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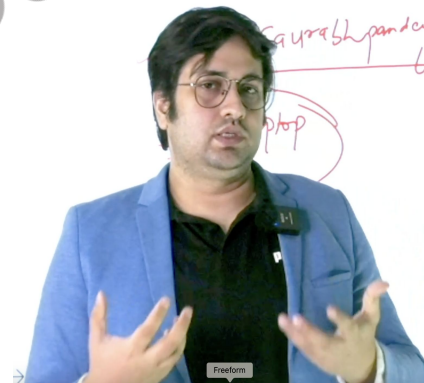
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By saurabh Pandey



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Q. “ Role of judiciary in handling anti defection law is against the separation power principle” Examine

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**By saurabh
pandey sir**

Karnataka Forest Department to 'soft-release' captured elephants into Bhadra sanctuary

Sathish G.T.
SHIVAMOGGA

The Karnataka Forest Department is working out a plan for the capture and rehabilitation of wild elephants causing trouble in Hassan, Chikkamagaluru, and Kodagu districts through their "soft-release" into the wild. This involves releasing them in a phased manner in the Bhadra Wildlife Sanctuary, after keeping them in an enclosure spread over 20 sq. km for a few months.

Residents tense

Roughly 200 elephants have been roaming in different parts of the three districts, leaving the local pe-



The sites have been identified considering the availability of water, forage, and being free from human activity. SPECIAL ARRANGEMENT

ople in constant worry. They keep raiding crops and attacking human beings.

The local people have staged protests on multiple occasions demanding the government capture all the elephants in the region.

The officers of Chikkamagaluru Circle of the Forest Department have identified four places within the Bhadra Wildlife Sanctuary, spread over 492.30 sq. km, for their release. The sanctuary already has roughly 450 elephants. Ac-

cording to officers, the area can accommodate 200 more, considering its carrying capacity.

The places have been identified considering the availability of water, forage, road connectivity, and being free from human activity. One among these four places will be finalised to set up the enclosure measuring about 20 sq. km.

The enclosure will be separated from the rest of the area by railway barricades. The elephants captured will be released in the enclosure and monitored for a few months. A team of veterinarians will keep an eye on the behaviour of the elephants from

the vet centre attached to the enclosure, a senior officer of the department said.

The place will have sufficient natural food and assisted natural food for the animals. Whenever required, veterinarians will provide medicine darts. "During those months, the animals will have no interaction with human beings. Only after they are acclimatised to the environment and the veterinarians find them fit to be released to the sanctuary will the gate leading to the forest be opened," the officer said.

An experiment on similar lines had been done in West Bengal.

Bhadra Wildlife Sanctuary and Tiger Reserve



- The sanctuary takes its name from the Bhadra River, its lifeline. Popularly known as Muthodi Wildlife Sanctuary, after the village on its periphery, it was declared a Project Tiger reserve.
- Bhadra Tiger Reserve is located in the Western Ghats of Karnataka.

SC considers question of timeline for Speakers to decide on defections

Krishnadas Rajagopal

NEW DELHI

The Supreme Court on Tuesday asked if constitutional courts cannot direct Speakers, who act as quasi-judicial tribunals under the anti-defection law, to decide disqualification petitions filed with them under the Tenth Schedule (anti-defection law) of the Constitution within a specified period.

A Bench headed by Justice B.R. Gavai is hearing petitions filed by Bharat Rashtra Samithi leaders seeking timely action by the Telangana Assembly Speaker on disqualification proceedings pending against 10 MLAs who shifted allegiance to the ruling Congress in the State.

Until now, the apex court had only urged Speakers to decide anti-defection pleas within a "reasonable time". The court had not specified what the



"reasonable" time ought to be in due regard to the Constitutional office of the Speaker.

But Justice Gavai on Tuesday said Constitutional courts were after all the "custodians of the Constitution".

The court considered the question "whether a Constitutional court was so powerless that it cannot direct a Constitutional authority like the Speaker to perform his mandate under the Constitution".

