

## Operation Ganga: 80 flights, 24 ministers pressed in action to evacuate Indians from Ukraine

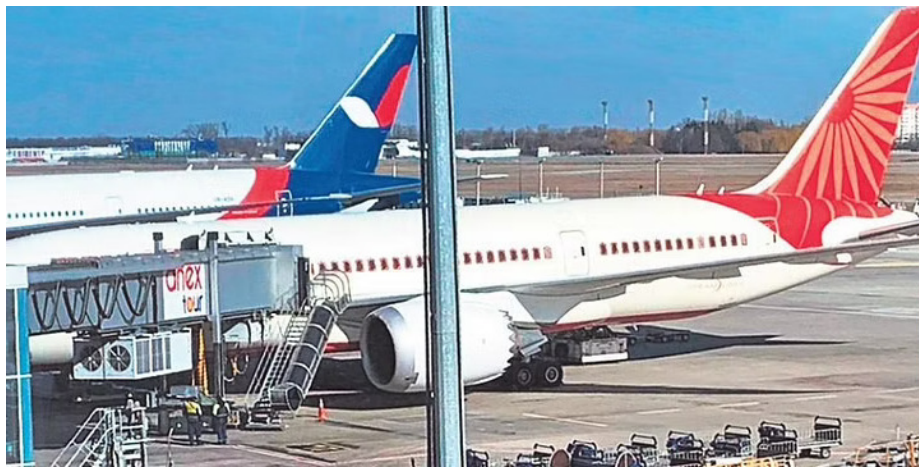
NEW DELHI(KCN): In a bid to further scale up the evacuation efforts, the government has deployed 80 flights under 'Operation Ganga' to evacuate stranded Indians from Ukraine. The government has also roped in more than two dozen Ministers to monitor evacuation missions without any hiccups, sources told ANI on Thursday.

Sources told ANI that the government has accelerated the evacuation plan for the Indians stranded

in Ukraine. Total flights ferry has been increased to bring more and more Indi-

stranded Indians. These flights belong to the fleet of Air India, Air India Ex-

ALSO READ | Hostile Ukrainians made pupils stand for 18 hours during train



ans. By March 10, a total of 80 flights will be pressed into service to evacuate the

press, IndiGo, Spice Jet, Vistara, Go Air, and also planes from Air Force.

journey, recounts Telugu student Sources also told ANI

## President Biden will decide on imposing CAATSA on India: US official on Russian S-400

WASHINGTON(KCN): US President Joe Biden will decide whether to apply or waive sanctions on India, one of America's key partners, under the CAATSA law for its purchase of the S-400 missile defence system from Russia, a senior administration official has told lawmakers. The US administration is required under a domestic law, Countering America's Adversaries through Sanctions Act (CAATSA) to impose sanctions on any country that has significant transactions with Iran, North Korea or Russia. CAATSA is a tough US law which authorises the administration to impose sanctions on



countries that purchase major defence hardware from Russia in response to Russia's annexation of Crimea in 2014 and its alleged meddling in the 2016

US presidential elections. Responding to a question on possible CAATSA sanctions on India, Donald Lu, Assistant Secretary of State for South and Central Asia told members of the Senate Foreign Relations Subcommittee on the Near East, South Asia, Central Asia, and Counterterrorism on Wednesday that it was for the President Biden to decide whether to apply or waive sanctions on India. CONTINUED ON: P-7

## Odisha: Senior Congress leaders seek financial support for ULB candidates

BHUBANESWAR(KCN): Several senior leaders of the Congress are apprehensive about the fate of the party in

in the State Election Committee meeting for the urban local body (ULB) polls on Wednesday. The is-

Kantabanji MLA Santosh Singh Saluja, who is a member of the committee warned that the party

slide of the party in the panchayat elections. "BJP governments were there in Chhattisgarh and Jharkhand in 2017 and they had provided enough financial support to the saffron party candidates during the previous election. However, Congress candidates did not get any support during this panchayat elections though the party has governments in both the states now," he added.



the urban body polls scheduled on March 24 after the worst-ever results in the zilla parishad (ZP) elections in which the party was wiped out in as many as 18 districts. Congress performance in the just concluded panchayat elections cropped up

sue of financial support to the candidates was raised by some of the members at the meeting headed by the leader of the Congress Legislature Party (CLP) Narasingh Mishra. Vice-president of the Odisha Pradesh Congress Committee (OPCC) and

will face the same fate in the ULB elections if it does not provide enough financial support to the candidates. Saluja said that lack of resources including money and absence of top leaders from campaigning were major reasons behind the downhill

Meanwhile, Congress has authorised the presidents of the District Congress Committees (DCCs) to decide candidates for the ULB elections. In case of any dispute, they have been asked to coordinate with the OPCC.

## Team for Student Evacuation

Bhubaneswar(KCN): The State Government on Thursday nominated four special representatives to assist in the evacuation of students from Odisha stranded in Ukraine due to the war in the region.

These special representatives will coordinate with the State's Resident Commissioner and the respective countries to ensure smooth evacuation of students/NRO's from Ukraine, especially from bor-

der locations with neighbouring countries. These special repre-

Senior TDPS Officer GLDC UNHCR for Hungary, Baishali Mohanty UN Policy

citizens from Odisha have crossed over to the neighboring countries like Hungary, Poland, Romania and Slovakia from where they are being evacuated by the Ministry of External Affairs by special flights. The Resident Commissioner Office New Delhi will be the nodal office for the purpose while the entire expenses for the purpose will be met out of Chief Minister's Relief Fund (CMRF).



representatives are Vikramaditya, Vice-President, KIIT University, (International Relation) for Poland, Arushi Ray,

Officer WFP Rome for Romania and Anurag Pattnaik, Based in Hungary, Consultant for Slovakia. Notably, a number of students/

## Congress rivals try to divide society on caste, religious lines: Priyanka Gandhi

CHANDAULI(KCN): Congress general secretary Priyanka Gandhi Vadra on Thursday accused ri-

nored. Targeting the ruling BJP, she said it is the government's duty to mitigate problems of

Sonbhadra, Vadra said, "The elections are a time (for the public) to gauge which party should

religion. Because of this, the actual problems of people like inflation, lack of jobs and lack of amenities are neglected."



val parties of trying to divide society on the lines of caste and religion and said that due to this, people's actual problems like inflation and unemployment are ig-

the public but in Uttar Pradesh, the issue of stray cattle was created by the government's policies. Addressing a public meeting in

be brought to power to serve the people for the next five years. However, parties like BJP, BSP and Samajwadi Party try to divide society on the lines of caste and

"The biggest strength in a democracy is vote, which can make or destroy your future. Voters need to be aware and vote for people who are ready to work for you round the clock," she said. The Congress leader said her party gave forest rights to tribals but now they are being forced to vacate their land using bulldozers. She also mentioned the July 2019 Umbha massacre in which 11 tribals were killed CONTINUED ON: P-7

## ULB Polls: Naveen Patnaik again shifts into election mode after panchayat poll results

BHUBANESWAR(KCN): A day after the final results of the panchayat polls gave a massive mandate to the BJD, Chief Minister and the ruling party president Naveen Patnaik

cities and towns is more prominent, and the 2019 general elections reflected so. The BJP was ahead in as many as 89 of 114 urban pockets even though the BJD had swept the Assembly seats.



switched to the election mode again, marshalling leaders and organisational cadre for the upcoming urban local body (ULB) polls on March 24.

Not sparing any time for celebrations over the unprecedented success in the rural polls, Naveen held a virtual meeting with all party MPs, MLAs and observers of different districts on Wednesday to formalise the strategy for the ULB elections and keep the momentum going.

The ruling BJD is seemingly not in as comfortable position in the urban areas as the rural parts. The anti-incumbency factor in the

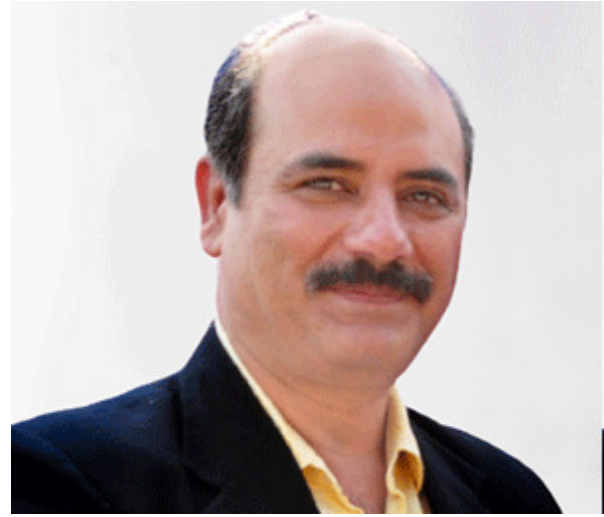
However, Naveen had started a concerted move to make amends since by not only initiating many individual city/town specific plans and programmes including massive infrastructure and urban/heritage development but also reorganising the party machinery. Like the panchayats, the BJD has also already positioned observers and senior leaders in each of the urban bodies while the Opposition is yet to get its act together.

ALSO READ | With all Odisha Panchayat poll results out, focus shifts to Urban Local Body polls Talking to the party leaders, Naveen said that transformative governance and empowerment of people are the hallmark of the State government. Asking them to focus on good work done by the government in urban areas, he set the campaign issues for the party.

