



THE HINDU ANALYSIS

10-12-2025

BAJIRAO IAS ACADEMY

INDIA bloc MPs move motion to impeach HC judge

The Hindu Bureau
CHENNAI

MPs of the INDIA bloc on Tuesday submitted a letter to Lok Sabha Speaker Om Birla to move an impeachment motion in Parliament against Justice G.R. Swaminathan of the Madras High Court's Madurai Bench.

They accused the judge of deciding cases based on political ideology and sought his removal under Article 217, read with Article 124, of the Constitution.

"The House resolves to pass a motion for the impeachment of Justice G.R. Swaminathan," stated the letter. Dravida Munnetra Kazhagam (DMK) Parliamentary Party leader Kanimozhi said Mr. Birla told



Justice G.R. Swaminathan

the MPs that he would look into the issue.

Other MPs who submitted the letter include the party's Lok Sabha leader T.R. Baalu, Congress MP Priyanka Gandhi, Samajwadi Party leader Akhilesh Yadav, CPI(M) member Su. Venkatesan, DMK member A. Raja, VCK MP Thol. Thirumavalavan and MDMK leader Durai Vaiko.

The Opposition's move

The move comes against the backdrop of the judge's order directing authorities in T.N. to ensure that Karthigai Deepam was lit at deepathoon near a dargah

comes against the backdrop of Justice Swaminathan's order directing the authorities of the Subramaniya Swamy Temple at Thirupparankundram, Madurai, to ensure that the Karthigai Deepam was lit at a *deepathoon* (pillar) near a dargah atop the hill.

As many as 107 MPs signed the letter, stating that the judge's conduct raised serious questions

about the judiciary's impartiality, transparency, and secular functioning.

The Opposition leaders accused the judge of showing undue favouritism to senior advocate M. Sricharan Ranganathan in deciding cases, and of favouring advocates from a particular community.

"He is deciding cases on the basis of a particular political ideology and against the secular principles of the Indian Constitution," they alleged.

Copies to President, CJI
The MPs submitted copies of letters written by members of the Rajya Sabha and the Lok Sabha to President Droupadi Murmu and Chief Justice of India (CJI)

Surya Kant.

Last week, the Lok Sabha witnessed a face-off between the DMK, which leads the United Progressive Alliance government in Tamil Nadu, and the Bharatiya Janata Party (BJP), which leads the National Democratic Alliance at the Centre, over the *deepathoon* issue.

Poll-bound State

On December 5, Mr. Baalu accused the BJP of trying to "ignite communal tensions" in the State, which is due to go to the polls next year, while Union Minister of State for Parliamentary Affairs L. Murugan charged the DMK-led government with "denying devotees their right to worship".

BILL TO REMOVE JUDGES OF HC OR SC

A proposal for impeachment can be introduced in either house of Parliament to remove a judge of any High Court or the Supreme Court.



How the Impeachment Process Works:

The impeachment proposal is first presented to either the Chairperson of the Rajya Sabha or the Speaker of the Lok Sabha. A committee is formed to conduct a preliminary investigation.

Removal of Judges of the Supreme Court and High Courts in India

The independence of the judiciary is a basic feature of the Constitution. Therefore, the removal of judges is deliberately made **difficult and tightly regulated**, ensuring that judges are insulated from political pressures.

I. Constitutional Basis

I.1 Supreme Court Judges

- **Article 124(4):** A SC judge can be removed only on the grounds of “**proved misbehaviour or incapacity.**”
- **Article 124(5):** Parliament may regulate the procedure for removal.

