

Delhi dispute: SC may send case to Constitution Bench

Solicitor-General asks court to wait for legislative decision; CJI says the cardinal issue will be whether the Delhi Ordinance amounted to an amendment to the Constitution by another route

Krishnadas Rajagopal

NEW DELHI

The Supreme Court on Monday said it may refer the Delhi government's petition against a Central Ordinance, which effectively gives power over civil services in the national capital to the Lieutenant-Governor, to a Constitution Bench for an authoritative pronouncement.

"We are inclined to refer this case to a Constitution Bench," Chief Justice of India D.Y. Chandrachud, heading a three-judge Bench, observed.

The court agreed to hear the case on Thursday.

The court's indication that it may refer the case to a Constitution Bench came despite a submission made by Solicitor-General Tush-

Contest over Delhi rule

Key points that the Delhi government and the Centre raised in the Supreme Court:

DELHI

- The Ordinance has amended the Constitution through the ordinance route
- The Delhi government's power over State Public Services under Entry 41 in the State List taken away
- The "permanent" National Capital Civil Service Authority renders the Chief Minister a "minority voice" in the governance of Delhi

CENTRE

- The Ordinance will be tabled in Parliament during the monsoon session. Court should wait
- Parliament has overriding powers to make laws even on subjects regarding which the Legislative Assembly of Delhi would be competent to enact laws
- Post the May 11 Supreme Court verdict, the Chief Minister and his Ministers went on a "rampage", started a "witch hunt" against officers, necessitating the Ordinance



ar Mehta, for the Centre, that the Ordinance would be tabled in Parliament during the Monsoon Ses-

sion, which is starting on July 20.

Mr. Mehta urged the court to wait and see what

Parliament may finally do with the Ordinance. "It may amend certain portions... since no prejudicial act is being taken on the basis of the Ordinance right now, you may consider awaiting the legislative decision," he submitted.

The Chief Justice, however, went on to outline the questions of law that may require the attention of the Constitution Bench. He said a cardinal issue would be whether the National Capital Territory of Delhi (Amendment) Ordinance, 2023 amounted to an amendment of the Constitution via the Ordinance route. The Delhi government has argued that the Ordinance took away its control over civil servants.

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'Govt's plea may be send to Constitution Bench'

This is being done without actually amending Article 239AA, which holds that the power and control over services should be vested in the elected government, it said.

The Chief Justice orally observed that the effective transfer of power over the civil services amounted to nullifying Entry 41 of the State List of the Constitution. Entry 41 deals with the State's power over the "State public services and the State Public Service Commission".

The May 11 judgment of a Constitution Bench led by the Chief Justice had limited the role of the Lieutenant-Governor, considered an arm of the Centre, over bureaucrats in the capital to three specific areas – public order, police and land. The Ordinance was promulgated within eight days of the Supreme Court verdict, which had upheld the authority of the Delhi government to make laws and administer civil services in the national capital.

In a 33-page counter-affidavit, the Union Home Ministry contended "Parliament is competent and has overriding powers to make laws even on subjects regarding which the Legislative Assembly of Delhi would be competent to enact laws".

'CM went on a rampage'

The Ministry accused Chief Minister Arvind Kejriwal and his Ministers of going on a "rampage" immediately after the May 11 verdict.

"The Lieutenant-Governor had specially informed the Chief Minister that the judgment of the Supreme Court was sacrosanct for him... Despite this, the Chief Minister and other Ministers, in a dramatic and convoluted fashion, immediately went on a rampage by issuing orders and posting them on social media, which are in gross disregard to the rules and procedure already in place," the Ministry said.

The Centre accused the Delhi Ministers of starting a "witch hunt" of the officers. The Ministry said the Vigilance Department was specifically targeted as it contained "extremely sensitive" files on several cases, including the investigation into the excise policy scam, the construction of a new Chief Minister's bungalow, public exchequer expenditure on advertisements, material on the creation of the "feedback unit" to gather political intelligence, and power subsidies given to private companies.