The Chief Minister said CONTINUED ON: P-7

## TATA steel mining; great workplace

Bhubaneswar(KCN): Tata Steel Mining Limited (TSML) has been certified as a



great place to work organisation by Great Place to Work Institute for a year starting from this month. While promoting diversity and inclusion, the company has

taken multiple steps towards fostering an employee friendly work environment by

implementing many key policies and practices on career progression, rewards and recognitions, pursuing higher education, and set up independent committees for

complaint resolution process without any bias or discrimination.

Thanking the institute, Pankaj Satija, Managing Director, Tata Steel Mining said, "We are extremely thrilled and honoured to receive this coveted certification. As an equal opportunity employer, it reaffirms our commitment towards employee centricity and nurturing a healthy and diverse work culture."

"Not only do we believe that our employees are our greatest assets, but we also encourage people with diverse backgrounds and beliefs

including differently-abled persons, LGBTQ+ or any other underrepresented groups to join our team," he said.

Expressing happiness on receiving the certification, Sanjay Kumar Satapathy, Chief Human Resource Officer of the company said, "We are proud of our people who are at the heart of everything we do. This certification will inspire our employees to contribute to their potential and reassure the trust that we have built in such a short span of time since our inception."

## Mahanadi Coalfields achieve production feat



ANGUL(KCN): Mahanadi Coalfields Limited (MCL) on Monday crossed the magic figure of 150 million tonnes (MT) in coal production in a record time of 11 months. With this, MCL has become the second coal company to produce 150 MT coal in a financial

year. Earlier, South Eastern Coalfields Limited (SECL) was the only company to have achieved the feat. Besides, the MCL also recorded 5.82 lakh tonne coal production on Sunday. MCL CMD OP Singh congratulated all officers, staff, employ-

ees and other stakeholders for the achievement. "I would like to dedicate this achievement to efficient teamwork at all levels," said Singh.

In the current financial year, MCL has so far registered a growth of over 15 per cent in coal produc-

tion, 22 per cent in a despatch to consumers at 159 MT and over 18 per cent in overburden removal at 186 MCuM. Anticipating higher demand for coal, MCL has also initiated plans to maximise production during the next financial year.

## PM Narendra Modi interacts with students who returned from Ukraine

VARANASI(KCN): Prime Minister Narendra Modi on Thursday interacted

Uttar Pradesh, official sources said. The students shared their experiences

The Prime Minister represents Varanasi constituency in Lok Sabha. The govern-

ment has been attacked by Russia. The government has already sent four Union ministers



with a group of students who have returned from war-hit Ukraine and hail from various parts of

with Modi, who is on a tour of the state as part of the BJP's campaign for the assembly polls.

ment has launched "Operation Ganga" to evacuate Indian citizens, mostly students, from Ukraine which

to neighbouring countries Ukraine as India's "special envoys" to coordinate the evacuation efforts.

## Odia students take 11km walk from Kharkiv to Pesochin to escape to safety

BHUBANESWAR(KCN): Following an advisory in the evening by the Indian Embassy in Kyiv to leave Kharkiv immediately in wake of the deteriorating situation, many of the students have started walking to Pesochin ( a distance of 11km) with their passports.



Prasanjeet Pattanaik, a student, said they were asked to shift to Babye, Pesochin or Bezlyudovka immediately in the evening and leave Kharkiv before 6 pm (Ukraine time). "Since Pesochin is the closest to Kharkiv, we formed teams of all Indian students and decided to start walking at around 3 pm. We are just carrying one bag and our passport," said Prasanjeet, adding that the Rus-

sian government allowed a window for a few hours for the Indian students to escape the city before it steps up attacks. Even as some of the Odisha students managed to catch trains to escape Kharkiv on Wednesday, many of them, particularly boys, were not allowed to board by lo-

shift out of Kharkiv within three hours, how is that even possible without any help?," said a helpless Prasanjeet. The Kharkiv National Medical University where a majority of the Odisha students studied was also destroyed by Russian missiles on the day. Most of the

get into the first train due to resistance by locals and had to wait for the next arrival," said Liza Kap who along with two other girls Lozarin Sahoo and Sonali Mishra managed to board one early in the morning. The girls had started walking from Oleksivska Green

Prasanjeet said he and his friends had been trying to board the train since morning but were unable to do so. "They just would not let Indian students in. We do not think anyone understands our situation now. We have been experiencing bullet fires and blasts from so close and near Vozkal station besides the airstrikes. The Indian Embassy asked us to

students who managed to board trains walked through metro tunnels to reach Vokzal and Studentska stations in Kharkiv. "We do not know if we can reach the border but we are at least out of Kharkiv now. Everyone is making a last-ditch effort to escape from this city. And today, a majority of us who got onto the trains were girls. The boys could not

Metro on Thursday midnight to the Studentska railway station. As per the State Resident Commissioner's office in Delhi, at least 425 students from Odisha were in Ukraine when the war started. On Wednesday noon, 13 have returned to India. With this, 28 students of the State have reached the country from Ukraine since Friday last.

## Sonia dedicated to the service of animals, a source of inspiration

Rourkela (KCN): In the midst of busy life in today's hectic schedule, a beautiful scene of affec-

ter for birds, cows, dogs and other voiceless. So that the silent animals do not suffer in any

service the purpose of life. Anywhere in the city, injured animals are seen there immediately. She

the animals with great dedication. It is not less than a surprise to see people doing self-



tion for the helpless and destitute animals and birds was seen in front of the Vanik Institute of Koelnagar in Rourkela city. Sonia Gupta working as a counselor there, She is becoming a support for the helpless and destitute animals and has come out as a social worker. She arranges food and wa-

way. Even in a busy life, she is engaged in the service of animals by taking out time. Arranges meals for the dogs in the morning and evening. Not only this, she also serves and treats dogs injured in road accidents. She is engaged in saving the lives of animals since childhood. She has made this

takes the injured animal to the hospital where it is treated. Dedicated to the service of animals, Sonia is a source of inspiration in the service of animals. Rourkela Vanik Institute chief administrator Somyranjan Sahu and Super 20 chief Nitesh Kumar praised and said that Sonia serves

less social service working to the extent of passion. Last day a dog got seriously injured after being hit by a vehicle. After this she took it to the Veterinary hospital and got treatment done. Sonia has done the work of understanding the suffering of the animals. The amount of praise for her service is rarely felt.

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## Appealing to fans' inner writers, Anupam Kher offers autographed book

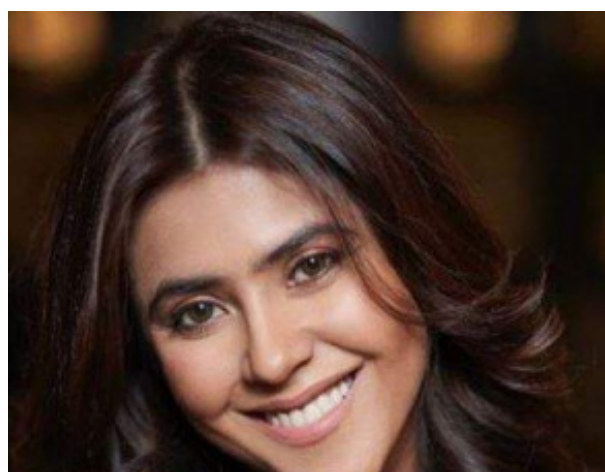


**NEW DELHI:** Asking his fans to rejuvenate their inner writers, veteran actor Anupam Kher, offered them to send his autographed book 'Your Best Day is Today' on Tuesday. Kher hopped on to Twitter and shared a candid picture of him. Calling on his fans to give a suitable caption for the picture, he wrote "Mujhe meri ye tasveer pasand hai. (I like this picture of mine) I will send an autographed copy of my latest book #YourBestDayIsToday to the person whose caption for this pic I like the most!" Adding to the cation, he noted "Hindi or English - apka caption kisi bhi bhasha me chalega! Chaliye! Apne andar ke lekhak ko jagaiye!! (your caption will go in any language! Let's go! Wake up your inner writer,) with Hibiscus smiling face and heart-shaped smile emoticon. Within a few hours of being posted, fans of the former Chairman

of Film and Television Institute of India started coming up with innovative captions and showcased their creative skills. A day ago, the 65-year-old star shared a clip of his mother lauding PM Modi and scientist's efforts for the new COVID-19 vaccines.

## SC grants Ekta Kapoor interim protection from arrest in FIR over web series

**NEW DELHI(K-CN):** The Supreme Court on Thursday granted interim protection from arrest to TV producer Ekta Kapoor in an FIR against her for alleged objectionable content in her web series "XXX season 2".



A bench headed by Chief Justice SA Bobde granted interim protection to Kapoor. She had moved the apex court after the Indore bench of the Madhya Pradesh High Court, in November this year, dismissed her petition seeking that a case filed against her for alleged objectionable content in web series "XXX season 2" be quashed. The High Court had dismissed a petition of Kapoor seeking quashing of a case registered against her for alleged obscenity in a web series produced by her.

