



THE HINDU



GS Paper 2-Governance

# SC stays Lokpal order on powers over HC judges

Special Bench terms top anti-corruption ombudsman's interpretation 'very disturbing' after it passed an order giving itself jurisdiction to investigate complaints against High Court judges

**Krishnadas Rajagopal**  
NEW DELHI

**T**he Supreme Court on Thursday stayed a Lokpal order bringing High Court judges under its jurisdiction, terming the top anti-corruption ombudsman's interpretation "very disturbing".

Taking *suo motu* cognisance of the January 27 Lokpal order, a Special

## Redefining jurisdiction

Lokpal's January 27 order defines the rules and conditions under which it will inquire into complaints against High Court judges

- SC judges are public servants under the Prevention of Corruption Act but are not public servants under the Lokpal Act

- The SC was 'established' by the Constitution. The HCs pre-existed the Constitution and are

- A judge of an HC established by an Act of Parliament will come within the ambit of expression 'any person' in Section 14(1)(f) of the Lokpal Act

- There is a precondition to consult the Chief Justice of India before initiating, under Section 20 of the Lokpal Act, a preliminary inquiry into

judges would never fall within the ambit of Lokpal.

The order of the Lokpal, chaired by a former Supreme Court judge, Justice A.M. Khanwilkar, was based on a complaint that an Additional High Court judge had influenced an Additional District Judge, and later another High Court judge, to decide in favour of a private company. It was alleged that the company had been a client



## KEY POINTS

- The Supreme Court stayed a Lokpal order that brought High Court judges under its jurisdiction, citing concerns over judicial independence. The Lokpal had argued that High Court judges were "public servants" under the 2013 Act, but the Supreme Court disagreed and issued a notice for further proceedings on March 18, 2025.







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## GS Paper 2-IR

### *The long and winding road of India-China relations*

**I**ndia's Foreign Secretary Vikram Misri was in China in January 2025, during which India and China made several announcements on the future of their bilateral relations. He met Wang Yi, who is China's Foreign Minister, the Director of the Office of Central Commission of Foreign Affairs and also a politburo member of the party, and also Liu Jianchao, Minister of the International Department of the Chinese Communist Party.

The Indian statement after this meeting indicated that the process of restoration of several aspects of bilateral relations including media and think tank exchanges, the Kailash Mansarovar Yatra, and bilateral flights is on the cards for the summer of 2025.

#### **Possible reasons**

India and China have attempted to move forward after more than four years of tense and stalemate-based relations since the clashes in Galwan in June 2020. Stalemates cannot be permanent. Both sides have made their points and moved to the détente. One can argue that there are several reasons for the timing of this bilateral agreement, the main being the election of Donald Trump, who is a known disruptor and unpredictable in his ways of doing business. The other is about economic concerns in China and in India in recent times.



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normalising relations with India, after the 1962 war, only in the backdrop of the backlash in the aftermath of the 1989 Tiananmen Square massacre. Again, China may have agreed to normalise its relations with India given that it had to brace for the Trump impact. Thus, there is both internal and external logic around the restoration of normalcy.

However, since we do not know whether patrolling rights have been/are fully restored or whether demobilisation is in its advanced stages, such an absence of communication on the part of the government raises doubts and questions needlessly.

#### **At the LAC**

The Government of India has maintained absolute silence on the status of de-escalation, demilitarisation and demobilisation of the fairly large number of troops. Troops were mobilised and deployed on the border, first during the tensions of May-June 2020, and then in even larger numbers in the aftermath of the June 15, 2020 clashes. These troops were on active duty or in newly created barracks close to the six points of tension along the border including in Galwan, Depsang Bulge, Charding Nala, Gogra Post and Hot Springs and on the north bank of the Pangong lake.

There is also no clarity whether the large

way. This in turn can only be established when patrolling rights have not only been agreed to but also exercised.

The briefing in October 2024, by the Foreign Secretary, prior to the 16th BRICS summit in Kazan in this respect, was already guarded. It only alluded to an agreement that would lead to the "process of disengagement and resolution of issues that emerged in 2020". A follow-up briefing on this issue would have been useful and necessary to make it clear that India had not given up on its position on the bilateral relations.

