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 January 22nd, 2026



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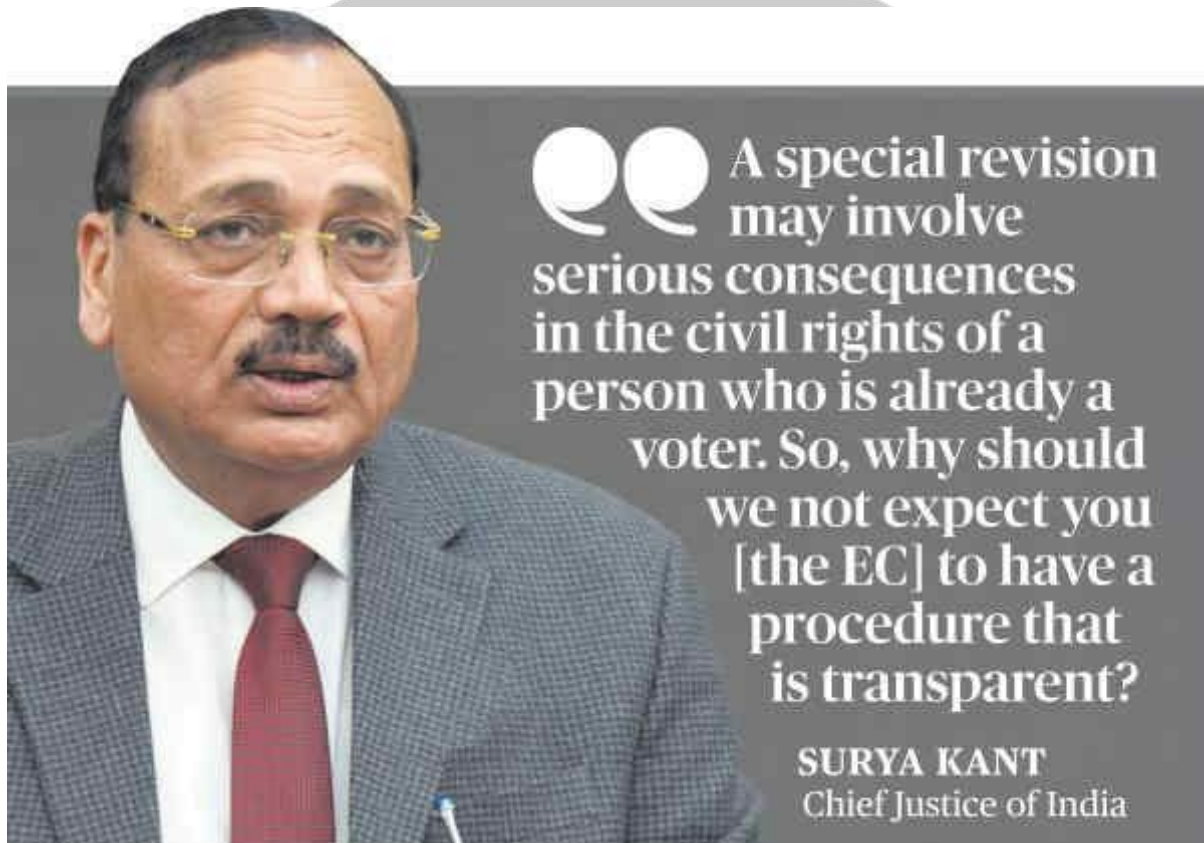
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1. EC discretion during SIR is not unregulated authority, says SC

Why in the News?

The Supreme Court of India has held that while the Election Commission of India enjoys wide constitutional discretion under Article 324, such discretion is not unregulated or absolute, especially during the ongoing Special Intensive Revision (SIR) of electoral rolls. The Court criticised deviations from prescribed procedures and emphasised adherence to statutory rules and principles of natural justice.



Background

- Electoral rolls are governed by the Representation of the People Act, 1950 and the Registration of Electors Rules, 1960.
- Section 21(3) of the 1950 Act empowers the EC to conduct a special revision of electoral rolls “in such manner as it may think fit”.
- Rule 25(2) of the 1960 Rules mandates that intensive revisions must follow Rules 4–23, including prescribed forms and documents.

