

PSIR Pulse

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Geopolitics at Glance

USA-IRAN CONFLICT



INTRODUCTION

After recent developments post Operation Epic Fury, the prolonged shadow confrontation between the United States and Iran, frequently involving Israel, has intensified into a direct and high-intensity conflict. This escalation has severely destabilized the security framework of West Asia, culminating in the shutdown of the strategically crucial Strait of Hormuz and triggering a major global energy shock. India, an importer of energy resources sourced from the region, has also been significantly affected as the key maritime routes in the region are disrupted.

CURRENT RAMIFICATIONS OF THE US-IRAN CONFLICT

The escalation following 'Operation Epic Fury' has shifted from a regional skirmish into a systemic global crisis.

On the United States: Domestic and Strategic Pressure

- Economic "Stagflation" Risk:** Although being a net energy exporter, US domestic gasoline prices have risen to above \$3.50/gallon due to global market integration. This has intensified inflation and weakened consumer confidence.
- Political Volatility:** The conflict has emerged as a central issue in the 2026 domestic discourse, with the US facing pressure to justify the "decapitation strike" (targeting Khamenei) as costs increase.

- c. **Military Overstretch:** The deployment of additional Marines and carrier groups to the Middle East has shifted strategic focus from the Indo-Pacific, potentially creating a “security vacuum” that adversaries may exploit.
- d. **The Naval Dilemma:** Washington is finding it difficult to build a “Coalition of the Willing” to reopen the Strait of Hormuz, as many allies fear the high insurance and physical risks to their naval vessels.

On GCC Countries: The “Second-Order Coercion”

The Gulf Cooperation Council (GCC) states are confronting an existential crisis, bearing the impact of a war they did not initiate.

- a. **Targeting of Neutrals:** Iran has adopted a policy of “Second-Order Coercion,” launching retaliatory drone and missile attacks on infrastructure in the UAE, Qatar, Kuwait, and Bahrain to compel these states to pressure the US for a ceasefire.
- b. **Aviation & Tourism Collapse:** Airspace closures have grounded more than 30,000 flights. Hubs like Dubai (DXB) have suffered physical damage, paralysing the region’s tourism-driven economic model.
- c. **Energy Freeze:** Qatar has declared force majeure on LNG exports after attacks on its Ras Laffan facility. GCC oil production has declined by an estimated 10 million barrels per day.
- d. **Fiscal Strain:** Disrupted export revenues are forcing states to draw from Sovereign Wealth Funds (SWFs), risking global financial disinvestment.

On West Asia: Regional Fragmentation

- a. **The “2026 Lebanon War”:** The conflict has expanded into a full-scale Israeli ground invasion of Southern Lebanon to neutralize Hezbollah’s missile threat.
- b. **Humanitarian Disaster:** More than 2,000 casualties were reported in the first two weeks alone, with hundreds of thousands displaced across Lebanon, Iran, and Iraq.
- c. **Regime Instability:** The reported death of the Supreme Leader has triggered internal power struggles in Tehran between hardline IRGC factions and reformists, leading to “Strategic Fragmentation.”
- d. **End of Rapprochement:** The fragile 2023-24 diplomatic thaw (e.g., Saudi-Iran normalization) has completely collapsed, replaced by a rigid “Axis vs. Coalition” binary.

Feature	Impact Details
Global Energy	Brent Crude at \$110–\$120/barrel ; Strait of Hormuz effectively closed.

Feature	Impact Details
Global Trade	Helium (Qatar) and Fertilizer (GCC) supply chains broken, hitting semiconductor and agri-sectors.
Security	Transition from proxy “ Shadow War ” to direct, high-intensity state-on-state warfare.
Diplomacy	Total failure of “ rules-based ” international mediation; rise of unilateral “pre-emptive” strikes.

IMPACT ON INDIA: THE “TRIPLE VULNERABILITY”

• Energy Security & Cooking Gas Crisis

LPG Dependence: India imports 91% of its LPG and 88% of its oil from the Gulf.

The shutdown of the Strait of Hormuz has crippled these supplies.

Domestic Rationing: The government has invoked the Essential Commodities Act, increasing the LPG refill waiting period to 25 days and raising prices by ₹60/cylinder.

Priority Allocation: Natural gas is being redirected to “Tier 1” needs (households/transport), affecting fertilizer plants and MSMEs (e.g., the Morbi tile industry).

• Economic & Inflationary Strain

The “\$120 Barrel”: Every \$1 rise in crude adds \$2 billion to India’s annual import bill.

Prolonged triple-digit prices are expanding the Current Account Deficit (CAD).

Trade Disruptions: Over 400,000 tonnes of Basmati rice and other exports are stranded.

Shipping insurance premiums have increased, making Indian exports uncompetitive.

• Humanitarian & Diaspora Concerns

Seafarers at Risk: Nearly 20,000 Indian seafarers and 38 Indian-flagged vessels are stranded in the Persian Gulf conflict zone.

Strategic Reprioritization: India has accepted a 30-day US waiver to purchase Russian oil stranded at sea to stabilize the domestic market.

IMPACT ON WORLD ORDER: “GEOPOLITICAL FRAGMENTATION”

- **Collapse of the Rules-Based Order:** The use of massive pre-emptive strikes (Operation Epic Fury) and the targeting of sovereign leadership has bypassed the UN framework, indicating a shift toward unilateralism.

- **Weaponization of Global Chokepoints:**

CONTEMPORARY SCHOLARLY & STRATEGIC OPINIONS ON THE US–IRAN CONFLICT

The ongoing US–Iran escalation and its systemic global impact has triggered sharp reactions from leading contemporary scholars, strategic analysts, and policy thinkers, many of whom interpret the crisis as a turning point in the global order.

John Mearsheimer (University of Chicago)

Mearsheimer has repeatedly argued in recent interviews that the US policy of regime-targeting and coercive dominance in West Asia is strategically flawed. He suggests that attempts like leadership decapitation will not weaken Iran but instead intensify nationalist resistance, making prolonged instability inevitable.

Stephen Walt (Harvard University)

Walt has criticized the US interventionist approach, stating that the conflict reflects the failure of “liberal hegemony.” He argues that Washington is overextending itself in secondary theatres like West Asia while neglecting its primary strategic competition with China, thereby weakening its global position.

Fareed Zakaria (Global Affairs Analyst)

Zakaria has highlighted the economic dimension, noting that the Hormuz disruption shows how fragile globalization remains. He argues that even energy-diversified economies like the US cannot insulate themselves from global shocks, reinforcing the limits of economic nationalism.

C. Raja Mohan (Indian Strategic Affairs Expert)

Raja Mohan has argued that the crisis underscores the need for India to move toward greater maritime and energy autonomy. He emphasizes that reliance on external security guarantees is no longer viable in an increasingly fragmented world order.

Ashley Tellis (Carnegie Endowment)

Tellis has suggested that the US may be compelled to prioritize strategic theatres, and prolonged engagement in West Asia could dilute its Indo-Pacific focus. This has implications for partners like India, which depend on US balancing against China.

Shivshankar Menon (Former Indian NSA)

Menon has highlighted that India must adopt “active neutrality,” engaging all sides while protecting its core interests. He argues that the crisis presents both risks and opportunities for India to assert itself as a stabilizing regional actor.

The dual-closure of the Strait of Hormuz and Bab el-Mandeb (via Houthi attacks) has frozen 20% of global oil flows, demonstrating that regional actors can trigger a global recession.

- Rise of “Cold War 2.0”
- Strategic Realignment: The crisis is pushing GCC nations closer to the Western security umbrella while forcing countries like India to deepen ties with the US for maritime security.

Emergence of Technology Rivalry: Experts suggest the “New Order” will be defined not just by oil, but by control over AI, critical minerals, and supply chain resilience.

Accelerated De-dollarization: As the West imposes heavy sanctions on Iran, rival blocs (Russia/China) are accelerating the use of non-dollar currencies for energy trade to bypass the US-led financial system.

WAY FORWARD

- Emergency Strategic Reserves: Immediate filling of Phase-II Strategic Petroleum Reserves and the creation of dedicated LPG buffers to shield households from Gulf shocks.
- “Convoy” Diplomacy: The Indian Navy should lead a “Maritime Protection Group” for Indian-flagged tankers, maintaining strategic autonomy while ensuring energy flow.
- Regional Reconstruction: Support the transition in Tehran toward a stable, non-adversarial leadership to prevent the emergence of a “failed state” in West Asia.
- Secure Maritime Corridors: India must lead a “Maritime Protection Group” (independent of the US-led coalition) to provide armed escorts for Indian-flagged tankers.
- Active Neutrality: India must utilize the Oman/Qatar channels to negotiate “Safe Passage Agreements” for civilian vessels, positioning itself as a mediator between the US and the new Iranian leadership.
- IMEC Acceleration: Shifting trade priority to the India-Middle East-Europe Economic Corridor (IMEC) land routes to reduce future reliance on maritime chokepoints.

CONCLUSION

For India, the path ahead lies in converting this systemic shock into a catalyst for strategic autonomy. By leveraging maritime independence through sovereign naval escorts, securing captive overseas energy assets, and institutionalizing rupee-denominated trade frameworks, India can insulate its economy from West Asian volatility. Ultimately, the crisis provides a “strategic window” to lead a post-oil regional order, where security is anchored not by military containment, but by resilient, multi-modal economic corridors like the IMEC.



INTRODUCTION







The Indian Prime Minister is currently visiting Israel, marking nine years since his landmark 2017 trip. This previous visit was historically significant as the first ever by an Indian Prime Minister to the country. Since then, the global **Geopolitical Landscape** and the power dynamics of **West Asia** have changed

significantly. In a highly volatile environment, this 2026 visit is among the most watched diplomatic events in the region. India and Israel are not only key defense and security partners but also important economic partners in **IMEC**. The 2026 visit signals a major expansion of strategic collaboration, especially in security, defense, and advanced technologies.

HISTORICAL DEVELOPMENTS

INDIA - ISRAEL RELATIONS (PSIR Notes)

HISTORICAL DEVELOPMENT

- 1. DISTANT & HESITANT (1948 - 1992)**
 - * 1950: Formal Recognition, but **NO** full diplomatic relations. Reason: NAM, Cold War, large Muslim population in India. Only a Mumbai Consulate permitted.
 - * Strong Pro-Palestinian Foreign Policy in UN.  **COVERT COOPERATION**
 - 1962, 1965, 1971 Wars → * Limited discreet Israeli military aid.
- 2. FULL NORMALIZATION & THE DEFENSE PIVOT (1992 - 2014)**
 - * 1992: Full Diplomatic Relations established (post-Cold War, Eco Liberalization, USSR Collapse).
 - * 1999 Kargil War (CRITICAL): Israeli supplies of Laser-guided missile kits & UAVs.  Faster than other suppliers.  
- 3. DEEPENING, DE-HYPHENATION, & STRATEGIC ALIGNMENT (2014 - Present)**
 - * Explicit De-hyphenation Policy (Israel ties independent of Palestine, no former constraints).
 - * 2017: First Indian PM Visit (Modi's *Standalone* visit).  
 - * Emerging Multilateral Groupings: **I2U2** (India, Israel, US, UAE) - focus on joint investments.

