



# CURRENT AFFAIRS

SPECIAL FOR UPSC & GPSC EXAMINATION

**DATE: 09-06-25** 







# The Hindu Important News Articles & Editorial For UPSC CSE Monday, 09 June, 2025

## **Edition: International Table of Contents**

Page 01	Jaishankar to step up diplomatic
Syllabus: GS 2: International	push on week-long visit to France,
Relations	Belgium
Page 01	Bangladesh student protester is a
Syllabus: GS 2 & 3: Indian Polity &	voter in Bengal
Internal security	
Page 06	India and Mongolia hold joint
Syllabus : Prelims Fact	military exercise to enhance
	interoperability
Page 07	New study makes controversial
Syllabus: GS 3: Science and	weather-tweaking idea more
Technology	realistic
Page 10	What is the significance of the
Syllabus : GS 1: Indian Society	Census?
Page 08 : Editorial Analysis:	Judicial sensitivity to sentiments is
Syllabus : GS 2 : International	a sign of regression
Relations	





#### **Page 01: GS 2: International Relations**

External Affairs Minister (EAM) S. Jaishankar has embarked on a week-long visit (June 8–14) to France and Belgium as part of India's post-Operation Sindoor diplomatic offensive aimed at strengthening strategic partnerships and gathering international support in its fight against terrorism. This is his third Europe visit in recent months.

# Jaishankar to step up diplomatic push on week-long visit to France, Belgium

#### Suhasini Haidar

NEW DELHI

External Affairs Minister S. Jaishankar left on Sunday for a week-long visit to France and Belgium, where he will meet with his counterparts in both the governments and in the European Commission and European Parliament headquartered in Brussels.

This is his third visit to Europe in the past few months, and a part of the government's efforts to step up its diplomatic engagement post Operation Sindoor to garner support for India's fight against terrorism.

"The visit of EAM is expected to further deepen India's friendly relations with the European Union, France and Belgium and give renewed momentum to ongoing cooperation in diverse areas," the Ministry of External Affairs (MEA) said, announcing the visit



S. Jaishankar

from June 8 to 14. In March, Mr. Jaishankar had travelled to the U.K. and Ireland, and in May, he had visited the Netherlands, Denmark and Germany.

The Ministry said that in France, Mr. Jaishankar will visit Paris for bilateral talks with French Foreign Minister Jean Noel Barrot, and Marseille to address the "Mediterranean Raisina Dialogue", a conference of the Ministry and Observer Research Foundation.

Marseille is one of the European ports along with Trieste, Italy, and Piraeus, Greece that are in the running for the India-Middle East-Europe-Economic Corridor (IMEC) route, and although ambitions for the project launched in 2023 have been dimmed due to the Israel-Gaza conflict, New Delhi is keen to keep discussions on it alive.

#### FTA talks on agenda

In Brussels, Mr. Jaishankar will hold a "Strategic Dialogue" with EU High Representative and Vice-President Kaja Kallas, the Ministry said. He will also meet Belgian Deputy Prime Minister and Foreign Minister Maxime Prevot for talks on bilateral issues, and is expected to raise India's request for the repatriation of diamond merchant Mehul Choksi, who is under arrest pending trial for extradition to India to face charges of fraud and embezzlement. Also on the agenda is the India-EU Free Trade Agreement (FTA) talks that both sides have committed to sign by the end of the year.

On each of his stops, Mr. Jaishankar is expected to discuss India's response to the Pahalgam terror attack with strikes on Pakistan during Operation Sindoor.

Mr. Jaishankar had discussed the matter with British Foreign Secretary David Lammy, who visited Delhi on Saturday.

He will also request support for India's fight against terrorism at multilateral organisations including the United Nations, the UN Security Council and the Financial Action Task Force (FATF).

During his visits to Paris and Brussels, Mr. Jaishankar will also lay the groundwork for Prime Minister Narendra Modi's bilateral meetings during his upcoming visit to Canada as a special invitee to the G-7 summit in Kananaskis Alberta.





#### Significance of the Visit:

#### • Strengthening Strategic Partnerships:

- The visit reinforces India's deepening engagement with France, a key strategic partner in defense, space, and nuclear energy.
- o France is also part of the trilateral cooperation initiatives like the India-France-UAE and India-France-Australia frameworks, enhancing India's Indo-Pacific outreach.

#### • Reviving EU Ties and Trade Negotiations:

- o India-EU Free Trade Agreement (FTA) talks are a key highlight. With negotiations revived in 2022, both sides have committed to finalizing the FTA by the end of 2025.
- The visit aligns with India's goal of enhancing market access, technology exchange, and regulatory cooperation with the EU — India's third-largest trading partner.

