



CJI on CBI

For Prelims: Chief Justice of India (CJI), Central Bureau of Investigation (CBI), Delhi Special Police Establishment Act, 1946, Enforcement Directorate, Central Vigilance Commission and Lokpal.

For Mains: Associated Challenges With CBI, Improving Law Enforcement, Police Reforms.

Why in News?

Recently, [Chief Justice of India \(CJI\) N.V. Ramana](#) said that the [Central Bureau of Investigation \(CBI\)](#) has come under deep public scrutiny. Its actions and inactions have raised questions regarding its credibility.

- In pursuit of **reforming law enforcement agencies**, the CJI has proposed an **umbrella, independent and autonomous investigative agency**.

What is the Central Bureau of Investigation (CBI)?

- The CBI was set up in **1963 by a resolution of the Ministry of Home Affairs**.
 - Now, the CBI comes under the administrative control of the **Department of Personnel and Training (DoPT) of the Ministry of Personnel, Public Grievances and Pensions**.
- CBI derives power to investigate from the [Delhi Special Police Establishment Act, 1946](#).
- The establishment of the CBI was recommended by the **Santhanam Committee on Prevention of Corruption (1962-1964)**.
- The CBI is the main investigating agency of the Central Government.
 - It also provides assistance to the [Central Vigilance Commission](#) and [Lokpal](#).
 - It is also the nodal police agency in India which coordinates investigations on behalf of [Interpol Member countries](#).

What are Associated Challenges With CBI?

- **Political Interference:** The Supreme Court of India has criticised the CBI by calling it a "**caged parrot speaking in its master's voice**", due to excessive political interference in its functioning.
 - It has often been used by the government of the day to cover up wrongdoing, keep coalition allies in line and political opponents at bay.
- **Overlapping Agencies:** A single incident these days gets **investigated by multiple agencies**, often leading to **dilution of evidence, contradiction in depositions, prolonged incarceration of innocents**.
- **Acute shortage of personnel:** A major cause of the shortfall is the government's sheer mismanagement of CBI's workforce, through a system of inefficient, and inexplicably biased, recruitment policies - used to bring in favoured officers, possibly to the detriment of the organisation.
- **Limited Powers:** The powers and jurisdiction of members of the [CBI for investigation are subject to the consent of the State Government](#), thus limiting the extent of investigation by CBI.

- **Restricted Access:** Prior approval of Central Government to conduct inquiry or investigation on the employees of the Central Government, of the **level of Joint Secretary and above is a big obstacle** in combating corruption at higher levels of bureaucracy.

How Law Enforcement Can be Improved?

- **Creation of Independent Umbrella Institution:** CJI proposed to bring various central agencies like the CBI, [Enforcement Directorate](#) and the [Serious Fraud Investigation Office](#) under one roof.
 - This organisation should be headed by an independent and impartial authority, appointed by a committee akin to the one which [appointed the CBI Director](#).
 - The CJI said one additional in-built safeguard is to have separate and **autonomous wings for prosecution and investigation**, to ensure total independence.
 - A reasonable check and balance would be a provision in the proposed law for **annual audit of the institution's performance** by the appointing committee.
- **Harmonious Relationship between the States and Centre:** With the **police and public order under the State list**, and the burden of investigation is primarily on the State police.
 - The State agencies must be equipped to deal with **increasing challenges in the field of investigation**.
 - The proposed Central law for the umbrella investigative body, **can be suitably replicated by the States**.
- **Bringing Gender Parity:** There was a need for adequate representation of women in the criminal justice system.
- **Bringing Social Legitimacy:** The need of the hour is to reclaim social legitimacy and public trust and the first step to gain the same is to break the nexus with the political executive.
- **Criminal Justice System Reforms:** There is need to implement long overdue [Police Reforms](#) and [dealing with huge pendency of cases](#).

[Source: TH](#)

Demand for Restoring the Old Pension Scheme

For Prelims: New Pension Scheme, Old Pension Scheme, PFRDA.

For Mains: Issues with Govt Policies and Interventions.

Why in News?

