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***Daily News Feed***

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***D.N.F***

***20.12.2024***

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# RBI calls for States' sustained fiscal prudence

## **The Hindu Bureau**

MUMBAI

State governments contained their consolidated gross fiscal deficit (GFD) within 3% of the gross domestic product (GDP) and their revenue deficit at 0.2% of GDP during 2022-23 and 2023-24, the Reserve Bank of India said in its report on state finances.

In 2024-25, States had budgeted a GFD of 3.2% of GDP.

"The improvement in the quality of expenditure was sustained, with capital expenditure rising from 2.4% of GDP in 2021-22, to

2.8% in 2023-24 and budgeted at 3.1% of GDP in 2024-25," according to the RBI report.

States' total outstanding liabilities declined from 31.0% of GDP at end-March 2021 to 28.5% at end-March 2024, but remained above the pre-pandemic level (25.3% at end-March 2019), the RBI said in the report.

State-specific fiscal responsibility legislations (FRLs), along with tax and expenditure reforms, have strengthened their finances over the past two decades, the central bank's report said.

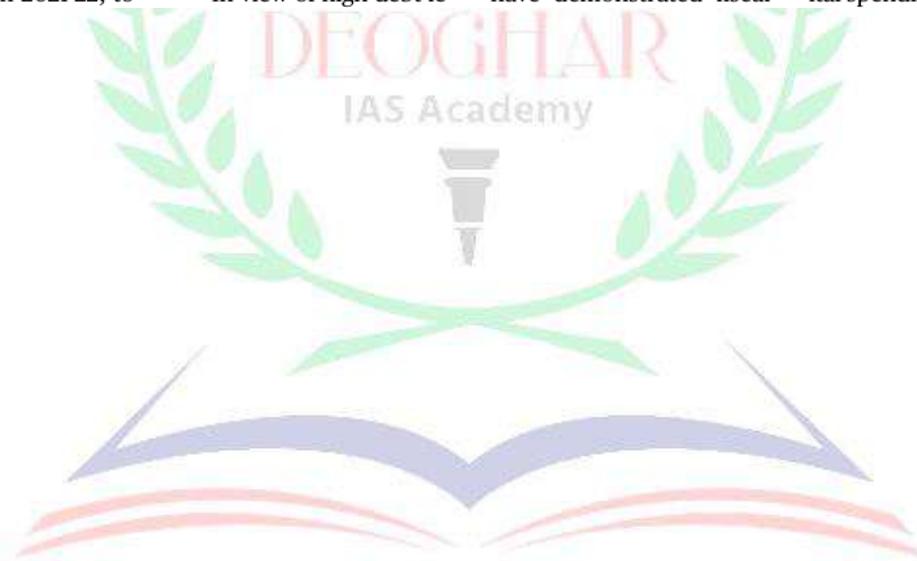
"In view of high debt le-

vels, contingent liabilities and the rising subsidy burden, State government finances would benefit from the adoption of a risk-based fiscal framework with provisions for counter-cyclical fiscal policy actions; a prudent medium-term expenditure framework; a clear, transparent and time-bound glide path for debt consolidation, including on reporting of outstanding liabilities, off-budget borrowings and guarantees," the RBI said in the report.

"The analysis shows that State governments have demonstrated fiscal

prudence by containing their consolidated gross fiscal deficit and revenue deficit, while continuing to improve the quality of expenditure. While States' total outstanding liabilities have been declining, they remain above the pre-pandemic level," RBI Deputy Governor Michael Debabrata Patra said in the foreword to the report.

"The report highlights several reforms that would strengthen public finances. It also emphasises the need for sustained fiscal prudence while prioritising growth-enhancing capital spending," he said.



# 'India is highest tariff major economy'

Both India and U.S. need to lower tariffs to boost trade and make it 'fair and equal', says U.S. envoy; points to 10-fold increase in bilateral trade despite difficulties on both sides and America becoming India's number one trading partner

**Press Trust of India**  
NEW DELHI

U.S. Ambassador to India Eric Garcetti on Thursday said India is the "highest tariff" major economy in the world and New Delhi and Washington need to work together to lower tariffs to increase trade for making it "fair and equal".

