



VAJIRAM & RAVI
Institute for IAS Examination

The Analyst

CURRENT AFFAIRS Handout

22nd March 2025



Judicial Accountability: A Research Note



CONTEXT: Pile of cash found at the house of Delhi HC Justice.

Erudite Opinions

- *States without justice are but bands of robbers enlarged.* - **Saint Augustine**
- *Judicial accountability is integral to Republic's moral survival.* - **Harold Laski**
- *In the darkness of secrecy, sinister interest, and evil in every shape, has full swing. Publicity is the very soul of justice.* - **Jeremy Bentham**
- *Judges ought to be more learned than witty, more reverend than plausible, and more advised than confident. Above all, integrity is their proper virtue.* - **Bacon**
- *Hands-off Doctrine is obsolete.* - **Justice Frank**

Indian Ethos

- *Judge is a person bestowed with 'excellence'* - **Bhagvad Gita**
- **Hindu Philosophy:** Judge ~ Flower
- **Sukra Neeti** - 5 vices to guard against

Allegations

- Practice of Sealed envelope - former Chief of CBI Alok Verma, 2G Spectrum, BCCI
- 1991 - allegations of misappropriating funds against Justice Ramaswamy
- Prasad Medical case allegation against Justice S.N. Shukla
- 2018 - 4 senior most judges of the Supreme Court held a press conference
- Permanent female employee of the SC removed

Vital Nonpareil

- Rule of law
- Public confidence in judges
- Institutional responsibility

Canons of Judicial Ethics

- Restatement of Values of Judicial Life, 1997
 - Justice seen - behaviour, conduct
 - No election
 - Aloofness
 - Recusal
 - Public debate/interviews/gifts
 - Financial benefit/speculation
- Bangalore Principles of Judicial Conduct
 - Independence
 - Impartiality
 - Integrity
 - Propriety
 - Equality
 - Competence & Diligence
- Oath in the 3rd Schedule

Disciplining Judges in India

- Judicial Action - C S Karnan
- Transfer - SC Collegium
- in-house judicial inquiry mechanism, 1999 - response from concerned judge >> panel of 1 SC + 2 CJHC
- Censure if Serious Misconduct

Global Measures

- **Germany** - Section 77 of the Judges Act, 1972 - tribunals
- **USA** - ABA Model Code of Judicial Conduct 1990
- **Lithuania** - Judicial Ethics and Discipline Commission, Judicial Court of Honour
- **UN Basic Principles** on the Independence of the Judiciary 1985



Judicial Accountability: A Research Note



CONTEXT: Pile of cash found at the house of Delhi HC Justice.

HOW THE WORLD TACKLES CORRUPTION IN JUDICIARY

Judicial oversight bodies in some countries around the globe

	Investigation Body	Qualifications	Authority to remove judges
England and Wales:	Judicial Appointments Commission and ombudsman	Lay person	Legislature
Canada	Two Oversight panel members and appointee of Justice Minister	Judges	Legislature
USA	Judicial council	Judges	Judiciary & legislature
France	Oversight panel	Judges, prosecutors & 3 others, neither judges nor legislators	Oversight panel
Germany	Federal constitutional Court	Judges	Federal constitutional Court

CJI IMPEACHMENT MOTION

How the process works....

Impeachment motion can originate either in...

Rajya Sabha
Signed notice of 50 members required

Lok Sabha
Signed notice of 100 members required

Speaker/Chairman accepts/refuses it

If refused: Motion dropped

If accepted

A 3-member committee is formed. It comprises of:
An SC judge | Chief Justice of a HC | A jurist

Committee frames charges

A copy goes to the judge (who can submit a written defence)

Final report is submitted to Speaker/Chairman

Article 124(4)
lays down the procedure for removal of a judge of the Supreme Court, including the CJI

Prez issues the Presidential Order of Removal

Presented to the President (If passed in LS+RS)

If passed, it is forwarded to the other house

The proposal must be passed by...

