

51. LINES OF POWER: INDIA'S VICE PRESIDENT SPARKS JUDICIAL STORM

A sharp constitutional clash has emerged at the highest levels of the Indian republic, with Vice President Jagdeep Dhankhar openly questioning a recent Supreme Court ruling and, more broadly, the judiciary's interpretation of its powers. The controversy centers around the Supreme Court's landmark judgment setting a timeline for the President to act on state bills, a move aimed at ensuring accountability and legislative efficiency. However, the Vice President's reaction has sparked a nationwide debate on the balance of power between the judiciary, executive, and legislature.

The Supreme Court's Ruling

The Supreme Court judgment at the heart of the controversy was delivered in the context of increasing delays by governors in granting assent to bills passed by state legislatures. In the Tamil Nadu case, the Court ruled that once a governor reserves a bill for the President's consideration, the President must decide within a reasonable time—specifically, three months. This judgment was based on Article 200 and Article 201 of the Constitution, interpreted through the lens of Article 142, which empowers the Court to pass any order necessary to do “complete justice.”

The ruling was seen as a necessary check on the increasing politicization of gubernatorial offices, which, in many states, have stalled legislative bills indefinitely, sometimes due to political differences with the ruling state governments.

Vice President Dhankhar's Remarks

Speaking at a public event, Vice President Jagdeep Dhankhar described the Court's ruling as a case of “judicial overreach” and warned against the misuse of Article 142, which he termed a “nuclear missile” in the judiciary's hands. “Can the judiciary really set timelines for the President? This disrupts the balance envisioned by the makers of the Constitution,” he said. He expressed concern that the judiciary was encroaching upon the exclusive domain of the executive. “The principle of separation of powers must be respected. Article 142 is not a blanket license for the Court to legislate or issue directives to constitutional authorities like the President of India,” Dhankhar asserted.

These remarks have stirred significant controversy, particularly because they come from the Vice President who also serves as the Chairman of the Rajya Sabha, one of the highest constitutional offices in the country.

Opposition and Legal Experts React

The Vice President's comments drew swift backlash from multiple quarters. Leaders of opposition parties such as the Congress, Trinamool Congress (TMC), and DMK accused Dhankhar of undermining the judiciary. Congress MP Jairam Ramesh said, “It is highly inappropriate for the Vice President to publicly criticize a judgment of the Supreme Court. He is supposed to uphold constitutional propriety, not challenge it.”

TMC MP Derek O'Brien went a step further, stating, “If the Vice President does not respect the judiciary's independence, he should resign. His comments are politically motivated and erode public trust in institutions.”

Legal experts are divided. Some constitutional scholars have defended the Supreme Court, noting that Article 142 has historically been used to bridge constitutional gaps and deliver justice. “This provision exists precisely for complex cases where traditional remedies are insufficient. Setting a timeline ensures that bills are not left in a legislative limbo,” said senior advocate Indira Jaising.

Others have supported the Vice President's concerns. "The judiciary must be careful not to assume executive functions. Article 142 is extraordinary in nature and should be used sparingly," said former Attorney General Mukul Rohatgi.

The Larger Constitutional Question

At the heart of this controversy is a deeper, long-standing question: Where should the line be drawn between judicial intervention and overreach?

The Indian Constitution envisages a delicate balance between the legislature, executive, and judiciary, each acting as a check on the other. However, in recent years, the judiciary has been accused—particularly by the executive of stepping into policy domains. The vice president's comments have reignited this debate.

The use of Article 142 has often led to sweeping changes: from ordering reforms in cricket administration to mandating environmental protections. However, setting timelines for the President, a role deemed above partisan politics, has triggered questions about constitutional propriety.

Conclusion

The tussle between the Vice President and the Supreme Court is not merely about one judgment; it is emblematic of the evolving power dynamics between India's three pillars of democracy. While the judiciary's intention to ensure timely decision-making is commendable, the Vice President's concerns about overreach cannot be dismissed lightly.

As India navigates this constitutional moment, what remains crucial is the commitment of all institutions to the spirit of the Constitution: mutual respect, institutional balance, and democratic accountability. The current debate may ultimately compel a clearer delineation of powers something the framers of the Constitution envisioned, but left open for interpretation in a maturing democracy.

Sources:

1. https://www.tribuneindia.com/news/india/vice-presidents-remarks-on-sc-divide-legal-luminaries/?utm_source=tribuneindia&utm_medium=news
2. https://www.indiatoday.in/india/law-news/story/vice-president-jagdeep-dhankar-ignites-row-over-judicial-activism-versus-overreach-after-supreme-court-tamil-nadu-governor-judgment-2709337-2025-04-18?utm_source=indiatoday&utm_medium=news
3. https://timesofindia.indiatimes.com/india/should-resign-immediately-opposition-slams-vp-dhankars-comments-on-sc/articleshow/120411944.cms?utm_source=timesofindia&utm_medium=news
4. https://www.livelaw.in/articles/unwarranted-diatribes-on-vice-presidents-comments-against-supreme-courts-timelines-for-bills-assent-289786?utm_source=livelaw&utm_medium=news

52. WHEN LOVE TURNS LEGAL: SECTION 69 AND THE ILLUSION OF MARRIAGE

The Bharatiya Nyaya Sanhita (BNS), enacted in 2023 to replace the Indian Penal Code (IPC), introduced several new provisions to modernize India's criminal law. Among the most debated is

Section 69, which criminalizes sexual intercourse procured through deceitful means, including **false promises of marriage**. The inclusion of this section has sparked a nationwide conversation around the intersection of personal relationships, consent, and criminal liability.

What Does Section 69 State?

Section 69 of the BNS penalizes sexual intercourse by a man with a woman under circumstances where the woman's consent is obtained through deception. This includes, but is not limited to:

- A false promise to marry without any genuine intention to fulfill it;
- False promises of employment or promotion;
- Suppression of identity or impersonation with the intent to mislead;
- Any other act intended to deceive a woman into consenting to sexual activity.

The punishment prescribed under this section is **imprisonment for up to 10 years** and may also include a **fine**. This provision is distinct from rape laws and applies even when the act does not legally constitute rape under BNS Section 63.

The Legal Philosophy Behind the Provision

At the heart of Section 69 lies the idea that **consent obtained by deception is not valid consent**. Indian courts have long recognized that a promise to marry, made without intention to fulfill it, could invalidate consent. The BNS now codifies this principle to provide a clearer statutory framework.

This provision seeks to address situations where women are **exploited emotionally and physically**, often under the false belief that the relationship is headed toward marriage. In doing so, it aims to hold accountable those who deliberately manipulate such expectations for sexual gratification.

Concerns and Criticisms

Despite its intent to safeguard vulnerable individuals, Section 69 has drawn criticism from legal scholars, civil rights activists, and even former judges. The main concerns include:

1. Risk of Misuse

Critics argue that the provision could be misused by individuals to **criminalize failed relationships**. Not all broken promises are made in bad faith; intentions can change over time. The fear is that consensual relationships that end without marriage could retrospectively be painted as exploitative, leading to **false or vindictive cases**.

2. Ambiguity in Proving Intent

A critical element of prosecution under Section 69 is establishing that the accused had **no intention of marrying** at the time the promise was made. Proving this state of mind is inherently complex and subjective. In the absence of clear evidence, courts may face challenges in distinguishing between **genuine romantic intentions** and **manipulative deceit**.

3. Impact on Personal Autonomy

Some critics view the provision as potentially **intrusive into private affairs**, suggesting it places too much legal scrutiny on personal relationships. It may discourage individuals from entering into romantic engagements or delay expressions of commitment, fearing possible legal consequences if things don't work out.

Support for the Provision

On the other hand, **supporters** of Section 69 argue that it addresses a very real and **systemic problem** the exploitation of women under the guise of long-term commitment. In many cases, the emotional, social, and reputational damage caused by such deceit is profound, especially in a society where premarital relationships are still stigmatized.

They also argue that codifying this principle gives **legal recognition to the idea of meaningful consent**, moving beyond the binary of rape versus non-rape. It affirms that **consent must be informed and voluntary**, not the product of manipulation or false promises.

Judicial Interpretation and Future Implications

As Section 69 is still new, its interpretation will evolve through judicial decisions. Courts will have to carefully balance **protecting victims of exploitation** while **guarding against frivolous or malicious prosecutions**. It is likely that the judiciary will place emphasis on **contemporaneous evidence** such as messages, witness testimonies, and the behavior of the parties to assess whether deception existed from the outset.

There is also scope for **judicial safeguards**, such as requiring a preliminary inquiry or higher evidentiary threshold before allowing the case to proceed to trial.

Section 69 of the Bharatiya Nyaya Sanhita represents a bold and sensitive attempt to address the **growing concern around consent, coercion, and deception in intimate relationships**. While its potential for misuse cannot be ignored, its existence reflects a maturing legal understanding of consent one that recognizes emotional manipulation as a form of violation.

To ensure fairness, it will be crucial for law enforcement, prosecutors, and judges to **apply the provision cautiously**, keeping in mind the thin line between a false promise and a failed relationship. Only then can the law serve its purpose to protect the innocent, punish the guilty, and uphold the dignity of consent in all its dimensions.

SOURCES

1. <https://www.indiatoday.in/india/story/section-69-bhartiya-nyaya-sanhita-marriage-promise-breach-10-years-jail-experts-worried-2561200-2024-07-02?utm>
2. <https://nliulawreview.nliu.ac.in/blog/promises-prejudices-and-perils-unveiling-the-complexities-of-section-69-bharatiya-nyaya-sanhita-2023/>
3. <https://www.khuranaandkhurana.com/2024/07/27/naviating-section-69-of-the-bharatiya-nyaya-sanhita/>

53. CLASH OF POWER AND ACADEMIA: TRUMP ADMINISTRATION'S CRACKDOWN ON UNIVERSITIES SPARKS NATIONAL DEBATE

In a dramatic escalation of tensions between government and higher education, Harvard University has launched a legal battle against the Trump administration over what it claims is an unconstitutional overreach of federal authority. This comes as part of a broader campaign by Donald Trump's administration to reshape the ideological landscape of American universities a move that has sparked outrage among educators, students, and civil liberties advocates across the nation.

The immediate cause of the lawsuit is the administration's decision to freeze over \$2.3 billion in federal research funding allocated to Harvard. The government alleges that the university has failed to take adequate steps to combat antisemitism on campus, particularly in light of the recent surge of pro-Palestinian student protests following geopolitical tensions in the Middle East.

But Harvard's leadership views the funding freeze as a thinly veiled attempt to coerce universities into aligning with political ideologies. In a strongly worded lawsuit filed in Boston federal court, the university argues that the administration's demands including the imposition

of an external monitor to enforce viewpoint diversity and the reconfiguration of curriculum violate both the First and Fifth Amendments of the U.S. Constitution.

“Federal funding must not be used as a tool to silence academic freedom,” said Harvard President Alan Garber. “No government, regardless of its ideology, should have the power to dictate the content of education or the principles of institutional governance.”

The Trump administration, however, insists that its actions are warranted. Officials argue that public funds come with an obligation to uphold standards of equity, safety, and accountability.

A spokesperson for the Department of Education stated, “Universities that foster hate speech or fail to provide safe environments for all students will be held accountable.”

This lawsuit is not an isolated incident. Since returning to office, President Trump has made higher education a focal point of his broader cultural and political agenda. His administration has proposed eliminating diversity, equity, and inclusion (DEI) programs, revamping the college accreditation system, and even launching a government-backed online university called the “American Academy,” aimed at offering “non-political, pro-American” education.

Critics view these moves as a direct threat to the autonomy of academic institutions. Over 150 university presidents across the country have signed a joint letter condemning what they describe as an “unprecedented assault on educational freedom.” The letter warns of a dangerous precedent being set—where federal support becomes contingent on political conformity rather than educational merit.

Civil liberties groups have also raised alarms. The American Civil Liberties Union (ACLU) and Foundation for Individual Rights in Education (FIRE) have both indicated their support for Harvard’s legal challenge, emphasizing that the government’s actions could lead to the erosion of free thought and open discourse on campuses.

The situation has intensified the already-polarized national discourse around higher education. Supporters of the Trump administration argue that universities have become echo chambers of liberal ideology, lacking balance in their intellectual frameworks. On the other hand, academics argue that the essence of university life is the exploration of diverse ideas without interference from the state.

The outcome of Harvard’s legal challenge could set a crucial precedent for the future of American academia. If the court rules in favor of the administration, universities may be forced to recalibrate their policies and programs to comply with federal standards that many view as ideologically driven. A victory for Harvard, however, could reaffirm the constitutional protections that have historically insulated universities from political influence.

As this legal and ideological battle unfolds, one thing is clear: the struggle over the soul of higher education in America is far from over. The courtroom has become the latest arena in a broader cultural war one that may reshape the relationship between education and the state for generations to come.

Sources

1. https://www.theguardian.com/education/2025/apr/21/harvard-sues-trump-administration?utm_
2. <https://www.thecrimson.com/article/2025/3/12/education-department-trump-harvard/>

3. <https://www.waff.com/2025/04/21/harvard-sues-trump-administration-stop-freeze-more-than-2-billion-grants/>

54. BLOOD IN THE MEADOWS: INSIDE THE PAHALGAM ATTACK

On April 22, 2025, a devastating terrorist attack unfolded in the Baisaran Valley near Pahalgam, Anantnag district, Jammu and Kashmir, India. Seven militants, affiliated with The Resistance Front (TRF) a proxy of the Pakistan-based Lashkar-e-Taiba launched a brutal assault on tourists in the area. The attackers, armed with M4 carbines and AK-47s and dressed in military-style uniforms, opened fire on unsuspecting civilians, resulting in the deaths of at least 28 individuals and injuries to over 20 others.

The Attack

The assailants targeted tourists in the picturesque Baisaran meadow, a popular destination known as "mini Switzerland." Eyewitness accounts reveal that the militants demanded victims to recite Islamic verses, shooting those who failed to comply. Among the deceased were 25 Indian nationals, including individuals from various states such as Arunachal Pradesh, Karnataka, Kerala, Maharashtra, Odisha, Gujarat, Haryana, West Bengal, and Uttar Pradesh. Two foreign tourists from Nepal and the United Arab Emirates also lost their lives. Notably, a 26-year-old Indian Navy officer and an Intelligence Bureau official were among the fatalities. Local residents displayed remarkable courage during the crisis. Members of the local pony-handler's association rescued approximately 11 injured tourists using ponies and improvised stretchers. One local, Syed Adil Hussain Shah, attempted to confront the attackers and was killed in the process.

Government Response

Prime Minister Narendra Modi condemned the attack, cutting short his visit to Saudi Arabia to address the situation. He vowed that those responsible would be brought to justice. Home Minister Amit Shah traveled to Srinagar to oversee the security response. In retaliation, India took several measures:

- Downgrading diplomatic relations with Pakistan, including expelling Pakistani military advisers and reducing diplomatic staff.
- Suspending the Indus Waters Treaty, a significant water-sharing agreement between the two nations.
- Closing the main land border with Pakistan and canceling a visa exemption scheme for Pakistani citizens.

International Reaction

The international community widely condemned the attack. Leaders from countries including the United States, United Kingdom, Italy, Israel, and Nepal expressed their condolences and support for India. U.S. President Donald Trump described the incident as "deeply disturbing" and reaffirmed support for India in its fight against terrorism.

Impact on Tourism and Local Economy

The attack severely impacted the region's tourism industry, which had been experiencing a boom with over 3 million visitors in 2024. Following the incident, mass cancellations ensued, and airlines had to add return flights to accommodate tourists eager to leave. Local businesses, heavily reliant on tourism, expressed despair over the economic fallout, describing the summer season as ruined.

Ongoing Investigation

The National Investigation Agency (NIA) initiated a probe into the attack. Security agencies released sketches of three militants involved, identified as Asif Fauji, Suleman Shah, and Abu Talha, linked to Lashkar-e-Taiba. Intelligence agencies believe Saifullah Kasuri alias Khalid, a top LeT commander, masterminded the massacre.

This tragic event underscores the persistent challenges of terrorism in the region and has reignited discussions on national security and regional stability.

Sources

1. <https://www.ft.com/content/702b94b2-21ec-40b6-ac27-75f3696e2225?utm>
2. <https://www.reuters.com/world/india/kashmir-killings-shatter-modis-tourism-success-troubled-region-2025-04-23>
3. <https://www.theguardian.com/world/2025/apr/23/indian-security-forces-hunt-militants-after-tourists-killed-in-kashmir-attack>

55. SHUFFLING JUSTICE: THE SUPREME COURT COLLEGIUM'S RECENT HIGH COURT TRANSFERS AND THE BALANCE OF POWER

In a significant move that underscores the workings of India's judicial administration, the Supreme Court Collegium has recently recommended the transfer of four judges from the Karnataka High Court to other high courts across the country. This reshuffling highlights the ongoing role and influence of the collegium system in the appointment and transfer of judges, which remains a cornerstone of India's judiciary.

Judges Transferred: An Overview

Among the four judges transferred, Justice Narendar G was initially recommended for transfer from the Karnataka High Court to the Orissa High Court. However, the Collegium reconsidered this decision after Justice Narendar G requested a transfer to the Andhra Pradesh High Court, citing personal reasons. The Collegium, in a rare instance, amended its recommendation, highlighting its flexibility and responsiveness to the needs of individual judges. Justice Narendar G's transfer to the Andhra Pradesh High Court was subsequently finalized.

Another major transfer involved Justice Ravi Vijaykumar Malimath, who has been recommended for a transfer to the Uttarakhand High Court. While the Collegium did not explicitly state the reasons for this transfer, such decisions typically aim at ensuring a balanced distribution of judicial workload and enhancing efficiency across the country's high courts.

In addition, Justice C Sumalatha, serving at the Telangana High Court, has been recommended for transfer to the Karnataka High Court. Similarly, Justice Anu Sivaraman, who previously served at the Kerala High Court, has requested a transfer, and the Collegium has recommended her appointment to the Karnataka High Court as well.

The Collegium System: A Brief Insight

The Collegium system, established through judicial decisions, is responsible for the appointment, transfer, and elevation of judges to the higher judiciary, comprising the Supreme Court and high courts. The system is led by the Chief Justice of India, alongside four other senior-most judges of the Supreme Court. This system emerged from a series of landmark judgments, starting with the Supreme Court Advocates-on-Record Association vs. Union of

India case (1993), which shifted the power of judicial appointments from the executive to the judiciary.

The Collegium Is entrusted with making decisions that are meant to ensure judicial independence and efficiency. In the case of transfers, the Collegium ensures that judges are rotated across high courts to prevent regional biases and to promote the broader national integration of the judiciary. Transfers also help in managing the workload of judges, ensuring that no particular high court is overburdened or underrepresented.

The Controversy Surrounding the Collegium System

Despite its emphasis on judicial independence, the Collegium system has been subject to significant criticism. Critics argue that the system lacks transparency, as it operates without public scrutiny or accountability.

The absence of clear guidelines and a formalized process for evaluating the performance of judges has further fueled debates on the need for reform. Many have called for a more structured approach to judicial appointments and transfers, with a greater role for the executive and other stakeholders.

However, defenders of the system maintain that the Collegium is essential for preserving the integrity of the judiciary, especially in a country as large and diverse as India. By vesting the power of judicial appointments and transfers in a body of senior judges, the system aims to insulate judicial decision-making from political influence.

Judicial Efficiency and Balance

The recent transfers of judges from the Karnataka High Court to other high courts across the country reflect the dynamic nature of the collegium system and its continued importance in shaping the judiciary's composition. These transfers serve not only to ensure judicial efficiency but also to maintain a balance of power across the nation's high courts.

While the system continues to face criticism, particularly with regard to transparency, the Collegium remains a key player in preserving the autonomy and integrity of the judiciary. The careful consideration given to individual requests, as seen in the case of Justice Narendar G's transfer, reveals a system that seeks to balance administrative efficiency with personal factors, a testament to the complexity of judicial administration in India.

As the Indian judiciary continues to evolve, the decisions made by the Collegium will remain critical in shaping the future of judicial appointments and transfers, ensuring that justice is both fair and efficient across the country.

Source

1. <https://www.barandbench.com/news/litigation/supreme-court-collegium-recommends-transfer-karnataka-high-court-judge-justice-narendar-g-andhra-pradesh-high-court>
2. <https://www.thehansindia.com/news/national/supreme-court-collegium-withdraws-recommendation-for-transfer-of-justice-narendar-g-of-karnataka-hc-to-orissa-814976>
3. <https://www.livelaw.in/news-updates/supreme-court-collegium-transfers-judges-from-karnataka-high-court-to-other-states-211701>
4. <https://www.indiatoday.in/india/story/judicial-reshuffle-sc-collegium-recommends-transfer-of-4-judges-from-karnataka-high-court-2127067-2023-08-11>
5. <https://www.thehindu.com/news/national/supreme-court-collegium-recommends-transfer-of-4-judges-from-karnataka-high-court/article65910563.ece>

56. BEHIND CLOSED DOORS: CONFRONTING THE LEGAL SILENCE ON MARITAL RAPE IN INDIA

Marital rape, defined as non-consensual sexual intercourse by a husband with his wife, remains a contentious and unresolved issue in India. Despite growing advocacy and judicial scrutiny, India continues to exempt marital rape from its legal definition of rape, making it one of the few countries where such an exemption persists.

The Legal Landscape

Under Section 375 of the Indian Penal Code (IPC) currently section 63 of the Bharatiya Nyaya Sanhita (BNS), rape is criminalized; however, Exception 2 to this section states that sexual intercourse by a man with his own wife, provided she is not under 18 years of age, does not constitute rape. This legal provision effectively grants immunity to husbands, allowing non-consensual sex within marriage without criminal repercussions. The 2017 Supreme Court judgment in the *Independent Thought* case marked a significant shift by criminalizing sexual intercourse with a minor wife, aligning the age of consent with the age of marriage. However, the broader issue of marital rape remains unaddressed in criminal law.

Judicial Opinions and Advocacy

Several legal scholars and jurists have criticized the marital rape exemption. The Justice J.S. Verma Committee, established after the 2012 Nirbhaya gang rape case, recommended the removal of the marital rape exception. Despite this, the recommendation was not incorporated into the Criminal Law (Amendment) Act, 2013. In 2018, the Gujarat High Court, in *Nimeshbhai Bharatbhai Desai v. State of Gujarat*, questioned the notion of implied consent within marriage, emphasizing that "marital rape is not a privilege of the male partner in a marriage, but instead a violent conduct and an unfair treatment that should be criminalised". Justice D.Y. Chandrachud, during a 2018 hearing, underscored the importance of consent within marriage, stating, "The freedom to say 'no' (to sexual intercourse) must exist after marriage as well".

Government's Stance

The Indian government has consistently opposed the criminalization of marital rape, citing cultural and societal factors. In 2015, then Minister of State for Home Affairs, Haribhai Parathibhai Chaudhary, stated that "marital rape cannot be applied in the country since marriage was treated as a sacrament or sacred in the Indian society". The government argues that criminalizing marital rape could "destroy the institution of marriage" and lead to misuse of the law. In a 2023 affidavit to the Supreme Court, the Centre expressed concerns that such legislation might be misused and emphasized the need for a comprehensive approach involving consultation with all stakeholders.

Societal and International Perspective

The resistance to criminalizing marital rape is deeply rooted in societal norms and cultural beliefs. The perception of marriage as a sacrament implies perpetual consent, and the patriarchal mindset often views the wife's body as the husband's property. This cultural conditioning makes it challenging to recognize and address marital rape as a violation of a woman's autonomy and rights.

Furthermore, concerns about the potential misuse of laws, as seen with Section 498A (anti-dowry law), contribute to the hesitation in enacting legislation against marital rape. However, legal experts argue that the possibility of misuse should not hinder the establishment of laws that protect fundamental rights.

Globally, many countries have recognized marital rape as a crime. The United Kingdom criminalized it in 1991, and countries like Canada, South Africa, and Australia followed suit in the 1980s and 1990s. India's continued exemption places it among a minority of nations that do not criminalize marital rape. International bodies, including the United Nations, have urged India to reconsider its stance. Helen Clark, former head of the U.N. Development Programme, emphasized that "any form of assault on women, even within a family, is a crime and must be properly addressed".

The Path Forward

Addressing marital rape in India requires a multifaceted approach. Legal reforms are essential to recognize and criminalize non-consensual sex within marriage. Equally important is societal change to challenge and transform the patriarchal norms that perpetuate the belief in implied consent. Education and awareness campaigns can play a pivotal role in reshaping societal attitudes. Empowering women to assert their rights and fostering a culture that respects consent are crucial steps toward eradicating marital rape.

In conclusion, while legal scholars, jurists, and activists continue to advocate for the criminalization of marital rape, significant challenges remain. Balancing cultural sensitivities with the imperative to protect women's rights is a complex task, but one that is essential for India's progress toward gender equality and justice.

- The Guardian
- Time
- Time

57. RIPPLES OF DIPLOMACY: THE INDUS WATERS TREATY AND ITS SUSPENSION IN A TIME OF CRISIS

What Is a Treaty?

A treaty is a formal and legally binding agreement between two or more sovereign states or international organizations. Governed by international law, treaties are crucial diplomatic instruments that serve various functions from regulating trade, defining territorial boundaries, and ensuring peace, to managing the environment and controlling arms. Once signed and ratified, treaties hold the same status as domestic law in many legal systems and are binding on the signatories.

The Vienna Convention on the Law of Treaties (1969) sets the legal framework for drafting, interpreting, and terminating treaties. It defines a treaty as "an international agreement concluded between States in written form and governed by international law." Treaties can be bilateral (between two parties) or multilateral (involving more than two parties), and they become binding upon ratification by the concerned states.

Treaties often include provisions on dispute resolution, enforcement mechanisms, and conditions for termination or withdrawal.

They play a pivotal role in maintaining global peace and cooperation, especially in regions with shared natural resources or historical tensions.

The Indus Waters Treaty: Background and Provisions

One of the most significant water-sharing treaties in modern history is the Indus Waters Treaty (IWT), signed in 1960 between India and Pakistan. Brokered by the World Bank, the treaty was designed to equitably distribute the waters of the Indus River system, which is critical for both nations' agriculture, energy, and livelihoods.

