

The Hindu Important News Articles & Editorial For UPSC CSE

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Edition: International Table of Contents

Page 03 Syllabus : Prelims Fact	India Skills Report ranks Kerala among top States for employability in India
Page 06 Syllabus : Syllabus : Prelims Fact	Ecologist Madhav Gadgil gets Champions of the Earth award
Page 06 Syllabus : Prelims Fact	Researchers develop AI-based platform to rapidly find age-defying molecules
Page 10 Syllabus : GS 2 : Indian Polity – Judiciary	The code of conduct judges need to follow
Page 10 Syllabus : : GS 3 : Economy	What is the extent of the global share of solar energy?
Page 08 : Editorial Analysis: Syllabus : GS 2: Indian Polity – Judiciary	Sambhal and the perils of judicial evasion

—It's about quality—

The overall employability rate in India stands at 55% – which implies 55% of the youth found to be employable with the required skills.

- The India Skills Report 2025 was published by the Confederation of Indian Industries (CII), Wheebox, and the All India Council for Technical Education (AICTE).

India Skills Report ranks Kerala among top States for employability in India

Sarath Babu George
THIRUVANANTHAPURAM

Kerala continues to lead as one of the most employable States in India, as indicated by the India Skills Report 2025.

The report, published by talent assessment agency Wheebox in association with various agencies including the All India Council for Technical Education, Confederation of Indian Industry, and Association of Indian Universities, reveals that Kerala's workforce maintains a strong employability rate of 71%, placing it on the fifth position after Maharashtra, Delhi, Karnataka

Kerala joins ranks of T.N., Maharashtra and U.P. as the top States favoured for employment

and Andhra Pradesh.

Kerala also joins the ranks of Tamil Nadu, Maharashtra and Uttar Pradesh as the top States favoured for employment across India. The State is especially preferred by female job aspirants.

The study, which surveyed 6.50 lakh youths through a Global Employability Test conducted across the country, indicated that the overall em-

ployability in India continued to grow with 54.81% of the assessed youths found to be employable with the required skills.

Kerala's employability figures highlight its significant talent pool, particularly among the youth. In the 22-25 age group, Kerala has an employability rate of 87.47%, making it one of the top contenders in this demographic, while for experienced professionals aged 26-29 Kerala ranked the highest with an employability rate of 68.82%.

The State stands out in terms of female employability, ranking third among States with significant opportunities for women.

Key Insights from the India Skills Report 2025

- **Focus:** The India Skills Report 2025 examines the employability of Indian graduates and the evolving talent landscape in the country.
- **Methodology:** It's based on data from over 650,000 candidates who took the Wheebox Global Employability Test (GET) and insights from over 1,000 companies.
- **Key Findings:** The report reveals that 55% of Indian graduates are expected to be globally employable in 2025, highlighting India's growing role in meeting global workforce demands.

Daily News Analysis

- **Domain-Specific Employability:** Management graduates show the highest global employability (78%), followed by engineering (71.5%), MCA (71%), and science graduates (58%).
- **Regional Trends:** Maharashtra, Karnataka, and Delhi are emerging as key talent hubs, with Pune, Bengaluru, and Mumbai leading in skilled workforce availability.
- **Gender Dynamics:** While the employability rate for men is projected to rise, the rate for women is expected to decline slightly – indicating a need for focused efforts to bridge this gap..



The United Nations has honored ecologist Madhav Gadgil with the Champions of the Earth award for his work in the Western Ghats.

- ➡ He led the Western Ghats Ecology Expert Panel, recommending the region's classification as an Ecologically Sensitive Area.
- ➡ Gadgil is the sole Indian recipient of this prestigious environmental award.



Ecologist Madhav Gadgil gets Champions of the Earth award

The United Nations on Tuesday recognised ecologist Madhav Gadgil with the annual Champions of the Earth award, the UN's highest environmental honour, for his seminal work in the Western Ghats. Mr. Gadgil, the only Indian on the list of this year's award recipients, chaired the government-constituted Western Ghats Ecology Expert Panel to study the impact of population pressure, climate change, and development activities on the ecologically fragile region in India. The panel recommended in 2011 that the entire hill range be declared an Ecologically Sensitive Area (ESA) and divided it into three Ecologically Sensitive Zones. PTI

Champions of the Earth Award:

- ➡ **Highest Environmental Honor:** It is the United Nations' top environmental accolade, recognizing outstanding contributions to environmental conservation and sustainable development.

