

## **1. ASSOCIATION OF DEMOCRATIC REFORMS V UNION OF INDIA**

### **Electoral Bonds and the 2018 scheme**

Electoral bonds are a financial instrument introduced by the Government of India in 2018 to facilitate anonymous political donations while aiming to ensure transparency in political funding. The scheme was announced in the Union Budget 2017-18 and later implemented through the Electoral Bond Scheme, 2018. These bonds allow individuals and corporations to donate money to political parties without disclosing their identity to the public.

Under this scheme, electoral bonds could be purchased from designated branches of the State Bank of India (SBI) in denominations ranging from ₹1,000 to ₹1 crore. Only political parties registered under Section 29A of the Representation of the People Act, 1951, and securing at least 1% of the votes in the last general election, were eligible to receive these donations. The government claimed that this mechanism would reduce cash-based political funding and curb black money in elections.

### **The Debate**

The issue regarding electoral bonds revolves around transparency, accountability, and potential corporate and government influence in political fundraising. Critics contend that anonymous donations keep the public from understanding which sponsors which political party, reducing voter awareness. The ruling party could acquire access to donor information via the State Bank of India (SBI), creating an unfair playing field in which firms can pay more to secure government favors. The elimination of the corporate donation cap raises worries about crony capitalism and political influence. Though intended to reduce black money, anonymous ways may nevertheless allow for criminal contributions through shell corporations. Furthermore, the plan undermines the Right to Information (RTI) Act, obscuring political funding facts.

### **The Case**

The Petitioners to the case contented that electoral bonds violate the right to information of the voters as voters have the right to know about political party funding. They further contented that the scheme encouraged corporate donations in exchange for political favors. Since donations were anonymous, companies could secretly influence policy decisions, leading to preferential treatment in contracts, licenses, or regulatory approvals. An argument was also put forth by the petitioners that the scheme bypassed parliamentary scrutiny and had disproportionate benefits for the ruling party.

The Respondents counter argued and contented that the scheme was transparent and the anonymity of donors was maintained to prevent retaliation. They also contented that right to information was not absolute, and donations were a private matter between political parties and donors, thus right to information was not violated.

A five-judge bench held that the 2018 Electoral Bond Scheme is unconstitutional, ahead of the 2024 Lok Sabha elections. The EB Scheme enabled corporations, individuals, and organizations to make anonymous contributions to political parties. On February 15, 2024, the Court ruled unanimously that voters have the right to be informed about the sources of party funding. The Court determined that the 2018 Scheme was not flawless and did not meet the Union's purpose for wishing to safeguard funders from negative conduct by competing political parties. In a move to promote free and fair elections, the Court put an immediate halt to bond sales and directed the Election Commission and the State Bank of India to publicly release the data they had previously acquired on EB transactions.

### **Recent Update**

After this landmark judgment, the State Bank of India which was the authorized bank for the collection of donations was ordered by the Court to release data as to the complete amount collected. Further petitions were filed to confiscate rupees 16,518 crores through the scheme of 2018. But the petition was dismissed by the Supreme Court. Recently A review petition was filed to review the dismissed petition regarding the confiscation of the amount collected through the scheme.

Source:

1. [https://digiscr.sci.gov.in/view\\_judgment?id=Mjk1MTI=](https://digiscr.sci.gov.in/view_judgment?id=Mjk1MTI=)
2. <https://www.thehindu.com/news/national/electoral-bonds-plea-seeks-review-of-sc-order-rejecting-petitions-for-seizure-of-money/article69128078.ece>
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## **2. U.S.-UKRAINE RELATIONS: FROM STRONG ALLIES TO STRATEGIC TENSIONS**

### **The Ukraine-Russia War and the West's Response**

In February 2022, Russia launched a full-scale invasion of Ukraine, igniting the most intense conflict in Europe since World War II. The war, marked by relentless missile strikes, trench warfare, and massive displacement of civilians, drew swift condemnation from the international community. Among Ukraine's most steadfast supporters was the United States, which played a crucial role in providing military aid, economic assistance, and diplomatic backing throughout the conflict.

The U.S. became the linchpin of NATO's collective support, supplying billions of dollars in weapons, training, and humanitarian relief. Ukrainian resistance, fuelled in part by this external aid, not only defied early expectations of a rapid Russian victory but pushed back Moscow's advances in several regions.

However, as the war grinds on into its fourth year, shifts in the political landscape—particularly in the United States—have introduced new uncertainties into the once-ironclad relationship.

### **The Pre-Trump Era: Strategic Alliance and Unity**

During the Biden administration, U.S. support for Ukraine was robust and largely bipartisan. Between 2022 and 2024, Congress approved over \$100 billion in military and humanitarian aid. The U.S. provided long-range missile systems, tanks, air defense units, and helped coordinate international sanctions on Russia.

President Joe Biden made multiple visits to Kyiv and framed the defense of Ukraine as a defense of democracy itself. Public opinion in the U.S. initially supported the aid, though signs of "Ukraine fatigue" began surfacing in late 2023.

Ukraine's President Volodymyr Zelenskyy became a symbol of defiance and resilience on the world stage, frequently addressing global parliaments and appearing virtually at major international forums.

### **Trump's Return and the New Foreign Policy Stance**

With Donald Trump's return to the White House in early 2025, U.S. foreign policy took a sharp turn. Known for his "America First" doctrine and past skepticism of NATO, Trump has expressed deep concerns about the cost and scope of U.S. involvement in Ukraine.

Shortly after taking office, Trump **froze military aid and intelligence-sharing with Ukraine**, demanding that future support be tied to a “mutually beneficial resource agreement,” reportedly involving access to Ukraine’s rare earth minerals and industrial sectors.

This policy shift rattled Kyiv and sparked debate in Washington. Critics argue that Trump’s approach risks emboldening Russia and weakening U.S. global leadership, while supporters claim it ensures American taxpayers aren’t endlessly funding foreign wars.

### **The Oval Office Showdown: February 28, 2025**

Tensions came to a head during a high-stakes meeting between President Trump and President Zelenskyy in the Oval Office on February 28. According to insiders and press reports, the meeting was tense and ended abruptly without a joint statement.

Sources say Trump was firm in tying future support to a specific mineral agreement, while Zelenskyy resisted what he viewed as transactional diplomacy. The conversation reportedly included Trump questioning Ukraine’s ability to win the war, a sentiment he echoed days later in public comments:

“Even with U.S. help, I don’t know if Ukraine survives. We need to be realistic.”  
(*New York Post*, March 9, 2025)

### **March 2025: A Last-Ditch Effort in Riyadh**

As the military aid was suspended and diplomatic relations strained, Ukraine has launched a diplomatic blitz to re-engage Washington. President Zelenskyy is now scheduled to meet U.S. Secretary of State Marco Rubio in **Riyadh, Saudi Arabia**, in what many observers are calling a “last chance” to repair the alliance.

According to *The Times*, Zelenskyy will attempt to renegotiate terms for aid, offer alternative partnerships, and appeal to the strategic importance of Ukraine’s position against Russian aggression. The **stakes couldn’t be higher**—without renewed U.S. support, Ukraine faces growing pressure on the battlefield, as Russia reportedly prepares a renewed spring offensive.

### **A Crucial Crossroads**

U.S.-Ukraine relations have moved from a moment of unprecedented solidarity to a period of strategic uncertainty. While Ukraine remains determined to defend its sovereignty, the shifting political winds in Washington have placed its most crucial partnership on uncertain footing. As the war with Russia continues, and global powers watch closely, the coming weeks could redefine not only the future of Ukraine—but the role of the United States in the international order.

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2. <https://www.bbc.com/news/articles/cy9dp5rr2x9o>
3. New York Post

## **3. THE NATIONAL EDUCATIONAL POLICY;**

India's educational landscape has undergone significant transformations, particularly with the introduction of the National Education Policy (NEP) 2020, which replaces the earlier NEP of 1986.

The NEP of 1986 aimed to promote education amongst India's people. It emphasized the removal of disparities and aimed to equalize educational opportunities, especially for Indian

women, Scheduled Tribes (ST), and the Scheduled Caste (SC) communities. The policy focused on restructuring teacher education, early childhood care, women's empowerment, and adult literacy.

In July 2020, the Government of India unveiled the NEP 2020, marking a paradigm shift in the country's approach to education. This policy envisions an inclusive, participatory, and holistic approach, aiming to transform India into a global knowledge superpower. It replaces the 1986 policy and introduces several structural reforms to align with contemporary educational needs.

### **Key Changes in NEP 2020**

There are many modifications made to the NEP in the year 2020 few of key ones are:

1. **Structural Overhaul:** The traditional 10+2 system has been replaced with a 5+3+3+4 model, corresponding to age groups 3-8 years (Foundational Stage), 8-11 years (Preparatory Stage), 11-14 years (Middle Stage), and 14-18 years (Secondary Stage). This restructuring aims to cater to the developmental needs of students at different stages.
2. **Emphasis on Early Childhood Care and Education (ECCE):** Recognizing the importance of early years, the policy emphasizes universal access to high-quality ECCE across India.
3. **Multilingualism:** The policy advocates for the mother tongue or local language as the medium of instruction at least till Grade 5, preferably till Grade 8 and beyond, to promote multilingualism and preserve cultural diversity.
4. **Holistic and Multidisciplinary Education:** NEP 2020 proposes broad-based, multidisciplinary undergraduate education with flexible curricula, creative combinations of subjects, integration of vocational education, and multiple entry and exit points.

### **Opposition from States**

Several states have expressed strong opposition to NEP 2020 due to concerns over linguistic imposition, centralization, and infringement on state rights. Tamil Nadu has firmly rejected the three-language formula, viewing it as an attempt to impose Hindi and insisting on its existing two-language policy (Tamil and English). Kerala has raised objections regarding the centralization of education, arguing that the policy undermines the federal structure by granting excessive control to the central government. Similarly, West Bengal has criticized NEP 2020 for not considering the diverse educational needs of different states, questioning the feasibility of its implementation and the lack of clarity on funding. These states argue that education falls under the Concurrent List of the Constitution, and any major reforms should involve greater consultation with state governments rather than being imposed unilaterally by the Centre.

### **Recent Updates**

The National Education Policy (NEP) 2020 has recently been at the center of significant debates and legal actions. A Public Interest Litigation (PIL) was filed in the Supreme Court seeking the implementation of the three-language formula proposed by NEP 2020 in states like Tamil Nadu, Kerala, and West Bengal. The petitioner argued that these states' refusal to adopt the NEP could harm public interest and infringe upon citizens' rights. The central government defends the policy as a step towards multilingualism, while states like Tamil Nadu perceive it as an undue imposition of Hindi, conflicting with their longstanding resistance to such mandates.

In Karnataka, the state government has shown support for the NEP 2020, aligning with the central government's educational reforms at the same time, but recent events have taken a U turn for Karnataka from this stance as the age requirements and classification as per NEP 2020 has affected over 50,000 student's admission to grade 1. Parents also have come forward with a request to make relaxation on the same as they were unaware of the rules. Further A notable



confrontation occurred in the Lok Sabha between Union Education Minister Dharmendra Pradhan and DMK MPs from Tamil Nadu. Pradhan accused the Tamil Nadu government of dishonesty regarding the implementation of the PM Schools for Rising India (PM SHRI) scheme, alleging that the state initially agreed but later reversed its position, thereby affecting students' futures. In response, Tamil Nadu Chief Minister M.K. Stalin criticized Pradhan's remarks, labelling them as arrogant and asserting that Tamil Nadu would not be coerced into accepting policies perceived as Hindi imposition.

The NEP 2020 has indeed turned heads of the citizens of the country over various aspects. Even though the objective of this policy is clear. As the education is a subject of the concurrent list, the main issue arises when the center makes policies and recommendations without consultation of the State.

#### **4. RESETTING INDIA-CANADA TIES: FROM TENSED SCENARIOS TO RAYS OF LIGHT**

##### **Indo-Canadian Relation**

Prior to the events of June 2023, India and Canada enjoyed robust economic and cultural relations. Bilateral trade reached \$9.36 billion in 2023, with Indian exports to Canada valued at \$5.56 billion and Canadian exports to India at \$3.80 billion. The Indian community in Canada, particularly the Sikh population, has been influential in various sectors, including business, politics, and academia. Both nations collaborated in areas such as education, technology, and energy, reflecting a shared commitment to democratic values and multiculturalism.

##### **The Assassination of Hardeep Singh Nijjar and Subsequent Tensions**

Hardeep Singh Nijjar, a prominent Sikh leader advocating for the Khalistan movement, was assassinated in June 2023 in Surrey, British Columbia. This incident escalated existing concerns about Sikh separatist activities in Canada. In September 2023, Canadian Prime Minister Justin Trudeau alleged potential involvement of Indian government agents in Nijjar's killing, leading to a diplomatic crisis. Both countries expelled diplomats, suspended visa services, and issued travel advisories, marking a significant downturn in bilateral relations.

##### **Escalation and International Reactions**

The situation further deteriorated in October 2024 when Canada expelled India's High Commissioner and five other diplomats, accusing them of involvement in criminal activities targeting the Sikh community in Canada. India dismissed these allegations as "preposterous" and retaliated by expelling six Canadian diplomats. International reactions were mixed, with allies like the United States and the United Kingdom expressing concern over the escalating tensions and urging both nations to engage in dialogue.

##### **Expectations Under Mark Carney's Regime**

Mark Carney's leadership as Canada's Prime Minister presents an opportunity to reset India-Canada relations by reaffirming shared democratic values, enhancing economic partnerships, and addressing mutual security concerns. His pragmatic approach could facilitate trade negotiations, strengthen cultural and educational ties, and establish a framework for addressing India's concerns about separatist activities while upholding Canada's commitment to freedoms. With an emphasis on multilateral cooperation in areas like climate change and sustainable

development, Carney's administration is expected to foster stability and mutual respect, paving the way for stronger bilateral ties.

## **5. MAELSTROM MANIPUR; FROM PEACE TO VIOLENCE**

The north-eastern Indian state of Manipur has been engulfed in ethnic violence since May 2023, primarily between the majority Meitei community and the minority Kuki-Zo tribes. This conflict has resulted in over 250 deaths and displaced at least 60,000 individuals, leading to a profound humanitarian crisis. The unrest began when the Meitei community sought Scheduled Tribe status, a designation that confers specific affirmative action benefits. The Kuki-Zo tribes opposed this move, fearing it would undermine their own access to these benefits and exacerbate existing socio-economic disparities. Tensions escalated as both communities accused each other of encroachment and illicit activities, setting the stage for widespread violence.

### **Government's response**

In response to the escalating violence, the state government imposed curfews, internet shutdowns, and deployed additional security forces in an attempt to restore order. These measures, while aimed at controlling the situation, also led to restrictions on freedom of movement and communication, impacting the daily lives of residents.

In recent months, the Centre has taken more proactive steps such as

1. Security Reinforcement - Deployment of more paramilitary forces and Army personnel in riot-prone zones.
2. Command structure moved under central authority to avoid local political interference.
3. Peace Dialogue Initiatives - Inter-community peace talks launched, involving civil society, religious leaders, and tribal representatives.
4. Rehabilitation Efforts - Improvement of relief camp infrastructure—food, water, healthcare and education.
5. Plans underway to help resettlement of displaced people with security guarantees.
6. Judicial and Investigative Action - Special investigation teams (SITs) formed to probe major incidents. Government promised fast-track courts to deliver justice to victims.
7. Digital and Education Support - Mobile internet restored in some areas with monitoring. Educational support launched for students affected by prolonged school closures.

### **Presidential rule established**

Amid mounting criticism over his handling of the crisis, Chief Minister N. Biren Singh resigned on February 9, 2025. His tenure had been marred by allegations of bias towards the Meitei community and failure to effectively address the violence. Following his resignation, the central government imposed President's Rule in Manipur, thereby taking direct control of the state's administration to stabilize the situation.

### **Budgetary allocations**

In March 2025, Union Finance Minister Nirmala Sitharaman presented the Manipur state budget for the fiscal year 2025-26 in the Lok Sabha, outlining key financial plans to address the state's unique challenges.

The budget estimates total receipts at ₹35,368 crore and total expenditure at ₹35,104 crore. This reflects a marginal increase from the previous year's budget estimate of ₹34,899 crore and

a revised estimate of ₹32,657 crore for FY25. The budget emphasizes a balanced approach, allocating funds for both immediate needs and long-term development projects.

Recognizing the critical role of law enforcement in restoring and maintaining peace, the budget allocates ₹2,866 crore towards incentives for police personnel stationed in sensitive areas.

To support those affected by the violence, provisions include ₹15 crore for temporary shelters, ₹35 crore for housing displaced individuals, ₹100 crore for relief operations, and ₹7 crore for compensation.

Beyond the state budget, the central government has introduced additional measures to bolster Manipur's recovery. A ₹500 crore contingency fund has been established to enhance the state's financial resilience, ensuring readiness to address unforeseen challenges. The Lok Sabha approved supplementary demands for grants, entailing an additional ₹51,463 crore for the current fiscal year, with a portion directed towards Manipur's recovery efforts.

### **Conclusion**

Finance Minister Sitharaman assured comprehensive support for Manipur's economic recovery, noting improvements in the law and order situation and reaffirming the central government's commitment to the state's development. Parties like the Communist Party of India (Marxist) and Janata Dal (United) have labeled the budget as "inadequate" and "not fully satisfactory," arguing that the allocations may fall short in addressing the extensive challenges arising from the ethnic violence. It is yet to see how this budget allocation and presidential rule would affect the situations in Manipur.

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## **6. BANGLADESH BURNING: REVOLUTION, RIOTS, AND THE BATTLE FOR A NEW FUTURE**

Bangladesh has been experiencing unprecedented political turmoil, social unrest, and economic instability. The crisis reached a boiling point with the resignation of Prime Minister Sheikh Hasina, followed by mass protests, riots, and growing concerns over illegal immigration into neighboring countries.

### **How the Crisis Began: Sheikh Hasina's Fall from Power?**

Sheikh Hasina, who led Bangladesh for over a decade, faced growing dissent due to allegations of authoritarianism, electoral manipulation, and economic mismanagement. In 2024, protests erupted over employment quotas, high inflation, and alleged corruption within her government. The protests, initially led by students, quickly gained national momentum, with opposition parties and civil society groups demanding her resignation. The government responded with internet blackouts, mass arrests, and violent crackdowns on demonstrators. However, the unrest

escalated, forcing Sheikh Hasina to resign in August 2024. She fled the country, and a military-backed interim government was established under Nobel laureate Muhammad Yunus.

### **Riots and Lawlessness in Post-Hasina Bangladesh**

Even after Sheikh Hasina's departure, Bangladesh continues to grapple with widespread instability. The interim government is struggling to control the law-and-order situation. Riots have erupted in multiple cities, with reports of clashes between rival political groups and law enforcement.

- In **Dhaka**, protests have turned violent, with demonstrators demanding quicker elections and an end to military oversight.
- In **Chittagong**, religious extremist groups have taken advantage of the chaos, leading to sectarian violence.
- In **Sylhet**, local business owners have staged shutdowns due to looting and economic uncertainty.

Despite pledging a free election by 2026, Muhammad Yunus's government is under pressure to restore stability sooner. Many question whether he can lead Bangladesh toward democracy or if the military will retain control.

### **The Rise of the National Citizens' Party (NCP)**

One of the biggest developments in Bangladesh's political landscape is the formation of the **National Citizens' Party (NCP)**. The movement, led by young activists and student leaders from the protests, aims to create a "Second Republic," breaking away from the dynastic politics of Hasina and Khaleda Zia.

NCP leaders are calling for a **new constitution** that guarantees free and fair elections, judicial independence, and a decentralized government. While their vision is ambitious, their ability to challenge the entrenched political elite remains uncertain.

### **Bangladeshi Immigration Crisis: Impact on India and Beyond**

As political and economic conditions worsen in Bangladesh, **illegal immigration** has become a growing concern in neighboring India, particularly in states like **West Bengal, Assam, and Karnataka**.

In October 2024, India's Supreme Court declared that all **Bangladeshi migrants who entered Assam after March 24, 1971, are illegal immigrants**. The ruling has led to stricter border enforcement and calls for large-scale deportations.

### **Crackdowns in Delhi and Karnataka**

- **Delhi authorities launched a two-month crackdown** in December 2024 to identify and deport illegal Bangladeshi immigrants.
- **Karnataka's Home Minister announced a special task force** to address the issue, citing concerns over demographic shifts and illegal employment.

Many Bangladeshi immigrants in India fear mass deportations, while human rights groups argue that many of them have lived in the country for decades and should be granted legal protection.

### **Recent Developments: UN Intervention and Economic Struggles**

#### **UN Visit to Bangladesh**

The United Nations Secretary-General **António Guterres** visited Bangladesh in early 2025 to assess the situation of **Rohingya refugees** and the humanitarian crisis. Many fear that the worsening political climate will lead to funding cuts and more displacement.



### **Bangladesh's Economic Crisis**

With foreign investors hesitant to engage in an unstable Bangladesh, the interim government is seeking **international aid and investment** to prevent economic collapse. Additionally, efforts are underway to **prosecute corruption cases** and recover stolen assets from former officials linked to Sheikh Hasina's administration.

Bangladesh is at a turning point. The fall of Sheikh Hasina has created both opportunities and challenges. While the promise of a new political system gives hope to many, the ongoing violence, weak governance, and rising immigration tensions threaten the nation's stability. The coming months will be critical in determining whether Bangladesh moves toward democracy or deeper into chaos.