Senior advocate C.A. Sundaram, for the petition-

ers, said the response would necessarily be a 'yes'. The senior lawyer hinted at political partisanship which guided Speakers while noting that in the U.K. the Speaker of the House was the last position held before abandoning active politics.

"We have the best and most vibrant democracy here," Justice A.G. Masih commented.

'Vibrant experience'

Justice Gavai reacted with a smile, saying "the experience in Maharashtra in the last five years has been really vibrant".

Mr. Sundaram said the usual ploy was to keep disqualification petitions pending till the end of the tenure of the House.

"When the law and the Rules are silent about the time [to decide petitions under the anti-defection law], does it give Speakers, acting as quasi-judicial tri-

bunals, an absolute largesse to take whatever time they want or would the Constitutional court have the power to ensure that the petitions are decided within a time which is in tune and in the spirit of the Tenth Schedule of the Constitution," Mr. Sundaram framed the question in the case.

He said since Speakers function as a tribunal, the courts definitely would have the power of judicial review over their actions.


"The courts, of course, cannot pass impeding orders which stop the Speaker from exercising his powers, but they can direct the Speaker to exercise his Constitutional authority," Mr. Sundaram argued.

Senior advocate Dama Seshadri Naidu, also appearing on the petitioner side, urged the court to fix four weeks as a reasonable time for Speakers to decide disqualification petitions.

Supreme Court Inquiry on Anti-Defection Law

Overview of the Supreme Court Inquiry


 **Supreme Court Inquiry:** The Supreme Court is examining if constitutional courts can require Speakers to decide on disqualification petitions under the anti-defection law within a specific timeframe.


 **Hearing Context:** A Bench led by Justice B.R. Gavai is reviewing petitions from Bharat Rashtra Samithi leaders about pending disqualification proceedings against 10 MLAs who switched allegiance to the ruling Congress in Telangana.

 **Previous Court Stance:** The Supreme Court previously urged Speakers to resolve anti-defection pleas within a "reasonable time" but did not define what that timeframe should be.

 **Constitutional Authority:** Justice Gavai emphasized that constitutional courts are the "custodians of the Constitution" and questioned the powerlessness of these courts in directing Speakers to fulfill their constitutional duties.

 **Political Partisanship:** Senior advocate C.A. Sundaram highlighted potential political bias affecting Speakers' decisions, contrasting it with the U.K. system where the Speaker is expected to remain apolitical.

 **Proposed Timeframe:** Advocate Dama Seshadri Naidu suggested that a four-week period should be established as a reasonable timeframe for Speakers to decide on disqualification petitions.

 **Judicial Review:** The argument was made that while courts cannot prevent Speakers from exercising their powers, they can direct them to fulfill their constitutional responsibilities in a timely manner.

Summary: The Supreme Court is deliberating on whether it can compel Speakers to decide disqualification petitions under the anti-defection law within a specified timeframe, amid concerns of political bias and the need for timely justice

Parliament passes Bill to replace Boilers Act

The Hindu Bureau
NEW DELHI

The Lok Sabha on Tuesday passed the Boilers Bill, 2024, which provides for the regulation of boilers, safety of life and property of persons from the danger of explosions of steam-boilers, and uniformity in registration.

The Bill seeks to replace the Boilers Act, 1923. It was passed by the Rajya Sabha in December last year.


Union Commerce and Industry Minister Piyush Goyal, who piloted the Bill, said several colonial-era redundant and obsolete provisions have been removed and the Bill seeks to do away with the colonial mind-set. “We have made the Bill simple and readable,” he said adding that the legislation would not take away powers of the State governments.


None of the rights of States has been taken away, the Minister assured the Opposition members.


The Opposition members, however, walked out during Mr. Goyal’s reply when he was criticising the previous Congress-led government for delaying this law.

Boilers Bill, 2024,




 The Lok Sabha passed the Boilers Bill, 2024, aimed at regulating boilers and ensuring safety from steam-boiler explosions.

