GS Paper I – History

Date: 01.05.26

What happened to Komagata Maru passengers in 1914?

Why was the Komagata Maru denied entry into Canada? What happened to the passengers?

Prathmesh Kher

The story so far:

In the spring of 1914, a Japanese steamship called the Komagata Maru sailed from Hong Kong toward Vancouver, British Columbia, carrying 376 passengers: 340 Sikhs, 24 Muslims, and 12 Hindus from Punjab in British India. They were British subjects hoping to build new lives in Canada. What awaited them was a two-month standoff in the harbour, a brutal denouement on the docks of Calcutta, and a place in the history of both India's anti-colonial movement and Canada's long reckoning with its own past. The episode was recently mentioned by singer Diljit Dosanjh on *The Tonight Show Starring Jimmy Fallon*.

Why was Punjab central to events leading up to the voyage?

By 1914, Punjab had become the primary recruiting ground for the British Indian Army. The British had cultivated Punjab as a loyal province populated by a "martial race," but the relationship was both lopsided and extractive. Rapid agricultural growth combined with easy credit had created a crisis of rural indebtedness, and epidemics of malaria and plague in the early 1900s pushed families toward emigration as the only way out.

Among those who left were the founders of the Ghadar movement, established in 1913 among expatriate Punjabis on the U.S. West Coast, dedicated to the armed overthrow of British rule in India.

The Komagata Maru voyage was freighted with this politics from the start. Ghadar activists boarded the ship in Yokohama, delivering lectures and distributing anti-colonial literature, and British intelligence was watching closely.

What led to the standoff?

The voyage was organised by Gurdit Singh, a Punjabi entrepreneur based in Singapore, who chartered the ship specifically to challenge Canada's exclusionary laws. Canada had enacted a "continuous journey regulation" in 1908, barring entry to anyone who had not travelled by a single unbroken journey from their country of birth, while also pressuring shipping companies not to sell direct tickets from India.

When the ship arrived at Vancouver's Burrard Inlet on May 23, 1914, immigration officials refused to let it dock. Prime Minister Robert Borden kept the ship anchored offshore, cutting off communication and stalling proceedings. The local South Asian community raised over $20,000 to take over the ship's charter and hired a lawyer to bring a test case, but the British Columbia Court of Appeal unanimously upheld the discriminatory laws. Officials then withheld food and water. On July 19, an armed police force of 150 men attempted to board the ship; the passengers fought them off. Borden dispatched a naval cruiser. Only 22 passengers, mostly those who could prove prior Canadian residence, were ultimately permitted to disembark. The ship departed under escort on July 23. British colonial authorities, suspicious of the passengers' politics, refused to let the ship dock in Hong Kong or Singapore. When it finally anchored near Calcutta in late September, police tried to force the exhausted passengers onto trains bound for Punjab. They refused, marched toward the city, and were fired upon. Twenty passengers were killed; many more were imprisoned. Gurdit Singh evaded capture for years before surrendering in 1920 and serving five years in prison.

What happened when the ship returned to India?

In the aftermath, the Ghadar movement surged in recruitment. Some members returned to Punjab in 1915 to attempt an armed uprising, which failed due to informers and mass arrests. Dozens were sent to the gallows. But the movement's martyrs became folklore.

Canada was slow to acknowledge what it had done. An apology delivered at a community festival by Prime Minister Stephen Harper in 2008 was rejected by many as insufficient. It took until 2016 for Prime Minister Justin Trudeau to deliver a formal apology on the floor of the House of Commons. The Komagata Maru remains a sharp demonstration of what colonial subjects had long understood: that the British Empire's promises of equal subjecthood were never meant for everyone.

THE GIST

- The Komagata Maru carried 376 British subjects from Punjab but was denied entry into Canada under the "continuous journey" regulation, leading to a two-month standoff in Vancouver harbour.
- On returning to India, the passengers faced police firing near Calcutta, killing 20 people.