The SIR exercise raised concerns over:

- Expansion of documentary requirements beyond Form 6
- Potential exclusion of already enrolled voters
- Lack of procedural transparency

Features

Wide Discretion, Not Absolute Power

- The Court acknowledged that EC has the “widest discretion” under Article 324.
- However, discretion cannot be untrammelled or unregulated, especially when civil rights like voting are at stake.

Primacy of Statutory Rules

- Rule 25 of the 1960 Rules “puts shackles” on EC discretion.
- Deviations cannot override rules framed under parliamentary law.

Protection of Civil Rights

- Electoral roll revision can have serious civil consequences.
- Hence, higher standards of fairness, transparency, and due process are required.

Article 14 Compliance

- Any deviation must satisfy Article 14:
 - Equality before the law
 - Non-arbitrariness
 - Reasonableness in procedure

Challenges

Risk of Arbitrariness

- Expanding document lists beyond statutory forms may lead to unequal treatment of voters.

Procedural Overreach

- Claim that Section 21(3) “unshackles” EC risks executive supremacy over law.

Voter Exclusion

- Intensive revisions, if opaque, can disproportionately impact:
 - Migrant workers
 - Urban poor
 - Marginalised communities

Erosion of Trust

- Perceived opacity undermines confidence in electoral neutrality.

Way Forward

Strict Adherence to Rules

- Any SIR must align with Rules 4–23 of the 1960 Rules unless formally amended.

Reasoned Deviations

- If deviations are unavoidable:

Reasons must be recorded
Procedures must be publicly notified

Enhanced Transparency

Clear guidelines on:

- Documents required
- Grounds for deletion
- Appeal mechanisms

Judicially Informed Oversight

- Internal EC review mechanisms to ensure compliance with constitutional norms.

Voter-Centric Approach

- Ease of enrolment and protection of existing voters should be paramount.

Conclusion

The Supreme Court's intervention reaffirms a core constitutional principle:

Discretion, even when wide, is always subject to law. While the Election Commission remains the guardian of electoral integrity, its powers under Article 324 and Section 21(3) must operate within statutory boundaries and constitutional guarantees. The ruling strengthens the rule of law, electoral fairness, and democratic legitimacy, ensuring that administrative efficiency does not come at the cost of voter rights.

2. Multi-disciplinary team of experts to 'define' Aravallis

Why in the News?

The Supreme Court of India has decided to constitute a multi-disciplinary expert committee to help "define" the Aravalli Range and recommend a framework for permissible activities, including the possibility of regulated mining, under the Court's direct supervision. This follows widespread environmental concerns after the Court's earlier judgment (November 2025) accepting a narrow technical definition of the Aravallis, which was later stayed suo motu in December 2025.

Background

- The Aravalli Range is one of the oldest mountain systems in the world, stretching across Gujarat, Rajasthan, Haryana and Delhi.

Ecologically, it acts as:

- A natural barrier against desertification from the Thar Desert
- A groundwater recharge zone for north-west India
- A climate regulator for the Delhi–NCR region
- In November 2025, the Supreme Court upheld a Union government committee's definition of Aravallis, which:
 - Recognised only elevations ≥ 100 metres
 - Considered hill clusters within 500 metres

- This led to public uproar, as only 1,048 of 12,081 hills in Rajasthan qualified, potentially excluding vast stretches from environmental protection.
- The Court stayed its own judgment on December 29, 2025, citing the risk of a “significant regulatory lacuna”.

Features

Expert Committee under Court Supervision

- Experts from environmental science, forestry, geology, ecology, and regulated mining
- To function directly under the “umbrella” of the Supreme Court



No Adversarial Litigation

- Chief Justice Surya Kant clarified that this is a consultative exercise, welcoming diverse viewpoints.

Complete Bar on Mining Leases

- No fresh or renewed mining leases in the Aravalli region without Supreme Court permission until final resolution.