Many **states are demanding to restore the Old Pension Scheme and roll back the [National Pension System \(NPS\)](#).**

- Rajasthan has said it will bring back the old pension scheme in the state from the next financial year, and Chhattisgarh is expected to follow suit.
- Governments of Kerala, Andhra Pradesh, and Assam have also formed committees regarding the old pension scheme.

What is the National Pension System?

- **About:**
 - The Central Government **introduced the National Pension System (NPS) with effect**

from January 2004 (except for armed forces).

- In 2018-19, to streamline the NPS and make it more attractive, the Union Cabinet approved **changes in the scheme** to benefit central government employees covered under NPS.
 - The NPS was launched as **a way for the government to get rid of pension liabilities**.
 - According to a news report that cited research from the early 2000s, India's pension debt was reaching uncontrollable levels.
 - On introduction of NPS, the **Central Civil Services (Pension) Rules, 1972 was amended**.
 - The NPS **allows subscribers (government employees) to decide where they want to invest their money by contributing regularly in a pension account** throughout their career.
 - After retirement they can withdraw a part of the pension amount in a lump sum and use the rest to buy an annuity for a regular income.
- **Implementation:**
- NPS is **being implemented and regulated by PFRDA (Pension Fund Regulatory and Development Authority) in the country**.
 - **National Pension System Trust (NPST)** established by PFRDA is the registered owner of all assets under NPS.
- **Features:**
- The All Citizens Model of the NPS **allows all citizens of India (including NRIs) aged between 18 - 70 years to join NPS**.
 - It is a **participatory scheme**, where employees contribute to their pension corpus from their salaries, with matching contributions from the government. The **funds are then invested in earmarked investment schemes** through Pension Fund Managers.
 - In 2019, the Finance Ministry said that Central government employees have the option of selecting the Pension Funds (PFs) and Investment Pattern.
 - At retirement, they **can withdraw 60% of the corpus, which is tax-free** and the **remaining 40% is invested in annuities, which is taxed**.
 - Even **private individuals can opt for the scheme**.

What is the Old Pension Scheme or the Defined Pension Benefit Schemes?

- **About:**
- The scheme **assures life-long income, post-retirement**.
 - Usually the assured amount is **equivalent to 50% of the last drawn salary**.
 - The **Government bears the expenditure** incurred on the pension. The scheme was **discontinued in 2004**.
- **Issues:**
- Economists say the issue is simple -- **longer lifespans meaning more pension payout**.
 - For instance, employees retiring at 60 and having an average lifespan of nearly 80 years or more have to be paid for over two decades after superannuation.
 - Moreover, in the event of the death of the pensioner, **their spouses are entitled for a portion of the pension under the OPS**. This led to a massive pension burden on the Union and state governments.

What are the Issues with the National Pension System?

- **Under the old scheme, employees get a pension under a pre-determined formula** which is half of the last drawn salary. They also **get the benefit of the revision of Dearness Relief (DR), twice a year**. The **payout is fixed and there was no deduction from the salary**. Moreover, under the OPS, there was the **provision of the General Provident Fund (GPF)**.
- The NPS however, **requires employees to deposit 10% of the basic pay, along with the dearness allowance**. There is **no GPF advantage and the amount of pension is not fixed**. The **major issue with the scheme is that it is market-linked** and return-based. In simple terms, the payout is uncertain.

What is the Pension Fund Regulatory and Development Authority?

▪ **About:**

- It is the **statutory Authority** established by an enactment of the Parliament, to regulate, promote and ensure orderly growth of the National Pension System (NPS).
- It works under the Department of Financial Services **under the Ministry of Finance.**

▪ **Functions:**

- It performs the function of appointing various intermediate agencies like Pension Fund Managers, Central Record Keeping Agency (CRA) etc.
- It develops, promotes and regulates the pension industry under the NPS and also administers the [APY \(Atal Pension Yojana\)](#).

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Who among the following can join the National Pension System (NPS)? (2017)

(a) Resident Indian citizens only

(b) Persons of age from 21 to 55 only

(c) All State Government employees joining the services after the date of notification by the respective State Governments

(d) All Central Government employees including those of Armed Forces joining the services on or after 1st April, 2004

Ans (c)

[Source: TH](#)

Resolution on Chandigarh

For Prelims: Resolution on Chandigarh, Punjab Reorganisation Act, 1966, Anandpur Sahib Resolution of 1973, Rajiv-Longowal Accord, Union Territories, Article 3 of Indian Constitution.