The treaty came into being after the partition of British India in 1947, which left the headwaters of the Indus rivers in India while the river system flowed downstream into Pakistan. Given the agricultural dependence of Pakistan on these rivers, a conflict over water seemed imminent. The IWT was thus introduced to provide a practical solution and maintain peace over shared water resources.

Key Provisions of the Treaty Include:

- **Division of Rivers:** The Indus system comprises six rivers. The eastern rivers Ravi, Beas, and Sutlej were allocated to India, while the western rivers Indus, Jhelum, and Chenab were assigned to Pakistan.
- **Limited Use by India:** India is allowed non-consumptive use of the western rivers (e.g., for hydroelectric power, irrigation, and navigation) under strict conditions to ensure minimal disruption of flow to Pakistan.
- **Dispute Resolution Mechanism:** The treaty includes a three-tier dispute resolution framework:
 1. Bilateral negotiations through the Permanent Indus Commission.
 2. Referring technical disputes to a neutral expert appointed by the World Bank.
 3. Arbitration by a Court of Arbitration for serious disagreements.

Remarkably, the IWT has survived multiple wars and diplomatic fallout between India and Pakistan, proving its robustness and importance in conflict prevention.

Suspension of the Indus Waters Treaty: A New Chapter

On April 24, 2025, India announced the suspension of the Indus Waters Treaty, marking a significant shift in its policy towards Pakistan. The move followed a terrorist attack in Pahalgam, Jammu and Kashmir, that killed 26 civilians, including 25 Indian tourists and one Nepalese national. India attributed the attack to **Pakistan-based militant groups**, intensifying tensions between the two nations. The Indian Ministry of External Affairs declared that the treaty was being suspended until Pakistan “credibly and irreversibly abjures terrorism.” As part of the suspension, India may halt the sharing of critical hydrological data and possibly increase its use of western rivers, which could significantly affect Pakistan’s agriculture-dependent economy.

Conclusion

The Indus Waters Treaty has long stood as a pillar of pragmatic cooperation between two historically adversarial nations. Its suspension underscores the fragile balance between diplomacy and national security in South Asia. While the immediate rationale is tied to national defense and counter-terrorism, the long-term implications extend into areas of food security, environmental health, and international treaty law. Moving forward, diplomatic engagement,

confidence-building measures, and third-party mediation will be crucial to prevent a full-scale breakdown of water-sharing cooperation in the region.

Sources

- [Reuters: What is the Indus Waters Treaty between India and Pakistan?](https://www.reuters.com/world/asia-pacific/what-is-indus-waters-treaty-between-india-pakistan-2025-04-24/?utm_)
- [Indian Express: Explained – Suspension of the Indus Waters Treaty](https://indianexpress.com/article/explained/what-indias-suspension-of-the-indus-waters-treaty-means-for-pakistan-and-for-itself-9962032/?utm_)
- [The Guardian: India-Pakistan diplomatic row after Kashmir attack](https://www.theguardian.com/world/2025/apr/24/india-pakistan-summons-kashmir-attack?utm_)

58. NATIONAL HERALD CASE: POWER, POLITICS, AND A BATTLE FOR LEGACY

The *National Herald* case is one of India's most politically significant legal controversies, intertwining law, business, and politics. It centers around allegations of financial irregularities involving the Indian National Congress (INC) leadership and a company called Associated Journals Limited (AJL), which published the *National Herald* newspaper.

Background

The *National Herald* was founded in 1938 by Jawaharlal Nehru to voice the views of the Indian independence movement. After independence, AJL continued publishing until the early 2000s but eventually ceased operations due to financial difficulties. By 2010, AJL was burdened with debts of over ₹90 crore.

In 2010, a new company named **Young Indian Pvt Ltd** was created. Its primary stakeholders were Sonia Gandhi and Rahul Gandhi, each owning 38% shares, with the remaining held by close associates. Young Indian took over AJL's debt, acquiring its rights and assets, which included prime real estate properties across India valued at several thousand crores.

The Allegations

The controversy erupted when BJP leader **Subramanian Swamy** filed a complaint in 2012, alleging that:

- The Gandhis and other Congress leaders had fraudulently taken over AJL's properties.
- The transfer of assets was not a simple debt repayment but a strategic move to grab valuable real estate.
- This amounted to criminal breach of trust, cheating, and misappropriation of property.

Swamy argued that a political party (INC) used its funds, collected from the public for political purposes, to finance a private entity (Young Indian), which then controlled AJL's assets.

Legal Proceedings

The case has been handled primarily by a trial court in Delhi, with several appeals made to higher courts over procedural and substantive issues.

Key developments include:

- In 2014, the court summoned Sonia Gandhi, Rahul Gandhi, and others as accused.
- The Congress leadership denied any wrongdoing, claiming that the takeover aimed to revive the *National Herald* for public service, not personal gain.

- In 2018, the Delhi High Court allowed the Income Tax Department to reopen investigations against Young Indian under the Income Tax Act.
- In 2022, the Enforcement Directorate (ED) also began an investigation under the Prevention of Money Laundering Act (PMLA). Rahul Gandhi and Sonia Gandhi were questioned by the ED for several hours.

Legal and Political Implications

Legally, the case revolves around questions of:

- Criminal misappropriation under Section 403 of the IPC.
- Cheating under Section 420.
- Criminal breach of trust under Section 406.
- Potential violations of income tax laws and money laundering statutes.

Politically, the case has had profound implications:

- The Congress party alleges it is a case of political vendetta by the ruling Bharatiya Janata Party (BJP).
- The BJP maintains it is a case of clear financial misconduct that must be investigated independently of political affiliations.
- The case often resurfaces around election seasons, heating up political debates on corruption and accountability.

Current Status

As of 2025, the case is ongoing. The courts are examining the detailed financial transactions, the intent behind the asset transfer, and the legality of the process. There have been no final convictions or acquittals yet, and the investigations by ED and the Income Tax Department continue.

Conclusion

The *National Herald* case is emblematic of the intersection between business, politics, and the law in India. It raises critical questions about corporate governance, political accountability, and judicial independence. Regardless of its outcome, the case will likely continue to influence India's political landscape for years to come.

SOURCES

1. <https://timesofindia.indiatimes.com/india/ed-files-chargesheet-against-sonia-rahul-in-herald-case/articleshow/120324036.cms>
2. <https://indianexpress.com/article/india/ed-issues-notice-possession-assets-cong-linked-ajl-case-9940494/>
3. <https://www.reuters.com/world/india/rahul-gandhi-his-mother-sonia-accused-india-money-laundering-case-ani-reports-2025-04-15/>

59. TAMIL NADU CABINET SHAKE-UP: TWO MINISTERS RESIGN AMID CONTROVERSIES

In a significant political development in Tamil Nadu, two senior ministers, V. Senthil Balaji and Dr. K. Ponmudy, have resigned from Chief Minister M.K. Stalin's cabinet amid mounting legal and political pressures. Their resignations, accepted by Governor R.N. Ravi on April 27, 2025, have prompted a cabinet reshuffle aimed at restoring public confidence and ensuring administrative stability ahead of the 2026 Assembly elections.

Great Learnpro Academy - We train students for CAT | CMAT | MAT | PG CET | KMAT | IPMAT | CLAT | NLSAT | BANK | SSC CGL & OTHER GOVERNMENT EXAMS.

www.learnproacademy.in

Contact: 86609 72653 / 93538 36989

Senthil Balaji: Legal Troubles and Supreme Court Ultimatum

V. Senthil Balaji, who held the portfolios of Electricity, Prohibition, and Excise, stepped down following a stern warning from the Supreme Court. The court had directed him to choose between retaining his ministerial position and maintaining his bail status in connection with a money laundering case linked to a cash-for-jobs scam during his tenure as Transport Minister in the previous AIADMK government. Balaji was arrested by the Enforcement Directorate (ED) in June 2023 and granted bail in September 2024. However, his reinstatement to the cabinet post-bail drew criticism, with the apex court questioning the propriety of his return to office while under investigation .

K. Ponmudy: Controversial Remarks and Legal Repercussions

Dr. K. Ponmudy, who managed the Forests and Khadi portfolios, resigned following widespread backlash over his controversial remarks that were perceived as derogatory towards Shaivite and Vaishnavite traditions and women. The Madras High Court initiated suo motu proceedings against him, categorizing his statements as prima facie hate speech. The court observed that his comments were calculated to subvert harmony among religious groups and demean the moral worth of women, particularly sex workers . In response to the controversy, the DMK had earlier removed Ponmudy from his position as Deputy General Secretary.

Cabinet Reshuffle: Strategic Realignments

In the wake of these resignations, Chief Minister M.K. Stalin has undertaken a cabinet reshuffle to ensure continuity in governance:

- **S.S. Sivasankar**, the Transport Minister, has been assigned the additional responsibility of the Electricity portfolio.
- **S. Muthusamy**, the Housing and Urban Development Minister, will now also oversee Prohibition and Excise.
- **R.S. Rajakannappan**, previously the Minister for Milk and Dairy Development, has been redesignated as the Minister for Forests and Khadi.
- **T. Mano Thangaraj**, MLA from Padmanabhapuram, has been inducted into the cabinet and will assume charge of the Milk and Dairy Development portfolio. His swearing-in ceremony is scheduled for April 28 at Raj Bhavan, Chennai .

Political Implications and Opposition Reactions

The opposition parties have interpreted these resignations as a response to judicial pressure rather than a proactive ethical stance by the ruling DMK. The AIADMK hailed Ponmudy's resignation as a victory for its protests, while the BJP criticized Chief Minister Stalin for what it termed as misrule and maladministration.

These developments underscore the challenges faced by the DMK government in maintaining public trust and navigating legal complexities. The cabinet reshuffle is seen as a strategic move to reinforce the party's commitment to good governance and to stabilize its administrative machinery ahead of the forthcoming elections.

SOURCES

1. https://www.indiatoday.in/india/tamil-nadu/story/senthil-balaji-ponmudy-quit-as-tamil-nadu-minister-supreme-court-ultimatum-money-laundering-case-stalin-2715953-2025-04-27?utm_
2. https://www.hindustantimes.com/india-news/senthil-ponmudy-resign-from-tamil-nadu-cabinet-in-rejig-101745779051847.html?utm_

3. <https://swarajyamag.com/news-brief/after-senthil-balaji-and-ponmudis-exit-cm-stalin-reshuffles-tamil-nadu-cabinet-these-ministers-get-new-roles>
4. <https://www.ndtv.com/india-news/tamil-nadu-ministers-senthil-balaji-k-ponmudiy-resign-from-state-cabinet-8271405>

60. BATTLES BEYOND BORDERS: INDIA'S WARS AND THE LEGAL FRONTIERS AHEAD

India's rise as a major power has been deeply influenced by its experiences in war. Since independence in 1947, it has faced multiple conflicts, especially with Pakistan and China, each leaving lasting political, military, and legal implications. As tensions persist, understanding India's military history is vital to anticipating the legal challenges of future conflicts.

India's Major Wars: A Brief Overview

1. First Indo-Pak War (1947–1948): Kashmir Dispute Begins

After the partition, Pakistan-backed tribal militias invaded Kashmir. The Maharaja's decision to accede to India led to a military response and the establishment of the **Line of Control (LoC)** following a UN-brokered ceasefire. This war seeded the long-standing Kashmir conflict.

2. Sino-Indian War (1962): Clash in the Himalayas

Border disputes in **Aksai Chin** and **Arunachal Pradesh** escalated into full-scale war. China's superior logistics led to India's defeat and a unilateral ceasefire, after which China retained Aksai Chin. The war exposed India's military weaknesses and fueled decades of distrust.

3. Second Indo-Pak War (1965): Renewed Conflict Over Kashmir

Pakistan's **Operation Gibraltar** aimed to stir rebellion in Kashmir. India responded decisively, resulting in a stalemate and the **Tashkent Agreement**. It reinforced the volatility of the LoC and highlighted the need for military readiness.

4. Third Indo-Pak War (1971): Creation of Bangladesh

Faced with a refugee crisis from East Pakistan's civil war, India intervened militarily. The war ended with Pakistan's surrender and the birth of **Bangladesh**. The **Simla Agreement** emphasized peaceful bilateral dispute resolution.

5. Kargil War (1999): High-Altitude Conflict

Pakistani soldiers occupied key peaks in **Kargil** along the LoC. India launched **Operation Vijay** to reclaim them, backed by strong international support. The war reaffirmed the risks of unresolved border tensions.

6. Post-1999 Conflicts: Terrorism and Targeted Strikes

Cross-border terror attacks, notably the **2001 Parliament attack** and **2008 Mumbai attacks**, prompted India to adopt a new doctrine of **surgical strikes** (2016) and **airstrikes in Balakot** (2019) — signalling a shift to proactive defence.

Legal Dimensions of India's Military Actions

India has consistently framed its military responses under **Article 51 of the UN Charter**, justifying actions as self-defense. The **Geneva Conventions** guide India's conduct during conflict, especially concerning civilian protection. The **principle of attribution** holds Pakistan responsible for attacks by non-state actors, reinforcing India's claims of lawful retaliation.

India-Pakistan: Future Legal Challenges

- **Terrorism and Attribution:** Pakistan's support to militant groups complicates legal accountability. India must continue diplomatically isolating Pakistan and pushing for greater international recognition of cross-border terrorism.
- **Water Disputes:** The **Indus Waters Treaty** faces strain amid growing water scarcity, potentially leading to international arbitration.
- **Nuclear Stability:** Managing nuclear posturing under international law and existing treaties remains critical.

India-China: Border Disputes and Legal Grey Zones

Unlike the LoC with Pakistan, the **Line of Actual Control (LAC)** with China remains poorly defined. Incidents like the **Galwan clash (2020)** reveal vulnerabilities.

- **Legal Ambiguity:** With no clearly demarcated boundary, international legal interventions are limited unless both sides agree.
- **Future Strategy:** India must advocate for better bilateral agreements on border management, despite China's resistance to third-party mediation.

Emerging Legal Frontiers

Cyber and Hybrid Warfare - Future conflicts will likely involve cyberattacks and information warfare. India needs comprehensive legal frameworks for cyber defense, in line with international norms.

Human Rights and International Scrutiny -India's operations, particularly in conflict zones, will increasingly face international human rights scrutiny. Strict compliance with **International Humanitarian Law (IHL)** is essential to defend India's actions globally.

Treaty Reforms and Global Diplomacy - Updating treaties like the Simla Agreement and pushing for reforms in global institutions like the UN are necessary as India's global influence grows.

Conclusion

India's wars have shaped not just its borders, but also its strategic and legal identity. As future threats evolve into hybrid and cyber domains, India's approach must combine military strength with legal precision. In an increasingly interconnected world, securing the battlefield is important but securing legal legitimacy will define true victory.

SOURCES

1. <https://mod.gov.in/>
2. <https://idsa.in/resources/kargil>
3. <https://gallantryawards.gov.in/assets/uploads/wars/pdf/pak.pdf>
4. <https://www.britannica.com/topic/Sino-Indian-War>
5. <https://www.britannica.com/event/Kargil-War>

61. IN THE WAKE OF THE STARS: HOW SPACE TREATIES AND LAWS GUIDE OUR JOURNEY INTO SPACE

Since the launch of **Sputnik 1** in 1957, humanity has pushed beyond Earth's atmosphere, exploring a domain once thought unreachable. As space exploration advanced, so did the urgent

need for international rules to govern activities beyond our planet. Today, a network of treaties forms the foundation of space law ensuring that space remains a realm of cooperation, not conflict.

The Foundations: Key Space Treaties

The primary legal framework regulating activities in outer space consists of five major international treaties, all developed under the auspices of the **United Nations Committee on the Peaceful Uses of Outer Space (UNCOPUOS)**:

1. The Outer Space Treaty (1967)

Officially titled the "**Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies**," this treaty is the cornerstone of space law.

Key provisions include:

- **Non-appropriation:** Outer space, including the Moon and other celestial bodies, cannot be claimed by any sovereign nation.
- **Peaceful Purposes:** Space must be used only for peaceful activities. The placement of nuclear weapons in orbit or on celestial bodies is strictly prohibited.
- **State Responsibility:** Nations are responsible for national space activities, whether conducted by governmental or non-governmental entities.

2. The Rescue Agreement (1968)

Formally known as the "**Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space**," it outlines the duty of states to assist astronauts in distress and safely return them to their country of origin.

3. The Liability Convention (1972)

The "**Convention on International Liability for Damage Caused by Space Objects**" establishes that a launching state is **absolutely liable** for damage caused by its space objects on Earth or to aircraft, and liable for damages in space based on fault.

4. The Registration Convention (1976)

The "**Convention on Registration of Objects Launched into Outer Space**" requires states to register every object launched into orbit, helping create transparency and accountability in outer space operations.

5. The Moon Agreement (1984)

The "**Agreement Governing the Activities of States on the Moon and Other Celestial Bodies**" extends the Outer Space Treaty's principles specifically to the Moon and celestial bodies. However, major space-faring nations like the USA, Russia, and China have **not ratified** this treaty, limiting its practical effect.

Rights and Protections for Astronauts

Astronauts are often called "**envoys of mankind**" a term first codified in the Outer Space Treaty. The Rescue Agreement further strengthens their protection:

- **Rescue Obligations:** If astronauts are in distress, all states are required to provide immediate assistance and rescue them.
- **Safe Return:** Astronauts must be safely and promptly returned to the nation of registry.
- **Humanitarian Approach:** Astronauts, irrespective of their nationality or the politics of their home country, are entitled to humanitarian treatment.

These provisions demonstrate that space law sees astronauts not as military representatives of a state, but as international representatives of humanity.

Challenges and Gaps in Current Space Law

Despite these treaties, modern realities present challenges:

- **Private Companies:** Entities like **SpaceX** and **Blue Origin** were unimaginable when the Outer Space Treaty was drafted. Their activities blur lines between governmental and non-governmental responsibility.
- **Space Mining:** The legality of extracting resources from asteroids and the Moon remains contentious, especially with laws like the U.S. **Commercial Space Launch Competitiveness Act (2015)** promoting private rights over space resources.
- **Space Militarization:** While placing nuclear weapons in orbit is banned, there is no absolute prohibition on conventional weapons in space, leading to concerns about anti-satellite (ASAT) weapons.

The Future: Towards a New Space Legal Order

As space exploration expands with missions to Mars, lunar settlements, and private space stations legal frameworks must evolve. Key developments to watch include:

- **Artemis Accords (2020):** Led by NASA, these agreements seek to build international cooperation on lunar exploration and define rules around resource use.
- **Debris Management:** There is growing momentum for international treaties addressing space debris and sustainable use of Earth's orbit.
- **Human Rights in Space:** As long-term habitation becomes realistic, questions of labor rights, health rights, and even citizenship in space will emerge.

Conclusion

Space, the final frontier, is no longer a distant dream but an active sphere of human endeavor. The space treaties we have today laid an admirable foundation based on peace, cooperation, and humanitarian values. However, with private actors, new technologies, and geopolitical rivalries reshaping the cosmos, the world must rethink and strengthen space law to ensure that humanity's future among the stars remains safe, equitable, and peaceful.

Sources

1. <https://www.unoosa.org/oosa/en/ourwork/spacelaw/treaties>.
2. <https://www.unoosa.org/oosa/en/ourwork/spacelaw/rescue-agreement>.
3. <https://www.unoosa.org/oosa/en/ourwork/spacelaw/moon-agreement.html>
4. <https://www.armscontrol.org/factsheets/outer-space-treaty-glance?utm>
5. <https://www.un.org/en/peace-and-security/international-space-law-explained>

62. FEEDING THE FUTURE: GLOBAL LEADERS UNITE AT NUTRITION FOR GROWTH 2025

In March 2025, Paris hosted the fourth Nutrition for Growth (N4G) Summit, uniting world leaders, policymakers, civil society, and private sector representatives in a concerted effort to tackle global malnutrition. This pivotal event aimed to reinvigorate political and financial commitments to nutrition, aligning with the Sustainable Development Goals (SDGs) and marking the culmination of the UN Decade of Action on Nutrition.

A Renewed Global Focus on Nutrition

The N4G Summit serves as a global pledging platform, convened every four years by the host country of the most recent Olympic and Paralympic Games. France, as the host of the 2024 Games, organized the 2025 Summit, emphasizing the integration of nutrition into broader development agendas, including health, agriculture, education, and climate action.

Great Learnpro Academy - We train students for CAT | CMAT | MAT | PG CET | KMAT | IPMAT | CLAT | NLSAT | BANK | SSC CGL & OTHER GOVERNMENT EXAMS.

www.learnproacademy.in

Contact: 86609 72653 / 93538 36989

The Summit's objectives were multifaceted:

- **Aligning Policies and Resources:** Integrating nutrition into various sectors to create cohesive strategies.
- **Closing the Funding Gap:** Addressing the \$13 billion annual shortfall in nutrition funding through coordinated investments.
- **Setting Bold Targets:** Establishing measurable national nutrition plans and robust tracking systems to ensure accountability.

Key Themes and Cross-Cutting Issues

The Summit focused on three core areas:

1. **Nutrition, Health, and Social Protection:** Emphasizing the role of nutrition in overall health and well-being.
2. **Nutrition and Sustainable Food Systems:** Promoting climate-smart and resilient food systems.
3. **Nutrition and Resilience to Crises:** Enhancing the ability of communities to withstand and recover from crises.

Additionally, three cross-cutting themes were highlighted:

- **Gender Equality:** Addressing the unique nutritional needs and challenges faced by women and girls.
- **Data, Research, Innovation, and Artificial Intelligence:** Leveraging technology and research to inform nutrition strategies.
- **Financing and Accountability:** Ensuring transparent and effective use of resources dedicated to nutrition.

Significant Outcomes and Commitments

The 2025 N4G Summit witnessed substantial commitments:

- **Financial Pledges:** Close to \$28 billion was pledged towards nutrition initiatives, reflecting a strong global commitment to combating malnutrition.
- **Policy Integration:** Countries and organizations committed to integrating nutrition into national policies across various sectors.
- **Monitoring and Accountability:** Implementation of robust tracking systems to monitor progress and ensure accountability in meeting nutrition targets.

Collaborative Efforts and Innovations

The Summit fostered collaboration among diverse stakeholders:

- **Public-Private Partnerships:** Initiatives like the Paris Declaration on Business and Nutrition 2030 aimed to realign business incentives towards healthier food production and increased investment in nutrition-focused enterprises.
- **Innovative Solutions:** The "Village of Solutions" exhibition showcased innovations in food systems, featuring contributions from NGOs, civil society, the private sector, and governments.

Looking Ahead

The 2025 N4G Summit marked a significant milestone in the global fight against malnutrition. By aligning policies, securing financial commitments, and fostering cross-sector collaboration, the Summit set the stage for accelerated progress towards ending malnutrition by 2030. Continued engagement and accountability will be crucial in translating these commitments into tangible outcomes, ensuring a healthier future for all.

SOURCES

1. <https://parispeaceforum.org/n4g-paris-about-the-summit/?utm>
2. <https://scalingupnutrition.org/events/conference/nutrition-growth-summit?utm>
3. <https://www.diplomatie.gouv.fr/en/french-foreign-policy/development-assistance/other-major-sectors/food-security-nutrition-and-sustainable-agriculture/france-will-host-the-next-international-nutrition-for-growth-n4g-summit-in/>
4. <https://www.gainhealth.org/nutrition-growth-n4g-summit?utm>

63. WEAVING THE WORLD'S WISDOM: THE MAKING OF INDIA'S CONSTITUTION

The Constitution of India stands as a monumental testament to the nation's commitment to democracy, justice, and unity. Adopted on January 26, 1950, it is renowned as the longest written national constitution globally, encompassing a diverse array of principles drawn from various international sources. This article delves into the intricate process of its creation and the global inspirations that shaped its framework.

The Genesis of the Constitution

The idea of drafting an indigenous constitution was first proposed by M.N. Roy in 1934. By 1938, the Indian National Congress, under the leadership of Jawaharlal Nehru, formally demanded a Constituent Assembly to frame the Constitution of India. This vision materialized with the formation of the Constituent Assembly in December 1946, following the Cabinet Mission Plan. The Assembly's inaugural session commenced on December 9, 1946, with Dr. Rajendra Prasad elected as its President.

Drafting the Supreme Law

The Constituent Assembly comprised 389 members, which later reduced to 299 post-partition. Over a span of nearly three years, the Assembly convened in eleven sessions, dedicating 165 days to meticulous debates and discussions. Dr. B.R. Ambedkar, appointed as the Chairman of the Drafting Committee on August 29, 1947, played a pivotal role in shaping the Constitution. The Drafting Committee, with inputs from constitutional advisor B.N. Rau and other eminent members, prepared a draft that was published for public feedback in February 1948. After extensive deliberations and amendments, the final version was adopted on November 26, 1949, and came into effect on January 26, 1950.

Global Inspirations: Borrowed Features

India's Constitution is a unique amalgamation of indigenous ideas and borrowed principles from various countries, tailored to suit the nation's socio-political context.

- **United Kingdom:** The British parliamentary system influenced India's parliamentary government structure, the concept of the Rule of Law, legislative procedures, single citizenship, and the cabinet system.
- **United States of America:** India adopted the principles of fundamental rights, the independence of the judiciary, judicial review, the impeachment process, and the office of the Vice-President from the U.S. Constitution.
- **Canada:** The federal structure with a strong central government, the distribution of powers between the center and the states, and the concept of residuary powers were inspired by the Canadian model.
- **Ireland:** The Directive Principles of State Policy and the nomination of members to the Rajya Sabha (Upper House) were borrowed from the Irish Constitution.

- **Australia:** The concepts of the concurrent list, freedom of trade and commerce, and the joint sitting of the two Houses of Parliament were adopted from the Australian Constitution.
- **Germany (Weimar Constitution):** The provision for the suspension of fundamental rights during emergencies was influenced by the Weimar Constitution of Germany.
- **Soviet Union (USSR):** The ideals of justice, equality, and fraternity, as well as the concept of five-year plans, were inspired by the Soviet Constitution.
- **France:** The principles of liberty, equality, and fraternity enshrined in the Preamble were influenced by the French Constitution.
- **South Africa:** The procedure for constitutional amendments and the election of members of the Rajya Sabha were borrowed from the South African Constitution.
- **Japan:** The concept of procedure established by law was inspired by the Japanese Constitution.