SIGNIFICANCE OF INDIA-ISRAEL BILATERAL RELATIONS

- **Political Convergence:** Both countries support each other's positions on critical issues. India has backed Israel's right to **Self-Defense**, and Israel supports India's stance against **Cross-Border Terrorism**. This convergence raises each nation's diplomatic profile and provides reliable allies in volatile regions.
- **Defense and Security:** Israel is one of India's top defense suppliers, providing advanced technologies in **Drones, Air Defense, Missiles, and Intelligence**, which enhances India's military readiness and anti terror capabilities through equipment like **Heron Drones** and **SPICE Precision-Guided Bombs**.
- **Joint R&D and Co-production:** Collaboration in areas like **Electronic Warfare** and missile defense directly strengthen India's **Self-Reliance** and modernization, as seen with the **SPYDER Air Defence System**.
- **Intelligence and Counterterrorism:** Robust **Intelligence-Sharing** and operational cooperation have helped India counter terrorism and address emerging **Hybrid Threats**. Israel previously shared **Satellite Imagery** and surveillance technologies like sensors and **Airborne Radars** with India during the 2008 Mumbai terror attacks.
- **Trade and Investment:** India is Israel's second-largest trading partner in Asia. Bilateral trade progressed from **US\$ 200 million** in 1992 to a peak of **US\$ 10.77 billion** in FY 2022-23. However, in FY 2023-24 and FY 2024-25, trade witnessed a decline to **US\$ 6.53 billion** and **US\$ 3.75 billion** respectively due to the regional security situation and **Trade Route Disruptions**.
- **Trade Diversification:** While dominated by diamonds and chemicals, recent years have seen an increase in trade in areas such as **Electronic Machinery, High-Tech Products, Communication Systems, and Medical Equipment**.
- **Bilateral Investment Treaty:** The 2025 treaty is expected to boost **Two-Way FDI, Fintech, and Start-Up** collaborations, setting the stage for a future free trade pact.
- **Agriculture and Water Management:** Israeli innovation in **Drip Irrigation, water conservation, and Precision Agriculture** has been scaled across India, improving efficiency and addressing **Water Scarcity**.
- **Innovation Ecosystem:** India benefits from Israeli expertise in **Start-Up Incubation, Cyber Security, AI, and Smart City** technologies through the **I4F Innovation Fund**.
- **Palestinian Cause** and recognized the state of Palestine in 1988. This position is sometimes at odds with Israeli actions like dispossession in the **West Bank**.
- **Energy and Diaspora:** India relies heavily on the **Gulf Cooperation Council (GCC)** for **Crude Oil** and **Natural Gas**. Furthermore, over **9 million Indian Expatriates** reside in the Gulf, contributing critical remittances. Over-alignment with Israel risks jeopardizing these vital economic lifelines.
- **Iran and China Factors:** To Israel, Iran is an existential **Nuclear Armed Threat**, but to India, Iran is a vital gateway to Central Asia through the **Chabahar Port**. Additionally, Israel's close relationship with China in high technology creates diverging priorities regarding **Technology Transfers**.
- **Limited Technology Transfer:** Under the **Aatmanirbhar Bharat** initiative, India seeks technology for domestic manufacturing. While Israel is willing to share, it still places restrictions on proprietary systems, especially those containing **US Components** subject to export laws.
- **Non-Defense Trade Plateau:** Despite ambitious targets, non-defense trade has generally plateaued between **US\$ 6 billion** and **US\$ 8 billion**, highlighting challenges in **Market Access**.
- **Trade Volume Fluctuations:** Bilateral trade saw a decline in FY 2024-2025 to approximately **US\$ 3.75 billion** due to regional security challenges and maritime disruptions in the **Red Sea**.
- **Stalled Free Trade Agreement (FTA):** Negotiations for a comprehensive **FTA** have been ongoing for years with hurdles including concerns from Indian domestic industries and **Intellectual Property** complexities.
- **Intellectual Property Rights (IPR):** Israel shares concerns with other Western nations regarding India's relatively lenient **IPR Regime**, particularly concerning the protection of software and **Digital Innovation**.
- **Public Opinion in India:** Despite strong public embrace by the government, a significant segment of the Indian public and opposition maintains traditional sympathy for the Palestinian cause, requiring balanced rhetoric.
- **Hexagon of Alliances:** The proposed strategic axis involving **Israel, India, Greece, Cyprus, Arab nations, and Asian partners** aims to institutionalize security sharing. However, joining such a bloc goes against India's core principle of **Strategic Autonomy**, which allows it to maintain balanced relationships with the **US, Russia, China, Iran, and Gulf states** simultaneously.

CHALLENGES IN INDIA-ISRAEL BILATERAL RELATIONS:

- **The Palestine Issue:** While India employs a policy of **De-hyphenation**, it remains a traditional supporter of the

AREAS OF COOPERATION BETWEEN INDIA AND ISRAEL

Defense and Security:

1. **Arms Trade:** Israel remains one of the top three defense suppliers for India. The procurement includes critical systems such as **Radar**, **Missile Defense Shields** like the jointly developed **Barak 8**, **Drones**, and advanced surveillance equipment.
2. **Joint Research and Development (R&D):** The relationship has transitioned from a buyer-seller model toward joint development and co-production. This alignment supports the **Aatmanirbhar Bharat** initiative and fosters domestic manufacturing capabilities.
3. **Counter-Terrorism:** There is extensive cooperation in **Intelligence Sharing** and specialized training. This is particularly significant due to the shared security threats faced by both nations.
4. **Integrated Air Defense:** India aims to integrate elements of the Israeli **Iron Dome** and **Arrow** systems into its indigenous **Sudarshan Chakra** air defense shield.

Water and Agriculture:

1. **Agricultural Agreement:** Signed in 1993, this agreement facilitates cooperation in **Soil and Water Management**, horticultural production, and **Animal Husbandry**. It also covers post-harvest technology and agricultural mechanization.
2. **Drip Irrigation and Micro-Irrigation:** Through the **Indo-Israel Agricultural Project (IIAP)**, dozens of **Centres of Excellence** have been established across India. These centers train farmers in **Micro-Irrigation** and **Protected Cultivation** to maximize yields with minimal water usage.
3. **Water Management and Recycling:** Collaboration includes **Desalination**, water treatment, and recycling technologies to address growing urban water scarcity within India.

Cybersecurity and R&D:

1. **Innovation Fund:** Deep cooperation in **Cybersecurity** and high-tech research is facilitated by the **India-Israel Industrial R&D and Technological Innovation Fund (I4F)**.
2. **Funding and Projects:** A joint contribution of **US\$ 20 million** from each side between 2018 and 2022 enabled enterprises to undertake projects in priority sectors such as **Energy**, **Healthcare**, and **Information and Communication Technology (ICT)**.

I2U2 Grouping:

1. **Regional Strategy:** India and Israel are core members of the I2U2 initiative along with the **US** and **UAE**.
2. **Joint Investment:** This group focuses on promoting investments in **Food Security**, water, and **Transportation Infrastructure**, highlighting the role of Israel in the regional economic strategy of India.

WAY FORWARD

Deepen Strategic and Defense Cooperation:

1. **Accelerated R&D:** Defense ties should be strengthened by accelerating the co-production of advanced military technologies including **Cyber Security** and **Missile Defense**.
2. **Institutionalized Dialogue:** Regular high-level dialogues should be institutionalized to expand **Intelligence Cooperation** based on regional security needs.

Expand Economic and Investment Collaboration:

1. **Investment Treaty:** The full implementation of the **2025 Bilateral Investment Treaty** is necessary to boost **Two-way FDI**.
2. **Free Trade Agreement:** Removing trade barriers will scaffold a future **Free Trade Agreement (FTA)** to increase trade volumes beyond the current plateau of **US\$ 7 to 8 billion**.

Enhance Innovation and Technology Exchange:

1. **Shared Discovery:** Fostering innovation in **Artificial Intelligence (AI)**, **Biotech**, and **Smart Infrastructure** is essential through the utilization of the **I4F** fund.

De-Hyphenation through Integration:

1. **Diplomatic Shield:** By channeling projects through the **I2U2 Framework**, India demonstrates that its partnership with Israel is beneficial to the **Arab World**. This integration provides a diplomatic shield for India's ties with Israel.

Knowledge Corridors:

1. **Academic Links:** Establishing structured **Knowledge Corridors** will link major Indian institutions like the **IITs** and **IISc** with top Israeli universities to ensure a steady flow of research talent.

Conclusion

A pragmatic and balanced approach that respects **Geopolitical Sensitivities** while focusing on multi-sectoral cooperation will cement the relationship. This partnership remains a

cornerstone of the **Strategic** and innovation-driven growth trajectory of India.

QUOTE

“India and Israel are two ancient civilizations building a modern strategic partnership.”

PRACTICE QUESTION

Critically examine the strategic significance of India–Israel relations in the context of India’s broader West Asia policy. (15 Marks, 250 words)

WEST ASIA RESET



INTRODUCTION

India’s West Asia policy is undergoing a strategic reset in response to changing geopolitical realities in the region. This new approach emphasizes realism, hard diplomacy, and the prioritisation of national interests over traditional ideological positions. However, the shift has also generated debate regarding its balance and long-term implications.

THEORETICAL FRAMEWORK: THE SHIFT FROM IDEALISM TO NEOREALISM

The “West Asia Reset” is not merely a change in policy but a fundamental shift in India’s strategic calculus. Historically, India’s engagement was defined by “Passive Neutrality,” a remnant of Nehruvian Non-Alignment that prioritized ideological solidarity. Contemporary scholarship, notably by **S. Jaishankar** in *The India Way*, suggests a transition toward **Strategic Autonomy 2.0**.

- **Multi-Alignment:** Unlike the Cold War-era non-alignment, India now practices “multi-alignment,” engaging

contradictory poles such as Iran, Israel, and Saudi Arabia, simultaneously to maximize national interest.

- **The “Link West” Policy:** Conceptualized as the western counterpart to “Act East,” this framework views West Asia as a “proximate neighborhood” essential for maritime security, counter-terrorism, and energy stability.

STRATEGIC ASSERTION AND THE “DE-HYPHENATION” MODEL

India has adopted a more clear-sighted diplomatic approach, moving away from the vague, balanced statements that previously limited its strategic influence.

- **De-hyphenation as Diplomatic Innovation:** In academic terms, de-hyphenation is the decoupling of bilateral relationships from regional conflicts. India now engages Israel and Palestine on separate tracks, making the relationship with Israel **transactional** (focusing on defense, Pegasus, and water tech) while keeping its support for a Palestinian state **normative**.

- **Strategic Sovereignty:** India expresses its positions independently, reflecting its confidence as an autonomous global actor that no longer requires external validation from Western or regional blocs.
- **Diaspora as an Instrument of Soft Power:** The nearly 10 million Indians in the GCC are no longer just a source of remittances. They are now used as a tool for **Public Diplomacy**, facilitating cultural bridges that normalize India's presence in the Arab world.

THE GEOPOLITICAL VACUUM AND "MINILATERAL" ENGAGEMENTS

As the United States shifts toward "offshore balancing" (reducing direct military presence), a power vacuum has emerged. India has stepped into this space through new institutional frameworks.

- **I2U2 and the "New Quad":** The formation of the I2U2 (India, Israel, UAE, USA) represents a shift toward **minilateralism**. Scholars view this as a geoeconomic strategy to provide an alternative to China's Belt and Road Initiative (BRI).
- **The IMEC Corridor:** The **India-Middle East-Europe Economic Corridor (IMEC)** is seen by scholars as a "connectivity-based deterrent," aiming to integrate India more deeply into the Mediterranean and European markets via the Gulf.

DRIVERS OF THE RESET: SECURITY AND ENERGY INTERDEPENDENCE

- **The Maritime Security Paradox:** While India seeks to avoid taking sides in regional wars, threats in the Red Sea and the **Strait of Hormuz** are forcing a shift from a "trading power" to a "**constabulary power**." The deployment of naval assets signals India's role as a net security provider in the Indian Ocean Region (IOR).
- **Security Concerns of Gulf States:** GCC countries are diversifying their security partnerships due to the weakening of traditional U.S.-led frameworks. This provides India with a "strategic window" to offer defense cooperation and cybersecurity expertise.

CRITICAL PERSPECTIVES: THE "DOMESTIC-FOREIGN" NEXUS

A scholarly critique of the reset must examine the "intermestic" (international + domestic) nature of these policies.

- **Strategic Overreach & Autonomy:** Critics argue that aligning too closely with the "New Quad" (I2U2) might compromise India's traditional "omni-directional" diplomacy, potentially alienating Iran and complicating India's access to Central Asia via the **Chabahar Port**.

WAY FORWARD: MAINTAINING A "STABILIZING PIVOT"

To sustain long-term gains, India must navigate the volatile "polycrisis"—the intersection of the Gaza conflict, Red Sea tensions, and the Iran-Israel shadow war.

- **Flexible and Agile Diplomacy:** India should adopt a dynamic approach, keeping diplomatic options open rather than committing to rigid blocs.
- **Humanitarian Soft Power:** Increasing aid during regional conflicts will solidify India's image as a "Vishwa Mitra" (Global Friend) and a responsible stakeholder.
- **Calculated Defense Engagement:** Defense partnerships must undergo rigorous cost-benefit analysis to avoid the "entrapment" of regional security dilemmas.

CONCLUSION

India's West Asia reset represents a mature transition toward **interest-based pragmatism**. By functioning as a diplomatic bridge that neither the U.S. nor China currently provides, India has emerged as a "**Stabilizing Pivot**." However, the sustainability of this role depends on balancing strategic agility with a sensitive understanding of the region's deep-seated historical animosities.

INDIA-CANADA RELATIONS



Canadian Prime Minister Mark Carney's ongoing visit to India marks an important milestone in India–Canada bilateral relations, which have experienced significant fluctuations over the past two and a half years.

Bilateral relations deteriorated in 2023 after Canadian Prime Minister Justin Trudeau alleged the involvement of Indian authorities in the killing of Sikh separatist leader Hardeep Singh

Nijjar. The unprecedented diplomatic crisis that followed had significant political, economic, and geopolitical repercussions. However, both countries undertook substantial diplomatic efforts to rebuild ties after Justin Trudeau was succeeded by Mark Carney in 2025. Prime Minister Carney's recent visit to India forms part of a broader initiative to reset and revitalize bilateral relations.

