

Battle of backwardness: Apex court Reserves Order On Sub-Classifying Quota After Three Days Of Hearing

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New Delhi: Supreme Court's seven-judge bench on Thursday reserved its verdict on a bunch of petitions seeking overruling of the court's 2004 judgment precluding sub-classification of communities categorised as Scheduled Castes to provide a larger quota benefits to the weakest groups among Dalits.

"It is a battle of backwardness within the backward communities," said CJ D Y Chandrachud, who led a bench also comprising Justice B R Gai, and the lone Dalit judge on the bench, and Justices Vikram Nath, Bela M Trivedi, Pankaj Mithal, Manoj Misra and Satish Chandra Mishra.

In 2004, a five-judge bench in the E V Chinnaiah case had held SC communities to be a homogeneous group which could not be sub-classified and struck down an Andhra Pradesh law of 2000 which provided for sub-categorisation in the larger category. Later, a 2006 Punjab law on the same lines was struck down

by the HC citing the Chinnaiah judgment.

However, the bench indicated that it would only determine whether the ruling in Chinnaiah case, that is no sub-classification of communities according to the degree of their backwardness, was correct or not. It clarified that the court would not go into the validity of state-enacted laws sub-classifying communities among SCs for graded distribution of the 15% quota for Dalits. It said HCs concerned would determine validity of sub-classification laws passed by states after scrutinising the quantifiable empirical data about backwardness of a community available with the legislature to allot a certain percentage of quota to those most backward among SC communities.

The seven-judge bench gave ample indication of where its prima facie judicial views rested as it remarked on the unintended discrimination inflicted on communities within Scheduled Castes that when socially and educationally advanced groups among them cornered a larger share

Both blacksmiths and scavengers are included in SC list. But did these two groups face similar discrimination? There are untouchables among untouchables. Should they all be treated as equals in terms of access to education and jobs? To achieve equality, states are required to be permitted to provide graded quota benefits to the more oppressed communities among SCs

— Supreme Court

of quota benefits at the cost of other sections, thus negating equal opportunity in access to education and government jobs.

Those opposed to sub-classification of SCs, through senior advocates Manoj Swarup, K S Chauhan, Sanjay Hegde and others, argued that the common thread for inclusion of communities in the SC list was their social discrimination and denial of basic rights for centuries.

The CJ said, "That is true but what else is common between the groups. Is the discrimi-

mination faced by them similar? There are many important indicators — access to education and government jobs, marriageable age, infant mortality, maternity mortality. Do all groups suffer identically on these aspects?"

Explaining the CJ's view, Justice Gai said, "Both blacksmiths and scavengers are included in the SC list. But did these two groups face similar discrimination? There are untouchables among the untouchables. Should they all be treated as equals in terms of access to education and jobs? To achieve equality, states are required to be permitted to provide graded quota benefits to the more oppressed communities among Scheduled Castes.

"If a particular community corners 75% of seats reserved for SCs, leaving a minuscule number of posts for other Dalit communities, should the state be barred from sub-classifying the quota for a more equitable distribution of reservation to achieve social equality mandated under Articles 15 and 16 of the Constitution?"

Justice Gai said in 1985, he was the lawyer for a candidate belonging to Mehtar (sweeper) community who was waging a legal battle to get an MBBS seat, which was unfairly denied to him.

"Not a single person from that community had become a doctor even 35 years after the country became a republic," he added.

The CJ said the landmark Indira Sawhney judgment of 1992, which gave 27% reservation to other backward classes (OBCs), had also adopted the principle of sub-classification of backward among the backwards and this concept had not been altered by subsequent constitutional amendments.

During the three-day hearing, the shortest in terms of a seven-judge constitution bench tasked to reconsider the ruling of a five-judge bench, application of 'creamy layer' principle to eliminate the advanced among the backward from cornering quota benefits was touched upon briefly by Justice Gai who said some kind of filtration was necessary.

Supreme Court says 'bail, not jail' rule not applicable in UAPA cases

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The SC also held that delayed trial proceedings in grave offences could be a ground to seek bail

New Delhi: In an important ruling, SC has held that conventional idea of 'bail is the rule, jail is the exception' is not applicable when an accused is facing charges under anti-terror law UAPA and, also, that delayed trial proceedings in grave offences could be a ground to seek bail.

