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UPSC PRELIMS

CURRENT AFFAIRS

INDIAN POLITY



Strategic Current Affairs for UPSC Prelims

What's Inside

- Powers, Functions & Structure of Government
- Constitution & Amendments
- Fundamental Rights & Duties
- Parliament & State Legislatures
- Panchayati Raj & Federalism
- Landmark Judgments & Current Affairs Integration

Prepared by

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POLITY | CURRENT AFFAIRS

JANUARY 2025 – FEBRUARY 2026 | INDEX OF TOPICS

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S.No	UNION JUDICIARY – SC, CJI, COLLEGIUM & MAJOR VERDICTS TOPIC
1	Justice B.R. Gavai Recommended as the 52nd Chief Justice of India
2	Justice B.R. Gavai Sworn in as the 52nd Chief Justice of India
3	Justice Surya Kant Appointed the 53rd Chief Justice of India
4	Supreme Court at Full Sanctioned Strength of 34 Judges
5	Supreme Court Collegium Recommends Justice Arun Palli as CJ of J&K and Ladakh HC
6	Supreme Court Restores 3-Year Legal Practice Rule for Civil Judge Recruitment
7	Supreme Court on Governor's Timelines – State of Tamil Nadu v. Governor
8	Supreme Court on Mullaperiyar Dam Safety – New Supervisory Committee
9	Supreme Court Bans Blasting Within 5 km of Chittorgarh Fort
10	Supreme Court Task Force on Student Mental Health – Justice S. Ravindra Bhat Committee

S.No	HIGH COURTS & SUBORDINATE JUDICIARY TOPIC
11	Jharkhand HC Bans Sale of Meat and Liquor on Parasnath Hill (Marang Buru / Sammed Shikharji)
12	Supreme Court Classifies Zudpi Scrublands of Vidarbha as Forest
13	Justice Shree Chandrashekhar Sworn in as Chief Justice of the Bombay HC
14	Madras High Court Recognises Cryptocurrency as 'Property' Under Law
15	Justice Revati Mohite Dere – First Woman Chief Justice of the Bombay HC
16	Kalpetta (Wayanad, Kerala) Becomes India's First Fully Paperless District Court
17	Dr. Jaya Thakur v. Government of India – SC Recognises Menstrual Health

S.No	CRIMINAL JUSTICE & JUDICIARY TOPIC
18	Veeraswami Judgment (1991) – Revisiting Judicial Immunity
19	India Justice Report (IJR) 2025 – Fourth Edition
20	Foreign Lawyers & Foreign Law Firms – BCI Rules 2025
21	Client Info Confidentiality – Lawyer-Client Privilege
22	UAPA & Bail – Umar Khalid Case
23	Sedition Law – BNS Section 152 Challenged
24	Law on Phone-Tapping – Constitutional Limits

PARLIAMENT & LEGISLATION	
S.No	TOPIC
25	Promotion and Regulation of Online Gaming Act, 2025
26	Indian Institutes of Management (Amendment) Act, 2025 – IIM Governance
27	Indian Ports Act, 2025
28	National Sports Governance Act, 2025 & National Anti-Doping Framework
29	Carriage of Goods by Sea Act, 2025
30	Sansad Bhashini – AI-Powered Multilingual Parliament
31	Delhi Legislative Assembly Joins NEVA – 28th Legislature on the Platform
32	Tribhuvan Sahkari University Act, 2025 – India's First National Co-op University
33	Insurance Act Amendment – 100% FDI in Insurance
34	President Nominates 4 New Members to the Rajya Sabha
35	India at the 68th Commonwealth Parliamentary Conference (CPC) – Barbados
36	India to Host the 28th CSPOC in 2026
37	eSakshi Portal for MPLAD Scheme
38	President Invokes Article 143(1) – Reference on Governor / President Timelines
39	Deputy Speaker of Lok Sabha – Prolonged Vacancy
40	Anti-Defection Law – SC Sets Timeline for Speaker
41	Private Member Bills (PMBs) – Declining Relevance
42	Constitution of India in Santhali and Bodo / Kashmiri – Digital Versions
43	Eighth Schedule – Demand for Inclusion of Kokborak & Bhojpuri
44	All India Presiding Officers' Conference (AIPOC) 2025 – 85th Edition
45	LARRIDS – Parliamentary Research Deficit
46	Lok Sabha Attendance via Multimedia Device (MMD)
47	Seva Teerth – New PMO Complex at Central Vista
48	130th Constitution (Amendment) Bill, 2025 – 30-Day Removal Rule for PM, CMs & Ministers

UNION EXECUTIVE – PRESIDENT, VICE-PRESIDENT & PMO	
S.No	TOPIC
49	Resignation of Vice-President Jagdeep Dhankhar
50	Shri C.P. Radhakrishnan Sworn in as the 15th Vice-President of India
51	Shaktikanta Das Appointed Principal Secretary-2 to the Prime Minister
52	76th Republic Day 2025 – Theme 'Swarnim Bharat: Virasat aur Vikraas'
53	President Nominates Justice Surya Kant as Executive Chairman of NALSA

GOVERNOR & CENTRE–STATE RELATIONS / FEDERALISM	
S.No	TOPIC

TOPIC	
54	State of Tamil Nadu v. Governor of Tamil Nadu – SC Prescribes Timelines
55	Presidential Reference Under Article 143(1) on Governor & President Powers
56	Satya Pal Malik – Former Governor of Jammu & Kashmir, Meghalaya, Goa
57	Acharya Devvrat Given Additional Charge of Maharashtra Raj Bhavan
58	Squadron Leader Manisha Padhi – First Woman ADC to a Governor
59	Special Category Status – Andhra Pradesh's Demand
60	President's Rule in Manipur (Since February 2025)
61	National Emergency – 50 Years of the 1975 Emergency
62	J&K Statehood & Ladakh – Pending Restoration and Leh Protests
63	Selecting Head of Police – Prakash Singh Guidelines

S.No	ELECTION COMMISSION & ELECTORAL REFORM
TOPIC	
64	CEC & Other Election Commissioners Act, 2023 – New Selection Framework Kicks in; CEC Rajiv Kumar Demits Office
65	Vivek Joshi Appointed Election Commissioner – ECI Restored to Full 3-Member Strength
66	ECINET – New Digital Platform of the Election Commission of India
67	Bihar Becomes India's First State to Adopt e-Voting for Urban Local Bodies
68	IICDEM 2026 – India International Conference on Democracy and Election Management
69	Special Intensive Revision (SIR) of Electoral Rolls – Bihar & Beyond
70	NOTA – Expanding Scope of 'None of the Above'
71	De-listing Unrecognised Political Parties – ECI Action
72	Simultaneous Polls – 129th Constitutional Amendment Bill

S.No	CONSTITUTIONAL BODIES
TOPIC	
73	Ajay Kumar Appointed Chairman, Union Public Service Commission
74	UPSC Pratibha Setu – Initiative to Connect Non-Selected Cleared Candidates
75	UPSC Centenary Year – 100 Years of the Union Public Service Commission
76	16th Finance Commission – Composition Update: Rabi Sankar as Member
77	Fiscal Health Index (FHI) 2025 – NITI Aayog Report
78	CAG – LLM-Based AI System & CONNECT Portal

S.No	STATUTORY & REGULATORY BODIES
TOPIC	
79	Justice V. Ramasubramanian Assumes Charge as Chairperson of the NHRC

80	Justice Surya Kant – Executive Chairman of NALSA
81	Justice (Retd) Dinesh Maheshwari Appointed Chairperson of the 23rd Law Commission
82	Mahanadi Water Disputes Tribunal – Justice Bela M. Trivedi Chairs; States Revisit
83	Payments Regulatory Board (PRB) Formally Operationalised Under PSS Act, 2007
84	National Green Tribunal (NGT) – Active Docket on Dhanauri Wetland, Ganga-Yamuna Pollution
85	UMEED Portal – New Module on Waqf-Alal-Aulad for Widows, Divorced Women and Orphans
86	8th Central Pay Commission – Terms of Reference Approved
87	Central Bureau of Investigation (CBI) – Limits of Transfer
88	Lokpal – Jurisdiction, Vacancies & HC Judges Controversy
89	Central Information Commission (CIC) – Full Panel After 9 Years

S.No	LOCAL SELF-GOVERNMENT TOPIC
90	Sashakt Panchayat-Netri Abhiyan & Model Women-Friendly Panchayats Initiative
91	Panchayat Advancement Index (PAI) 2022-23 & PAI 2.0
92	SabhaSaar – AI-Powered Minutes of Gram Sabha
93	Rohini Gram Panchayat – National e-Governance Award 2025 (Gold)

S.No	CONSTITUTIONAL AMENDMENTS & NEW CRIMINAL LAWS TOPIC
94	130th Constitution (Amendment) Bill, 2025 – '30-Day Detention Removal' of PM, CMs & Ministers
95	Three New Criminal Laws – BNS, BNSS & BSA (Operational Year One)

S.No	FUNDAMENTAL RIGHTS, DPSP & UNIFORM CIVIL CODE TOPIC
96	Uttarakhand – First State to Implement Uniform Civil Code
97	Gujarat – Justice Ranjana Desai Committee on UCC
98	Dr. Jaya Thakur v. Union of India – Menstrual Health as an Art. 21 Right
99	Right to Digital Access – Rajive Raturi v. UOI (2024)
100	Compulsory Early Childhood Care – Proposed Article 21B
101	Rights of Pedestrians – SC Declares Footpath Access a Fundamental Right
102	Personality Rights – Sadhguru Jaggi Vasudev Case
103	Narco-Analysis, Polygraph & Brain-Mapping – Selvi v. State of Karnataka
104	Grounds of Arrest – Mandatory Written Communication
105	Right to Vote – Statutory vs Constitutional vs Fundamental Right
106	Kamalesan Case – Article 33 & Religious Freedom in Armed Forces
107	SC on Social Media Conduct & Obscenity – Need for Regulation

108	Defamation – Subramanian Swamy v. UOI Revisited
109	Preventive Detention – Dhanya M. v. State of Kerala
110	Freedom of Religion – Banu Mushtaq at Mysuru Dasara
111	Sammed Shikharji / Marang Buru – Religious Rights vs Environmental Protection
112	Tomb of Tansen – Religious Rights Plea Rejected

S.No	CITIZENSHIP & IMMIGRATION
	TOPIC
113	Immigration and Foreigners Act, 2025 – A New Framework
114	Citizenship Amendment Act (CAA) – 185 Citizens Granted
115	Proof of Citizenship – Documents That Don't Prove

S.No	RESERVATION & SOCIAL JUSTICE
	TOPIC
116	Reservation 50% Cap – Creamy Layer Debate for SC/ST
117	Women Reservation – Nari Shakti Vandan Adhiniyam (106th CAA)
118	Scheduled Tribe Status – Process & Assam Cabinet Decision
119	Sickle Cell Disease & Disability Quota

POLITY CURRENT AFFAIRS

UNION JUDICIARY (SUPREME COURT, CJI, COLLEGIUM & MAJOR VERDICTS)

JUSTICE B.R. GAVAI RECOMMENDED AS THE 52ND CHIEF JUSTICE OF INDIA

Outgoing CJI Sanjiv Khanna recommended the name of Justice Bhushan Ramkrishna Gavai, the second senior-most judge of the Supreme Court, as the next CJI.

News in Brief

- In April 2025, CJI Sanjiv Khanna formally forwarded Justice B.R. Gavai's name to the Union Ministry of Law & Justice as his successor.
- Justice Gavai – second senior-most judge of the Supreme Court at the time – was born on 24 November 1960 in Amravati, Maharashtra.
- He began legal practice in 1985; joined the bar of the Bombay HC in 1990.
- Additional Judge, Bombay HC (14 Nov 2003); permanent judge (12 Nov 2005); elevated to the Supreme Court on 24 May 2019.
- His elevation would make him the second Dalit CJI after Justice K.G. Balakrishnan (37th CJI, 2007–2010).

Prelims Connect

Article	Provision
Art. 124(1)	Establishment of the Supreme Court – CJI + other judges
Art. 124(2)	CJI appointed by the President after "consultation" with judges of SC/HC as necessary
Art. 124(3)	Qualifications: citizen + (a) 5 yrs as HC Judge OR (b) 10 yrs as HC advocate OR (c) "distinguished jurist" (never used)
Art. 124(7)	Retired SC judge cannot plead or act before any court in India

Collegium – Three Judges Cases

Case	Year	Ratio
<i>S.P. Gupta v. UoI</i> (First Judges)	1981	"Consultation" ≠ concurrence – executive primacy
<i>SC AoR Assn. v. UoI</i> (Second Judges)	1993	Judicial primacy; collegium = CJI + 2 seniors
<i>In re Special Reference</i> (Third Judges)	1998	Collegium expanded to CJI + 4 seniormost judges
<i>SC AoR v. UoI</i> (Fourth Judges / NJAC)	2015	99th Amendment & NJAC Act struck down (4:1)

Convention – CJI is by seniority the senior-most SC Judge; supersession happened only twice – 1973 (Justice A.N. Ray over 3 seniors) and 1977 (Justice M.H. Beg over Justice H.R. Khanna).

Prelims Pointers

- Article 124(2) requires the President to "consult" judges; *SC AoR* (1993) held "consultation" = "concurrence" → foundation of Collegium.
- The 99th Constitutional Amendment Act, 2014 inserted Art. 124A–C for NJAC; struck down in 2015 for violating **independence of the judiciary** as part of the basic structure.
- Supreme Court's sanctioned strength = **CJI + 33 judges = 34** (raised from 30 + CJI by the Supreme Court (Number of Judges) Amendment Act, 2019).

- An SC Judge retires at **65 years**; HC Judge at **62 years** – three years gap (Arts. 124(2) & 217(1)).
- Justice Gavai is the **second Dalit CJI** – the first was Justice K.G. Balakrishnan (37th CJI, 2007–2010).
- "Distinguished jurist" route (Art. 124(3)(c)) for direct SC appointment has **never been used** in India's history.
- A sitting SC judge cannot plead or act in any court of India after retirement (Art. 124(7)) – ensures post-retirement independence.
- Salaries of SC judges are **charged** on the Consolidated Fund of India (Art. 146(3)) and cannot be varied to their disadvantage (Art. 125(2)).

JUSTICE B.R. GAVAI SWORN IN AS THE 52ND CHIEF JUSTICE OF INDIA

Justice B.R. Gavai was administered the oath of office as the 52nd CJI by President Droupadi Murmu on 14 May 2025.

News in Brief

- Sworn in as 52nd CJI on **14 May 2025**, succeeding Justice Sanjiv Khanna.
- Became the **second CJI from the Scheduled Caste community** after Justice K.G. Balakrishnan.
- Was part of the Constitution Bench that **upheld abrogation of Article 370** in *In Re: Article 370* (December 2023).
- Was part of the Bench that upheld the 2016 **demonetisation** decision (*Vivek Narayan Sharma v. UoI*, January 2023, 4:1).
- His tenure ran till 23 November 2025 (~6 months).

Prelims Connect

Article	Provision
Art. 125	Salaries, allowances, privileges of judges – charged on CFI
Art. 126	Acting CJI – appointed by the President
Art. 127	Ad hoc judges of the Supreme Court
Art. 128	Attendance of retired judges at sittings of the SC
Art. 129	SC a Court of Record – power to punish for contempt
Art. 137	Power to review its own judgments
Art. 141	Law declared by SC binding on all courts in India
Art. 142	SC's power to do "complete justice"
Art. 143	Advisory / presidential reference
Art. 145	Rules of Court; minimum 5-judge bench for constitutional interpretation (Art. 145(3))

Article 370 Case – *In Re: Article 370 (December 2023, 5-judge CB)*

- Upheld the Presidential Orders of 5 Aug 2019 abrogating special status of J&K.
- Held: Art. 370 was a **temporary** provision; Art. 370(3) empowers the President unilaterally to declare it inoperative.
- Directed ECI to conduct Legislative Assembly elections in J&K by September 2024 and restore statehood at the earliest.

Demonetisation Case – *Vivek Narayan Sharma v. UoI (January 2023, 5-judge CB, 4:1)*

- Upheld the 8 November 2016 demonetisation notification.
- Held: Sec. 26(2) of RBI Act, 1934 allows demonetisation on the "recommendation of the Central Board".
- Justice B.V. Nagarathna dissented – held action was *ultra vires* since initiative must come from RBI, not the Centre.

Prelims Pointers

- The CJI is appointed by the **President** under Art. 124(2); by convention, the senior-most SC Judge is chosen.
- Under Art. 145(3), a minimum of **5 judges** must hear "any case involving a substantial question of law as to the interpretation of the Constitution".
- The Supreme Court's "complete justice" power under **Art. 142** was invoked in *Babri Masjid–Ayodhya* (2019), *Union Carbide* (1989), and *SCBA v. UoI* (1998).
- **Article 141** binds all courts in India to the law declared by the Supreme Court – *stare decisis*; but the SC itself is not so bound and may revisit its own rulings (*Bengal Immunity Co*, 1955).
- The power of **contempt of court** flows from Art. 129 (SC) and Art. 215 (HCs) – both declared *Courts of Record*.
- *In Re: Article 370* (2023) held Art. 370 was a temporary provision originally intended to lapse upon integration of J&K.
- The abrogation of Art. 370 was effected by **Presidential Orders C.O. 272 & 273** (5 Aug 2019) and the **J&K Reorganisation Act, 2019**.
- A review petition (Art. 137) must be filed within **30 days** of the judgement; generally heard by the same Bench in chambers (Order XLVII SC Rules).

JUSTICE SURYA KANT APPOINTED THE 53RD CHIEF JUSTICE OF INDIA

President Droupadi Murmu appointed Justice Surya Kant as the 53rd Chief Justice of India, succeeding Justice B.R. Gavai.

News in Brief

- Justice Surya Kant was appointed as the **53rd CJI** in October 2025 under **Article 124(2)** of the Constitution.
- He succeeded CJI B.R. Gavai (52nd CJI) whose tenure ended on 23 November 2025.
- Justice Surya Kant was born on 10 February 1962, in Hisar, Haryana.
- Started legal practice in 1984; appointed Advocate General of Haryana (2000); Judge of Punjab & Haryana HC (2004); Chief Justice of Himachal Pradesh HC (2018); elevated to SC on 24 May 2019.
- Earlier in May 2025 he was nominated by the President as the **Executive Chairman of NALSA** – by convention a role held by the senior-most SC Judge after the CJI.

Prelims Connect

Article	Provision
Art. 124(2)	CJI appointed by the President
Art. 124(3)	Qualifications – citizen + 5 yrs HC Judge or 10 yrs HC advocate or distinguished jurist
Art. 124(4)	Removal – only by Parliament, by address supported by special majority + majority of total membership, on grounds of proved misbehaviour/incapacity
Art. 124(5)	Parliament to regulate procedure – <i>Judges (Inquiry) Act, 1968</i>
Art. 124A	NJAC (now dead letter – struck down 2015)
Art. 130	Seat of SC – Delhi OR other place as CJI with President's approval may appoint

Legal Services Day – 9 November – Date on which the Legal Services Authorities Act, 1987 came into force; NALSA was constituted under the Act.

CJI's Administrative Role – "Master of the Roster" – allocates matters to benches (reaffirmed in *Asok Pande v. Supreme Court of India*, 2018 & *Shanti Bhushan v. Supreme Court of India*, 2018).

Prelims Pointers

- Justice Surya Kant is the **53rd Chief Justice of India**, appointed under Art. 124(2).
- His position as Executive Chairman of NALSA (May 2025) reflects the convention that the senior-most SC Judge after the CJI is designated to lead NALSA under the Legal Services Authorities Act, 1987.
- The CJI is the "**Master of the Roster**" – a title recognised in *Asok Pande* (2018) and *Shanti Bhushan* (2018).
- The first CJI of independent India was **Justice H.J. Kania**; the first woman SC judge was **Justice M. Fathima Beevi** (1989) – India is yet to have a woman CJI.
- Article 130 states the **seat of the SC is Delhi**, unless the CJI, with Presidential approval, decides to appoint any other place.
- The Judges (Inquiry) Act, 1968 provides the procedure for removal under Art. 124(4) – motion admitted → Speaker/Chairman constitutes 3-member committee → Parliamentary vote.
- Only one SC Judge has faced a full impeachment motion: **Justice V. Ramaswami** (1993) – motion failed in LS due to Congress abstention.
- Motion against **Justice Soumitra Sen** (Calcutta HC) was passed by RS in 2011 – he resigned before LS debate.

SUPREME COURT AT FULL SANCTIONED STRENGTH OF 34 JUDGES

Justices Alok Aradhe and Vipul Manubhai Pancholi were sworn in as judges of the Supreme Court on 29 August 2025, bringing the court to its full sanctioned strength of 34 judges.

News in Brief

- Justice Alok Aradhe (Chief Justice, Bombay HC) and Justice Vipul Manubhai Pancholi (Chief Justice, Patna HC) were sworn in as Supreme Court judges on 29 August 2025.
- Their appointment restored the Supreme Court to its **full sanctioned strength of 34 judges** (CJI + 33).
- Both were elevated on the recommendation of the Collegium headed by CJI B.R. Gavai.
- The appointment was made by the **President of India** under **Article 124(2)**.

Prelims Connect

Supreme Court – Strength Over the Years

Year	Strength (incl. CJI)	Amending Act
1950	8 (1 + 7)	Constitution, Art. 124
1956	11	SC (Number of Judges) Act, 1956
1960	14	1960 Amendment
1978	18	1977 Amendment
1986	26	1986 Amendment
2008	31	2008 Amendment
2019	34	Supreme Court (Number of Judges) Amendment Act, 2019

Article	Provision
Art. 124(1)	Strength of SC – CJI + such number as Parliament prescribes
Art. 126	Acting CJI if office vacant / CJI unable
Art. 127	Ad hoc judges from HCs – by CJI with Presidential consent + consulted HC CJ

Art. 128 Attendance of retired judges – by CJI with Presidential consent + individual consent

Collegium for SC Appointments – CJI + 4 senior-most SC judges (after *In re Special Reference*, 1998).

Prelims Pointers

- The Supreme Court's strength is **not** fixed in the Constitution – Art. 124(1) leaves it to Parliament to decide.
- Current sanctioned strength: **CJI + 33 = 34**; raised from 31 to 34 by the **Supreme Court (Number of Judges) Amendment Act, 2019**.
- An **ad hoc judge** is appointed under Art. 127 by the CJI with the President's consent – must otherwise be qualified for appointment as SC judge.
- A **retired judge** can sit on the SC bench under Art. 128 – with his/her consent and Presidential approval.
- The 1950 Constitution prescribed 7 puisne judges + CJI = 8; increased progressively to 34 by 2019.
- Collegium for Supreme Court appointments: **CJI + 4 senior-most judges**; for High Court appointments: **CJI + 2 senior-most judges**.
- Judges of the Supreme Court are appointed by the **President** under Art. 124(2); their salaries and allowances are **charged** on the Consolidated Fund of India (Art. 146(3)).
- Article 124(2A), inserted by the 15th Amendment (1963), allows the President to determine age-related disputes of SC judges after consulting such other SC judges as he thinks fit.

SUPREME COURT COLLEGIUM RECOMMENDS JUSTICE ARUN PALLI AS CJ OF THE J&K AND LADAKH HIGH COURT

The SC Collegium recommended the appointment of Justice Arun Palli (Punjab & Haryana HC) as Chief Justice of the Jammu & Kashmir and Ladakh High Court.

News in Brief

- The Supreme Court Collegium (April 2025) recommended the name of **Justice Arun Palli**, a sitting judge of the Punjab & Haryana HC, for appointment as Chief Justice of the common **High Court of Jammu & Kashmir and Ladakh**.
- Under the Jammu & Kashmir Reorganisation Act 2019, the HC became the common HC for both UTs.
- Appointments of HC Chief Justices are routed through a dedicated Collegium of **CJI + 2 senior-most SC Judges**.
- The recommendation was forwarded to the Union Ministry of Law & Justice.

Prelims Connect

Article	Provision
Art. 214	High Courts for each State
Art. 215	HC as a Court of Record; power to punish for contempt
Art. 216	Composition – CJ + other judges
Art. 217	Appointment of HC judges – by the President after consultation with CJI, Governor of the State; Chief Justice of the HC (for puisne judges)
Art. 217(1)	Retirement age of HC judge – 62 years
Art. 217(2)	Qualifications – 10 yrs as HC advocate OR 10 yrs as judicial officer
Art. 218	Application of Arts. 124(4)/(5) (removal procedure) to HC judges
Art. 219	Oath or affirmation

Art. 220	Restriction on practice after retirement – HC judge cannot plead before the same HC, but can plead in SC and other HCs
Art. 222	Transfer of judge from one HC to another
Art. 224	Additional / Acting Judges
Art. 224A	Appointment of retired judges to sittings of HC
Art. 226	Power of HCs to issue writs – broader than Art. 32
Art. 227	Power of superintendence over all subordinate courts/tribunals
Art. 231	Common HC for two or more States/UTs

Common High Court of J&K and Ladakh – Under the **Jammu & Kashmir Reorganisation Act, 2019** (effective 31 October 2019); Article 231 of the Constitution allows Parliament to create common HCs.

Collegium for HC Chief Justice – **CJI + 2 senior-most SC judges**; for HC puisne judges, the same composition operates.

Prelims Pointers

- HC judges are appointed by the **President** under Art. 217 after consultation with the CJI, the Governor, and (for puisne judges) the Chief Justice of the concerned HC.
- HC judge retires at **62 years** – three years earlier than SC judge's retirement age of 65.
- A retired HC judge **cannot practice** in the same HC (Art. 220) but can practice in other HCs and the Supreme Court – partial post-retirement restriction.
- Under **Art. 222**, a HC judge can be transferred from one HC to another by the **President on CJI's recommendation** – upheld in *Union of India v. Sankalchand Himatlal Sheth* (1977) and *SC AoR* (1993).
- **Article 231** allows Parliament to create a common High Court for two or more States or UTs – e.g., Punjab & Haryana HC (common for HP/Chandigarh/Haryana), Gauhati HC (common for Assam/Nagaland/Mizoram/Arunachal Pradesh), and J&K + Ladakh HC.
- As of 2025, India has **25 High Courts** – Andhra Pradesh HC was the latest (2019); Telangana HC was separated in 2019.
- The **writ jurisdiction of High Courts (Art. 226)** is broader than that of the Supreme Court (Art. 32) – HCs can issue writs for Fundamental Rights AND "any other purpose".
- Under **Art. 227**, HCs exercise superintendence over all courts and tribunals within their jurisdiction – a power not available to the Supreme Court.

SUPREME COURT RESTORES 3-YEAR LEGAL PRACTICE RULE FOR CIVIL JUDGE (JUNIOR DIVISION)

A Bench led by CJI B.R. Gavai restored the mandatory minimum of three years of legal practice to be eligible for Civil Judge (Junior Division) recruitment.

News in Brief

- In May 2025, a Supreme Court bench led by CJI B.R. Gavai restored the mandatory **3 years' legal practice** as a minimum qualification to apply for entry-level judicial service (Civil Judge – Junior Division).
- All **High Courts and State governments** were directed to amend their relevant service rules.
- The earlier *All India Judges Association v. UoI* (2002) had *removed* this requirement on the recommendation of the Shetty Commission; the 2025 SC judgment **restored** it after finding inexperienced direct entrants struggle in trial courts.
- Certification of three-years practice has to be by a senior advocate / Principal District Judge.

Prelims Connect

Article	Provision
Art. 233	District judges – appointed by Governor in consultation with HC
Art. 233(2)	Advocate of 7 years can be directly recruited as District Judge on HC recommendation
Art. 234	Recruitment of "persons other than district judges" – by Governor on rules framed with State PSC & HC
Art. 235	Control over subordinate courts – vested in High Court
Art. 236	Definitions of "District Judge" and "judicial service"
Art. 237	Extension of these provisions to certain classes of magistrates
Art. 312	All India Services – added clause (3) by 42nd Amendment for an All India Judicial Service (not yet created)

All India Judges Association Case Line

Case	Year	Held
<i>AJJA v. UoI (I)</i>	1992	Directed creation of AIJS; uniform service conditions
<i>AJJA v. UoI (II)</i>	1993	Judicial pay, pension structure
<i>AJJA v. UoI (III)</i>	2002	Removed 3-year practice requirement (on Shetty Commission advice)
<i>AJJA v. UoI</i>	2025	Restored 3-year practice rule – reverse course

Shetty Commission (1996) – First National Judicial Pay Commission under Justice K. Jagannath Shetty; reported 1999; led to huge pay revisions for subordinate judiciary.

Prelims Pointers

- Article 233 gives the **Governor** the power to appoint District Judges, but only in **consultation with the High Court**; HC's recommendation is near-binding.
- A direct recruit to the **district judge** cadre from the bar must have been an advocate/pleader for **at least 7 years** (Art. 233(2)).
- Article 235 vests **complete administrative control** over subordinate courts in the High Court – a cornerstone of judicial independence at trial-court level (*All India Judges Association*, 1993).
- Article 312(3) (inserted by 42nd Amendment, 1976) empowers Parliament to create an **All India Judicial Service** – yet to be created.
- The SC's 2025 judgment *reversed* the 2002 position that had removed the 3-year practice rule – reinstating it from the date of notification by HCs/State govts.
- The Shetty Commission (1996) was the **First National Judicial Pay Commission**; the **Second NJPC** was constituted in 2017 under retired SC Judge Justice P.V. Reddi.
- In *Brij Mohan Lal v. UoI* (2012), the SC held even **fast-track courts** fall under Art. 235 HC control.
- Judicial officers in the subordinate judiciary are **State civil services** – not under the aegis of Governor, who has no administrative power over them beyond appointment.

SUPREME COURT ON GOVERNOR'S TIMELINES – STATE OF TAMIL NADU V. GOVERNOR OF TAMIL NADU

A 2-Judge Bench prescribed explicit timelines under Article 200 for Governors to act on State bills, and recognised the doctrine of "deemed assent" for unreasonable delay.

News in Brief

- In April 2025, a Supreme Court Bench of **Justices J.B. Pardiwala and R. Mahadevan** delivered the judgment in *State of Tamil Nadu v. Governor of Tamil Nadu*.
- Held: Governors must act on State bills in a **time-bound manner**, bound by the aid and advice of the Council of Ministers under Article 200.
- Termed the TN Governor's referral of **re-enacted bills** to the President "**erroneous in law**".
- Ruled that Governors cannot indefinitely delay action; once a bill is re-enacted by a state legislature, the Governor **shall not withhold** assent unless the bill is substantially different.
- Prescribed timelines: 1 month to withhold assent with CoM advice; 3 months to withhold against CoM advice; 1 month for bills re-presented after reconsideration.
- Introduced the concept of "**deemed assent**" for unreasonable delay – a constitutional innovation.

Prelims Connect

Article	Provision
Art. 163	Council of Ministers to aid & advise Governor – except where he acts in discretion
Art. 200	Governor's options on a State Bill – (a) assent (b) withhold (c) return non-Money Bill (d) reserve for President
Art. 201	Bills reserved for President – President may assent, withhold, or direct reconsideration
Art. 255	Recommendations/previous sanction – not to invalidate Acts
Art. 361	Governor's immunity from court proceedings

Earlier Landmark Cases on Governor

Case	Year	Ratio
<i>Samsher Singh v. State of Punjab</i>	1974 (7-judge)	Governor is a constitutional head; bound by aid & advice except in narrow discretionary sphere
<i>Nabam Rebia v. Dy. Speaker</i>	2016 (5-judge)	Governor's discretion under Art. 163(2) is narrow, not free-standing
<i>Rameshwar Prasad v. UoI</i>	2006	Governor's report for Art. 356 must be based on material; reviewable despite Art. 361
<i>State of Punjab v. Principal Secretary to Governor</i>	Nov 2023	Governor cannot keep bills pending indefinitely
<i>State of TN v. Governor of TN</i>	April 2025	Fixed timelines + introduced " deemed assent "

Sarkaria Commission (1988) – Recommended Governor should dispose of bills within 6 months. *Punchhi Commission (2010)* – Reiterated 6-month time limit; suggested Governor should not be removed at the whim of the Centre.