GS Paper II – International Relations

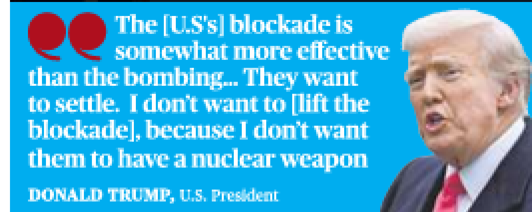
Iran vows to safeguard its nuclear capabilities

Tehran will secure Persian Gulf, implement new rules to manage Strait of Hormuz, says Mojtaba Khamenei; U.S. President had earlier said that he wanted a deal from Iran on the nuclear issue

Stanly Johny

Iran's Supreme Leader Mojtaba Khamenei said on Thursday that the country would "safeguard" its "nuclear and missile" capabilities and lay down new rules for managing the Strait of Hormuz, hours after U.S. President Donald Trump said a blockade of Iranian ports would remain until a nuclear deal is reached.

"A new chapter for the Persian Gulf and the Strait of Hormuz is taking shape," he said in a statement, marking Persian Gulf Day. "The Islamic Republic will secure the Persian Gulf region and dismantle the enemies' exploitative schemes in this waterway. The legal frameworks and implementation of new management for the strait will bring peace and progress to the benefit of all the region's nations," he said.



The war on Iran, launched by the U.S. and Israel, has turned into a maritime battle of wills after Mr. Trump announced a ceasefire on April 8. While the ceasefire is still holding, Iran's chokehold of the strait, the mouth of the oil-rich Persian Gulf, remains intact. The U.S. has imposed a blockade on Iran-linked vessels in the Gulf of Oman to exert economic pressure on Tehran.

Last week, U.S. media reported that Iran made a proposal to the U.S. via Pakistan promising to ease its control of the strait in return for the U.S. lifting its blockade. Iran said it would discuss outstanding issues, including the nuclear programme, in the second round.

Mr. Trump, in an interview, said on Wednesday that he wanted a deal from Iran addressing America's core concerns, including the nuclear issue.

"The blockade is somewhat more effective than the bombing... They want to settle. They don't want me to keep the blockade. I don't want to [lift the blockade], because I don't want them to have a nuclear weapon," he said.

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GS Paper II – Governance

FULL CONTEXT

A century after legal recognition, workers still lack real protection

Since the Trade Union Act first gave workers legal recognition and protection, the law has not lived up to its intent; it preserves rights on paper but, through procedural constraints and silence on platform workers, continues to limit the ability of workers to organise and act

Prathmesh Kher

In 1918, Bahman Pestonji Wadia founded the Madras Labour Union, India's first trade union with regular membership and a relief fund, established to address what he called the "mal-treatment of workers" by European officers. The union he helped build was, in the eyes of British common law, a conspiracy to restrain trade.

In 1921, a Madras court put a price on the act of organising workers against unfair working conditions. £2,000 was awarded against Wadia and fellow unionists for leading a strike against the Buckingham and Carnatic Mills. The management agreed to waive the payment on the condition that Wadia sever all associations with the union he had built. There was no law to protect him. The unionists complied.

But even in compliance, the unionists showed defiance. One of the union leaders, Vengal Chakkarai Chettiar, told the judge in open court: "I am an evangelical worker for the Wesley Mission. I am getting ₹10 per week, with which I am living. I have only my clothes, which I am wearing, and a few spare clothes at home. If necessary, I will remove my clothes and give them to the court. But the amount of compensation ordered by you cannot be recovered from me. At the same time, I cannot be stopped from working for the trade union of workers. Even if my clothes are removed in execution of a decree, I will continue to work for the trade union by wearing my loincloth. If necessary, we will go for work stoppages to win our demands."

The judgment brought into the open something that had been growing at the labouring classes for decades. By 1921, India had hundreds of trade unions, yet not one had legal recognition. N.M. Joshi, co-founder and General Secretary of the All-India Trade Union Congress (AITUC), understood the specific nature of the problem. In March 1921, the same month as the Buckingham and Carnatic Mills judgment, he moved a resolution in the Central Legislative Assembly recommending that the government introduce legislation to register and protect trade unions. Five years of legal and political pressure followed before the Act was finally passed in 1926. The Royal Commission on Labour in India, reporting in 1931, described what the struggle had been for: to give trade unions the necessary protection from civil suits and criminal laws relating to conspiracy to enable them to carry on their legitimate activities.