### **7. DELIMITATION DILEMMA: WILL SOUTHERN STATES LOSE POWER IN INDIA'S NEXT ELECTORAL MAP?**

Delimitation is the process of redrawing electoral constituency boundaries to reflect population changes. It is a critical mechanism to ensure equitable representation in legislative bodies. In India, this exercise is constitutionally mandated to occur after every national census, as outlined in Articles 82 and 170 of the Constitution. The primary objective is to adjust the allocation of seats in the Lok Sabha (House of the People) and State Legislative Assemblies based on demographic shifts, thereby upholding the principle of "one person, one vote."

#### **Historical Context**

India has undertaken delimitation exercises four times since independence—in 1952, 1963, 1973, and 2002. Recognizing the need to promote population control measures, the 42nd Amendment to the Constitution in 1976 froze the number of Lok Sabha seats based on the 1971 census until 2001. This freeze was extended by the 84th Amendment in 2002, postponing delimitation until after the 2026 census. The intent was to ensure that states implementing effective family planning programs were not politically disadvantaged.

#### **Ruling Party's Perspective**

The Bharatiya Janata Party (BJP)-led central government advocates for conducting the delimitation exercise post-2026 to realign parliamentary constituencies with current population data. Union Home Minister Amit Shah has assured that this process will not adversely affect the representation of southern states, emphasizing that no state will lose seats due to delimitation. He stated, "I have said that there won't be any injustice with the South that is the BJP's decision. How we do it, we will sit down with everyone and discuss. We will not defer delimitation."

#### **Opposition's Concerns**

Opposition parties, particularly from southern states like Tamil Nadu and Karnataka, have expressed apprehension that delimitation based solely on population could reduce their parliamentary representation. These states have successfully implemented population control measures, leading to lower population growth compared to northern states. Leaders fear that using updated population figures for delimitation would penalize states that have managed population growth effectively.

Tamil Nadu Chief Minister M.K. Stalin has been vocal about this issue, proposing a resolution to maintain the current boundaries until 2056 to ensure fair representation. He emphasized that determining parliamentary constituencies based solely on population would penalize southern states that have implemented effective population control measures. Stalin stated, "Our demand

is clear—don't determine parliamentary constituencies based on population alone. Do not penalize the southern states that took responsible measures to control population growth."

Karnataka's Chief Minister Siddaramaiah has echoed similar concerns. He has expressed skepticism regarding assurances that southern states' representation will not diminish, highlighting the need for a fair and equitable approach to delimitation that does not disadvantage states with successful population control policies.

### **Regional Disparities and Potential Impact**

The core of the debate lies in the potential shift of political power towards northern states, which have experienced higher population growth. Projections suggest that if delimitation proceeds based on recent population data, states like Uttar Pradesh could gain additional seats, while southern states might see a reduction in their representation. This scenario raises concerns about the marginalization of regions that have contributed significantly to India's economic growth and have been proactive in implementing development policies.

## **8. RISING TARIFF TENSIONS: HOW U.S. TRADE WARS ARE IMPACTING AND REDRAWING GLOBAL ALLIANCE**

In an increasingly interconnected global economy, trade disputes between nations are not new—but the magnitude and frequency of recent conflicts suggest a seismic shift in international economic diplomacy. At the epicentre of this upheaval is the United States, whose assertive trade policies under successive administrations have fuelled tensions with major economies including China, Canada and many other countries including India. This article explores the root causes of these trade wars, the rationale behind the U.S.'s aggressive trade stance, and how global institutions like the World Trade Organization (WTO) and NATO are reacting to the changing geopolitical landscape.

### **The Foundational Issue of the Recent Trade conflicts and shifts**

The foundation of the current trade tensions lies in a shift from multilateralism to economic nationalism, particularly pronounced during and after the Trump administration. The aggressive trade posture is driven by several intertwined motivations:

- **Economic Protectionism:** Domestic political pressure to protect U.S. jobs and revive manufacturing.
- **Strategic Rivalry with China:** Ensuring long-term technological and economic supremacy.
- **Voter Sentiment:** Populist rhetoric on trade resonates with key voter bases in industrial states.
- **Global Leadership Reassertion:** Using economic policy to reshape global rules in America's favour.
- **Reshoring Supply Chains:** The COVID-19 pandemic exposed vulnerabilities in global supply chains. The U.S. responded by promoting the reshoring of critical manufacturing and reducing dependence on foreign suppliers.
- **Geopolitical Strategy:** Trade policy has become a tool of geopolitical leverage, especially in confronting the rise of China and maintaining influence over allies.

This reassessment of the trade relationships by the USA, through the lens of domestic industry protection, national security, and economic dominance have made major changes in the trade relations across the globe.

Recent developments in global trade have seen a series of significant tariff changes, particularly involving the United States and its major trading partners. Here's an overview of the key trade disputes and the associated tariff adjustments:

### 1. United States–China Trade Tensions

- **U.S. Tariffs on China:** In February 2025, President Trump imposed a 10% tariff on all Chinese imports, citing concerns over fentanyl production and distribution. This action was taken under the International Emergency Economic Powers Act (IEEPA).
- **China's Retaliatory Measures:** China responded by announcing 10-15% tariffs on U.S. energy products and vehicles. Specifically, there are 15% tariffs on U.S. coal and liquefied natural gas (LNG) and 10% tariffs on U.S. crude oil, agricultural machinery, large-displacement vehicles, and pickup trucks. Additionally, China imposed export controls on critical minerals like tungsten, tellurium, bismuth, molybdenum, and indium.

### 2. United States–Canada Trade Dispute

- **U.S. Tariffs on Canada:** On February 1, 2025, the U.S. implemented a 25% tariff on all goods from Canada, with a reduced 10% tariff on Canadian oil and energy exports. These measures were also enacted under the IEEPA.
- **Canada's Response:** Canada retaliated by imposing 25% tariffs on \$106 billion worth of U.S. imports. Additionally, duties on \$30 billion worth of U.S. alcohol and fruit took effect on February 4, 2025.
- **WTO Involvement:** Canada has initiated dispute consultations with the World Trade Organization (WTO), challenging the U.S. tariffs on Canadian steel and aluminium products as inconsistent with U.S. obligations under the General Agreement on Tariffs and Trade (GATT) 1994.

### 3. United States–Mexico Trade Dispute

- **U.S. Tariffs on Mexico:** Similar to the measures against Canada, the U.S. imposed a 25% tariff on all goods from Mexico, including energy exports, under the IEEPA.
- **Mexico's Countermeasures:** In response, Mexico announced its own set of tariffs targeting U.S. goods, aiming to mitigate the impact of the U.S. measures on its economy.

### IMPACT ON INDIA

The US had announced the tariff changes to be applicable from April 02 2025, India is actively engaging with the United States government and Congress to address concerns over potential reciprocal tariffs that could negatively impact bilateral trade. This comes amid growing uncertainty after the US reinstated GSP (Generalized System of Preferences) benefits for some countries but kept India excluded. Indian officials are working to ensure that any trade restrictions or tariffs do not escalate tensions or hurt mutual economic interests. If the US imposes fresh trade tariffs on Indian goods, it could have several adverse effects. Indian exports may become less competitive due to higher costs, especially in sectors like textiles, pharmaceuticals, and automotive parts, which are heavily reliant on the US market. This may lead to a decline in export volumes, affecting foreign exchange earnings and employment in export-driven industries. Additionally, it could strain the overall India-US trade relationship and disrupt supply chains, ultimately affecting economic growth and investor confidence in both countries.

## Global Governance: The Role of WTO and NATO

**WTO: Struggling to Stay Relevant** - The **World Trade Organization** has traditionally served as the arbiter of global trade disputes. However, its authority has eroded because The U.S. has paralyzed the WTO's dispute resolution body by blocking judge appointments. Critics argue the WTO has failed to hold countries like China and USA accountable for non-market practices. There is growing consensus that the WTO needs reform to adapt to modern digital trade, state capitalism, and environmental concerns.

Despite its challenges, the WTO remains the only global forum for negotiating multilateral trade agreements and is actively working toward systemic reform.

**NATO: Limited but Growing Role in Economic Security** - While NATO is primarily a military alliance; its role in economic security has grown, particularly in securing critical supply chains by ensuring access to essential materials like rare earths, energy, and semiconductors. Further it looks into Cyber security in trade by addressing cyber threats to infrastructure critical to trade. Coordinate sanction by working with member states on sanctions regimes that affect trade, especially concerning Russia and China. NATO's engagement reflects the increasingly blurred lines between economic and military security in the 21st century.

## 9. INDIA & NEW ZEALAND: A NEW ERA OF DEFENSE AND TRADE TIES

India and New Zealand on March 17<sup>th</sup> 2025, signed a landmark **Defense Cooperation Agreement**, marking a new phase in their bilateral ties. Alongside this, they have revived **Free Trade Agreement (FTA) negotiations** and signed multiple cooperation pacts in customs, horticulture, education, sports, and forestry. These developments build upon a long history of diplomatic and economic engagement between the two nations.

### Historical Relations

India and New Zealand share a **long-standing relationship** rooted in historical ties, Commonwealth membership, and people-to-people connections. New Zealand was among the first countries to establish diplomatic relations with India after its independence in 1947. Over the years, the partnership has evolved through trade, cultural exchange, and cooperation in global forums such as the **United Nations, Commonwealth, and WTO**.

### Key Highlights of Past Relations:

- **Trade & Economy:** Bilateral trade between the two countries has grown steadily, reaching **\$1.7 billion** in 2023-24. However, trade relations have remained limited due to market access barriers and regulatory differences.
- **Defense & Security:** India and New Zealand have previously collaborated in maritime security and peacekeeping efforts, including India's participation in **Command Task Force-150**, led by New Zealand.
- **Education & Migration:** New Zealand has been a popular destination for Indian students, with over **30,000 Indian students** enrolling in New Zealand institutions annually.
- **Sports & Culture:** Cricket has been a major cultural connector, with both nations sharing a rich cricketing rivalry. Additionally, the **Indian diaspora in New Zealand**, numbering around **240,000**, plays a crucial role in strengthening ties.



## **New Defense & Economic Agreements**

### **1. Defense Cooperation Agreement**

This agreement institutionalizes **regular defense engagements**, including joint training exercises, maritime security cooperation, and intelligence sharing. The focus will be on strengthening security in the **Indo-Pacific region**, particularly in countering piracy and ensuring safe maritime trade.

### **2. Revival of Free Trade Agreement (FTA) Talks**

After more than a decade, India and New Zealand have **relaunched negotiations** for an FTA to enhance trade, investment, and economic cooperation. The agreement aims to **reduce tariffs**, improve market access, and streamline regulatory frameworks in sectors such as **agriculture, digital trade, and services**.

### **3. Additional Bilateral Agreements**

- **Mutual Recognition Agreement (AEO-MRA):** A customs agreement to simplify trade procedures.
- **Horticulture Cooperation:** Collaboration on advanced agricultural practices.
- **Education Partnership:** Strengthening educational ties and student exchanges.
- **Sports & Youth Cooperation:** Promotion of sports and youth development initiatives.
- **Forestry Collaboration:** Joint research and sustainability initiatives.

## **10. INDIA'S BROADCASTING BILL: A BOLD REFORM OR A THREAT TO FREE SPEECH?**

In November 2023, India's Ministry of Information and Broadcasting (MIB) introduced the draft Broadcasting Services (Regulation) Bill, 2023, aiming to overhaul the existing regulatory framework for broadcasting services. This proposed legislation sought to replace the Cable Television Networks (Regulation) Act of 1995, encompassing a broader range of platforms and technologies, including over-the-top (OTT) platforms and digital news broadcasters.

### **Key Features of the Draft Bill**

The draft bill proposed several significant changes:

1. **Establishment of the Broadcasting Authority of India (BAI):** A new regulatory body intended to oversee the implementation of the bill and related regulations.
2. **Inclusion of Digital News Broadcasters:** The bill introduced the term "digital news broadcasters," encompassing individuals and entities producing online news and current affairs content, such as newsletters, social media posts, podcasts, and videos. This broad definition raised concerns about non-traditional media creators being subjected to similar obligations as traditional broadcasting platforms.
3. **Content Evaluation Committee (CEC):** The bill proposed the formation of a committee responsible for evaluating content and certifying its compliance with established codes. This measure aimed to address issues like hate speech, fake news, and violence through content codes and age verification mechanisms.
4. **Data Localization:** Certain platforms would be required to store data within India, raising concerns about privacy and potential misuse of information.

### **Pros of the Proposed Bill**

1. **Unified Regulatory Framework:** By consolidating various broadcasting services under a single framework, the bill aimed to streamline regulations, potentially leading to more efficient governance.
2. **Content Accountability:** The introduction of content evaluation mechanisms sought to hold platforms accountable for harmful content, addressing issues like misinformation and hate speech.
3. **Promotion of Local Content:** The bill emphasized increasing the presence of Indian programming across all platforms, potentially boosting local content creation and cultural representation.

### **Cons and Controversies**

1. **Potential Overreach:** The expansive definitions within the bill, particularly concerning digital news broadcasters, could subject individual content creators and influencers to stringent regulations, potentially stifling creative expression.
2. **Ambiguity in Content Codes:** The vague nature of content codes and the subjective interpretation of what constitutes harmful content raised concerns about arbitrary enforcement and suppression of dissenting voices.
3. **Privacy Concerns:** Data localization requirements and government access to user data sparked fears about privacy violations and potential misuse of information.

### **Debate on Freedom of Speech and Expression**

Critics argued that the bill's provisions could infringe upon the fundamental right to freedom of speech and expression. The broad regulatory powers granted to the government were seen as a potential tool for censorship, suppressing free expression under the guise of content regulation. The inclusion of digital content creators under the bill's ambit could deter individuals from producing content, fearing legal repercussions, thereby stifling innovation and diversity in digital media.

### **Recent Developments**

In July 2024, the MIB circulated a revised draft of the bill among select stakeholders. However, facing criticism over transparency and potential overreach, the ministry withdrew the draft in August 2024, stating plans for further consultations with stakeholders. As of October 2024, reports indicated that the rework on the second draft had been suspended, and no stakeholder consultations were planned in the near future.

### **Conclusion**

The Broadcasting Services (Regulation) Bill, 2023, represented a significant attempt to modernize India's broadcasting regulations in the digital age. While aiming to create a unified regulatory framework and promote accountability, the bill faced substantial criticism over potential infringements on freedom of speech and expression, as well as concerns about government overreach. The withdrawal and suspension of the draft bill underscore the complexities involved in balancing regulation with fundamental rights in the rapidly evolving digital landscape.

## **11. INDIA-TALIBAN ENGAGEMENT: A PRAGMATIC SHIFT WITH GLOBAL IMPLICATIONS**

In a significant development that may redefine South Asia's diplomatic contours, Indian Foreign Secretary Vikram Misri held formal talks with the Taliban-led administration's Acting Foreign Minister, Mawlawi Amir Khan Muttaqi, in Dubai earlier this year. This marks the highest-level official engagement between New Delhi and Kabul since the Taliban returned to power in August 2021. The meeting, viewed in both strategic and humanitarian terms, signals India's recalibrated approach toward Afghanistan and its evolving place in the global geopolitical chessboard.

### **Diplomacy rooted in realism**

The meeting, while not indicative of full diplomatic recognition, underscores a pragmatic shift in India's foreign policy — moving from a stance of studied distance to cautious engagement. As highlighted in The Hindu's editorial on March 18, 2025 by Chris Fitzgerald, India recognizes that isolating Afghanistan under the Taliban serves neither regional security nor humanitarian interests.

Rather than allowing space for other regional players like China, Pakistan, or Russia to dominate, India appears to be asserting its strategic autonomy by directly engaging with Kabul. India must not allow its legitimate concerns over terrorism and ideological extremism to blind it to the humanitarian crisis facing ordinary Afghans.

The timing of this engagement is not incidental. With the West having largely disengaged from Afghanistan, the region is now in a vacuum. The Taliban, facing increasing economic and diplomatic isolation, are looking for regional partners. India, with its historical ties to the Afghan people, vast experience in development projects, and growing geopolitical clout, is a natural partner — if it can navigate the ideological minefields. Moreover, India's outreach seems designed to ensure its long-term strategic interests in Afghanistan, particularly in countering Pakistan's influence and securing access to Central Asia's resources and markets.

### **Key outcomes of the meeting**

1. Humanitarian and Development Aid - Misri assured the Taliban of India's ongoing commitment to humanitarian aid and reconstruction, particularly in areas like health and education. India had earlier supplied wheat, COVID-19 vaccines, and essential medicines to Afghanistan under UN auspices.
2. Security Assurances - A major point of discussion was India's long-standing concern over Afghanistan being used as a base for anti-India activities. The Taliban reportedly reiterated their earlier assurances that Afghan soil would not be used against India — a pledge that India will undoubtedly monitor closely.
3. Economic and Trade Connectivity - Both sides discussed enhancing trade through the Chabahar Port in Iran, an Indian-backed project that offers Afghanistan an alternative to Pakistan's ports. Greater trade cooperation could potentially stabilize Afghanistan's economy and serve India's interest in regional connectivity.
4. Soft Diplomacy through Sports and Culture - In a rare move, the two sides explored cooperation in sports, especially cricket. This not only signals goodwill but also leverages Afghanistan's cultural affinity with India, particularly among the youth.

### **Human rights concerns and global implications**

India's engagement with the Taliban comes with a significant moral challenge the regime's continued suppression of women's rights and civil liberties. The Taliban's restrictions on girls' education and women's participation in public life remain a major point of international criticism. India must ensure its development-focused approach does not appear as silent endorsement of the Taliban's regressive policies. Balancing humanitarian assistance with a firm stance on human rights will be key to maintaining credibility both domestically and globally. On the international stage, this engagement positions India as a proactive regional player filling the diplomatic void left by Western powers. It allows New Delhi to counterbalance rivals like China and Pakistan while asserting its influence in Afghanistan's reconstruction. The move also strengthens India's image as a responsible power willing to lead on humanitarian grounds without compromising on security concerns. However, India's credibility will depend on how it aligns its strategic objectives with its democratic values in a rapidly shifting geopolitical landscape.

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## **12. WHO OWNS THE RUPEE? TAMIL NADU'S SYMBOL SWITCH TESTS CONSTITUTIONAL LIMITS**

In a move that has sparked national discussion, the Tamil Nadu government recently proposed the use of a Tamil letter as a symbol for the Indian Rupee in its state budget documents. While the intention behind the decision appears rooted in promoting Tamil identity and linguistic pride, the proposal has raised serious constitutional, legal, and practical concerns. During the presentation of the Tamil Nadu State Budget for 2025–26, the government introduced a new symbol for the Indian Rupee, modeled after a Tamil script character. The symbol was used in state budget documents, apparently to assert regional cultural representation. This symbolic shift, however, has stirred debates on federal authority, currency regulation, and the limits of state power.

### **Can a state introduce its own rupee symbol?**

**1. Constitutional Framework** – India's Constitution divides legislative powers between the Union and the States under the Seventh Schedule, which consists of:

- **Union List:** Subjects on which only Parliament can legislate.
- **State List:** Subjects where only State Legislatures can make laws.
- **Concurrent List:** Both Union and State can legislate, but Union law prevails in case of conflict.

### **2. Currency Falls under the Union List**

Entry 36 of the Union List mentions the subject of "Currency, coinage and legal tender; foreign exchange". This falls exclusively under the jurisdiction of the Central Government. This means that, Only Parliament can legislate on matters related to currency. The Reserve Bank of India



(RBI), under the guidance of the Union Government, is the sole authority to issue and regulate currency.

The Indian Rupee symbol (₹), adopted in 2010, was created and notified by the Union Government after due process. It combines elements of the Devanagari letter “र” and the Roman letter “R”, representing both Indian tradition and international usage.

### **Legal and practical repercussions**

**1. No Legal Backing** - The use of a Tamil letter as an alternative Rupee symbol in official financial documents lacks constitutional and legal authority. Since states cannot legislate on or alter currency matters, the change carries no binding legal effect.

**2. Risk of Confusion** - The introduction of a region-specific currency symbol can cause confusion in accounting, banking, and taxation systems, which are integrated across states. Further it will cause disruptions in inter-state and international financial reporting. Potential clashes with the Reserve Bank of India's protocols.

**3. Federal Conflict** - Such unilateral moves may be perceived as challenging the federal structure of the Indian Constitution, potentially leading to disputes between the state and central governments.

### **Cultural expression vs. Constitutional limits**

While states are empowered to promote their regional languages, culture, and identity, such expression must operate within the framework of the Constitution. Using the Tamil script symbol as a cultural or decorative element may be permissible in literature or promotional material, but using it in official financial documents as a substitute for the national Rupee symbol oversteps constitutional boundaries. Tamil Nadu's move to introduce a Tamil symbol in place of the Indian Rupee symbol, though perhaps well-intentioned from a cultural perspective, raises serious constitutional concerns. Currency is a Union subject, and any attempt by a state to unilaterally alter its representation not only lacks legal validity but also risks disrupting financial uniformity across the nation.

## **13. A CENTURY OF CONFLICT: ISRAEL, PALESTINE, AND THE HUMANITARIAN FALLOUT IN 2025**

The Israel-Palestine conflict is a deeply rooted struggle with historical, political, and humanitarian dimensions that have evolved over more than a century. Understanding its origins, the humanitarian measures involved, the roles of various international actors, and the United Nations' involvement is crucial to comprehending the current state of affairs.