## Phenomenal experience: Riteish Deshmukh praises Anil Kapoor, Anurag Kashyap's 'AK vs AK'

**NEW DELHI(K-CN):** Actor Riteish Deshmukh lauded Vikramaditya Motwane's 'AK vs AK' and termed the



blown!!! #AKvsAK is a phenomenal experience - @VikramMotwane take a bow my friend," tweeted Deshmukh. He then went on to heap praise on Kashyap, Kapoor, and his actor son Harshvardhan Kapoor who has a cameo in the film. "@anuragkashyap72 how good are you, @AnilKapoor Sir,

The complainant had alleged an episode of the series 'XXX uncensored' was obscene and caused annoyance to him, hurt his religious feelings and dishonored the Army. The case was registered at the Annapurna police station, Indore, under Sections 294 (Obscene acts and songs), 298 and 34 (Acts done by several persons in furtherance of common intention) of the India Penal Code and various relevant sections of the IT Act and the State Emblem Act.

only you could do this, you are pure gold in this film but @HarshKapoor\_has outdone your entire performance in one

movie star and a film director who get into a public spat, following which the director retaliates by kidnapping the actor's daughter and films the search for her in real-time. The Netflix India Original film was released on the platform on December 24, which also happens to be Anil Kapoor's birthday.

## Aakanksha Singh joins team Mayday

Ajay Devgn's Mayday has been creating a massive buzz because of its interest-



the icing on the cake is that Ajay Sir is directing the film. It's actually happening!

ing star cast, which includes Amitabh Bachchan, Ajay Devgn, Rakul Preet Singh and Angira Dhar. Talented actress, Aakanksha Singh has now joined the team. Aakanksha will essaying the role of Ajay Devgn's wife in the film. She joined the shoot yesterday. Aakanksha says, "It's like a dream come true to be a part of such a big and much-awaited film. I am so excited to share the screen with Ajay Sir and Amitabh Sir; and

## 'Wanted to make a film on Indian Army with Shah Rukh Khan', says Director Kabir Khan

**MUMBAI(KCN):** Filmmaker Kabir Khan, who is gearing up for the release of his web series "The Forgotten Army: Azaadi Ke Liye", based on Indian National Army (INA), says he wanted to make a film on the subject starring Shah Rukh Khan. He added that Shah Rukh didn't charge a fee for the voiceover he gave for the series. "Shah Rukh has very graciously given the voiceover. The series is based on a true story, so there is an introduction of a few minutes before every episode along with real footage, where he has lent his voice. I talked about it with Shah Rukh earlier as well, when this was a film script. Back then, I wanted Shah Rukh to do the film. We even had a few meetings but we couldn't take it forward," said Kabir while promoting the series along with its lead actors Sunny Kaushal and Sharvari Wagh. Kabir added that Shah Rukh didn't charge a single paisa for his voiceover assignment. "When I was making this series, I thought I should ask Shah Rukh (to be the narrator) because Shah Rukh's father had involvement with this army. His father knew General Shahnawaz Khan, who was an important part of INA. So, I knew he (Shah Rukh Khan) has sympathy and attachment with Azad Hind Fauj and I called him up. It's not an easy task to ask a superstar for a voiceover but Shah Rukh instantly agreed to do it. Usually, when you discuss a film with Shah Rukh, it's a long process, but in this case Shah Rukh literally did the voiceover for us on the second day. I don't know whether he would like me to reveal this, but he didn't take a fee from us. I think the kind of attachment he has with Azad Hind Fauj reflects in his act." Incidentally, Shah Rukh did a cameo in Kabir Khan's 2017 release "Tubelight", starring Salman Khan.

# Ten myths of Indian Constitutional Law

## Introduction

In the NLC's (National Lawyer's Campaign for Judicial Transparency and Reforms) agenda, open selection of judges of High Courts and the Supreme Court by notification of vacancies and invitation and application of all eligibles, so too, references from all stake holders, finds the very first place. The reason is, simple, obvious; because the higher judiciary in India, today, is perceived to be a dynasty, not very different from that of the political parties, a phenomenon which is antithetical to the very concept of a constitutional democracy which guarantees not merely equality before law and equal protection of laws but equal opportunities in public employment, so too, of constitutional offices.

Prior to independence, the high judicial offices of the chartered high courts and the federal courts were occupied by judges who were members of Indian civil service consisting substantially of the British. There was nothing like judicial dynasties, then. However, after the independence, slowly, a few families happened to dominate the Indian judiciary, the Bar and the Bench. Soon, things took a sea change after the judges 2 case, a judgment by which collegium system of appointment of judges came into vogue. Our constitution is one of the finest constitutions of the world. The Part III of the constitution embodies the principles contained in Magna Carta and Bill of Rights, so too, the 5th and 14th amendment to the American Constitution. The concept of federation and unified state find an excellent blend, taking with it the advantages of the both, but shunning the disadvantages. The Concept of Separation of Powers as envisaged by Montesquieu too finds its beautiful blend, sans its inflexibility. Our constitution, while reaffirming the concept of the supremacy of the parliament, without undermining the same in any manner, also provided for judicial review. Article 13 (2) of the Constitution declares that any law which is violative of the fundamental rights are void. The constitution, however, did not expressly provide the forum which a citizen aggrieved by violation of his fundamental rights by an act of parliament or executive action could seek his remedies. Article 372 of the constitution in express terms provided that the civil court is invested of the jurisdiction to do so. The founding fathers however felt that in addition to the ordinary laws and the forum of civil court, the High Courts and Supreme Court be invested of the jurisdiction to grant certain remedies in the nature of writs where the fundamental or legal rights of the citizen are infringed by the executive or the legislative action; namely, Arts 226 and 32 of the Constitution respectively. Having said and done that, the fate of our Constitution, today, rests on certain myths, seven of which are enumerated as under:

### The First Myth: The Basic Structure Theory

i. The jurisdiction of the High Courts and the Supreme Court under Arts. 226 and 32 came to be invoked increasingly as certain welfare legislations which the government of India introduced, were challenged on the ground that they are violative of the fundamental rights or beyond the legislative competence of the legislature. This has led to certain seeming conflicts between the executive and the Judiciary, with the former amending the constitution to nullify the judicial pronouncements. The public opinion too was divided; while the elite class of lawyers and rich businessmen, the capitalist supported the assertion of the judiciary of their right to interpret the constitution as their exclusive domain, the common man and the poor unstintedly supported the legislations. In the ongoing tussle, the judiciary ultimately established its supremacy in Keshavananda Bharati's case by holding that it has the power to declare even a constitutional amendment as unconstitutional. In Keshavananda Bharati the doctrine of Basic structure, which has no foundation in jurisprudence and in constitutional law, came to be pronounced. The said judgment ran into half a million words. Very few could have even read it. A judgment which is incapable to be read and thus incomprehensible contains no exposition of any new principle where none existed, to resolve a controversy which the court had before it. The question before the full court in Keshavananda Bharati was whether the constitution 25th amendment Act which had provided that a constitutional amendment shall not be declared to be void on the ground that it violated the fundamental rights. The question therefore was whether the parliament by an amendment to the Constitution could take away the fundamental rights. The answer, the common man could have wished to hear from the court was that it shall not. However the full court said the parliament has the power to amend every article of the Constitution including that of the fundamental rights. The judgment was certainly, by all means, with utmost respect, a retrograde one. However, it was hailed to be a historic one, the magna carta. Thousands of tons of newsprint was since used hauling it, as, the 'fundamental rights case'. The said judgment was hailed because the full court held that though the parliament could abrogate fundamental rights, the basic structure of the constitution cannot be breached. The judgment in the Keshavananda Bharati's case and the so called basic structure, the

author considers to be the beginning of the destruction of the Constitution of India.

**Mathews J. Nedumpara**

The proposition that the Keshavananda Bharati's judgment had no foundation in jurisprudence, and that it was absolutely flawed logic, is the very foundation on which the constitutional democracy can exist.

ii. De fide et officio iudicis non recipitor questio sed de scientia sive sit error juris sive facti, namely while the integrity of a judge cannot be questioned, his knowledge and his decision, both on facts and law can be questioned, is a fundamental principle of law. The citizens are within their rights to criticize the judgment rendered in Keshavananda Bharati. However, the said judgment is considered so sacrosanct, that any critic thereof is likely to be considered a blasphemer. However, since the damage that this judgment has caused to the constitutional law of this country is so irreparable that the author consider that it is his duty to state what he consider to be true, candidly.

iii. "Law is reason, the very life of it", said Chief Justice Coke. Ubi jus ubi remedium, where there is a right, there is a remedy. The fundamental principle is, right, remedy, forum. Under Article 32, if a fundamental right is violated, a citizen could invoke the jurisdiction of the Supreme Court. If not, he has no right. Till Keshavananda Bharati, nobody would have dared to invoke Article 32 unless he had a grievance that his fundamental right was violated. Keshavananda Bharati held that Parliament can by law take away one's fundamental rights and he cannot have any grievance about that. However, if such a law had violated the 'basic structure' of the constitution, he could invoke Art 32. That meant nothing insignificant. It was nothing like a new theory of geometry where two parallel lines could meet. Petitions under Art 32 complaining violation of fundamental rights came to an end. Instead, petitions under Article 32 came to be instituted alleging violation of the basic structure of the constitution. The term basic structure was not defined. It may be incapable of any definition even. To keep this study brief, it is not elaborated. Suffice to say that one of the early causalities of the doctrine of basic structure, a doctrine unknown to the rest of the world, is the appointment of judges to the higher judiciary. A nine Judge Constitution bench rewrote Article 124 of the constitution and brought into existence the collegium system of appointment and transfer of judges to the higher judiciary on the premise that independence of the judiciary is one of the basic structures of the constitution. The then Attorney General/ those representing the Govt did not raise the plea that PIL by SCAORA is not maintainable because there is no plea that anyone's fundamental right is violated.