His comment comes days after U.S. President-elect Donald Trump said that India charged "a lot" of tariff, reiterating his intention to impose reciprocal tariffs in retaliation for what New Delhi would im-



**Tariff war:** Mr. Garcetti observed that as the two countries "become closer", they are able to be "more blunt" with each other. PTI

pose on the import of certain American products.

Addressing an event organised by the U.S.-India Business Council (USIBC) here, Mr. Garcetti observed that as the two countries

"become closer", they are able to be "more blunt" with each other.

"We need together to lower tariffs, not to see them go up. We need together to increase trade

and to make it more fair and equal. We need to together make sure that there's training and talent that meets the needs of companies on both sides of the Indo Pacific," he said.

In an interactive session after his address, Mr. Garcetti pointed out that "despite the difficulties on both sides", the India-U.S. bilateral trade had witnessed a "10-fold increase", with America becoming the country's number one trading partner.

"I think that as you hear, as recently as yesterday, President-elect Trump talk about trade and how tariffs

need to be done fairly, let us have honest conversations. I think it's helpful for us to speak bluntly, but let us use that as a starting point to negotiate much more deeply than we do," the U.S. Ambassador to India said.

He further outlined that even though the U.S. and India don't really talk in ambitious ways about trade, yet the two countries have expanded trade ten-fold since 2001. Mr. Trump has repeatedly claimed that India is a "tariff king" and imposes "tremendously high" tariffs on American products.



# Should legislatures in India have fixed tenures?



**P.D.T. Achary**

Former Secretary General of the Lok Sabha



**M.R. Madhavan**

Co-founder and president of the PIS Legislative Research

## PARLEY

**T**he Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, introduced in the Lok Sabha on December 17, 2024, mandates a fixed five-year term for the Lok Sabha, with State Legislature elections aligned to this cycle. If the Lok Sabha or any State Assembly is dissolved before completing its full term, mid-term elections will be held only for the remainder of the five-year term. Should legislatures in India have fixed tenures? P.D.T. Achary and M.R. Madhavan discuss the question in a conversation moderated by Aaratrika Bhaumik. Edited excerpts.

### Do fixed legislative tenures promote better governance by reducing the disruptions of frequent elections?

**P.D.T. Achary:** It is worth questioning whether this Bill and the proposal for simultaneous polls are necessary at all. The claim that such a system will reduce electoral expenditure lacks credibility. A portion of the expenditure is allocated by the Election Commission and State governments through budgetary provisions from the Centre and the States. However, the majority of election spending is incurred by political parties. Even if some costs are saved, it is improbable that political parties would redirect these funds towards development or infrastructure projects. More importantly, frequent elections enhance political accountability, compelling representatives to regularly engage with the electorate.

**M.R. Madhavan:** This Bill does not propose a fixed term for legislatures, as it allows for mid-term elections. It ensures accountability to the legislature, in line with the core tenet of the parliamentary system. By permitting mid-term elections, the Bill is also in conformity with the basic structure of the Constitution. The key change, however, is that in the event of a mid-term election, the term of the newly elected legislature will be shorter than five years. Whether this improves governance is uncertain. However, it does not provide the same stability as the U.S. presidential system, for instance, where the incumbent President can only be removed through impeachment.

### Does aligning the tenure of State Assemblies with that of the Lok Sabha compromise federalism and pose a threat to political plurality?

**MRM:** I find the Bill symmetrical since it also aligns the tenure of Parliament with that of



The winter session of the Parliament, in New Delhi, ANI

State Assemblies. For instance, if the Central government collapses after three years, fresh elections will be conducted for the Lok Sabha, and the newly elected legislative body will serve only a reduced term of two years. Therefore, I don't think State Assemblies are being aligned with Parliament. Rather, the Bill standardises the timing of all elections to a common date. I do not see any threat to federalism in this approach.

The argument that simultaneous polls would drive voters to select the same party for both the Centre and the State Assembly is flawed, as it underestimates the electorate's intelligence. Historical examples, such as the 2014 elections in Delhi, demonstrate that voters can and do make distinct choices. Despite the BJP's overwhelming victory at the Centre, voters elected the AAP in the State Assembly, despite both polls being held within six months of each other.

