Daily News Juice

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1. Kejriwal Granted Bail in Delhi Excise Policy Case

Supreme Court's Ruling

Arvind Kejriwal was granted bail by the Supreme Court after being held in Tihar Jail in connection with a CBI investigation into the Delhi excise policy. The court's decision was delivered by Justices Surya Kant and Ujjal Bhuyan, who both agreed on granting bail but differed on whether Kejriwal's arrest in June 2024 was necessary.

Disagreement on Arrest Necessity

The judges had differing views on the necessity of Kejriwal's arrest:

• Justice Surya Kant upheld the arrest, stating that the CBI Special Judge had approved the arrest based on valid reasons, such as Kejriwal's "evasive replies" during interrogation.

• Justice Ujjal Bhuyan, on the other hand, found the arrest "untenable," questioning the timing and the rationale behind it, especially since the CBI had delayed the arrest until after Kejriwal received bail in a related ED case.

Timeline of Events

• **March 2024:** Kejriwal was first arrested by the Enforcement Directorate (ED) in the excise policy case.
• **June 2024:** The CBI arrested Kejriwal while he was already in custody.
• **July 2024:** The Supreme Court granted him interim bail in the ED case, but he remained in jail due to ongoing CBI proceedings.
• **August 2024:** After the Delhi High Court upheld his CBI arrest, Kejriwal appealed to the Supreme Court, leading to the final verdict in September.

Legal Debate Over Arrest Procedures

During the hearings, both sides cited the Code of Criminal Procedure (CrPC):
• **Kejriwal's Argument:** He claimed that the CBI did not meet the conditions for arrest under Section 41(1)(b), and he was not issued a notice under Section 41A before being arrested.

• **Justice Kant's View:** He found that the CBI followed proper procedure and that the notice requirement under Section 41A did not apply since Kejriwal was already in judicial custody.

• **Justice Bhuyan's View:** He disagreed, arguing that Kejriwal's arrest was unnecessary and that being uncooperative during interrogation did not justify arrest. He also cited Kejriwal's constitutional right to remain silent under Article 20(3).

Bail Justification
Despite differing on the arrest, both judges agreed that Kejriwal should be granted bail:
• Justice Kant noted that prolonged detention without a timely trial would unjustly deprive Kejriwal of his personal liberty, as the trial process was likely to be lengthy.
• Kejriwal also passed the "triple test" for bail: there was no risk of tampering with evidence, he was not a flight risk, and any future witness tampering could be addressed.

Conclusion
Both Justices concurred that Kejriwal's personal liberty outweighed procedural issues and that he should be released on bail pending trial.

Relevance: GS Prelims; Governance
Source: The Hindu

2. Why has Supreme Court recalled its reference to CBI as a 'caged parrot'

Introduction

For the second time in about a decade, India's highest court has used the expression "caged parrot" in reference to the country's premier crime investigation agency.

In his judgment granting Delhi Chief Minister Arvind Kejriwal bail in the CBI case over the alleged Delhi liquor policy 'scam', Justice Ujjal Bhuyan wrote: "Not so long ago, this Court had castigated the CBI comparing it to a caged parrot. It is imperative that CBI dispel the notion of it being a caged parrot. Rather, the perception should be that of an uncaged parrot."

Justice Bhuyan was referring to an observation made by Justice R M Lodha in 2013 while hearing a matter regarding alleged irregularities in the allocation of coal block licences to private companies, which was referred to in the media as the "Coalgate" case.

Here's what the alleged case was, and what Justice Lodha said.

The 'Coalgate' case
The Coalgate case was about alleged irregularities in the allocation of coal blocks by the Congress-led UPA regime. The case was one of the several political scandals that contributed

to the narrative of widespread corruption during the second term of the Manmohan Singh government.

The alleged scam was spotlighted by a report by the Comptroller and Auditor General of India in 2012 that appeared to show inefficient and possibly illegal allocation of coal blocks between 2004 and 2009. The report said the blocks were allocated by the government without a process of competitive bidding, leading to a presumptive loss to the exchequer.

The CAG initially estimated the quantum of presumptive loss to the exchequer at a staggering Rs 10.7 lakh crore, but toned this amount down to Rs 1.86 lakh crore in the final report.

Following a complaint by the BJP, the Central Vigilance Commission (CVC) directed the CBI to probe the matter for corruption. A report by the Parliamentary Standing Committee in 2013 said allocation of blocks between 1993 and 2008 was done in an unauthorised manner, and that the allotment of all mines where production was yet to start should be cancelled.

The Supreme Court constituted a special court to try all cases related to the coal scam.

What Justice Lodha said
Justice Lodha's observation came amid a raging controversy over the CBI sharing its draft status report on the alleged irregular coal block allocations with the political executive and officials in the Ministry of Coal and the Prime Minister's Office in 2013.

A three-judge Bench led by Justice Lodha was examining a nine-page affidavit submitted by the CBI. Then CBI Director Ranjit Sinha said that then Law Minister Ashwani Kumar had made certain "significant changes" in the agency's draft probe report on Coalgate, and top law officers and government officials, including those from the PMO, had suggested amendments.

In response, Justice Lodha first "loudly berated the attorney-general, the government's top lawyer, for what he said was clear evidence of interference in a CBI inquiry", according to Reuters report from the time.

