

‘They give two hoots for Supreme Court’: Green clearances order prompts cheer and fears in experts

NEW DELHI, MAY 17

The Supreme Court’s landmark ruling on Friday barring the government from granting retrospective environmental clearances has been welcomed by experts who have warned that loopholes in environmental laws still exist.

The court made it clear that projects started without mandatory prior environmental clearance cannot be legalised later, saying that violators who knowingly ignored the law cannot be protected.

The judgment came in response to petitions filed by the NGO Vanashakti and others, challenging two government office memorandums issued in July 2021 and January 2022 which had created a system to grant environmental clearance to projects that began operations without prior approval under the Environment Impact Assessment (EIA) Notification, 2006.

Stalin D., Director of Vanashakti, told PTI that citizens must now ensure the court’s directions are followed: "The judgment clearly says the government cannot try and provide a safe haven for violators. So, we have to ensure that our constitutional framework is not violated in any way."

He added: "One more very pertinent thing in that order is that the people who violated this are not illiterate persons. They are educated, well connected, rich people who knew that they were engaging in a violation, which needs to stop now."

Prakriti Srivastava, a retired



Indian Forest Service officer, said while it is a good order, knowing the history of environment ministry and project proponents, they will find a way around.

She said post-facto approvals mean the damage is already done before clearance is granted.

"Will these stop and the ministry obey the SC orders? Let’s wait and watch. Though knowing the record of MoEFCC [environment ministry], they give two hoots for SC orders and may blatantly disregard them," she added.

Himanshu Thakkar, coordinator of the South Asia Network on Dams, Rivers and People, said the decision is welcome but should have come earlier. He also raised concerns about enforcement.

"This is welcome, but the directions could have come sooner. It shows that our system is very slow to react."

"Secondly, where is your credible monitoring system to ensure that this doesn’t happen? The third thing is there is a bypassing of the law happening.

For example, land acquisition is allowed, even when environment clearance is not there. If you have already acquired land, you are creating impacts, displacing people, you are making the project fait accompli," Thakkar said. "So, the Supreme Court also needs to put down more stipulations that you cannot acquire land without environmental clearance because once you acquire the land, then you get the right over the land and you can do what you want to do with it, which is again movement towards irreversibility. So, these kinds of loopholes are still there," he said.

Debadityo Sinha, lead, climate and ecosystems at the Vidhi Centre for Legal Policy, said the very purpose of the EIA process is to evaluate alternatives, assess environmental and social impacts and enable public consultation before any project receives approval: "It is a fundamental safeguard that ensures development does not come at the cost of ecological integrity."

"Granting post-facto

Environmental Clearance undermines this entire framework, allowing projects to bypass due diligence and legal scrutiny. It effectively opens the floodgates for unsustainable, poorly planned developments, often in ecologically sensitive areas, where such projects would never have passed scrutiny in the first place. This not only sets a dangerous precedent but incentivises illegal construction in the hope of regularisation through backdoor clearances," he said.

Sonam Chandwani, managing partner at law firm KS Legal and Associates, said the Supreme Court’s decision may shake up the existing system but is not a panacea for all ills.

"By killing ex post facto approvals, it puts companies on notice that you start without clearance and you are gambling with your entire project with no retroactive bailouts. Smaller firms, less equipped for legal warfare, might fall in line, seeking clearances upfront to avoid ruin. Activists and communities gain a stronger edge to hold violators accountable, as courts now have a clearer mandate to reject post-facto fixes," she said.

Guman Singh, coordinator of Himalaya Niti Abhiyan, said they had opposed the government’s move to allow retrospective environmental clearances.

He said the Supreme Court’s decision clearly reinforces that environmental laws cannot be diluted to legalise illegal projects and promotes ecological accountability.