Judicial Openness to Debate

- Senior advocate Kapil Sibal, appearing for an intervenor, questioned the very idea of defining mountains, arguing they are sub-tectonic geological formations not amenable to rigid boundaries.

Challenges

Scientific and Geological Complexity

- Mountain systems like the Aravallis lack sharp physical boundaries.

- A purely elevation-based definition ignores ecological continuity.

Environmental Risk

- Narrow definitions may:
- Strip the lower hill ranges of protection
- Open them to unregulated mining
- Accelerate deforestation, groundwater depletion, and air pollution

Development vs Conservation Dilemma

- Mining contributes to local employment and raw material supply.
- However, ecological degradation imposes long-term economic and health costs.

Fragmented Legal Framework

- Protection depends on overlapping laws:
- Forest Conservation Act
- Environment Protection Act
- State mining regulations
- Absence of a holistic Aravalli-specific statute.

Way Forward

Ecology-Based Definition

- Move beyond elevation criteria to include:
- Watersheds
- Forest corridors
- Biodiversity zones
- Groundwater recharge areas

Zonation Approach

- Core ecological zones: No-go areas
- Buffer zones: Highly regulated activity
- Peripheral zones: Conditional development

Regulated Mining Framework

- Where legally permissible:
- Strict Environmental Impact Assessments (EIAs)
- Continuous satellite and ground monitoring
- Time-bound, reviewable mining permissions

Permanent Aravalli Conservation Authority

- An inter-state statutory body with enforcement powers
- Similar to coastal regulation mechanisms (CRZ).

Community Participation

- Involve local communities in conservation incentives
- Promote alternative livelihoods (eco-tourism, afforestation).

Conclusion

The Supreme Court's decision to involve a multi-disciplinary expert panel reflects judicial recognition that complex ecological systems cannot be governed by narrow technical definitions alone. A science-driven, precautionary, and federal approach is essential to balance development needs with the long-term ecological security of the Aravalli Range, an ecological shield whose degradation would have irreversible consequences for north-west India.

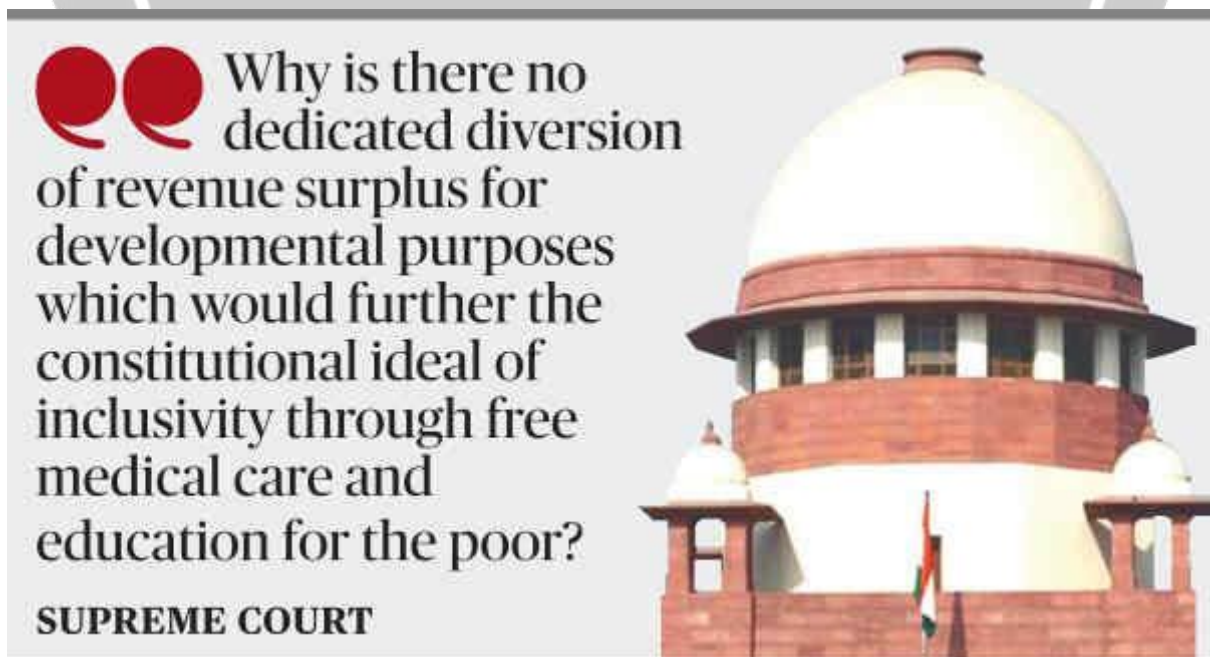
3. 'Freebies' different from investing in welfare for the marginalised, says SC