Second Myth: The Supreme Court can lay down the law of the land

The judgment in judges 2 case, to repeat, was no interpretation but meant to be rewriting of the constitution. The nine judge bench could not have at all thought of usurping to itself the power of appointment of judges and to institutionalise the same by introducing the concept of 'Collegium' but for the Keshavananda Bharati judgment. The argument that the independence of the judiciary is a basic structure of the constitution and to protect the basic structure, it was permissible to rewrite the constitution. The Union of India invoked Art 143 of the constitution. However, the Presidential reference was not whether the SC could rewrite the constitution in the name of interpretation, nay, whether the Supreme Court could abrogate to itself the power of appointment of judges which is in the exclusive domain of the executive with a mere obligation to consult the CJI, in the case of a judge of the Supreme Court and the Chief Justice of High Courts and the Governor as well in the case of the Judges of the High Court. The Presidential reference was all about the details of the working of the collegium. The Union of India even conceded that they are not seeking a review of the Judges 2 case.

### THIRD MYTH: MATTERS CONCERNING THE PUBLIC AT LARGE ARE JUSTICIABLE

While, the basic structure concept is flawed, one meant the concept of pro bono litigation misnomered a PIL, being used as an instrument to substitute the legislature, so too the executive nay, as if the judiciary is the executive and the legislature both at once. Although, "What is in a name...?", saith William Shakespeare in his play "Romeo and Juliet", what kind of calamity a misleading name could cause, PIL is the classic example. The Judges 1 case, is a treatise on the concept of 'pro bono litigation', today, a misnomer called PIL. What Justice Bhagwati held in that case was, that any person acting pro bono publico could invoke the jurisdiction of the constitutional court where the person aggrieved, out of his poverty or illiteracy is unable to approach the court. For instance, an undertrial prisoner x, who out of his poverty, illiteracy is unable to enforce his fundamental rights invoking Article 226 or 32, Y, a public spirited person, acting pro bono could approach the court. To enable him so, the concept of locus standi is relaxed. The court did not invent any new jurisprudence, no new legal remedies were discovered. It only relaxed the procedure. Despite the word PIL in the pro bono litigation, it was for the enforcement of a private right of a person aggrieved. In consonance with the fun-

damental legal principles : right; remedy; forum. Before the evolution of the

concept of PIL the remedy of mandamus as a matter of right would lie at the hands of a citizen where the authorities have failed to discharge their statutory duties. The writ of mandamus, even qua warrant were thus considered to be public law remedies. Such remedies fell well within the concept of judicial review. However, the misnomer PIL, had a catastrophic effect. Many even well informed and well meaning lawyers and jurists thought the doctrine of PIL had meant investiture of a jurisdiction in the constitutional court to deal with any issue under the sun concerning the public at large. Many judgments on PILs held that the Person who institutes the PIL shall not have any private or oblique motive, that he should be acting bonafide. This meant that even a person seeking the remedy of mandamus, quo warranto, which are not equitable remedies which is open to even a man with unclean hands, henceforth be denied of his legal rights. Many PIL "factories" cropped up including PIL "Centres". Everything under the sun which legitimately belong to the province of the executive and the legislature, including matters of legislative and administrative Policy came to be decided in courts. The Supreme Court of India became the most powerful court on Earth.

### FOURTH MYTH: STAIRE DECISIS IS RES JUDICATA

i. From the misconception of the basic structure and PIL discussed as above, other misconceptions are of the fundamental principles of res judicata and staire decisis. The failure to distinguish between the two concepts meant yet another catastrophe. The Article 141 of the constitution embodies the doctrine of staire decisis. In simple words, the doctrine of precedents. The doctrine is a very useful one. One of great antiquity and of universal application. In simpler words, it means that if a superior court has evolved a principle to resolve an issue which it was called upon to do so, where none existed, the said principle, nay, the reason for the decision shall be binding on a court which is inferior to it. The justification is that, it is always better to follow the trodden path. The author bows down to the said Principle, which the founding fathers embodied in Articles 141 of the Constitution of India, for, they wanted to present to the posterity, a Constitution which is as complete and perfect in all aspects as possible. However, with utmost respect, the author begs to say that, since the advent of the doctrine of basic structure, which the he, in all humility asserts to be one without any legal or logical foundation, so too, with the misconception of the pro bono litigation, which is found in law as PIL, as is in practice today the judgments of the Supreme Court, became the law of the land without the citizens at large being afforded any opportunity to partake in that law making process.

ii. The meaning of the word res judicata is well known. While the doctrine of stare decisis means, that a decision of a case between A and B will bind a dispute between C and D who are not party to the decision in A and B, if in the decision between A and B, the court had evolved some legal principle for the first time where none existed; whereas, the doctrine of Res judicata could mean that the judgment of a court in a case between A and B will bind them, no matter, whether the judgment is right or wrong. To put it in simple words, a judgment of a case between A and B, where the court has held "black" as "white" and "white" as "black", though manifestly incorrect, will bind them and they cannot lodge a fresh dispute on that very question, before the same forum as the res is already adjudicated (res judicata). On the contrary, in so far as the doctrine of stare decisis is concerned, the principle of law laid down in a judgment of a superior court, in a case between A and B will bind C and D in a subsequent case between C and D in the subordinate court, as, what has been decided by the superior court is a principle of law. However, it is for the court before which the said judgment of the superior court or peer court is cited as precedent to decide whether the judgment of the superior court or equivalent court is binding or not. If a judgment is rendered curiam, it will be binding, if not curiam, nay, per incuriam it will not be binding. If for instance, the judgment of the Supreme court in Keshavananda Bharati case is cited before a high court in support of the proposition of basic structure, it is for the High Court before which such plea is made to decide whether Keshavananda Bharati, nay, the principle of basic structure evolved therein constitute to be a binding precedent.

iii. All judges exercise the sovereign power of the people. All judges, no matter, whether of the highest or the lowest, the sovereign judicial powers of "We the People" as trustees thereof. With Article 233 of the constitution investing the power of Superintendence of subordinate judges in the High Courts, the subordinate courts, it is generally perceived, have lost much of their independence. With the collegium of the Supreme Court being the ultimate authority in the matter of transfer and appointment of High Court judges, so too of their peers in the Supreme Court, the undeniable perception is that, the High Courts have lost the independence which the founding fathers have envisaged. If one were to advance an argument in the High Court that a

judgment of the Supreme Court, particularly of a constitution Bench as one rendered per incuriam, the Honble judges, will certainly refuse to entertain such an argument. It may even be misconceived as being disrespectful of the Supreme Court.

### FIFTH MYTH: THE CIVIL COURTS HAVE NO JURISDICTION TO INTERPRET THE CONSTITUTION OR DECLARE AN ACT OF PARLIAMENT AS VOID

i. The fifth myth on which the edifice of the Constitutional Law of the country as of today is founded, is that the civil courts have no jurisdiction to declare an Act of Parliament or a statutory instrument as void. The misconception is that, only the High Courts or the Supreme Courts alone could do. The real reason for this misconception is that, the investiture of the power of supervision of the subordinate courts in the High Court, so too, the predominant role in the selection of the district judges, had the effect of members of the subordinate judiciary to nonconsciously, nay, unconsciously perceive that they are subordinate to the High Court judges. It is forgotten that, the judges of the subordinate courts often being too scared to invoke the powers invested in them, as a court of unlimited plenary jurisdiction, has meant the litigant public invoking the extra ordinary jurisdiction of the High Court under Article 226 of the constitution for the grant of declaratory relief, even while the said Article has not expressly invested the jurisdiction in the High Court. Still worse, the fact that, the Article 32 of the constitution has invested very limited original jurisdiction in the Supreme Court to grant the 5 writs, namely, Quo warranto, certiorari, prohibition, habeas corpus and mandamus, was also forgotten. The fact that, the constitution did not in express terms invest any jurisdiction in the Supreme Court to grant a declaratory remedy namely to declare that an Act of Parliament or Statutory instrument as unconstitutional was forgotten, so too, sadly though, the original jurisdiction to grant the declaratory decree was in the exclusive domain of the High Court on its original civil side or on the civil court and no other court, was also forgotten.

ii. The eminence of the civil court as a court of plenary jurisdiction, competent and duty bound to embark upon any controversy under the sun, except those barred by law is evident from Article 372 of the constitution. So too, O.27 A, of the CPC. Therefore, where a declaration that an act of Parliament or a statutory instrument is void is required to be sought, the forum to be invoked is the civil court, and civil court only, sadly though, this may appear to be a weird proposition to many.