Delineating Section 43D(5) of Unlawful Activities (Prevention) Act, a bench of Justices M M Sundresh and Arvind Kumar said that wording of the provision is in contrast with wording of bail provision under Section 437(1) of Criminal Procedure Code, indicating that for UAPA, the

legislature's intent was to make bail, the exception and jail, the rule.

"The conventional idea in bail jurisprudence vis-à-vis ordinary penal offences that the discretion of courts must tilt in favour of the oft-quoted phrase — 'bail is the rule, jail is the exception' — unless circumstances justify otherwise

— does not find any place while dealing with bail applications under UAPA. The 'exercise' of the general power to grant bail under UAPA is severely restrictive in scope. The form of the words used in proviso to Section 43D (5) — 'shall not be released' — in contrast with the form of the words as found in Section 437 (1) CrPc — 'may be released' — suggests the intention of the legislature to make bail, the exception and jail, the rule," the court said in a case concerning the 'Sikhs for Justice', of which Pannun isa member.

The bench said that law has placed stringent conditions for bail and there is no question to grant relief if there are reasonable grounds

to believe that the accusation against a person for committing offence under UAPA is prima facie true

"In this background, the test for rejection of bail is quite plain. Bail must be rejected as a 'rule', if after hearing the prosecutor and after perusing the final report or case diary, the court arrives at a conclusion that there are reasonable grounds for believing that the accusations are prima facie true. It is only if the test for rejection of bail is not satisfied — the courts would proceed to decide bail application in accordance with the 'tripod test' (flight risk, influencing witnesses, tampering with evidence)," it said.

CORPORATE BUZZ

www.toi.in/psu

ESIC Special Services Fortnight till February 19



Employees' State Insurance Corporation (ESIC) is observing Special Services Fortnight from February 5 to 19 with various activities in the ESIC Regional Office, Kolkata, Sub — Regional Office Barrackpore, ESIC Branch Offices, ESIC Medical College and Hospital, Joka and hospitals under ESI Scheme, Government of West Bengal. A seminar was organised in Regional Office, Kolkata on February 5 on the inauguration of the Special Services Fortnight. Saroj Kumar Sahoo, national executive member, Laghu Udyog Bharati, Employers' additional representative, Regional Board Member, attended it and presented a speech. Cheques related to Dependent Benefit payment were handed over to the dependants of late IP Manoj Singh and Shib Sankar Malik who died of employment injury. Monthly pension up to 90% of basic salary of the deceased workers is provided to dependent family members under Dependent Benefit Scheme. The regional director informed Health Camps, Aadhar Seeding Camps, Health Talks, Cleanliness Drive, Yoga and AYUSH Camp and Suvidha Samagam for grievance redressal of Insured Persons will be organised during the fortnight.

NTPC Bongaigaon vendor meet



NTPC Bongaigaon's Contracts and Materials (C&M) Department organised a successful day-long vendor meet on February 1 at the Employee Welfare Association Hall of NTPC Bongaigaon. The event was a part of the vendor relationship programme and saw over 60 vendors in attendance. The event was inaugurated by Karunakar Das, business unit head, NTPC Bongaigaon, alongside guests K C Muralidharan, chief general manager (O&M) and Induri Srinivasa Reddy, GM (Maintenance). In his inaugural address, Das underscored NTPC Bongaigaon's capacity and future trajectory, emphasising its pivotal role in the nation's growth. He commended the invaluable contributions of business partners and emphasised the significance of integrity in all endeavours. Prior to this, Sidharth Kumar Sarkar, senior manager (C&M), welcomed the attendees, providing insights into initiatives and opportunities within NTPC Bongaigaon. The vendors lauded NTPC Bongaigaon's commitment to fostering dialogue, where their concerns were earnestly heard and addressed by the site management, ensuring prompt resolutions.