A Living Document

The Indian Constitution is not a static entity; it has evolved through amendments to address emerging challenges and changing societal needs. As of September 2023, it has undergone 106 amendments. The Constitution's adaptability ensures its relevance and effectiveness in governing the world's largest democracy.

Conclusion

The making of the Indian Constitution was a monumental task that involved synthesizing diverse ideas and principles to create a cohesive and functional framework for governance. By drawing from various international sources and adapting them to India's unique context, the framers crafted a Constitution that embodies the nation's aspirations and values. It stands as a beacon of democratic ideals, guiding India on its journey as a sovereign republic.

64. VIZHINJAM PORT: REDEFINING MARITIME LAW IN INDIA'S GLOBAL TRADE LANDSCAPE

India, with its extensive 7,500 km coastline and strategic location along major international shipping routes, has long recognized the importance of maritime law in shaping its economic and geopolitical future. Maritime law also known as admiralty law governs the rules, conventions, and practices related to navigation, shipping, marine commerce, offshore activities, and environmental protection. Over time, maritime law has evolved to address the complexities of global trade, cross-border shipping, and emerging environmental concerns. India's maritime industry, increasingly reliant on both national and international maritime law, is positioned for growth with the development of key infrastructure projects like the Vizhinjam International Seaport in Kerala. This port is set to be India's first deep-water transshipment terminal, and it could play a pivotal role in connecting global shipping lanes and enhancing trade efficiency.

Maritime Law: Evolution and Global Influence

The history of maritime law can be traced back to ancient civilizations, where early rules were created to govern sea travel. One of the first known frameworks was the ****Code of Hammurabi****, which included provisions on maritime commerce. In the modern era, the legal system around shipping solidified through key international conventions, treaties, and the creation of maritime courts. These legal systems have continued to evolve, particularly during the 20th century as globalization expanded maritime trade and increased international shipping.

Key international conventions have played an integral role in shaping maritime law

The Hague-Visby Rules (1968), which set standards for the international carriage of goods by sea.

SOLAS (1974) Safety Of Life At Sea, ensuring the safety of ships and passengers.

MARPOL (1973), which focuses on preventing marine pollution from ships.

India has actively adopted these global standards, helping shape its domestic laws and policies. The country's adherence to the United Nations Convention on the Law of the Sea (UNCLOS), ratified in 1995, solidified India's commitment to international maritime law, particularly in areas like territorial waters and marine resource protection.

Maritime Law in India: Legislative Milestones

Since independence, India has progressively modernized its maritime laws to align with global standards. Key milestones in India's maritime legal framework include:

Indian Ports Act, 1908: This early legislation helped regulate ports and their operations.

Merchant Shipping Act, 1958: This act focused on the registration of vessels, shipowner liabilities, and port operations.

Admiralty Act, 2017: This landmark law consolidated India's jurisdiction over maritime disputes, clarifying issues around ship arrests, cargo disputes, and maritime liens. It streamlined the process for handling maritime claims and enabled more efficient legal proceedings in Indian Admiralty Courts.

Another significant development has been the Sagarmala Project, launched in 2015. This initiative aims to modernize India's ports, enhance shipping infrastructure, and improve the logistics network. Sagarmala not only facilitates port modernization but also promotes cleaner and more sustainable shipping practices.

The Role of Vizhinjam Port in India's Maritime Future

The Vizhinjam International Seaport is a critical addition to India's growing maritime industry. Situated in Kerala, it will be one of the most modern ports in the country, designed to handle large container ships and transshipment activities. As India's first deep-water port, it will serve as a transshipment hub, allowing international cargo to be transferred to smaller ships that can navigate through India's regional ports.

The development of Vizhinjam port is an example of how India is focusing on modern infrastructure to meet the demands of global trade. However, its construction has faced significant challenges, particularly legal disputes and environmental concerns. These issues underscore the evolving role of maritime law in balancing development with environmental sustainability.

Environmental and Coastal Protection Laws

Given India's reliance on its vast coastline for maritime trade, environmental protection is a key concern in the development of maritime infrastructure. The Coastal Regulation Zone (CRZ) Notification and the Environmental Protection Act, 1986 are crucial in ensuring that port projects like Vizhinjam are developed with due consideration for environmental preservation. India has also taken steps to regulate marine pollution through conventions like MARPOL, which focuses on preventing pollution from ships.

However, projects like Vizhinjam highlight the tension between infrastructural development and environmental sustainability. Local communities, especially fishing communities, have raised concerns about the port's impact on their livelihoods. These protests and legal challenges bring to the forefront the need for careful legal frameworks to balance economic growth with environmental preservation.

Dispute Resolution and Maritime Arbitration

As maritime trade expands, disputes related to shipping, cargo, and ports have become more common. Maritime arbitration has emerged as an effective method of resolving such disputes, offering a specialized alternative to traditional litigation. India is actively promoting the establishment of maritime arbitration centers to handle these cases in accordance with international standards.

The growth of maritime arbitration reflects a broader trend in India toward becoming a hub for maritime dispute resolution. This is particularly important as India seeks to integrate itself further into the global maritime system, attracting international trade and shipping companies.

Maritime Law's Role in Shaping the Future

As India's maritime industry continues to grow, maritime law will remain a cornerstone of its development. Legal frameworks governing the safety, security, and environmental impact of shipping and port operations will shape the future of Indian ports and shipping companies. Laws such as the Admiralty Act, 2017, and adherence to international conventions like SOLAS and MARPOL will be critical in ensuring that India remains competitive on the global stage. In particular, the development of major ports like **Vizhinjam** will play a central role in India's maritime future. The project is not only an example of India's ambition to become a key player in global maritime trade but also a case study of how evolving maritime law is helping to navigate complex issues such as environmental concerns, legal disputes, and infrastructure development.

SOURCES

1. <https://www.ndtv.com/india-news/pm-modi-commissions-vizhinjam-port-developed-by-adani-group-in-kerala-8310274>
2. <https://www.thehindubusinessline.com/economy/logistics/vizhinjam-port-to-boost-indias-maritime-sector/article68197134.ece>
3. <https://maritimelaw.com/>

65. RESOLVING DISPUTES, REDEFINING JUSTICE: THE EVOLUTION OF ARBITRATION IN INDIA

Introduction

The Arbitration and Conciliation Act, 1996 is a landmark legislation in India that marked a significant shift toward institutionalizing Alternative Dispute Resolution (ADR). It was introduced with the objective of providing a speedy, efficient, and cost-effective mechanism to resolve commercial and civil disputes outside the traditional court system. This Act consolidated and amended the law relating to domestic arbitration, international commercial arbitration, enforcement of foreign arbitral awards, and conciliation. Inspired by the UNCITRAL Model Law on International Commercial Arbitration, the Act aligned Indian arbitration law with globally accepted principles.

Background and Establishment

Prior to the 1996 legislation, arbitration in India was governed by a combination of outdated laws—primarily the Arbitration Act of 1940, the Arbitration (Protocol and Convention) Act, 1937, and the Foreign Awards (Recognition and Enforcement) Act, 1961. These laws were criticized for excessive judicial intervention, procedural delays, and limited compatibility with international arbitration practices.

In order to remedy these issues and bring Indian arbitration law in line with international standards, the Indian government enacted the Arbitration and Conciliation Act, 1996. The Act was modeled closely on the UNCITRAL Model Law (1985) and the UNCITRAL Arbitration Rules (1976), thereby promoting party autonomy, minimizing court interference, and ensuring flexibility in procedure.

Key Provisions of the Act

The Arbitration and Conciliation Act, 1996 is divided into four parts:

1. **Part I – Domestic Arbitration and International Commercial Arbitration (in India)**

This section governs the entire arbitration process, from the arbitration agreement to the arbitral award. Some notable features include:

- **Arbitration Agreement (Section 7):** Must be in writing and signify an intent to submit disputes to arbitration.
- **Appointment of Arbitrators (Section 11):** Parties are free to determine the number and procedure for appointing arbitrators.
- **Interim Measures (Section 9):** Parties may approach courts for interim relief before or during the arbitration process.
- **Challenge to Jurisdiction (Section 16):** The arbitral tribunal has the power to rule on its own jurisdiction.
- **Arbitral Award (Section 31):** Awards must be reasoned, unless otherwise agreed, and must be signed by the arbitrators.
- **Setting Aside of Awards (Section 34):** Limited grounds for challenging an award, such as incapacity, fraud, or violation of public policy.

2. **Part II – Enforcement of Certain Foreign Awards**

- Covers enforcement of foreign awards under the New York Convention and the Geneva Convention.
- Courts may refuse enforcement only on specific grounds such as invalidity of the agreement or breach of natural justice.

3. **Part III – Conciliation**

- Provides a detailed framework for conciliatory proceedings, including the appointment of conciliators and the conduct of conciliation.
- Any settlement agreement reached during conciliation has the same status and effect as an arbitral award.

4. **Part IV – Supplementary Provisions**

- Deals with topics such as the power of the High Court to make rules, and the effect of rules made under the Act.

Recent Amendments and Developments

Over the years, the Act has been amended multiple times to address evolving needs and global best practices:

1. **Arbitration and Conciliation (Amendment) Act, 2015**

- Introduced time limits for completion of arbitration (12 months extendable to 18 months).
- Section 17 empowered arbitral tribunals to grant interim reliefs, which became enforceable like court orders.
- Reduced court intervention and aimed to promote institutional arbitration.

2. **Arbitration and Conciliation (Amendment) Act, 2019**

- Set up the **Arbitration Council of India (ACI)** to promote arbitration and accredit arbitral institutions.

- Removed the 2015 provision that required court approval for certain arbitral appointments.
 - Emphasized **confidentiality** in proceedings and **impartiality** of arbitrators.
3. **Arbitration and Conciliation (Amendment) Act, 2021**
- Allowed courts to stay enforcement of arbitral awards in cases where prima facie fraud or corruption is suspected.
 - Raised concerns about potential misuse, but aimed to protect parties from tainted awards.
4. **Digital and Institutional Advancements**
- Growing push for **Online Dispute Resolution (ODR)** platforms to handle small claims and consumer disputes efficiently.
 - Encouragement of **institutional arbitration** over ad hoc arbitration for better administration and consistency.

Conclusion

The Arbitration and Conciliation Act, 1996 has undergone significant transformation since its inception. It has matured into a modern legal framework that supports both domestic and international arbitration while striving to minimize court interference and uphold party autonomy. With recent reforms focusing on institutional arbitration, confidentiality, and technological adoption, India is gradually positioning itself as a favorable hub for dispute resolution. Continued judicial support and robust implementation will be crucial for fulfilling the Act's original promise speedy and efficient justice outside the courtroom.

66. A LANDMARK CLICK: SUPREME COURT SAYS DIGITAL ACCESS IS A RIGHT, NOT A PRIVILEGE

In a momentous step toward digital equality, the **Supreme Court of India** has ruled that **access to digital platforms is a fundamental right under Article 21** of the Constitution, particularly for **persons with disabilities (PwDs)**. This judgment was delivered in the case of ***Amar Jain v. Union of India & Ors.*** and reaffirms the constitutional commitment to dignity, equality, and inclusivity in an increasingly digital society.

Background of the Case

The petitioner, **Amar Jain**, a visually impaired lawyer, challenged the inaccessibility of digital platforms, especially **Know Your Customer (KYC)** procedures required by banks and other financial institutions. The case highlighted the failure of several service providers to comply with the **Rights of Persons with Disabilities Act, 2016**, which mandates equal access to information and communication technology for PwDs.

Jain argued that the digital exclusion caused by inaccessible websites and mobile applications denied visually impaired persons the ability to independently access essential services, including banking, healthcare, and education—violating their **fundamental rights under Article 14 (equality), Article 19 (freedom of expression), and Article 21 (right to life and dignity)**.

Key Issues Raised

1. Whether inaccessibility of digital platforms for PwDs amounts to a violation of fundamental rights.
2. Whether the State has a positive obligation to ensure that digital services are made accessible to all, including those with disabilities.

3. The constitutional status of digital access whether it is merely a facility or a right essential to dignity and autonomy.

Supreme Court's Observations

The division bench comprising **Justice J.B. Pardiwala** and **Justice Manoj Misra** delivered a progressive and inclusive judgment, observing that:

- **Digital access is no longer a luxury, but a necessity.**
The internet is the medium through which people access basic services banking, education, medical care, and employment.
- **The right to digital access is a component of the right to life and personal liberty under Article 21.**
Denial of access to PwDs amounts to exclusion from the public sphere, leading to systemic marginalization.
- **The State has a constitutional obligation to remove digital barriers** and ensure full compliance with the Rights of Persons with Disabilities Act, 2016.
- **Financial institutions and service providers** must create accessible interfaces, such as screen-reader friendly websites, speech-to-text features, and digital forms that accommodate visual and cognitive disabilities.

Court Directions

The Court issued the following directives:

1. The **Reserve Bank of India (RBI)** must issue comprehensive guidelines to all banks and financial institutions to ensure digital KYC processes are accessible to PwDs.
2. Government bodies and service providers must **implement universal design principles** in all digital infrastructure.
3. The Union Government is to submit a compliance report detailing steps taken to improve digital accessibility for PwDs within a stipulated period.

Impact and Significance

- **Legal Precedent:** This judgment establishes that **digital access is not merely a convenience but a constitutionally protected right** that must be available to all, including the most vulnerable.
- **Empowering PwDs:** The decision is a powerful step towards empowering individuals with disabilities, enabling them to participate independently and with dignity in digital governance, financial systems, and education.
- **Administrative Accountability:** The ruling holds both government and private entities accountable for creating inclusive digital ecosystems.
- **Future Policy:** It is likely to spur reforms in digital accessibility standards, website/app design, and public service delivery models.

Conclusion

The *Amar Jain* judgment marks a paradigm shift in how the Indian judiciary perceives rights in the digital era. By recognizing **digital access as an essential facet of the right to life and liberty**, the Supreme Court has reaffirmed that **true inclusion in the 21st century means digital inclusion**. It is not enough to promise equality on paper **accessibility must be built into the systems that define daily life**.

Sources

1. <https://www.ndtv.com/india-news/in-landmark-order-supreme-court-says-digital-access-a-fundamental-right-8292719?utm>

2. <https://www.indiatoday.in/india/law-news/story/digital-access-fundamental-right-supreme-court-kyc-disabled-acid-attack-victims-2717295-2025-04-30?utm>
3. <https://timesofindia.indiatimes.com/india/digital-access-part-of-fundamental-right-to-life-and-liberty-says-sc/articleshow/120776594.cms>

67. U.S.-UKRAINE JOINT INVESTMENT FUND: A STRATEGIC PARTNERSHIP FOR RECONSTRUCTION AND RESOURCE DEVELOPMENT

In a significant move to bolster Ukraine's post-war recovery and solidify bilateral ties, the United States and Ukraine have established a Joint Reconstruction Investment Fund. Signed on April 30, 2025, by U.S. Treasury Secretary Scott Bessent and Ukrainian First Deputy Prime Minister Yulia Svyrydenko, this agreement marks a pivotal step in Ukraine's journey towards economic stability and sovereignty.

Key Provisions of the Agreement

The core of the agreement revolves around the creation of a jointly managed Reconstruction Investment Fund. This fund is designed to channel investments into Ukraine's development, reconstruction, and security sectors. Notably, revenues generated will be reinvested, creating a continuous cycle of funding aimed at revitalizing Ukraine's economy.

A significant aspect of the agreement is Ukraine's commitment to contribute 50% of future revenues from government-owned natural resource assets to the fund. In territories currently under Russian occupation that may be reclaimed, this contribution increases to 66%. The United States, in turn, pledges a long-term financial commitment to Ukraine's economic stability, with the fund operating until contributions reach \$500 billion.

Strategic Implications

This agreement is more than an economic arrangement; it's a strategic partnership. By securing a stake in Ukraine's vast mineral resources, including critical rare-earth elements, oil, and gas, the U.S. positions itself as a key player in Ukraine's reconstruction. This move also serves as a geopolitical signal, particularly to Russia and China, emphasizing the U.S.'s commitment to Ukraine's sovereignty and economic independence.

Furthermore, the agreement stipulates that any state or entity that supported Russia's war efforts is excluded from participating in Ukraine's reconstruction. This clause directly targets nations like China, reinforcing the U.S.'s stance on international accountability and support for Ukraine.

Economic and Military Support

In addition to the investment fund, the U.S. has approved a \$310.5 million deal to provide Ukraine with training, sustainment, and equipment for its F-16 fighter jet fleet. This marks the first transaction under the newly signed mineral rights agreement, allowing the U.S. to earn credit in the fund through military support instead of direct taxpayer funding.

Moreover, President Trump has approved \$50 million in military aid to Ukraine, further solidifying the U.S.'s commitment to Ukraine's defense and reconstruction. This aid package includes aircraft modifications, personnel training, spare parts, software, technical documentation, and logistical support.

Challenges and Considerations

While the agreement is a significant step forward, several challenges remain. Many of Ukraine's valuable mineral reserves are located in territories currently under Russian control,

making their development contingent on a lasting peace. Additionally, Ukraine lacks existing infrastructure for refining critical minerals, a sector currently dominated by China. These factors pose significant hurdles to the realization of the agreement's benefits.

Furthermore, the immediate economic returns are uncertain, as dividends from the investment fund are not expected for a decade. This long-term horizon requires sustained commitment and strategic planning from both nations.

Conclusion

The U.S.-Ukraine Joint Reconstruction Investment Fund represents a landmark in international cooperation, blending economic strategy with geopolitical considerations. By intertwining Ukraine's reconstruction with its natural resource development, the agreement aims to foster long-term economic stability and sovereignty for Ukraine. While challenges persist, the commitment from both nations signals a robust partnership poised to reshape Ukraine's post-war trajectory.

U.S.-Ukraine Joint Investment Fund: A Strategic Partnership for Reconstruction and Resource Development.

- <https://home.treasury.gov/news/press-releases/sb0126?utm>
- <https://nypost.com/2025/05/01/opinion/inside-the-secret-genius-of-the-ukraine-mineral-deal/?utm>
- <https://www.reuters.com/markets/commodities/us-ukraine-deal-is-heavy-symbolism-light-minerals-andy-home-2025-05-02/?utm>
- <https://www.theguardian.com/world/live/2025/apr/30/germany-spd-coalition-friedrich-merz-ukraine-volodymyr-zelenskyy-russia-vladimir-putin-europe-live-news?utm>

68. BEYOND CODE: CAN AI BE A PERSON?

We live in a time where artificial intelligence (AI) can paint portraits, compose music, write stories, and even invent new technologies. What was once pure science fiction is now part of our daily reality. But this raises a fascinating and complicated question: if an AI creates something original, who owns it? More provocatively—can AI itself be considered the author or inventor?

This question sits at the intersection of law, technology, and philosophy. The answer isn't just academic it has real consequences for innovation, ownership, and the future of creativity.

What Is Legal Personhood—and Why It Matters

In law, "personhood" doesn't mean being human. It means having the ability to hold rights and duties like owning property, entering contracts, or being sued. Corporations, for example, are legal persons. So, the question becomes: can AI be treated the same way?

AI, no matter how advanced, isn't sentient. It doesn't have thoughts, emotions, or intentions. It's a tool albeit a powerful one. That makes the idea of granting it legal personhood controversial. It's one thing to recognize AI as impressive or even "creative," but it's another to give it legal rights usually reserved for humans or corporations.

AI and Intellectual Property: A Complicated Relationship

The biggest legal headaches show up in the world of intellectual property (IP) specifically, in copyright and patent law. Let's break it down.

1. Copyright: Who Owns AI-Generated Art?

Copyright protects original works like books, music, and art. But here's the catch: most copyright laws assume that the "author" is a human.

In the United States, the Copyright Office is crystal clear: it only registers works created by human beings. This was made obvious in the case of *Naruto v. Slater* (2018), where a monkey took a selfie. The court ruled that the monkey couldn't own the copyright, because only humans can. By that logic, if a monkey can't be an author, an AI definitely can't.

But not every country is as strict. In the UK, the law actually anticipates computer-generated content. The Copyright, Designs and Patents Act 1988 says that for such works, the author is "the person by whom the arrangements necessary for the creation of the work are undertaken." That means if you built or programmed the AI, you're the author even if you didn't directly create the final piece.

So, while AI can make a painting, it's the human behind it who gets the credit (and the rights).

2. Patent Law: Can an AI Be an Inventor?

Patents protect inventions. And just like in copyright law, most patent systems require that inventors be people.

But this idea was challenged by the now-famous *DABUS* case. Dr. Stephen Thaler submitted patent applications listing his AI system, DABUS, as the inventor. The applications were rejected in the U.S., UK, and Europe because an AI isn't a person.

Surprisingly, South Africa broke ranks and granted a patent to DABUS as the inventor in 2021 the first country to do so. Australia's Federal Court briefly agreed, ruling that AI could be considered an inventor. But the decision was later overturned on appeal.

These cases have sparked global debate. Should the law evolve to recognize AI as an inventor? Or should credit always go to the human behind the machine?

Why This Matters

If AI can't own its creations, then who should? The default answer so far has been: the human or organization responsible for the AI's design, training, or deployment.

This makes sense. After all, AI doesn't have goals, preferences, or responsibilities. It can't be held accountable for misuse or make ethical decisions. Giving it ownership rights without accountability could open a legal Pandora's box.

But the counterargument is this: if AI can autonomously generate something novel, why shouldn't it get some form of recognition even symbolic? Some legal scholars suggest creating a new type of "non-human authorship" category, where AI-generated works are protected, but the rights are assigned in a way that balances innovation and human oversight.

What's Next?

Right now, most legal systems are playing catch-up. Technology moves fast, and the law moves slowly. Policymakers are starting to consider how to regulate AI-generated content, but there's no global consensus.

The European Parliament has called for IP laws that always credit human creators but is open to new models. In the meantime, if you're using AI to write code, generate art, or invent gadgets, you're likely the one who holds the rights at least for now.

Final Thoughts

Can AI be an author? Not yet. Can it be an inventor? Possibly but not in most legal systems. The idea of granting AI personhood remains controversial and legally problematic.

Still, these are not just theoretical debates. As AI becomes more capable, the pressure to rethink our definitions of creativity, ownership, and authorship will only grow. For now, though, the

law remains clear: behind every smart machine, there must be a smarter human holding the pen or the patent.

69. UNIQUE LAWS SERIES – 1

Beauty and the Law: Unpacking the Indian Cosmetics Act

From lipsticks to lotions, cosmetics are a part of daily life for millions of Indians. But behind the scenes of glitzy advertisements and glossy packaging lies a complex legal framework that ensures the safety, quality, and authenticity of the products we use. Enter the **Drugs and Cosmetics Act, 1940** – India’s primary legislation governing cosmetics.

A Historical Brushstroke

Originally enacted to regulate the import, manufacture, distribution, and sale of drugs, the Act was later expanded to include **cosmetics** in 1964. At the time, the Indian beauty industry was nascent, but lawmakers foresaw its potential growth and the risks that came with unregulated products.

What Is a Cosmetic, Legally Speaking?

According to Section 3(aaa) of the Act, “**cosmetic**” refers to any article intended to be rubbed, poured, sprinkled, or sprayed on the human body for cleansing, beautifying, promoting attractiveness, or altering appearance. This includes everything from kajal to face creams, but **excludes medicinal products**, which fall under the “drug” category.

The Regulatory Framework

The Act lays down clear provisions for:

- **Import Regulations:** Foreign brands must comply with Indian standards or face bans.
- **Labelling Rules:** Labels must include ingredients, expiry date, manufacturer details, and batch number.
- **Prohibition of Harmful Substances:** Ingredients like mercury are strictly regulated or prohibited.
- **Testing Requirements:** Products must pass microbial and dermatological safety tests.
- **Penalties:** Misbranding, selling adulterated cosmetics, or false claims can lead to fines and imprisonment.

The Role of the Central Drugs Standard Control Organization (CDSCO)

The **CDSCO** oversees licensing, quality control, and approvals. It ensures that beauty does not come at the cost of health, holding manufacturers accountable for any unsafe or deceptive products.

Cosmetics and Consumer Rights

With the growth of e-commerce, counterfeit and substandard products have surged. The Act works in tandem with the **Consumer Protection Act, 2019**, allowing consumers to file complaints against misleading advertisements or harmful effects. Cases can be taken up in consumer forums with relatively speedy redressal mechanisms.

Recent Updates and Challenges

India is gradually moving towards aligning with **global standards**, especially with the popularity of Korean, Japanese, and European products. The **Cosmetics Rules, 2020** introduced under the Act now emphasize:

- **Animal cruelty bans** in testing

- **Improved definitions** for organic and herbal cosmetics
- **Mandatory registration** for imported products

However, challenges remain:

- Enforcement is inconsistent in rural areas.
- Herbal products often bypass strict scrutiny under the guise of Ayurveda.
- Many small manufacturers lack awareness of the updated laws.

Looking Ahead: Clean Beauty and Regulation

As the Indian market shifts toward **clean beauty** and **sustainable packaging**, the law must evolve to include clearer regulations on environmental impact, greenwashing, and ethical sourcing.

Conclusion

The Indian Cosmetics Act is more than just a regulatory checklist it's a silent guardian of public health and trust. In a world where beauty standards are ever-evolving, a robust legal framework ensures that the pursuit of beauty doesn't compromise consumer safety. So the next time you swipe on your favorite lipstick, remember: the law is watching out for you.

70. THE LEGAL METROLOGY ACT, 2009: ENSURING FAIR TRADE AND CONSUMER PROTECTION

The **Legal Metrology Act, 2009** was enacted to regulate the standards of weights and measures used in trade and commerce, ensuring uniformity, accuracy, and fairness. It aims to protect consumers, promote fair competition in the market, and establish trust between buyers and sellers by eliminating discrepancies in weight and measurement.

Background and Purpose

Before the **Legal Metrology Act, 2009**, India had a fragmented system for regulating weights and measures under various state-level laws, which led to inconsistencies and confusion. The need for a uniform legal framework was recognized to align with international standards and ensure consumer protection in an increasingly globalized economy.

The **Legal Metrology Act** consolidates and modernizes the law governing the use of weights and measures, which plays a critical role in ensuring fairness in trade. The Act is designed to prevent practices that mislead consumers, such as providing inaccurate measurements, or manipulating quantities.