Why in the News?

The Supreme Court of India has clearly distinguished between irrational "freebies" distributed for electoral gains and legitimate welfare spending aimed at uplifting marginalised sections. A Bench led by Chief Justice Surya Kant observed that while indiscriminate largesse burdens public finances, investment in health, education, and social inclusion is a constitutional obligation of the State.

Background

- The issue arises from a batch of petitions seeking a declaration that poll-time freebies promised by political parties amount to a "corrupt practice".



These petitions are rooted in:

- Section 123 of the Representation of the People Act, 1951, which defines corrupt electoral practices.
- Article 282 of the Constitution, which allows the Union and the States to spend on public purposes.
- The debate has persisted since the Supreme Court's 2013 ruling in *S. Subramaniam Balaji vs State of Tamil Nadu*, which held that promises in election manifestos do not constitute corrupt practices.
- Over time, rising public debt and fiscal stress have intensified scrutiny of competitive populism.

Features

Clear Conceptual Distinction

- Freebies: Large-scale, individual-centric, often politically motivated handouts.
- Welfare Schemes: Targeted investments that advance constitutional inclusivity.

Directive Principles Emphasis

- Welfare measures are an obligation under the Directive Principles of State Policy (DPSPs), not acts of charity.

Fiscal Prudence Concern

- The Court questioned why revenue surpluses are not systematically diverted toward:
 - Free medical care
 - Education for the poor and non-creamy layer sections

Growing Judicial Scrutiny

- The Bench, also comprising Justice Joymalya Bagchi, agreed to list the matter early, acknowledging its national importance.

Challenges

Definitional Ambiguity

- Absence of a clear legal test to separate:
 - Capacity-building welfare
 - Vote-centric freebies

Fiscal Sustainability

- **Rising public debt limits:**
 - Developmental expenditure
 - Capital investment by States

Electoral Ethics vs Democratic Choice

- Judicial intervention risks entering the domain of:
 - Political promises

- Voter autonomy

Social Impact Concerns

- Earlier observations by Justice B. R. Gavai warned that unchecked freebies may encourage a “parasitic existence”, weakening incentives for work and self-reliance.

Way Forward

Judicially Evolved Welfare Test

- Criteria based on:
 - Targeting (marginalised vs universal)
 - Purpose (human capital vs consumption)
 - Fiscal affordability

Mandatory Fiscal Disclosure

- Pre-election disclosure of:
 - Cost of promises
 - Impact on State finances

Strengthening DPSP-Linked Welfare

- Prioritise health, education, nutrition, and skilling—areas that generate long-term social returns.

Legislative Clarity

- Parliament may consider clarifying whether certain categories of freebies qualify as corrupt practices under election law.

Conclusion

The Supreme Court’s evolving approach reflects a constitutional effort to balance social justice with fiscal responsibility. By distinguishing welfare as investment in human capability from fiscally reckless populism, the Court seeks to protect both democratic integrity and sustainable development—a balance crucial for India’s constitutional and economic future.

4. SC asks Centre, Delhi to submit action plan on curbing air pollution

Why in the News?

The Supreme Court of India has directed the Centre, the Delhi government, and the concerned authorities to submit a concrete action plan for implementing the long-term measures recommended by the Commission for Air Quality Management (CAQM) to curb air pollution in the Delhi–NCR region, with vehicular emissions identified as the primary contributor.

