

EDITORIAL –

Complexities prevail in merit, seniority system for selection of judges

It is widely known that consultation and concurrence became casualties under the pre-collegium system especially in the 1970s and 1980s. Supersession became an instrument. Human Resource departments of most organisations had to decide on merit and a department that equates grey hair with merit will be described as lazy. But since supersession can be subjective, seniority becomes the path of least resistance and is the bane of most organisations. We are referring to the convention of the senior-most judge becoming CJI. Unless one uses creative construction to make the Constitution more malleable than necessary, the collegium doesn't belong. More importantly, all is not well with the collegium. In 2009 the Law Commission submitted in its 230th report: "The above recommendation for the need for an urgent and immediate review of the present procedure for appointment of judges is further fortified by his forth-right views expressed by Shri Justice JS Verma, a former CJI, who had written the lead judgment in the 2nd judges' case."

What was the former CJI's view? "My judgment says the appointment process of HC and SC judges is basically a joint or participatory exercise between executive and judiciary, both taking part in it." According to him, legal acumen is best gauged by judiciary, non-legal antecedents by executive. In 2002 a National Commission to review the working of the Constitution proposed "the composition of the collegium which gives due importance to and provides for the effective participation of both the executive and the judicial wings of the state

as an integrated scheme for the machinery for appointment of judges", and recommended the establishment of a National Judicial Commission under the Constitution. The collegium versus National Judicial Commission is. No one should argue NJAC was drafted well. Take the definition of "eminent person". Take imprecise phrases like "considered fit". Take composition of NJAC itself. Take placing regulations before Parliament. The collegium needs to give. It is not superior to pre-collegium days. What SC struck down in 2015 was a specific form NJC took, that of NJAC. With better form and content, NJAC might not have been struck down. On such a serious matter, in hindsight, it is a bit surprising that NJAC was legislated, with f its deficiencies. In hindsight, it is also a bit surprising that SC didn't ask for a better version of NJC to be drafted, though, in fairness, the petition was about NJAC. In this polarisation between executive and judiciary, with even legislature dragged in, we are moving away from core questions. We need a better method of appointing (and transferring) HC and SC judges. The warts are too evident.

If names are to be rejected based upon unsubstantiated intelligence inputs and SC has no mechanism of verifying their veracity, then many I will stand condemned without being heard. That will be gross injustice to any person who aspires to become a judge of the higher judiciary. When the intelligence inputs to reject the names of Somasekhar Sundaresan, R John Sathyan and Saurabh Kirpal on rank political grounds were given by Gol, SC collegium did a yeoman

service rejecting them and also putting it out in the website. The court emphasised the basic principle in the matter of public employment and stated: "All citizens have the right to free speech and expression under Article 19(1)(a) of the Constitution. Expression of views by a candidate does not disentitle him to hold a constitutional office so long as the person proposed for judgeship is a person of competence, merit and integrity." This echoes the view of Justice Chinnappa Reddy who said: "Politics is no crime. Does it mean that only True Believers in the political faith of the party in power for the time being are entitled to public employment?" He added that 'McCarthyism' has no place under the Indian Constitution. Articles 124 and 217 of the Constitution explain how judges of the Supreme Court (including the Chief Justice of India) and the high courts are to be appointed. There are minor differences between the two Articles. But both require consultation between executive and judiciary. What does the country want? (1) The fight person should be appointed. (2) The wrong person shouldn't be appointed. (3) was instrumental in filing a public interest litigation in his own name challenging the publication of photographs of Muslim women in electoral rolls. That case was dismissed by a division bench of the Madras HC, but prominently reported. The name of that petitioner was similar to the advocate whose name was recommended for judgeship. It was enough for an inaccurate IB report, derailing the chance of a lawyer recommended for judgeship.

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Spring Festival to begin in park Sector-5 on March 4-5



Commissioner News Service

PANCHKULA : The Haryana Shehri Vikas Pradhikaran (HSVP) is organising this festival on a large scale this time as more than 1,500 schools, institutions and organisations would be participating in the event. Interested persons can register themselves by 5 pm on March 4. Booking of stalls will be on first come, first served basis. After three years of forced break due to the pandemic, two-day Spring Festival is all set to be back with a bang at the Town Park in Sector 5 here from March 4.