#### • Counter-Terror Diplomacy Post-Operation Sindoor:

- o Jaishankar is expected to seek stronger global cooperation against terrorism, referencing the recent Pahalgam terror attack and India's retaliatory actions during Operation Sindoor.
- He will seek support in multilateral platforms like the UN, FATF, and the UN Security Council to put pressure on cross-border terror networks and their state sponsors.

#### Focus on the India-Middle East-Europe Corridor (IMEC):

- While the Israel-Gaza conflict has disrupted IMEC momentum, India is keen to keep the initiative alive.
- o Jaishankar's visit to Marseille a potential IMEC port reflects India's intention to shape future connectivity and trade architecture linking Europe, West Asia, and South Asia.

#### • Extradition Diplomacy and Bilateral Legal Cooperation:

o The issue of Mehul Choksi's extradition will be raised in Belgium, showcasing India's assertiveness in pursuing economic fugitives through diplomatic and legal channels.

#### • Strategic Dialogue with EU and Belgium:

- His engagements with EU leaders, including VP Kaja Kallas, aim to reinforce shared values of democracy, rule of law, and multilateralism.
- o Belgium, hosting key EU institutions, becomes crucial in shaping pro-India consensus within the bloc.

#### • Broader Diplomatic Context:

- The visit forms part of India's proactive foreign policy under "Viksit Bharat" diplomacy, aiming to position India as a responsible global actor.
- It also lays the groundwork for PM Modi's participation in the upcoming G-7 summit in Canada, where counter-terrorism and global governance reforms will likely be key discussion points.

#### Way Forward:

 India must continue leveraging strategic dialogues to push its security and economic interests, especially in Europe, where shared concerns over global security and trade give India ample





diplomatic space. Proactive engagement with the EU and NATO-aligned countries also helps counterbalance China's growing influence.

#### **UPSC Mains Practice Question**

**Ques :** Discuss the significance of India's diplomatic engagement with Europe in the context of recent geopolitical developments. **(150 words)** 

#### Page 01: GS 2 & 3: Indian Polity &Internal security

A recent controversy has emerged in West Bengal where an individual, Newton Das, reportedly involved in student protests in Bangladesh in 2024, has been found registered as a voter in the Kakdwip Assembly constituency of West Bengal. While Mr. Das claims Indian citizenship, his cousin and available evidence suggest that he holds dual voter registration — both in India and Bangladesh.

# Bangladesh student protester is a voter in Bengal

Shiv Sahay Singh KOLKATA

Amid the row over alleged irregularities in the voter lists of West Bengal, a person who was active in the students' protest in Bangladesh in 2024 has been found to be a registered voter in the Kakdwip Assembly constituency of the State

While several photographs of the youth, Newton Das, participating in the movement that brought a regime change in the neighbouring country last year are available on social media, Mr. Das himself said he was a citizen of India.

However, he did not deny that he was actively involved in the protests in Bangladesh. "I went to Bangladesh in 2024 for issues related to an ancestral property and got caught in the revolution. I have been a voter in Kakdwip since 2014 but lost my voter card in 2017. In 2018, I got a fresh voter card with the help of local MLA Manturam Pakhira," Mr. Das said in a video message.

#### 'Voted in 2016 polls'

Mr. Das confirmed that he had voted for Mr. Pakhira, Trinamool Congress MLA, in the 2016 Assembly election

He did not specify whether he is currently in India or Bangladesh.

Tapan Das, one of his cousins, said that Mr. Das was born in Bangladesh and exercises voting rights in both the countries.



Newton Das

"He [Mr. Das] had come here after the pandemic for selling some land and since then, he has not come here. Since he was born in Bangladesh, he is a voter of Bangladesh too. It is his fault that he is registered as a voter in both the countries," Mr. Tapan Das, who resides in Kakdwip, told presspersons.

Kakdwip is located close

to the Sundarbans, which shares borders with Bangladesh. The revelation sparked a major row in political circles with the Bharatiya Janata Party accusing the ruling Trinamool of enlisting Bangladeshi nationals as voters in West Bengal.

'Foreigners in voter list'
Leader of the Opposition
Suvendu Adhikari said
lakhs of Bangladesh nationals are registered as voters in West Bengal. West
Bengal BJP president Sukanta Majumdar, in a social
media post, described the
latest incident as another
shining example of the "socalled Egiye Bangla

The Trinamool leadership tried to turn the tables on the BJP, pointing out

Model".

that the job of safeguarding international borders and preventing illegal infiltration rested with the Border Security Force (BSF). "Whether these people come by land, water or air, the BSF and Union government are responsible. The State administration will do its role for sure," Trinamool leader Kunal Ghosh

In February, Ms. Banerjee had alleged irregularities in the voter list of the State, saying voters from other States had electoral photo identity card (EPIC) numbers similar to those in West Bengal.