Daily News Analysis

- **Established by UNEP:** The award is presented annually by the United Nations Environment Programme (UNEP).
- **Categories:** Recipients are recognized under categories like Policy Leadership, Science and Innovation, Entrepreneurial Vision, Inspiration and Action, and Lifetime Achievement.
- **Purpose:** The award highlights efforts to combat climate change, protect biodiversity, and promote sustainable practices globally.
- **Recipients:** Winners include individuals, organizations, and governments demonstrating extraordinary environmental leadership.
- **Prestige:** The award aims to inspire global action for a sustainable future by spotlighting exceptional environmental achievements.



Researchers at IIIT-Delhi have developed AgeXtend, an AI platform to identify anti-ageing molecules efficiently.

- It screened over 1.1 billion compounds, uncovering promising candidates validated through experiments.
- This groundbreaking tool supports further research and promotes advancements in healthy ageing studies.

Researchers develop AI-based platform to rapidly find age-defying molecules

Ramya Kannan

CHENNAI

Longevity has always been the Holy Grail of medicine, and extending life beyond its conceivable end has driven kings, researchers and pharma companies alike through a roller-coaster ride that invariably stops at ground level; no wonder the search continues. Now, it is an Indian group from the Indraprastha Institute of Information Technology, Delhi, that has used a platform based on Artificial Intelligence to discover molecules that promote healthy ageing.

Researchers at IIIT-Delhi have developed AgeXtend as a tool to efficiently cut down the time taken to identify viable molecules with geroprotectors, or age defying properties, through conventional research. The authors who have published the experiment in a recent issue of

AgeXtend also helps in understanding the biological mechanism of compounds, says one of the scientists

Nature Aging, have said that they screened over 1.1 billion compounds, over a period of two years, and the platform had uncovered several promising candidates validated through experiments on yeast, worms (*C. elegans*), and human cell models. A fraction of them, less than 1%, have been identified with anti-ageing properties.

Gautam Ahuja, one of the authors, from the department of Computational Biology, IIIT-Delhi, says, "AgeXtend uses AI to predict and identify compounds with anti-ageing properties, assess their safety, and understand their biological effects. It looks

at the structure of new molecules and can predict accurately if they have geroprotective characteristics. But where this product diverges from others that might already have been employed by researchers is that it can explain why it considers certain compounds as anti-ageing, it reveals why it chose these components – the mechanisms. This will help to guide further research and indicate the particular direction in which validation needs to proceed."

How exactly does it work? "The chemical space is like a universe, and I do not know the coordinates for my intended destination. What AgeXtend does is to serve as the GPS, pointing out to us where exactly we need to go," Dr. Ahuja explained. Apparently, it had successfully identified the benefits of well-known molecules like metformin and tau-

rine, even without prior knowledge of these compounds, he added.

IIIT-D Ph.D. scholar Sakshi Arora who is also the lead author in the journal paper, described AgeXtend as "a discovery engine unlocking new possibilities for promoting health and longevity."

Scanning 1.2 billion molecules makes this the largest study so far on the subject, Dr. Ahuja claimed. Candidates scanned included compounds from commercial drugs, Chinese drugs, ayurveda and molecules approved by the FDA.

The research team has made available its code and data on open source on the website, free for researchers and students, and at a charge for companies.

A Python package for AgeXtend is provided via pip at pypi.org/project/AgeXtend

Analysis of the news:

- Researchers at IIIT-Delhi have developed AgeXtend, an AI platform to identify molecules with anti-ageing properties.
- AgeXtend screened over 1.1 billion compounds, discovering less than 1% with validated geroprotective effects on yeast, worms (*C. elegans*), and human cell models.
- The platform uses AI to predict, assess safety, and understand the biological effects of potential anti-ageing compounds.
- AgeXtend can explain its selection process, providing insights into the mechanisms of action for further research.
- It successfully identified the benefits of known molecules like metformin and taurine without prior knowledge of them.
- This study, scanning commercial drugs, Chinese medicine, ayurveda, and FDA-approved molecules, is the largest on the subject.
- The research team has made its code and data freely available for researchers and students, with a charge for companies.