iii. The concept of 'judicial review' is generally believed to be the invention of Chief Justice Marshall in his land mark judgment in Malberry Vs. Madison. True, Chief Justice Marshall enunciated the principle in unmistakable terms. In that case Chief Justice Marshall only held that administrative decisions are amenable to correction by the Supreme Court. He enunciated nothing new. St. Augustine (AD.300) in his thesis 'de doctrina' said: lex injustia non est lex'; an unjust law is not a law at all. Centuries later, St. Thomas Aquinas in Summa Theologica (AD1200) re affirmed the same by saying that a law which is against the law of the nature and law of the God is no law; it need not be obeyed. He, however, gave a caveat, namely, that provided the injury to be suffered by disobedience of the void law is not greater than the injury to be suffered by obedience to the unjust law. The doctrine of the right , nay , duty of of disobedience was thus laid down. A few centuries later, Chief Justice Edward Coke in Dr. Boliham's case held enequem est aliequam rue sui est iudicium , namely, that if the Parliament were to make a law by which one of the parties to a dispute is a judge thereof, such a law is void. The assertion of Chief Justice Coke that the court of Common law could hold an Act of Parliament void, however, did not receive much acceptance and since then, no judge in England ever dared to assert so. There is valid reason for that. In England the House of Lords which is the Supreme Judicial Tribunal is itself the upper House of the Parliament. The practice since then is not to strike down an Act of Parliament as 'void', but in a lis between the subject and the state to declare an Act of parliament to be void in so far as it violates the natural law, in so far as the subject is concerned, it is for the Parliament to take notice of the judicial declaration and to bring in necessary amendments to the law. In England, to challenge the wisdom of the Parliament and King, constitutes to be inconceivable and there is no concept of judicial Review, an unruly horse, as we understand in India. However, all the 5 writs as enunciated in Article 226 and 32 are available in English; nay, we inherited it all from them alone.

iv. It was necessary to briefly narrate as above the history of English law in the realm of "judicial review", in view of the general misconception that civil courts have no power to interpret the constitution or declare an Act of Parliament or statutory instrument void.

v. While Article 226 and 32 expressly provide for judicial review by providing for five writs (Remedies) there is no express provision in the constitution which empower the High Courts or the Supreme Court to declare an Act **to be continued**

(The author is the President of the National Lawyers Campaign For Judicial Transparency And Reforms)

# Ukraine war: Disabled orphans fleeing Kyiv received by Poles, Hungarians

ZAHONY: Some of Ukraine's most vulnerable citizens have reached safety in Poland through an effort of solidarity and compassion that tran-

scended borders and raised a powerful counterpoint to war. On Wednesday, a train pulled into the station in Zahony, Hungary carrying about 200 people with severe physical and mental disabilities, residents of two orphanages for the disabled in Ukraine's capital of Kyiv that were evacuated as Russian forces battered the city.



scended borders and raised a powerful counterpoint to war. On Wednesday, a train pulled into the station in Zahony, Hungary carrying about 200 people with severe physical and mental disabilities, residents of two orphanages for the disabled in Ukraine's capital of Kyiv that were evacuated as Russian forces battered the city. "Territorially, the orphanages are where the rockets flew, where there were bursts of rifle fire. A metro station near the orphanage was blown up," said Larissa Leonidovna, the director of the Svyatoshinsky orphanage for boys in Kyiv.

"We spent more than an hour underground during a bombing." The disabled refugees, most of them

children, disembarked the train into the cold wind of the platform and into the arms of dozens of Poles and Hungarians waiting to receive them. From there, they were escorted to four waiting buses, sent from Poland by the Catholic relief organization Caritas. With the help of the deputy mayor of Kyiv along with the city's child protection office, Caritas organized the evacuation from the capital as a Russian assault intensified. Overnight, Associated Press reporters in Kyiv heard at least one explosion before videos started circulating of apparent strikes on the city. The targets weren't immediately clear. Barbara Smyrak, the lead organizer of the Caritas delegation transporting the children, said they will be placed in rehabilitation centers in the southwestern Polish city of Opole after completing the 560-

kilometer (350-mile) drive. The U.N. refugee agency said Thursday that as of midnight in Central Europe, 1 million people had

Viktoriya Mikolayivna, deputy director of the Darnytsky orphanage for girls, said that 216 people had arrived in Zahony,

fled Ukraine since the start of Russia's invasion a week ago, an exodus without precedent in this century for its speed. The tally from UNHCR amounts to more than 2 per cent of Ukraine's population, which the World Bank counted at 44 million at the end of 2020, and the number is growing. The agency has predicted that up to 4 million people could eventually leave Ukraine but cautioned that even that projection could be revised upward. While many of those fleeing are able-bodied adults, choosing to brave long and sometimes dangerous journeys to bring themselves and their families to safety, other Ukrainians are at the mercy of their caregivers to deliver them out of danger.

Hungary from the Kyiv orphanages - "the children along with their chaperones." After leaving Kyiv and travelling by bus toward the Polish border, they encountered mile-long lines of cars carrying other refugees from Ukraine fleeing toward safety in the European Union. With the prospect of waiting for untold hours, the group redirected their route to Hungary in hopes of finding safety faster. Leonidovna, the director of the Svyatoshinsky orphanage for boys, said the day-long journey from Kyiv had been arduous, and there was still another long bus ride to go. "It is very difficult, you can see that it is very difficult, they all need special care and support," she said of the children.

## Ukrainian delegation including presidential advisor headed to talks with Russia



KYIV: A Ukrainian delegation said on Thursday it was en route for a second round of ceasefire talks with Russia on the day Ukraine lost its first major city to Russian forces. "On our way to negotiations with the Russian Federation. Already in helicopters," presidential advisor Mykhailo Podolyak said on Twitter. Podolyak posted a photo of himself with

lawmaker David Arakhamia dressed in military uniform in what appears to be a helicopter cabin. Arakhamia said on Facebook that Ukraine wants to negotiate humanitarian corridors with Russia. "We start in two hours," he wrote at around 1200 GMT. Russia's delegation - led by President Vladimir Putin's aide Vladimir Medinsky -- said its proposals

have to do with "military-technical, humanitarian-international and political" aspects. According to Belarus and Russia, the talks will take place in the Belovezhskaya Pushcha in Belarus's Brest region close to the border with Poland. Our 130 buses ready to evacuate Indian students, foreigners from Ukraine: Russian defence official

A first round of talks between Russian and Ukrainian delegations took place earlier this week on the Ukrainian-Belarusian border, but brought no results. Ukraine demands an immediate ceasefire and the withdrawal of Russian forces. Russia has not specified its demands, but says it wants "the demilitarisation and denazification" of its pro-Western neighbour.

## Government gives nod to development of nine defence equipment by Indian industry

NEW DELHI: The Ministry of Defence (MoD) on Thursday

ing in a phased manner, the ministry said in a statement.



said it has given in-principle approval for the design and development of nine defence equipment by the Indian industry. Out of the total nine projects, four have been offered in 'Make-I category' under which the Centre provides 90 per cent fund-

The four projects are communication equipment with Indian security protocols, airborne electro optical pod with ground based system and airborne stand-off jammer for the Indian Air Force (IAF) and light tank for the Army, it mentioned.

"This is for the first time since the launch of industry-friendly Defence Acquisition Procedure-2020 that Indian industry has been involved in development of big ticket platforms such as light tank and communication equipment with Indian security protocols," it noted. Five projects have also been offered in 'Make-II category' under which no government funding is provided for prototype development, it noted. These five projects include full motion simulator for Apache

helicopter, full motion simulator for Chinook helicopter and wearable robotic equipment for aircraft maintenance for the IAF, and integrated surveillance and targeting system for mechanised forces and autonomous combat vehicle for the Indian Army, it mentioned. "The indigenous development of these (nine) projects in the country will help harness the design capabilities of Indian defence industry and position India as a design leader in these technologies," it noted.

## PM blames previous governments for Indian students going abroad to pursue medical education; Congress hits back

VARANASI: Prime Minister Narendra Modi on Thursday blamed previous governments for a large number of Indian students going abroad to pursue medical education and asserted that his dispensation has been working to augment the number of medical colleges so that students can enrol themselves within the country. In an interaction with students from different parts of Uttar Pradesh who have returned from the war-hit Ukraine, Modi also empathised with those students and their families who have expressed their anger, even at him, after facing hardships in Ukraine. "I think it is natural for them to feel angry in this crisis," he said, adding that they have been facing hardships and braving cold. The government has launched "Operation Ganga" to evacuate Indian citizens, mostly students, from Ukraine which has been attacked by Russia.

When they are no longer agitated and beginto understand the magnitude of the exercise, they will show their affection as well, the prime minister said, as many students expressed their thanks to him and lauded his government for rescuing them when they had lost all hope. A strong India is the answer to these troubles, Modi said, expressing his sympathies with the students who, he added, had to go through such an experience at a young age.

"If medical education policies were right earlier, then you would not have to go abroad," he said, adding that no parents want their children to go overseas at such a young age. His government is working to correct the past mistakes, he added.

There were 300 to 400 medical colleges earlier, and they now number nearly 700, Modi said.

The number of seats they offer has now gone up to 1.5 lakh from earlier 80,000-90,000, he said.

"My effort is that every district has one medical college.

Probably, there will be more doctors produced in 10 years than the last 70 years," he said. This will be a big thing as young students would not have to travel abroad, and their families would not have to under such stress, he added. Speaking to the students, Modi said everyone should keep doing something for the country. "You had to undergo such an experience in life at such a young age in a distant place alone. I can imagine the mental state you would have been through. Now we are able to evacuate people properly," he said.

The students shared their experiences with

Modi, who is on a tour of the state as part of the BJP's campaign for the ongoing assembly polls. Modi represents Varanasi constituency in Lok Sabha. Sharing their experience, some students said they had left all hopes after Russia launched an attack on Ukraine and could not have returned without support from the government.



Some other students said they faced no difficulties and received adequate facilities from the Indian embassy there.