Prelims Pointers

- Under **Art. 200**, Governor has 4 options on a bill: (1) assent; (2) withhold assent; (3) return a non-Money Bill for reconsideration; (4) reserve for President's consideration.
- The **first proviso to Art. 200** states that once a bill is re-passed by the legislature (with or without amendments), the Governor **shall not withhold** assent – the *TN Governor case* read this proviso strictly.
- A **Money Bill** reserved by the Governor under Art. 200 cannot be returned for reconsideration – only assent/withheld/reserved.
- The Governor acts in his **discretion** only in (i) reserving bills (ii) recommending Art. 356 (iii) Schedule VI tribal affairs (iv) specific provisions of the Constitution (e.g., Art. 371).
- *Samsher Singh* (1974) is the foundational 7-judge decision clarifying that the Governor is a constitutional head – discretion is narrow.

- *Nabam Rebia* (2016) held the Governor's power under Art. 163(2) is not a "general" discretionary power – "discretion" is confined to matters expressly provided.
- Art. 361 grants **personal immunity** to the Governor from court proceedings; but his **actions** are subject to judicial review (*Rameshwar Prasad*, 2006).
- The **Sarkaria Commission** (1988) and **Punchhi Commission** (2010) both recommended time-bound disposal of bills by the Governor – these administrative recommendations have now been given judicial teeth.

SUPREME COURT ON MULLAPERIYAR DAM SAFETY – NEW SUPERVISORY COMMITTEE

The Supreme Court directed a newly-appointed Mullaperiyar Dam safety supervisory committee to address repair and maintenance issues within 4 weeks.

News in Brief

- The Supreme Court (February 2025) directed a newly constituted **Mullaperiyar Dam Safety Supervisory Committee** to address repair and maintenance issues raised by Tamil Nadu and Kerala, and report within 4 weeks.
- The committee (formed by the Centre) is headed by the **National Dam Safety Authority (NDSA)**.
- The Mullaperiyar Dam, built in **1895**, stands on the **Periyar River** in Kerala and is operated by Tamil Nadu under a **999-year lease agreement** signed in 1886 between the Maharaja of Travancore and the Secretary of State for India.
- A long-running inter-state dispute between TN and Kerala – addressed through the Supreme Court's original jurisdiction.

Prelims Connect

Article	Provision
Art. 131	SC's exclusive original jurisdiction – disputes between Centre & State(s) and between States
Art. 262	Adjudication of disputes relating to waters of inter-State rivers
Art. 263	Inter-State Council – coordination among States
Schedule VII	Entry 56 (Union List) – inter-state rivers; Entry 17 (State List) – water, water supplies

Key Statutes

- **Inter-State River Water Disputes Act, 1956** – Centre to set up tribunals under Art. 262.
- **River Boards Act, 1956** – Central River Boards for inter-state rivers.
- **Dam Safety Act, 2021** – Created the **National Committee on Dam Safety**, **National Dam Safety Authority (NDSA)**, State Committees on Dam Safety, and State Dam Safety Organisations.

NDSA (under Dam Safety Act 2021)

- A regulatory body; maintains national database of dams; resolves inter-state disputes on dam safety.
- Headed by a Chairman appointed by the Central Government.

Landmark Judgement – *State of Tamil Nadu v. State of Kerala* (2014) – SC upheld TN's right to raise storage level of Mullaperiyar Dam to 142 ft; declared the Kerala Irrigation & Water Conservation (Amendment) Act 2006 unconstitutional.

Prelims Pointers

- Article 131 gives the **Supreme Court exclusive original jurisdiction** in disputes between (a) Centre and State(s), (b) between States – but not over pre-Constitution agreements/treaties (proviso excluded).
- **Article 262** empowers Parliament to bar jurisdiction of all courts – including the SC – in inter-state river water disputes; implemented through the **Inter-State River Water Disputes Act, 1956**.

- Under Art. 262, Centre has established tribunals for **Krishna, Cauvery, Narmada, Godavari, Ravi-Beas, Vansadhara, Mahanadi and Mahadayi** rivers.
- The **Dam Safety Act, 2021** created the NDSA – a statutory body that maintains a list of specified dams and resolves safety disputes between states.
- The Mullaperiyar Dam is operated by Tamil Nadu but lies in Kerala – governed by a **999-year lease** from 1886; water flows into TN to irrigate the Vaigai basin.
- Schedule VII: **Entry 17 of State List** – water, water supplies, irrigation, canals – is a **State subject**, subject to Entry 56 of Union List.
- **Entry 56 of Union List** – regulation and development of inter-state rivers to the extent declared by Parliament to be in the public interest.
- The SC in *State of TN v State of Kerala* (2014) applied the **doctrine of res judicata** and held Kerala's 2006 Act was a legislative attempt to overturn a binding SC judgment – constitutionally impermissible.

SUPREME COURT BANS BLASTING WITHIN 5 KM OF CHITTORGARH FORT

The Supreme Court prohibited blasting activities within a 5 km radius of the Chittorgarh Fort to protect the UNESCO World Heritage site.

News in Brief

- In April 2025, the Supreme Court imposed a **ban on blasting activities within a 5 km radius** of Chittorgarh Fort, Rajasthan – a UNESCO World Heritage site.
- Ban aims to prevent damage from mining explosions.
- SC also directed a study to assess environmental and structural risks beyond the 5 km radius.
- Chittorgarh Fort was inscribed as a UNESCO World Heritage site in **2013** under the "Hill Forts of Rajasthan" serial nomination.

Prelims Connect

Article	Provision
Art. 32	Right to constitutional remedies – writ jurisdiction of SC; called "heart and soul" of Constitution (Dr. Ambedkar)
Art. 21	Right to life – interpreted to include right to clean environment (<i>Subhash Kumar</i> , 1991)
Art. 48A (DPSP)	State to protect and improve environment and safeguard forests and wildlife
Art. 49 (DPSP)	State to protect monuments and places of national importance
Art. 51A(g)	Fundamental Duty – to protect and improve the natural environment
Art. 51A(f)	Fundamental Duty – to value and preserve the rich heritage of our composite culture

Statute – Ancient Monuments and Archaeological Sites and Remains Act, 1958 (AMASR) – amended in 2010.

- Prohibits construction within 100 m of a protected monument ("prohibited area").
- Regulates construction within 200 m ("regulated area").
- National Monuments Authority (NMA) constituted under the Act.

Landmark Environmental Cases

- *Subhash Kumar v. State of Bihar* (1991) – Art. 21 includes right to pollution-free environment.
- *M.C. Mehta v. UOI* (Taj Trapezium case, 1997) – SC ordered closure of industries polluting around the Taj Mahal; 10,400 sq km zone.
- *T.N. Godavarman v. UOI* (1996 onwards) – Continuing mandamus on forest conservation.

Doctrine – Public Trust Doctrine – the State holds natural resources as a trustee for the public (*M.C. Mehta v. Kamal Nath*, 1997).

Prelims Pointers

- The SC's writ jurisdiction under **Article 32** is a Fundamental Right – Dr. Ambedkar called it the "**heart and soul of the Constitution**".
- **Article 49** (DPSP) makes protection of monuments of national importance an obligation on the State – a less-known DPSP.
- **Article 51A(g)** (Fundamental Duty) makes environmental protection a citizen's duty – added by the **42nd Amendment, 1976**.
- The AMASR Act, 1958 prohibits any construction within **100 m** ("prohibited area") and regulates within **200 m** ("regulated area") of a centrally protected monument.
- The **Public Trust Doctrine** was imported into Indian jurisprudence in *M.C. Mehta v. Kamal Nath* (1997) – State is trustee of all natural resources.
- The Chittorgarh Fort became a UNESCO World Heritage Site in 2013 as part of the **Hill Forts of Rajasthan** (serial nomination including Kumbhalgarh, Ranthambore, Gagron, Amber, Jaisalmer forts).
- The **National Monuments Authority** is a body under the AMASR Act (2010 amendment), Ministry of Culture.
- Under Art. 48A (DPSP, added by 42nd Amendment), the State is enjoined to safeguard forests and wildlife – read with Art. 21 in *Rural Litigation & Entitlement Kendra* (1985).

SUPREME COURT TASK FORCE ON STUDENT MENTAL HEALTH – JUSTICE S. RAVINDRA BHAT COMMITTEE

The Supreme Court set up a national task force to address students' mental health concerns under former SC judge Justice S. Ravindra Bhat.

News in Brief

- In March 2025, the Supreme Court of India set up a national task force to address students' mental health concerns.
- The task force is headed by former SC Judge **Justice S. Ravindra Bhat**.
- It was constituted in the context of rising student suicides, particularly in coaching hubs like Kota, and gaps in mental-health redressal at educational institutions.
- SC invoked its **Article 142** power to constitute the committee.

Prelims Connect

Article	Provision
Art. 21	Right to life – includes right to health, mental health (<i>Parmanand Katara</i> , 1989)
Art. 21A	Right to free and compulsory education for children 6–14 yrs – 86th Amendment, 2002
Art. 39(e), 39(f)	DPSP – State to ensure health of workers; childhood to be protected
Art. 41	DPSP – State to secure right to work, education, public assistance
Art. 45	DPSP – early childhood care & education for children below 6 yrs
Art. 47	DPSP – State to raise level of nutrition, standard of living, public health
Art. 142	SC's power to pass orders for "complete justice"

Statutes

- **Right of Children to Free and Compulsory Education Act, 2009** – flows from Art. 21A.

- **Mental Healthcare Act, 2017** – recognises right to access mental healthcare; replaced the Mental Health Act, 1987.
- **Juvenile Justice (Care and Protection of Children) Act, 2015** – welfare-oriented approach.

Landmark Judgement – *Paschim Banga Khet Mazdoor Samity v. State of WB* (1996) – SC held right to emergency medical aid is a fundamental right under Art. 21.

National Task Forces via SC – Appointed in major public-interest cases (e.g., *Oxygen crisis 2021*, *Tribunals vacancies 2021*, *MCI reform 2002*, etc.).

Prelims Pointers

- **Right to Health** is a facet of Article 21 – not a standalone fundamental right but read into it by the Supreme Court (*Parmanand Katara 1989*; *Paschim Banga Khet Mazdoor Samity 1996*).
- Article **21A** (Right to Education) was inserted by the **86th Constitutional Amendment, 2002**; it makes education of 6–14 year-olds a **Fundamental Right**, corresponding to the RTE Act, 2009.
- The **86th Amendment** also inserted **Art. 51A(k)** – Fundamental Duty of parents/guardians to provide educational opportunities to children aged 6–14.
- Article **45** was **reworded** by the 86th Amendment – now it deals with early childhood care (below 6 years) – a DPSP.
- The **Mental Healthcare Act, 2017** is framed in the light of India's obligations under the **UN Convention on the Rights of Persons with Disabilities (CRPD, 2007)**.
- Under **Sec. 20 of the Mental Healthcare Act**, every person has the right to access mental healthcare and treatment from services run or funded by the government.
- **Article 142** is the source of SC's power to constitute such task forces; also used for the Justice Verma Committee (2012–13) and the Cauvery Water Disputes mediation.
- The Constitution (86th Amendment) Act, 2002, came into force on **1 April 2010** – when the RTE Act was enforced.

HIGH COURTS & SUBORDINATE JUDICIARY

JHARKHAND HC BANS SALE OF MEAT AND LIQUOR ON PARASNATH HILL (MARANG BURU / SAMMED SHIKHARJI)

A Jharkhand High Court order turned a religious-cum-tribal site dispute into a sharp lesson on Article 25–26 freedom of religion and Fifth Schedule tribal rights.

News in Brief

- The Jharkhand High Court enforced a ban on sale and consumption of meat and alcohol on Parasnath Hill in Giridih district.
- Parasnath Hill is called **Sammed Shikharji** by Jains – 20 of the 24 Tirthankaras are believed to have attained *moksha* here, making it the holiest Jain pilgrimage site.
- The same hill is revered by the **Santhal (Santal) tribe** as **Marang Buru** (lit. "Great Mountain"), their supreme deity.
- The order arises from a long-running inter-community conflict between Jains (who demand a complete meat-liquor ban) and Santals (who defend ritual meat and rice-beer use).
- Earlier, in 2023, the **Union Ministry of Environment** had declared the hill an eco-sensitive zone and a place of religious importance, suspending tourist activities.

Prelims Connect

Constitutional provisions
Article 25 – Freedom of conscience and free profession, practice and propagation of religion
Article 26 – Freedom to manage religious affairs
Article 29 – Protection of interests of minorities (tribal cultural rights)
Fifth Schedule – Administration of Scheduled Areas; Jharkhand is a Fifth Schedule State
Article 244(1) – Applies provisions of the Fifth Schedule to Scheduled Areas
Statutes / Rules
Forest (Conservation) Act, 1980
Wild Life (Protection) Act, 1972 – for eco-sensitive zone notification
Environment (Protection) Act, 1986 – source of EPA-based ESZ notifications

Prelims Pointers

- Parasnath Hill is located in **Giridih district, Jharkhand** – highest peak of Jharkhand (≈1,365 m).
- Called **Sammed Shikharji** in Jainism; **20 of 24 Tirthankaras** attained *nirvana* here.
- Called **Marang Buru** by Santhals; means "Great Mountain" – supreme deity.
- Jharkhand is a **Fifth Schedule State** (Scheduled Areas for tribal protection).
- Declared an **Eco-Sensitive Zone** by MoEFCC in 2019 (later notified again in 2023).
- Jharkhand has a **High Court at Ranchi**, established in 2000 when the state was created (from Bihar).
- **Article 25** is subject to public order, morality, health and *other provisions* of Part III.
- **Tirthankara** literally means "ford-maker" – one who helps cross the ocean of rebirth.

SUPREME COURT CLASSIFIES ZUDPI SCRUBLANDS OF VIDARBHA AS "FOREST"

A landmark SC verdict on the meaning of "forest" – decades after T.N. Godavarman – covering over 86,000 hectares in Maharashtra.

News in Brief

- The Supreme Court held that **Zudpi scrublands** of Maharashtra's **Vidarbha region** are officially "forest" lands.
- The ruling settles the legal status of **over 86,000 hectares** across eastern Vidarbha that had been in legal limbo for decades.
- "**Zudpi**" is Marathi for shrubs or bushes; the lands have low-quality vegetation, shrubs and dry plants on arid *Murmadi* (gravelly) soil.
- Any conversion of these lands now requires **prior approval of the Central Government** under the Forest (Conservation) Act, 1980.
- Structures (homes, schools, government offices) that existed **before 12 December 1996** will not be affected – aligning with the **Godavarman cut-off**.
- Maharashtra had been treating these lands as forests since the 1980s; in 1987 it had asked the Environment Ministry to exempt them from FCA, 1980.

Prelims Connect

Landmark cases
T.N. Godavarman Thirumulpad v. Union of India (1996) – expanded the definition of "forest" to its dictionary meaning and barred non-forest use without Central approval. The 12 December 1996 date comes from this case.

Lafarge Umiam Mining v. UoI (2011) – post-Godavarman forest clearance discipline
Statutes
Forest (Conservation) Act, 1980 (renamed Van (Sanrakshan Evam Samvardhan) Adhiniyam, 2023)
Indian Forest Act, 1927
FRA, 2006 – Forest Rights Act
Constitutional provisions
Article 48A (DPSP) – State to protect and improve the environment and safeguard forests
Article 51A(g) (FD) – Duty to protect and improve the natural environment including forests
Entry 17A of Concurrent List – Forests (shifted from State List by 42nd Amendment, 1976)

Prelims Pointers

- Vidarbha lies in **eastern Maharashtra**; includes Nagpur and Amravati divisions.
- **12 December 1996** is the cut-off date for identifying forest-like land under **Godavarman**.
- **Forest Conservation Act, 1980** was renamed **Van (Sanrakshan Evam Samvardhan) Adhiniyam** by the **2023 amendment**.
- "Forest" was moved from State List to **Concurrent List** by the **42nd Constitutional Amendment Act, 1976**.
- **Article 48A** and **Article 51A(g)** were both inserted by the **42nd Amendment**.
- *Murmadi* is arid, gravelly soil characteristic of Zudpi lands – unsuitable for tall trees.
- Zudpi scrublands are neither revenue nor classified reserve forest – the grey zone that Godavarman tried to close.

JUSTICE SHREE CHANDRASHEKHAR SWORN IN AS CHIEF JUSTICE OF THE BOMBAY HIGH COURT

News in Brief

- **Justice Shree Chandrashekhhar** was sworn in as the new Chief Justice of the **Bombay High Court**, replacing **Justice Alok Aradhe**.
- Chief Justices of High Courts are appointed by the **President** under **Article 217** after consultation with the CJI and the concerned Governor.
- Under the **Second Judges Case (1993)**, the Supreme Court Collegium (CJI + 4 senior-most judges) recommends the name.
- The **Memorandum of Procedure (MoP)** governs such appointments pending a new MoP post the NJAC verdict (2015).

Prelims Connect

Articles
Article 214 – High Court for each State
Article 216 – Constitution of High Courts (CJ + other judges)
Article 217 – Appointment & conditions of office of HC judges
Article 222 – Transfer of judges from one HC to another
Article 223 – Acting Chief Justice
Article 224 – Additional and acting judges
Article 224A – Appointment of retired judges at sittings of HCs
Landmark cases
S.P. Gupta v. UoI (1981) – First Judges Case; executive primacy

SCAORA v. UoI (1993) – Second Judges Case; Collegium system born
In re Special Reference 1 of 1998 (Third Judges Case) – Collegium expanded to CJI + 4 seniormost
SCAORA v. UoI (2015) – Struck down 99th Amendment and NJAC Act

Prelims Pointers

- **Bombay HC** was established in **1862** – one of the oldest in India (along with Calcutta and Madras).
- Its jurisdiction covers **Maharashtra, Goa, Dadra & Nagar Haveli and Daman & Diu** – with benches at Nagpur, Aurangabad, Panaji.
- **Article 217** requires HC judges to be Indian citizens with **10 years as HC advocate OR 10 years as judicial officer**.
- **Retirement age** of HC judge: **62 years** (SC judge: 65 years).
- HC Chief Justice's **oath** is administered by the **Governor** (Third Schedule).
- A High Court judge can be removed only by the same process as an SC judge – by **address of both Houses** under **Article 217 read with Article 124(4)** and the **Judges (Inquiry) Act, 1968**.

MADRAS HIGH COURT RECOGNISES CRYPTOCURRENCY AS "PROPERTY" UNDER INDIAN LAW

A landmark verdict on the legal character of digital assets, delivered in a case arising from the WazirX cyber-attack.

News in Brief

- The **Madras High Court** held that **cryptocurrency is "property"** under Indian law.
- It is "an asset capable of being owned, held in trust, and protected by law."
- The ruling arose from a case linked to the **cyberattack on the WazirX exchange** and clarifies that crypto investors have **enforceable legal rights similar to traditional property**.
- The judgment does **not** make crypto a **legal tender** – only **property**, fitting it within **Article 300A** (right to property, no longer a fundamental right).

Prelims Connect

Articles
Article 300A – No person shall be deprived of his property save by authority of law (constitutional, not fundamental right)
Article 19(1)(f) – Right to property (omitted by 44th Amendment, 1978)
Article 31 – Compulsory acquisition (omitted by 44th Amendment, 1978)
Statutes / Regulations
Income Tax Act, 1961 – Section 2(47A) defines " Virtual Digital Asset (VDA) " (Finance Act 2022); 30% tax + 1% TDS under Section 194S
PMLA, 2002 – VDAs brought under PMLA in March 2023
RBI Circular April 2018 – banned banks from dealing in crypto
Landmark cases
Internet & Mobile Association of India v. RBI (2020) – SC struck down the RBI's 2018 crypto-banking ban on grounds of Article 19(1)(g) (proportionality)
Madras HC – WazirX cyberattack case (2025) – crypto recognised as property

Prelims Pointers

- Cryptocurrency is **not legal tender** in India – only the RBI's CBDC (**Digital Rupee, e₹**) is legal tender.
- **Virtual Digital Assets (VDAs)** are taxed at **30%** under **Section 115BBH** of the IT Act (Budget 2022).

- **1% TDS** on VDA transfers is collected under **Section 194S**.
- Right to property was a **fundamental right** under Art. 19(1)(f) & Art. 31 until the **44th CAA, 1978** made it a **legal right** under **Article 300A**.
- Article 300A is placed in **Part XII (Chapter IV)** of the Constitution – not Part III.
- The Madras HC has benches at **Chennai and Madurai**; Madurai Bench was established in **2004**.
- WazirX is an **Indian crypto exchange**, not a currency itself.

JUSTICE REVATI MOHITE DERE – FIRST WOMAN CHIEF JUSTICE OF THE MEGHALAYA HIGH COURT

News in Brief

- **Justice Revati Mohite Dere** was sworn in as the **first woman Chief Justice of the Meghalaya High Court**.
- The oath was administered by **Governor C.H. Vijayashankar** in Shillong.
- She was previously a judge of the **Bombay High Court**.
- **Meghalaya High Court** is one of the **youngest** High Courts in India, created in **2013** under the **North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012**.

Prelims Connect

Articles
Article 217 – Appointment of HC judges
Article 219 – Oath of office of HC judges (administered by the Governor)
Article 231 – Establishment of a common HC for two or more States
Laws & committees
North-Eastern Areas (Reorganisation) Act, 1971 – created Meghalaya, Manipur, Tripura
Amendment Act, 2012 – created separate HCs for Manipur, Meghalaya and Tripura (effective 23 March 2013), breaking away from the Gauhati HC .

Prelims Pointers

- Meghalaya HC: **established 23 March 2013**; seat at **Shillong**.
- Earlier, Meghalaya fell under the jurisdiction of the **Gauhati High Court**.
- **Article 219** – every HC judge before entering office makes and subscribes oath before the **Governor** of the State (or a person appointed by him).
- India's **first woman HC judge** was **Justice Anna Chandy** (Kerala HC, 1959).
- India's **first woman Chief Justice of a High Court** was **Justice Leila Seth** (Himachal Pradesh HC, 1991).
- India's **first woman Supreme Court judge** was **Justice M. Fathima Beevi** (1989).
- **Hima Kohli, B.V. Nagarathna, Bela M. Trivedi** – women who were simultaneously on the SC in recent years.
- **Justice B.V. Nagarathna** is expected to be **India's first woman CJI** in 2027.

KALPETTA (WAYANAD, KERALA) BECOMES INDIA'S FIRST FULLY PAPERLESS DISTRICT COURT

News in Brief

- **Kalpetta** in Kerala's **Wayanad district** became India's **first fully paperless district court**.
- The system was **inaugurated by CJI Surya Kant** (virtually).
- The platform was **developed in-house by the Kerala High Court**.

- All processes – **case filing, scrutiny, evidence recording, and final adjudication** – are now conducted **electronically**.
- Forms part of the Supreme Court's broader **e-Courts Project** (now in **Phase III**, approved September 2023 with a ₹7,210 crore outlay).

Prelims Connect

Articles
Article 233 – Appointment of District Judges (by the Governor in consultation with the HC)
Article 234 – Recruitment of persons other than District Judges to the judicial service
Article 235 – Control over subordinate courts (vested in the High Court)
Article 236 – Interpretation ("district judge", "judicial service")
Article 237 – Application of provisions to certain class of magistrates
Schemes / bodies
e-Courts Project (Phase I 2011–15, Phase II 2015–23, Phase III 2023–27)
National Judicial Data Grid (NJDG) – real-time pendency dashboard
Digital India – umbrella framework

Prelims Pointers

- **Kalpetta** is the district headquarters of **Wayanad**, Kerala.
- **Subordinate courts** (district and below) are controlled by the **High Court** under **Article 235**.
- District Judges are appointed by the **Governor** in consultation with the **High Court** – **Article 233**.
- **Kerala HC** is located at **Kochi (Ernakulam)**; its jurisdiction covers **Kerala and the UT of Lakshadweep**.
- The **e-Courts Project** is monitored by the **e-Committee of the Supreme Court**.
- **Phase III of the e-Courts Mission** was approved by the Cabinet in **September 2023** with a budget of **₹7,210 crore**.
- **NJDG** was launched in **2015** – open data portal for pendency of cases.
- **CJI Surya Kant** is the **53rd CJI**

DR. JAYA THAKUR V. GOVERNMENT OF INDIA – SC RECOGNISES MENSTRUAL HEALTH AS PART OF ARTICLE 21

Short summary: a PIL outcome that expands the "right to dignity" jurisprudence under Article 21 and has direct implications for SDG 3, SDG 4 and SDG 5.

News in Brief

- In *Dr. Jaya Thakur v. Government of India*, the **Supreme Court** held that **menstrual health and hygiene** are a **fundamental right** under **Article 21**.
- Linked to **human dignity, equality, and bodily autonomy**.
- The Court mandated that **the State provide free sanitary products and separate toilets for schoolgirls**.
- Called proper menstrual hygiene "essential for education and to prevent school dropouts" – linking **Article 21** to **Article 21A** (free and compulsory education).
- Extends a long line of Article 21 jurisprudence that reads dignity, privacy, health and bodily autonomy into "life and personal liberty".

Prelims Connect

Articles
Article 14 – Equality before law (gender equality dimension)

Article 15(3) – Special provisions for women and children
Article 21 – Right to life and personal liberty (read with dignity, privacy, health)
Article 21A – Right to free & compulsory education (86th Amendment, 2002)
Article 39(f) (DPSP) – Children given opportunities and facilities to develop in a healthy manner
Article 42 (DPSP) – Just and humane conditions of work and maternity relief
Article 47 (DPSP) – Duty of State to improve public health
Landmark cases (Art. 21 line)
Maneka Gandhi v. UoI (1978) – "procedure established by law" must be <i>fair, just and reasonable</i>
Francis Coralie Mullin v. UT of Delhi (1981) – right to life = right to live with human dignity
Bandhua Mukti Morcha v. UoI (1984) – right to health and dignity
Parmanand Katara v. UoI (1989) – right to emergency medical aid
Consumer Education & Research Centre v. UoI (1995) – right to health
K.S. Puttaswamy v. UoI (2017) – right to privacy & bodily autonomy
Dr. Jaya Thakur v. UoI (2026) – menstrual health and hygiene as part of Article 21
Schemes / statutes
Menstrual Hygiene Scheme (2011) – MoHFW, free/subsidised sanitary napkins to rural adolescent girls
RTE Act, 2009 – legislative backing to Art. 21A
Sustainable Menstruation Strategy under Swachh Bharat Mission

Prelims Pointers

- **Article 21** has been read to include: right to dignity, privacy, health, clean environment, shelter, livelihood, speedy trial, and now **menstrual hygiene**.
- **Article 21A** (free & compulsory education for ages 6–14) was inserted by the **86th Constitutional Amendment Act, 2002**.
- **RTE Act, 2009** operationalises Article 21A; implemented from **1 April 2010**.
- **Menstrual Hygiene Scheme** is run by the **Ministry of Health and Family Welfare**, not MoWCD.
- The Scheme provides **low-cost sanitary napkins under the brand "Freedays"**.
- **Karnataka** (November 2025) became the first state to mandate **12 days of paid menstrual leave** in formal sectors – note linkage with **Topic 10 (Fundamental Rights & DPSP)**.
- **K.S. Puttaswamy (2017)** was a 9-judge bench verdict that made **privacy and bodily autonomy** facets of Article 21.
- Menstrual health ties directly to **SDG 3** (Health), **SDG 4** (Education) and **SDG 5** (Gender Equality).

CRIMINAL JUSTICE & JUDICIARY

VEERASWAMI JUDGMENT (1991) – REVISITING JUDICIAL IMMUNITY

Former Vice-President urged revisiting the 1991 K. Veeraswami judgment that requires CJI approval for prosecuting sitting judges.

News in Brief

- Classifies judges as **public servants** under **Prevention of Corruption Act**.
- Requires **CJI approval for prosecution (registering FIR)** – built-in immunity.
- For cases against CJI, government must **consult other SC judges**.
- Judges have **no constitutional immunity** (unlike President/Governors under Article 361).

- Only **impeachment under Article 124** is the removal process.
- **First use:** First CJI approval for FIR against a sitting judge in 2019 (**Justice S.N. Shukla case**).

Prelims Pointers

- **K. Veeraswami v. UoI (1991)** – 5-judge bench.
- **Prevention of Corruption Act, 1988** – governs corruption offences by public servants.
- **Article 124(4)** – removal of SC judges by Parliament on grounds of **proved misbehaviour and incapacity**.
- **Article 217(1)(b)** – same process for HC judges.
- **Judges (Inquiry) Act, 1968** – procedure for impeachment.
- Only one SC judge has faced a **full impeachment motion: Justice V. Ramaswami (1993)** – failed in Lok Sabha.

INDIA JUSTICE REPORT (IJR) 2025 – FOURTH EDITION

Fourth edition of India Justice Report tracks States' structural and financial capability to deliver justice; published with support from Tata Trusts.

News in Brief

- **IJR 2025** – tracks each State's structural and financial capability to deliver justice.
- **Police-to-population ratio:** 155 per lakh, below sanctioned 197.
- Judiciary faces **20% increase in pending cases**, now exceeding **5 crore**.
- **Prisons overcrowded:** some exceeding **400% capacity**; average **131%**.
- **Undertrials:** 76% of prison population.
- **1 in 4 undertrials** spend **1–3 years** awaiting trial.
- India ranks **79 out of 142** in **WJP Rule of Law Index 2024**.
- **Criminal justice:** 89; **Civil justice:** 111.

Prelims Pointers

- IJR is a collaborative initiative supported by **Tata Trusts** (started 2019).
- **Rule of Law Index** published annually by **World Justice Project (WJP)**.
- **NJDG (National Judicial Data Grid)** tracks real-time case pendency.
- UP has highest vacancies in district and subordinate courts; **Allahabad HC** has maximum HC vacancies and pending cases (11,66,971).
- **Lower courts in UP:** 1,13,05,841 pending cases – highest in country.

FOREIGN LAWYERS & FOREIGN LAW FIRMS – BCI RULES 2025

Bar Council of India notified Rules for Registration and Regulation of Foreign Lawyers & Foreign Law Firms in India.

News in Brief

- **BCI is statutory, not trade body** – regulates professional conduct under **Advocates Act, 1961**.
- Practice of law **not part of trade agreements** – governed by **Union List Entries 77 & 78**.
- **Bar of Indian Lawyers v. D.K. Gandhi (2024):** legal services are personal contracts of service, distinct from trade.
- India **excluded legal services** from UK-India FTA.

Prelims Connect

Key Provisions – BCI Rules, 2025

- **Rules 3 & 4:** Foreign firms allowed to operate after **registration** and adherence to ethical standards.
- **Fly-in, fly-out model:** Foreign lawyers may visit India for **up to 60 days/year** for permitted purposes.
- **Reciprocity principle:** mirrors limited access Indian lawyers face in US jurisdictions.
- **Rule 4(h):** foreign lawyers must submit **certificate of good standing**.
- Follow two decades of debates, expert reports, court rulings – including **Lawyers Collective v. BCI (2009)** and **BCI v. A.K. Balaji (2018)**.

Prelims Pointers

- **Advocates Act, 1961** – governs legal profession in India.
- **Bar Council of India (BCI)** – statutory body under Advocates Act.
- **BCI v. A.K. Balaji (2018)** – SC held foreign lawyers can only come on **fly-in-fly-out** basis for specific advice.
- **Bar of Indian Lawyers v. D.K. Gandhi (2024)** – lawyers NOT covered under Consumer Protection Act.
- BCI's chairperson is traditionally a senior advocate.

CLIENT INFO CONFIDENTIALITY – LAWYER-CLIENT PRIVILEGE

SC held that investigating agencies cannot summon lawyers or coerce them to disclose professional communications made in confidence with clients.