ER prompt action on waste

A passenger named Akshay Satnaliwala handed over a plea on a tissue paper to Ashwini Vaishnav, minister of Railways, who was travelling in the same flight from Delhi to Kolkata on the midnight of February 2. Within six minutes that midnight, after deboarding the flight at Kolkata, Satnaliwala received a call from General Manager's Of-



fice, Eastern Railway Headquarters. Milind K Deoukar, GM, ER settled a meeting with Satnaliwala, director of a solid waste management company, for discussing on the freight prospect for the organisation. Accordingly, the meeting was held between Deoukar and Satnaliwala, director, LYNQ Eastern Organic Fertilizer Pvt Ltd at ER HQ on February 6. Saumitra Majumdar, principal chief commercial manager; RD Meena, principal chief operations manager; ER were also present. Satnaliwala explained the schematic flow of solid waste to different industries as inputs and the prospective buyer at different parts of the country like Raipur in Chhattisgarh and Rajgangapur in Odisha and other clusters.

Bank of India Q3 net up

Bank of India has declared its results for Q3-FY24, reporting an increase of 83% YoY in net profit which stood at ₹ 4,897 crore for the nine months ended FY24 against ₹ 2,672 crore in the corresponding period of last year. Net profit of the bank for the quarter improved by 62% YoY and stood at ₹ 1,870 crore for Q3-FY24 against ₹ 1,151 crore in Q3-FY23. On asset quality front, gross NPA ratio improved by 231 bps from 7.66% in December 2022 to 5.35% in December 2023. Provision Coverage Ratio (PCR) stood at 89.95% in Dec'23 against 90.27% in Dec'22. Global business of the bank increased by 9.60% YoY. Global Deposits increased by 8.28% YoY. Global Advances increased by 11.29% YoY. Domestic deposits increased by 7.62% YoY which stood at ₹ 5,99,137 crore in December 2023 against ₹ 5,56,707 crore in December 2022. The bank has made significant stride towards its digital journey by making deposits and loan products available digitally.

NEHHDC, BTC MoU for handicrafts



In a significant development, the North Eastern Handicrafts and Handlooms Development Corporation Limited (NEHHDC) and the Bodoland Territorial Council (BTC) have inked an MoU. The signing ceremony took place at the Bodoland Guest House in Guwahati, marking a collaborative effort towards preserving the rich traditional heritage of the BTR. The MoU was formally signed by Pramod Boro, chief executive member of the Bodoland Territorial Council, and Brigadier Rajiv Kumar Singh (retd), MD of NEHHDC. This agreement underscores their shared commitment to promoting and supporting the flourishing local handicrafts and handloom sector within the BTR. Through this partnership, NEHHDC and BTC aim to undertake various initiatives aimed at preserving and promoting the cultural legacy of the Bodoland Territorial Region. It is anticipated that this collaboration will not only contribute to the preservation of traditional crafts but also foster socio-economic development by providing opportunities for local artisans and craftsmen to showcase their skills and talents on a larger platform.

भारतीय खाद्य निगम

FOOD CORPORATION OF INDIA

ZONAL OFFICE (NORTH EAST): GUWAHATI

Food Corporation of India, Zonal Office (NE), ZSPC, Guwahati, Assam invites application for award of stipend to talented sports persons for the year 2024-25. Details along with application forms can be obtained from FCI, ZO (NE) Sports Cell, Ulubari, G.S Road, Guwahati or can be downloaded from FCI website www.fci.gov.in. The last date for submission of application is **01.03.2024 upto 5:30 PM**.

State Institute for Empowering and Transforming Uttarakhand (SETU)

Room no -411, Vishwakarma Bhawan, Uttarakhand Secretariat, 4-Subhash Road, Dehradun - 248001, e-mail- dir-setu@uk.gov.in

Ref No:-184/269-II/SPC/2024 Dated: 8/02/2024

The State Institute for Empowering and Transforming Uttarakhand (SETU) urgently requires following personnel purely on contractual basis. Details including TOR, remuneration, qualification and job responsibilities can be obtained from the website <https://spc.uk.gov.in>

Sl No	Name of Post	No. of Post
1	Chief Executive Officer (CEO)	01

Selection Process:

- Short listing of CVs based on criteria described by the searching/selection committee.
- Short listed candidate would be intimated and called for interview through e-mail.