The Act is also aligned with India's commitments under the **International Organization of Legal Metrology (OIML)**, which aims to establish worldwide metrology standards for trade.

Key Features of the Legal Metrology Act, 2009

1. Definition of Weights and Measures:

The Act defines various units of measurement and sets out rules for their usage in trade. It ensures that only accurate and calibrated devices are used for weighing and measuring goods.

2. Central and State Control:

The Act provides a structure of enforcement at both the **Central** and **State levels**, with a designated **Director of Legal Metrology** at the national level and state-level authorities to monitor compliance.

3. **Verification and Stamping:**

All weights and measures used for commercial purposes must be verified for accuracy and stamped with the official mark. This applies to devices like weighing scales, measuring tapes, and instruments used in industries such as agriculture, construction, and retail.

4. **Packaging and Labeling:**

The Act requires that packaged goods be labeled with clear and accurate details, including the quantity, manufacturer, and date of packaging. The labeling is crucial to prevent misleading packaging, which could harm consumer interests.

5. **Prohibition of Misleading Practices:**

The Act prohibits the sale of goods by weight or measurement without proper verification. It also criminalizes the practice of "short-selling," where the consumer receives less than the stated quantity.

6. **Penalties and Enforcement:**

The Act imposes penalties for violations, such as selling goods in incorrect quantities or using inaccurate measuring devices. Offenders can face fines, confiscation of goods, or even imprisonment for serious violations.

7. **International Trade Compliance:**

To align with global standards, the Act also addresses international trade practices, ensuring that India meets the requirements of the World Trade Organization (WTO) and other international bodies regarding metrology.

Implementation and Enforcement

The **Directorate of Legal Metrology** under the Ministry of Consumer Affairs, Food and Public Distribution is responsible for enforcing the provisions of the Act. The authority conducts inspections, ensures compliance with standards, and handles consumer complaints related to faulty measurement practices.

State-level officers are empowered to inspect commercial establishments, verify weighing and measuring instruments, and investigate potential violations. Non-compliant businesses face fines or suspension of their business license.

Impact on Consumers and Businesses

Benefits to Consumers:

- **Consumer Protection:** The Act provides a legal safeguard to prevent consumers from being misled with incorrect measurements or weights.
- **Transparency:** By enforcing accurate labeling and packaging, consumers can trust that the quantity of goods they are purchasing is as stated.
- **Fair Trade Practices:** Ensures that consumers are not charged for goods they didn't receive, which contributes to a fairer market environment.

Benefits to Businesses:

- **Standardization:** The Act ensures that businesses operate on a level playing field, where all are subject to the same rules and regulations regarding weights and measures.
- **Credibility:** Businesses that comply with the Act gain consumer trust, leading to better reputation and sales.
- **Regulatory Compliance:** Helps businesses avoid fines or penalties through regular inspections and adherence to legal requirements.

Challenges and Future Outlook

Despite its significant contributions to consumer protection, there are challenges in the implementation of the **Legal Metrology Act, 2009**. The sheer volume of inspections required,

especially with the rapid growth of e-commerce and small retail businesses, poses difficulties for enforcement agencies. Additionally, some businesses may attempt to circumvent the law, especially when operating in remote areas or smaller markets.

There is a growing need for **awareness programs** aimed at educating businesses and consumers about the Act's provisions. Additionally, with the growth of e-commerce, new provisions might be needed to address online trade and ensure that electronic transactions also adhere to accurate weights and measures.

The future of the **Legal Metrology Act** lies in its ability to adapt to technological advancements in measuring instruments and the global trade environment. As more businesses move towards automated and digital systems, ensuring that these technologies comply with national standards will become critical for maintaining consumer trust.

Conclusion

The **Legal Metrology Act, 2009** stands as a crucial pillar in India's consumer protection framework. It ensures that trade practices remain fair, transparent, and accurate, thereby safeguarding both consumers and businesses. With its comprehensive provisions, the Act has significantly contributed to the modernization of India's trade regulations. As India continues to grow as a global economic player, ensuring adherence to these metrological standards will remain vital for maintaining a competitive and fair marketplace.

71. FROM SWEET TO SCANDALOUS: WHERE DOES PDA STAND?

Public displays of affection (PDA) such as holding hands, hugging, or kissing are common expressions of love worldwide. However, in India, these acts often spark debates about legality, morality, and cultural norms. This article delves into the legal framework governing PDA in India, examines notable cases, and explores societal attitudes towards such expressions.

Legal Framework: Section 294 of the Indian Penal Code

The primary legal provision addressing PDA in India is Section 294 of the Indian Penal Code (IPC), 1860. This section penalizes anyone who commits an "obscene act" in a public place, causing annoyance to others, with imprisonment up to three months, a fine, or both. However, the term "obscene" is not explicitly defined, leading to subjective interpretations and enforcement.

With the introduction of the Bharatiya Nyay Sanhita (BNS) in 2023, Section 294 of the IPC has been replaced by Section 296 of the BNS. The new provision maintains the same stance on public obscenity but specifies a fine limit of ₹1,000, aiming to standardize penalties and reduce arbitrary enforcement.

Judicial Interpretations: Balancing Law and Personal Freedoms

Indian courts have occasionally provided clarity on what constitutes an "obscene act." In a notable case, the Madras High Court ruled that hugging and kissing between lovers are natural expressions of affection and do not amount to sexual offenses. The court emphasized the importance of context and mutual consent in such matters.

Similarly, in the 2007 incident involving actor Richard Gere kissing actress Shilpa Shetty at an AIDS awareness event, the Supreme Court dismissed the obscenity charges, stating that consensual acts of affection in public do not necessarily constitute criminal behavior.

Notable Incidents and Public Reactions

Despite legal precedents, individuals have faced societal backlash and legal challenges for PDA. In 2014, the "Kiss of Love" protest emerged in Kerala as a response to moral policing. Protesters engaged in public kissing to challenge conservative norms, leading to arrests and widespread debates about personal freedoms and cultural values.

In 2023, a video of a couple kissing in the Delhi Metro went viral, prompting the Delhi Metro Rail Corporation to increase surveillance and enforce regulations against such behavior, citing public discomfort.

Institutional Policies and Moral Policing

Educational institutions have also taken stances on PDA. The National Institute of Technology-Calicut (NITC) issued a circular in 2023 banning PDA on campus, stating that such acts could distract from the educational environment and cause discomfort to others. Violations were subject to disciplinary action.

In another instance, the Kerala High Court upheld the suspension of two school students accused of PDA, emphasizing the school's authority to maintain discipline and uphold its reputation.

Societal Attitudes: A Spectrum of Perspectives

Indian society exhibits a wide range of attitudes towards PDA, influenced by cultural, regional, and generational factors. While urban areas may be more accepting, conservative views often prevail, leading to instances of moral policing. For example, in Mumbai's Borivali area, residents erected a "No Kissing Zone" sign to discourage couples from engaging in PDA near their housing society.

Such actions reflect ongoing tensions between evolving social norms and traditional values. While legal interpretations have leaned towards protecting individual freedoms, societal acceptance remains varied.

Conclusion: Navigating PDA in India

Public displays of affection in India exist at the intersection of personal freedom, legal ambiguity, and societal norms. While the law, particularly under the updated Bharatiya Nyay Sanhita, provides a framework for addressing public obscenity, interpretations remain subjective. Judicial decisions have often favored personal liberties, yet societal attitudes continue to influence the acceptability of PDA.

As India continues to evolve socially and legally, the discourse around PDA highlights the need for clear guidelines that respect individual rights while considering cultural sensitivities. Open dialogues and awareness can pave the way for a more inclusive understanding of personal expressions of affection in public spaces.

72. SEALING THE DEAL: INDIA AND UK FORGE LANDMARK FREE TRADE PACT AFTER 3-YEAR TALKS

After over three years of negotiations, India and the United Kingdom have finalized a landmark Free Trade Agreement (FTA), marking a significant milestone in their bilateral relations. This comprehensive deal, concluded in May 2025, is poised to reshape trade dynamics between the two nations, aiming to boost bilateral trade by £25.5 billion (¥34 billion) annually by 2040.

Key Provisions of the Agreement

The FTA encompasses a broad spectrum of trade and economic activities, including goods, services, investments, and intellectual property rights. One of the most notable aspects is the substantial reduction in tariffs on various goods. For instance, Indian duties on UK whisky and gin will decrease from 150% to 40% over ten years, and car tariffs will be reduced from 110% to 10%, accompanied by export quotas. Conversely, the UK will lower tariffs on Indian textiles, footwear, and food products, facilitating greater market access for Indian exporters.

In the services sector, while the agreement does not alter broader immigration policies, it allows for up to 1,800 visas annually for Indian professionals in cultural sectors such as music, culinary arts, and yoga instruction. Additionally, the pact simplifies customs regulations and provides limited access to Indian government procurement markets, enhancing the ease of doing business between the two countries.

Economic Impact

The agreement is expected to have a significant positive impact on both economies. For the UK, it is projected to increase GDP by £4.8 billion annually by 2040, create jobs, and raise wages by £2.2 billion annually. India, on the other hand, anticipates a boost in exports of pharmaceuticals, textiles, food and beverages, tobacco, leather, footwear, and agricultural items like rice. The deal also opens avenues for Indian digital services in the UK market.

Challenges and Controversies

Despite the overall positive outlook, the agreement has not been without controversy. A provision exempting temporarily seconded Indian workers from UK national insurance contributions has sparked debate, with critics arguing it creates a “two-tier tax” system. Furthermore, the deal excludes financial and legal services, areas where the UK had sought greater access. Issues such as data localization and intellectual property rights also posed challenges during negotiations, reflecting differing regulatory approaches between the two nations.

Strategic Significance

The FTA signifies a strategic shift for both countries. For the UK, it represents the most significant trade deal since Brexit, demonstrating a commitment to forging new trade relationships outside the European Union. For India, the agreement underscores its growing openness to Western markets and sets a precedent for future trade engagements with other major economies.

The successful conclusion of the India-UK FTA after prolonged negotiations highlights the potential for mutually beneficial trade partnerships in a rapidly evolving global economic landscape. As both nations move towards ratification and implementation, the agreement is poised to enhance economic ties and foster greater collaboration across various sectors.

[1]: https://www.reuters.com/world/india/india-uk-conclude-talks-over-free-trade-pact-pm-modi-says-2025-05-06/?utm_source=chatgpt.com “Britain and India clinch landmark deal in ‘new era’ of trade”

[2]: https://www.financialexpress.com/policy/economy/india-uk-free-trade-agreement-progress-and-challenges/3547373/?utm_source=chatgpt.com “India-UK Free Trade Agreement: Progress and Challenges – Economy News | The Financial Express”

[3]:

https://apnews.com/article/6cbaf787f49a08aac18f93b2601d09f2?utm_source=chatgpt.com

“UK and India sign a ‘landmark’ trade agreement after years of tough negotiations”

[4]: https://www.theguardian.com/politics/2025/may/06/uk-and-india-agree-trade-deal-after-three-years-of-negotiations?utm_source=chatgpt.com “UK and India agree ‘landmark’ trade deal after three years of negotiations”

[5]: https://www.moneycontrol.com/news/business/economy/mc-explains-whats-happening-with-the-india-uk-free-trade-agreement-10478161.html?utm_source=chatgpt.com “MC

Explains | What’s happening with the India-UK free trade agreement”

[6]: https://www.business-standard.com/article/economy-policy/india-uk-free-trade-agreement-talks-face-deadlock-over-data-report-122100900426_1.html?utm_source=chatgpt.com

“India-UK Free Trade Agreement talks face deadlock over data: Report | Economy & Policy News – Business Standard”

[7]: https://www.financialexpress.com/business/industry-uk-india-free-trade-agreement-to-relaunch-in-early-2025-whats-at-stake-3669070/?utm_source=chatgpt.com “UK-India Free

Trade Agreement to relaunch in early 2025: What’s at stake? – Industry News | The Financial Express”

[8]: https://www.thetimes.co.uk/article/britains-trade-deal-with-india-is-something-to-celebrate-tntkqj00z?utm_source=chatgpt.com “Britain’s trade deal with India is something to celebrate”

[9]: https://www.financialexpress.com/business/industry-india-and-the-uk-set-to-resume-free-trade-agreement-negotiations-in-2025-3670186/?utm_source=chatgpt.com “India and the UK

Set to Resume Free Trade Agreement Negotiations in 2025 – Industry News | The Financial Express”

73. OPERATION SINDOOR: INDIA’S STRATEGIC RESPONSE TO THE PAHALGAM TERROR ATTACK

On May 6, 2025, India initiated "Operation Sindoor," a coordinated military strike targeting terrorist infrastructure in Pakistan and Pakistan-administered Kashmir. This operation was a direct response to the April 22 terror attack in Pahalgam, Jammu and Kashmir, which resulted in the deaths of 26 Indian civilians, predominantly Hindu tourists. India attributed the attack to The Resistance Front, an offshoot of the Pakistan-based Lashkar-e-Taiba, and accused Pakistan of harboring the perpetrators.

Objectives and Execution

The primary objective of Operation Sindoor was to dismantle terrorist infrastructure responsible for orchestrating attacks against India. The Indian Armed Forces, comprising the Army, Navy, and Air Force, executed precision strikes on nine identified sites, including training camps, weapons depots, and logistical hubs located in Muzaffarabad, Kotli, and Bahawalpur. The operation utilized advanced weaponry such as the SCALP cruise missile, HAMMER precision bombs, and loitering munitions to ensure accuracy and minimize collateral damage.

Casualties and Damage

According to Indian sources, the operation resulted in the elimination of over 70 militants and injuries to more than 60 others. India reported the loss of one fighter jet and an injured pilot. Pakistan, however, claimed that the strikes led to the deaths of at least eight civilians, including

a child, and injuries to 35 individuals. Additionally, Pakistan asserted that its air defenses shot down five Indian aircraft, a claim India has not confirmed.

Domestic and International Reactions

Domestically, Operation Sindoor garnered widespread support across the political spectrum in India. Opposition leaders, including Rahul Gandhi of the Congress party, expressed solidarity with the armed forces, emphasizing national unity in the face of terrorism.

Internationally, the operation elicited calls for restraint. United Nations Secretary-General António Guterres and U.S. President Donald Trump urged both India and Pakistan to de-escalate tensions and avoid further military confrontation.

Escalation and Current Status

In retaliation, Pakistan conducted artillery shelling across the Line of Control, resulting in the deaths of three Indian civilians. Both nations have since suspended visa services and closed airspace in affected regions, leading to significant disruptions in air travel and heightened military alertness along the border.

Conclusion

Operation Sindoor represents one of India's most significant military actions within Pakistani territory in over five decades. While it underscores India's commitment to combating terrorism, the operation has also intensified tensions between the two nuclear-armed neighbors. The international community continues to monitor the situation closely, advocating for diplomatic engagement to prevent further escalation.

Sources

1. <https://www.ndtv.com/india-news/operation-sindoor-scalp-and-hammer-the-weapons-used-in-operation-sindoor-to-hit-terror-sites-8349826?utm>
2. <https://m.economictimes.com/news/newsblogs/india-pakistan-war-live-updates-operation-sindoor-indian-army-airforce-pahalgam-terror-attack-mock-drill-blackout-india-news-today/liveblog/120943152.cms?utm>
3. <https://www.the-sun.com/news/14180429/india-pakistan-airstrikes-war/?utm>
4. <https://nypost.com/2025/05/06/world-news/india-confirms-it-attacked-nine-sites-in-pakistan-pakistani-kashmir-targeting-terrorist-infrastructure/?utm>

74. NATIONAL SECURITY ACT, 1980: AN OVERVIEW AND CONTEMPORARY RELEVANCE IN INDO-PAK RELATIONS

Introduction

The *National Security Act, 1980* (NSA) is one of India's most powerful preventive detention laws. Enacted by the Indian Parliament, the NSA empowers the Central and State Governments to detain individuals who pose a threat to national security, public order, or the maintenance of essential services. In a region as geopolitically sensitive as South Asia, particularly given the strained relationship between **India and Pakistan**, this law plays a critical role in internal security management.

Key Provisions of the National Security Act, 1980

1. Preventive Detention:

Under Section 3 of the NSA, both the Central and State Governments or even District

Magistrates and Commissioners of Police can order the detention of an individual if it is deemed necessary:

- To prevent them from acting in a manner prejudicial to national security.
- To maintain public order.
- To ensure the continued supply of essential services.

2. Detention Without Trial:

A person can be detained for up to **12 months** without formal charges. However, an Advisory Board comprising High Court judges must review the detention within 3 weeks.

3. No Disclosure Requirement:

Authorities are not obligated to disclose the grounds of detention if doing so is against the public interest.

4. Limited Judicial Review:

The scope of judicial review is restricted. Courts may examine procedural lapses but rarely assess the validity of the detention grounds.

NSA and Indo-Pak Tensions: Historical Context

The NSA was enacted shortly after the Emergency era, in a period marked by regional instability, the Cold War, and increased militancy. India and Pakistan have shared a turbulent relationship, with wars in 1947, 1965, 1971, and 1999, and numerous cross-border skirmishes, including the **Pulwama attack (2019)** and **Balakot air strikes**.

During times of heightened Indo-Pak tensions, India often bolsters its internal security measures:

- **NSA is invoked** to detain suspected militants, separatists, or individuals accused of espionage.
- Detentions under NSA are frequently seen in **Jammu and Kashmir**, especially after the **abrogation of Article 370 in August 2019**.
- It has also been used against individuals suspected of having links to **Pakistan-based terror outfits** like **Jaish-e-Mohammed** or **Lashkar-e-Taiba**.

Tensions between India and Pakistan remain volatile in 2025 due to ongoing issues such as:

- Cross-border **ceasefire violations**.
- Attempts at **infiltration across the Line of Control (LoC)**.
- Allegations of **cyber-espionage and drone surveillance**.
- Pakistan's political instability spilling into India's border states.

Given this backdrop, the **NSA continues to be invoked** in various Indian states:

- **In border regions** (Jammu & Kashmir, Punjab, Rajasthan), to prevent radicalization and intercept insurgent activities.
- **In metro cities**, to detain suspected operatives involved in terror financing or espionage.
- **On social media activity**, especially those accused of inciting communal unrest or supporting anti-India narratives propagated by Pakistan-based entities.

Criticism and Concerns

While NSA serves as a security tool, its use especially during Indo-Pak tensions has raised several concerns:

- **Lack of transparency** in detentions.
- **Suppression of dissent**, particularly in Kashmir and northeastern states.
- Potential for **misuse against political opponents or activists**, under the guise of national security.

Human rights organizations argue that **true national security** must balance state interests with individual liberties, and laws like the NSA must be invoked with caution and oversight.

Conclusion

The National Security Act, 1980, continues to be a **potent legal instrument** in India's national security architecture. In the context of persistent hostilities and intelligence warfare between India and Pakistan, the NSA offers the government the agility to respond to threats preemptively. However, its **continued relevance must be tempered by legal accountability, judicial oversight**, and a commitment to **democratic principles**. A strong security framework should not come at the cost of human rights especially in a constitutional democracy like India.

75. EXPANSION OF DEFAMATION IN THE DIGITAL AGE: THE DETTOL PODCAST CONTROVERSY AND ITS IMPLICATIONS FOR INFLUENCERS

In an era where digital content spreads rapidly, the responsibility of influencers and experts to provide accurate information has never been more critical. A recent incident involving Dettol, a widely recognized antiseptic brand, underscores the legal and ethical challenges that arise when public figures make potentially defamatory statements online.

The Controversy Unfolds

In April 2025, a podcast episode titled “Skin Mistakes You Didn’t Know! Tanning & Sunburn EXPOSED” featured social media influencer Raj Shamani and dermatologist Dr. Manjot Marwah. During the discussion, Dr. Marwah claimed that applying Dettol Antiseptic Liquid directly to the skin could be harmful, describing it as a floor cleaner unsuitable for skin use and alleging it could delay wound healing. These statements were further amplified through an Instagram reel captioned “Never Use Dettol on Your Skin,” which garnered over 2.4 million views.

Reckitt Benckiser, the manufacturer of Dettol, responded by filing a defamation lawsuit against Shamani, Marwah, and another influencer, Ritik Chaturvedi. The company asserted that the claims were “false, misleading, disparaging, and defamatory,” emphasizing that Dettol has been a licensed antiseptic product approved for skin use in India since 1936 and is classified as a drug under the Drugs and Cosmetics Act, 1940.

Legal Proceedings and Settlements

Following the lawsuit, Raj Shamani agreed to edit and remove the specific segment of the podcast referencing Dettol, complying with a directive from the Delhi High Court to complete the edits within 24 hours and refrain from reuploading the original content. This led to an amicable settlement between Shamani and Reckitt Benckiser.

However, Reckitt decided to continue legal proceedings against Dr. Marwah, citing concerns over her repeated comments and the potential for ongoing reputational harm. The company highlighted that despite initial removals, Marwah had posted additional content discussing the court proceedings and reiterating her claims, raising doubts about future compliance.

Broader Legal Context

This case emerges against a backdrop of increasing legal scrutiny over the responsibilities of influencers and public figures in India. In a notable decision, the Supreme Court of India emphasized that celebrities and social media influencers are equally liable for endorsing

misleading advertisements. The Court stated, “Endorsements by public figures, influencers, and celebrities go a long way. It is imperative for them to act with responsibility in endorsing advertisements and taking responsibility for the same.” This ruling underscores the necessity for endorsers to possess adequate knowledge about the products they promote and to ensure their statements are not deceptive.

Furthermore, the Court directed that broadcasters and print media must file self-declaration forms before airing or publishing advertisements, ensuring compliance with existing regulations. These measures aim to enhance transparency and protect consumer interests in the face of potentially misleading promotional content.

Implications for Influencers and Content Creators

The Dettol podcast controversy serves as a cautionary tale for influencers and content creators, particularly those operating in sensitive sectors like health and wellness. It highlights the importance of verifying information before dissemination and the potential legal consequences of spreading unsubstantiated claims.

As digital platforms continue to evolve, the lines between personal opinion and professional advice can blur, making it imperative for content creators to exercise due diligence. This includes consulting credible sources, understanding the regulatory landscape, and being mindful of the influence their words can wield over public perception and behavior.

Conclusion

The intersection of digital content creation and legal accountability is becoming increasingly complex. The Dettol case underscores the need for a balanced approach that respects freedom of expression while safeguarding against the dissemination of potentially harmful misinformation. As the digital landscape continues to expand, fostering a culture of responsibility and integrity among influencers and experts is essential to maintain public trust and uphold the standards of truthful communication.

SOURCES

1. https://ground.news/article/dettol-rebuts-podcast-claims-labels-criticism-as-unscientific-and-malicious?utm_
2. https://www.businesstoday.in/india/story/misleading-ads-case-influencers-celebrities-should-take-responsibility-for-product-promotion-says-sc-428667-2024-05-07?utm_s

76. PAKISTAN’S BILLION-DOLLAR LIFELINE: INSIDE THE IMF’S CRUCIAL BAILOUT

On May 9, 2025, the International Monetary Fund (IMF) approved a \$1 billion disbursement to Pakistan under its existing \$7 billion Extended Fund Facility (EFF) program. This move came after a successful review of Pakistan’s economic reforms and fiscal measures, signaling international confidence in the country’s economic recovery efforts. In addition to the \$1 billion under the EFF, the IMF also approved a \$1.4 billion loan under the Resilience and Sustainability Facility (RSF), which is aimed at helping Pakistan address climate-related vulnerabilities.

This financial support is crucial for Pakistan, which has faced severe economic challenges over the past few years, including a balance of payments crisis, inflationary pressures, dwindling foreign reserves, and the economic fallout of political instability and climate-induced disasters.

But before delving further into what this means for Pakistan, it's important to understand what the IMF is and how its loans work.

What is the IMF?

The International Monetary Fund (IMF) is a global financial institution established in 1944 during the Bretton Woods Conference. It currently has 190 member countries. Its core purpose is to ensure the stability of the international monetary system the system of exchange rates and international payments that enables countries to transact with each other.

The IMF provides monetary support and policy advice to countries facing economic instability or balance of payments problems. It also conducts surveillance of the global economy, offers technical assistance, and facilitates international trade and economic growth.

How IMF Loans Work

IMF loans are not like traditional development loans aimed at infrastructure or poverty alleviation. Instead, they are designed to help countries stabilize their economies when they face serious financial crises. The IMF typically steps in when a country's foreign exchange reserves are dangerously low, inflation is high, the local currency is depreciating rapidly, or when the country is unable to meet its external debt obligations.

Loans are disbursed under specific arrangements such as:

1. **Extended Fund Facility (EFF)** – Focused on structural reforms, fiscal consolidation, and long-term economic stability.
2. **Stand-By Arrangements (SBA)** – Intended for short-term economic crises.
3. **Resilience and Sustainability Facility (RSF)** – Designed to help countries build climate resilience or manage pandemic risks.

These loans are not unconditional. Countries receiving IMF loans must agree to implement economic reforms. These reforms, known as "conditionalities," often include austerity measures, subsidy cuts, tax reforms, currency devaluation, and central bank independence. While these measures aim to stabilize the economy, they can also result in short-term hardships for the population, such as increased inflation and reduced social spending.

The IMF does not offer grants; its loans must be repaid with interest, and the terms of repayment vary depending on the type of facility.

Pakistan's Economic Struggles and IMF Support

Pakistan has faced a prolonged economic crisis marked by high inflation, political instability, and vulnerability to climate disasters such as the devastating floods of 2022. The country's foreign exchange reserves fell to alarmingly low levels in 2023, threatening its ability to import essential goods such as fuel, medicine, and food.

In 2024, Pakistan entered into a \$7 billion Extended Fund Facility with the IMF to stabilize its economy. This required Islamabad to undertake difficult reforms including reducing fuel and electricity subsidies, increasing tax revenue, and maintaining a market-determined exchange rate.

The recent approval of a \$1 billion tranche indicates that Pakistan has met the IMF's performance criteria. The funds will help stabilize the currency, support the budget, and boost investor confidence. More importantly, the IMF's endorsement often opens the door for additional financing from other multilateral institutions like the World Bank and the Asian Development Bank, as well as from bilateral lenders.