For Mains: Control of Centre Government over Union Territories, Federalism, Centre-State Relations.

Why in News?

Recently, the Punjab chief minister moved a **resolution in the Assembly, seeking the immediate transfer of Chandigarh to Punjab.**

- The longstanding **dispute between Punjab and Haryana over Chandigarh** flared up after the Centre notified **Central Service Rules for employees** in the Union Territory instead of the **Punjab Service Rules.**
- Punjab was reorganised through the **Punjab Reorganisation Act, 1966**, wherein, the state of

Punjab was reorganised into the **state of Haryana, Union Territory of Chandigarh (also joint capital of Punjab & Haryana)**, and some parts of Punjab were given to the then Union Territory of Himachal Pradesh.

When and how did Chandigarh become the capital of Punjab?

- **After the Partition of India**, the Indian Government wanted a **modern city to replace Lahore as Punjab's capital**, and the **idea of Chandigarh was conceived**.
- In 1966, the state was **divided into Punjab and Haryana** with some parts coming under **Himachal Pradesh**.
 - Until Haryana was born, **Chandigarh remained the capital of Punjab**.
- During the reorganisation of Punjab, the Centre Government announced that **Haryana would get its own capital**.
 - In 1970, the Centre announced that **"the capital project area of Chandigarh should, as a whole, go to Punjab"**.
 - Haryana was told to use the office and residential accommodation in Chandigarh **for five years** until it built its own capital.
 - However, Chandigarh remained a Union Territory, as **Haryana didn't build a capital of its own**.
- According to the **Capital of Punjab (Development and Regulation) Act, 1952**, the properties in Chandigarh were to be **divided in a 60:40 ratio in favour of Punjab**.

What claims on Chandigarh were made subsequently?

- **In August 1982**, the Akali Dal (political party), having expressed dissatisfaction over the Punjab Reorganisation Act, **launched the protests** with the object of **realising the goals of the Anandpur Sahib Resolution of 1973**.
 - Anandpur Sahib Resolution adopted in 1973 by Akali Dal demanded that the Centre's jurisdiction should be restricted **only to defence, foreign affairs, communications, and currency** and the entire residuary powers should be vested in the states.
 - Amongst other demands, **it asked for Chandigarh to be given to Punjab**.
- In 1985, the **Rajiv-Longowal Accord** was signed between then Prime Minister Rajiv Gandhi and Akali leader Harchand Singh Longowal.
 - Among other things, the Centre agreed to give Chandigarh to Punjab, and **26th January 1986 was fixed as the date for the actual transfer**.
 - However, less than a month after the signing of the accord, **Longowal was assassinated by militants**.

What are Union Territories and How are they Carved out of states?

- Union Territories (UT) are **governed directly by the Union**.
- **Part VIII of the Constitution** is concerned with the administration of the Union Territories.
- The President of India appoints an **administrator or Lieutenant Governor for each UT**. In practice, this means that the **Union Territories follow the central government's will**.
- The concept of Union Territories was not in the **original version of the Constitution but was added by the Constitution (Seventh Amendment) Act, 1956**.
- There are differences in the governing of UTs depending upon **whether they have a legislative assembly or not**.
 - The smaller ones are governed directly by the center, for example, **Chandigarh, Daman and Diu, and Dadar and Nagar Haveli** are UTs with no elected assemblies.
 - On the other hand, **Puducherry and J&K** are UTs with a legislative assembly and government, along with an LG. New Delhi is altogether different and its status lies between a UT and a state.
- According to **Article 3 of the Indian Constitution**, the constitutional power to create new states and union territories in India is solely reserved to the Parliament of India.
- Parliament can do so by announcing new states/union territories, separating territory from an existing state or **merging two or more states/union territories or parts of them**.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Consider the following statements: (2009)

1. The Governor of Punjab is concurrently the Administrator of Chandigarh.
2. The Governor of Kerala is concurrently the Administrator of Lakshadweep.