**PDTA:** For the first time, this Bill seeks to make the tenure of State Assemblies contingent upon that of Parliament. For instance, if Parliament completes its full term while a State Assembly is only in its second year, the Assembly would be prematurely dissolved, with elections held concurrently with Parliament. This approach undermines the principles of federalism. Under the existing constitutional framework, State Assemblies function as autonomous legislative bodies. This Bill seeks to alter their independent tenure, a crucial attribute of the federal structure.

### Could such a system discourage attempts to destabilise governments and curb practices like horse-trading?

**PDTA:** This is a novel proposal, and it is difficult to predict whether such a system can



Under the existing constitutional framework, State Assemblies function as autonomous legislative bodies. This Bill seeks to alter their independent tenure, a crucial attribute of the federal structure

**P.D.T. ACHARY**

effectively deter these practices at this stage. However, a greater concern lies in the potential erosion of India's identity as a federal republic, which is rooted in the autonomy of its legislative bodies.

**MRM:** My understanding of the Bill is that it aligns the tenure of State Assemblies with Parliament for the first time. However, after a few electoral cycles, if a mid-term election occurs for Parliament, State Assemblies will continue and will not be dissolved. Recent large-scale defections in Madhya Pradesh and Karnataka, where MLAs resigned or were disqualified, triggered by elections. However, I doubt the Bill will curb such practices. A more significant concern is the dissolution of the House. If a government falls after three and a half years, mid-term elections will be necessary, taking an additional 4-6 months. This would result in a Lok Sabha with a tenure of one year or less, which I believe is undesirable.

### Does the Bill adequately account for political exigencies? For instance, if the ruling party splits but the breakaway faction refuses to side with the Opposition.

**MRM:** I believe the Bill effectively addresses such contingencies. For instance, the 2013 Delhi and 2005 Bihar legislative Assembly elections resulted in hung Assemblies. In Delhi, the Congress, AAP, and BJP were unable to arrive at a consensus and form the government. The Bill resolves such deadlocks by allowing fresh elections to take place. The only difference is that the newly elected legislature will serve a reduced tenure rather than the full five years.

**PDTA:** The Constitution prescribes a five-year term for State Assemblies and the Lok Sabha but allows for their dissolution to address political exigencies. This flexibility reflects a pragmatic approach to governance. While fixed legislative tenures provide stability, the option to dissolve legislatures is crucial for addressing political instability. For instance, State governments have often dissolved Assemblies

to seek a fresh and decisive mandate through mid-term elections – a contingency the Bill fails to adequately address.

### Could the German model of a constructive vote of no-confidence help resolve political stalemates?

**PDTA:** Such a proposal was rejected by the high-level committee led by former President Ram Nath Kovind. It has also been deliberated upon previously, but I doubt its adoption is feasible in India.

**MRM:** I don't think it is a viable option given our system. In most instances, when a ruling government loses a no-confidence motion, no alternative government commands a majority in the House. This could lead to a situation where the incumbent government remains in power but lacks the majority needed to pass essential bills or the budget.

### The U.K.'s Fixed-term Parliaments Act of 2011, repealed in 2022, was criticised for triggering constitutional crises and policy paralysis. Are there lessons for India?

**MRM:** The Bill is being misunderstood as proposing fixed legislative tenures when it only introduces a "maximum term". This is different from the system that existed in the U.K., where a newly elected legislature would complete its full five-year term, even if mid-term elections were to be held. In contrast, under the system proposed by the Bill, if the government loses the confidence of the legislative majority, mid-term elections will be called, and the newly elected legislature will then serve a truncated tenure.

**PDTA:** In a country like ours, political instability is a real possibility, especially at the State level. While Parliament will continue to have its five-year tenure, States may encounter situations that necessitate mid-term elections, resulting in shorter tenures for State legislatures. I firmly believe that, despite its flaws, the current system should be preserved. The proposal for simultaneous elections risks creating unnecessary turmoil, and there is no compelling reason to pursue it at this juncture. The government should instead focus on tackling more pressing challenges that affect the people.