News in Brief

- Compelling a lawyer to prejudice his/her client **without consent** is an "**outrageous**" infringement of **Article 20(3)** (right against self-incrimination).
- Ability of lawyers to protect clients without fear is part of **Article 19(1)(g)** (right to profession) and **Article 21** (right to life and liberty).
- **Lawyer-client privilege** protected under **Section 132 of Bharatiya Sakshya Adhiniyam (BSA), 2023**.
- **Exceptions:** if client consents; if communication in furtherance of illegal purpose; if crime/fraud committed as a result.

Prelims Pointers

- **Section 126 of Indian Evidence Act, 1872 / Section 132 BSA, 2023** – professional communications between lawyer and client are privileged.
- **Section 129 IEA / Section 135 BSA** – extends privilege to confidential communications between party and legal adviser.
- **Article 20(3):** No person accused of any offence shall be compelled to be a witness against himself.
- **M.P. Sharma v. Satish Chandra (1954)** – early case on Article 20(3).
- **Selvi v. State of Karnataka (2010)** – reaffirmed protection against self-incrimination.

UAPA & BAIL – UMAR KHALID CASE

Delhi HC denied bail to Umar Khalid, holding that 5-year custody is not sufficient ground; highlights stringent UAPA provisions.

News in Brief

- Court held **5-year custody** is **not sufficient** ground for bail.
- Relied on stringent **Section 43D(5) of UAPA** which bars bail if "**reasonable grounds**" to believe accusations are prima facie true.
- Law **forbids detailed examination of evidence** at bail stage – courts must accept prosecution's narrative.
- If charge-sheet alleges conspiracy and contains voluminous material, accused remains jailed.

Prelims Connect

UAPA Features

- **180-day investigation period** (vs 60–90 days under CrPC/BNSS).
- **Prohibition of anticipatory bail.**
- **Section 43D(5):** no bail if prima facie case against accused.
- **Section 43D(2)(a):** extension up to 180 days.
- **Section 43D(7):** bar on bail for non-Indian citizens who entered illegally.
- **Death penalty** for certain acts (Section 16).
- **Individual designation** as terrorist (2019 amendment).
- **It also shifts the burden of proof to the accused, making it difficult to obtain bail or fair trial.**

Prelims Pointers

- **UAPA 1967** – India's principal anti-terror law.
- Major amendments: **2004** (replaced POTA), **2008** (post-26/11), **2012**, **2013**, **2019**.
- **2019 Amendment** – empowered Centre to designate **individuals as terrorists** (not just organisations).
- **NIA** investigates UAPA cases; constituted under **NIA Act, 2008**.
- **K.A. Najeeb (2021)** – SC held constitutional courts can grant bail if trial is unreasonably delayed, even in UAPA cases.
- **Watali case (2019)** – SC held prima facie threshold under Section 43D(5).

SEDITION LAW – BNS SECTION 152 CHALLENGED

Petition in Supreme Court challenges Section 152 of Bharatiya Nyaya Sanhita, 2023, arguing it repackages the colonial sedition law.

News in Brief

- **Section 152 BNS** allegedly repackages **colonial sedition law** (once Section 124A IPC, 1860).
- Though language differs, **substantive content remains same or even more expansive.**
- Criminalises: "**Subversive activity**", "**Encouragement of separatist feelings**", acts "**endangering unity or integrity of India**".
- Punishes "**acts endangering sovereignty, unity, and integrity of India**".
- Petition argues Section 152 violates **Article 14** (equality), **Article 19(1)(a)** (free speech), **Article 21** (personal liberty).
- Vague wording risks **chilling free speech.**

Prelims Connect

Judicial Precedent – Kedar Nath Singh (1962)

- SC **upheld sedition law** but **narrowed scope.**
- Sedition applies only when **clear incitement to violence or public disorder** is proven.
- Mere criticism of government is **NOT sedition.**

S.G. Vombatkere v. Uoi (2022)

- SC put **Section 124A IPC in abeyance** until Centre reviewed it.
- States and Centre directed **not to register FIRs** under Section 124A.

Prelims Pointers

- **IPC Section 124A** (sedition) introduced by **British in 1870.**

- Key convictions under colonial 124A: **Tilak (1897, 1908), Gandhi (1922)**.
- **22nd Law Commission (2023)** recommended retaining sedition but with procedural safeguards.
- **BNS Section 152** – officially sedition-like provision, but titled "acts endangering sovereignty...".
- **BNS came into force on 1 July 2024** – replacing IPC, 1860.

LAW ON PHONE-TAPPING – CONSTITUTIONAL LIMITS

Madras and Delhi HCs delivered contradictory rulings on whether economic offences qualify as "public emergency" or "public safety" under the Telegraph Act.

News in Brief

- **Madras HC:** Quashed a 2011 MHA interception order in a **₹50 lakh bribery case** – economic offence not a "public emergency".
- **Delhi HC:** Upheld interception order.
- Three statutes govern interception: **Post Office Act, 1898** (postal); **Telegraph Act, 1885** (voice calls); **IT Act, 2000** (WhatsApp, emails).
- **140-year-old Telegraph Act Section 5(2)** empowers State/Central governments to authorise interception on "public emergency" or "public safety" grounds.
- Free speech and privacy are fundamental rights – surveillance is permissible only on **narrow constitutional grounds (Article 19(2))**: sovereignty, security, friendly relations with foreign states, public order, preventing incitement.
- Section 5(2) **mirrors these** – interception lawful only under reasonable restrictions.

Prelims Pointers

- **PUCL v. UoI (1997)** – landmark judgment on phone-tapping; laid down procedural safeguards.
- **K.S. Puttaswamy v. UoI (2017)** – right to privacy is a fundamental right (9-judge bench).
- **Telegraph Rules, Rule 419-A** – governs interception procedure.
- **Home Secretary (Union/State)** is the competent authority to order interception.
- **Review Committee** (headed by Cabinet Secretary/Chief Secretary) reviews interception orders periodically.

PARLIAMENT & LEGISLATION

PROMOTION AND REGULATION OF ONLINE GAMING ACT, 2025

India's first standalone law on online gaming – separates "e-sports / social games" from "online money gaming" and creates a dedicated regulator.

News in Brief

- Parliament passed the **Promotion and Regulation of Online Gaming Bill, 2025**.
- The law **promotes e-sports and online social games** while **prohibiting harmful online money gaming services, their advertisements and related financial transactions**.
- Creates an **Online Gaming Authority** to regulate the sector.
- Penalty: **imprisonment up to 3 years and fine up to ₹1 crore**.
- Introduced and piloted by the **Ministry of Electronics and Information Technology (MeitY)**.

Prelims Connect

Constitutional basis
Entry 31, Union List – Posts, telegraphs, telephones, wireless, broadcasting and other like forms of communication
Entry 34, State List – Betting and gambling
Entry 62, State List – Taxes on betting and gambling
Article 19(1)(g) – Right to practise any profession / trade (test of reasonable restriction)
Related statutes
Public Gambling Act, 1867 (colonial baseline)
IT Act, 2000 & IT (Intermediary & Online Gaming) Rules, 2023
CGST (Amendment) Act, 2023 – 28% GST on face value of online money gaming

Prelims Pointers

- Betting and gambling is traditionally a **State subject** (Entry 34 SL); the Centre uses IT Act/telecom heads.
- **Online money gaming** attracts **28% GST on face value** w.e.f. 1 October 2023.
- **Landmark case** – *State of Andhra Pradesh v. K. Satyanarayana (1968)*: Rummy is a game of **skill**, not chance.
- *All India Gaming Federation v. State of Karnataka (2022)* – Karnataka HC struck down the state's blanket gaming ban.
- **Online Gaming Authority** is newly created by this Act – not an existing regulator.
- The Act treats **e-sports** as sports (under MYAS), separating them from money gaming.

INDIAN INSTITUTES OF MANAGEMENT (AMENDMENT) ACT, 2025 – IIM GUWAHATI

News in Brief

- The **Lok Sabha** passed the **IIM (Amendment) Bill, 2025**, paving the way to set up **IIM Guwahati** in **Assam**.
- Increases the operational IIMs in the country.
- Amends the **IIM Act, 2017**.
- The 2017 Act gave IIMs **statutory "Institutions of National Importance" status** and full academic autonomy including the power to award **degrees** (earlier they gave only diplomas).

Prelims Connect

Constitutional provision
Entry 64, Union List – Institutions for scientific or technical education financed wholly or in part by the Government of India and declared by Parliament by law to be institutions of national importance
Entry 66, Union List – Coordination and determination of standards in institutions for higher education or research
Article 246 – Distribution of legislative powers

Prelims Pointers

- IIM Act, 2017 granted degree-awarding power and "Institution of National Importance" status.
- Earlier IIMs were registered as **societies under the Societies Registration Act, 1860**.
- **IIM Guwahati** will be the **22nd IIM** in India.
- Existing IIMs in the North-East: **IIM Shillong (RGIIM Meghalaya)**.
- IIM Calcutta (est. 1961) was India's **first IIM**, set up with **Ford Foundation** help.

- "Institutions of National Importance" are declared **by Parliament by law** – so each IIM/IIT/AIIMS requires parliamentary action.

INDIAN PORTS ACT, 2025

Replaces the 117-year-old Indian Ports Act, 1908, and gives statutory status to the MSDC.

News in Brief

- The **Indian Ports Bill, 2025** was passed by Parliament and **replaces the Indian Ports Act, 1908**.
- Gives **statutory recognition to the Maritime State Development Council (MSDC)**, which coordinates port development between Centre and coastal states.
- **State Maritime Boards** to be established to manage **non-major ports**.
- **State-level Dispute Resolution Committees** to adjudicate disputes involving non-major ports, concessionaires and users.
- Mandates compliance with international conventions – **MARPOL** (Marine Pollution) and the **Ballast Water Management Convention**.
- Provides clear provisions for **PPP and foreign investment**.

Prelims Connect

Constitutional basis
Entry 27, Union List – Ports declared by or under law made by Parliament to be major ports
Entry 31, Concurrent List – Ports other than those declared by or under Parliament law to be major ports
Article 297 – Things of value within territorial waters / continental shelf vest in the Union
Related laws & bodies
Major Port Authorities Act, 2021 (replaced the Major Port Trusts Act, 1963)
DG Shipping , Ministry of Ports, Shipping & Waterways
Sagarmala Programme – port-led development

Prelims Pointers

- **Major ports** are under the **Union** (Entry 27, UL); **minor / non-major ports** are **Concurrent** (Entry 31, CL).
- India has **13 major ports** – 12 administered by the Union, plus **Vizhinjam / Vadhavan** as new additions.
- **MSDC** (Maritime State Development Council) was earlier an **executive body** (1997); this Act gives it **statutory status**.
- **MARPOL** = International Convention for the Prevention of Pollution from Ships, 1973/78 (IMO).
- **Ballast Water Management Convention** = IMO, 2004.
- Indian Ports Act **1908** was the law being replaced – one of the oldest colonial statutes still in force until now.

NATIONAL SPORTS GOVERNANCE ACT, 2025 & NATIONAL ANTI-DOPING (AMENDMENT) ACT, 2025

Two sports-related laws passed together – one creates a sports governance architecture, the other strengthens anti-doping compliance.

News in Brief

- Parliament passed the **National Sports Governance Bill, 2025** and the **National Anti-Doping (Amendment) Bill, 2025** with Rajya Sabha approval.

- The Sports Governance Bill:
 - Recognises **national sports bodies** and regulates their functioning.
 - Establishes the **National Olympic Committee, National Paralympic Committee, and National & Regional Sports Federations** for each designated sport.
 - Every NSB must have a **general body** with representatives from affiliate members + ex-officio members, and an **executive committee of up to 15 members** – including **at least 2 outstanding sportspersons and 4 women**.
 - Creates a **National Sports Board** to grant recognition to NSBs.
 - Creates a **National Sports Tribunal** – a quasi-judicial body with powers of a civil court; **appeals lie to the Supreme Court**.
- The Anti-Doping Amendment aligns India with updated **WADA** norms.

Prelims Connect

Bodies
National Sports Board – statutory recognition body
National Sports Tribunal – new quasi-judicial body
IOA – Indian Olympic Association
NADA India – National Anti-Doping Agency
WADA – World Anti-Doping Agency (Montreal, 1999)
Constitutional basis
Entry 33, State List – Sports, entertainments and amusements
Article 323B – Tribunals for other matters (including sports disputes)

Prelims Pointers

- **Sports** is a **State List subject** (Entry 33, SL) – but the Centre legislates via its concurrent power over international sports, Olympic recognition, and IT.
- The **National Sports Tribunal** under this Act has **powers of a civil court**; appeals go **directly to the Supreme Court**.
- **NADA** was set up as a society in **2005** and made statutory by the **National Anti-Doping Act, 2022**.
- **WADA** is headquartered in **Montreal, Canada**.
- India aims to **host the 2036 Olympics** – this governance architecture is part of the preparation.

CARRIAGE OF GOODS BY SEA ACT, 2025

News in Brief

- Parliament passed the **Carriage of Goods by Sea Bill, 2025**, replacing the **Indian Carriage of Goods by Sea Act, 1925**.
- Establishes **responsibilities, liabilities, rights and immunities** when goods are carried from a port.
- Aligns with the **Hague-Visby Rules** and international shipping conventions.

Prelims Connect

Entries
Entry 25, Union List – Maritime shipping and navigation, provision of education and training for the mercantile marine
Entry 28, Union List – Port quarantine, including hospitals
Entry 95, Union List – Jurisdiction and powers of courts in any List-I matter

Prelims Pointers

- The replaced **1925 Act** itself was based on the **1924 Hague Rules** (international).
- **Bills of lading** and **carrier liability** are the core subject matter.
- Complements the **Indian Ports Act, 2025** – together these two Bills modernise India's maritime legal architecture.
- Administered by the **Ministry of Ports, Shipping and Waterways (MoPSW)**.

SANSAD BHASHINI – AI-POWERED MULTILINGUAL PARLIAMENT

News in Brief

- The **Lok Sabha Secretariat** and **MeitY** signed an **MoU** to develop the **Sansad Bhashini** initiative.
- Deploys AI applications – **real-time speech-to-text transcription**, **speech-to-speech translation**, and **interactive AI chatbots**.
- Ensures seamless translation of **parliamentary debates**, **committee reports**, and **legislative documents** into **multiple Indian languages**.
- Aims at inclusivity and broader public engagement – a direct nod to **Article 343 (Official Language of the Union)** and the **Eighth Schedule**.

Prelims Connect

Articles & Schedules
Article 120 – Language to be used in Parliament (Hindi / English; Chairman may permit mother tongue)
Article 343 – Official language of the Union (Hindi in Devanagari)
Article 348 – Language of Supreme Court, High Courts, etc.
Eighth Schedule – 22 scheduled languages

Prelims Pointers

- **Eighth Schedule** originally had **14 languages**; now has **22** (after inclusion of **Bodo, Dogri, Maithili, Santhali** by the **92nd Amendment, 2003** and earlier **Konkani/Manipuri/Nepali** by the **71st Amendment, 1992**, and **Sindhi** by the **21st Amendment, 1967**).
- **Article 120(1)** – Parliamentary business in **Hindi or English**; a member who can't speak either may address in his mother tongue with Chair's permission.
- **Bhashini** is MeitY's National Language Translation Mission, launched in **2022**.
- **Article 120(2)** – English will continue for parliamentary business unless Parliament by law provides otherwise (the 15-year limit from commencement lapsed in 1965, and Parliament never terminated English).

DELHI LEGISLATIVE ASSEMBLY JOINS NEVA – 28TH LEGISLATURE ON THE PLATFORM

News in Brief

- The **Delhi Legislative Assembly** signed an MoU with the **Ministry of Parliamentary Affairs** to adopt the **National e-Vidhan Application (NeVA)**.
- Delhi became the **28th legislature** to join NeVA.
- Supports the vision of "**One Nation, One Application**" – digitising House business, enabling real-time access to documents.
- NeVA is hosted on **MeghRaj 2.0**, India's government cloud.

Prelims Connect

Articles relevant to Delhi
Article 239AA – Special provisions for the National Capital Territory of Delhi (inserted by the 69th Amendment, 1991)
Article 239AB – Provision for failure of constitutional machinery in NCT
Article 168 – Constitution of Legislatures in States
Article 194 – Powers, privileges, etc., of Houses of Legislatures

Prelims Pointers

- **NeVA = National e-Vidhan Application**, digital legislative workflow platform under the Ministry of Parliamentary Affairs.
- Hosted on **MeghRaj 2.0** – GOI's cloud initiative.
- Delhi's Legislative Assembly derives its status from **Article 239AA**, inserted by the **69th Constitutional Amendment, 1991**.
- **Puducherry** Assembly is established by the **Government of Union Territories Act, 1963**, not directly by the Constitution.
- **Himachal Pradesh** was India's first state to go **fully e-Vidhan** (2014).

TRIBHUVAN SAHKARI UNIVERSITY ACT, 2025 – INDIA'S FIRST NATIONAL COOPERATIVE UNIVERSITY

News in Brief

- The **Lok Sabha** passed the **Tribhuvan Sahkari University Bill, 2025**.
- Creates India's **first national cooperative university**, based at the **Institute of Rural Management Anand (IRMA)** in Gujarat.
- Named after **Tribhuvandas Kashibhai Patel**, the **founder of Amul** (Kaira District Co-operative Milk Producers' Union Ltd., 1946).
- Aims to train **8 lakh people annually** in the cooperative sector.
- Hub-and-spoke model: IRMA as central hub + affiliated institutions across India.
- **IRMA** becomes a **Centre of Excellence** for rural management.

Prelims Connect

Constitutional provisions
Part IXB (Articles 243ZH–243ZT) – The Co-operative Societies (inserted by 97th Amendment, 2011)
Article 43B (DPSP) – State to promote voluntary formation, autonomous functioning, democratic control and professional management of cooperative societies (97th CAA, 2011)
Article 19(1)(c) – Right to form cooperative societies (added by the 97th CAA)
Ministry
Ministry of Cooperation – created in July 2021 under Amit Shah

Prelims Pointers

- **97th Constitutional Amendment Act, 2011** made "**co-operative societies**" a constitutional entity – adding Part IXB, Art. 43B and Art. 19(1)(c).
- In **Rajendra N. Shah v. UoI (2021)**, the Supreme Court struck down **Part IXB** as it applies to **state cooperative societies** (requires ratification by half the States under **Article 368(2)**) – but upheld it for multi-state cooperatives.

- Amul is the brand of the Gujarat Co-operative Milk Marketing Federation (GCMMF).
- IRMA was founded in 1979 by Dr. Verghese Kurien ("Father of Operation Flood" / White Revolution).
- The Ministry of Cooperation was carved out of the Ministry of Agriculture & Farmers' Welfare in July 2021.

INSURANCE ACT AMENDMENT – 100% FDI IN INSURANCE

News in Brief

- The Finance Ministry issued a notification to enable **100% foreign investment** in the **insurance sector** once Parliament approves the amendment.
- Replaces the existing **74% FDI limit** with provisions in the **Insurance Act, 1938**.
- FDI will be via the **automatic route**, subject to **IRDAI** verification.

Prelims Connect

Statutes & bodies
Insurance Act, 1938 – the parent law
IRDA Act, 1999 – created IRDAI
FEMA, 1999 & FDI Policy – govern foreign investment
LIC Act, 1956 – Life Insurance Corporation

Prelims Pointers

- FDI in **insurance** was progressively raised: **26% → 49% (2015) → 74% (2021) → 100% (2025)**.
- **IRDAI** = Insurance Regulatory and Development Authority of India, headquartered in **Hyderabad**.
- **LIC of India** went public via India's **largest IPO** in **May 2022**.
- **Entry 47, Union List** – Insurance.
- **Automatic Route FDI** does not require government approval; it needs only post-facto RBI/regulator reporting.

PRESIDENT NOMINATES 4 NEW MEMBERS TO THE RAJYA SABHA

News in Brief

- **President Droupadi Murmu** nominated **four new members** to the **Rajya Sabha**:
 1. **Ujjwal Nikam** (eminent lawyer, special public prosecutor in 26/11 Mumbai attacks case)
 2. **C. Sadanandan Master** (educationist, Kerala)
 3. **Harsh Vardhan Shringla** (former Foreign Secretary & G20 Sherpa)
 4. **Dr. Meenakshi Jain** (historian)
- Under **Article 80(1)(a)** and **Article 80(3)**, the President nominates **12 members** having special knowledge or practical experience in **literature, science, art and social service**.

Prelims Connect

Articles
Article 80 – Composition of Rajya Sabha
Article 80(1) – Maximum strength 250 (238 elected + 12 nominated) – currently 245 (233 + 12)
Article 80(3) – Categories for nomination: literature, science, art, social service
Article 80(4) – Representatives of States elected by MLAs by single transferable vote (STV)
Fourth Schedule – Seat allocation to States/UTs in Rajya Sabha

Landmark case

Kuldip Nayar v. UoI (2006) – SC upheld removal of **domicile** requirement and the switch from secret ballot to **open ballot** in RS elections

Prelims Pointers

- **Rajya Sabha** is a **permanent body** – not subject to dissolution; **1/3rd retire every 2 years (Article 83(1))**.
- **Term: 6 years** (under Representation of the People Act, 1951).
- **Quorum** – one-tenth of total strength (**Article 100(3)**).
- The **Vice-President** is the **ex officio Chairman** of the Rajya Sabha (**Article 89**).
- A **nominated member** can join a political party only **within 6 months** of taking seat (**Tenth Schedule**).
- A **money bill** can only be introduced in **Lok Sabha**; Rajya Sabha can only **recommend changes within 14 days (Article 110)**.

INDIA AT THE 68TH COMMONWEALTH PARLIAMENTARY CONFERENCE (CPC) – BARBADOS

News in Brief

- **Lok Sabha Speaker Om Birla** led the **Indian Parliamentary Delegation** to the **68th Commonwealth Parliamentary Conference (CPC)** held in **Bridgetown, Barbados**.
- Theme: "**The Commonwealth – A Global Partner**."
- CPC is organised annually by the **Commonwealth Parliamentary Association (CPA)**.

Prelims Connect

Body
Commonwealth Parliamentary Association (CPA) – founded 1911 (then Empire Parliamentary Association), HQ London
Commonwealth of Nations – HQ Marlborough House, London; Head: King Charles III

Prelims Pointers

- CPA has around **180 branches** across the Commonwealth.
- India is a member of the CPA since independence.
- **Barbados** became a **republic** on **30 November 2021** (President replaced the British monarch as head of state); remains in the Commonwealth.
- The **Commonwealth of Nations** has **56 member states** (Togo and Gabon joined in 2022).
- **Rwanda** and **Mozambique** are members **without a historical British colonial link**.

INDIA TO HOST THE 28TH CSPOC IN 2026

News in Brief

- India will host the **28th Conference of Speakers and Presiding Officers of Parliaments of Commonwealth Countries (CSPOC)** in 2026.
- Announced by **Lok Sabha Speaker Om Birla** at the **CSPOC Standing Committee Meeting in Guernsey**.
- 2026 theme will focus on **artificial intelligence and social media in parliamentary processes**.
- India has previously hosted CSPOC in **1970–71, 1986, and 2010**.

Prelims Connect

- CSPOC is held **once every 2 years**, rotating among Commonwealth Parliaments.

- Distinct from the **Commonwealth Parliamentary Conference (CPC)** – CSPOC is only for **presiding officers**.
- **Presiding officer of Lok Sabha** is the **Speaker (Article 93)**; of Rajya Sabha is the **Vice-President of India** (ex-officio Chairman, **Article 89**).

Prelims Pointers

- Speakers and presiding officers in India have their own **All India Presiding Officers' Conference** (held annually).
- **Article 93** – Lok Sabha as soon as may be chooses two members to be **Speaker** and **Deputy Speaker**.
- The **Deputy Speaker** position was **vacant from June 2019 to June 2024** and was filled only in the 18th Lok Sabha.
- The Speaker's decision on whether a bill is a **Money Bill** is **final (Article 110(3))** – and judicially reviewable after *Rojer Mathew (2019)*.

ESAKSHI PORTAL FOR MPLAD SCHEME

News in Brief

- The **Ministry of Statistics & Programme Implementation (MoSPI)** launched the **eSAKSHI portal** in collaboration with the **State Bank of India** (w.e.f. 1 April 2023; update reported in 2025).
- Implements the **Revised Fund Flow Procedures** under the **Members of Parliament Local Area Development (MPLAD) Scheme**.

Prelims Connect

MPLAD key features
Launched in December 1993
Annual entitlement: ₹5 crore per MP per year (currently)
Nodal Ministry: MoSPI
Lok Sabha MP – own constituency ; Rajya Sabha MP – any district in state ; Nominated MP – any district in India
Not permissible for works on land owned by private trusts, commercial ventures, or religious buildings

Prelims Pointers

- MPLAD Scheme was **briefly suspended (2020–21)** during COVID-19; restored in **November 2021**.
- In *Bhim Singh v. UoI (2010)*, the SC upheld MPLADS saying it **does not breach separation of powers**; MPs only "recommend" works.
- **Assets created** under MPLADS vest in the **local authority/state government**, not in the MP.
- MPLAD funds released on **80:20** pattern in some phases; now **pass through District Authorities**.
- The scheme is a **Central Sector Scheme** (100% Central funding), not Centrally Sponsored.

PRESIDENT INVOKES ARTICLE 143(1) – REFERENCE ON GOVERNOR / PRESIDENTIAL ASSENT TO BILLS

News in Brief

- **President Droupadi Murmu** invoked the **rarely used Article 143(1)** of the Constitution to make a reference to the Supreme Court.

- The reference questioned the SC's earlier order (in the *Tamil Nadu v. Governor of Tamil Nadu* case – see Topic 1A Item 1.7) setting **timelines for Governors and the President** to grant **assent to Bills** passed by state legislatures.
- **Article 143(1)** empowers the President to seek the **SC's advisory opinion** on matters of **legal or public importance**.
- A **Constitution Bench** will be constituted to answer the reference. [Note: this straddles Parliament / Legislation and Centre-State; retained here for completeness.]

Prelims Connect

Articles
Article 143(1) – Advisory jurisdiction of SC; SC <i>may</i> tender opinion
Article 143(2) – References on pre-Constitution treaties; SC shall tender opinion
Article 200 – Assent of Governor to Bills
Article 201 – Bills reserved for consideration of the President
Article 111 – Assent to Bills by the President (Central Bills)
Important Presidential References
1951 – Delhi Laws Act Reference
1958 – Kerala Education Bill Reference
1960 – Berubari Union (on ceding of territory)
1983 – Special Courts Bill Reference
1993 – Ayodhya Reference (SC refused to answer under 143(1))
1998 – Third Judges Case reference
2012 – 2G Spectrum case Reference
2025 – Governor/President Timelines Reference

Prelims Pointers

- Article 143(1) uses the word "**may**" – the SC **can refuse** to answer (as in the 1993 Ayodhya reference).
- Article 143(2) uses "**shall**" – referring to pre-Constitution treaty disputes under Article 131(a) proviso, which is obligatory.
- **Advisory opinion** under Article 143 is **not binding** but is of **high persuasive value**.
- **Article 201**: If the Governor reserves a Bill for the President, the President may **assent, withhold assent, or return the Bill** (except a money bill) for reconsideration.
- The only express **time limit** earlier was for a returned bill under Art. 200 – now the SC has read in timelines (the very issue under reference).
- **Article 145(3)** – a Constitution Bench must have **at least 5 judges**.

DEPUTY SPEAKER OF LOK SABHA – PROLONGED VACANCY

The post of Deputy Speaker of the Lok Sabha has remained vacant since 2019, raising concerns about legislative continuity and constitutional propriety.

News in Brief

- **Article 93** mandates election of the Deputy Speaker "**as soon as may be**", implying urgency, not discretion.
- **Article 94** ensures continuity of the Deputy Speaker's office until resignation, removal, or disqualification.
- **Article 95(1)**: Deputy Speaker performs the duties of the Speaker if the post is vacant.
- **Article 178** mirrors Article 93 for State Assemblies, mandating election of Speaker and Deputy Speaker.

- **Article 180** empowers Deputy Speaker to act as Speaker in their absence in State Assemblies.
- **Rule 8 of Lok Sabha Rules (1952)** requires the Speaker to fix the date for election to the post, reinforcing procedural urgency.
- **Rule 9:** Speaker nominates a Panel of up to 10 Chairpersons to preside in absence of Speaker and Deputy Speaker.
- **Conventionally**, the post is offered to the Opposition, fostering checks and balances.
- Deputy Speaker presides over important committees like **Private Members' Bills Committee** and **Budget Committee**.

Prelims Connect

Constitutional Silence & Practice

- Constitution does not specify a time frame, allowing delays in appointment.
- All powers of Speaker apply to Deputy Speaker when presiding over the House.
- Office dates back to **GoI Act, 1919**, where holder was known as **Deputy President**.
- Elected by **simple majority** of members present and voting in Lok Sabha.
- Usually elected in second session but no bar on first-session election.

Historical Instances

- **M. Ananthasayanam Ayyangar** filled in after Speaker **G.V. Mavalankar's** death (1956).
- **P.M. Sayeed** did the same after Speaker **G.M.C. Balayogi's** death (2002).
- First 4 Deputy Speakers (1952–1969) were from ruling **Congress**.

Deputy Chairman – Rajya Sabha

- **Article 89** establishes the Deputy Chairman of Rajya Sabha, elected only by Rajya Sabha.
- Plays vital role in managing House proceedings & steps in for Chairperson/Vice-President when needed.

Prelims Pointers

- Deputy Speaker's election governed by **Article 93** (Lok Sabha) and **Article 178** (State Assembly).
- Deputy Speaker's salary and allowances are **charged** on the Consolidated Fund of India (Third Schedule).
- The only tenure-linked security is through **resignation, removal, or disqualification** under **Article 94**.
- Deputy Speaker's removal requires a **resolution passed by majority of all the then members** of the House (effective majority) with **14 days' prior notice**.
- The first Deputy Speaker of Lok Sabha was **M. Ananthasayanam Ayyangar (1952)**.
- Rule 9 **Panel of Chairpersons** – maximum of **10 members** nominated by Speaker.

ANTI-DEFECTION LAW – SC SETS TIMELINE FOR SPEAKER

Supreme Court imposed a three-month limit on Speakers to decide disqualification petitions under the Tenth Schedule, warning of contempt for inaction.

News in Brief

- Bench headed by CJI allowed the Speaker **three months** to complete disqualification proceedings under the **Tenth Schedule**.
- SC reiterated that **Speaker does not enjoy constitutional immunity** while acting as a tribunal under the Tenth Schedule.
- Court clarified its duty to ensure Speakers, acting as **quasi-judicial tribunals**, do not sit on petitions until they "die a natural death" towards end of House's tenure.

- **52nd Amendment (1985)** added the 10th Schedule — disqualifies MP/MLA for defecting.
- A legislator can be disqualified for **voluntarily giving up party membership** or **disobeying the party whip**.
- **91st Amendment (2003)** required a **two-thirds majority** within a party for a merger to avoid disqualification — curtailed small-scale defections.

Prelims Connect

Key Judicial Benchmarks

- **Kihoto Hollohan v. Zachillhu (1992)** — Speaker's decision subject to judicial review by HC and SC; upheld 10th Schedule's constitutional validity but struck down Paragraph 7 that barred judicial review.
- **Keisham Meghachandra Singh v. Hon'ble Speaker, Manipur (2020)** — SC prescribed three-month period; suggested replacing Speaker with an independent tribunal.
- **Subhash Desai v. Principal Secretary (2023)** — SC held Maharashtra Governor acted unconstitutionally; Speaker must decide on anti-defection pleas within reasonable time.

Grounds for Disqualification under 10th Schedule

- Voluntary giving up of party membership (express or implied).
- Voting/abstaining contrary to party direction (whip) unless condoned within 15 days.
- Independent member joining a political party.
- Nominated member joining a party after 6 months.

