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MARCH 25



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SC status 'only for Hindus, Buddhists, Sikhs'

Top court says conversion to any other religion will lead to loss of Scheduled Caste status

Petitioner filed an appeal under the SC Act of 1989, alleging he suffered repeated attacks and caste slurs

HC had held that the petitioner could not claim protection under SC Act as he is a Christian now

Krishnadas Rajagopal
NEW DELHI

The Supreme Court on Tuesday held in a judgment that a person professing any religion other than Hinduism, Buddhism, or Sikhism should not be considered a member of a Schedule Caste community.

The court concluded that conversion to any other religion would result in "immediate and complete loss of Scheduled Caste status from the moment of conversion, regardless of birth".

A Bench of Justices Prashant Kumar Mishra and Manmohan invoked Clause 3 of the Constitution (Scheduled Castes) Order, 1950, which mandates that "no person who professes a religion different from Hinduism shall be deemed to be a member of a Scheduled Caste". The

Sikh religion was added to the ambit of Clause 3 in 1956. The provision was further amended in 1990 to include persons professing Buddhism.

"This bar under Clause 3 of the Constitution (Scheduled Castes) Order, 1950 is categorical and absolute," Justice Mishra, who authored the judgment, interpreted the 1950 Order.

Appeal by convert

The court was hearing an appeal filed by Chinthada Anand, who was born a Hindu-Madiga (Scheduled Caste) but converted to Christianity to become a pastor.

Mr. Anand had filed a case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 after he alleged that he had suffered repeated attacks and caste slurs.

The Andhra Pradesh

Identity question

The top court said that a person professing a religion other than those mentioned in Clause 3 cannot be part of a scheduled caste

- Clause 3 of the Constitution (Scheduled Castes) Order, 1950, mandates that "no person who professes a religion different from Hinduism shall be deemed to be a member of a Scheduled Caste"
- The Sikh religion was added to the ambit of Clause 3 in 1956
- The provision was further amended in 1990 to include persons professing Buddhism
- The top court observed that the bar in Clause 3 is 'categorical and absolute'



High Court, in a decision in April last year, quashed the criminal proceedings on the ground that Mr. Anand could no longer claim protection under the 1989 Act as he professed Christianity. The High Court was of the view that the caste system was not recognised in Christianity.

The top court drew attention to the term "pro-

fess" in Clause 3 of the 1950 Order.

"The term 'profess' connotes to publicly declare or practice a religion. its essence lies in the open avowal of one's religious beliefs in a manner discernible to the public at large. It is not merely a question of personal belief or private conviction, but requires an outward manifi-

estation of one's faith. Christianity, by its very theological foundation, does not recognise or incorporate the institution of caste," Justice Mishra agreed with the High Court.

The top court said a convert who did not profess any of the three religions – Hinduism, Buddhism, and Sikhism – in Clause 3 of the 1950 Order could not claim any "statutory benefit, protection, reservation or entitlement" of a Scheduled Caste (SC) member. Justice Mishra said the bar admitted no exception.

"A person who professes and practices such religion for personal, social and spiritual purposes cannot, in law, assert membership of a Scheduled Caste for the purpose of securing statutory benefits. The two positions are mutually exclusive and contrary to the Constitutional scheme,"

Justice Mishra observed.

A person claiming to have "re-converted" to Hinduism, Sikhism, or Buddhism must "cumulatively and conclusively establish" clear proof of his earlier caste; provide credible and unimpeachable evidence of *bona fide* re-conversion to the original religion; and show satisfactory evidence that members of his original caste have accepted and assimilated him into the community.

The court said renunciation of the new religion by the convert should translate to the actual adoption and observance of the customs, usages, practices, rituals, and religious obligations of the original caste.

Scheduled Tribes Order

The judgment also dealt with the Constitution (Scheduled Tribes) Order, 1950, which did not pre-

scribe religion-based exclusion as in the case of the Scheduled Caste community. Justice Mishra said a person could claim benefits under the Constitution (ST) Order, 1950, only if he or she continued to belong to that particular tribe "in substance".

"If, due to conversion or long-term abandonment of tribal customs, his/her tribal identity is in doubt, that question becomes a factual matter to be determined at trial... If it is proved that the person in question has completely renounced himself from the customs, rituals and other traits of his tribe, and has assimilated into the converted religion following the practices and customs of that particular religion, a reasonable inference can be drawn that such a person shall not be considered a part of the tribe," the court held.

- **Key Terms and Explanations**

- **Scheduled Castes (SC):** Groups identified under Article 341 of the Constitution who have historically faced extreme social, educational, and economic backwardness due to the practice of untouchability.
- **Constitution (Scheduled Castes) Order, 1950:** The presidential order that initially identified which castes, races, or tribes are deemed "Scheduled Castes." Crucially, Paragraph 3 of this order restricts SC status to specific religions.
- **"Profess":** In a legal context, this goes beyond private belief. It refers to the public declaration, open avowal, and outward manifestation of a particular faith through practices and rituals.
- **SC/ST (Prevention of Atrocities) Act, 1989:** A specialized law designed to prevent crimes and indignities against members of SC and ST communities. Protection under this Act is contingent upon the victim possessing a valid SC/ST status.
- **Madiga Community:** A Telugu-speaking caste primarily found in Andhra Pradesh, Telangana, and Karnataka, historically classified as a Scheduled Caste.

- **Main Arguments and Substantive Parts**

- The Supreme Court's reasoning centers on the "exclusive" nature of the Scheduled Caste status in relation to religious identity.
- **The "Bar" of Paragraph 3:** The Court held that Paragraph 3 of the 1950 Order is "categorical and absolute." It creates a legal boundary: once a person adopts a faith outside Hinduism, Sikhism, or Buddhism, their SC status ceases immediately.
- **Theological Incompatibility:** The Court noted that Christianity does not recognize the caste system. Therefore, if an individual voluntarily embraces a religion that claims to be casteless, they cannot simultaneously claim the benefits of a system (caste) that their new faith rejects.
- **The Burden of "Re-conversion":** To regain SC status, the Court set a high evidentiary bar. An individual must prove their original caste, show "unimpeachable evidence" of a bona fide return to the original faith, and demonstrate acceptance by the original community.
- **Scheduled Tribes (ST) Distinction:** The Court drew a sharp contrast with Scheduled Tribes. ST status is based on ethnic and tribal identity rather than religious affiliation. Thus, a tribal person may convert to any religion and still retain ST status, provided they haven't abandoned their tribal customs "in substance."

- **Historical Evolution of the Issue**

- **1950:** The Constitution (Scheduled Castes) Order is promulgated, limiting SC status strictly to those professing Hinduism.
- **1956:** Following the demands of the Dalit Sikh community, the Order was amended to include **Sikhism**.
- **1990:** After decades of advocacy by the Neo-Buddhist movement (inspired by Dr. B.R. Ambedkar), the Order was amended to include **Buddhism**.
- **Ongoing Legal Debate:** For years, groups representing Dalit Christians and Dalit Muslims have petitioned the courts and commissions (like the Ranganath Misra Commission), arguing that social stigma persists even after conversion.
- **Current Status (2024-2026 context):** The Supreme Court has reinforced the 1950 Order, while a separate Commission (headed by K.G. Balakrishnan) continues to examine the broader question of whether SC status should be extended to converts of other faiths.

- **Previous Years' Questions (PYQs)**

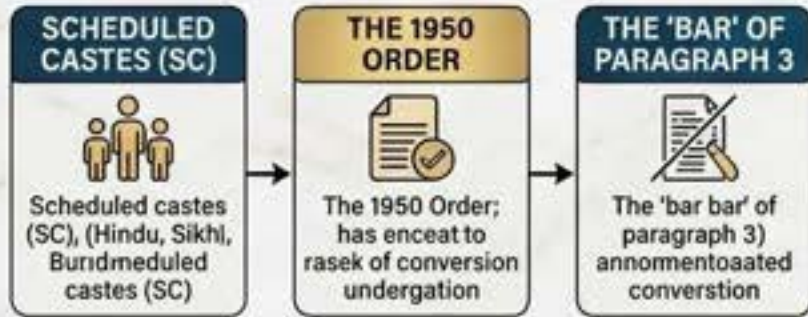
- **Prelims (2014):** Question regarding the 1950 Order and the authority to modify the SC list.
- **Mains (2022, GS2):** "The local self-government system in India has not proved to be a very effective instrument of primary healthcare and education." (Theme of welfare for vulnerable sections).
- **Mains (2023, GS1):** "Is caste-based segregation a hurdle to the process of secularism in India?"



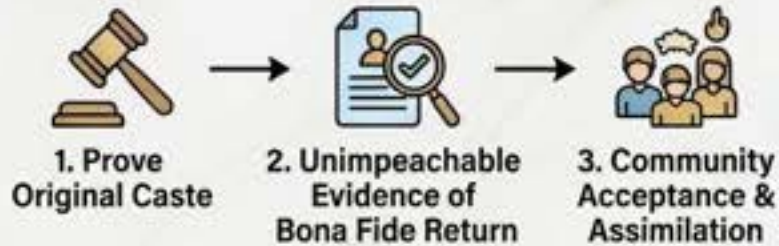


DECONSTRUCTING THE SC STATUS DEBATE: JUDICIAL CLARITY ON RELIGIOUS CONVERSION AND CASTE IDENTITY

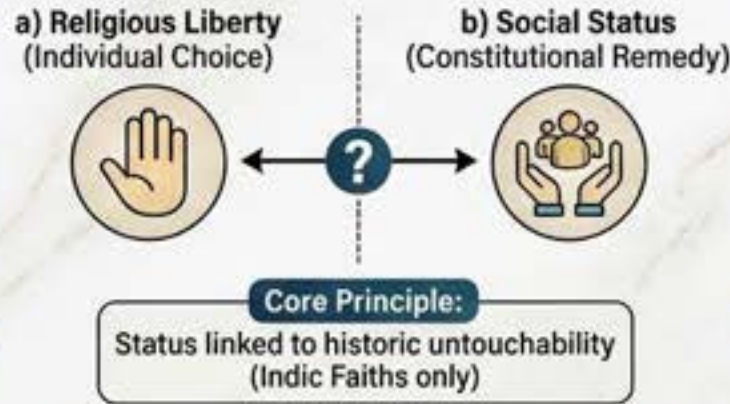
KEY CONCEPTS & DEFINITIONS



THE JUDICIAL BURDEN OF RE-CONVERSION



THE LOGIC & THE CORE DILEMMA



CHALLENGES & IMPLICATIONS

- Administrative Verification
- Social Limbo
- Community icceptance and coporation
- Social conterning praction's Finding

A TALE OF TWO STATUSES

SC Status (Para 3, 1950)	ST Status (Article 342)
Religion-specific: Hindu, Sikh, Buddhist, Conversion ends status	Religion-neutral: ethnic identity-based, Conversion retains status
Conversion ends status	Conversion retains status

THE WAY FORWARD

1. Use Empirical Socio-Economic Data
2. Await Commission (K.G. Balakrishnan) Findings

Assam floats tender for satellites to monitor floods

Chief Minister Sarma announced the project in the 2025-26 State Budget. The procurement is for at least five satellites in low-earth orbit

Kunal Shankar
Yasudevam Mukunth
CHENNAI

Assam has become the first Indian State to float a tender for a group of earth-observation satellites that it says will strengthen disaster response along the flood-prone Brahmaputra valley and help survey the State's borders.

The Assam Science Technology and Environment Council issued an Expression of Interest (EOI) on March 16 inviting private aerospace companies to design, build, launch, operate, and eventually transfer the satellites to State ownership. The mission has been named AssamSAT.

Chief Minister Himanta Biswa Sarma announced the project in the 2025-26 State Budget as a means to achieve what he has repeatedly described as an "infiltration-free Assam".

Mr. Sarma has argued that conventional border fencing is inadequate for the State's *charis*, the seasonally inundated river islands along the Bangladesh border, and that real-time satellite monitoring is the sole practical alternative.

The procurement is structured around at least five satellites in low-earth

Third eye

Assam has become the first Indian State to float a tender for a group of earth-observation satellites.

• The move is aimed at strengthening disaster response along the flood-prone Brahmaputra valley

• Chief Minister Biswa Sarma argued that conventional border fencing is inadequate, and real-time satellite monitoring is the sole practical alternative



• The satellites will be able to scan the same part of the ground once every few hours and map it at high resolution

will operate separately or together, in a constellation. Per the brief, qualifying parties can avail the full EOI for a fee of ₹30,000.

Assuming it's a constellation, the satellites will be able to scan the same part of the ground once every few hours and map it at high resolution – a useful task for disaster response during floods, where the extent of waters can change within hours.

The EOI also doesn't specify the sensors the satellites will carry. But since the State has cloudy weather for almost half the year, the satellites may carry synthetic aperture radars (SAR), whose gaze can pierce clouds and darkness.

Currently, State disaster management agencies seeking satellite data must submit requests to the National Remote Sensing

The State sits close to the Siliguri Corridor, a strip of land colloquially called the chicken's neck that physically connects the Northeast to the rest of India, and which State and Central security agencies have been preoccupied with monitoring.

Mr. Sarma has also extended the satellite's mandate to include tracking drug trafficking routes and monitoring poaching in the Kaziranga National Park.

In 2024, NewSpace India, Ltd. cleared a private-sector earth observation constellation led by Dhruva Space and Pixxel.