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# Crimes against humanity and an obtuse Indian stance

**I**n December 4, 2024, the UN General Assembly (UNGA) adopted a resolution approving the text of a proposed treaty governing the prevention and punishment of crimes against humanity (CAH treaty). This marks the beginning of the negotiation process among states for the conclusion of a CAH treaty. This resolution comes five years after the International Law Commission submitted the draft text of the CAH treaty to the Sixth Committee – the primary forum for considering legal questions in the UNGA. This development is a landmark in the international community's quest to combat impunity for CAH.

## There is a gap in accountability

Alongside genocide and war crimes, CAH are among the grave international crimes which the International Criminal Court (ICC), established under the Rome Statute, seeks to punish. Importantly, genocide and war crimes are also governed by dedicated treaties, i.e., the Genocide Convention of 1948 and the Geneva Conventions of 1949, respectively. However, CAH are governed only under the Rome Statute, which includes specific criminal acts such as murder, extermination, enslavement, deportation, torture, imprisonment, and rape committed as part of a 'widespread or systematic attack directed against any civilian population, with knowledge of the attack'. CAH were first codified in the 1945 London Charter establishing the Nuremberg Tribunal to investigate and prosecute the crimes committed in connection with the Second World War, and later in the statutes of the International Criminal Tribunal for Yugoslavia, and Rwanda. However, there is no dedicated treaty for CAH yet, creating a gap in terms of accountability in the legal architecture of international criminal justice. There are three reasons justifying the need for a CAH treaty.



**Varsha Singh**

Assistant Professor  
at the National  
Law University,  
Jodhpur, Rajasthan

India's response to a 'crimes against humanity' treaty aligns with its aversion to the Rome Statute and the International Criminal Court

First, the jurisdiction of the ICC covers a limited number of states, making it challenging to punish perpetrators of CAH in non-member states. Second, the Rome Statute and the ICC only address individual criminal responsibility. A dedicated CAH treaty would allow for holding states accountable under international law for their failure to prevent the commission of CAH, as is the case with the Genocide Convention of 1948. For instance, in 2019, The Gambia filed a case before the International Court of Justice (ICJ) against Myanmar for alleged violations of the Genocide Convention against the ethnic Rohingya population. A dedicated CAH treaty would create an obligation for state parties to adopt administrative, legislative, or judicial measures to prevent the commission of CAH. Failure to meet this obligation could become the basis for the ICJ's jurisdiction if the CAH treaty so provides. Third, a CAH treaty presents an opportunity to enlarge the scope of CAH to include, as suggested by various states in the Sixth Committee, starvation of civilian populations, gender apartheid, forced pregnancy, the use of nuclear weapons, terrorism, exploitation of natural resources, and crimes against indigenous populations.

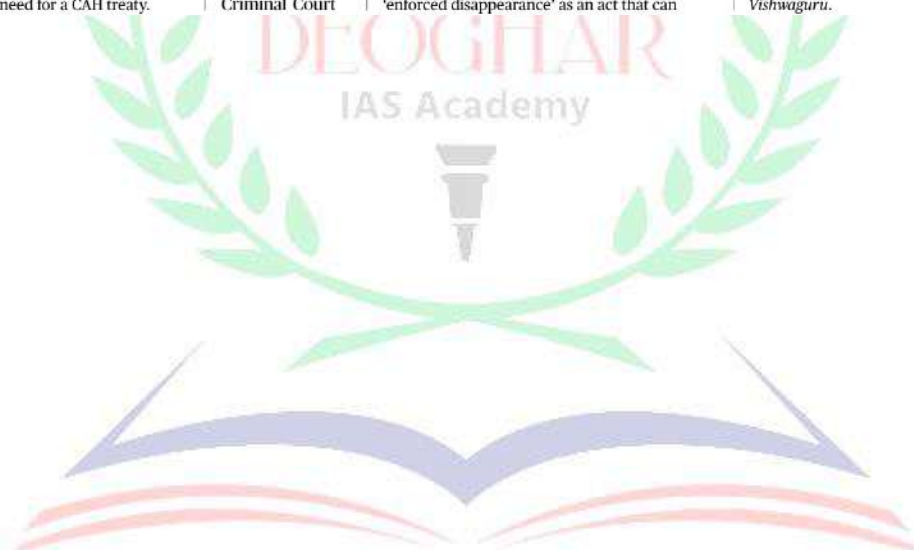
## India's stand

India is not a party to the Rome Statute and has consistently objected to the ICC's jurisdiction over issues such as the powers of the ICC prosecutor, the role of the UN Security Council under the Rome Statute, and the non-inclusion of 'use of nuclear weapons and other weapons of mass destruction' as a war crime. Further, India has argued that crimes committed only during armed conflicts – and not those committed during peacetime – should be considered CAH. Moreover, India does not favour the inclusion of 'enforced disappearance' as an act that can