A judge of the Allahabad High Court faced criticism for remarks perceived as communally biased, sparking debates on judicial ethics.

The code of conduct judges need to follow

Judiciary draws its power from two fountains, public acceptance of the authority of the judiciary and the integrity of the judiciary. The Bangalore Principles of Judicial Conduct 2002 presents a framework to regulate judicial conduct

LETTER & SPIRIT

Krishnadas Rajagopal

The comments made by Allahabad High Court Judge, Justice Shekhar Kumar Yadav, against the Muslim community at an event organised by the legal cell of the Vishwa Hindu Parishad in the High Court premises on December 8, has drawn public flak.

Justice Yadav has said that the country would function as per the wishes of the majority living in Hindustan. He remarked that while children of one community are taught kindness and tolerance, it would be difficult to expect the same from children of "another community" especially when they witness animal slaughter. On the push for the Uniform Civil Code, Justice Yadav has said that Hindus revere women as goddesses even as members of the "other community" practice polygamy, Halala or triple talaq. The Supreme Court, in a statement, said it has taken note of the newspaper reports on Justice Yadav's speech. It said details have been asked from the Allahabad High Court and that the "matter is under consideration".

In light of Justice Yadav's remarks, the All India Lawyers Union have written to the Chief Justice of India (CJI) Sanjiv Khanna, saying the judge's comments lean away from democracy and towards a "Hindutva Rashtra". The Campaign for Judicial Accountability and Reforms led by advocate Prashant Bhushan, in its letter to the CJI, has alleged that Justice Yadav's participation in a "right-wing event" and his communally-charged statements were a brazen violation of his oath of office. Supreme Court Bar Association president, senior advocate Kapil Sibal, has reportedly called for the impeachment of the High Court judge.

On judicial ethics

Judiciary draws its power from two fountains, public acceptance of the



ISTOCKPHOTO

authority of the judiciary and the integrity of the judiciary. Experience gained over time has led the judiciary to codify the best conventions of judicial conduct, both in and out of court. The 'Restatement of Values of Judicial Life' is the primary code of ethics governing judicial behaviour adopted by the Supreme Court on May 7, 1997.

The very first rule of the code is that the behaviour of a judge must "reaffirm the people's faith in the impartiality of the judiciary". It underscored that "any act of a judge of the Supreme Court or a High Court, whether in official or personal capacity, which erodes the credibility of this perception has to be avoided". Justice Yadav seemed to have missed the last rule of the code which mandated that "a judge must at all times be conscious that he is under the public gaze". The Bangalore Principles of Judicial Conduct 2002 presents a framework to regulate judicial

conduct. It requires a judge to ensure that his or her conduct, both in and out of court, maintains and enhances the confidence of the public, the legal profession and litigants in the impartiality of the judge and of the judiciary. While the 2002 document recognises a judge's entitlement to freedom of expression, it mandates that he or she "shall always conduct himself or herself in such a manner as to preserve the dignity of the judicial office and the impartiality and independence of the judiciary". More importantly, the charter requires a judge to be "aware of and understand" the diversity in society and treat all equally.

How is a judge impeached?

The Constitution mandates that judges of the Supreme Court and High Courts can be removed by an order of the President after a successful process of impeachment on the grounds of "proved misbehaviour

or incapacity". The motion of removal of a constitutional court judge must be supported by a special majority of the total membership of the House and of at least two-thirds of the members of the House present and voting. Except on a removal motion, the Constitution prohibits the legislature from discussing allegations of misconduct of judges in any other context. However, the Supreme Court has also evolved an in-house procedure to give judges facing serious allegations a window to take voluntary retirement, sparing themselves and the judicial institution the public embarrassment of an impeachment.