 The Bill replaces the Boilers Act of 1923 and was previously passed by the Rajya Sabha in December 2023.

 Union Commerce and Industry Minister Piyush Goyal emphasized the removal of outdated colonial provisions and aimed for a simpler, more readable Bill.

 Goyal assured that the Bill does not infringe on the rights of State governments, addressing concerns from the Opposition.

 Opposition members walked out during Goyal's remarks criticizing the previous Congress-led government for delaying the legislation.

 The Bill aims to enhance uniformity in the registration of boilers across the country.

 The legislation reflects a shift away from colonial-era mindsets in regulatory frameworks.

A boiler is a closed vessel in which fluid (generally water) is heated.



Search for universe's first water could reset timeline of life's origins

The findings of new research validate previous studies that have shown that at least some of the earth's water was delivered by comets early in the planet's history. They also confirm that water molecules remain unchanged from their interstellar origins as they reach planets elsewhere in the universe

Prakash Chandra

Astronomers may be closer to solving one of the most intriguing mysteries in science: how did water originate in the universe?

A study published in the journal *Nature Astronomy* on March 3 suggested that the universe's oldest stars became fountains of water as their nuclear fires were extinguished in massive explosions called supernovae.

If this finding is borne out in further research, astronomers will have to revise current theories to factor in potentially life-bearing planets being born billions of years earlier than previously thought.

The first stars

Water is the third most abundant molecule in the universe, after hydrogen and carbon monoxide, but its origins have remained obscure.

Billions of years ago, all matter and energy existed as an extremely small fleck in the void. This incredibly dense blob exploded some 13.8 billion years ago with a Big Bang to create the known universe.

The first stars were born just a few hundred million years after the Big Bang, at a time when all visible matter comprised primordial hydrogen and helium atoms. The nuclear furnaces at the cores of these early stars were powered by hydrogen, and as they shone, they heated up the surrounding intergalactic gas and dust. Hundreds of millions of years later, when the stars ran out of hydrogen to burn, they blew up as supernovae.

But by then their heat had ionised the interstellar medium around them, which set the stage for the formation of new stars and triggered a cycle of star births in perpetuity.

The third population

The longevity of a star depends on its mass. More massive stars die faster as more mass means more heat, and the hotter a star becomes, the faster its nuclear fuel is exhausted. Temperatures of millions of degrees and high densities inside a star force four hydrogen atoms to fuse into a helium atom, releasing enormous amounts of energy.

Scientists have calculated that 0.7% of the mass is converted into energy, summed up by Einstein's mass-energy equation.

Based on their age and metallicity (i.e., the proportion of any element other than hydrogen and helium), astronomers divide stars into three groups. Population I stars, like the sun, are the youngest and are the most metal-rich, while population



NASA's Hubble Space Telescope unveiled in stunning detail this small section of the expanding remains of a massive star that exploded about 8,000 years ago, now called the Veil Nebula, February 17, 2024. NASA, ESA, AND THE HUBBLE HERITAGE TEAM (STSC/AURA)

II stars are older and are less metallic.

The universe's oldest stars form population III: massive stars composed completely of hydrogen and helium. These forerunners, the researchers of the new study have surmised, were the stellar nurseries where water must have first appeared in the cosmos.

The right conditions

Astronomer D.H. Whalen of the University of Portsmouth, England, who led the new study, said his team ran 3D simulations of population III supernovae looking for the signatures of water. They found that the conditions required to create water existed at around the same time when those first supernovae lit up the cosmos: sometime between 50 million and 1 billion years after the Big Bang. Gigantic stars, hundreds of times more massive than our sun and with short lifespans, provided these conditions when they exploded, leaving behind hydrogen, oxygen, and other elements as their stellar remnants.

According to Whalen, the oxygen produced in these supernovae combined with hydrogen to create water, which is crucial for forming the elements necessary for life (as we know it).

