



TATHASTU
Institute Of Civil Services

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Institute Of Civil Services

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S.NO.	TOPIC
1.	THE HIDDEN COST OF GREENWASHING THE INDIAN RAILWAYS
2.	HOW DOES LA NINA AFFECT INDIA'S CLIMATE?
3.	WHAT IS THE PROCEDURE FOR REMOVING JUDGES?

THE HIDDEN COST OF GREENWASHING THE INDIAN RAILWAYS

The hidden cost of greenwashing the Indian Railways

According to a recent report published in this daily, RITES Ltd., the consultancy arm of the Indian Railways, has won two contracts for the repurposing of six broad gauge diesel electric locomotives for export to some African railways. These locomotives will be converted for use on railways that use the Cape Gauge of 1,067 mm as against the 1,676 mm used on the broad gauge of the Indian Railways. While the Indian Railways, in collaboration with its consultancy public sector undertakings such as RITES and IRCON, has exported locomotives to countries in Asia and Africa in the past, this is probably for the first time that second-hand (used) locomotives are proposed to be exported after “gauge conversion”. While there is no doubt that this is a commendable effort in re-engineering that involves virtually rebuilding the locomotives on a narrower platform, the story that lies hidden is a sordid saga of the humongous wasting of costly assets and profligacy unmatched in the annals of railways anywhere in the world, in pursuit of a wholly fictitious goal.

RTI data and policy justification

The report mentions “soon to be redundant diesel locomotives”. The fact is that even as far back as March 31, 2023, according to information obtained by this writer under the Right to Information (RTI) Act more than a year ago, there were 585 diesel locomotives stabled (kept idling/stored) in various locations across the Indian Railways’ network due to electrification. Further over 60% of those locomotives had a residual life of more than 15 years. Today, the figure is reported to be about 760 locomotives. How and why did the Indian Railways end up in a situation where hundreds of diesel electric locomotives in good working order with years of service still left in them became redundant? The answer lies with the policy of the government to electrify the entire broad gauge network of Indian Railways in mission mode, at a frenetic pace.

Railway electrification in India has long ago transcended mundane considerations such as economic and financial viability and joined the pantheon of universal desiderata such as world peace and universal brotherhood (*Vasudeiva Kutumbakam*). Today, railway electrification is generally justified broadly on two grounds: a saving of foreign exchange by reducing the import of crude oil and reducing environmental pollution, and, as a corollary of the second point, the adaptability to switch over to renewable sources of energy such as solar and wind. In fact in an official pamphlet issued by the Ministry of Railways in February 2021, entitled ‘Mission 100% Electrification - Moving Towards net zero carbon



K. Balakesari

formerly of the Indian Railway Service of Mechanical Engineers, was Member Staff, Railway Board

emission’, the objectives of the mission have been spelt out thus: to provide environment friendly, green and clean mode of transport to the people; and to unleash its potential to use of renewable energy, especially solar, by making use of the huge land parcel available along the railway tracks.

Let us examine these justifications in greater detail. The benefit of saving in foreign exchange is true in absolute terms. But viewed in the context of the total consumption of high speed diesel (HSD) oil in the country, the consumption for railway traction is minuscule. According to a study conducted by AC Nielsen and published by the Ministry of Petroleum and Natural Gas (January 2014), when electrification of the Indian Railways was proceeding at a sedate “conventional” pace, 70% of of total diesel oil consumption in the country was by the transport sector. Out of this, the share of the Railways was just 3.24%. In comparison, trucks consumed 28% and agricultural sector consumed 13.2%. The share of the Railways reduced further to about 2% in 2021-22. So, 100% rail electrification will eliminate one of the smallest segments of diesel consumption, leaving the elephants in the room to roam free.

Truth about environmental considerations

The claim of environmental benefits is even more untenable in the Indian context. Consider the following facts. Electricity is a secondary source of energy, except when generated by lightning. It needs to be generated by expending a primary source of energy from fossil fuels such as coal, oil and natural gas, nuclear energy or the kinetic energy of water stored at a height (as in hydroelectric projects), or through solar or wind power.