The procedure was formally adopted in 1999, and was put out in the public domain by the Supreme Court in 2014. The procedure allows a complaint against a High Court judge to be addressed to the President, the CJI or the Chief Justice of the High Court concerned. If a complaint is received by the High Court Chief Justice, depending on the seriousness of the grievance, a response can be sought from the judge concerned. On receiving the response, and if a deeper probe is called for, the Chief Justice could forward the complaint and the statement of the judge to the CJI.

The President, on receiving a complaint, refers it to the CJI. The CJI, either on receiving a complaint directly or referred to by the President, can forward it to the Chief Justice of the High Court concerned, who would follow the same procedure of collecting a statement from the judge concerned and returning it to the CJI if the allegations were serious enough to require an investigation. The CJI can then appoint a fact-finding committee of two Chief Justices from other High Courts and a High Court judge to inquire into the allegations.

If the committee reports sufficient material to remove the judge, the CJI can ask the latter to retire. In case, the judge refuses to do so, the CJI can intimate the President and PM about the allegations along with the committee report, clearing the way for impeachment.

THE GIST

The comments made by Allahabad High Court judge, Justice Shekhar Kumar Yadav, against the Muslim community at an event organised by the Vishwa Hindu Parishad on December 8, has drawn public flak. Justice Yadav has said that the country would function as per the wishes of the majority living in Hindustan.

The 'Restatement of Values of Judicial Life' is the primary code of ethics governing judicial behaviour adopted by the Supreme Court on May 7, 1997. The very first rule of the code is that the behaviour of a judge must "reaffirm the people's faith in the impartiality of the judiciary".

The Constitution mandates that judges of the Supreme Court and High Courts can be removed by an order of the President after a successful process of impeachment on the grounds of "proved misbehaviour or incapacity".

- ➡ The judiciary's code of conduct emphasizes impartiality, equality, and public trust.
- ➡ The incident highlights concerns over judicial accountability and the process for addressing allegations against sitting judges.

Justice Yadav's Remarks and Public Reaction

- ➡ Justice Shekhar Kumar Yadav, a judge of the Allahabad High Court, faced criticism for his remarks at a Vishwa Hindu Parishad event.
- ➡ He commented that the country should operate according to the majority population's wishes and criticised practices like polygamy and triple talaq.

Daily News Analysis

- His speech drew public backlash, with organizations like the All India Lawyers Union calling it undemocratic and leaning towards a "Hindutva Rashtra."
- Legal advocacy groups have alleged that Justice Yadav's participation in a politically inclined event and his comments violated judicial ethics.

Supreme Court's Response

- The Supreme Court acknowledged the media reports on the remarks and sought details from the Allahabad High Court.
- The issue is under consideration by the judiciary, indicating potential future actions.

Judicial Ethics and Codes of Conduct

- The judiciary operates on public trust and its integrity, governed by the 'Restatement of Values of Judicial Life' (1997).
- Judges must ensure their behaviour reaffirms faith in judicial impartiality and avoid any action that undermines this perception.
- The Bangalore Principles of Judicial Conduct (2002) mandate that judges maintain public confidence in their impartiality while respecting diversity and equality.
- Judges are required to preserve the dignity of their office and avoid behaviour that compromises judicial independence.

Bangalore Principles of Judicial Conduct (2002)

- **Origin:** Formulated in Bangalore in 2002 at a roundtable meeting of Chief Justices.
- **Purpose:** Provides ethical guidelines for judges to ensure judicial integrity and independence.
- **Core Values:** Emphasizes six key values
- **Independence:** Free from external influence.
- **Impartiality:** Fair and unbiased decision-making.
- **Integrity:** Honesty and high moral character.
- **Propriety:** Avoiding impropriety in all actions.
- **Equality:** Treating all individuals equally before the law.
- **Competence and Diligence:** Possessing necessary skills and dedication.
- **Global Influence:** Adopted by the UN and serves as a model for judicial conduct worldwide.
- **Significance:** Upholds the rule of law and public trust in the judiciary.

Process of Judge Impeachment

- Judges of the Supreme Court and High Courts can be removed for "proved misbehaviour or incapacity" by a Presidential order after impeachment.
- Impeachment requires a special majority in Parliament, with two-thirds of members present and voting in favour.
- The judiciary has an in-house procedure, adopted in 1999, allowing voluntary retirement to avoid public embarrassment.
- Complaints against judges can be addressed to the President, Chief Justice of India, or the relevant High Court Chief Justice.