India's principled stand in dealing with China in the aftermath of the 2020 crisis has been that the stability on the border and the restoration of the status quo ante are the preconditions to progress in other aspects of bilateral relations. However, it was China that reiterated that India should move on from the clashes and not let the border standoff be a hindrance to the development of overall bilateral relations in the economic, political and social sectors.

#### **The need for clarity**

India's silence on the progress on the status of restoration of status quo ante makes it appear as though the Chinese position of "moving on" is succeeding and that India is abandoning its position of stability and restoration before there is progress on other aspects. It was always known



## KEY POINTS

- In January 2025, India and China discussed restoring bilateral relations, including media exchanges, the Kailash Mansarovar Yatra, and flights by summer 2025. This shift follows years of tensions since the 2020 Galwan clashes, with factors like the election of Donald Trump influencing the timing. However, there's uncertainty about the de-escalation and demilitarisation status along the Line of Actual Control (LAC),







THE HINDU



# GS Paper 3-Economy

## Is consumption enough to drive growth?

An economy's growth depends on two factors. One is the supply or the production of goods and services, and the other is the demand or expenditure for purchasing these goods and services. Among the sources of demand, investment stands out for its ability to create 'multiplier effects'. Consumption can only follow, not lead, growth.

### ECONOMIC NOTES

By Anand Joshi/Thomas

**A**n economy's growth is the result of two factors: supply or the production of goods and services, and demand or expenditure for purchasing these goods and services. On one side is the supply or the production of goods and services, and on the other side, there is demand or expenditure for purchasing these goods and services from the market. Both the supply and the demand have their own dynamics. If supply proceeds slower than demand, prices rise, leading to inflation. If demand lags behind, firms will be left with unsold inventories, which may lead to cuts in future production, jobs and income losses, and a vicious cycle of demand and growth slowdown.

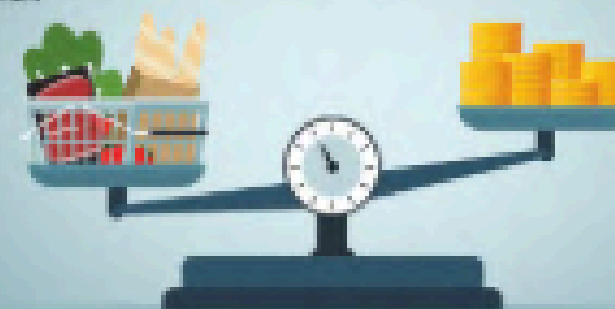
The demand or aggregate expenditure in an economy comes from four sources. First is private consumption, which is the sum of expenditure by all individuals on items such as food, clothing, and mobile phones. Second is private investment, which is the amount spent by firms and households on installing new machines and constructing new factories or residences. Third is government expenditure, for consumption and investment. The former refers to the money spent on day-to-day government operations, including paying salaries to officers, teachers, doctors and others employed in public institutions. Fourth is net exports or exports minus import of goods and services while engaging in trade with the rest of the world.

### Investment and its multipliers

Among the sources of demand, investment stands out for its ability to create 'multiplier effects'. That is, an increase in investment of ₹100 could increase the economy's overall demand

### Why investments increase growth

Compared to fixed capital, the multiplier effect of a dollar spent on increased consumption is much weaker. If incomes increase, consumer price expenditures also increase, but the relation does not work strongly enough in the reverse direction.



Investment is gross fixed capital formation by the private sector and the government combined.

### THE GIST

Consider, for instance, public investment in building a new highway network. The incomes received by workers and firms involved in the road construction project will generate fresh demand in the economy.

There has been a stagnation in the growth of investment by the public and private corporate sector in India. The only segment that has shown some vitality is household investment.

The government needs to step in with its investments, particularly in critical sectors, to boost private sector confidence and help spread the benefits of growth to the broader population.