The BJP leadership had hit back saying that people from Bangladesh were enrolled as voters in West Bengal at the behest of the ruling party.





#### **Key Issues Highlighted:**

#### • Electoral Integrity and Voter List Irregularities:

- The incident brings into question the authenticity and integrity of the voter list in West Bengal.
- o If a foreign national is registered and has voted in Indian elections, it reflects systemic loopholes in voter verification processes.

#### • Allegations of Political Complicity:

- o BJP has accused the ruling Trinamool Congress of enrolling Bangladeshi nationals to influence electoral outcomes.
- o In defense, Trinamool blames the Union Government and BSF for failing to secure the borders, stating that voter verification is contingent upon identification at the point of entry.

#### Constitutional and Legal Aspects:

- o Under Article 326 of the Indian Constitution, only citizens of India are entitled to vote.
- Representation of the People Act, 1950 & 1951 prohibits enrollment of non-citizens and prescribes disqualification if detected.
- o Dual voting is not just illegal but undermines the foundations of democratic legitimacy.

#### Border Management and Infiltration Concerns:

- Kakdwip, being close to the Bangladesh border and the Sundarbans, is vulnerable to illegal migration.
- The issue raises broader concerns of infiltration, porous borders, and demographic shifts in border states.

#### Administrative Gaps and Lack of Coordination:

- o The case highlights coordination failures between the Election Commission, local administration, and border security forces.
- o It also reveals the lack of robust mechanisms for cross-verification of documents and misuse of political influence in issuing voter IDs.

#### • Political Polarisation:

- o The incident has intensified the already charged political atmosphere in West Bengal, with each party blaming the other for manipulation of the electoral process.
- The episode has become a flashpoint for debates over national security vs. state autonomy, and citizenship verification vs. human rights.

#### **Broader Implications for Governance and Policy:**

#### Need for Electoral Reforms:

 The episode underscores the urgent need for the clean-up of electoral rolls, greater use of technology like Aadhaar linkage (while maintaining privacy concerns), and more effective cross-border intelligence sharing.





#### Citizenship and Identity Verification:

o There is a strong case for strengthening NPR-NRC frameworks, while ensuring that genuine citizens are not harassed and illegal infiltrators are identified in accordance with due process.

#### • Strengthening Border Governance:

 The case points to the need for a multi-agency approach — involving BSF, State Police, and intelligence — to monitor illegal crossings and settlement of undocumented individuals.

#### **Way Forward:**

- A time-bound audit of voter lists in border areas should be conducted by the Election Commission.
- There must be greater accountability and transparency in issuing EPICs and stringent penalties for political or administrative misuse.
- The government should consider establishing a National Voter Database Verification System integrated with secure identity mechanisms.
- Border area development schemes should include community awareness on electoral rights and consequences of fraudulent registration.

#### **UPSC Mains Practice Question**

**Ques:**"The integrity of electoral rolls is fundamental to a functioning democracy." In light of recent controversies in West Bengal, discuss the systemic loopholes and suggest measures to ensure clean and credible voter lists. **(250 words)** 





#### Page: 06: Prelims Fact

India and Mongolia are currently conducting the 17th edition of the joint military exercise 'Nomadic Elephant' from May 31 to June 13, 2025, at the Special Forces Training Centre in Ulaanbaatar, Mongolia.

# India and Mongolia hold joint military exercise to enhance interoperability

#### Press Trust of India

NEW DELHI

Military contingents of India and Mongolia participating in an ongoing bilateral exercise in Ulaanbaatar are actively exchanging best practices in counter-terrorism operations and precision sniping, thereby improving interoperability, officials said on Sunday.

Through joint drills, both forces are working to strengthen their ability to respond effectively to contemporary security challenges, they said.

The 17th edition of the joint military exercise 'Nomadic Elephant' is being held from May 31 to June 13, at the Special Forces Training Centre in Mongolia.

"Focused on the conduct of non-conventional The exercise stresses on fostering cultural understanding and camaraderie between participating troops, an official said

operations in semi-urban and mountainous terrain under a United Nations mandate, the exercise aims to enhance the operational capabilities of both the forces," a senior official of the Indian Army said.

The participating contingents are actively exchanging "best practices in counter-terrorism operations and precision sniping", he said. The two-week exercise is an annual event conducted alternately in India and Mongolia. Its last edition was conducted at Umroi, Meghalaya, in July 2024. The exer-

cise reflects the growing defence cooperation between India and Mongolia.

"Extensive training activities are being conducted to bolster mutual coordination and preparedness. Troops from both the countries are refining their operational tactics and developing the ability to operate in complex terrains and environments," an official said.

