GS Paper II – Governance **Date:** 22.07.26

'T.N. third in India in deaths while cleaning sewers, septic tanks'

The Hindu Bureau
CHENNAI

Ramdas Athawale

Tamil Nadu recorded 38 septic tank, sewer cleaning deaths, the third highest in India in the last five years, said Minister of State for Social Justice and Empowerment Ramdas Athawale in Parliament on Tuesday.

Mr. Athawale was responding to a question from Villupuram MP D. Ravikumar, who sought State-wise details of the number of deaths reported while cleaning sewer lines and septic tanks over the past five years, and details of the agencies or officials who engaged people for manual cleaning work.

Mr. Athawale said: "According to the State-wise data on deaths while cleaning septic tanks, Tamil Nadu ranks third in the country. Over the past five years, 332 people have died across India while cleaning septic tanks. Maharashtra recorded the highest number of deaths with 58, followed by Haryana with 47 and Tamil Nadu with 38. The Tamil Nadu government must take effective measures to completely eliminate the tragic loss of life that continues to occur during septic tank cleaning."

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GS Paper II – Governance

Building an Atmanirbhar philanthropy ecosystem

India's philanthropic landscape has changed more in the past decade than many realise. Domestic private giving – through family philanthropy, Corporate Social Responsibility (CSR), and individual donors – has grown rapidly and now far outstrips annual foreign philanthropic inflows. A new generation of entrepreneurs is rethinking differently about giving, while millions of Indians are entering the markets through mutual funds, systematic investment plans (SIP), and Unified Payments Interface (UPI). Against this backdrop, the debate around the Foreign Contribution (Regulation) Act (FCRA) takes on a different meaning: less a dispute about foreign funding than a chapter in India's move toward a more self-reliant philanthropic future.

The first principle should not be controversial. Every sovereign nation has both the right and the responsibility to regulate foreign capital flowing into organisations that shape public life. This is neither unique to India nor illiberal: the United States requires disclosure under its Foreign Agents Registration Act, and Australia and several European democracies run comparable regimes. The question worth debating is not whether foreign funding should be regulated, but whether that regulation is proportionate, predictable and efficiently run.

There is also a gap between perception and reality. The impression is that tighter FCRA rules have hollowed out Indian development work; the numbers say otherwise. NITI Aayog's portal NGO Darpan portal lists roughly six lakh voluntary organisations, of which only about 14,500 hold active FCRA registration. Foreign contributions have themselves doubled over the decade, from about ₹10,000 crore to around ₹22,000 crore. The sector has not been starved of money from abroad.

The rise of domestic giving

The bigger change lies at home. Domestic private philanthropy now exceeds ₹1.18 lakh crore a year – more than five times foreign inflows – according to the Bain-Dasra India Philanthropy Report 2026.

Family philanthropy is growing at double-digit rates as a new generation of wealth creators comes to see giving as part of wealth stewardship. The centre of gravity of Indian philanthropy has quietly shifted home.

None of this erases the hardship of the transition. A small number of organisations faced delayed renewals, long processing times, or cancelled registrations, disrupting work in education, health, livelihoods, and rural development. This was not true of the sector as a whole, but for those affected, the disruption was real and deserves acknowledgement rather than dismissal.

The transition also exposed how unevenly the sector had prepared. Many organisations operate with exemplary governance; others had gone dormant or were well-meaning groups whose documentation had not kept pace with rising expectations.

India's companies went through a similar reckoning over the past three decades: stronger governance initially felt like a burden, but it ultimately became the very thing that won investor confidence and drew in capital. The social sector can follow the same path. If money is the fuel of philanthropy, trust is its currency.

Better, not tighter regulation

The goal should be better regulation, not just tighter regulation. An administrative slip should not carry the same penalty as fraud. A structured path comprising deficiency notices, defined windows to correct errors, opportunities to provide clarification, and an independent appellate body would protect the integrity of the law while sparing genuine organisations avoidable disruption. The newly launched FCRA 2.0 platform offers a real opportunity to simplify compliance and move towards risk-based supervision.

Fixing FCRA's administration, though, is only half the task; the larger prize is to build what we would call an Atmanirbhar ('self-reliant') philanthropy ecosystem. India's giving has moved through three phases: first, a reliance on foreign philanthropy, and second, the transformation wrought by CSR, which now channels over ₹40,000 crore a year into development. The third phase must be powered by Indian families, entrepreneurs and citizens.

The most immediate opportunity sits with India's fast-growing community of high-net-worth individuals, whose giving has lagged well behind the growth in their wealth. This is where the largest pool of new domestic capital can be unlocked over the coming decade, and where policy can help most.