What is the situation in India? Nearly 50% of the electricity generated today in the country is through coal-fired thermal plants and the Indian Railways plays a crucial role in transporting the coal from the pit heads to the thermal power plants. In fact, nearly 50% of the Railways’ total freight earnings of about ₹1.7 lakh crore in 2023-24 (revised estimates) was generated by transporting coal for various purposes of which 80%, i.e., 40% of total freight earnings was generated only by transporting coal to thermal generating plants.

Replacing diesel locomotives with electric locomotives will only result in electric locomotives powered by electricity – about 50% of which is generated by burning coal – being used to move more coal to coal-fired thermal plants to generate more electricity, to transport more coal. Coal is considered the dirtiest fuel, environmentally, on the planet. A complete

switchover by the Indian Railways to electric traction merely shifts the pollution caused by diesel locomotives near the railway tracks to the source of power generation in a more concentrated form, ultimately polluting the same atmosphere. Unless and until about 80% of the total electricity generated in the country comes from non-fossil fuels – and that day seems far off – any claim of 100% electrification of the Indian Railways, making it a “Green Railway”, is in the realm of fantasy. Incidentally, before that situation becomes a reality, the Railways will have to find alternative commodities to coal – which, today, is the single highest freight earner – to avoid a financial meltdown.

This article is not intended to reopen the time-worn debate of electric traction versus diesel traction. The issue is about chasing a mirage of converting the Indian Railways into a “green railway”, and, in the process, rendering a large number of serviceable diesel locomotives redundant. If all the locomotives already stabled are lined up today end to end, they will stretch for a length of almost 16 kilometres, a majority of them heading prematurely to the scrapyard.

‘Disaster management, strategic purposes’

Mission 100% electrification of the Railways will also result in a dichotomy in the near term. The Indian Railways today has more than 4,000 diesel locomotives. With the impending 100% electrification of the system, all of them will not become redundant overnight. According to a recent news report in a reputed financial daily, quoting a senior official, 2,500 diesel locomotives are proposed to be retained by the Railways for “disaster management and strategic purposes”. It is beyond comprehension what disaster will require such a large number of diesel locomotives to be set aside, unless this is a ruse to avoid sending locomotives with considerable residual service life prematurely to the scrapyard. Further, it is reported that another nearly 1,000 locomotives will continue in service for the next few years to meet traffic commitments. In other words, a 100% electrified “green” railway will continue to use about 3,500 “dirty diesels” in the foreseeable future, financially sustained to a large extent by transporting a not-so-green commodity: King Coal. That raises the question: what was the ultimate purpose of the tearing hurry to electrify 100%?

The Indian Railways’ Mission 100% electrification is a sterling example of what happens when headline-grabbing slogans promoting vanity projects substitute for well-thought out policies, finally resulting in colossal wastage of tax-payers’ money.

But does anyone care?

The ‘mission 100% electrification’ project is about chasing a mirage of turning into a green railway; a large number of serviceable diesel locomotives will also become redundant





Introduction

- ❖ The article highlights the hidden inefficiencies and unintended consequences of the Indian Railways' **Mission 100% Electrification**.
- ❖ The move, while aimed at promoting green energy, has resulted in premature scrapping of diesel locomotives and overlooked the actual environmental impact.
- ❖ Author K. Balakesari critiques the financial and environmental justification for this policy.

1. Overview of Mission 100% Electrification

- ❖ **Objective:** To provide an environment-friendly, green, and clean mode of transport.
 - Promote renewable energy like solar and wind.
 - Use vast land parcels along railway tracks for solar installations.
 - Move towards **net-zero carbon emissions**.

2. Export of Diesel Locomotives

- ❖ RITES Ltd., the consultancy arm of Indian Railways, won contracts for converting used broad gauge diesel locomotives for export to African railways.
- ❖ **First-time development:** Used locomotives are being converted to a different gauge (Cape Gauge).
- ❖ Hidden issue: This re-engineering stems from the redundancy of perfectly serviceable locomotives due to hasty electrification.

3. Key Points from RTI Data

- ❖ As of **March 31, 2023:**
 - **585 diesel locomotives** were idling across various locations.
 - **60% of these locomotives** had a residual life of more than 15 years.
 - As of today, the number is **760 diesel locomotives**.
- ❖ Cause: **Frenetic pace of electrification**, which has overtaken economic and practical considerations.