The plan combines small satellites carrying optical and hyperspectral sensors in low-earth orbit to deliver near real-time imagery for agriculture, disaster response, and national security users while

- **Key Terms and Explanations**

- **Low-Earth Orbit (LEO):** An orbit relatively close to the Earth's surface (typically between 160 km to 2,000 km). LEO is ideal for Earth observation because it allows for high-resolution imaging and lower latency in data transmission.
- **Satellite Constellation:** A group of similar satellites working together as a system. Unlike a single satellite, a constellation provides "high temporal resolution," meaning it can revisit and photograph the same spot on Earth multiple times a day.
- **Synthetic Aperture Radar (SAR):** A form of radar that is used to create 2D or 3D reconstructions of objects. Unlike optical cameras, SAR can "see" through clouds, smoke, and darkness, making it vital for Assam's monsoon season.
- **Chars:** These are riverine islands in the Brahmaputra river. They are geologically unstable, frequently shifting or submerging, which makes traditional physical fencing almost impossible.
- **Expression of Interest (EOI):** A preliminary document used by organizations to gauge the interest of the market for a specific project before floating a formal tender.
- **National Remote Sensing Centre (NRSC):** A wing of ISRO responsible for managing data from aerial and satellite sources. Currently, states must request data from NRSC rather than collecting it themselves.

- **Main Arguments and Substantive Parts**

- **Decentralization of Space Technology:** The core thesis is that state governments require autonomous, real-time data to manage localized crises without the lag time involved in requesting data from central federal agencies.
- **Limitations of Physical Infrastructure:** The article argues that physical barriers (fencing) are ineffective in the "char" areas. Satellite surveillance is presented as a "virtual fence" to ensure an "infiltration-free" border.
- **Multi-Purpose Utility:** While primarily for floods, the satellites are intended for a "Swiss-army knife" approach: monitoring the Siliguri Corridor (national security), tracking drug trafficking, and preventing poaching in Kaziranga.
- **Private Sector Integration:** The project follows the "Design, Build, Launch, Operate, and Transfer" (DBLOT) model, signaling a growing trust in India's private "NewSpace" sector.

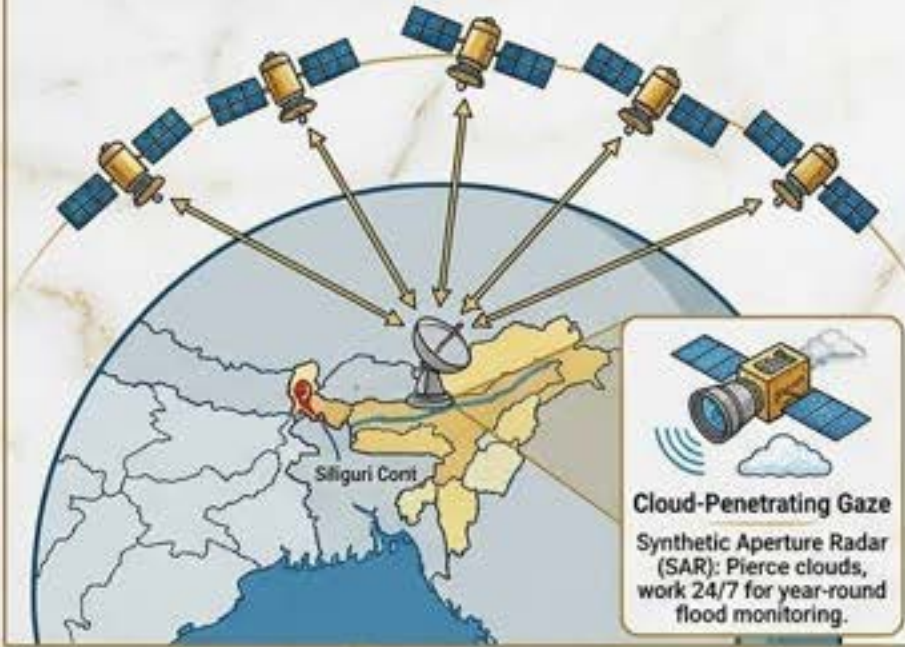
- **Historical Evolution of the Issue**

- **Pre-Independence:** The Brahmaputra has always been the "Sorrow of Assam." Early flood management was limited to embankments and local knowledge.
- **Post-Independence (1950s-1980s):** Focus on physical engineering—dams and spurs. The 1950 earthquake changed the river topography, making floods more erratic.
- **The Space Age (1970s-2000s):** India launched IRS (Indian Remote Sensing) satellites. States began using ISRO data for land mapping, but only as passive recipients.
- **The 2020 Space Reforms:** The Union government opened the space sector to private players (IN-SPACe). This allowed entities other than ISRO to launch satellites, paving the way for a state like Assam to float its own tender in 2025.

- **Previous Years' Questions (UPSC & APSC)**

- **UPSC 2023 (GS3):** "Discuss the role of technology in border management."
- **UPSC 2016 (GS3):** "The temporal and spatial variations of floods in India."
- **APSC 2022 (GS3):** "Discuss the impact of floods on the economy of Assam and suggest modern technological solutions."
- **UPSC 2020 (GS3):** "What are the various ways in which S&T can help in disaster management?"

ASSAMSAT: INDIA'S FIRST STATE-OWNED SATELLITE CONSTELLATION



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AXIA COMPETITIVE EXAM CENTRE

KEY OBJECTIVES & APPLICATIONS



Flood & Disaster Management



Strengthen flood response, dynamic evacuation plans.



Border Security



Infiltration-Free Assam, virtual fencing for unstable river islands.



Surveillance



Track poaching in Kaziranga, monitor drug trafficking routes.



Strategic



Siliguri Corridor (Chicken's Neck)

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NCERT LINKAGES

- NCERT Linkages for in consonance
- Flood response and intensification
- Cloud-Penetrating Flood & Disaster Management
- Siliguri Corridor - Interruption

- Ditegrated constions
- Movimitor Knowailient's Commetion/nperforms
- State-level capacity ((GS1-4)



PYQ INSIGHTS

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- Removinry neath commnt for state-level building, and versider aneknrs
- Comucting therance of Virtut learning



SYLLABUS MAP (GS1-4)

Infiltration-Free coun in the "char" fences Assam, virtual fencing for Bangladesh border.



WAY FORWARD

Integrass integrated command center, public-private partnerships, and state-level capacity building.



PYQ INSIGHTS

Analysies poaching asoitain Kaziranga, preventixing and drug trafficking route tracking.

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When the Chief Justice steps away

The refusal of CJI Surya Kant from the Chief Election Commissioner appointment law challenge case raises important questions about conflict of interest, the doctrine of necessity, and the limits of pre-emptive judicial direction, as well as the need for a statute governing judicial recusal.

LETTER AND SPIRIT

Y. Tinkatessen

In March 20, Chief Justice of India Surya Kant stepped away from hearing a bunch of petitions challenging the Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023. The legislation replaced the Chief Justice of India with a Union Minister, on the selection panel for appointing the Chief Election Commissioner and other Election Commissioners, superseding the Supreme Court's 2022 interim arrangements. "I will be accused of conflict of interest," the CJ remarked before directing that the case be listed on April 7 before a bench comprising judges not in the line of succession to the office of the Chief Justice. While the order directs the Registrar to list the case before a bench to be constituted separately by the Chief Justice of India, his oral remarks while hearing the case, Dr. Ajay Thakur v. Union of India (2024), raises questions that will linger long after the bench is constituted. CJ Surya Kant is the second CJ to recuse from hearing the case. Earlier, CJ Jagdish Khanna recused from hearing the same case in 2024.

The doctrine and its foundations
Recusal flows from one of the oldest maxims of natural justice: *nemo iudex in causa sua* - no one shall be a judge in their own cause. In its modern form, the Supreme Court has moved from strict automatic disqualification for pecuniary interest, as in *Masull Lal v. Jiv. Prem Choudh (1957)*, toward a standard of real likelihood of bias. *Ranjit Thakur v. Union of India (2002)* refined this further, holding that a reasonable apprehension of bias, and not merely a remote possibility, justifies withdrawal.

Every court to have addressed the question has held that the decision to recuse, rests on the judge's own conscience. No party can compel it, and no statute in India codifies the standard, unlike in the United States where Section 453 of Title 28 of the United States Code requires a federal judge to disqualify themselves in any proceeding in which their impartiality might reasonably be questioned.

The NJAC precedent

The most directly relevant Indian precedent cuts the other way. When the validity of the National Judicial Appointments Commission Act, 2008 was before a five-judge Constitution Bench in *Supreme Court Advocates-on-Regard Association v. Union of India (2005)*, recusal was sought against Justice J.S. Khanna on the ground that he would eventually become Chief Justice and therefore had an institutional stake in whether the Collegium or the NJAC governed future appointments. Justice Khanna refused. His reasoning rested on two pillars. First, the conflict infected every judge on the bench, since all would eventually be part of the Collegium if the petitioners succeeded, or subject to the NJAC if they failed. Second, and more fundamentally, he invoked what legal systems call the doctrine of necessity: when the only available forum is also the forum that faces a disqualifying conflict, the conflict must yield to institutional obligations. "If I were to accede to the prayer for my recusal, I would be initiating a wrong practice, and laying



Judicial discretion: the party can compel recusal, and no statute in India codifies when a judge must step aside. (2019-2020)

down a wrong precedent," he held. In his concurring opinion, Justice Narain Jadhav added that a judge choosing to recuse bears a constitutional duty of transparency, that indicating reasons for withdrawal is itself part of the oath of office taken under the Third Schedule of the Constitution.

The present case

The structural logic of NJAC applies equally to the CEC law challenge, and arguably with less force for recusal. Every sitting judge of the Supreme Court is a potential future Chief Justice under the seniority convention established by the Second Judges case. The conflict of interest that moved Chief Justice Surya Kant to step aside, therefore, affects every member of the court simultaneously. The doctrine of necessity thus compels the conclusion that the Supreme Court must hear the case regardless, since no alternative court of equivalent jurisdiction exists, while acknowledging the conflict openly, as the NJAC Bench did. The CJ's recusal, viewed through this lens, represents a departure from a principle the court itself laid down a decade ago.

A direction that binds successors

More troubling than the recusal itself is the accompanying oral direction (as reported by the media, though the order attempted to allay its sting) by specifying that the replacement bench must exclude judges in line to become Chief Justice, the CJ has made a prospective determination

about the disqualification obligations of judges who have not yet considered the question for themselves. Recusal is an act of individual judicial conscience. It cannot be mandated in advance by a predecessor. To pre-assign a conflict of interest to judges who have not adjudicated whether one exists is to collapse the distinction between institutional incapacity and personal disqualification.

There is a further problem the direction does not account for: the office of the Chief Justice has occasionally passed to judges outside the expected seniority line due to the resignation, health, or death of those ahead of them. A judge constituted on the replacement bench as someone outside the line of succession could, through such contingency, subsequently reach the office of Chief Justice. The prophylactic rule, designed to eliminate the appearance of self-interest, cannot account for the accidents of judicial mortality.

CJ Surya Kant's decision suggests another incongruity. If the CJ instead of himself and the other judges, who are in line to become CJ in the future is justified, can he, as Master of the House, decide which of the other judges can hear this case, given that the order authorizes him to earmark the bench? In the recent debate on the no-confidence motion against Lok Sabha Speaker Om Birla, many members from the Opposition queried whether he could choose the

person who would preside over the House during the proceedings, even while choosing to recuse himself. The answer from the government, that the Speaker's post does not envisage a vacancy in office, may be accurate, but it still fails to satisfy the doubts on conflict of interest, which led to the decision to recuse in the first place.

The need for codification

India has no statute governing judicial recusal, its binding code of conduct enforceable against Supreme Court judges, and no mechanism to review a recusal decision once made. The American experience illustrates both the value of clear rules and their limits without an external review mechanism: Section 453 provides a codified objective standard, but at the apex level it remains entirely self-enforced.

The CEC law dispute, in which two successive Chief Justices have now recused from the same case, underscores the urgency. When the question of who appoints the guardians of decisions is left to a bench constituted by informal discretion rather than principled rules, the deficit is institutional as much as it is individual.

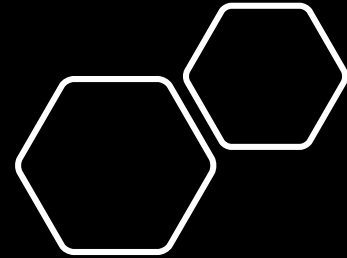
India's constitutional framework is well-served by judges who exercise their discretion with care. It would be better served still by a framework that transforms that discretion into obligation. (Y. Tinkatessen is a senior legal journalist and researcher.)

THE GIST

On March 20, Chief Justice of India Surya Kant stepped away from hearing a bunch of petitions challenging the Chief Election Commissioner appointment law, citing conflict of interest.

The accompanying oral direction on constituting a replacement bench excluding judges in line to become Chief Justice, amounts to a prospective determination by the CJ on disqualification obligations of judges.

The portion of recusal that led CJ Surya Kant to step aside, can be used to affect every member of the court. However, the doctrine of necessity compels the Supreme Court to hear the case, which is alternative court of equivalent jurisdiction exists.



- **Key Terms and Explanations**

- **Recusal:** The act of a judge stepping down from a case to avoid a conflict of interest or the appearance of bias.
 - *Example:* A judge withdrawing from a case involving a company where they hold significant shares.
- **Nemo Judex in Causa Sua:** A Latin maxim meaning "no one should be a judge in their own cause." It is a foundational pillar of natural justice.
- **Doctrine of Necessity:** A legal principle allowing an otherwise disqualified judge to hear a case if no other competent tribunal can be formed.
 - *Example:* If a law affects the salaries of *all* judges, they must still hear the challenge because there is no "non-interested" judge available.
- **Master of the Roster:** The administrative power of the CJI to constitute benches and allocate cases to fellow judges.
- **CEC and EC Appointment Act, 2023:** A new law that replaced the CJI on the selection committee for Election Commissioners with a Union Cabinet Minister, giving the Executive a 2:1 majority over the Opposition.
- **Pecuniary Interest:** A financial interest in the outcome of a case.