Prelims Pointers

- The **Tenth Schedule** was added by the **52nd Constitutional Amendment Act, 1985** (Rajiv Gandhi government).
- The **presiding officer's decision** is final, subject to **judicial review**.
- **Paragraph 7** of the 10th Schedule (ouster of courts) was struck down in **Kihoto Hollohan (1992)**.
- **Split provision (Paragraph 3)** was **omitted** by the 91st Amendment, 2003 — only **merger** (two-thirds) is now a defence.
- For **merger defence**, at least **two-thirds** of the members of the legislature party must agree.
- Anti-defection does **not** apply to **Speaker/Chairman/Dy Speaker** if they resign from party on assuming office .

PRIVATE MEMBER BILLS (PMBS) — DECLINING RELEVANCE

Private Member Bills allow non-Minister MPs to propose legislation, yet only 14 have been passed since Independence — none since 1970.

News in Brief

- PMBs are legislation proposals by MPs who are **not Ministers** — from ruling party or Opposition.
- **Fridays** are usually reserved in each session for PMB discussion.
- Since Independence, only **14 PMBs** have been passed and received Presidential assent; **none since 1970**.
- **Right to Disconnect Bill, 2025** — proposes an employees' welfare authority to confer the right to disconnect from work-related calls/emails beyond work hours.
- **Menstrual Benefits Bill, 2024** (Congress MP) — aims to provide workplace facilities for women employees during menstruation.

Prelims Connect

Global Best Practice — UK's "Ten-Minute Rule"

- Allows any MP to make a **10-minute speech** for a PMB.
- Another MP may oppose it for the same time.
- Facilitates introduction without displacing Government business.

Notable PMBs Passed in India

- **Muslim Personal Law (Shariat) Application Act, 1937** – brought under Muslim Law.
- **Proceedings of Legislature (Protection of Publication) Act, 1956** – Feroze Gandhi.
- **Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Act, 1970** – last PMB passed.

Prelims Pointers

- **Rule 19 of Rajya Sabha** and **Rule 18 of Lok Sabha** govern notice for PMBs.
- The Bill must be introduced with **one month's notice**.
- Introduced by MPs who are **not Ministers** – distinguishes from Government Bills.
- PMBs lapse on dissolution of the House if pending in Lok Sabha.
- Vice-President has criticised declining attention to PMBs as a sign of **legislative atrophy**.

CONSTITUTION OF INDIA IN SANTHALI AND BODO / KASHMIRI – DIGITAL EDITIONS

President released the Constitution of India in the Santhali language (Ol Chiki script) and later released digital editions in 9 languages, including first-ever Bodo and Kashmiri versions.

News in Brief

- **Santhali**, spoken by tribal people in **Jharkhand, Odisha, West Bengal, and Bihar**, is now the latest Eighth-Schedule language to have its own Constitution version.
- It is written in **Ol Chiki script**.
- Santhali lacked its own script until a century ago – earlier used **Roman, Devanagari, Odia, Bengali** scripts.
- In **1925**, **Pandit Raghunath Murmu** created the Ol Chiki script.
- President released **digital version in 9 languages** during Constitution Day: **Malayalam, Marathi, Nepali, Punjabi, Bodo, Kashmiri, Telugu, Odia, and Assamese**.
- **First time** Bodo and Kashmiri editions were introduced; Punjabi edition updated after almost 50 years.

Prelims Connect

Constitution Day / Samvidhan Diwas

- Celebrated on **November 26** since **2015**.
- Commemorates adoption of Constitution by Constituent Assembly on **November 26, 1949**.
- Constitution came into effect on **January 26, 1950**, after being signed by **284 members**.

Prelims Pointers

- Santhali was added to **Eighth Schedule** by the **92nd Amendment Act, 2003** (along with Bodo, Dogri, Maithili).
- **Ol Chiki** script was created by **Pandit Raghunath Murmu** in 1925.
- Constitution was signed on **24 January 1950** by **284 members** of the Constituent Assembly.
- The original Constitution was **handwritten in English and Hindi** by **Prem Behari Narain Raizada**.
- The illustrations and decorations were done by **Nandalal Bose** and his team from **Shantiniketan**.
- Theme of 2024 Constitution Day: **"Hamara Samvidhan – Hamara Swabhiman"**.

EIGHTH SCHEDULE – DEMAND FOR INCLUSION OF KOKBOROK & BHOJPURI

Kokborok Sahitya Parishad demanded inclusion of Kokborok in the Eighth Schedule; similar demand for Bhojpuri raised on International Mother Tongue Day.

News in Brief

- **Kokborok Sahitya Parishad** requested inclusion of Kokborok in the 8th Schedule; script can be **Bengali or Devanagari**.
- **Bhojpuri** inclusion demanded on **International Mother Tongue Day (Feb 21)** – Bhojpuri holds constitutional status in **Mauritius and Nepal** but remains unrecognised in India.
- Eighth Schedule lists officially recognised languages – provisions in **Articles 344(1) and 351**.
- **Article 344(1)**: President forms a commission to review progressive use of Hindi, referencing 8th Schedule languages.
- **Article 351**: Union must promote Hindi, enriching it using **Sanskrit and other Eighth Schedule languages**.

Prelims Connect

Evolution of the Eighth Schedule

- Originally contained **14 languages** (1950).
- **Sindhi** added by **21st Amendment Act, 1967**.
- **Konkani, Manipuri, Nepali** added by **71st Amendment Act, 1992**.
- **Bodo, Dogri, Maithili, Santhali** added by **92nd Amendment Act, 2003**.
- Currently **22 languages**. **English is NOT** included in the 8th Schedule.

Committee Recommendations

- **Ashok Pahwa Committee (1996)** – proposed criteria: official language of a state, significant population, independent language, Sahitya Akademi recognition, developed literary tradition.
- **Sitakant Mohapatra Committee (2003)** – suggested: **≥5 million speakers**, medium of instruction up to secondary/university level, script in use for **at least 50 years**.
- **MHA** states no fixed official standard exists for selecting languages.

Benefits of Inclusion

- Translation services in Parliament.
- Inclusion in **UPSC language papers**.
- Developmental funds from the Centre.
- Representation in **Official Languages Commission**.

Prelims Pointers

- Total languages in **Eighth Schedule = 22**.
- The 22 languages: Assamese, Bengali, Bodo, Dogri, Gujarati, Hindi, Kannada, Kashmiri, Konkani, Maithili, Malayalam, Manipuri, Marathi, Nepali, Odia, Punjabi, Sanskrit, Santhali, Sindhi, Tamil, Telugu, Urdu.
- **Classical Language** status: Tamil (2004), Sanskrit (2005), Telugu & Kannada (2008), Malayalam (2013), Odia (2014), **Marathi, Pali, Prakrit, Assamese, Bengali (2024)** – now **11 total**.
- Criteria for Classical Language: early history of **1500–2000 years**, body of ancient literature as heritage, knowledge texts, classical literature may be distinct from modern form.
- **Article 29** protects minorities' right to conserve their distinct language, script, and culture.
- **Article 343**: Hindi in Devanagari script is the official language of the Union.
- **Official Language Commission** under **Article 344** – first constituted in **1955** (B.G. Kher Commission).

ALL INDIA PRESIDING OFFICERS' CONFERENCE (AIPOC) 2025 – 85TH EDITION

The 85th All India Presiding Officers' Conference marked the centenary of Vithalbhai Patel's election as the first Indian Speaker.

News in Brief

- **2025 conference** – the 85th AIPOC – held in August 2025 in New Delhi.
- Marked the **100th anniversary** of **Vithalbhai Patel's** election as the first Indian Speaker.
- Union Home Minister flagged the crisis of **frequent disruptions** of legislative proceedings.
- Attended by Speakers and Deputy Speakers from State legislative assemblies and councils.

Prelims Connect

Vithalbhai Patel (1873–1933)

- Co-founded the **Swaraj Party** with **C.R. Das and Motilal Nehru** to use legislatures for nationalist goals.
- First **Indian** elected President of Central Legislative Assembly (1925).
- Created an independent **Parliament Secretariat** and introduced security/procedural reforms.
- Advocated **free and compulsory education** in Bombay Presidency.
- Elder brother of **Sardar Vallabhbhai Patel**.

Prelims Pointers

- AIPOC is the forum of Presiding Officers of Indian legislatures – established in **1921** at Simla.
- **Vithalbhai Patel** – first **Indian** President of the Central Legislative Assembly under **Government of India Act, 1919**.
- First Speaker of Lok Sabha (independent India): **G.V. Mavalankar**.
- The **Constitution does not define "Parliament Secretariat"** – but **Article 98** empowers each House to have its own secretariat.

LARRDIS – PARLIAMENTARY RESEARCH DEFICIT

India's Lok Sabha Parliamentary Library and Reference Research Service (LARRDIS) is efficient but underutilised; MPs depend on political aides over expert research.

News in Brief

- Legislating on **economic reforms, climate change, technology** requires world-class research and referral services.
- **Parliament Library** and LARRDIS (Library and Reference, Research, Documentation and Information Service) are efficient but underutilised.
- Services provide digitised data but limited in-depth research.
- MPs mostly rely on **political aides, party notes, or LAMP fellows**, leading to partisan or shallow debates.

Prelims Connect

Global Best Practices

- **Egypt, Sweden, Benin, and Colombia** embed researchers within Parliament, enhancing technical paper quality.
- **US Congressional Research Service (CRS)** – non-partisan, employs over 600 researchers.
- **UK House of Commons Library** – deep thematic briefings for MPs.

Prelims Pointers

- LARRDIS is a service under the **Lok Sabha Secretariat**.
- **LAMP Fellowship** (Legislative Assistants to Members of Parliament) – administered by **PRS Legislative Research**.
- PRS Legislative Research provides non-partisan data on Bills and parliamentary functioning.

LOK SABHA ATTENDANCE VIA MULTIMEDIA DEVICE (MMD)

Lok Sabha members will mark attendance electronically from their seats using a multimedia device from the Monsoon Session of Parliament.

News in Brief

- Previously, MPs marked attendance by **signing a register in the lobby**.
- From Monsoon Session, Lok Sabha members must mark attendance from their seats using a **Multimedia Device (MMD)**.
- MPs can mark attendance using **I-card, biometrics (thumb impression), or a PIN**.
- The register will remain **temporarily** available to allow MPs to familiarise themselves.
- **Rajya Sabha** is likely to adopt the system soon.
- It is compulsory for MPs to mark attendance to receive **daily allowances**.
- **Ministers and Leader of Opposition** are exempt from signing attendance.

Prelims Pointers

- MPs' salaries and allowances are governed by the **Salary, Allowances and Pension of Members of Parliament Act, 1954**.
- **Daily allowance** is paid only for days when attendance is marked and MP signs the attendance register.
- Constitution does not prescribe a quorum for attendance – **Article 100(3)** prescribes quorum of **1/10th of total membership** for House proceedings.

SEVA TEERTH – NEW PMO COMPLEX AT CENTRAL VISTA

The new Prime Minister's Office complex under the Central Vista Redevelopment Project has been named 'Seva Teerth'.

News in Brief

- New complex housing the PMO is in final stages of completion.
- Earlier known as the '**Executive Enclave**'.
- Will also house offices of the **Cabinet Secretariat, National Security Council Secretariat, and India House**.
- **India House** will be a venue for talks with visiting dignitaries.

Prelims Pointers

- **Central Vista Redevelopment Project** includes: new **Parliament Building (Sansad Bhavan), Common Central Secretariat**, redevelopment of **Rajpath (Kartavya Path), Prime Minister's residence**.
- Consulted architect: **Bimal Patel (HCP Design)**.
- The new **Parliament Building** was inaugurated on **28 May 2023**.
- **Sengol** – golden sceptre from Tamil Nadu – installed near the Speaker's chair in the new Parliament.

130TH CONSTITUTION (AMENDMENT) BILL, 2025 – 30-DAY REMOVAL RULE

Bill proposes automatic removal of PM, CMs and Ministers if detained in custody for 30 consecutive days for offences punishable with 5+ years imprisonment.

News in Brief

- PM, CM, and Ministers lose office if detained in custody for **30 consecutive days** for offences punishable with **5+ years** imprisonment.
- Re-entry to office permitted only after **release or acquittal**.
- Similar provisions extend to **J&K and Puducherry** through amendments to their governing laws.
- Bill requires **two-thirds majority** in both Houses for passage.

Prelims Connect

Key Provisions – Amendments to Articles 75, 164, 239AA

- **Article 75** – Council of Ministers at Union level (including PM).
- **Article 164** – Council of Ministers at State level (including CM).
- **Article 239AA** – Special provisions for NCT of Delhi.
- Ministers removed after 30 days → either on advice of PM/CM or automatically on **31st day**.
- President (on PM's advice) must remove Minister by 31st day; if no advice, Minister automatically ceases to hold office.
- For State Ministers, the **Governor** acts on Chief Minister's advice.
- PM/CM must resign by 31st day of detention, failing which automatic cessation.

Concerns Raised

- Applies to **all offences** with punishment ≥ 5 years, not just corruption/moral turpitude.
- Does **not account for default bail** under Section 167(2) CrPC / Section 187 BNSS.
- Special laws like **PMLA, NDPS, UAPA** impose **twin conditions** for bail absent in CrPC/BNSS: accused must prove not guilty; must prove won't commit offence on bail.
- Risk of misuse for political vendetta.

Prelims Pointers

- **Article 75(5)**: A Minister who is not a member of either House for 6 consecutive months ceases to be a Minister.
- **Article 164(4)**: Same 6-month rule applies at State level.
- For a **constitutional amendment affecting federal structure** (amending Article 239AA), ratification by **at least half the State Legislatures** may be needed.
- **Default bail**: Section 187 BNSS – if investigation not completed within 60 days (ordinary) or 90 days (serious), accused entitled to bail.

UNION EXECUTIVE (PRESIDENT, VICE-PRESIDENT, PRIME MINISTER & COUNCIL OF MINISTERS)

RESIGNATION OF VICE-PRESIDENT JAGDEEP DHANKHAR

The first resignation of a Vice-President of India in over five decades – triggered under Article 67 and creating a mid-term vacancy.

News in Brief

- **14th Vice-President of India Shri Jagdeep Dhankhar** submitted his **resignation** to **President Droupadi Murmu** in **July 2025**, citing **health reasons**.
- Born **18 May 1951** in **Kithana village, Jhunjhunu district, Rajasthan**.
- A lawyer-politician, he served as **Vice-President of India from 2022 to 2025**.
- Earlier posts: **Governor of West Bengal (2019–2022)**; **Union Minister of State for Parliamentary Affairs** in the **Chandra Shekhar ministry (1990–91)**; **Lok Sabha MP (1989–91)**.
- His resignation triggered the process under **Article 68(2)** for filling the vacancy "as soon as possible."

Prelims Connect

Articles – Vice-President
Article 63 – There shall be a Vice-President of India
Article 64 – VP is ex officio Chairman of the Rajya Sabha
Article 65 – VP acts as President during vacancy / inability
Article 66 – Election of Vice-President by electoral college of members of both Houses of Parliament (elected + nominated); proportional representation by single transferable vote, secret ballot
Article 67 – Term of office (5 years); resignation addressed to the President ; removable by RS resolution passed by effective majority and agreed to by LS (with 14 days' prior notice)
Article 68 – Time of holding election to fill vacancy
Article 69 – Oath or affirmation by VP (administered by the President or person appointed by him)
Article 70 – Discharge of President's functions in other contingencies
Article 71 – Matters relating to election of President/VP

Prelims Pointers

- VP's election uses an **electoral college of BOTH elected AND nominated members of both Houses** (different from President, where only elected members + MLAs vote).
- **VP removal** has a **unique procedure** – Rajya Sabha passes resolution by **effective majority** → **Lok Sabha agrees** (by simple majority) → **no impeachment procedure** required (unlike President).
- VP's **oath** is administered by the **President** (Third Schedule) and makes reference to allegiance to the Constitution.
- Earlier VP resignations: **V.V. Giri (1969)** to contest presidential election, and **R. Venkataraman (1987)** to contest presidential election. Dhankhar's 2025 resignation was unusual in being **for health reasons**.
- During a VP vacancy, the **Deputy Chairman of the Rajya Sabha** presides over RS until a new VP is elected.
- **Minimum qualifications** for VP (Art. 66): **citizen, 35+, qualified for election to the Rajya Sabha, not holding office of profit**.

SHRI C.P. RADHAKRISHNAN SWORN IN AS THE 15TH VICE-PRESIDENT OF INDIA

News in Brief

- **Shri Chandrapuram Ponnusami Radhakrishnan** took oath as the **15th Vice-President of India** and **Chairman of the Rajya Sabha**.
- Previously served as **Governor of Maharashtra** and, earlier, **Governor of Jharkhand (2023)**.
- Born **4 May 1957** in **Tiruppur, Tamil Nadu**; holds a Bachelor's degree in Business Administration and was earlier a **garment exporter**.

- Two-time Lok Sabha MP from Coimbatore (1998 and 1999).
- Former Chairman of the Coir Board, Kochi (2016 – 4 years).
- Fills the vacancy caused by Shri Dhankhar's resignation, under Article 68(2).
- President Droupadi Murmu administered the oath under Article 69.

Prelims Connect

Article – key mechanics	
Article 66(1) – VP elected by members of both Houses of Parliament (elected + nominated)	
Article 66(2) – VP shall not be a member of either House or State Legislature; if already a member, deemed to have vacated the seat on entering VP's office	
Article 71 – All disputes re: election of VP decided by the Supreme Court and its decision is final	
Third Schedule, Form IV – Form of oath by Vice-President	
VPs of India (memory series)	
1st	Dr. S. Radhakrishnan (1952–62)
2nd	Dr. Zakir Husain
12th	Shri M. Hamid Ansari (two terms, 2007–17)
13th	Shri M. Venkaiah Naidu (2017–22)
14th	Shri Jagdeep Dhankhar (2022–25, resigned)
15th	Shri C.P. Radhakrishnan (2025–)

Prelims Pointers

- Not to be confused with **Dr. Sarvepalli Radhakrishnan** (2nd President of India, 1962–67; 1st Vice-President, 1952–62).
- VP's term: **5 years** (but can continue until successor takes over).
- VP is the **only constitutional post** that the Constitution describes with the phrase "ex officio Chairman of the Council of States" – **Article 64**.
- The **VP does not vote** in the Rajya Sabha except in case of a **tie (casting vote, Art. 100)**.
- **Ballot** in VP elections is **secret** (Art. 66(1)); in **RS elections of representatives of States** it is **open** (post **Kuldip Nayar v. UoI, 2006**).
- **V.V. Giri (1969)** and **B.D. Jatti (1977)** are examples of Vice-Presidents who acted as President due to vacancy/illness.

SHAKTIKANTA DAS APPOINTED PRINCIPAL SECRETARY-2 TO THE PRIME MINISTER – A NEWLY CREATED POST

News in Brief

- Former **RBI Governor Shaktikanta Das** has been appointed **Principal Secretary-2** to Prime Minister Narendra Modi – a **newly created post** in the PMO.
- A retired **IAS officer (1980 batch, Tamil Nadu cadre)**, he earlier served as **RBI Governor (2018–2023)**.
- He is one of only **two RBI Governors** in history to hold a **six-year tenure** (the other being **Bimal Jalan, 1997–2003**).
- Background: **St Stephen's College, Delhi University (history)** → **Master's in Public Administration, University of Birmingham, UK**.
- Brings rare experience of having handled **monetary policy (central bank)** and **fiscal policy (government)**.

Prelims Connect

Constitutional provisions – Executive
Article 74 – Council of Ministers to aid and advise the President (binding after the 42nd & 44th Amendments)
Article 75 – Appointment of Prime Minister and other Ministers
Article 77 – Conduct of business of the Government of India (executive action is expressed to be taken in the name of the President)
Article 78 – Duties of the Prime Minister to keep the President informed
All India Services Act, 1951 – Source of the IAS, IPS and Indian Forest Service (IFoS)

Prelims Pointers

- The **Prime Minister's Office (PMO)** is headed by the **Principal Secretary to the PM** – a position not mentioned in the Constitution but extremely powerful (senior-most civil servant in the PMO).
- Earlier notable **Principal Secretaries to PM**: **P.N. Haksar** (to Indira Gandhi), **Brajesh Mishra** (to Vajpayee – simultaneously National Security Adviser), **Nripendra Misra** and **P.K. Mishra** (to Modi).
- The **Cabinet Secretariat** (different from PMO) provides administrative support to the **Union Cabinet** and is headed by the **Cabinet Secretary** – the **senior-most civil servant in India**.
- **RBI Governor** is appointed under the **RBI Act, 1934**; usual tenure is **3 years** (extendable). Shaktikanta Das was the **25th Governor**.
- **Sanjay Malhotra** is the current RBI Governor (since **December 2024**).
- **PMO is not mentioned in the Constitution** – it is an **executive creation** and draws its authority from **Article 77** and the **Allocation of Business Rules**.

76TH REPUBLIC DAY 2025 – THEME "SWARNIM BHARAT: VIRASAT AUR VIKAS" – 75 YEARS OF THE CONSTITUTION

Not routine – the 76th Republic Day marked the Constitution's 75th year of operation and was used to showcase India's constitutional heritage; several polity-linked specifics.

News in Brief

- **76th Republic Day** celebrated on **26 January 2025**.
- Theme: "**Swarnim Bharat: Virasat aur Vikas**" (Golden India: Heritage and Development).
- Marked **75 years of the Indian Constitution** adopted on 26 January 1950 (adopted by the Constituent Assembly on **26 November 1949**; came into force **26 January 1950**).
- Parade route: **Rashtrapati Bhavan** → **Kartavya Path** → **India Gate** → **Red Fort**.
- **Chief Guest (2025)**: **Prabowo Subianto, President of Indonesia** – and an Indonesian **160-member marching contingent + 190-member band** participated.
- **Best Tableaux (Judges' Choice)**: 1st – **Uttar Pradesh (Mahakumbh 2025 – Swarnim Bharat: Virasat aur Vikas)**; 2nd – **Tripura (Kharchi Puja)**; 3rd – **Andhra Pradesh (Etikoppaka Bommalu)**.
- **Best Tableau from Central Ministries**: **Ministry of Tribal Affairs (Janjatiya Gaurav Varsh)**.
- **Special Prize**: **CPWD – "75 years of Constitution of India"** tableau.
- **Awards presented**: **Padma Awards, Param Vir Chakra, Maha Vir Chakra, Vir Chakra, and Pradhan Mantri Rashtriya Bal Puraskar**.

Prelims Connect

Constitution – key dates
Constituent Assembly first meeting – 9 December 1946
Constitution adopted – 26 November 1949 (now observed as Constitution Day / Samvidhan Divas)
Constitution came into force – 26 January 1950 (Republic Day)

Preamble amendment – 42nd Amendment, 1976, added Socialist, Secular, Integrity
Original length – 395 Articles, 22 Parts, 8 Schedules
Republic Day chief guests (memory)
2023 – Abdel Fattah el-Sisi (Egypt)
2024 – Emmanuel Macron (France)
2025 – Prabowo Subianto (Indonesia)
2026 – President of the European Council Mr Antonio Costa

Prelims Pointers

- **Kartavya Path** was earlier called **Rajpath** – renamed in **September 2022** as part of Central Vista redevelopment.
- **Dr. B.R. Ambedkar** chaired the **Drafting Committee** (7 members); **Dr. Rajendra Prasad** was the **President of the Constituent Assembly**.
- The Constitution was drafted in **2 years, 11 months and 18 days** at a cost of **about ₹64 lakh**.
- **Constitution Day** is observed on **26 November** each year (declared in 2015).
- The **original Constitution** has **395 Articles, 22 Parts, 8 Schedules**; as of 2025 it has **~470 articles, 25 Parts, 12 Schedules** after various amendments.
- The **Preamble** was amended **only once** – by the **42nd Amendment Act, 1976**.
- India's **National Emblem** ("Ashokan Lion Capital" from Sarnath) and the **motto "Satyameva Jayate"** (from the Mundaka Upanishad) were adopted on **26 January 1950**.

PRESIDENT NOMINATES JUSTICE SURYA KANT AS EXECUTIVE CHAIRMAN OF NALSA

A routine but constitutionally significant Presidential action, bridging Union Executive and Constitutional/Statutory Bodies.

News in Brief

- **President Droupadi Murmu** officially nominated **Justice Surya Kant**, a sitting judge of the Supreme Court, as the **Executive Chairman of the National Legal Services Authority (NALSA)**.
- **NALSA** was constituted under the **Legal Services Authorities Act, 1987**.
- By convention, the **Chief Justice of India** is the **Patron-in-Chief** of NALSA, and the **second-most senior Supreme Court judge** is the **Executive Chairman**.
- Justice Surya Kant is now (2025) the **53rd CJI designate** (from 24 November 2025; see Topic 1A Item 1.3) – signalling continuity between NALSA leadership and the CJI position.

Prelims Connect

Provisions
Article 39A (DPSP) – Equal justice and free legal aid (inserted by 42nd CAA, 1976)
Article 14 – Equality before law
Article 21 – Access to justice (read by SC into "life and personal liberty")
Legal Services Authorities Act, 1987 – Statutory basis for NALSA
NALSA structure
Patron-in-Chief – Chief Justice of India
Executive Chairman – Nominated by the President in consultation with the CJI (usually second-seniormost SC judge)
NALSA (centre) → SLSAs (State) → DLSAs (District) → TLSCs (Taluk Legal Services Committees)

Prelims Pointers

- NALSA was formed on **5 December 1995** and began functioning in **November 1998**.
- **Free legal aid** is guaranteed under **Article 39A + Section 12 of LSA Act, 1987** – covers women, children, SC/ST, disabled, victims of trafficking, industrial workmen, persons in custody, persons with annual income below a ceiling.
- **Lok Adalats** are organised under the LSA Act, 1987 – their awards are **deemed decrees of a civil court** and are **final and binding**.
- **Permanent Lok Adalats** handle disputes involving **public utility services** up to a pecuniary limit (now **₹1 crore**).
- **Article 39A** (Right to free legal aid) is a DPSP inserted by the **42nd Amendment, 1976** – along with Articles **39A, 43A, 48A**.

GOVERNOR & CENTRE–STATE RELATIONS –FEDERALISM

STATE OF TAMIL NADU V. GOVERNOR OF TAMIL NADU – SC PRESCRIBES TIMELINES FOR GUBERNATORIAL ASSENT

*The most consequential verdict on **Article 200** since **Shamsher Singh (1974)**. It reshaped the Centre–State balance by reading a "reasonable time" into the Governor's obligations.*

News in Brief

- The **Supreme Court** held that **Governors must act on State Bills in a time-bound manner, following the aid and advice of the Council of Ministers** under **Article 200** – *without independent discretion*.
- Key verdicts on the Tamil Nadu Governor's handling of re-enacted Bills:
 - The Governor's referral of **re-enacted Bills to the President** was called "**erroneous in law**".
 - Governors **cannot indefinitely delay action** on Bills.
 - Governors are **bound to follow the advice of the Council of Ministers** on assent-related decisions.
 - When a Bill is re-presented after reconsideration by the State Assembly, the Governor **must give assent** – he can refuse assent only if the Bill is **materially different** from the original.
- **Timelines prescribed:**
 - **1 month** to withhold assent (on Council's advice).
 - **3 months** if acting against the State Cabinet's advice.
 - **1 month** for Bills **re-presented after reconsideration**.

Prelims Connect

Articles
Article 153 – Governor for each State
Article 154 – Executive power of the State vests in the Governor
Article 163 – Council of Ministers to aid and advise the Governor (except where he acts in his discretion)
Article 200 – Assent to Bills by the Governor (assent, withhold, reserve for President, return)
Article 201 – Bills reserved for President's consideration
Article 213 – Governor's ordinance-making power
Article 361 – Personal immunity of the Governor
Landmark cases

<i>Shamsher Singh v. State of Punjab (1974)</i> – 7-judge bench: Governor is a nominal/constitutional head ; bound by CoM's advice except in specified discretionary situations
<i>Rameshwar Prasad v. UoI (2006)</i> – SC quashed Bihar Assembly dissolution on Governor's report; reaffirmed judicial review of Governor's report under Art. 356
<i>Nabam Rebia v. Deputy Speaker (2016)</i> – Arunachal Pradesh case; Governor's discretion cannot be used to summon/prorogue assembly against CoM's advice
<i>State of Punjab v. Principal Secretary to the Governor of Punjab (2023)</i> – Governor cannot sit indefinitely on Bills; must return "as soon as possible"
<i>State of Tamil Nadu v. Governor of Tamil Nadu (2025)</i> – New timelines fixed

Prelims Pointers

- Governor is appointed by the **President** by warrant under his hand and seal (**Article 155**).
- **Qualifications**: citizen of India + **35 years**; **not a member** of either House of Parliament or State Legislature; **not holding office of profit**.
- Governor holds office **during the pleasure of the President (Article 156)** – no fixed tenure; 5 years is the usual term.
- The **Sarkaria Commission (1988)**, **Venkatachaliah Commission (2002)** and **Punchhi Commission (2010)** all recommended that Governor's "pleasure" be limited to fixed 5-year term or removable only for proven misbehaviour.
- Governor's **discretionary** situations (limited):
 - (a) reservation of a Bill under Art. 200 for President,
 - (b) recommending President's Rule under Art. 356,
 - (c) Fifth Schedule – Tribal Area administration,
 - (d) directing CM to prove majority.
- **Article 361(1)** – Governor is **not answerable** to any court for the exercise of powers and duties of his office.

PRESIDENTIAL REFERENCE UNDER ARTICLE 143(1) ON GOVERNOR & PRESIDENT TIMELINES

Revisited from the federalism angle – the Union Executive's push-back against the TN Governor verdict.

News in Brief

- **President Droupadi Murmu** invoked the **rarely used Article 143(1)** to seek the Supreme Court's advisory opinion on its own earlier order fixing **timelines for Governors and the President** to grant assent to State Bills.
- A **Constitution Bench** is to be set up to answer the reference.
- The reference effectively questions the **separation-of-powers** and **federal dimension** of reading into Articles 200 and 201 timelines that the Constitution does not expressly impose.
- Indicates friction between the **executive and judiciary** on the core issue – who controls the legislative assent clock in Indian federalism.

Prelims Connect

Articles
Article 143(1) – President may consult SC on questions of law or fact of public importance ; SC <i>may</i> give its opinion
Article 143(2) – References under proviso to Article 131; SC <i>shall</i> give its opinion
Article 200 / 201 – Assent to State Bills

Article 111 – Assent to Central Bills
Historical references
Berubari Union (1960) – on Indo-Pakistan boundary; SC held a constitutional amendment was needed → 9th Amendment, 1960
In re Keshav Singh / UP Legislative Assembly Privileges (1964) – HC-Assembly standoff
Special Reference No. 1 of 1998 (Third Judges Case) – clarified collegium composition
In re Presidential Reference on Ayodhya (1994) – SC refused to answer, using "may" in Art. 143(1)

Prelims Pointers

- Under **Article 143(1)** the SC's opinion is **advisory** – not a binding judgment *inter partes*; but it has **high persuasive authority**.
- Under **Article 143(2)** (proviso to Art. 131) the SC is **obliged** ("shall") to give its opinion.
- The **Supreme Court bench answering a Presidential Reference** must have at least **5 judges (Article 145(3))**.
- The **Berubari Union Opinion (1960)** led directly to the **9th Constitutional Amendment** transferring territory.
- **Cauvery Water Disputes Tribunal (1992)** – SC through an Art. 143 reference struck down a **Karnataka ordinance** blocking the tribunal's interim award – a classic federalism example.

SATYA PAL MALIK – FORMER GOVERNOR OF JAMMU & KASHMIR, MEGHALAYA, GOA, ODISHA AND BIHAR – PASSES AWAY

News in Brief

- **Satya Pal Malik**, who served as **Governor of Jammu & Kashmir** during a historically sensitive period, passed away.
- He also served as **Governor of Meghalaya, Goa, Odisha, and Bihar**.
- Hailed from **Baghpat, Uttar Pradesh**, with ancestral roots in Haryana; belonged to the politically influential **Jat community**.
- Began politics in the **1960s** under the influence of **Ram Manohar Lohia's socialist ideology**.
- Joined **BJP in 2004** and became **National Vice-President in 2012**.
- He was Governor of J&K during the **revocation of special status under Article 370** in August 2019.

