

# Rajya Sabha passes Examinations Bill, Dr Jitendra dedicates it to youth of India

## STATE TIMES NEWS

NEW DELHI: The Rajya Sabha on Friday passed 'The Public Examinations (Prevention of Unfair Means) Bill, 2024' aimed at curbing leaks, malpractices as well as organised malpractices in recruitment examinations like UPSC, SSC etc and entrance tests such as NEEET, JEE, and CUET. The Bill, which has already been passed by the Lok Sabha, will now become a law after the issue of notification.

Initiating the debate on the Bill, Union Minister Incharge DoPT, Dr Jitendra Singh said, "the Public Exams Bill, which is possibly the first of its kind in the history of India's Parliament, is dedicated to the youth of India".

"Prevention of Unfair Means Bill, 2024" will also cover entrance examinations held by the Union Public Service Commission, the Staff Selection Commission, the Railways, banking recruitment examinations and all computer-based examinations conducted by the National Testing Agency.

The Bill has already been passed by the Lok Sabha after an extensive discussion on 6th February 2024.

"We have a stake in the country's



Union Minister Dr. Jitendra Singh replying to the debate on 'The Public Examinations (Prevention of Unfair Means) Bill, 2024', in Rajya Sabha on Friday.

youth, who form the majority 70% of the country's population. Their contribution is imperative for nation-building over the next two decades in the making of Prime Minister Narendra Modi's Viksit Bharat," he said.

Stating that the Bill is the first of its kind in the history of Indian Parliament, Dr Jitendra Singh this legislation seeks to address a very recent phenomenon affecting the youth. Government headed by Prime

Minister Narendra Modi has always placed youth at a very high priority, he said.

Participating in the debate, Senior Congress leader Digvijay Singh said, the Bill deals with a subject in the Concurrent List and called for its extension to States. Dr Jitendra Singh countered Digvijay Singh by reminding him that at one time Education used to be a part of State list and the then Congress Govt had changed it over to Concurrent list.

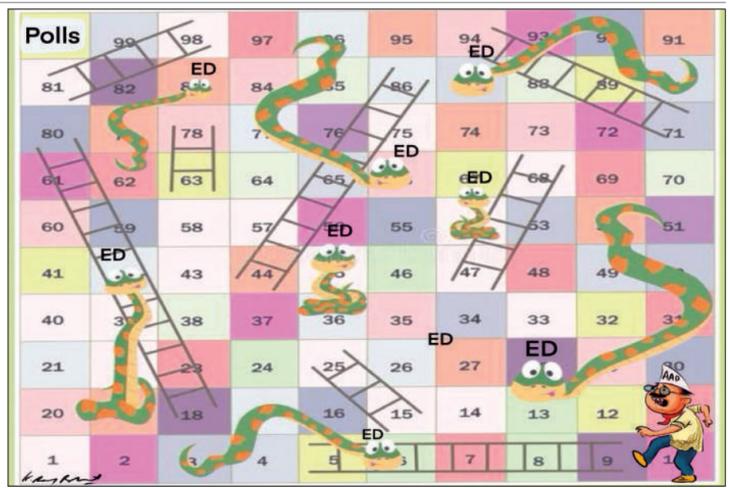
Replying to the debate, Dr Jitendra said the Bill will ensure more transparency and time-bound selection process and provide level-playing field. Government will encourage the States to adopt the Bill. Dr Jitendra said, in the last ten years of Prime Minister Modi's leadership, India's economy has gone "from Fragile 5 to Top 5". In the Global Innovation Index, we ranked 81 in 2014, we have jumped 41 places, today we are No. 40 in the world, he said. Dr Jitendra said, India today has the 3rd largest Startup Ecosystem globally. From just about 350 StartUps in the year 2014, after PM Modi gave the clarion call 'StartUp India, Stand Up India' from the ramparts of the Red

Fort in his Independence Day address and rolled out the special StartUp scheme in 2016, today we have over 1,30,000 Startups, he said.

Dr Singh said, four-five years back, we had just one Startup in the Space sector, today we have 190 private Space Startups after opening up of the sector. There has been an investment of over Rs.1,000 crore by private Space Startups in the current financial year from April to December 2023, he said.

The S&T Minister said India today is ranked in the top 5 Manufacturing countries of the world. In Biotech, we had just 50 Startups, today we have 6,000 BioTech Startups, he said.

Dr Jitendra said, the Modi Government has initiated several youth-centric provisions and schemes in the last ten years, such as ensuring transparency and providing equal opportunity and level-playing field in recruitments and higher studies. Dr Singh said, PM Modi took a major initiative in 2014 by scrapping the rule of attestation of documents by a Gazetted Officer and introducing self-attestation, saying that we have trust in our own youth.