constitute CAH. Instead, India advocates for the inclusion of 'terrorism' as an act amounting to CAH. India's response to a CAH treaty aligns with its aversion to the Rome Statute and the ICC. For the last five years, since 2019, India has consistently argued for an 'in-depth study' and thorough discussion on the need for a dedicated treaty. India's stance at the UNGA reflects its scepticism that a CAH treaty might duplicate the already existing regime under the Rome Statute. Further, India takes issue with the exclusion of 'terror-related acts' and the 'use of nuclear weapons' from the definition of CAH in the proposed treaty. Most importantly, reiterating that it is not a party to the Rome Statute, India has stressed at the UNGA that national legislations and the jurisdiction of national courts are more appropriate fora for dealing with CAH and other international crimes.

## Lead the way

Currently, India does not have domestic legislation prohibiting international crimes. In 2018, Justice S. Muralidhar of the Delhi High Court in *State vs Sajjan Kumar* observed that 'neither crimes against humanity nor genocide have been made part of India's criminal law, a lacuna that needs to be addressed urgently'. Nonetheless, there is little or no debate on the need for such laws in the domestic legal and policy spaces. The recent amendments to the criminal law were a missed opportunity to include these crimes in the penal law. This is inconsistent with India's own insistence on the primacy of national and territorial jurisdiction for dealing with CAH. India should incorporate CAH and other international crimes into its domestic law, even if it is not a party to the Rome Statute, and lead the way in ending impunity for grave human rights violations – a role that befits a true *Vishwaguru*.



# Never events: unacceptable failures in implementing patient safety protocol

Never events as a term was introduced in 2002 by the National Quality Forum (NQF) in the United States. It has since been adopted in the Western world, particularly in countries like the U.S., UK, and Canada, and they maintain a list of never events. They highlight the importance of preventing harm by strict adherence to a safety regime

G. Aravinda

**T**he concept of 'never events' (NE) is described broadly as serious and largely preventable incidents that should never occur in healthcare settings if proper safety protocols are followed. Never events as a term was introduced in 2002 by the National Quality Forum (NQF) in the United States. It has since been adopted in the Western world, particularly in countries like the U.S., U.K., and Canada, and they maintain a list of never events. They highlight the importance of preventing harm through systemic checks, improved processes, and strict adherence to safety protocols.

Never events lack a universal definition and overlaps with terms like 'sentinel events' or 'serious reportable events'. These categories generally share the theme of preventable harm resulting in severe patient consequences such as operating on the wrong side of the limb, insulin overdose, or mismatched blood transfusion.

This could lead to disability, death, or great discomfort for the patient. The broad scope of never events overshadows the systemic complexities behind such incidents.

Organisations like the National Health Service (NHS), Cigna, and Leapfrog share the goal of improving patient safety, but they differ in their focus on the description of never events, financial penalties, root cause analysis learning, and breaches of safety protocols.

## Variations in lists across systems

The list of never events varies across organisations. For example, the United Kingdom's NHS's updated 2021 list includes 16 events (listed in the table), while the United States recognises 29 events. This variation reflects the complexity of healthcare as a socio-technical system. Healthcare involves numerous stakeholders and interactions between social, technical, human, organisational, economic, and regulatory components, all shaping how never events are defined, occur, and addressed in the system.

What does one do after a never event? According to the Leapfrog Group, when a never event occurs, it is essential to take specific steps to address the situation in the aftermath of the incident. First, the healthcare provider should offer a sincere apology to the patient. The incident must then be formally reported to ensure transparency. A detailed root cause analysis should follow to uncover the

## List of never events as per NHS

Never events are difficult to eradicate, but efforts and a method to prevent them are critical.