In addition, the newly approved \$1.4 billion under the Resilience and Sustainability Facility will assist Pakistan in tackling climate-related challenges, particularly in strengthening infrastructure to withstand floods and other natural disasters. This is critical, given the country's ranking among the top 10 nations most vulnerable to climate change.

Political Tensions and India's Objection

Interestingly, India abstained from voting on the IMF board's approval of Pakistan's disbursement. Citing concerns that the funds could be misused, particularly for state-sponsored cross-border activities, India voiced strong dissent. However, these objections did not influence the board's decision.

Prime Minister Shehbaz Sharif responded firmly, stating that efforts to derail Pakistan's IMF program had failed, and reaffirmed the government's commitment to transparency and reform.

Looking Ahead

The IMF's continued support is a lifeline for Pakistan's fragile economy. However, the true challenge lies in sustaining economic reforms and ensuring that the benefits of stabilization are felt across the population and not misused for sponsoring terror related activities. While the IMF loans provide much-needed breathing room, long-term economic health will depend on sound governance, domestic resource mobilization, and investments in climate resilience and social protection. As Pakistan moves forward, its ability to manage external pressures while keeping domestic welfare intact will be the ultimate test of its economic recovery strategy.

SOURCES

1. <https://www.hindustantimes.com/india-news/imf-approves-1-billion-disbursement-to-pakistan-says-pm-shehbaz-sharifs-office-101746811364379.html?utm>
2. <https://www.reuters.com/world/asia-pacific/pakistan-says-imf-clears-loan-review-frees-1-bln-2025-05-09/?utm>
3. <https://indianexpress.com/article/business/imf-loan-tranche-pakistan-india-abstains-vote-strong-dissent-9993695/?utm>

77. THE HISTORY OF THE LINE OF CONTROL AND LINE OF ACTUAL CONTROL: A TALE OF TWO BORDERS

The Indian subcontinent has long been shaped by complex geopolitical rivalries, many of which stem from the aftermath of British colonial rule. Among the most enduring and contentious legacies are the *Line of Control (LoC)* between India and Pakistan, and the *Line of Actual Control (LAC)* between India and China. Though both lines were conceived as temporary military arrangements, they have become entrenched as de facto borders, heavily influencing regional diplomacy, defense policies, and national identities.

Origins of the Line of Control (LoC): From Partition to Ceasefire

The Line of Control emerged out of the chaos and bloodshed of the 1947 Partition of British India. The princely state of Jammu and Kashmir, then under the rule of Maharaja Hari Singh, became a focal point of conflict. While the Maharaja initially sought independence, a sudden invasion by Pakistani tribal militias in October 1947 compelled him to seek India's military aid. In return, he signed the Instrument of Accession, legally integrating Jammu and Kashmir into the Indian Union.

This led to the First Indo-Pak war (1947–1948), which ended with a UN-mediated ceasefire in January 1949. The ceasefire line demarcated the territories under Indian and Pakistani control. While not a formal border, it was monitored by the United Nations Military Observer Group in India and Pakistan (UNMOGIP) and became the foundation for future territorial claims.

Transformation into the Line of Control (1972)

Following the 1971 Indo-Pak war, which resulted in the creation of Bangladesh, India and Pakistan signed the Simla Agreement in 1972. This agreement formally renamed the ceasefire line as the *Line of Control*. Both nations agreed not to alter it unilaterally and to resolve disputes peacefully. Yet, the LoC soon became one of the most militarized frontiers in the world.

Tensions along the LoC have persisted, with frequent ceasefire violations, infiltration attempts, and full-scale battles like the 1999 Kargil War. Though technically a temporary arrangement, the LoC has, in practice, functioned as a hardened international boundary, heavily guarded by troops, barbed wires, and surveillance infrastructure.

The Line of Actual Control (LAC): A Legacy of Ambiguity

The *Line of Actual Control* shares a different genesis rooted in historical ambiguity rather than a declared war. Unlike the LoC, which has been clearly demarcated through military maps and bilateral agreements, the LAC remains undefined and heavily disputed due to differing interpretations of the border.

The eastern part of the LAC stems from the McMahon Line, drawn during the 1914 Simla Convention between British India and Tibet. China, then under imperial rule and later the People's Republic, rejected this line, refusing to recognize Tibet's autonomy in signing international treaties. In the western sector, China's construction of a road through the Aksai Chin region claimed by India but controlled by China heightened tensions during the 1950s.

The 1962 Sino-Indian War and the Birth of the LAC

The tensions culminated in the 1962 Sino-Indian War. Chinese forces advanced into disputed areas in both Ladakh and Arunachal Pradesh (then NEFA). After a brief but intense conflict, China declared a unilateral ceasefire and withdrew in the eastern sector while retaining control of Aksai Chin in the west. The boundary up to which China claimed control after the war came to be known as the *Line of Actual Control*.

However, unlike the LoC, the LAC was never officially mapped or mutually agreed upon. This has led to differing perceptions and repeated military stand-offs, as both countries patrol up to their own interpretations of the line.

Tensions, Talks, and the Galwan Valley Clash

In the decades following 1962, India and China signed several agreements aimed at maintaining peace along the LAC, notably the 1993 Agreement on Peace and Tranquility and the 2005 Protocol on Border Management. Despite this, incursions and face-offs continued, usually resolved through flag meetings and diplomatic channels.

A turning point came in June 2020, when Indian and Chinese troops clashed in the Galwan Valley in eastern Ladakh. The violent hand-to-hand combat resulted in the deaths of soldiers on both sides the first such fatalities in over 45 years. This event triggered a prolonged military standoff, with both countries increasing troop deployment and constructing military infrastructure near the LAC.

A Tale of Two Lines: Implications and the Path Forward

While the LoC and LAC arose from different historical contexts Partition for the former and colonial-era cartography for the latter they share striking similarities. Both are heavily militarized, politically sensitive, and emblematic of broader strategic rivalries. They continue to influence domestic politics, foreign policy decisions, and defense strategies in India.

The LoC, rooted in the India-Pakistan rivalry over Kashmir, is monitored and more formally defined, yet remains volatile. The LAC, with its ambiguity and lack of mutual recognition, presents a more complex and unpredictable challenge.

Ultimately, the future of these borders depends not just on military posturing but on meaningful diplomatic engagement, historical reconciliation, and the political will to resolve long-standing disputes peacefully. Until then, the LoC and LAC will continue to define the fault lines of South Asian geopolitics.

78. UNDERSTANDING THE MONEY LAUNDERING ACT: PURPOSE, PROVISIONS, AND IMPACT

Money laundering is the process of disguising the origins of illegally obtained money, typically by passing it through complex transfers and transactions to make it appear legitimate. In response to the growing threat posed by financial crimes, many countries have enacted laws to combat money laundering. In India, this is primarily addressed through the *Prevention of Money Laundering Act, 2002* (PMLA). This legislation plays a crucial role in maintaining the integrity of the financial system and curbing the use of illicit funds.

Background and Objective

The PMLA was enacted by the Indian Parliament and came into force on July 1, 2005. Its primary objective is to prevent money laundering and provide for the confiscation of property derived from or involved in such illegal activities. The Act aims to align Indian financial regulations with international standards laid down by organizations such as the Financial Action Task Force (FATF), thereby enhancing India's credibility in global financial and trading systems.

The PMLA also supports the enforcement of other laws by addressing proceeds derived from crimes listed in the Schedule to the Act, which includes offences under the Indian Penal Code, Narcotic Drugs and Psychotropic Substances Act, Arms Act, and more.

Key Definitions

Under Section 3 of the Act, money laundering is defined as any process or activity connected with the "proceeds of crime," including its concealment, possession, acquisition, use, or projection as untainted property. "Proceeds of crime" refers to any property derived from criminal activity related to a scheduled offence.

A "scheduled offence" refers to the crimes listed in the Schedule to the Act. These include a wide range of serious offences like terrorism, drug trafficking, human trafficking, corruption, fraud, and tax evasion.

Enforcement Mechanisms

The PMLA empowers the Directorate of Enforcement (ED), under the Department of Revenue, Ministry of Finance, to investigate and prosecute offences under the Act. The enforcement framework includes several stages:

1. **Attachment of Property:** If the authorities believe that a person possesses proceeds of crime, the ED may provisionally attach such property to prevent its transfer or disposal.
2. **Adjudication:** The Adjudicating Authority, an independent body under the Act, confirms whether the attached property is indeed involved in money laundering.
3. **Confiscation:** If confirmed, the property is confiscated and becomes the government's property.
4. **Prosecution:** The person involved can be tried in a Special Court established under the Act. A conviction can lead to rigorous imprisonment for 3 to 7 years (extendable to 10 years in certain cases) along with fines.

Compliance and Reporting

The Act imposes reporting obligations on financial institutions, banks, intermediaries, and professionals such as chartered accountants and company secretaries. They are required to maintain records, identify and verify clients, and report suspicious transactions to the Financial Intelligence Unit – India (FIU-IND).

These preventive measures ensure that entities serving as gateways to the financial system act as a first line of defense against money laundering.

Amendments and Evolution

Over the years, the PMLA has undergone several amendments to expand its scope and address loopholes. Notably, the 2012 and 2019 amendments enhanced the powers of investigation agencies, clarified definitions, and introduced stricter compliance obligations.

The most controversial change came in 2019, which allowed statements made before ED officers to be admissible in court and expanded the scope of the term "proceeds of crime" to include assets located abroad.

In 2023, the Supreme Court upheld the constitutionality of several provisions of the PMLA but stressed the need for checks and balances to prevent misuse of power, particularly in light of concerns over human rights and procedural fairness.

Challenges and Criticism

Despite its strong legal framework, the Act has been criticized on several grounds. Some argue that it gives excessive powers to the ED without adequate safeguards, leading to potential misuse and harassment. Critics also highlight the low conviction rate under the Act compared to the number of cases registered.

Further, the broad definition of "money laundering" has sparked legal debates, especially when applied to activities that may not directly involve laundering but are indirectly connected.

Conclusion

The Prevention of Money Laundering Act is a vital tool in India's fight against financial crimes. It aligns the country's legal system with global anti-money laundering norms and protects the economy from the adverse effects of black money and corruption. However, to ensure justice and uphold civil liberties, it is equally important to implement the law with transparency, accountability, and judicial oversight. Strengthening institutional capacity, ensuring fair investigation, and balancing enforcement with due process are essential for the PMLA to serve its intended purpose effectively.

79. FROM STADIUMS TO COURTROOMS: THE MAKING OF SPORTS LAW

In recent decades, the global expansion of sports as a multi-billion-dollar industry has led to the emergence of a specialized branch of law **Sports Law**. It encompasses various legal disciplines that regulate sports and the issues that arise within the domain. As athletes, teams, sponsors, broadcasters, and sports bodies engage in increasingly complex relationships, the legal framework surrounding these interactions has also evolved. Sports law is no longer a niche field—it is now a vital part of both national and international legal systems.

The Evolution of Sports Law

The development of sports law is closely linked to the **commercialization and professionalization of sports**. While sports existed for centuries, they were largely seen as recreational or amateur activities. However, the 20th century marked a turning point. Events like the Olympics, FIFA World Cup, and professional leagues such as the NBA, IPL, and Premier League transformed sports into lucrative businesses.

This commercialization brought forth a host of legal issues **contracts, broadcasting rights, intellectual property, anti-doping measures, and dispute resolution**, among others. The need to manage these issues efficiently led to the formal development of sports law as a distinct legal field.

International bodies like the **Court of Arbitration for Sport (CAS)**, established in 1984, and domestic legal reforms across countries further institutionalized sports law. The growing awareness of athlete rights, gender discrimination, and doping scandals (like those involving Lance Armstrong or the Russian doping scandal) also contributed to its development.

Scope and Coverage of Sports Law

Sports law is **not a singular codified legal discipline**, but rather a collection of legal principles drawn from various branches of law and applied in the context of sports. Key areas include:

1. **Contract Law:** Governs player contracts, endorsement deals, and agreements between clubs and players, coaches, or agents.
2. **Tort Law:** Deals with personal injuries occurring on and off the field. Athletes may sue for negligence, especially in contact sports.
3. **Labour and Employment Law:** Regulates employment conditions, minimum wages, termination clauses, and discrimination issues in sports employment.
4. **Intellectual Property Law:** Protects the commercial rights of teams, logos, names, and broadcasting rights.
5. **Anti-Doping Regulations:** Governed by bodies like WADA (World Anti-Doping Agency), which sets global rules on banned substances and testing procedures.
6. **Dispute Resolution:** Arbitration bodies like CAS or national sports tribunals resolve disputes quickly, often replacing regular courts.
7. **Administrative Law and Governance:** Covers regulations governing sports organizations, eligibility criteria, selection processes, and internal disciplinary actions.
8. **Media and Broadcasting Rights:** Deals with licensing, broadcasting agreements, digital rights, and revenue sharing from telecasts.
9. **Human Rights and Ethics:** Includes protection from discrimination, ensuring gender equality, athlete mental health, and safeguarding child athletes.
10. **Criminal Law:** Comes into play in cases of match-fixing, sexual harassment, corruption, and doping fraud.

Sports Law in India: Current Scenario

India has witnessed rapid growth in sports law in recent years, driven by the emergence of the **Indian Premier League (IPL)**, **Pro Kabaddi League**, and increased Olympic participation. However, the **legal infrastructure is still developing** compared to countries like the USA or UK.

Currently, there is **no comprehensive legislation** on sports law in India. Legal matters related to sports are handled through a combination of general laws (like the Indian Contract Act, Copyright Act, or Penal Code) and regulations issued by sports authorities.

The **Ministry of Youth Affairs and Sports** is the primary government body overseeing sports development, while the **Sports Authority of India (SAI)** implements policies and training programs. The **Board of Control for Cricket in India (BCCI)**, although autonomous, has faced legal challenges regarding transparency and governance, notably in the **Lodha Committee recommendations**.

To resolve disputes, the **National Sports Development Code, 2011**, lays down governance standards, though not all federations comply. The **absence of a dedicated sports tribunal** in India means most disputes either go to the **courts** or the **CAS** in Switzerland.

Recently, the **Draft National Sports Development Bill**, proposed several times, has aimed to regulate federations, ensure athlete rights, and bring accountability. However, political and institutional resistance has slowed its enactment.

Moreover, Indian courts have intervened in several high-profile cases involving doping, selection controversies, and sexual harassment. The MeToo movement also impacted Indian sports, leading to more calls for safer environments and legal recourse for athletes.

Conclusion

Sports law is a fast-evolving and multi-faceted legal domain that plays a crucial role in the modern sports ecosystem. As sports continue to grow commercially and socially, the need for a structured and robust legal framework becomes ever more pressing. In India, there is significant scope for reform, including the creation of specialized sports legislation, tribunals, and regulatory oversight.

A strong sports law regime not only ensures fair play and justice for athletes and organizations but also promotes transparency, professionalism, and global competitiveness in the sports sector.

80. BEHIND THE APP: UNPACKING LABOUR RIGHTS IN INDIA'S GIG ECONOMY

Introduction

The rise of the gig economy in India has transformed the landscape of employment. Gig and platform workers—delivery partners, ride-hailing drivers, freelance service providers now constitute a significant segment of the workforce. As of 2024, India had over **7.7 million gig workers**, with projections suggesting this number will reach **23.5 million by 2030**. Despite their economic contribution, these workers have historically lacked access to formal labour rights such as social security, job security, or workplace protections.

Who Are Gig and Platform Workers?

- **Gig workers:** Individuals engaged in income-earning activities outside the traditional employer-employee relationship, often on a short-term or task-based basis.
- **Platform workers:** A subset of gig workers who use online platforms (e.g., Swiggy, Zomato, Uber, Ola, Urban Company) to access clients and earn income.

Legal Framework: Labour Laws and Gig Work

1. Code on Social Security, 2020

This central legislation was the first to **formally recognize gig and platform workers**. Key provisions include:

- **Definitions:**
 - *Gig worker:* A person who performs work outside traditional employment.
 - *Platform worker:* One who accesses work through digital platforms.
- **Social Security Schemes:**
 - Enables the **central and state governments** to frame schemes for:
 - Life and disability cover
 - Health and maternity benefits
 - Old age protection
 - Crèche facilities and more
- **Funding:**
 - Allows collection of a **welfare cess** (1-2% of platform companies' annual turnover) to fund worker welfare.
- **Registration:**
 - Gig and platform workers can **self-register** to avail of these benefits.

However, implementation has been sluggish, and most schemes remain on paper due to a lack of institutional infrastructure and clarity on inter-state coordination.

Recent State-Level Developments

1. Rajasthan (2023)

- **Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023:**
 - First of its kind in India.
 - Mandates:
 - Creation of a welfare board
 - A transaction-based welfare fee
 - Mandatory registration of workers and platforms
- **Current Status:** Although the law was passed, its implementation has been limited due to political and administrative delays.

2. Karnataka (2024–2025)

- Recently approved the **Karnataka Platform-Based Gig Workers (Social Security and Welfare) Bill, 2024**.
- Proposes:
 - A 1–5% cess on every platform-facilitated transaction
 - Mandatory notice periods for termination (14 days)
 - Worker rights to refuse unsafe or low-paying jobs
 - Greater algorithmic transparency from platforms
- **Industry Pushback:** Tech companies and NASSCOM have raised concerns about feasibility and operational disruptions.

3. Telangana (2025 Draft Bill)

- Drafted its own version of a welfare law, including:
 - Mandatory registration of gig workers
 - Creation of a welfare board
 - Health and insurance schemes
- Inspired by Rajasthan's model but more tech-industry friendly.

Challenges Faced by Gig Workers

1. **Lack of Social Security:** No access to ESI, PF, or health insurance unless self-arranged.
2. **Unpredictable Income:** Due to algorithmic assignments and fluctuating demand.
3. **No Grievance Redressal Mechanism:** No formal complaint system against arbitrary terminations or wage disputes.
4. **Algorithmic Exploitation:** Workers have little to no insight into how task assignments and incentives are determined.
5. **Workplace Harassment and Safety:** No clear policies or enforcement regarding working conditions, especially for women workers.

Unionization and Worker Activism

- Organizations like **Indian Federation of App-based Transport Workers (IFAT)** and **Gig Workers' Association of India** have been at the forefront of advocating for rights.
- Major protests were seen in Delhi, Bengaluru, and Hyderabad in 2023–2024 over issues like deactivation without notice, commission cuts, and long working hours.

Way Forward

1. **Effective Implementation of Laws:** Both central and state governments must move beyond legislative recognition and operationalize welfare boards and digital infrastructure.
2. **Tripartite Model:** Representation of government, platforms, and workers in policy-making.
3. **Algorithmic Accountability:** Platforms must ensure transparency in how they assign work and determine pay.
4. **Portable Benefits:** Design social security benefits that are portable across platforms and geographies.
5. **Minimum Wage Guarantees:** Introduce baseline earnings protection to ensure a decent standard of living.

Conclusion

India is at a crossroads in addressing the rights of gig and platform workers. The legislative efforts in states like Rajasthan, Karnataka, and Telangana are commendable first steps. However, genuine transformation will require coordinated implementation, technological innovation, and ongoing dialogue between stakeholders. As the gig economy continues to grow, ensuring its inclusivity and fairness is not just an economic imperative, but a moral one.

Sources

1. THE HINDU newspaper of 16th May 2025 – “Gig workers meeting demands minimum wages, social security” page 16
2. <https://indianexpress.com/article/cities/bangalore/karnataka-cabinet-gig-workers-welfare-bill-cess-on-platforms-9939108/?utm>
3. <https://www.newindianexpress.com/states/telangana/2025/May/12/telangana-gig-platform-workers-call-for-stronger-protection-algorithmic-transparency?utm>
4. <https://labour.gov.in/sites/default/files/pib2035286.pdf?utm>

81. KNOW YOUR CHIEF JUSTICE: JUSTICE BHUSHAN RAMKRISHNA GAVAI

Justice Bhushan Ramkrishna Gavai was sworn in as the 52nd Chief Justice of India (CJI) on May 14, 2025, marking a historic moment as the first Buddhist and only the second Dalit to hold this esteemed position, following Justice K.G. Balakrishnan who retired in 2010.

Early Life and Legal Journey

Born on November 24, 1960, in Amravati, Maharashtra, Justice Gavai hails from a family deeply rooted in social justice. His father, R.S. Gavai, was a prominent social activist and politician who embraced Buddhism alongside Dr. B.R. Ambedkar in 1956, instilling in him a strong Ambedkarite legacy.

Justice Gavai began his legal career in 1985, practicing at the Bombay High Court. He was appointed as an additional judge of the Bombay High Court in 2003 and became a permanent judge in 2005. In 2019, he was elevated to the Supreme Court of India, where he contributed to several landmark rulings.

Notable Judgments and Contributions

During his tenure at the Supreme Court, Justice Gavai was part of Constitution benches that delivered significant verdicts. Notably, he was involved in the unanimous decision to uphold the abrogation of Article 370, which granted special status to Jammu and Kashmir. He also played a role in the judgment declaring the electoral bonds scheme unconstitutional.

Significance of His Appointment

Justice Gavai's elevation to the position of CJI is a testament to India's progress toward inclusivity and representation in its highest institutions. His appointment is seen as a milestone in promoting diversity within the judiciary, reflecting the nation's commitment to social justice.

Tenure and Responsibilities

As the Chief Justice of India, Justice Gavai holds the highest judicial position in the country. His responsibilities include presiding over the Supreme Court's proceedings, allocating cases to benches, and overseeing the administration of the court. He is also the de facto chancellor of the National Law School of India University and the Visitor of the National Law University, Delhi.

Justice Gavai's term as CJI is set to continue until his retirement on November 23, 2025.

Looking Ahead

Justice Gavai's tenure as the Chief Justice of India is anticipated to further the cause of justice and equality. His leadership is expected to inspire confidence in the judiciary's commitment to upholding the Constitution and delivering impartial justice to all citizens.

Sources

1. https://www.hindustantimes.com/india-news/5-facts-on-justice-br-gavai-the-next-chief-justice-of-india-101744794930188.html?utm_
2. https://indianexpress.com/article/india/justice-b-r-gavai-oath-chief-justice-of-india-cji-10003727/?utm_
3. https://www.scoobserver.in/journal/b-r-gavai-the-first-buddhist-and-second-dalit-chief-justice-of-india-cji-gavai/?utm_
4. https://m.economictimes.com/news/india/justice-br-gavai-takes-charge-as-52nd-chief-justice-of-india/articleshow/121170261.cms?utm_

82. THE RIGHT TO INFORMATION: EMPOWERING CITIZENS THROUGH TRANSPARENCY

The **Right to Information (RTI)** is a fundamental democratic tool that empowers citizens to seek information from the government, ensuring transparency, accountability, and better governance. It enables people to ask questions, access official records, and hold public authorities accountable for their actions and decisions.

What is the Right to Information?

The Right to Information refers to the legal right of citizens to access information held by public authorities. It encompasses the ability to inspect documents, take notes, extract certified copies, and obtain information in electronic form, subject to certain restrictions for national security, privacy, and public order.

RTI is not just about accessing data—it is a means of participation in governance. By seeking information, citizens can question corruption, delay, inefficiency, and arbitrary decisions made by public officials.

Historical Background and Evolution in India

The concept of the Right to Information emerged globally in the 20th century as part of democratic reforms. In India, the roots of RTI lie in the grassroots movements led by civil society organizations like the **Mazdoor Kisan Shakti Sangathan (MKSS)** in Rajasthan during the 1990s. Villagers demanded access to government records to expose corruption in public works and wage disbursements.

This movement gained national momentum and led to several states like Tamil Nadu, Goa, and Delhi enacting their own RTI laws in the early 2000s. The central government eventually passed the **Right to Information Act, 2005**, which came into full force on **October 12, 2005**.

The Right to Information Act, 2005: Key Provisions

The RTI Act, 2005 is a landmark legislation that grants all Indian citizens the right to seek information from public authorities. Below are its key features:

1. **Public Authorities:** Includes all bodies of the government, and organizations substantially funded by the government.
2. **Public Information Officers (PIOs):** Every public authority is required to appoint PIOs to handle RTI requests.
3. **Timeframe for Response:**
 - 30 days for general information.
 - 48 hours if the information concerns the life or liberty of a person.
4. **Fee Structure:** A nominal fee is charged (Rs. 10 per application), and the information is provided at a cost depending on the number of pages or format.
5. **Exemptions:** Certain information is exempt under Section 8 of the Act, such as information affecting national security, cabinet deliberations, or personal privacy, unless the public interest outweighs the harm.
6. **Appeal Mechanism:** Two levels of appeal are provided, followed by a complaint mechanism to the **Central or State Information Commissions**.

Landmark and Recent RTI Cases

RTI has been widely used by activists, journalists, and ordinary citizens to uncover irregularities.

Some notable and recent examples include:

1. RTI on Electoral Bonds Scheme (2023–2024):

Activists filed RTIs seeking transparency on political funding through electoral bonds. The Supreme Court eventually intervened, citing concerns over lack of transparency and the potential for quid pro quo.

2. RTI on COVID-19 Vaccine Procurement (2021–2022):

Citizens sought details on vaccine procurement contracts, pricing differences, and manufacturing timelines. While some information was disclosed, others were denied citing commercial confidentiality.

3. RTI on EWS Quota Data (2023):

An RTI was filed seeking data used to justify the 10% Economically Weaker Sections (EWS) quota. The government provided limited details, prompting public debate on evidence-based policymaking.

4. RTI on Pegasus Spyware Allegations (2021):

Multiple RTIs were filed to find out whether the Indian government had purchased or used Pegasus spyware. However, most responses were vague or denied citing national security.

Challenges and Concerns

Despite its successes, the RTI framework faces several challenges:

- **Delay in Responses:** Many PIOs fail to respond within the statutory time.
- **Dilution of the Act:** Amendments in 2019 allowed the government to fix the tenure and salary of Information Commissioners, raising concerns about autonomy.
- **Intimidation of Activists:** Several RTI activists have faced threats or violence for exposing corruption.
- **Poor Record Maintenance:** Some departments lack digitized and accessible records.

Conclusion

The Right to Information is a cornerstone of a healthy democracy. It transforms governance from secrecy to openness, enabling citizens to participate meaningfully. While there are challenges to its effective implementation, continued public vigilance, judicial support, and institutional reforms can ensure that RTI remains a powerful tool for accountability and transparency.