Chart 1: Per capita income and investment rates in India and China

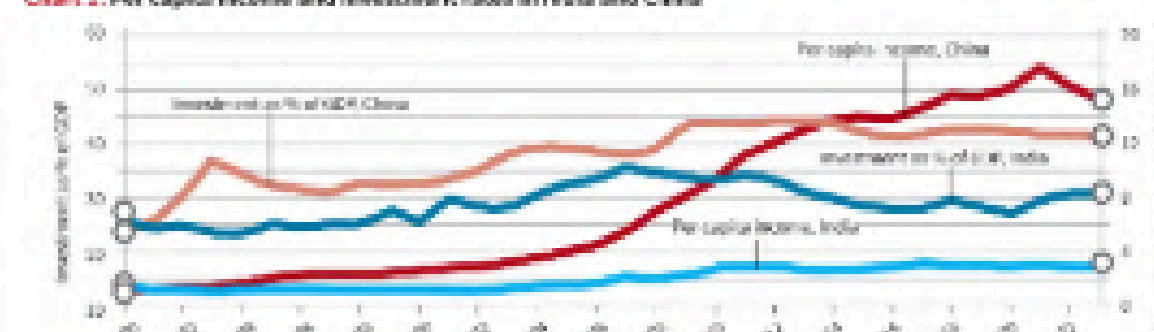


Chart 2: Investment as % of GDP in India by institutional sectors

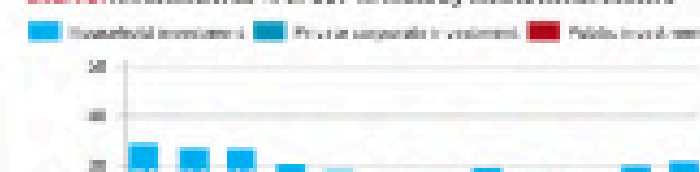


Table 1: Distribution (in %) of GDP by expenditure type: India and China, 2022

	India	China
Private consumption	60.3	59.1
Investment	30.8	41.2





## KEY POINTS

- Economic growth depends on both supply (production) and demand (expenditure). Investment has a strong multiplier effect, boosting GDP more than its initial value.
- China's higher investment rates have driven its faster growth compared to India, where growth has been consumption-driven and slower.







THE HINDU



## GS Paper 2-Governance

# Delhi Cabinet decides to implement Ayushman Bharat, table CAG reports

Asked about BJP's poll promise of giving aid for women, new CM said it was discussed at meeting, but more talks were required for taking a call on which categories of women would get benefit

The Hindu Bureau  
NEW DELHI

**D**elhi Chief Minister Rekha Gupta on Thursday said that the Cabinet had decided in its first meeting to implement the Ayushman Bharat Yojana, and also to table the 14 pending Comptroller and Auditor-General (CAG) reports in the Delhi Assembly.

