

Money Bill verdict holds the key

Petitioners have questioned legality of PMLA amendments through Money Bills

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The future of several conclusions in the Supreme Court's judgment on Wednesday, upholding amendments giving the Enforcement Directorate almost blanket powers under the Prevention of Money Laundering Act (PMLA) of 2002, may depend on the final outcome of a reference made to a seven-judge Bench in 2019.

The court has left it open for a seven-judge Bench to decide whether these amendments could have been made to the PMLA through the Money Bill route.

In November 2019, a five-judge Bench led by then Chief Justice of India Ranjan Gogoi had referred to a larger Bench the issue and question posed in the Roger

Mathew vs South Indian Bank Ltd. case as to whether amendments like these can be passed as a Money Bill in violation of Article 110 of the Constitution.

The judgment by a three-judge Bench led by Justice Khanwilkar on Wednesday, refrained from delving into the question, though the petitioners had questioned the legality of the PMLA amendments which were introduced via Finance Acts/Money Bills.

"At the outset, it was made clear to all concerned that this ground of challenge will not be examined in the present proceedings as it is pending for consideration before the Larger Bench of this court (seven judges) in view of the reference order passed in Roger Mathew. We are conscious of the fact that

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JUSTICE KHANWILKAR

if that ground of challenge is to be accepted, it may go to the root of the matter and amendments effected vide Finance Act would become unconstitutional or ineffective," Justice Khanwilkar wrote.

The Bench, in its judgment, further delinked writ petitions involving issues relating to Finance Bill/Money Bill, so that they could be heard along with the Roger Mathew case by a seven-

judge Bench.

Justice Khanwilkar explained that his Bench had proceeded to hear and decide the other points of challenge – procedure of arrest, search and seizure, pre-conditions of bail, etc. – regarding the PMLA amendments, after taking into consideration the possibility that the seven-judge Bench may uphold their passage as Money Bill.

A Money Bill is deemed to contain only provisions dealing with all or any of the matters under clauses (a) to (g) of Article 110(1), largely including the appropriation of money from the Consolidated Fund of India and taxation. In other words, a Money Bill is restricted only to the specified matters and cannot include within its ambit any other matter.

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Money Bill - Important Points

No joint sitting.

Article 110

- a) Speaker of Lok Sabha decide the Bill is whether a bill is money bill or not. Decision its final.
- b) Can only be introduced in Lok Sabha
- (c) Requires prior approval of the President.
- (d) Can be introduced as Private Bill

(e) When Money Bill fails in Lok Sabha, then govt. must prove its majority in Lok Sabha by passing a confidence motion

'Replacement level fertility achieved'

31 States and UTs have reached a Total Fertility Rate of 2.1 or less, says Minister

SPECIAL CORRESPONDENT
NEW DELHI

India has achieved replacement level fertility, with 31 States and Union Territories reaching a Total Fertility Rate (an average number of children per woman) of 2.1 or less, Union Minister of State for Health and Family Welfare Bharati Pravin Pawar said on Wednesday.

Speaking at the National Family Planning Summit 2022, the Union Minister said between 2012 and 2020, the country added more than 1.5 crore additional us-



Bharati Pravin Pawar

ers for modern contraceptives, thereby increasing their use substantially.

She said government data showed an overall positive shift towards spacing meth-

ods that would be instrumental in impacting positively maternal and infant mortality and morbidity.

'A paradigm shift'

Union Health Secretary Rajesh Bhushan said the Family Planning Programme in India was now over seven decades old, and in this period, the country had witnessed a paradigm shift from the concept of population control to population stabilisation to interventions being embedded toward ensuring harmony of continuum care.

"Although India has achieved replacement level fertility, there is still a significant population in the reproductive age group that must remain at the centre of our intervention efforts. India's focus has traditionally been on the supply side, the providers and delivery systems but now it's time to focus on the demand side which includes family, community and society. Significant change is possible with this focus, instead of an incremental change," Mr. Bhushan noted.

Total Fertility Rate (TFR)

- Average number of children born to a woman in her reproductive years.

Replacement Level Fertility

- TFR equal to 2.1
- Population stabilizes

Sub-replacement fertility

- TFR < 2.1
- Popⁿ declining.
- Youth popⁿ declining.

National Family Planning Summit
New Delhi

Karnataka tops NITI Aayog innovation index list

Report suggests steps to secure a place among top 25 nations in the Global Innovation Index

SPECIAL CORRESPONDENT
NEW DELHI

Karnataka has bagged the top rank in NITI Aayog's India Innovation Index 2021, which determines innovation capacities and ecosystems at the sub-national level. The State has held this position, under the Major States category, in all three editions of the Index so far. In the Index released on Thursday, Manipur secured the lead in the Northeast and Hill States category, while Chandigarh was the top performer in the Union Territories and City States category.

Karnataka was followed by Telangana, Haryana, Maharashtra and Tamil Nadu. Chhattisgarh, Odisha, Bi-

Innovation index

The table lists the score and ranking of 17 major States in the third edition of NITI Aayog's India Innovation Index. Karnataka ranked first followed by Telangana and Haryana while Chhattisgarh, Odisha and Bihar were ranked at the bottom of the index

State	Score	Rank	State	Score	Rank
Karnataka	18.01	1	M.P.	12.74	13
Telangana	17.66	2	Gujarat	12.41	14
Haryana	16.35	3	Bihar	11.58	15
Maharashtra	16.06	4	Odisha	11.42	16
Tamil Nadu	15.69	5	Chhattisgarh	10.97	17

har and Gujarat were at the bottom of the index.

Pointing out that India's average innovation score is insufficient, given the coun-

try's ambitious targets to be named among the top 25 nations in the Global Innovation Index, the report by the government think tank has



2021 recommended measures, such as increasing Gross Domestic Expenditure on R&D (GDERD), promoting private sector participation in R&D and closing the gap between industry demand and what the country produces through its education systems.

The report went on to state that countries that spend less on GDERD fail to retain their human capital in the long run and the ability to innovate is dependent on the quality of human capital; India's GDERD as a percentage of GDP stood at about 0.7%.

Therefore, GDERD needs considerable improvement and should touch at least 2%,

which would play an instrumental role in India achieving the goal of 5 trillion economy," it suggested.

It added that the private sector needs to pick up pace in R&D.

Taking evidence from countries such as South Korea, and the U.S. where the presence of private players is evident, the report noted that public expenditure is productive up to some extent; once the growth follows a trajectory, it is desirable to shift to R&D mostly drive by the private sector. "Therefore, it is important for India to find that inflexion point after which private sector takes over the government sector," it added.

Karnataka Rank 1.

India Innovation Index

Basics

- 1 Released by NITI Aayog + Institute of Competitiveness
- 2 2019 → First Report
- 3 Karnataka = Rank 1
- 4 Northeast state & Hill state = Manipur

Methodology of Calculation



Dimension	India Innovation Index 2019	India Innovation Index 2020	India Innovation Index 2021
Enablers	23 indicators	25 indicators	50 indicators
Performers	10 indicators	11 indicators	16 indicators

Prelims Question

Q Global Innovation Index is released by ?
 Ans :- ??