- ➡ Serious allegations are investigated by a fact-finding committee, with recommendations for voluntary retirement or impeachment if necessary.

UPSC Mains Practice Question

Ques : Discuss the significance of judicial impartiality in upholding the rule of law. Examine the challenges posed by personal biases in judicial conduct and the adequacy of mechanisms for addressing allegations against judges in India. (250 Words /15 marks)



The World Solar Report 2024 highlights the global growth of solar energy, with a focus on technological advancements, cost reductions, and market trends.

➔ The World Solar Report 2024 was published by the International Solar Alliance (ISA).

What is the extent of the global share of solar energy?

What does the World Solar Report 2024 by the International Solar Alliance state?

Ajay Mathur
Saba Kalam

The story so far:

In November 5, the World Solar Report 2024 by the International Solar Alliance (ISA) was released. From 1.22 GW in 2000, the world's solar capacity has surged to 1,419 GW in 2023, charting a CAGR of about 36%. Today, solar capacity represents three-quarters of all renewable capacity additions worldwide.

What are new solar technologies?

Quantum dot solar cells have achieved a record-breaking efficiency of 18.1%, offering a promising approach to enhance solar energy capture and power atmospheric water harvesting technologies. Researchers are creating self-healing solar panels to extend the lifespan and reduce the maintenance of existing solar cell technologies.

Solar-powered phyto-mining uses solar energy to power the extraction of valuable metals from soil-using plants, offering a sustainable alternative to traditional mining practices. Solar paver blocks integrated with building infrastructure and BIPV (Building Integrated PV), like transparent solar panels, allow light transmission and visibility. The development of these alternative technologies will reduce reliance on critical materials like lithium and rare earth elements. The solar sector is also prioritising recycling panels and implementing circular economy practices to minimise environmental impact.

Have reducing costs helped?

The 2024 World Solar Report shows that the average auction prices for utility-scale solar photovoltaic (PV) projects have consistently decreased across all regions. Utility-scale solar PV costs averaged \$40/MWh in 2024. India topped the

global charts in solar PV capacity granted through auctions, securing a notable auction price of \$34/MWh. Investment in solar PV technology within the power sector is expected to surpass the \$500 billion mark by 2024, outstripping the combined investment in all other generation forms.

What about the global market?

As of 2023, China dominates solar PV as 43% (609 GW) of the cumulative capacity of solar panels installed globally is from China. The U.S. contributes 10% (137.73 GW). Japan, Germany, and India each captured a 5-6% share. Emerging solar markets like Brazil, Australia, Italy, and Spain each contributed about 2%. Solar PV manufacturing has nearly doubled in capacity for wafers, cells, and modules in 2023. China maintained the highest share in component manufacturing in 2023, with 97% in wafers, 89% in cells, and 83% in module installation capacity.

Has solar impacted other industries?

Employment in the solar PV sector rose to 7.1 million jobs in 2023, up from 4.9 million in 2022 worldwide, indicating a significant increase from the previous year and underscoring the sector's role in job creation and economic development. Solar-powered irrigation systems are transforming agriculture. The global solar pump market is expected to grow at a CAGR of 5.8% from 2021 to 2027, driven by declining costs of solar PV technology, cost competitiveness of solar-powered pumps, especially when compared to diesel-powered water pumping, and increased awareness among farmers. Beyond crop farming, agrivoltaics systems are being used in livestock management, with solar panels installed in pastures to provide shade for animals while simultaneously generating electricity. One of the key factors driving the adoption of solar systems has been the introduction of pay-as-you-go business models, allowing users to pay for their systems in small, regular instalments.

Technological advancements have made solar energy more affordable, while new applications are further driving adoption. We must promote technology and finance transfer, especially to the least developed and small island developing countries, to ensure no one is left behind.

Ajay Mathur is DG of the ISA, and Saba Kalam is Programme Specialist at the ISA.

THE GIST

▼ The 2024 World Solar Report shows that the average auction prices for utility-scale solar photovoltaic (PV) projects have consistently decreased across all regions.