India's tax framework does not yet signal that philanthropy is a national priority. Deductions under Section 80G are usually limited to half the donation and capped at 10% of adjusted gross total income. Few large donors hit those limits, but tax policy is also about signalling intent – and other countries have been emphatic, from Singapore's 250% deduction to Britain's Gift Aid top-up and America's carry-forward provisions. India need not copy them wholesale. But raising the 80G deduction from 50% to 100%, as is already allowed for some categories, and lifting the ceiling to 25%, would cost the exchequer little while meaningfully improving the flow of long-term social capital.

Expanding the donor base

One mechanism deserves particular mention. Most first-generation entrepreneurs hold their wealth in equity, not cash. A framework allowing donations of appreciated listed shares to eligible charities – with appropriate safeguards and a reasonable disposal window of, say, one to three years so that recipients can sell in orderly fashion – could become one of the most powerful ways to unlock domestic philanthropic capital.

The next frontier, over a longer horizon, is to widen the base. India now has over 220 million demat accounts, widespread SIP investing and UPI in every pocket; the infrastructure for mass participation already exists. If even a fraction of households gave ₹100, ₹500 or ₹1,000 a month through trusted digital platforms, millions of citizens would become active partners in solving the country's social problems. The Social Stock Exchange could do for social capital what India's markets did for financial capital – a trusted national platform linking credible organisations to ordinary citizens through clear disclosure and measurable impact.

The argument runs deeper than the sums involved. Domestic philanthropy creates more than money; it creates ownership. When Indian citizens and businesses fund India's own social challenges, they bring governance, ideas, volunteering and accountability along with their capital, strengthening not just the non-profit sector but also the wider social contract. That is the real case for an Atmanirbhar philanthropy ecosystem.

Foreign philanthropy will still matter, particularly in research, innovation and the exchange of ideas. But as India approaches developed-nation status, it should complement India's social development, not shape it. The aspiration, in the end, is not merely to regulate foreign philanthropy well. It is to build a country where the overwhelming share of social transformation is financed, led and owned by Indians themselves.

That is the promise of an Atmanirbhar philanthropy ecosystem – and, we believe, the next chapter of India's development story.

Ashish Dhawan

Founder and Chairperson, The Convergence Foundation

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Domestic giving, not foreign funding, is what will define India's philanthropic future

GS Paper II – Polity

Is Yashwant Varma still a judge?

The power to resign at will protects judicial independence; when misused, it helps evade accountability; the report by the committee tasked with investigating charges of misbehaviour against former judge Varma is set to come up in Parliament; what will become of Varma now that he has resigned?

EXPLAINER

G. Mohan Gopal
V. Venkatesan

Parliament is set to take up in the coming Monsoon Session the report of the committee appointed by the Speaker of the Lok Sabha under the Judges (Inquiry) Act, 1968, to investigate charges of misbehaviour against former judge of the Allahabad and Delhi High Courts, Yashwant Varma, who has since resigned. The allegations against him arise from the discovery in March 2025 of partially burnt currency notes in an outhouse at his official residence. Mystery surrounds his current status and the future course of the pending proceedings in Parliament.

On one hand, three months after his resignation, Mr. Varma continues to be listed by the Allahabad High Court and by the Department of Justice of the Union government as a sitting judge. This has given rise to misgivings about whether his resignation has taken effect or remains subject to acceptance by the President.

On the other, it has been reported that following Mr. Varma's resignation on April 9, 2026, his status at the Bar was changed to "active" on resumption of practice. Some of his dues and benefits as a sitting judge have reportedly been stopped since the resignation.

Four questions follow.

(1) Is Mr. Varma's resignation subject to acceptance by the President?

Our Constitution vests 13 constitutional functionaries with the "power to resign at will", without their resignation being subject to acceptance by any authority. They may resign merely by writing under their hand addressed to an authority specified in the Constitution. Needing no acceptance, the power to resign at will is an essential safeguard for the independence of these offices. It protects incumbents from being forced to work under coercion.

The offices vesting incumbents with this power are: the President; the Vice-President; the Deputy Chairman of the Rajya Sabha; the Speaker and Deputy Speaker of the Lok Sabha; a judge of the Supreme Court; a judge of High Courts; the Governor; the Speaker and Deputy Speaker of a State Assembly; the Chairman and Deputy Chairman of a State Legislative Council; and a member of Public Service Commissions.

Publicly available data suggests that past resignations of judges have been handled in compliance with the law. S. SUBRAMANIUM

In contrast, Article 101 (3)(b) of the Constitution expressly says that the resignation of Members of Parliament is subject to acceptance by the Speaker of the Lok Sabha or the Chairman of the Rajya Sabha. Under Article 190(3)(b), the resignations of members of State Legislative Assemblies and Legislative Councils are subject to acceptance by the Speaker or the Chairman.