I.2 High Court Judges

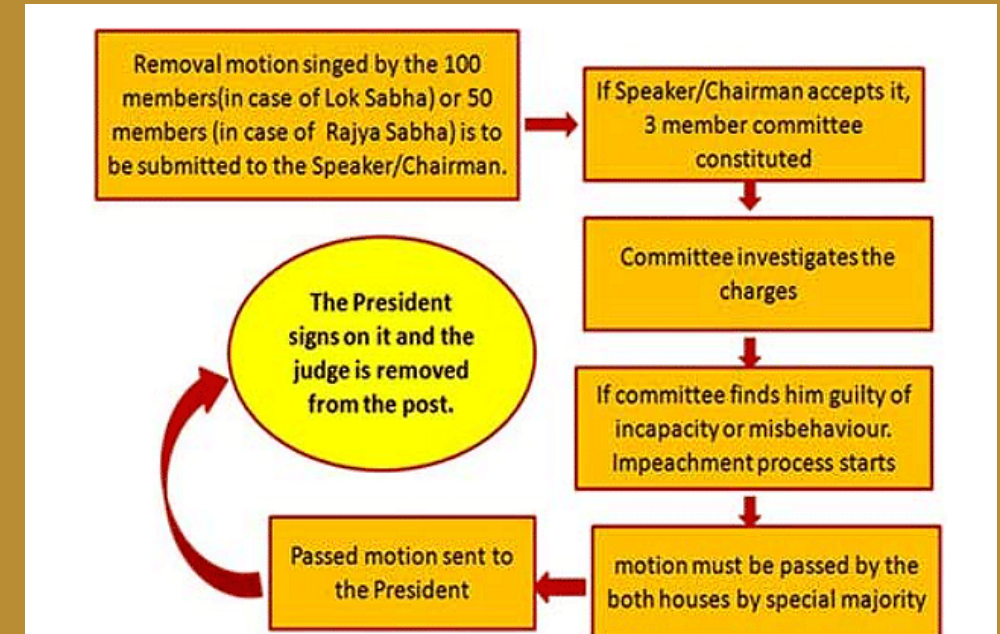
- **Article 217(1)(b):** A HC judge can be removed in the same manner as a SC judge.
- Thus, the removal process for both SC and HC judges is identical.

2. Grounds for Removal

- **Proved Misbehaviour**
Includes corruption, bias, abuse of judicial office, moral turpitude, political partisanship, etc.
- **Incapacity**
Includes physical or mental inability to discharge duties.

Example:

Justice Soumitra Sen (Calcutta HC) was impeached by Rajya Sabha in 2011 for financial irregularities (misbehaviour). He resigned before Lok Sabha voted.



3. Initiation of the Removal Process

3.1 Notice by MPs

The motion for removal can be initiated in either House.

(a) Lok Sabha

- Requires the signatures of **at least 100 MPs**.

(b) Rajya Sabha

- Requires the signatures of **at least 50 MPs**.

Example:

In the current case, **107 Lok Sabha MPs** of the INDIA bloc submitted a letter to initiate impeachment proceedings against Justice G.R. Swaminathan (Madras High Court).



4. Admission of Motion

4.1 Role of the Speaker/Chairman

- The **Speaker (Lok Sabha)** or **Chairman (Rajya Sabha)** may **accept or reject** the motion.
- This stage is discretionary and not judicially reviewable.

Example:

Lok Sabha Speaker Om Birla has stated he will “look into” the motion against Justice Swaminathan — this reflects the admission stage.



5. Inquiry Committee Formation

If the motion is admitted, the presiding officer forms a **three-member inquiry committee** under the Judges Inquiry Act, 1968:

Composition:

1. A Supreme Court Judge
2. A Chief Justice of a High Court
3. An eminent jurist

Functions:

- Conduct a judicial-style inquiry.
- Examine evidence, documents, and witnesses.
- Determine whether charges are proved.

Outcome:

- If charges are **not proved** → Motion dropped.
- If charges are **proved** → Parliament votes on removal.



6. Parliamentary Procedure

6.1 Special Majority Requirement

Removal requires a **special majority in both Houses:**

- (a) Majority of total membership of the House, and**
- (b) Majority of not less than 2/3rd of members present and voting.**

This is the same stringent majority required for constitutional amendments under Article 368.

7. Role of the President

If both Houses pass the motion with the required majority:

- The motion is sent to the **President of India.**
- The President **orders the removal** of the judge.

Example:

Justice V. Ramaswami (1993) was the first SC judge against whom an inquiry was completed. The motion failed in Lok Sabha because Congress abstained, demonstrating the difficulty of securing a special majority.