HISTORICAL RELATIONS

INDIA-CANADA RELATIONS (PSIR Notes)

- 1. Phase of Thaw in Relationship (1947–1974)**
 - * Shared democratic traditions. 1951 Colombo Plan (Aid, food, tech help)
 - * Nuclear Co-op: CIRUS reactor (1954)
- 2. Deterioration in Relationship (1974–2000s)**
 - * Nuke Tests (1974, 1998) Smiling Buddha 1974 (Nuke ties severed / Sanctions)
 - * Khalistan Issue → '85 Air India bombing friction over handle domestic extremism
- 3. Phase of Renewal of Bonhomie (2010–2022)**
 - * 2010: Nuke Reconciliation (Agreement signed) → Ends decades of freeze
 - * PM Modi Visit (2015)
 - * Strategic Partnership (2018) India top source of int'l students & immigrants
- 4. Nijjar Crisis & Resetting (2023–2025)**
 - * 2023–24 Diplomatic Row
 - ↳ Trudeau allege 'link' to activist killing. Exped diplomats / Susp visas
 - * 2025 Recovery (Mark Carney PM) → At G7, G20: Resuming trade / Reinstate HCs

I2C2[®]

THE KHALISTAN ROW AND ITS HISTORY

The Khalistan Shadow over India-Canada Relations

The issue of **Khalistan Separatism** has been the primary friction point in the bilateral relationship between New Delhi and Ottawa for several decades.

During the Era of Militancy in Punjab (1982–1985)

- **Extradition Refusal (1982):** Prime Minister Pierre Trudeau (the father of Justin Trudeau) declined the Indian request to extradite **Talwinder Singh Parmar**, who was accused of killing police officers in Punjab.
- **Impact of Operation Bluestar (1984):** The military action at the Golden Temple in June 1984 significantly bolstered the **Khalistan Movement** among the Indian diaspora in Canada.
- **Kanishka Bombing (1985):** In June 1985, the separatist organization **Babbar Khalsa** orchestrated the bombing of Air India flight 182, resulting in the deaths of 331 civilians. This remains a dark chapter in the history of both nations.

The Post-2015 Period: Renewed Tensions

- **Khalistani Sympathies (2015):** The ascent of Justin Trudeau saw a perceived proximity to individuals sympathetic to the separatist cause, which began to strain bilateral ties.
- **Diplomatic Snubs (2017):** The then Punjab Chief Minister, Captain Amarinder Singh, refused to meet the Canadian Defence Minister, **Harjit Singh Sajjan**, accusing him of having links with separatists.
- **The 2018 State Visit:** This visit was characterized by a very **Cool Reception** from the Indian government. Friction peaked when **Jaspal Atwal**, a convicted extremist, was invited to a formal dinner with the Canadian Prime Minister.
- **Report Revision (2019):** Canada initially mentioned **Sikh Extremism** in its 2018 terrorist threat report but revised it in 2019 to remove all such references just before Vaisakhi, which aggravated the Indian side.
- **Farmers' Protest (2020):** India accused the Canadian leadership of inciting extremists after they expressed concerns regarding the response of New Delhi to the agricultural protests.
- **Political Alliances (2022):** The Liberal Party of Trudeau formed an alliance with the **NDP** led by **Jagmeet Singh**, a leader who has openly endorsed the Khalistan Referendum on Canadian soil.

The Diplomatic Breakdown and Reset (2023–2026)

- **Nijjar Crisis (2023):** Prime Minister Trudeau alleged **Credible Links** between Indian agents and the killing of Hardeep Singh Nijjar. This led to a total breakdown in communication, the

expulsion of **41 Canadian Diplomats**, and the withdrawal of High Commissioners.

- **Strategic Decoupling (2025–2026):** Following the leadership change in Canada under **Prime Minister Mark Carney**, both nations have attempted a **Strategic Decoupling**.
- **Firewall Mechanism:** To protect trade and energy ties from the ongoing Nijjar investigation, a separate framework under the **National Security Advisors (NSAs)** has been created. This mechanism specifically addresses **Transnational Crimes** and pro-Khalistani activities in Canada to ensure the rest of the relationship remains functional.

SIGNIFICANCE OF INDIA-CANADA RELATIONS

Cooperation in Indo-Pacific:

Canada's **Indo-Pacific Strategy** has listed **India an important partner** in the Indo-Pacific region. It has marked out China as an **"increasingly disruptive global power"**, while referring to India as a **"critical partner"** with shared traditions of democracy and pluralism.

Trade and Commerce:

1. **India is Canada's 7th largest trading partner.**
2. **Bilateral trade between India and Canada stands at USD 30 billion in 2024.**
3. **More than 400 Canadian companies have a presence in India** and more than 1,000 companies are actively pursuing business in the Indian market.
4. Canada and India are working toward a **Comprehensive Economic Partnership Agreement** and a **Foreign Investment Promotion and Protection Agreement (FIPA)** with the aim to double the two-way trade to \$70bn by 2030.
5. **Canada remains India's most reliable supplier of potash (fertilizer) and pulses (lentils)**, which are critical for India's agricultural stability.

Investment:

According to **DPIIT**, Canada is the **17th largest foreign investor** in India. Its cumulative investment of approximately **\$4bn from 2000 to 2025** represented 0.56% of the total FDI flows into India.

Security & Defence:

1. India & Canada have regularly engaged in dialogue & cooperation on global security issues, including **counterterrorism, cybersecurity & regional stability**.
2. The bedrock of the security relationship remains the **Joint Working Group (JWG) on Counter-Terrorism** established in 1997.

- Both the sides have also enhanced the security cooperation through another framework on '**Countering Terrorism & Violent Extremism**' signed in 2018.

Energy sector:

- With Canada's vast natural resources & India's expanding energy demand, the energy cooperation remains a **key pillar** of the bilateral relationship.
- The partnership encompasses both conventional & RE resources with Canada pitching itself as a reliable supplier of **oil, gas, LNG, LPG, Crude oil & Critical minerals**.
- India and Canada signed a **Nuclear Cooperation Agreement (NCA) in 2010** for which a Joint Committee on Civil Nuclear Cooperation was constituted. **Uranium supply deal** has been signed during PM Modi's visit in 2015.

S&T and Space:

ISRO and CSA (Canadian Space Agency) have signed MoUs for cooperation in the field of exploration and utilisation of outer space. **ANTRIX**, the Commercial arm of ISRO, has launched many Canadian Satellites.

Education Sector:

Since 2018, **India has been the largest source country for international students in Canada**. This has helped Canadian universities and colleges to provide **subsidised education** to domestic students.

Indian Diaspora (The "Living Bridge"):

Canada hosts one of the largest Indian diaspora in the world numbering **1.8 million (PIOs and NRIs)** which account for more than 3% of its total population. In the field of politics, the present House of Common (total strength of 338) has **22 Members of Parliament of Indian-origin**.

WHAT ARE THE CHALLENGES IN THE RELATIONS BETWEEN THE TWO COUNTRIES?

Khalistani separatist factor:

- It is the single most important challenge between India and Canada**. The Canadian government's Policy of balancing the Sikh assertions and its relations with India, has jeopardised the India-Canada Relations.
- The attacks on **Non-Sikh Indian Diaspora, Indian Consulates and Temples** have further strained the India-Canada Relations.

Trade Challenges:

- Structural impediments such as **complex labour laws, market protectionism, and bureaucratic regulations** have been roadblocks for Indo-Canadian trade relations.
- Bilateral agreements, such as the **Comprehensive Economic Partnership Agreement (CEPA)** and **Investment Promotion and Protection Agreements (BIPPA)**, have been in negotiation for long time and no progress has been reached.

Foreign Interference Allegations:

Canada's Public Inquiry into Foreign Interference concluded in 2025 that **India had become "the second most active country" after China** in engaging in electoral foreign interference in Canada, with intelligence suggesting proxy agents may have illicitly supported certain Canadian politicians.

Human Rights Disagreements:

Canada has been vocal about human rights concerns in India, particularly related to the treatment of religious minorities like Sikhs and Muslims, while India has expressed concerns over **attacks on Hindu minorities and religious places in Canada**.

Immigration Tensions:

Many Indians are returning from Canada due to **high living costs and shrinking job opportunities**. Indian applications for study permits saw a **40% decline in 2023**. Canada also announced plans to reduce student visas by 35% in 2024, with an **additional 10% reduction in 2025**.

WHAT SHOULD BE THE WAY FORWARD?

- Constructive and Sustained Engagement:** India will have to build a constructive and sustained engagement with the **Sikh diaspora, dispel the misinformation** propagated by the Khalistani separatists and showcase the sense of contentment prevailing in Punjab.
- Revive the Stalled Free Trade Agreement (CEPA):** Economic interdependence is one of the best buffers against political friction. Both governments should restart **CEPA negotiations** with renewed political will, focusing on technology, pharmaceuticals, critical minerals, clean energy, and agriculture.
- Dehypenation:** India and Canada must **dehypenate** their political contestations over the Khalistan issue and their trade and investment relations. Both the countries must look to be back on the trade negotiations table back soon to finalise the **Free Trade Agreement (FTA)**.
- Civil Society and Track II Diplomacy:** India and Canada must encourage civil society organisations and **Track**

II **diplomacy** initiatives to foster people-to-people connections, dialogue, and conflict resolution efforts.

5. **Media and Public Diplomacy:** Promotion of **responsible reporting** to ensure that media coverage and public discourse accurately reflect the complexities of the relationship.
6. **Cooperate on Global Strategic Priorities:** Both nations share interests in a rules-based international order, **Indo-Pacific stability**, climate change, and democratic governance. They can align in multilateral forums like the **G20, Commonwealth, and the UN**.
7. **Manage the China Factor Together:** Both India and Canada are increasingly **wary of Chinese influence** in

their economies, institutions, and political systems. Collaborating on **supply chain resilience and critical minerals** could turn a geopolitical challenge into a bilateral opportunity.

PRACTICE QUESTION

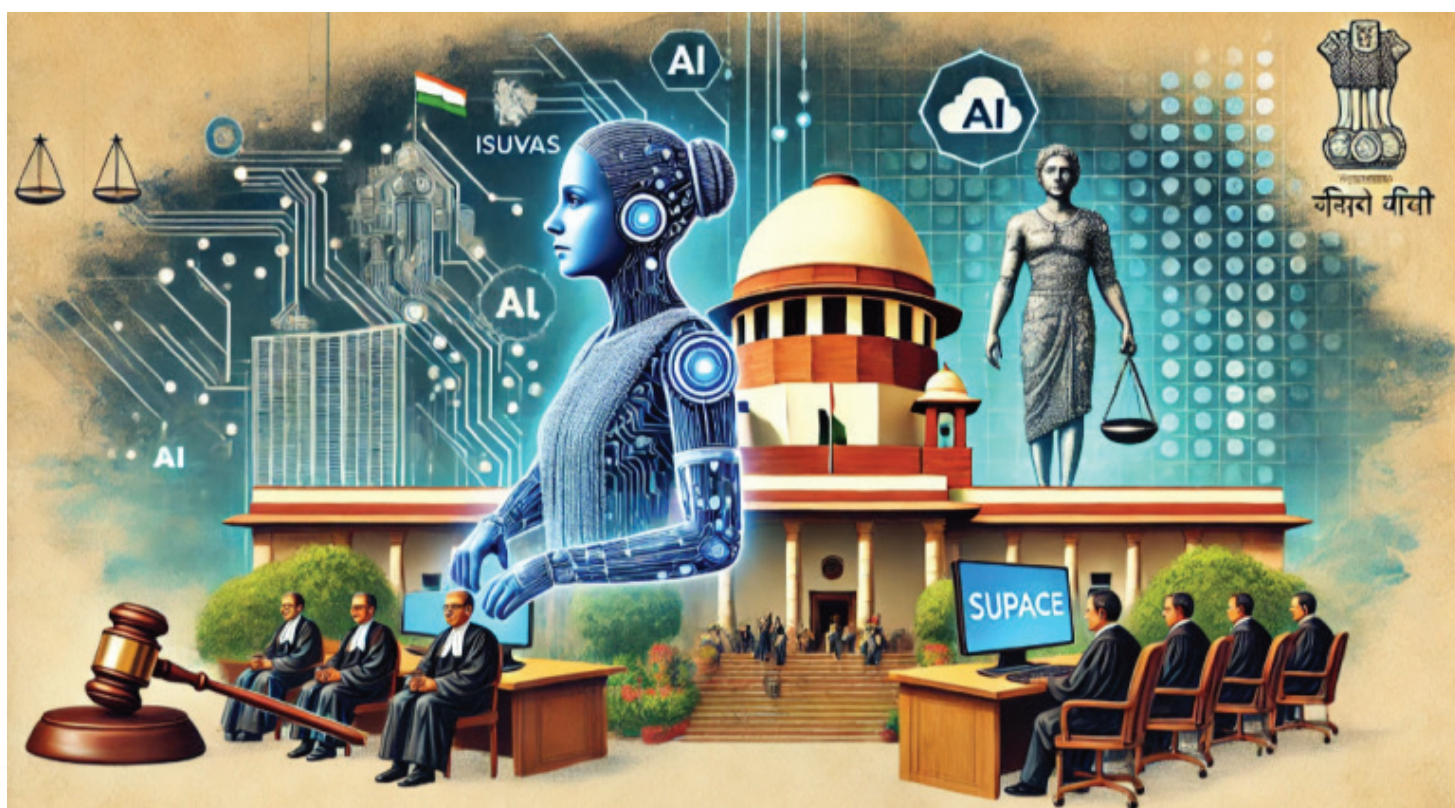
Critically examine the challenges and prospects in India–Canada relations in the context of diaspora politics and strategic cooperation. (15 Marks, 250 words)

QUOTE

“India–Canada relations reflect the complex interplay of democratic values, diaspora politics, and strategic interests.”