CATEGORY	NEVER EVENT
Surgical	Wrong site surgery
Surgical	Wrong implant/prosthesis
Surgical	Retained foreign object post-procedure
Medication	Mis-selection of a strong potassium solution
Medication	Administration of medication by the wrong route
Medication	Overdose of insulin due to abbreviations or incorrect device
Medication	Overdose of methotrexate for non-cancer treatment
Medication	Mis-selection of high-strength midazolam during conscious sedation
Mental health	Failure to install functional collapsible shower or curtain rails
General	Falls from poorly restricted windows
General	Chest or neck entrapment in bed rails
General	Transfusion or transplantation of ABO-incompatible blood components or organs
General	Misplaced naso- or oro-gastric tubes
General	Scalding of patients
General	Unintentional connection of a patient requiring oxygen to an air flowmeter
General	Undetected oesophageal intubation

factors that led to the event. Finally, any costs incurred directly because of the incident should be waived as a gesture of accountability and fairness.

## Are never events fully preventable?

The idea of completely preventing never events is a subject of ongoing debate and contention. While achieving absolute prevention is often seen as the ultimate goal, no consensus remains on whether it is practically possible. Studies reveal that never events persist at a rate of 1 to 2 per 100 incidents, with overall patient safety incidents occurring in 2 to 3 out of every 100 consultations.

Despite significant investments in safety mechanisms and interventions, the persistence of these incidents in healthcare systems shows its complexity. Never events cannot be viewed in isolation from the complex interplay of socio-technological systems, organisational dynamics, and cultural factors.

This complexity suggests that while the

**Medical complications are expected risks inherent to medical procedures. Latrogenic causes may overlap with complications but are specifically tied to medical interventions, whether acceptable or negligent**

frequency of never events might be substantially reduced, the notion of their complete prevention is more aspirational than practical. Adopting the As Low As Reasonably Practicable (ALARP) principle – a balanced risk management approach – offers a pragmatic framework for addressing and minimising these incidents. Never events also have a problematic tendency of concentrating accountability disproportionately on frontline healthcare workers. It evokes strong emotional and punitive responses.

This approach fails to account for systemic failures, such as organisational inefficiencies, poor infrastructure, and

communication gaps, contributing to never events incidents. Evidence points to the reality that frontline staff, though closest to these incidents, are not fully responsible for their occurrence.

## The Indian context

Never events as a term has not been explicitly acknowledged or used in the Indian context. Instead, medical negligence is applied in medico-legal cases and allegations of professional misconduct in healthcare. While never events emphasise preventable harm within healthcare systems, in India, similar incidents are categorised and addressed under the broader legal framework of medical negligence.

Medical negligence occurs when a healthcare provider fails to meet the expected standard of care, leading to harm, as per the Bolam test.

This may involve acts of commission, such as administering incorrect medication, or omission, like neglecting to check for retained placenta in the uterus after delivery. The evaluation of negligence is based on whether the actions align with what a competent peer would have done under similar circumstances.

Medical errors can be unintended mistakes arising from misjudgements, such as a missed diagnosis or an incorrect treatment arising without deliberate deviation from the standard of care. Latrogenic events are harms directly caused by medical interventions.

Some latrogenic effects are unavoidable and accepted as part of treatment, such as hair loss during chemotherapy, while others, like leaving a surgical pad in a patient, indicate negligence. Medical maloccurrences are outcomes that cannot be prevented even with appropriate care, such as rib fractures during CPR or rare recanalisation of fallopian tubes after sterilisation. Differentiating these phenomena is critical.

Medical complications are expected risks inherent to medical procedures that occur despite proper care and do not imply negligence. Latrogenic causes may overlap with complications but are specifically tied to medical interventions, whether acceptable or negligent. Medical negligence represents clear failures in duty. Medical maloccurrences are outcomes that, while undesirable, are not preventable even under optimal conditions.