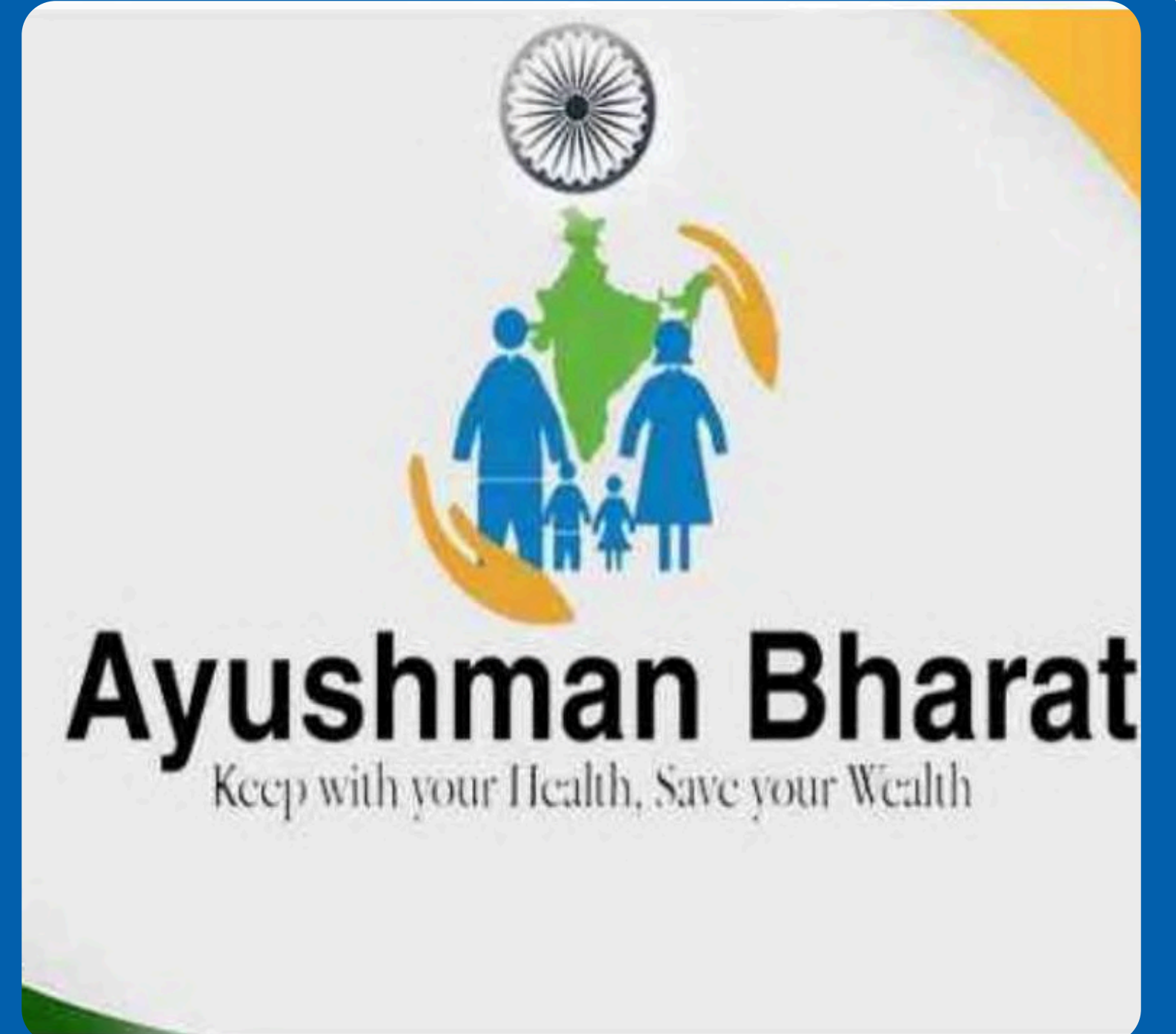
"Two main decisions have been taken. First, Ayushman Yojana, which was stalled by the earlier go-





## KEY POINTS

Chief Minister Rekha Gupta announced the implementation of the Ayushman Bharat Yojana in Delhi. This health coverage scheme, the world's largest publicly funded, provides up to ₹5 lakh per family per year for secondary and tertiary care hospitalisation.





## GS Paper 2-Governance

# Remission without application: What Supreme Court held, why

**AJOY SINHA KARPURAM**  
NEW DELHI, FEBRUARY 20

THE SUPREME Court on Tuesday directed states to consider the premature release of prisoners, even if they themselves do not apply for remission beforehand.

This marks a significant shift in the apex court's approach to the matter — in two separate decisions in 2013, the SC had held that states cannot remit sentences *suo motu* (of their own volition), and that a prisoner must first make an application.

A Bench of Justices Abhay S Oka and Ujjal Bhuyan has now reversed the court's previous stand in its judgment in *In Re: Policy Strategy for Grant of Bail*, a *suo motu* case instituted by the SC in 2021 to tackle issues regarding the overcrowding of prisons.

### What is the law on remission?

The power of remission refers to the


power to reduce the period of a sentence for a person who has been found guilty of a crime. Section 473 of the Bharatiya Nyaya Suraksha Sanhita, 2023 (BNSS), and Section 432 of the Code of Criminal Procedure, 1973 (CrPC) grant state governments the power to remit sentences "at any time".

States may, however, impose various conditions that a convict must meet for her sentence to be remitted, as well as conditions she has to further meet after remission (like periodically reporting to a police officer), failing to meet which their remission may be cancelled, and they may be re-arrested without warrant.

That said, there are certain restrictions on who may be granted remission. Section 475 of the BNSS (Section 433A of the CrPC) says that convicts serving a life sentence, who have been found guilty of an offence punishable by death, cannot be released until at least 14 years of serving the sentence.