### **Origins of the Conflict**

The roots of the Israel-Palestine conflict trace back to the late 19th and early 20th centuries, marked by competing national movements: Zionism and Arab nationalism. The Balfour Declaration of 1917, in which Britain expressed support for a "national home for the Jewish people" in Palestine, intensified tensions between Jewish and Arab communities. Following World War II and the Holocaust, international support for a Jewish state grew, leading to the United Nations' 1947 Partition Plan, which proposed separate Jewish and Arab states. This plan was accepted by Jewish leaders but rejected by Arab leaders, leading to the 1948 Arab-Israeli War upon Israel's declaration of independence. The war resulted in significant territorial

changes and the displacement of a large number of Palestinians, an event referred to as the Nakba, or "catastrophe," by Palestinians.

### **Humanitarian Measures and International Involvement**

- **Humanitarian Aid:** Various international organizations, including the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), have been established to provide assistance to Palestinian refugees, offering services such as education, healthcare, and emergency relief.
- **Ceasefire Efforts:** Numerous ceasefires have been brokered by international actors to halt hostilities and provide humanitarian respite. For instance, a ceasefire established in January 2025 was recently shattered by renewed violence, leading to significant casualties and a deepening humanitarian crisis.
- **International Condemnation and Diplomacy:** Countries worldwide have condemned escalations in violence and called for immediate ceasefires. Recent Israeli airstrikes in Gaza have drawn widespread international criticism and appeals for the protection of civilians.

### **United nations involvement**

The United Nations has played a pivotal role in addressing the Israel-Palestine conflict through diplomatic, humanitarian, and legal efforts. It has passed numerous resolutions aimed at resolving the conflict and deployed peacekeeping forces in the region to monitor ceasefires and protect civilians. UN agencies have been actively involved in delivering humanitarian aid, with organizations like UNICEF calling for an immediate humanitarian ceasefire and working to assist affected populations in Gaza. Additionally, the UN has undertaken investigations into alleged violations of international law by parties involved in the conflict, seeking to promote accountability and prevent further atrocities.

### **Recent Developments**

As of March 2025, the Israel-Palestine conflict has witnessed a significant escalation. Israeli forces launched a "limited ground operation" aimed at seizing the Netzarim corridor in Gaza, following a series of intense airstrikes that claimed over 400 lives, including many children and women, marking the deadliest day since the onset of the war. This renewed offensive has sparked widespread international condemnation, with countries such as Turkey, Iran, South Africa, France, Saudi Arabia, and Egypt calling for an immediate ceasefire. Meanwhile, the humanitarian crisis in Gaza has deepened dramatically, as the on-going blockade has led to a critical shortage of essential supplies. Hospitals are overwhelmed, and humanitarian agencies have made urgent appeals for access to deliver aid and medical assistance.

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## **14. ROHINGYAS ON THE RUN: NAVIGATING LAW, HUMANITY, AND INDIA'S POSITION**

### **The Rohingya Crisis: A Brief Overview**

The plight of the Rohingya people has evolved into one of the most pressing humanitarian crises of our time. Facing systemic persecution in Myanmar, hundreds of thousands have

sought refuge in neighbouring countries, including India. This mass migration has sparked complex debates surrounding international law, humanitarian obligations, and national security concerns.

The Rohingyas are a predominantly Muslim ethnic minority from Myanmar's Rakhine State. Despite centuries of residence, Myanmar's 1982 Citizenship Law effectively rendered them stateless, denying them basic rights and recognition. Decades of discrimination culminated in a brutal military crackdown in 2017, described by the United Nations as a "textbook example of ethnic cleansing," forcing over 700,000 Rohingyas to flee, primarily to Bangladesh.

### **International Humanitarian Response and Legal Framework**

#### **United Nations Involvement and International Humanitarian Law**

- **Humanitarian Aid:** The UN's World Food Programme (WFP) has been providing essential food assistance to Rohingya refugees. However, recent funding shortages have led to significant cuts, affecting over one million people in Myanmar starting April 2025.
- **Advocacy and Awareness:** UN officials, including Secretary-General António Guterres, have visited refugee camps to highlight the dire conditions and mobilize international support.
- The principle of **non-refoulement**, embedded in international law, prohibits returning individuals to a country where they face serious threats to their life or freedom. While India is not a signatory to the 1951 Refugee Convention, non-refoulement is considered customary international law, implying a moral obligation to protect refugees.

### **India's Response to Rohingya Migration**

#### **Legal and Policy Stance**

India hosts approximately 40,000 Rohingya refugees, residing in regions such as Jammu, Hyderabad, and Delhi. The Indian government considers them illegal immigrants, citing national security concerns. In March 2024, the government filed an affidavit before the Supreme Court, rejecting the right of Rohingyas to stay in India and emphasizing plans for their deportation.

In recent years, Indian authorities have detained several Rohingya refugees. Over 100 Rohingyas, including women and children; have been detained in Assam, leading to hunger strikes protesting their prolonged detention without trial. The Indian Supreme Court has been deliberating on petitions challenging the deportation of Rohingyas, balancing national security concerns with humanitarian obligation.

Despite legal challenges, humanitarian organizations continue to advocate for the rights of Rohingya refugees in India. Rohingya children in India face significant barriers to accessing formal education, with many schools refusing admission despite possessing the necessary documents. Many refugees reside in overcrowded camps with limited access to basic amenities, exacerbating their vulnerability.

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## **15. TRIAL BY MEDIA: BALANCING PRESS FREEDOM AND THE RIGHT TO JUSTICE IN INDIA**

Media trials, where media outlets conduct their own parallel investigations and pronounce judgments on individuals involved in legal proceedings, have become a contentious issue in India. This practice raises significant concerns regarding its alignment with constitutional principles, the right to a fair trial, and the potential for prejudicing public opinion.

### **Constitutional Framework**

The Indian Constitution guarantees several fundamental rights that are directly relevant to the issue of media trials. Article 19(1)(a) provides for the freedom of speech and expression, which includes the freedom of the press. However, this freedom is not absolute and is subject to reasonable restrictions under Article 19(2), which allows limitations in the interest of contempt of court, defamation, public order, and the sovereignty and integrity of India. On the other hand, Article 21 guarantees the right to life and personal liberty, which the Supreme Court has consistently interpreted to include the right to a fair trial. Media trials—where media coverage and commentary create a parallel narrative around on-going legal proceedings can significantly jeopardize this right by influencing public opinion and potentially prejudicing judicial outcomes. This delicate balance between free expression and fair judicial process remains a crucial concern in India's constitutional framework.

### **Judicial Perspectives on Media Trials**

The judiciary has expressed concerns over media trials undermining the justice delivery system:

**Kerala High Court's Stance:** In November 2024, the Kerala High Court criticized media outlets for acting as "kangaroo courts" by conducting media trials, emphasizing that such actions could unfairly influence public opinion and pre-judge suspects. The court underscored that determining guilt is the exclusive domain of the judiciary and urged the media to refrain from forming opinions on on-going investigations or cases.

**Supreme Court's Directive:** In August 2023, the Supreme Court of India took strong exception to media trials and sought guidelines to regulate police briefings to the media, aiming to prevent prejudicial reporting that could affect the administration of justice.

### **Recent Developments**

Several recent incidents highlight the ongoing debate surrounding media trials and their constitutional implications:

**Wikimedia Foundation's Legal Challenge:** In March 2025, the Wikimedia Foundation, which operates Wikipedia, appealed to India's Supreme Court to quash a Delhi High Court order demanding the removal of a Wikipedia page related to its legal dispute with the Indian news agency, ANI. ANI had sued Wikimedia for defamation, claiming the platform described it as a government propaganda tool. Wikimedia argued that the removal of the disputed page would stifle free speech and restrict access to knowledge.

**Revocation of Journalist's OCI Status:** In March 2025, U.S. journalist Raphael Satter filed a lawsuit against the Indian government after his Overseas Citizen of India (OCI) status was cancelled following a critical article about an Indian businessman. This action is part of a



broader pattern by the ruling Bharatiya Janata Party (BJP) to suppress dissent, with other journalists and academics also facing similar measures.

While the media plays a vital role in informing the public and acting as a watchdog, it must exercise its freedom responsibly, ensuring that its reporting does not infringe upon individuals' rights to a fair trial and privacy. The judiciary's recent interventions underscore the need for a balanced approach that respects both freedom of expression and the integrity of the justice system.

## **16. DEEPPAKES AND DIGITAL DANGERS: HOW AI IS FUELLING CYBERBULLYING AMONG CHILDREN**

Deepfakes are synthetic media—videos, images, or audio clips—that are generated using AI and machine learning to realistically depict someone saying or doing things they never actually did. Globally, their misuse has surged. In South Korea, for instance, a major 2024 scandal revealed that high school students were generating explicit deepfake images of classmates and teachers. According to police data, over 800 deepfake sex crime cases were reported in South Korea by the end of September 2024, a dramatic increase from just 156 cases in 2021. These incidents triggered widespread outrage and pushed legislators to pass stringent laws criminalizing the mere possession or circulation of such content.

In India too, the threat is real and growing. In October 2023, a chilling case emerged in Mumbai where a minor girl was harassed after her morphed and AI-generated images were circulated on social media. The Maharashtra Cyber Cell revealed that such cases involving minors have increased by over 20% year-on-year, with deepfakes and AI-generated voice cloning being used to blackmail victims. Similar incidences have been seen in various parts of the country.

### **The Indian Legal Landscape and Judicial Standpoint**

India does not yet have a dedicated law for deepfakes, but certain provisions of existing laws offer partial protection. The **Information Technology Act, 2000**, especially Sections **66E** (violation of privacy), **67** (publishing or transmitting obscene material), and **67A** (sexually explicit material), have been invoked in cyberbullying and deepfake-related cases. In addition, The Bharatiya Nyaya Sannita BNS have sections on voyeurism, defamation, and criminal intimidation through anonymous communication can be applied depending on the context.

The Supreme Court of India, in the landmark case of *Shreya Singhal v. Union of India* (2015), struck down Section 66A of the IT Act for being vague and overbroad, while upholding the right to free speech under Article 19(1)(a). However, it also emphasized that speech causing incitement to commit an offence would not be protected. This balance is critical in the current discourse around AI misuse, where freedom of expression and digital innovation must be harmonized with privacy and dignity.

Moreover, in the *Justice K.S. Puttaswamy v. Union of India* (2017) judgment, the Supreme Court recognized the right to privacy as a fundamental right under Article 21. This ruling laid the foundation for stronger arguments against non-consensual use of personal data and imagery—especially pertinent in deepfake-related abuse cases.

### **Impact on Children and Young Users**

The psychological and emotional consequences of AI-facilitated cyberbullying are severe, particularly for children. Victims often suffer from anxiety, depression, social withdrawal, and a lasting sense of helplessness. Another alarming trend is the use of deepfakes for extortion. According to India's National Crime Records Bureau (NCRB), cases under cyber blackmailing and threatening rose by 32% between 2021 and 2023, many of which involved digitally altered

images. A disturbing pattern has emerged where minors are being targeted, either by peers or by online predators, who manipulate content to demand money or sexual favors.

### **Global and Indian Responses**

Globally, institutions are beginning to act. In the U.S., the “**Take It Down**” Act aims to protect minors from non-consensual intimate image sharing, including AI-generated pornography. Similarly, the UK and South Korea have updated their cybercrime laws to include AI misuse explicitly.

In India, there has been growing advocacy for a dedicated **Digital India Act**, which is currently under drafting and expected to replace the outdated IT Act. The proposed law is anticipated to address emerging technologies like AI, deepfakes, and algorithmic content manipulation. Additionally, bodies like the **National Commission for Protection of Child Rights (NCPCR)** have issued guidelines for schools to educate children on digital safety and to report any instance of cyberbullying or AI-enabled abuse.

### **Protective measures and the way forward**

To protect children and young users from AI-facilitated cybercrimes, a multi-pronged approach is essential. Education and digital literacy must be the first line of defense. Children should be taught not only how to identify AI-generated content but also how to respond if they or someone they know falls victim to it. Schools should integrate digital ethics and cybersecurity awareness into their curriculum.

Moreover, robust reporting mechanisms are vital. Platforms like Instagram and YouTube need stricter AI detection tools and quicker content takedown procedures. India can look toward models like Australia’s **eSafety Commissioner**, which provides dedicated support and redressal for cyberbullying and image-based abuse.

## **17. ALIMONY: A NECESSARY SUPPORT OR A MODERN-DAY DOWRY?**

In India’s socio-legal landscape, alimony is a financial provision ordered by the court for the maintenance of a spouse after divorce. It has long been viewed as a tool of justice and support, particularly for economically dependent women. However, in recent years, a parallel discourse has emerged questioning whether alimony, in certain cases, becomes a form of financial burden or even a "reverse dowry" on the husband, especially when misused or unreasonably demanded. With changing gender roles, increased female participation in the workforce, and a growing recognition of men's rights, Indian courts have begun to interpret alimony laws through a lens of reasonableness and equity, rather than gender-based assumptions.

### **Legal Framework of Alimony in India**

Alimony in India is governed by various personal and secular laws:

- **Section 125 of the Code of Criminal Procedure (CrPC), 1973 which is now section 144 of the Bharatiya Nagarik Suraksha Sanhita (BNSS)**, provides a secular remedy for maintenance, applicable to all religions. It allows a wife (including divorced) who is unable to maintain herself to claim maintenance from her husband.
- **Hindu Marriage Act, 1955** under Sections 24 and 25 allows both spouses (husband or wife) to seek interim and permanent alimony, respectively.
- **Special Marriage Act, 1954** also provides similar provisions under Sections 36 and 37.

These laws emphasize need-based support, aiming to ensure that a financially weaker spouse is not left destitute after separation. However, there is no fixed formula for the quantum of

alimony, and courts decide based on income, assets, standard of living, duration of marriage, and conduct of both parties.

### **Is Alimony a "Reverse Dowry"?**

Dowry has been historically condemned for its exploitative nature, leading to systemic abuse, violence, and even deaths of women. Ironically, in some cases, alimony claims have started mirroring the same transactional mindset, viewing marriage as a financial investment to be compensated upon breakdown. Certain sections of society argue that unreasonable or exorbitant alimony demands essentially function like a modern dowry extracted during divorce.

This sentiment is echoed in cases where the earning husband is made to pay large sums, sometimes exceeding his capacity, regardless of the circumstances of the separation or the financial independence of the wife. Critics argue that this turns the principle of support into a punitive financial liability, weaponizing alimony in bitter matrimonial disputes.

### **Judicial Recognition of Gender-Neutral Alimony**

Indian courts have increasingly acknowledged that maintenance and alimony need to be based not on gender, but on economic necessity and fairness.

### **Kanchan v. Kamalendra (AIR 1992 Bom 493)**

The Bombay High Court held that a wife is not entitled to maintenance under Section 125 CrPC if she is capable of earning and chooses not to. The Court emphasized that the law does not support idleness and maintenance is meant only for the truly needy.

### **Bhuwan Mohan Singh v. Meena & Ors (2015) 6 SCC 353**

The Supreme Court reiterated that maintenance is a measure of social justice, and should be "reasonable and realistic, and not illusory." The purpose is to prevent destitution, not to provide luxury or unjust enrichment.

### **Rajnesh v. Neha (2020) 13 SCC 454**

In this landmark case, the Supreme Court laid down comprehensive guidelines for determining maintenance and alimony. It included disclosure of income and assets by both parties and emphasized that maintenance should be just, fair, and proportionate. It also acknowledged that in appropriate cases, a wife may be directed to pay alimony to her husband.

### **Ravi Kumar v. Julmi Devi (2022 Jharkhand HC)**

In this case, the High Court held that since the wife was earning substantially and the husband was unemployed, she should pay interim maintenance to the husband. The judgment marked a significant shift toward gender neutrality in matrimonial remedies.

### **Changing Societal Norms and Misuse**

With more women becoming financially independent, the premise that women are always the weaker spouse is losing ground. The blanket assumption that husbands must pay maintenance is being challenged both in courts and in public discourse. However, false or inflated claims of alimony are also rising. According to National Crime Records Bureau (NCRB) data, over 20% of matrimonial disputes under **Section 498A IPC which is now section 84 of the Bharatiya Nyaya Sanhita**, are later found to be frivolous or settled out of court, raising questions about the potential misuse of protective provisions for financial leverage.

### **The Way Forward: Striking a Balance**

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Alimony must be seen not as a penalty, but as a support mechanism. The aim should be rehabilitation and justice—not retribution or profit. Reasonableness, transparency, and equality must be the cornerstone principles for awarding alimony, irrespective of gender.

With courts now increasingly asking both parties to submit affidavits disclosing assets and income, and with the rise of *mutual consent divorces* where parties agree on settlements beforehand, there is a visible shift toward fairness.

Moreover, the idea of **pre-nuptial agreements**, though not yet mainstream or legally enforceable in India, is gaining traction among urban, educated couples seeking clarity and fairness in case of divorce.

## **18. GAME OF SKILL OR GAME OF CHANCE? DECODING INDIA'S BETTING APP LAWS**

The rise of smartphones and affordable internet has given a major boost to online gaming and betting apps in India. Platforms like Dream11, MPL, and My11Circle have become household names, offering users the chance to win real money through fantasy sports, card games, and other online contests. However, the legality of these apps remains a **gray area**, often debated due to **outdated laws, state-wise variations**, and the thin line between games of skill and games of chance.

### **Legal Framework: Skill vs Chance**

The primary law governing gambling in India is the Public Gambling Act, 1867, which prohibits running or visiting gambling houses. However, it does not explicitly mention online gaming, leaving space for interpretation. More importantly, gambling is a State subject under the Constitution, allowing each state to legislate on it independently.

Indian courts have consistently drawn a line between games of skill (permitted) and games of chance (prohibited). In *K.R. Lakshmanan v. State of Tamil Nadu (1996)*, the Supreme Court held that a game where skill predominates over chance is not gambling. In *Varun Gumber v. Union of India (2017)*, the Punjab and Haryana High Court ruled that fantasy sports like Dream11 are games of skill, and hence legal.

### **State-Wise Confusion**

Some states like Tamil Nadu, Andhra Pradesh, Telangana, and Odisha have banned online real-money games, regardless of skill or chance. Others like Kerala and Karnataka tried imposing similar bans, but their High Courts struck them down for violating the right to trade and practice a profession under Article 19(1)(g). This leads to a fragmented legal landscape, where what is legal in one state may be illegal in another. Users are often unaware of these distinctions, leading to unintentional violations.

### **Government's Response**

In 2023, the Central Government amended the Information Technology (IT) Rules, requiring online gaming platforms to register with self-regulatory bodies and avoid any game involving "wagering or betting." Platforms must also implement strict KYC norms and grievance redressal mechanisms. However, critics argue that the lack of a clear central law keeps the issue unresolved. The Supreme Court is currently hearing cases related to fantasy sports and betting, which may lead to nationwide clarity.

India has over **400 million online gamers**, and the gaming industry is projected to exceed ₹23,000 crore by 2025. But this boom is not without consequences. Several cases of addiction,



debt, and even suicides have been linked to online betting, especially among youth. In Tamil Nadu, over 25 suicides in 2022–23 were reportedly tied to losses from real-money gaming. It is the need of the hour to make and implement stringent action against Illegal gambling, and set proper laws and definitions to differentiate between legal and illegal inline gaming platforms.

## **19. NAGPUR UNREST: HOW MISINFORMATION IGNITED COMMUNAL CLASHES AND THE ROAD TO RECOVERY**

In mid-March 2025, Nagpur, Maharashtra, experienced significant communal unrest following protests demanding the removal of Mughal emperor Aurangzeb's tomb. The situation escalated due to misinformation, leading to violence, injuries, and substantial property damage.

### **Background and Causes**

The unrest began on March 17, 2025, when members of the Vishwa Hindu Parishad (VHP) and Bajrang Dal organized a demonstration advocating for the demolition of Aurangzeb's tomb, located in Chhatrapati Sambhajnagar district. During the protest, participants burned an effigy of Aurangzeb. Subsequently, unverified rumors spread via social media, alleging that religious texts, including the Quran, were desecrated during the demonstration. These claims, though unfounded, incited communal tensions, leading to violent clashes between Hindu and Muslim communities. Authorities later confirmed that no evidence supported the claims of religious text desecration.

### **Impact of the Violence**

The clashes resulted in injuries to at least 34 police officers and five civilians. Numerous vehicles were torched, and several houses and shops were damaged due to arson and stone-pelting. In response, authorities imposed an indefinite curfew in parts of Nagpur to restore order and prevent further escalation.

### **Government Response**

Maharashtra Chief Minister Devendra Fadnavis condemned the violence and emphasized that those responsible would face strict action. He announced that the costs incurred from the damages would be recovered from the rioters, stating that if they failed to compensate, their properties would be auctioned, and bulldozers might be used on their properties if necessary. Fadnavis also highlighted that cases had been registered against members of the VHP and Bajrang Dal involved in the unrest, asserting that no one would be spared, and attacks on police forces would not be tolerated.

### **Current Status**

As of March 24, 2025, the situation in Nagpur has stabilized, with the curfew lifted in most areas. Law enforcement agencies continue to monitor the situation closely, and investigations are ongoing to identify and apprehend individuals responsible for inciting and participating in the violence. The Maharashtra Police Cyber Cell is also scrutinizing social media accounts that spread misinformation leading to the clashes, with several posts already removed and further legal actions anticipated.

The Nagpur riots underscore the volatile nature of communal relations and the profound impact misinformation can have on societal harmony. This incident highlights the urgent need for responsible communication and proactive measures to prevent the spread of false information that can incite violence.