4. Justifications for Electrification

(a) Economic Justification

- Aim: Saving foreign exchange by reducing diesel oil imports.
- **Counter Argument:**
 - Railways' diesel consumption is negligible (~2%) compared to the total diesel consumption in India.
 - Trucks (28%) and agriculture (13.2%) are far bigger consumers.
 - 100% electrification removes a minor share while ignoring larger sectors.

(b) Environmental Justification

- **Electricity** is a secondary energy source, primarily generated from fossil fuels.
- In India:
 - **50% of electricity** comes from **coal-fired thermal plants**.
 - Railways transport this coal, which contributes 40% of freight earnings.
- **Irony:** Electric locomotives powered by coal-generated electricity transport more coal, worsening pollution.





- Unless 80% of electricity comes from **renewable sources**, claims of green railways are unrealistic.

5. Unintended Consequences

(a) Wastage of Assets

- Large-scale stabling of diesel locomotives despite having **residual service life**.
- Estimated stretch of idling locomotives: **16 kilometers**.

(b) Dichotomy in Policy

- Retention of **2,500 diesel locomotives** for:
 - **Disaster management and strategic purposes**.
 - Another **1,000 locomotives** for current traffic commitments.
- Raises questions:
 - Why rush for 100% electrification when diesel locomotives will still operate?
 - Financial sustainability relies on transporting coal, contradicting the green vision.

6. Financial and Environmental Realities

- ❖ **Financial Impact:** Premature scrapping and underutilization of costly diesel assets lead to **colossal wastage of taxpayers' money**.
- ❖ **Environmental Impact:** Electrification merely shifts pollution from diesel locomotives to coal-fired power plants.

Way Ahead

- ❖ **Balanced Approach:**
 - Avoid hasty implementation of headline-grabbing policies.
 - Consider practical, economic, and environmental viability.
- ❖ **Phased Electrification:**
 - Gradually phase out diesel locomotives instead of rendering them redundant prematurely.
 - Invest in developing renewable energy infrastructure.
- ❖ **Policy Review:**
 - Prioritize cost-benefit analysis before pursuing large-scale electrification.
 - Focus on long-term environmental goals rather than short-term optics.

Conclusion

- ❖ The Indian Railways' **Mission 100% Electrification** is a cautionary tale of policy decisions driven by slogans instead of wellthought-out strategies.
- ❖ Premature scrapping of diesel locomotives and reliance on coal-based electricity undermine the mission's green objectives.
- ❖ A more pragmatic and phased approach is essential to balance **economic sustainability** and **environmental benefits**.



HOW DOES LA NIÑA AFFECT INDIA'S CLIMATE?

How does La Niña affect India's climate?

How do the La Niña and El Niño influence global atmospheric circulation and weather patterns? What is a Triple Dip La Niña? If a La Niña was to form now, how would it affect the current Indian winters and subsequent summers and monsoons as well?

EXPLAINER

Mohammad Rafiuddin
Shikhar Tiwari
Rishikesh P.

The story so far:

While the La Niña was expected to emerge by July this year, it is yet to. The India Meteorological Department now expects a La Niña to set in by late 2024 or early 2025, plus a milder winter due to this delay.

What is La Niña?

La Niña, a phase of the El Niño Southern Oscillation (ENSO), occurs when the region of the Pacific Ocean between Indonesia and South America is cooler than usual. Its counterpart, El Niño, represents a warming of the same region. These two phases significantly influence global atmospheric circulation and weather patterns. During La Niña years, India receives normal or above-normal rainfall during the monsoon season. Yet the same phenomenon causes droughts in Africa and intensifies hurricanes over the Atlantic Ocean. Conversely, the El Niño brings extreme summers and droughts in India while increasing rainfall in the southern U.S.

This decade began with three consecutive La Niña events (2020-2022), a rare occurrence known as Triple Dip La Niña, followed by an El Niño in 2023. Climate change may increase the frequency and intensity of both La Niña and El Niño events, as rising sea and land temperatures disrupt the Pacific's balance. This could also amplify extreme La Niña events, which generally lead to harsh winters in India.