Charting an agenda on the right to health

Timed between Human Rights Day (December 10) and Universal Health Coverage Day (December 12), a significant national gathering on public health is being convened in New Delhi. The National Convention on Health Rights (December 11-12, 2025), will offer a unique platform for around 400 health professionals, community leaders and health activists to address India's major health challenges, while charting an agenda on the right to health. Organised by Jan Swasthya Abhiyan (People's Health Movement - India) which comprises diverse networks and civil society organisations from over 20 States, the convention will draw lessons from the COVID-19 crisis, while strengthening right to health initiatives and presenting alternatives to the commercialisation of health care.

Challenging privatisation

A major issue is the push for privatisation of public health services. Expansion of public-private partnerships is leading to medical colleges and health facilities being handed over to private players across India. This threatens to dismantle already weakened public services, while making health care unaffordable for crores of Indians who rely on public health-care provisioning. Leaders from movements against privatisation in Andhra Pradesh, Karnataka, Mumbai, Madhya Pradesh and tribal districts of Gujarat will share insights and strategies, while critiquing the impacts of privatisation on health systems.

Commercial private health care in India has rapidly expanded, fuelled by domestic and foreign investments and pro-corporate policies. But this boom has not been matched by necessary regulation. Much after the Clinical Establishments (Registration and Regulation) Act was enacted in 2010, its implementation remains nominal. The consequences for patients include frequent overcharging and unnecessary medical procedures such as caesarean sections, opaque



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The National Convention on Health Rights will offer a platform to address India's major health challenges

pricing and violations of patient rights. The convention will advocate for effective implementation of regulatory frameworks including rate standardisation, transparent pricing, mandatory observance of the Charter of Patient's Rights, and accessible grievance redress systems.

India has among the lowest financial allocations for public health globally, with just 2% of the Union Budget allocated for health services, and annual per capita public spending at only \$25. Out-of-pocket expenses remain high, despite disproportionate attention to government-supported health insurance schemes. At the convention, participants will examine the gap between claims and ground realities of these schemes and explore alternative financing frameworks centred on enhanced government spending, reduced out-of-pocket costs, and equitable access.

Justice for health workers

The COVID-19 pandemic underscored the indispensable roles of frontline doctors, nurses, paramedics and support staff. Yet, many still face low wages, insecure employment, and inadequate social security and working conditions. During this convention, health worker associations will highlight the need for justice to health workers and resilient health systems.

Medicines constitute up to half of a household's medical spending, yet more than 80% of medicines in India remain outside price control. Irrational drug combinations, unethical marketing and high retail markups persist. The convention's session on access to medicines will examine regulatory gaps, pricing barriers, proposed removal of GST on medicines, and expanding public sector production of essential medicines.

The convention is to advocate for public health systems that are capable of delivering universal, quality services. With over 80 crore people in

India dependent on public provisioning, strong public health services remain essential. Participants will highlight community-led models and successful state-level initiatives for revitalising public systems, with decentralised planning and community engagement. The vision is to affirm health care as a fundamental right anchored in robust, responsive public systems.

Eliminating discrimination

Entrenched social hierarchies continue to influence access to health care. A special session on gender and social justice will foreground the experiences of Dalits, Adivasis, Muslims, LGBTQ+ persons, and persons with disabilities and others towards embedding inclusion and non-discrimination in health systems. The convention also links health to broader determinants, with a session covering food security, environmental pollution and climate change, which would explore intersectoral strategies for health.

The convention has been timed during the winter session of Parliament, and dialogue will be held between delegates and Members of Parliament to highlight pressing health policy issues.

This year marks the 25th anniversary of Jan Swasthya Abhiyan (JSA). During this time, the JSA has worked across over 20 States with women's organisations, science groups, rural movements, patient groups and civil society networks to advance diverse health rights and pro-people policies. The convention will celebrate this legacy, renewing long-standing alliances, and strategising for the future. The National Convention on Health Rights is a call to action for everyone in India who believes that health must be a basic human right. Lessons from past campaigns will meet the energies of the present, shaping a popular narrative and demands for policies to ensure the right to health for all in the decade ahead. The overarching message remains clear: health care for people, not for profits.