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## **20. RISING JUVENILE CRIME: REFORM OR REGRET?**

The increase in crimes committed by underage children in India is a growing concern. While the Juvenile Justice (Care and Protection of Children) Act, 2015 aims to rehabilitate young offenders, certain cases indicate that the system may not be strict or effective enough for repeat or violent offenders. As India grapples with balancing rehabilitation and justice, it is crucial to assess how the system can be improved.

### **The Rising Trend of Juvenile Crime**

According to the National Crime Records Bureau (NCRB), crimes committed by juveniles have increased over the years. A significant number of these cases involve heinous offenses like murder, rape, and assault. While poverty, broken families, and lack of education are common factors, there are also cases where juveniles commit crimes with a clear understanding of the law's leniency.

### **Case Studies: When the Juvenile System Failed**

#### **1. The Nirbhaya Case (2012)**

One of the most infamous cases of juvenile crime in India was the 2012 Delhi gang rape case, where a 17-year-old was among the six perpetrators. Despite his brutality, he was sentenced to only three years in a juvenile home, as per the law at that time. This led to nationwide outrage and resulted in the Juvenile Justice Act, 2015, allowing juveniles aged 16-18 to be tried as adults for heinous crimes.

#### **2. Sajal Barui Case (1993)**

In Kolkata, 16-year-old Sajal Barui brutally murdered his father, stepmother, and stepbrother. Tried as a juvenile, he was sent to a reform home. However, after his release, he escaped custody and continued engaging in criminal activities, highlighting the failure of the system to reform him effectively.

#### **3. Gurgaon School Murder Case (2017)**

A 16-year-old boy murdered a 7-year-old student in a school restroom in Gurgaon. Initially treated as a juvenile, he was later tried as an adult under the 2015 law. This case reinforced the need for a psychological assessment of juvenile offenders to determine whether they should be treated as adults.

### **Why the Juvenile Justice System Needs Improvement?**

#### **1. Stricter Punishments for Heinous Offenders**

The 2015 amendment allows juveniles aged 16-18 to be tried as adults for heinous crimes, but many cases still result in lenient sentences. Courts must be given greater discretion in determining the punishment based on psychological evaluations rather than just age.

## **2. Enhanced Rehabilitation Programs**

Many juvenile homes lack proper reform programs, leaving minors more vulnerable to criminal influences. Reform homes should include psychological counseling, education, and vocational training to prevent repeat offenses.

## **3. Monitoring Repeat Offenders**

Juveniles released from reform homes should undergo long-term monitoring, especially in cases involving violent crimes. Authorities must establish tracking mechanisms to ensure that former offenders do not return to crime.

## **4. Parental and Community Accountability**

Parents and guardians must take responsibility for their children's behavior. Community awareness programs should be strengthened to identify at-risk youth and prevent delinquency before it escalates into crime.

## **5. Stricter Cyber Regulations**

The rise in juvenile crime is also linked to digital influences, including violent content, cybercrime, and online radicalization. The government must regulate harmful online content and monitor the digital activities of minors.

While juveniles deserve a chance at rehabilitation, the law must also ensure justice for victims and protect society from violent offenders. The Juvenile Justice Act, 2015, was a step in the right direction, but more reforms are needed to address repeat offenders, improve rehabilitation, and hold guardians accountable. By balancing compassion with accountability, India can work toward a more effective juvenile justice system that truly protects both its youth and its citizens.

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## **21. DEFAMATION LAWS IN INDIA AND THEIR IMPACT ON YOUTUBE REVIEWERS**

### **Introduction**

In the digital age, YouTube reviewers significantly influence public opinion, whether they critique movies, products, or businesses. While they have the right to express their views, their content may sometimes lead to defamation claims. Indian law recognizes defamation as both a civil and a criminal offense. This article examines defamation laws under the Bharatiya Nyaya Sanhita, 2023 (BNS), their implications for YouTube reviewers, and notable legal cases.

### **What is Defamation?**

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Defamation occurs when a false statement harms the reputation of an individual, company, or entity. It is classified as:

**Libel** – Written or published defamation, including YouTube videos and social media posts.

**Slander** – Spoken defamation, such as statements made during live streams.

To establish defamation, the following must be proven:

- A false statement was made.
- The statement was published or communicated to others.
- The statement caused reputational harm.

### **Defamation Laws Under the Bharatiya Nyaya Sanhita (BNS), 2023**

With the Indian Penal Code (IPC) replaced by the BNS, criminal defamation is now governed by:

Section 354(1), BNS: Defines defamation as any spoken or written imputation that harms a person's reputation.

Section 354(2), BNS: Prescribes punishment—up to two years of imprisonment, a fine, or both.

### **Exceptions to Defamation**

The law provides certain defenses against defamation claims, including:

**Truth in Public Interest** – A statement, even if harmful, is not defamatory if it is true and serves public interest.

**Fair Criticism** – Honest opinions and critiques about public figures, movies, or products are protected if they are not malicious.

**Privilege** – Certain communications, like those in court proceedings or parliamentary debates, are protected from defamation claims.

### **Defamation Risks for YouTube Reviewers**

As YouTube reviewers critique products and movies, they may face defamation claims from companies or individuals. Some key concerns include:

#### **1. Negative Reviews Leading to Legal Action**

Brands and celebrities have sued YouTubers for harsh criticism, claiming reputational harm.

##### **Case Study: Youtuber Abhijeet Bhansali v. Himalaya Drug Company (2019)**

Himalaya sued a YouTuber for a video claiming its baby care products contained harmful ingredients. The court granted an interim injunction, forcing him to remove the video. This case highlights the importance of factual accuracy in product reviews.

#### **2. Thin Line Between Opinion and Defamation**

While fair criticism is allowed, false or misleading claims can lead to legal trouble.

##### **Case Study: Kamaal R Khan (KRK) v. Salman Khan (2021)**

Bollywood actor Salman Khan sued KRK for defamation after his negative review of Radhe and allegations about the actor's personal life. While KRK argued it was an opinion, the case showed that reviews must avoid defamatory personal remarks.

#### **3. Satire and Parody vs. Defamation**

Parody and satire are legal but may be challenged if they cross ethical boundaries.

##### **Case Study: Dhruv Rathee's Political Commentary**

YouTuber Dhruv Rathee has faced multiple legal notices for his political commentary, demonstrating that even satirical content can attract defamation claims if it misrepresents facts.



#### 4. Legal Notices and Cease-and-Desist Orders

Many YouTubers receive legal threats demanding content removal.

##### **Case Study: Maridhas v. Sun Pictures (2021)**

Political commentator Maridhas faced legal action for alleging that a production company had links to anti-national activities. The case reinforced that allegations must be backed by substantial evidence.

#### **How YouTube Reviewers Can Avoid Defamation Lawsuits**

Ensure Accuracy – Base reviews on verifiable facts rather than speculation.

Use Disclaimers – Clearly state that opinions are personal and subjective.

Avoid Personal Attacks – Focus on the work, not individuals.

Understand Fair Use – If using clips, comply with copyright laws.

Seek Legal Advice – If facing a lawsuit, consult a legal expert.

#### **Conclusion**

While YouTube reviewers play a vital role in shaping public opinion, they must be mindful of legal boundaries. The Bharatiya Nyaya Sanhita, 2023 upholds the right to reputation while allowing fair criticism. By maintaining ethical standards and factual accuracy, content creators can express their opinions without facing legal repercussions.

## **22. INDEPENDENCE OF THE JUDICIARY IN INDIA: AN EXAMINATION OF ITS INTEGRITY**

The independence of the judiciary is a cornerstone of a functioning democracy, ensuring that justice is administered impartially, free from external influences. In India, the judiciary is constitutionally mandated to operate independently. However, recent events and historical cases have raised questions about the extent of this independence.

#### **Constitutional Framework for Judicial Independence**

The Indian Constitution establishes a separation of powers among the executive, legislature, and judiciary. Provisions such as security of tenure for judges, fixed service conditions, and financial autonomy are designed to safeguard judicial independence. Additionally, the judiciary has the authority of judicial review, enabling it to invalidate unconstitutional laws and executive actions.

#### **Instances Challenging Judicial Independence**

Despite these safeguards, there have been instances where the judiciary's independence has been questioned:

- **Indira Gandhi v. Raj Narain (1975):** In this landmark case, the Allahabad High Court found Prime Minister Indira Gandhi guilty of electoral malpractices, leading to the annulment of her election. Subsequently, the imposition of the Emergency saw significant interference with judicial functions, including the supersession of judges and curtailment of civil liberties.
- **Rafale Deal Case:** Concerns were raised regarding the judiciary's handling of petitions seeking an investigation into the procurement of Rafale fighter jets. Critics argued that the judiciary exhibited deference to the executive, potentially compromising its role as an impartial arbiter.

### Recent Allegations of Corruption

A recent incident has further spotlighted concerns about judicial integrity. Justice Yashwant Varma of the Delhi High Court faced allegations after burnt currency notes were discovered near his official residence. The sequence of events is as follows:

- **Fire Incident:** On March 14, 2025, a fire broke out in an outhouse used as a storeroom at Justice Varma's residence. During the firefighting operations, sacks containing burnt currency notes were reportedly found. Justice Varma was not present during the incident and has denied any knowledge of the cash, describing the allegations as a conspiracy to malign him.
- **Discovery of Burnt Currency:** Following the fire, a sanitation worker reported finding charred pieces of ₹500 notes while collecting garbage near the judge's residence. This discovery added to the controversy surrounding the incident.
- **Judicial Response:** In response to the allegations, Chief Justice of India Sanjiv Khanna constituted a three-member committee to investigate the matter. The Delhi High Court subsequently withdrew judicial work from Justice Varma pending the inquiry's outcome. This incident has raised significant concerns about judicial accountability and the mechanisms in place to address allegations of misconduct within the judiciary.

### Assessing Judicial Independence

While the Indian judiciary has demonstrated resilience and independence in various instances, challenges persist:

- **Political Pressures:** Allegations of judicial appointments and transfers influenced by political considerations have surfaced, potentially undermining judicial autonomy.
- **Post-Retirement Appointments:** The trend of retired judges accepting positions in governmental bodies has raised concerns about potential conflicts of interest affecting judicial decisions during their tenure.
- **Transparency and Accountability:** The judiciary has faced criticism for a lack of transparency, particularly regarding the disclosure of judges' assets and the rationale behind certain rulings.

The independence of India's judiciary is vital for upholding the rule of law and maintaining public confidence in the legal system. While constitutional provisions lay a strong foundation, continuous vigilance is necessary to address challenges that threaten judicial autonomy. Ensuring transparency, resisting external pressures, and fostering a culture of accountability are imperative to preserve the integrity of the judiciary in India.

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## 23. TRADEMARKS AND MORALITY: A LEGAL ANALYSIS OF OBSCENE AND OFFENSIVE TRADEMARKS

### Introduction

Trademarks are essential identifiers for businesses, representing brand identity and consumer trust. However, not all trademarks are deemed fit for registration. In India, the **Trade Marks Act, 1999**, under **Section 9(2)(c)**, prohibits the registration of trademarks that contain

scandalous or obscene matter. While this provision aims to uphold public morality, the subjective nature of "obscenity" often leads to legal debates and inconsistent rulings. This article explores the legal framework, recent controversies, and landmark judgments shaping the treatment of obscene trademarks in India and beyond.

### **Legal Framework: Section 9(2)(c) of the Trade Marks Act, 1999**

Section 9(2)(c) of the **Trade Marks Act, 1999**, states that a trademark shall not be registered if it contains scandalous or obscene matter. However, the law does not provide a clear definition of "obscenity," leaving its interpretation to courts and trademark authorities.

Obscenity is often assessed based on community standards and evolving societal values. What may be considered offensive in one era or region may not be perceived the same way in another. As a result, trademark examiners and courts must evaluate trademarks on a case-by-case basis, balancing commercial freedom with public morality.

### **Recent Cases of Obscene and Offensive Trademarks**

#### ***1. The 'CHUTIYARAM' Trademark Controversy***

In **March 2025**, the Indian Trade Marks Registry faced criticism for initially accepting the trademark application for "**CHUTIYARAM**", a Hindi slang term considered offensive. The approval was later revoked after public backlash, with authorities citing **Section 9(2)(c)** as the reason for rejection. This incident highlights the difficulty in pre-screening offensive trademarks and the importance of cultural sensitivity in trademark approvals.

#### ***2. The Myntra Logo Controversy***

In **2021**, fashion e-commerce giant **Myntra** was accused of using an "obscene" logo. A complaint was filed alleging that the stylized 'M' in the logo resembled a woman with her legs spread apart, making it offensive towards women. Myntra, in response, altered the logo to address the concerns. While the case did not involve a direct trademark rejection, it demonstrated the power of public sentiment in shaping brand identity.

#### ***3. The 'Bharat Mata' Painting Case***

While not a trademark dispute, the **Maqbool Fida Husain v. Raj Kumar Pandey** case sheds light on obscenity laws in India. In this case, renowned artist **M.F. Husain** faced legal challenges over his painting "**Bharat Mata**," which depicted a nude woman representing Mother India. The court ruled that **nudity does not automatically amount to obscenity** unless it is lascivious or appeals to prurient interests. This principle is often considered when evaluating whether a trademark is truly obscene.

#### ***4. The 'FOOK' Trademark Case (UK)***

In the UK, an application for the word mark "**FOOK**" was rejected on the grounds that it could cause outrage among a significant section of the public. This case illustrates the **global challenges** of balancing freedom of expression with public morality in trademark registrations.

### **Landmark Judgment: Aveek Sarkar v. State of West Bengal (2014)**

In the **Aveek Sarkar v. State of West Bengal** case, the Supreme Court of India abandoned the **Hicklin test** (which judged obscenity based on isolated content) and adopted the **community standards test**. This test evaluates material **in its entirety**, considering contemporary societal norms. The decision reflects a **progressive shift**, emphasizing context and intent over isolated interpretation.

This judgment serves as a guiding principle for cases involving obscene trademarks, urging authorities to assess trademarks holistically rather than focusing solely on a single offensive element.

### **Challenges in Determining Obscenity in Trademarks**

1. **Subjectivity and Cultural Differences** – What is offensive in one culture may be acceptable in another.
2. **Evolving Societal Norms** – Community standards change over time, making it difficult to establish fixed rules.
3. **Inconsistent Rulings** – The lack of clear judicial guidelines results in unpredictable decisions.
4. **Balancing Commercial Interests and Public Morality** – Businesses seek attention-grabbing trademarks, but authorities must prevent offensive branding.

The prohibition of obscene trademarks aims to maintain public decency while allowing businesses to exercise creativity. However, **the lack of clear legal definitions and evolving societal standards make the enforcement of Section 9(2)(c) a challenging task.** Moving forward, trademark authorities and courts must develop **more consistent and transparent guidelines** to navigate the fine line between commercial expression and public morality.

As India and other nations continue to grapple with this issue, the debate over what constitutes an "obscene" trademark will remain an **ongoing legal and ethical challenge** in trademark law.

## **24. LAUGHING ON THE EDGE: THE LEGAL TIGHTROPE OF STAND-UP COMEDY IN INDIA**

Stand-up comedy in India has become a vibrant platform for social commentary and entertainment. However, comedians often navigate a complex landscape of legal constraints and cultural sensitivities, especially when their material delves into dark humor or critiques of societal norms.

### **Legal Framework Governing Comedy in India**

The Indian Constitution guarantees freedom of speech and expression under Article 19(1)(a). However, this right is not absolute and is subject to reasonable restrictions concerning:

- **Defamation:** Making false statements that harm an individual's reputation can lead to legal action.
- **Obscenity:** Content deemed offensive to public decency and morality is prohibited under Sections 316 of the Bharatiya Nyaya Sanhita.
- **Hate Speech:** Speech that promotes enmity between different groups on grounds of religion, race, or place of birth is punishable under Section 152 of the Bharatiya Nyaya Sanhita.
- **Hurting Religious Sentiments (Section 298, BNS)** – **Any speech, act, or gesture that intentionally outrages religious feelings can lead to criminal charges. Several comedians have faced backlash for making jokes related to religious symbols or figures.**

Comedians must be mindful of these provisions, as violations can result in criminal charges or civil suits.

### **Cultural Sensitivities and the Impact on Tradition**

India's diverse cultural fabric means that humor, particularly dark humor, is often interpreted differently across regions and communities. While some audiences appreciate satire, others may view it as an attack on their values and traditions.

This was evident in the "India's Got Latent" controversy, where comedian Ranveer Allahbadia and Samay Raina faced legal complaints for promoting what critics called "vulgar content"



under the guise of dark humor. The incident reignited debates on whether comedians should self-censor to respect cultural norms.

### **Recent Incidents Highlighting the Tension**

Kunal Kamra (March 2025) – Kamra faced backlash after a performance where he called Maharashtra’s Deputy Chief Minister, Eknath Shinde, a “gaddar” (traitor). This led to the vandalism of a comedy club by political party members and legal scrutiny over whether his satire constituted defamation. (Source)

Munawar Faruqui (January 2021) – Arrested for allegedly making offensive remarks about Hindu deities during a show, even though there was no evidence he had made those jokes in that particular performance. His arrest highlighted how comedians can be targeted based on perceptions rather than actual statements. (Source)

Vir Das (November 2021) – His satirical monologue “Two Indias”, performed in the U.S., received both applause and legal complaints for allegedly tarnishing India’s image. Some considered it a sharp critique of societal hypocrisy, while others saw it as an insult to national pride.

These cases reflect the ongoing tension between artistic freedom and cultural sensitivities in India.

### **Legal Perspective on Obscenity in Comedy**

Indian law defines obscenity as content that is offensive to modesty or decency, or is lewd, repulsive, or filthy. Comedians must navigate these definitions carefully, as interpretations can vary, and what is humorous to one audience might be obscene to another.

Another side of this debate is that people do have a choice as to whether to attend or not attend such programmes and a prior disclaimer is already given that the content is dark jokes and it is for mature audience. But the legal stance supporting this argument is little to nil.

The landscape of stand-up comedy in India is fraught with challenges stemming from legal constraints and cultural sensitivities. While comedians aim to push boundaries and provoke thought through humor, they must remain cognizant of the potential legal and societal repercussions. Striking a balance between creative expression and respect for cultural norms is essential to navigate this complex terrain.

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## **25. INDIA-CHINA RELATIONS: NAVIGATING TENSIONS, TRADE, AND A PATH TO STABILITY**

India and China, two of the world's most populous and influential nations, have shared a complex and multifaceted relationship marked by cooperation, competition, and periodic tensions. Historically, their interactions have oscillated between collaboration and conflict, influenced by border disputes, economic ties, and geopolitical dynamics.

### **Historical Overview**

The relationship between India and China has been shaped by centuries of cultural and economic exchanges, notably through ancient trade routes like the Silk Road. However, the modern era has witnessed significant challenges, particularly concerning border disputes. The 1962 Sino-Indian War over territorial disagreements left a lasting impact on bilateral ties. In recent decades, both nations have engaged in multiple dialogues and agreements aimed at managing these disputes and fostering cooperation.

### **Recent Developments**

In October 2024, a notable thaw in relations occurred when Indian Prime Minister Narendra Modi and Chinese President Xi Jinping met during the BRICS Summit in Kazan, Russia. This marked their first formal bilateral meeting in five years, following a period of heightened tensions due to the 2020 border clashes in Ladakh. The leaders emphasized the importance of mutual trust, respect, and sensitivity in guiding bilateral relations, acknowledging that such principles are vital for regional and global stability.

Subsequently, in December 2024, India's National Security Advisor Ajit Doval traveled to Beijing for the 23rd round of the India-China Special Representatives talks. These discussions focused on maintaining peace along the border and seeking resolutions to longstanding boundary disputes. Chinese Foreign Ministry spokesman Lin Jian expressed Beijing's readiness to work with India to implement the understandings reached by both countries' leaders, emphasizing respect for each other's core interests and concerns.

### **Current Status**

As of March 2025, efforts to stabilize and rebuild India-China relations continue. Indian Foreign Minister Subrahmanyam Jaishankar acknowledged that while issues between the two nations are expected, they can be managed without resorting to conflict. He emphasized the importance of dialogue and cooperation in addressing differences.

Economically, the two countries maintain significant trade relations, with China being one of India's largest trading partners. However, challenges persist, such as trade imbalances and dependencies in critical sectors like pharmaceuticals and electronics. India's recent decision to let its \$23 billion Production-Linked Incentive (PLI) scheme lapse, aimed at boosting domestic manufacturing to rival China's, underscores the complexities in achieving economic self-reliance.

### **Conclusion**

The trajectory of India-China relations reflects a delicate balance of cooperation and contention. While recent high-level engagements and agreements signal a mutual desire to manage differences and enhance stability, underlying challenges remain. Continued dialogue, respect for mutual concerns, and collaborative efforts are essential to navigate the complexities of this bilateral relationship, which holds significant implications for regional and global dynamics.

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## **26. LEAKED TEXTS AND AIRSTRIKES: IS THE U.S. HEADING FOR WAR IN YEMEN?**

In recent developments, the United States has intensified its military operations in Yemen, targeting Houthi rebel forces. This escalation has raised questions about the U.S.'s strategic objectives in the region and has been accompanied by controversies surrounding the handling of sensitive information.

### **U.S. Military Actions in Yemen**

Under President Trump's administration, the U.S. has initiated a renewed bombing campaign against the Iran-backed Houthi rebels in Yemen. The primary objective is to deter the rebels, who have been attacking shipping lanes in the Red Sea and launching ballistic missiles at Israel. Secretary of Defense Pete Hegseth emphasized the goals of restoring freedom of navigation and re-establishing deterrence. This approach focuses on targeting Houthi leadership, resulting in significant casualties. Despite these efforts, the Houthis remain resilient, continuing their attacks and bolstering their image as resistance figures in the region.