Will a La Niña emerge this winter?

2024 is different; the La Niña has not emerged as expected. Historically, the La Niña has usually formed during the monsoon or the pre-monsoon period, and it has formed only twice between

Weather fluctuations

La Niña, a phase of the El Niño Southern Oscillation (ENSO), occurs when the region of the Pacific Ocean between Indonesia and South America is cooler than usual. Its counterpart, El Niño, represents a warming of the same region.



FIGURE 1: Planetary Boundary Layer Height (PBLH) is slightly lower during La Niña. But the difference is only noticeable during daytime. This could lead to more trapping of pollutants near the surface

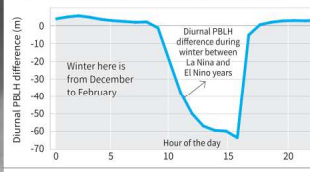
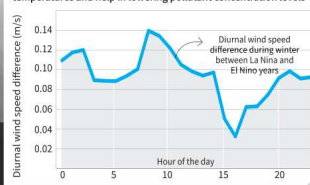


FIGURE 2: Wind speed is higher throughout the day during La Niña compared with El Niño. This could counter the impact of lower temperatures and help in lowering pollutant concentration levels



October and December since 1950. Global forecasts had also predicted its emergence this monsoon. But in December, there remains only a 57% chance of it forming in 2024. It will be weak if it still does but it could affect global weather.

The onset of La Niña or El Niño can be declared on the basis of many indices. For instance, the oceanic Niño index (ONI) compares the three-month average sea surface temperatures in the East-Central Tropical Pacific with the 30-year average. When the difference between the two is 0.5° C or higher, it is an El Niño, and when it is -0.5° C or lower, it is a La Niña. Currently, it is around -0.3° C. To be classified as a full-fledged La Niña or El Niño, ONI values need to exceed the thresholds at least five times

consecutively.

What is the meteorology?

Cities in southern India like Bengaluru and Hyderabad are experiencing a colder than usual winter this year, while north India is witnessing a delayed winter with above-normal temperatures. Some reports have linked the southern chill to a La Niña, but the current ONI values suggest otherwise. Had a La Niña developed already, north India would likely be experiencing a colder winter than usual.

An analysis of meteorological data over 35 years by researchers at the Council on Energy Environment and Water, New Delhi, has revealed that while La Niña winters feature colder nights compared to El Niño, daytime temperatures tend to be

higher. Meteorological parameters like wind speed and planetary boundary layer height (PBLH) – the lowest atmospheric layer directly influenced by land-atmosphere interactions – also vary during ENSO phases, affecting air quality.

The team found the average wind speed is higher throughout the day during La Niña winters. Faster winds help reduce air pollution by transporting pollutants away. They also found that the average PBLH is slightly lower during La Niña winters. If a La Niña sets in, lower temperatures in north India may lead people to burn more biomass for heating, worsening air pollution. A lower PBLH could also trap more pollutants near the ground. But higher wind speeds could disperse the pollutants, potentially leading to better air quality.

What about La Niña and monsoons?

El Niño summers are relatively harsher, as was the case in April this year, when India experienced intense, record-breaking heat waves. If a La Niña arrives and persists into the summer of 2025, it may offer relief from high heat. Additionally, an El Niño often disrupts monsoons, with India historically receiving below-average rainfall during at least half of all El Niño years since 1871. But the same figures also indicate evolving patterns since 1980.

Both north and south India, for instance, have received less rainfall during more intense El Niño events while central India has been barely affected. A La Niña, on the other hand, promotes robust monsoons as evidenced by the "normal" or "above-normal" rainfall in the La Niña years of 2020, 2021, and 2022. There were "below normal" rains in the El Niño year of 2023.

Thus it would be a welcome development if a La Niña forms now or early next year and continues until the monsoon season.

Mohammad Rafiuddin is programme associate, and Shikhar Tiwari and Rishikesh P are consultants – all at the Council on Energy, Environment and Water (CEEW).

THE GIST

During La Niña years, India receives normal or above-normal rainfall during the monsoon season. Yet the same phenomenon causes droughts in Africa and intensifies hurricanes over the Atlantic Ocean.