Prelims Connect

Articles – Special status of J&K (historical)
Article 370 (original) – Temporary provisions with respect to the State of J&K
Article 35A – Permanent residents & special rights (inserted via Presidential Order 1954 ; struck down effectively by 2019 move)
Presidential Order C.O. 272 (5 August 2019) – applied all provisions of the Constitution to J&K
Jammu & Kashmir Reorganisation Act, 2019 – bifurcated J&K into UT of J&K and UT of Ladakh (w.e.f. 31 October 2019)
Landmark case
In re Article 370 (2023) – 5-judge bench of the SC unanimously upheld the abrogation of Article 370; held that Article 370 was a temporary provision .

Prelims Pointers

- **J&K Reorganisation Act, 2019** made J&K the **first Indian State** to be **downgraded** to a Union Territory.

- Currently **UT of J&K** has a **Legislative Assembly** (after **2024 elections** – first elections since 2014); **UT of Ladakh** does **not** have a legislature.
- **Article 370** itself remains in the Constitution as an empty shell – only operative sub-clauses have been rendered inoperative.
- **Article 371A to 371J** provide **special provisions** for various states (Nagaland, Assam, Manipur, Sikkim, Mizoram, Arunachal Pradesh, Goa, Karnataka, Andhra Pradesh/Telangana).
- The Governor of J&K, during **President's Rule / Governor's Rule**, exercises enhanced powers (historically under **Section 92** of the erstwhile J&K Constitution).
- **Reorganisation of states** can be done only by **Parliament by law** under **Article 3**, but the President must refer the **Bill to the affected State Legislature** for its views (non-binding).

ACHARYA DEVVRAT GIVEN ADDITIONAL CHARGE OF MAHARASHTRA RAJ BHAVAN AFTER C.P. RADHAKRISHNAN'S ELEVATION

News in Brief

- President Droupadi Murmu appointed Gujarat Governor Acharya Devvrat to discharge the functions of the Governor of Maharashtra, as the incumbent C.P. Radhakrishnan became Vice-President of India.
- An additional-charge arrangement is a **temporary constitutional device** – Article 160 of the Constitution permits the President to make "such provision as he thinks fit for the discharge of the functions of the Governor of a State in any contingency not provided for in this Chapter".

Prelims Connect

Articles
Article 155 – Appointment of Governor
Article 156 – Term of office; holds office during the pleasure of the President
Article 157 – Qualifications (citizen + 35 yrs)
Article 158 – Conditions of office (no office of profit; one person can be Governor of 2+ States)
Article 159 – Oath or affirmation by the Governor (before the Chief Justice of the HC)
Article 160 – Discharge of functions of Governor in certain contingencies
Article 161 – Power of Governor to grant pardons

Prelims Pointers

- **One person can be Governor of two or more States** under **Article 153 (proviso)** – added by the **7th Amendment, 1956**.
- Governor's **oath** is administered by the **Chief Justice** of the respective **High Court** (or senior-most HC judge available) – under **Article 159**.
- The **Governor's salary** is charged on the **Consolidated Fund of the State (Article 202(3))**; currently **₹3.5 lakh/month**.
- **Acharya Devvrat** is a Gurukul educationist associated with the **Arya Samaj movement**; earlier served as Governor of **Himachal Pradesh (2015–19)** before Gujarat.
- Article 160 is the constitutional safety valve for situations such as **death, resignation or unforeseen absence** of a Governor.

SQUADRON LEADER MANISHA PADHI – FIRST WOMAN ADC TO A GOVERNOR

News in Brief

- **Squadron Leader Manisha Padhi**, a 2015-batch Indian Air Force officer, became the first woman to be appointed as **Aide-de-Camp (ADC)** to a Governor – to **Governor of Mizoram Hari Babu Kambhampati**.
- She is India's **first woman Armed Forces officer** to be appointed as ADC to a Governor.
- The post of **ADC (Aide-de-Camp)** is an **honorary designation** – officers serving or retired from this role use the **post-nominal letters "ADC"**.
- Allocation of ADCs:
 - **Service Chiefs** (Army, Navy, Air Staff) – 3 each.
 - **President of India** – 5 ADCs (3 Army + 1 Navy + 1 Air Force, plus 1 honorary from the Territorial Army).
 - **State Governors** – 2 ADCs (1 from the Armed Forces + 1 from the Indian/state police services).
 - **J&K Governor** – both ADCs from the Indian Army.

Prelims Connect

Offices
Governor's Secretariat / Raj Bhavan
Honorary aides attached to holders of constitutional office under President's / Governor's Warrant of Precedence

Prelims Pointers

- **Mizoram** was carved out as a **Union Territory in 1972** (North Eastern Reorganisation Act, 1971) and became a **full State in 1987** by the **53rd Amendment**.
- The Governor of Mizoram, like others in the North-East, operates under the **Sixth Schedule** (Autonomous District Councils for tribal areas).
- Governor has **special discretionary powers** in Nagaland (Art. 371A), Arunachal Pradesh (Art. 371H), Mizoram (Art. 371G), etc.
- ADC arrangements are **Warrant of Precedence** protocol, not a constitutional post.
- The **Sixth Schedule** applies to tribal areas of **Assam, Meghalaya, Tripura and Mizoram** – providing for **Autonomous District and Regional Councils**.

SPECIAL CATEGORY STATUS – ANDHRA PRADESH'S DEMAND

14th Finance Commission's recommendations led to discontinuation of the Special Category Status (SCS) classification by the Centre; Andhra Pradesh continues to demand SCS.

News in Brief

- **14th FC recommendation** led to discontinuation of SCS classification by Centre.
- Earlier, SCS offered **substantial Plan assistance**; now it mainly provides **soft-term external loans** (e.g., World Bank).
- Status is **diluted** and may not benefit Andhra Pradesh meaningfully today.
- Better solution: **Finance Commission-recommended package** – carries constitutional legitimacy.

Prelims Connect

About Special Category Status

- **Introduced in 1969** based on recommendations of **5th Finance Commission**.
- Aimed at States disadvantaged in geographic, social, economic terms.
- **Qualification criteria**: majority tribal population, low population density, proximity to international borders, socio-economic backwardness, inadequate State finances.

- **Benefits:** higher share of Central funds (**90% for SCS** vs 60–80% for others), tax concessions, additional grants for development projects.

SCS States

- **11 Special Category States:** Arunachal Pradesh, Assam, Himachal Pradesh, Jammu & Kashmir (before reorg), Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura, Uttarakhand.
- **Telangana** added later.
- **14th FC** altered SCS provisions, focusing on **increased tax devolution** instead of direct status for new requests like Andhra Pradesh or Bihar.

Prelims Pointers

- SCS is **not a Constitutional status** – it is an **administrative category**.
- **14th Finance Commission** raised States' share in divisible tax pool from **32% to 42%**.
- **15th Finance Commission** retained the share at **41%** (after J&K bifurcation).
- **Article 371** and **Schedules V & VI** give constitutional status to special arrangements for certain States/regions.
- Andhra Pradesh's SCS demand arose from the **Andhra Pradesh Reorganisation Act, 2014** that bifurcated the State.

PRESIDENT'S RULE IN MANIPUR (SINCE FEBRUARY 2025)

Manipur has been under President's Rule since February 2025 due to security and political instability arising from the Meitei-Kuki conflict.

News in Brief

- **Article 356** allows President to take over State governance if it cannot be run per constitutional provisions.
- Based on **Governor's report** or **otherwise**, including **Article 365 situations** (failure to comply with Union directions).
- Connected to Union's **Article 355 duty** to protect States and ensure constitutional functioning.
- Proclamation must be approved by **both Houses of Parliament within 2 months** by **simple majority**.
- Once approved, continues for **6 months**, extendable **up to 3 years** total.
- No uniform practice on dissolution of Assemblies after imposition.

Prelims Connect

S.R. Bommai Case (1994) – Landmark Limits

- Article 356 should apply only during **breakdown of constitutional machinery**, not mere law-and-order issues.
- Use is subject to **judicial review** and should not be for political reasons.
- Assembly should be in **suspended animation** till Parliament's approval.
- **Secularism, federalism, and democracy** held as part of basic structure.

Key Cases of Wrongful Use Struck Down

- **Bihar (2005)** – Buta Singh case.
- **Uttarakhand (2016)** – Harish Rawat government case.
- **Arunachal Pradesh (2016)** – Nabam Rebia case.

Historical Notes

- Article 356 used over **130 times** since 1950.

- Most misused during **1975–77 Emergency period** and **1980s**.
- Some Governors accepted advice of outgoing CMs with doubtful majority (Kerala 1970, Punjab 1971); others refused (Punjab 1967, UP 1968, MP 1969, Orissa 1971).
- If no government commands majority, fresh elections are held, after which President's Rule is revoked.

Prelims Pointers

- **Article 356**: "Provisions in case of failure of constitutional machinery in States."
- **Article 355**: Duty of Union to protect States against external aggression and internal disturbance.
- **Article 365**: Failure to comply with Union directions – basis for Article 356 action.
- **Maximum period**: 3 years (total).
- **S.R. Bommai (1994)** – 9-judge bench; **Sarkaria Commission** earlier recommended restraint.
- **Sarkaria Commission (1988)**, **Venkatachaliah Commission (2002)**, **Punchhi Commission (2010)** all recommended reform.

NATIONAL EMERGENCY – 50 YEARS OF THE 1975 EMERGENCY

2025 marked 50 years of the National Emergency imposed by Indira Gandhi in 1975 on grounds of "internal disturbance".

News in Brief

- Emergency declaration converts **federal structure** into **de facto unitary** one.
- Union gets complete control over State governments.
- Parliament may **extend Lok Sabha term by 1 year**, make laws on **State List**, and extend Union executive powers to States.
- President can **modify constitutional provisions on allocation of financial resources** (with parliamentary approval).
- Under **Article 352**: Emergency may be proclaimed on grounds of **war, external aggression, or armed rebellion**.
- **1975 Emergency** used ground of "**internal disturbance**" – only such instance.
- Earlier emergencies in **1962 (Indo-China war)** and **1971 (Indo-Pak war)** were on war grounds.

Prelims Connect

Major Constitutional Amendments During Emergency

- **38th Amendment (1975)**: Barred judicial review of Emergency declarations; made President's satisfaction 'final and conclusive'.
- **39th Amendment (1975)**: Changed election dispute method for President, VP, PM, Speaker – beyond judicial scrutiny.
- **42nd Amendment (1976)** ("Mini-Constitution"): Primacy to DPSP over FRs under Article 31C; curtailed SC and HC powers; extended Lok Sabha term from 5 to 6 years; gave Parliament virtually unchecked amending power.
- **42nd Amendment** also added words "**socialist, secular**" and "**integrity**" to Preamble.

Post-Emergency Reforms

- **44th Amendment (1978)** reversed many 42nd Amendment provisions.
- Restored Lok Sabha term to 5 years.
- "Internal disturbance" replaced by "armed rebellion" as ground.
- Emergency requires written **advice of Cabinet** to President (not PM alone).

- **Articles 20 and 21** cannot be suspended even during Emergency.
- **ADM Jabalpur (1976)** overturned in **Puttaswamy (2017)**.

Prelims Pointers

- **Article 352** – National Emergency (grounds: war, external aggression, armed rebellion).
- **Article 356** – State Emergency (President's Rule).
- **Article 360** – Financial Emergency (never invoked).
- Emergency proclamation needs **special majority** (2/3rd present and voting + more than 1/2 of total membership) in both Houses within **1 month**.
- Continues for **6 months** after approval – indefinitely renewable by further 6-month periods.
- **ADM Jabalpur v. Shivkant Shukla (1976)** – held FRs suspended; **Puttaswamy (2017)** explicitly overruled this.
- **44th Amendment** also inserted safeguards: President must receive written Cabinet advice; Parliament's approval required within 1 month.

J&K STATEHOOD & LADAKH – PENDING RESTORATION AND LEH PROTESTS

SC sought Centre's detailed response on restoration of statehood to J&K; ongoing protests in Leh demand statehood and Sixth Schedule inclusion.

News in Brief

- SC sought detailed Centre response on restoration of J&K statehood.
- **In Re: Article 370 (2023)**: SC upheld abrogation of Articles 370 and 35A but **directed restoration of statehood and Assembly elections**.
- **Darbar Move** (annual shift of capital between Srinagar and Jammu since 1872) discontinued by LG in 2021; Cabinet has cleared proposal to revive; file forwarded to LG (approved).

Prelims Connect

Constitutional Framework – Articles 2, 3, 4

- **Article 2: Admission or establishment** of new States (not originally part of India).
- **Article 3: Formation** of new States by internal reorganisation (separation, unification, alteration of boundaries/area/name).
- **Article 3 Explanation 1**: "State" includes **Union Territory** – Parliament can **carve a UT out of a State**.
- **Article 4**: Laws under Articles 2 or 3 may amend **First and Fourth Schedules** – not deemed amendments under Article 368.

Article 2 vs Article 3

- **Article 2**: External addition; foreign territories → State; no consultation with State Legislature required.
- **Article 3**: Internal reorganisation; territories within India; **State Legislature consulted** (opinion not binding).
- Example under Art. 2: Sikkim (initially).
- Example under Art. 3: Telangana (2014), Jharkhand (2000).

Leh Protests – Constitutional Demands

- Key demands: **Statehood, Sixth Schedule inclusion, local job reservation, political representation**.
- **Leh Apex Body (LAB)** and **Kargil Democratic Alliance (KDA)** lead the agitation.
- **Reservation breakup** for Ladakh: 80% STs, 4% LoC/LAC dwellers, 1% SCs, 10% EWS.

- **85% reservation** for resident Ladakhis; **5%** for non-local domiciles with 15 years continuous stay; **10%** for EWS – **total 95% reservation** (among highest in India).
- **Official languages:** English, Hindi, Urdu, Bhoti, Purgi.
- **One-third seats** reserved for women in Leh Hill Council (rotational).
- MHA offered **Article 371** provisions to Ladakh.

Fifth vs Sixth Schedule

- **Fifth Schedule:** applies to **Scheduled Areas** – 10 States. Tribes Advisory Councils (TACs) – max 20 members, $\frac{3}{4}$ tribal MLAs. Governor has regulatory powers.
- **Sixth Schedule:** applies to **tribal areas** in **Assam, Meghalaya, Tripura, Mizoram** – 10 tribal areas. **Autonomous District Councils (ADCs)** with 30 members have legislative, administrative, judicial, financial powers.
- Sixth Schedule areas enjoy **greater autonomy** than Fifth Schedule areas.

Prelims Pointers

- **India is a Union of States** (Article 1) – States cannot secede. Term "Union" preserves unity and integrity.
- **In Re: Article 370 (2023)** – 5-judge Constitution Bench upheld abrogation; directed ECI to conduct J&K Assembly elections by September 2024.
- **2019 reorganisation:** enacted when State was under **President's Rule**, with State legislature powers vested in Parliament.
- **Article 371** – special provisions for 12 States (Nagaland, Assam, Manipur, Mizoram, Maharashtra, Gujarat, AP, Telangana, Arunachal Pradesh, Goa, Sikkim, Karnataka).
- **Sixth Schedule** ADCs can make laws on **land management, shifting cultivation, inheritance, marriage/divorce, social customs** (with Governor's approval).
- Sixth Schedule was a recommendation of the **Bordoloi Sub-Committee (1947)** of the Constituent Assembly.

SELECTING HEAD OF POLICE – PRAKASH SINGH GUIDELINES

SC in Prakash Singh v. UoI (2006) laid down detailed guidelines for DGP selection; Court continues to enforce tenure and UPSC empanelment rules.

News in Brief

- DGP to be selected by **State Government** from amongst **three senior-most officers** empanelled by UPSC.
- Empanelment based on **length of service, very good record, and range of experience**.
- Selected officer must be granted **minimum tenure of 2 years, irrespective of date of superannuation**.
- State governments must send proposals to UPSC **at least 3 months before** anticipated vacancy.

Prelims Connect

Prakash Singh v. UoI (2006) – 7-point Directives

- **State Security Commission** to ensure State government does not exercise unwarranted influence.
- **Minimum tenure of 2 years** for DGP and police officers on operational duties.
- **Separation of investigation and law-and-order functions**.
- **Police Establishment Board** at district/State level for postings/transfers.
- **Police Complaints Authority** at district and State level.
- **National Security Commission** at Union level.
- UPSC empanelment for DGP appointment.

Prelims Pointers

- **Police** is a **State subject** (Entry 2, State List).
- **Public Order** is also a State subject (Entry 1, State List).
- **Prakash Singh** judgment is India's landmark **police reforms** case.
- **DGP retirement age**: typically 60 years for All-India Services.
- UPSC empanels officers for State DGP post under **Indian Police Service (IPS) Cadre Rules**.

ELECTION COMMISSION & ELECTIONS / ELECTORAL REFORM

CEC & OTHER ELECTION COMMISSIONERS ACT, 2023 – NEW SELECTION FRAMEWORK KICKS IN; CEC RAJIV KUMAR DEMITS OFFICE

The first full cycle of appointments under the new statutory regime – Parliament's response to the Anoop Baranwal judgment.

News in Brief

- Traditionally, the successor to the CEC was the **next senior-most Election Commissioner**. For the **first time**, under the **Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023**, the pool was **widened**.
- The Act allows the selection of candidates **from outside the Election Commission**.
- **CEC Rajiv Kumar** demitted office on **18 February 2025**.
- At the time of transition, the Election Commission comprised the CEC plus two commissioners – **Gyanesh Kumar** and **Sukhbir Singh Sandhu**.
- **Section 6** of the 2023 Act mandates a **Search Committee**, chaired by the **Minister of Law and Justice** with two senior officials, to prepare a panel of **five names**.
- The Search Committee's recommendations go to a **Selection Committee** comprising:
 - **Prime Minister (Chair)**
 - A **Cabinet Minister** (nominated by the PM)
 - **Leader of the Opposition in the Lok Sabha**
- The Selection Committee can **choose from the panel** or **nominate an external candidate**.

Prelims Connect

Articles
Article 324 – Superintendence, direction and control of elections vest in the Election Commission of India
Article 324(2) – CEC + such number of other ECs as the President may fix; appointments made by the President
Article 324(5) – CEC cannot be removed except in the manner of a Supreme Court judge; other ECs can be removed only on CEC's recommendation
Article 325 – No person excluded from electoral roll on grounds of religion, race, caste or sex
Article 326 – Universal adult suffrage (age lowered from 21 to 18 by the 61st Amendment, 1988)
Article 327 – Parliament's power to make laws on Union/State elections
Article 328 – State legislature's power on state elections
Article 329 – Bar to interference by courts in electoral matters (election petitions only)

Landmark case

Anoop Baranwal v. Union of India (March 2023) – 5-judge bench: held that until Parliament enacts a law, CEC and ECs shall be appointed by a committee of **PM + LoP (LS) + CJI**. The 2023 Act replaced the CJI with a **Cabinet Minister**.

Prelims Pointers

- Election Commission: created on **25 January 1950** (now observed as **National Voters' Day**).
- The ECI became a **multi-member body** permanently on **1 October 1993**.
- **CEC / ECs** – term: **6 years or until age 65**, whichever is earlier.
- **Salary of CEC/ECs is equal to that of a Supreme Court judge**.
- ECI's **headquarters: Nirvachan Sadan, Ashoka Road, New Delhi**.
- **Parliament** enacts laws for Union/State elections under **Article 327** – main ones are the **Representation of the People Act, 1950** (rolls) and **Representation of the People Act, 1951** (conduct of elections).
- **T.N. Seshan** was the most celebrated CEC (1990–96) who strictly enforced the Model Code of Conduct.

VIVEK JOSHI APPOINTED ELECTION COMMISSIONER – ECI RESTORED TO FULL 3-MEMBER STRENGTH

News in Brief

- **Vivek Joshi**, a **1989-batch IAS officer of the Haryana cadre**, was appointed an **Election Commissioner**.
- With his appointment the Election Commission's strength was **restored to a three-member body**, alongside **CEC Gyanesh Kumar** and **EC Sukhbir Singh Sandhu**.
- Follows the retirement of **CEC Rajiv Kumar**.
- The appointment was made through the **Selection Committee process** under **Section 6 of the 2023 Act**.

Prelims Connect

Points

Article 324(2) – ECI comprises CEC + "such other number of Election Commissioners as the President may from time to time fix"

Article 324(5) – Removal protections: CEC **only** by address of Parliament (like SC judge); other ECs **only on CEC's recommendation**

Prelims Pointers

- ECI became a **three-member body** (permanently) on **1 October 1993** – originally with CEC **T.N. Seshan** + ECs **M.S. Gill + G.V.G. Krishnamurthy**.
- The multi-member structure was upheld in **T.N. Seshan v. Uoi (1995)**.
- Decisions of a multi-member ECI are taken by **majority vote** – no **casting vote** for the CEC (*T.N. Seshan* case).
- "**Pleasure doctrine**" does not apply to CEC – the CEC's removal process is the **same as that of an SC judge**, not other ECs.
- **Registration of political parties** under **Section 29A** of the Representation of the People Act, 1951.
- **National Party / State Party** recognition is governed by the **Election Symbols (Reservation and Allotment) Order, 1968**.

ECINET – NEW DIGITAL PLATFORM OF THE ELECTION COMMISSION OF INDIA

News in Brief

- ECINET is a new digital platform developed by the **Election Commission of India (ECI)** to provide a **single, user-friendly interface** for all electoral-related activities.
- Aims to **simplify user experience (UX)** and enhance accessibility for voters, election officials, political parties and civil society.
- **Replaces and integrates** multiple existing mobile and web applications, including:
 - **Voter Helpline App**
 - **Voter Turnout App**
 - **cVIGIL**
 - **SUVIDHA** (candidate nomination / permissions)
 - **ENCORE** (candidate affidavits / results)
- Brings "**one app, many services**" – reducing duplication and data silos.

Prelims Connect

Existing ECI apps (to be merged)
Voter Helpline App – electoral roll search, voter registration, duplicate EPIC, grievance
cVIGIL – citizen reporting of Model Code violations with geo-tag and time-stamp
SUVIDHA Portal – candidate nomination and permission (rallies, vehicles, meetings)
ENCORE – Enabling Communications on Real-time Environment (candidate affidavits, counting, results)
KYC / "Know Your Candidate" – criminal antecedents disclosure (mandated by the SC)

Prelims Pointers

- **cVIGIL** ("citizen vigilant") was launched in the **2019 Lok Sabha elections** and operates within the **MCC enforcement** window.
- **Model Code of Conduct (MCC)** is **not statutory** – it is a **moral code** enforced by the ECI.
- **Disclosure of criminal antecedents** is a rule from *Union of India v. Association for Democratic Reforms (ADR) (2002)* and *Public Interest Foundation (2018)* – political parties must publish this information on their websites within 48 hours of selecting candidates.
- **VVPAT (Voter Verifiable Paper Audit Trail)** was first used in **Noksen constituency, Nagaland (2013)**.
- **Remote EVM (RVM)** prototype was demonstrated by the ECI in January 2023 for out-of-state migrant voters.

BIHAR BECOMES INDIA'S FIRST STATE TO ADOPT E-VOTING FOR URBAN LOCAL BODY ELECTIONS

A State Election Commission (not the ECI) led initiative – relevant for Part IX / Part IXA and Article 243K / 243ZA.

News in Brief

- The **Bihar State Election Commission** decided to roll out an **Android-based e-voting system** – Bihar becoming the **country's first state** to adopt such a system for **urban local body** polls.
- The e-voting system uses two mobile apps:
 - **"e-Voting SECBHR"**, developed by the **Centre for Development of Advanced Computing (C-DAC)**.
 - A second app developed by the **Bihar State Election Commission**.
- Important distinction: **State Election Commissions (SECs)** – not the ECI – conduct **Panchayat and Municipal elections**.

Prelims Connect

Articles
Article 243K – State Election Commission for Panchayat elections (superintendence, direction, control of preparation of rolls and conduct of all elections to Panchayats)
Article 243ZA – State Election Commission for Municipal elections (same, for Municipalities)
Article 243 – Definitions (Part IX)
Part IX (Art. 243–243-O) – Panchayats (73rd Amendment, 1992)
Part IXA (Art. 243P–243ZG) – Municipalities (74th Amendment, 1992)
11th Schedule – 29 subjects for Panchayats
12th Schedule – 18 subjects for Municipalities
Landmark case
<i>Kishansing Tomar v. Municipal Corp. of Ahmedabad (2006)</i> – SECs must conduct Municipal elections before expiry of 5-year term, barring genuine impossibility

Prelims Pointers

- **State Election Commissioner** is appointed by the **Governor** and can be removed **only in the manner of a High Court judge (Art. 243K(2) / Art. 243ZA(2))**.
- The **ECI has no jurisdiction** over local body elections – these are **exclusively** with State Election Commissions.
- **Municipal elections** must be held **before the expiry of the 5-year term** of the existing body (**Art. 243U** for Panchayats; **Art. 243E** for Municipalities).
- **C-DAC** is an **R&D organisation under MeitY**; its headquarters is at **Pune**.
- **Remote voting / e-voting** for general elections is still **not legally permitted** in India – the ECI's Remote EVM is only a prototype.

IICDEM 2026 – INDIA INTERNATIONAL CONFERENCE ON DEMOCRACY AND ELECTION MANAGEMENT HOSTED BY IIIDEM

News in Brief

- The **Election Commission of India** is hosting the **inaugural India International Conference on Democracy and Election Management (IICDEM) 2026**.
- Organised by the **India International Institute of Democracy & Election Management (IIIDEM)** starting **21 January 2026** at **Bharat Mandapam, New Delhi**.
- A 3-day conference focused on electoral best practices and democratic institution-building worldwide.
- Reinforces India's soft-power role as a "Mother of Democracy" and the ECI's global capacity-building mandate.

Prelims Connect

Bodies
IIIDEM – India International Institute of Democracy & Election Management – ECI's in-house training institute, set up in 2011 at Dwarka, New Delhi
Association of World Election Bodies (A-WEB) – ECI is a founding member (2013) and hosted its chair from 2019 onwards
Bharat Mandapam – international convention centre at Pragati Maidan, New Delhi; hosted the G20 Summit 2023

Prelims Pointers

- ECI has signed MoUs with the Election Management Bodies of **over 30 countries** for training and cooperation.
- **25 January** – National Voters' Day – commemorates ECI's founding on 25 January 1950.
- **A-WEB** (Association of World Election Bodies) secretariat is in **Incheon, South Korea**.
- **Bharat Mandapam** takes its name from the "Bharat Mata" reliefs inside; it was inaugurated in **July 2023**.
- **IIIDEM** functions as the training and research arm of the ECI; has trained election officials from many countries.

SPECIAL INTENSIVE REVISION (SIR) OF ELECTORAL ROLLS – BIHAR & BEYOND

ECI initiated a Special Intensive Revision of electoral rolls in Bihar – first since 2004 – and extended SIR 2.0 to 12 States/UTs.

News in Brief

- **Bihar SIR** – first since **2004**.
- Under **Article 324**, ECI has authority to supervise electoral roll preparation.
- **RP Act, 1950**: Section 16 disqualifies non-citizens; Section 19 requires 18+ and ordinarily resident; **Section 21** allows special revisions.
- Unlike 2003 SIR (door-to-door), **2025 SIR** requires each elector to submit an enumeration form.
- **Pre-2003 voters** may use roll extract; **post-2003 voters** must furnish birth-related documents.
- **At least one document** (from 12 prescribed) needed: Aadhar, birth certificate, passport, caste certificate, pension papers, EPIC, ration card.
- ECI **empowered EROs** to refer suspected foreign nationals to authorities under Citizenship Act, 1955.
- **SC directed EC to accept Aadhaar** as the 12th valid document.
- Under **Form 6** of Registration of Electors Rules, 1960, Aadhaar is accepted for **residence and DOB verification**.

Prelims Connect

SIR 2.0 Across 12 States/UTs

- Chhattisgarh, Goa, Gujarat, Kerala, MP, Rajasthan, TN, UP, WB, Andaman & Nicobar, Lakshadweep, Puducherry.
- **Paperless exercise**; BLOs to make **3 house visits** for verification.
- **No documents** collected from electors during enumeration.
- For non-returned forms, BLOs conduct inquiries and record reasons (death, duplication).
- **Booth-wise lists** of excluded electors displayed publicly in Panchayat Bhavans, ULBs, BDOs.

SIR 2003 vs 2025

- **2003**: onus on **Enumerator (BLO)**, not elector; no enumeration form; no deadline; no general documentation.
- **2025**: every elector must prove citizenship/legitimacy; mandatory verification.
- **Gauhati HC in Dr. Manmohan Singh (1999)** held ordinary resident is a habitual resident – presumed valid voter.
- **SIR 2025 inverts** this presumption.

Citizenship Scrutiny – EC's Plenary Power

- EC: Centre's power **limited** to inquiring into voluntary acquisition of foreign citizenship (**Section 9, Citizenship Act**).
- Indian citizenship is a **precondition under Article 326** for entry into voter list.
- Commission emphasised SIR is **not meant to determine citizenship status**.
- EC's power to scrutinise citizenship flows directly from **Article 324**.
- No parliamentary law can **oust EC's jurisdiction** – even Parliament's authority under Article 327 must align with Commission's plenary powers.

Prelims Pointers

- **Article 324** – Superintendence, direction, and control of elections by EC.
- **Article 326** – Adult suffrage; citizenship precondition.
- **RP Act, 1950** – Section 16 (non-citizen disqualified), Section 19 (18+, ordinarily resident), Section 21 (special revisions).
- **Registration of Electors Rules, 1960** – Rule 8 (info to best of ability), Form 6 (new inclusion), Form 8 (transposition).
- **ECINet** – EC's new digital platform integrating 40+ applications.
- **C-DAC, Pune** manages ECINet as digital backbone.

NOTA – EXPANDING SCOPE OF 'NONE OF THE ABOVE'

PIL in SC seeks to make NOTA mandatory in every election, including single-candidate (uncontested) contests.

News in Brief

- NOTA introduced in **2013** following **PUCL v. UoI PIL**.
- **Rule 49-O** previously: elector refusing to vote – presiding officer made a remark in Form 17A with signature/thumb impression (violated privacy).
- **PUCL (2013) PIL** argued for **right to secretly not vote**.
- In **Lok Sabha elections (2014, 2019, 2024)**: around **1% voted for NOTA**.
- **EC opposes compulsory NOTA** in uncontested elections.
- Since 1971, only **6 uncontested LS elections**; since 1952, only **9 candidates** elected unopposed.

Prelims Pointers

- **PUCL v. UoI (2013)** – SC directed EC to introduce NOTA on EVMs/ballots.
- NOTA has **no legal consequence** currently – candidate with most votes wins even if NOTA exceeds.
- Some States (like Maharashtra, Haryana) have moved to **re-poll** if NOTA is highest (local body elections).
- In **Shailesh Manubhai Parmar (2018)**, SC extended NOTA to **Rajya Sabha elections**.
- NOTA **does NOT apply** to Presidential and Vice-Presidential elections.

DE-LISTING UNRECOGNISED POLITICAL PARTIES – ECI ACTION

ECI began steps to de-list 345 Registered Unrecognised Political Parties (RUPPs) that haven't contested elections in 6 years and whose offices could not be located.

News in Brief

- **345 RUPPs** to be de-listed.
- **Section 29A of RP Act, 1951** – registration of political parties with ECI.
- A political party must submit **memorandum/constitution within 30 days** of formation affirming allegiance to Constitution, socialism, secularism, democracy, sovereignty.

- ECI registers RUPPs after verifying internal democracy provisions.
- RUPPs' benefits: tax exemption under Section 13A of IT Act, common election symbols, 20 star campaigners.
- Must report donors contributing over ₹20,000 annually to ECI (Section 29C RP Act).
- Donations above ₹2,000 must be received via cheque or bank transfer.
- India has over 2,800 RUPPs but only ~750 contested 2024 general elections.
- RP Act does NOT empower ECI to de-register a party for not contesting or violating internal democracy.
- SC (2002) held de-registration is possible only in exceptional cases: fraud, disloyalty to Constitution, or declared unlawful by government.