### **Leaked Communications and Security Concerns**

A significant controversy has emerged following the accidental inclusion of Jeffrey Goldberg, editor-in-chief of The Atlantic, in a private Signal group chat among top U.S. officials discussing military plans in Yemen. This breach exposed detailed operational information, leading to accusations against the Trump administration of mishandling classified data. Despite assertions from President Trump and National Security Adviser Mike Waltz that no classified information was shared, the Senate Armed Services Committee has initiated an investigation into the matter. Critics argue that the incident highlights lack security protocols within the administration.

### **Debate Over U.S. Intentions**

The accidental disclosure of war plans has sparked debate over the U.S.'s intentions in Yemen. Vice President JD Vance expressed opposition to the bombing campaign, citing concerns about its impact on U.S.-European relations and potential increases in oil prices. The leaked communications revealed discussions among officials about the political and economic ramifications of military action, as well as a casual approach to sensitive information.

### **International Response and Future Implications**

The international community has reacted with concern to the U.S.'s actions in Yemen. European diplomats have expressed apprehension over strained relations following the security lapse. The Houthis have vowed retaliation, and regional allies such as Iran and Hezbollah have condemned the strikes. The situation remains volatile, with the potential for further escalation if diplomatic solutions are not pursued.

In conclusion, the recent U.S. military actions in Yemen, coupled with the mishandling of sensitive information, have raised significant questions about the administration's strategy and the potential for deeper involvement in the region. The balance between military objectives and diplomatic considerations remains delicate, with far-reaching implications for regional stability and international relations.

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## **27. THE TRANSITION FROM IPC TO BNS: A NEW ERA IN INDIA'S CRIMINAL JUSTICE SYSTEM**

India's criminal justice system has undergone a significant transformation with the replacement of the **Indian Penal Code (IPC), 1860**, by the **Bharatiya Nyaya Sanhita (BNS), 2023**. Along with this, the **Criminal Procedure Code (CrPC), 1973**, has been replaced by the **Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023**, and the **Indian Evidence Act, 1872**, has been substituted by the **Bharatiya Sakshya Adhiniyam (BSA), 2023**. These changes aim to modernize India's legal framework by making it more efficient, victim-centric, and technology-friendly.

### **Why was the change introduced?**

The IPC was drafted by the British in 1860, primarily designed to serve colonial interests. Even after independence, though several amendments were made, the core framework remained outdated, failing to address modern-day crimes and societal needs. The **Bharatiya Nyaya Sanhita, 2023**, was introduced to:

1. **Remove colonial influence** – The IPC was created to serve British rule, not an independent India. The BNS aims to reflect Indian values and modern realities.
2. **Speed up justice delivery** – Many procedural bottlenecks in the IPC led to delays in trials and punishments.
3. **Address contemporary crimes** – With the rise of cybercrimes, mob lynching, organized crime, and terrorism, new provisions were required.
4. **Strengthen victim rights** – The new law ensures faster and more efficient justice, with an increased focus on victim welfare.
5. **Promote technological advancements** – The new laws allow digital and electronic evidence, making investigations more effective.

### **Key changes from ipc to bns**

#### **1. Sedition Repealed and Treason Introduced**

- **Sedition (Section 124A of IPC) has been repealed.** Instead, the **BNS introduces Section 150**, which criminalizes acts that endanger India's sovereignty, unity, and integrity. This change attempts to strike a balance between national security and freedom of speech.

#### **2. Expanded Definition of Terrorism**

- Terrorism, which was earlier dealt with under special laws like **UAPA**, is now formally defined under **BNS (Section 113)**. This gives broader legal coverage to acts of terror.

#### **3. Mob Lynching Criminalized**

- **Section 103 of BNS** introduces a new provision criminalizing **mob lynching**, which was not explicitly mentioned in IPC.
- **Life imprisonment or the death penalty can be awarded for lynching resulting in death.**



#### 4. Changes in Theft and Snatching Laws

- **Chain snatching** is now a separate offense under **Section 304 of BNS**, which was not clearly defined under the IPC.

#### 5. Introduction of Community Service as Punishment

- **Minor offenses can now be punished with community service**, which was not an option under the IPC. This aims to reduce overcrowding in prisons and promote rehabilitation.

#### 6. Stricter Laws for Hit-and-Run Cases

- Under the IPC, hit-and-run cases were dealt with under **Section 304A (causing death by negligence)**, with lighter punishments.
- The **BNS introduces harsher penalties**, with up to **10 years in prison and a fine of ₹7 lakhs** for drivers who flee after causing a fatal accident.

#### 7. Stronger Laws Against Crimes Against Women

- **Voyeurism, stalking, and sexual harassment** have stricter penalties.
- **New provisions against false promises of marriage** for sexual relations have been added.

#### 8. Organized Crime and Cybercrime Recognized

- **Organized crime is now explicitly defined under BNS.**
- **Cybercrimes, including online fraud, identity theft, and deepfake-related offenses, are covered under new provisions.**

#### 9. Stricter Bail and Preventive Detention Laws

- The **BNS makes it harder for repeat offenders and organized criminals to get bail easily.**
- Preventive detention has been expanded for serious offenses, making it easier to hold suspects before they commit crimes.

### Conclusion

The transition from IPC to BNS marks a **historic shift** in India's legal system. By **modernizing laws, incorporating technology, and making justice more accessible**, the Bharatiya Nyaya Sanhita aims to create a **more efficient, victim-friendly, and robust legal framework**. However, successful implementation will depend on how well law enforcement agencies, courts, and policymakers adapt to these new changes.

The new laws reflect India's commitment to **justice, fairness, and efficiency**, ensuring that the legal system keeps pace with the evolving nature of crime and society.

## 28. INDIAN LANDMARK JUDGEMENTS (PART 1)

The Indian judiciary has played a pivotal role in shaping the nation's legal and constitutional framework. Here are **10 landmark judgments** that significantly influenced Indian law.

### 1. Kesavananda bharati v. State of kerala (1973)

**Facts:** A religious leader challenged the Kerala Land Reforms Act, arguing it violated fundamental rights. The case became a debate on the extent of Parliament's power to amend the Constitution.

**Judgment:** The Supreme Court ruled that Parliament can amend the Constitution but cannot alter its **Basic Structure**. It upheld the power of judicial review and emphasized that democracy, secularism, and federalism must remain intact.

**Analysis:** This case established the **Basic Structure Doctrine**, ensuring fundamental principles of governance remain protected from excessive legislative power.

### 2. Maneka gandhi v. Union of india (1978)

**Facts:** Maneka Gandhi's passport was impounded without reason, preventing her from traveling abroad. She challenged the decision as a violation of **Article 21 (Right to Life and Liberty)**.

**Judgment:** The Supreme Court ruled that the procedure established by law must be **fair, just, and reasonable**. It widened the scope of **Article 21** by linking it with **Articles 14 and 19**.

**Analysis:** The judgment ensured that personal liberty could not be curtailed arbitrarily, reinforcing **due process and fairness** in law.

### 3. Vishaka v. State of rajasthan (1997)

**Facts:** A social worker was gang-raped at work. At the time, India had no specific laws to prevent sexual harassment at the workplace.

**Judgment:** The Supreme Court laid down the **Vishaka Guidelines**, mandating workplace policies against sexual harassment and emphasizing **gender equality under Articles 14, 19, and 21**.

**Analysis:** The case led to the enactment of the **POSH Act, 2013**, providing a legal framework to combat workplace harassment.

### 4. Golaknath v. State of punjab (1967)

**Facts:** The petitioners challenged land reform laws, arguing they violated **Fundamental Rights**.

**Judgment:** The Supreme Court ruled that **Fundamental Rights cannot be amended by Parliament**. The decision was later overturned by **Kesavananda Bharati**.

**Analysis:** This case set the stage for debates on constitutional amendments and judicial review.

### 5. Minerva mills v. Union of india (1980)

**Facts:** The government took control of Minerva Mills, citing constitutional amendments limiting judicial review.

**Judgment:** The Court reaffirmed that **judicial review is part of the Basic Structure**, ensuring a balance between Fundamental Rights and Directive Principles.

**Analysis:** It safeguarded democracy by preventing excessive legislative power.

### 6. Adm jabalpur v. Shivkant shukla (1976)

**Facts:** During the Emergency (1975-77), several citizens were detained without trial. The government argued that **Article 21 could be suspended**.

**Judgment:** The Court controversially ruled in favor of the government, denying the right to habeas corpus.

**Analysis:** Later overturned, this case highlighted the importance of **judicial independence and civil liberties**.

### 7. Indira sawhney v. Union of india (1992)

**Facts:** The Mandal Commission recommended **27% reservations for OBCs**, sparking protests.

**Judgment:** The Court upheld reservations but introduced the **creamy layer exclusion** and **50% cap**.

**Analysis:** It significantly influenced **India's reservation policies** and social justice mechanisms.

### 8. S.r. bommai v. Union of india (1994)

**Facts:** Several state governments were dismissed under **Article 356**.

**Judgment:** The Court ruled that **President's Rule is subject to judicial review** and should not be misused.

**Analysis:** The case strengthened **federalism and state autonomy**.

### 9. K.s. puttaswamy v. Union of india (2017)

**Facts:** Aadhaar's biometric data collection raised concerns over privacy rights.

**Judgment:** The Court declared **Right to Privacy a Fundamental Right under Article 21**.

**Analysis:** It laid the foundation for **data protection laws** in India.

### 10. Shayara bano v. Union of india (2017)

**Facts:** A Muslim woman challenged **instant triple talaq**, arguing it was discriminatory.

**Judgment:** The Supreme Court declared **triple talaq unconstitutional**.

**Analysis:** It led to the **Muslim Women (Protection of Rights on Marriage) Act, 2019**.

## 29. LANDMARK JUDGMENTS OF THE INDIAN JUDICIARY – PART 2

### 1. Mc mehta v. Union of india (1986) – environmental protection

**Facts:** The case arose from the tragic Oleum Gas Leak incident in Delhi, where a gas leak from Shriram Foods and Fertilizers caused severe health hazards. The case was filed by environmentalist M.C. Mehta, seeking stricter industrial regulations.

**Judgment:** The Supreme Court laid down the Absolute Liability principle, making industries engaging in hazardous activities strictly liable for any damage caused, without exceptions.

**Analysis:** This judgment strengthened environmental jurisprudence in India, making it clear that public safety cannot be compromised for economic gains. It led to the enactment of stringent environmental laws like the Environmental Protection Act, 1986.

### 2. Navtej singh johar v. Union of india (2018) – decriminalization of homosexuality

**Facts:** The petition challenged Section 377 of the Indian Penal Code, which criminalized consensual same-sex relationships, arguing that it violated fundamental rights.

**Judgment:** The Supreme Court struck down Section 377 to the extent that it criminalized consensual homosexual conduct, declaring it unconstitutional under Articles 14, 15, and 21.

**Analysis:** This ruling was a landmark victory for LGBTQ+ rights in India, affirming dignity, equality, and privacy for sexual minorities.

### 3. Lily thomas v. Union of india (2013) – disqualification of convicted legislators

**Facts:** This Public Interest Litigation (PIL) challenged the constitutionality of Section 8(4) of the Representation of People Act, which allowed convicted legislators to continue in office if they appealed their conviction within three months.

**Judgment:** The Supreme Court struck down the provision, stating that convicted legislators must be immediately disqualified. The judgment emphasized that criminality in politics cannot be tolerated.

**Analysis:** This ruling was a major step toward political accountability and electoral reforms. However, political parties continue to field candidates with criminal backgrounds, highlighting the need for further reforms.

#### **4. Mohd. Ahmed khan v. Shah bano begum (1985) – muslim women’s rights**

**Facts:** Shah Bano, a 62-year-old woman, was denied maintenance after being divorced by her husband under Islamic law. She filed a petition under Section 125 of the CrPC, which provides maintenance for women, children, and parents.

**Judgment:** The Supreme Court ruled in favor of Shah Bano, stating that Muslim women were entitled to maintenance under secular law and not just under personal laws.

**Analysis:** The ruling faced severe backlash from religious groups, leading to the enactment of the Muslim Women (Protection of Rights on Divorce) Act, 1986, which diluted the impact of the judgment. However, the case remains a milestone in the debate on uniform civil laws.

#### **5. Union carbide corporation v. Union of india (1989) – bhopal gas tragedy**

**Facts:** The 1984 Bhopal Gas Tragedy caused thousands of deaths and long-term health issues due to a gas leak from Union Carbide’s pesticide plant. The Indian government, representing the victims, filed a case for compensation.

**Judgment:** The Supreme Court approved a \$470 million settlement between Union Carbide and the Indian government, citing urgency in providing relief.

**Analysis:** While the settlement provided immediate compensation, it was criticized for being inadequate given the scale of the disaster. The case highlighted the need for stronger corporate accountability and industrial regulations.

#### **6. Joseph shine v. Union of india (2018) – decriminalization of adultery**

**Facts:** A petition was filed challenging Section 497 of the IPC, which criminalized adultery but only punished men, while treating women as victims.

**Judgment:** The Supreme Court struck down Section 497, ruling that it violated Article 14 (equality), Article 15 (against discrimination), and Article 21 (personal liberty).

**Analysis:** This case reinforced gender equality by recognizing the autonomy of women and treating marriage as a partnership rather than a patriarchal institution.

#### **7. Aruna shanbaug v. Union of india (2011) – euthanasia and right to die**

**Facts:** Aruna Shanbaug, a nurse, was in a vegetative state for over 40 years after being assaulted. A petition was filed requesting permission for passive euthanasia.

**Judgment:** The Supreme Court allowed passive euthanasia under strict guidelines, recognizing it as part of the right to die with dignity under Article 21.

**Analysis:** This case set the stage for future laws on euthanasia, leading to the legalization of passive euthanasia under strict conditions through the 2018 judgment in Common Cause v. Union of India.

#### **8. Olga tellis v. Bombay municipal corporation (1985) – right to livelihood**

**Facts:** Slum dwellers in Mumbai challenged the government’s eviction drive, arguing that it violated their right to livelihood.

**Judgment:** The Supreme Court ruled that the right to livelihood is part of the right to life under Article 21.



**Analysis:** This judgment expanded the scope of fundamental rights, recognizing socio-economic rights within the constitutional framework.

### **9. D.k. basu v. State of west bengal (1997) – custodial violence**

**Facts:** A letter highlighting increasing custodial deaths and police brutality was treated as a PIL.

**Judgment:** The Supreme Court laid down guidelines to prevent custodial torture, including mandatory arrest procedures and legal rights awareness.

**Analysis:** This ruling has played a crucial role in police accountability and protection of human rights in India.

### **10. State of tamil nadu v. Suhas katti (2004) – cybercrime**

**Facts:** A woman was harassed through defamatory emails and messages. The accused was booked under the Information Technology Act, 2000.

**Judgment:** The accused was convicted, making it the first successful cyberstalking case in India.

**Analysis:** This case set a precedent for cybercrime laws, ensuring digital safety and legal recourse for victims.

## **30. TARIFF SHOWDOWN: INDIA AND U.S. BRACE FOR APRIL 2 TRADE CLASH**

The trade relationship between India and the United States is approaching a critical juncture with the impending implementation of reciprocal tariffs by the U.S., set to commence on April 2, 2025. This development is poised to significantly impact bilateral trade dynamics, particularly concerning India's tariffs on U.S. agricultural products.

### **Background of the tariff dispute**

Historically, India has imposed substantial tariffs on various imported goods to protect its domestic industries. Notably, tariffs on U.S. agricultural products have been as high as 100%, and duties on American alcohol have reached 150%. These measures have been a point of contention, with the U.S. viewing them as barriers to fair trade.

### **U.s. response and the april 2 deadline**

In response to what it perceives as unfair trade practices, the U.S. administration, under President Donald Trump, announced the implementation of "reciprocal tariffs" starting April 2, 2025. This policy aims to match the tariffs that other countries impose on U.S. products. President Trump emphasized that countries like India, which levy high tariffs on American goods, would face equivalent tariffs on their exports to the U.S.

### **India's efforts to mitigate tariff impacts**

Anticipating the adverse effects of these reciprocal tariffs, India has initiated measures to address U.S. concerns and potentially avert the impending duties:

- **Tariff Reductions on Select U.S. Products:** India has proposed lowering tariffs on specific U.S. agricultural products, including almonds, cranberries, and bourbon whiskey. This initiative is part of broader negotiations aimed at enhancing bilateral trade relations and securing a favorable trade deal with the U.S.
- **Repeal of the 'Google Tax':** In a move to mollify the U.S. and demonstrate a commitment to fair trade practices, India has scrapped the 6% "Google tax" on online advertisements.

This tax primarily affected major U.S. tech companies and its removal is seen as a gesture to ease trade tensions.

### **Ongoing negotiations and challenges**

Despite these efforts, significant challenges remain. The U.S. administration has expressed dissatisfaction with the pace and extent of India's tariff reductions. President Trump has reiterated that, starting April 2, the U.S. will impose tariffs equivalent to those levied by other countries, including India.

Indian officials have indicated a willingness to engage in further negotiations to resolve outstanding issues. Commerce and Industry Minister Piyush Goyal has been in discussions with U.S. Trade Representative Jamieson Greer to address these concerns and explore avenues for mutual agreement.

### **Potential implications**

The implementation of reciprocal tariffs could have far-reaching consequences for both nations:

- **Impact on Indian Exports:** Higher U.S. tariffs on Indian goods, particularly in sectors like pharmaceuticals, textiles, and agriculture, could reduce their competitiveness in the American market, potentially leading to decreased export volumes and economic repercussions for Indian industries.
- **Effect on U.S. Consumers and Businesses:** Increased tariffs on Indian imports may lead to higher prices for U.S. consumers and businesses that rely on these goods, potentially affecting supply chains and profit margins.

### **Conclusion**

As the April 2 deadline approaches, the urgency for both India and the U.S. to find common ground intensifies. While India has taken steps to address some U.S. concerns, the effectiveness of these measures in preventing the imposition of reciprocal tariffs remains uncertain. Continued dialogue and negotiation will be crucial in navigating this complex trade landscape and mitigating potential economic impacts on both sides.

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## **31. WAQF BILL 2024: REFORM OR CONTROVERSY? A CLOSER LOOK**

### **Introduction**

The Waqf (Amendment) Bill, 2024, aims to bring reforms in the management of waqf properties such as land and assets dedicated to religious and charitable purposes in Islam. Over the years, there have been concerns about mismanagement, disputes, and encroachments, leading to the need for changes in the law.

### **Why was the bill introduced?**

- The concept of waqf dates back centuries, but legal regulations began with the British-era Waqf Act of 1923.
- India's government passed several amendments in 1954, 1995, and 2013 to improve transparency, but problems persisted.
- Issues such as illegal land claims, corruption, and unclear administration led to the need for stricter regulations.

### **Key changes in the 2024 bill**

**Stricter Registration:** All waqf properties must be registered with the District Collector to prevent illegal claims.

**Power Shift to District Collectors:** Instead of waqf boards, District Collectors will now decide whether a property is waqf or government land.

**No More Oral Declarations:** Waqf property must be declared through a legal document (waqfnama), stopping disputes over verbal claims.

**More Inclusive Representation:** The bill proposes adding Muslim women and non-Muslims to waqf boards for better governance.

**Stronger Dispute Resolution:** Appeals against Waqf Board decisions can now be taken to the High Court.

### **Recent developments**

The government plans to introduce the bill in Lok Sabha on April 2, 2025.

The BJP is seeking support from other political parties, but opposition groups argue that the bill is unconstitutional and unfair to the Muslim community.

### **Conclusion**

The Waqf (Amendment) Bill, 2024, is an effort to improve transparency and accountability in waqf property management. While it aims to tackle corruption and land disputes, opposition voices raise concerns about potential biases. The upcoming parliamentary debate will determine its impact on waqf governance in India.

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## **32. BIMSTEC SUMMIT 2025: STRENGTHENING REGIONAL COOPERATION IN THE BAY OF BENGAL**

The Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is set to hold its sixth summit from April 2 to 4, 2025, in Bangkok, Thailand. As a key regional organization, BIMSTEC consists of seven member countries: Bangladesh, Bhutan, India, Myanmar, Nepal, Sri Lanka, and Thailand. This summit holds significant importance in strengthening economic, trade, and strategic partnerships among South and Southeast Asian nations.

### Objectives of the summit

BIMSTEC was established in 1997 with the aim of fostering regional cooperation and economic integration. The organization focuses on multiple sectors such as trade, investment, energy, transport, security, and environmental sustainability. The upcoming summit in Thailand is expected to solidify the vision for regional cooperation through the adoption of the **BIMSTEC Bangkok Vision 2030**, which lays out the long-term strategic goals of the organization.

One of the key themes of the summit is "**Prosperous, Resilient, and Open BIMSTEC (PRO BIMSTEC)**" by 2030. Under this vision, member states will discuss ways to enhance economic partnerships, improve disaster preparedness, and strengthen trade and connectivity among the countries.

Another important agenda for this summit is the adoption of the **Report of the Eminent Persons' Group on the Future Direction of BIMSTEC**, which will provide recommendations for improving the organization's efficiency and effectiveness. Additionally, the **BIMSTEC Summit Declaration** will outline collective commitments to deepen cooperation in the coming years.

### Why is this summit important?

The BIMSTEC region is home to approximately **1.7 billion people** and accounts for nearly **4% of global GDP**. The Bay of Bengal is a crucial maritime trade route, and enhanced regional cooperation can significantly contribute to economic growth and security in the region.

