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All Women May Pray at Sabarimala

Supreme Court allowed the entry of women of all ages in Sabarimala Temple.

Sabarimala Temple in Kerala barred women aged between 10 and 50 on grounds of biological and physiological features like menstruation, from entering the temple.

The rules which mandate the ban were listed in Kerala Hindu Places of Public Worship (Authorization of Entry) Rules of 1965.

Why Ban was imposed on women of age between 10 and 50: To protect the celibate nature of the Sabarimala deity. Presence of women deviate men from celibacy.Women of menstruating age would not be able to observe the 41-day period of abstinence before making a pilgrimage. Naishtika Brahmachari nature of the deity was a vital reason for imposing this restriction on young women.

*Supreme Court in its judgement has observed the ban is unconstitutional because:*The main opinion said that the prohibition reduced freedom of religion to a "dead letter", and the ban was a smear on the individual dignity of women.Relation with the Creator is a transcending one. Physiological and biological barriers created by rigid social dogma have no place in this.Chief Justice held that the ban was actually a product of hegemonic patriarchy in religion.The social exclusion of women, based on menstrual status is a "form of untouchability". The notions of "purity and pollution" stigmatised individuals. To exclude women was derogatory to an equal citizenship.The notion that women cannot keep thevratham(vow of celibacy) is to stigmatise and stereotype them as "weak and lesser human beings".Its effect is to impose the burden of a man's celibacy on a woman and construct her as a cause for deviation from celibacy. This is then employed to deny access to spaces to which women are equally entitled.To treat women as the children of a lesser God was to blink at the Constitution.The Chief Justice agreed with the view that the "mere sight of women cannot affect one's celibacy if one has taken oath of it. Otherwise such oath has no meaning."Devotees did not go to the Sabarimala temple for taking the oath of celibacy but for seeking the blessings of Lord Ayyappa. Maintaining celibacy was only a ritual.

Source: The Hindu.

Garibihatao' redux

An update of the Multidimensional Poverty Index (MPI), bought out by UNDP and the Oxford Poverty and Human Development Initiative recently has given poverty estimates about India.

Report named "*The Global Multidimensional Poverty Index Report: The Most Detailed Picture to Date of the World's Poorest People*" presents the global MPI 2018, to better align the global MPI with the Sustainable Development Goals (SDGs).

Multidimensional Poverty Index (MPI): It measures multiple deprivations in education, health and living standards in the same household.*Ten indicators were mainly taken into account for*

this report which include, nutrition, child mortality, years of schooling, school attendance, sanitation, cooking fuel, drinking water, electricity, housing and assets.

*Findings of the report:*India has reduced its Multidimensional Poverty Index (MPI) by almost half from 55 per cent to 28% between 2005-06 and 2015-16.Around 271 million people have been taken out of poverty in a decade.Despite reduction in the poverty index, 364 millions continue to experience acute deprivations in health, nutrition, schooling and sanitation.19% of the population is still vulnerable to multidimensional poverty and about 9% to severe MDP.196 million poor people live in the four states of Bihar, Jharkhand, Uttar Pradesh and Madhya Pradesh. Delhi, Kerala and Goa have the lowest number of poor people. Traditionally disadvantaged groups, in terms of caste, religions continue to hang at the most bottom rung of the ladder, though the same group has shown a major reduction in the MPI.

Source: The Hindu.

Cabinet approves 100% govt. stake in GST Network

The Union Cabinet approved increasing the government's ownership in the Goods and Services Tax Network (GSTN) to 100% from the existing 49% and also change the existing structure in line with a transition plan.

GST network is a not for profit company incorporated in 2013, under companies act.The Company has been set up primarily to provide IT infrastructure and services to the Central and State Governments, tax payers and other stakeholders for implementation of the Goods and Services Tax (GST).The Government of India holds 24.5% equity in GSTN and all States of the Indian Union, including NCT of Delhi and Puducherry, and the Empowered Committee of State Finance Ministers (EC), together hold another 24.5%. Balance 51% equity is with non-Government financial institutions.Now it is being made 100% govt. owned.

Source: The Hindu.

Railways To Roll Out Smart Coaches

The Indian Railways are set to launch their 'Make in India' smart coaches with new features like black box and artificial intelligence (AI)-powered CCTVs, matching international standards.

Named 'Smart Trains', the coaches have been equipped with sensors that can detect defects on bearings, wheels, and the railway track, giving constant inputs to those in the control room to avoid accidents, carry out maintenance, and to improve efficiency of operations.The maiden smart coach was unveiled at the Modern Coach Factory in Rae Bareli as part of launching 100 such trains in a pilot project to improve the safety and security of commuters, and to boost efficiency.

Source: The Hindu.

SATAT Initiative

Petroleum Minister will launch SATAT initiative to promote Compressed Biogas as an alternative and green transport fuel.

SATAT: Sustainable Alternative towards Affordable Transportation (SATAT).

Under the scheme, entrepreneurs will be invited to set up Compressed Biogas (CBG) production plants and make available CBG in the market for use in automotive fuels.It is developmental effort that would benefit both, vehicle-users as well as farmers and entrepreneurs.This move will boost availability of more affordable transport fuel and better use of agricultural residue, cattle dung and municipal solid waste. It will also help tackling the problem of polluted urban air due to farm stubble-burning and carbon emissions.