Majority of the total membership of the house

or

2/3 members present + voting

Issue is taken up for debate in parliament*

*If committee supports the motion

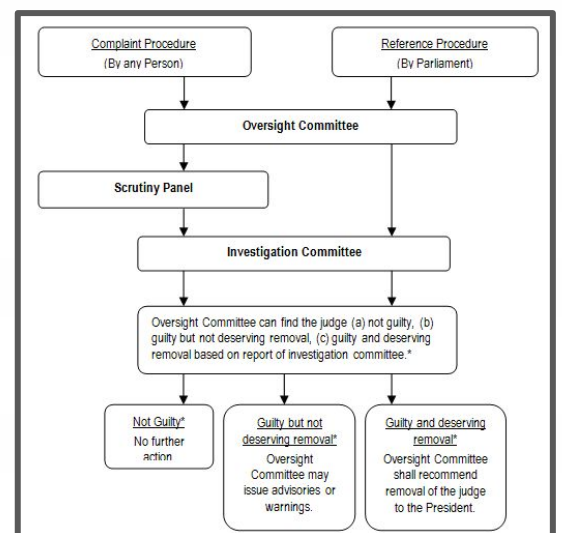
Challenges in Ensuring Judicial Discipline

- Article 121 & 211
- Article 124(4)
- Grounds of removal – proved misbehaviour or incapacity

Suggestions

- National Judicial Council
- Judicial Oversight Committee
- Code of Conduct – behaviour, ethical standards, procedures for addressing violations
- Judicial Performance Evaluation – disposal rates, adherence to ethical standards, feedback
- Mandatory Declaration of assets and liabilities

Someone must be trusted. Let it be the Judges. – Lord Denning



MAINS PRACTISE QUESTION

Discuss the mechanisms of judicial accountability in India, analyze the challenges faced in ensuring it, and suggest measures to address these challenges while maintaining the independence of the judiciary.

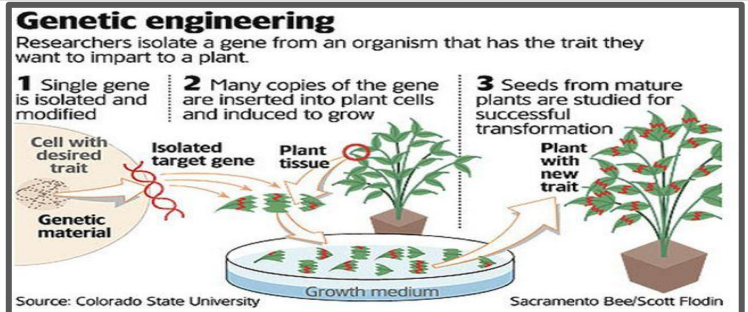


CONTEXT: Progress on this front, though the matter is sub judice.

- Crops using GM organisms
- WHO – genetic material altered in a way that does not occur naturally by mating or natural recombination
- mutation, insertion, or deletion of genes
- **BT Cotton**
 - <1% in 2002-03
 - Bt toxins insecticidal to the larvae of moths, bollworms
 - Yield
 - Cost – seed vs insecticide
 - Whitefly attack
- **BT Brinjal**
 - resistance to Brinjal Fruit & Shoot Borer
 - GEAC cleared in 2009
 - Moratorium on commercial use
- **DMH-11 mustard**
 - GEAC reco, approval by MoEFCC 2022 but status quo by SC

Issues

- Health Risk – gene transfer
- Decline in yield
- Monopolistic Patent Laws
- Resistance developed by Pathogens
- Allergenicity
- Cross pollination – unintended
- Biodiversity Concerns – susceptibility of non target organisms
- GEAC approval – composition/data
- Public Perception
- Labeling not mandatory
- Illegal cultivation – BT brinjal, HT cotton in Maharashtra
- GMO in already in food chain
 - cotton seed oil
 - Soybean oil



Gene Campaign vs. UoI, 2024

- National Policy on GM crops – after national consultation by MoEFCC
- Comply with Section 23 of FSSA, 2006 if GM food imported, Split verdict on GEAC approval for commercial release of DMH-11

Way Forward

- Biotechnology Regulatory Authority of India, Proactive & Neutral Patent Regime
- Transparent Consultation – scientists, civil society
- Implementation of
 - Cartagena Protocol on Biosafety to the CBD, 2003
 - Biological Diversity Act, 2002 – conservation, sustainable use, fair & equitable sharing.

MAINS PRACTISE QUESTION

Analyze the need for GM crops in India, discuss the associated issues such as ecological impact, health concerns, and socio-economic implications, and suggest a way forward for their regulated use.