- **Main Arguments and Substantive Parts**

- The core of the discussion revolves around the tension between **Individual Conscience** and **Institutional Obligation**.
- **The Conflict of Interest:** CJI Surya Kant recused himself because the law being challenged involves the removal of the CJI from a selection panel. Hearing the case would mean the CJI is deciding on his own "powers" or "office," creating a classic conflict.
- **The Problem of "Line of Succession":** The CJI directed that the case be heard by judges who are *not* in line to become the CJI. The article argues this is problematic because it treats future CJIs as having an inherent bias before they've even looked at the file.
- **Departure from Precedent (NJAC):** In the 2015 NJAC case, Justice Khehar refused to recuse despite being in line for CJI. He argued that since the law affected the entire judiciary, the "Doctrine of Necessity" applied.
- **Lack of Codification:** Unlike the US, India has no statutory law (like 28 U.S. Code § 455) that mandates when a judge *must* step down. It remains a matter of "judicial discretion."

- **Historical Evolution of the Issue**
 - **Pre-Independence/Early Years:** Strict adherence to "Pecuniary Interest" (financial bias). Even a tiny financial stake led to automatic disqualification.
 - **Manak Lal v. Dr. Prem Chand (1957):** The Supreme Court shifted the focus toward the "real likelihood of bias."
 - **Ranjit Thakur v. Union of India (1987):** Established the "Reasonable Apprehension" test. It's not about whether the judge *is* biased, but whether a reasonable person would *perceive* them to be.
 - **Second Judges Case (1993):** Solidified the seniority convention for CJI appointments, which ironically makes "potential CJIs" easy to identify for recusal purposes today.
 - **NJAC Case (2015):** A landmark moment where the court prioritized the "Doctrine of Necessity" over individual recusal to ensure the institution could function.
-
- **Previous Years' Questions (PYQs)**
 - **UPSC 2023 (GS-II):** "The local self-government system in India has not proved to be a very effective instrument of governance..." (Indirectly related to institutional effectiveness).
 - **UPSC 2019 (GS-II):** "Examine the scope of Judicial Review of the High Courts..."
 - **UPSC 2020 (Ethics):** "Identify the ethical dilemmas faced by public servants..." (Directly applies to Conflict of Interest).
 - **APSC 2022:** "Discuss the powers and functions of the Election Commission of India."





INTRODUCTION: THE CASE OF RECUSAL

Dr. Jaya Thakur v. Union of India (2024)

Key Challenge:
CEC and other ECs Appointment Act, 2023

Main Issue:
Conflict of Interest & Rule of Law



CJI ON JUDICIAL PANEL: A POTENTIAL CONFLICT?

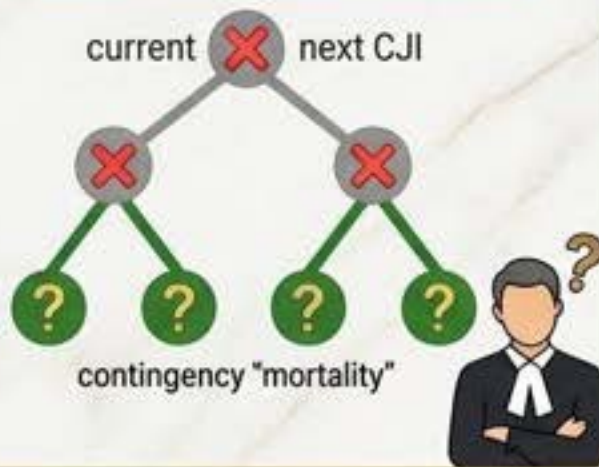
CURRENT CHALLENGES & CJI'S DIRECTION

CJI Surya Kant's Direction:

1. Self-Recusal
2. "Exclude judges in the line of CJI succession"

UNPREDICTABLE SUCCESSION:
Can a "safe" judge today become CJI tomorrow?

PRE-ASSIGNING CONFLICT
before individual adjudication?



RECUSAL DOCTRINE & EVOLUTION

1957 (Manak Lal)
Pecuniary Interest to Likelihood of Bias

2015

2015 (NJAC Case)
"Doctrine of Necessity" invoked by Justice Khehar (Duty to Sit wins)

1987 (Ranjit Thakur)
Reasonable Apprehension of Bias (Perception is Reality)



KEY IMPLICATIONS & THE WAY FORWARD

IMPLICATION	AXIA ANALYSIS
Master of the Roster vs. Self-Conflict	Roster: CJI allocates case to themselves. Conflict: CJI recuses from allocated case. <i>*A loop arrow shows the tension.</i>
Public Perception	Transparency builds trust. Vague directions erode it.
Need for Codification	Way Forward 1. Reasoned Recusal Orders 2. Restrained Necessity Doctrine 3. Adopt Best Practices (e.g., US Code).

How BioPharma SHAKTI can transform biologics with non-animal models

A class of drugs called biologics is becoming more popular worldwide against many chronic diseases, on the flip side, animal models not do reliably predict their safety and efficacy, prompting scientists to shift to bioengineered, human-relevant systems such as organoids, organ-on-a-chip, and 3D bioprinting

Model Misuse
continued

In 2006, London woke up to a tragedy. Six healthy men involved in a phase I clinical trial of the monoclonal antibody (mAb) designed to treat rheumatoid arthritis, developed multiple organ failure. The antibody triggered an intense immune reaction that the researchers did not observe in their monkeys in preclinical tests because their immune cells responded differently from human immune cells.

The Northwick Park Tragedy, as it was called, became a textbook example of why animals cannot be used as proxies to test human drugs. Similarly, in 2012, the mAb *amerenib* failed to work in 417 patients with Alzheimer's disease during phase II trials despite demonstrating effectiveness in a preclinical mouse model.

These mAbs, vaccines, and toxins all belong to a growing class of drugs called biologics – large, complex molecules produced by living cells. Their use is rising worldwide as they treat many chronic diseases.

Recognizing their importance, the 2020 Union Budget of India announced the BioPharma SHAKTI strategy to boost domestic production of biologics and their generic counterparts, biosimilars.

However, animal models may not reliably predict the safety and efficacy of biologics. This has prompted a shift towards bioengineered, human-relevant systems such as organoids, organ-on-a-chip, and 3D bioprinting, which are derived from human cells and thus replicate human biology more faithfully.

Human-relevant models

These models are collected under the term non-animal methodologies (NAMs) and are used worldwide to reduce the use of experiments in animals. For example, last year, the U.K. published a roadmap to phase out animal experiments and promote the adoption of NAMs.

Thanks to the New Drugs and Clinical Trials (Amendment) Rules 2021, India is also promoting the use of NAMs in the development of novel drugs. However, their potential remains unexplored in the domain of biologics and biosimilars.

"Biologics are highly specific," University of Illinois adjunct professor Sarfaraz Hussain said. "They bind to particular receptors in the human body but these receptors are sometimes missing or function differently in animals, which makes animal testing less predictive."

The IISM study in Cell reported a breast cancer on-chip model to study the effectiveness of CAR T-cell therapy, a leading biologic therapy, against solid tumours.

While CAR T-cell therapy has proven effective against blood cancers, solid tumours like breast cancers pose additional challenges like abnormal blood vessel formation and difficulties for T cells



Even if non-animal methodologies are promising models, they are not as accessible as animal systems. (IISM/CELL)

to find and attack the tumour cells. The breast cancer on-chip model recreated this tumour environment in the lab, and the authors of the 2024 study perfused T cells through it to observe whether they could enter the tumour and mount an immune attack, assessing both treatment benefits and potential safety risks without animals.

These models can also reduce costs and shorten development timelines, making them attractive to pharmaceutical companies. A 2020 analysis in *Drug Discovery Today* estimated that organ-on-chip technologies could lower overall drug development costs by 30-50%. They also found the time required for lead optimization, where scientists identify a promising drug candidate from a pool of molecules, could drop by 15%.

Future of biologics

Even if NAMs are promising models, they are not as accessible as animal systems. More than 70 academic labs in India are working on these models. However, the innovation here is not translating into industry use. "Translating NAMs into industry-ready assays requires a clear protocol of use, robust documentation, and standardized, reproducible protocols, man/bot/qualification. While institutions support entrepreneurship, sustained customer validation needs, strategic industry policy support," Kasturi Mahalingam, Chief Manager at the Centre for Predictive Human Model Systems (CPHMS, AIC-CMB), said. (Note: the author works at CPHMS.)

The development of NAMs also

BioPharma SHAKTI also supports biosimilars – generic versions of biologics reverse-engineered once the original product goes off patent. However, regulatory adjustments are involved here, which require greater attention from the government

requires sustained funding and infrastructure. With an outlay of 10,000 crore, BioPharma SHAKTI can provide the necessary backing.

"I think the best use of these funds would be not to develop a single product but to build systems that enable many companies to do so," Dr. Nair added.

"The culture of entrepreneurship is also a challenge in India," Nandini Chandra, CEO of BiopharmTech Biologics, said. "Although there is an increase in the number of start-ups and MNCs in biologics supported by IITs, ICMR, and other grants, exponentially greater investment, as well as support for the development of supply chain materials, is needed to create real impact. Additionally, investors are not well-versed in the risks and potentials of the biologics industry."

Regulatory, market challenges

Another area supported by BioPharma SHAKTI is biosimilars, generic versions of biologics that are reverse-engineered once the original product goes off patent. However, there are additional financial risks and regulatory adjustments

involved, which require greater attention from the government. One challenge is patent engineering, which allows the exclusive rights of an original biologic to be extended. For example, although the intravenous form of the cancer drug, trastuzumab was approved in 2006, the manufacturer later introduced a subcutaneous formulation with a separate patent. Because of this patent-kill market exclusivity, cheaper biosimilar versions were not possible until 2016.

Before being commercialized, biosimilars also have to receive a nod from the Central Drugs Standard Control Organization (CDSCO), India's apex regulatory body. These approvals are based on set guidelines; however, the updated guidelines are still in draft form.

"While India has been updating its biosimilar guidelines to accommodate NAM, implementation has been slow, and regulatory confidence in independently validated NAM models is still waning. If accelerated, this would expedite the adoption of NAMs in the biologics and biosimilars field, helping BioPharma SHAKTI achieve its goals," says Dr. Mahalingam.

Thereafter, aligning with industry realities and securing regulatory clarity for their use will make biosimilars and biologics manufacturing in India faster, more productive, and cost-efficient, thus making the vision set by BioPharma SHAKTI. (Shikha Nigam is a science communicator at the Centre for Predictive Human Model Systems, Hyderabad. shikhanigam121@gmail.com)

THE GIST

• Monoclonal antibodies, vaccines, and toxins all belong to the growing class of biologics – large, complex molecules produced by living cells

• Recognizing their importance, the 2020 Union Budget of India announced the BioPharma SHAKTI strategy to boost domestic production of biologics and their generic counterparts, biosimilars

• Thanks to the New Drugs and Clinical Trials (Amendment) Rules 2021, India is also promoting the use of non-animal methodologies in the development of novel drugs. However, their potential remains unexplored in the domain of biologics and biosimilars

- **Key Terms and Explanations**

- **Biologics:** Unlike conventional drugs (aspirin, paracetamol) which are chemically synthesized, biologics are large, complex molecules derived from living organisms (bacteria, yeast, or mammalian cells).
 - *Example:* Insulin, Monoclonal Antibodies (mAbs), and vaccines.
- **Biosimilars:** The "generic" version of a biologic. Because biologics are so complex, a biosimilar is "highly similar" but not an exact carbon copy of the original drug.
- **Non-Animal Methodologies (NAMs):** Advanced technological replacements for animal testing.
 - **Organoids:** Tiny, self-organized 3D tissue structures derived from stem cells that mimic the function of real organs (e.g., "mini-brains" or "mini-livers").
 - **Organ-on-a-Chip:** Microchips lined with living human cells that simulate the physiological response of entire organs and organ systems.
 - **3D Bioprinting:** Using "bio-ink" (cells) to print 3D tissue structures, allowing for the study of drug penetration in complex tumors.
- **Preclinical Trials:** The stage of research where a drug is tested for safety and efficacy before it is ever given to a human.
- **Patent Evergreening:** A strategy used by pharmaceutical companies to extend their patents by making minor "improvements" to a drug, preventing cheaper biosimilars from entering the market.

- **Main Arguments and Substantive Parts**

- **The Failure of Animal Proxies:** The core thesis is that animal models are often biologically "silent" or "misleading" regarding human responses. The **Northwick Park Tragedy (2006)** serves as a grim reminder that a drug safe in monkeys can be fatal in humans due to subtle receptor differences.
- **Precision of Biologics:** Biologics work by binding to specific human receptors. If an animal lacks that exact receptor, the test is moot. NAMs solve this by using actual human cells.
- **The Economic Imperative:** Transitioning to NAMs isn't just ethical; it's efficient. Organ-on-chip tech can reduce drug development costs by up to 26% and speed up the "lead optimization" phase significantly.
- **The Indian Context:** While India has the scientific talent (90+ labs) and the policy intent (Biopharma SHAKTI), there is a massive "lab-to-market" gap. The industry still prefers the "tried and tested" animal models because NAMs lack standardized, reproducible protocols.

- **Historical Evolution of the Issue**
- **Pre-Independence to 1960s:** Limited drug regulation; heavy reliance on traditional medicine and imported Western chemical drugs.
- **The 1970 Patent Act:** India moved to "process patents," allowing the domestic industry to reverse-engineer drugs, making India the "Pharmacy of the World."
- **2006 Northwick Park Incident:** A global turning point highlighting the danger of relying solely on animal data for monoclonal antibodies.
- **2023 Amendment:** India's **New Drugs and Clinical Trials Rules** were amended to allow the use of non-animal methods for drug testing, marking a massive legislative shift.
- **2026 Union Budget:** The announcement of **Biopharma SHAKTI** with a ₹10,000 crore outlay to specifically target biologics and biosimilars.