Indian Government and Politics (IGP)

AI IN JUDICIARY



The **Supreme Court of India** has raised significant institutional alarms regarding the utilization of AI-generated content, specifically involving the fabrication of non-existent and fake judgments by a trial court. This follows an incident last year where a trial court judge in **Vijayawada** dismissed a case by citing four purported Supreme Court judgments; it was subsequently discovered that none of these legal precedents actually existed.

In response to such risks, the **Kerala High Court** published a comprehensive set of guidelines in July 2025 for AI usage within the district judiciary. This stands as the first policy in India to directly address AI integration in judicial processes while establishing strict safeguards. Furthermore, in November 2025, the Supreme Court released a **‘White Paper on AI & Judiciary’**, which identified **‘Fabrication of Cases & Hallucination’** as the foremost risk. The paper highlighted

that AI tools can hallucinate entire judgments, citations, and quotes, or even refer to non-existent legislation. While AI tools—ranging from document translation to identifying filing defects—are expected to enhance judicial speed and efficiency, these developments carry inherent risks.

WHAT IS THE SIGNIFICANCE OF AI IN JUDICIARY?

- **Reducing Case Backlogs & Delays:** AI assists in case prioritization, scheduling, and tracking. By evaluating historical data and timelines, AI can predict potential delays, enabling court staff to allocate resources with greater precision.
- **Promoting Accessibility & Inclusivity:** Tools such as the **Supreme Court Vidhik Anuvaad Software (SUVACE)** translate legal documents and judgments from English into various Indian languages. This reduces language barriers and increases public access to legal information.
- **Legal Research:** AI can scan historical judgments, statutes, and legal texts to find relevant precedents in a fraction of the time required by humans, aiding lawyers in case building and judges in informed decision-making.
- **Predictive Analytics:** By analyzing patterns in past rulings, AI provides insights into potential outcomes. This supports a more consistent application of the law, although it remains an informational tool rather than a final arbiter of rulings.
- **Transparency & Public Trust:** AI-powered dashboards and digital records enhance transparency, facilitating better monitoring and public accountability. Initiatives like **e-Courts** make proceedings and orders more visible to the general public.

INTEGRATION OF ARTIFICIAL INTELLIGENCE IN COURTS IN INDIA:

- **e-Courts Project & AI Tools:** The Indian judiciary integrates AI primarily via the **e-Courts Mission Mode Project** to enhance administrative efficiency and clear case backlogs.
- **SUPACE (Supreme Court Portal for Assistance in Court Efficiency):** This portal utilizes machine learning to process case files, extract relevant facts, and assist judges with legal research and summarization.
- **SUVAS:** This tool facilitates the automated translation of judgments from English to regional languages to improve accessibility for all citizens.
- **Adalat.AI:** Mandated by the **Kerala High Court** in 2025 for its subordinate courts, this tool records witness depositions by converting speech to text instantly. This technology replaces manual stenography and significantly accelerates trial proceedings.

WHAT ARE THE CHALLENGES?

- **Biasness & Ethical Concerns:** AI can perpetuate prejudices found in historical legal data, leading to potentially discriminatory outcomes based on race, gender, or socio-economic status. Bias in criminal risk profiling or sentencing recommendations can undermine the principles of justice and fairness.
- **Accuracy & Reliability:** AI tools may produce inaccurate results, fabricate information (**AI hallucinations**), or generate fake legal citations and facts, which poses dangers for judicial decision-making. Dependence on unreliable or incomplete databases can further skew outcomes. For e.g. OpenAI's **Whisper**, an AI-powered speech recognition system, was reported to hallucinate entire phrases & sentences, especially when people spoke with longer pauses between words.
- **Complexity of Legal Reasoning:** Human judgment in law involves nuanced interpretation, contextual understanding, moral reasoning, and empathy, which AI currently struggles to replicate.
- **Human Rights & Due Process:**
 - Replacing or heavily supplementing human judgment with algorithmic decision-making can threaten fundamental rights such as the right to a fair trial and appeal. Over-reliance could reduce complex human experiences to mere statistics.
 - At a more structural level, AI risks reducing adjudication into rule-based interferences, overlooking the combination of human judgement, a specific context, and relevance of precedents that impact judicial decision making.
- **Lack of Regulation:** India lacks comprehensive legislation or clear policy for regulating AI use in the judiciary; most existing rules are adapted from older laws not tailored for AI's complexities. As a result, courts in India have shown inconsistent approaches to AI adoption, with some encouraging cautious use and others, like **Kerala High Court**, banning AI tools from judicial decision-making.

WHAT CAN BE THE WAY FORWARD?

1. **Capacity Building:** Conduct nationwide training for critical AI literacy for judges, court staff, and lawyers to raise awareness, build digital literacy, and promote effective use of AI tools. In addition to capacity building to use AI tools, programmes are also required to understand the limitations of the systems deployed.
2. **Human Oversight & Judicial Discretion:** AI should be an assistive, not a substitute, tool. Final decision-making

authority must always remain with human judges. Judicial officers must be required to review and, if necessary, override AI-recommended outcomes when context or justice so demand.

- 3. Develop Regulatory & Ethical frameworks:** Enact legislation and guidelines that define the permissible uses of AI in courts with emphasis on human rights, fairness, accountability, and explainability. Mandate regular audits and ethical reviews of AI tools used in judicial processes to ensure they are unbiased and transparent.
- 4. Address Biasness Issue:** Use diverse, updated, and representative datasets for developing and training AI systems to minimize bias and errors. Continually monitor, validate, and retrain AI models to avoid perpetuating systemic injustice.
- 5. Right to be informed:** Guidelines are needed to shape individual use of generative AI for research & judgement

writing. If AI is used in adjudication process, litigants must have a **right to be informed**. Litigants may be allowed to opt-out of pilots or fully-deployed AI if they have any concerns about safeguards or human oversight.

- 6. Experts' help:** Dedicated specialists of AI in courtrooms can give the courts clearer guidance in adopting AI tools as part of comprehensive planning. **Vision Document for Phase-III of eCourts Project** acknowledges the need to create technology offices to guide courts in assessing, selecting, and overseeing the implementation of complex digital solutions like AI.

CONCLUSION

Adoption of AI in judiciary is significant to make it more efficient, accessible & transparent. However, it should not eclipse the nuanced reasoning & human decision-making that is at the heart of the adjudicatory process.

CUSTODIAL VIOLENCE IN INDIA



INTRODUCTION

Police personnel across stations in Tamil Nadu have been suspended regarding the custodial death of a 26-year old individual named Akash Delison. In a dying declaration recorded by him in hospital a day prior to his death, he detailed the severe police torture that he endured.

WHAT IS CUSTODIAL VIOLENCE? WHAT ARE TYPES OF CUSTODIAL VIOLENCE?

The concept custodial violence denotes the inhumane treatment of individuals by law enforcement while they are under custody. These methods range from misusing their authority to extracting information.

Types of Custodial Violence- Custodial violence can assume various different forms, and authorities will adopt different tactics depending on the situation and their objectives.

Physical: This method is based on applying physical force to cause bodily injury and exhaustion on the subject, leading to immense suffering.

Physiological: It involves mental torture. For example, depriving a person of food. It also includes threats and humiliation of the victim

Sexual: It is carried out through rape/sodomy. It is aimed towards the social and psychological harassment of the victims.

inadequate training on human rights, and a hierarchical culture that discourages dissent, contribute directly to the occurrence of custodial violence. E.g. NHRC consistently highlights overcrowding and understaffing in Indian prisons and police lockups.

Societal Influences on Violence: Societal factors, such as social inequality, tolerance for violence, and negative media portrayals that reinforce harmful stereotypes, play an important role in perpetuating custodial violence. E.g. Caste based discrimination in prisons.

Procedural Gaps and Vulnerabilities: Procedural deficiencies, including arbitrary arrests, insufficient documentation of detainees, and lack of access to legal aid, aggravate the risk of custodial violence.

Work Pressure: Psychological factors, such as stress, burnout, sadistic tendencies among custodial personnel, can lead to the infliction of violence. E.g. According to the 2019 Status of Policing in India Report (SPIR), police officers work an average of 14 hours a day, with nearly 80% of them putting in more than 8 hours.

No Specific Anti-Torture Law: India lacks a specific national law criminalizing torture, despite signing the UN Convention Against Torture (UNCAT) in 1997, and this absence is a significant issue, allowing custodial torture to continue.

Positive Reinforcement of Third-Degree Methods: The use of third-degree torture to extract information or coerce confessions is often reinforced when it produces results.

WHAT ARE THE PROVISIONS TO PREVENT CUSTODIAL VIOLENCE?

Constitutional Provisions

Article 21: Constitution ensures the right to life and personal liberty, which includes protection from torture and inhuman treatment.

Article 20(3): Safeguards individuals from being compelled to be witnesses against themselves, protecting them from coercive interrogation.

Article 39A: Guarantees free legal aid to ensure that no citizen is denied justice due to economic or other disabilities.

Article 22: Provides safeguards against arbitrary arrest and detention, including the right to be informed of the grounds of arrest and the right to consult a lawyer.

Legal Provisions

IPC: Sections 330 (voluntarily causing hurt to extort confession) and 348 (wrongful confinement to extort confession).

CrPC: Section 176 requires a judicial inquiry into custodial deaths.

Protection of Human Rights Act, 1993: The Act created the NHRC and SHRC's to investigate custodial violence and recommend action.

BNS Provisions: The BNS retains provisions related to wrongful restraint and illegal detention, which are often precursors to custodial abuse. E.g. Section 176 (causing hurt by public servant), Section 177 (causing grievous hurt by public servant), Section 178 (wrongful confinement by public servant).

WHAT ARE THE CONSEQUENCES OF CUSTODIAL VIOLENCE?

Severe Human Rights Violations: Custodial violence inflicts physical and psychological trauma (PTSD), violates dignity and privacy (Article 21), and results in loss of life, as evidenced by cases like D.K. Basu vs State of West Bengal (1997) and NCRB data.

Erosion of the Rule of Law: Police impunity, undermining judicial authority, and failure of constitutional safeguards (Articles 21 & 22) perpetuate a culture where accountability is absent. E.g. A report by the Commonwealth Human Rights Initiative (CHRI) noted that fear of police harassment discourages people from seeking justice, especially among marginalized communities.

Profound Social and Psychological Impact: Custodial violence destroys public trust, stigmatizes victims, and fuels a cycle of violence, demonstrated by widespread protests like those following the Thoothukudi custodial deaths.

Significant Economic Burden: Victims lose livelihoods, families bear financial strain from medical and legal costs, and the state incurs compensation expenses, as mandated by cases like Nilabati Behera vs. State of Orissa.

WHAT ARE THE CAUSES OF CUSTODIAL VIOLENCE?

Lack of answerability and Impunity: A major cause of custodial violence is the existing lack of accountability, where weak oversight mechanisms and a systemic unwillingness to prosecute perpetrators create an environment of impunity. E.g. Custodial death of P Jayaraj and Bennicks in Tamil Nadu.

Systemic Law Enforcement Failures: Systemic issues within law enforcement, including overcrowding, understaffing,

Damaged International Reputation: India's failure to address custodial violence and ratify UNCAT harms its global standing under international treaties like the UDHR (1948) and the ICCPR (1976), affecting extradition requests and highlighting a violation of international commitments. E.g. Sanjay Bhandari extradition case in the UK highlighted India's custodial torture record, leading to the denial of extradition.

Legal and Institutional Weaknesses: Custodial violence contributes to judicial backlogs, erodes the credibility of oversight bodies like the NHRC, and exposes the failure of legislative reforms. E.g. The absence of a comprehensive anti-torture law, despite recommendations from the Law Commission and Rajya Sabha Select Committee.

WHAT ARE THE CHALLENGES IN STOPPING CUSTODIAL VIOLENCE?