A five-judge Constitution Bench of the Supreme Court in *Union of India vs Gopal Chandra Misra* (1978) unanimously reaffirmed the power of Supreme Court and High Court judges to resign at will.

Justice S. Murtaza Fazal Ali dissented from majority judges who held that a resigning judge could choose a future date and withdraw the resignation before that date. But Justice Ali reflected the unanimous view of the Bench that no acceptance was needed for resignation of judges. He wrote categorically that "the effectiveness of the resignation does not depend upon the acceptance of the resignation by the President...the resignation acts *ex proprio vigore*" (automatically without requiring any external action). At least 12 High Court judges have resigned since 2017. One Supreme Court judge, Justice Dalveer Bhandari, resigned in 2012 to join the International Court of Justice. Publicly available data suggests that these resignations have been handled in compliance with the law described above.

(2) Can Mr. Varma still be held out as a sitting judge?

Since Mr. Varma ceased to be a judge on April 9, describing him after that date as a sitting judge of the Allahabad High Court in the Department of Justice's list or on the website of the Allahabad High Court is clearly wrong.

There is no justification for retaining the name of a person who is not a judge in lists of sitting judges for over three months. It would only be proper for the Union Department of Justice and the Allahabad High Court to correct the error and delete his name. It would, needless to say, be illegal for him to receive any salary or benefit as a sitting High Court judge.

(3) Do the proceedings survive the resignation, now that removal from office is moot?

The Committee's report pertains to Mr. Varma's conduct prior to his resignation. The resignation, therefore, does not affect the laying of the report before both Houses and its being made public. Indeed, there is a statutory duty to do so. The public also has a legitimate right to know whether the Committee found any proved misbehaviour on the part of a sitting judge of a constitutional court.

If the report finds Mr. Varma not guilty of the charges, the matter ends there. Even if the report finds him guilty, the motion for his removal can no longer be moved. Having resigned, Mr. Varma does not hold the office of a judge and cannot be removed from it. Under Section 6, the report is to be discussed by Parliament along with the motion. As the motion lapses and cannot be discussed, the report too cannot be discussed by Parliament under the Act.

(4) Should the Constitution be amended so that judges facing removal cannot evade accountability by resigning?

There is a genuine concern that the framework for judicial accountability through removal proceedings under the Judges (Inquiry) Act, 1968 suffers from a loophole. Judges may resign at will before Parliament takes up the motion for their removal, halting the entire process.

This loophole is best addressed by amending the Constitution, rather than by executive or judicial interpretation of the Constitution or of the 1968 Act. The amendment may provide that the resignation of a judge facing removal proceedings is subject to acceptance during their pendency. To safeguard judicial independence, the power to accept the resignation of a judge should vest in the Chief Justice of India rather than in the President. Should Parliament want to discuss the report submitted by the Inquiry Committee set up under the Act despite the judge's resignation, it should be amended to enable it for the purpose. Interpreting inadvertent silences in the Constitution or the Act to suit the concerns of Parliament or the Executive would be against the rule of law.

(G. Mohan Gopal is former Director of the National Judicial Academy and former Vice-Chancellor of National Law School of India University, Bengaluru. V. Venkatesan is Contributing Editor at Supreme Court Observer. The views are their own)

THE GIST

- Three months after his resignation, Mr. Varma continues to be listed by the Allahabad High Court and by the Department of Justice of the Union government as a sitting judge

- s Mr. Varma's resignation subject to acceptance by the President? Will the 'power to resign at will' continue to apply in his case?

- Do the proceedings survive the resignation, now that removal from office is moot? What happens if he is found guilty of the charges?

GS Paper III – Science & Technology

Toxic gas kills 20 in Sikkim tunnel, efforts on to save 5 workers

The Hindu Bureau
GUWAHATI/NEW DELHI

A sudden release of suspected methane gas killed at least 20 workers inside an under-construction tunnel of the National Hydroelectric Power Corporation (NHPC)'s Teesta State-VI Hydroelectric Project in Namchi district of Sikkim. Efforts were under way to rescue five others trapped inside the structure.


An ambulance inside the under-construction tunnel in Namchi, Sikkim, on Tuesday. PTI

The incident occurred inside the head race tunnel under construction at Samardung on Monday afternoon "due to sudden explosive release of suspected methane gas trapped/embedded in the rocks, resulting in the generation of dense smoke and toxic gases", the NHPC said in a statement.

Twenty-five personnel were inside the tunnel during the incident, the NHPC said, citing information received from officials at the project site. Seven of the dead workers have been identified so far.

Three of them were from West Bengal, one each from Sikkim and Uttarakhand, and the rest from Assam, Namchi's Superintendent of Police, Sonam Dolma Bhutia, told journalists. A few bouts of rainfall since Monday have affected the rescue operations to some extent, she said.

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