- **Previous Years' Questions (PYQs)**
- **UPSC 2022 (GS3):** "What are the research and developmental achievements in applied biotechnology? How will these achievements help to uplift the poorer sections of the society?"
- **UPSC 2019 (GS3):** "How can biotechnology help to improve the living standards of farmers?" (Note: Theme of Biotech application).
- **UPSC 2017 (GS3):** "What is the application of somatic cell nuclear transfer technology?"
- **Ethics (Case Study):** Often asks about the conflict between pharmaceutical profits and public health/animal ethics.





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AXIA COMPETITIVE EXAM CENTRE

Key Terms and Explanations

- | | |
|---|--|
|  Biologics
small drug vials |  Biologics |
|  Biosimilars
generic symbol, belief
drug/nor median and
biologics |  Biologiar
symemion |
|  Biosimilars
Generic symbol,
Generic, & biosimilars |  Biosimilars |

INDIA'S BIOPHARMA SHAKTI: TRANSFORMING BIOLOGICS WITH HUMAN-RELEVANT NAMs




THE PROBLEM: ANIMAL MODEL LIMITATIONS **VS** **THE SOLUTION: NAMs**

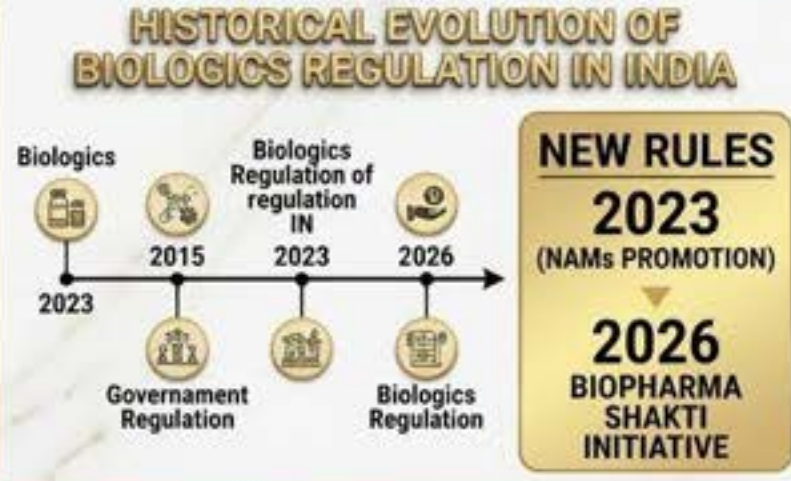
Failures in human trials:

- Northwick Park Incident
- Receptor Differences
- Receptor Differences

Human-Relevant Non-Animal Methodologies (NAMs)

- Organoid** 
- Microfluidic Chip** 
- 3D Bioprinter** 

HISTORICAL EVOLUTION OF BIOLOGICS REGULATION IN INDIA



NEW RULES 2023 (NAMs PROMOTION)

2026 BIOPHARMA SHAKTI INITIATIVE

MULTIDIMENSIONAL ANALYSIS



UPSC CSE PREPARATION STRATEGY

Linkages to the following:

- GS2** Governance/Policy
- GS3** S&T/Economy
- GS4** Ethics

PYQ MENTIONS

- Previous questions (GS2, GS3)
- Common unworment in sauction
- Previous questions or constending (GS3)

WAY FORWARD

- Former factors contr actentily or vners questions
- Short forward are towared the environment preasures



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Trump discusses Strait of Hormuz, conflict in West Asia during call with Modi

Kajal Bhattacharjee
NEW DELHI

U.S. President Donald Trump on Tuesday spoke with Prime Minister Narendra Modi for the first time since the conflict erupted in West Asia and discussed the war that has killed at least six Indians in the region and impacted free movement of energy resources through the Strait of Hormuz.

"Received a call from President Trump and had a useful exchange of views on the situation in West Asia. India supports de-escalation and restoration of peace at the earliest. Ensuring that the Strait of Hormuz remains open, secure and accessible is essential for the whole world," said Mr. Modi in a post on X.

'Agreed to stay in touch'
Tuesday saw the first conversation between the two leaders since the conflict in West Asia began on February 28. "We agreed to stay in touch regarding efforts towards peace and stability," Mr. Modi wrote.

The PM has been in contact with several leading interlocutors over the past four weeks as the U.S. and Israel hit Iran's energy hubs prompting Iran to strike energy targets across the region. The attacks have disrupted the global energy market pushing prices of crude high and triggering uncertainty about availability of LPG in India and other energy-hungry economies.

U.S. Ambassador to India Sergio Gora also posted online about the conversation between the two lead-



Rahul says India's foreign policy is 'compromised'

The Hindu Bureau
NEW DELHI

India's foreign policy is Prime Minister Narendra Modi's personal policy and is being considered as a universal joke," Leader of the Opposition in the Lok Sabha Rahul Gandhi said on Tuesday, even as he targeted Mr. Modi for comparing the conflict in

West Asia and its fallout with the COVID-19 pandemic.

Mr. Gandhi, interacting with presspersons on the Parliament premises, said the country's foreign policy becomes compromised if the Prime Minister is compromised.

FULL REPORT ON
» PAGE 4

Russian oil

The U.S. and India had been engaging on a bilateral trade pact before the war broke out. The trade

talks had advanced in February, months after Mr. Trump resorted to imposing punitive tariffs on India last year for purchasing Russian oil. India has paused the trade deal with the U.S. against the backdrop of the latest war.

However, as the global energy crisis deepened after the beginning of U.S.-Israel attacks on Iran and Iran's retaliation, the U.S. has relaxed the sanctions on purchase of Russian energy prompting India to purchase Russian crude once again.

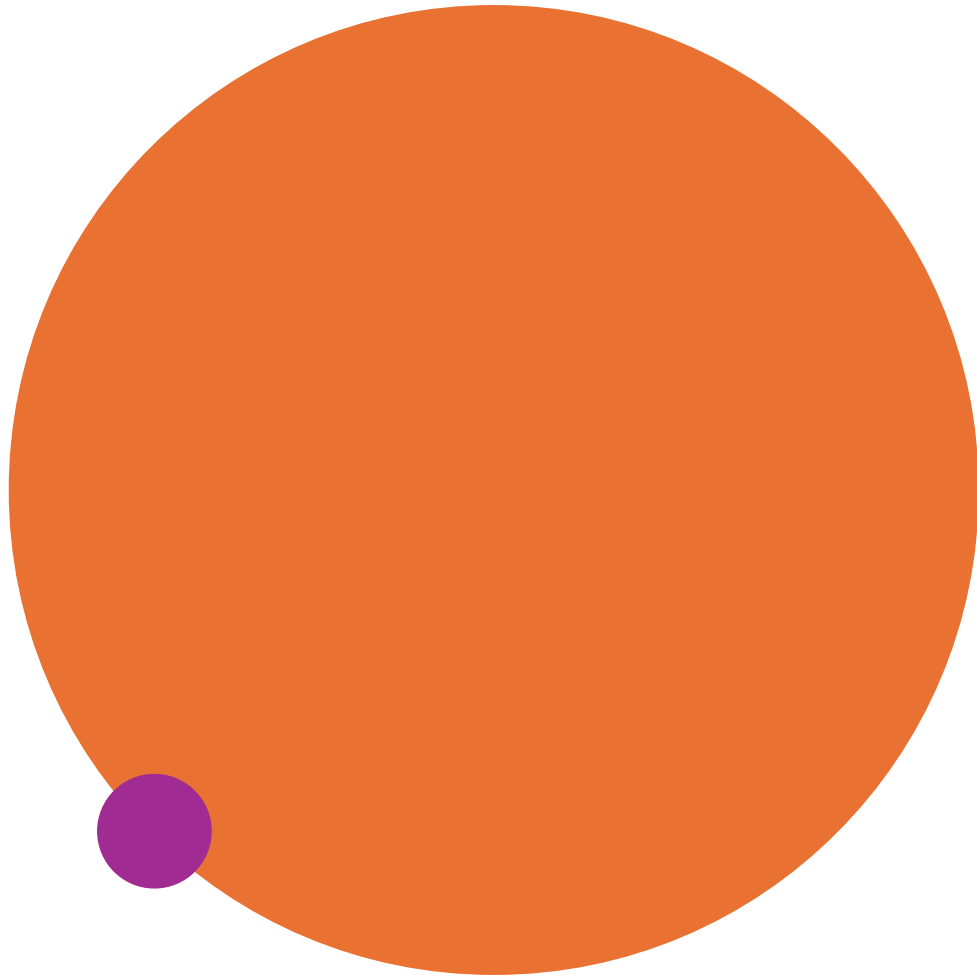
RELATED REPORTS ON
» PAGE 4

- **Key Terms and Explanations**

- **Strait of Hormuz:** A narrow waterway between the Persian Gulf and the Gulf of Oman. It is the world's most important oil chokepoint.
 - *Example:* Imagine a single, narrow gate through which 20% of the world's daily oil supply must pass; if the gate closes, global prices skyrocket.
- **West Asia:** Often referred to as the Middle East, this region is India's "Extended Neighbourhood" and a primary source of energy and remittances.
- **De-escalation:** A diplomatic or military process aimed at reducing the intensity of a conflict to prevent full-scale war.
- **Punitive Tariffs:** Taxes imposed by one country on another as a form of punishment or leverage.
 - *Context:* The U.S. previously used these to discourage India from buying Russian oil.
- **Strategic Autonomy:** India's policy of making independent foreign policy decisions based on national interest, rather than joining a specific power bloc.
- **LPG (Liquefied Petroleum Gas):** A fuel used widely in Indian households for cooking. India is the world's second-largest importer, making it highly sensitive to supply chain breaks.

- **Main Arguments and Substantive Parts**

- The core thesis of the current situation is the **rebalancing of India's energy and trade interests** under the pressure of a regional war and a transactional U.S. presidency.
- **The Energy Dilemma:** India's heavy reliance on the Strait of Hormuz for crude and LPG makes any disruption a direct threat to domestic inflation and food security
- **U.S.-India-Russia Triangle:** The article highlights a significant policy shift. While the U.S. initially penalized India for buying Russian oil, the West Asian crisis has forced Washington to relax these sanctions to keep global oil supply stable
- **Diplomatic Mediation:** India is positioning itself as a proponent of "dialogue and diplomacy," engaging with all sides (Iran, U.S., Israel, and Russia) to ensure the Strait remains open
- **Trade as a Tool:** The "pause" on the India-U.S. trade deal suggests that trade is no longer just about economics; it is being used as a strategic lever in wartime negotiations



- **Historical Evolution of the Issue**

- **Pre-1990s:** India's West Asia policy was largely pro-Arab and focused on "Non-Alignment." Energy security was important but not as critical to a smaller economy.
- **1990s - 2010s:** The Look West Policy emerged. India began "de-hyphenating" its ties (engaging with Israel and Iran/Palestine separately).
- **2019-2020:** Under U.S. pressure, India zeroed out its oil imports from Iran, marking a significant shift in its energy basket.
- **2022-2024:** Post-Ukraine war, India defied Western sanctions to buy discounted Russian oil, asserting its strategic autonomy.
- **2025-2026 (Present):** The Trump administration initially applied high tariffs to curb Russian oil purchases but has now reversed course due to the West Asian conflict's threat to global energy stability.

- **Previous Years' Questions (UPSC)**

- **2023 (GS-2):** "The expansion and strengthening of NATO and a stronger US-Europe strategic partnership has worked well for India." (Discuss in the context of Russia-Ukraine).
- **2020 (GS-2):** "The politics of West Asia has been a challenge for Indian diplomacy." (Analyze).
- **2017 (GS-3):** "India's energy security is a big challenge for its growth." (Discuss).



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KEY DILEMMAS & SHIFTS

India's West Asia Policy:

- (e.g., Look West Policy,
- Strategic Autonomy,
- De-hyphenating relations)

Energy and Sanctions:

- (e.g., US-India-Russia Triangle,
- Trump 2.0 Policy Shifts,
- Pragmatism over Punitive Sanctions)



Blocked Strait



Crude/LPG Disruption



Global Oil Price Hike



Indian Economy Strained

MULTIDIMENSIONAL IMPACT (UPSC Focus)

- **Social:** LPG prices and PM Ujjwala Yojana.
- **Political:** Domestic sensitivity to inflation.
- **Legal:** Maritime law and Freedom of Navigation.
- **Legal:** Maritime law and Freedom of Navigation.
- **Economic:** CAD strain, Rupee value.
- **International:** INSTC vs. IMEC.

WAY FORWARD

1. **EXPAND** Strategic Petroleum Reserves (SPR).
2. **DIVERSIFY** energy imports.
3. **DEVELOP** indigenous shipping fleet.
4. **PURSUE** proactive diplomacy.

US paper questions core WTO principles ahead of key meet

NORMS EROSION. Push for reciprocity deals seen as increasing pressure on India

Amiti Sen
New Delhi

A US paper on WTO reforms circulated this week questions core principles such as the right to non-discriminatory treatment under the most favoured nation (MFN) rule, special and differential treatment for developing countries, and the consensus-based decision-making that underpins the multilateral system, raising pressure on India and several other developing economies.

Released just days before the 14th WTO Ministerial Conference kicks off in Yaoundé on March 26-29, the paper pushes for a pathway to plurilateral agreements (not including the entire membership) and questions the continued self-designation of developing country status by larger economies, even though no country is named directly.



