

Topic 1: A sound review: On Supreme Court recalling its verdict diluting SC/ST anti-atrocities law

Supreme Court’s order on anti-atrocities law is a caution against entering legislative domain

After last year’s amendments aimed at nullifying the effect of a Supreme Court judgment that was seen as diluting the law against atrocities on Scheduled Castes and Scheduled Tribes, the apex court’s decision recalling the earlier verdict may not appear very significant. However, the latest order by a three-judge Bench on the Centre’s petition seeking a review is more than a mere academic exercise. Its sound reasoning and sympathetic reconsideration have fortified the legislative measure to restore the law on atrocities committed on Dalits as originally conceived by Parliament. The March 2018 decision laid down three new rules as safeguards against the Act’s possible misuse: that the bar on anticipatory bail under Section 18 need not prevent courts from granting advance bail; that a person can be arrested only if the “appointing authority” (in the case of a public servant) or the SP (in the case of others) approves such arrest; and that there should be a preliminary enquiry into all complaints. It caused an uproar among Dalits, and a nation-wide protest in August last year turned violent in some places. There was political clamour for Parliament’s intervention to restore the anti-atrocities law to its original rigour. That the Bench declined to stay its own order when a review was sought spurred the government into action.

There was widespread criticism then that the BJP’s perceived espousal of upper caste interests and its weak submissions in court had led to the verdict. It was even argued that the Centre was under political compulsion to undo the perception that the interests of the SCs and STs were in danger. The court’s re-examination, on the contrary, is anchored in sound principles. It first underscores that special laws for the protection of SC and ST communities flow from social realities, the discrimination they still face and the circumstances that preclude them from mustering the courage to lodge a complaint in the first place. The court assails the assumption that SC/ST members are more likely to give false complaints than the general population (as evidenced by the fact that there is no preliminary enquiry or prior sanction for arrest envisaged for other complaints). In other words, the additional “safeguards” against the alleged abuse of law by Dalits is another form of discrimination, the court has pointed out. Further, it rejects the idea of treating Dalits as people prone to lodging false complaints. The directions for getting an authority’s sanction for arrest or holding a preliminary enquiry for this class of cases alone are extra-statutory, and clearly amount to the judiciary engaging in legislation. The review is a timely reminder that the top court’s power to pass any order required to uphold justice cannot be used to give directives contrary to existing laws or to supplant them altogether.

WORD		MEANING	SYNONYMS
RECALL	VERB	Bring (a fact, event, or situation) back into one's mind; remember.	Remember, Recollect, Call To Mind, Think Of
DILUTE	VERB	Make (something) weaker in force, content, or value by modification or the addition of other elements.	Diminish, Reduce, Decrease, Lessen

ATROCITY	NOUN	An extremely wicked or cruel act, typically one involving physical violence or injury.	Cruelty, Abomination, Enormity, Outrage, Horror, Monstrosity
FORTIFY	VERB	Provide (a place) with defensive works as a protection against attack.	Strengthen, Reinforce, Toughen, Consolidate, Bolster
UPROAR	NOUN	A public expression of protest or outrage..	Outcry, Furore, Outrage, Howl Of Protest
CLAMOUR	NOUN	A loud and confused noise, especially that of people shouting.	Din, Racket, Loud Noise, Uproar, Tumult
ESPOUSAL	NOUN	An act of adopting or supporting a cause, belief, or way of life.	Adoption, Embracing, Taking Up, Taking To
PRECLUDE	VERB	Prevent from happening; make impossible.	Prevent, Make It Impossible For, Make It Impracticable For
ASSAIL	VERB	Make a concerted or violent attack on.	Attack, Assault, Make An Assault On, Launch An Attack On
ENVISAGE	VERB	Contemplate or conceive of as a possibility or a desirable future event.	Foresee, Predict, Forecast, Foretell, Anticipate, Expect, Think Likely, Envision
SUPLANT	VERB	Supersede and replace.	Replace, Displace, Supersede

Topic 2: Raining misery: On ongoing monsoon fury

Better infrastructure for water management to break the droughts, floods cycle is needed

If Bihar is struggling to stay afloat in the ongoing monsoon, its distress can be traced to poor infrastructure and a lack of administrative preparedness. Even large parts of the capital, Patna, have been paralysed without power and communications, as the State government tries to drain its streets of water, and critical rations are distributed by boat and helicopter. The rain has not spared the more affluent residents either; those living in upscale localities including the Deputy Chief Minister, Sushil Kumar Modi, have been rescued. But the plight of people in a dozen other districts, many of them struggling with underdevelopment, is much worse. Across Bihar, there has been a significant loss of life and property. Scenes of similar distress have been reported from some other States as well, notably eastern Uttar Pradesh. The monsoon is expected to withdraw after October 10, more than a month behind normal, and its overhang is consistent with the prevalent scientific view on the effects of a changing climate: extreme rainfall and drought occurring at an increased frequency. Normal patterns will become less common in coming years, according to the current consensus. This alarming outlook calls for a far-sighted national response, with the Union Ministry of Environment, Forest and Climate Change, given the responsibility of coordinating the efforts of other Ministries in charge of housing, urban and rural development, water management, and agriculture, as well as State governments.

Indian cities are attracting heavy investments in several spheres, but State and municipal administrations have not matched their ambitions for development with capacity building and

infrastructure creation. They must focus on ensuring the safety of citizens and durability of economic assets. Ignoring urban planning and adaptation is proving costly, and losses are sapping the vitality of the economy. In its Cities and Climate Change report, the UN Framework Convention on Climate Change pointed to flooding as a key danger, apart from drought and heat islands. This is particularly true of urban centres through which rivers flow — such as Patna — and are often located on the coast, facing the additional threat of cyclones. India's cities should work towards solutions that use engineering and ecology to contain the excess water from rain and put it to good use. This could be in the form of new lakes and bioswales, which are vegetated channels to manage rainwater. There is no better time to create such green infrastructure than today, as water management is a priority programme of the NDA government. States should be able to find financial and technical linkages to put up flood-handling structures. In Bihar's case, coordination with Nepal to track monsoon flows is also vital, since big Gangetic rivers originate in the Himalayan region.

WORD		MEANING	SYNONYMS
MISERY	NOUN	Distress, pain.	Unhappiness, Distress, Wretchedness, Hardship
FURY	NOUN	Wild or violent anger.	Rage, Anger, Wrath, Passion, Outrage, Spleen
AFLOAT	ADJECTIVE	Floating in water; not sinking.	Buoyant, Floating, Buoyed Up, Non-submerged
AFFLUENT	ADJECTIVE	(especially of a group or area) having a great deal of money; wealthy.	Wealthy, Rich, Prosperous, Opulent
PLIGHT	NOUN	A dangerous, difficult, or otherwise unfortunate situation.	Difficult Situation, Awkward Situation
OVERHANG	NOUN	A part of something that extends or hangs over something else.	
CONSENSUS	NOUN	A general agreement.	Agreement, Harmony, Concord,
ALARMING	ADJECTIVE	Worrying or disturbing.	
SAP	VERB	Gradually weaken or destroy (a person's strength or power)	Erode, Wear Away, Wear Down, Deplete, Reduce, Lessen, Lower