A key feature of the exercise includes simulated UN peacekeeping operations, designed to "mirror real-world scenarios" where multinational forces must collaborate efficiently in diverse and challenging conditions," he said.

'Nomadic Elephant' places strong emphasis on fostering cultural understanding and camaraderie between participating troops, the official said.

#### **Key Facts for UPSC Prelims:**

Exercise Name: Nomadic Elephant

Participating Nations: India and Mongolia

• Edition: 17th





- Location (2025): Ulaanbaatar, Mongolia
  - (The previous edition was held in Umroi, Meghalaya in July 2024.)
- Organising Forces: Indian Army and Mongolian Armed Forces
- Focus Areas:
  - Counter-terrorism operations
  - Precision sniping
  - > Non-conventional warfare in semi-urban and mountainous terrain
  - > Simulated United Nations peacekeeping operations
- Significance:
  - > Enhances interoperability between Indian and Mongolian troops.
  - > Strengthens defence cooperation and strategic partnership between India and Mongolia.
  - > Aims to build capacity for operating in real-world, complex scenarios.
  - > Promotes cultural exchange and mutual camaraderie.

#### **UPSCPrelimsPractice Question**

Ques: Which of the following statements about Exercise 'Nomadic Elephant' is/are correct?

- 1. It is a naval exercise conducted between India and Mongolia.
- 2. Its focus includes counter-terrorism and peacekeeping under UN mandate.
- 3. It is held annually in Mongolia only.

Select the correct answer using the code below:

- (a) 1 and 2 only
- (b) 2 only
- (c) 2 and 3 only
- (d) 1, 2 and 3

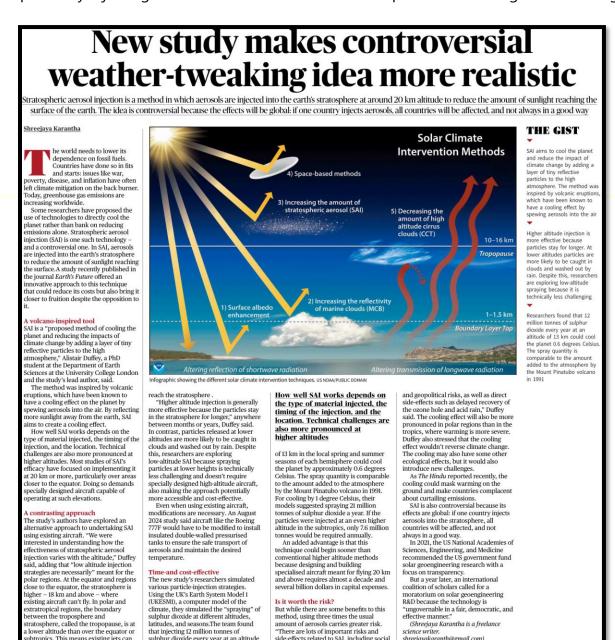
Ans : b)





#### Page 07: GS 3: Science and Technology

A new study published in Earth's Future explores a cost-effective and technically feasible method for Stratospheric Aerosol Injection (SAI) — a controversial form of solar geoengineering. The method mimics volcanic eruptions by injecting reflective aerosols into the stratosphere to reduce global warming.



#### **Key Concepts:**

• Stratospheric Aerosol Injection (SAI):





 A proposed geoengineering method to cool the planet by spraying aerosols like sulphur dioxide into the stratosphere (~20 km altitude), reflecting sunlight away from Earth.

#### Inspiration from Volcanoes:

 The 1991 Mount Pinatubo eruption added massive SO<sub>2</sub> to the atmosphere, reducing global temperature by about 0.5°C for nearly two years.

#### • New Findings:

- o Lower-altitude injections (~13 km) using existing aircraft (e.g., Boeing 777F) during spring and summer in polar and extratropical regions can cool the planet by ~0.6°C annually using 12 million tonnes of SO<sub>2</sub>.
- Higher effectiveness can be achieved by injecting at higher altitudes in subtropics, requiring lesser SO<sub>2</sub>.

#### Significance:

- Offers a more immediate and affordable route to planetary cooling.
- Reduces reliance on long-term, expensive aircraft development for high-altitude injection.

#### **Concerns and Controversies:**

#### Environmental Risks:

- Ozone depletion
- o Acid rain
- Disruption of monsoon and rainfall patterns
- o Unequal regional cooling (more in polar areas, less in tropics)

#### • Governance Issues:

- Global impact from actions of a single country raises issues of climate justice, sovereignty, and consent.
- o No global legal or governance framework for solar geoengineering.

#### Moral Hazard:

- Cooling might mask the urgency to cut greenhouse gas emissions.
- o Risks policy complacency and public confusion.