BIG BIAS. The latest paper was an attempt by the US to justify its policy of discriminating between trade partners, say experts

Experts cautioned that the latest paper was yet another attempt by the US to justify its policy of discriminating between trade partners and undermine the institution's foundation principles.

The US submission noted that a paper on WTO reforms submitted by Washington in December 2025 had resulted in exchange of papers from other countries showing the strength of a growing member-driven conversation on reform.

"Such a conversation is both healthy and necessary if the WTO is to be relevant

and meaningfully contribute as the world transitions to a new economic order premised on reciprocity and balance and oriented toward serving concrete national interests," it said.

FRANK DISCUSSION

The US believes members need to rethink how the MFN principle functions in its current form and embark on a frank discussion of the link between MFN and reciprocity, which itself is a bedrock WTO founding principle, it stated.

This comes amid ongoing

resistance from India and some other members to efforts to integrate the Investment Facilitation for Development agreement into the WTO's formal structure. These countries maintain that bringing plurilaterals into the multilateral system without full consensus risks undermining the institution's foundational principles.

RULE-BASED SYSTEM

"Trump has been undermining the WTO's rule based system. Now he wants to institutionalise it. Taking away MFN and linking it with reciprocity will give US the freedom to discriminate against countries," pointed out trade expert Biswajit Dhar.

Pushing for plurilaterals is another way of bringing in mayhem as a group of countries can stand up anytime and start negotiations on any issue without consent of others, Dhar noted.

- **Key Terms and Explanations**

- **Most Favored Nation (MFN):** The cornerstone of the WTO. It requires that a country cannot discriminate between its trading partners. If you grant someone a special favor (such as a lower customs duty rate for one of their products), you must do the same for all other WTO members.
- **Special and Differential Treatment (S&DT):** Provisions that give developing countries special rights, such as longer timeframes to implement agreements or technical assistance.
- **Plurilateral Agreements:** Trade deals involving a group of WTO members who want to move faster on specific issues (e.g., E-commerce or Investment Facilitation) without requiring the consent of the entire 164-member body.
- **Reciprocity:** The principle that trade concessions should be mutual. The US argues that if it opens its markets, others (especially large developing ones like India or China) must offer equivalent market access.
- **Consensus-based Decision Making:** The rule that every single WTO member must agree (or at least not formally object) for a new rule to be adopted.

- **Main Arguments and Substantive Parts**

- The core debate centers on the **transition from a rule-based global order to a power-based bilateral/plurilateral order.**
- **The US Position:** Washington argues that the "Consensus" model leads to paralysis. They seek a "new economic order" based on **Reciprocity and Balance**. They contend that "self-designation" as a developing country allows major economies to enjoy S&DT benefits they no longer need, creating an unfair playing field.
- **The Developing World's Response (India/South Africa):** Experts argue this is an attempt to institutionalize discrimination. By linking MFN to reciprocity, the US can cherry-pick partners, effectively dismantling the "non-discriminatory" pillar of global trade.
- **The Plurilateral Threat:** There is a push to integrate "Investment Facilitation for Development" into the WTO. India resists this, fearing it bypasses the multilateral mandate and allows a "coalition of the willing" to dictate terms to the rest of the world.

- **Historical Evolution of the Issue**
 - **Pre-1947 (The Protectionist Era):** High tariffs and "beggar-thy-neighbor" policies led to the Great Depression.
 - **1947 (GATT):** The General Agreement on Tariffs and Trade was established to lower barriers through MFN.
 - **1995 (WTO Birth):** The Marrakesh Agreement created a formal body with a dispute settlement mechanism.
 - **2001 (Doha Development Agenda):** Aimed to lower trade barriers for developing nations but eventually stalled due to disagreements over agriculture and industrial tariffs.
 - **2017–Present (The Crisis Era):** The US began blocking the appointment of judges to the **Appellate Body**, effectively "killing" the WTO's ability to enforce rules. The current papers represent the next step: moving from breaking the rules to rewriting them.
-
- **Previous Years' Questions (PYQs)**
 - **Mains (2017):** "What are the key areas of reform if the WTO has to survive in the present context of 'Trade War'?"
 - **Mains (2016):** "Discuss the impact of WTO on Indian Agriculture."
 - **Prelims (2015):** Which of the following is/are the mission of WTO? (Concepts of MFN/S&DT).



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THE CONFLICT: MFN vs. RECIPROcity



The transition from rules-based to power-based order.

WTO REFORM DEBATE & IMPLICATIONS

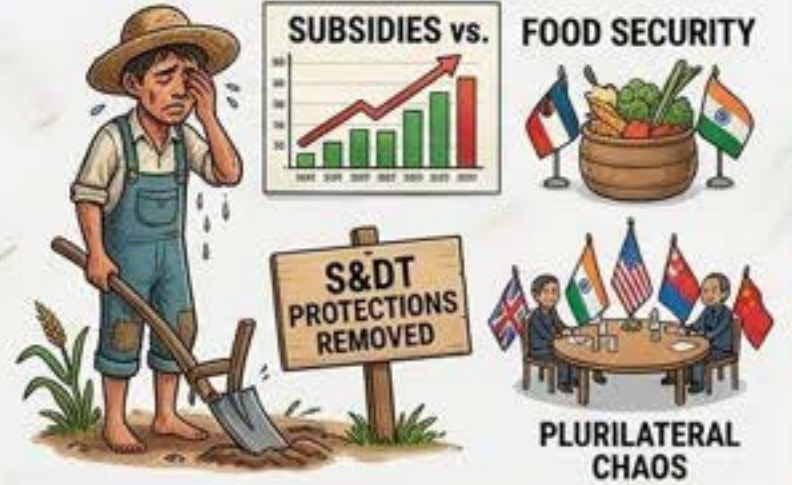


GLOBAL TRADE TRADE ORDER AT A CROSSROADS

IMPLEMENTATION & CHALLENGES



DEVELOPING COUNTRIES' CONCERNS



WAY FORWARD & AXIA IAS ACADEMY PERSPECTIVE



UPSC CSE TIP: Trace the 'Epistemological shift' in the meaning of 'Development' – Power vs. Welfare Logic.

Centre sets up 7 empowered teams to fight effects of war

The groups were formed on the lines of a similar exercise during covid, Modi says

Rituja Boruah & Vicky C. Roy
NEW DELHI

Prime Minister Narendra Modi has said the Centre has constituted seven empowered groups of officials and experts to assess the impact of the war in West Asia and take remedial measures across sectors.

The groups were formed on the lines of a similar exercise during covid, Modi informed Rajya Sabha on Tuesday. "These groups will work on issues such as supply chain, petrol, diesel, fertilisers, gas, inflation, among others."

The government is constantly monitoring the situation and is working strategically to address the short-, medium-, and long-term effects of the crisis, the prime minister said.

Following strikes by the US and Israel, Iran has effectively blocked the Strait of Hormuz, a chokepoint through which 20% of the world's oil and gas passes, causing a supply squeeze and a spike in prices. For India, which imports about 85% of its total oil and gas requirements, the shortage of crude and gas threatens to impact everything from fertilisers to cooking gas supply.

Citing risks of inflation, rate hikes and exchange rate volatility from a prolonged war, Neeraj Hanikar, visiting faculty at the School of Development, Azim Premji University and former professor of economics, Mumbai



Prime Minister Narendra Modi said the groups will work on issues like supply chain, fuel, fertilisers, gas and inflation.

University, said, "Depreciating rupee also may lead to a higher price for inputs now, right across the board; that hits import-supported industries even more."

The groups would look at strategic issues such as defence and external affairs; economy, finance and supply chain-related issues, including export and import; petroleum, liquefied natural gas (LNG), liquefied petroleum gas (LPG) and energy; fertilizer and other farm inputs; prices and supply of essential commodities; transport and logistics; information, communication, etc.

The convenor of the committee on

strategic issues is Vikram Misra, secretary, external affairs ministry; while Anuraag Thakur, secretary in department of economic affairs is the convenor for the committee on economy, finance and supply chain, per an office memorandum notified by the cabinet secretary and reviewed by Mint.

Neeraj Mittal, secretary, ministry of petroleum and natural gas, has been designated the convenor of the committee on petroleum and energy, while Nidhi Khare, secretary in the department of consumer affairs, will be the convenor on prices and supply of essential commodities.

The spokesperson for the cabinet secretary did not immediately respond to queries emailed by Mint.

"These groups will identify issues and take immediate necessary steps to address the situation. They will also formulate plans, strategic operations and take all necessary steps for their effective and time-bound implementation, in their respective domains," the office memorandum said.

The terms of reference of the groups include assessing risks to energy supplies and pricing and take measures to mitigate supply disruptions; manage price volatility and ensure adequacy of strategic reserves; identifying alternative import sources to reduce dependency and improve resilience; and monitoring domestic availability and price stability of essential commodities including food items, fertilisers, etc.

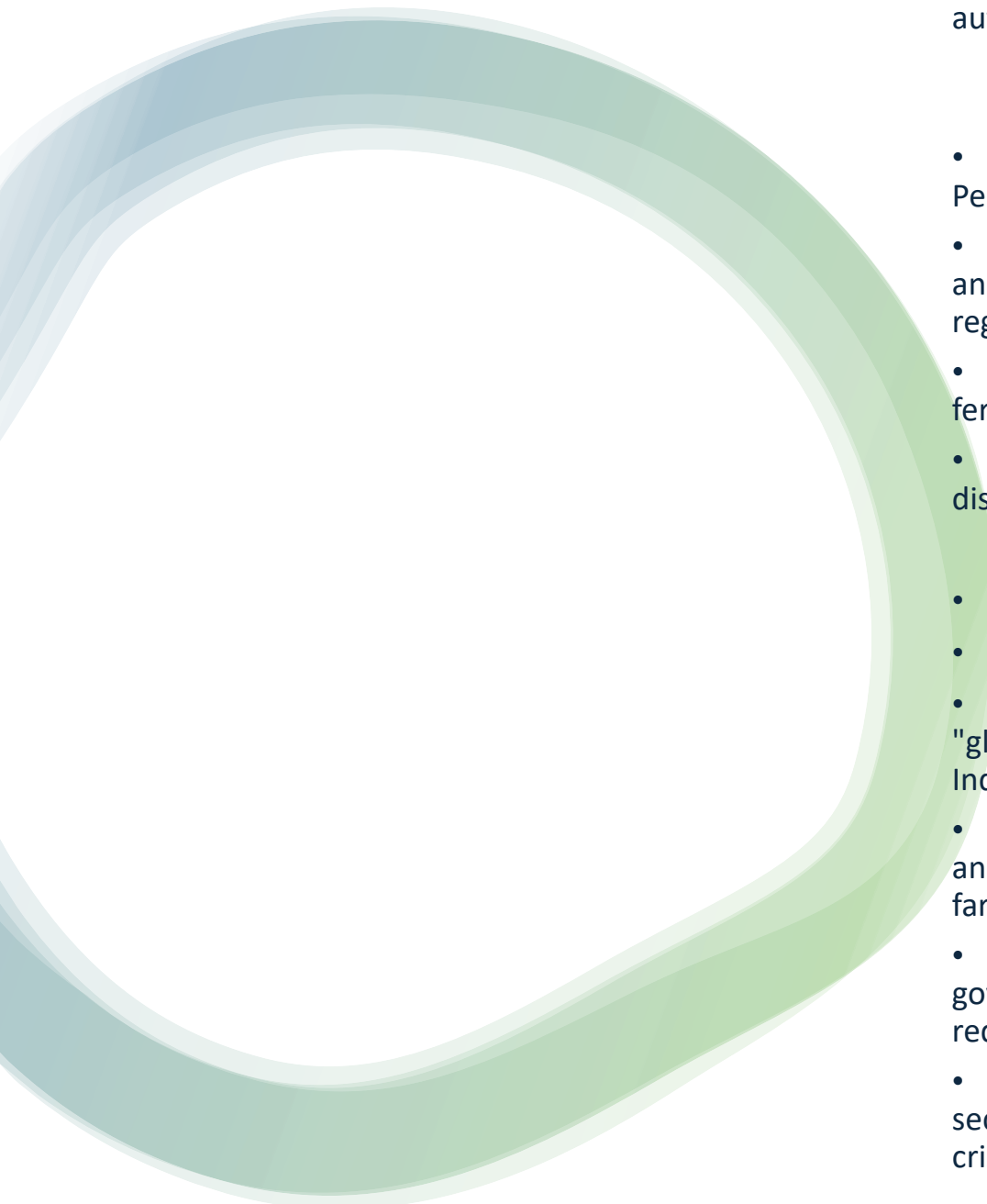
Meanwhile, the Petroleum and Natural Gas Regulatory Board on Monday directed city gas distribution entities to connect residential schools and colleges, hostels, community kitchens, anganwadis, kitchens through piped natural gas within five days, wherever infrastructure is available in vicinity, said Sujata Sharma, joint secretary, marketing and oil refinery, petroleum and natural gas ministry, while addressing the media on the fuel stock situation. rituja.boruah@livemint.com
For an extended version of this story, go to livemint.com.