Furthermore, BIMSTEC provides a crucial platform for addressing **shared challenges** such as climate change, disaster management, cybersecurity, and maritime security. The upcoming summit will focus on strengthening cooperation in these areas to ensure sustainable development in the region.

Additionally, the summit holds strategic significance, especially as global geopolitical dynamics shift. With growing competition among major powers in the Indo-Pacific region, BIMSTEC presents an opportunity for member countries to enhance **regional autonomy** and reduce dependence on external influences.

### Recent Developments Leading Up to the Summit

The summit was initially scheduled for **September 2024** but was postponed due to political transitions in Thailand. The delay ensured that the new Thai administration could effectively engage with the leaders of the seven participating countries. One of the significant developments ahead of the summit is the participation of Myanmar's junta chief, Min Aung.

The sixth BIMSTEC Summit in Bangkok is a vital step toward stronger regional cooperation in South and Southeast Asia. By adopting the BIMSTEC Bangkok Vision 2030, member states aim to enhance trade, security, and connectivity. As global challenges evolve, BIMSTEC's role in fostering economic growth and stability will be crucial for the region's future.

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### **33. BILLIONS PROMISED, FORESTS AT STAKE: THE HIGH STAKES OF COP29 AND COP30**

The United Nations Climate Change Conferences commonly referred to as COP (Conference of the Parties) are annual summits where world leaders, scientists, and civil society gather to discuss and advance global action against climate change. These conferences are part of the United Nations Framework Convention on Climate Change (UNFCCC), established in 1992 to stabilize greenhouse gas concentrations and prevent dangerous human interference with the climate system.

#### **Why Was COP Initiated?**

COP was initiated to bring countries together under a common legal framework to address the global climate crisis. The key turning point came in 2015 during **COP21**, which resulted in the **Paris Agreement**, a legally binding international treaty that aims to limit global warming to well below 2°C, preferably to 1.5°C, compared to pre-industrial levels.

The main objectives of the COP summits include:

- Assessing progress toward climate goals
- Negotiating new climate commitments
- Securing climate finance for vulnerable nations
- Advancing mechanisms for carbon markets and emission reductions

#### **Highlights of COP29 – Baku, Azerbaijan (November 2024)**

Held in Baku, Azerbaijan, **COP29** was pivotal in shaping future climate finance and operationalizing global carbon markets.

#### **Key Discussions and Outcomes:**

##### **1. Climate Finance Commitments:**

- Developed nations agreed to a **new collective quantified goal (NCQG)**: to mobilize **\$300 billion per year by 2035** to support developing countries.
- Many developing nations criticized this amount as insufficient. India called the figure “paltry” considering the actual costs of climate adaptation and mitigation.

##### **2. Carbon Markets:**

- Agreement was reached on operationalizing **Article 6.4 of the Paris Agreement**, which governs the trading of **international carbon credits**.
- A global framework was approved to standardize carbon credits and facilitate international investments in emission reduction projects.

##### **3. Loss and Damage Fund:**

- Building on COP28, COP29 worked to secure pledges to the **Loss and Damage Fund**. So far, pledges reached **\$759 million**, far below what is needed to help vulnerable nations recover from climate disasters.

##### **4. Geopolitical Shift:**

- With the re-election of Donald Trump, the U.S. position on climate policy was uncertain, raising fears of American withdrawal or diminished engagement.
- **China emerged as a potential climate leader**, emphasizing green infrastructure and renewable energy investments, particularly in the Global South.

### Looking Ahead: COP30 – Belém, Brazil (November 2025)

COP30, scheduled to be held in **Belém, in the Amazon rainforest**, is being positioned as a landmark summit, with a heavy focus on nature-based solutions and implementation of prior commitments.

#### Anticipated Key Themes:

##### 1. Implementation of Climate Finance Mechanisms:

- Finalizing and tracking the mobilization of the \$300 billion agreed at COP29.
- Expanding access to funds for frontline communities, particularly in the Amazon and small island nations.

##### 2. Nature-Based Solutions and Biodiversity:

- Given Brazil's Amazonian setting, **preserving rainforests** and protecting indigenous land rights are expected to be major topics.
- Brazil is expected to push for a **global agreement on deforestation**, similar in scale to the Paris Agreement.

##### 3. Strengthening National Climate Plans (NDCs):

- Countries will be urged to revise and strengthen their **Nationally Determined Contributions (NDCs)** to stay aligned with the 1.5°C goal.

##### 4. Brazil's Leadership:

- President Lula da Silva has pledged to restore Brazil's climate leadership.
- Brazil may advocate for a **binding agreement on methane emissions**, an area previously underemphasized.

#### Conclusion: A World in Transition

COP29 laid important groundwork for climate finance and market mechanisms, but it also highlighted the persistent divide between developed and developing nations on responsibilities and resources. As the world heads into COP30, expectations are high for transformative action particularly from countries like Brazil, which host some of the most vital ecosystems for global climate stability.

With each COP, the urgency mounts. What began in 1995 as a diplomatic experiment has evolved into humanity's most critical annual summit. The success of COP30 may very well define the trajectory of the planet for generations to come.

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### **34. WHEN DEVELOPMENT MEETS DEFORESTATION: UNPACKING THE UOH LAND CRISIS**

The University of Hyderabad (UoH) is at the heart of a growing land dispute involving the Telangana State Industrial Infrastructure Corporation (TSIIC), which has proposed the auction of 400 acres in the Kancha Gachibowli area. This move has triggered strong protests from

students, faculty, environmentalists, and civil society, raising serious constitutional and environmental concerns.

### **Background of the Dispute**

Established in 1974, UoH was granted over 2,300 acres for academic and research purposes. Over time, some of this land was allocated to various institutions. The current conflict centers on 400 acres adjacent to the university's eastern periphery. The Telangana government claims ownership of this land, citing a Supreme Court judgment from May 2024 which upheld the state's rights following a dispute over an earlier private allotment.

However, students and faculty argue that the land has long been used by the university for research and ecological preservation. They assert that any encroachment threatens both the academic autonomy of the institution and the biodiversity of the region.

### **Ecological Importance and Deforestation**

The contested area is one of Hyderabad's last remaining urban green lungs. It hosts over 230 species of birds, including migratory ones, and numerous animal species like Indian Star Tortoises, Rock Pythons, and Spotted Deer. Environmentalists and university researchers have flagged the land as ecologically sensitive and vital for the city's environmental balance.

Despite the legal dispute, heavy machinery was brought in and trees were felled in March 2025. Satellite imagery revealed significant clearing of green cover even before the formal auction was announced, sparking allegations of pre-emptive deforestation without necessary environmental clearance.

### **Escalation and Legal Intervention**

In reaction, more than 500 students launched protests on campus, supported by teaching and workers' associations. The Students' Union demanded the immediate halt of the auction, citing ecological damage and disruption to campus life. Protests intensified with sit-ins and awareness campaigns, culminating in a relay hunger strike by students on April 3, 2025.

The situation escalated when police forces entered the campus and used lathi charges to disperse demonstrators, prompting further outcry about state overreach in academic spaces.

On April 2, the Telangana High Court responded to public interest litigations by ordering a temporary halt to deforestation activities. The very next day, the Supreme Court took suo motu cognizance of the issue and directed a complete stay on tree-felling. The Court instructed the Telangana Chief Secretary to submit a compliance report and asked the High Court registrar to provide an update on the status of the land. This marked a significant intervention in favor of environmental preservation and legal due process.

### **Government's Stand and Promised Development**

The state government maintains that the land is government property and claims that its development plans include creating IT infrastructure and industrial facilities that would benefit the economy. Officials have promised that environmental concerns will be respected, but no Environmental Impact Assessment (EIA) has yet been presented, fueling public skepticism.

Contrastingly, political leaders like KT Rama Rao of the Bharat Rashtra Samithi have promised to convert the area into a central eco-park if voted to power again, warning potential investors of long-term legal complications.

### **Constitutional and Environmental Dimensions**

This issue highlights the tension between development and conservation, and between state authority and institutional autonomy. Constitutionally, Article 48A of the Directive Principles

mandates the State to protect and improve the environment. Article 21, guaranteeing the right to life, has been interpreted by the judiciary to include the right to a clean and safe environment. Environmentally, the 1996 Supreme Court ruling in *T.N. Godavarman Thirumalapad v. Union of India* expanded the definition of forest land to include any area with forest-like characteristics, regardless of official classification. This ruling potentially brings the 400 acres under legal environmental protection, requiring proper EIA and Forest Conservation Act clearances before any development.

The land dispute at the University of Hyderabad exemplifies a larger national conversation on how India balances ecological conservation with urban and industrial growth. While the Telangana government seeks to pursue development, the university community, legal system, and environmental activists continue to push back, emphasizing constitutional values and ecological responsibility. The final resolution will depend on judicial outcomes, public advocacy, and the government's willingness to engage with all stakeholders transparently and lawfully.

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## **35. PRESCRIPTION FOR ACCOUNTABILITY: MEDICAL NEGLIGENCE AND THE LAW IN INDIA**

Medical negligence has increasingly come under legal scrutiny in India as the healthcare sector expands and patients become more aware of their rights. It occurs when a medical professional fails to provide appropriate treatment, breaches their duty of care, or causes injury through a negligent act or omission. This article provides an overview of how medical negligence is addressed in Indian law, notable judicial decisions, and new legislative developments aimed at improving accountability and patient protection.

### **Understanding Medical Negligence**

Medical negligence refers to a situation where a healthcare provider breaches their duty of care towards a patient, resulting in harm. The breach could involve errors in diagnosis, surgical mistakes, prescribing incorrect medication, or failure to obtain informed consent.

In Indian jurisprudence, for a claim of medical negligence to succeed, the following elements must be proven:

1. **Duty of Care** owed by the medical practitioner.
2. **Breach of Duty** through negligent action or omission.
3. **Causation**, showing that the breach led directly to harm or injury.

### **Legal Framework Governing Medical Negligence in India**

Medical negligence is addressed through multiple legal avenues in India:



- **Tort Law (Civil Remedies):** Victims can claim compensation through civil suits for damages.
- **Consumer Protection Act, 2019:** Patients can approach consumer forums for deficiency in service.
- **Bharatiya Nyaya Sanhita, 2023 (BNS):** Replacing the Indian Penal Code, BNS now governs criminal liability in cases of medical negligence.

#### **Relevant provisions under BNS include:**

- **Section 106(1):** Punishes causing death by negligence, applicable in cases where a medical act of carelessness leads to a patient's death.
- **Section 123:** Covers acts endangering life or personal safety of others due to rash or negligent conduct.
- **Section 124:** Deals with causing hurt by reckless or negligent acts.

#### **Landmark Judicial Decisions**

##### **1. Indian Medical Association v. V.P. Shantha (1995)**

This case brought medical services within the scope of the Consumer Protection Act, enabling patients to file complaints against healthcare providers for deficiency in service.

##### **2. Jacob Mathew v. State of Punjab (2005)**

The Court clarified that for criminal liability in medical negligence cases, the negligence must be *gross or reckless*. It adopted the **Bolam Test**, which states that a professional is not negligent if their actions are consistent with a responsible body of medical opinion.

##### **3. Kusum Sharma v. Batra Hospital (2010)**

The judgment emphasized that courts must ensure fairness to both patients and medical professionals and that negligence must be established with concrete evidence.

#### **Recent Legal Developments And Reforms**

The **Consumer Protection Act, 2019** has significantly strengthened the framework for addressing medical negligence by introducing improved mechanisms for grievance redressal, including mediation, e-filing of complaints, and revised pecuniary jurisdiction. This empowers patients to hold medical professionals and healthcare institutions accountable for deficiencies in service. Complementing this, the **National Medical Commission (NMC) Act, 2019** replaced the Medical Council of India and now oversees the regulation of medical education and professional conduct. The NMC has the authority to take disciplinary action against practitioners found guilty of ethical or professional misconduct. Additionally, the **Clinical Establishments (Registration and Regulation) Act, 2010** aims to ensure standardized and quality healthcare by mandating minimum requirements for clinical institutions. However, its implementation remains uneven across various states due to the decentralized nature of health governance in India.

#### **Challenges in Proving Medical Negligence**

Despite legal remedies, hurdles remain:

- Lack of expert medical witnesses willing to testify.
- Technical nature of evidence.
- Long delays in litigation.
- Defensive medical practices that prioritize legal protection over patient care

Medical negligence law in India continues to evolve in the wake of judicial interpretation and legislative reform. While laws like the Consumer Protection Act and NMC Act strengthen patient rights, balanced safeguards must ensure that healthcare professionals are not subjected

to undue litigation. A robust medico-legal framework should ultimately aim for a system where both accountability and empathy prevail.

### **36. THE INFORMATION TECHNOLOGY ACT 2000: REVOLUTIONISING CYBERSPACE IN INDIA**

The dawn of the digital age brought with it a need for robust legal frameworks to address the dynamic and complex world of cyberspace. In response to this need, India enacted the **Information Technology Act, 2000** (IT Act), marking a watershed moment in the country's legal landscape. It not only legitimized e-commerce and electronic records but also provided a foundation to combat cybercrimes and protect digital privacy. Over the years, the IT Act has revolutionised the concept of cyberspace in India, offering legal sanctity to the digital world.

#### **Background and Objectives**

The IT Act was enacted to give legal recognition to electronic transactions and facilitate electronic governance. It was largely influenced by the **United Nations Commission on International Trade Law (UNCITRAL)** Model Law on Electronic Commerce (1996). With the increasing use of the internet and the emergence of cyber threats, the Act was also designed to combat cybercrimes and protect users' rights.

#### **Key Objectives of the It Act:**

- Legal recognition of electronic records and digital signatures
- Regulation of certifying authorities
- Prevention and punishment of cybercrimes
- Empowering the government to intercept, monitor, and decrypt digital information in the interest of sovereignty and public order

#### **Important Provisions of the It Act**

1. **Section 4** – Legal recognition of electronic records  
Grants validity to electronic records, equating them with paper-based records.
2. **Section 5** – Legal recognition of digital signatures  
Confirms that a digitally signed document holds the same legal status as a handwritten signature.
3. **Section 66** – Computer-related offences  
Penalizes hacking, data theft, and the destruction of computer systems or data.
4. **Section 66A** – Punishment for sending offensive messages through communication service  
(Struck down in *Shreya Singhal v. Union of India*, 2015)
5. **Section 66C and 66D** – Identity theft and cheating by impersonation using computer resources
6. **Section 67** – Publishing or transmitting obscene material in electronic form
7. **Section 69** – Powers to issue directions for interception or monitoring of any information through a computer resource
8. **Section 43A and 72A** – Compensation for failure to protect personal data and breach of confidentiality

#### **Landmark Cases Under the It Act**

1. **Shreya Singhal v. Union of India (2015)**

A landmark judgment where **Section 66A** was struck down by the Supreme Court for

being **vague and unconstitutional**, violating the fundamental right to freedom of speech and expression under Article 19(1)(a).

2. **Avnish Bajaj v. State (Bazee.com case)**

Involved the sale of obscene video clips through an online platform. It raised important questions regarding **intermediary liability** and resulted in greater scrutiny of platforms under **Section 67**.

3. **K.S. Puttaswamy v. Union of India (2017)**

Though not a direct challenge to the IT Act, the Supreme Court recognized **privacy as a fundamental right**, influencing how **Sections 43A and 72A** (related to data protection) are interpreted.

4. **Google India Pvt. Ltd. v. Visaka Industries (2009)**

This case dealt with the **liability of intermediaries** for third-party content, prompting the government to issue the **Intermediary Guidelines** under the IT Act.

### Impact On Cyberspace in India

The IT Act has significantly transformed the digital landscape of India:

- **E-Governance:** Enabled services like online tax filing, digital land records, and electronic courts.
- **Digital Economy:** Boosted trust in e-commerce, fintech, and digital payments.
- **Cybersecurity:** Provided a framework for addressing cyber threats, though the need for a more robust data protection law is still felt.
- **Legal Infrastructure:** Encouraged the establishment of cyber cells, special courts, and training of law enforcement.

The Information Technology Act, 2000, has been a cornerstone in India's journey toward digital transformation. While it laid the groundwork for legal recognition of digital activities and cybercrime regulation, evolving technology continues to challenge its relevance. The Act has seen amendments, most notably in 2008, but the call for a comprehensive **Data Protection Law** and further reforms in cyber jurisprudence is louder than ever. Nevertheless, the IT Act remains a pioneering statute that revolutionised India's cyberspace and set the stage for a digitally empowered society.

### 37. DELAY OR DISCRETION? THE GOVERNOR'S ROLE UNDER SCRUTINY

In recent times, a significant constitutional issue has emerged in India involving state governors and their handling of legislative bills passed by state assemblies. The crux of the controversy lies in delays or inaction by governors in giving assent to bills particularly in the case of Tamil Nadu, where the Governor allegedly delayed action on as many as ten bills passed by the state legislature.

#### The role of the governor

Under Article 200 of the Indian Constitution, when a bill is passed by a state legislature, the governor has three options:

1. Give assent to the bill,
2. Withhold assent,
3. Reserve the bill for the consideration of the President.

This discretionary power is subject to constitutional conventions, which suggest that the

governor, as a nominal head, must generally act on the aid and advice of the council of ministers.

### **The tamil nadu controversy**

In Tamil Nadu, a major constitutional row erupted when the state government accused Governor R.N. Ravi of delaying assent to several important bills passed by the Legislative Assembly. These bills, covering key areas like university reforms and administrative changes, were central to the ruling party's governance agenda. The government argued that the Governor's prolonged inaction violated democratic norms and disrupted the functioning of the state legislature.

### **Supreme court's observations**

The Supreme Court criticized the delays, asserting that governors are not entitled to sit on bills indefinitely. The Court condemned the governors act as unconstitutional and further mentioned that governor must be a friend and guide to the state and not a hindrance. It reaffirmed that governors must act within a reasonable timeframe, as unwarranted delays disturb the federal balance and violate democratic principles. Following the court's observations, the Tamil Nadu governor gave assent to some of the pending bills, prompting further discussion on the nature and limits of gubernatorial powers. Tamil Nadu Chief Minister M.K Stalin termed the verdict as historic and a huge victory for all the states.

### **Broader implications**

This case is not an isolated one. Several other states, including Kerala, West Bengal, and Punjab, have voiced similar concerns about governors delaying or withholding assent to bills. These confrontations have sparked debates on:

- **Federalism:** Whether governors, appointed by the central government, are interfering in the functioning of elected state governments.
- **Accountability:** Lack of clear timelines in Article 200 allows room for discretionary inaction.
- **Reforms Needed:** Experts argue for guidelines or constitutional amendments to ensure time-bound decision-making by governors.

### **Conclusion**

The recent tensions between state governments and governors bring to light critical questions about the exercise of constitutional powers. While the Constitution grants the governor certain discretionary powers, these must be used within the framework of democratic principles and in accordance with the advice of the elected government. Unjustified delays or inaction on legislative bills not only disrupt governance but also threaten the federal structure envisioned by the Constitution. Moving forward, there is a pressing need for clearer guidelines or reforms to ensure that gubernatorial functions are carried out in a time-bound, transparent, and accountable manner.

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### **38. THE CONTINUING TRADE WAR: HOW CHINA HIT BACK AT THE U.S. ;AND WHY INDIA IS FEELING THE HEAT**

The U.S.-China trade war has been dragging on for years now, but just when things seemed to be cooling down, 2025 brought a fresh round of fire. And it's not just the U.S. and China that are feeling the burn, countries like India are now finding themselves uncomfortably close to the flames.

Let's break down what's happening, why China is clapping back harder than ever, and how India is getting caught in the ripple effects.

#### **Round two: china hits back hard**

If you thought the tariff drama was over, think again. In response to new U.S. tariff hikes on Chinese goods, Beijing didn't just sit back it struck back, and strategically.

China announced new tariffs ranging from **10% to 15%** on key U.S. exports like **crude oil, coal, LNG, and agricultural machinery**, starting February 2025. These aren't random choices. They're meant to hurt where it matters industries that support American jobs and politics.

#### **But china didn't stop there.**

- **Export Controls:** China tightened its grip on critical minerals like **tungsten and tellurium**, both essential for electronics, green tech, and defense manufacturing. This move directly threatens U.S. ambitions in high-tech sectors.
- **Company Blacklisting:** Major U.S. companies like **Illumina** (a biotech firm) and **PVH Group** (the folks behind Calvin Klein and Tommy Hilfiger) were added to China's "**unreliable entities list**", essentially curbing their business in the Chinese market.
- **Taking It to the WTO:** In a bold diplomatic move, China also filed a complaint with the **World Trade Organization (WTO)**, accusing the U.S. of violating global trade rules.

All of this sends a clear message: China's not backing down — in fact, it's ready to "fight to the end."

#### **Why India should care**

India might not be a direct player in the U.S.-China showdown, but it's certainly feeling the pressure.

First, there's the **supply chain crunch**. With China restricting exports of rare minerals, Indian manufacturers — especially in electronics and renewable energy are facing higher input costs. Second, there's the **reciprocal tariff fallout**. India has had its own issues with the U.S., especially after it was removed from the **Generalized System of Preferences (GSP)**, which had allowed duty-free exports of many Indian goods to the U.S. That hurt sectors like textiles, jewelry, and agriculture.

And now, with China tightening trade terms on Indian pharmaceuticals and tech products (a not-so-subtle response to India's ban on Chinese apps and tech post-Galwan clash), things are getting more complex.