Which of the above statements is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (a)

EXP:

- In 1966, Haryana was carved out of a larger Punjab State. Afterwards, Chandigarh was administered by a Chief Commissioner, a serving bureaucrat who reported to the Union government. The Chief Commissioner system was discontinued on June 1, 1984, on the eve of "Operation Bluestar" in the Golden Temple in Amritsar. Thus, began the practice of the Punjab Governor holding additional charge of the Chandigarh Union Territory. **Hence, statement 1 is correct.**
- Lakshadweep has a separate administrator and its administrative headquarters is in Kavaratti. **Hence, statement 2 is not correct.**
- Therefore, option (a) is the correct answer.

[Source: IE](#)

Draft Indian Antarctic Bill 2022

For Prelims: Draft Indian Antarctic Bill-2022, Marine Protected Areas (MPAs), Antarctica Treaty, Convention on the Conservation of Antarctic Marine Living Resources and the Commission for Conservation of Antarctic Marine Living Resources.

For Mains: India's interest in Antarctica Region, Environmental Pollution & Degradation.

Why in News?

Recently, the government has introduced the '**Antarctic Bill**' in the [Lok Sabha](#), which **envisages regulating visits and activities to Antarctica** as well potential disputes that may arise among those present on the continent.

- The Bill is **applicable to Indian citizens as well as foreign citizens.**
- In October 2021, **India extended its support for protecting the Antarctic environment** and for co-sponsoring the proposal of the [European Union](#) for designating East Antarctica and the

Weddell Sea as [Marine Protected Areas \(MPAs\)](#).

- Earlier, a 100-km long body of ice in Antarctica, which has been experiencing rapid melting, was formally [named Glasgow](#) after the Glasgow climate summit.

What are the Provisions under the Bill?

- **Regulate Visiting:**
 - The bill has listed **strict guidelines and a system of permits**, which will be issued by a government-appointed committee, without which any expedition or individual will not be allowed to enter Antarctica.
 - The bill has **provision to establish a committee on Antarctic governance and environmental protection** to monitor, implement and ensure compliance with the relevant international laws, emissions standards and rules of protection.
- **Protecting Mineral Resources:**
 - The Bill further **prohibits drilling, dredging, excavation or collection of mineral resources** or even doing anything to identify where such mineral deposits occur.
 - The only exception is for **scientific research with a permit**.
- **Protecting Native Plants:**
 - There will be strict **prohibition on damaging native plants, flying or landing helicopters or operating vessels** that could disturb birds and seals, using firearms that could disturb the birds and animals, remove soil or any biological material native to Antarctica, engage in any activity that could adversely change the habitat of birds and animals, or harm them.
- **Prohibition on introducing Birds not Native to Antarctica:**
 - Introduction of animals, birds, plants or [microscopic organisms](#) that are not native to Antarctica are also prohibited.
 - **Violators can face imprisonment** as well as penalties.
- **Provisions for Indian Tour Operators:**
 - The Bill **also provides for Indian tour operators** to be able to operate in Antarctica after acquiring a permit.
 - There are **40 permanent research stations in Antarctica** of which two – **Maitri and Bharati** — are Indian.

What is the Objective of the Bill?

- To **provide a harmonious policy framework for India's Antarctic activities** through a well-established legal mechanism, facilitate activities of the Indian Antarctic programme, including management of Antarctic tourism and sustainable development of fisheries.

What is the Need of Such Law?