"After the attack began, it seemed I will not be able to return

and saw death from close quarters. I am proud of being an Indian and you as prime minister," a student said, adding that the display of Indian flag on their windows and buses ensured that Russian forces let them go without causing any problem.

Another student conveyed his family's gratitude to the prime minister, saying they believed only he can do something after he was stranded in Ukraine.

"You were being remembered only next to God," he said.

Even students of some other countries also

used Indian flag to get smooth passage from the Russian army, one said.

The Congress on Thursday continued its attack on the government over bringing back safely Indian students from war-hit Ukraine with Rahul Gandhi saying evacuation is a duty and not a favour.

On Twitter, Gandhi shared a video of an Indian female student who says the government's duty is to provide them safety in Ukraine and help them safely escape from the war zone and not just bring them back when they crossed over into a safe neighbouring country.

"Evacuation is a Duty, not a Favour," Gandhi tweeted.

Congress chief spokesperson Randeep Surjewala also shared the video and attacked the government.

"This brave daughter of India has exposed 'Fake PR' of Modi Government! As PM, Home Minister and Defence Minister were busy in election rallies, this was the harrowing experience of our children in Ukraine," he said. Rahul Gandhi and party MPs - Shashi Tharoor and Anand Sharma -- also attended a meeting of the Consultative Committee on External Affairs where they said that the interest of the country is paramount for all of them and their suggestions are being given with a positive mindset.

# Census for Fishing Cat

Bhubaneswar: The Chilika Development Authority (CDA) is all set to begin phase II of the fishing cat population estimation



here from the second week of March, 2022.

Chilika Wildlife Division and the Fishing Cat Project, partner to Fishing Cat Conservation Alliance (FCCA), will collaborate with CDA in this estimation.

“This is the first time in the world that this globally endangered species’ population is being estimated completely outside the purview of protected areas which required the involvement of local fishermen, local wildlife protection committees as well as student volunteers from national universities,” says Jim Sanderson, IUCN Cat Specialist Group member.

Phase I of the population estimation was conducted in the north-eastern sector of Chilika. Their abundance was established to be 119 individuals from 230 sq km of the study area comprising 115 sq km of marshland and the rest comprising other lands.

The Phase II of the exercise will be conducted in the islands along the coastal strip of Chilika lake, in between Bay of Bengal and the lagoon. This area has a matrix of mangrove associated species like Pandanus or Keya, ponds along with cashew plantations and hamlets. The total abundance of fishing cats in Chilika will be analyzed from the combined re-

sult of both phases, said officials.

The CDA had declared the fishing cat to be Chilika’s ambassador species in 2020. This led to the initiation of the population estimation exercise in 2021 and 2022. “We want to regularize fishing cat monitoring in Chilika just like we monitor birds and dolphins regularly,” says Susanta Nanda, Chief Executive Officer, Chilika Development Authority (CDA).

In each phase, camera traps are deployed in Chilika with the traps staying at each location for 30 days, he said.

In 2021, the fishing cat project and CDA started a year-long patrolling and monitoring initiative on the fishing cat by engaging local residents.

“During such events, worked with local fishermen to reduce incidents of reed fires which are a threat to native bird populations as well as otter pups and fishing cat cubs which are 2-3 months old when incidents of reed fires occur. In addition, we conducted rallies and awareness programs to make people aware about the importance of conserving the fishing cat,” says Mr.Nanda.

CDA in association with the Fishing Cat Project will design a Fishing Cat Action Plan in Chilika this year. Just like the Tiger’s presence indicates the health of a jungle, the Fishing Cat’s presence tells us how a wetland’s health is doing.

The action plan will be socio-ecological in nature, preventing reed fires and introducing small scale wetland tourism, they said

## Early Completion Of Biramitrapur - Barkot Nh-143 in Odisha

Rourkela (KCN): Core Member of TBRAC (Talcher Bimlagarh Rail Action Committee) & Social Activist Bimal Kumar Bisi wrote to Minister of Railways Ashwini Vaishnav and sent it's copies to Union Minister of Road, Transport & HighWay Nitin Gadkari, Chief Minister of Odisha Naveen Patnaik on Thursday. The addressed letter reveals that Running behind schedule for several years, the completion target of the 125-km National Highway (NH)-143 between Birmitrapur and Barkote in Sundargarh has further been extended by seven to 12 months. The National Highway Authority of India (NHAI) has attributed the additional delay to time lost due to the Covid-19 pandemic among other reasons. The target for the entire project, estimated at Rs 1,142.31 crore, had earlier been revised from March 2020 to June 2021. Work on the NH Bimal Kumar Bisi said that project had started in 2011 but was stalled mid-way. It picked up pace after Prime Minister Narendra Modi urged to expedite work in 2015 and subsequently, Union Highways Minister Nitin Gadkari had laid foundation of the new Brahmani bridge in July 2017. NHAI sources informed that nearly 70 per cent work has been completed for the most important first package which includes 59 km from Rourkela to Rajamunda at Rs 381.75 crore. This stretch includes the second new six-lane bridge over Brahmani river which is 70 percent complete, while another bridge over Sankhi river near Vedyas and a new Road Over Bridge (ROB) over railway track at TCI area have been completed and construction of a parallel ROB is underway. The second package of 29 km from Birmitrapur to Rourkela at a cost of Rs 366.56 crore is 60 percent complete so far. Due to protest by tribal villagers, the NHAI dropped the bypass plan at Talsara and in absence of land, it plans to convert the existing NH into two-lane for a stretch of five km from Birmitrapur. With acquisition of nearly 30 acre land in this package still due and the matter pending in Odisha High Court, work could not start over a 500 meter stretch at Gopapali, Jamunanaki and Lungei. The NHAI said as per court direction, compensation claims would be settled shortly. Incidentally, the third package, which extends for 37 km from Rajamunda to Barkote, remains a concern as only 25 percent of it is complete due to financial issues. But NHAI, official sources said, has resolved those issues and resumed work. Expressing confidence of completing the project soon, NHAI Project Director said the first and second packages would be completed by January 2022 and the third package by June 2022. THERE ARE FOUR ROB(S) (RAILWAY OVER BRIDGES) Those are 1. Bimlagarh 2. Champajhira 3. Chandipose 4. Panposh (Approach road to New Bhramni Bridge). NHAI required immediate help and shutdown from the Railway which NHAI is not getting so far and needs co-ordination from Railway Authority. Hence the people of western Odisha requests intervention so that NH 143 from Biramitrapur to Barkote will be complete by June 2022. Which is an important heart line of the city.

## High profile names do rounds for Bhubaneswar Mayor race

BHUBANESWAR: As nomination for the municipal polls begins, the three major political parties are busy hunting for the high profile Bhubaneswar Mayor candidate. The Mayor post is reserved for women in the Capital City and the election will be a direct one

committee comprising BJP State president Samir Mohanty, party’s national spokesperson and Bhubaneswar MP Sarangi and other senior leaders will take a final call. “Eligibility and winnability will be the criteria for selection of candidates in the ULB



this time. Politically, it will be an interesting fight since Bharatiya Janata Party’s Aparajita Sarangi is Bhubaneswar MP while the three Assembly constituencies are represented by Biju Janata Dal MLAs.

Speculations are rife that Iti Samanta and Shreemayee Mishra are ahead in the race for ticket from Biju Janata Dal. Iti, a writer and journalist, also happens to be sister of party’s Kandhamal MP Achyuta Samanta. Name of Shreemayee who is chairperson of Odisha Tourism Development Corporation (OTDC) has been heard in the political circle for a while now.

Then, there is speculation about a noted writer who is still not in the party fold but holds a prestigious position in a government initiative. Besides, BJD spokesperson Sulata Deo and former chairperson of State Commission for Women Lopamudra Baxipatra are stated to be in the list of aspirants for ticket from the ruling party. Party spokesperson Lenin Mohanty said the decision will be taken by the party leadership and announced at the appropriate time. Sources said, Chief Minister and party supremo Naveen Patnaik is likely to announce BJD Mayor candidate by March 4. From BJP, popular Odia actor Anu Chaudhury is tipped to be the Mayor candidate. Anu has been seen campaigning for the party in the recently-concluded panchayat elections. Party spokesperson Lekhashree Samantsinghar’s name is being speculated too.

BJP leaders, however, said that the selection

polls,” Sarangi told mediapersons. A number of names from Congress is also doing the rounds. Rashmi Mohapatra is stated to be ahead of others in the race. She had unsuccessfully contested the 2019 assembly elections from Bhubaneswar Ekamra constituency.

Besides, names of Parbati Biswal, Nalini Senapati and Sabita Patnaik, Pramodini Mishra are also in the list of aspirants for the Mayor seat. Senior Congress leader and Jatni MLA Suresh Routray said all the candidates are well qualified and are suitable candidates for mayor seat. The name of the mayor candidate will be announced soon.

Giribala Behera is Congress Cuttack Mayor candidate

Bhubaneswar: The president of the Cuttack City Congress Committee and former corporator Giribala Behera has been finalised as the Congress Mayor candidate for the Cuttack Municipal Corporation. Behera is likely to file her nomination papers on Thursday. Her candidature was finalised at the meeting of the Congress Election Committee on Wednesday. Sources said that Congress will enter into alliance with the CPI and CPM for Cuttack Municipal Corporation. One seat each will left for the CPI and CPM while the Congress will contest from the rest 57 seats. The name of Madhusmita Acharya, daughter of late Congress MLA Kangali Charan Panda has almost been finalised as the party’s Mayor candidate for Bhubaneswar Municipal Corporation.