Background

- Delhi–NCR consistently ranks among the most polluted regions globally, with PM2.5 levels far exceeding WHO norms.
- To address regional air pollution, Parliament created the Commission for Air Quality Management for Delhi–NCR and adjoining areas.
- According to CAQM, a meta-analysis of studies (2015–2025) shows that:
- PM2.5 in Delhi arises from both primary emissions (vehicles, industry, dust) and
- Secondary particulate formation from chemical reactions in the atmosphere within NCR.
- Judicial monitoring has become central due to weak inter-state coordination and implementation gaps.



Features

Curbing Vehicular Emissions

- Phasing out old and polluting vehicles across Delhi–NCR
- Strengthening the Pollution Under Control (PUC) certification regime

Public Transport Augmentation

- Expansion of rail-based transport, including:
- Metro networks
- Regional Rapid Transit System (RRTS)

Electric Mobility Push

- Revised Electric Vehicle (EV) policy
- Expansion of EV charging infrastructure

Integrated Urban Mobility

- Development of multi-modal transport hubs

- Seamless integration of:
- Metro
- RRTS
- Last-mile connectivity with real-time passenger information systems

Vehicle Scrappage Incentives

- Higher incentives for voluntary scrapping of old vehicles to accelerate fleet modernisation.

Challenges

Implementation Deficit

- Past directions often faltered due to:
- Weak enforcement
- Poor coordination among Delhi, Haryana, Uttar Pradesh and Rajasthan

Vehicular Dependence

- Rapid growth in private vehicles due to:
- Inadequate last-mile connectivity
- Urban sprawl in NCR

Institutional Fragmentation

- Overlapping responsibilities among:
- State governments
- Urban local bodies
- Transport and environment departments

Economic and Social Resistance

- Phasing out old vehicles affects:
- Middle- and lower-income vehicle owners
- Informal transport operators

Way Forward

Time-Bound Action Plans

- Clearly defined targets and deadlines for:
- Vehicle phase-out
- EV penetration
- Public transport expansion

Regional Airshed Approach

- Treat Delhi–NCR as a single air basin, not fragmented jurisdictions.

Strengthening CAQM Authority

- Enhance enforcement powers and compliance monitoring.

Behavioural Change and Incentives

- Congestion pricing
- Parking reforms

- Incentives for public transport usage

Technology-Driven Enforcement

- Automated PUC checks
- Remote sensing of vehicular emissions
- Real-time air quality data integration

Conclusion

The Supreme Court's directive underscores that Delhi's air pollution crisis is structural, not seasonal. Addressing vehicular emissions through integrated transport planning, electric mobility, and regional coordination is essential. Judicial oversight, while necessary, must now translate into credible executive action to secure citizens' right to clean air under Article 21.

5. India Mulls Trump's Gaza 'Board of Peace' Invite

Why in the News?

India is considering an invitation from U.S. President Donald Trump to join a proposed U.S.-led Gaza "Board of Peace", even as several countries, including **Saudi Arabia, Türkiye, Egypt, Jordan, Indonesia, Pakistan, Qatar and the UAE**, have already agreed to participate. Israeli Prime Minister Benjamin Netanyahu has accepted the invitation. The decision comes amid intensified diplomatic engagement in West Asia, with discussions on possible reciprocal visits involving Prime Minister Narendra Modi and Prime Minister Netanyahu, and consultations planned with Arab partners during the League of Arab States' foreign ministers' meeting in New Delhi on January 30–31.

Background

- India has consistently supported the two-state solution to the Israel–Palestine conflict, backing an independent Palestine living side by side with Israel.
- New Delhi has combined this principled stance with robust humanitarian assistance: about 70 tonnes of aid to Palestine in October–November 2023 and 65 tonnes of medicines sent in 2024 to UNRWA and Palestinian territories.
- India enjoys strategic ties with Israel and deep political, energy, and diaspora links with Arab states, making balance a core feature of its West Asia policy.
- The proposed Board emerges against the backdrop of the prolonged Gaza conflict and debates over post-conflict governance, reconstruction, and international oversight.