**83. NUCLEAR STANDOFF: WHY INDIA AND PAKISTAN REMAIN OUTSIDE
GLOBAL ARMS CONTROL**

A **nuclear treaty** refers to a formal agreement between nations designed to regulate or restrict the development, testing, deployment, and use of nuclear weapons and technologies. These treaties are often forged in response to concerns about nuclear proliferation, arms races, and the threat of nuclear war. Most treaties aim to promote disarmament, ensure the peaceful use of nuclear energy, and reduce the risks of accidental or intentional nuclear conflict.

Since the development of nuclear weapons in the mid-20th century, the international community has recognized the immense destructive potential these weapons carry. As a result, various treaties have been implemented to create legal and diplomatic frameworks for the control of nuclear arms.

Major Nuclear Treaties in Force

1. Treaty on the Non-Proliferation of Nuclear Weapons (NPT), 1968

The NPT is the cornerstone of the global nuclear non-proliferation regime. It seeks to prevent the spread of nuclear weapons, promote disarmament, and encourage the peaceful use of nuclear technology. It recognizes five nuclear-weapon states: The United States, Russia, the United Kingdom, France, and China. Non-nuclear-weapon states agree not to pursue nuclear weapons in exchange for access to peaceful nuclear technology.

However, countries like **India, Pakistan, and Israel have not signed the NPT**, viewing it as discriminatory because it legitimizes the nuclear arsenals of a few while denying others the same right.

2. **Comprehensive Nuclear-Test-Ban Treaty (CTBT), 1996**

The CTBT bans all nuclear explosions, for both civilian and military purposes. Although widely supported and signed by many nations, it has **not entered into force** because key nuclear states including the United States, India, and Pakistan have not ratified it.

3. **Treaty on the Prohibition of Nuclear Weapons (TPNW), 2017**

This is the first legally binding international agreement to comprehensively prohibit nuclear weapons. It seeks the complete elimination of nuclear arsenals. Yet, **none of the nuclear-armed states**, including India and Pakistan, have joined the treaty.

4. **Strategic Arms Reduction Treaties (START I, II, and New START)**

These treaties are bilateral agreements between the United States and Russia aimed at reducing and limiting strategic offensive arms. Though significant in the context of U.S.-Russia relations, they do not directly involve South Asian countries.

5. **Bilateral Agreements between India and Pakistan**

While not treaties in the traditional multilateral sense, India and Pakistan have signed **confidence-building measures (CBMs)** such as:

- The **Agreement on the Prohibition of Attack against Nuclear Installations (1988)**, which mandates annual exchange of lists of nuclear facilities.
- A **hotline** between military officials for crisis management.

India and Pakistan: A Unique Nuclear Dynamic

India and Pakistan present a unique and complex nuclear scenario. Both nations became overt nuclear powers in 1998 following their respective nuclear tests. Their history of military conflict, cross-border tensions, and territorial disputes—especially over Kashmir—complicates the nuclear equation.

1. **Nuclear Doctrines**

India follows a **“No First Use” (NFU)** policy, pledging to use nuclear weapons only in retaliation. Pakistan, on the other hand, **does not adhere to NFU**, maintaining the right to use nuclear weapons pre-emptively under certain circumstances, especially to counter conventional military threats from India.

2. **Tactical Nuclear Weapons (TNWs)**

Pakistan’s development of low-yield, battlefield nuclear weapons introduces further complexity. Critics argue that TNWs **lower the threshold for nuclear conflict**, increasing the risk of miscalculation during crises.

3. **Lack of Formal Treaty Engagement**

The absence of participation in global nuclear treaties such as the NPT and CTBT by both countries creates a vacuum in formal arms control mechanisms in South Asia. This makes **bilateral engagement the only viable option**, though political mistrust often hampers progress.

Current Scenario

The geopolitical landscape between India and Pakistan remains fragile. Border skirmishes, insurgency-related incidents, and political rhetoric often heighten tensions. In such a volatile

context, the absence of nuclear treaties or formal arms control frameworks becomes especially dangerous.

1. **Escalation Risks**

Any military conflict, no matter how small, carries the risk of **escalating into a nuclear exchange** due to the absence of formal de-escalation protocols. The lack of clarity in Pakistan's nuclear doctrine only exacerbates these fears.

2. **Diplomatic Isolation from Global Arms Control**

Neither India nor Pakistan is currently engaged in **multilateral arms reduction efforts**, limiting their influence in shaping global norms. Their exclusion from key treaties reduces transparency and hampers global disarmament objectives.

3. **Urgency for Regional Frameworks**

There have been proposals for a **South Asian Nuclear Weapon-Free Zone**, but these have not gained traction due to deep-rooted mistrust. Still, experts advocate for a **region-specific treaty** or at least strengthened CBMs to prevent nuclear incidents.

Conclusion

Nuclear treaties play a vital role in maintaining global peace and preventing the horrors of nuclear war. However, their success depends on universal participation and mutual trust. In the context of India and Pakistan, the **lack of treaty commitments and persistent bilateral hostility** leave the region vulnerable to catastrophic miscalculations.

While international treaties like the NPT and CTBT aim to regulate nuclear weapons, their exclusion of key players like India and Pakistan undercuts their effectiveness in South Asia. The urgent need is not just for new treaties but for **bold diplomatic engagement and regional arms control measures** that address the unique dynamics of the subcontinent.

84. GOLD BENEATH OUR FEET: THE LAW BEHIND INDIA'S BURIED FORTUNES

The allure of hidden treasures has fascinated humankind for centuries, often forming the basis of myths, legends, and adventures. In the legal realm, however, treasure troves are not just matters of curiosity but are governed by specific laws that ensure rightful ownership, government oversight, and public interest. In India, the primary legislation that historically addressed the discovery of hidden treasures was the **Indian Treasure Trove Act, 1878**. Though repealed in most parts of the country, understanding this act offers valuable insight into how law once regulated accidental finds of hidden wealth.

Historical Context

The Indian Treasure Trove Act was enacted in 1878 during British rule, with the aim of regulating treasures found in the ground that had been hidden for long periods and whose rightful owners could not be easily traced. The primary concern was to protect such antiquities and artifacts from being lost, smuggled, or destroyed, and to prevent disputes over ownership. In the 19th century, India was known for its rich cultural and historical legacy, often resulting in discoveries of ancient coins, jewels, or artifacts buried underground. The British government introduced the law to ensure that such finds were reported to the state, which could then claim them for historical or archaeological purposes, or compensate the finder where appropriate.

Definition and Scope of the Act

Under the Indian Treasure Trove Act, 1878, "treasure" was defined as **any money, coin, gold, silver, plate, or bullion hidden in the soil or any other place**, with the intent of later recovery, and the owner of which could not be identified.

The key elements of the Act included:

1. **Mandatory Declaration:** Any person discovering treasure worth more than ₹10 was legally bound to report it to the nearest Magistrate within a set period.
2. **Inquiry and Possession:** Upon being informed, the Magistrate would conduct an inquiry to ascertain the value, circumstances of the discovery, and efforts to find the rightful owner.
3. **Claim and Disposal:** If no rightful owner was found, the treasure could be claimed by the finder, but subject to the government's right to keep it for public interest—especially if it had historical or archaeological value.
4. **Penalties:** Failure to report the discovery, or attempts to hide or misappropriate it, could lead to fines or imprisonment.

Legal Evolution and Repeal

While the Act served its purpose for a long time, it became increasingly outdated with the development of modern laws related to antiquities, archaeology, and heritage protection. As a result, the **Indian Treasure Trove Act, 1878, has been repealed in several states** and replaced with more comprehensive legislation.

The most notable modern law that now governs this subject is the **Antiquities and Art Treasures Act, 1972**, which focuses not just on treasure troves but broadly on the preservation of India's cultural heritage. Under this Act, any antiquity (typically over 100 years old) must be registered, and the export of such items is heavily regulated.

Additionally, laws under the **Archaeological Survey of India (ASI)** also come into play. If an item found during excavation is deemed historically important, it is taken into government custody and preserved.

Recent Cases and Practical Relevance

Though treasure trove discoveries are rare, there have been occasional instances of villagers stumbling upon ancient coins or temples discovering hidden chambers containing valuables. In such cases, the ASI and law enforcement agencies step in to assess the legal and historical value of the findings.

For instance, in 2011, the **Padmanabhaswamy Temple in Kerala** made headlines when a hidden vault was discovered containing gold and jewels worth billions of rupees. Though not a typical case under the Treasure Trove Act, it renewed public interest in such laws and the complex issues of ownership and state interest.

Need for Awareness and Compliance

In modern times, the average citizen is often unaware of the legal obligations attached to discovering hidden or ancient items. Failing to report such discoveries may not only result in legal penalties but also rob the nation of valuable cultural artifacts.

Therefore, it is essential to educate people—especially in rural areas—about the importance of reporting such finds to the appropriate authorities. Modern laws emphasize **preservation over possession**, and encourage people to become custodians of heritage rather than claimants of hidden wealth.

Conclusion

While the **Indian Treasure Trove Act, 1878** may have been repealed or rendered obsolete in parts of the country, its legacy continues through other heritage and antiquity laws. The spirit of the law to preserve, protect, and regulate discovered treasures remains more relevant than ever. As India continues to grow and develop, the importance of safeguarding its historical treasures cannot be overstated. Legal frameworks, coupled with public cooperation, ensure that the riches of the past remain a legacy for the future.

85. BORDERS, BOMBS, AND BURDENS: THE UAPA AND THE CASE OF A SRI LANKAN REFUGEE

Introduction

The Unlawful Activities (Prevention) Act (UAPA) stands as a cornerstone in India's legislative framework aimed at countering terrorism and activities that threaten the nation's sovereignty. Enacted in 1967, the UAPA has undergone several amendments to strengthen its provisions, notably in 2004, 2008, and 2019. While its primary objective is to prevent unlawful activities and associations in India, the Act has also been a subject of debate concerning its implications on individual rights and freedoms.

A recent case that brings the UAPA into focus involves a Sri Lankan Tamil national, Subaskaran, who sought refuge in India after serving a sentence under the Act. This case not only highlights the stringent application of the UAPA but also raises questions about India's stance on refugees and the balance between national security and humanitarian considerations.

The Case of Subaskaran

In 2015, Subaskaran was arrested in India for allegedly being part of a conspiracy to revive the Liberation Tigers of Tamil Eelam (LTTE), a group designated as a terrorist organization by the Indian government. He was convicted in 2018 under several laws, including the UAPA and the Indian Penal Code (IPC), and sentenced to seven years in prison. Upon completing his sentence, the Madras High Court ordered his deportation to Sri Lanka. Subaskaran challenged this order, citing fears of persecution and potential harm upon his return. However, the Supreme Court of India dismissed his plea, stating that India is not a "dharamshala" (a charitable shelter) for refugees from around the world and emphasized the country's existing challenges in supporting its vast population.

UAPA: A Brief Overview

The UAPA was enacted to provide for the more effective prevention of certain unlawful activities of individuals and associations, and for dealing with terrorist activities. The Act empowers the central government to designate individuals and organizations as terrorists, seize properties, and detain individuals without charge for extended periods. The 2019 amendment further expanded the government's powers by allowing it to designate individuals as terrorists without a formal judicial process.

Implications for Refugees and Human Rights

India does not have a national refugee law and is not a signatory to the 1951 Refugee Convention or its 1967 Protocol. Instead, it deals with refugees through ad hoc administrative decisions. This lack of a formal framework often leaves refugees vulnerable to legal uncertainties and potential rights violations.

In Subaskaran's case, his conviction under the UAPA significantly impacted his plea for asylum. While national security concerns are paramount, the absence of a structured refugee policy means that individuals like Subaskaran may not receive adequate consideration of their humanitarian needs and fears of persecution.

Balancing Security and Humanitarian Concerns

The challenge lies in balancing the imperatives of national security with the principles of human rights and humanitarian protection. While the UAPA serves as a critical tool in combating terrorism, its application must be judicious to prevent potential misuse and ensure that it does not infringe upon the rights of individuals, especially those seeking refuge from persecution.

Conclusion

The case of Subaskaran underscores the complexities at the intersection of counterterrorism laws and refugee protection. It highlights the need for India to consider establishing a comprehensive refugee policy that addresses security concerns while upholding its commitment to human rights. Such a framework would provide clarity and consistency in handling similar cases in the future, ensuring that individuals are not left in legal limbo and that the nation's security is not compromised.

Sources

1. <https://www.indiatoday.in/india/law-news/story/supreme-court-india-not-dharamshala-sri-lankan-national-plea-against-deportation-2727030-2025-05-19?utm>
2. <https://www.newsbytesapp.com/news/india/india-already-struggling-with-140cr-people-sc-to-sri-lankan/story?utm>
3. <https://www.barandbench.com/news/litigation/india-is-not-a-dharmshala-supreme-court-on-deportation-of-sri-lankan-national?utm>
4. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4597870&utm

86. WHEN POWERS COLLIDE: PRESIDENT VS. SUPREME COURT OVER ASSENT DEADLINES

In a significant constitutional development, President Droupadi Murmu has invoked Article 143(1) of the Indian Constitution to seek the Supreme Court's advisory opinion on 14 questions concerning the powers and responsibilities of the President and state Governors in granting assent to state legislation. This move follows the Supreme Court's April 2025 judgment, which imposed timelines for Governors and the President to act on state bills a decision that has sparked a robust debate on the separation of powers and judicial overreach.

The Supreme Court's April 2025 Judgment

The controversy stems from a Supreme Court ruling in response to the Tamil Nadu government's petition against delays by Governor R.N. Ravi in assenting to state bills. The Court held that Governors and the President must act within a "reasonable time" on bills presented for assent. Specifically, it set a three-month deadline for the President to decide on bills reserved by Governors, invoking Article 142 to ensure "complete justice." The Court also declared that bills pending beyond this period would be deemed to have received assent. This judgment raised concerns about the judiciary prescribing timelines for constitutional authorities, prompting President Murmu to seek clarity.

The Presidential Reference under Article 143(1)

On May 13, 2025, President Murmu exercised her power under Article 143(1) to refer 14 questions to the Supreme Court. These questions address critical issues, including:

- The constitutional options available to a Governor when a bill is presented under Article 200.
- Whether the Governor is bound by the aid and advice of the Council of Ministers in such matters
- The justiciability of the Governor's discretion under Article 200.
- The legitimacy of the Supreme Court setting timelines for the President and Governors in the absence of explicit constitutional provisions.
- The validity of the concept of "deemed assent" introduced by the Court.

These questions aim to clarify the constitutional boundaries between the executive and judiciary, particularly concerning legislative processes.

Legal and Constitutional Implications

The President's reference brings to the forefront several constitutional principles:

- **Article 143(1):** Allows the President to seek the Supreme Court's opinion on questions of law or fact of public importance.
- **Article 200:** Outlines the Governor's options when presented with a state bill grant assent, withhold assent, or reserve the bill for the President's consideration.
- **Article 201:** Details the President's options when a bill is reserved by a Governor.
- **Article 142:** Empowers the Supreme Court to pass orders necessary for complete justice in any cause or matter pending before it.

By questioning the Court's use of Article 142 to impose timelines and declare deemed assent, the President is seeking to delineate the extent of judicial intervention permissible in executive functions.

Political Reactions and Broader Implications

The President's move has elicited varied responses. Tamil Nadu Chief Minister M.K. Stalin criticized the reference, suggesting it undermines the federal structure and autonomy of non-BJP-ruled states. He accused the central government of attempting to "paralyse" state administrations through such interventions. ([The Times of India](#))

Legal experts, however, view the reference as a constitutional mechanism to resolve ambiguities and prevent potential conflicts between the branches of government. They emphasize that the Supreme Court's advisory opinion, while not binding, will carry significant weight in guiding future interactions between the executive and judiciary.

The Path Ahead

Chief Justice of India Bhushan Gavai is expected to constitute a Constitution Bench to deliberate on the President's questions. The Bench's opinion will be pivotal in clarifying the constitutional roles and limitations of the President and Governors concerning legislative assent.

This episode underscores the dynamic nature of constitutional interpretation and the ongoing dialogue between India's branches of government. As the nation awaits the Supreme Court's advisory opinion, the outcome will likely have lasting implications for the balance of power and the functioning of India's federal democracy.

Sources

1. <https://economictimes.indiatimes.com/news/india/president-droupadi-murmu-invokes-article-1431-to-question-scs-ruling-fixing-deadlines-for-guvs/articleshow/121195102.cms?utm>
2. <https://www.scoobserver.in/journal/does-the-president-reference-raise-questions-which-the-supreme-court-did-not-answer-earlier-tamil-nadu-governor/?utm>
3. <https://www.ndtv.com/india-news/president-droupadi-murmu-supreme-court-can-timelines-be-imposed-presidents-big-question-to-supreme-court-8418096?utm>
4. <https://www.indiatoday.in/india/law-news/story/clear-overreach-president-asks-chief-justice-to-clarify-14-questions-of-law-on-top-courts-tamil-nadu-ruling-2724937-2025-05-15?utm>

87. FROM BREXIT TO RESET: UK AND EU CHART A NEW COURSE

On May 19, 2025, a historic UK-EU summit was held in London, marking the most significant bilateral engagement since the United Kingdom formally exited the European Union in 2020. This summit aimed not only to mend fractured relations but to reset the foundations of future cooperation across trade, defense, youth mobility, and more. The renewed dialogue signals a strategic shift from the post-Brexit hostility toward pragmatic cooperation.

A Brief History: Brexit and Its Aftermath

The United Kingdom voted to leave the European Union in a landmark 2016 referendum, with 52% voting in favor of departure. The decision was driven by concerns over sovereignty, immigration, and economic independence. The UK formally left the EU on January 31, 2020, entering a transition period that ended in December 2020. This led to the implementation of the Trade and Cooperation Agreement (TCA), which governed post-Brexit relations.

However, the aftermath of Brexit was turbulent. Businesses faced new trade barriers, Northern Ireland became a flashpoint due to customs arrangements, and collaboration in education and defense waned. Critics on both sides pointed to inefficiencies, increased costs, and reduced influence in global affairs. Trust between London and Brussels remained fragile for years.

The 2025 Summit: A Turning Point

The 2025 summit marks a turning point. UK Prime Minister Keir Starmer and European Commission President Ursula von der Leyen led the talks, unveiling a comprehensive agreement aimed at strengthening ties while respecting the UK's non-member status.

1. Trade and Regulatory Alignment

At the heart of the agreement lies a streamlined trade framework. Both sides agreed to reduce bureaucratic friction at borders by aligning on key regulatory standards—particularly in food safety and agriculture. The UK has committed to adopting certain EU rules dynamically, easing the movement of goods and reducing compliance costs for exporters.

This represents a major shift from the original Brexit position of regulatory divergence. Businesses, especially in manufacturing and agriculture, have welcomed the move as a way to restore access to key EU markets.

2. Defense and Strategic Cooperation

In a marked departure from recent years, the UK and EU have formalized a new security partnership. The UK will now participate in joint defense procurement schemes and will have

access to the EU's €150 billion defense fund, particularly in support of Ukraine and European defense resilience.

This signals a recognition that in an increasingly volatile geopolitical climate, unity in defense and intelligence is paramount. Both sides emphasized cooperation in cybersecurity, counter-terrorism, and intelligence sharing.

3. Youth Mobility and Cultural Exchange

A proposal to reintroduce mobility for young people was also agreed upon in principle. Under the new scheme, individuals aged 18–30 from the UK and EU will be allowed to work and study in each other's territories for up to two years.

Though not a full return to the freedom of movement, it marks a significant step towards rekindling educational and cultural ties that were severed after Brexit. There are also ongoing discussions about the UK's potential partial re-entry into the Erasmus+ exchange program.

4. Fishing Rights and Northern Ireland

A delicate issue addressed during the summit was fishing rights. The UK agreed to extend EU access to certain British waters until 2038, in exchange for reduced sanitary checks on British agricultural products entering the EU and Northern Ireland.

The move is expected to ease tensions and reduce logistical bottlenecks, especially for Northern Ireland, which has faced complications due to its unique status under the Northern Ireland Protocol.

Political and Public Response

Reactions to the summit have been mixed. Pro-European groups hailed the reset as a long-overdue correction to the rigid frameworks established post-Brexit. Irish Taoiseach Micheál Martin called it a "landmark deal," praising its benefits for Ireland and regional stability.

Conversely, Brexit hardliners and opposition parties in the UK criticized the dynamic alignment on EU rules as a betrayal of the Brexit mandate. Reform UK leader Nigel Farage denounced it as "Brexit in name only," while Conservative leaders expressed concerns over sovereignty.

Prime Minister Starmer defended the deal, stating, "This is about pragmatism, not politics. We're building a future of stability, opportunity, and shared security."

A Future-Oriented Relationship

What makes this summit historic is its tone: a shift from antagonism to collaboration. The UK is not rejoining the EU, nor is it seeking to undo Brexit. Instead, this summit acknowledges that geographic proximity, economic interdependence, and shared values require practical and constructive engagement.

The agreements made are designed to be flexible and modular, allowing for future expansion in areas like finance, green energy, and academic research. In many ways, this summit opens the door to a uniquely British model of engagement with the EU outside its institutions, but inside its strategic orbit.

Conclusion

The 2025 UK-EU summit is more than a diplomatic event; it is a recalibration of how two deeply interconnected regions can coexist and collaborate in a post-Brexit world. While not a return to the pre-2016 status quo, it marks a decisive move away from isolation and toward a more mature, mutually beneficial partnership. As Europe grapples with global challenges from security threats to climate change, this summit underscores a vital truth: cooperation, not confrontation, is the path forward.

Sources

1. <https://www.theguardian.com/world/2025/may/19/monday-briefing-reports-of-late-night-breakthrough-in-landmark-uk-eu-reset-deal?utm>
2. <https://www.thetimes.co.uk/article/eu-summit-live-keir-starmer-trade-deal-latest-news-bg9c3zkb2?utm>
3. <https://www.macrosfera.com/brexit-reset-summit-2025?utm>
4. <https://commonslibrary.parliament.uk/research-briefings/cbp-10207/?utm>

88. ACADEMIC FREEDOM UNDER FIRE: THE ARREST OF ASHOKA UNIVERSITY PROFESSOR SPARKS NATIONAL DEBATE

The recent arrest of Professor Ali Khan Mahmudabad, Head of the Political Science Department at Ashoka University, has ignited a nationwide discourse on the delicate balance between national security and the fundamental right to freedom of speech and expression. His detention, stemming from a social media post concerning Operation Sindoor, raises pressing questions about the boundaries of academic freedom in contemporary India.

The Incident: A Brief Overview

On May 18, 2025, Professor Mahmudabad was arrested by Haryana Police following a complaint lodged by a BJP Yuva Morcha leader. The complaint alleged that his social media post, which critiqued the public celebration of Operation Sindoor, was derogatory towards women in the armed forces and undermined military efforts. Operation Sindoor, a recent military initiative targeting terrorist infrastructures in Pakistan and Pakistan-occupied Kashmir, had garnered widespread acclaim across the nation. In his post, Mahmudabad highlighted the disparity between symbolic representations of national strength and the ground realities faced by marginalized communities, urging for protection against mob violence and discrimination. Following his arrest, a local court in Sonipat remanded him to judicial custody for 14 days. However, on May 21, the Supreme Court of India granted him interim bail, albeit with a stern admonition regarding his choice of words, describing them as "dog whistling." The Court allowed the investigation to proceed, emphasizing the need for responsible expression, especially on sensitive national matters.

Academic Community's Response

The academic fraternity, both within and outside Ashoka University, has rallied in support of Professor Mahmudabad. Colleagues assert that his post was a call for introspection rather than an indictment of the military. They argue that his emphasis on protecting victims of mob violence and discrimination aligns with the democratic values enshrined in the Indian Constitution. Historians and fellow academics, including Prof. S Irfan Habib and Shah Umair, have criticized the arrest as unjustified and part of a targeted campaign, stressing the need to protect academic freedom and free speech. Ashoka University has acknowledged the arrest and stated it is cooperating with authorities while gathering more information.

The Broader Implications: Freedom of Expression vs. National Security

India's Constitution guarantees the right to freedom of speech and expression under Article 19(1)(a). However, this right is not absolute and is subject to reasonable restrictions in the interests of sovereignty, integrity, and public order. The crux of the current debate lies in determining whether Mahmudabad's post posed a genuine threat to national security or was a legitimate exercise of academic freedom.

Critics argue that the arrest sets a concerning precedent where academic critique, especially on matters of national importance, can be construed as anti-national. This perspective is bolstered by previous incidents at Ashoka University, such as the resignations of Professors Pratap Bhanu Mehta and Arvind Subramanian in 2021, which were attributed to perceived curbs on academic freedom. The increasing involvement of intelligence agencies in academic institutions, as reported in various instances, further exacerbates concerns about the autonomy of educational establishments and the freedom of scholars to engage in critical discourse without fear of reprisal.

The Way Forward: Upholding Democratic Values

The arrest of Professor Mahmudabad underscores the urgent need for a nuanced understanding of the interplay between national security and freedom of expression. While safeguarding the nation's interests is paramount, it is equally essential to ensure that this does not come at the expense of democratic principles and academic liberty.

Institutions of higher learning must serve as bastions of free thought and inquiry. Suppressing dissenting voices not only undermines the spirit of democracy but also stifles the intellectual growth necessary for a progressive society. As the nation grapples with these complex issues, it is imperative to foster an environment where constructive criticism is viewed not as a threat but as a catalyst for positive change.

Sources

1. <https://m.economictimes.com/news/india/ashoka-university-rallies-behind-jailed-professor-in-rotating-shifts-as-he-spends-second-night-in-lock-up/articleshow/121287746.cms?utm>
2. <https://timesofindia.indiatimes.com/education/news/what-does-ali-khan-mahmudabad-teach-at-ashoka-university/articleshow/121312017.cms?utm>
3. <https://indianexpress.com/article/cities/delhi/professor-resignation-ashoka-faculty-governing-council-academic-freedom-8895051/?utm>
4. <https://thediplomat.com/2023/08/turmoil-in-indias-ashoka-university-over-academic-freedom/?utm>

89. BIPARTISANSHIP FOR NATIONAL SECURITY: A NECESSITY IN AN UNCERTAIN WORLD

In an era marked by complex global challenges, the concept of bipartisan cooperation across political divides has never been more crucial, especially when it comes to safeguarding national security. Shashi Tharoor, a seasoned Indian parliamentarian and former diplomat, has consistently emphasized the importance of transcending partisan politics to address issues of national importance. Drawing from his insights, this article explores why unity in national security matters is vital and how it can be effectively pursued in today's polarized political environment.