20%

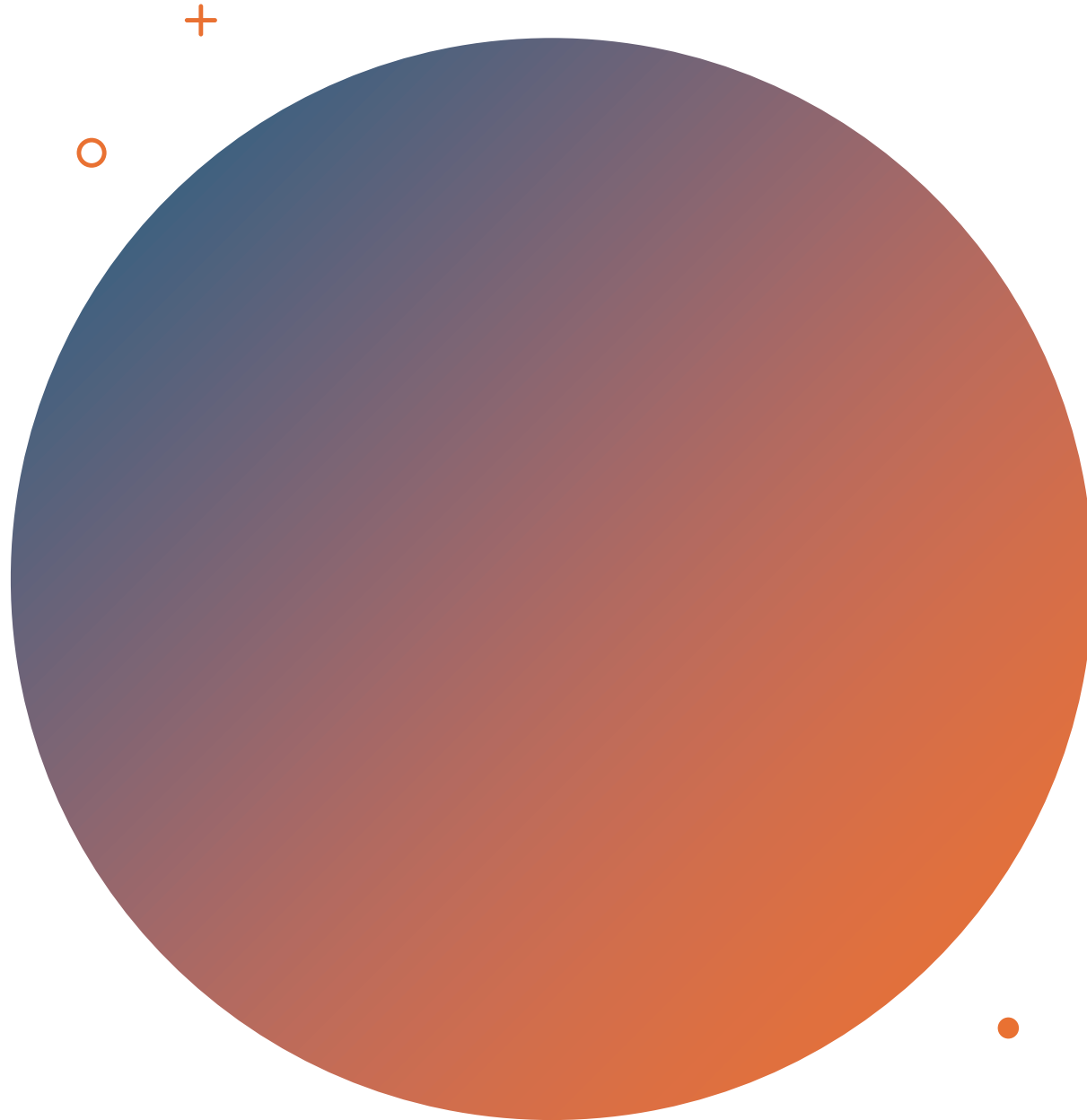
Share of world's oil and gas that passes through Hormuz

85%

The share of oil and gas requirements that India imports



- **Key Terms and Explanations**
- **Empowered Groups (EGs):** High-level committees consisting of Secretary-level officers with the authority to make quick, binding decisions.
 - *Example:* During the COVID-19 pandemic, EGs were used to manage oxygen supply and vaccination rollouts.
- **Strait of Hormuz:** A narrow, strategically vital waterway between the Gulf of Oman and the Persian Gulf. It is the world's most important oil transit chokepoint.
- **Energy Diversification:** The strategy of sourcing energy (crude oil, gas) from multiple countries and different types of energy (renewable vs. fossil) to reduce dependency on a single volatile region.
- **Price Volatility:** Rapid and unpredictable changes in the price of commodities like petrol or fertilizers, which can cause inflation.
- **Supply Chain Resilience:** The ability of a trade network to anticipate, resist, and recover from disruptions (like war or blockades).
- **Main Arguments and Substantive Parts**
- The core thesis of the government's stance is **Pre-emptive Crisis Mitigation**.
- **The Gravity of the Situation:** The West Asia conflict is not seen as a local skirmish but as a "global energy shock." The disruption of the Strait of Hormuz is flagged as a primary threat to India's energy lifeline.
- **The 'India First' Approach:** This involves a shift from passive observation to active diplomatic and logistical maneuvering to ensure that domestic needs—fuel for transport and fertilizer for farmers—are met regardless of global chaos.
- **Institutional Response:** The creation of seven specialized Empowered Groups suggests that the government views the impact as multi-sectoral (Logistics, Economy, Communication, etc.), requiring more than just a diplomatic response.
- **Diaspora Safety:** With nearly 10 million Indians in the Gulf, the Prime Minister links national security directly to the safety of the Indian diaspora, highlighting the "Human Element" of the crisis.



- **Historical Evolution of the Issue**

- **Pre-1991:** India relied heavily on Soviet oil and traditional Gulf partners. The 1990 Gulf War led to a massive Balance of Payments (BoP) crisis, highlighting India's vulnerability.
- **Post-Liberalization (1990s-2000s):** India began expanding its footprint in the Middle East while seeking "Energy Security" through equity oil (investing in foreign fields via ONGC Videsh).
- **Strategic Petroleum Reserves (2000s-Present):** India built underground salt caverns to store oil for emergencies (Visakhapatnam, Mangaluru, and Padur).
- **The "Link West" Policy (Current):** Under the current administration, India has deepened ties with UAE, Saudi Arabia, and Israel simultaneously, moving away from "Non-Alignment" toward "Multi-Alignment."

- **Previous Years' Questions (PYQs)**

- **UPSC Mains 2022 (GS-2):** "India is a third-world country and its foreign policy is still characterized by the pursuit of national interest." Discuss.
- **UPSC Mains 2017 (GS-3):** "India's energy security is a pragmatic part of its foreign policy." Elaborate.
- **UPSC Prelims (General):** Questions frequently appear on the location of the Strait of Hormuz, Bab-el-Mandeb, and OPEC countries.



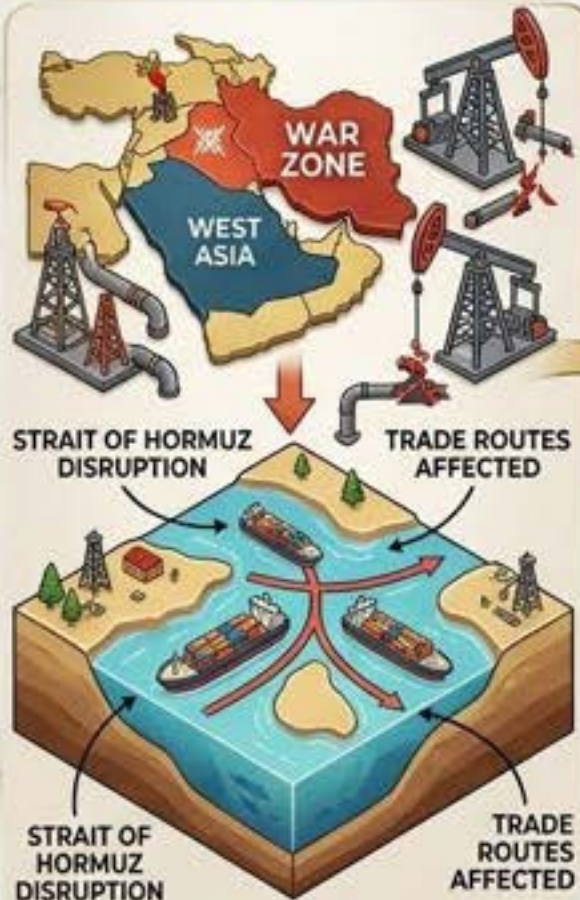
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GLOBAL ENERGY SHOCK: INDIA'S STRATEGIC RESPONSE ANALYSIS

1. CAUSE: WEST ASIA CONFLICT & SUPPLY CHAINS



2. RESPONSE: PRE-EMPTIVE CRISIS MITIGATION



3. MULTIDIMENSIONAL IMPACT ANALYSIS



• LEGAL

Do protections for SCs carry over with conversion? What law says

Amaal Sheikh

New Delhi, March 24

THE SUPREME Court Tuesday held that a person who has converted to Christianity cannot continue to claim the protections available to the Scheduled Castes (SCs).

The bench comprising Justices Prashant Kumar Mishra and Manmohan upheld an Andhra Pradesh High Court's order and said that other than Hinduism, Sikhism or Buddhism, "a person cannot simultaneously profess and practice a religion... and claim membership of a Scheduled Caste at the same time". The bar, the top court said, is "absolute" and admits "no exceptions".

The orders sit at the junction of two ideas. One is the Constitutional design of the SC status, which is as much a social identity as a legal recognition defined through the Constitution (Scheduled Castes) Order, 1950. The other is caste-based discrimination, which has been shown to persist even after conversion, including among Dalit Christians.

The case

The case arose from a 2021 complaint by

an Andhra Pradesh pastor which alleged that he had been repeatedly abused using caste slurs, threatened with death and assaulted.

Police registered a case under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. They also invoked the IPC's criminal provisions of wrongful restraint, criminal intimidation and hurt.

The accused moved the Andhra Pradesh High Court saying the pastor could not claim to be a member of an SC or invoke the SC/ST Act because he had converted to Christianity years ago.

The complainant countered this by relying on his caste certificate identifying him as a Hindu-Madiga, a recognised SC, and argued that caste, being linked to birth, does not disappear with conversion.

The Andhra Pradesh HC in April 2025 said the "caste system is alien to Christianity" and that the SC/ST Act cannot be invoked by someone who doesn't fall within the ambit of that definition.

The court also held that there were inconsistencies in the witness statements and that continuing the proceedings would subject the accused to an unnecessary trial.

Religion and reservation

• Caste-based discrimination is known to persist after conversion, including among Dalit Christians

• But the law bars anyone professing a religion other than Hinduism, Sikhism or Buddhism from being treated as a member of a Scheduled Caste

The law

The court's reasoning on conversion and SC status rested on Constitutional and statutory rules that tie caste identity to the religion a person professes. This framework begins with the Constitution (Scheduled Caste) Order, 1950, issued under Article 341. Paragraph 3 of the Order states that, "no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be member of a Scheduled Caste." The law thus treats conversion to Christianity as a point at which the Scheduled Caste status ends.

This classification is reinforced by the Constitution itself. Article 366(24) defines Scheduled Castes as those groups notified by the President under Article 341. Both provisions work in tandem, and the SC/ST (Prevention of Atrocities) Act adopts the same definitions. The result is that the legal identity of a person as a Scheduled Caste is inseparable from the religion they profess.

What the top court held

The Supreme Court bench held that there was no claim of reconversion or re-

entry into the caste community. Instead, the record showed that the appellant "continues to profess Christianity and has been functioning as a pastor for over a decade".

The court returned to the 1950 order and underlined its effect. It described it as "categorical and unambiguous".

"Irrespective of the appellant's caste of origin, he cannot be deemed to be a member of a Scheduled Caste," the court said. The effect of conversion, it added, is immediate: "Once the appellant converted to Christianity, the caste status, which he earlier enjoyed... stood eclipsed in the eyes of law."

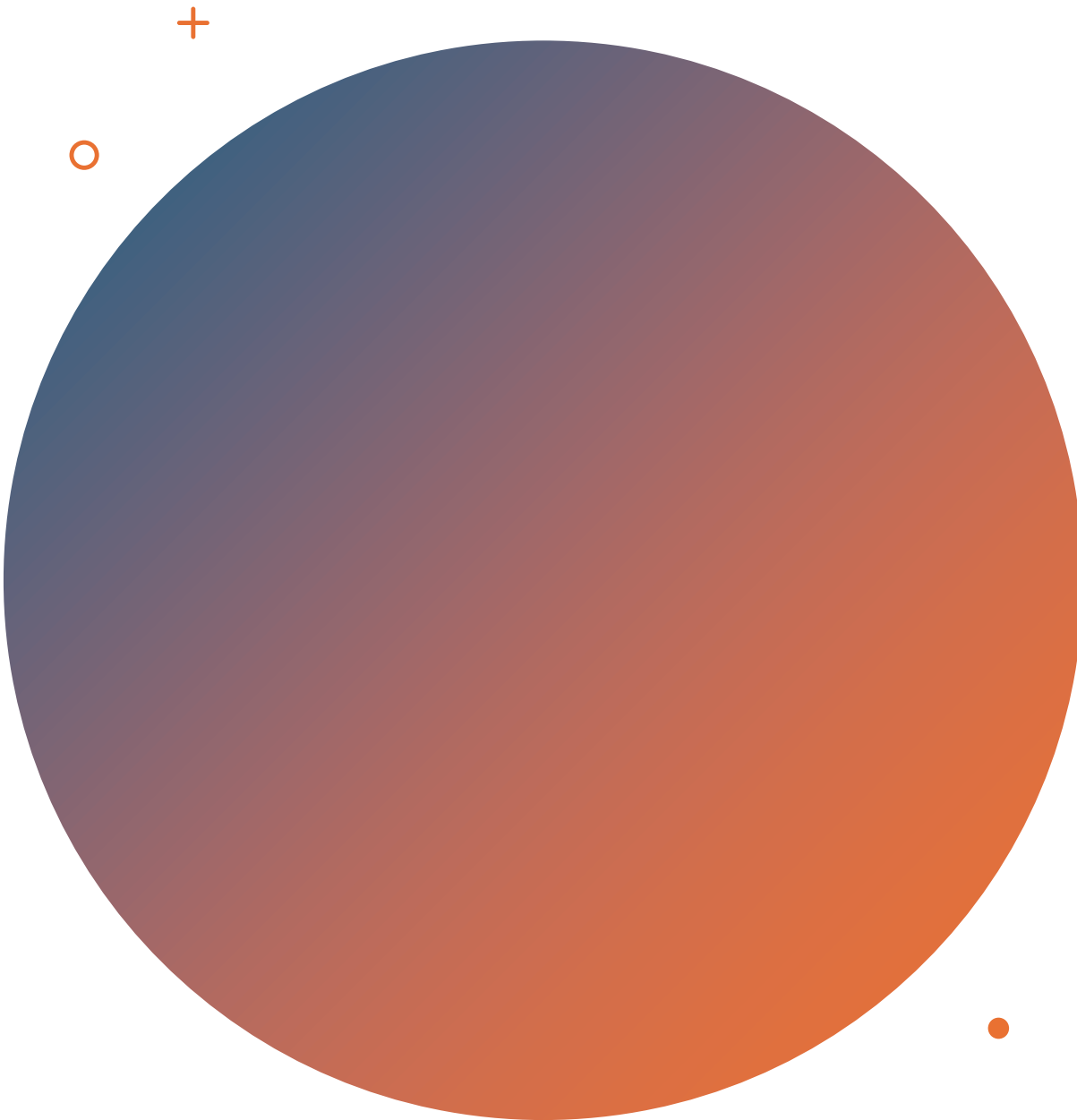
On the caste certificate, the court drew a line between paperwork and law. "Mere possession of the certificate will not be of any benefit," the court said, stressing that such certificates must operate "in consonance with the Constitution (Scheduled Castes) Order, 1950".