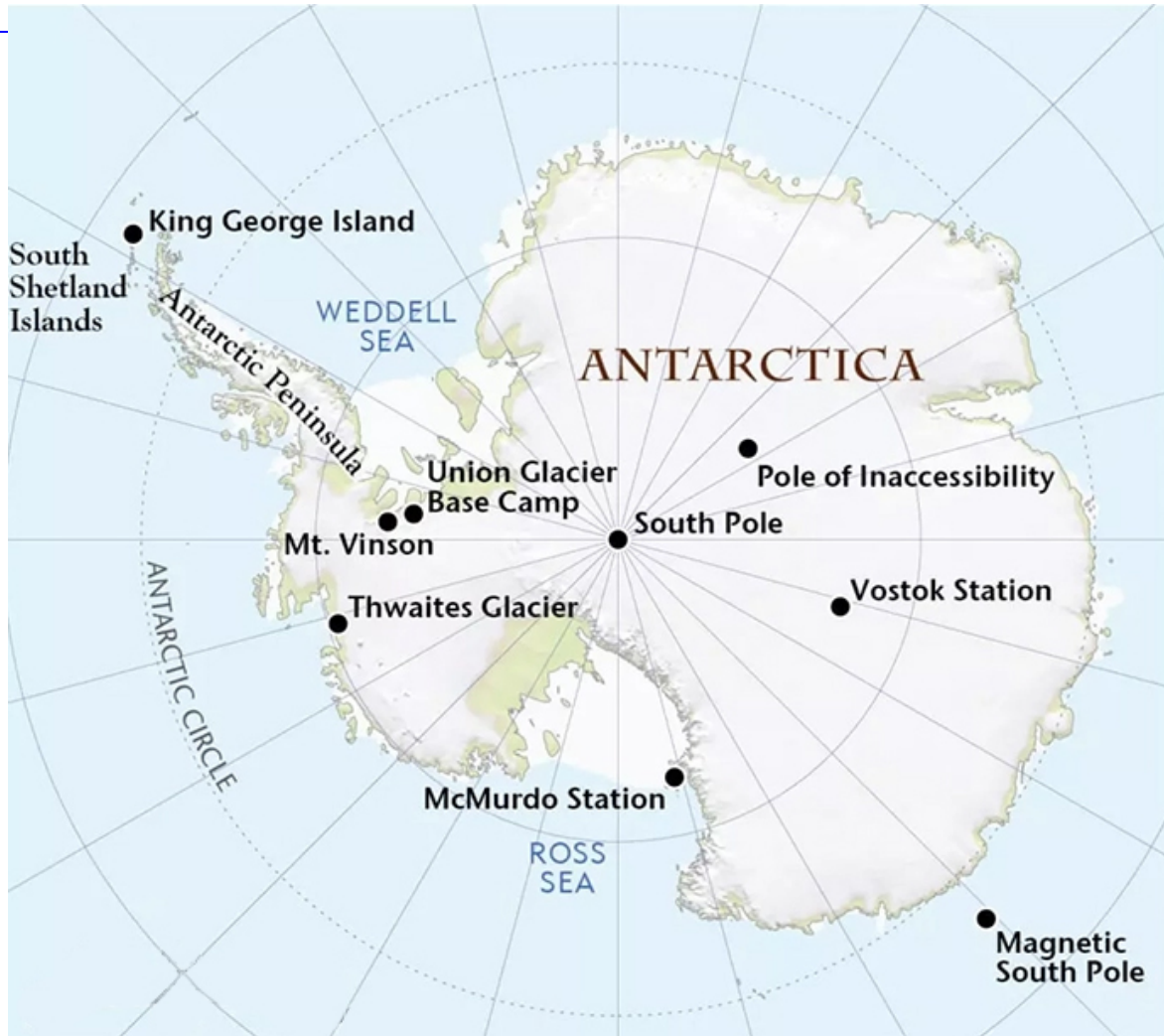
- **To Fulfill Provisions under the [Antarctica Treaty](#):**
 - **India had been a signatory to the Antarctica Treaty since 1983** and that **encumbered India to specify a set of laws governing portions** of the continent where it had its research bases.
 - The **Treaty made it mandatory for the 54 signatory countries to specify laws** governing territories on which their stations are located.
- **Preserve the Pristine Nature of the Continent:**
 - India is **also signatory to treaties such as the Convention on the [Conservation of Antarctic Marine Living Resources](#)** and the **Commission for Conservation of Antarctic Marine Living Resources**.
 - Both the conventions **enjoin India to help preserve the pristine nature of the continent**.

What are the Key Highlights about Antarctica?

- Antarctica is **uninhabited except for those manning the nearly 40 permanent stations** established by several countries, including India, for carrying out scientific research.