#### Technical Uncertainty:

- o Long-term ecological effects are still not fully understood.
- o Aerosols may wash out more quickly at lower altitudes, reducing effectiveness.

#### **Way Forward:**

- Need for global consensus and regulation under multilateral environmental platforms (like UNEP or UNFCCC).
- Strengthen climate mitigation efforts SAI must not replace emission reductions.
- Promote transparency, ethical research, and inclusive debate around geoengineering.





#### **UPSC PrelimsPractice Question**

Ques: Which of the following statements about Stratospheric Aerosol Injection (SAI) is/are correct?

- 1. It is a form of carbon capture technology.
- 2. It aims to cool the Earth by injecting aerosols into the stratosphere.
- 3. It is inspired by the cooling effects of volcanic eruptions.

#### Select the correct answer using the code below:

- (a) 1 and 2
  - (b) 2 and 3 (c) 1 and 3
- (d) 1, 2 and 3
- Ans : b)

#### Page 10: GS 1: Indian Society

The Union Home Ministry has announced that the next decennial Census of India will be conducted in two phases, with March 1, 2027 as the reference date. This Census will be historic due to the inclusion of caste enumeration, its linkage with delimitation, and its role in implementing women's reservation.

# What is the significance of the Census?

When was the first Census conducted? What are the two phases of the current Census exercise? Why is caste going to be enumerated in the upcoming Census? Why are southern States and some of the smaller States apprehensive about the Census exercise?

#### EXPLAINER

#### Rangarajan.R

he Union Home Ministry has announced the next Census will be conducted in two phases and that the reference date for Census enumeration would be March 1, 2027.

#### What is the history of Census? Census is the process of collecting compiling and analysing the population of the country. Right from Kautilya's Arthashastra to the administrative report 'Ain-i-Akbari' during the reign of Mughal emperor Akbar, there have been references to population census

A synchronous census is where population data is collected simultaneously across the country. This kind of census was started in 1881 during the British period with W. C. Plowden being the first Census Commissioner of India. The details were collected in census schedules till Independence. The questions in the schedule underwent changes with each census but broadly contained questions relating to age, sex. mother tongue, literacy status, religion, caste etc. The last census where caste was enumerated for Hindus was in 1931.

#### How is the Census conducted?

The Census is a Union list subject while The Census Act, 1948 is the key legislation governing the Census process. It authorises the Central government to undertake Census operations and appoint a Census Commissioner to supervise the entire exercise. The Centre also appoints Directors of Census Operations to supervise the Census within several States, while the State governments may appoint Census officers. The staff for conducting the Census is provided by the ocal authorities of a State, which predominantly consists of teachers Since 1971, Census operations have



ering people: A Census worker collects information on the first day of the national Census at Ramsingh Chapori village, east of Guwahati, India, on April 1, 2010. AF

been carried out in two phases. The first phase is the 'house listing' phase that collects information on housing data. This usually spreads over a period of 5-6 months. In the last Census of 2011, the house listing schedule contained 35 questions that included details like type of house, main source of drinking water, type of latrine facility, availability of kitchen and fuel used for cooking whether the house has a television/computer/telephone, type of

vehicle available etc.

The second phase is the 'population enumeration' phase that is usually conducted during the month of February of the Census year as the usual reference date for population count is fixed as March I of the Census year. This captures individual details like name, sex, age, religion, whether belonging to Scheduled

Caste or Scheduled Tribe (SC or ST). mother tongue, literacy status, educational qualification, occupation etc. These details are then compiled and provisional data from the Census is released. In 2011, this data was released by the end of March. The final report with a detailed analysis of the demographic, religious, linguistic profile etc. was released in April 2013.

#### What is the significance?

The decennial Census had happened from 1881 till 2011 without a break in India. However, due to the COVID-19 pandemic, the 2021 Census was postponed. While the exercise could have been conducted any time after 2022, it has been continuously postponed.

The present Census can be considered the most significant in Independent

the Central government has decided to enumerate the caste details of all Hindus. All Censuses after Independence have captured only SC and ST details. The decision follows wide spread demand from Opposition parties and civil society groups to include caste details in the Census. One of the reasons for the postponement of the Census to 2027 is to undertake the preparatory work for caste enumeration. Second, since this Census would be the first one after 2026, it can be used for the delimitation exercise of determining the revised number of seats

Indian history due to three reasons. First,

Third, this Census would also form the basis for reserving one-third of seats for women in Lok Sabha and State

in Lok Sabha and State Assemblies

#### What should be the way forward? The enumeration of caste details needs to

be done in a systematic and flawless manner. This data will have to be used for decisions on affirmative action with respect to backward classes. Hence, adequate time for its preparatory work is necessary. However, genuine apprehensions of southern States, some of the smaller States of north India and the northeast States, about losing political significance if the proposed delimitation and consequent revision of number of seats in Lok Sabha is carried out on the basis of population as per the 2027 Census, must be heeded. Many of these States have demanded a freeze on Lok Sabha seats at the existing level. There has to be a wide-spread consensus among all the States on the formula for proportionate increase in Lok Sabha seats. Hence, this exercise of delimitation should not be rushed through before the 2029 general elections. The one-third reservation of seats for women should be implemented based on this Census from the 2029 elections.