Features

- U.S.-led initiative, with Mr. Trump proposed as Chair.

- Envisages a corporate-style governance structure with a reported \$1 billion permanent membership fee.
- Includes political leaders, financiers, and global figures (e.g., World Bank President Ajay Banga).
- Floated alongside ideas of an International Stabilisation Force (ISF) and suggestions that the mechanism could act outside or parallel to the UN system.
- Claims to keep open a pathway to the two-state solution, despite Israel's stated opposition.

Challenges

Legitimacy and Multilateralism

- Any arrangement seen as bypassing the United Nations risks undermining international law and established conflict-resolution frameworks.

Consistency with India's Two-State Stand

- Participation must not dilute India's long-held support for Palestinian statehood.

Pakistan's Inclusion

- Pakistan's presence on the Board and in any ISF raises security and diplomatic sensitivities for India.



Open-Ended Commitments

- Unclear mandate, duration, and exit clauses could create precedent-setting obligations.

Corporate Governance Model

- A fee-based, quasi-corporate structure may conflict with principles of equity, transparency, and humanitarian neutrality.

Way Forward

- **Seek Clarity First:** Demand a clearly defined mandate, legal basis, funding model, and alignment with UN resolutions.
- **Consult Regional Partners:** Leverage engagements with the League of Arab States and key West Asian partners to gauge regional consensus.
- **Anchor to International Law:** Ensure any participation reinforces, rather than replaces, UN-led processes.
- **Focus on Humanitarian Leadership:** Emphasise India's strengths in medical aid, reconstruction assistance, and capacity-building for civilians.
- **Maintain Strategic Autonomy:** Keep options open without rushing into commitments that constrain India's diplomatic flexibility.

Conclusion

India's decision on joining the Gaza "Board of Peace" will test its ability to balance strategic partnerships with principled multilateralism. While peace and reconstruction in Gaza align with India's humanitarian ethos, participation must uphold international law, the two-state solution, and UN centrality. A cautious, consultative approach, rather than immediate endorsement, best serves India's interests and its credibility as a responsible global actor.

6. Lowering the Age of Juvenility for Crimes Is a Step Back

Why in the News?

A Private Member's Bill (December 2025) proposes to amend the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) by lowering the age threshold from 16 to 14 years for children accused of heinous offences (offences punishable with a minimum of seven years' imprisonment). If enacted, 14–15-year-olds could be subjected to adult criminal trials and prisons, raising serious concerns about child rights, rehabilitation, and constitutional principles.

Background

- India's juvenile justice system is founded on the principle that children are developmentally different from adults and are more amenable to reform.
- Post the 2012 Delhi gang rape case, the JJ Act, 2015, introduced the "transfer system", allowing 16–18-year-olds accused of heinous offences to be tried as adults after a preliminary assessment by the Juvenile Justice Board (JJB).
- This punitive shift was introduced despite objections from the Parliamentary Standing Committee and without strong empirical backing.
- The present Bill seeks to extend this contested mechanism to even younger children, fundamentally altering the philosophy of juvenile justice in India.

Features

Preliminary Assessment by JJBs focuses on:

- Mental capacity of the child

- Ability to understand consequences
- Circumstances of the offence

Structural Issues:

- No scientifically validated tools exist to assess adult-like culpability in children.
- Assessments rely on subjective indicators (fear, remorse, verbal articulation).
- Similar cases often yield widely divergent outcomes, violating equality before the law.

Normative Shift:

- Moves from rehabilitation to retribution.
- Creates an artificial classification among children, undermining the core objective of juvenile justice.
- Extending this flawed system to 14-year-olds risks institutionalising arbitrariness at an even more vulnerable developmental stage.



Reality of Adolescent Offending

Claims of a surge in serious crimes by 14–16-year-olds are not supported by evidence: According to the National Crime Records Bureau (NCRB), 2023:

- Crimes involving Children in Conflict with the Law (CICL) constituted only 0.5% of total crimes.
- 79% of apprehended CICLs were 16–18 years old.
- Only 21% were between 12 and 16 years.
- Inference: Younger adolescents are not the primary drivers of serious crime, contradicting the Bill's premise.