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## President Biden will decide on imposing CAATSA on India: US official on Russian S-400

Continued from page-1

"I can assure you that the administration will follow the CAATSA law and fully implement that law and will consult with Congress as we move forward with any of them. What unfortunately I am not able to say is to prejudge the decisions of the President or the (Secretary of State) on the waiver issue or on the sanctions issue, or whether Russia's invasion of Ukraine will bear on that decision," he said.

Lu said that the Biden administration is yet to decide on applying sanctions on India under CAATSA.

"India is a really important security partner of ours now. And that we value moving forward that partnership and I hope that part of what happens with the extreme criticism that Russia has faced is that India will find it's now time to further distances," Lu said. The senior American diplomat said it is going to be very hard for any country to buy major weapon systems from Russia because of the sweeping sanctions now placed on Russian banks.

"What we've seen from India in just the last few weeks, is the cancellation of MiG 29 orders, Russian helicopter orders and anti-tank weapon orders," Lu said.

Lu's remarks came as India faced flak from US lawmakers, both Republicans and Democrats for choosing to abstain from a UN vote on Wednesday to rebuke Russia's invasion of Ukraine.

A total of 141 nations voted in favour of the move condemning Russia's invasion of Ukraine and five nations were against it, with 35 countries, including India, abstaining.

The UNGA resolution was similar to the one circulated in the 15-nation Security Council last Friday, on which also India had abstained.

The UNSC resolution, which received 11 votes in favour and three abstentions, was blocked after permanent member Russia exercised its veto.

In October 2018, India had signed a USD 5 billion deal with Russia to buy five units of the S-400 air defence missile systems, despite a warning from the then Trump administration that going ahead with the contract may invite US sanctions.

The US has already imposed sanctions on Turkey under the CAATSA for the purchase of a batch of S-400 missile defence systems from Russia.

Following the US sanctions on Turkey over the procurement of S-400 missile systems, there were apprehensions that Washington may impose similar punitive measures on India.

Russia has been one of India's key major suppliers of arms and ammunition.

China is provoking India at every turn just as it is doing with the United States and Washington is committed to accelerating progress in strengthening India's defence capacity to deter Chinese provocations, a senior Biden administration official has told lawmakers.

India's relationship with China is right now going through a very difficult phase after Beijing violated agreements not to bring the military forces to the eastern Ladakh border.

"Just as an increasingly provocative China is challenging the United States, it is also provoking India at every turn," Assistant Secretary of State for South and Central India, Donald Lu, told members of the Senate Subcommittee on the Near East, South Asia, Central Asia, and Counterterrorism on Wednesday.

"India staged a diplomatic boycott of the Beijing Olympic Games after China selected the regiment commander responsible for the attack on the Indian border that resulted in

the death of 20 Indian soldiers in 2020 as an Olympic torchbearer," he said.

Beijing also recently published new China maps reiterating claims to large swaths of territory in the Indian state of Arunachal Pradesh, renaming its cities with new Chinese names.

The border standoff in eastern Ladakh erupted on May 5, 2020, following a violent clash in the Pangong lake area.

The face-off escalated after the Galwan Valley clashes on June 15, 2020.

India is engaged in talks with China on the eastern Ladakh border standoff with absolute clarity that it will not agree to any change in the status quo or any attempt to unilaterally alter the Line of Actual Control (LAC) in the region.

Lu also told the lawmakers that the US was also working with India on bolstering its defence capabilities.

"We remain committed to accelerating progress in our Major Defence Partnership and strengthening India's capacity to deter Chinese provocations, through robust naval cooperation, enhanced information and intelligence sharing, and increased cooperation in emerging domains such as space and cyberspace," Lu said.

Referring to the recent Quad ministerial in Melbourne, Lu said he was struck by how much the Quad is accomplishing and the determination of all Quad partners to support a free and open Indo-Pacific.

Quad is a four-member grouping of the US, India, Australia and Japan that has been formed to further the shared vision of a free, open and inclusive Indo-Pacific, amidst China's growing assertiveness in the region. The Quad is making huge strides in achieving the goal of delivering 1 billion doses of COVID-19 vaccines to the world, Lu said.

"The US International Development Finance Corporation provided USD50 million in long-term financing to Biological E Ltd to develop manufacturing capacity to produce at least one billion doses of Covid-19 vaccines by the end of 2022," he said.

"We have held discussions via the Quad on critical and emerging technologies and are also cooperating to support clean energy and decarbonization efforts in the Indo-Pacific region, including through green shipping and clean hydrogen initiatives," he added.

"The Quad is also working together on maritime cooperation and security. We are sharing data on maritime domain awareness, fighting illegal fishing together, and our four countries have conducted a complex and large-scale naval exercises in the annual Malabar exercise," Lu said.

He refuted the allegations from Senator Ted Cruz that the Biden Administration has deprioritised countering China in the Quad. "I sat in on every session of the Quad discussions, and in every session of those discussions, together with our three Quad partners, we're talking about countering China. We're talking about China countering China with security and defence activities."

"We're also talking about countering China with COVID vaccines as we know that this is part of China's reach into the Indo Pacific. So I take exception to that statement. That is not what I witnessed," Lu said.

In November 2017, the US, Australia, India and Japan gave shape to the long-pending proposal of setting up the Quad to develop a new strategy to keep the critical sea routes in the Indo-Pacific free of any influence, amidst China's growing military presence in the strategic region.

China claims nearly all of the disputed South China Sea, though Taiwan, the Philippines, Brunei, Malaysia and Vietnam all claim parts of it.

Beijing has built artificial islands and military installations in the South China Sea. Beijing is also involved in a maritime dispute with Japan over the East China Sea.

## ULB Polls: Naveen Patnaik again shifts into election mode after panchayat poll results

Continued from page-1

that the scheme Jaga Mission to provide land to poor people has set a benchmark. Similarly, providing street lights in majority of urban areas, providing safe drinking water and setting up waste management systems, massive city beautification exercise, upgradation of community and sports facilities are some of the works done by the government that can be highlighted during the campaign, he said.

Besides, he said, the State government has also created employment options for the women through Mission Shakti, improved ward-level infrastructure in urban areas and introduced online services in municipalities keeping welfare of the people in mind. The government has worked with commitment for all residents of urban areas, starting from those residing in apartments to slum dwellers.

The Chief Minister said that the party leaders will have to take the success of the government to the people to counter the misinformation campaign of the Opposition. Stating that the Opposition had launched misinformation campaign against the government during the panchayat elections which was completely rejected by the people, Naveen said that they are going to repeat the same thing during the ULB polls. It is responsibility of all party leaders and workers to expose the misinformation campaign of the Opposition against the government and BJD, he asserted.

## Operation Ganga: 80 flights, 24 ministers pressed in action to evacuate Indians from Ukraine

Continued from page-1

that the 35 evacuations have been planned from the Romanian capital Bucharest, which include 14 flights of Air India, eight of Air India Express, seven of IndiGo, one of Spice Jet, three of Vistara and two of Indian Air Force.

A total of 28 flights have been scheduled to take off from Hungary's capital Budapest. Among these 28, 15 flights are from Go Air, 9 from IndiGo, 2 from Air India, 1 from Indian Air Force, and 1 from Spice Jet. A total of nine flights are scheduled from Rzeszow, Poland, which includes eight from IndiGo and 1 from Indian Air Force, while five flights will take off from Suceava, Romania and 3 flights will take off from Kosice, Slovakia.

Sources also stated that approximately 17,000 stranded Indians will be evacuated from Ukraine by these 80 flights, scheduled to take off from Budapest, Bucharest, and Rzeszow, Suceava, and Kosice.

Till March 2, a total of 24 flights have landed under 'Operation Ganga'. The government started 'Operation Ganga' on February 26 to evacuate stranded Indians from Ukraine.

ALSO READ | 'Wanted dead or alive': Russian businessman offers USD 1 million bounty for arrest of Putin

The first flight carrying Indians landed in Mumbai on February 26 which was received by Piyush Goyal, Minister for Commerce and Industry, Textile, Consumer Affairs, Food, and Public Distribution.

Prime Minister has sent four Ministers Jyotiraditya Scindia, Hardeep Singh Puri, Kiren Rijiju, and VK Singh to Hungary, Romania, Slovakia, and Poland to oversee the evacuation of Indians.

The Modi government has also roped in ministers to monitor smooth evacuation and receive Indians at Delhi and Mumbai Airport who are coming from Hungary, Romania, Slovakia, and Poland under Operation Ganga. Ministers Jitendra Singh, Mukhtar Abbas Naqvi, Rao Inderjeet Singh, Narayan Rane, G Kishan Reddy, Kailash Choudhary, Parshottam Rupala, Bhagwant Khuba, Virendra Kumar, Meenakshi Lekhi, V. Muraleedharan, Bhagwat Karad, Nisith Pramanik, Shantanu Thakur, Rao Saheb Danve, Darshana Jardosh, Devusinh Chauhan, Bharati Pravin Pawar, Sadhvi Niranjana Jyoti, Bhanu Pratap Singh Verma, Subhas Sarkar, Kapil Patil have been assigned to receive the flights coming from neighboring countries of Ukraine carrying Indians.