Rangarajan.R is a former IAS officer and author of 'Courseware on Polity Simplified'. He currently trains at Officers IAS Academy, Views expressed are personal

#### THE GIST

The Census is a Union list subject while The Census Act, 1948 is the key legislation governing the Census process.

A synchronous census is where population data is collected simultaneously across the country. This kind of census was started in 1881 during the British period with W. C. Plowden being the first Census Commissioner of India

The decennial Census had happened from 1881 till 2011 without a break in India. However, due to the COVID-19 pandemic, the 2021 Census was postponed.





#### What is the Census and Why Is It Significant?

The Census is the largest administrative and statistical exercise undertaken by the Government of India. It is conducted under the Census Act, 1948 and is a Union List subject. Since 1881, it has been conducted every 10 years without interruption until the 2021 delay due to COVID-19. This upcoming Census is especially significant for the following reasons:

#### • Caste Enumeration:

- For the first time since 1931, caste details (beyond SC/ST) will be included.
- Post-Independence Censuses have not captured comprehensive caste data despite growing demands for it.
- > The inclusion is politically and socially significant, as it can impact affirmative action, welfare schemes, and reservation policies.
- > Its findings may directly influence resource allocation and policy planning based on socioeconomic backwardness.

#### • Delimitation and Representation:

- ➤ The first Census after 2026 will be relevant for delimitation the redrawing of Lok Sabha and State Assembly constituencies.
- > This is sensitive because States with successful population control (especially southern and northeastern States) may lose political representation, while high-growth States may gain.
- Many southern States fear marginalisation despite their developmental achievements, calling for a freeze or a fair formula to balance representation with responsibility.

#### • Women's Reservation Implementation:

- > The Constitution (106th Amendment) Act reserves one-third seats for women in the Lok Sabha and State Assemblies.
- ➤ The law mandates implementation only after the first Census post-2026 and delimitation thereafter.
- ➤ Therefore, the 2027 Census becomes the basis for gender justice in parliamentary representation starting 2029.

#### **Concerns and Challenges:**

- Data integrity and accuracy are paramount, especially in caste enumeration.
- The delay in Census could hamper planning, funding, and implementation of key national programs (health, education, rural development).
- The political and social tensions surrounding caste data and delimitation must be addressed via wider consensus and consultation with States.
- Technological and administrative preparedness must be ensured for a digitally enabled, transparent enumeration.

#### DAILY CURRENT AFFAIRS





#### **Way Forward:**

- The Census must be executed with transparency, inclusivity, and scientific rigor.
- Caste data must be analyzed objectively, not politicised.
- The delimitation debate requires cooperative federalism to ensure fair representation without penalising population control efforts.
- Implementation of women's reservation must be streamlined using this Census to strengthen democratic equity.
- The Centre should initiate dialogue with States to resolve regional concerns and ensure the 2027 Census becomes a milestone in inclusive governance.

#### **UPSC Mains Practice Question**

**Ques:**"The upcoming Census 2027 will be a watershed moment in India's democratic journey."Discuss the political and governance implications of caste enumeration, delimitation, and women's reservation linked to the Census.**(250 words)** 





#### **Page: 08 Editorial Analysis**

## Judicial sensitivity to sentiments is a sign of regression

ndian courts today are not defending free speech. They are managing it. And in this curious inversion of constitutional values, we are witnessing a quiet retreat from the principle that animated Article 19(1)(a) of the Constitution: that speech, even provocative, offensive, or unsettling, is the citizen's shield against tyranny – not its tool.

Once envisioned as the counter-majoritarian bulwark of our democracy, the judiciary now increasingly resembles an arbiter of decorum, demanding apologies and deference in the name of civility, sensitivity, or national pride. But when courts focus on what was said rather than why the right to say it must be protected, the Republic is left vulnerable to a new tyranny: that of sentiment, outrage, and the lowest tolerance denominator.