Letter and spirit

The Trade Union Act of 1926 emerged from five years of sustained pressure from the labour movement, from nationalist leaders who understood that organised workers were essential to the freedom struggle, sharpened by the colonial state's calculation that legal frameworks for managing workers' grievances were safer than the revolutionary alternative.

Section 18 of the Act answered the Buckingham and Carnatic Mills judgment directly: "No suit or other legal proceeding shall be maintainable in any Civil Court against any registered Trade Union or any office-bearer or member thereof in respect of any act done in contemplation or furtherance of a trade dispute" including inducing breach of employment contract, or interfering with the employer's trade or business. The weapon used to silence Wadia was removed from the employer's hands. Section 17 addressed the criminal threat: no office-bearer or member of a registered union shall be liable under the IPC's criminal conspiracy provision, Section 120B, for agreements made to further legitimate union objects, "unless the agreement is an agreement to commit an offence."

An Indian worker now had legal recognition and legally recognised rights. A union was no longer a conspiracy.

By 1928, the Girni Kamgar Union in Bombay had over 70,000 members. That year saw 203 strikes involving over five lakh workers. The left wing of the labour movement, strengthened by the Act's protections, was growing fast and fusing with nationalist politics, as it had in 1908, when Bombay's workers struck for six days over Lokmanya Tilak's imprisonment. Two responses came simultaneously from the colonial state.

The Meerut conspiracy case arrested 33 labour organisers, men working openly, in unions the 1926 Act had made legal, and charged them not under Section 120B, where the Act's immunity held, but under sedition provisions the Act had never touched. Then came two bills together. The Trade Disputes Bill banned sympathetic strikes, built in notice periods long enough to make sustained action practically impossible, and made illegal any strike that extended beyond a purely industrial dispute. What had electrified Indian politics since 1908, the joining of workers' grievances to nationalist ones, was now a criminal act. Motilal Nehru named it plainly: "the Slavery of India Bill." The Public Safety Bill went further, giving the executive power to act not on what people did but on what they were deemed to intend, with the Governor General as judge of intention.

On October 30, 1928, months before the bills came to a vote, Lala Lajpat Rai, who had presided over the AITUC's founding session in 1920, led a peaceful protest in Lahore against the all-British Simon Commission. Police Superintendent James Scott ordered a lathi charge. Rai was beaten across his chest. That same evening, still standing, he addressed the crowd at Mochi Gate: "I declare that the blows struck at me today will be the last nails in the coffin of British rule in India." He died eighteen days later.

At the Bombay Presidency Youth Conference in December 1928, Jawaharlal Nehru told the students: "Ally yourself to the masses of the country, the peasantry and the industrial worker... And if you do so, you will automatically avoid the pitfalls of reformism and petty compromise." By July 1929, with both bills passed and the Meerut accused in custody, his analysis of the Public Safety Bill was unsparing: "This is dangerous enough at any time and in any country to make the Executive Government the judge of what is in the mind of those opposed to it. It is far more dangerous in India, where there is a foreign government." When the government's spokesman claimed that foreign agitators had caused the country's labour unrest, Nehru was contemptuous. The actual cause was economic distress. "A strike is always unfortunate and deplorable, just as a fever is unfortunate and deplorable, but it is no good cursing the fever. The wise man treats it and tries to remove the causes of it."

Three months before that analysis, on April 8, 1929, Bhagat Singh and Batukeshwar Dutt threw smoke bombs and leaflets from the visitors' gallery of the Central Legislative Assembly. The pamphlet named three provocations: the Meerut arrests, the bills, and the death of Lajpat Rai. "The indiscriminate arrests of labour leaders working in the open field clearly indicate whether the wind blows," it read. Then came the sentence that named the whole situation: "It takes a loud voice to make the deaf hear."