SYLLABUS : GS Paper 2: Effect of Policies and Politics of Developed and Developing Countries on India's interests

Newspaper : The Hindu **Page Number :** 12

The Story

- Omar Al Bashir & Janjaweed militia
- 2011 - South Sudan seceded
- 2019 - Gen Burhan (SAF) & Gen Dagalo (RSF) - civilian military combine rule
- 2021 - military toppled
- Gen Burhan - transition to civilian rule, But Gen Dagalo - No merger of RSF with military
- Ceasefire 2023 - evacuations, Operation Kaveri

Powers at play

- Strategic location - Red Sea, access to the Nile River
- Gold reserves, agriculture potential
- USA - civilian transition
- Russia - not directly, but Wagner group militia, training RSF, want naval base in Port Sudan
- China - investments
- Egypt, KSA backing Burhan but UAE closer to RSF

India's Interests

- Civilisational Ties - Nile, IVC
- \$3bn investments
- Diaspora - Saurashtra community
- Influence near Horn of Africa
- Potential spillovers



Associated Press CAIRO

Sudan's military said on Friday it retook the Republican Palace in Khartoum, the last heavily guarded bastion of rival paramilitary forces in the capital, after nearly two years of fighting.

The seizure of the Republican Palace, surrounded by government ministries, represents a major symbolic victory for Sudan's military against the paramilitary Rapid Support Forces

(RSF). However, it likely does not mean the end of the war as the RSF holds territory in Sudan's western Darfur region and elsewhere.

Khaled al-Aiser, Sudan's Information Minister, said the military had retaken the palace in a post on X.

A politician associated with the RSF called it part of "the ups and downs" of history. The RSF later issued a statement claiming its forces "are still present of the vicinity of the area, fighting bravely".



SYLLABUS : GS Paper 2: Judiciary

Newspaper : The Indian Express **Page Number :** 12

- Section 16 of The Advocates Act, 1961 – power to HCs, SC to designate with his consent
- Advocates (Amendment) Act, 1973
 - ability, standing at the Bar
 - special knowledge or experience in law
- 10 years' standing as an Advocate or combined as a District & Sessions Judge or as a Judicial Member of any Tribunal
- 45 years – can be relaxed

Restrictions

- not appear without an AoR in the SC or without an advocate in any other court
- not accept instructions to draft pleadings or affidavits or to do any drafting work
- not accept directly from a client any brief or instructions to appear in any Court or Tribunal
- **Indira Jaising v. Supreme Court, 2017**
 - Permanent Selection Committee – points to each individual
 - Number of years of practise/experience
 - Judgments, legal formulations advances, pro-bono work, domain expertise, etc.
 - Publications
 - Personality displayed in the interview
- **Indira Jaising v. Supreme Court, 2023**
 - 1 point for each year of experience between 10–20 years
 - Open vote not secret ballot
 - Publications 5 points (earlier 20)
 - Young advocates a chance in exceptional circumstances

THE FULL court of the Supreme Court is learnt to have issued a showcase notice to Senior Advocate Rishi Malhotra, asking him to explain why his 'senior designation should not be withdrawn. Sources said the full court, which met earlier this week, had authorised the Supreme Court Secretary General to issue the showcase notice.

The decision comes in the wake of adverse observations made by a bench of Justices A S Oka and AG Masih in a case of premature release of convicts which was represented by the senior counsel.

The February 20, 2025, judgment noted that the counsel had made some "incorrect statements" and "suppressed" facts and tendered an unconditional apology for the same.

The judgment noted that the senior counsel "has accepted that he should have verified the facts stated in the SLP (Special Leave Petition) ...He has accepted that he was not diligent and has tendered an apology. He admitted that he has made factually incor-

ne has withdrawn the petitions.

"We make it clear that we are not recording any final finding against Rishi Malhotra, senior advocate, on the question whether his designation can be withdrawn. We leave it to the Chief Justice of India to take a call on this issue," the court said in its order.

Reached for comments, Malhotra said he had apologised for whatever happened before being designated a senior and also got those petitions withdrawn.

Malhotra was designated as a senior on August 14, 2024.

The court, in its order, said that the matter "raises an important question of whether the decisions of this court in the case of Indira Jaising-I and Indira Jaising-II, which lay down the guidelines for designation of senior advocates by this Court and High Courts across the country under the 1961 Act, need reconsideration".

"A serious introspection is required to answer the question of whether the rules framed in terms of the said decisions have ensured that only deserving advocates are being designated," the court said in the order.