▼ The Report further shows that the average auction prices for utility-scale solar photovoltaic (PV) projects have consistently decreased across all regions.

▼ Technological advancements have made solar energy more affordable, while new applications are further driving adoption.

Solar Capacity Growth

- ➔ The World Solar Report 2024 by the International Solar Alliance (ISA) reveals that global solar capacity has increased from 1.22 GW in 2000 to 1,419 GW in 2023, achieving a CAGR of 36%.
- ➔ Solar energy now accounts for three-quarters of all renewable capacity additions globally.

New Solar Technologies

- ➔ Quantum Dot Solar Cells have achieved an efficiency of 18.1%, enhancing energy capture and enabling atmospheric water harvesting.
- ➔ Self-healing solar panels are being developed to extend lifespan and reduce maintenance.
- ➔ Solar-powered phyto-mining uses solar energy to extract valuable metals from soil, offering a sustainable alternative to traditional mining.
- ➔ Solar paver blocks and Building Integrated PV (BIPV), including transparent solar panels, are integrated with infrastructure to allow light transmission and visibility.
- ➔ Innovations focus on reducing reliance on critical materials like lithium and rare earth elements while prioritizing panel recycling and circular economy practices.

Reducing Costs and Global Market Trends

- ➔ The cost of utility-scale solar PV has consistently fallen, with average auction prices reaching \$40/MWh globally.
- ➔ India secured the lowest auction price of \$34/MWh.

Daily News Analysis

- China dominates the solar PV market, contributing 43% (609 GW) of the global cumulative capacity, with the U.S. at 10% (137.73 GW).
- Solar PV manufacturing saw nearly double the capacity for wafers, cells, and modules in 2023, with China maintaining a dominant market share.

Impact on Other Industries

- Employment in the solar PV sector grew to 7.1 million jobs in 2023, highlighting its economic significance.
- Solar-powered irrigation systems and agrivoltaics are transforming agriculture, with solar pumps expected to grow at 5.8% CAGR from 2021 to 2027.
- Pay-as-you-go business models are increasing solar adoption, especially in developing regions.

Conclusion

- Technological advancements and cost reductions are accelerating the adoption of solar energy, with further focus needed on technology and finance transfer to least developed and small island countries.

UPSC Mains PYQ : 2020

Ques : India has immense potential for solar energy though there are regional variations in its development. Elaborate. (250 words/15m)

Sambhal and the perils of judicial evasion

In a paper, in 2005, on 'judicial inactivism', scholar Chad M. Oldfather talks about courts and their "duty to decide" or "adjudicative duty". He explains how judicial inaction "can have consequences that are every bit as significant as those resulting from judicial action". According to him, "judicial failures to meet the minimum requirements of the role are likely to be more difficult to detect than action going beyond its proper limitations", and, therefore, "judicial inactivism" is, in a way, more worrisome.

Another case of deferment

The approach adopted by the Supreme Court of India in the Sambhal masjid case (Uttar Pradesh) is yet another instance of judicial deferment. The Court has refused to take an emphatic stand capable of giving the final answer to the issue. The Court ordered the civil court to freeze the matter and to put on hold the proceedings based on the survey conducted at the mosque and relegated the petitioner, the Sambhal Shahi Jama Masjid Committee, to the Allahabad High Court for a decision. The Court also indicated other legal remedies for the petitioner and requested the parties to maintain 'peace and harmony'. It is expected that the order by the Court issued on November 29 would give temporary relief to the tension created on account of the survey ordered by the local civil court, which led to a loss of human lives. The order was also welcomed by certain minority groups.

Yet, the perils of such a gesture of judicial evasion in India cannot be lost sight of. It is well demonstrated in the country's recent history. In a way, the Sambhal episode itself is the result of the judiciary's failure to honour the relevant parliamentary legislation, in letter and spirit. Given the fact that the Places of Worship (Special Provisions) Act, 1991 has been breached by some courts in India and the Supreme Court itself, and that the challenge against the Act has been kept pending before the Court for years, it is essential to take an introspective and retrospective approach on the issue during the upcoming hearing on December 12.