*(Dr. C. Aravinda is an academic and public health physician. The views expressed are personal. aravindaaimsjr10@hotmail.com)*

## THE GIST

Never events are preventable incidents that result in severe patient consequences: operating on the wrong side of the limb, insulin overdose, or mismatched blood transfusion

When a never event does occur the healthcare provider should offer an apology, prepare a formal report, conduct a root cause analysis, and finally cover any costs

While never events might be reduced, complete prevention is more aspirational than practical. Adopting the ALARP principle offers a pragmatic framework for addressing and minimising these incidents

# India and France sign MoU for new National Museum

**Sreeparna Chakrabarty**  
NEW DELHI

India and France on Thursday signed a Memorandum of Understanding (MoU) for the development of the new National Museum, on the lines of the Louvre in Paris, at the historic North Block and South Block in the national capital. The museum, named Yuga Yugeen Bharat, when completed would be the largest in the world.

The agreement was signed by Herve Barbaret, Director General and CEO of France Museums, and B.R. Mani, Director General of the National Museum of India.

External Affairs Minister S. Jaishankar, who was present at the signing, said, "I think we would veritably be seeing the inspiration for the remaking of Bharat," when South Block and North Block become the



The delegates from India and France sign the agreement for the development of the new National Museum on Thursday. PTI

kind of museums that are envisaged.

"It is a very important expression of international cooperation. We are also seeing a very important cultural collaboration and, as all of you know, culture is in a sense the essence of soft power," Mr. Jaishankar said.

"With France, we have had a strong relationship, what in our profession we call strategic partnership,

and underpinning that India and France see each other as important poles in a multi-polar world," he said.

The 'Yuga Yugeen Bharat' museum will be developed through adaptive reuse in collaboration with France, which is renowned for its expertise in such projects – exemplified by the Louvre, the Grand Palais, and the Hotel de la Marine.

# Polar sundial poised to become a centre of attraction

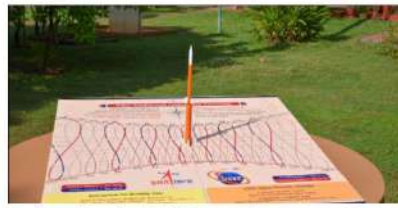
**Tiki Rajvi**  
THIRUVANANTHAPURAM

An unusual sundial designed by the Vikram Sarabhai Space Centre (VSSC) and put on display in the 'Rocket Garden' of its Space Museum at Thumba in Kerala is likely to find many takers in the days ahead.

Unlike conventional sundials which give just the local solar time, the polar sundial with analemmatic correction designed by the VSSC – the Indian Space

Research Organisation's lead facility for launch vehicles – accurately gives the Indian Standard Time (IST) as well as the date, according to VSSC director S. Unnikrishnan Nair.

While analemma-corrected sundials are not exactly a new concept, there are only a few of them around. And not surprisingly for anything connected to ISRO, there's also a rocket in this sundial. The 'style', the upright section which casts the shadow on the sundial, is a 1.6 ft tall,



A polar sundial at the VSSC's Thiruvananthapuram Space Museum.

3D-printed miniature of the Rohini series RH200 sounding rocket.

