batchmates newly appointed as Secretaries to GOI!** While this is an occasion for merry, it brings equal measure of despondency for one's own self having been left behind. "Straight trees are always cut first. No regrets. With renewed resolve, I shall persist."