Section 3 of the Places of Worship Act prevents conversion of places of worship of one religion or sect into that of a different religion or sect. Section 4 (1) declares that "the religious character of a place of worship existing on the 15th day of August 1947 shall continue to be the same as it



Kaleeswaram Raj

a lawyer at the
Supreme Court
of India

The Court order shows, once again, a reluctance to adjudicate the core issue — there ought to have been an assertive stand on the validity of the Places of Worship (Special Provisions) Act

existed on that day". Section 4(2) further clarifies that the suit or proceedings with respect to the religious character of any place of worship existing on the 15 August, 1947 cannot be initiated or continued in the courts in India, after the promulgation of the Act. The Act exempted the Ram Janmabhoomi-Babri Masjid dispute. More significantly, contravention of the provision, that is, initiation or continuation of proceedings, is a punishable offence as per Section 6 of the Act. The sentence would be a jail term for three years, apart from a fine.

Parliament, as an institution, learnt from the country's history and thought it fit to promulgate the Act, to halt the well-orchestrated game plan designed by communal outfits to dig into the past and to evoke religious sentiments for political gain, in an incremental way. Therefore, the Court should not have tried for peripheral remedies and perpetuated the uncertainties of the litigation. An assertive judicial posture on the validity of the Act is clearly overdue.

Earlier cases

The Court has often resorted to such jurisprudence of deferment on earlier occasions too. During the Shaheen Bagh protest in Delhi on the Citizenship (Amendment) Act, or CAA, the Court formed a committee to talk to the protesters and try to arrive at a settlement in *Amit Sahni vs Commissioner of Police* (2020). This was done without adjudicating on the legal challenge against the CAA.

Again, in *Rakesh Vaishnav vs Union of India* (2021), when the contentious farm laws were questioned by farmers on the street, the Court constituted an expert committee to negotiate between the farmers' bodies that were on protest and the Centre, and to "create a congenial atmosphere and improve the trust and confidence of the farmers".

The Court also could not decide on the validity of the Amendment till date and the issue remains volatile. The farm laws were repealed essentially because of the people's protest and not by negotiation. In both these instances the Supreme Court failed to carry out its primary duty, namely, the duty to decide.

The order by the top court on the Sambhal masjid issue shows an exactly similar reluctance to adjudicate the core issue. There was no convincing reason for the Court for not upholding the validity of the 1991 Act. Since the

enactment demonstrates basic constitutional values such as fraternity and secularism, and since it has a laudable object of preserving the nation's social and religious fabric, a challenge against the statute ought not to have been even entertained by the Court. A disinclination to admit such pleas or at least to reject them at a later point of time, would have had the support of the Constitution Bench judgment in the Ayodhya case (*M. Siddiq vs Mahant Suresh Das*, 2019).

In the Ayodhya judgment, it is true that the Court condoned the illegal act of demolition of the mosque and facilitated the construction of the temple at the site where the mosque stood. By way of indemnification, the Court ordered the Government to provide an alternative site for construction of a new mosque. Even this reconciliatory judgment, which is constitutionally dissatisfying, was fair enough to acknowledge the historical and political significance of the Act of 1991.

The Court said that the Act is "intrinsically related to the obligations of a secular state" and "reflects the commitment of India to the equality of all religions". The Court explained that the "Parliament has mandated in no uncertain terms that history and its wrongs shall not be used as instruments to oppress the present and the future". Sadly, it is in clear negation of this part of the judgment, that in the Gyanvapi Mosque Committee's case (2023), the Court permitted a survey in the mosque. Thus, even the legally sustainable findings in an otherwise unsecular judgment were negated by the Court itself, at a crucial point of time.

A lack of judicial will

During the Sambhal case hearing, the Supreme Court was alerted about the orchestrated political move to breach parliamentary law in different parts of the country. The petitioner had stated that several civil suits are pending in different trial courts challenging the origins of different mosques, which are impermissible. Thus, the top court had an opportunity to decide on the validity of the Act and to adjudicate the matter finally along with the Sambhal case. It only needed to reiterate what the larger Bench judgment in the Ayodhya case said about the Places of Worship Act. This required an element of judicial will. The special Bench hearing on the validity of the Act offers another opportunity for the Court to correct its own mistakes.