Note: Eligible candidate may apply by 28th February 2024. No TA/DA will be paid for attending the interview

Secretary Planning

PROCLAMATION REQUIRING THE APPEARANCE OF ACCUSED PERSON

(SECTION 82 Cr.P.C.)

Whereas complaint has been made before me that the accused **Mukesh Agarwal**, Proprietor Messrs Shiv Ganga Store, 41, Rafi Ahmed Kidwani Road, Kolkata-16, has committed (or is suspected to have committed) the offence in case **CC NO. 539700/2016, U/s 138 NI Act**, registered at **P.S. Lahori Gate, Delhi**, and it has been returned a warrant of arrest there upon issued that the said accused **Mukesh Agarwal**, cannot be found and whereas it has been shown to my satisfaction that the said accused **Mukesh Agarwal**, has absconded (or is concealing himself to avoid the service of said warrant).

Proclamation is hereby made that the said accused **Mukesh Agarwal**, of case **CC NO. 539700/2016, U/s 138 NI Act, P.S. Lahori Gate, Delhi**, is required to appear before this court to answer the said complaint on or before **25.04.2024**.

By order
Divya Gupta,
Metropolitan Magistrate (NI Act) - 05,
Room no - 02, Annexe - 1,
Tis Hazari Courts, Delhi

DP/146/N/2024
(Court Matter)

DEPARTMENT OF TOURISM, GOVERNMENT OF UTTAR PRADESH
Paryatan Bhawan, C-13, Vijnan Khand, Gomti Nagar, Lucknow - 226010, Email: ppp.tourism@gmail.com

Request for Proposal (RfP) for Tourism Gap Analysis, Survey of Locations, Identification Shelf of Projects and Propose Implementation and Marketing Strategies – for 12 Mega Circuits each – Ramayana, Krishna-Braj, Buddhist Circuit; Mahabharata Circuit; Shakti Peeth Circuit; Adhyatmik Circuit; Sufi-Kabir Circuit; Jain Circuit; Bundelkhand Circuit; Wildlife And Eco Tourism Circuit; Craft Circuit; and the Swatantra Sangram Circuit.

Online e-bids are invited from the interested bidders, starting from **7th February 2024; 1200 hrs** for 'TOURISM GAP ANALYSIS, SURVEY OF LOCATIONS, IDENTIFICATION SHELF OF PROJECTS AND PROPOSE IMPLEMENTATION AND MARKETING STRATEGIES' – separate for all 12 circuits.

Pre-bid meeting for all the circuits will be organized jointly on **14/02/2024; 12:00 PM** at Paryatan Bhawan, Lucknow. Last date of submission of e-bids is **28/02/2024; 14:00 PM**. The technical e-bids shall be opened on **28/02/2024; 18:00 PM** or afterwards.

RFP documents are available on the e-tender website <https://etender.up.nic.in>. The Department of Tourism, Government of Uttar Pradesh reserves the right to cancel any or all the e-bids or annul the bidding process without assigning any reason thereof.

(Director General Tourism)

Government of India
Ministry of Finance
Department of Financial Services
Jeevan Deep Building, 2nd floor Sansad Marg, New Delhi - 110 001

Applications invited for appointment to the office of Whole-Time Member (Non-Life) in the Insurance Regulatory and Development Authority of India (IRDAI), Hyderabad.

The Insurance Regulatory and Development Authority of India (IRDAI) is established by the Insurance Regulatory and Development Authority Act, 1999. Applications are invited from eligible candidates for the office of following post:

S. No.	Name of Post	Number of vacancies	Date of vacancies	Consolidated Pay and Allowances
1.	Whole-time Member (Non-Life)	1	12.07.2024	Rs. 4,00 lakh per month, without the facility of house and car.

2. Detailed terms and conditions are available on the websites of the Department of Financial Services (<http://financialservices.gov.in/>) and the Authority (<https://www.irdai.gov.in/>).