Haryana Chief Secretary Sanjeev Kaushal will inaugurate the event, while Haryana Assembly Speaker Gian Chand Gupta will preside over the closing ceremony. He will give away prizes to winners of various competitions, including flower arrangement,

Rangoli and healthy baby show. Nidhi Bhardwaj, Executive Engineer, Horticulture, HSVP, said two contests were being introduced this year — fruit and vegetable carving and flower jewellery. She said anybody could participate in the fruit and vegetable carving contest, while only women were eligible for the floral jewellery contest. The HSVP is also trying to introduce chopper rides in the spring festival this time. Expression of interest has been invited from aviation companies to provide joy rides. Applications will be received till 4 pm on February 20. The expression of interest will be opened on February 23 at 11 am in the presence of representatives of the companies.

10 held for helping candidates in online examination for jobs

Commissioner News Service

AMBALA : The Ambala police have arrested 10 persons in connection with the online cheating against envisaged job. The CIA-1 unit of the police busted a gang allegedly involved in helping candidates cheat in a PGT online exam for jobs at Kendriya Vidyalaya Sangathan.

The arrested culprits have been identified as Nitesh Kumar, Kuldeep, Manjeet Singh, Vinod Singh, Harish, Surrender, Dheeraj, Anil Malik, Vikas and Ram Avtar. They were produced before a court on Sunday, which sent them in five-day police remand. The police have recovered 20 CPUs, 12 laptops and 13 mobile phones from their possession. As per information, the Ambala police got information that the online exam was being conducted



on Saturday at a private institute on the Hisar road. The suspects had taken money from candidates and helping them solve the questions with the help of a software using remote access. Ambala SP Jashandeep Singh Randhawa said, "Following the tip-off, a joint team of CIA-1 and the women police station was constituted and the examination centre was raided. Ten persons were nabbed during the raid."

3 STPs to be upgraded by Apr 30, Chandigarh Adviser assures Smart City

Commissioner News Service

CHANDIGARH : Speaking about the upgradation projects, Dharam Pal, the advisor to administrator said "Once the STPs are upgraded, these will be compliant with NGT norms of less than 10 biochemical oxygen demand (BOD). One plant at Maloya is already compliant and two other plants at Dhanas and 3 BRD have been upgraded and are under stabilisation," he said. Taking up the matter of liquid waste management seriously, UT Adviser Dharam Pal visited 5 Sewage Treatment Plants (STPs) of the Municipal Corporation at Raipur Kalan, Raipur Khurd, Diggian, 3 BRD and Dhanas. Taking a serious view of the delay in the completion of three plants, the Adviser issued directions to Smart City



Chandigarh to ensure that the upgrade work was completed by April 30, failing which the contractor would be heavily penalised. For the upgraded STPs, he directed that flow meters were set up at the inflow and outflow points. He also directed that a detailed plan be prepared for proper utilisation of tertiary treated water being produced. All STPs are being upgraded through Smart City Mission funds and would be handed over to the MC for operation and maintenance. With the completion of these projects, about 50

MGD of tertiary treated water would be produced. It would be used to water all 1,800 parks and gardens of Chandigarh as well as for industrial purposes. This would not only enhance the sewerage treatment capacity of the city, but also reduce the reliance on groundwater.

Nitin Yadav, Secretary, Local Government; Anindita Mitra, MC Commissioner; Aarul Rajan, member secretary, CPCC; and NP Sharma, Chief Engineer, MC; were also present.

MC funds misused by Jalalabad Council chief, removed from post

Commissioner News Service

FAZILKA : It was alleged that President, Vikas Deep Chaudhary, the Municipal Council (MC) Jalalabad had got a private street constructed leading from the Parmod to Arniwala road from the MC funds for "personal gains". Besides, the president got council vehicles refuelled from his own petrol pump. Chaudhary, owing allegiance to the Congress, has been removed from the post over the allegations of embezzlement levelled by the local AAP MLA, Jagdeep Goldy Kamboj. Kamboj had shot a letter to Chief Minister Bhagwant



Mann on June 2, 2022, highlighting the irregularities during the Chaudhary's tenure and sought an inquiry into the matter. The Department of Local Government handed over the inquiry to the Chief Vigilance Officer, who submitted in his report, that the MC funds were

misutilised by Chaudhary while abusing his powers for personal gains and recommended his removal from the president's post. During the inquiry, Vikas Deep Chaudhary had denied the allegations, but the Vigilance Department refused to accept his explanation.

Ram Goyal

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Palm resorts' owner booked against loud music

Commissioner News Service

MOHALI : "Strict action will be taken against marriage palace owners found flouting rules and playing music beyond the permissible time limit. Residents are complaining about the growing nuisance by marriage palaces near the residential societies" said Zirakpur DSP Bikramjit Singh Brar.