"When the decision to promulgate the Ordinance was taken, Parliament session was two months away and any delay would not only have paralysed the administration of the national capital, but would have embarrassed the nation within and outside the country," the Centre submitted.

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NITI Aayog report says 13.5-cr. people lifted out of multidimensional poverty

The Hindu Bureau
NEW DELHI

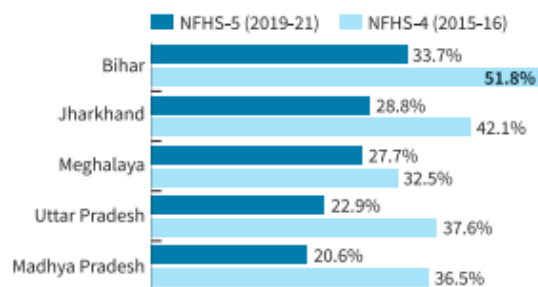
India has registered a significant decline of 9.89 percentage points in the number of multidimensionally poor, from 24.85% in 2015-16 to 14.96% in 2019-21, says the "National multidimensional poverty index: a progress review, 2023", released by NITI Aayog here on Monday.

The study says nearly 13.5 crore people came out of multidimensional poverty during the period, assessed by identifying "acute deprivations in health, education and standard of living" using United Nations-approved parameters.

The report said rural areas witnessed the fastest decline in poverty from 32.59% to 19.28%, mainly

Poverty score

The chart shows the top-five States with the highest share of population with multidimensional poverty, according to the latest NITI Aayog report



due to a decrease in number of multidimensionally poor in States such as Bihar, Uttar Pradesh, Madhya Pradesh, Odisha, and Rajasthan. Delhi, Kerala, Goa, and Tamil Nadu have the least number of people facing multidimensional poverty, along with the Un-

ion Territories. Bihar, Jharkhand, Meghalaya, Uttar Pradesh, and Madhya Pradesh top the chart where the percentage of population which is multidimensionally poor is high.

Multidimensional poverty in urban areas, during the same period, saw a

decrease from 8.65% to 5.27%. "Uttar Pradesh registered the largest decline in number of poor with 3.43 crore people escaping multidimensional poverty," the NITI Aayog said in a statement. The report was released by its Vice-Chairman, Suman Bery.

The report has been prepared based on the latest National Family Health Survey of 2019-21 and is the second edition of the National Multidimensional Poverty Index (MPI). "The broad methodology followed is in consonance with the global methodology," the statement said.

It said 12 parameters of health, education, and standard of living are examined in the report.

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13.5 cr. people lifted out of poverty: NITI Aayog

"These include nutrition, child and adolescent mortality, maternal health, years of schooling, school attendance, cooking fuel, sanitation, drinking water, electricity, housing, assets, and bank accounts," the release said.

According to the report, between 2015-16 and 2019-21, the MPI value has nearly halved from 0.117 to 0.066 and the intensity of poverty has reduced from 47% to 44%. "With our own national MPI, India is poised to gain a deeper understanding of poverty's complexities and forge solutions that ensure inclusivity for all. The district-wise estimation of the national MPI will also prioritise reaching out to the furthest behind first through focused efforts on specific indicators and dimensions. The results and findings of the index provide valuable insights for both policymakers and the wider community," Mr. Beri said adding that it will help the country to achieve the target of reducing multidimensional poverty as per UN's Sustainable Development Goals.

T.N. tops NITI Aayog Export Preparedness Index 2022, Gujarat drops to fourth place

Kancheepuram, Chennai, Tiruppur are top exporting districts; the report also mentioned that the State, alongside Karnataka, has the highest number of GI products being exported

Sangeetha Kandavel
CHENNAI

Tamil Nadu has been ranked the number one State in Export Preparedness Index (EPI) for 2022. It is followed by Maharashtra and Karnataka. Gujarat has been pushed to the fourth slot this time. Tamil Nadu has been in the top 5 list among Large/Coastal States' categories in the past two years.