Singh was hanged in 1931, aged 23. Dutt was transported to the Cellular Jail in the Andamans to serve a life sentence. The Meerut accused spent years in prison. The Girni Kamgar Union was broken. The 1926 Act's protections remained on the statute book. The letter never came to match the spirit.

GETTY IMAGES

Past as prologue

The Trade Union Act survived independence and was absorbed into the constitutional settlement. Article 19(1)(c) gave every Indian citizen the right to form associations or unions. Registered trade unions increased by 625% between 1951 and 1979. The ideological fire of the early movement cooled, over time, into wage bargaining. Then in 1991, the New Economic Policy arrived with its logic that labour flexibility was the price of growth.

In 2020, during a Monsoon Session of Parliament conducted under pandemic restrictions, with the Opposition protesting procedural irregularities, the government passed four labour codes consolidating 29 existing laws. One of them, the Industrial Relations Code 2020, absorbed the Trade Union Act 1926. It came into force on November 21, 2025.

The new Code preserves Sections 16 and 17, successors to the 1926 Act's immunity provisions, in language almost identical to the original. A century's worth of protective words, freshly reprinted. But the dissonance between the letter and the spirit continues.

To be recognised as such, a negotiating union must now demonstrate 51% support among workers on the muster roll. In industries characterised by high turnover, casual labour, fixed-term contracts, achieving and maintaining this numerical ceiling is nigh impossible for most unions, and this is precisely in sectors where workers need protection the most. Section 62 requires 60 days' notice before a strike can begin, four times the 15 days the 1929 Trade Disputes Act demanded, the bill Motilal Nehru had already called the "Slavery of India Bill." Workers cannot strike during conciliation proceedings, or for seven days after, or during Tribunal proceedings, or for 60 days after those conclude. Between notice periods and cooling-off clauses, an employer can keep a workforce in procedural suspension without end.

Then there is the silence that reveals more than any provision. The words 'gig' and 'platform' do not appear once in the Industrial Relations Code 2020. NITI Aayog estimated 7.7 million platform workers in 2020. Yet a law that came into force five months ago contains not a single word about the workers who run errands across every city in the country. They are legally classified as independent contractors.

The struggle continues

Despite the hurdles thrown their way, workers continue to organise. The Telangana Gig and Platform Workers Union, the Indian Federation of App-Based Transport Workers, and the All-India Gig Workers Union continue to exist, organise meetings on WhatsApp, and occasionally win. In March 2024, platform worker unions forced Zomato to reverse a policy that segregated delivery fleets by food type. This decision was understood to endanger religious minority and lower-caste riders by making their identities visible in a society marked by discrimination.

The Fairwork India Report 2024 assessed 11 major platforms operating in India and found that none recognised a collective body of workers or a trade union. Four States have now passed social security laws for platform workers, welfare benefits designed, with some care, to make the struggle for collective bargaining seem unnecessary.

The deaf have not learned to hear. The loud voices are still necessary.

GS Paper II – Governance

On May Day, a workforce in India without a floor

Rejimon Kuttappan

A workers' rights expert

This year, May Day arrives not as a commemoration, but as a diagnosis. Within a single fortnight last month, two events clarified the state of Indian labour more sharply than any official review.

On April 10, thousands of garment workers in Noida's Phase 2 Hosiery Complex stepped out of nearly 300 factories and onto the streets, demanding a minimum monthly wage of ₹20,000. On April 14, a high-pressure steam tube ruptured at Vedanta's 1,200 MW Singhitarai thermal plant in Chhattisgarh, killing 20 workers and injuring 15. One protest was about the price of labour; the other, about the price of being alive while performing it. Both answer the same question: what has India's labour reform actually produced?

The Noida strike began with a specific arithmetic grievance. On April 9, the Haryana government notified a 35% hike in minimum wages, raising unskilled monthly wages from ₹11,274 to ₹15,220, with effect from April 1, 2026. Across the border in Noida, unskilled workers were earning roughly ₹435 a day, compared to ₹585 in Haryana for identical work. Protesters at the Hosiery Complex – employees of different companies – assembled in B Block, blocked traffic, and refused to disperse without written assurances.