Now the owner and the manager of a marriage palace have been booked for playing loud music beyond permissible limit and time on the Chandigarh-Ambala road here. On a complaint of ASI Gurcharan Singh, a case



under Section 188 of the IPC and relevant sections of the Noise Pollution (Regulation and Control) Rules, 2000, has been registered against Palm Resorts Marriage Palace owner Sumit Passi and the palace manager. Several parts of Zirakpur, including Shimla road, Peer Muchalla, Patiala road and Chandigarh-Ambala road, are dotted with marriage palaces, farm houses and

hotels, which are abuzz with activity during the wedding season. "This is examination time and marriage palaces play loud music till late at night. Most of them do not have their designated parking lots. As a result, vehicles are parked in residential areas and on roadsides," said Bhupinder Bhandari, a resident of VIP Road.

80 ecofriendly electric buses to join Chandigarh fleet



Commissioner News Service

CHANDIGARH : In order to replace existing diesel buses, the procurement of the buses will give a major boost by 2027-28 to the plan of the UT Administration. In order to provide eco-friendly and green transportation in the city, the UT Transport Department has planned to procure 80 more electric buses to add to the existing fleet of 80 such buses this year. Director Pradhuman Singh said they had demanded funds for the procurement of more electric buses. After the allocation of the funds, tenders would be floated, and the process was likely to be completed by September this year, he added.

The second lot of 40 intra-city electric buses was put on commercial operations in November last year after an agreement was signed with M/s Volvo Eicher. The Department of Heavy Industries, under the

Ministry of Heavy Industries and Public Enterprises, Government of India, had sanctioned 80 electric buses for the UT under the Phase-II FAME India Scheme. The first lot of 40 buses has been in use since November, 2021.

Under the contract, M/s Volvo Eicher has been running the buses at the rate of Rs 44.99 per km, which is cheaper by Rs 15 per km in comparison to the work allotted earlier for the 40 buses in the first phase. Earlier, the contract to run 40 electric buses was allotted to Ashok Leyland at the rate of Rs 60 per km. After being charged, a bus will be able to cover a distance of nearly 130 km. It will take nearly two or two and a half hours to fully charge a bus. Each bus has a seating capacity of 36 people and a maximum of 54 people will be able to travel at a time, and it will run 200-300 km a day.

GMADA to transfer funds to MC for scientific disposal of garbage - Aman Arora

Commissioner News Service
MOHALI : GMADA has no scientific management system for collection and disposal of waste, leading to the MC performing poorly in the "Swachh Survekshan" rankings. The issue was raised by Navjot Kaur MC commissioner during a review meeting chaired by Aman Arora, Minister of housing and urban development. Mr Arora has directed the authority to transfer funds to the municipal corporation (MC) to carry out the work. The Commissioner said, "Sectors under the Gmada are not being cleaned for garbage. The MC is short of



funds to clean sectors not under its jurisdiction, but the Gmada has not transferred any funds to clean the garbage." The commissioner added Mohali generates 80 tonne of garbage daily out of which 50 tonne reaches a dumping site, whereas the

rest of the wet garbage is processed at 16 composting pits of the civic body. Around 300 lakh tonnes of garbage is still lying at the garbage dumping ground in Phase VIII, Industrial Area, though the MC has claimed that 50,000-tonne garbage has already been processed.

Chd Admn orders no conversion of commercial properties into freehold

Commissioner News Service
CHANDIGARH : The UT administration has overlooked the petition of Chandigarh Housing Board for allowing conversion of its commercial leasehold properties to freehold. "The decision is also indicative of the administration's stand on the longstanding demand of the city's business houses and industrial associations for allowing conversion of the leasehold commercial and industrial plots to freehold," said an UT official. There is no policy under which conversion can be allowed for the CHB's commercial properties. The CHB has been pursuing the anticipated deal of permission for more than a year, endorsed a letter to the Chandigarh Board. Even after slashing prices of its leasehold properties by 30%, there have been no takers for its commercial properties. There are around 100 such properties which are lying unsold even after repeated auction attempts by the CHB. These properties are worth crores of rupees. "Even though the administration



has denied the CHB to convert its leasehold commercial properties to freehold, the UT estate office has been holding auctions of its commercial and institutional properties on a freehold basis. Last October, the estate office earned Rs 30.84 crore from two nursing home sites," said an official on anonymity. One site had earned Rs 18.25 crore and the second fetched Rs 12.58 crore against reserve price of Rs 6.91 crore each. It was the first time that the estate office had offered nursing home sites on a free hold basis. Earlier attempts at selling these sites on the leasehold basis had attracted no buyers. It was in February last year, Banwarilal Purohit had decided to allow the auction

of all unsold residential, commercial, industrial and nursing home sites with its different agencies like UT estate office, municipal corporation and the CHB on a freehold basis.