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Introduction

- ❖ La Niña and El Niño are opposing phases of the **El Niño Southern Oscillation (ENSO)**, significantly influencing global and regional climate.
- ❖ La Niña occurs when sea surface temperatures in the **Central and Eastern Pacific Ocean** become cooler than average.
- ❖ This phenomenon has far-reaching impacts on India's winters, summers, and monsoon patterns.

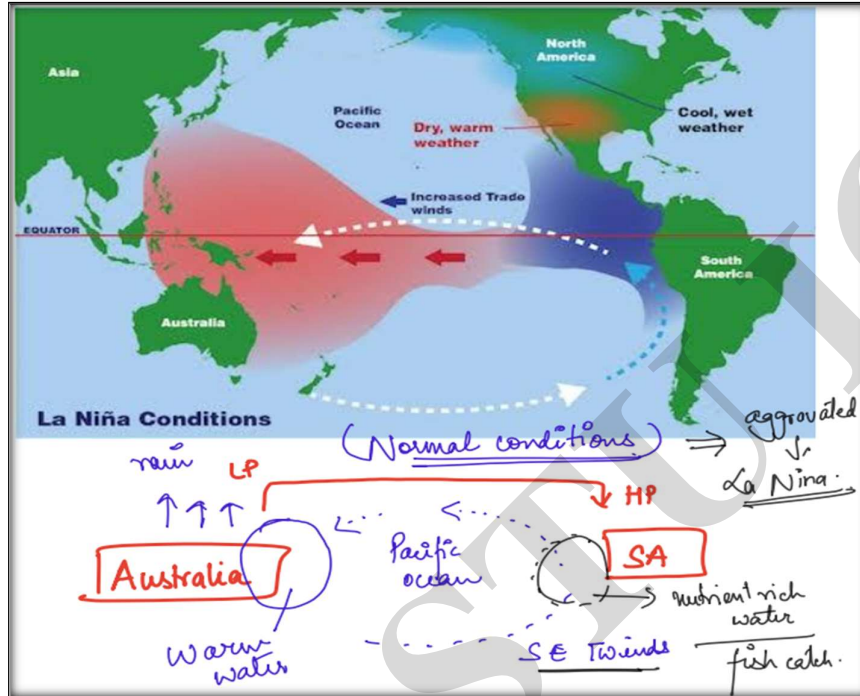
The current delay in La Niña formation raises critical questions about its effect on **Indian winters** and the subsequent summer and monsoon of 2025

1. What is La Niña?

- ❖ La Niña is the **cool phase** of the ENSO cycle.
- ❖ It occurs when **sea surface temperatures** in the Pacific Ocean (from Indonesia to South America) are **-0.5°C or lower** compared to the 30-year average.
- ❖ Indicators:
 - **Oceanic Niño Index (ONI):** A key parameter where consistent negative values below -0.5°C for at least five months indicate a full-fledged La Niña.

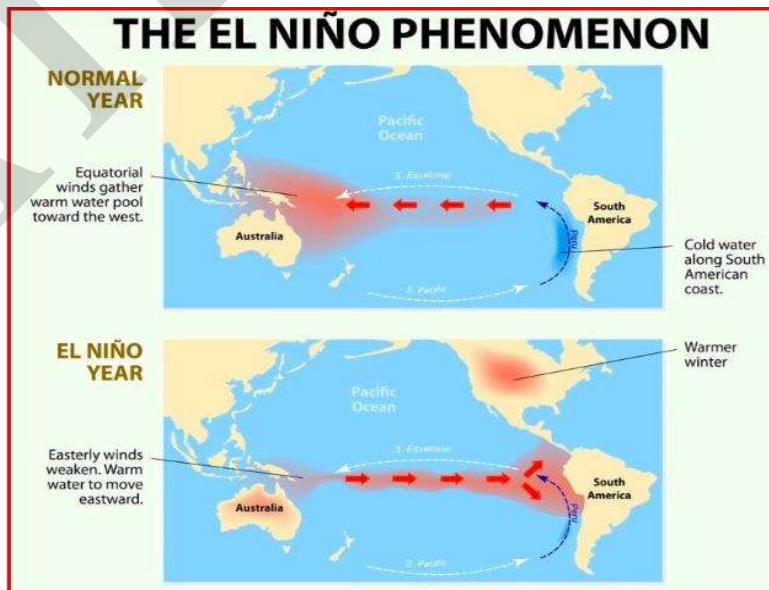
❖ **Effects:**

- Normal to **above-normal monsoons** in India.
- Droughts in Africa.
- Intensification of **hurricanes** over the Atlantic Ocean.