New Surrender Policy for Maoists



SYLLABUS : GS Paper 3: Linkages between Development and Spread of Extremism
Newspaper : The Indian Express **Page Number :** 09

MHA Guidelines for surrender-cum-rehab of Naxalites

- **Eligibility**
 - Surrender with or without arms
 - Scrutiny by Screening cum Rehab Committee
- **Aid Given:**
 - Monthly stipend of Rs 2000 for up to 36 months
 - Rs 1.5 lakh fixed deposit for future use or self-employment
- **Weapon Incentives:**
 - Cash rewards for surrendered weapons/ammunition (e.g., Rs 15,000 for AK rifles, Rs 25,000 for sniper rifles)
 - Incentives deposited as fixed deposits for 3 years
- **Legal Support:**
 - Plea bargaining for minor offences
 - Free legal aid and fast-track courts for trials
- **Security Measures:**
 - Immediate protection for surrenderees
 - Safe storage of surrendered weapons
- **Screening Process:**
 - Verification by State-appointed committees and security forces
 - Decision on acceptance within 15 days of surrender

nounced a new 'Surrender and Rehabilitation Policy' for surrendered red rebels – provision of free food, shelter, cash, skills, land and a home.

Sharma said a district level committee was being set up to determine whether the person surrendering was indeed a Maoist.

"Once that is decided, for three years, shelter and food will be free for three years. They will receive ₹10,000/month, will undergo skill development and will get a land and home under the Prime Minister housing scheme. They will get extra benefits for bringing a weapon and they will also get the bounty amount they have on their arrest," he said.

For mass surrenders, the reward will be doubled. A gram panchayat that is declared "Maoist-free" will have

development projects worth ₹1 crore "immediately" sanctioned. "The village will get a mobile network, electric line and in the meantime solar light. This is being done to ensure mass surrenders," the home minister said. "There are also provisions for married couples and for their children."

Under the new rehabilitation policy, the state will sponsor the education of children who have lost parents to "Naxal violence".

"Those displaced due to Naxalism will get monetary aid and land," Sharma said.

Section 79 of IT Act

SYLLABUS : GS Paper 2: Governance

Newspaper : The Indian Express **Page Number :** 15

- Govt use of Section 79(3)(b) for content removal
- bypasses safeguards under Section 69A – governs content moderation
- **Shreya Singhal Case & Section 69A**
 - **Section 66A** (struck down in 2015) – unconstitutional for vague restrictions on free speech
 - **Section 69A** allows content blocking but safeguards:
 - Blocking must be “necessary” under Article 19(2)
 - Reasons must be recorded for judicial review
- **Section 79 & Safe Harbour**
 - exempts intermediaries (like X) from liability for third-party content
 - **Section 79(3)(b):** Intermediaries must remove content upon government notification or court order
 - **Shreya Singhal ruling:** Section 79(3)(b) applies only after court order or government notification under Article 19(2)
- **Govt’s use of Section 79(3)(b)**
 - MeitY directive (2023): Allowed blocking orders under Section 79(3)(b)
 - **Sahyog portal (2024):** Enables authorities to issue and upload blocking orders
- **X’s Legal Argument:**
 - Govt use of Section 79(3)(b) bypasses safeguards under Section 69A
 - Content censorship must follow Section 69A or court orders
 - Section 79 cannot be used to create an “unlawful blocking regime”
- **Grok AI Controversy:**
 - X’s AI chatbot Grok 3 criticized for Hindi slang and anti-govt responses
 - Raises questions on whether Section 79 applies to AI-generated content
 - Whether AI responses qualify as “third-party” content



Trump & a Weaker Dollar



SYLLABUS : GS Paper 2: Effect of Policies and Politics of Developed and Developing Countries on India's interests

Newspaper : The Indian Express **Page Number :** 15

- **Trump's Concerns:**

- Since 2017, claimed \$ is overvalued, blaming it for:
 - America's \$1 tn trade deficit
 - Manufacturing flight abroad
- US as a manufacturing superpower

- **Current Economic Context:**

- **Trade Deficit:** 4th consecutive year of trillion-dollar deficits
- **Unemployment:** Historically low
- **Goal:** boosting manufacturing, not jobs

- **Role of the Dollar's Strength:**

- **Strong Dollar:** High purchasing power – imports cheaper, discouraging domestic manufacturing
- **Global Trust:** \$ as a store of value and medium of exchange – 60% of global forex, 50% of transactions