Legal and Institutional Deficiencies: The lack of a dedicated anti-torture law, weak enforcement of existing laws (despite recommendations from the Law Commission (273rd Report, 2017) and the Rajya Sabha Select Committee (2010)), judicial delays, and insufficient independent oversight create a system where custodial violence persists with impunity.

Police Impunity and Lack of Accountability: A culture of impunity within the police force, along with lack of transparency in custodial procedures and resistance to reforms, enables officers to evade consequences for abusive actions.

Political and Administrative Obstacles: A lack of political will to enact required legislation, political interference in cases of abuse, and bureaucratic inefficiencies obstruct efforts to implement reforms and deliver justice.

Societal and Cultural Factors: Public indifference, stigmatization of victims, and normalization of violence contribute to a climate where custodial violence is accepted and sustained.

Economic and Resource Limitations: Insufficient funding for police reforms, delays in compensation for victims, and resource constraints within police departments hinder the implementation of effective measures to prevent custodial violence.

International and Diplomatic Ramifications: India's failure to ratify UNCAT, the impact on extradition requests, and diplomatic consequences damage its global reputation and weaken its international commitments to human rights.

WHAT SHOULD BE THE WAY FORWARD?

Enactment of a Standalone Anti-Torture Law: India must criminalize custodial torture through a dedicated Prevention of Torture Bill, as recommended by the Law Commission of India (2017). This law should align with the UNCAT, prescribing

strict punishments for erring officials and ensuring mandatory compensation for victims.

Strengthening Judicial Oversight: Custodial deaths and torture cases must be investigated by Judicial Magistrates instead of Executive Magistrates, ensuring impartial scrutiny, as per the 2024 Supreme Court ruling. Courts should also impose stricter penalties for violations of D.K. Basu guidelines and mandate compliance with human rights norms.

Independent Oversight Mechanisms: Establishing independent oversight bodies at state and national levels, as suggested by the Justice J.S. Verma Committee (2013), can ensure impartial investigations into custodial violence cases. The NHRC must be granted prosecutorial powers to act against offenders rather than merely recommending action.

Police Reforms for Transparency and Accountability: Full implementation of the Prakash Singh case (2006) police reforms, which advocate separating law enforcement from political influence, can professionalize policing and reduce misuse of power. Additionally, Model Police Act, 2006 must be enforced uniformly across states to promote accountability.

Mandatory CCTV Surveillance and Audio-Video Interrogation: Expanding the Supreme Court's directive on CCTV installation in police stations (Common Cause vs Union of India, 2018) to include real-time monitoring and external audits can prevent custodial torture. Video recordings of interrogations, as recommended by NHRC, must be made mandatory.

Fast-Track Courts and Compensation Mechanisms: Special fast-track courts should be established to expedite custodial violence cases, ensuring strict punishment for perpetrators. Additionally, NHRC's recommendation for uniform compensation for victims must be institutionalized, with a clear fund allocation mechanism.

Ratification of International Conventions and Global Best Practices: India must ratify the UNCAT and adopt best practices from countries like the UK's Independent Office for Police Conduct (IOPC) and Norway's Ombudsman Model, which allow for independent oversight and strict accountability of law enforcement officials.

CONCLUSION

Custodial violence remains a serious violation of human rights and a stain on India's justice system. Addressing this issue requires comprehensive reforms, including the enactment of an anti-torture law, police reforms, and ratification of UNCAT. By implementing these measures, India can uphold its constitutional values and international commitments, ensuring justice and dignity for all citizens.

WOMEN'S POLITICAL EMPOWERMENT OF INDIA



INTRODUCTION

Today Indian women have advanced beyond mere symbolic roles to become significant influences in shaping electoral outcomes. This has been enabled with the support of women-focused policies like Sukanya Samridhi Yojana, Beti Bachao Beti Padhao, and Jan Dhan Yojana empowering them as decision-makers and change agents.

While the turnout of women voters has risen over the years, campaign participation still reveals a clear gender gap. The disparity in Parliamentary representation also remains wide, reflecting limited candidature, party nominations, and constraints on political autonomy.

WHAT HAS BEEN THE STATUS OF POLITICAL REPRESENTATION OF WOMEN IN INDIA?

Representation of Women in Parliament over the Years:

Women constituted just 4.41% of the strength of the Lower House in 1952. The number rose to more than 6% in the Lok Sabha held a decade later.

However, the number declined to below 4% in 1971, ironically, with Indira Gandhi, India's first and only woman Prime Minister, at the helm.

There has been a gradual, but steady rise in women's representation (with a few exceptions). The women representation crossed the 10% mark in 2009 and reached a peak at 14.36% in 2019.

Of the 74 women MPs elected in 2024, 43 are first time MPs. Women MPs have an average age of 50 years and are younger compared to the overall age of the House, which is 56 years. These women MPs are as educated as their male counterparts, with 78% completing under graduation.

State Legislative assembly representation

The representation of women in State Legislative Assemblies has been low. The highest is in Chhattisgarh (14.4%) followed by West Bengal (13.7%) and Jharkhand (12.4%).

• Comparison with Global Standards:

- According to the Inter-Parliamentary Union (IPU) 'Women in Parliament' Report (2021), the global percentage of women in parliament was 26.1%.

- India ranks lower than 140 other nations in terms of the number of women serving in their national legislatures.
- Even though the representation of women in Lok Sabha has increased post independence (~16% in 17th Lok Sabha), India is behind several countries of Africa and South Asia (like Nepal, Pakistan, Sri Lanka).

Women's tendency to avoid competition also plays a role since the political selection process is often perceived as highly competitive.

The fear of 'big politics' and factors such as self-doubt, stereotypes and personal reservations prevent even the most politically capable women from entering government

Women's willingness to progress in their political careers can also be influenced by family and relational considerations. For ex- In Sweden, female politicians who are elevated to mayor (i.e. the highest office in municipal politics) experience a significant rise in the likelihood of divorcing their partner, whereas this is not the case for men.

Patriarchal Society- The patriarchal nature of Indian politics also prevents the growth in women participation in India:

Gender Disparities- There are still many barriers in the path of women in positions of leadership due to gender inequality in areas like education, access to resources, and the persistence of biased attitudes.

Sexual division of labour- Women are responsible for the majority of domestic work and child care. This creates obstacles for them to enter politics.

Cultural and Social Expectations- Cultural and Social Expectations are imposed upon women which prevent women from participating in politics.

Cost of Contesting Election- Cost of contesting elections is increasing with time. Lack of access to resources and assets means that women are much less likely to be able to mobilize the funds for contesting elections than men.

Male politicians as Gate-keepers- Party leaders generally prefer to promote male rather than female candidates. There is a general bias in the thinking regarding winnability of female candidates preventing them from selecting women leaders for election.

Growth of criminalisation and corruption- The withdrawal of women from politics can also be attributed to lack of political education coupled with the rise in criminalization and corruption.

WHAT MEASURES HAVE BEEN UNDERTAKEN FOR POLITICAL EMPOWERMENT OF WOMEN AND INCREASING THEIR PARTICIPATION?

- **Legislative Measures**
 - Nari Shakti Vandana Adhiniyam (Women reservation Act)- It has been enacted to provide 33% reservation for women in the Lok Sabha and state legislative assemblies.
 - 73rd and 74th amendment Act- This amendment Act provided 33% reservation to women in local bodies.

WHY IS THERE A NEED FOR GREATER POLITICAL EMPOWERMENT OF WOMEN IN INDIA?

Accountability and Gender-sensitive Governance- Political empowerment of women enables direct participation in public decision-making and serves as a means of ensuring better accountability to women. It helps in undertaking reforms that can make all elected officials more effective at promoting gender equality in public policy and ensuring their implementation.

Breaking the Patriarchal mould of Indian Politics- Indian Politics has been patriarchal with top party positions and positions of power being occupied by men. Increase in women representation in parliament dismantles the patriarchal nature of Indian politics.

Focus on Gender Issues- According to UN Women, higher numbers of women in parliament generally contribute to stronger focus on women's issues. This ensures appropriate policy response to address gender issues and introduce women-sensitive measures.

Gender Equality- Women's political participation is a fundamental prerequisite for gender equality and genuine democracy. It helps establish public enquiries on women's issues and use findings to place issues on government agendas and within legislative programmes.

Change of Stereotypes- Enhanced representation helps in cooperation with the women's movement and the media to transform the stereotyped image of women as only 'homemakers', to change it to 'lawmakers'.

Improvement of Economic Performance and Infrastructure- According to UN University, Women legislators improve the economic performance of their constituencies 1.8% more than male legislators. Evaluation of Pradhan Mantri Gram Sadak Yojana shows the share of incomplete road projects is 22% lower in female led constituencies.

WHAT ARE THE REASONS BEHIND LOW POLITICAL REPRESENTATION OF WOMEN IN INDIA?

Gender Gaps in Political Ambition- Gender conditioning leads to lack of political ambition among women:

Women are less motivated to contest for office/election than men.

Some states like Bihar have raised the women reservation in the local bodies to 50%.

- Parliamentary Committee on Empowerment of Women- In 1997 (11th Lok Sabha), the Committee on Empowerment of Women was constituted to improve the position of women
- Gender-Neutral Rules of Lok Sabha- The rules of the Lok Sabha were made entirely gender-neutral in 2014 under the leadership of Meira Kumar. Since then, every document has referred to the head of a Lok Sabha Committee as the Chairperson.

Constitutional Measures

- Article 14- It has established equality as a fundamental right. It inevitably requires equal opportunity, as stated in Article 15.
- Article 46- It places on the state the responsibility to protect vulnerable groups against social injustice and all forms of exploitation.
- Article 243D- It ensures participation of women in Panchayati Raj Institutions by mandating at least 33% reservation for women in total seats and the offices of chairpersons of Panchayats.
- Article 326- Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.

International Covenants

Globally, several international commitments have been made, for achieving gender equality and these have emphasized on enhancing women's representation in political sphere.

Convention on the Elimination of All Forms of Discrimination against Women (1979)- Upheld women's right to participate in public life.

Beijing Platform for Action (1995), Millennium Development Goals (2000) and Sustainable Development Goals (2015-2030)-

All these called for removing barriers to equal participation and also took into account increasing women's representation in parliament to measure progress towards gender equality.

WHAT SHOULD BE THE WAY FORWARD?

- Checks on the criminalisation of politics- We must address the broader issues of electoral reforms such as measures to check criminalisation of politics and influence of black money to achieve the desired outcomes of women reservation.
- Intra party democracy- Institutionalisation of intra-party democracy will make available a wider pool of women candidates.
- Nomination to Rajya Sabha and State Legislative Councils- Every Political Party must nominate 33% women and 67% men for every election to Rajya Sabha and State legislative councils to achieve true women representation.
- Promotion of women participation at panchayat level through strengthening women self-help groups. This will ensure capable women candidates for MP/MLA elections.
- Strengthening women's agencies and organizations for building a progressive society with equality of opportunities among all citizens.
- Promotion of girl's participation in College/Universities: Student political parties and political debate to increase their political competence for future.
- Reaffirmation to G20 New Delhi Leaders' Declaration- India must be committed and should reaffirm to the G20 New Delhi Leaders' Declaration which emphasizes investment in political empowerment of women and girls as it has multiplier effects in the implementation of 2030 Agenda for Sustainable Development.
- Gender Sensitisation and Internships- Gender sensitization workshops, internships acclimatizing them with the political process will help in the creation of a healthy culture of gender parity in the political sphere.

THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) AMENDMENT BILL, 2026



The Transgender Persons (Protection of Rights) Amendment Bill, 2026



INTRODUCTION

The Transgender Persons (Protection of Rights) Amendment Bill, 2026, marks a major transition in India's gender identity legislation. It intends to modify the 2019 Act to fill existing voids regarding the welfare and legal status of transgender citizens. The legislation focuses on refining gender certification methods, enhancing entry to social programs, and reinforcing the organizational structures meant to safeguard their rights.

KEY MODIFICATIONS IN THE 2026 BILL

Provision	Features
Shift in Identification Method	The legislation eliminates the right to self-determination previously found in Section 4(2). Legal status is now contingent upon external validation instead of individual identity.
Narrowed Definition	Recognition is restricted to specific sociocultural groups like hijra, kinner, aravani, eunuch, and jogta. A new classification is added for those coerced into a transgender identity via manipulation or medical means.
Medical Certification Requirement	A Medical Board led by a CMO/Deputy CMO will now evaluate candidates. Based on this board's advice, the District Magistrate issues certificates, ending the previous system that lacked medical exams.
Enhanced Penalties	Tiered sentencing is established for crimes against transgender people—such as abduction, forced labor, or abuse—with potential penalties reaching life imprisonment.
Institutional Changes	State and UT delegates on the National Council for Transgender Persons must hold at least a Director-level rank, ensuring increased bureaucratic supervision.
Updates to Legal Records	Name changes on formal documents are permitted only after an individual satisfies the newly established statutory definition of a transgender person.