Let us begin with a chillingly ordinary example: a social media post by a 24-year-old man criticising Prime Minister Narendra Modi. after the ceasefire with Pakistan following Operation Sindoor in May 2025. Was this tasteless? Perhaps. But taste is not a constitutional metric. The Allahabad High Court thought otherwise. In rejecting the plea to quash the first information report (FIR), the Bench declared that "emotions cannot be permitted to overflow to an extent that constitutional authorities of the country are dragged into disrepute". That is a remarkable formulation. It subtly inverts the constitutional design: the citizen is no longer the source of power holding the state to account, but a child to be reprimanded for speaking too freely.

#### A validation of outrage

Instead of interpreting Article 19(1)(a) as a liberty that limits state power, courts have begun treating it as a licence that comes with behavioural conditions – conditions defined not by law but by the perceived dignity of public figures and institutions. Take the Kamal Haasan controversy in connection with his film, Thug Life. The actor made a remark about Kannada being a daughter of Tamil. The Karnataka High Court responded not by evaluating whether the actor's statement met the threshold of incitement, defamation, or hate, but by advising him to apologise to the "sentiments of the masses". This advice is corrosive. When courts suggest apologies for lawful speech, they set a precedent that expression must pass a popularity test. They validate the very outrage that threatens free speech, rather than shielding expression from it. An apology does not close the loop but only widens it, inviting further claims of offence. In Ranveer Gautam Allahabadia vs Union Of India, the 'digital content creator and podcaster' was confronted with judicial comments bordering on cultural supervision for his use of explicit language in a podcast. The court directed the



Sanjay Hegde is a Senior Advocate of the Supreme Court

Union to clarify whether such "vulgar" language fell outside constitutional protection. Here again, the concern was not whether the speech incited harm, but on whether it offended prevailing norms of taste and modesty – a dangerously subjective threshold. Similarly, historian and a professor, Ali Khan Mahmudabad, was dragged into proceedings after sharing critical views on the optics of India using a woman soldier to explain its war situation with Pakistan. The argument was that his comments hurt sentiments. That it even reached court underscores the problem: invoking hurt feelings is now sufficient to invite judicial scrutiny of constitutionally protected speech. The professor's scholarly critique became a matter for judicial assessment and a special investigation to assess whether there was any dog whistle intent that played on the fragility of the audience.

#### A misreading

Two disturbing patterns emerge from these cases.

First, the judiciary is increasingly equating speech that provokes emotional reactions with legally actionable harm. This misreads the Constitution and the rationale of a democracy. The test for restricting speech under Article 19(2) is not whether it angers, irritates, or offends but whether it incites violence, hatred or disrupts public order. Second, by encouraging apologies and moral policing of language, courts create a perverse incentive. The more outrage a comment generates, the more likely it is to be litigated. This does not protect society. It emboldens mobs and serial litigants. It creates a market for offence.

This shift is starkly evident in cases that involve the armed forces. In a recent judgment, the Allahabad High Court denied the Leader of the Opposition, Rahul Gandhi, relief in a defamation case on his alleged derogatory remarks about the Indian Army . The High Court said that the freedom of speech does not include the freedom to "defame" the military. But defamation, as a legal standard, must be carefully assessed particularly when invoked by or on behalf of state institutions by busy-bodies.

Likewise, in a previous first information report against a man using the word "coward" to describe the Prime Minister after the recent military stand-down, the court saw no issue with Sections 152 and 353(2) of the Bharatiya Nyaya Sanhita being invoked – laws meant for threats to sovereignty and public mischief. These laws, meant for sedition-like scenarios, are being contorted to punish sarcasm and satire. It is telling that courts will routinely deny the quashing of FIRs in such cases, claiming that it is too early to interfere and that police investigations must run their course. But this abdication is neither neutral nor passive. For the citizen facing criminal prosecution, the process

itself is the punishment. The system does not need a conviction to chill speech. A summons and a charge sheet do the job. The Madras High Court has occasionally resisted this drift. But this was more about narrative correction than structural protection of speech.

Courts in India must return to a principle-centric model of speech protection. Instead of obsessing over what was said, they must ask whether the speaker's right was violated, and not someone else's sentiment. Apologies should not be judicial recommendations. They should be individual choices. Otherwise, courts become confessional booths where speech is absolved not by legal reasoning but by remorse. And remorse demanded is remorse devalued – it empowers the outraged, not the rational.

#### The signal to the citizen

Moreover, as long as laws such as sedition or the ever-morphing public order clauses remain vague, courts must lean toward liberty. The doctrine of "chilling effect" that is robust in American and European jurisprudence, has been acknowledged in India's courts but seldom enforced with spine. This is not just about high-profile speech or celebrities. It is about the slow attrition of constitutional confidence. When a YouTuber is told to bleep a joke, or a professor is dragged to court for a tweet, or a film-maker is told to grovel for linguistic pride the signal to the ordinary citizen is clear: express only what is safe, bland and agreeable.