Rahul Gandhi misses opportunity, Congress’s Shashi Tharoor rift exposed in list of leaders to carry India’s message on terrorism

MUMBAI, MAY 17

The ruling BJP’s decision to name Congress MP Shashi Tharoor as one of the seven leaders of the all-party delegations to plead India’s case before the world on the war against terror has served two purposes. First, it has exposed the rift within the Congress. Tharoor, the Thiruvananthapuram MP and the head of the parliamentary committee on external affairs, was not among the Opposition party’s choice.

Second, with Rahul Gandhi excluding himself from the names proposed by his party, the BJP could once again attack him is a reluctant politician.

Rahul Gandhi’s “foresight” on matters of national importance has often been highlighted by the Congress on its social media platform including in foreign policy.

The Union government had reached out to the Congress president Mallikarjun Kharge, who is the Leader of Opposition in the Rajya Sabha, and Rahul, the Opposition leader in the Lok Sabha, on Friday morning requesting for names of four MPs.

By afternoon, the party had suggested four names to Kiren Rijiju, the parliamentary affairs minister. According to Jairam Ramesh, the



Congress general secretary in-charge of communication, the four names suggested by Rahul Gandhi were of former Union minister Anand Sharma and MPs Gaurav Gogoi, Dr Syed Naseer Hussain, and Amarinder Singh Raja Warring.

Tharoor was not the Congress’s choice to be a member of the team. Of the four, Sharma is no longer an MP, though he heads the Congress’s internal cell for foreign affairs.

“Rahul should have offered to join the team,” said a New Delhi-based political analyst. “As the Leader of Opposition he might have been offered to lead it as well. Since he speaks so much on foreign policy and what is wrong with everything that the Modi government is doing, this would have served as the perfect opportunity to embarrass PM Modi and the external affairs minister on foreign soil.” He added: “Meeting heads of foreign states would have boosted Rahul’s image across the country giving the message

that he put the country above political interests and was ready to serve.” In the “thank you” that was posted by Tharoor, a former career diplomat who had also served as the junior external affairs minister, he did exactly that.

“When national interest is involved, and my services are required, I will not be found wanting,” Tharoor wrote on his X handle.

A self-declared “classic liberal,” Tharoor has lately often been found in a contrarian position to that of the Congress high command’s line.

He was also one of the rare Opposition voices to have publicly supported Narendra Modi government’s actions since Operation Sindoor. While Modi and the external affairs minister S Jaishankar have been silent on US President Donald Trump’s claims of forcing a ceasefire, Tharoor “guesses” there was no mediation in the literal term.

Supreme Court Bar’s farewell denial to ‘tough’ judge Bela M Trivedi draws CJJ’s barbs

NEW DELHI, MAY 17

Chief Justice of India B.R. Gavai on Friday “deprecated” the Supreme Court Bar Association’s decision not to accord the customary farewell to Justice Bela M. Trivedi, whose last working day was May 16.

Justice Trivedi, known to be tough with advocates she deemed to have acted illegally or inappropriately, is to retire formally on June 9, during the summer recess.

Justice Gavai said the Bar Association should not have taken such a stand. He cited the presence of many senior lawyers in the courtroom in their personal capacity as proof of how good a judge Justice Trivedi was.

Traditionally, the Bar Association organises a farewell for every retiring

judge at 4.30pm on their last working day. Justice Trivedi had last year ordered a CBI probe against an advocate for allegedly filing a false vakalatnama. This year she reprimanded a few advocates for purportedly violating the Supreme Court’s procedural rules.

These actions seem to lie behind the Bar Association’s decision.

Justice Gavai and Justice Augustine George Masih, both of whom sat on the ceremonial bench with Justice Trivedi on Friday, expressed their anguish at the Bar Association’s conduct. (It’s customary for the retiring judge to sit in the Chief Justice’s court on their last working day.)

“I am grateful to Mr Kapil Sibal (Bar Association president) and Ms Rachana Srivatsava

(vice-president) that both of them are here but the stand taken by the association, I must deprecate,” Justice Gavai said.