The CHB wrote to the originator after its decision, seeking permission for its unsold properties. Getting no response from the administration, the CHB sent multiple reminders to it seeking a decision. The CHB must take the administration's approval and pay conversion charges as most of its properties were built on land given to it by the administration on a leasehold basis. The CHB had earlier even pledged to pay any conversion charges the administration imposes for conversion of its properties.

ICSE Class X exams to commence from Feb 27



Commissioner News Service
NEW DELHI : The Indian Certificate of Secondary Education (ICSE) class X exams will begin from February 27 and end on March 29. While the Indian School Certificate (ISC) class XII exams will begin on February 13 and end on March 31. The board had added the 2023 results will be announced in the month of May through the convenors to the head of schools. In the last few years the board examination could not

be held or was delayed due to Co- vid. Now with datasheets announced by one of the national board, the schedule is back to the pre-Covid times. The Central Board of Secondary Education (CBSE) is yet to announce the results. The ISC examination will begin with English paper I. For the ICSE students as well, the first exam scheduled is English language paper 1. The notice issued by Gerry Arathoon, chief executive and secretary of the board stated.

Resumption of Delhi stir on March 20, cautions SKM



Commissioner News Service
KURUKSHETRA : The SKM had postponed its December 11 meeting in 2022. Now we have a sound working plan to restart the agitation. We will ask the government to give us a protest site," said Yudhvir Singh Bharatiya Kisan Union (BKU) general secretary. About the pending demands, Yudhvir Singh said, "We want legal guarantee of MSP (minimum support price) for all crops to all the farmers, abolition of the Electricity Ordinance 2020, debt waiver, compensation to the

families of the farmers who died in our agitation, and cancellation of cases against protesters" The country's farmers will march to the national capital on March 20 to demand the acceptance of their pending demands from the Delhi agitation of December 2021. The Sanyukt Kisan Morcha (SKM) declared it on Thursday at its meeting here. SKM member Sunilam said the morcha's drafting committee had also framed a constitution of an umbrella farmer union that its 31 members will have to accept that.

SC rejects transfer of case from trial court

Commissioner News Service

MOHALI : Upholding the orders of the high court, the SC bench comprising Justice Aniruddha Bose and Justice Sudhanshu Dhulia observed that it did not find any reason to interfere with the order impugned in the petition. "The special leave petition is, accordingly, dismissed. Pending application(s), if any, shall stand disposed of," the court stated. The Supreme Court has dismissed a petition filed by Surinderpal Singh, alias Pehelwan, a former chief Greater Mohali Area Development Authority (GMADA) who has been engineer of the accused of a multi-crore scam. Pehelwan had challenged the Punjab and Haryana high court's decision of dismissing his petition for



transfer of his case from the trial court in Mohali. Pehelwan had earlier filed a petition in the high court to shift the trial from the court of Additional District and Session Judge, Mohali. In case the petitioner is aggrieved by any order passed by the trial court during proceedings of trial, which may be adverse to him, it shall be open to the petitioner to have recourse to other alternate efficacious remedies as may be available to him under law, the court had

observed. Pehelwan is also facing trial in a case registered by the Enforcement Directorate (ED) under money laundering charges against the former chief engineer of GMADA and others. Besides Pehalwan, ED had also named Gurinderpal Singh, Amit Garg, Gurmesh Singh Gill, Mohit Kumar and two firms - Onkar Builders and Contractors and Rajinder and Company as accused in the case.

Phase XI to witness removal of encroachment by MC & GMADA

Commissioner News Service

MOHALI : A drive would be launched to remove the encroachment by the joint teams of the municipal corporation (MC) and Greater Mohali Area Development Authority (GMADA) outside houses from Phase XI, said Amandeep Bansal GMADA chief administrator.