❖ **What is El Niño?**

- El Niño is the **warm phase** of ENSO, characterized by a rise in sea surface temperatures (**+0.5°C or higher**).
- **Effects:**
 - Harsh summers and **below-average monsoons** in India.
 - Heavy rainfall in the **southern United States**.

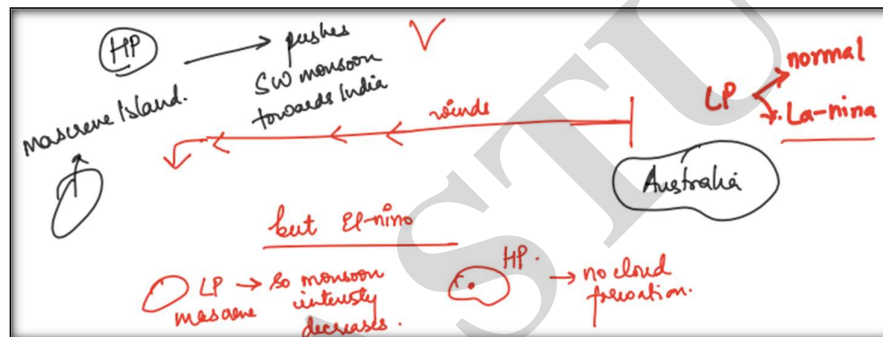


2. La Niña's Influence on Global Weather Patterns

- ❖ La Niña affects **global atmospheric circulation**, altering **jet streams** and wind patterns:
 - **Indian Subcontinent:** Robust monsoons and colder winters.
 - **Africa:** Increased chances of drought.
 - **North America:** Wetter conditions in the northwest, drier in the southwest.
 - **Atlantic Ocean:** Intensified hurricane activity due to favorable wind patterns.
- ❖ La Niña has a cyclical relationship with El Niño, often following it

3. Triple Dip La Niña

- ❖ A **Triple Dip La Niña** refers to **three consecutive years** of La Niña events, which is rare.
- ❖ Example: 2020-2022.
- ❖ **Cause:** Persistent cooling of Pacific Ocean waters influenced by changing global atmospheric conditions.
- ❖ **Impact:** Amplified winters in India and disrupted global weather systems.



4. Delay in La Niña Formation

- ❖ La Niña was expected by July 2024 but has yet to form.
- ❖ Historical Context:
 - La Niña has rarely formed between **October and December** since 1950.
- ❖ **Current Scenario:**
 - **ONI** values stand at **-0.3°C** (December 2024), below the La Niña threshold of **-0.5°C**.
 - Global forecasts estimate a **57% chance** of La Niña forming in 2024.

5. La Niña and Indian Winters

- ❖ **Current Winter Conditions:**
 - Southern India (e.g., Bengaluru, Hyderabad) experiencing **colder winters**.
 - Northern India facing **delayed winter** with above-normal temperatures.
- ❖ **Impact of La Niña on Indian Winters:**
 - **Temperature:** Nights are colder, but **daytime temperatures** remain higher.
 - **Wind Speed:** La Niña winters feature **higher average wind speeds**, which help disperse air pollutants.
 - **Air Quality:**
 - Lower **planetary boundary layer height (PBLH)** can trap pollutants near the surface.
 - Biomass burning for heating in colder regions worsens air quality.