Challenges with Lowering the Age of Juvenility

Violation of Child Rights Principles

- Undermines best interests of the child, equality, and rehabilitation.

Criminalisation of Vulnerability

- Many CICLs are also children in need of care and protection, pushed into crime by poverty, abuse, neglect, or lack of schooling.

Harmful Impact of Adult Criminal Processes

- Disruption of education
- Psychological trauma and stigma
- Increased likelihood of reoffending (criminogenic effect)

Systemic Failures Ignored

- Continued illegal detention of children in police stations or adult prisons.
- Weak accountability and monitoring mechanisms.

International Obligations

- Conflicts with the UN Convention on the Rights of the Child (UNCRC), which emphasises age-appropriate justice and reintegration.

Way Forward

Fix the System, Not the Child

- Strengthen JJB capacity, training, and accountability.

Early Intervention

- Invest in family support, education, mental health services, and community-based care.

Evidence-Based Policy

- Any reform must be grounded in data, developmental science, and criminology, not public outrage.

Improve Compliance

- Enforce statutory safeguards against illegal detention and adult prison placement.

Reaffirm Rehabilitative Philosophy

- Prioritise restorative justice and reintegration over punishment.

Conclusion

Lowering the age of juvenility from 16 to 14 years represents a regressive shift in India's juvenile justice framework. It substitutes systemic failure with child punishment, erodes constitutional and international child rights standards, and risks long-term social harm without demonstrable gains in public safety. A just response to serious harm lies not in withdrawing protection, but in strengthening institutions and addressing structural vulnerabilities before children enter the criminal justice system.

7. Trump's Greenland Quest Unravels NATO and EU Ties

Why in the News?

Former U.S. President Donald Trump has revived his push for U.S. control over Greenland, threatening steep tariffs on European countries opposing the move. The episode has triggered sharp reactions from the European Union (EU) and unsettled the North Atlantic Treaty Organization (NATO), raising concerns over alliance cohesion, transatlantic trade, and Arctic geopolitics.



Background

- In 1946, then U.S. President Harry Truman offered Denmark \$100 million in gold to buy Greenland - an offer Copenhagen rejected.
- Greenland is an autonomous territory within the Danish Kingdom, but Denmark controls defence and foreign policy.
- The island has strategic Arctic significance:
 - Location near major North Atlantic sea lanes
 - U.S. military presence (Thule/Pituffik Space Base)
 - Rich reserves of rare earths, minerals, and hydrocarbons
- Trump's renewed bid frames Greenland as vital for U.S. national security, particularly vis-à-vis China and Russia in the Arctic.

Features

Tariff Threats:

- 10% tariffs announced on Denmark, Norway, Sweden, the U.K., France, Germany, the Netherlands, and Finland
- Threat to raise tariffs to 25% by June 1 if no agreement is reached

EU Response:

- EU leaders are considering a €93 billion “trade bazooka” — retaliatory tariffs on U.S. imports
- Possible use of the Anti-Coercion Instrument (ACI) to restrict U.S. access to EU markets

Political Pushback:

- Danish Prime Minister Mette Frederiksen stated that “Europe won’t be blackmailed”
- French President Emmanuel Macron called for activating the ACI.

Challenges

EU–U.S. Trade Relations

- The EU is the largest trade partner of the U.S.
- The U.S. is the EU’s biggest export destination.
- Europe accounts for over 50% of total FDI into the U.S., and is also the largest recipient of U.S. FDI.

Escalation could:

- Disrupt global supply chains
- Push Europe closer to China, already its largest import source

NATO Cohesion at Risk

- Greenland is covered under NATO’s collective defence as part of Denmark.
- The U.S. contributes ~15% of NATO’s common budget annually.

Trump’s claim of taking Greenland “one way or the other”:

- Undermines NATO’s founding principles
- Creates distrust within the alliance
- Weakens deterrence credibility in the Arctic

Democratic Deficit and Local Opposition

- 85% of Greenlanders oppose becoming part of the U.S. (Verian poll).
- 54% of Americans also oppose a U.S. takeover of Greenland.