GS Paper 02 : Indian Polity – Judiciary

PYQ : (UPSC CSE (M) GS-2 2014) : Starting from inventing the 'basic structure' doctrine, the judiciary has played a highly proactive role in ensuring that India develops into a thriving democracy. In light of the statement, evaluate the role played by judicial activism in achieving the ideals of democracy. (200 words/12.5m)

UPSC Mains Practice Question: Discuss the significance of the Places of Worship (Special Provisions) Act, 1991, in preserving India's secular fabric. Analyze the implications of judicial inactivism on its enforcement, citing recent examples. (150 Words /10 marks)

Context :

- The Supreme Court's handling of the Sambhal Masjid case highlights concerns about judicial inactivism and reluctance to enforce the Places of Worship Act, 1991.
- This Act, designed to uphold secularism and religious harmony, has faced challenges and delays.
- The case underscores the need for decisive judicial action to maintain constitutional values.

Judicial Inactivism and the Duty to Decide

- Scholar Chad M. Oldfather introduced the concept of "judicial inactivism," emphasizing that judicial inaction can have significant consequences, comparable to those of judicial action.
- He highlighted that failures in judicial responsibility are harder to detect than overreach, making inactivism a more concerning issue.

Judicial Deferment in the Sambhal Masjid Case

- The Supreme Court's handling of the Sambhal masjid case in Uttar Pradesh exemplifies judicial deferment, as it avoided providing a decisive resolution.
- The Court directed the civil court to freeze proceedings related to a mosque survey and referred the petitioner to the Allahabad High Court.
- The order aimed to provide temporary relief amidst heightened tensions, which had resulted in loss of lives.

Daily News Analysis

- ➡ The Court urged all parties to maintain peace and harmony, earning support from certain minority groups.

Concerns Over Judicial Evasion

- ➡ Judicial evasion has broader implications, as demonstrated in India's legal history, including the current situation regarding the Places of Worship (Special Provisions) Act, 1991.
- ➡ The Act, designed to maintain the religious character of places of worship as of August 15, 1947, has faced challenges and delays in adjudication.
- ➡ Despite its constitutional values of fraternity and secularism, the Act has been breached by courts, including the Supreme Court, and remains under judicial review.

Key Provisions of the Places of Worship Act, 1991

- ➡ **Section 3:** Prohibits the conversion of places of worship from one religion to another.
- ➡ **Section 4 (1):** Declares that the religious character of a place as of August 15, 1947, shall remain unchanged.
- ➡ **Section 4 (2):** Bars legal proceedings regarding the religious character of places of worship post-promulgation of the Act.
- ➡ **Section 6:** Stipulates penalties for violations, including imprisonment for up to three years and fines.

Historical Context and Parliamentary Intent

- ➡ The Act was enacted to counteract communal efforts to exploit historical grievances for political gains.
- ➡ The judiciary's reluctance to assert the Act's validity perpetuates uncertainties in litigation, undermining its objectives.

Earlier Instances of Judicial Deferment

- ➡ **Shaheen Bagh Protests (2020):** The Court formed a committee to mediate without addressing the legality of the Citizenship (Amendment) Act.
- ➡ **Farm Laws Protests (2021):** Instead of deciding on the farm laws' validity, the Court established a committee to negotiate between farmers and the government.
- ➡ Both instances reflect the Court's avoidance of its primary duty to adjudicate.

The Sambhal Masjid Case and the Ayodhya Judgment

Daily News Analysis

- The Court's deferment in the Sambhal case echoes its failure to uphold the 1991 Act, despite its recognition of the Act's constitutional significance in the Ayodhya judgment (2019).
- In the Gyanvapi Mosque Committee case (2023), the Court contradicted its own stance by allowing a mosque survey, further undermining the Act.

Judicial Will and Future Prospects

- The Sambhal case presented an opportunity for the Court to reaffirm the 1991 Act's validity and address the issue definitively.
- The special Bench hearing on the Act's validity offers another chance for the judiciary to rectify its past lapses and uphold constitutional values.