The earliest stars could not have possibly engendered water in the universe before they became supernovae, however.

"The supernovae have to expel oxygen, which only forms during late stages of nuclear burning in massive stars that are



Astronomers had an idea that metal-poor stars generated oxygen which would combine with hydrogen to produce water. The current paper shows that generation of water in early galaxies was likely more efficient destined to explode."

Water in an infant universe

It may be a while before astronomers redraw their theories on the origins of water in the cosmos. "The water formation happens after the supernovae throw out most of the stellar material," K.C. Sarkar, an associate professor of astronomy and astrophysics at the Ramon Research Institute in Bengaluru, said in an email interview.

"Astronomers already had an idea that the massive, metal-poor stars generated a lot of oxygen and that this oxygen would later combine with hydrogen to produce water in the universe. The current paper shows that the generation of water in early galaxies could be more efficient than [in] today's galaxies."

Scientists believed for decades that only traces of water were present in the early cosmos and that it became more common when newer, bigger stars exploded, yielding more of the heavier elements to an evolving universe. But the latest findings indicate that the first supernovae themselves produced enough

water to drench the infant universe.

This would mean planets, a crucial refuge for water molecules, could have formed even before the first galaxies were born, and that there could have been enough water and other elements in the interstellar molecular clouds to kickstart life. If so, this pushes the timeline for potential life to have arisen in the universe way back.

Remain unchanged

There are concerns that the model used by the University of Portsmouth researchers was based on the use of indirect methods, like numerical experiments, to study population III stars. "These stars are so distant that it is nearly impossible to 'see' them even with the most sophisticated telescopes.

However, Whalen said this challenge did not affect the accuracy of the study. "The important thing is to capture how ionising UV radiation from the stars heats and drives away ambient gas over their lifetimes. We have those from stellar atmosphere and evolution models that are well established in the field."

The findings validate previous research that has shown that at least some of the earth's water was delivered by comets early in the planet's history. They also confirm that water molecules remain unchanged from their interstellar origins as they reach planets elsewhere in the universe.

(Prakash Chandra is a science writer. prakashisat@gmail.com)

THE GIST

Water is the third most abundant molecule in the universe, after hydrogen and carbon monoxide, but its origins are obscure

Researchers found that the conditions required for water existed around the time when the first supernovae lit up the cosmos. Gigantic stars exploded, leaving behind hydrogen, oxygen, and other elements. The oxygen combined with hydrogen to create water

The latest findings indicate that the first supernovae produced enough water to drench the infant universe. This means planets could have formed before the first galaxies, and that there was enough water to kickstart life. This would push the timeline for potential life way back

WATER IN UNIVERSE

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- **Researchers found that the conditions required for water existed around the time when the first supernovae lit up the cosmos. Gigantic stars exploded, leaving behind hydrogen, oxygen, and other elements. The ‘oxygen combined with hydrogen to create water’**
- **The latest findings indicate that the first supernovae produced enough water to drench the infant universe. This means planets could have formed before the first galaxies, and that there was enough water to kickstart life. This would push the timeline for potential life way back**

BIG SHOT



This is a collage of galaxies captured by the Euclid observatory and released on March 19. The first column shows galaxies that have a more diffuse appearance. The middle columns showcase face-on spiral galaxies with different shapes and densities of stars. The last columns include interacting galaxies or galaxies with an unusual spiral arm or tidal tail. EUCLID CONSORTIUM/ESA, NASA

Euclid

Launch period by european space agency

July 2023

- Euclid is designed to explore the evolution of the dark Universe. It will make a 3D-map of the Universe (with time as the third dimension) by observing billions of galaxies out to 10 billion light-years, across more than a third of the sky.
- While dark energy accelerates the expansion of the Universe and dark matter governs the growth of cosmic structures, scientists remain unsure about what dark energy and dark matter actually are.
- By observing the Universe evolving over the past 10 billion years, Euclid will reveal how it has expanded and how structure has formed over cosmic history – and from this, astronomers can infer the properties of dark energy, dark matter and gravity, to reveal more about their precise nature.