By April 13, the administration had deployed over 1,200 personnel, including the Provincial Armed Constabulary and Rapid Action Force; lathi charges and stone-pelting followed, and nearly 400 people were detained. Under pressure, the Uttar Pradesh government announced an interim 21% hike, setting wages at ₹13,690 for unskilled workers in Gautam Buddh Nagar and ₹16,868 for skilled workers. The workers rejected it; their demand remained ₹20,000.

Between pay and survival

The gap between ₹16,868 and ₹20,000 is not a bargaining position. It is the difference between what a family pays for rent, gas, and school fees in the NCR and what the state is willing to concede as a dignified minimum.

Four days later, the furnace at Singhitarai did its own counting. A preliminary report from the Chief Boiler Inspector, backed by the Forensic Science Laboratory in Sakti, Chhattisgarh, attributed the explosion to 'excessive fuel buildup inside the furnace', which produced pressure surges that displaced critical piping. The probe flagged "repeated negligence in equipment upkeep" by Vedanta and its contractor NGSL (NTPC GE Power Services Pvt. Ltd.). A first information report has been registered against Vedanta's Chairman Anil Agarwal, the plant manager, and others under Sections 106(1), 289 and 3(5) of the Bharatiya Nyaya Sanhita.

The dead were not Vedanta's own employees; they worked for a subcontractor. This, too, is a pattern.

From Noida's streets to furnace rooms in Chhattisgarh, India's new labour regime delivers for employers — and for workers, what it long warned of

Chhattisgarh alone has recorded 296 industrial deaths over three years. Across India, the Directorate General of Factory Advice Service and Labour Institutes recorded 3,331 factory deaths between 2018 and 2020 – three a day – yet only 14 people were imprisoned under the Factories Act during the same period. The global union IndustriALL counted over 400 workplace fatalities in India in 2024, with the chemical sector alone accounting for 220. In July 2025, an explosion at Sigachi Industries in Telangana had killed 44 people, mostly migrant workers, at a plant that the State fire department found lacked basic fire alarms and heat sensors.

A structural shift

These are not disconnected episodes. They are the operating conditions of an economy that, on November 21, 2025, formally adopted the four labour codes. In a single stroke, and without any transition period, the four codes – the Code on Wages, the Industrial Relations Code, the Social Security Code and the Occupational Safety, Health and Working Conditions (OSHWC) Code – replaced 29 central labour laws. The Indian Labour Conference, the country's apex tripartite forum, had not been convened since 2015.

The new regime raises the threshold for prior government permission for layoffs, retrenchment, and closure from 100 workers to 300 under the Industrial Relations Code, 2020, enabling firms below that size – an estimated majority of India's factory units – to retrench workers without administrative scrutiny. A peer-reviewed analysis in the National Library of Medicine archive notes that this merely restores the pre-1982 threshold, reversing an Emergency-era protection enacted after a wave of mass layoffs affected over half a million workers.

The OSHWC Code, 2020, simultaneously raises the statutory definition of a 'factory' from 10 workers in a factory with power to 20, and from 20 workers in a factory without power to 40, lifting an entire tier of smaller workplaces – where India's textile, garment, metal, hosiery, and food-processing clusters are concentrated – out of mandatory safety oversight. Labour economists warn that this technical reclassification has a profound impact on worker coverage, since a majority of India's small manufacturing units employ fewer than 20 workers.

The inspection architecture has been similarly diluted. The OSHWC Code replaces unannounced inspections with an 'Inspector-cum-Facilitator' model, combined with randomised, web-based allocation through the Shram Suvidha portal and employer self-certification – a shift that, as the International Labour Organization's India Labour Inspection Profile notes, may contravene the requirement for independent, unannounced inspections under ILO Convention No. 81.