Prelims Pointers

- Article 19(1)(c) – right to form associations (fundamental right).
- Section 29A RP Act, 1951 – party registration.
- National Party status requires 6% vote share in 4 States OR 2% LS seats from 3 States (as per 2016 amendment to Election Symbols Order).
- State Party – 6% votes and 2 assembly seats OR 3% assembly seats OR 1 LS seat per 25 allotted to State.
- India currently has 6 national parties (as of 2024): BJP, Congress, CPI-M, BSP, NPP (Meghalaya), AAP.

SIMULTANEOUS POLLS – 129TH CONSTITUTIONAL AMENDMENT BILL

Law Ministry submitted to JPC that the proposed framework for simultaneous elections does not violate basic structure or infringe federal character.

News in Brief

- Articles 83(2) and 172(1): Lok Sabha and State Assembly term is 5 years "unless sooner dissolved".
- Five-year tenure is neither sacrosanct nor part of basic structure.
- Bill inserts new Article 82A – President notifies "appointed date"; all State Assemblies elected after this date will have terms expire with Lok Sabha's 5-year term.
- 42nd CAA (1976) during Emergency extended term to 6 years; 44th CAA (1978) restored to 5 years.

Prelims Connect

State Ratification – Not Required?

- Law panel said Bill does not require ratification by 50% State Assemblies.
- Reason: does not directly amend "federal provisions" listed in proviso to Article 368(2).
- Phase 2 amendment for local body elections would require state ratification (local governance in State List).

State Ratification – Required For (Article 368 proviso)

- Articles 54 & 55 – Election of President.
- Articles 73 & 162 – Executive power of Union and States.
- Article 241 – HCs for UTs.
- Chapter IV of Part V & Chapter V of Part VI – SC and HCs.
- Chapter I of Part XI – Distribution of legislative powers.
- Seventh Schedule – Union, State, Concurrent Lists.
- Representation of States in Parliament.
- Article 368 itself.

Prelims Pointers

- Bill requires **special majority** in each House – **2/3rd of members present and voting AND majority of total membership**.
- **Kovind Committee (2024)** recommended simultaneous elections.
- Simultaneous polls held in **1952, 1957, 1962, 1967**; disrupted after dissolution of several Assemblies in 1968-69 and LS in 1971.
- **Law Commission (2018)** recommended ONOE in its 170th Report.
- **Departmentally Related Standing Committee on Law (2015)** also supported ONOE in principle.

CONSTITUTIONAL BODIES

AJAY KUMAR APPOINTED CHAIRMAN, UNION PUBLIC SERVICE COMMISSION (UPSC)

News in Brief

- **Ajay Kumar**, a retired IAS officer of the Kerala cadre and former Defence Secretary, was appointed **Chairman of the Union Public Service Commission (UPSC)**.
- **President Droupadi Murmu** approved the appointment.
- The vacancy was created by the retirement of the earlier Chairperson **Preeti Sudan**.
- The UPSC Chairman is appointed by the **President of India** under **Article 316**.

Prelims Connect

Articles
Article 315 – Public Service Commissions for the Union and for the States
Article 316 – Appointment and term of office of members (by the President for UPSC/JPSC; by the Governor for SPSC)
Article 317 – Removal and suspension of a member of a PSC (only by order of the President , after a Supreme Court inquiry)
Article 318 – Power to make regulations as to conditions of service of members and staff
Article 319 – Prohibition on holding offices after ceasing to be a member (UPSC Chairman ineligible for further employment under the Government of India or a State)
Article 320 – Functions of Public Service Commissions
Article 321 – Power to extend functions of PSCs
Article 322 – Expenses charged on the Consolidated Fund
Article 323 – Reports of PSCs (annual report to the President → laid before Parliament)

Prelims Pointers

- UPSC Chairman / Members are appointed by the **President** (Art. 316).
- **Term: 6 years or age 65**, whichever is earlier.
- **Half the members** of the UPSC must have at least **10 years of service** under the Government of India or a State (Art. 316(1)).
- UPSC Chairman can resign by writing to the **President**.
- UPSC can be removed only by order of the **President**, on the grounds of **misbehaviour** after a reference to the **Supreme Court** – and the SC's advice is **binding** (unlike in Article 143).

- **Article 319 bars re-employment** – UPSC Chairman cannot be employed under GoI or any State thereafter; UPSC members can only become UPSC/SPSC Chairman.
- The UPSC's expenses are **charged on the Consolidated Fund of India** – not subject to vote in Parliament.

UPSC PRATIBHA SETU – INITIATIVE TO CONNECT NON-SELECTED CLEARED CANDIDATES WITH EMPLOYERS

News in Brief

- The UPSC launched **PRATIBHA Setu – Professional Resource And Talent Integration – Bridge for Hiring Aspirants**.
- Earlier known as the **Public Disclosure Scheme (PDS)**.
- A strategic initiative that allows **verified employers** – ministries, PSUs, autonomous bodies, and private organizations – to access details of **non-recommended willing candidates** who cleared all stages of UPSC exams but didn't make the final merit list.
- Helps retain top-tier talent within the public and private sector ecosystem.

Prelims Connect

Provisions

Article 320 – Functions of the UPSC: conduct examinations for appointments to the services of the Union; consultation in matters of recruitment, appointment, promotion, disciplinary matters of civil servants

Article 322 – Expenses of UPSC charged on Consolidated Fund of India

Prelims Pointers

- The **UPSC conducts 14+ examinations**: Civil Services, Engineering Services, Combined Defence Services, NDA/NA, CAPF (AC), Indian Forest Service, Indian Economic / Statistical Services, CMS, etc.
- **UPSC is ONLY a recruitment body** – not a welfare/placement body; PRATIBHA Setu is an exceptional facilitation scheme.
- The **first CSE was held in 1922** (by the **Federal Public Service Commission** under the Government of India Act, 1919).
- UPSC does not conduct the **Staff Selection Commission (SSC)** exams – SSC is an attached office under DoPT, not a constitutional body.

UPSC CENTENARY YEAR – 100 YEARS OF THE UNION PUBLIC SERVICE COMMISSION

News in Brief

- The **Union Public Service Commission (UPSC)** – India's premier recruitment body for senior government services – marked **100 years of its existence** with a **year-long Centenary Year celebration** from **1 October 2025 to 1 October 2026**.
- Traces its origin to the **first Public Service Commission** established on **1 October 1926** under the **Government of India Act, 1919** (Montagu-Chelmsford Reforms).
- It became the **Federal Public Service Commission** under the **Government of India Act, 1935**.
- At the commencement of the Constitution on **26 January 1950**, it became the **Union Public Service Commission**.

Prelims Connect

Historical evolution

Lee Commission, 1923 – recommended establishing a central PSC

Public Service Commission – set up 1 October 1926 under GoI Act 1919

Federal Public Service Commission – under GoI Act 1935

Union Public Service Commission – from 26 January 1950 (Article 315)

Prelims Pointers

- UPSC's **first Chairman** was **Sir Ross Barker (1926)**; the **first Indian Chairman** was **Sir Sukumar Sen**, later also India's **first Chief Election Commissioner**.
- UPSC's headquarters is at **Dholpur House, Shahjahan Road, New Delhi** (also called **UPSC Bhavan**).
- The first **Public Service Commission in India** was recommended by the **Aitchison Commission (1886)** – though not implemented till the 1920s.
- The **UPSC's annual report** is submitted to the **President**, who places it before **both Houses of Parliament** along with a memorandum explaining cases where the Commission's advice was **not accepted (Article 323)**.
- **State PSCs** function under **Article 315(1)** with similar powers at the State level.

16TH FINANCE COMMISSION – COMPOSITION UPDATE: RABI SANKAR AS PART-TIME MEMBER

News in Brief

- **T. Rabi Sankar**, Deputy Governor of the **Reserve Bank of India (RBI)**, was appointed as a **part-time Member** of the **16th Finance Commission**.
- The **16th Finance Commission** is chaired by **Dr. Arvind Panagariya**, former Vice-Chairman of NITI Aayog.
- The 16th FC was constituted in **December 2023** and will make recommendations for the period **2026–27 to 2030–31**.
- Its report is to be submitted by **31 October 2025** for the above five-year period.

Prelims Connect

Articles	
Article 280	– Constitution of Finance Commission by the President every 5th year or earlier
Article 281	– President shall cause every FC recommendation + action taken memorandum to be laid before each House of Parliament
16th FC – Composition	
Chairman	– Dr. Arvind Panagariya
Members	– Ajay Narayan Jha, Annie George Mathew, Dr. Manoj Panda (full-time)
Part-time Member	– T. Rabi Sankar (RBI Deputy Governor)
Secretary	– Ritvik Ranjanam Pandey

Prelims Pointers

- The **Finance Commission** is appointed by the **President** under **Article 280(1)**.
- **Chairman** should be a person with **experience in public affairs**; **4 members**, of whom:
 - One from among persons having **special knowledge of finance and accounts of Government**.
 - One with wide experience in **financial matters and administration**.
 - One with special knowledge of **economics**.
 - One **qualified to be appointed a judge of a High Court**.
- **Qualifications** are laid down by Parliament under the **Finance Commission (Miscellaneous Provisions) Act, 1951**.

- The **15th FC** (chaired by **N.K. Singh**) covered **2021-22 to 2025-26**; recommended a **41% vertical devolution** to states.
- FC recommendations are **advisory**, not binding, but conventionally accepted in full.

FISCAL HEALTH INDEX (FHI) 2025 – NITI AAYOG REPORT LAUNCHED BY 16TH FC CHAIRMAN

Centre-State fiscal diagnostics report – directly relevant to the work of the Finance Commission.

News in Brief

- The **Chairman of the 16th Finance Commission, Dr. Arvind Panagariya**, launched the **inaugural Fiscal Health Index (FHI) 2025** prepared by NITI Aayog on **24 January 2025**, in the presence of **Shri Suman Bery, Vice-Chairman of NITI Aayog**.
- FHI is based on **five sub-indices**:
 - **Quality of Expenditure**
 - **Revenue Mobilisation**
 - **Fiscal Prudence**
 - **Debt Index**
 - **Debt Sustainability**
- Includes insights into **state-specific challenges and areas for improvement**.
- **Rankings** (top 3 with scores on 100):
 1. **Odisha – 67.8**
 2. **Chhattisgarh – 55.2**
 3. **Goa – 53.6**
- **Jharkhand** improved in fiscal prudence and debt sustainability.
- **Karnataka** declined due to weaker expenditure quality and debt management.

Prelims Connect

Related fiscal provisions
Article 266 – Consolidated Fund / Public Account of India and of the States
Article 267 – Contingency Fund of India / States
Article 270 – Taxes levied and distributed between the Union and the States
Article 275 – Grants-in-aid to the revenues of States
Article 282 – Expenditure defrayable by the Union or a State out of its revenues
Article 293 – Borrowing by States
FRBM Act, 2003 – Fiscal Responsibility and Budget Management Act

Prelims Pointers

- **NITI Aayog** was created on **1 January 2015** replacing the **Planning Commission (1950)**.
- NITI Aayog's **Chairperson** is the **Prime Minister**; it is **not** a constitutional or statutory body – created by an **executive resolution**.
- **Suman Bery** is the current **Vice-Chairperson** of NITI Aayog (successor to Rajiv Kumar).
- **Fiscal Deficit** = Total expenditure – (Revenue receipts + Non-debt capital receipts).
- **FRBM Act, 2003** committed the Centre to targeting fiscal deficit; amended post-COVID for a **glide path** approach.
- Under **Article 293(3)**, a state **cannot borrow** without Union consent if it is already indebted to the Centre.

- The **16th FC** will consider, among other things, **principles governing devolution, grants-in-aid** to the States, measures to augment the **Consolidated Fund of a State** to supplement panchayat/municipal resources, and **any other matter** referred by the President.

CAG – LLM-BASED AI SYSTEM & CONNECT PORTAL

The Comptroller and Auditor General of India is developing a Large Language Model (LLM) to enhance audit analysis and launching a Connect Portal for audit entities.

News in Brief

- CAG is developing a **Large Language Model (LLM)** powered by AI to help auditors improve audit analysis.
- Model will be trained on **previous inspection reports**.
- LLM will assist auditors in **analysing large datasets, generating inspection reports, and preparing audit findings**.
- '**Connect Portal**' will provide **10 lakh audit entities** with a unified digital interface to respond to audit queries, observations, and inspection reports.

Prelims Connect

CAG – Constitutional Basis

- Appointed under **Article 148** of the Constitution.
- Appointed by the **President**; holds office for **6 years or till 65 years**, whichever is earlier.
- Can be **removed in the same manner as a Supreme Court judge** (Article 124(4)) – special majority.
- Once retired, not eligible for further office under Government.
- Salary charged on the **Consolidated Fund of India** – not subject to Parliament's vote.

Audit Functions of CAG

- **Audit of Expenditure** – from Consolidated Fund of India & States/UTs (Article 149).
- **Audit of Receipts** – government revenue.
- **Audit of Government Undertakings** – PSUs.
- Submits reports on Union accounts to **President** → laid before Parliament → referred to **Public Accounts Committee (PAC)**.
- State reports submitted to **Governor** → State Legislature.

Prelims Pointers

- Called the "**guardian of the public purse**" by Dr. B.R. Ambedkar.
- Article 148–151 deal with the CAG.
- CAG is the **head of the Indian Audit and Accounts Department**.
- **Article 150**: Form of accounts of Union and States prescribed by President on advice of CAG.
- Current CAG: **K. Sanjay Murthy** (since November 2024).
- **K. Sanjay Murthy** succeeded **Girish Chandra Murmu**.

STATUTORY & REGULATORY BODIES

JUSTICE V. RAMASUBRAMANIAN ASSUMES CHARGE AS CHAIRPERSON OF THE NATIONAL HUMAN RIGHTS COMMISSION (NHRC)

News in Brief

- **Justice V. Ramasubramanian**, a former judge of the **Supreme Court of India**, assumed charge as the **Chairperson of the National Human Rights Commission (NHRC)**.
- Born **30 June 1958** in **Mannargudi, Tamil Nadu**; BSc in Chemistry (Ramakrishna Mission Vivekananda College, Chennai) + law degree from **Madras Law College**.
- Appointed **Additional Judge of the Madras High Court in 2006**; became a permanent judge in 2009; later elevated to the Supreme Court.

Prelims Connect

Body & Law
Protection of Human Rights Act, 1993 (amended in 2006 and 2019) – creates NHRC and SHRCs
NHRC is a statutory body , not constitutional
Headquarters: Manav Adhikar Bhavan, New Delhi
Composition (post 2019 amendment)
Chairperson – a retired CJI OR a retired SC Judge
1 member – serving/retired SC Judge
1 member – serving/retired CJ of a High Court
3 members – with knowledge of / practical experience in human rights (at least one woman)
Ex officio members – Chairpersons of NCSC, NCST, NCW, NCBC, NCPCR and the Chief Commissioner for Persons with Disabilities
Landmark cases
<i>Paramjit Kaur v. State of Punjab (1996)</i> – NHRC has <i>sui generis</i> jurisdiction; can inquire into human rights violations by police
<i>D.K. Basu v. State of West Bengal (1997)</i> – SC laid down arrest and detention guidelines; NHRC a key monitoring body

Prelims Pointers

- **Term: 3 years or age 70**, whichever is earlier.
- **Appointment** is by the **President** on the recommendation of a **6-member committee** – PM + Speaker LS + Home Minister + Leaders of Opposition in LS & RS + Deputy Chairman RS.
- The **2019 Amendment** widened the eligibility of NHRC Chairperson (from only retired CJI to any retired SC judge) and reduced the term from **5 to 3 years**.
- NHRC has **recommendatory powers only** – its recommendations are **not binding** on the government; violations related to armed forces need to be investigated through reports from the Centre.
- **Investigative powers**: Can inquire suo motu, on petition or on court's reference; has powers of a **civil court** under the **CPC, 1908**.
- Matters **older than 1 year** cannot be inquired into by NHRC (**Section 36(2)** of the Act).
- **State Human Rights Commissions (SHRCs)** are created under Section 21; their Chairperson is a retired CJ of a High Court.

JUSTICE SURYA KANT – EXECUTIVE CHAIRMAN OF NALSA (CROSS-REFERENCE)

Introduced briefly in Topic 3 Item 3.5 – here seated firmly in the statutory-body table.

News in Brief

- **President Droupadi Murmu** nominated **Justice Surya Kant**, a sitting Supreme Court judge, as the **Executive Chairman of the National Legal Services Authority (NALSA)**.
- By convention, the **second-senior-most judge of the Supreme Court** is the Executive Chairman, while the **Chief Justice of India** remains the **Patron-in-Chief**.
- Links back to the eventual appointment of Justice Surya Kant as the **53rd CJI** (Topic 1A Item 1.3).

Prelims Connect

Foundation
Article 39A (DPSP) – Equal justice and free legal aid (42nd CAA, 1976)
Legal Services Authorities Act, 1987 – statutory basis for NALSA, SLSAs, DLSAs
Hierarchy: NALSA → State (SLSA) → District (DLSA) → Taluk (TLSC)

Prelims Pointers

- **NALSA** was constituted on **5 December 1995**; became operational in **November 1998**.
- **Free legal aid** is available to women, children, SC/ST, disabled, victims of trafficking, industrial workmen, persons in custody, persons with annual income below a ceiling (currently **₹9 lakh** for SC litigation).
- **Lok Adalat awards** are **deemed decrees of a civil court** – **final and binding**, and **not appealable**.
- **Permanent Lok Adalats** handle disputes involving **public utility services** up to **₹1 crore**.
- **Section 12 of LSA Act, 1987** lists categories of persons entitled to free legal services.

JUSTICE (RETD) DINESH MAHESHWARI APPOINTED CHAIRPERSON OF THE 23RD LAW COMMISSION OF INDIA

News in Brief

- **Justice (Retd) Dinesh Maheshwari**, former Judge of the Supreme Court, was appointed **Chairperson of the 23rd Law Commission of India**.
- **Members: Advocate Hitesh Jain** and **Professor D.P. Verma** (Law Faculty, BHU).
- The term runs for **3 years, up to 31 August 2027**.
- The **22nd Law Commission** was headed by **Justice (Retd) Ritu Raj Awasthi**.

Prelims Connect

About the Law Commission
Non-statutory, non-constitutional – constituted by an executive order of the Central Government from time to time
First constituted post-independence in 1955 under M.C. Setalvad (1st LCI); set up for a fixed term
Pre-independence precursor: First Law Commission (1834) headed by Lord Macaulay , which drafted the Indian Penal Code, 1860
Significant reports
14th Report (1958) – <i>Reform of Judicial Administration</i> (Setalvad)
262nd Report – Death Penalty (2015) – recommended abolition except in terror cases
277th Report – Wrongful prosecution / miscarriage of justice (2018)
21st LCI – preliminary views on Uniform Civil Code (2018)
22nd LCI – Fresh consultation on UCC (June 2023)

Prelims Pointers

- The Law Commission is **not a permanent body** – each new Commission is freshly constituted by the government.
- It is **advisory** – reports are **not binding**.
- **Law Commission reports** have influenced landmark legislation: **IPC reform, CrPC codification, RTI, CPC amendments, and the new Bharatiya Nyaya Sanhita / BNSS.**
- The **1st Law Commission (1834)** was set up under **Section 53 of the Charter Act, 1833** and recommended codification of Indian laws.
- **M.C. Setalvad**, first Chairperson of the post-independence LCI, was also India's **first Attorney-General (1950–63)** – serving the **longest term** as AG.

MAHANADI WATER DISPUTES TRIBUNAL – JUSTICE BELA M. TRIVEDI CHAIRS; STATES REVISIT NEGOTIATED SETTLEMENT

News in Brief

- **Odisha and Chhattisgarh** expressed fresh willingness to resolve the long-standing **Mahanadi water dispute** through **mutually beneficial dialogue**, moving away from court-centric proceedings.
- The **Mahanadi Water Disputes Tribunal**, chaired by **retired Supreme Court Judge Justice Bela M. Trivedi**, granted the states **more time** to pursue a negotiated settlement.
- The Tribunal was constituted under the **Inter-State River Water Disputes Act, 1956.**

Prelims Connect

Articles & Laws	
Article 262	– Adjudication of disputes relating to waters of inter-state rivers or river valleys; Parliament may by law exclude jurisdiction of SC / any court
Inter-State River Water Disputes Act, 1956	– provides for constitution of Tribunals
River Boards Act, 1956	– provides for establishment of River Boards for advisory functions
Entry 56, Union List	– Regulation and development of inter-state rivers
Entry 17, State List	– Water, supply, irrigation, canals, drainage, etc.
Major Water Disputes Tribunals	
	Krishna WDT (1969 & 2004)
	Narmada WDT (1969)
	Godavari WDT (1969)
	Cauvery WDT (1990)
	Ravi-Beas WDT (1986)
	Mahadayi WDT (2010)
	Mahanadi WDT (2018)
	Vansadhara WDT (2010)

Prelims Pointers

- **Article 262** allows Parliament to **bar the jurisdiction of the Supreme Court** and any other court in inter-state water disputes – **one of the few areas** where SC jurisdiction under Art. 136 can be excluded.
- **Inter-State Council** (created under **Article 263** in 1990 on Sarkaria Commission's recommendation) is different from the Inter-State **Water Disputes Tribunals.**
- The **Mahanadi River** rises in Dhamtari district of **Chhattisgarh** and flows through **Odisha** into the **Bay of Bengal.**
- **Mahanadi Tribunal** was constituted in **March 2018** under section 4 of the ISRWD Act, 1956.

- The **2019 Bill** (Inter-State River Water Disputes (Amendment) Bill, 2019) proposes a **single permanent tribunal** with multiple benches – still pending.

PAYMENTS REGULATORY BOARD (PRB) FORMALLY OPERATIONALISED UNDER THE PSS ACT, 2007

News in Brief

- The **Reserve Bank of India (RBI)** formally constituted and operationalised the **Payments Regulatory Board (PRB)** under the **Payment and Settlement Systems (PSS) Act, 2007**.
- **Chaired by the RBI Governor** – currently **Sanjay Malhotra**.
- The **six-member board**: three from the RBI and three nominees from the Central Government.
- **Replaces the earlier Board for Regulation and Supervision of Payment and Settlement Systems (BPSS)**.
- Key change from the BPSS: **Central Government nominees** are now formally part of the Board (earlier BPSS was RBI-only).
- Decisions are made by **majority vote**, with the **Chairperson holding the casting vote** in case of a tie.
- A **permanent invitee** to meetings is the **RBI's Principal Legal Adviser**.

Prelims Connect

Laws
Payment and Settlement Systems Act, 2007 – PRB is its statutory body
RBI Act, 1934 – RBI's founding statute
Banking Regulation Act, 1949 – banking sector law

Prelims Pointers

- RBI was established on **1 April 1935** on the recommendations of the **Hilton Young Commission (1926)** and nationalised on **1 January 1949**.
- **RBI Governor** is appointed by the **Central Government** under Section 8 of the **RBI Act, 1934**.
- **UPI, IMPS, RTGS, NEFT, NACH, AePS** – all operate under the PSS Act, 2007.
- The **National Payments Corporation of India (NPCI)** is an **umbrella organisation** under Section 25 of the Companies Act (now Section 8) – **not a government body**.
- Before PRB, oversight was with **BPSS**, a **sub-committee** of the RBI's Central Board.

NATIONAL GREEN TRIBUNAL (NGT) – ACTIVE DOCKET ON DHANAURI WETLAND, GANGA-YAMUNA POLLUTION AND SAUPARNIKA RIVER

News in Brief

- **NGT orders on Dhanauri Wetland** (Greater Noida, Gautam Buddha Nagar, UP) – directed the UP government to report on the status of **notifying Dhanauri as a wetland** within 4 weeks; critical for the **vulnerable Sarus Crane (*Antigone antigone*)**.
- **NGT on Ganga-Yamuna at Prayagraj** during **Maha Kumbh 2025** – raised concerns over **high faecal coliform** levels exceeding the safe limit of 2,500 units/100 ml; water failed primary bathing criteria.
- **NGT Southern Bench at Chennai** demanded a time-bound plan from Karnataka to halt **sewage inflow into the Sauparnika River** near the **Kollur Mookambika Temple** (January 2026).
- Complements the **NGT-organised National Conference on Environment 2025** inaugurated by **President Droupadi Murmu**.

Prelims Connect

Body
National Green Tribunal (NGT) – statutory body under the NGT Act, 2010
Not constitutional; but wields powers of a civil court
Headquartered at New Delhi with zonal benches at Pune, Bhopal, Kolkata and Chennai
Articles & DPSP
Article 21 – right to clean environment (read in by SC)
Article 48A – State duty to protect and improve the environment
Article 51A(g) – Fundamental duty
Article 253 – Parliament's power to make law to implement international treaties (basis of NGT Act, based on Rio Declaration 1992 and Agenda 21)

Prelims Pointers

- NGT disposes cases within **6 months**; appeals lie to the **Supreme Court** within 90 days under **Section 22** of the NGT Act.
- The **NGT Chairperson** must be a **retired Chief Justice of India** or **retired SC judge**.
- NGT deals with laws like **Water (P&CP) Act, 1974, Air (P&CP) Act, 1981, Environment Protection Act, 1986, Forest Conservation Act, 1980, Biological Diversity Act, 2002** – but **NOT** the **Wildlife Protection Act, 1972** or the **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006**.
- India was the **3rd country** in the world to have a specialised environmental court/tribunal, after **Australia (1979)** and **New Zealand (1991)**.

UMEED PORTAL – NEW MODULE ON WAQF-ALAL-AULAD FOR WIDOWS, DIVORCED WOMEN AND ORPHANS

News in Brief

- The **Ministry of Minority Affairs** launched a new module on the **UMEED Portal** to allow **widows, divorced women, and orphans** to apply for **maintenance support from Waqf-alal-aulad properties**.
- **Waqf-alal-aulad** is a private Waqf dedicated for the benefit of the creator's family and descendants, with any surplus eventually going for charitable purposes.
- Administered under the **Waqf Act, 1995** (as amended in 2013, and revisited by the **Waqf (Amendment) Act, 2025**).

Prelims Connect

Laws & bodies
Waqf Act, 1995 – Central Waqf Council + State Waqf Boards
Central Waqf Council (CWC) – advises GoI on Waqf matters
State Waqf Board – statutory, in each State
Waqf Tribunals – dispute resolution
Waqf (Amendment) Act, 2025 – major reforms including enhanced state oversight and digital registration (UMEED)
Constitutional angle
Article 25 – freedom of religion
Article 26 – right of religious denominations to manage religious affairs and property

Article 30 – right of minorities to establish educational institutions

Article 14 / 15 – equality, especially for Muslim women

Prelims Pointers

- **Waqf** is an inalienable charitable endowment under Islamic law, typically involving a **religious, pious or charitable purpose**.
- **UMEED portal** – **Unified Waqf Management, Empowerment, Efficiency and Development** portal, the digital registry for Waqf properties.
- **Central Waqf Council** was set up in **1964** and operates under the Ministry of Minority Affairs.
- India has the **world's largest Waqf endowment** – over **8.7 lakh registered Waqf properties**.
- The **Waqf (Amendment) Act, 2025** is subject to challenges on **Article 25, 26 and 14** grounds

8TH CENTRAL PAY COMMISSION – TERMS OF REFERENCE APPROVED

Union Cabinet approved the Terms of Reference for the 8th CPC, to be headed by Justice Ranjana Prakash Desai (retd.), affecting around 50 lakh Central government employees.

News in Brief

- **8th CPC** will have **one Chairperson, one part-time member, one member-secretary**.
- Expected to submit recommendations **within 18 months** (by April 2027).
- Effective **retrospectively from January 1, 2026**.
- **Justice Ranjana Prakash Desai (retd.)** – Chairperson.
- **Pulak Ghosh** (IIM Bangalore Professor) – Part-time Member; **Pankaj Jain** (Petroleum Secretary) – Member-Secretary.
- Recommendations affect around **50 lakh Central government employees**.
- Must consider **current economic conditions, fiscal prudence, unfunded pension liabilities, impact on State finances, public-private sector pay comparison**.

Prelims Connect

Key Features of CPC

- **Executive body**, established by government resolution under executive power – **not a constitutional body**.
- Recommendations are **advisory**, not binding.
- It is a **temporary commission** set up periodically.
- It is **not mandatory** to set up CPC every 10 years.
- Follows **7th CPC** (recommendations implemented in 2016).

Compression Ratio

- 7th CPC: **1:12.5** (Apex Scale basis); **1:13.9** (against Cabinet Secretary's absolute highest).
- Used to ensure pay equity while remaining competitive for high-level talent.
- Pension bill for **2025-26** estimated at **₹2.76 lakh crore** out of total revenue expenditure of ₹39.44 lakh crore.

Prelims Pointers

- First Pay Commission: **1946** (under Chairman Srinivasa Varadachariar).
- **6th CPC (2006)** – Chairman **Justice B.N. Srikrishna**.
- **7th CPC (2014)** – Chairman **Justice A.K. Mathur**.
- CPC recommendations are implemented through **executive order** after Cabinet approval.
- CPC recommendations also **influence State government pay structures**.

CENTRAL BUREAU OF INVESTIGATION (CBI) – LIMITS OF TRANSFER

Supreme Court reaffirmed self-restraint in ordering CBI probes; CBI governed by Delhi Special Police Establishment Act, 1946.

News in Brief

- CBI is central agency governed by **Delhi Special Police Establishment (DSPE) Act, 1946**.
- Traces its origin to the **Special Police Establishment (1941)** to weed out corruption in war-time procurements.
- **SC has jurisprudence of self-restraint** on ordering CBI probes under Articles 32 or 226.
- Circumstances for judicial transfer: **systemic failure, involvement of high-ranking State officials or politically influential persons, doubt about police neutrality**.
- Requires **sufficient material showing prima facie need**, not merely allegations.
- **Public order (Entry 1) and police (Entry 2) are State subjects**; investigation is primarily the responsibility of State Police.

Prelims Connect

About CBI

- Established by **executive order (resolution)** by MHA in 1963 – absorbing earlier Special Police Establishment.
- Followed recommendations of **Santhanam Committee on Prevention of Corruption**.
- Authority flows from **DSPE Act, 1946** – not a separate Act of Parliament.
- Attached office to **Department of Personnel and Training (DoPT)**.
- Operates under **Ministry of Personnel, Public Grievances and Pensions**.

Prelims Pointers

- CBI is **not** a statutory body – it is an executive body under **DSPE Act**.
- For CBI to investigate in a State, **consent of State government** is required under **Section 6** of DSPE Act ("general consent").
- States like **West Bengal, Tamil Nadu, Punjab, Rajasthan, Kerala** have withdrawn general consent at various times.
- **Constable to DIG**: recruited via SSC/UPSC; **SP and above**: IPS officers.
- CBI Director's tenure: **2 years** (as per **Vineet Narain v. UoI** and DSPE Act); can be **extended up to 5 years** in public interest.
- CBI Director selected by a committee of **PM, LoP, CJI/SC Judge** (CVC Act, 2003 as amended).

LOKPAL – JURISDICTION, VACANCIES & HC JUDGES CONTROVERSY

Lokpal complaints have sharply declined and annual reports haven't been uploaded since 2021–22; SC stayed Lokpal's assertion of jurisdiction over High Court judges.

News in Brief

- Complaints received by Lokpal **declined sharply** from **2,469 in 2022–23** to **233 in 2025–26**.
- Large numbers dismissed on **technicalities** (format/procedural errors).
- Annual reports not uploaded since **2021–22**.
- Currently has **7 members** (including Chairperson) against sanctioned strength of **8**.