"As maximum encroachments by residents on government land are in Phase XI, we will start the drive from the area," said Bansal. Mr Aman Arora Minister of housing and urban development had recently directed the GMADA and the MC to jointly begin the drive. Around five years ago, the civic body had identified around 4,500 violators who had occupied government land illegally, but no



action has been taken. MC commissioner said, "I am not aware of any such survey. We are, however, aware there are encroachments, especially on green belts, outside houses." The MC said people had demolished boundary walls and extended their houses on to government land by converting the areas into a lawn and green belt, fenced the area, constructed staircases and erected pillars. "Extending the

main gate on MC land outside driveways to use it for parking also falls under encroachments," sources said. Both the GMADA and the MC had become active in removing encroachments from roadsides, corridors and other public places following a contempt notice from the Punjab and Haryana High Court for failing to comply with its orders to remove encroachments.

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Higher pension under Employees Pension Scheme, outlines EPFO

Commissioner News Service
NEW DELHI : A procedure to enable subscribers and their employers to jointly apply for higher pension under Employees' Pension Scheme (EPS) has been devised by retirement fund body EPFO on Monday.
Earlier in November 2022, the Supreme Court had upheld Employees Pension (Amendment) Scheme 2014. The EPS amendment of August 22, 2014, had raised the pensionable salary cap to Rs 15,000 a month from Rs 6,500 a month, and allowed members along with their employers to contribute 8.33 per cent of their actual salaries (if it exceeded the cap) towards the EPS.
In an office order, the Employees Provident Fund Organisation (EPFO) provided for dealing with the 'Joint Option Form' by field offices of the body.
"A facility will be provided for which URL (unique resource location) will be informed shortly. Once received, the regional PF Commissioner shall put adequate notice on the notice board and banners for wider public information" stipulated the EPFO.
It provided that each application will be registered, digitally logged and the receipt number will be provided to the applicant.
It further stated that the office



in-charge of the concerned regional provident fund office shall examine each case of joint option on higher salary and intimate the decision to the applicant through e-mail/post and later through SMS also. It also provided that any grievance by the applicant can be registered on EPFIGMS (grievance portal) after submission of his joint option form and payment of due contributions, if any. The order stated that these directions are being issued in compliance with the order of Supreme Court on November 4, 2022. EPFO has asked its field offices to provide an option for higher pension to eligible subscribers in accordance with the Supreme Court order. According to the EPFO circular on December 29, 2022, the Central Government has directed to implement the directions in the order. The apex court had given all EPS members, as on September 1, 2014, six months to opt for the amended scheme.

The apex court in its order gave four more months to eligible subscribers to opt for higher pension under EPS-95. The court had also struck down the requirement in the 2014 amendments mandating employee contribution of 1.16 per cent of the salary exceeding Rs 15,000 per month. This will facilitate the subscribers to contribute higher to the scheme and get enhanced benefits accordingly. The EPFO circular had also provided for the higher pension option for those eligible subscribers who either contributed on actual wages higher than Rs 5,000 or Rs 6,500 per month prevalent threshold pensionable salary or exercised their option for higher pension or their request for higher pension was declined by EPFO authorities before the amendment to EPS-95 in 2014. The eligible subscribers would have to apply jointly with their employer for the enhanced benefit in the application form prescribed by the commissioner and all other required documents like joint declaration etc. An EPFO trustee K E Raghunathan who is representing employers, appreciated the issuance of the circular, which details on implementation of SC judgment, in spite of complexity, financial burden, and need for simplified procedure.

PKL MC prepares for legacy waste disposal



Commissioner News Service
PANCHKULA : "We opened tender documents and out of the three valid tenders, the highest bid of Rs 677 per quintal has been received. Now, we will go for negotiations with the company, which will not only lift garbage from the Sector 23 dumping ground but will also process it and make manure out of it. The process will be done as a single unit," said Mayor Kulbhushan Goyal. Residents of Sector 23 will now get relief from the all-pervading stench. The MC opened tenders for allotment of work on Friday. Four companies bid for the tenders and three were found valid. The highest bid was for Rs 677 per quintal. The MC got 35% deficit bid for garbage disposal. Earlier, the civic body engaged a company for Rs 1,052 per quintal for garbage disposal but the project could not be implement-

ed. The mayor said that they were committed to get rid of piles of garbage from the Sector 23 dumping site, giving relief to residents of three sectors. Under the project, 2,000 to 3,000 tonnes of waste will be lifted daily. The dumping ground has about four lakh tonnes of garbage. The selected agency will have to dispose of the entire garbage in nine months to one year of allotment, said MC officials. For the last 18 years, people living across Ghaggar have been demanding shifting of the dumping ground site to some other place. Garbage collected from the city was earlier dumped here and later shifted to the Jhuriwala garbage dumping and processing ground. MC there also, faced protests from residents.