Source: The Hindu.

EDITORIAL

TO READ

Court's lost chance

Election Commission has been seeking SC's aid to stem criminalisation of politics. Its verdict falls short

On Tuesday, the Supreme Court delivered its much-awaited pronouncement on the petitions asking it to bar politicians facing heinous criminal charges — like rape, murder and kidnapping — from contesting elections. A five-judge bench led by Chief Justice DipakMisra said that the Court cannot play the role of Parliament. The CJI did express concern over the criminalisation of politics; something needed to be done urgently in this respect and the society is helpless to stem the phenomena, he said. But the judgment left much to be desired.

I am disappointed, but not surprised. I have, time and again, called the judiciary the guardian angel of democracy in general, and the Election Commission (EC) in particular. But this time, the SC has passed the buck to the EC, even though the Commission has been crying itself hoarse for the apex court's aid for the past two decades. Parliament is obliged to make a law on the matter according to Article 102 (1) of the Constitution, but if history is anything to go by, that is unlikely to happen.

The bench pronounced that it is not in a position to enable disqualification of candidates who face criminal charges. It has, however, provided a slew of directions to curb the criminalisation of politics. First, while filing their nominations, the candidates must declare if there are pending criminal cases against them in courts. Second, political parties are also responsible for putting up details of criminal cases filed against their candidates on their websites. Third, Parliament must legislate on the matter to ensure that candidates with criminal antecedents do not enter public life or become lawmakers. Fourth, while filling the nomination forms, candidates must declare their criminal past and the cases pending against them in bold letters. Lastly, political parties should publicise the background of their candidates via the electronic media and issue declarations.

The recommendations, though welcome, have practical issues. Parliament, regardless of who is in power, has always been reluctant to legislate on the issue. Voters do not generally read the websites of political parties. The recommendation regarding publicity campaigns about the criminal background of candidates by political parties sounds counter-intuitive. Why would they actively publicise anything that goes against their interests?
Section 8 of the Representation of People Act, 1951, bans convicted politicians. But those facing trial, no matter how serious the charges, are free to contest elections. A law to bar candidates charged for heinous crimes will require a broad consensus across the party lines; that seems highly unlikely. The fielding of candidates is a function of their "winnability", and not moral considerations. At present, far from denying tickets to criminals, all parties seem to compete in

the number of criminals they field. The past three Lok Sabhas have seen an increasing number of legislators with criminal background or pending cases against them — 124 in 2004, 162 in 2009 and 182 in 2014. The political parties are united in their opposition to any law, which debars perpetrators of heinous offences during the pendency of cases. They hold that this could lead to wrong cases being filed against candidates. This assertion is partly valid. However, the EC's proposal has safeguards against this. First, all criminal cases will not invite a ban, only the heinous offences will do. Second, the case should be registered at least six months before the elections. Third, the court must have framed the charges.

The opponents of the EC proposal have time and again stated that the candidates and the legislators are deemed "innocent until proven guilty". One wonders what they have to say about the 2.7 lakh undertrials, not yet convicted and hence innocent, but locked up in jails. Four of their fundamental rights stand suspended — liberty, freedom of movement, freedom of occupation and right to dignity. If the rights of those under trials can be suspended within the ambit of the law, what is the sanctity of the candidates' right to contest elections — only a statutory right, and not a fundamental one?
Attorney General K KVenugopal had submitted that fast track courts to try the charges against the candidates were "the only solution". It is surprising that the Court has not said a word on this though the issue is entirely in its domain. Fast-tracking has been the accepted norm. Many categories of special courts such as the CBI courts, consumer courts and, more recently, fast track courts for rape cases do create special categories for the purpose of adjudication, and nobody has dubbed them as discriminatory. The Representation of People Act also recognises this in principle, requiring the high courts to decide on election petitions within six months. The conventional courts take many years to decide on election petitions. It is not a deficiency of the law, but the judiciary neglecting its statutory obligation. The government had promptly offered its full support for the implementation of the March 2014 SC judgment, in which the court had accepted the urgent need for cleansing politics and directed all subordinate courts to give their verdict on cases involving legislators within a year, or give reasons for not doing so to the chief justice of the high court. Progress in this matter has not been reviewed.

Tuesday's verdict seems a missed opportunity by the Supreme Court, especially when seen in the light of the nation's fight for free, fair and clean elections. Judicial activism has been at the root of some of the most ground-breaking reforms in India's democratic history. In this case, crossing the lakshmanrekha would have been both welcome and justified. The doctrine of separation of powers has to be seen in light of the need for checks and balances. When the executive and legislature are unwilling to do their job, the judiciary must step in on behalf of the citizens. It remains to be seen whether the parliamentarians show political will to heed the apex court's advice and aid the fulfilment of the nation's dream for a corruption-free India.

MAINS QUESTION

Q:The recent SC judgment on Aadhaar Act draws a line between right to privacy and national objectives such as security and welfare state. Critically comment.