The objective of EPI, released by Niti Aayog in New Delhi, is to evaluate the export performance and pending potential of the Indian States and Union Territories.

Additionally, the index investigates the direct and indirect factors that promote and support the export environment throughout the region.

Minister for Industries, Investment Promotion and Commerce T.R.B. Rajaa said: "Tamil Nadu securing the number one place in



 The State securing the number one place in Export Preparedness Index 2022 reinforces the State's top rank in facilitating ease of doing business

T.R.B. RAJAA
Minister for Industries, Investment Promotion and Commerce

Export Preparedness Index 2022 reinforces the State's top rank in facilitating ease of doing business. Tamil Nadu has long been an export leader in sectors such as automotive, leather and textiles, and we recently became the number one exporter of electronic goods".

According to the report, the top three exporting districts of Tamil Nadu are Kanchipuram, Chennai, and Tiruppur.

Other than its top export which is engineering goods, Kanchipuram is the leading exporter of silk and

its finished products. Chennai's primary exports include petroleum products, engineering goods, and drugs and pharmaceuticals. Tiruppur stands 22nd in the country, in terms of value of exports, on the back of its textile exports which include raw material exports, cotton products and handloom products.

The report also mentioned that Karnataka and Tamil Nadu have the highest number of geographical indication (GI) products being exported.

Tamil Nadu's perfor-

mance across four pillars ensured that it occupied the top slot among overall rankings.

Under the policy pillar where the performance is based on adoption of export-related policy ecosystem at State and district level along with the surrounding institutional framework, Tamil Nadu's score was 97.21

Under business ecosystem that assesses the prevailing business environment with supportive infrastructure, and transport connectivity, it received a score of 88.84. For its focus on export-related infrastructure along with trade support to exporters, Tamil Nadu's score in export ecosystem was 73.68.

Tamil Nadu also secured a score of 63.34 in export performance, an output-based indicator to measure a State's export over the previous year. It also analyses its export concentration and footprint in global markets.

U.S. hands over 105 antiquities to India following agreement

The countries had agreed to work towards preventing illegal trafficking of cultural artefacts during Modi's state visit to the U.S. last month

The Hindu Bureau
NEW DELHI

The United States on Monday handed over 105 trafficked antiquities to India.

The repatriation ceremony was held at the Indian Consulate in New York and the antiquities would soon be transported to India, a statement from the consulate said.

The restitution of the artefacts is a follow-up of an agreement to the effect during Prime Minister Narendra Modi's state visit to the U.S. last month.

India and the U.S. have also agreed to work for a Cultural Property Agreement that would help prevent illegal trafficking of cultural artefacts in future during the visit, a statement from the Indian Consulate said.

Such an understanding would add further value to the dynamic bilateral collaboration between Homeland Security and law enforcement agencies of the two countries, Ambassador of India to the United States Taranjit Singh Sandhu said, adding "For the people of India, these were not just pieces of art but



Back to origin: Some of the antiquities handed over by the U.S. to India. SPECIAL ARRANGEMENT

part of their living heritage and culture".

From across India

The 105 artefacts represent a wide geographical spread in terms of their origin in India - with 47 from eastern India, 27 from southern India, 22 from central India, six from northern India and three from western India.

Spanning a period from 2nd-3rd century CE to 18th-19th century CE, the artefacts are made of terracotta, stone, metal and wood. Around 50 of them have religious significance.

During Mr. Modi's 2016 visit to the U.S., 16 artefacts were handed over by the U.S. side while in 2021, the

U.S. government handed over 157. In 2022, the U.S. authorities formally handed over 307 antiquities, estimated to be worth nearly \$4 million to Indian officials.

Addressing the Indian diaspora in June during his visit to the U.S., the Prime Minister had said: "I am happy that the American government has decided to return more than 100 antiquities of India that were stolen from us. These antiquities of Indian origin had reached the international market through right or wrong paths, but America's decision to return them to India shows the emotional bond between the two nations".