THE RIGHT TO HEALTH MEANS ACCESS TO UNIVERSAL HEALTH COVERAGE THAT IS



Right to Health in India

- ❑ Health is a foundational human right, central to human dignity and development.
- ❑ Although the **Right to Health is not explicitly recognised as a fundamental right**, the Supreme Court has repeatedly interpreted it as part of **Article 21 — Right to Life**.
- ❑ India's health landscape, however, continues to suffer from inadequate public investment, rising commercialisation, and entrenched social inequities.
- ❑ The **National Convention on Health Rights (Dec 2025)** marks an important moment to reimagine health care as a just, equitable, and universal public good.



I. Public Health Challenges in India

I.1 Low Public Investment

- India remains among the lowest spenders on public health globally.
- **Just 2% of the Union Budget** is allocated for health services.
- **Per capita public spending is only \$25 per year** — far lower than global averages.
- High **out-of-pocket expenditure (OOPE)** persists despite insurance schemes, pushing millions into poverty.

I.2 Privatisation and the Rise of Corporate Health Care

- Rapid expansion of commercial private hospitals, supported by domestic and foreign investment.
- Increasing **Public–Private Partnerships (PPPs)** have led to public medical colleges and district hospitals being handed over to private operators.
- Result: unaffordable services for crores who depend on public facilities.
- Examples: Movements against privatisation in **Andhra Pradesh, Karnataka, Mumbai, Madhya Pradesh, and tribal districts of Gujarat.**

2. Access to Medicines

- Medicines account for **up to 50% of household medical spending**.
- **80% of medicines** remain outside price control.
- Problems include irrational drug combinations, unethical marketing, and high retail mark-ups.
- Proposals: expanding public sector drug production, removing GST on essential medicines, and strengthening price regulation.

3. Health Workforce Justice

- COVID-19 demonstrated the indispensability of doctors, nurses, ASHAs, paramedics, and support staff.
- Yet many face **low wages, contractual employment, poor working conditions, and minimal social security**.
- Ensuring fair remuneration and protections is essential for a resilient health system.

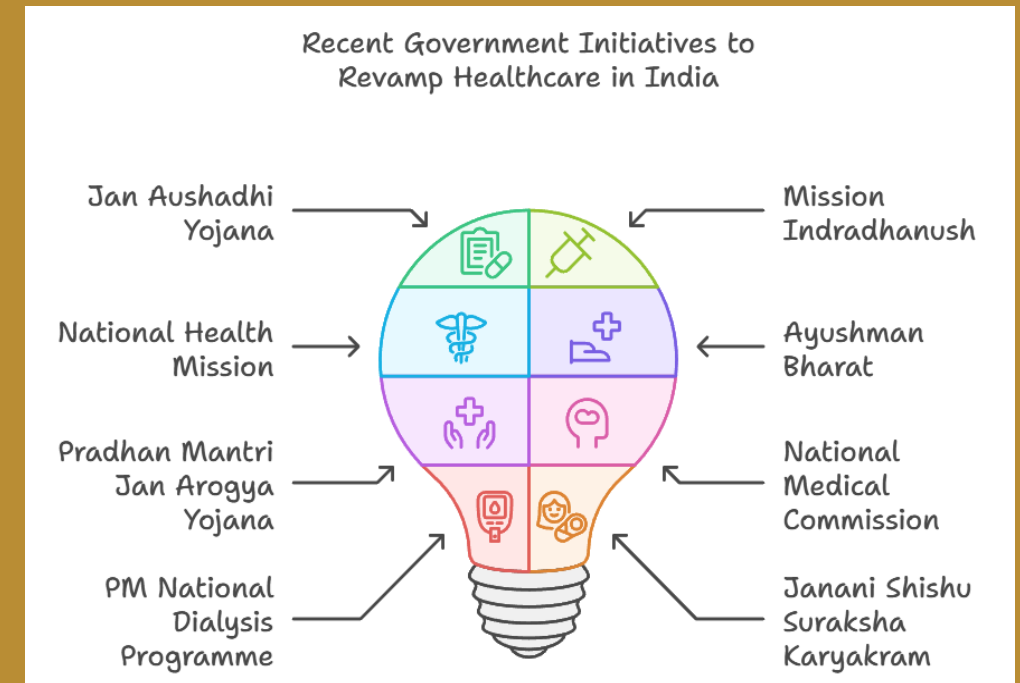
4. Social Determinants and Equity

Entrenched inequalities shape health outcomes. Marginalised groups — **Dalits, Adivasis, Muslims, LGBTQ+ persons, persons with disabilities, and women** — continue to face discrimination.