#### **Walking the trade tightrope**

India's caught in a tough spot: it wants to be seen as a reliable U.S. ally while still maintaining a working relationship with China, its biggest trading partner. The challenge is real.

But there's opportunity too.

With Western countries looking to “**de-risk**” from China, India is being eyed as an alternative manufacturing base. The government’s **Make in India** and **PLI (Production Linked Incentive)** schemes are aimed at cashing in on this moment.

Still, to truly benefit, India needs to up its game: improve infrastructure, simplify regulations, and ink trade agreements that can bring stability amidst global volatility.

### What’s next?

If this trade war has taught us anything, it’s that **economic nationalism is back** — and it’s not going away anytime soon. The U.S. and China are both digging in, using tariffs, tech restrictions, and trade alliances as weapons in a new kind of cold war.

For India, the goal now is to stay agile. It needs to protect its interests, diversify its trade, and prepare for a future where global economic power is no longer defined by just two players but by how well others navigate between them.

*Have thoughts on how India should respond to global trade shifts? Drop them in the comments — let’s discuss!*

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## **39. INDIA & SRI LANKA SIGN 7 MOUS: A NEW ERA OF REGIONAL COOPERATION**

In a promising turn of events for South Asian diplomacy, India and Sri Lanka recently inked **seven significant Memorandums of Understanding (MoUs)**, laying the groundwork for a new era of cooperation in defense, energy, digital payments, and infrastructure.

This move is more than just diplomatic symbolism it’s a strategic alignment that could reshape the region’s economic and security landscape.

### A First in Defense Ties

For the first time ever, India and Sri Lanka signed a **comprehensive defense cooperation pact**, establishing a formal framework for joint military exercises, high-level exchanges, and training initiatives.

Sri Lankan President **Anura Kumara Disanayake** was clear in his assurance: Sri Lanka’s land won’t be used in any way that threatens India’s national security. That’s a strong signal of trust and an indirect nod to balancing China’s growing influence in the region.

### Powering Up: Energy Cooperation Goes Green

Energy was a hot topic quite literally. One of the major highlights was the virtual inauguration of a **120 MW solar power plant in Sampur**, a project that emphasizes India's commitment to clean energy and Sri Lanka’s goal of energy self-sufficiency.

But that’s not all. India, in collaboration with the UAE, is also developing a **massive energy hub in Trincomalee**, including a multi-product oil pipeline and the possible use of a long-idle fuel tank farm. It’s a smart, strategic location that holds both economic and geopolitical importance.

### UPI Goes Global: Digital Payments Get a Boost

In a win for seamless travel and trade, India's **Unified Payments Interface (UPI)** is now being integrated into Sri Lanka's financial system.

This means Indian tourists will soon be able to pay for a tuk-tuk ride in Colombo with a simple scan, and vice versa. It's tech diplomacy at its finest efficient, people-friendly, and forward-looking.

### A Relationship Reinforced by Trust

Prime Minister **Narendra Modi**, in his virtual address, reminded everyone of India's consistent support during Sri Lanka's recent economic crisis especially the decision to convert over \$100 million of Sri Lankan debt into grants and reduce interest on prior loans.

This wasn't just financial aid; it was a gesture of solidarity that many Sri Lankans haven't forgotten.

### So, What Does This All Mean?

In a region where alliances often shift with tides, this India-Sri Lanka pact is a powerful statement. It's about **strategic depth, economic recovery, green energy, and shared values**. Most importantly, it reflects a maturing relationship one that's stepping beyond transactional diplomacy into long-term partnership.

It's early days, but these MoUs could be the building blocks of a stronger, more stable South Asia.

## 40. FROM "BHIDU" TO "YOU'RE FIRED!": HOW CELEBRITIES ARE TURNING PERSONALITY INTO TRADEMARK.

In the world of fame and fandom, a celebrity's name, dialogue, or even a signature pose can carry more brand value than traditional advertising. What was once a witty line in a movie or a quirky personal catchphrase can now be trademarked—and legally protected—just like a company logo. With the rise of social media, AI content, and meme culture, the line between personal identity and intellectual property is blurring fast.

So, how does a celebrity protect what makes them

### What is a trademark?

Trademark law traditionally protects names, symbols, and designs used in commerce. But when a celebrity's persona be it a line, voice, pose, or gesture becomes recognizable and monetizable, it can qualify as a **trademark** if:

- It is **distinctive**,
- Used in **commercial contexts**, and
- Directly associated with that individual.

The Registration of trademark is based on the the basic factors mentioned above under section 2(zb) and further it looks into the grounds of refusal of trademark mentioned under section 9 and section 11 of the Trademark Act 1999.

This gives rise to what we now call **personality trademarks** or **publicity rights**—the legal right to control and profit from your own identity.

### India's Growing Interest In Personality Rights

India is seeing a rising trend of celebrities protecting their unique traits through trademark law and right of publicity.

### 1. Jackie Shroff's "Bhidu"

In 2023, Jackie Shroff filed for a trademark on his famous slang "Bhidu", often used by him in interviews and public appearances. He also sought protection over his voice and image, especially against misuse in AI-generated content and memes. It's a modern-day reminder that even casual expressions can carry commercial value.

### 2. Anil Kapoor's "Jhakaas" and Digital Persona

Anil Kapoor took a major step by approaching the Delhi High Court to protect his **entire digital personality**—including his name, voice, image, and even iconic phrases like "Jhakaas." The court recognized the misuse of his identity through deepfakes and granted him interim relief, making it a landmark case in the digital age.

### 3. "How's the Josh?" – Uri (2019)

This viral dialogue from the film *Uri* became a pop culture phenomenon. The production house, RSVP Movies, quickly trademarked the phrase to use it in promotions and merchandise.

### Going Global: Iconic International Trademarks

India isn't alone in recognizing the value of celebrity identity. International celebrities have been monetizing their personas for years.

#### 1. Donald Trump – "You're Fired!"

Made famous through *The Apprentice*, Trump trademarked this catchphrase for use in board games and merchandise. It became as synonymous with him as his political persona.

#### 2. Michael Buffer – "Let's Get Ready to Rumble"

Buffer's booming catchphrase, used in boxing rings worldwide, has reportedly earned him over **\$400 million** in licensing. Yes, you read that right—a single line, trademarked and licensed across video games, commercials, and events.

#### 3. Paris Hilton – "That's Hot"

Socialite Paris Hilton trademarked this phrase and even successfully sued Hallmark when it appeared on one of their cards without her consent.

#### 4. Usain Bolt's Victory Pose

The Olympic champion filed a trademark for his iconic "lightning bolt" celebration pose to use on clothing, accessories, and sports gear.

### Names And Logos As Celebrity Trademarks

Beyond phrases, many stars also trademark their names or stylized versions for business ventures.

- **Shah Rukh Khan (SRK)** has trademarked his initials and name for use in entertainment and branding.
- **Sachin Tendulkar** owns trademarks over "SRT" and his signature, often used in sports goods and events.
- **Beyoncé and Jay-Z** have trademarked their children's names for future brand ventures.
- **Taylor Swift** has trademarked multiple lyrics and even her initials.

### Why Trademarking Matters For Celebrities

1. **Control Over Brand Usage:** Prevents unauthorized commercial use (especially in ads, AI content, or deepfakes).



2. **Revenue Generation:** Enables licensing, endorsements, and merchandising.
3. **Legal Shield:** Helps fight impersonation, misuse, or identity theft.

### **Challenges In Protecting Personality**

- **Generic Terms:** Common phrases (like “Taco Tuesday,” which LeBron James tried and failed to trademark) may not qualify.
- **Proof of Commercial Use:** The celebrity must show actual or planned business use.
- **Public Interest vs. Private Rights:** Courts sometimes balance free speech and parody rights against personality rights.

From “Bhidu” to “You’re Fired!”, celebrity identity today is more than just star power—it’s intellectual property. As the legal landscape evolves, especially with the rise of AI-generated content and deepfakes, protecting personality is not just a luxury, but a necessity. Whether you’re a Bollywood icon, a global pop star, or a sports legend—if the world knows you for something iconic, you better trademark it before someone else does.

## **41. EXTRADITION AND ITS RELEVANCE: THE CASE OF TAHAWWUR RANA AND THE 26/11 MUMBAI ATTACK.**

### **Introduction**

Extradition is a legal process through which one country formally requests the surrender of an individual accused or convicted of a crime in another country. It operates under the framework of treaties or bilateral agreements and is essential for maintaining international criminal justice. The recent developments involving Tahawwur Rana, a Pakistani-Canadian businessman extradited from the United States to India have once again brought the concept of extradition into public discourse, especially in the context of the horrific 26/11 Mumbai terror attacks.

### **What is Extradition?**

Extradition is a cooperative law enforcement mechanism that helps countries bring fugitives to justice, even when they cross international borders. The process typically requires:

1. **A treaty or agreement** between the requesting and the requested states.
2. **Judicial review** to determine the legal basis of the request.
3. **Political and diplomatic discretion**, often exercised by the executive branch of the government.

Most extradition treaties include clauses such as *dual criminality* (the act must be a crime in both jurisdictions), *non-extradition for political offenses*, and *assurances against torture or capital punishment*.

### **Tahawwur Rana’s Case: A Recap**

Tahawwur Rana, a former Pakistani army doctor turned businessman, was arrested in the United States in connection with his role in the 26/11 Mumbai attacks that took place in November 2008. These attacks, orchestrated by the Pakistan-based terror group Lashkar-e-Taiba, led to the death of over 170 people and were one of the worst terror attacks on Indian soil.

Rana was alleged to have facilitated the attacks by helping David Coleman Headley—an American terrorist of Pakistani origin—gain cover and logistical support during his reconnaissance missions in India. Headley, who later turned approver, confessed to Rana’s involvement, which formed the basis for India’s extradition request.

Though Rana had previously faced trial in the U.S. for related charges and was acquitted of direct involvement in the Mumbai attacks, the Indian government pursued a fresh extradition request in 2020. In May 2023, a U.S. court approved the extradition, stating that Rana's acts met the dual criminality standard and were not protected under the political offense exception.

### Legal and Diplomatic Dimensions

The extradition of Tahawwur Rana is significant for several reasons:

1. **International Cooperation Against Terrorism:** The case highlights how countries can collaborate in tackling transnational terrorism through legal channels.
2. **The Role of Evidence and Treaties:** It also demonstrates how documentary and testimonial evidence, especially from co-accused like Headley can be used to build a credible extradition case.
3. **India-U.S. Bilateral Ties:** The extradition underlines growing trust and legal cooperation between India and the United States. Their extradition treaty, signed in 1997, played a key role in this legal victory.

### Conclusion

Extradition is more than a procedural formality—it is a vital instrument of global justice in an interconnected world where crimes often transcend borders. The Tahawwur Rana case is a milestone in India's quest for justice for the victims of the 26/11 Mumbai attacks and showcases how persistent legal diplomacy can bring even distant perpetrators to the dock. As terrorism continues to evolve, so too must international legal cooperation, with extradition at its core.

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## **42. CROSSING LEGAL BORDERS: HOW A KOREAN CITIZEN WAS PERMITTED TO PRACTICE LAW IN INDIA**

The Indian legal profession has historically been closed to foreign practitioners — a legacy of regulatory caution and protectionist instincts. However, the recent case of a South Korean citizen permitted to practice law in India, albeit in a limited capacity, marks a noteworthy shift. It reflects not only regulatory evolution but also India's increasing alignment with global legal standards.

### The Legal Framework: Barriers and Gateways

Under the **Advocates Act, 1961**, only Indian citizens are eligible to be enrolled as advocates and thereby entitled to practice in Indian courts. However, **Section 47** of the Act introduces the principle of **reciprocity**, allowing the Bar Council of India (BCI) to permit foreign nationals to practice law in India if their home country provides similar opportunities to Indian lawyers. The **Supreme Court of India** in *Bar Council of India v. A.K. Balaji* (2018) clarified that foreign lawyers can offer advisory services relating to foreign law, participate in international

arbitration, and operate on a “fly in, fly out” basis — as long as they don’t practice Indian law or appear in Indian courts.

### **Regulatory reforms: bci’s 2023 notification**

A major regulatory milestone came in March 2023, when the BCI notified the Rules for Registration and Regulation of Foreign Lawyers and Foreign Law Firms in India, 2022. These rules allow foreign lawyers and law firms to:

- Practice foreign and international law in India
- Provide non-litigious legal services.
- Advise on international arbitration
- Set up offices in India (under strict conditions)

However, their right to appear before any court, tribunal, or authority remains restricted.

In the case of Daeyoung Jung, a South Korean national seeking enrolment as an advocate in India, the Delhi High Court provided a significant interpretation of the Advocates Act, 1961.

### **Court’s interpretation:**

1. Eligibility Under Section 24(1)(a): The Court emphasized that the Advocates Act does not categorically bar foreign nationals from enrolling as advocates in India. Specifically, the proviso to Section 24(1)(a) allows for the enrolment of foreign nationals if Indian citizens are permitted to practice law in the applicant’s home country.
2. Reciprocity Principle: The Court noted that South Korea does not impose discriminatory practices against Indian citizens seeking to practice law there. Therefore, under the reciprocity principle embedded in the Advocates Act, Jung was eligible for enrolment.
3. BCI’s Refusal Overturned: The Bar Council of India’s (BCI) refusal to consider Jung’s application solely based on his nationality was deemed unjustified. The Court clarified that Jung was not attempting to establish a foreign legal practice in India but was a foreign national with a law degree recognized under Indian law, seeking enrolment accordingly.
4. Directive for Immediate Enrolment: In March 2025, the Delhi High Court directed the BCI to enrol Jung within two days, highlighting that there was no legal basis to withhold his registration in the absence of a stay on the previous order favoring his enrolment.

This case underscores the Court’s commitment to upholding the principles of fairness and reciprocity in the legal profession, ensuring that qualified individuals are not denied opportunities based on nationality alone.

### **Global Context and Implications**

This development aligns with India’s obligations under the **WTO's General Agreement on Trade in Services (GATS)**, which promotes liberalization of professional services across member countries. The liberalization is also seen as a way to enhance India’s attractiveness as an international arbitration hub and facilitate foreign investment.

In Mr. Jung’s case, his ability to bridge Indian and Korean legal frameworks has made him invaluable to Korean investors and Indian firms engaging in cross-border trade. His journey offers a template for others: compliance with Indian education and visa regulations, alignment with reciprocity norms, and a non-litigation focused legal role.

India's cautious opening of its legal market is neither sudden nor absolute, but it is unmistakably moving in the direction of **cross-border collaboration**. The case of the Korean legal professional is symbolic — it reflects India's readiness to selectively integrate foreign expertise without undermining the structure of its domestic legal practice.

As global legal services become more interconnected, India's regulatory choices will continue to define its role in the international legal order.

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### **43. TAMIL NADU'S LEGISLATIVE TRIUMPH: SUPREME COURT MANDATES TIMELY PRESIDENTIAL ASSENT.**

In a landmark development, the Supreme Court of India has redefined the dynamics of federal governance by setting a three-month deadline for the President to decide on state bills reserved by Governors. This decision emerged from a protracted legal battle between the Tamil Nadu government and its Governor, R.N. Ravi, over the withholding of assent to ten bills passed by the state legislature.

#### **Background: The Legislative Impasse**

Between 2020 and 2023, the Tamil Nadu Legislative Assembly passed several bills aimed at reforming university governance and other state matters. Governor R.N. Ravi withheld assent to ten of these bills and reserved two for the President's consideration. In response, the Assembly re-passed the ten bills, asserting its legislative authority. However, the Governor neither assented to nor forwarded these re-passed bills, leading the state government to seek judicial intervention.

#### **Supreme Court's Verdict: Upholding Legislative Supremacy**

On April 8, 2025, the Supreme Court delivered a decisive judgment in the case of \*State of Tamil Nadu v. Governor of Tamil Nadu\*. The Court held that under Article 200 of the Constitution, a Governor must act on the advice of the Council of Ministers and cannot exercise an absolute or pocket veto over state legislation. Specifically, if a bill is re-passed by the legislature after being returned by the Governor, the Governor is constitutionally obligated to grant assent. The Court deemed the Governor's inaction as “erroneous and illegal,” emphasizing that such delays undermine the democratic process.

#### **Mandating Timely Presidential Decisions**

Addressing the issue of bills reserved for the President under Article 201, the Supreme Court established that the President must decide on such bills within three months. This directive



aims to prevent indefinite delays that can stall state legislation. The Court clarified that while the President is not bound to assent to re-passed bills, any decision to withhold assent must be based on sound and specific grounds, not done arbitrarily.

### **Tamil Nadu's Historic Move**

Following the Supreme Court's ruling, the Tamil Nadu government promptly notified the ten previously stalled bills, effectively enacting them without the Governor's or President's assent. This unprecedented move marks a significant assertion of state legislative power and sets a precedent in India's constitutional history.

### **Implications for Federal Governance**

The Supreme Court's judgment reinforces the principles of cooperative federalism by delineating clear boundaries for gubernatorial and presidential roles in state legislation. By imposing time constraints and emphasizing accountability, the Court has ensured that the democratic will of state legislatures is not thwarted by procedural delays. This decision is poised to influence the legislative processes across Indian states, promoting efficiency and respect for constitutional mandates.

In conclusion, Tamil Nadu's legislative assertiveness, backed by the Supreme Court's decisive intervention, underscores the evolving nature of India's federal structure. This development not only empowers state legislatures but also fortifies the democratic fabric of the nation.

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## **44. BACK TO THE TABLE: US-IRAN NUCLEAR TALKS SEEK A FRAGILE REVIVAL OF THE JCPOA**

The Joint Comprehensive Plan of Action (JCPOA), commonly known as the Iran nuclear deal, was established in 2015 between Iran and the P5+1 countries (the United States, United Kingdom, France, Russia, China, and Germany) to ensure the peaceful nature of Iran's nuclear program in exchange for lifting economic sanctions.

### **Background**

Under the JCPOA, Iran agreed to limit its uranium enrichment to 3.67%, reduce its stockpile of enriched uranium by 98%, and decrease the number of its centrifuges by two-thirds. These measures were to be verified by the International Atomic Energy Agency (IAEA) to prevent the development of nuclear weapons. In return, international sanctions imposed on Iran were lifted, allowing it to re-engage with the global economy.

However, in 2018, the United States, under President Donald Trump, unilaterally withdrew from the agreement and reinstated sanctions on Iran. This move led Iran to gradually reduce its

compliance with the deal, including increasing its uranium enrichment levels beyond the agreed limits.

### **Current Developments**

As of April 2025, efforts to revive the JCPOA have resumed. The United States and Iran have engaged in indirect talks in Oman, facilitated by Omani officials. These discussions are aimed at preventing Iran from developing nuclear weapons and restoring elements of the 2015 agreement. Both sides have described the initial talks as constructive and have agreed to continue negotiations.

Key issues in the current negotiations include Iran's demand for the lifting of sanctions and the United States' insistence on Iran reducing its uranium enrichment levels and allowing comprehensive inspections by the IAEA. Iran has enriched uranium to levels nearing weapons-grade, raising concerns about its nuclear intentions.

Iranian Foreign Minister Abbas Araghchi is scheduled to visit Moscow to discuss developments in the nuclear talks, indicating the involvement of other JCPOA signatories in the negotiation process.

### **Challenges Ahead**

The path to restoring the JCPOA is fraught with challenges. Iran insists on maintaining its civil nuclear program and has set the lifting of sanctions as a red line in the negotiations. The United States, on the other hand, seeks a more comprehensive deal that addresses not only Iran's nuclear activities but also its ballistic missile program and regional behaviour.

Domestic politics in both countries also play a significant role. In Iran, hardliners are skeptical of engaging with the United States, while in the U.S., political divisions influence the approach to Iran. The upcoming expiration of the JCPOA in October 2025 adds urgency to the negotiations.

The JCPOA remains a critical framework for preventing nuclear proliferation in the Middle East.

While recent talks offer a glimmer of hope, significant differences between the United States and Iran must be bridged. The involvement of other international players and the IAEA's role in verification are essential components of any potential agreement. The coming months will be crucial in determining whether diplomacy can prevail in resolving the longstanding nuclear issue.

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## **45. ADVOCATES (AMENDMENT) BILL, 2023: MODERNIZING LEGAL PRACTICE IN INDIA**

On December 4, 2023, the Lok Sabha passed the Advocates (Amendment) Bill, 2023, marking a significant step in reforming India's legal framework. This legislation aims to modernize the legal profession by repealing outdated colonial laws and introducing measures to enhance the integrity and regulation of legal practice in the country.

### **Background and Legislative Journey**

The Advocates (Amendment) Bill, 2023, was introduced in the Rajya Sabha on August 1, 2023, and passed by the upper house on August 3, 2023. Subsequently, it received approval from the Lok Sabha on December 4, 2023, during the Winter Session of Parliament. The Bill seeks to amend the Advocates Act, 1961, and repeal certain provisions of the Legal Practitioners Act, 1879, thereby consolidating the laws relating to legal practitioners under a single, modern framework.