Rupee-dirham deal is bilateral: envoy

UAE Ambassador to India Abdunnasser Alshaali says the agreement will significantly ease the path for trade by lowering transaction costs and making it easier to convert currency, adding that the idea is to have the right mechanism and options in place for exporters and importers

Suhasini Haidar
NEW DELHI

The India-UAE rupee-dirham deal signed during Prime Minister Narendra Modi's visit to Abu Dhabi is bilateral, and does not carry any agenda to "de-dollarise" the global economy, the United Arab Emirates' Ambassador to India says.

Speaking to *The Hindu* after Mr. Modi returned from his meeting with the UAE President Mohamed bin Zayed al Nahyan on Saturday, Ambassador Abdunnasser Alshaali said that the deal would significantly ease the path for trade between India and the UAE by lowering transaction costs and making it easier to convert the currency.

Asked about whether India would use the agreement to resolve its problems in payments to Russia in dirhams, he said the agreement was not "multilateral" or about "third countries".

"This is a purely bilateral matter between the UAE and India. We have decided that we want to make sure that there are more options for traders, exporters, importers to set up their trade. And it's basic-

ly up to them on how they want it to work," Mr. Alshaali said in the interview.

The UAE-India trade has increased approximately 15% since the implementation of the Comprehensive Economic Partnership Agreement between them in May 2022. Bilateral trade including oil purchases have reached about \$85 billion, of which UAE exports to India make up about \$50 billion.

The UAE Ambassador said that technical teams had discussed how to ensure that the bilateral deficit against India and a surfeit of Indian rupees did not become an issue, as it had become for India's trade with Russia for oil payments and defence purchases, as well as for Iran.

"The idea is not to perse increase trade right away, but to actually have the option to set it up in local currencies, to have the right mechanism in place to be able to do that," said Mr. Alshaali, who holds a Ph.D. in economics and was previously the Assistant Minister for Economic and Trade Affairs within the UAE Foreign Ministry.

He added, however, that the conversation about what would be the "cur-



Key link: Abdunnasser Alshaali says that the UAE can be counted on as a strategic partner. SUSHIL KUMAR VERMA

rency of the future" was changing, referring to the discussions at both the recent SCO summit this month and upcoming BRICS summit next month about promoting "national currency" payments instead of dollars within the groupings.

The UAE has become a dialogue partner of the SCO, and has applied to be a member of the BRICS group of emerging economies. The UAE President is expected to visit Delhi in September to attend the G-20 summit where the country is a special invitee.

In addition, Mr. Modi has been invited to attend the CoP28 climate change conference in Dubai in November, and the Ambassa-

dor said the number of visits between the two leaders had helped "speed up the momentum" of bilateral ties, especially in trade.

Air Service Agreement

However, he pointed out that unless India agreed to revise the Air Service Agreement (ASA) between the two countries, for which negotiations had reached an impasse at present, it would be difficult to accommodate the new demands for travel between the two countries.

"The UAE wants to be as flexible as possible in our visa regime for Indians, for tourists, traders and businessmen especially after the new trade agreements.

But if we issue so many visas, we need more flights to carry passengers, or prices will skyrocket further," Mr. Alshaali said.

The talks between the UAE and India over revising the ASA signed in 2014 have hit an impasse over the past few years, as the Civil Aviation Ministry is reluctant to increase the number of seats between UAE cities, including Dubai, and some 15 Indian cities, as it could take away business from Indian airlines. As a result, data from travel portals show an increase in airfares of 45-50% to Dubai from New Delhi, Bengaluru and Kochi as compared with pre-COVID fares.

"We want to have this conversation [on the ASA], we want to make travel easier for Indians. But we are waiting to see if someone [Indian government] wants to have this conversation with us," he added, stressing that it was the Indian traveller who suffered the most with the rise in ticket prices.