# Dr Kotwal reviews Action Taken Reports from 31st Northern Zonal Council Meeting

## STATE TIMES NEWS

LEH: Advisor to Lieutenant Governor UT Ladakh/ Administrative Secretary of Home Department, Dr Pawan Kotwal on Friday chaired a pivotal meeting dedicated to scrutinizing the "Action Taken Reports" concerning the 31st meeting of the Northern Zonal Council (NZC), underscoring the administration's commitment to effective governance and inter-regional cooperation, at the Civil Secretariat, Leh.

The meeting convened to discuss critical resolutions and decisions, focused on multifaceted issues ranging from social justice to rural development and healthcare initiatives to evaluate progress and strategize future actions. It centered on expediting the investigation and resolution of cases of sexual offenses against women and children. Dr Pawan Kotwal emphasized the effective implementation of the Fast Track Special Cases (FTSC) scheme to accelerate the disposal of cases under the POCSO Act, thereby mitigating pendency and ensuring timely justice.

Furthermore, deliberations extended to the extension of banking facilities and Direct Benefit



Advisor to Lt Governor UT Ladakh, Dr Pawan Kotwal chairing Action Taken Reports meeting.

Transfer (DBT) mechanisms to rural areas, particularly focusing on the coverage of 34 villages by bank branches and postal banking facilities and 100 percent digitalization of all eligibility certificates. The aim is to enhance financial inclusivity and facilitate seamless transactions for rural communities.

The adoption of Model Bye-Laws for new Primary Agricultural Credit Societies (PACS) which enable them to undertake more than 25 economic activities, and the implementation of the Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (AB PM-JAY) were thoroughly discussed to bolster agricultural infrastructure and healthcare provisions.

Measures to combat malnutrition among girl children through the POSHAN Abhiyan were underscored and deliberation was held on the concerns regarding the dropout rate of school children. The Advisor Dr Pawan Kotwal directed all the concerned officers to expedite the action and submit a detailed action taken report within 15 days. The meeting was attended by the Principal Secretary of the School Education Department; the Additional Director General of Police; the Commissioner/Secretary of the Social and Tribal Welfare Department; the Administrative Secretary of the Cooperatives Department; the Director of the Finance Department; the Deputy Director (K) of Planning Development, and Monitoring Department; Superintendent of Post Offices, UT of Ladakh; Senior PO/APP, Directorate of Prosecution, Ladakh; Under Secretary of Home Department; and concerned officers.

# Tax Bar Association felicitates Commissioner PK Bhat

## STATE TIMES NEWS

JAMMU: Tax Bar Association Jammu on Friday welcomed and felicitate newly appointed Commissioner State Taxes PK Bhat along with Additional Commissioner State Taxes Nimarta Dogra here at 'Tax Bar Room Office at Rail Head Complex, here. The event organized under the leadership of 'Tax Bar Association Jammu President Rakesh Kapahi. The felicitation programme was followed with interactive session between the guests and the worthy members of tax bar association. Senior Vice President Adv. Vikram Dubey, Vice President Adv. Renu Verma, General Secretary Adv. Dheeraj Bhasin, and Joint Secretary and Treasurer Adv. Ishant Gupta were also present on this occasion. While speaking on the occasion, Rakesh Kapahi, the President of 'Tax Bar Association Jammu said



Tax Bar Association Jammu felicitating Commissioner State Taxes PK Bhat.

that he feels great pleasure and honor to welcome the esteemed guest Commissioner State Taxes P.K. Bhat, and Additional Commissioner Namarta Dogra. Kapahi added that the appointment of PK. Bhat as the Commissioner of State Tax marks a significant moment for all of us. With over 30 years of experience in the field of taxation, Mr. Bhat's journey from a village in Anantnag district to his current

position is truly inspiring. His dedication and expertise, demonstrated through various roles within the Sales Tax Department, including DC Appeal, make him a commendable choice for this crucial role, especially during the critical phase of GST implementation. PK Bhat while speaking said that he feels privileged to be a part of such a department in which he has already served over 30 years and also thanks

all the advocates with whom he learnt a lot and got expertise in the field of taxation. He said that the grievances which the worthy members are facing will be addressed on priority and hope that all will work together with full cooperation and coordination. Vikram Dubey has done the proceedings of the meeting and said we also express our gratitude for addressing the long-standing demand for VAT amnesty, with

special thanks to Additional Commissioner Smt. Namarta Dogra for her important role in this matter during her tenure as DC Recovery. Renu Verma and Dheeraj Bhasin said that we are confident that our grievances will be addressed in a timely manner, benefiting both taxpayers and tax professionals. Ishant Gupta extended vote of thanks and said that we look forward to a productive collaboration and fruitful outcomes under his guidance.