Greenlanders prefer Denmark due to:

- Welfare guarantees
- Political autonomy
- Cultural identity and social protections

Way Forward

- **Respect for Sovereignty:** Arctic governance must respect Denmark’s sovereignty and Greenlanders’ right to self-determination.
- **Multilateral Arctic Frameworks:** Strengthen cooperation through forums like the Arctic Council rather than unilateral pressure.
- **De-escalation of Trade War:** EU–U.S. dialogue to prevent tariffs from spiralling into long-term economic decoupling.

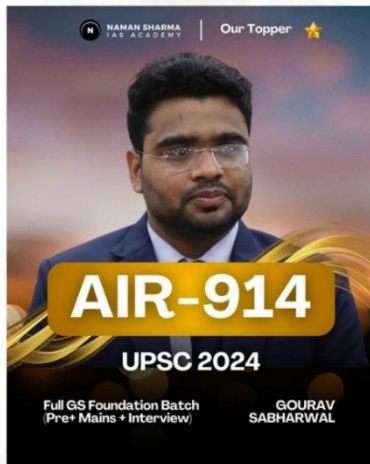
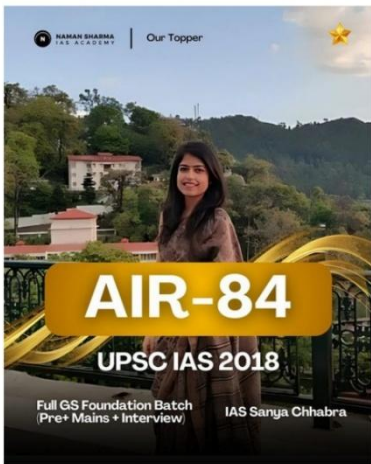
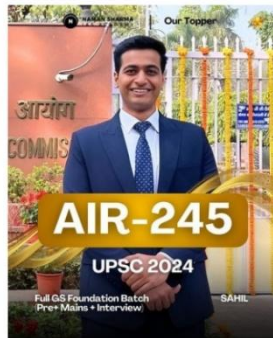
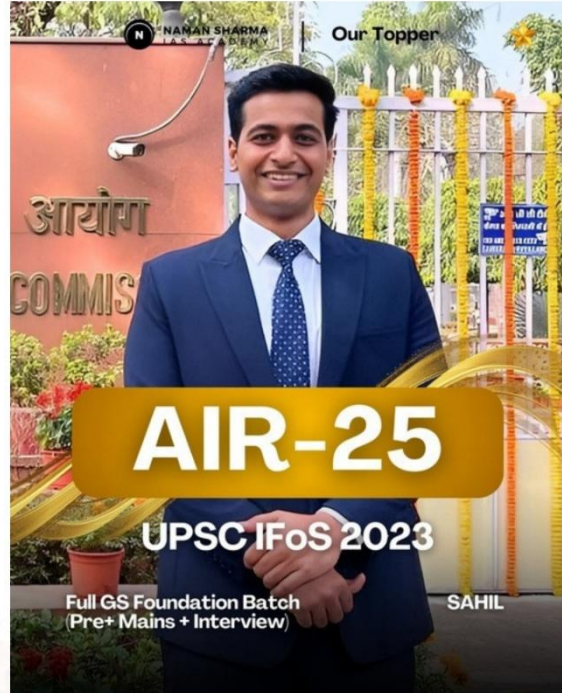
- **Reinforce NATO Trust:** The U.S. must reassure allies of its commitment to collective defence and treaty obligations.
- **Balance China Narrative:** Countering China in the Arctic should not come at the cost of alienating long-standing allies.

Conclusion

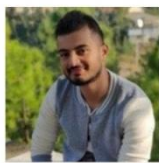
Trump's Greenland gambit has evolved from a symbolic assertion into a systemic shock to transatlantic relations. By weaponising tariffs and questioning alliance norms, the move risks weakening the EU–U.S. economic partnership and fracturing NATO unity at a time of heightened global uncertainty.



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