The court also clarified that the position is different for Scheduled Tribes, where religion is not the determining factor. But even there, it said, identity depends on whether a person continues to be part of the community in terms of customs and recognition.

- **Key Terms and Explanations**
- **Article 341:** Empowers the President to specify the castes, races, or tribes which shall be deemed to be Scheduled Castes in relation to a State or Union Territory.
- **Constitution (Scheduled Castes) Order, 1950:** A Presidential order that initially stated only Hindus could be deemed members of Scheduled Castes. It was later amended to include Sikhs (1956) and Buddhists (1990).
- **"Profess" a Religion:** Legally, this implies more than private belief; it refers to a public declaration, the practice of rituals, and an outward manifestation of faith that the world can recognize.
- **SC/ST (Prevention of Atrocities) Act, 1989:** A special law designed to prevent indignities and offenses against SC/ST members. Crucially, the "victim" must legally fall under the definition of SC or ST to invoke this Act.
- **Doctrine of Eclipse (in this context):** The Court used this to explain that once a person converts to a non-recognized religion (like Christianity), their SC status is "eclipsed" or hidden by law, making them ineligible for specific statutory protections.

- **Main Arguments and Substantive Parts**

- The core of the legal debate rests on whether caste is an **immutable identity of birth** or a **socio-legal status** tied to a specific religious fold.
- **The Mutual Exclusivity Argument:** The Court argued that Christianity and Islam are theoretically "casteless" religions. Therefore, a person cannot claim to belong to a religion that rejects caste while simultaneously seeking benefits based on a caste identity.
- **The "Outward Manifestation" Test:** The appellant's role as a Pastor was a definitive public declaration of his faith. This superseded his "Hindu-Madiga" caste certificate.
- **The Protective Scope:** The SC/ST Act is "protective legislation." If the person no longer fits the legal definition of the "protected class" (due to conversion), the special machinery of the Act cannot be triggered, even if the nature of the abuse was casteist.
- **The Counter-Argument (Persistence of Stigma):** The appellant argued that conversion does not erase the "stigma of birth." In Indian society, a Dalit who converts to Christianity is often still viewed and discriminated against as a Dalit by the majority community.



- **Historical Evolution of the Issue**
- **1950:** The original Presidential Order limits SC status to Hindus, based on the logic that untouchability was a practice unique to the Hindu social order.
- **1956:** Following the Neo-Buddhist movement and political pressure, the Order was amended to include **Sikhs**.
- **1990:** The Order was further amended to include **Buddhists**, recognizing that many Dalits converted to Buddhism to escape the caste system but remained socially and economically backward.
- **Current Status:** Petitions remain pending before the Supreme Court regarding the inclusion of **Dalit Christians and Dalit Muslims**, arguing that their socio-economic conditions have not improved despite conversion.

- **Previous Years' UPSC Questions (Relevant)**
- **GS 2 (2017):** "Whether the National Commission for Scheduled Castes can settle the disputes of religious nature?"
- **GS 1 (2020):** "Has caste lost its relevance in understanding the multi-cultural Indian Society?"
- **GS 2 (2022):** Discuss the role of the Vice-President as the Chairman of the Rajya Sabha (context: many of these legal changes happen via Parliamentary amendments).



CONVERSION & SCHEDULED CASTE STATUS: CONSTITUTIONAL & JUDICIAL LANDSCAPE

Current Legal Framework.

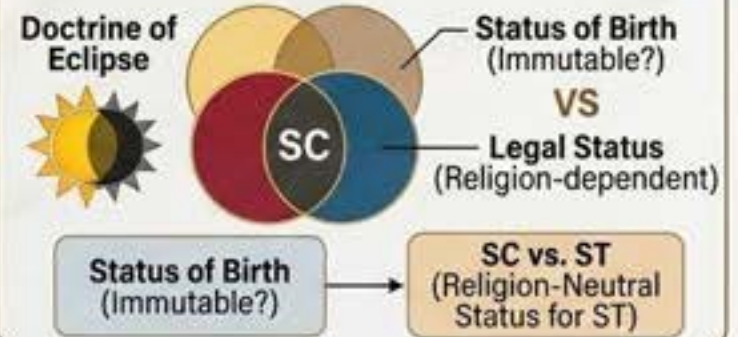


A Comprehensive Analysis

Case Study & SC Verdict.

- **Pastor Paul Case**
▶ Person Converting to Christianity Cannot Claim SC Protection
- **March 24 SC Ruling**
▶ Mutually Exclusive Religious & SC Positions
▶ Possession of Caste Certificate does not outweigh Public Practice

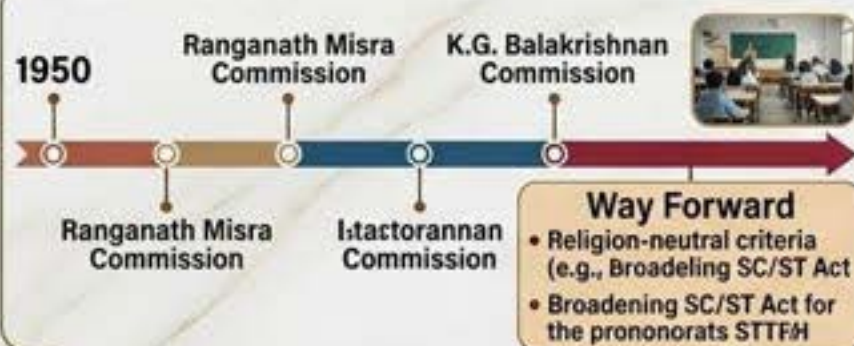
Core Arguments & Concepts.



The Issue's Multidimensional Impact.



Historical Timeline & Recommendations.



UPSC Relevance Guide.



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A STRICT 2-3 HOUR CONTENT TAKEDOWN TIMELINE WAS NOTIFIED LAST MONTH

Govt may further shorten online content takedown time to 1 hour

Soumyendra Barik
New Delhi, March 24

AFTER NOTIFYING a strict 2-3 hour content takedown timeline for social media platforms last month, the Centre is exploring whether the window should be further shortened to an hour, underscoring a growing consensus within the government of removing more content from the internet quicker. *The Indian Express* has learnt.

The consideration is at a preliminary stage at this point, a senior government official said, requesting anonymity, adding that the government may or may not move ahead with it.

"What would play a crucial role in determining whether the timeline should be further shortened to an hour is the compliance track record of social media companies with the recently implemented 2-3 hour time window," said the official.

In February, the IT Ministry notified amendments to the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. One of the most contentious changes it has implemented is that social media platforms must now remove content within 2-3 hours as opposed to 24-36 hours before.

Industry executives say the new timeline is the shortest takedown window prescribed by any government in the world.

• TURNING THE SCREW

GOVERNMENT MAY also allow ministries of Home Affairs, External Affairs, Defence, and Information and Broadcasting to issue content blocking orders

CENTRE IS also considering amendments to the IT Rules 2021, to prohibit the proliferation of "obscene" content on video on digital news outlets, and video-on-demand platforms

PLATFORMS MUST remove non-consensual intimate imagery within two hours, as opposed to 24 hours earlier

Last week, *The Indian Express* reported that the Centre may soon allow the ministries of Home Affairs, External Affairs, Defence, and Information and Broadcasting to issue content blocking orders to social media platforms under Section 69 (A) of the Information Technology (IT) Act, 2000, a power currently only available to the IT Ministry — showcasing the growing ambit of India's online censorship mechanism.

This is only one of the ways in which the Centre is doubling down on blocking content on social media. Other attempts include plans to introduce new no-go areas under a new definition



Several social media users have flagged that their posts — which were satirical or critical of the government, and not necessarily illegal — have been impacted.

of "obscene" content, and of course, expanding a parallel content blocking mechanism under Section 79 (3)(b) of the IT Act, which is managed through the Home Ministry's Sahyog portal. Though the government insists that it only acts on illegal content, users on social media have been flagging that many of their posts — satirical or critical of the government, and not necessarily illegal — have been impacted as companies ramp up their compliance infrastructure in the face of growing regulatory pressure.

Not just particular pieces of content, but entire accounts on social media platforms like X —

which typically shared anti-establishment content and commentary — have been blocked in recent weeks.

The IT Ministry did not respond to a request for comment. Though tech companies have privately contested the 2-3 hour takedown timeline, it is understood that all major platforms have largely fallen in line to comply with the government's directives. The Centre had previously said that timelines have been compressed as they received feedback from several stakeholders that the previous timelines were too long and did not prevent a content's virality.

"Tech firms certainly have

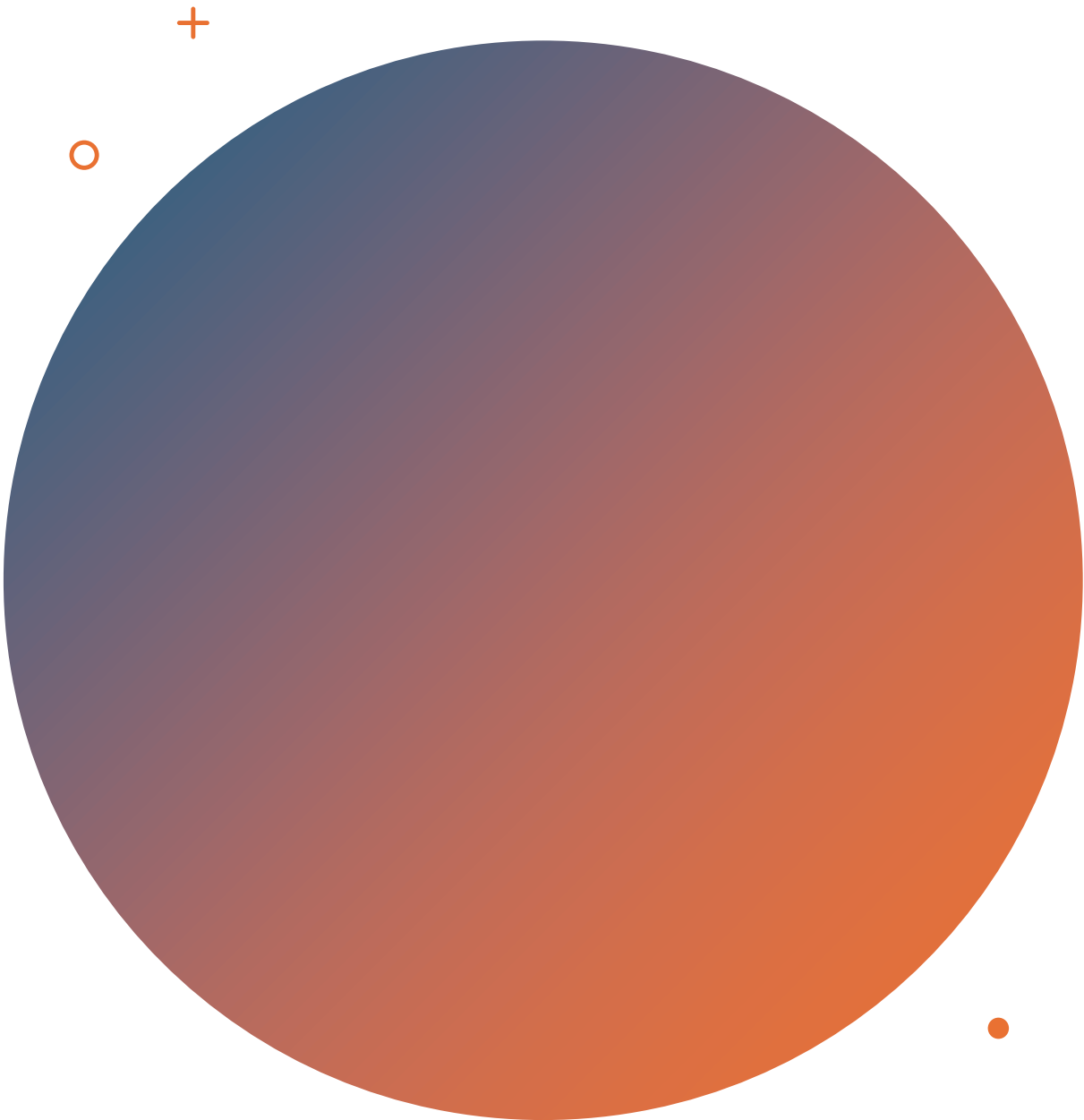
the technical means to remove unlawful content much more quickly than before," an official had earlier said.