OBSTACLES LINKED TO THE 2026 AMENDMENT BILL

Dismissal of Self-Identification: By striking Section 4(2), the Bill opposes the 2014 NALSA ruling, which established that self-determination should not require medical or external evidence.

Clinical Gatekeeping: Requiring a CMO-led Medical Board treats gender identity as a medical ailment rather than a social or personal reality, creating a “gatekeeping” effect.

Institutional Hurdles: There are significant worries regarding the burden of proof and the lack of sensitive healthcare, which may create barriers for those facing transphobia.

Omission of Gender Fluidity: The legislation fails to recognize gender-fluid or self-perceived identities, excluding many who do not align with strict biological groups.

Risk of Marginalization: Because recognition is tied to traditional identities like Hijra or Kinner, transgender individuals outside the guru-chela system may lose their legal safety nets.

Misuse of “Forced Identity” Rules: There is concern that clauses regarding “forced transgender identity” could be misapplied, leading to legitimate actions being incorrectly classified as inducement or allurement.

IMPORTANCE OF THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) AMENDMENT BILL, 2026

- **Clarification of Identity:** The 2026 updates to the definition and identification protocols aim to eliminate the uncertainties found in the 2019 legislation.
- **Accurate Allocation of Resources:** By refining the legal definition, the Bill seeks to ensure that protections and benefits reach those who face the most acute social marginalization.
- **Reinforced Legal Protections:** The addition of tiered penalties for major crimes provides a stronger shield against exploitation, violence, and mistreatment.
- **Safeguarding Dignity and Autonomy:** The Bill upholds the concepts of bodily integrity by criminalizing forced identity transitions and physical harm.
- **Resolving Prior Legislative Flaws:** This amendment is designed to fix problems caused by the overly general and imprecise language of the previous law.

EXISTING INDIAN GOVERNMENT PROGRAMS FOR TRANSGENDER WELFARE

- **Digital Identity Portal (2020):** This platform enables online applications for identity cards and simplifies access to state-sponsored services.

- **SMILE Initiative (2022):** The “Support for Marginalised Individuals for Livelihood and Enterprise” focuses on vocational training and income support. It includes **Garima Greh** housing and **Ayushman Bharat TG Plus** medical insurance.
- **Fair Employment Guidelines:** Introduced by the Department of Social Justice & Empowerment, these policies advocate for unbiased hiring and workplace inclusivity.
- **National Council for Transgender Persons:** This statutory group includes five community representatives and members from human rights bodies and state governments to advocate for transgender rights.
- **Localized Protection Units:** District-level Transgender Protection Cells work under District Magistrates to monitor crimes, ensure police reports are filed, and run sensitivity training.

Transgender Persons (Protection of Rights) Act, 2019

- **Defining Transgender Status:** The 2019 Act identifies a transgender individual as someone whose identity differs from the gender they were assigned at birth. This encompasses trans women, trans men, intersex individuals, and cultural groups like hijra and kinner, regardless of medical status.
- **The Principle of Self-Identification:** The law affirms the right to an individual’s self-perceived gender. Through an administrative route, persons can obtain an identity certificate from a District Magistrate without needing a medical review.
- **Anti-Discrimination Measures:** It is illegal to discriminate against transgender people in sectors including labor, schooling, medical care, and public utility access.
- **Organizational Framework:** The National Council for Transgender Persons was created to guide government policy, track legislative execution, and coordinate across various departments.
- **Sanctions for Violations:** Penalties for crimes like forced labor or denial of rights range from six months to two years of jail time, plus financial fines.

PROPOSED ROADMAP FOR TRANSGENDER PROSPERITY

- **Reinstating Self-Determination:** Adjust the 2026 Bill to match the 2014 NALSA ruling, ensuring that gender identity is treated as a personal choice rather than a medical diagnosis.
- **Improving Legal Execution:** Guarantee the rigorous application of anti-discrimination statutes and provide

transgender individuals with streamlined access to the court system.

- **Driving Cultural Awareness:** Launch public education initiatives, such as the “I Am Also Human” program, to combat social stigma and encourage respectful media coverage.
- **Expanding Economic Inclusion:** Foster inclusive employment practices; for instance, following Karnataka’s model of reserving 1% of government positions for the community.
- **Comprehensive Medical Support:** Standardize and subsidize hormone treatments and gender-affirming surgeries within public hospitals to ensure they are safe and reachable.

CONCLUSION

The Transgender Persons (Protection of Rights) Amendment Bill, 2026, represents a significant move toward a more adaptive and inclusive legal system regarding gender in India. Successful execution of this law could greatly improve access to education, healthcare, and employment. Through persistent policy adjustments and representative leadership, India can progress toward a society where the equality and dignity of transgender people are fully realized.

EUTHANASIA IN INDIA



The **Supreme Court of India** has recently authorized the withdrawal of life-sustaining treatment for 32-year-old **Harish Rana**, who has remained in a vegetative state since 2013. This ruling marks the first specific judicial order in India to approve passive euthanasia under established legal frameworks.

WHAT IS EUTHANASIA?

Euthanasia, or “mercy killing,” is the intentional ending of a life to relieve pain and suffering, typically during a terminal or incurable illness. The term originates from the Greek words **eu** (good) and **thanatos** (death).

Type	Definition	Legal Status in India
Active Euthanasia	Taking direct action to cause death, such as a lethal injection.	Illegal (Criminal offense under BNS 2023).
Passive Euthanasia	Withholding or withdrawing life-sustaining treatments (e.g., ventilators, feeding tubes).	Legal (Under “exceptional circumstances”).

KEY TERMINOLOGY:

- **Physician Assisted Suicide (PAS):** A practitioner provides the lethal dose at the patient’s request for them to self-administer.
- **Permanent Vegetative State (PVS):** A condition where a patient cannot sustain themselves and requires life support for basic functions.
- **Advanced Medical Directive (Living Will):** A voluntary, legal document issued in advance by a competent person to refuse extraordinary medical care in case of a terminal illness.

STATUS OF EUTHANASIA IN INDIA

- **Legal Basis:** Passive euthanasia is recognized as a fundamental right under **Article 21** (Right to Die with Dignity).
- **Criminality of Active Euthanasia:** Remains classified as culpable homicide or murder under the **Bharatiya Nyaya Sanhita (BNS), 2023**.

Procedural Framework for Passive Euthanasia:

1. **Primary Medical Board:** At least three doctors at the hospital must certify that recovery is not possible.
2. **Secondary Medical Board:** An independent board, including an external expert, must concur with the initial findings.
3. **Judicial Oversight:** The hospital must inform a **Judicial Magistrate (First Class)** of the decision.
4. **Digital Records:** Living Wills can be pre-registered via a notary and stored in digital health records (**ABHA**).

JUDICIAL EVOLUTION IN INDIA

- **P. Rathinam v. Union of India (1994):** The SC initially ruled that the “Right to Life” included the “Right to Die,” suggesting the repeal of Section 309 IPC (Attempt to Suicide).
- **Gian Kaur v. State of Punjab (1996):** This overruled the Rathinam case, stating **Article 21** excludes the right to die. It upheld the constitutionality of Sections 306 and 309.

- **Aruna Shanbaug v. Union of India (2011):** The SC permitted passive euthanasia for the first time in Indian history, laying down specific guidelines for its implementation.
- **Common Cause v. Union of India (2018):** A landmark ruling that affirmed the **Right to Die with Dignity** as an integral part of the Right to Life. It legalized **Advanced Medical Directives** (Living Wills) and the removal of life support for the terminally ill.
- **Chandrakant Tandale v. State of Maharashtra (2020):** Reaffirmed that **Active Euthanasia remains illegal** despite the court’s sympathy for the petitioner.
- **Harish Rana Case (2026):** The first judicial order specifically implementing the **Common Cause (2018)** guidelines. The Court ruled that **Clinically Administered Nutrition and Hydration (CANH)** constitutes “medical treatment” rather than basic care, and can be legally withdrawn if it serves no therapeutic purpose.

ARGUMENTS IN FAVOUR OF EUTHANASIA

Right to Self-Determination (Autonomy)

- **Fundamental Choice:** Individuals should have the primary right to decide what happens to their own bodies, including the manner and timing of their death during terminal illness.
- **Liberty and Dignity:** Denying the choice to end unbearable suffering is viewed as a violation of personal liberty. The right to end life on one’s own terms is seen as an extension of the right to refuse medical treatment.

Relief from Unbearable Suffering

- **Compassionate Exit:** For those with terminal conditions where palliative care cannot adequately control distress, euthanasia offers a way to end unrelenting pain.
- **Avoiding Artificial Prolongation:** Artificial life extension in hopeless cases is often seen as extending agony rather than providing a meaningful existence.

Human Dignity and Mercy

- **Dignified End:** Euthanasia allows people to die while retaining their sense of self and personal identity, avoiding a state of complete dependence or loss of bodily functions.

- **Act of Mercy:** Rooted in the concept of a “good death,” the practice is seen as a merciful alternative to allowing a patient to suffer needlessly.

Socio-Economic Considerations

- **Family Burden:** Terminal illnesses place extreme emotional and financial strain on families. Euthanasia can prevent “catastrophic healthcare spending” that often leads to poverty.
- **Resource Allocation:** In strained healthcare systems like India, voluntary euthanasia could free up resources for patients who have a genuine chance of recovery.

International Precedent

- **Proven Frameworks:** Countries like the Netherlands, Belgium, and Canada demonstrate that strict regulations—including psychological evaluations and waiting periods—can minimize abuse.

ARGUMENTS AGAINST EUTHANASIA

Sanctity of Life and Religious Objections

- **Inherent Value:** Many traditions hold that life is a gift and is inherently valuable regardless of its condition. Deliberately ending life is seen as a violation of this sanctity.
- **Moral Transgression:** Major world religions generally oppose euthanasia, often viewing suffering as having spiritual value or growth potential.

The Slippery Slope Danger

- **Expanding Criteria:** There is a fear that once legalized for extreme cases, the threshold for “unbearable suffering” will lower.
- **Broadening Scope:** Evidence from some European nations shows the practice has extended to psychiatric patients and the elderly who are simply “tired of life,” moving beyond the original terminal illness framework.

Risk of Abuse and Coercion

- **Pressure on Vulnerable Groups:** The elderly, disabled, or economically disadvantaged may feel pressured to choose death to avoid being a “burden” to their families or the state.
- **Exploitation:** Verifying truly voluntary and informed consent is extremely difficult, making the system susceptible to influence from family members motivated by inheritance or caregiving exhaustion.

Medical Ethics and Palliative Care

- **“Do No Harm”:** Euthanasia contradicts the foundational Hippocratic principle of medical ethics and could erode the trust in the doctor-patient relationship.
- **Better Alternatives:** Opponents argue that the solution is not death, but improved palliative and hospice care. Many requests for euthanasia arise from inadequate access to quality end-of-life support.

Devaluation of Life

- **Societal Message:** Permitting euthanasia may send a message that some lives (the disabled or elderly) are not worth living, reinforcing existing stigmas.
- **Shift in Care:** A society that embraces euthanasia might become less motivated to invest in research and support systems for its most vulnerable members.

Implementation Failures

- **Subjective Safeguards:** Assessing “unbearable suffering” or “voluntary consent” involves subjective judgments that are difficult to enforce.
- **Irreversibility:** Because the act is irreversible, any failure in the regulatory system results in the unjustifiable loss of human life.



CENTRAL BUREAU OF INVESTIGATION (CBI)

INTRODUCTION

A Delhi trial court recently discharged former Delhi CM **Arvind Kejriwal**, **Manish Sisodia**, and 21 others in the CBI's excise policy case. The court issued a strong critique of the investigation, citing a lack of criminal intent, no evidence of an overarching conspiracy, and insufficient material to support the allegations.

CENTRAL BUREAU OF INVESTIGATION (CBI)

The CBI is the premier federal investigative agency in India, operating under the **Ministry of Personnel, Public Grievances and Pensions** (Prime Minister's Office). It is the primary body for probing high-profile corruption, economic fraud, and complex crimes.

- **Legal Status:** The CBI is **neither a constitutional nor a statutory body**. It was established in 1963 via a Ministry of Home Affairs resolution.
- **Legal Power:** It derives its power to investigate from the **Delhi Special Police Establishment (DSPE) Act, 1946**.
- **Nodal Agency:** It is the official point of contact for **INTERPOL** in India.

COMPOSITION AND APPOINTMENT

The agency is headed by a **Director**, supported by Special, Additional, and Joint Directors, along with various ranks of police personnel.