3. Last date for receipt of applications is **25.03.2024**.

Vinod Kumar
Under Secretary to the Government of India
Department of Financial Services
Ministry of Finance
Room No. 10, Jeevan Deep Building, 2nd floor Sansad Marg, New Delhi - 110001
Tel.: 23748788

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INDIA'S BEST PERFORMING PORT

JAWAHARLAL NEHRU PORT AUTHORITY
Administration Department (Personnel Section)

Advt. No. A/PE/A-08/2024/AD-02

Jawaharlal Nehru Port Authority invites applications for **WALK-IN-INTERVIEWS** for preparing panel for engagement of **PILOTS** on Contract Basis

For details, please visit JNPA website www.jnport.gov.in in Careers Section of Employees Corner

General Manager (Admn.) & Secy.

WEST BENGAL STATE ELECTRICITY DISTRIBUTION COMPANY LIMITED
(A Govt. of West Bengal Enterprise)
Regd. Office : Vidhyut Bhavan, Block-DJ, Sector-II, Bidhannagar, Kolkata-700 091
CIN : U40109WB2007SGC113473, www.wbsedcl.in

PERSONAL INTERVIEW FOR THE POST OF NURSE

WBSEDCL invites application from eligible female Indian Nationals having passed GNM Training Course from recognized institute to fill-up 02(two) nos. vacancy to the post of Nurse for Corporate Medical Cell, Vidhyut Bhavan & Jalidhaka Hydel Project, Jalidhaka under Darjeeling District on contractual basis through Personal Interview.

No. of Vacancy: 02 (Two) – [No. of posts may vary].

HOW TO APPLY:

- Interested candidates may apply in prescribed application format as available on the Company's website addressed to The Addl. General Manager (HR&A), Recruitment & Manpower Planning Cell, Vidhyut Bhavan, 7th Floor, Block-C, Sector-II, Bidhannagar, Kolkata-700091 from 09.02.2024 to 22.02.2024 (till 17:00 hrs), and send through e-mail at rect@wbsedcl.in.
- Date and venue of selection process will be intimated in due course of time.
- Please visit the Company's website: www.wbsedcl.in and go to Career (tab) for further details and prescribed application format, service conditions and other details.

NOTIFICATION NO. : MPP/2024/02 || DATE: 07.02.2024
ICA- N 99(6)/2024

TATA MEMORIAL CENTRE
(A GRANT-IN-AID INSTITUTE UNDER DEPARTMENT OF ATOMIC ENERGY, GOVT. OF INDIA)

FULL TIME POSITIONS AVAILABLE
(Advt. No. VAR/2024/003)
(Advt. No. VAR/2024/004)

Tata Memorial Centre (TMC) invites application for full time Positions at Homi Bhabha Cancer Hospital & Mahamana Pandit Madan Mohan Malaviya Cancer Centre, Varanasi and Homi Bhabha Cancer Hospital & Research Centre, Muzaffarpur. Last date for online application is 21.02.2024 and 27.02.2024 up to 05.30 p.m. (Indian Standard Time).

For details visit our website <https://tmc.gov.in>

Dy. Administrative Officer (HRD)

Parul University
Vadodra, Gujarat
NAAC GRADE A++

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Applications are invited for the posts of Lecturer, Assistant/ Associate Professor / Professor in above disciplines

Salary

- For B.Tech/BCA (Fresher) - CTC 3.0 - 4.0 Lac/ Annum
- For M.Tech/MCA (Fresher) - CTC 4.8 - 6.0 Lac/ Annum

Outstation Candidates Shall Be Paid 10-15% Per Month Additional Salary As Relocation Allowance. *No Bar For Experienced & Deserving Candidates

WALK-IN INTERVIEW IN KOLKATA, SILIGURI & DURGAPUR
Date & Time: Feb 11, 2024 (Sunday), 09:30 AM

KOLKATA ☎8240461858 **SILIGURI** ☎9819854415 **DURGAPUR** ☎9819854415

87/250 Raja S. C MULLICK Hotel Raj Darbar, Gurung Hotel Park Prime
Road, Ganguly Bagan, Basti More, Near Commercial area, Plot No
Near Ganguly Bagan, Mahananda Bridge, C-65, City Center,
Bigbazar & IRIS Hospital Hill Cart Rd, Durgapur