According to VSSC scientists, the sundial

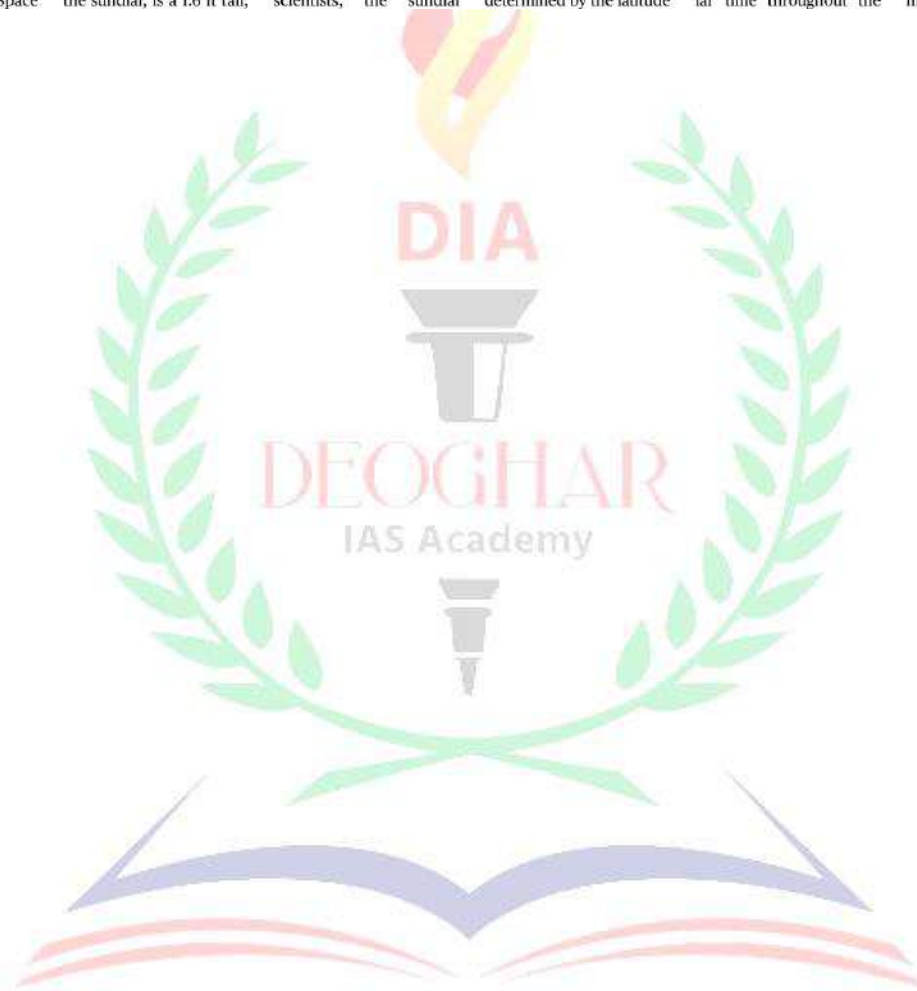
adopts a polar configuration. The sundial plate is affixed to a wedge-shaped structure, whose angle is determined by the latitude

of the location. Care has been taken to align it with the true north-south direction. The plate is parallel to the Earth's polar axis, with the style parallel to the Earth's equatorial plane.

Conventional sundials have straight hour lines indicating the local time. VSSC's polar sundial replaces the straight hour lines with inverted analemma curves. This built-in 'analemmatic correction' automatically converts local solar time to mean solar time throughout the

year. To obtain IST, an additional longitude correction is applied. ('Analemma' is the figure-eight pattern made by the sun in the sky over the course of a year, generated by a combination of the Earth's tilt and its elliptical orbit.)

ISRO chairman S. Somnath said he had urged the VSSC to see whether replicas of the sundial could be set up in other places. Mr. Nair said if a software kit could be developed, educational institutions and museums could install it.





# SC stays Kerala HC directives on jumbo parades at festivals

Court asks how anyone can expect elephants to maintain a three-metre distance and directs Thiruvambady, Paramakkavu devaswoms to follow Captive Elephants Rules at Thrissur Pooram

**Krishnadas Rajagopal**  
NEW DELHI

**S**triking a balance between animal rights and temple customs, the Supreme Court on Thursday asked the Thiruvambady and Paramakkavu devaswoms to strictly adhere to the Captive Elephants (Management and Maintenance) Rules, 2012 during Thrissur Pooram while staying any directions issued by the Kerala High Court found contrary to the law.

The two devaswoms, which host the centuries-old annual festival of Thrissur Pooram, had approached the top court challenging the Kerala High Court's back-to-back



**Grand ceremony:** Decorated elephants lined up for 'Kudamattam', the most spectacular event of the Thrissur Pooram. FILE PHOTO

orders in November, which included directions that elephants paraded at the festival should maintain an exact distance of three metres from each other.

"How do you expect an elephant to maintain a three-metre distance?

They will keep moving. This is impractical," Justice B.V. Nagarathna, heading a Bench comprising Justice N. Kotiswar Singh, addressed senior advocate Shyam Divan. He was appearing for V.K. Venkitchalam, a party in the High

Court who opposed the devaswoms' appeal.

Senior advocate Kapil Sibal and advocate Abhilash M.R., representing the devaswoms, alleged that the High Court had overstepped judicial boundaries to issue extensive festival-centric directives over and above the 2012 Rules.

"The court cannot go on supplementing. There is a rule-making body. There were no complaints of violations in this case. Directions cannot be issued in vacuum," Justice Nagarathna observed.

The management committees of the devaswoms and elephant owners have welcomed the stay imposed by the Supreme Court.