- **Appointment Process:** Per the **Lokpal Act of 2014**, the Director is selected by a high-powered committee:
 - The Prime Minister (Chairperson)
 - The Leader of the Opposition (or Leader of the single largest opposition party)
 - The Chief Justice of India (or a nominated Supreme Court judge)

ORGANIZATIONAL STRUCTURE

The CBI is divided into several specialized divisions:

- Anti-Corruption Division
- Economic Offences Division
- Special Crimes Division
- Directorate of Prosecution
- Administration, Policy & Coordination Divisions
- Central Forensic Science Laboratory

KEY FUNCTIONS

Category	Focus Areas
Anti-Corruption	Cases involving Central Government employees, PSUs, and financial institutions.
Economic Crimes	Major financial scams, bank frauds, cybercrime, and smuggling.
Special Crimes	High-profile murders, kidnappings, and crimes with national/international impact.
Supervision	In corruption cases, the CBI works under the superintendence of the CVC.

POWERS, JURISDICTION, AND STATE CONSENT

- **Section 3 (DSPE Act):** Grants the CBI concurrent powers to investigate specified offences.
- **Section 6 (DSPE Act):** The Central Government can extend CBI jurisdiction to any area (except UTs) only with the **consent of the state government** concerned.
- **Information Access:** The CBI can demand information from any Central or State Ministry/Department.
- **RTI Exemption:** CBI officers are exempt from the provisions of the **Right to Information Act, 2005**.
- **Consent Dynamics:** The CBI usually requires “**General Consent**” to operate within a state. As of 2026, about **10 states** (including West Bengal, Tamil Nadu, Kerala, and Punjab) have withdrawn this, requiring case-specific permission. However, the **Supreme Court and High Courts** can order a CBI probe anywhere in India **without** state consent.

CHALLENGES AND CRITICISMS

- **The “Caged Parrot”:** Critics argue the agency lacks administrative and financial autonomy because it operates under the **DoPT** (under the PMO).
- **Political Motivation:** Opposition parties frequently allege that the CBI is selectively deployed against political rivals while shielding those in power.
- **Legal Fragility:** Because it is not a constitutional or traditional statutory body (created via executive resolution), its legal existence is often viewed as “fragile.”
- **Dependence on Deputation:** The agency lacks its own dedicated high-level cadre, relying on **IPS officers** on deputation, which can affect continuity and independence.
- **Accountability Issues:** Exemption from the **RTI Act** is criticized for shielding the agency’s administrative and financial conduct from public scrutiny.

- **Trial Delays:** Despite a conviction rate of over **65%**, high-profile cases often take decades to conclude, leading to “trial by media” and eventual acquittals.
- **Overlapping Roles:** Friction often occurs when the **CBI** (investigating corruption) and the **ED** (investigating money laundering) probe the same scandal, leading to bureaucratic conflicts and legal scrutiny over multiple arrests.

WAY FORWARD

Statutory Independence

Legal experts and parliamentary panels recommend enacting a dedicated “**CBI Act**” to clearly define its powers, jurisdiction, and relationship with the Union government. Granting the agency a status similar to the **Election Commission** or the **CAG** would protect it from executive interference and provide a robust legal foundation for nationwide operations.

Solving “Federal Friction”

A new legislative framework could empower the CBI to investigate cases involving **national security, integrity, and inter-state organized crime** without requiring state consent, while leaving local corruption to state agencies. To prevent potential misuse, the law should include a mechanism for **fast-tracked judicial review**, allowing states to challenge probes they perceive as politically motivated.

Creating a Permanent Cadre

1. **Independent Recruitment:** Establishing a permanent investigative cadre through a dedicated “**CBI Examination**” (similar to the UPSC) for ranks such as Sub-Inspector and DySP.
2. **Lateral Entry for Specialists:** Integrating experts in **forensic accounting, cyber security, and data analytics** from the private sector to effectively manage 21st-century white-collar crimes.

Enhancing Accountability and Transparency

- Implementing regular reporting to a **specialized Parliamentary Committee** to ensure financial and administrative oversight without compromising the secrets of ongoing investigations.
- Limiting the broad exemptions currently enjoyed under the **RTI Act**, specifically regarding administrative and internal corruption-related matters within the agency.

Administrative and Financial Independence

- Placing the budget of the CBI under a separate **constitutional or statutory head** rather than the Ministry of Personnel.

- Ensuring the agency receives a dedicated budget sanctioned directly by **Parliament**, similar to the Judiciary, to remove its financial dependence on the **DoPT**.

LEARNING FROM GLOBAL BEST PRACTICES

India can adopt institutional models from global agencies such as:

- **FBI (USA):** For its statutory independence.
- **ICAC (Hong Kong):** For its singular anti-corruption focus and high public trust.
- **CPIB (Singapore):** For its lean, well-resourced, and politically insulated structure.

Modernization and Capacity Building

Significant investment is required in **forensic infrastructure, cybercrime capabilities, and human resources** to address investigative delays caused by capacity constraints. This includes dedicated training programs, competitive salaries, and the induction of specialists in digital forensics and financial crimes to improve the quality of investigative outputs.

DOUBLE ENGINE FEDERALISM?



INTRODUCTION

The concept of a “double-engine sarkar” frames the alignment of Union and State governments as a shortcut to rapid progress. While this narrative is simple and persuasive, it triggers profound constitutional questions. It implies that growth might be contingent on political conformity, which creates friction with the principles of federal parity, equal citizenship, and rule-based administration. Though “double engine” functions as an effective political slogan, it poses a significant challenge to the federal structure.

DOUBLE-ENGINE GOVERNANCE VS. COOPERATIVE FEDERALISM

- **Defining Double-Engine Governance:** This model suggests that having the same political party in power at both the

central and state levels accelerates development through superior coordination.

- **Contrast with Cooperative Federalism:** Authentic cooperative federalism mandates seamless collaboration between different levels of government, regardless of their political leanings or election results.
- **The Political Prerequisite:** This concept carries an unspoken warning that development is tied to political alignment, potentially leaving non-aligned states at a systemic disadvantage.

CHALLENGES TO THE FEDERAL FRAMEWORK

- **Narrative of Favoritism:** Campaign rhetoric often implies that aligned states will receive priority in funding and project approvals.

- **Constitutional Contradiction:** The Indian Constitution envisions the Union and States as equal partners, not as subordinates dependent on the center’s political approval.
- **Fair Access to Resources:** Since national revenue is generated by citizens across all regions, the distribution of these funds should not be influenced by which party holds power in a specific state.
- **Fiscal Federalism Hurdles:** * The use of modern population metrics in funding formulas can unfairly penalize states that successfully implemented population control.
 - The rising reliance on cesses and surcharges shrinks the pool of revenue that is legally shared with the states.
- **Regional Discontent:** States like Karnataka, Kerala, Tamil Nadu, Telangana, and Andhra Pradesh have expressed concerns regarding their autonomy and financial fairness.
- **Executive Interference:** In several states, Governors have hindered governance by withholding or delaying approval for bills passed by elected assemblies.
- **Administrative Friction:** Conflicts involving the Union, Lieutenant-Governors, and elected state officials have frequently led to bureaucratic stagnation.

CONSTITUTIONAL AND INSTITUTIONAL PROTECTIONS

- **Seventh Schedule:** Distributes legislative power across the **Union, State, and Concurrent Lists** to maintain a balance of authority.
- **Article 261 (Full Faith and Credit):** Ensures that the legal acts and judicial decisions of one state are respected nationwide, fostering legal consistency.
- **Article 312 (All India Services):** Creates a shared administrative backbone where elite officers serve both the center and the states.
- **Article 279A (GST Council):** Provides a platform where states and the center negotiate tax policy to build a unified business climate.
- **Article 280 (Finance Commission):** A body tasked every five years with recommending a fair, rule-based split of national revenue based on objective data like geography and fiscal need.
- **Judicial Oversight on Governors:**
 - *State of Punjab vs. Principal Secretary (2023):* The Court ruled that Governors cannot use silence to kill legislation.

- *State of Tamil Nadu vs. Governor (2025):* Excessive delays in granting assent were ruled unconstitutional.
- **Curbing Article 356:** The *S.R. Bommai* precedent restricted the Union’s ability to arbitrarily dismiss state governments.
- **Neutrality of the Governor:** It is essential that the Governor functions as a constitutional figurehead rather than a competing political power.
- **NITI Aayog:** Operates as a think-tank that encourages “competitive federalism” through performance rankings and sharing best practices.

THE PATH FORWARD

Fiscal Reform

- Make Finance Commission guidelines more binding to ensure unbiased revenue sharing.
- Increase “untied” grants to give states more spending flexibility.
- Broaden state taxing powers and streamline the GST framework for faster compensation.
- Minimize the number of centrally-driven schemes to respect state priorities.

Institutional and Political Reform

- **Governor Timelines:** Implement a statutory limit (e.g., 90 days) for Governors to act on state legislation.
- **Revive the Inter-State Council (Article 263):** Transform this body from a symbolic meeting into a robust forum for solving federal disputes.
- **Respect Democratic Mandates:** Ensure that the political choices of state voters are honored by the center.
- **Strengthen Trust:** Use NITI Aayog and other councils to rebuild the spirit of partnership.

CONCLUSION

Linking regional development to political alignment through the “double-engine” model threatens the constitutional fabric of the nation. True federalism demands that every state and citizen be treated with equity. While the necessary institutions are already in place, they must function with integrity. Development should be a product of fair rules and transparent governance, not political loyalty. This equilibrium is vital for the health of India’s federal democracy.

Mains Practice Questions

Q. DISCUSS THE LEGITIMACY OF RECOGNIZING POLITICAL PHILOSOPHY FOR ITS CRITICAL ROLE.

Political philosophy, according to Sabine, can be understood as mankind's attempt to deliberately comprehend and resolve the issues of group life and organization.

Political philosophy plays a vital role in the critical examination and analysis of political institutions, ideologies, and practices. Nonetheless, it is frequently contrasted with political science, which is believed to deal with what is 'real,' while political philosophy is limited to what is 'ideal.' This narrow perspective overlooks the extensive scope of political philosophy and its critical function in numerous key areas. DD Raphael, in his book "Problems of Political Philosophy," argued that the main purpose of philosophy has been the critical evaluation of beliefs. He explained that while science seeks explanation, philosophy seeks justification, meaning rational grounds we typically take for granted. For instance, Plato's aim in illustrating an ideal state was to critique the existing social order and promote an understanding of social concepts like justice. Furthermore, political philosophy's capacity to evaluate the legitimacy and efficacy of political systems and institutions, identify gaps and contradictions in existing political systems, and propose alternative ways of organizing society that better serve the interests of all, has been crucial. It also functions as a critical tool for evaluating assumptions and values in light of moral and social criteria, such as the debate over the legitimacy of the death penalty in modern societies. As the world and political systems continually evolve, there is a constant need for critical analysis and reflection on the current state of politics. Political philosophy provides the framework for such analysis through its critical tools of analysis, synthesis, and improvement.

However, political philosophy can be perceived as too abstract and disconnected from real-world political issues, rendering its criticisms irrelevant or impractical at times. Its critical function may not effectively translate into tangible political action, leaving its insights without real-world impact. It is also prone to bias and subjectivity, often reflecting the values and perspectives of the philosopher rather than objective analysis, and has even been used to justify the status quo. For example, many classical liberals argue that inequality is a natural or necessary feature of society. A Hacker cautions to distinguish political theory from ideology, noting that a theory, whether it takes the character of science or philosophy, must be impartial and unbiased.

Therefore, through this critical examination, political philosophy has helped reveal the limitations and flaws of political systems and has driven the development of alternative political visions, working towards a more just and equitable society.

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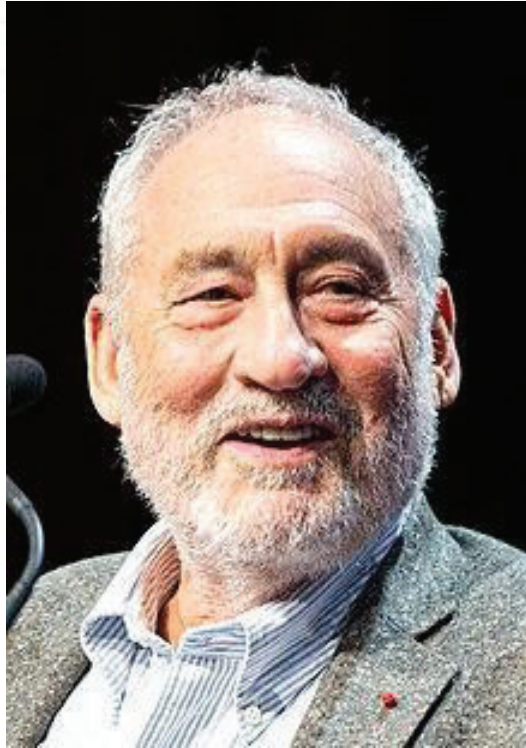
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JOSEPH STIGLITZ



INTRODUCTION

Joseph Eugene Stiglitz, born on February 9, 1943, in Gary, Indiana, USA, is an American economist renowned for his pioneering work on the theory of markets characterized by unequal access to information. Alongside A. Michael Spence and George A. Akerlof, he was awarded the Nobel Prize for Economics in 2001 for his contributions to this field.