- SC stayed Lokpal's assertion of jurisdiction over High Court judges, emphasising judges are appointed under the Constitution and have immunity pending review.
- Lokpal had invoked Section 14(1)(f) of the 2013 Act, arguing HCs are established by Acts of Parliament.

Prelims Connect

About Lokpal – Lokpal and Lokayuktas Act, 2013

- Enacted after the Jan Lokpal movement led by Anna Hazare (2010).
- India got its first Lokpal in 2019 (Justice Pinaki Chandra Ghose).
- Headed by a former SC judge or eminent person.
- Maximum: Chairperson + 8 members (50% judicial).
- At least 50% members from SCs, STs, OBCs, minorities, and women.

Appointment

- Appointed by President on recommendation of Selection Committee: PM, Speaker LS, LoP/leader of largest opposition party, CJI (or SC judge), eminent jurist.

Jurisdiction

- Covers public servants: PM, Ministers, MPs, and Groups A, B, C, D Central govt employees.
- Even Lokpal members themselves fall under definition of public servants.
- Has superintendence over CBI and CVC in corruption cases.
- PM exclusions: no inquiry for allegations related to international relations, external/internal security, public order, atomic energy, space.
- Complaints against PM need full bench consideration, 2/3rd approval, held in camera.

Inquiry & Prosecution Wings

- Section 11 – Inquiry Wing headed by Director of Inquiry (not below Joint Secretary rank).
- Prosecution Wing headed by Director of Prosecution – for prosecuting public servants.

Prelims Pointers

- Every State must establish a Lokayukta within one year of Act's commencement.
- Delhi HC in NPC case quashed Lokpal proceedings against Defence Secretary – held Lokpal acted beyond jurisdiction (no corruption allegations under Prevention of Corruption Act).
- Maharashtra was the first State to establish a Lokayukta (1971).
- Karnataka Lokayukta is generally considered the strongest among State-level bodies.

CENTRAL INFORMATION COMMISSION (CIC) – FULL PANEL AFTER 9 YEARS

CIC has a full panel for the first time in nine years after the President administered oath to a new Chief and eight Information Commissioners.

News in Brief

- Raj Kumar Goyal (former IAS) sworn in as Chief Information Commissioner (CIC).
- He administered oath to 8 new Information Commissioners.
- CIC now has a full panel – for the first time in 9 years.
- CIC comprises 1 Chief + up to 10 Information Commissioners.

Prelims Connect

Appointment Process

- Appointed by **President** based on recommendations of a Selection Committee: **PM (Chair)**, **LoP in LS (or largest opposition leader)**, **Cabinet Minister nominated by PM**.
- Candidates must be **eminent persons** with expertise in law, science, social service, management, journalism, mass media, administration, governance.
- Ineligible if they are **MPs/State legislature members, hold office of profit, have political affiliations, or engage in business/profession**.
- **Tenure:** as prescribed by the Centre or until age **65**, whichever is earlier (post **RTI Amendment Act, 2019**).

Powers of CIC

- Powers of a **civil court** while inquiring – summoning, requiring documents, examining witnesses.
- Can order **disclosure of information** from public authorities under Central Government.
- **Decisions are binding**.
- Can impose penalties **only on PIOs** (Public Information Officers), not on public authorities.

Prelims Pointers

- CIC is a **statutory body** established under the **Right to Information Act, 2005**.
- **RTI Amendment Act, 2019** – empowered Centre to prescribe tenure and service conditions (earlier fixed at 5 years).
- **State Information Commission** is also a statutory body.
- RTI Act covers **Public Authorities** at the Central, State, and local levels.
- RTI is **not available against the CJI's office** in its administrative capacity – SC in **CPIO v. Subhash Chandra Agarwal (2019)** held CJI's office is a public authority.

LOCAL SELF-GOVERNMENT

SASHAKT PANCHAYAT-NETRI ABHIYAN & MODEL WOMEN-FRIENDLY GRAM PANCHAYATS INITIATIVE

Ministry of Panchayati Raj's twin-launch to operationalise the one-third / one-half women reservation under Art. 243D.

News in Brief

- Ministry of **Panchayati Raj** launched "**Sashakt Panchayat-Netri Abhiyan**" – a targeted capacity-building drive for **Women Elected Representatives (EWRs)** of PRIs, to sharpen leadership, decision-making and grassroots governance roles.
- A companion "**Primer on Law Addressing Gender-Based Violence and Harmful Practices**" for **Panchayat Elected Representatives** was released to equip EWRs to tackle on-ground social issues.
- Simultaneously launched the **Model Women-Friendly Gram Panchayats Initiative** – at least **one Model GP in every district** that is both women- and girl-friendly, aligned with gender-equality SDGs.
- Anchored in Art. 243D which reserves **not less than 1/3rd seats and chairperson posts for women** (most States have raised this to **50 %**).

Prelims Connect

Article	Content
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Art. 243D(1)	SC/ST reservation in Panchayats in proportion to population
Art. 243D(3)	≥ 1/3rd seats reserved for women (incl. SC/ST women) – rotational
Art. 243D(4)	≥ 1/3rd chairperson posts reserved for women
Art. 243T	Analogous reservations in Municipalities
Art. 243E	Fixed 5-year term of every Panchayat
Art. 243G	Devolution of powers – subjects in 11th Schedule (29 items)
Amendment	Relevance
73rd CAA, 1992	Panchayati Raj – Part IX, 11th Schedule, Art. 40 DPSP operationalised
74th CAA, 1992	Municipalities – Part IXA, 12th Schedule (18 items)

Prelims Pointers

- Art. 40 (DPSP) is the **parent provision** – State to organise Village Panchayats as units of self-government.
- 11th Schedule has **29 subjects**; 12th Schedule has **18 subjects**.
- **Three-tier PRI** is mandatory for States with population > **20 lakh** (Art. 243B).
- **Gram Sabha** is defined under **Art. 243(b)** – body consisting of persons registered in the electoral rolls of a village within the Panchayat area.
- **State Election Commission (SEC)** conducts Panchayat/Municipal elections – Art. **243K** (Panchayats) & Art. **243ZA** (Municipalities).
- **State Finance Commission** constituted by Governor every 5 years – Art. **243-I** (Panchayats) & Art. **243Y** (Municipalities).
- The Ministry of Panchayati Raj was carved out of the Ministry of Rural Development on **27 May 2004**.
- India has **~2.6 lakh Gram Panchayats** and roughly **31 lakh PRI representatives**, ~14 lakh of them women – world's largest experiment in grassroots democracy.

PANCHAYAT ADVANCEMENT INDEX (PAI) 2022-23 & PAI 2.0

A Ministry of Panchayati Raj diagnostic to measure localisation of SDGs at GP level – baseline released April 2025, Version 2.0 rolled out May 2025, first results out Feb 2026.

News in Brief

- **PAI 2022-23 baseline** released by Ministry of Panchayati Raj – assesses progress of over **2.5 lakh Gram Panchayats** on **Localisation of SDGs (LSDGs)**.
- Captures GP performance across **9 LSDG themes**: (1) Poverty-Free & Enhanced Livelihoods, (2) Healthy, (3) Child-Friendly, (4) Water-Sufficient, (5) Clean & Green, (6) Self-Sufficient Infrastructure, (7) Socially Just & Secured, (8) Good Governance, (9) Women-Friendly Panchayat.
- Grades GPs into: **Achiever A+ (90+)**, **Front Runner A (75–90)**, **Performer B (60–75)**, **Aspirant C (40–60)**, **Beginner D (0–40)**.
- **PAI 2.0** (FY 2023-24) – 2-day national write-shop in New Delhi; **100+ indicators**, richer social-development picture.
- **Feb 2026 update: Tripura topped PAI nationwide** – *Jugal Kishore Nagar Village Committee (Sepahijala)* 1st with **88.44 points**, *Dakshin Nalchar* 3rd, *Cheschrimai* 4th. Tripura is notable because its PRI system historically operates through Village Committees and **Tripura Tribal Areas Autonomous District Council (6th Schedule)**.

Prelims Connect

Index / Tool	Ministry	Focus
PAI	Panchayati Raj	Localisation of SDGs at GP level
Fiscal Health Index	NITI Aayog	State fiscal health (relevant for SFC devolution)
Eco-vision / LSDG	Panchayati Raj	9 themes; mapped to UN SDGs

Prelims Pointers

- PAI captures the **LSDG approach**, launched by MoPR in 2022 as India's grassroots SDG-localisation framework.
- **9 themes** of LSDG = UN's 17 SDGs collapsed to Panchayat-relevant bundles.
- Tripura leads despite being a **6th Schedule** State – unique because the **73rd Amendment does NOT fully apply** to Scheduled Areas; Parliament extended Part IX to Scheduled Areas through **PESA Act, 1996** (Panchayats Extension to Scheduled Areas).
- PESA applies to **10 States** with Fifth Schedule areas – gives Gram Sabha primacy over minor forest produce, land alienation, minor minerals, etc.
- **6th Schedule** (Arts. 244(2), 275(1)) covers tribal areas of Assam, Meghalaya, Tripura, Mizoram through **Autonomous District Councils** – they are **outside** Part IX.

SABHASAAR – AI-POWERED MINUTES OF GRAM SABHA

First AI/NLP deployment inside Gram Sabha proceedings – Aug 2025, pilot in Tripura.

News in Brief

- **SabhaSaar** launched by Ministry of Panchayati Raj – an **AI + NLP** tool that auto-generates structured **Minutes of Meeting (MoM)** from Gram Sabha audio/video.
- Integrated with **Bhashini** (National Language Translation Mission); currently supports **13 Indian languages**.
- Pilot rollout: **all 1,194 Gram Panchayats of Tripura** (including traditional local bodies) shall use SabhaSaar to auto-generate minutes of **Special Gram Sabhas**.
- Directly strengthens **Art. 243A** – which makes Gram Sabha the foundational democratic unit at the village level.

Prelims Connect

Digital Platform	Ministry	Function
SabhaSaar	Panchayati Raj	AI minutes of Gram Sabha
e-GramSwaraj	Panchayati Raj	Unified PRI planning, accounting, audit
AuditOnline	Panchayati Raj	Online social audit of GPs
meriPanchayat App	Panchayati Raj	Citizen engagement with GP
Bhashini	MeitY	National AI translation mission

Prelims Pointers

- **Art. 243A** – State legislature may provide for Gram Sabha powers; inserted by 73rd CAA.
- Gram Sabha = **direct democracy** at village level, uniquely placed in the Indian Constitution.
- **PESA Act, 1996 4(d)** – Gram Sabha is **competent** to safeguard customs, traditions, community resources in Scheduled Areas.
- Minutes of Gram Sabha are **public documents** under the RTI Act, 2005.

News in Brief

- Rohini Gram Panchayat, a 100 % tribal village in Dhule district, Maharashtra, won the Gold Award at the National e-Governance Awards 2025 for its digital-governance model.
- Administered by the Department of Administrative Reforms & Public Grievances (DARPG), Ministry of Personnel, PG & Pensions – annual awards recognising excellence in e-governance.

Prelims Pointers

- DARPG (1964) functions under the Ministry of Personnel, Public Grievances & Pensions, headed by the PM.
- National e-Governance Awards are instituted under the National Conference on e-Governance – held annually since 2003.
- Dhule falls in Maharashtra's Fifth Schedule area – so PESA applies.

CONSTITUTIONAL AMENDMENTS & NEW CRIMINAL LAWS

130TH CONSTITUTION (AMENDMENT) BILL, 2025 – "30-DAY DETENTION REMOVAL" OF PM, CMS & MINISTERS

The most consequential polity Bill of 2025 – referred to a Joint Parliamentary Committee; proposes amendments to Arts. 75, 164 and 239AA.

News in Brief

- **130th Constitution (Amendment) Bill, 2025** introduced in Parliament by the Union Home Minister and referred to a Joint Parliamentary Committee (JPC).
- Proposes amendments to **three Articles**:
 - **Art. 75** → Union Council of Ministers (applies to PM and Union Ministers).
 - **Art. 164** → State Council of Ministers (applies to CMs and State Ministers).
 - **Art. 239AA** → Special provisions for the NCT of Delhi (applies to CM and Ministers of Delhi).
- **Core proposal:** A PM / CM / Minister who is **arrested and detained in custody for 30 consecutive days** on charges attracting a punishment of **5 years or more** shall be **automatically removed** from office on the **31st day** unless released before.
- The ousted person may be **reappointed** once released; the office-holder need **not be a legislator** at the time of appointment but must become one within **6 months** (existing Art. 75(5) / 164(4) rule).
- Sparked debate on the **doctrine of presumption of innocence** (Art. 21 – *Maneka Gandhi*), the **basic structure** test of *Kesavananda Bharati*, and the **collective responsibility** principle (Art. 75(3) / 164(2)).

Prelims Connect

Article	Content
Art. 75(1)	PM appointed by the President; other Ministers appointed on PM's advice
Art. 75(3)	Collective responsibility of the Union CoM to the Lok Sabha
Art. 75(5)	Minister must be elected to either House within 6 months
Art. 164(1)	Governor appoints CM; Ministers on CM's advice
Art. 164(2)	CoM collectively responsible to the Legislative Assembly

Art. 239AA	Special provisions for NCT of Delhi (inserted by 69th CAA, 1991)
Art. 21	Right to life & personal liberty – source of "presumption of innocence"
Art. 368	Procedure for constitutional amendment
Key Case	Principle
Kesavananda Bharati (1973)	Basic structure doctrine – Parliament cannot amend basic structure
Minerva Mills (1980)	Judicial review is part of basic structure
Maneka Gandhi (1978)	Procedure under Art. 21 must be fair, just, reasonable
S.R. Bommai (1994)	Federalism, secularism = basic structure

Prelims Pointers

- The Bill is tabled under **Art. 368(2)** – requires a **majority of total membership of each House + 2/3rd of members present and voting**; since it affects Art. 239AA (Delhi), **ratification by at least half the States** under Art. 368(2) proviso is debated but not strictly required.
- **"30-day automatic removal"** has **no precedent** in Indian constitutional history – similar provisions exist in some State laws for public servants but never for elected executives.
- **Joint Parliamentary Committee (JPC)** is an **ad-hoc committee** constituted on a specific motion – distinct from the 24 **Department-Related Standing Committees**.
- JPC strength: typically **31 members** (21 LS + 10 RS), but varies by motion.
- Art. 239AA was inserted by the **69th CAA, 1991**, giving Delhi a Legislative Assembly with powers on State + Concurrent List **except** public order, police & land.
- **Arrest vs. conviction** – Art. 102 / 191 disqualify only on **conviction** (RP Act §8); this Bill is the first attempt to disqualify on **prolonged detention without conviction**.
- The "30-day rule" overlaps with **§167 CrPC / §187 BNSS** provisions for **default bail** – a person not charge-sheeted in 60/90 days is entitled to bail automatically.

THREE NEW CRIMINAL LAWS – BNS, BNSS & BSA (OPERATIONAL YEAR ONE)

India's 164-year-old colonial criminal framework was replaced w.e.f. 1 July 2024. 2025 was Year One of implementation – the Bhopal DM's begging order under §163 BNSS is the first Prelims-testable operational footprint.

News in Brief

- **Bhopal District Administration** issued a prohibitory order against **begging, giving alms, and purchasing goods from beggars**, invoking **§163 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023** – a month after Indore passed a similar order.
- **§163 BNSS** empowers a **District Magistrate, Sub-Divisional Magistrate, or Executive Magistrate** to issue orders in **urgent cases of nuisance or apprehended danger** – the successor of the erstwhile **§144 CrPC**.
- Confirms that BNSS has become the **operational procedural code** on the ground – DMs are now invoking BNSS sections rather than CrPC.

The Three Laws – what replaced what

Old Law	New Law	Year	Sections
Indian Penal Code, 1860	Bharatiya Nyaya Sanhita (BNS), 2023	2023	358 sections
Criminal Procedure Code, 1973	Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023	2023	531 sections
Indian Evidence Act, 1872	Bharatiya Sakshya Adhinyam (BSA), 2023	2023	170 sections

All three came into force on 1 July 2024.

Prelims Connect – BNS/BNSS/BSA key changes

Feature	Old	New
Sedition	124A IPC	Repealed; replaced by 152 BNS "Endangering sovereignty, unity & integrity of India"
Organised crime	Not in IPC	111 BNS introduces it as a federal offence
Terrorism	Only under UAPA	113 BNS – first time in general law
Mob lynching	No specific section	103(2) BNS – murder by a group of 5+ on identity grounds = death/life
§144 CrPC (prohibitory order)	144 CrPC	163 BNSS
Default bail	167 CrPC	187 BNSS
FIR	154 CrPC	173 BNSS – includes e-FIR / Zero FIR expressly
Electronic evidence	65A, 65B Evidence Act	61, 63 BSA – broader "electronic records" definition
Trial in absentia	Not allowed	356 BNSS – permitted for proclaimed offenders
Community service	Absent	4(f) BNS – new form of punishment
Mercy petition timeline	Informal	472 BNSS – fixed timelines

Prelims Pointers

- The three Bills were passed on **21 December 2023** and received Presidential assent on **25 December 2023**.
- Drafted by a panel led by **Prof. (Dr.) Ranbir Singh** (former VC, NLU Delhi).
- BNS retains **death penalty** but introduces **community service** for first-time petty offenders – fulfilling a long-standing **Law Commission** recommendation (42nd & 156th Reports).
- BNSS makes **forensic investigation mandatory** for offences punishable with **7 years or more**.
- BNSS prescribes **max 90 days** for filing a charge sheet (extendable to 180 days with court permission).
- BSA **makes electronic/digital records admissible as primary evidence** – a shift from the earlier secondary-evidence treatment under §65B Indian Evidence Act.
- Sedition's deletion does **not** mean sedition is legal – §152 BNS retains a substantially similar offence with stricter language on "subversive activities."
- **Criminal law** is in the **Concurrent List (Entry 1 & 2)** of the 7th Schedule – Parliament and States both legislate, but Parliament's law prevails (Art. 254).

OTHER NOTABLE AMENDMENT / BILL DEVELOPMENTS (2025)

News in Brief

- **"One Nation, One Election" (ONOE) Bills** – the **Constitution (129th Amendment) Bill** and the **Union Territories Laws (Amendment) Bill** remain with a JPC since late 2024; based on the **High-Level Committee on Simultaneous Elections** chaired by former President **Ram Nath Kovind** (report submitted March 2024).
- Proposed amendments touch **Arts. 82A, 83, 172, 327** and insert a new **Art. 82A** to fix simultaneous LS + State Assembly elections.
- The 130th CAB (item 9.1 above) is the **second** constitutional amendment bill under active JPC scrutiny in 2025.

Prelims Connect

Article	Relevance to ONOE
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Art. 82	Readjustment of LS seats after census (currently frozen till first census after 2026)
Art. 83	Duration of Houses of Parliament – 5 years
Art. 172	Duration of State Legislatures – 5 years
Art. 327	Parliament's power to make laws on LS/State elections
Art. 356	President's Rule – affects synchronisation if a State Assembly falls

Prelims Pointers

- The **Kovind Committee** recommended **two-step synchronisation**: LS + State Assemblies together, and local body polls within **100 days** after.
- India held **simultaneous LS + State Assembly elections** from **1951 to 1967** – disrupted after premature dissolution of some Assemblies.
- **Law Commission's 170th Report (1999)** first recommended simultaneous elections; **255th Report (2015)** reiterated.
- **Art. 368** amendment + **ratification by ≥ 50 % States** under proviso is required because ONOE affects Arts. 172 & 327 – touching the **federal structure**.

Constitution (Amendment) Acts milestones to remember for 2025:

Number	Year	Key change
103rd	2019	EWS 10 % reservation (Arts. 15(6), 16(6))
104th	2020	Abolished Anglo-Indian nomination; extended SC/ST in Parl/Assemblies
105th	2021	Restored States' power to identify SEBCs
106th	2023	Nari Shakti Vandan – 33 % women reservation in LS/State Assemblies
129th (CAB)	2024	ONOE – under JPC
130th (CAB)	2025	30-day detention removal – under JPC

FUNDAMENTAL RIGHTS, DPSP & UNIFORM CIVIL CODE

UTTARAKHAND – FIRST STATE TO IMPLEMENT UNIFORM CIVIL CODE

The Uniform Civil Code of Uttarakhand Act, 2024 came into force – making Uttarakhand the first State in independent India to operationalise Art. 44.

News in Brief

- **Uttarakhand** became the **first State in independent India** to implement the **Uniform Civil Code (UCC)** through the **Uniform Civil Code of Uttarakhand Act, 2024**.
- Covers **marriage, divorce, inheritance, adoption, succession and live-in relationships** – replaces personal laws based on religious traditions with a **common code applicable to all citizens**.
- Operationalises the long-standing Directive Principle under **Art. 44** – "The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India."
- The Uttarakhand law exempts **Scheduled Tribes** (under Art. 342) from its ambit, preserving their customary personal laws.
- **Mandatory registration** of live-in relationships is a unique feature – the first such provision in any Indian State law.

Prelims Connect

Article	Content
Art. 44	Uniform Civil Code – DPSP (Part IV)
Art. 37	DPSPs are non-justiciable but fundamental in governance
Art. 25	Freedom of conscience & free profession of religion
Art. 26	Freedom to manage religious affairs
Art. 29	Protection of interests of minorities
Art. 342	Scheduled Tribes – Presidential notification

Key Case	Principle
Mohd. Ahmed Khan v. Shah Bano (1985)	SC urged Parliament to enact UCC; maintenance for Muslim divorcée upheld under §125 CrPC
Sarla Mudgal v. Union of India (1995)	Hindu husband converting to Islam for second marriage – SC reiterated UCC plea
Lily Thomas v. Union of India (2000)	Conversion for second marriage = offence under IPC §494
John Vallamattom v. UOI (2003)	SC lamented delay in UCC implementation
Shayara Bano v. UOI (2017)	Struck down instant triple talaq (talaq-e-biddat) as unconstitutional

Prelims Pointers

- Art. 44 is a DPSP – it is **not enforceable** in a court of law (Art. 37) but is fundamental in governance.
- **Goa** is the only territory where a form of UCC (**Goa Civil Code**, derived from the Portuguese Civil Code of 1867) has been operational since independence – but it is **not called** UCC formally.
- UCC is in the **Concurrent List (Entry 5)** – Parliament and States can both legislate; Parliament's law will prevail under Art. 254.
- **B.R. Ambedkar** in the Constituent Assembly called UCC "desirable" but accepted it as a DPSP, not a Fundamental Right.
- Personal laws currently in force include: **Hindu Marriage Act 1955, Hindu Succession Act 1956, Indian Christian Marriage Act 1872, Parsi Marriage & Divorce Act 1936, Muslim Personal Law (Shariat) Application Act 1937, Special Marriage Act 1954.**

GUJARAT – JUSTICE RANJANA DESAI COMMITTEE ON UCC

Gujarat became the next State to begin UCC drafting – a 5-member committee under a retired SC Judge.

News in Brief

- **Gujarat Chief Minister** announced a **five-member committee** chaired by **Justice (Retd.) Ranjana Desai** of the Supreme Court to prepare the **Uniform Civil Code draft** for Gujarat.
- The Committee is to submit its **report within 45 days**; Gujarat government will decide subsequently.
- **Justice Ranjana Desai** previously chaired the **Uttarakhand UCC drafting committee** (2022–24) – whose recommendations formed the basis of the Uttarakhand UCC Act, 2024.
- Committee's mandate: common personal law applicable to **all citizens**, irrespective of **religion, gender or sexual orientation**.

Prelims Connect

Article	Content
Art. 44 (DPSP)	UCC directive
Concurrent List – Entry 5	Personal law (marriage, divorce, infants, adoption, succession, joint family)

Art. 254

Conflict resolution between Union & State laws on Concurrent subjects

Prelims Pointers

- **Justice Ranjana Desai** was a Judge of the Supreme Court (2011–2014); post-retirement she chaired the **Delimitation Commission for J&K (2022)**.
- **Chronology of State UCC initiatives:**
 - **2022** – Uttarakhand announced panel under Justice Desai
 - **2024** – Uttarakhand UCC Act passed
 - **Jan 2025** – Uttarakhand UCC operationalised
 - **Feb 2025** – Gujarat announced its own Ranjana Desai committee
- States that have publicly considered UCC committees: Uttarakhand, Gujarat, Assam, Maharashtra.

DR. JAYA THAKUR V. UNION OF INDIA – MENSTRUAL HEALTH AS AN ART. 21 FUNDAMENTAL RIGHT

Landmark expansion of Article 21 – SC declared menstrual health & hygiene to be integral to the right to life, dignity and bodily autonomy.

News in Brief

- In **Dr. Jaya Thakur v. Government of India** (decided Feb 2026), the **Supreme Court** recognised **menstrual health and hygiene as a fundamental right under Article 21**, linking it to **human dignity, equality and bodily autonomy**.
- The Court **mandated that the State provide free sanitary products and separate toilets to schoolgirls** – stressing that proper menstrual hygiene is essential for education and to prevent school dropouts.
- Court reasoned on the **dignity dimension of Art. 21** (drawing from *Maneka Gandhi*, *Puttaswamy* and *Navtej Johar*) read with **Art. 15(3)** (special provisions for women and children) and **Art. 21A** (Right to Education).
- The ruling converts a **DPSP aspiration** (Arts. 39(e), (f), 47) into an **enforceable fundamental right** – classic example of the *Olga Tellis / Francis Coralie Mullin* doctrine of Art. 21's expanding horizon.

Prelims Connect

Article	Content
Art. 14	Equality before law
Art. 15(3)	Special provisions for women & children
Art. 21	Right to life & personal liberty – dignity, privacy, health
Art. 21A	Free & compulsory education (6–14 yrs) – 86th CAA, 2002
Art. 39(e), (f)	DPSP – health of women and children
Art. 47	DPSP – duty to raise standard of nutrition, public health
Case	Principle derived into Art. 21
Maneka Gandhi (1978)	"Procedure must be fair, just, reasonable"
Francis Coralie Mullin (1981)	Right to live with dignity
Olga Tellis (1985)	Right to livelihood
Unni Krishnan (1993)	Right to education
Puttaswamy (2017)	Right to privacy & bodily autonomy
Navtej Johar (2018)	Sexual autonomy & dignity
Common Cause (2018)	Right to die with dignity (passive euthanasia)

Dr. Jaya Thakur (2026)

Menstrual health & hygiene

Prelims Pointers

- Other rights read **into Art. 21** by the Supreme Court: right to privacy, health, shelter, clean environment, food, speedy trial, legal aid, free education, internet access (*Anuradha Bhasin*), protest, sleep (*Ramlila Maidan*), and now **menstrual health**.
- **Menstrual Hygiene Scheme** is run by the **Ministry of Health & Family Welfare** under the National Health Mission — provides subsidised sanitary napkins ("Freedays").
- **Project Udaan** (Ministry of Women & Child Development) and **Suvidha napkins** (under PMBJP / Jan Aushadhi) are related government schemes.
- India's menstrual-health dropout data: around **23 %** of girls drop out of school at menarche — cited in the judgment.

RIGHT TO DIGITAL ACCESS — RAJIVE RATURI V. UOI (2024)

SC held that inclusive and meaningful digital access to e-governance and welfare systems is part of the fundamental right to life and liberty under Article 21.

News in Brief

- **Rajive Raturi v. UoI (2024)** — Supreme Court held digital access is part of **Article 21**.
- Bench heard a petition highlighting difficulties PwDs face in completing digital KYC.
- Court said State has an obligation to provide **inclusive digital ecosystem** for the marginalised, disabled, vulnerable, and historically excluded.
- **Preamble, Fundamental Rights and Directive Principles** mandate inclusive policy and infrastructure for PwDs.
- Citing **Articles 14, 15, 21, and 38**, the Court expanded the right to life to include equal digital access for PwDs, rural populations, elderly, poor, and linguistic minorities.

Prelims Connect

RPwD Act, 2016

- **Section 42** — mandates **accessible audio, print, and electronic media**.
- Requires **universal-design principles** for everyday electronic goods.
- Currently recognises **21 disabilities** (up from 7 under the 1995 Act).

KYC Regime

- Under PMLA, KYC verification is mandatory for banking, insurance, pensions, SIM access.
- RBI's **2016 Master Direction on KYC** introduced **Video-based Customer Identification Process (V-CIP)**.
- V-CIP requires OTP verification, facial capture, digital signature, reading codes on screen — problematic for PwDs.

Prelims Pointers

- **Rights of Persons with Disabilities Act, 2016** replaced the **PwD Act, 1995**.
- India ratified the **UN Convention on Rights of Persons with Disabilities (UNCRPD)** in **2007**.
- SC in **Puttaswamy v. UoI (2017)** held that right to privacy is a fundamental right under Article 21.
- RPwD Act Section 42 — mandates accessibility for electronic goods.
- **Accessible India Campaign (Sugamya Bharat Abhiyan)** launched in 2015 to make built environment, transport, and ICT accessible for PwDs.

COMPULSORY EARLY CHILDHOOD CARE — PROPOSED ARTICLE 21B

Rajya Sabha discussed a Private Member's Resolution moved by Sudha Murty urging Constitutional amendment to guarantee free and compulsory early childhood care and education.

News in Brief

- Proposed **Article 21B** covers **nutrition, health services, and pre-primary learning** for children aged **3 to 6 years**.
- Resolution sought universal access to quality ECCE through **strengthened Anganwadi services**.
- **Article 21A** — right to free and compulsory education for children **6 to 14 years** (added by **86th Amendment Act, 2002**).

Prelims Connect

Existing Framework for Early Childhood

- **Integrated Child Development Services (ICDS)** — launched **1975**.
- **NEP 2020** — foundational stage (ages 3-8) includes 3 years of ECCE.
- **Mission Saksham Anganwadi and Poshan 2.0** — umbrella scheme for child care.
- **Anganwadi centres** across the country: approximately **14 lakh**.

Prelims Pointers

- **Article 45 (DPSP)** — originally directed State to provide free and compulsory education for children up to 14 years.
- **86th Amendment (2002)** — amended Article 45 to focus on **early childhood care for children below 6 years**.
- **Article 21A** — inserted by the **86th Amendment Act, 2002**.
- **Right of Children to Free and Compulsory Education (RTE) Act, 2009** — operationalises Article 21A.

RIGHTS OF PEDESTRIANS — SC DECLARES FOOTPATH ACCESS A FUNDAMENTAL RIGHT

The Supreme Court held that the right to unobstructed and disabled-friendly footpaths is guaranteed under Article 21.

News in Brief

- **All public roads must have footpaths** accessible to persons with disabilities.
- **Removal of encroachments** from footpaths is **mandatory**.
- **States and UTs** must evolve policies to ensure availability and maintenance of footpaths and footways.
- SC relied on **Article 21** and **Accessible India Campaign** goals.

Prelims Pointers

- **Section 40** of RPwD Act, 2016 — accessibility standards.
- **Harmonised Guidelines and Standards for Universal Accessibility in India, 2021** — issued by MoHUA.
- **Indian Road Congress (IRC) Guidelines** — standards for road design and footpath width (minimum **1.8 m**).

PERSONALITY RIGHTS — SADHGURU JAGGI VASUDEV CASE

Delhi HC protected personality rights of Sadhguru Jaggi Vasudev from AI-based misuse; reaffirms doctrine's role in digital age.

News in Brief

- **Misuse of AI** poses risks to reputation, privacy, and economic interests of public figures.

- **Personality rights** cover an individual's right to control unauthorised use of **name, image, voice, likeness, and distinctive expressions**.
- Cover both **commercial and non-commercial aspects**.
- **Not expressly mentioned** in any Indian statute.

Prelims Connect

Components of Personality Rights

- **Right to Publicity** – protects image and likeness from commercial exploitation.
- Partially governed by **Trademarks Act, 1999** and **Copyright Act, 1957**.
- Common law tort of "**passing off**" (Section 27 TM Act) – protects goodwill of unregistered marks.
- **Right to Privacy** – protects against representation of personality without permission.
- Broadly under **Article 21** and **Puttaswamy (2017)**.