- India maintains **two research stations on the continent**: 'Maitri' (commissioned in 1989) at Schirmacher Hills and 'Bharati' (2012) at Larsemann Hills.
- It has also **launched 41 scientific expeditions every year** thus far. Together with **'Himadri' station in Svalbard**, above the Arctic circle, India is among an **elite group of countries with multiple research** in the polar regions.
- Antarctica is **Earth's southernmost continent**. It contains the **geographic South Pole** and is situated in the **Antarctic region of the Southern Hemisphere**.
- At 14,000,000 square kilometers, it is the **fifth-largest continent**.
- The **Indian Antarctic Programme** is a multi-disciplinary, multi-institutional programme under the control of the National Centre for Antarctic and Ocean Research, Ministry of Earth Sciences.
- India officially **acceded to the Antarctic Treaty System in August 1983**.

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[Source: IE](#)

Traditional New Year Festivals

Why in News?

The President of India greeted the people on the eve of “ **Chaitra Sukladi, Ugadi, Gudi Padwa, Cheti Chand, Navreh and Sajibu Cheiraoba.**”.

- These festivals of the spring season mark the beginning of the traditional new year in India.

What are the Key Points?

▪ Chaitra Sukladi:

- It marks the beginning of the new year of the **Vikram Samvat** also known as the **Vedic [Hindu] calendar**.
- Vikram Samvat is based on the day **when the emperor Vikramaditya defeated Sakas, invaded Ujjain and called for a new era**.
- Under his supervision, astronomers formed a new calendar based on the luni-solar system that is still followed in the northern regions of India.
- It is the first day during the waxing phase (in which the visible side of the moon is getting bigger every night) of the moon in the Chaitra (first month of Hindu calendar).

▪ Gudi Padwa and Ugadi:

- These festivals are celebrated by the people in the **Deccan region** including **Karnataka, Andhra Pradesh** and **Maharashtra**.
- The common practice in the celebrations of both the festivals is the festive food that is prepared with a mix of sweet and bitter.
- A famous concoction served is **jaggery (sweet)** and **neem (bitter)**, called **bevu-bella** in the South, signifying that life brings both happiness and sorrows.
- **Gudi** is a doll prepared in Maharashtrian homes. A bamboo stick is adorned with green or red brocade to make the gudi. This gudi is placed prominently in the house or outside a window/ door for all to see.
- For **Ugadi**, doors in homes are adorned with mango leaf decorations called **toranalu or Torana in Kannada**.

▪ Cheti Chand:

- Sindhis celebrate the new year as Cheti Chand. **Chaitra month is called 'Chet'** in Sindhi.
- The day commemorates the **birth anniversary of Uderolal/Jhulelal**, the patron saint of Sindhis.

▪ Navreh:

- It is the **lunar new year** that is celebrated in **Kashmir**.
- It is the Sanskrit word 'Nav-Varsha' from which the word 'Navreh' has been derived.
- It falls on the first day of the **Chaitra Navratri**.
- On this day, Kashmiri pandits look at a bowl of rice which is considered as a symbol of riches and fertility.

▪ Sajibu Cheiraoba:

- It is the great ritual festival of **Meiteis** (an ethnic group in **Manipur**) which is observed on the first day of **Manipur lunar month Shajibu**, which falls in the month of April every year.
- On the day of the festival, people arrange a joint family feast in which traditional cuisines are offered to local deities at the entrance gates of the houses.

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Consider the following pairs: (2018)

Tradition	State
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1. Chapchar Kut festival — Mizoram

2. Khongjom Parba ballad — Manipur
3. Thang-Ta dance — Sikkim

Which of the pairs given above is/are correct?

- (a) 1 only
- (b) 1 and 2 only
- (c) 3 only
- (d) 2 and 3 only

Ans: (b)

Source: PIB

Shiva Kumaraswami

Why in News?

Recently, the Union Minister of Home Affairs inaugurated and participated in the 115th Birthday Celebrations of **Dr. Shri Shri Shri Shiva Kumaraswami & Guruvandana Mahotsava** in Siddaganga Mutt, Tumkur, Karnataka.



Who was Shivkumar Swami?