Interventions must integrate:

- Gender justice
- Social inclusion
- Protection for vulnerable communities

Health rights also intersect with broader determinants such as **nutrition, environment, pollution, and climate change**, requiring intersectoral planning.



5. The Way Forward: Towards a Rights-Based Framework

Key Elements

- Recognising the **Right to Health as a fundamental right**.
- Strengthening public health systems capable of delivering **universal, free, quality services**.
- Increasing government health spending to reduce OOOPE.
- Community-led planning and decentralised health governance.
- Transparent regulation of private providers.

Role of Civil Society

The **Jan Swasthya Abhiyan**, completing 25 years in 2025, exemplifies sustained advocacy for pro-people health policies across 20+ States.

A deep cleaning of India's electoral rolls

On April 12, 1950, while introducing the Representation of the People Bill in Parliament, the Minister of Law, Dr. B.R. Ambedkar, emphasised that the preparation of an electoral roll is "a condition precedent for election". The statutory framework in India, therefore, provides for periodic and special revisions to ensure accuracy of the electoral roll.

Nevertheless, there have been concerns about the decision of the Election Commission of India (ECI) to revise the electoral rolls in some States by carrying out a Special Intensive Revision (SIR). The question that arises is whether the ECI's endeavour is ultimately directed at reinforcing or undermining public trust in the democratic process.

Restoring the foundation

There are two modes of updating rolls: intensive revisions, which rebuild the list from scratch, and summary revisions, which make incremental corrections. The last major intensive revision took place between 2002 to 2003. In recent decades, the ECI has relied on special summary revisions, under which claims and objections are invited on a draft roll. In the meantime, rapid migration, expanding urban centres, and high residential mobility have left electoral rolls riddled with duplicates, outdated entries and inaccuracies. Therefore, SIR 2025 was the need of the hour.

The implementation of SIR in Bihar in June 2025 resulted in the filing of several petitions before the Supreme Court labelling the revision exercise unconstitutional and illegal. The challenge proceeds on the basis that insistence on fresh enumeration and documents from existing registered electors is contrary to the constitutional right of universal adult franchise and will result in mass deletion of voters from the rolls. Notably, however, the authority to undertake such an exercise flows directly from the



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constitutional scheme itself, which vests the superintendence, direction, and control over the preparation of electoral rolls in the ECI. At the heart of this exercise lies the ECI's endeavour to ensure that only eligible citizens vote, as envisaged under Article 326 of the Constitution. The revision and verification of electoral rolls is a routine and necessary process. Such corrections do not, by themselves, imply disenfranchisement or targeting. Countries such as Germany and Canada rely on civil registries or information sharing between different government agencies to update voter rolls; India does not have such a mechanism. The ECI must therefore independently verify eligibility.

The criticism levelled at SIR 2025 ignores the inherent difficulties in screening citizenship, which is the fundamental basis for eligibility to vote. These difficulties in ascertaining eligibility were, however, anticipated by the Indian legislature, which conferred power on the ECI to carry out a special revision in such manner as it may think fit. SIR 2025 is being carried out pursuant to the constitutional mandate and to ensure that no eligible citizen is excluded from the roll, while simultaneously excluding ineligible persons.

The detailed guidelines for SIR 2025 issued by the ECI contain administrative innovations, technological improvements, and efforts at transparency and participation. Under the present framework of SIR, the ECI has undertaken door-to-door physical verification of each elector. The onus of proving citizenship continues to lie on the applicant. However, the list of acceptable documentary proof is expanded to 11 items, from merely four in 2003, resulting in a more liberal and elector-friendly framework. At the suggestion of the Supreme Court, the ECI also agreed to accept Aadhaar cards as proof of identity. Further, booth-level officers

actively assisted electors in tracing their eligibility and obtaining prescribed eligibility documents.

The SIR process marks a notable shift towards technological accessibility. For the first time, all supporting documents are digitised. Further, enumeration forms are being made available through online platforms. After the publication of the draft roll, any person who has any claim or objections has the option to file the same using the online platform.