How is an in-house inquiry conducted



What happens if a judge is accused of judicial misconduct? Why is Justice Yashwant Varma under scrutiny? What has the Chief Justice of the Delhi High Court recommended? Is criminal punishment initiated when a judge is found guilty? Should there be a more transparent process?

EXPLAINER

Rangarajan R.

The story so far:

The Chief Justice of India (CJI) has constituted an in-house committee to conduct an inquiry into allegations of misconduct against Justice Yashwant Varma. This follows recovery of huge piles of cash at his residence during a fire-control operation.

What is the current issue?

A fire broke out at the residence of Justice Yashwant Varma of the Delhi High Court on March 14. The fire-control personnel discovered huge piles of cash that was burnt in the fire inside the storeroom. The Chief Justice of Delhi High Court conducted the preliminary inquiry and reported to the CJI that his prima facie opinion is for a deeper probe into the entire matter. As per the direction of the CJI, responses were sought from Justice Yashwant Varma on the preliminary inquiry findings. Justice Varma responded that no cash was ever placed by him or his family members in the storeroom, and that they were never shown the sacks of burnt currency notes during the fire-control operation. A three-member committee has been constituted as per the in-house procedure of the Supreme Court for conducting an inquiry into the allegations. Meanwhile, judicial work has been withdrawn from Justice Varma and he has been transferred to his parent Allahabad High Court by the collegium.

What is an in-house procedure?

In order to probe into complaints of alleged misbehaviour against judges of the higher judiciary, the Supreme Court has developed an in-house procedure of inquiry. The resolution for in-house procedures for action against judges was adopted in 1999 and made public in 2014.

When a complaint is received against a judge of a High Court, the CJI will decide



An overhaul: Burnt currency notes near Justice Yashwant Varma's house, in New Delhi on March 23. ANI

whether the issue is frivolous or warrants an inquiry. If an inquiry is deemed necessary, the judge's initial response along with comments of the Chief Justice of the concerned High Court are taken on record. The CJI can then form a three-member committee consisting of two Chief Justices from other High Courts and one High Court judge. The committee after the inquiry can provide a recommendation that the misconduct is serious enough to warrant removal or not serious enough. If the recommendation is not for removal, the judge would be apprised accordingly. However, if the recommendation is for the judge's removal, he/she will be asked to resign. In the event of the judge unwilling to resign,

the President and the Prime Minister will be informed of the findings for Parliament to initiate action for removal as per provisions of the Constitution. Any complaint against the Chief Justice of a High Court, would be inquired by a committee consisting of a Supreme Court judge and two Chief Justices of other High Courts. In case of a complaint against a Supreme Court judge, the committee would consist of three Supreme Court Judges. In the instant case, based on the preliminary opinion of the Chief Justice of Delhi High Court, the CJI has constituted a committee consisting of the Chief Justice of Punjab and Haryana Court, the Chief Justice of Himachal Pradesh High Court, and a judge of the Karnataka High Court

to inquire into the allegations.

What reforms are required?

The details of in-house inquiries are kept confidential by the Supreme Court. This practice may be changed to disclose the key findings of the inquiry to instil transparency and confidence in the whole process. Furthermore, in the past, no judge has suffered criminal punishment even after having been found guilty of misbehaviour by the inquiry committee.

This needs to be addressed and the guilty should be brought to book. In the U.K., there is an autonomous statutory office called the 'Judicial Conduct Investigations Office' that investigates allegations of judicial misconduct. A similar autonomous and permanent body may be established in India under the CJI.