Prominent who present on this moment were Subash Dutt, Rattan Lal Gupta, VK Grover, Mohinder Gupta, Vinod Suri, BM Mangotra, Sunil Sharma, Vikas Chopra, Rakesh Modi, Kamal Gupta, Anil Gupta, Sourav Mahajan, BB Bakshi, Rajinder Sharma, Rohit Gupta, Suraj Singh Wazir, Bageshwar Khajuria, Ashwani Goswami, Gourav Arora, Sumeet Mahajan, Pawan Sharma, Balram Gandotra, Yuvir Gupta and Others.

# Principal Secretary, Culture inaugurates programme on 'Traditional Arts' at IIT Jammu

## STATE TIMES NEWS

JAMMU: Suresh Kumar Gupta, Principal Secretary, Department of Culture, on Friday inaugurated a day-long programme titled "Understanding Traditional Art of Jammu" at the IIT Jammu campus here today. Organized by the Kala Kendra Society, Jammu, in collaboration with IIT Jammu, the event aimed to delve into the rich heritage of traditional arts in the region.



Prpl Secy, Department of Culture Suresh Gupta honouring Medhavi Sharma in a programme held at IIT Jammu.

sized the significance of preserving the age-old tradition of Parola, along with other dying arts like 'Ruth Rad' and Basohli Art. He commended Medhavi Sharma for her exceptional dedication to preserving and promoting traditional arts and directed the Kala Kendra Society to conduct regular events in educational institutions to nurture an understanding of art among the youth. He

also awarded Medhavi Sharma for her contribution for promoting the Traditional art of Jammu.

Dr. Javaid Rahi, Secretary of Kala Kendra, stated that the primary objective of the programme, was to provide a platform for emerging artist Medhavi Sharma to share her creative journey and experiences as a traditional art promoter. The event aimed to

facilitate meaningful interactions between the students and the artist.

Dr. Quleen Kaur Bijral, Faculty at HSS, IIT Jammu, while emphasizing its significance in educating the youth about the arts of the region expressed her enthusiasm about the collaboration between IIT Jammu and Kala Kendra Society.

Dr. Amitash Ojha, Faculty at IIT Jammu, underscored the importance of traditional arts in cultural preservation and identity.

The event was conducted by research scholar Majid Ali, who extended the vote of thanks.

Professors of IIT Jammu, Sanjeev Rana Additional Secretary JKAACL, Research Scholars, students of various faculties attended the programme.

# PoJK Visthapit Sewa Samiti extends gratitude to J&K HC for granting ex-gratia relief PoJK settled outside J&K

## STATE TIMES NEWS

JAMMU: The PoJK Visthapit Sewa Samiti extended heartfelt gratitude to the High Court of Jammu & Kashmir for its landmark judgment, granting ex-gratia relief of Rs 5.5 lakh to 5300 families of PoJK settled outside Jammu & Kashmir. This decision also ensures that these families receive the same status and entitlements as the 26319 families of PoJK settled in Jammu & Kashmir in the aftermath of 1947.

At a press conference held in the Samiti's office premises, President Dr. Deepak Kapoor and General Secretary Er.



PoJK Visthapit Sewa Samiti members addressing a press conference at Jammu.

Arun Chowdhary thanked the present government for its positive approach towards displaced persons outside J&K, culminating in this historic judgment.

They lamented the previous governments' neglect, which led to the deprivation of rights for those set-

tled outside Jammu & Kashmir, necessitating the intervention of the High Court.

The PoJK Visthapit Sewa Samiti has diligently followed the court proceedings through its allied unit, Mirpur Balidan Bhawan Samiti, and

extended congratulations to the entire PoJK Visthapit community on this significant achievement.

The press conference was also attended by Ashok Khajuria, Subhash Kumar, and Devinder Sharma.

# Is not the Duty of President of India to preserve, protect & defend Constitution with in Basic Structure?

## 42nd & 44th Constitutional amendments w.r.t. Art-74 need Judicial review w.r.t Basic Structure of COI

### DAYA SAGAR

The Constitution of India has the distinction of being the first (rather only) very detailed & voluminous written document adopted by people of a country aspiring to live in a democratic system of governance comprising of very heterogeneous mass of religions / traditions / geographical identities / economic diversities / social and linguistic regions but well knit with 'yarns' of humanitarian culture & traditions of times immemorial who had just come out of 'foreign rule' (after having been governed by the foreigners for about two centuries) and who still had many Princes of princely states (monarchs) left around by retreating British with the impressions that rulers of Princely states outside the erstwhile British India could take them as sovereign identities outside the 'dominion' even on 15th August 1947.