The Imperative of Bipartisanship in National Security

National security is, by nature, a domain that demands unity of purpose. Threats such as terrorism, cyberattacks, geopolitical rivalries, and pandemics are not partisan issues; they affect the nation as a whole, regardless of which party is in power. Tharoor argues that, unlike policy areas where ideological differences may justify partisan contestation, national security requires a unified front to present strength and coherence to both citizens and adversaries.

History offers ample evidence that when political factions set aside their differences for national security, the country benefits. During World War II, the United States saw a remarkable bipartisan consensus that galvanized the country's war efforts. Similarly, the post-9/11 period in America initially witnessed a rare unity, with politicians across the spectrum rallying around efforts to enhance homeland security. These examples underline that bipartisanship in national security is not only desirable but essential.

The Risks of Partisan Divides

Tharoor cautions against the dangers of partisan politics infiltrating the national security domain. When security issues become arenas for political point-scoring or electoral advantage, the risks multiply. Politicization of intelligence agencies, conflicting foreign policies, and inconsistent defense strategies can undermine a country's ability to respond effectively to threats.

For instance, if political leaders prioritize partisan gains over objective threat assessments, they risk weakening public trust in security institutions. This erosion of trust can embolden adversaries who perceive internal divisions as vulnerabilities to be exploited. Moreover, a lack of bipartisan consensus may slow down critical decision-making, delay necessary reforms, or cause abrupt policy reversals when administrations change, thus weakening long-term strategic planning.

Challenges to Bipartisanship Today

Tharoor's observations highlight the formidable challenges to bipartisanship in the contemporary political climate. Increasing polarization, fuelled by ideological rigidity, media echo chambers, and electoral incentives, often makes cooperation across party lines difficult. National security is no exception. Political leaders may fear appearing "soft" on security issues or risk alienating their core supporters by engaging with opposing viewpoints. Moreover, the rapid evolution of security threats ranging from sophisticated cyber warfare to hybrid conflicts demands a nuanced and flexible approach. Yet, partisan divides can lead to oversimplification or the adoption of policies that reflect political biases rather than strategic necessities.

Pathways to Achieving Bipartisanship

Despite these challenges, Tharoor emphasizes that bipartisanship remains achievable and necessary. It begins with recognizing that national security transcends party politics and represents a shared responsibility. Political leaders must commit to regular dialogue, transparency, and mutual respect, particularly in legislative bodies responsible for defense and intelligence oversight.

One practical step is the establishment of bipartisan committees or task forces focused on national security, where experts and politicians alike can engage in fact-based discussions. Such platforms can build consensus on critical issues such as defense budgets, cybersecurity strategies, and international alliances.

Public communication also plays a key role. Leaders should aim to present a united front on security matters, conveying consistent messages that reinforce national resilience and deter adversaries. This approach can help restore public confidence and reduce the space for partisan exploitation of security concerns.

The Role of Civil Society and Media

Bipartisanship in national security is not the sole responsibility of politicians. Civil society, academia, and the media have important roles in fostering informed debate and holding leaders

accountable without exacerbating divisions. Tharoor points out that balanced reporting and fact-driven analysis can counteract sensationalism and partisan spin that often distort public understanding of security issues.

Educating citizens about the complexity of national security challenges encourages a mature public discourse that demands cooperation rather than conflict among political leaders. This, in turn, incentivizes politicians to rise above narrow party interests and engage constructively. Conclusion: Bipartisanship as National Strength

In conclusion, bipartisanship in national security is more than an ideal; it is a strategic imperative.

As Shashi Tharoor's perspectives remind us, the stakes involved our safety, sovereignty, and standing in the world—require political actors to place country over party. When leaders collaborate beyond ideological boundaries, the nation projects strength, builds resilience, and adapts more effectively to emerging threats.

In a world where adversaries are quick to exploit divisions, a united approach to national security is our best defense. Bipartisanship, though challenging, is achievable through commitment, dialogue, and a shared vision of protecting the nation. As citizens, we must encourage and demand this cooperation, recognizing that safeguarding our collective future depends on it.

90. INFLUENCE OR INFILTRATION? JYOTI MALHOTRA AND THE SHADOWS OF ESPIONAGE

The Official Secrets Act (OSA) of 1923, a colonial-era legislation enacted to safeguard state secrets and prevent espionage, has recently come under intense public scrutiny in India. This renewed attention follows the high-profile arrest of Jyoti Malhotra, a popular travel vlogger, on charges of espionage linked to Pakistan. The case has not only highlighted potential vulnerabilities in India's national security but also raised questions about the applicability and scope of the OSA in the digital age.

Understanding the Official Secrets Act

The OSA criminalizes the unauthorized collection, communication, or publication of official documents or information that could be detrimental to the state's interests. Key provisions include:

- **Section 3:** Deals with spying, penalizing any action intended to obtain, collect, record, or publish secret official codes or passwords, sketches, plans, or models.
- **Section 5:** Pertains to the wrongful communication of information, making it an offense to disclose any official secret to unauthorized individuals.

Violations under the OSA can lead to imprisonment, with terms varying based on the severity of the offense.

The Jyoti Malhotra Case: From Travel Vlogger to Espionage Accused

Jyoti Malhotra, a 33-year-old travel influencer from Hisar, Haryana, known for her YouTube channel 'Travel with Jo' with over 3.77 lakh subscribers, was arrested on May 16, 2025, on charges of espionage. Authorities allege that she transmitted sensitive information to Pakistani intelligence operatives, violating Sections 3 and 5 of the OSA, as well as Section 152 of the Bharatiya Nyaya Sanhita.

Alleged Connections with Pakistani Operatives

Investigations revealed that Malhotra was in regular contact with Ehsan-ur-Rahim, also known as Danish, a staffer at the Pakistan High Commission in Delhi who was expelled from India earlier in May 2025 for espionage activities. Malhotra reportedly met Danish while applying for a visa in 2023, and he allegedly introduced her to another handler, facilitating her contact with Pakistani intelligence.

Suspicious Travels and Activities

Malhotra's travel history includes multiple visits to Pakistan, most recently in March 2025, and a trip to China. Authorities are scrutinizing these trips, particularly her visits to sensitive border areas where she allegedly recorded unauthorized videos. Investigators are working to identify specific locations she visited and determine whether any sensitive information was compromised.

Sponsorships and Financial Transactions

Further complicating the case, Malhotra's trips were often sponsored by Wego, a UAE-based travel company operating in Pakistan. Wego recently partnered with the Azerbaijan Tourism Board, a development that has raised concerns given Azerbaijan's support for Pakistan amid regional tensions. While there is no direct evidence linking Wego to espionage, its operations in Pakistan have come under scrutiny.

Legal Proceedings and Custody

Following her arrest, Malhotra was presented before a Hisar court, which granted the police an initial five-day remand, later extended by four more days to continue the investigation. During this period, authorities aim to gather further evidence, including examining her digital devices and financial records, to clarify her alleged involvement in espionage activities.

Broader Implications and Public Discourse

Malhotra's arrest is part of a broader crackdown on espionage activities linked to Pakistan. In recent weeks, Indian authorities have arrested multiple individuals across various states on similar charges, indicating the existence of a Pakistan-linked spy network operating in northern India.

These incidents have reignited debates about the adequacy and applicability of the OSA in the digital age. Critics argue that the Act's broad definitions and stringent provisions may infringe upon press freedom and the public's right to information. Conversely, proponents emphasize the necessity of such legislation to safeguard national security, especially amid evolving espionage tactics that leverage technology and social media platforms.

Conclusion

The Jyoti Malhotra case underscores the challenges faced by law enforcement agencies in detecting and preventing espionage activities that exploit modern communication tools. It also highlights the need for a critical examination of existing laws like the Official Secrets Act to ensure they effectively address contemporary security threats while balancing individual rights and freedoms. As the investigation unfolds, it will serve as a test case for India's legal and security apparatus in dealing with espionage in the digital era.

Sources

1. <https://www.hindustantimes.com/india-news/what-youtuber-jyoti-malhotras-diary-revealed-about-her-pakistan-trip-crazy-101747786838907.html?utm>
2. <https://timesofindia.indiatimes.com/city/delhi/pak-mission-staffer-tried-to-recruit-delhiites-for-isi/articleshow/121346020.cms?utm>

3. <https://timesofindia.indiatimes.com/city/chandigarh/spying-for-pakistan-jyoti-malhotra-sent-to-four-day-police-remand-again/articleshow/121344945.cms?utm>
4. <https://www.indiatoday.in/india/story/haryana-youtuber-jyoti-malhotra-trips-sponsored-uae-pak-link-firm-webo-azerbaijan-travel-tourism-2728891-2025-05-22?utm>

91. WHEN FEDERALISM MEETS ENFORCEMENT: TASMAL CASE TAKES A TURN

In a significant development, the Supreme Court of India has stayed the Enforcement Directorate's (ED) investigation into the Tamil Nadu State Marketing Corporation (TASMAC), the state-run liquor retailer, citing concerns over the agency's overreach and potential violation of federal principles.

Background: Allegations Against TASMAC

TASMAC, established in 1983, holds a monopoly over the wholesale and retail vending of alcoholic beverages in Tamil Nadu. In March 2025, the ED initiated a probe into TASMAC, alleging financial irregularities amounting to ₹1,000 crore. The agency conducted searches at 20 locations, including TASMAC's headquarters in Chennai, between March 6 and March 8, 2025.

The ED's investigation focused on alleged corruption in the transport of liquor, grant of bar licenses, and unaccounted cash generated through collusion with bottle-making firms and distilleries.

Legal Proceedings: From High Court to Supreme Court

Following the ED's actions, the Tamil Nadu government and TASMAC challenged the agency's authority to conduct such investigations, filing petitions in the Madras High Court. However, on April 23, 2025, the High Court dismissed these pleas, allowing the ED to proceed under the Prevention of Money Laundering Act (PMLA).

Subsequently, the state government and TASMAC approached the Supreme Court, filing a Special Leave Petition (SLP) challenging the High Court's order.

Supreme Court's Intervention

On May 22, 2025, a bench comprising Chief Justice of India B.R. Gavai and Justice A.G. Masih heard the matter. The court expressed strong concerns over the ED's actions, stating that the agency was "crossing all limits" and potentially violating the federal structure of governance. The bench questioned the ED's authority to investigate a state-run corporation, emphasizing that while individuals could be prosecuted, targeting a corporation in this manner raised constitutional issues.

Consequently, the Supreme Court stayed the ED's ongoing probe into TASMAC and issued a notice to the agency, seeking its response within two weeks.

Political Reactions

The ruling Dravida Munnetra Kazhagam (DMK) party welcomed the Supreme Court's decision. Senior DMK leader R.S. Bharathi criticized the Union government, accusing it of misusing central agencies like the ED to target political opponents. He described the court's ruling as a significant setback to the Bharatiya Janata Party's (BJP) alleged attempts to tarnish the DMK's reputation.

Municipal Administration Minister K.N. Nehru also lauded the court's intervention, asserting that justice had prevailed against the Union government's purported misuse of the ED.

Ongoing Investigations and Future Implications

Despite the Supreme Court's stay on the ED's probe, the Directorate of Vigilance and Anti-Corruption (DVAC) assured the Madras High Court that First Information Reports (FIRs) against TASMAL personnel would remain open. This assurance came in response to a Public Interest Litigation (PIL) seeking a Central Bureau of Investigation (CBI) probe into the alleged ₹1,000 crore scam.

The Supreme Court's intervention underscores the delicate balance between central investigative agencies and state autonomy. As the ED prepares its response, the case continues to evolve, highlighting the complexities of federal governance and the importance of maintaining constitutional boundaries in investigative processes.

Sources

1. <https://m.economictimes.com/industry/cons-products/liquor/sc-stays-ed-probe-against-tamil-nadus-tasmal-slams-agency-for-crossing-all-limits/articleshow/121332716.cms?utm>
2. <https://indianexpress.com/article/explained/tasmal-case-as-supreme-court-frowns-at-ed-allegations-against-tamil-nadus-liquor-retailer-10022962/?utm>
3. <https://www.ndtv.com/india-news/crossing-all-limits-supreme-court-raps-enforcement-directorate-over-tamil-nadu-raids-8477387?utm>
4. <https://www.verdictum.in/court-updates/supreme-court/state-of-tamil-nadu-v-enforcement-directorate-tasmal-ed-cloning-pmla-1578354?utm>

92. DIPLOMACY IN THE CROSSHAIRS: INDIA-PAKISTAN TENSIONS AND THE GLOBAL OUTREACH BATTLE

In the volatile aftermath of the April 2025 Pahalgam terror attack, which claimed 26 lives in Jammu & Kashmir, diplomatic tensions between India and Pakistan have reached new heights. Both nuclear-armed neighbors have launched intensive international outreach campaigns to present their narratives to the global community, reflecting a high-stakes battle of perception amid rising hostility.

Operation Sindoor: India's United Diplomatic Front

India's response, dubbed *Operation Sindoor*, is a wide-scale diplomatic initiative spearheaded by the Ministry of External Affairs (MEA). The effort is designed to expose what India claims is Pakistan's long-standing support for cross-border terrorism and to emphasize India's zero-tolerance stance.

Seven **all-party delegations**, comprising **59 leaders and senior diplomats**, have been dispatched to 33 countries. This rare show of unity across party lines is aimed at strengthening India's credibility on the global stage.

Key Figures in the Delegation:

- **Shashi Tharoor** (Indian National Congress)
- **Ravi Shankar Prasad** (BJP)
- **Sanjay Kumar Jha** (JD(U))
- **Baijayant Panda** (BJP)
- **Kanimozhi Karunanidhi** (DMK)
- **Supriya Sule** (NCP-SP)
- **Shrikant Shinde** (Shiv Sena – Shinde faction)

- **Abhishek Banerjee** (TMC), nominated by West Bengal Chief Minister Mamata Banerjee

The coordination is overseen by **Parliamentary Affairs Minister Kiren Rijiju**, who also released a detailed itinerary showing which countries each delegation is visiting. High-priority destinations include Moscow, Tokyo, Abu Dhabi, Paris, and Washington D.C.

These delegations are tasked with urging international governments to take cognizance of what India describes as "four decades of state-sponsored terrorism" by Pakistan. The delegations are distributing official dossiers, including intelligence inputs about recent infiltration and terror financing.

Prime Minister **Narendra Modi** has made it clear that there will be "no trade or talks" with Pakistan unless verifiable action is taken against terror outfits operating from its soil. India has also reiterated its decision to re-evaluate the **Indus Waters Treaty**, underlining the doctrine that "water and blood cannot flow together."

Pakistan's Counter-Narrative: Diplomatic Damage Control

In response, Pakistan has launched a global charm offensive of its own, aimed at discrediting India's claims and presenting Pakistan as a peace-seeking nation. Former Foreign Minister **Bilawal Bhutto Zardari** is leading a delegation targeting Western capitals including **London**,

Washington, Paris, and Brussels.

Pakistan has denied any involvement in the Pahalgam attack, instead accusing India of human rights violations in Kashmir. Prime Minister **Shehbaz Sharif** has expressed interest in restarting talks on Kashmir, trade, water sharing, and anti-terror collaboration, though this has been dismissed by New Delhi as premature.

The Pakistani strategy is to frame India's diplomatic offensive as an election-driven distraction and to draw attention to the situation in Kashmir through human rights platforms at the United Nations and the European Parliament.

A Delicate Balance: The Role of the International Community

The international reaction has been cautious. The **United States, Russia, France**, and **UAE** have all called for restraint but stopped short of directly mediating. India has firmly reiterated its traditional policy: any resolution must come through **bilateral dialogue** without third-party intervention.

External Affairs Minister **S. Jaishankar**, speaking at a press conference, said, "If terrorists are in Pakistan, we will hit them where they are. We do not need anyone to negotiate our security." India's diplomatic blitz is designed not just to isolate Pakistan, but also to secure support in multilateral forums like the **UN, G20**, and **Financial Action Task Force (FATF)**.

Domestic Response and Political Implications

Within India, *Operation Sindoor* has received broad support, though some criticism has emerged. Senior BJP leader **Subramanian Swamy** dismissed the all-party outreach as a "junket" with minimal diplomatic impact. Others, however, view the initiative as a rare and much-needed show of unity in India's foreign policy.

The opposition's participation, especially from figures like Tharoor and Banerjee, lends the effort greater credibility abroad, helping counter accusations that India's Pakistan policy is politically motivated.

Conclusion: Diplomacy or Deepening Divide?

As both countries continue their international outreach, the outcome may shape the region's future trajectory. Whether these campaigns pave the way for dialogue or deepen the divide remains to be seen. What is clear is that diplomacy has become the latest battleground between India and Pakistan and the world is watching closely.

Sources

1. https://timesofindia.indiatimes.com/india/indias-operation-sindoor-outreach-with-all-party-delegation-who-will-brief-which-country-full-list/articleshow/121239733.cms?utm_source=articleshare
2. https://www.indiatoday.in/india/story/pm-narendra-modi-all-party-meeting-opposition-operation-sindoor-rahul-gandhi-mallikarjun-kharge-amit-shah-pakistan-pahalgam-2721436-2025-05-08?utm_source=articleshare
3. https://www.theweek.in/wire-updates/national/2025/05/08/del19-india-strike-all-party.html?utm_source=articleshare
4. https://www.hindustantimes.com/india-news/rajnath-singh-briefs-opposition-on-operation-sindoor-centre-says-all-parties-showed-maturity-in-meeting-101746688040936.html?utm_source=articleshare

93. JUSTICE WITH TRANSPARENCY: INDIA'S SUPREME COURT JUDGES REVEAL THEIR WEALTH

In a landmark move towards enhancing transparency and reinforcing public trust, the Supreme Court of India has, for the first time, made public the asset declarations of its judges. This significant step, initiated in May 2025, marks a departure from previous practices where such disclosures were internal and not accessible to the public.

Background: The Push for Transparency

The decision to publicly disclose assets was catalyzed by a controversy involving Justice Yashwant Varma, a former judge of the Delhi High Court. In March 2025, a fire at his residence allegedly revealed charred currency notes, raising serious concerns over judicial integrity. Although the Supreme Court later clarified that his transfer to the Allahabad High Court was not related to the incident, the episode intensified calls for greater transparency within the judiciary.

The April 1 Resolution: A Collective Commitment

Responding to these concerns, the Supreme Court convened a full court meeting on April 1, 2025. In this meeting, all 33 sitting judges unanimously agreed to publicly disclose their assets by publishing the details on the court's official website. This resolution marked a significant shift from the existing practice, where asset declarations remained a matter of judges' discretion.

Implementation: Asset Disclosures Made Public

Following the resolution, the Supreme Court began uploading the asset declarations of its judges on its official website. As of early May 2025, 21 out of the 33 sitting judges had their

asset details publicly available. These disclosures include information on real estate, movable property, gold, shares, and investments held by the judges, their spouses, and joint family members. ([India Today](#))

Notable Disclosures

- **Chief Justice Sanjiv Khanna:** Reported ownership of two properties, one in Commonwealth Village and another in Gurugram, along with investments exceeding ₹3.38 crore. He also listed a 2015 Maruti Swift among his assets. ([The Week](#))
- **Justice Bhushan Ramkrishna Gavai:** Disclosed six properties, two of which were inherited, with total investments and cash holdings amounting to over ₹1.15 crore. ([The Week](#))
- **Justice K.V. Viswanathan:** Stands out as the wealthiest among the judges, declaring investments worth over ₹120 crore, in addition to four properties, and revealed he has paid more than ₹91 crore in taxes over the past 15 years. ([The Week](#))
- **Justice Abhay S. Oka:** Disclosed assets including ₹92.35 lakh in a Public Provident Fund, ₹21.76 lakh in fixed deposits, and ownership of a 2022 Maruti Baleno. He also declared a car loan of ₹5.1 lakh. His immovable assets comprise two residential flats in Maharashtra and agricultural land in Thane. ([The Week](#))
- **Justice Vikram Nath:** Declared ownership of a 2-BHK apartment in Noida, a bungalow in Allahabad, and inherited agricultural land in Uttar Pradesh. He has investments totaling ₹1.5 crore but no movable assets or loans in his name. However, his family holds 1 kg of gold, 1,500 grams of silver, and a 2016 Volkswagen Polo registered in their names. ([The Week](#))

Broader Implications and Future Outlook

This move by the Supreme Court sets a significant precedent for transparency within the Indian judiciary. It aligns with global best practices and responds to longstanding demands for greater accountability from civil society and legal reform advocates.

The public disclosure of assets is expected to enhance public confidence in the judiciary and may prompt similar transparency measures in other branches of government. It also opens the door for discussions on institutionalizing such practices through legislation or formal guidelines.

As the judiciary continues to evolve and respond to public expectations, this development marks a pivotal step towards a more transparent and accountable legal system in India.

For detailed asset declarations of the Supreme Court judges, you can visit the official [Supreme Court of India website](#).

Sources

1. https://www.theweek.in/news/india/2025/05/06/landmark-transparency-push-21-supreme-court-judges-voluntarily-disclosed-assets.html?utm_
2. https://www.indiatoday.in/india/law-news/story/chief-justice-supreme-judges-to-make-assets-declaration-public-amid-cash-row-2703353-2025-04-03?utm_
3. https://www.hindustantimes.com/india-news/supreme-court-judges-resolve-to-publicly-declare-assets-101743664755572.html?utm_
4. https://www.livelaw.in/top-stories/supreme-court-publishes-declaration-of-judges-assets-on-website-291341?utm_

94. SEBI; UPHOLDING MARKET INTEGRITY AMIDST INSIDER TRADING ALLEGATIONS AT INDUSIND BANK

The Securities and Exchange Board of India (SEBI) serves as the cornerstone of India's financial regulatory framework, ensuring transparency, fairness, and investor protection in the securities market. Established as a statutory body under the SEBI Act of 1992, SEBI's primary objectives include safeguarding investor interests, promoting the development of the securities market, and regulating its operations.

Legal Framework Governing SEBI

SEBI's regulatory authority is derived from several key legislations:

- SEBI Act, 1992: Empowers SEBI to regulate the securities market and protect investor interests.
- Securities Contracts (Regulation) Act, 1956: Governs the trading of securities and the functioning of stock exchanges.
- Companies Act, 2013: Provides guidelines for corporate governance and disclosure norms for companies.
- Depositories Act, 1996: Regulates depositories and the dematerialization of securities.
- SEBI (Prohibition of Insider Trading) Regulations, 2015: Specifically addresses insider trading, prohibiting the misuse of unpublished price-sensitive information (UPSI).

SEBI's Role in Ensuring Market Integrity

SEBI's importance in the Indian financial ecosystem cannot be overstated. It plays a pivotal role in:

- Investor Protection: Ensuring that investors are not misled by fraudulent practices.
- Market Development: Facilitating innovation and growth in the securities market.
- Regulatory Oversight: Monitoring market activities to prevent malpractices.
- Corporate Governance: Enforcing standards to ensure transparency and accountability among listed companies.

Recent Insider Trading Case Involving IndusInd Bank Executives

In a significant development, SEBI has taken action against former top executives of IndusInd Bank for alleged insider trading activities. On May 28, 2025, SEBI issued an interim order barring former CEO Sumant Kathpalia, former Deputy CEO Arun Khurana, and three other senior executives—Sushant Sourav, Anil Rao, and Rohan Jathanna—from accessing the securities market.

The allegations pertain to the sale of IndusInd Bank shares by these executives while in possession of UPSI regarding significant accounting discrepancies in the bank's derivative portfolio. These discrepancies, which were not disclosed to the public at the time of the trades, eventually led to a substantial financial impact on the bank, including a 27% drop in its share value.

SEBI's investigation revealed that the executives sold shares ahead of the public disclosure of these losses, thereby avoiding potential losses amounting to approximately ₹19.78 crore.

Implications and the Importance of SEBI's Vigilance

This case underscores the critical role SEBI plays in maintaining the integrity of India's financial markets. By taking decisive action against high-ranking officials, SEBI sends a clear message about its commitment to enforcing regulations and deterring unethical practices.

The Incident also highlights the need for robust internal controls and compliance mechanisms within financial institutions to prevent the misuse of sensitive information. As investor confidence is paramount for the stability and growth of the securities market, regulatory bodies like SEBI must continue to exercise vigilant oversight.

Conclusion

SEBI's proactive approach in addressing insider trading allegations at IndusInd Bank exemplifies its dedication to upholding market integrity. As the Indian financial landscape evolves, the importance of a strong regulatory framework and vigilant enforcement cannot be overstated. Ensuring transparency, accountability, and fairness remains essential for fostering investor trust and sustaining the growth of the securities market.

Sources

1. https://www.business-standard.com/companies/news/insider-trading-glare-on-senior-indusind-bank-officials-what-do-rules-say-125032700415_1.html?utm
2. <https://indianexpress.com/article/cities/hyderabad/indusind-bank-loan-default-case-ceo-cfo-karvy-stock-broking-arrested-7486035/?utm>
3. <https://m.economictimes.com/markets/stocks/news/indusinds-top-two-executives-sold-rs-157-crore-of-shares-in-2023-2024/articleshow/118954743.cms?utm>

95. INDIA'S ECONOMIC LEAP: JOURNEY TO THE WORLD'S FOURTH LARGEST GDP

In a remarkable journey of transformation, India has emerged as the fourth-largest economy in the world by Gross Domestic Product (GDP), surpassing traditional economic giants like Japan and Germany in recent years. This economic milestone is not just a testament to numerical growth, but a reflection of the structural, demographic, and policy-driven changes that have reshaped India's economic landscape over the past three decades.

The Liberalization Breakthrough

India's path to economic ascendancy began in earnest with the 1991 economic liberalization. Faced with a severe balance of payments crisis, the Indian government under Prime Minister P.V. Narasimha Rao and Finance Minister Dr. Manmohan Singh introduced sweeping reforms. These included deregulating industries, reducing import tariffs, devaluing the rupee, and encouraging foreign direct investment (FDI). These policies dismantled the "License Raj" and laid the foundation for a market-oriented economy.