The ECI did not restrict capacity-building to its own machinery but also trained booth-level agents of recognised political parties. The SIR guidelines also contain provisions for engagement with parties and sharing of electoral rolls.

What the numbers show

Over 7.5 crore entries were subjected to verification during SIR in Bihar. The total number of electors removed from the draft list was 65 lakh. In addition to the 1,60,813 BLAs of political parties, the Supreme Court also deputed volunteers from the State Legal Services Authority to assist in the submission of claims/objections/corrections online. Nevertheless, only 2,53,524 claims and objections were received in total after publication of the draft roll. Of these, only 36,500 were claims for inclusion (0.56% when compared to the total number of deletions during the revision). Not a single appeal was filed against any deletion. These figures indicate that the SIR exercise was, more or less, grounded in careful and accountable scrutiny.

By embracing SIR, the ECI has demonstrated that its constitutional duties will not be subordinated to convenience or political pressures. Instead, they are being pursued with clarity, courage, and accountability. A democracy strengthens itself not by avoiding difficult tasks, but by undertaking them when it matters most. SIR 2025 is one such effort.

THE VOTER LIST CLEAN-UP

THERE ARE FOUR KINDS OF ELECTORAL ROLL REVISIONS



INTENSIVE REVISION
Fresh electoral rolls prepared from scratch with 100 per cent door-to-door verification



SUMMARY REVISION
Annual process; updates made based on claims and objections without field verification



PARTLY INTENSIVE AND SUMMARY REVISION
Mixed approach. Existing rolls published in draft while officers conduct household verification



SPECIAL REVISION
Done when routine updates are deemed insufficient. Can be attached to other methods



SPECIAL INTENSIVE REVISION: Current Bihar exercise. Not defined in electoral rules; a discretionary method created by the ECI in 2025 to validate voter citizenship

Cleansing Electoral Rolls in India

Accurate electoral rolls are the foundation of free and fair elections. As Dr. B.R. Ambedkar emphasised while introducing the Representation of the People Bill (1950), the preparation of an electoral roll is a “*condition precedent for election.*”

In India, where universal adult franchise forms the bedrock of democracy, maintaining error-free and inclusive rolls is essential for reinforcing public trust.

Why Electoral Roll Cleansing is Necessary

1. Structural Challenges

- **High migration and urban mobility** result in duplicate or outdated entries.
- **Lack of a unified civil registry**, unlike Germany or Canada, means the Election Commission of India (ECI) must independently verify eligibility.

2. Democratic Imperatives

- Ensuring that **only eligible citizens vote** under Article 326.
- Preventing **disenfranchisement** due to inaccuracies, especially among vulnerable groups.

Mechanisms of Revision

1. Intensive Revision


- Rebuilds voter lists from scratch.
- Last major intensive revision: **2002–03**.

2. Summary Revision

- Incremental corrections; the dominant method in recent years.

3. Special Intensive Revision (SIR)

- Ordered when large-scale inaccuracies arise.
- SIR 2025 undertaken initially in **Bihar** to address widespread duplication and outdated entries.



What is Special Intensive Revision

Under this, the Election Commission of India (ECI) updates the voter list afresh.

- Addition of new eligible voters (18+ years)
- Deletion of names of deceased or transferred voters
- Correction of existing voter information
- Remove duplicate entries
- Publishing draft voter list
- Submission of Voter Application (Form 6, 7, 8)
- Physical Verification & Field Inspection
- Improve upon objection
- Publishing of final voter list

Special Intensive Revision (SIR) 2025: Key Features

1. Administrative & Technological Innovations

- **Door-to-door verification** of 7.5 crore entries.
- **Digitisation** of all supporting documents.
- **Online availability** of forms, claims and objections.

2. Expanded Documentation for Eligibility

- Acceptable proofs increased from **4 (in 2003) to 11**, offering a more liberal approach.
- Aadhaar accepted as identity proof following Supreme Court suggestion.

3. Enhanced Transparency

- Training of **1.6 lakh Booth Level Agents (BLAs)** from political parties.
- Engagement with parties for roll-sharing and monitoring.
- Volunteers from the **State Legal Services Authority** assisted citizens online.