Those entrusted with the task of drafting the constitution of India i.e Bharat were in principle desirous of giving to their self not only a well meaning parliamentary system of democracy suiting all the diversities & needs of Indian people (which could be well inferred from the spirals underlying the Preamble of the first (1949) edition of 'The Constitution of Democratic Republic of India, the fundamental rights granted to

Citizens of Democratic Republic of India Republic Democratic (Article -11 to Art-35) and the Directive Principles laid in Democratic Republic of India (Article-36 to Art-51) } but also wanted to provide checks & balances / safeguards for ensuring that the elected governments always work within the provisions of Constitution and at no time even any Parliament could amend the constitution to 'conservative' democratic system / 'autocratic' system / or the Executive could misuse the 'authority' for which the 'institution' of Judiciary for judicial review of actions of executive as well as legislature elected/installed for a particular term, 5 years max. { see Art-13 < Laws inconsistent with or in derogation of the fundamental rights>, Art-32 < Remedies for enforcement of rights conferred by Part -III of COI, Art-124 of Part-V Chapter - IV THE UNION JUDICIARY < Art 124. Establishment and constitution of Supreme Court.> (1) There shall be a Supreme Court of India ..... >, Art-129 < Supreme Court shall be a court of record and shall have all the powers of such a court including the power to punish for contempt of itself>, Art-131 <. Original jurisdiction of the Supreme Court. >, Art -220 < Restriction on practice after being a permanent Judge >, Art 143 <. Power of

President to consult Supreme Court>, Art 147.< Interpretation> } and 'institution of President of India ( also as part of Parliament <Art Article -79 which says There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People ) was incorporated in Constitution so as to best of his/her ability preserve, protect and defend the Constitution & the law and devote his/her self to the service & well-being of the people of India (see article Art- 53 which says The executive power of the Union shall be vested in the President and shall be exercised by him either directly or through officers subordinate to him in accordance with this Constitution, Article -60 where under the President elect before entering office on oath says "I, A.B., do swear in the name of God that I will faithfully execute the office solemnly affirm of President (or discharge the functions of the President of India and will to the best of my ability preserve, protect and defend the Constitution and the law and that I will devote myself to the service and well-being of the people of India" , Art-61: Procedure for impeachment of the



### A Look Through the Mist

President where the President of India has also been well protected against any other wise intentions of the citizens of , 147. Interpretation). The gravity of the status of the President of India as preserver; protector and defender of COI could be well read from the provisions made as regards (a) impeachment of President ( Art 61) , (b) contents of Art-74 before it was got amended in 1976 with 42nd Amendment Act & in 1978 with 44th amendment Act by Mrs. Indira Gandhi lead Congress government / Parliament which said < Art74 before amendment read : ' (1) There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions. (2) The question whether any, and if so what advice was tendered by Ministers to the President shall not be inquired into in any court.>. Before 42nd and 44th Amendment Acts of 1976 & 1978 the President of India as preserver; protector & defender of Constitution was not supposed to necessarily go by the advice of council of ministers, (c) Art-77 which says All executive action of the Government of India shall be expressed to be taken in the name of the

President, (d) Art Article -79 which says There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People and the like provisions. After amendments in Art-74 in 1976 & 1978 the President of India has to necessarily go by the advice of council pf Ministers, rather has to work only according to the advice of the Council of Ministers. So the questions are (1) can the President of India with the amended Art-74 ultimately hold to the oath taken under Art-60 of the Constitution of India ? (2) Is not the institution of President as part of Parliament ( Art 79 ) & preserver plus protector plus defender of Constitution a very intrinsic element of the Basic Structure of Constitution of India ? (3) Should not amendments made to Art 74 by 42nd & 44th Constitution amendment Acts of 1976 & Act of 1978 be held void being against the basic structure of the Constitution ? (4) The 13 Judge - Bench ( Chief Justice S. M. Sikri ) Judgment of Supreme Court of India delivered on 24th April 1973 in Kesavananda Bharati Vs State of Kerala ( His Holiness Kesavananda Bharati Sripadagalavaru etc. v. State of Kerala and another etc. Wit

Petitions Nos.135/70, 351-52i~73-74) had held that Parliament has powers to amend the Constitution using Art- 368 but the Parliament cannot go beyond disturbing the basic structure of the Constitution of India and amendments made to constitution are subject to judicial review , so are not the amendments made to Art- 74 against the basic structure of COI & hence must be taken under Judicial review by supreme court of India without delay ? The Supreme Court, in a historic 7:6 majority decision, propounded the basic structure doctrine of the Constitution, which holds that certain fundamental features of the Constitution, such as democracy, secularism, federalism, like the rule of law, cannot be amended by parliament using Art- 368 . Not only that The court also held that the power of judicial review is an integral part of the basic structure of the Constitution, and cannot be taken away by Parliament through constitutional amendments. And 'so' to me is the status of President of India as preserver; protector and defender of Constitution. No doubt what falls in the arena of Basic Structure of COI has to be decided by Supreme Court of India. (The author is a Sr Journalist & analyst of J&K Affairs).