CONCEPT OF INFORMATION ASYMMETRY

Joseph Stiglitz is renowned for his significant contributions to the field of information economics, a sub-discipline of microeconomics that explores the impact of information and information systems on economic dynamics and decision-making. His groundbreaking work on information asymmetry played a pivotal role in securing him the Nobel Prize in Economics in 2001. Information asymmetry refers to an unequal distribution of information between participants in an economic exchange. In such situations, one party involved in the transaction may possess more comprehensive information compared to the other party. For instance, a buyer might be better informed than a seller, or a borrower could have greater insights into their ability to repay a loan compared to the lender.

One of Joseph Stiglitz's notable contributions is the development of the screening technique, a method designed to bridge the information gap necessary for optimizing economic transactions in markets. Stiglitz's screening technique has found widespread application, particularly in industries such as insurance and lending.

JOHN RAWLS: A VISIONARY IN POLITICAL PHILOSOPHY



INTRODUCTION

John Rawls, an American philosopher, made significant contributions to political philosophy, particularly in the realms of justice and fairness. Born in 1921 in Baltimore, Maryland, Rawls grew up witnessing the socio-political turbulence of the 20th century, which significantly shaped his intellectual pursuits.

Rawls's magnum opus, "A Theory of Justice," published in 1971, revolutionized political philosophy by introducing a fresh perspective on justice and equality. His ideas have influenced scholars, policymakers, and activists worldwide.

THE VEIL OF IGNORANCE

At the core of Rawls's philosophy is the concept of the "original position" and the "veil of ignorance." He asks us to imagine a hypothetical scenario where individuals are about to create a new society but are unaware of their personal attributes, such as wealth, talents, or social status. This "veil of ignorance" ensures that the decision-makers are unbiased and rational, as they are oblivious to their own positions in the forthcoming society.

PRINCIPLES OF JUSTICE

From behind the veil of ignorance, Rawls argues that rational individuals would agree upon two fundamental principles of justice: The Principle of Equal Basic Liberties: Each person is entitled to the most extensive basic liberties compatible with similar liberties for others.

The Difference Principle: Social and economic inequalities should be arranged so that they benefit the least advantaged members of society. Any inequality must be to everyone's advantage and, notably, attached to positions and offices open to all.

These principles are foundational to Rawls's vision of a just society. They prioritize individual rights, especially those of the most vulnerable, and propose a fair distribution of resources and opportunities.

REFLECTIVE EQUILIBRIUM

Rawls introduced the concept of "reflective equilibrium" to address criticisms and refine his theory continuously. It suggests that moral judgments should align coherently with our considered beliefs. Rawls encourages an ongoing dialogue between our fundamental principles and our intuitive judgments, seeking a state of reflective equilibrium where they mutually reinforce each other.

POLITICAL LIBERALISM

In his later works, particularly in “Political Liberalism” (1993), Rawls adapted his theory to be more inclusive, recognizing the diversity of comprehensive doctrines in a pluralistic society. He aimed to provide a framework for political cooperation that people from different moral, religious, and philosophical backgrounds could accept.

CRITIQUES AND LEGACY

While Rawls’s theory has been influential, it has faced criticism. Some argue that the veil of ignorance is an unrealistic abstraction, while others question the feasibility of achieving the principles of justice in a complex, real-world society. Critics also argue that Rawls’s focus on justice can sideline other important values, such as efficiency or economic growth.

Despite these critiques, Rawls’s ideas have left an enduring legacy in political philosophy. His emphasis on justice as fairness, the original position, and the veil of ignorance has shaped debates on distributive justice, societal fairness, and the role of institutions in creating an equitable social order. Rawls’s work continues to inspire scholars, policymakers, and activists seeking to create a more just and egalitarian world.

DERRIDA



INTRODUCTION

Jacques Derrida, (born July 15, 1930, El Biar, Algeria—died October 8, 2004, Paris, France), French philosopher whose critique of Western philosophy and analyses of the nature of language, writing, and meaning were highly controversial yet immensely influential in much of the intellectual world in the late 20th century.

EARLY LIFE&EDUCATION

Derrida was born to Sephardic Jewish parents in French-governed Algeria. Educated in the French tradition, he went to France in 1949, studied at the elite École Normale Supérieure (ENS), and taught philosophy at the Sorbonne (1960–64), the ENS (1964–84), and the École des Hautes Études en Sciences Sociales (1984–99), all in Paris. From the 1960s he published numerous books and essays on an immense range of topics and taught and lectured throughout the world, including at Yale University and the University of California, Irvine, attaining an international celebrity comparable only to that of Jean-Paul Sartre a generation earlier.

MAJOR WORKS

Derrida is most celebrated as the principal exponent of deconstruction, a term he coined for the critical examination of the fundamental conceptual distinctions, or “oppositions,” inherent in Western philosophy since the time of the ancient Greeks. These oppositions are characteristically “binary” and “hierarchical,” involving a pair of terms in which one member of the pair is assumed to be primary or fundamental, the other secondary or derivative. Examples include nature and culture, speech and writing, mind and body, presence and absence, inside and outside, literal and metaphorical, intelligible and sensible, and form and meaning, among many others. To “deconstruct” an opposition is to explore the tensions and contradictions between the hierarchical ordering assumed or asserted in the text and other aspects of the text’s meaning, especially those that are indirect or implicit. Such an analysis shows that the opposition is not natural or necessary but a product, or “construction,” of the text itself. In the 1960s Derrida’s work was welcomed in France and elsewhere by thinkers interested in the broad interdisciplinary movement known as structuralism. The structuralists analyzed various cultural phenomena—such as myths, religious rituals, literary narratives, and fashions in dress and adornment—as general systems of signs analogous to natural languages, with their own vocabularies and their own underlying rules and structures, and attempted to develop a metalanguage of terms and concepts in which the various sign systems could be described. Some of Derrida’s early work was a critique of major structuralist thinkers such as Saussure, the anthropologist Claude Lévi-Strauss, and the intellectual historian and philosopher Michel Foucault. Derrida was thus seen, especially in the United States, as leading a movement beyond structuralism to “poststructuralism,” which was skeptical about the possibility of a general science of meaning.

RELEVANCE TODAY

One might distinguish in Derrida’s work a period of philosophical deconstruction from a later period focusing on literature and emphasizing the singularity of the literary work and the play of meaning in avant-garde writers such as Genet, Stéphane Mallarmé, Francis Ponge, and James Joyce. His later work also took up a host of other issues, notably the legacy of Marxism (*Spectres de Marx: l’état de la dette, le travail du deuil et la nouvelle Internationale* [1993; *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International*]) and psychoanalysis (*La Carte postale: de Socrate à Freud et au-delà* [1980; *The Post Card: From Socrates to Freud and Beyond*]). Other essays considered political, legal, and ethical issues, as well as topics in aesthetics and literature. He also addressed the question of Jewishness and the Jewish tradition in *Shibboleth* and the autobiographical “Circumfession” (1991).

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Q. INDIA NEEDS SOME CREATIVE DIPLOMACY TO ADDRESS THE CHANGING ENVIRONMENT OF THE RELATIONS BETWEEN CHINA AND SRILANKA. COMMENT

Q → "India needs some creative diplomacy to address the changing environment of the relations between China and Sri Lanka".
Comment.

Answer

Intro: Give India's relations with respect to Sri Lanka.

→ Relationship between India and Sri Lanka is intertwined in historical bond. (Rajasirigam Jayadevan)

Body: Tell the emerging China-Sri Lanka relations

→ Hambantota port lease to Sri Lanka.
→ Sri Lanka's debt to China tripled in last decade.

Give ideas of creative Diplomacy

→ Using Buddhism as a common link
→ Resolving small disputes of fishing etc
→ Economic interdependence.

Conclusion

→ Resolve the impending issues and build people to people relations.

Q → "India needs some creative diplomacy to address the changing environment of the relations between China and Sri Lanka."
Comment.

Answer

Intro: Give India's relations with respect to Sri Lanka.

→ Relationship between India and Sri Lanka is intertwined in historical bond. (Rajasingham Jayadevan)

Body: Tell the emerging China-Sri Lanka relations

→ Hambantota port lease to Sri Lanka.
→ Sri Lanka's debt to China tripled in last decade.

Give ideas of creative Diplomacy

→ Using Buddhism as a common link
→ Resolving small disputes of fishing etc
→ Economic interdependence.

Conclusion

→ Resolve the impending issues and build people to people relations.

Q Explain the evolution of doctrine of Basic structure and what are the criticism levelled against the doctrine of basic structure?

Approach

(Intro): Define the doctrine of Basic structure

(Body): Discuss the evolution of the doctrine

→ Champokam Dorairajon Case 1951

→ 1st Constitutional Amendment Act

→ Shankari Prasad Case (1951)

→ Sajjan Singh Case 1965

→ Goloknath Case 1967

→ 24th Constitutional Amendment Act 1971

→ Kesriwanand Bharti Case 1973

→ 42nd Constitutional Amendment Act

→ Minerva Mills Case 1980

(Criticism)

→ No Unanimity in the bench on doctrine

→ Judiciary oversteering letters of Constitution and inventing its soul

→ It brings judicial sovereignty from Constitutional morality.

Prelims Practice Questions

- 1. “To uphold and protect the Sovereignty, Unity and Integrity of India” is a provision made in the**
 - (a) Preamble of the Constitution
 - (b) Directive Principles of State Policy
 - (c) Fundamental Rights
 - (d) Fundamental Duties
- 2. The ideal of Welfare State’ in the Indian Constitution is enshrined in its**
 - (a) Preamble
 - (b) Directive Principles of State Policy
 - (c) Fundamental Rights
 - (d) Seventh Schedule
- 3. Consider the following statements regarding the Directive Principles of State Policy:**
 - 1. The Principles spell out the socio-economic democracy in the country.**
 - 2. The provisions contained in these Principles are not enforceable by any court.**

Which of the statements given above is / are correct?

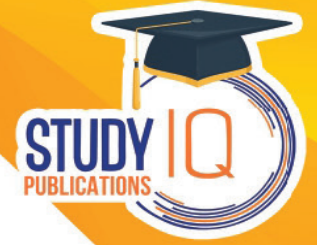
 - (a) 1 only
 - (b) 2 only
 - (c) Both 1 and 2
 - (d) Neither 1 nor 2
- 4. Which principle among the ‘following was added to the Directive Principles of State Policy by the 42nd Amendment to the Constitution?**
 - (a) Equal pay for equal work for both men and women
 - (b) Participation of workers in the management of industries
 - (c) Right to work, education and public assistance
 - (d) Securing living wage and human conditions of work to workers

Answers

- 1. (d)** The idea behind incorporation of fundamental duties was to remind the citizens of the country that they have certain obligations towards the country and society. The recommendations of the Swaran Singh Committee. There were ten fundamental duties at the time of incorporation but the eleventh was inserted by the 86th Amendment in 2002. To uphold and protect the sovereignty, unity and integrity of India is one of the fundamental duty mentioned in the constitution.
- 2. (b)** A welfare state is a concept of the government in which the state plays a key role in the protection and promotion of the economic and social well-being of its citizens. The Directive Principles of State Policy (DPSP) provides guidelines to the central and the state governments of India, to be kept in mind while framing laws and policies. The concepts behind DPSP is to establish a “Welfare State” rather than a “Police State” Such as of colonial era. In other words, motive behind inclusion of DPSP is to establish social and economic democracy rather than political democracy.
- 3. (c)** Socio-economic democracy is spelt out because it provides for the idea of a welfare state. For e.g. consider Article 39 (b) and (c) which provide for minimizing inequalities in income and wealth; and ensuring that the wealth is not concentrated in the hands of few. While other article provide for the health of children, rights of working women etc. DPSP is not enforceable by courts. Only fundamental rights can be enforced by the courts.
- 4. (b)** The 42nd Amendment Act of 1976 introduced four additional Directive Principles to the existing ones, mandating the State to:
 1. Ensure the well-being and healthy growth of children (Article 39).
 2. Foster equal access to justice and offer free legal assistance to the underprivileged (Article 39 A).
 3. Facilitate the involvement of workers in the administration of industries (Article 43 A).
 4. Preserve and enhance the environment while safeguarding forests and wildlife (Article 48 A).

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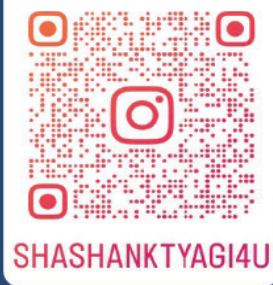


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