He went on to say, according to a PTI report: "The CBI has become a caged parrot speaking in its master's voice. It is a sordid saga that there are many masters and giving unbridled power to the CBI is not possible. The CBI has become the police force and is in the administrative control of the Central government. CBI investigations have to be independent."

Relevance: GS Prelims & Mains Paper II; Governance
Source: Indian Express

3. OpenAI Unveils New AI Model "OpenAI o1"

Introduction to OpenAI o1
OpenAI has introduced its latest AI model, "OpenAI o1," as part of the secretive "Project Strawberry." This new model is the first in a series of "reasoning" models aimed at solving complex tasks in science, coding, and math. It is designed to improve problem-solving capabilities by approaching problems from different perspectives and learning from mistakes.
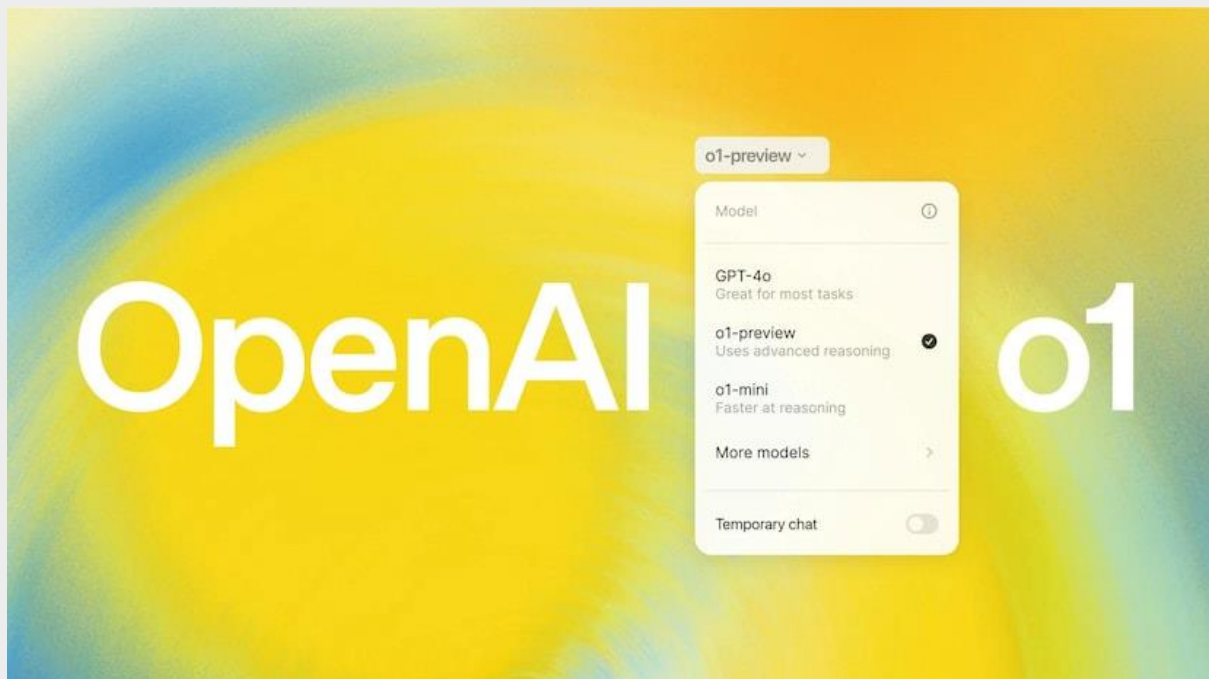
Features of OpenAI o1

The model is built to "think" more carefully before answering queries, similar to how humans tackle difficult problems. OpenAI claims that future updates could allow the model to perform at the level of PhD students in subjects like physics, chemistry, and biology, excelling particularly in math and coding. For example, it solved 83% of problems in a math contest, compared to just 13% by previous versions, and outperformed 89% of coding participants in tests.

Limitations and Future Updates

Although the OpenAI o1 model marks a significant leap forward, it is an early version and lacks features like web browsing and file management. OpenAI has also released a smaller, cost-effective version, "OpenAI o1-Mini," which is 80% cheaper and targeted at developers for coding tasks.

Safety Enhancements

OpenAI has improved the model's safety by developing a new training method that helps it follow safety guidelines more effectively. The new model scored 84 out of 100 in safety tests, a significant improvement from the earlier version's score of 22. OpenAI is collaborating with governments and safety groups to further test and improve the model.

Impact on Jobs and Research

The advanced reasoning abilities of OpenAI o1 could affect jobs in fields like software development, data analysis, and coding, as it may reduce the need for human involvement in routine tasks. However, it could also open up new opportunities in AI safety and ethical AI use. In research fields like physics, chemistry, and healthcare, the model could assist in solving complex problems, speeding up discoveries and innovation.

Access and Usage

The OpenAI o1 model is available to ChatGPT Plus and Team users, with the option to select either the o1-preview or o1-mini versions. Initial usage limits are set at 30 messages per week for o1-preview and 50 for o1-mini. ChatGPT Enterprise and Edu users will gain access next week, with plans to increase message limits in the future.

Relevance: GS Prelims; Science & Technology
Source: Indian Express