One of the root causes for the problem probably lies in the opaqueness of the collegium process that is followed for the appointment of judges. There needs to be a renewed debate on operationalising the National Judicial Appointments Commission (NJAC), that was struck down by the Supreme Court in 2015 as unconstitutional for violating the basic structure of the independence of judiciary. The collegium process has no doubt ensured independence of the judiciary in appointments. However, it does suffer from lack of accountability and transparency. A broad-based NJAC headed by the CJI with representatives from various stakeholders including members of the legislature, lawyer associations and academia may be set up on the lines of the Judicial Service Commission in South Africa. The CJI and other senior judges may be provided with a veto to have the final say in the appointment process. Such a set up would make the selection process more transparent and inclusive without compromising the independence of the judiciary.

Rangarajan R is a former IAS officer and author of 'Polity Simplified'. He currently trains civil service aspirants at Officers IAS Academy. Views expressed are personal.

THE GIST

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Introduction to In-House Procedures

Definition: An in-house procedure is a systematic approach by the Indian judiciary to investigate complaints of alleged misbehavior against judges.

Adoption: Developed by the Supreme Court in 1999 and made public in 2014.

Purpose: Enhances accountability within the judicial system.

The Need for In-House Procedures

Addressing Allegations Against Judges: Ensures complaints are taken seriously and investigated thoroughly.

Historical Context: Aimed to bridge the gap in handling allegations and restore public trust in the judiciary.

The Process of In-House Inquiry

Initial Complaint Assessment: Conducted by the Chief Justice of India (CJI) to filter out baseless allegations.

Formation of Inquiry Committee: Composed of two Chief Justices from other High Courts and one High Court judge.

Inquiry Process: Involves gathering evidence and testimonies, with the judge given a chance to respond.

Outcomes of the Inquiry

Recommendations for Removal: If allegations are serious, the committee may recommend removal.

Consequences of Non-Compliance: Escalation to the President and Prime Minister for parliamentary action if a judge refuses to resign.

Confidentiality and Transparency Issues

The Case for Transparency: Balancing confidentiality with public confidence by disclosing key findings.

Transparency vs Confidentiality:

Conclusion

Significance: In-house procedures are crucial for maintaining judicial integrity.

Improvements Needed: Enhancing transparency and accountability to ensure trust in the judiciary.

Saurabh pandey upsc

Hues of the north




The northern lights appear over the Chugach Mountains on the eastern edge of Anchorage in Alaska in the U.S. on Monday. AP

The Chugach Mountains



 **Location:** The Chugach Mountains are located in southern Alaska, forming part of the Pacific Coast Ranges.

 **Dimensions:** The range is approximately 250 miles (402 km) long and 60 miles (97 km) wide.

 **Geographical Extent:** It stretches from the Knik and Turnagain Arms of Cook Inlet in the west to Bering Glacier, Tana Glacier, and Tana River in the east.