The requirement to take down content quicker does not just apply to AI-generated content but a wide range of content that the law deems unlawful.

Now, platforms must remove non-consensual intimate imagery within two hours, as opposed to 24 hours earlier, and other forms of unlawful content within three hours, from an earlier requirement to act on it within 36 hours. Raising concerns over these rules, social media giant Meta, which operates platforms such as Facebook, Instagram and WhatsApp, has previously said the norms might be "challenging" to comply with from an operational standpoint.

As per Rob Sherman, Meta VP, Policy and Deputy Chief Privacy Officer, the government had not consulted with the industry before notifying the rules.

The Centre is also considering amendments to the IT Rules 2021, to prohibit the proliferation of "obscene" content on video on digital news outlets, and video-on-demand platforms. The term could have a wide ambit, and may disallow content that contains defamatory allegations, "half truths," "anti-national attitudes," and "critiques" segments of "social, public and moral life of the country," *The Indian Express* had reported.



- **Key Terms and Explanations**

- **Intermediaries:** Entities that store or transmit data on behalf of others (e.g., X, Meta, Google). Under the IT Act, they usually enjoy "Safe Harbour" (protection from liability for user content) as long as they follow government "due diligence" rules.
- **Section 69(A) of the IT Act, 2000:** The primary legal provision allowing the Central Government to issue directions to block public access to any information in the interest of sovereignty, integrity of India, defense, or public order.
- **Safe Harbour:** A legal doctrine that protects platforms from being sued for what their users post. If a platform fails to comply with takedown orders within the stipulated time, it risks losing this immunity.
- **Section 79(3)(b):** A provision where an intermediary is required to remove content upon receiving "actual knowledge" or being notified by the appropriate government agency that the content is being used to commit an unlawful act.
- **Non-Consensual Intimate Imagery (NCII):** Often referred to as "revenge porn," this involves sharing private, sexual images without the subject's consent.
- **Sahyog Portal:** A government-run platform (under the Home Ministry) used to coordinate the reporting and removal of unlawful content, particularly related to cybercrime.



- **Main Arguments and Substantive Parts**
- **The Core Thesis**
 - The government is moving toward a "**real-time**" **copyright model**, transitioning from a 24-36 hour window to a 2-3 hour window, and potentially a 1-hour window. This is driven by the logic that "virality" happens in minutes, rendering delayed takedowns ineffective.
- **Supporting Evidence for Regulation**
- **Preventing Virality:** Harmful content (riots, misinformation, NCII) spreads exponentially. A 24-hour delay allows the damage to become irreversible.
- **Technical Capability:** The government argues that large tech firms have the AI and human resources to act within minutes, not hours.
- **Compliance Record:** Recent adherence to the 2-3 hour window is being used as a "litmus test" to justify further shortening the timeline.
- **Counterarguments and Concerns**
- **Operational Feasibility:** Meta and others argue that such short windows are "challenging" and may lead to "over-blocking" where platforms delete safe content just to avoid legal penalties.
- **Democratic Chilling Effect:** Rapid takedowns often bypass deep scrutiny. Satire, dissent, and "anti-establishment" commentary may be caught in the crossfire of automated or rushed moderation.
- **Centralization of Power:** Expanding blocking powers to multiple ministries (Home, Defence, etc.) decentralizes the *authority* to block but centralizes *control* over the narrative.



- **Historical Evolution of the Issue**

- **Pre-2000:** Digital content was largely unregulated; the internet was in its infancy in India.
- **2000:** Passage of the **Information Technology Act**, providing the first legal framework for electronic commerce and cybercrimes.
- **2008-2009:** Major amendments introduced **Section 66A** (later struck down) and **Section 69A**, giving the government specific blocking powers.
- **2015: Shreya Singhal vs. Union of India:** The Supreme Court struck down Section 66A (vague speech) but upheld Section 69A, emphasizing that blocking must follow procedural safeguards.
- **2021:** The **IT Rules, 2021** were notified, introducing the 24-36 hour takedown window and the "Grievance Redressal Officer" requirement.
- **2023-2024:** Amendments further compressed timelines to 2-3 hours and introduced a "Fact Check Unit" (currently under legal scrutiny).
- **2025-2026 (Current):** Exploration of the 1-hour "hyper-takedown" window and broadening the definition of "obscene" or "harmful" content.

- **Previous Years' UPSC Questions**

- **2014 (GS 3):** "Cyber warfare has become a new threat to the world... Elaborate."
- **2017 (GS 2):** "The exercise of freedom of speech and expression in the digital age faces unique challenges."
- **2021 (GS 3):** "What are the internal security challenges faced by India as part of the dissemination of fake news and propaganda through social media?"
- **2020 (Prelims):** Questions on the "Right to Privacy" (Puttaswamy Case).



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OLD PARADIGM (24-36 Hours)



Inerrensted economed content bloock (24-36 Hours)

EVOLUTION



NEW PARADIGM (2-3 Hours → 1 Hour)



THE RUSH TO REAL-TIME CENSORSHIP: ANALYSIS OF INDIA'S CONTENT TAKEDOWN POLICIES

GOVERNMENT ARGUMENTS

- Stop Virality
- Technical Feasibility
Government avienue for content
Legal Isorations

INDUSTRY CONCERNS

- Operational Challenges
- Chilling Effect
- Over-blocking
Over-blocking content solution
prenuption

MULTIDIMENSIONAL IMPACTS

- Legal-Article 19(1)(a)
- Political-Dissent
- Economic-Cost
- Social-Trust

CHALLENGES

- False Positives
- Vague Definitions
- Centralization
- Transparency

WAY FORWARD

- Balanced Solutions
- Transparency
- Oversight

KEY TERMS

- Intermediaries:** Intermediaries for intermediaries
- Section 69(A):** Prohobiory - online content penoluster
- Safe Harbour:** Intermediaries, and oul safe Harbour
- NCII:** Inflated in our contents NCII
- Sahyog Portal:** Communityesorrem donation on Sahyog Portal

Presumption about short careers hurting women officers, says SC

FIGHTING BIAS. Ruling affirms women's right to equal opportunities and permanent commission

Krishnadas Rajagopal

New Delhi

The Supreme Court on Tuesday declared that systemic and long-held presumption that women officers had no substantive or long-term career in the armed forces led to an uneven playing field, crippling their chances for permanent commission.

A three-judge Bench, headed by Chief Justice of India Surya Kant, upheld permanent commission and consequent pensionary benefits for batches of women officers in the Indian Army, the Indian Air Force and the Indian Navy. The court upheld the women officers' right to equal opportunity and treatment and dignity in three separate judgments, all authored by the Chief Justice.

The appellant-women officers were represented by senior advocates Rekha Palli, V Mohana and Menaka Guruswamy, and advocates



EQUAL RIGHTS. The Supreme Court said women officers were routinely assigned "average or middling scores"

Pooja Dhar, Abhimanue Shrestha, Anshuman Ashok and Sudhanshu S Pandey. Additional Solicitor General Aishwarya Bhati represented the Centre.

CAREER PROGRESSION

The judgment found that the annual confidential reports (ACRs) of Short Service Commission Women Officers (SSCWOs) were graded casually for years, without adjudging their suitability for career progression, affecting their overall comparative merit with their male counterparts.

"Since they (SSCWOs) had no scope for career progression, the assessing officers graded their ACRs casually and gave them lower scores," Chief Justice Kant observed.

"This assumption resulted in a casual approach towards assessment, with higher grades being informally reserved for male SSCOs who were eligible for permanent commission (PC) and for whom such grades would materially affect their future prospects," he said.

The Supreme Court said women officers were

routinely assigned "average or middling scores".

The cumulative consequence of the systemic low grading given to them found them in dire straits when events led to the Supreme Court's multiple interventions and judgments upholding SSCWOs' rights.

"This phenomenon (low grading) came back to haunt the SSCWOs as they were subsequently and quite abruptly placed in a competition for PC with their male counterparts, who did not undergo such hindrances in grading over the course of their decade-long service. It is, therefore, not surprising to us that the differential treatment meted out to officers 'with a future' in the Army and those deemed to be without one has resulted in an unequal playing field," Chief Justice Kant observed.

SERVICE PROFILE

The Chief Justice agreed with the SSCWOs that they were neither incentivised

nor recommended for various career-enhancing courses during their service. The result was a diminished service profile.

"The inclusion of SSCWOs in the zone of consideration for PC is not a matter of discretion, but of constitutional obligation. Any expectation to the contrary is inherently illegitimate," the top court held.

VACANCY CAP

"In the instant case, when SSCWOs have been found to suffer the cumulative effects of an unfair evaluative regime, the invocation of the vacancy cap as a shield against remedial action would be unfair to sustain. Owing to this, the respondents' (Union government) plea regarding the sanctity of the ceiling on vacancies falls flat," Chief Justice Kant noted. It said the armed forces need not hold any annual cap on PC vacancies "neither sacrosanct nor immutable".



• Key Terms and Explanations

- **Permanent Commission (PC):** A career in the armed forces until retirement. Unlike short-tenure contracts, PC offers job security, higher ranks, and pension benefits.
- **Short Service Commission (SSC):** An initial period of service (usually 10–14 years). Historically, many women were restricted to this, meaning they had to leave the force mid-career without a pension.
- **Annual Confidential Report (ACR):** The performance appraisal system used in the military. It determines promotions and suitability for PC.
- **Vacancy Cap:** A limit set by the government on how many officers can be granted PC in a given year. The Court ruled this cannot be used to deny rights to women who were victims of past bias.
- **Pensionary Benefits:** Financial security provided after retirement. In the military, a minimum of 20 years of service is typically required to earn a pension, which SSC officers often could not reach.

• Main Arguments and Substantive Parts

- **The "Middling Score" Trap:** The Court observed that because women were expected to leave after 10–14 years, evaluators didn't take their appraisals seriously, often giving them "average" scores.
- **Uneven Playing Field:** Male SSC officers were always seen as potential PC candidates, so they were given better assignments and higher grades. This created a gap when women were finally allowed to compete for PC.
- **Constitutional Obligation:** The Bench emphasized that granting PC is not an act of "charity" by the state but a constitutional mandate under **Articles 14 (Equality)** and **15 (Non-discrimination)**.
- **Rejection of the Vacancy Argument:** The Centre argued that there aren't enough slots (vacancies) for PC. The Court rejected this, stating that administrative hurdles or "caps" cannot override fundamental rights.

- **Historical Evolution of the Issue**

- **1992:** Women were first inducted into the Indian Army as officers in non-medical roles (SSC only).
- **2003-2006:** Petitions were filed in the Delhi High Court seeking Permanent Commission for women.
- **2010:** The Delhi HC ruled in favor of women officers, but the government appealed to the Supreme Court.
- **2020 (Babita Puniya Case):** The Supreme Court ordered that all women SSC officers be eligible for PC, regardless of their years of service, dismissing "biological" arguments against them.
- **2021 (Lt. Col. Nitisha Case):** The Court struck down discriminatory "medical fitness" criteria that applied standards to women in their 40s that were meant for men in their 20s.
- **2024-2026 (Present Ruling):** The Court addresses the "casual grading" of ACRs and ensures that past systemic bias does not prevent women from receiving pensions and promotions today.

- **Previous Years' Questions (PYQs)**

- **Mains (2020):** "Can the strategy of regional-resource based manufacturing help in promoting employment in India?" (Indirectly related to workforce diversity).
- **Mains (2019):** "What are the continued challenges for women in India against the time and space?"
- **Mains (2021):** "Discuss the desirability of greater representation of women in the higher judiciary to ensure diversity, equity and inclusiveness." (Parallel theme).

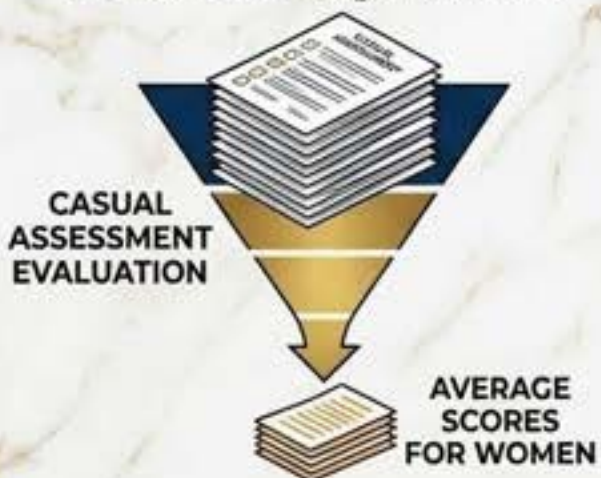
JUDICIAL RESTORATION OF GENDER DIGNITY IN THE ARMED FORCES



SUPREME COURT RESTORES EQUALITY

SYSTEMIC BIAS REVEALED

ACR Grading Funnel



- Middling ACR Scores

Aspirations Barred



- Dignity Impaired

SUPREME COURT RESTORES EQUALITY

PC as Constitutional Obligation



SYSTEMIC BIAS CORRECTED
SYSTEMIC BIAS CORRECTED

- Retrospective Seniority Correction
- Vacancy Cap Invalidated



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The Road Forward

- Gender Sensitivity Training
- Objective Appraisals



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- GS Paper 4: Ethics





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