But democracies are not built on agreeable speech. They thrive on disagreement – noisy, rude, even reckless at times. The test of a society's strength is not how well it tolerates politeness, but how it handles provocation. Free speech is not just about giving offence, but about withstanding it. If India is to preserve its democratic soul, it must restore the dignity of dissent. It must not demand the dignity of institutions at the cost of liberty.

Judges are the guardians of the Constitution, and not the curators of culture. They must protect the right to speak and not the comfort of the listener. Because when speech is chilled in courtrooms, freedom dies not with a bang, but with a sigh of deference.. The new age of judicial sensitivity to sentiments is not a sign of progress. It is a sign of regression. It confuses harmony with homogeneity, and respect with restraint. Apologies should never be a legal strategy. And speech should not need blessings to be legitimate. Let our courts not forget that the Republic was not born from politeness but from protest. The Constitution came from the pen of a Dr. B.R. Ambedkar, who also wrote, "...the world owes much to rebels who would dare to argue in the face of the pontiff and insist that he is not infallible"

The judiciary in India is eroding free speech by policing its content

Paper 02: Polity and Constitution

**UPSC** Mains Practice Question: "Judicial deference to public sentiment undermines the constitutional guarantee of free speech. "Critically examine the role of the judiciary in balancing freedom of expression with public morality and institutional dignity. (250 words)





#### **Context:**

• In a critical commentary, Senior Advocate Sanjay Hegde argues that Indian courts are increasingly abandoning their constitutional role as defenders of free speech and are instead becoming arbiters of public sentiment and morality. He highlights several recent court observations and cases that reflect a retreat from principle-centric protection of Article 19(1)(a) and a shift towards managing emotions rather than upholding rights.

#### **Core Constitutional Concern:**

- Article 19(1)(a) guarantees the freedom of speech and expression. However, Article 19(2) provides reasonable restrictions only on specific, legally justifiable grounds like public order, decency, morality, defamation, incitement to offence, etc.
- Hegde's article warns that courts are increasingly treating hurt sentiments and perceived insults as valid reasons to curtail speech without satisfying the constitutional tests for such restrictions.

#### **Key Issues Raised:**

#### Sentiment Over Constitutionality:

- Courts are focusing on whether speech offends public figures, symbols, or institutional pride, rather than whether the citizen's right to express was violated.
- Example: The Allahabad High Court refusing to quash an FIR against a man for a sarcastic comment on the PM post-Operation Sindoor — prioritizing "national emotion" over legal thresholds.

#### • Judicial Endorsement of Apology Culture:

- o Courts advising public figures (e.g., Kamal Haasan) to apologize to public sentiment even in the absence of incitement or hate creating a popularity test for free expression.
- o This rewards outrage-mongering and punishes dissent.

#### Process as Punishment:

- The refusal to quash FIRs early and letting investigations continue even for speech not amounting to legal harm acts as a tool of harassment.
- Speech is criminalized not by conviction, but by the process itself time, legal fees, reputation loss.

#### • Moral and Cultural Policing by Judiciary:

- Instances where courts comment on "vulgarity" or "immodesty" in digital content applying subjective, non-legal standards.
- Raises concerns about judicial overreach into culture and aesthetics, which should be private choices.

#### Weaponisation of Nationalism and Public Order:

 Use of sedition-type clauses or new laws like Sections 152 and 353(2) of the Bharatiya Nyaya Sanhita to punish satire or sarcasm — far beyond what is necessary for national security or public order.





#### **Broader Implications:**

#### • Chilling Effect on Dissent:

 The fear of prosecution or social backlash discourages not just celebrities but ordinary citizens from voicing criticism — undermining democratic dialogue.

#### • Judicial Drift from Counter-Majoritarian Role:

 The judiciary's historic role is to protect rights even against popular sentiment or State pressure. That role is weakened when judges defer to emotion instead of law.

#### • Erosion of the Marketplace of Ideas:

o Democracies thrive on debate, disagreement, and provocation, not on imposed harmony. Sanitising speech flattens public discourse.

#### Way Forward:

- **Re-affirmation of Constitutional Thresholds:**Courts must strictly apply Article 19(2) and not invent new tests like "sentiment" or "decorum" to restrict speech.
- Decriminalisation of Expression: Satire, criticism, and dissent must be recognised as integral to a
  healthy republic, not threats to it.
- **Proactive Protection by Courts:**Courts must act swiftly to quash frivolous FIRs and discourage the trend of "hurt sentiment litigation" becoming a norm.
- **Promotion of Judicial Restraint in Cultural Matters:** Judges must resist the temptation to become custodians of public morality, and instead focus on rights adjudication.