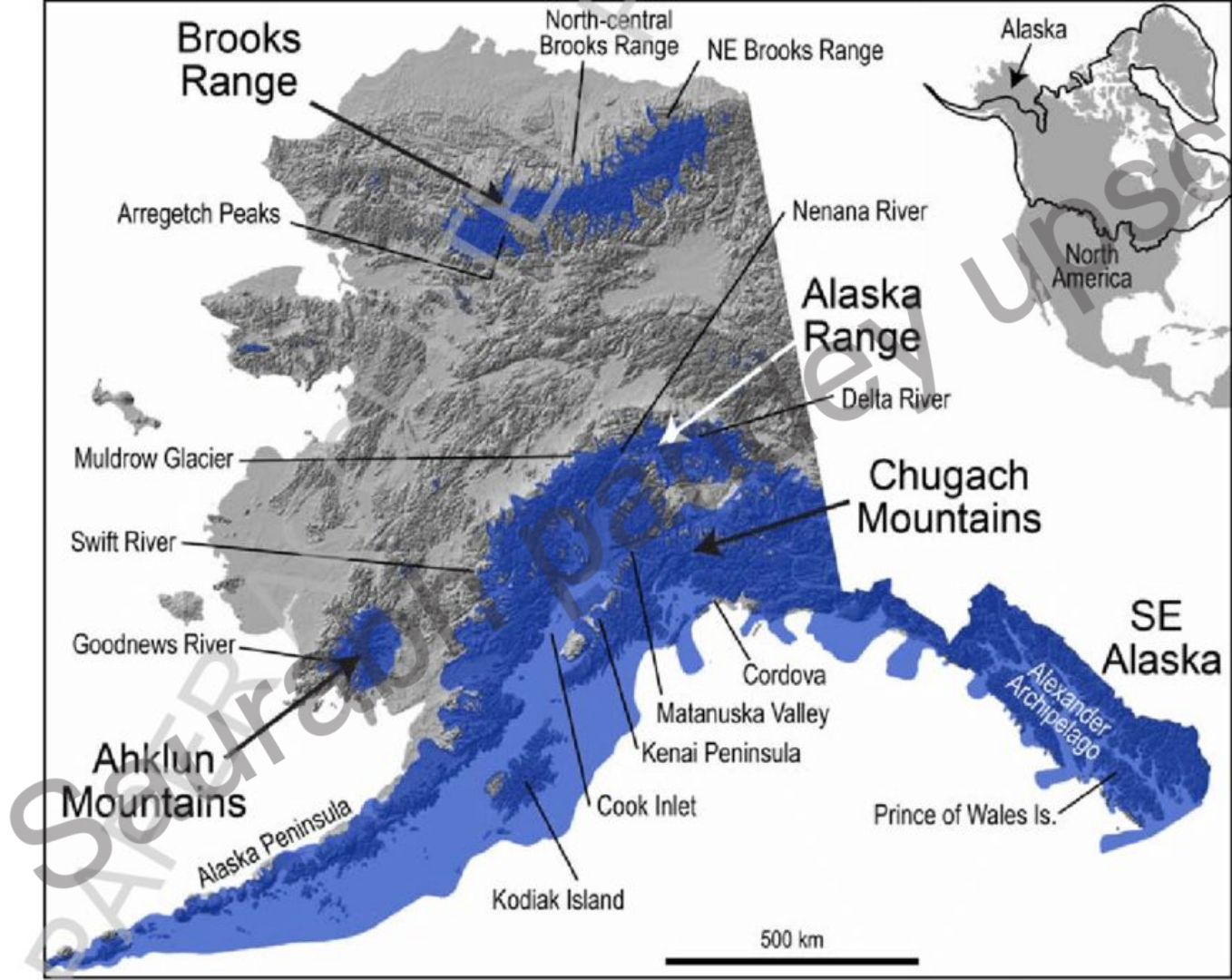
 **Boundaries:** The northern boundary is defined by the Matanuska, Copper, and Chitina rivers.

 **Highest Peak:** Mount Marcus Baker is the highest point in the range, standing at 13,094 feet (3,991 m).

 **Average Elevation:** The average elevation of the Chugach Mountains is 4,006 feet (1,221 m), indicating that most summits are not particularly high.

 **Mountain Range Classification:** The Chugach Mountains are classified as the northernmost range of the Pacific Coast Ranges in North America.





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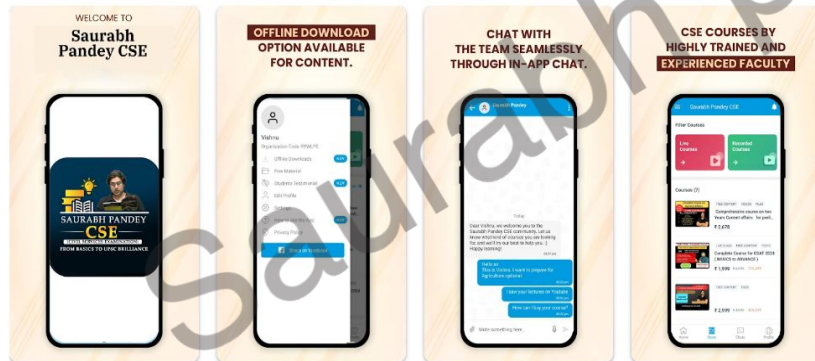
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