“I believe in plain and straight talk on such occasions: such a stand ought not to have been taken by the association.”

Pointing to the packed hall, Justice Gavai said the presence of so many Bar members suggested that “a verdict is given that she is a very good judge”.

He said: “There are different types of judges, but that should not be a factor for denying what ought to have been given at 4.30pm.”

He added: “I have seen her personally when her father was ailing. She used to go to Ahmedabad at the weekends and come back and attend court on Monday morning.”

NIA arrests two absconders of ISIS sleeper cell's module from Mumbai airport

NEW DELHI, MAY 17

The National Investigation Agency (NIA) has arrested two absconders allegedly part of a sleeper cell of terrorist outfit ISIS from Mumbai airport, officials said on Saturday.

The duo were wanted in a 2023 case related to fabrication and testing of IEDs in Pune, Maharashtra, they said.

The accused, identified as Abdullah Faiyaz Shaikh alias Diaperwala and Talha Khan, were intercepted by the Bureau of Immigration at the Mumbai International Airport Terminal 2 last night when they tried to return to India from Jakarta, Indonesia, where they had been

hiding, the officials said.

The NIA team then took them into custody and arrested them, said a statement issued by the probe agency.

The two accused had been on the run for more than two years and also had non-bailable warrants issued against them by the NIA Special Court, Mumbai. The NIA had also declared a cash reward of Rs 3 lakh each for information about the two accused.

The case relates to a criminal conspiracy by these men, along with eight other Islamic State of Iraq and Syria (ISIS) members already arrested and in judicial custody, the statement said. They had conspired to commit

terrorist acts with the aim to disturb India’s peace and communal harmony by waging a war against the Government of India in furtherance of the ISIS agenda to establish Islamic rule in the country through violence and terror, it said.

These two men, already chargesheeted along with the other arrested accused, were allegedly involved in assembling IEDs from a house rented by Abdullah Faiyaz Shaikh in Kondhwa, Pune, the NIA said.

During the 2022-2023 period, they had also organised and participated in a bomb-making and training workshop, besides carrying out a controlled

explosion to test an IED fabricated by them, at these premises, it said.

The NIA, which has been actively investigating the activities of ISIS in India in a bid to foil its terrorist plans, had previously chargesheeted all the 10 accused in the case under various sections of the Unlawful Activities of Prevention Act, Explosive Substances Act, Arms

Act and the Indian Penal Code.

Besides Abdullah Faiyaz Shaikh and Talha Khan, the others arrested in the case are identified as Mohammed Imran Khan, Mohammed Yunus Saki, Abdul Kadir Pathan, Simab Nasiruddin Kazi, Zulfikar Ali Barodawala, Shamil Nachan, Akif Nachan and Shahnawaz Alam, the probe agency said.

NOTICE

I, FATAMA BEGUM W/O MUSTAN SHAH R/O KOTRANKA TRAGIAN RAJOURI SAMOTE ON MU ADDHAR CARD NO 5050 3268 6001 MY NAME WRITTEN WRONG AS FATAM BEGUM INSTEAD OF FATAMA BEGUM NOW I AM APPLING FOR CORRECTION IF ANY OBJECTION CONTACT CONCERN AUTHORITY WITHIN SEVEN DAY’S PUBLICATION THIS NOTICE

NOTICE

I, MUSTAN SHAH S/O TALIB HUSSAIN SHAH R/O TARGIAN SAMOTE TARGIAN RAJOURI ON MU ADDHAR CARD NO 6129 6136 4239 MY NAME WRITTEN WRONG AS MASTAN SHAH INSTEAD OF MUSTAN SHAH NOW I AM APPLING FOR CORRECTION IF ANY OBJECTION CONTACT CONCERN AUTHORITY WITHIN SEVEN DAY’S PUBLICATION THIS NOTICE

Odisha government faces Opposition ire for excluding tech, medical courses from SEBC education quota

NEW DELHI, MAY 17

The Opposition has accused the Odisha government of betraying students belonging to Socially and Economically Backward Classes (SEBC) by announcing just 11.25 per cent reservation for them in secondary and higher education, while not extending the reservation facilities for technical courses.