6. La Niña and Indian Summers

- ❖ If La Niña forms and persists into **2025 summers**:
 - **Relief from heat waves**: La Niña summers tend to be milder than El Niño years.
- ❖ **Precedent**: El Niño summers in 2023 caused **record-breaking heat waves** across India

7. La Niña and Monsoons

- ❖ **El Niño Impact on Monsoons**:
 - Below-normal rainfall, as seen in **2023**.
 - Disrupts Indian agriculture and water supply.
- ❖ **La Niña Impact on Monsoons**:
 - Promotes **normal or above-normal rainfall**.
 - Examples: 2020, 2021, and 2022 saw **robust monsoons**.
 - Central India experiences **stable rainfall**, while northern and southern regions show variability.
 - A La Niña forming now and persisting into 2025 could result in:
 - **Better monsoons**, aiding agriculture.
 - Enhanced water availability for irrigation and reservoirs.

8. Climate Change and ENSO Events

- ❖ Climate change may:
 - Increase the **frequency and intensity** of La Niña and El Niño events.
 - Disrupt the natural balance of Pacific Ocean temperatures.
 - Amplify **extreme La Niña events**, resulting in harsher winters and unpredictable monsoons.

Conclusion

- ❖ La Niña plays a critical role in shaping India's climate by influencing **winters, summers, and monsoons**.
- ❖ The delayed La Niña of 2024 may still impact upcoming summers and the monsoon of 2025.
- ❖ While La Niña brings benefits like **normal monsoons** and reduced heat, its effects on **air quality and extreme winters** must also be considered.
- ❖ Understanding and monitoring ENSO patterns are vital for **agricultural planning, disaster management**, and mitigating climate-related risks in India.





WHAT IS THE PROCEDURE FOR REMOVING JUDGES?

What is the procedure for removing judges?

Why have some Rajya Sabha members called for the removal of Allahabad High Court Judge, Justice Yadav?

Rangarajan. R

The story so far:

Fifty-five MPs of the Rajya Sabha have submitted a motion, for removing Allahabad High Court Judge, Justice Shekhar Kumar Yadav, to Chairman of the Rajya Sabha.

What is the procedure for removal?

Articles 124 and 217 of the Constitution provide that a judge of the Supreme Court/High Court shall be removed by the President, on the grounds of 'proved misbehaviour' or 'incapacity' after a motion is passed in each House of Parliament by a majority of the total membership of that House and by a majority of not less than two thirds of the members of that House present and voting (special majority) in the same session. The Constitution does not define the terms 'proved misbehaviour' or 'incapacity.' The Supreme Court has

opined in various cases that wilful misconduct in office, corruption, lack of integrity or any other offence involving moral turpitude would constitute misbehaviour. Incapacity here means a medical condition that may include physical or mental incapacity.

The detailed procedure for removal is provided in the Judges (Inquiry) Act, 1968. It stipulates that a notice of motion for removal should be signed by not less than 50 members in the Rajya Sabha and 100 members in the Lok Sabha. The Chairman or Speaker may after due consideration and consultation admit or refuse to admit the motion. If admitted, a three-member committee will be constituted consisting of Supreme Court/High Court judges and a distinguished jurist. If the Committee, after investigation, absolves the judge of any misbehaviour or incapacity, the motion pending shall not be proceeded with. If found guilty of misbehaviour or

suffering from incapacity, the committee report will be taken up in the Houses of Parliament which would then need to pass the motion with special majority.

What is the current issue?

Justice Yadav made communally-charged remarks while speaking at an event organised by the Vishwa Hindu Parishad. He is reported to have said the country would be run according to the wishes of the majority. The 'Reinstatement of Values of Judicial Life' adopted by the Supreme Court in 1997, and followed by all the High Courts, mandates that behaviour and conduct of members of the higher judiciary must reaffirm people's faith in the impartiality of the judiciary. The judges should not commit any act of omission or commission that is unbecoming of the high office they occupy. Notably, though the Judges (Inquiry) Bill, 2006 was not passed by the Parliament, it defined 'misbehaviour' to

include violation of code of conduct for the judges. This bill proposed imposition of 'minor measures,' like issuing warnings, public or private censure, withdrawal of judicial work for a limited time etc., for misconduct that does not warrant removal.

What is required?