The liberalization process opened the gates for multinational corporations, boosted exports, and introduced competition that spurred innovation and efficiency across sectors. India's service sector, particularly in Information Technology (IT) and business process outsourcing (BPO), became a global powerhouse, driven by a highly skilled, English-speaking workforce.

Demographic Dividend and Consumption Growth

India's population, once seen as a challenge, turned into one of its greatest assets. With over 65% of its population under the age of 35, India enjoys a demographic dividend that fuels both labor supply and domestic consumption. Rising incomes, urbanization, and access to credit have significantly increased household spending, contributing to GDP growth.

The expansion of the middle class has boosted demand in sectors like housing, automobiles,

education, healthcare, and technology. E-commerce and digital payments have exploded in popularity, further formalizing the economy and enhancing productivity.

Digital and Financial Infrastructure

Over the past decade, India has made significant investments in digital infrastructure. The launch of the Aadhaar biometric identification system enabled efficient delivery of subsidies and government services. The Digital India initiative connected millions to the internet and mobile banking, promoting financial inclusion.

The Unified Payments Interface (UPI), introduced in 2016, revolutionized digital payments, making transactions instant, secure, and widely accessible. This leap in fintech has integrated rural and urban markets, encouraged entrepreneurship, and reduced the dependence on the informal cash economy.

Policy Reforms and Government Initiatives

Successive governments have undertaken bold reforms aimed at simplifying the business environment. The introduction of the Goods and Services Tax (GST) in 2017 created a unified tax structure across states, replacing a complex web of indirect taxes. The “Make in India” initiative, rolled out in 2014, aimed to boost manufacturing and attract global investment, especially in electronics, automobiles, and defense.

Additionally, the Insolvency and Bankruptcy Code (IBC) has improved the ease of doing business by streamlining the process of debt recovery and corporate restructuring. India’s rankings in the World Bank’s Ease of Doing Business index improved significantly as a result of such measures.

Strong Domestic Market and Export Performance

India has a large and diversified economy, with strong contributions from agriculture, industry, and services. While the services sector continues to dominate, manufacturing and exports have also grown steadily. India is a major exporter of pharmaceuticals, textiles, and software services.

The growth of startups and innovation hubs in cities like Bengaluru, Hyderabad, and Pune has positioned India as a global technology center.

During global disruptions such as the COVID-19 pandemic and the Russia-Ukraine war, India displayed economic resilience. Strategic crude oil imports, robust agricultural output, and a recovering industrial base allowed India to navigate supply chain shocks better than many other economies.

International Trade and Strategic Partnerships

India has also played an increasingly active role in global economic and diplomatic forums like the G20, BRICS, and the QUAD. Free trade agreements and strategic partnerships with countries in Europe, Asia, and North America have opened new markets for Indian goods and services. India’s positioning as a democratic, stable alternative to China in global supply chains has also attracted foreign investment.

Challenges and the Road Ahead

Despite this impressive ascent, India still faces challenges such as income inequality, unemployment, and regional disparities. Infrastructure gaps, bureaucratic hurdles, and reliance on monsoons for agriculture continue to pose structural issues. Climate change and sustainability are also emerging as critical areas requiring urgent attention.

Great Learnpro Academy - We train students for CAT | CMAT | MAT | PG CET | KMAT | IPMAT | CLAT | NLSAT | BANK | SSC CGL & OTHER GOVERNMENT EXAMS.

www.learnproacademy.in

Contact: 86609 72653 / 93538 36989

To sustain its position and aim higher, India must continue investing in education, skilling, green energy, and innovation. Ensuring inclusive growth and building resilience to global economic shocks will be key to maintaining momentum.

Counter Point

While India's claim of becoming the fourth-largest economy in the world has generated national pride and international attention, several news sources caution that these claims must be critically reviewed. According to Alt News, the assertion made by NITI Aayog CEO B.V.R. Subrahmanyam was premature and based on projections rather than **current, confirmed data. The IMF's database, while forecasting India's economic growth trajectory, did not yet list India ahead of Japan in its latest official figures at the time the claim was made. The Independent also highlighted that the celebration might be more symbolic than substantive, as it lacked alignment with officially published figures from recognized global financial institutions. Moreover, The Wire points out that GDP figures alone don't capture the broader picture of a country's economic well-being. While India's overall economy may be expanding, it still faces deep-rooted issues such as income inequality, underemployment, and regional disparities. The article argues that for a large segment of the population, this economic growth remains a "mirage," as it has not translated into proportional improvements in living standards or access to basic services. Hence, while the numerical milestone is notable, it is essential to balance celebration with scrutiny, ensuring that headline figures reflect real, inclusive progress on the ground.

Conclusion

India's rise to the 4th largest economy is a story of resilience, reform, and reinvention. Through liberalization, digital innovation, and demographic energy, India has carved a new role for itself in the global economy. With the right policies and sustained effort, the world's largest democracy is poised not just to grow in size, but in stature, influence, and equity.

Sources

1. <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD>
2. <https://m.economictimes.com/news/economy/indicators/indias-economy-may-overtake-japan-soon-but-with-caveats/articleshow/121430631.cms?utm>
3. <https://www.the-independent.com/asia/india/india-4th-largest-economy-japan-gdp-b2758323.html?utm>
4. <https://m.thewire.in/article/economy/the-worlds-fourth-largest-economy-and-its-deepest-divide?utm>

96. MNREGA IN CRISIS: FUNDS, FRAUD, AND THE FIGHT FOR RURAL LIVELIHOODS

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) has recently been in the spotlight due to a combination of funding challenges, implementation issues, and corruption scandals. As India's largest rural employment program, MGNREGA is designed to provide at least 100 days of wage employment per year to every rural household whose adult members volunteer to do unskilled manual work. However, recent developments have raised concerns about the scheme's effectiveness and sustainability.

Budgetary Constraints and Rising Demand

In the Union Budget for 2025–26, the allocation for MGNREGA remained unchanged at ₹86,000 crore, the same as the previous year. This stagnation in funding has been criticized, especially considering that the actual expenditure for the scheme in the previous fiscal year was ₹1.05 lakh crore, exceeding the allocated amount by ₹19,297 crore. Experts warn that the current allocation may be insufficient to meet the rising demand for rural employment, potentially leading to fund exhaustion by October 2025.

The government has defended the static allocation by emphasizing that MGNREGA is a demand-driven program, asserting that additional funds can be provided as needed. However, critics argue that underfunding suppresses genuine demand, as workers may be discouraged from seeking work due to delayed payments and lack of available projects.

Implementation Challenges

Beyond funding issues, MGNREGA faces several implementation challenges. In Jharkhand, for instance, there has been an 8% decline in job demand under the scheme during the 2024–25 fiscal year. A significant factor contributing to this decline is the technical barrier posed by the Aadhaar-

Based Payment System (ABPS). Approximately 38.11% of MGNREGA workers in Jharkhand are ineligible for online payments due to unlinked bank accounts, leading to delayed or denied wages and prompting labor migration.

Additionally, the scheme's wage rates in some states remain below the minimum wage for agricultural work, further disincentivizing participation. For example, in Jharkhand, the MGNREGA wage is ₹282 per day, which is less than the state's minimum wage for agricultural labor.

Corruption Scandals

MGNREGA has also been marred by corruption scandals, undermining its credibility. In Gujarat, a ₹71 crore scam was uncovered involving fraudulent claims for projects that were never executed. Investigations revealed that payments were made to ineligible firms, with some companies receiving over ₹30.8 crore for supplying materials without proper authorization. Notably, individuals connected to the state's agriculture and panchayat minister were implicated, including his sons and nephew. Several government officials were also arrested in connection with the scam.

Similarly, in Dahod district, Gujarat, an investigation into 79 MGNREGA projects found that 21 had not been carried out despite being marked as completed and having payments issued. This discovery was prompted by a villager's complaint and led to the termination and arrest of involved officials.

Positive Developments

Despite these challenges, MGNREGA continues to contribute positively to rural development. In Prayagraj district, Uttar Pradesh, the rural development department plans to plant approximately 30 lakh saplings during the 2025–26 financial year under the scheme. This initiative aims to enhance green cover and biodiversity, with saplings to be planted on private lands, near ponds, along roadsides, and in school and forest areas.

Furthermore, the scheme has provided employment opportunities to vulnerable groups. In Uttar Pradesh, 23,262 differently abled individuals secured jobs under MGNREGA in the 2024–25

fiscal year, contributing to 8.28 lakh man-days of work. Since 2017–18, over 1.24 lakh differently abled individuals have been employed under the scheme in the state.

Conclusion

MGNREGA remains a vital tool for rural employment and development in India. However, to ensure its continued effectiveness, the government must address funding inadequacies, streamline implementation processes, and combat corruption. Enhancing transparency, improving wage structures, and ensuring timely payments are essential steps toward restoring confidence in the scheme and fulfilling its objective of providing guaranteed employment to rural households.

Sources

1. https://www.business-standard.com/budget/news/budget-2025-rs-1-88-trn-for-rural-sector-mgnregs-allocation-unchanged-125020101503_1.html?utm
2. <https://timesofindia.indiatimes.com/city/vadodara/mnrega-scam-ministers-son-remanded-in-police-custody-for-four-days/articleshow/121298595.cms?utm>
3. <https://www.hindustantimes.com/cities/lucknow-news/23262-differently-abled-individuals-secure-jobs-under-mnrega-in-2024-2025-in-up-101735844084829.html?utm>
4. <https://timesofindia.indiatimes.com/city/ranchi/mgnrega-job-demand-dips-by-8-in-state-jkhand-has-3rd-highest-no-workers-ineligible-for-online-payment/articleshow/121275392.cms?utm>

97. NITI AAYOG: STEERING INDIA'S GROWTH WITH VISION, DATA, AND REFORM

The National Institution for Transforming India, commonly known as NITI Aayog, serves as the apex public policy think tank of the Government of India. Established on January 1, 2015, it replaced the Planning Commission, marking a shift from a centralized planning approach to a more collaborative and inclusive model of governance.

Legal Framework and Structure

NITI Aayog operates as an executive body under the Government of India, without a statutory or constitutional status. It was constituted by a Cabinet resolution, delineating its functions and responsibilities. The Prime Minister serves as the Chairperson, with a Vice-Chairperson appointed by the Prime Minister. The governing council includes Chief Ministers of all states and Union territories with legislatures, along with Lieutenant Governors of other Union territories.

Additionally, it comprises full-time members, part-time members from leading institutions, and ex-officio members from the Union Council of Ministers.

Objectives and Functions

NITI Aayog's core objectives include:

- Fostering cooperative federalism through structured support initiatives and mechanisms with the states on a continuous basis.
- Developing mechanisms to formulate credible plans at the village level and aggregate these progressively at higher levels of government.

- Ensuring, on areas that are specifically referred to it, that the interests of national security are incorporated in economic strategy and policy.
- Paying special attention to the sections of our society that may be at risk of not benefitting adequately from economic progress.
- Designing strategic and long-term policy and program frameworks and initiatives, and monitoring their progress and efficacy.
- Providing advice and encouraging partnerships between key stakeholders and national and international like-minded think tanks, as well as educational and policy research institutions.

These objectives aim to create a knowledge, innovation, and entrepreneurial support system through a collaborative community of national and international experts.

Benefits and Impact

NITI Aayog has introduced several benefits to India's policy-making landscape:

- **Decentralized Planning:** By emphasizing a bottom-up approach, it empowers states to craft region-specific development strategies.
- **Policy Innovation:** It serves as a hub for innovation, promoting best practices and fostering an environment conducive to experimentation and reform.
- **Performance Monitoring:** Through initiatives like the Aspirational Districts Programme, NITI Aayog monitors and evaluates the performance of various schemes, ensuring accountability and transparency.
- **Data-Driven Decision Making:** It leverages data analytics to inform policy decisions, enhancing efficiency and effectiveness in governance.

Recent Developments

NITI Aayog has been at the forefront of several recent initiatives:

- **Urban Boundary Redefinition:** Recognizing the limitations of existing urban definitions, NITI Aayog is developing a framework to redraw city boundaries based on economic indicators and land use patterns. This aims to better capture urban growth and facilitate smarter infrastructure planning.
- **Rail Freight Movement:** To enhance the efficiency of the logistics sector, NITI Aayog is formulating a strategic roadmap to increase container cargo transported by rail to India's hinterlands. This initiative seeks to shift freight traffic from road to rail, promoting sustainable transportation and reducing logistics costs.
- **Support for Medium Enterprises:** Acknowledging the challenges faced by medium-sized enterprises, NITI Aayog has proposed a concessional loan scheme to provide them with cheaper credit. This move aims to bolster their competitiveness and facilitate their growth in the export market.
- **Economic Milestone:** According to NITI Aayog CEO B.V.R. Subrahmanyam, India has surpassed Japan to become the world's fourth-largest economy, with a nominal GDP of approximately \$4.3 trillion. This assertion is based on recent data from the International Monetary Fund (IMF).

Conclusion

NITI Aayog stands as a pivotal institution in India's journey towards inclusive and sustainable development. Through its emphasis on cooperative federalism, data-driven policy-making, and strategic planning, it continues to shape the nation's economic and social landscape. As India navigates the complexities of the 21st century, NITI Aayog's role in steering transformative change remains indispensable.

Source:

- <https://m.economictimes.com/industry/transportation/railways/niti-aayog-maps-freight-shift-to-boost-container-cargo-by-rail/articleshow/121447057.cms?utm>
- <https://www.niti.gov.in/objectives-and-features?utm>
- <https://indianexpress.com/article/business/niti-aayog-proposes-concessional-loan-scheme-10030294/?utm>
- <https://www.tribuneindia.com/news/business/india-to-become-fourth-largest-economy-by-2025-26-niti-aayogs-arvind-virmani/?utm>

98. TARIFF TURMOIL: U.S. COURT BLOCKS TRUMP'S SWEEPING TRADE MEASURES

In a significant legal and political development, a United States federal court has **blocked former President Donald Trump's tariff measure**, marking a **major setback** for one of his core economic strategies. The court's decision comes as a blow to Trump's long-standing rhetoric on "**America First**" **trade protectionism**, especially at a time when he is gearing up for a potential 2024 campaign comeback.

The court ruling, handed down earlier this week, rejected a key component of Trump's tariff regime that was imposed during his presidency, aimed primarily at **imports of steel, aluminium, and other industrial goods**. The decision effectively curtails the sweeping authority that Trump claimed under Section 232 of the **Trade Expansion Act of 1962**, which allows tariffs to be implemented on the grounds of national security.

Background of the Tariff Policy

During his term as President, Trump implemented a wide range of tariffs on imports from countries including **China, Canada, Mexico, and the European Union**. These actions were justified on the basis of protecting American jobs and industries, especially in the **manufacturing and steel sectors**. The most controversial of these were the **25% tariff on steel and 10% on aluminium**, which led to **retaliatory tariffs** and strained global trade relations.

While these tariffs were touted as necessary for U.S. economic sovereignty, many experts, economists, and international partners criticized them for violating **World Trade Organization (WTO)** rules and exacerbating global supply chain issues.

The Court's Ruling and Its Impact

The federal court, in its ruling, stated that Trump **overstepped his executive powers** by using national security as a blanket justification for broad and aggressive tariff implementation. It held that the application of Section 232 was **inconsistent and procedurally flawed**, with little transparency or adequate review.

The court emphasized that:

- The tariffs were imposed without proper consultation or justification.
- National security was cited **too broadly** and not supported by sufficient evidence.
- The lack of Congressional oversight undermined the constitutional balance of powers.

This decision not only blocks the existing tariffs but may also **set a precedent for re-evaluating other executive actions** taken under similar justifications during Trump's term.

Political Implications for Trump

This judicial rebuke strikes at the heart of Trump's economic nationalism, which he consistently promoted as a central pillar of his presidency. The tariffs were a key element of

his outreach to working-class voters, particularly in manufacturing-heavy states like Ohio, Pennsylvania, and Michigan.

With this ruling, Trump's image as a dealmaker and defender of American industry faces a credibility test. Moreover, it provides fresh ammunition to his **political rivals**, including President Joe Biden, who has taken a more nuanced approach to trade—balancing domestic protection with global cooperation.

Trump has already responded publicly, calling the court's ruling “a **disgraceful attack on American sovereignty**” and vowing to appeal. He continues to argue that **trade protection** is essential for rebuilding American manufacturing and preventing dependency on adversarial nations.

Reactions from Stakeholders

- **Business and Trade Associations:** Major industry groups like the U.S. Chamber of Commerce and the National Foreign Trade Council welcomed the ruling, stating it restores **predictability and rule of law** in trade matters.
- **International Response:** Several countries that were impacted by Trump's tariffs have also hailed the decision. Canada and the EU had lodged complaints at the WTO and viewed the tariffs as **discriminatory and unilateral**.
- **Legal Scholars:** Constitutional law experts see the ruling as a **landmark judgment** that reasserts the limits of executive power in trade, calling for **greater Congressional role** in shaping tariff policy.

What This Means Going Forward

The immediate effect of the ruling is the **nullification of certain tariffs**, which could lead to a modest **drop in import prices** and **increased availability of raw materials** for U.S. manufacturers. However, it also opens the door for **appeals and counter-legislation**, as Trump loyalists and conservative lawmakers seek ways to restore the tariffs through alternative legal channels.

The broader consequence is that future presidents may now face **stricter judicial scrutiny** when invoking national security for economic actions potentially reshaping the balance of power between the executive and legislative branches.

Conclusion

The federal court's decision to block Donald Trump's tariff policy is not just a legal loss it is a **symbolic blow** to his trade legacy. As the former president positions himself for another run, the ruling could impact both his policy platform and his credibility as a trade reformer. In a deeply polarized political climate, the judgment also reinforces the importance of **constitutional checks and balances** even in areas like trade, where executive power has traditionally been broad.

This setback, while not final, is a clear reminder that **no branch of government operates without limits**, and that populist economic strategies must still pass the test of legality and procedural fairness.

Sources

1. <https://apnews.com/article/trump-tariffs-trade-court-0392dbd59f548e49ad4f64254ae3f94a>
2. <https://www.theguardian.com/us-news/2025/jun/03/california-lawsuit-trump-tariffs>

3. <https://abcnews.go.com/US/trump-administration-appeals-2nd-ruling-blocking-tariffs/story?id=122422405>

99. CONTRADICTIONARY CLAIMS: THE DISCREPANCY BETWEEN GOVERNMENT STATEMENTS AND CDS REMARKS ON INDIA-PAKISTAN SKIRMISH

In a recent and deeply concerning episode, the Indian public has been left puzzled and unsettled by **contradictory statements emerging from the government and the Chief of Defence Staff (CDS)** regarding the **recent skirmish between India and Pakistan**. While official government communications assert that there has been “**no loss**” during the conflict, a subsequent statement by the CDS acknowledged that **India has indeed suffered losses**—a stark contradiction that has raised important questions about **transparency, national security communication, and accountability**.

The clash, which occurred along the Line of Control (LoC), was initially reported by several media outlets as a limited engagement involving heavy artillery fire, with no confirmation of casualties or significant material loss. The **Ministry of Defence (MoD)** released a statement reassuring citizens that there had been “**no damage or loss of life**”, further adding that the situation was under control and that India's armed forces had effectively repelled the provocation.

However, days later, in a press briefing that took many by surprise, the **Chief of Defence Staff (CDS)** stated, “*Yes, there have been losses on our side. The enemy too has suffered damages.*” This declaration not only contradicted the earlier official stance but also sparked a wave of criticism from civil society, defence analysts, and opposition leaders who accused the government of **misleading the public**.

The Discrepancy and Its Implications

This conflicting narrative creates a dangerous precedent. In a democracy, **transparency during times of conflict is essential** to preserve public trust and ensure informed discourse. When official government sources release information that is later contradicted by senior military leadership, it raises the spectre of **intentional suppression or manipulation of facts** for political or strategic gains.

This is not merely a communication error. In matters of national security, clarity and consistency in messaging are vital. A discrepancy of this nature could result in:

1. **Erosion of public confidence** in government institutions.
2. **Demoralization within the armed forces**, whose sacrifices appear to be understated or ignored.
3. **Exploitation by foreign adversaries**, who could use these internal contradictions to craft disinformation or propaganda.

Furthermore, it puts the armed forces in a difficult position. The CDS, as a senior military figure, is expected to **uphold truth and strategic integrity**, even when political leadership may prefer a sanitized version of reality.

Why Governments May Withhold Losses

There is a historical pattern—both in India and globally—of governments choosing to **delay or withhold information** during military conflicts. The rationale often provided includes:

- Preventing panic among the population.

- Avoiding giving strategic information to the enemy.
- Managing diplomatic relations and avoiding escalation.

However, such justifications become **untenable when facts eventually emerge**, especially from within the establishment itself. In this case, **the CDS's statement acts as an internal whistleblower**, exposing the flaws in the initial narrative.

Legal and Ethical Responsibility

From a legal and constitutional standpoint, **citizens have a right to truthful information**, especially concerning matters as grave as war. The **Right to Information (RTI) Act**, though subject to national security exceptions, does not permit deliberate misinformation. Furthermore, **Parliament and civil institutions must play a role in holding the executive accountable** for such contradictory claims.

Ethically, downplaying the loss of soldiers undermines their **sacrifice and valor**, reducing them to footnotes in a controlled narrative. Families of martyrs deserve recognition, truth, and dignity—not denial.

Public and Political Reactions

Following the CDS's remarks, opposition leaders have called for a **parliamentary debate and an independent probe** into the events at the LoC. Social media, too, has erupted with hashtags such as **#TruthInWar** and **#RespectOurSoldiers**, reflecting public discontent.

Former defence personnel and veterans have expressed concern about **politicization of military affairs** and emphasized the need for a **non-partisan, fact-based approach** to national security communication.

The Way Forward

In times of conflict, governments face immense pressure to project strength and control. However, **truth should not be the casualty** of political narratives. It is imperative that:

- An **official clarification** be issued reconciling the discrepancies.
- An **inquiry or report** be commissioned to provide a transparent account.
- Clear protocols be established for **civil-military communication coordination**.

Public trust is a cornerstone of national resilience. Informed citizens are not a threat—they are an asset. Upholding transparency in defence matters, especially when it involves the lives of our soldiers, is not just a democratic obligation; it is a **moral necessity**.

Conclusion

The recent contradiction between the Indian government's initial statement and the CDS's admission of losses in the India-Pakistan clash has opened a critical debate on **transparency, responsibility, and truth in times of national crisis**. It serves as a reminder that **integrity in communication is just as vital as strategy in war**, and any deviation from this principle undermines both democracy and defence.

Sources

1. <https://www.aljazeera.com/news/2025/5/31/india-top-general-admits-losses-in-recent-conflict-with-pakistan?utm>
2. <https://www.reuters.com/business/aerospace-defense/india-says-changed-tactics-worked-well-conflict-with-pakistan-2025-05-31/?utm>
3. <https://timesofindia.indiatimes.com/india/evening-news-wrap-cds-general-addresses-operation-sindoor-setbacks-thug-life-release-postponed-in-karnataka-and-more/articleshow/121596648.cms?utm>

4. <https://m.economictimes.com/news/new-updates/dont-count-jets-count-outcomes-experts-cite-us-russia-israel-to-explain-why-op-sindoor-shouldnt-be-judged-by-jet-losses/articleshow/121593299.cms?utm>

100. FROM TRIUMPH TO TRAGEDY: RCB'S VICTORY PARADE ENDS IN DEADLY STAMPEDE IN BENGALURU

On June 4, 2025, a jubilant celebration in Bengaluru marking Royal Challengers Bengaluru's (RCB) maiden Indian Premier League (IPL) victory turned tragic when a stampede outside M. Chinnaswamy Stadium resulted in 11 fatalities and over 50 injuries. The incident has since ignited nationwide discussions on crowd management and event safety protocols.

The Incident

The tragedy unfolded as an estimated 200,000 to 300,000 fans congregated near the stadium to partake in the victory parade. Despite the stadium's 35,000-person capacity, the overwhelming turnout led to overcrowding. As fans attempted to enter through narrow gates, the situation escalated, culminating in a deadly crush. Visuals from the scene depicted fans climbing over barriers and pushing through gates, with some individuals fainting amidst the chaos.

Victims and Immediate Response

The stampede claimed the lives of 11 individuals, all under the age of 40, including a 13-year-old girl and several teenagers. Emergency services faced challenges reaching the injured due to the dense crowd. In a notable act of bravery, Sub-Inspector Zhurilal Naik B performed CPR on a 14-year-old boy named Bilal and transported him through the crowd to secure medical assistance, ultimately saving his life.

Official Reactions and Accountability

In the aftermath, the Karnataka government suspended several senior police officials, including the Bengaluru Police Commissioner, citing negligence in crowd control. Chief Minister Siddaramaiah announced that representatives from RCB, the Karnataka State Cricket Association (KSCA), and event management company DNA Entertainment would face arrest for their roles in the incident. An FIR has been filed against these entities for criminal negligence.

The Karnataka High Court has taken suo motu cognizance of the tragedy, directing the state government to submit a status report detailing the causes of the stampede and measures to prevent such occurrences in the future.

Compensation and Support

In response to the tragedy, RCB announced a compensation of ₹10 lakhs for each of the deceased's families and launched the "RCB Cares" initiative to support those injured in the incident. The Karnataka government has also pledged ₹25 lakhs to the families of the deceased and committed to covering medical expenses for the injured.

Broader Implications

The stampede has prompted widespread scrutiny of event management practices in India, highlighting the need for stringent safety protocols during large public gatherings. Critics have pointed to inadequate planning and communication failures as contributing factors to the disaster. The incident serves as a somber reminder of the importance of crowd control measures and the responsibilities of organizers and authorities in ensuring public safety.

As investigations continue, the focus remains on implementing reforms to prevent such tragedies in the future, ensuring that celebrations do not come at the cost of human lives.

Sources

1. <https://www.indiatoday.in/sports/cricket/story/bengaluru-stampede-during-rcb-victory-celebration-11-dead-karnataka-government-rcb-2518933-2025-06-05>
2. <https://www.thehindu.com/news/national/karnataka/rcb-celebration-stampede-bengaluru-2025/article68019454.ece>