On regional issues, Mr. Alshaali said the UAE had good relations with India as a strategic partner and Pakistan as a bilateral partner, but did not know

of any current efforts by the UAE government to mediate between the two.

Asked about the UAE's decision to attend the Sri-nagar G-20 meeting in May, while other members of the Organisation for Islamic Cooperation such as Turkey, Saudi Arabia and Egypt did not, the Ambassador said the UAE was committed to supporting the Indian G-20 presidency.

"What matters to us is we want to make sure that India as a host of the G-20 can see and count on the UAE as a true strategic partner, which is why it's not just about us being present [at the G-20 meeting] in Jammu and Kashmir, but as also taking part in the other meetings, not only at the official level, but at the ministerial level," Mr. Alshaali said, adding that he was confident that India would find a way to forge a joint communique at the end of the G-20 summit, despite current differences over the Ukraine war.

(With inputs from Jagriti Chandra)

Full interview is at
bit.ly/envoyUAE

DRDO's propulsion system in focus as India expects three more Scorpene

Dinakar Peri

PARIS

As India begins negotiations with France for three more Scorpene submarines, the Naval Group, the French co-developer of these submarines, has already invested over ₹100 crore in three workshops with tools and infrastructure for important tasks and spares for maintenance of critical systems of these submarines. The group is also working on qualifying the air independent propulsion (AIP) system developed by the Defence Research and Development Organisation (DRDO) for installation on the Scorpene.

Naval Group and Mazagon Dock Ltd. (MDL), Mumbai, signed a memorandum of understanding (MoU) for cooperation on three additional Scorpene submarines on July 6.

"The details of technical features and other parameters, including delivery lead time, will be complied



Naval Group has invested over ₹100 crore for three workshops for maintenance of systems of Scorpene submarines. AFP

with by the MDL as per the requirements of the Indian Navy. Industrial partners, both French and Indian, will provide all necessary support," Pierre Éric Pommellet, Naval Group Chairman and Chief Executive Officer, told *The Hindu*.

The three additional Scorpene submarines will also come fitted with the DRDO-developed AIP system to enhance their endurance.

"Further, the indigenous content will be higher as several efforts are in place in areas of DRDO AIP, combat system among others. We are assisting the DRDO to integrate their AIP and other indigenous technologies onboard Scorpene-designed submarines," Mr. Pommellet said.

The Navy has drawn up plans to install AIP modules on all Scorpene submarines as they go for their

refit beginning with *INS Kalvari* likely by 2024-end to enhance their endurance.

The indigenous AIP module has been tested on shore and recently DRDO and Naval Group signed an agreement to integrate the AIP module on the Scorpene.

In addition to submarines, the Naval Group has signed MoUs with Hindustan Shipyard Limited, Visakhapatnam to support its bid for the Navy's Landing Platform Dock ships and with Larsen and Toubro to support their midget submarine development.

The Indo-French joint statement issued on July 14 hailed the success of the first Scorpene submarine construction programme and the sharing of naval expertise between companies in the two countries.

"India and France are ready to explore more projects to develop the Indian submarine fleet and its performance," it said.

ISRO's second orbit-raising manoeuvre successful

The Hindu Bureau
BENGALURU

The Indian Space Research Organisation (ISRO) successfully performed the second orbit-raising manoeuvre (earth-bound apogee firing) of Chandrayaan-3 on Monday.

The manoeuvre was performed by the ISRO Telemetry Tracking and Command Network (ISTRAC) in Bengaluru to place the Chandrayaan-3 spacecraft in the 41,603x226 km orbit. This means that the spacecraft is now in an orbit which when closest to earth is 226 km away and farthest is at a distance of 41,603 km.

"The second orbit-raising manoeuvre is performed successfully. The spacecraft is now in 41603x226 km orbit. The next firing is planned for tomorrow (July 18) between 2 and 3 p.m. IST," the space agency said.