The Blackstone's ratio in criminal jurisprudence that 'it is better that ten guilty persons escape than that one innocent suffer' can be applied even when it comes to the removal of judges. The stringent process with the requirement of special majority in both houses has resulted in the non-removal of judges even after having been found guilty of misbehaviour by the inquiry committee. This is nevertheless essential to protect the independence of judges while discharging their duties. The Chairman of the Rajya Sabha, against whom himself a notice of motion for removal has been submitted, is unlikely to admit the present motion. The Supreme Court has issued a notice seeking details of the controversial speech made by Justice Yadav. The Judge is likely to appear before the Supreme Court Collegium to explain his stand. It is cardinal that Judges display behaviour that behoves the high constitutional office they hold.

Rangarajan R is a former IAS officer and author of 'Polity Simplified'. Views expressed are personal.

THE GIST

Articles 124 and 217 of the Constitution provide that a judge of the Supreme Court/High Court shall be removed by the President, on the grounds of 'proved misbehaviour' or 'incapacity' after a motion is passed in each House of Parliament.

Justice Yadav made communally-charged remarks while speaking at an event organised by the Vishwa Hindu Parishad.

The stringent process with the requirement of special majority in both houses has resulted in the non-removal of judges even after having been found guilty of misbehaviour by the inquiry committee.

Introduction

- ❖ Recently, **55 Rajya Sabha MPs** submitted a motion to remove **Allahabad High Court Judge, Justice Shekhar Kumar Yadav**.
- ❖ This motion follows alleged **communal remarks** made by Justice Yadav that have raised questions on judicial conduct.

Constitutional Procedure for Removing Judges

Relevant Articles

- Articles **124** and **217** of the Constitution provide the procedure for removing judges:
 - Applies to judges of the **Supreme Court and High Courts**.
 - Grounds: '**Proved misbehaviour**' or '**incapacity**'.
 - Removal is executed by the **President of India** after a motion is passed in Parliament.

Special Majority Requirement

- The motion must pass in **both Houses of Parliament**:
 - **Majority of total membership** of each House.
 - **Two-thirds majority** of members **present and voting**.
- Both conditions must be met in the **same session** of Parliament.

Definition of Grounds

- **Misbehaviour**: The Constitution does not define this term, but the Supreme Court has clarified it includes:
 - Wilful misconduct in office.
 - Corruption, lack of integrity, or offenses involving **moral turpitude**.
- **Incapacity**: Refers to physical or mental conditions that hinder a judge's performance.





Step 1: Submission of Motion

- A motion for removal must be signed by:
 - **50 Members** in the **Rajya Sabha**.
 - **100 Members** in the **Lok Sabha**.
- The motion is submitted to the **Chairman of Rajya Sabha** or **Speaker of Lok Sabha**.

Step 2: Admittance of Motion

- The Chairman or Speaker may **admit** or **refuse** the motion after due consideration.

Step 3: Inquiry Committee

- If the motion is admitted, a **three-member committee** is formed:
 - **Supreme Court judge**.
 - **High Court judge**.
 - **Distinguished jurist**.
- The committee investigates the charges:
 - If **no misbehaviour or incapacity** is found, the motion is dropped.
 - If **guilty**, the report is presented to Parliament.

Step 4: Vote in Parliament

- Both Houses must pass the motion with a **special majority**.

If passed, the judge is removed by the **President**.

Challenges in the Removal Process

Stringent Process

- The requirement of a **special majority** makes the removal process difficult:
 - Protects judges' independence from undue influence.
 - Ensures removal is only for **serious offenses**.

Blackstone's Ratio

- Principle: *"It is better that ten guilty persons escape than one innocent suffer."*
- Applies to judges to prevent unfair removal.

Outcome of Inquiry Committees

- Even after a judge is **found guilty**, Parliament's inability to pass a motion has prevented removals.

What is Required?

1. Judicial Accountability

- Judges must display conduct that **benefits their constitutional office**.
- Upholding **judicial impartiality** is vital to maintaining public trust.

2. Review of the Removal Mechanism

- There is a need to revisit:
 - **Definition of misbehaviour**.
 - Introduction of **minor penalties** for lesser offenses.

3. Independence vs Accountability

- Striking a balance between:
 - Ensuring **independence of judges**.
 - Holding them accountable for misconduct.

— Keep Learning and Keep Revising! —