Posthumous Personality Rights

- **No specific statutory recognition** in India.
- **Emblems Act, 1950** prohibits commercial use of images of **Mahatma Gandhi and PM**.
- **Deepa Jayakumar v. AL Vijay (2019)** – Personality rights, reputation, or privacy enjoyed during lifetime end after death.

Prelims Pointers

- **Article 19(1)(a)** guarantees freedom of speech including criticism, satire, and parody of public figures.
- Right is **not absolute** – balanced with individual dignity and autonomy.
- Delhi HC has protected personality rights of **Amitabh Bachchan, Anil Kapoor, Jackie Shroff** in similar AI/deepfake cases.
- **Puttaswamy (2017)** recognised informational privacy as part of right to privacy.

NARCO-ANALYSIS, POLYGRAPH & BRAIN-MAPPING – SELVI V. STATE OF KARNATAKA

SC overturned Patna HC's order allowing narco-tests on all accused and witnesses, reaffirming Selvi (2010) principles.

News in Brief

- SC overturned Patna HC's order allowing **narco-tests on all accused and witnesses**.
- Based on **Selvi v. State of Karnataka (2010)** – constitutional validity of narco-analysis, polygraph, brain-mapping.
- Forced narco tests violate **Article 20(3)** (protection against self-incrimination) and **Article 21** (life, privacy, personal liberty).
- Tests require **free, informed consent** and must have safeguards.
- Results are **generally inadmissible as primary evidence** but can lead to discovery of other evidence.
- Involuntary tests infringe **mental privacy, bodily autonomy, and right to fair procedure** (Golden Triangle of Articles 14, 19, 21).

Prelims Connect

The Three Tests

- **Polygraph Test**: Measures blood pressure, galvanic skin response, breathing, pulse rate. Assumes specific physiological responses triggered on lying.

- **Narco-Analysis:** Injection of **sodium pentothal** ("truth serum") induces hypnotic state. Subject is thought likely to divulge information.
- **Brain Mapping:** Measures neural activity/brainwaves using electrodes. Brain generates distinctive brainwaves when exposed to familiar stimuli.

Prelims Pointers

- **Selvi v. State of Karnataka (2010)** – landmark judgment by 3-judge bench led by **CJI K.G. Balakrishnan**.
- **Article 20(3):** No person accused of any offence shall be compelled to be a witness against himself.
- **"Golden Triangle":** Articles 14 (equality), 19 (freedoms), 21 (life & liberty) – introduced in **Maneka Gandhi (1978)**.
- Self-incrimination is closely linked to the **right to silence**.
- Results admissible only if tests are **consensual** and preceded by **legal counsel**.

GROUND OFS OF ARREST – MANDATORY WRITTEN COMMUNICATION

SC held that arrested persons must be furnished with grounds of arrest in writing, in a language they understand, regardless of the offence.

News in Brief

- SC: **Grounds of arrest must be furnished in writing**, in a language the arrested person understands.
- Applies **irrespective of the nature of offence or statute involved**.
- Non-compliance renders **arrest and remand illegal** – person must be set free.

Prelims Connect

Constitutional and Statutory Basis

- **Article 22(1)** – no person shall be detained in custody without being informed of grounds of arrest; cannot be denied right to consult and be defended by a legal practitioner of choice.
- **Article 22(2)** – arrested person to be produced before Magistrate within **24 hours** (excluding travel time).
- **Section 50 CrPC / Section 47 BNSS** – police must communicate grounds of arrest.
- **Section 50A CrPC / Section 48 BNSS** – inform friend/relative about arrest.

Key Cases

- **D.K. Basu v. State of West Bengal (1997)** – arrest memo, medical exam, right to inform relative.
- **Arnesh Kumar v. State of Bihar (2014)** – check-list before arrest in offences with sentence ≤7 years.
- **Pankaj Bansal v. UoI (2023)** – grounds of arrest under PMLA must be in writing.
- **Prabir Purkayastha v. State NCT Delhi (2024)** – extended Pankaj Bansal to UAPA.

Prelims Pointers

- Grounds of arrest must be communicated to the **arrested person AND person of choice** (under Pankaj Bansal).
- Arrest without following procedure violates **Articles 21 and 22**.
- Under UAPA, maximum custody without charge-sheet: **180 days**.
- Under PMLA, **twin conditions** for bail: accused must prove not guilty + won't commit offence on bail.
- **Arnesh Kumar** mandate: for offences ≤7 years, police must satisfy **Section 41 CrPC / Section 35 BNSS** conditions before arrest.

RIGHT TO VOTE – STATUTORY VS CONSTITUTIONAL VS FUNDAMENTAL RIGHT

Supreme Court and scholars continue to debate whether the right to vote is a statutory, constitutional, or fundamental right – the position remains "statutory".

News in Brief

- **Article 326:** universal adult franchise for citizens ≥ 18 years, subject to disqualifications.
- **61st CAA, 1989:** reduced voting age from 21 to 18.
- **RP Act, 1950:** **Section 16** disqualifies non-citizens; **Section 19** requires 18+ and ordinarily resident; **Section 62** grants right to vote to those on electoral roll.
- **Kuldip Nayar (2006)** and **Anoop Baranwal (2023):** reaffirmed right to vote is a **statutory right**.
- **PUCL (2003):** Justice P.V. Reddy said it is a **constitutional right**, even if not fundamental.
- **Kesavananda Bharati (1973):** democracy is part of the **basic structure**.

Prelims Connect

Right to Vote vs Freedom of Voting

- Centre told SC: "**right to vote**" is a **statutory right**, while "**freedom of voting**" is part of the fundamental right to freedom of speech and expression (**Article 19(1)(a)**).
- Case concerns **Section 53(2)** of RPA and Rules 11, Forms 21 & 21B – uncontested elections.
- Under Section 53(2), Returning Officer declares such candidates **duly elected without holding a poll**.
- Petition: declaring elected without poll deprives citizens of right to **vote for NOTA**.

Constitutional Framework for Elections

- **Article 324:** ECI supervises, directs, controls elections.
- **Article 325:** No exclusion from electoral roll on religion, race, caste, sex.
- **Article 326:** Adult suffrage.
- **Article 327:** Parliament may enact laws on elections to Parliament/Legislatures.
- **Article 328:** State Legislature may make provisions on State elections.
- **Article 329:** Bars courts from electoral matters (election petitions only).

Prelims Pointers

- **Current position:** Right to vote is a **statutory right** (Kuldip Nayar, Anoop Baranwal).
- **Freedom of voting** (expressing choice) is a **fundamental right** under Article 19(1)(a) (PUCL, 2013 on NOTA).
- Minimum voting age reduced from 21 to 18 by **61st Amendment** (Rajiv Gandhi government).
- NOTA introduced in 2013 after **PUCL v. UoI (2013)** judgment.

KAMALESAN CASE – ARTICLE 33 & RELIGIOUS FREEDOM IN ARMED FORCES

Lt. Samuel Kamalesan was dismissed for refusing to enter a regimental temple/gurdwara during parades; SC declined to interfere, relying on Article 33.

News in Brief

- **Lt. Samuel Kamalesan** dismissed from Army for refusing to enter sanctum of regiment's temple/gurdwara during mandatory parades.
- Delhi HC upheld dismissal; **SC declined to interfere**.
- Court relied on **military necessity, discipline, and Article 33**.
- Treated refusal as **disobedience of lawful command**, not personal faith practice.

Prelims Connect

Article 33 – Armed Forces Exception

- **Parliament may restrict or abrogate Fundamental Rights** of specific categories to ensure proper discharge of duties and maintenance of discipline.
- Power belongs **exclusively to Parliament** – State Legislatures cannot make laws under Article 33.
- Covers: **Armed Forces, Paramilitary forces, Police forces, Intelligence agencies, and personnel in telecommunication systems for these forces.**
- Applies to **non-combatants** too: barbers, carpenters, cooks, mechanics.

Exclusion of Court Martials

- Parliament can **exclude Court Martials** (military tribunals) from writ jurisdiction of HCs (**Article 226**) and SC (**Article 32**) on FR grounds.
- Laws under Article 33 **cannot be challenged** for violating Fundamental Rights.

Prelims Pointers

- **Article 33** – restriction of Fundamental Rights of armed forces personnel.
- **Army Act, 1950 / Air Force Act, 1950 / Navy Act, 1957** – enacted under Article 33.
- **Armed Forces Tribunal (AFT)** – statutory body established under the **AFT Act, 2007**; appeals lie to Supreme Court.
- **Ramratan Singh v. Governor General (1958)** – upheld restriction of fundamental rights for armed forces personnel.
- **Article 34** – martial law; **Article 35** – legislative power to give effect to Part III.

SC ON SOCIAL MEDIA CONDUCT & OBSCENITY – NEED FOR REGULATION

Supreme Court directed Union to frame guidelines in consultation with National Broadcasters and Digital Association to regulate online content.

News in Brief

- **Commercialisation of free speech**: influencers earn from content → responsibility required.
- Three types of speech recognised: **free speech** (Article 19(1)(a)), **commercial speech** (regulated, e.g. advertisements), **prohibited speech** (Article 19(2) – hate speech, obscenity, defamation).
- **IT Rules, 2021** already increased government control over online speech.
- SC in **Ranveer Allahbadia v. UoI (2025)**: self-styled bodies insufficient to regulate online content; suggested **neutral autonomous regulators**.
- **Section 67 IT Act** and **Sections 294, 295, 296 BNS** penalise obscenity.
- Sections 66, 66E, 66F IT Act deal with **hacking, privacy violations, cyber-terrorism**.

Prelims Connect

Restrictions on Free Speech – Article 19(2)

- **Sovereignty and integrity of India, security of State, friendly relations with foreign States, public order, decency or morality, contempt of court, defamation, incitement to an offence.**
- **Shreya Singhal v. UoI (2015)**: speech that offends, shocks, or disturbs is still constitutionally protected; restrictions must be **reasonable**.
- Article 19(2) is an **exhaustive list** – restrictions cannot go beyond.

Obscenity – Proposed Amendments

- Union proposes guidelines defining "**obscenity**" under IT Rules, 2021.
- Applies to all digital content, incorporates restrictions from **Cable TV Networks (Regulation) Act, 1995**.

- Base on **Section 67 IT Act**, Cable TV Act, IPC/BNS provisions.
- For OTT, compliance with **Cinematograph Act, 1952**.

Prelims Pointers

- **Aveek Sarkar v. State of WB (2014)** – SC adopted "**contemporary community standards**" test for obscenity (abandoning Hicklin test).
- **Shreya Singhal v. UoI (2015)** – struck down **Section 66A IT Act** for vague restrictions on free speech.
- **Section 67 IT Act** – publishing obscene material in electronic form: up to **3 years + ₹5 lakh fine** (first offence).
- **Section 67A** – sexually explicit material: up to 5 years + ₹10 lakh (first offence).
- **Section 67B** – child sexual abuse material: up to 5 years + ₹10 lakh (first offence).

DEFAMATION – SUBRAMANIAN SWAMY V. UOI REVISITED

Judges have voiced concern over the increasing misuse of criminal defamation law, despite SC upholding its constitutionality in 2016.

News in Brief

- **Subramanian Swamy v. UoI (2016)** – SC upheld **criminal defamation** as a reasonable restriction under Article 19(1)(a).
- **Libel**: defamatory written, published, or visible statement.
- **Slander**: defamatory spoken statement causing loss of reputation.
- **Section 356 BNS** defines defamation – making or publishing any imputation intending to harm/knowing it will harm a person's reputation.
- Applies to **living individuals, the dead, companies, associations**; includes statements made **ironically or by alternatives**.
- Courts locate **reputation within Article 21**.

Prelims Pointers

- **Section 356 BNS** replaces **Sections 499–502 IPC** on defamation.
- **Punishment**: simple imprisonment up to **2 years**, or fine, or both, or **community service**.
- **Truth is a defence** only if published for the **public good**.
- **10 exceptions** to defamation listed in the provision (public conduct of public servants, judicial proceedings, etc.).
- **R. Rajagopal v. State of TN (1994)** – right to privacy includes right against defamation; public figures have reduced protection for public acts.

PREVENTIVE DETENTION – DHANYA M. V. STATE OF KERALA

SC set aside a preventive detention order, reiterating individual liberty cannot be curtailed lightly and distinguishing "public order" from "law and order".

News in Brief

- **Dhanya M. v. State of Kerala**: SC set aside a preventive detention order.
- Clarified individual liberty cannot be curtailed lightly.
- Distinguished "**public order**" from "**law and order**".

Prelims Connect

Constitutional Framework – Article 22

- **Articles 22(3)–(7)** constitutionalise preventive detention.
- Allows detention without trial – a serious threat to FRs.
- Traces to **Bengal Regulations of 1818** (British colonial control).
- **GoI Act, 1935** empowered provincial legislatures to make preventive detention laws.

Article 22(4) & 22(5) – Safeguards

- **No detention beyond 3 months** without Advisory Board reporting sufficient cause.
- Advisory Board: **persons qualified to be HC judges**.
- Grounds of detention must be communicated to detenu.
- Facts prejudicial to public interest need **not be disclosed**.
- Earliest opportunity to make representation.

Judicial Interpretations

- **S.K. Nazneen**: preventive detention unjustified in mere law-and-order issues.
- **Rekha v. State of TN**: preventive detention is an **exception** to Article 21.
- **Banka Sneha (2021)**: must meet Article 21's test of fairness, justice, reasonableness.
- **Maneka Gandhi (1978)**: procedure established by law must be fair, just, reasonable.

Prelims Pointers

- Major Preventive Detention laws: **NSA 1980, UAPA 1967 (as amended), COFEPOSA 1974, PITNDPS 1988, PSA J&K, Goondas Acts (State)**.
- **UAPA Section 43D(2)(a)** – investigation period may be extended up to **180 days**.
- **Section 43D(7)** – bar on bail for non-Indian citizens who entered illegally (except exceptional circumstances).
- India is **one of very few democracies** to constitutionalise preventive detention in peacetime.
- Preventive detention law appears in **Concurrent List (Entry 3)** and **Union List (Entry 9)**.

FREEDOM OF RELIGION – BANU MUSHTAQ AT MYSURU DASARA

SC reaffirmed secularism as part of the basic structure in response to a petition challenging writer Banu Mushtaq's invitation to inaugurate Mysuru Dasara.

News in Brief

- Karnataka invited **Banu Mushtaq**, International Booker Prize-winning Kannada writer, to inaugurate State-sponsored **Mysuru Dasara festival**.
- Petition alleged participation violated **Articles 25 and 26** (freedom of religion).
- **SC dismissed the petition** – Dasara is a **State event**, not a private religious ceremony.
- Right to practise religion cannot restrict others from participating in religious/cultural practices.
- Banu Mushtaq's "**Heart Lamp**" won **International Booker Prize 2025** – first Kannada title to win.
- Translated by **Deepa Bhashti**; **£50,000 prize** divided between author and translator.

Prelims Pointers

- **Article 25** – freedom of conscience, profession, practice, propagation of religion.
- **Article 26** – freedom to manage religious affairs.
- **Article 27** – no compulsion to pay taxes for any religion.
- **Article 28** – freedom from religious instruction in State-funded institutions.

- **S.R. Bommai v. UoI (1994)** – reaffirmed secularism as **basic structure**.

SAMMED SHIKHARJI / MARANG BURU – RELIGIOUS RIGHTS VS ENVIRONMENTAL & TRIBAL CUSTOM

A unique Art. 25–26 conflict between Jain pilgrimage custom and Santhal tribal worship – and a clash with Forest Rights law.

News in Brief

- **Jharkhand High Court** enforced a ban on the **sale and consumption of meat and alcohol** at **Parasnath Hill**, a site held sacred by **both the Santhal tribal community (as Marang Buru, "Great Mountain")** and the **Jain community (as Sammed Shikharji)**.
- **Sammed Shikharji** is the holiest Jain pilgrimage site – **20 of 24 Tirthankaras** are believed to have attained *moksha* (liberation) here.
- **Marang Buru** is the supreme deity of the **Santhal Adivasi** community and the mountain is revered as an ancestral spirit.
- Case raises the classic Art. 25–26 vs Art. 29–30 (minority rights) vs **Forest Rights Act, 2006 / PESA** (tribal community rights) tension.

Prelims Connect

Article	Content
Art. 25	Freedom of conscience, free profession & propagation of religion
Art. 26	Freedom to manage religious affairs (denomination right)
Art. 29	Cultural & educational rights of minorities
Art. 30	Right of minorities to establish educational institutions
Forest Rights Act, 2006 §3(1)(i)	Community rights to protect habitats of particularly vulnerable tribal groups

Prelims Pointers

- **Parasnath Hill** is in **Giridih district, Jharkhand** – highest peak of the Chota Nagpur Plateau at **1,350 m**.
- Declared a **Wildlife Sanctuary** in 1984; since the Jain protest of 2022–23, the Centre restricted its designation as an **Eco-Sensitive Zone (ESZ)** rather than a full tourism spot.
- **Santhal** = largest tribal community of Jharkhand; classified as **PVTG** is incorrect – Santhals are a Scheduled Tribe, **not** a PVTG. PVTGs in Jharkhand include **Asur, Birhor, Birjia, Korwa, Mal Paharia, Parhaiya, Sauria Paharia, Savar**.
- **Doctrine of Essential Religious Practices (ERP)** – evolved by SC in *Shirur Mutt (1954)* – State can regulate secular practices but not essential religious ones.
- **Durgah Committee v. Syed Hussain Ali (1961)** and **Commissioner HRE v. Lakshmindra Thirtha Swamiar (1954)** are the foundational ERP cases.

TOMB OF TANSEN – RELIGIOUS RIGHTS PLEA REJECTED

Madhya Pradesh High Court reaffirmed historical-monument protection over religious claims.

News in Brief

- **Madhya Pradesh High Court** rejected a plea seeking **religious rights over the Tomb of Mian Tansen** in Gwalior, emphasising preservation of its **historical and architectural integrity**.
- Part of a longer litigation pattern since **1995** – various parties have attempted to claim ownership or religious use of the site.
- Ruling aligns with **§4–§5 of the Places of Worship (Special Provisions) Act, 1991**, which freezes the religious character of any place of worship as it stood on **15 August 1947**.

Prelims Connect

Statute / Authority	Relevance
Places of Worship Act, 1991	Freezes 15 Aug 1947 status; exempted Ram Janmabhoomi site
Ancient Monuments and Archaeological Sites and Remains Act, 1958 (AMASR)	ASI protection of monuments
Archaeological Survey of India (ASI)	Under Ministry of Culture; 3,697 centrally protected monuments (2024 data)
Art. 49 (DPSP)	Duty to protect monuments of national importance

Prelims Pointers

- **Mian Tansen** (c. 1493–1586) was one of the **Navaratnas** in Emperor **Akbar's court**; hailed as the founder of the **Gwalior gharana** of Hindustani classical music.
- The tomb is adjacent to the dargah of **Sheikh Mohammad Ghaus**, Tansen's Sufi mentor.
- **Tansen Samaroh** is an annual classical music festival held at the tomb by the MP government.
- SC's recent ruling on the **Places of Worship Act, 1991** – refused to entertain fresh suits seeking survey of religious sites (pending constitutional challenge).

CITIZENSHIP & IMMIGRATION

IMMIGRATION AND FOREIGNERS ACT, 2025 – A NEW FRAMEWORK

MHA notified Rules, Order, and Exemption Order making the Immigration and Foreigners Act, 2025 operational – replacing 4 colonial-era laws.

News in Brief

- Act passed in **April 2025**; became operational through MHA notifications.
- **Repeals:** Passport (Entry into India) Act, 1920; Registration of Foreigners Act, 1939; Foreigners Act, 1946; Immigration (Carriers' Liability) Act, 2000.
- **Bureau of Immigration (BOI)** legally designated to examine immigration fraud, coordinate with States, maintain immigration database.
- **Mandatory biometric recording** for all foreigners (earlier only select visa categories).
- Educational institutions must report all foreign students to **FRRO** with semester-wise academic performance and conduct reports.
- Definition of "**undesirable foreigner**" expanded to include "**illegal migrants**".
- Immigration officers provided by the **Intelligence Bureau (IB)**.

Prelims Connect

Immigration and Foreigners Order, 2025

- **Foreigners Tribunals (FTs)** earlier limited to Assam – now granted powers of **First-Class Judicial Magistrate** nationally.
- FTs can send persons to detention/holding centres if they fail to prove citizenship; can issue **arrest warrants** for non-appearance.
- **FT members capped at 3; ex-parte orders** can be reviewed within 30 days.
- **Border guarding forces and Coast Guard** can intercept illegal migrants, record biometrics, and push back through a Central portal.
- Assam has **100 operational FTs**, expanded after NRC 2019 (which excluded 19 lakh out of 3.29 crore applicants).

Immigration and Foreigners (Exemption) Order, 2025

- Continues exemption for **Nepal, Bhutan, and Tibetans**.
- Exempts **registered Sri Lankan Tamil nationals** who took shelter in India up to **January 9, 2015**, from passport/visa requirements (Section 3).
- Exempts **undocumented minorities** (Hindus, Sikhs, Buddhists, Jains, Parsis, Christians) from **Afghanistan, Bangladesh, Pakistan** who entered before **December 31, 2024**, from penal provisions and deportation.
- Can apply for **long-term visas (LTVs)** – precursor to citizenship.
- Exemption does **not apply to Sri Lankan Tamils** for citizenship purposes.

2025 Order vs Assam Accord

- Plea challenges **Clause 3(l)(e)** of Exemption Order, 2025 as violative of Assam Accord.
- Assam Accord required foreigners entering on/after **March 25, 1971** to be identified and deported.
- Accord's intent was given statutory form via **Section 6A of Citizenship Act, 1955**.

Prelims Pointers

- Foreigners Tribunals are **quasi-judicial bodies**, created under **Section 3 of Foreigners Act, 1946** through the **FT Order, 1964**.
- The **onus of proving citizenship** lies on the individual, **not the state** (Foreigners Act).
- The **Bureau of Immigration** functions under **MHA**.
- **D-voters** (Doubtful voters) are marked during electoral roll revision in Assam.
- **NRC for Assam** published in 2019 excluded **19 lakh** of 3.29 crore applicants.

CITIZENSHIP AMENDMENT ACT (CAA) – 185 CITIZENS GRANTED CITIZENSHIP

185 displaced persons from Pakistan were officially recognised as Indian citizens under the CAA, 2019 – first major operationalisation of the law.

News in Brief

- **185 displaced persons from Pakistan** officially recognised as Indian citizens under **CAA 2019**.
- **Citizenship (Amendment) Rules, 2024** notified by MHA in 2024 – enabled CAA implementation.
- Grants citizenship to **Hindus, Sikhs, Buddhists, Jains, Parsis, Christians** from **Afghanistan, Bangladesh, Pakistan**.
- **Cut-off Date:** migrants entering on or before **December 31, 2014**.
- **Residency Requirement:** reduced from **11 years to 6 years** for specified communities.
- **Legal Exemption:** no prosecution under Foreigners Act or Passport Act.
- Applicants **not considered illegal migrants**.

Prelims Pointers

- CAA 2019 amends the **Citizenship Act, 1955**.
- **Muslims are not included** in the specified communities – ground for constitutional challenge before SC.
- **Section 6A** of Citizenship Act (inserted 1985) provides cut-off of **March 25, 1971** for Assam – upheld by SC in 2024.
- Indian citizenship can be acquired by: **birth, descent, registration, naturalisation, or incorporation of territory**.
- **Section 9** – termination by **voluntary acquisition of foreign citizenship**.
- **Overseas Citizen of India (OCI)** is not dual citizenship – OCI cannot vote or hold constitutional posts.

PROOF OF CITIZENSHIP – DOCUMENTS THAT DON'T PROVE

Bombay HC held Aadhaar, PAN, and voter ID do not confer citizenship; Citizenship Act, 1955 is the controlling law on nationality.

News in Brief

- Bombay HC: **Aadhaar, PAN, voter ID do not confer citizenship**.
- **Citizenship Act, 1955** is the controlling law on nationality.
- **Indian passport** meant only for citizens; **only citizens** are supposed to be on electoral rolls.
- Holding passport or electoral roll entry is **no proof of citizenship** – documents can be forged.
- Citizenship Act, as amended in **2004**, provides for **compulsory registration** of every citizen and issuance of **National Identity Card** based on NRC (subset of NPR).
- **NRC mandated in Act**; NPR authorised by rules.
- **Onus of proving citizenship** lies on **individual, not State**.

Prelims Connect

Jus Soli vs Jus Sanguinis in India

- Founders favoured **Jus Soli (Right of the Soil)**, though blood lineage and ethnicity were also included.
- Over time, **Jus Sanguinis (Right of Blood)** gained prominence.
- **Born before July 1, 1987**: citizen by birth regardless of parents.
- **Born between July 1, 1987 and December 2, 2004**: citizen only if **either parent** is a citizen.
- **Born on or after December 3, 2004**: requires **one parent to be a citizen AND the other not an illegal migrant**.

Prelims Pointers

- **Articles 5–11** of the Constitution deal with citizenship.
- **Single citizenship** is a feature of the Indian Constitution.
- **Citizenship Act, 1955** – parliamentary law on citizenship matters.
- **2003 Amendment** to Citizenship Act – introduced the concept of **OCI and illegal migrant**.
- **2019 Amendment (CAA)** – special provisions for persecuted minorities from 3 countries.
- Only **Parliament** can enact laws on citizenship (**Entry 17, Union List**).

RESERVATION & SOCIAL JUSTICE

RESERVATION 50% CAP – CREAMY LAYER DEBATE FOR SC/ST

SC issued notice to the Union government on a petition seeking a "creamy layer" system for SCs and STs, reopening the debate on reservation ceiling.

News in Brief

- **Articles 15 & 16:** equality before law; equal opportunity in public employment and education.
- Empower State to make special provisions for socially and educationally backward classes, OBCs, SCs, STs.
- **Central Reservation (59.5%):** OBCs 27%, SCs 15%, STs 7.5%, **EWS 10%**.
- **Rohini Commission** (OBC sub-categorisation): 97% of reserved jobs/seats taken by ~25% of OBC castes.
- **State of Punjab v. Davinder Singh (2024):** urged Centre to frame policies for **creamy layer exclusion in SC/ST reservations**; Cabinet reaffirmed creamy layer does NOT apply to SC/STs.

Prelims Connect

Judicial Milestones

- **Balaji v. State of Mysore (1962):** fixed 50% upper ceiling.
- **Indra Sawhney v. UoI (1992):** upheld 27% OBC reservation; reaffirmed 50% ceiling **except in extraordinary situations**; introduced "creamy layer" exclusion for OBCs.
- **Janhit Abhiyan v. UoI (2022):** upheld 10% EWS reservation; economic criteria can justify affirmative action; 50% ceiling applies only to backward classes, not to new categories like EWS.
- **State of Punjab v. Davinder Singh (2024):** States can **sub-classify within SCs** for targeted benefits.

Historical Commissions

- **First Backward Classes Commission (Kaka Kalelkar, 1955):** identified 837 "most backward" castes out of 2,399.
- **Mandal Commission (1980):** 27% OBC reservation recommended.
- **Mungeri Lal Commission Report (1976):** reservation for backward castes in higher education and State government employment in Bihar.

Prelims Pointers

- **Indra Sawhney (1992)** is the foundation of modern reservation jurisprudence.
- **102nd CAA, 2018** – gave constitutional status to NCBC (Article 338B); inserted **Article 342A**.
- **103rd CAA, 2019** – 10% EWS reservation via **Articles 15(6) and 16(6)**.
- **105th CAA, 2021** – restored States' power to identify SEBCs.
- **Creamy layer for OBCs:** currently **₹8 lakh annual income** cut-off (as per DoPT).
- **Sub-classification** permitted by **Davinder Singh (2024)** – 7-judge bench.

WOMEN RESERVATION – NARI SHAKTI VANDAN ADHINIYAM (106TH CAA)

SC heard a petition challenging provisions of the Nari Shakti Vandan Adhiniyam (106th Constitutional Amendment) granting 33% reservation for women.

News in Brief

- **Constitution (106th Amendment) Act, 2023** – grants 33% reservation for women.
- Mandates **33% (one-third)** of seats in Lok Sabha, State Legislative Assemblies, and Legislative Assembly of NCT of Delhi.
- Includes **horizontal reservation** – applied across various categories (SC, ST, OBC).
- **Article 15(3)** mandates State to take affirmative action for women.

- Implementation contingent on next Census + delimitation.
- Women's quota to continue for 15 years; Parliament can extend.

Prelims Pointers

- The Act amends Articles 239AA, 330A, 332A, 334A.
- Bill was pending since 1996 (81st Bill) – first introduced by Deve Gowda government.
- It is the 106th Constitutional Amendment.
- Also inserts Article 330A – reservation in Lok Sabha; Article 332A – reservation in State Assemblies.
- 33% reservation is implemented as horizontal (within SC/ST categories – not overriding those).
- Currently, women are 14.4% in 18th Lok Sabha (2024) – highest-ever share in India.

SCHEDULED TRIBE STATUS – PROCESS & ASSAM CABINET DECISION

Assam Cabinet approved GoM report on granting ST status to six communities; the 5-step process for ST inclusion was reiterated.

News in Brief

- Communities include Koch-Rajbongshi, Matak, Moran, Chutia, Tai Ahom, and tea tribes (Adivasis) of Assam.
- Protesters argue extending ST status would dilute rights and constitutional safeguards of existing tribal groups.
- Gorkhas demand ST status to 11 Gorkha sub-communities (Gurung, Mangar, Khas, Yakha/Dewan, Rai, Newar, Bhujel, Sunuwar, Jogi, Thami, Dhimal).

Prelims Connect

Five-Step Process for ST Inclusion

- **State Initiation:** State/UT government recommends to Union Ministry of Tribal Affairs.
- **RGI Scrutiny:** Registrar General of India examines against 5 criteria (primitive traits, distinctive culture, geographical isolation, shyness of contact, backwardness).
- **NCST Review:** National Commission for Scheduled Tribes must concur.
- **Cabinet:** Union Cabinet takes final executive decision.
- **Parliamentary Act:** Bill introduced to amend Constitution (Scheduled Tribes) Order, 1950.

Prelims Pointers

- **Article 342** – President, in consultation with Governor, specifies STs of each State/UT.
- **Lokur Committee (1965)** laid down the 5 criteria for ST identification.
- Once a community is added to ST list, it gains access to reservations, financial benefits, and legal protections.
- **NCST (Article 338A)** – constitutional body to oversee ST-related safeguards.
- India has over 700 notified tribes, largest concentration in MP, Maharashtra, Odisha, Jharkhand, Chhattisgarh.

SICKLE CELL DISEASE & DISABILITY QUOTA

Government's 2024 revised RPWD guidelines excluded Sickle Cell Disease from the 4% disability quota, raising concerns over invisible disabilities.

News in Brief

- **RPWD Act, 2016** does not include **SCD** under disability reservation quota.
- Covers: **vision loss, hearing impairment, locomotor and intellectual disabilities**.
- Act focuses on **visible impairments**.
- **Episodic, invisible disabilities** like SCD severely disrupt daily life, education, employment, healthcare.
- **40% disability threshold** excludes many with impairments.

Prelims Connect

Legal Provisions Under RPwD Act, 2016

- Reservation **increased to 4%** for persons with benchmark disabilities (over 40%).
- **1% reserved** for specific disability categories within the 4%.
- **Section 34**: Reservation in government employment.
- **Section 20**: Non-discrimination in employment.
- SC asked Centre whether meritorious PwDs in unreserved category are moved up to allow more PwDs to benefit – similar to OBCs.

Prelims Pointers

- **RPwD Act, 2016** – recognises **21 disabilities** (up from 7 earlier under PwD Act, 1995).
- **Sickle Cell Disease Elimination Mission** launched in 2023 – target **2047 elimination**.
- **Section 3** of RPwD Act – equality and non-discrimination.
- **Section 12** – access to justice for PwDs.
- **Article 41** (DPSP) – right to work, education, public assistance in cases of undeserved want (includes disability).