Gautami and Abhinav win mixed air rifle gold



Great show: Gautami and Abhinav with their medals.
SPECIAL ARRANGEMENT

Sports Bureau

Gautami Bhanot and Abhinav Shaw won the mixed air rifle gold in the junior World Championship in Changwon, Korea, on Monday. The Indian pair defeated qualification topers Oceanne Muller and Romain Aufrere of France 17-13 for the gold.

In mixed air pistol, the pair of Sainyam and Abhinav Choudhary missed the chance to fight for the gold by two points, but ensured the bronze medal with a 17-11 win over the Korean

team of Kim Juri and Kim Kanghyun.

With three gold, a silver and two bronze, India was in the second spot in the medals tally behind China, which had one extra silver.

The results: Mixed air pistol: 1. China (Wang Siyu, Bu Shuaihang) 16 (583); 2. China-2 (Yao Qianxun, Zhang Yu) 4 (576); 3. India (Sainyam, Abhinav Chaudhary) 17 (574).

Mixed air rifle: 1. India (Gautami Bhanot, Abhinav Shaw) 17 (627.4); 2. France (Oceanne Muller, Romain Aufrere) 13 (632.4); 3. China-2 (Zhang Jiale, Zhu Mingshuai) 16 (626.4).

Russia 'exits' UN-brokered deal to export Ukrainian grain via Black Sea

The Kremlin's decision came hours after drones struck the sole road link connecting Russia to Crimea peninsula, President Putin calls it a terrorist action and vows retaliatory measures, says Defence Ministry is preparing relevant proposals

Agence France-Presse
KYIV

The Kremlin on Monday said it was exiting a major agreement allowing Ukraine grain exports hours after drones struck Russia's only bridge connecting its mainland to the Crimea peninsula.

Moscow said the deadly Kerch bridge attack had nothing to do with its withdrawal and for months has complained about the implementation of the pact, which was designed to ease fears of food shortages in vulnerable countries.

"The grain deal has ceased. As soon as the Russian part (of the agreements) are fulfilled, the Russian side will immediately return to the grain deal," said Kremlin spokesman Dmitry Peskov.

The announcement



Double impact: The Kerch bridge linking Crimea to Russia was heavily damaged following an attack on Monday. AFP

came hours after drones struck the sole road link connecting Russia to the annexed Crimea peninsula, a key supply line for Russian forces resupplying frontlines in the south of Ukraine.

Kyiv's Navy and SBU security service carried out a "special operation" using seaborne drones, a security

service source said.

Russian authorities said a civilian couple was killed and their daughter wounded in the attack on the bridge, which was also damaged last year in a blast that Moscow blamed on Kyiv.

Local officials said traffic had been halted and asked tourists to stay in

their lodgings. Officials encouraged Russians travelling to and from Crimea to travel through occupied Ukrainian territory.

The Kremlin noted Russian President Vladimir Putin had ordered "repair and restoration work" on the bridge and help for people stuck in traffic. He also vowed retaliatory action. "Another terrorist attack was committed on the bridge last night," Mr. Putin said in televised remarks.

"Of course, there will be a response from Russia. The Defence Ministry is preparing relevant proposals," he added.

"From a military point of view, this is a senseless crime," Mr. Putin added. He said the bridge had not been used for military transportation "for a long time" and called for tougher security measures.

Over the course of the last year, the Black Sea Grain Initiative has enabled the export in cargo of more than 32 million tonnes of Ukrainian grain.

No new ships

"The applications have not been approved by all parties," said a statement from the Joint Coordination Centre (JCC) that oversees the agreement. "No new ships have been approved to participate since 27 June."

Mr. Putin just last week signalled Russia's intention to terminate the agreement saying Moscow's interests were being ignored under the deal brokered by the UN and Turkey.

Moscow also notified Turkey, Ukraine and the UN that it was against extending the deal, Russian news agencies reported, citing the Foreign Ministry.