- Shivakumara Swami of Siddhaganga Mutt in Tumkur was **a revered seer of the [Lingayat-Veerashaiva faith](#)** and was the **Lingayat religious head of Sree Siddaganga Mutt**.
- **Born on 1st April, 1907, in Veerapura village of Ramanagara (Karnataka)**, he was well known for his philanthropic activities.
- He **worked for 88 years to realize the thought of [Basaveshwara](#)** and paved the way to bring equality, education and making people spiritually rich.
- In recognition of his social work, **he was conferred with the third-highest civilian award, [Padma Bhushan](#), in 2015** and the Karnataka Ratna in 2007.
- He was **also conferred with an honorary degree of Doctor of Literature by Karnataka**

University in the year 1965.

- He **founded the Sri Siddaganga Education Society Trust**, which runs close to 125 educational institutions in Karnataka – from primary schools, school for the blind to colleges of arts, science, commerce and engineering.
- He was **known as a "walking god"** among his followers.
- He **passed away in 2019**.

Who are Lingayats?

- The term Lingayat **denotes a person who wears a personal linga, an iconic form of god Shiva**, on the body which is received during the initiation ceremony.
- Lingayats are the **followers of the 12th-century social reformer-philosopher poet, Basaveshwara**.
- **Basaveshwara was against the caste system** and Vedic rituals.
- The Lingayats are **strict monotheists**. They enjoin the worship of only one God, namely, Linga (Shiva).
- The word '**Linga**' **does not mean Linga established in temples, but universal consciousness** qualified by the universal energy (Shakti).
- Lingayats had been classified as a **Hindu subcaste called "Veerashaiva Lingayats"** and they are considered to be Shaivites.

Why the Lingayats Seek Separate Religion from Hindu?

- Lingayats had distanced **themselves from Hindu Veerashaivas because the latter followed the Vedas and supported the caste system**, to which Basaveshwara was against.
- Veerashaivas are the followers of the **five peethas (religious centers), called Pancha Peethas**.
 - These peethas are **set up on similar lines to the four peethas** set up by [Adi Shankara](#).

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. With reference to the cultural history of medieval India, consider the following statements: (2016)

1. Siddhas (Sittars) of Tamil region were monotheistic and condemned idolatry.
2. Lingayats of Kannada region questioned the theory of rebirth and rejected the caste hierarchy.

Which of the statements given above is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (c)

EXP:

- Siddhas worship Shiva and Shakti in their benign, ascetic and fierce forms. They were monotheistic and condemned idolatry. **Hence, statement 1 is correct.**
- The Lingayat sect questioned the theory of rebirth and rejected the caste hierarchy. **Hence, statement 2 is correct.**
- Therefore, option (c) is the correct answer.

Small Savings Schemes

Why in News?

Recently, the **government has kept interest rates unchanged** on Small savings Schemes, including NSC (National Savings Certificate) and PPF (Public Provident Fund) for the first quarter of 2022-23 (April-June) **due to an elevated level of [inflation](#)**.

What are the Small Saving Schemes/Instruments?

▪ About:

- They are the **major source of household savings in India** and **comprise 12 instruments**.
- The depositors get **an assured interest on their money**.
- Collections from all small savings instruments are credited to the **[National Small Savings Fund \(NSSF\)](#)**.
- Small savings have emerged as **a key source of financing the [government deficit](#), especially after the [Covid-19 pandemic](#)** led to a ballooning of the government deficit, necessitating higher need for borrowings.

▪ Classification: Small savings instruments can be classified under three heads:

- **Postal Deposits** (comprising savings account, recurring deposits, time deposits of varying maturities and monthly income scheme).
- **Savings Certificates:** National Small Savings Certificate (NSC) and Kisan Vikas Patra (KVP).
- **Social Security Schemes:** **[Sukanya Samriddhi Scheme](#)**, Public Provident Fund (PPF) and Senior Citizens' Savings Scheme (SCSS).

▪ Determination of Rates:

- Interest rates on small savings schemes **are reset on a quarterly basis, in line with the movement in benchmark government bonds** of similar maturity. The rates are **reviewed periodically by the Ministry of Finance**.
- The **Shyamala Gopinath panel (2010)** constituted on the Small Saving Scheme had suggested a market-linked interest rate system for small savings schemes.