Qualification & experience as per AICTE norms. Interested candidates can also apply through www.paruluniversity.ac.in/careers

ICFI Registered Office: ICFI Tower, 61 Nehru Place, New Delhi - 110019
Tel: 011-41732000 | Email: contract@icfiid.com
Website: www.icfiid.com | CIN: L74899DL1993G01053677

INVITING APPLICATIONS OF EXPERIENCED PROFESSIONALS
Advertisement No.: IFCI/2023-24/09

ICFI Ltd. invites applications of experienced professionals, for its Advisory Services function for the following positions (on Contract):

Sl. No.	Title of the Position	No. of Positions
1	Consultant- Technical (Advanced Chemistry Cell (ACC))	01 (UR)
2	Sr Associate- Technical (India Semiconductor Mission (ISM))	02 (UR)
3	Sr Associate - Technical (Bulk Drug)	01 (UR)
4	Sr Associate - Technical (Medical Device)	01 (UR)
5	Sr Associate- Technical (Electronics)	02 (UR)

Interested candidates may visit the Company's website www.icfiid.com for the detailed advertisement containing eligibility criteria, key responsibilities and other terms & conditions.

LAST DATE FOR SUBMISSION OF APPLICATION IS FEBRUARY 23, 2024.
Any Corrigendum/addenda to the advertisement shall be notified only on our website. Candidates should regularly visit the website for updates.

Place: New Delhi Himanshu Sharma
Date: February 08, 2024 General Manager, (Human Resources)

VEER NARMAD SOUTH GUJARAT UNIVERSITY
Udhna-Magdalla Road, Surat - 395 007 (Gujarat) India
Tel : +91-261-222 7141-46, Toll Free 1800 2333 011
Help Line : +91-261-238 8888
Email : info@vnsqu.ac.in | URL : www.vnsqu.ac.in

Applications / Nominations for the Post of Vice-Chancellor

Veer Narmad South Gujarat University (VNSGU), Surat is a state university established by the Government of Gujarat in the year 1965. The Government of Gujarat has constituted a search committee to recommend most suitable names to the state government for appointment of Vice-Chancellor of VNSGU as per the provision of Gujarat Public Universities Act, 2023. The committee invites applications / nominations for the appointment of Vice-Chancellor along with the detailed bio-data. The person to be appointed as a Vice-Chancellor should be a distinguished academician, with a minimum of 10 years of experience as a Professor in a University or 10 years of experience in a reputed research and/or academic administrative organization with proof of having demonstrated academic leadership can apply/be nominated with age limit of 65 years. A person possessing the highest level of competence, integrity, morals and institutional commitments is to be appointed as the Vice-Chancellor.

Present and former Vice-Chancellor, Director, Head of Institution of Higher Learning/Research Institution and an eminent scholarly person are invited to nominate. The Search Committee reserves the right to consider person of eminence outside the list of such applications / nominations. In accordance with the procedure evolved by the Committee, nominees / applicants would be short listed based on agreed parameters and as per the provision of Gujarat Public Universities Act, 2023 and UGC Notifications as issued from time to time in this regards.

The person should be a well-known personality and should have contributed significantly to the development of higher education. He / She apart from being a good researcher should also possess adequate administrative experience. He / She shall hold office for a period of five years from the date on which he/she takes charge of his/her office or till he/she attains the age of sixty-five years, whichever is earlier.

The Application / Nomination should be submitted in sealed envelope along with all self-attested documents clearly marked "Application / Nomination for the post of Vice-Chancellor" addressed to The Chairman, Search Committee for appointment of Vice-Chancellor, C/O The Registrar, Veer Narmad South Gujarat University, Udhna - Magdalla Road, Surat - 395007 Gujarat by Speed Post / Register AD / Courier and same should be emailed to searchcommittee@vnsqu.ac.in or before 7th March 2024. The application should be in prescribed format which is available on University's website www.vnsqu.ac.in.

No. PAR/VC/SC/3107/2024
Date : 07/02/2024

Sd/-
Registrar