Trump's Proposed Solutions:

- **Option 1: Punitive Tariffs:**

- Tax imports to reduce demand for foreign goods or force foreign companies to set up US operations
- **Risks:**
 - Higher costs for US consumers
 - Retaliatory tariffs and supply chain disruptions
 - Trade partners may devalue their currencies to counter tariffs

- **Option 2: Devalue the Dollar:**

- Encourage other countries to sell \$ & buy their own currencies

- **Historical Precedent: Plaza Accord (1985):**

- US, Japan, Germany, France, and UK coordinated to devalue \$
- **Outcome:**
 - Short-term success in reducing trade deficits
 - Long-term failure: Japan's economy stagnated as currency appreciation, speculative bubble – RE, stock

- **Challenges to a "Mar-a-Lago Accord":**

- **Global Complexity:** More countries involved today than in 1985
- **China Factor:** trade & military adversary
- **Scale of Adjustment:** Massive monetary readjustment required
- **Trump's Approach:** Bullying tactics may deter global cooperation

- **Potential Strategy:**

- **Escalate to De-escalate:** Use tariffs as leverage to force a dollar devaluation agreement
- **Uncertainty:** global leaders' willingness to accept economic pain for long-term trade stability



Q1. Consider the following statements regarding Genetically Modified (GM) crops in India :

1. BT Cotton has insecticidal properties that mainly target Pink bollworms.
2. BT Brinjal has been in commercial use since it was cleared by the Genetic Engineering Appraisal Committee (GEAC) in 2009.
3. DMH-11 Mustard was recommended for approval by the Ministry of Environment, Forest and Climate Change (MoEFCC) in 2022 but has faced a status quo by the Supreme Court.

Which of the statements given above are correct?

- a) 1 and 2 Only
- b) 1 and 3 Only
- c) 2 and 3 Only
- d) 1, 2 and 3

Answer: b

Q2. Which of the following countries shares their border with Sudan?

1. Egypt
2. Chad
3. Eritrea
4. Ethiopia

Select the correct answer using the codes given below.

- a) 1, 2 and 3 Only
- b) 1, 2 and 4 Only
- c) 2, 3 and 4 Only
- d) 1, 2, 3 and 4

Answer: d

Q3. Consider the following statements:

1. Section 16 of The Advocates Act, 1961 gives High Courts and the Supreme Court power to designate advocates without their consent.
2. The Advocates (Amendment) Act, of 1973 emphasises the ability and standing at the Bar for designation.
3. Special knowledge or experience in law is not considered while designating advocates under the Advocates (Amendment) Act, 1973.

How many of the statements given above is/are correct?

- a) Only One
- b) Only Two
- c) All Three
- d) None

Answer: a

Q4. Which of the following are the provisions under the MHA Guidelines for the surrender-cum-rehabilitation of Naxalites?

1. Naxalites can surrender with or without arms.
2. Surrender is subject to scrutiny by a Screening cum Rehabilitation Committee.
3. A monthly stipend of Rs 5000 is given for up to 36 months.
4. Rs 1.5 lakh is provided as a fixed deposit for future use or self-employment.

Select the correct answer using the codes given below.

- a) 1, 2 and 4 Only
- b) 1, 2 and 3 Only
- c) 2, 3 and 4 Only
- d) 1, 2, 3 and 4

Answer: a

Q5. Consider the following statements:

1. Section 66A of the IT Act was struck down in 2015 for imposing vague restrictions on free speech, making it unconstitutional.
2. Section 69A allows for content blocking, but only if it is "necessary" under Article 19(2) of the Constitution.
3. Reasons for blocking content under Section 69A must be recorded to ensure judicial review.

Which of the statements given above are correct?

- a) 1 and 2 Only
- b) 1 and 3 Only
- c) 2 and 3 Only
- d) 1, 2 and 3

Answer: d





VAJIRAM & RAVI

Institute for IAS Examination

A unit of Vajiram & Ravi IAS Study Centre LLP

9-B, Bada Bazar Marg, Old Rajinder Nagar,
New Delhi - 110060 • Ph.: 41007400, 41007500

New No. 62, P Block, 6th Avenue, Anna Nagar,
Chennai - 600040 • Ph.: 044-4330-2121

Visit us at : www.vajiramandravi.com