Acute nursing staff shortage paralyses, work efficiency

Commissioner News Service
CHANDIGARH : Since the Covid pandemic, nurses were being appointed on contract basis, and the contract being extended from time to time. However, nurses on contract moved court, due to which recruitment of nursing staff was halted.



"We could not start the intake due to a court case. The court order directed us to issue letters to newly recruited staff nurses," said Prof Jasbinder Kaur director-principal GMCH. In this shortage, various leaves like child care leaves, gazetted holidays, national holidays etc are being restricted and stopped. Nurses are silently bearing many types of problems. Extra night duties are being imposed without any compensatory leave or financial compensation. Nursing officers are being assigned double or more wards," said Dabkesh, an association member. About 182 posts will be

filled as per the court order but filling 323 newly-sanctioned posts will take another year. Out of 1,097 regular posts at GMCH-32, 570 posts of regular nursing employees have been filled. This implies that despite the Centre filling 323 nursing posts, not more than 50% have been filled. The GMCH Nursing Association has raised the issue with the director-principal of the medical college. Nurses in the medical college have written to the UT administrator and the central government multiple times about staff scarcity affecting their night duty hours and leaves.

"We have never stopped any staff from taking authorised leaves, including the child care leaves," said Dr Sudhir Garg. Medical Superintendent GMCH Members of the nursing staff, however, claim that due to manpower shortage, they have not had a single promotion or financial upgrade or relaxed night duty hours even as they nearing retirement age. "Nowadays, the situation is too critical to arrange leaves. Nurses are working in stressful, overburdened working environment and patient care is also being affected badly," association members wrote to the director-principal.

Modi Cult Makes India the 'Smother of Democracy'

Commissioner News Service
NEW DELHI : Enough has been said and written about the government's ongoing attacks on media, freedom and democracy but the latest offensive raises three noteworthy points. Within an hour of a raiding party from the Income Tax Office swooping down on the BBC's premises in Delhi and Mumbai, the ruling Bharatiya Janata Party launched a boorish attack on the British public broadcaster. Speaking in his official capacity as a national spokesperson of the BJP, Gaurav Bhatia described the BBC 'bhrasht, bakwas corporation' (corrupt, clap-trap corporation) and listed a short – though very ok over connecting the dots. As it is, only a fool or an apologist for the government will try and pretend the Income Tax authorities

just happened to stumble upon evidence of tax evasion by the BBC within a month of the documentary's telecast. Enough has been said and written about the Modi government's ongoing attacks on media freedom and democracy but the latest offensive raises three noteworthy points. Secondly, the tax raids are a reminder that while garden variety criticism may trigger retribution of some sort, questions about Modi's personal reputation will invariably lead to the heavy guns being deployed. The first part of the BBC's documentary was banned not because it insulted the Supreme Court (which it did not) but because it reminded the world about the shameful role the Great Leader played in 2002. Incidentally, since the BJP loves to say the Supreme



Court is the final word, this is what one of its benches said in 2004 about Modi's role as Gujarat chief minister when more than a thousand innocent people were killed on his watch: "The modern day "Neros" were looking elsewhere when the Best Bakery and innocent children and helpless women were burning, and were probably deliberating [over] how the perpetrators of the crime can be saved or protected... Law and justice become flies in the hands of these "wanton boys". When fences start to swallow the crops, no scope will be left for the survival of law and order or truth and justice. Public order as

well as public interest become martyrs and monuments." In 2022, the Supreme Court merely decided there was insufficient evidence to charge Modi with conspiracy – as Zakia Jafri had urged in her petition – and not that he had behaved honourably or honestly as chief minister in dealing with the anti-Muslim violence. The answer to that question the court had already provided in 2004 and is now an indelible part of India's political and judicial history – that Modi's priority was to protect the pogrom's perpetrators. Here's the smell of blood still. To paraphrase Lady Macbeth, "All the perfumes of the G20 will not sweeten this little hand." The BBC documentary reminded the world about the moral and political questions which still bedev-

il Modi not as an abstract history lesson but as a necessary backstory to the kind of anti-Muslim policies he has continued to pursue as PM. His government's first response was apoplexy and abuse. And now the tax raid. Nor is this the final word. Similarly, the opposition's references to Modi's nexus with controversial businessman Gautam Adani in parliament were expunged from the official record and BJP leaders telephoned editors at night to demand that media reports of the debate also expunge Modi's name. Many complied. Those who didn't are probably bracing themselves for the consequences. Now that press freedom has become a prisoner to the demands of the Modi cult, we are truly in free-fall.

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Haryana Roadways : 0172-2704014,

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