## FMCG industry faces consumption slowdown

NEW DELHI: India's FMCG industry has grown in double-digits to 17.5% for the calendar year of 2021, over last year (2020), according to a Nielsen report. There is, however, a consumption slowdown, with rural markets facing the heat. The Q4 2021 quarter saw 9.6% growth for FMCG in India over last year primarily based on the double digit increase in prices for three successive quarters, says NielsenQ's Q4 2021 FMCG Snapshot report. But the industry witnessed a consumption volume degrowth of 2.6% in the fourth quarter due to inflationary pressure, and other macro-economic factors in the country. "The price increase continues to impact small manufacturers where the number of small manufacturers (with turnover below 100 crore) dropped by 13%, due to the difficulty of continuing operations with higher costs," the report adds. Large and Medium manufacturers stayed stable.

## Congress rivals try to divide society on caste, religious lines: Priyanka Gandhi

Continued from page-1

and accused the administration and police of inaction.

Vadra blamed the policies of the Chief Minister Yogi Adityanath-led Uttar Pradesh government for the problem of stray cattle in the state. "It is the duty of the people in power to mitigate troubles of people but in UP, the problem of stray cattle was caused by the policies of the government. Our government in Chhattisgarh has managed to resolve this issue," the Congress leader said.

Vadra said the BJP government did not provide jobs to people in the last five years and is only promising to do so now when the elections are here.

The BJP claims that it gives people free ration and deposits money in their accounts, she said.

"You need to understand the mindset that they (BJP) will never give you jobs. The government has not done anything to promote agriculture and small industries that generate a lot of employment. On the other hand, they didn't even give government jobs in the last five years and are now promising you jobs," she added.

Vadra reiterated her party's poll promises.

"We will solve the issue of stray cattle and provide compensation of Rs 3,000 per acre in case your crop is destroyed by stray cattle. We will buy sugarcane for Rs 400 per quintal. To generate employment for women, we will ensure 25 per cent reservation in recruitment for women in the police force," she said.

"Eight lakh jobs will be provided to women," she said.

Vadra said the Congress will ensure that any officer who fails to register an FIR in a case related to a crime against women is suspended, free travel for women in government buses and provide free mobile phones and scooters to girls.

The Congress will also provide loans of Rs 5 lakh to those who want to start their own business, she said.

Addressing a rally in Chandauli, Vadra said, "Problems like inflation, lack of development and misrule do not differentiate on the basis of caste and religion. Yet BJP, BSP and SP only talk of caste and community to divide people for vote bank."

"Politicians understand that by keeping the youth unemployed, they can be misguided and made to promote violent political ideology," she said.

Vadra said her father, former prime minister Rajiv Gandhi, always met villagers and worked for their development.

"But the leaders of the BJP do not understand the importance of development because they have not done anything for the independence of this country," she said.

"BJP leaders have become so emboldened that their sons are trampling farmers under their vehicles," she added, referring to allegations against Union minister Ajay Kumar Mishra's son Ashish Mishra in the Lakhimpur Kheri case.

Vadra alleged that the BJP-led government neglects the common man and farmers of the country and makes laws to benefit Prime Minister Narendra Modi's industrialist friends. She also cautioned voters against making the mistake of giving majority to the BJP in Uttar Pradesh.

"The prime minister says that the BJP has given you free ration and seeks votes. This is the bare minimum a government should do. Instead, the government should give employment," she said.

Voting will be held in Sonbhadra and Chandauli in the seventh and last phase of the Uttar Pradesh Assembly polls on March 7.

## 'Will use gun if I have to': Ukraine's Sergiy Stakhovsky, who beat Roger Federer at Wimbledon, joins war against Russia

Former Ukraine tennis star Sergiy Stakhovsky, who scripted a historic win over Roger Federer at Wimbledon in 2013, is up for a different battle this time around.

Former ATP world number 31 Stakhovsky returned to Ukrainian capital Kyiv to join the



country's defense to fend off the Russian attack. The Ukrainian government has told the men aged between 18 and 60 to stay back in the country and fight against the Russian invasion. Stakhovsky hoped that he doesn't get to use the gun, but will be forced to do so if a situation arises. In an interview with BBC, he said, "I know how to use the gun. If I'll have to, I'll have to. I pretty much hope that I won't have to use the gun."

Stakhovsky also stated that his decision to leave behind his wife Anfisa and children in Hungary as a 'horrible' move.

He also mentioned that his family thinks that he has gone to play a tennis tournament in another country.

Stakhovsky said, "I'm still not sure how I've done it. I know that it's extremely hard on my wife. My kids don't know that I'm here (in Ukraine). They don't understand war. They're too little to understand what's going on."

Stakhovsky is one of the well-established tennis stars on the ATP tour. He has over 175 wins under his belt in singles competition and has won 4 ATP Tour titles. The veteran star has also reached the third round of all four Grand Slams.

## Never thought I would play 100th Test: Virat Kohli

MOHALI: All set to become the 12th Indian to achieve the milestone of playing 100 Tests, star batter Virat Kohli says he "never thought" he would come this far and make this landmark appearance.

Having scored only 4 and 15 in his debut Test against the West Indies in 2011, Kohli has come a long way in a decade-long journey in which

## Decision Review System to be available at all matches of women's World Cup

DUBAI: The Decision Review System (DRS) will be available at all matches of the ICC Women's World Cup which begins on Friday in

unprecedented coverage.

This is the second time DRS is being used in the women's World Cup.

The system was used

The 36-year-old announced retirement from tennis during the recently concluded Australian Open in January.

Meanwhile, Elina Svitolina put on the yellow and blue colors of Ukraine and beat Anastasia Potapova of Russia 6-2, 6-1 on Tuesday in the opening round of the Monterrey Open, deciding she could do more for her country by playing than boycotting the match.

Top-seeded Svitolina earlier said she wouldn't play against Potapova in Mexico or against any Russian or Belarusian opponents until the International Tennis Federation and the men's and women's tennis tours barred competitors from those countries using any national symbols, flags or anthems.

The tennis governing bodies issued a statement on Tuesday confirming that Russian and Belarusian players will still be allowed to compete at the top level, but without national flags. "Today it was a very special match for me," the 27-year-old Svitolina said.

"I'm in a very sad mood, but I'm happy that I'm playing tennis here. I was focused. I was on a mission for my country," she said.

"From the beginning, it was important to be ready for anything that comes my way."

Svitolina is a two-time Grand Slam semifinalist with 16 career tour-level singles titles who has been ranked as high as No. 3 and is currently No. 15.

"All the prize money that I'm going to earn is going to be for the Ukrainian army," said Svitolina, who won this tournament in 2020. The Monterrey Open has \$31,000 in prize money for the champion.

Russia's invasion of Ukraine entered its eighth day on Thursday, with a huge convoy of Russian tanks and armored vehicles on a road to the capital, Kyiv, and fighting intensifying there and in other big cities.

he has amassed 7962 runs at a stellar average of 50.39 in the longest format. Kohli's 100th Test will be against Sri Lanka beginning here on Friday. "I honestly never thought I would play 100 Test matches. It has been a long journey. We played a lot of cricket over the course of playing those 100 Test matches," Kohli said in a video posted by the BCCI.

ment will be covered live by broadcast partners around the world, who will access a fully produced world feed programme from ICC

"Women's cricket has made rapid progress in the past few years, and I have been following it very keenly. The world's best have converged in New



Mount Maunganui, New Zealand. The ICC on Thursday said that the March 4 to April 3 showpiece will be the most widely distributed women's cricket event of all time with

in the 2017 edition in England.

"The Decision Review System (DRS) will be available at all matches," the world body said in a release. "All matches of the prestigious tourna-

TV using a minimum of 24 cameras at each of the six venues.

"Hosts New Zealand face West Indies in the tournament opener in Mount Maunganui on Friday.

Zealand and I'm sure there are lots of thrills in store in the coming weeks," former England men's team captain and one of the commentators, Nasser Hussain said.

## ISL: Jamshedpur FC aim to consolidate lead at top with win over Odisha

BAMBOLIM(KCN): Jamshedpur FC will look to consolidate their lead at the top of the standings

18 matches to qualify for the semi-finals for the first time in the club's history.

Coyle would eye a top spot given their dominance throughout the league stages.

the firepower they have upfront.

Greg Stewart missed the last game due to suspension and the Scotsman's return will only add to the team's strength.

Meanwhile, Odisha could not make it to the semi-finals but there have been improvements from their disastrous season last time.

Odisha started strongly, winning three of their first four games, but inconsistency wrecked their season apart, through the club's unpredictable performances on both ends of the pitch.

The Kino Garcia-coached side, languishing at seventh place with 23 points from 19 matches, will look to end the season on a high.



when they take on Odisha FC in an Indian Super League match here on Friday.

Jamshedpur continued their red-hot form with a clinical 3-0 victory over depleted Hyderabad FC to rise to the top of the heap.

Owen Coyle's side made it five wins on the bounce, amassing 37 points from

Jamshedpur is in a spectacular run of form at the moment, winning eight of their last nine games.

Their only loss in this period came against Bengaluru FC.

With Kerala Blasters winning against Mumbai City FC, Jamshedpur are guaranteed a top-three finish, but

In the last game, Jamshedpur once again proved they are one of the best teams in set-pieces this season, as they scored two goals from corners in their 3-0 win.

Skipper Peter Hartley scored his third goal of the season, all coming from corners which augur well for the Red Miners in addition to

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