The Opposition termed the cabinet decision a cruel joke and alleged that the Mohan Charan Majhi government has kept the professional courses out of the ambit of the reservation under the pressure of the creamy layer of society.

On Wednesday, chief minister Majhi announced that 11.25 per cent reservation would be

available in admission for students belonging to Socially and Economically Backward Classes (SEBC) in state public universities, state government and aided higher secondary and higher education institutions under the school and mass education department, higher education department, Odia language, literature and culture department and sports and youth services department starting from the academic year 2025-26. Former Union minister Srikant Jena, a known Mandal politics votary, said: “We reject the Majhi government’s decision of declaring 11.25 per cent reservation for the OBCs in higher education. It’s unfortunate that they have excluded technical courses such as medical, engineering and

other professional education from reservation. It’s a complete betrayal for the 54 per cent OBC/SEBC students and youth.” Jena added: “This decision of the government simply repeats the June 1, 2015, notification, which promised 38.75 per cent reservation for the SC-STs, yet was not implemented in technical institutions for nearly a decade.” Former law minister Narasingha Mishra said the state government had failed to put its case before the Supreme Court for giving 27 per cent reservation to the SEBC and OBC in jobs and education.

The BJD’s OBC cell chairman Arun Kumar Sahoo said: “The government does not deserve full credit for the reservation. They have made

“partial reservation” for the SEBCs. We need to know why the government has excluded the state-run professional institutions from the quota ambit.”

Convenor of Samajika Naya Pratistha, an organisation working for social justice, Akshya Mallick, said: “The government has cheated the OBC and SEBC. The government should immediately extend reservation for technical courses.”

Odisha bid for youth skill uplift

Odisha governor Hari Babu Kambhampati on Friday inaugurated an international language training centre and flagged off the Skills on Wheels initiative, both supported by the National Skill Development

Corporation (NSDC), on the premises of Skill Development Institute (SDI), Bhubaneswar.

The language training centre will focus on mentoring young people for international career opportunities through foreign language training and pre-departure support.

In his address, the governor appreciated the vision of the Skill India Mission, a government campaign launched by Prime Minister Narendra Modi, and highlighted Odisha’s progressive efforts in the field of skill development.

He said: “The SDI with its world-class campus, developed with an investment of ₹500 crore over 47 acres at the foothills of the historic Barunei Hill, stands as a model for skill training excellence.

AFFIDAVIT

I, MOHAMMAD YOUSAF TASS S/O NABYA TASS RO KEWAH BUNJWAH TEHSIL BUNJWAH DISTT KISHTWAR do hereby solemnly affirm and declare as under:

- That I am the absolute owner of the property situated at kewah bunjwah I acquired through [mention the mode of acquisition - self-earned, inherited, purchased, etc.
- That I have a son named MIR MOHD aged 26 years residing at KEWAH BUNJWAH
- That due to reasons such as estrangement, misconduct, abandonment, I have decided to disinherit my said son, MIR MOHD, from any share, right, title, or interest in my self-acquired properties, both movable and immovable.
- That this affidavit is made to put on record my intention and decision to disinherit my son and to declare that he shall have no legal claim over my self-acquired properties after my demise.
- That I shall be executing a Will or other legal instruments separately to give effect to my decision, as required under the law.
- That this affidavit is made by me voluntarily, without any coercion, undue influence, or pressure from anyone.
- That the contents of this affidavit are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

DEPONENT

VERIFICATION

I, MOHAMMAD YOUSAF TASS do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge and belief. Verified at KISHTWAR on this 17TH of MAY 2025

DEPONENT