Outcomes of SIR 2025 in Bihar

1. Data-driven Results

- **65 lakh names removed** after verification.
- **2,53,524** claims/objections filed — a small fraction of total entries.
- Only **36,500 claims for inclusion** (0.56% of deletions).
- **Zero appeals** against deletions.

2. Interpretation

- Indicates that deletions were mostly legitimate.
- Demonstrates that fears of arbitrary mass disenfranchisement were exaggerated.

Concerns and Criticisms

- Allegations that fresh documentation demands violate **universal adult franchise**.
- Fear of potential exclusion of marginalised voters.
- However, constitutional provisions give ECI broad powers of *superintendence, direction, and control* over roll preparation.

India-Nepal Army exercise concludes in Uttarakhand

The Hindu Bureau
NEW DELHI

The India-Nepal joint military exercise, SURYAKIRAN-XIX, concluded at Pithoragarh in Uttarakhand on Tuesday.

Marking the end of the intensive combined training cycle, the Directors-General of Military Operations (DGMOs) of the Indian and Nepal Armies jointly witnessed and validated a two-day battalion-level validation exercise at the Foreign Training Node in Pithoragarh.

The Indian Army said the validation phase showcased joint tactics, techniques and procedures for counter-terrorism operations mandated under Chapter VII of the UN Charter.

The drills featured a suite of cutting-edge technologies, including ISR (intelligence, surveillance, and reconnaissance) and precision-targeting drones, advanced day/night weapon sights, AI-enabled surveillance feeds, unmanned operational and logistics



DGMO Lieutenant General Manish Luthra along with DGMO of Nepal Army, Major General Anup Jung Thapa. SPECIAL ARRANGEMENT

platforms, and secure battlefield communication systems.

The exercise underscored seamless interoperability, synchronised mission planning and coordinated execution of combined tactical operations in a counter-terrorism environment across battalion, company and small-team levels. Troops carried out intelligence-based surgical missions in complex terrain, employing aerial insertion methods to strengthen rapid-response capability.

Acknowledging the importance of shared security and humanitarian preparedness in the

Himalayan region, both DGMOs lauded the exercise for enhancing operational synergy, deepening mutual trust and reinforcing the long-standing military brotherhood between the two armies, the Army added.

As a mark of this enduring partnership, the DGMOs jointly planted a Tree of Friendship, reaffirming the timeless bonds and strategic cooperation between India and Nepal.

SURYAKIRAN - XIX stands as a robust demonstration of unity, preparedness and partnership for regional peace and stability, the Army said in a release.

JOINT MILITARY EXERCISES OF INDIAN ARMY

KHANJAR	India - Kyrgyzstan
AUSTRA HIND	India - Australia
YUDHABHAYAS	India - USA
GARUDA SHAKTI	India - Indonesia
LAMITIYE	India - Seychelles
VAJRA PRAHAR	India - USA
EKUVERIN	India - Maldives
MAITREE	India - Thailand
NOMADIC ELEPHANT	India - Mongolia
SHAKTI	India - France
SAMPRITI	India - Bangladesh
PRABAL DOSTYKK	India - Kazakhstan
INDRA	India - Russia
AJEYA WARRIOR	India - UK
MITRA SHAKTI	India - Sri Lanka
AL NAGAH	India - Oman
HAND IN HAND	India - China
IMBEX	India - Myanmar
SURYA KIRAN	India - Nepal



India's Military Exercises with Other Countries

India conducts regular bilateral and multilateral military exercises to enhance strategic cooperation, interoperability, and readiness. These exercises span **land, air, and maritime forces**, helping India strengthen regional and global security partnerships.

I. Significance of Military Exercises

- **Interoperability:** Harmonises tactics, communication systems, and operational procedures between partner militaries.
- **Combat Readiness:** Enhances capability for counter-terrorism, peacekeeping, disaster relief, and strategic operations.
- **Diplomacy & Soft Power:** Reinforces defence diplomacy and deepens strategic ties.
- **Technology Integration:** Facilitates exposure to new technologies like AI-enabled systems, drones, ISR platforms, and cyber tools.
- **Regional Stability:** Supports collective security architectures in the Indo-Pacific, Himalayas, and Indian Ocean Region (IOR).

THANK YOU