### **Key Provisions of the Bill**

1. **Repeal of the Legal Practitioners Act, 1879:** The Bill repeals the remaining sections of the Legal Practitioners Act, 1879, specifically Sections 1, 3, and 36, which dealt with the regulation of 'touts' individuals who solicit clients for legal practitioners in exchange for remuneration. This repeal is part of the government's broader initiative to eliminate obsolete colonial-era laws.
2. **Insertion of Section 45A in the Advocates Act, 1961:** To address the issue of touts, the Bill introduces Section 45A into the Advocates Act, 1961. This provision empowers High Courts and district judges to frame and publish lists of individuals identified as touts. The inclusion of a person's name in such a list requires due process, including an opportunity for the individual to be heard. Once listed, touts are prohibited from entering court premises, and violations can lead to penalties, including imprisonment for up to three months.
3. **Removal of Advocates Convicted of Serious Offenses:** The Bill introduces a new Section 24B, which mandates the removal of an advocate's name from the State roll if they are convicted of an offense and sentenced to imprisonment for three years or more, with the conviction confirmed by the High Court or Supreme Court. However, if the sentence is less than five years, the advocate may apply for re-enrollment after two years from the date of release, subject to approval by the State Bar Council and the Bar Council of India.
4. **Power to Remove Names from Roll:** An additional provision, Section 26A, grants State Bar Councils the authority to remove from the State roll the name of any advocate who is deceased or who has voluntarily requested such removal.

### **Implications for the Legal Profession**

The Advocates (Amendment) Bill, 2023, is a significant legislative effort to modernize the regulation of legal practice in India. By repealing outdated laws and introducing stringent measures against malpractice, the Bill aims to uphold the integrity of the legal profession. The inclusion of provisions to penalize touts and remove advocates convicted of serious offenses underscores the commitment to maintaining ethical standards within the legal community.

Furthermore, the consolidation of laws under the Advocates Act, 1961, simplifies the legal framework governing practitioners, making it more coherent and accessible. This move is

expected to enhance the efficiency of legal processes and reinforce public trust in the judicial system.

The passage of the Advocates (Amendment) Bill, 2023, represents a proactive approach by the Indian Parliament to reform and strengthen the legal profession. By addressing long-standing issues such as the presence of touts and the need for accountability among legal practitioners, the legislation sets a precedent for future reforms aimed at ensuring justice and professionalism within India's legal system.

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### **46. COUNTING CASTES, STIRRING STORMS: KARNATAKA'S CENSUS SPARKS NATIONAL DEBATE**

The recent release of Karnataka's caste census has ignited significant political and social discourse across India. Conducted by the Karnataka State Backward Classes Commission, the survey aimed to provide a detailed demographic breakdown to inform policy decisions. However, its findings and subsequent recommendations have sparked controversy and debate.

#### **Key Findings and Recommendations**

The Karnataka caste census, officially known as the *Socio-Economic and Educational Survey*, aimed to provide a comprehensive demographic snapshot of the state based on caste and community. It revealed that backward classes, including SCs, STs, OBCs, and minority groups, constitute a majority reportedly around 70% of the total population. Among them, Scheduled Castes make up 18%, Muslims about 13%, and Other Backward Classes (OBCs) form the largest collective share.

One of the most striking outcomes of the survey was the relative population drop of traditionally dominant communities. The Vokkaligas and Lingayats, who have historically wielded considerable political and social influence in Karnataka, were shown to be numerically smaller than previously assumed. This recalibration has led to significant debates about whether historical assumptions used in policymaking need to be revised.

In response to these findings, the Karnataka State Backward Classes Commission has proposed increasing the reservation quota for OBCs from 32% to 51%, and for Muslims from 4% to 8%. If implemented, this would push the total reservation in the state to a record 75%, surpassing the 50% cap previously set by the Supreme Court of India (except in certain exceptional cases). The commission has justified this proposal by citing the need for proportional representation based on updated population data.

The report also highlighted marginalized subgroups within communities, revealing that some castes and tribes had fewer than 100 members across the state indicating the urgent need for preservation and targeted welfare measures. However, data quality concerns have emerged, as the census reportedly excluded close to 37 lakh people, prompting questions about the accuracy and completeness of the exercise.



## Political Repercussions

The release of the caste census has sent ripples through Karnataka's political landscape, causing internal rifts and wider public reactions. Within the ruling Congress party, tensions have flared between factions representing different caste communities. Leaders from the Vokkaliga and Lingayat communities traditionally seen as political kingmakers in Karnataka have openly questioned the validity of the census findings. Both communities fear a dilution of their political influence and reservation benefits if the data is used to restructure quotas.

The Lingayat Mahasabha has been especially vocal in its opposition, branding the report as flawed and politically motivated. They have demanded a fresh survey, alleging that the numbers were manipulated to serve certain vested interests. In response, senior Congress leaders including Deputy Chief Minister D.K. Shivakumar have had to engage in damage control, holding meetings with community representatives and party MLAs to address concerns.

At the same time, opposition parties have seized the opportunity to criticize the Congress government. The BJP has accused the ruling party of using the caste census as a tool for electoral gain, particularly to consolidate minority and backward class votes ahead of the 2024 general elections. They have also raised questions about the survey's methodology, calling it unscientific and unreliable.

Even within Congress, some leaders fear that the report's timing so close to the elections could alienate important voter bases. Yet others argue that the survey is a step toward social justice and data-driven policymaking. The divide between ideological commitment to social equity and pragmatic political survival is becoming increasingly visible.

Ultimately, the caste census has forced every major political party in Karnataka and potentially across India to reconsider their strategies and recalibrate their messaging. The tension between caste-based justice and political calculation is now at the heart of the ongoing debate.

## Data Integrity Concerns

Questions have arisen regarding the survey's comprehensiveness. Approximately 5.83% of the state's population, equating to around 37 lakh individuals, were reportedly left out of the survey. Additionally, the census identified 21 communities with fewer than 100 members, highlighting the potential extinction of certain traditional groups.

## National Implications

The Karnataka caste census has reignited the national debate on caste-based reservations. The Indian National Congress, in its 2024 election manifesto, pledged to conduct a nationwide caste census and eliminate the 50% cap on reservations for SCs, STs, and OBCs. However, the central government's stance remains cautious. While the 2021 national census was postponed due to the COVID-19 pandemic, plans are underway to commence the next census in 2025, with discussions ongoing about including caste data.

## Conclusion

Karnataka's caste census has brought to the forefront the complexities of caste dynamics in India. As debates continue over the accuracy and implications of the findings, the discourse underscores the challenges in balancing social justice with political considerations. The outcomes of these discussions will likely influence future policies and the broader national approach to caste-based reservations.

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#### **47. WEST BENGAL'S TEACHER RECRUITMENT SCANDAL: A BATTLE FOR MERIT AND JUSTICE**

The education system of any state plays a crucial role in shaping its future. In West Bengal, however, this system is currently facing a credibility crisis due to a large-scale teacher recruitment scam that has raised serious questions about transparency, fairness, and political accountability. The controversy has not only rocked the state's political landscape but has also had a devastating impact on thousands of deserving candidates and the quality of school education.

##### **Origins of the Crisis**

The roots of the current teacher recruitment scandal trace back to the recruitment process conducted by the West Bengal School Service Commission (WBSSC) between 2014 and 2016. The process was meant to fill thousands of teaching and non-teaching posts in government-aided schools across the state. Initially, it appeared to be a routine exercise in strengthening the state's educational workforce. However, over time, complaints began surfacing that many unqualified candidates had been appointed over more meritorious ones.

These allegations gained traction as multiple candidates approached the Calcutta High Court, presenting evidence of irregularities in the appointment process. The court, upon reviewing the materials, found enough grounds to suspect that the recruitment had been manipulated, and ordered an investigation. What followed was a stunning revelation of a deeply entrenched scam involving fake recommendation letters, tampered scorecards, and significant monetary transactions for job placements.

##### **The Scale of the Scam**

The scale of the scam is staggering. Investigations led by the Enforcement Directorate (ED) and the Central Bureau of Investigation (CBI) uncovered evidence suggesting that bribes ranging from Rs. 5 lakh to Rs. 15 lakh were collected from candidates in exchange for teacher appointments. Over 900 such illegal appointments have already been cancelled by the Calcutta High Court, and the number is expected to grow as the investigation continues.

What has particularly angered the public is the fact that many of those who received appointments allegedly did not even appear for the recruitment exams or had far lower scores than those who were rejected. This has led to widespread protests by genuine candidates who have spent years preparing for these exams, only to be denied jobs because they could not afford to pay bribes.

##### **Judicial and Administrative Response**

The Calcutta High Court has taken a firm stance on the issue. It has not only ordered the cancellation of illegal appointments but also directed the state government to publish merit lists and ensure that appointments are made strictly based on merit. In some cases, the court has called for fresh examinations to be held under judicial supervision.

Several high-profile arrests have also taken place. Former Education Minister Partha Chatterjee, who was in charge during the period of the scam, was arrested by the ED, along with several top officials of the WBSSC. These arrests further confirmed suspicions that the scam was not just an administrative lapse but a politically protected racket.

### **Impact on Aspirants and Education**

The human cost of the scam is perhaps its most tragic aspect. Thousands of aspiring teachers who had cleared their examinations fairly have been left in limbo. Many have crossed the age limit for reapplying and now face a future with dwindling job prospects. Protests by these candidates have become a regular feature in Kolkata and other parts of the state, with students demanding immediate justice, appointments, and an end to the political interference in the recruitment process.

In addition to the damage done to individual lives, the scam has also severely undermined the state's school education system. With numerous positions now vacant due to cancelled appointments, many schools are struggling to provide quality education. This has disproportionately affected rural and underprivileged students who depend on government schools for basic education.

### **Political Fallout**

The teacher recruitment scam has provided ammunition to the opposition, who have accused the ruling Trinamool Congress (TMC) of institutional corruption. Calls for Chief Minister Mamata Banerjee's resignation over the scandal have grown louder, although she has distanced herself from the issue and promised full cooperation with the investigations. Meanwhile, the state government has attempted damage control by promising to reform the recruitment process and fast-track the appointment of eligible candidates.

### **The Road Ahead**

The West Bengal teacher recruitment scam is not just a case of administrative failure but a reflection of a deeper rot in the system where political patronage and corruption have undermined meritocracy. To restore public faith, the government must ensure a transparent, fair, and efficient recruitment process moving forward. This includes digitalizing all stages of recruitment, ensuring independent oversight, and holding accountable all those found guilty, regardless of their political affiliation.

Moreover, steps must be taken to rehabilitate genuine candidates who were denied jobs unjustly. Only then can the state begin to heal from the deep scars left by this scandal and rebuild a system where education and integrity go hand in hand.

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## **48. CLARIFYING THE CONFUSION: IS THERE GST ON UPI TRANSACTIONS IN INDIA?**

In recent weeks, a wave of confusion swept through social media platforms and messaging apps across India, claiming that the government has imposed a Goods and Services Tax (GST) on Unified Payments Interface (UPI) transactions. With India witnessing over 13 billion UPI transactions in March 2024 alone, any change in policy regarding digital payments inevitably attracts public attention and scrutiny.

However, contrary to widespread rumors, no GST is levied on personal UPI transactions, according to a clarification issued by the Press Information Bureau (PIB) on April 5, 2024. The PIB dismissed viral messages suggesting that the government has introduced an 18% GST on UPI payments as "fake and misleading."

### **What Is Taxed?**

To understand the reality behind the claim, it is crucial to distinguish between peer-to-peer (P2P) transactions and merchant payments.

**Personal UPI Transfers (P2P):** These are transactions between two individuals, such as splitting a dinner bill or sending money to a family member. These transactions do not attract any GST.

**Merchant Payments (P2M):** When businesses receive payments through UPI, GST may be applicable not on the transaction itself, but on the goods or services sold. For instance, if a customer purchases a product and pays via UPI, the product or service is taxed as per GST norms, irrespective of the payment method.

Further, the National Payments Corporation of India (NPCI) clarified that while UPI is free for most users, large-volume UPI transactions by merchants might involve an Interchange fee applicable to the payment service providers (PSPs), not to customers. This fee structure applies mainly to Prepaid Payment Instruments (PPIs) and not direct bank account-based UPI payments.

### **Government Stance on Digital Payments**

The government has consistently promoted UPI as a zero-cost digital payment method for individuals. In fact, the Union Budget 2023-24 allocated Rs. 1,500 crores to incentivize digital transactions, reinforcing the government's support for free and accessible digital infrastructure.

Finance Minister Nirmala Sitharaman has also emphasized that digital payments through UPI will continue to remain free for consumers, and no GST will be levied on these transactions.

### **Legal Perspective**

From a legal standpoint, GST is applicable only when a supply of goods or services takes place. Since sending money to a friend via UPI is not a supply under GST law, no tax liability arises. The Central Goods and Services Tax Act, 2017, provides a clear definition of taxable events, none of which include the mere act of transferring money.

### **Conclusion**

The claims about GST on UPI transactions are baseless and arise from a misunderstanding of how digital payments and GST regulations intersect. For the everyday user, \*\*UPI continues



to be a free and seamless\*\* way to make digital transactions. However, consumers should stay informed through official channels to avoid being misled by misinformation circulating online.

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## **49. A TIGHTER GATE: UNPACKING THE 2025 U.S. VISA TURMOIL AND ITS IMPACT ON INDIA**

As the United States navigates a politically charged climate in 2025, its immigration and visa policies are once again in the spotlight. Recent moves by the Trump administration—mass visa revocations, social media surveillance, and tightening of cultural and employment visas—are having widespread effects. Among the most impacted nations is India, which sends tens of thousands of students and professionals to the U.S. each year.

The consequences are being felt deeply, from Indian university applicants to Silicon Valley engineers.

### **1. Student Visa Revocations Hit Indian Aspirants Hard**

In a sweeping action, the U.S. government has revoked the visas of over 1,500 international students some mid-course, others just before travel without providing detailed reasons.

A significant portion of these student's hail from India, the second-largest source of international students in the U.S. According to **Inside Higher Ed**, reasons cited include minor infractions, immigration technicalities, or participation in lawful campus protests.

Indian students many of whom secure education loans or rely on family savings now face legal limbo and emotional distress. Education consultancies in Delhi and Bengaluru have noted an uptick in students shifting interest toward Canada, the UK, and Germany.

### **2. H-1B Holders and IT Professionals Caught in Uncertainty**

Indian nationals hold nearly 70% of all H-1B visas annually. However, with the Trump administration proposing stricter review mechanisms, many skilled Indian workers face longer processing times, additional scrutiny, and unexpected denials.

Several U.S.-based Indian professionals have reported visa renewal delays of over 6 months, causing project disruptions and family separations. Moreover, the future of the H-4 EAD (work permit for spouses) remains under threat, affecting thousands of Indian families in the U.S.

Indian IT firms and startups with U.S. contracts are increasingly investing in local teams or remote operations to reduce dependency on uncertain mobility.

### **3. Social Media Scrutiny: Silencing Free Expression**

Visa applicants now face heightened digital surveillance. According to a report from **Travelobiz** U.S. consulates are reviewing social media profiles dating back five years, and posts critical of

American foreign policy or expressing support for controversial causes are being flagged.

Several Indian applicants, including a research scholar from Pune and a tech professional from Hyderabad, were denied visas after their public posts about the Israel-Palestine conflict were interpreted as "red flags."

This has led to a culture of self-censorship among young applicants. Visa consultants are now offering "digital profile audits" to sanitize applicants' social media history raising serious ethical and privacy concerns.

#### **4. Indian Performers Facing Cultural Shutdown**

Indian cultural exports—from classical musicians to film industry professionals—are also facing hurdles. Brazilian DJ Alok recently criticized the U.S. for creating a "visa wall" that disproportionately affects global artists (Reuters, April 13, 2025). Indian artists echo this sentiment.

A Mumbai-based dance troupe scheduled to perform in Chicago was denied visas due to vague "incomplete documentation," despite past U.S. performances. These obstacles are threatening cultural diplomacy and depriving the Indian diaspora of artistic connections to home.

#### **5. Detentions and Civil Rights Concerns**

Perhaps most disturbing was the wrongful detention of **Jose Hermosillo**, a U.S. citizen of Hispanic descent, by border patrol in Arizona (The Guardian, April 20, 2025). Though not an Indian case, it raises concerns for brown-skinned immigrants—including many Indians—who are often profiled.

Indian nationals, especially those traveling from smaller airports or on student and visitor visas, are increasingly reporting tense interactions with border officials.

#### **6. India Responds: Diplomatic Pressure and Strategic Shifts**

India's External Affairs Ministry has formally raised concerns with Washington over the lack of transparency and sudden cancellations of student and work visas. Foreign Minister S. Jaishankar emphasized the need for "predictability and fairness" in visa processes.

At the same time, Indian students are pivoting toward Europe and Southeast Asia for education, while IT firms are embracing remote-first strategies. If the current trend continues, it could fundamentally reshape the flow of talent between India and the U.S.

#### **Conclusion: Time to Reassess the American Dream?**

For decades, the U.S. has been the land of opportunity for Indian students, scientists, and engineers. But the 2025 visa clampdown—marked by legal opacity, digital surveillance, and civil liberties concerns—is forcing a rethink.

While legal battles are brewing and diplomatic negotiations are underway, one thing is clear: Indian applicants must now weigh not just the opportunity, but the risk of choosing the U.S. as their destination.

Whether the current wave of restrictions is temporary or becomes the new normal will depend on court outcomes, the 2025 U.S. election, and how both countries choose to shape their relationship going forward.

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## **50. FROM OIL TO INNOVATION: INDIA AND SAUDI ARABIA FORGE A FUTURE-READY ALLIANCE**

In a significant step towards deepening diplomatic, economic, and strategic ties, Indian Prime Minister Narendra Modi arrived in Jeddah on April 22, 2025, for a high-profile two-day visit to Saudi Arabia. This visit marks a milestone in Indo-Saudi relations as both nations move toward a more comprehensive and future-oriented partnership. The interactions between PM Modi and Saudi Crown Prince Mohammed bin Salman led to the signing of multiple key agreements, highlighting the mutual desire to transform bilateral engagement across sectors such as energy, defense, infrastructure, and innovation.

### **A High-Level Engagement**

Prime Minister Modi's visit began with a warm ceremonial welcome in Jeddah, followed by bilateral talks with Crown Prince Mohammed bin Salman. The meeting underscored the growing convergence between India and Saudi Arabia on regional and global issues. This visit came at a time when both countries are looking to diversify their international partnerships and play more influential roles on the world stage.

One of the most significant outcomes of the visit was the establishment of the **India-Saudi Strategic Partnership Council**, a high-level body intended to guide and monitor ongoing and future cooperation in key areas. This Council, co-chaired by the Indian Prime Minister and the Saudi Crown Prince, is structured around two main pillars: the Political, Security, Social, and Cultural Cooperation Committee and the Economy and Investments Committee.

### **Energy and Economic Ties: A Growing Bond**

Energy cooperation formed a cornerstone of the discussions. Saudi Arabia, being one of India's largest energy suppliers, reaffirmed its commitment to ensuring long-term oil and gas supplies to India. More importantly, both sides agreed to transition from a buyer-seller dynamic to a more collaborative partnership in energy infrastructure and investments.

An MoU was signed between **Saudi Aramco** and **Indian Strategic Petroleum Reserves Limited (ISPRL)**, exploring joint ventures in petrochemical complexes, storage, and refining infrastructure. This move is aligned with India's goal of strengthening its energy security and developing a resilient energy ecosystem.

India also extended an invitation to Saudi investors to participate in its growing infrastructure sector. PM Modi emphasized the Indian government's commitment to spending over **\$100 billion on energy infrastructure** in the coming years, especially in green hydrogen, renewables, and smart grids.

Another critical agreement was related to **renewable energy cooperation**, including the possibility of electricity grid interconnectivity between the two nations. This reflects both countries' shared ambition to lead the global transition toward clean energy.

### **Expanding Defense and Security Cooperation**

The visit also saw agreements aimed at strengthening defense and security cooperation. With increasing concerns over regional instability and terrorism, both nations reiterated their commitment to maintaining peace and security in the region.

MoUs were signed covering **military industries, defense technologies, cybersecurity, and combating illicit trafficking**. These steps are part of a broader agenda to improve strategic alignment, share intelligence, and foster interoperability between the two nations' security forces.

### **Building People-to-People Ties and Innovation Links**

PM Modi's visit also gave prominence to **cultural, diplomatic, and educational collaboration**. An agreement between India's Foreign Service Institute and Saudi Arabia's Prince Saud Al Faisal Institute of Diplomatic Studies will enhance cooperation in diplomatic training and knowledge exchange, promoting mutual understanding.

Furthermore, in a forward-looking move, India's **Atal Innovation Mission** signed a Letter of Intent with Saudi Arabia's **Small and Medium Enterprises General Authority (Monsha'at)**. This partnership aims to foster innovation, entrepreneurship, and youth-led startups, creating a knowledge-driven bridge between the two countries.

### **The Broader Geopolitical Context**

PM Modi's outreach to Saudi Arabia is not just about bilateral relations—it also carries regional and global significance. As both nations play increasingly prominent roles in the G20 and other multilateral forums, their strategic alignment signals a shift towards a more interconnected Global South.

The visit also underscores India's balanced approach in West Asia, maintaining strong ties with countries across the region including Iran, Israel, and the Gulf states. For Saudi Arabia, enhancing its relationship with India serves both economic and strategic interests, especially as it seeks to diversify its economy under the **Vision 2030** initiative.

### **Conclusion: A Vision for the Future**

Prime Minister Narendra Modi's visit to Saudi Arabia in April 2025 has laid the groundwork for a future-proof and multidimensional partnership between two rising global powers. With a range of agreements covering energy, infrastructure, defense, culture, and innovation, the visit symbolizes the evolving nature of Indo-Saudi ties—from transactional to transformational. As both nations continue to align their strategic goals and unlock new areas of cooperation, this visit may well be remembered as a turning point in a relationship poised to define the geopolitics and geoeconomics of the 21st century.

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