To be sure, the power of remission with

### INDIA'S PRISON POPULATION

	4,36,266	Prison capacity
	5,73,220	No. of inmates

**131.4%** occupancy rate | **75.8%** undertrials

Source: NCRB, as of December 31, 2022

the states is separate from the power of the President and the Governor to remit sentences under Articles 72 and 161 of the Constitution respectively.

### What did the SC rule?

The BNSS and the CrPC mention that the remission process starts "whenever an application is made to the appropriate Government". The SC ruled that since most

states have specific policies prescribing eligibility conditions, an application is not strictly necessary.

This is in contrast to two SC decisions from 2013, in *Sangeet and Anr. v State of Haryana* and *Mohinder Singh v State of Punjab*. In both cases, the court had held that the power of remission under Section 432 of the CrPC "cannot be *suo motu*". It had explained in *Sangeet* that Section 432 is "only an enabling provision" — meaning that it only enables the government to "override" a judicial decision by remitting a sentence, which can be set into motion "only through an application for remission by the convict or on his behalf".

However, the court on Tuesday noted that prison manuals in several states require the prison superintendent to initiate proceedings for the grant of remission. Further, it stated that the court in *Sangeet* and *Mohinder Singh* "did not consider a scenario where a policy was framed by the appropriate Government for grant of premature release

or grant of remission".

One of the reasons the court in *Sangeet* had laid down the requirement for an application was that it eliminates the "discretionary" or en masse release of convicts on 'festive' occasions". But when there is a remission policy in place that provides specific eligibility criteria, problems will arise if states do not exercise discretion, the Bench held on Tuesday, saying that states have an obligation "to consider cases of every eligible convict". Failing to do so, the court said, would be "discriminatory and arbitrary", and thus violative of the right to equality under Article 14 of the Constitution.

### What other directions did the court issue?

The SC directed every state to create an "exhaustive" policy for remission within two months, if one is not already in place. It also issued guidelines to build upon the its decision in *Mafabhai Motibhai Sagar v State of Gujarat* (2024). In this case, the SC

had held that eligibility conditions must be "reasonable".

The apex court held that conditions must account for various factors including the motive of the crime, criminal background and public safety;

■ aim to ensure the criminal is rehabilitated and "the criminal tendencies, if any, of the convict remains in check";

■ cannot be so "oppressive and stringent" that the convict cannot take advantage of the remission; and

■ be capable of being performed.

In *Mafabhai*, the court had also clarified that remission cannot be cancelled in every case where conditions are breached. "A minor or a trifling breach cannot be a ground to cancel remission", the court had held.

Relying on this judgment, the Bench of Justices Oka and Bhuyan held that a notice must be sent to the convict containing reasons for cancellation of remission, and the convict must be allowed to file a reply before the state makes its final decision.

**EXPLAINED  
LAW**



## KEY POINTS

1. The Supreme Court ruled that governments must consider premature release for eligible convicts without waiting for an application. States must review remission cases automatically and create a policy within two months. Remission conditions must be reasonable, and it cannot be revoked without a hearing.







# PRESS INFORMATION BUREAU

## GOVERNMENT OF INDIA



# GS Paper 2-Governance

Ministry of Corporate Affairs



Prime Minister Internship scheme (PMIS) once again open for applications with the launch of Round 2 of Pilot Phase

Posted On: 20 FEB 2025 1:44PM by PIB Delhi



## KEY POINTS

- The Prime Minister Internship Scheme (PMIS) Round 2 offers 1 lakh+ internships across 730+ districts in India, targeting youth aged 21-24 not enrolled in full-time education or employment. Over 300 top companies in various sectors provide paid internships with ₹5,000 monthly support and ₹6,000 one-time assistance. Eligible applicants can apply for up to 3 internships.







## GS Paper 2-IR

### Union Minister Gajendra Singh Shekhawat Inaugurates SWARBICA Meeting In New Delhi





## KEY POINTS

1. Union Culture Minister Gajendra Singh Shekhawat inaugurated the second SWARBICA meeting in India, emphasizing archive digitalization and encouraging participating countries, including Sri Lanka, Bangladesh, Nepal, and Bhutan, to share heritage insights. The two-day meeting focuses on enhancing regional cooperation through archives.