Procedural hurdles for collective action have also stiffened. Under the IR Code, no worker may strike without 60 days' prior notice, flash strikes are prohibited outright, and strikes are barred during and for weeks after any conciliation or tribunal proceeding. "Mass casual leave" by more than 50% of a workforce is now deemed a strike. Trade unions argue that, in combination, these provisions make lawful industrial action virtually impossible to organise, completing the regime's pro-employer tilt.

A reform that raises statutory thresholds in almost every operative clause, is not rationalising protection. It is removing it. The enforcement chapters read more like a facilitation framework than a compliance regime.

Ten central trade unions, excluding the Bharatiya Mazdoor Sangh (BMS), observed a "Black Day" on November 26, 2025, calling the codes a "deceptive fraud on the working class". Their objection was not sentimental. When the legal definition of a factory excludes the smallest and most dangerous workplaces; when inspectors announce their visits through a portal; when retrenchment requires no permission below 300 workers; and when strikes are bound by procedural tightropes, the predictable result is the Noida street and the Singhitarai shop floor.

The wage stagnation that drove workers from Motherson Sumi and Richa Global into a baton charge, and the deferred maintenance that caused a boiler tube to rupture, are not separate problems. They are two ends of the same system.

Old laws, new realities

There is an honest public case for labour reform. The Factories Act of 1948 is older than most Indian States; the Workmen's Compensation Act of 1923 predates the Constitution. A regulatory architecture built for the industrial economy of late-colonial India – of jute mills, textile mills, and railway workshops – cannot plausibly govern a workforce that today includes gig workers, platform workers, and digital-media workers. No serious observer, and no Indian trade union, disputes that consolidation was overdue. The question is not whether the law should have changed; it is what it changed into.

Consolidation is not dilution, and simplification is not exemption.

On May Day, the test for any labour framework is modest: does it allow a worker to earn enough to live, and to live through the shift? In April 2026, the answer from Noida and Singhitarai is the same. In Noida, police fired tear gas at factory workers protesting for a living wage as fuel-driven inflation outpaced wages. In Singhitarai, a boiler tube burst at a Vedanta power plant on April 14, releasing 600°C steam onto workers eating lunch; 20 were killed, all contract workers employed through a business partner rather than as direct employees. Neither a wage that sustains life, nor a workplace that preserves it. A regime that cannot deliver the second while pricing out the first has not been rationalised. It has been rewritten against the very people it was meant to protect.

GS Paper II – Polity

Should the PIL jurisdiction be reconsidered?

PARLEY

Public Interest Litigation (PIL) emerged in the 1970s as a transformative judicial innovation aimed at widening access to justice for the poor and the marginalised. This was achieved by relaxing the strict rules of standing to permit representative actions, and by broadening the scope of judicial notice to allow courts to take *suo motu* cognisance of public issues and convert them into litigation. Over time, however, concerns have been raised about the misuse of this jurisdiction. More recently, during the ongoing proceedings in the Sabarimala reference case, the Union government has urged the Supreme Court to reconsider the PIL framework altogether, citing the rise of "agenda-driven litigation." Should the PIL jurisdiction be reconsidered? Anuj Bhuwania and Talha Abdul Rahman discuss the question in a conversation moderated by **Aaratrika Bhaumik**.

The Supreme Court of India.

Where should courts draw the line on who can file PILs?

Anuj Bhuwania: The evolution of PIL can be traced to the Supreme Court decisions of the late 1970s, such as *Hussainara Khatoon & Ors. vs. Home Secretary, State of Bihar* (1979), which marked a departure from the traditional doctrine of *locus standi*, under which only an aggrieved party could approach the court, towards permitting representative standing. This enabled third parties to institute proceedings on behalf of marginalised groups unable to access justice due to systemic barriers. Over time, however, there has been a discernible shift towards a broader model of citizen standing, where individuals approach the court not as representatives of affected groups but in their own capacity as members of the citizenry. This transition has led courts to engage with issues in an open-ended and, at times, indeterminate manner. In my view, the court's jurisdiction ought, as far as possible, to be invoked by those who are directly affected or, at the very least, by those with a clear interest in the matter.

Talha Abdul Rahman: I do not believe that the rules of *locus standi* should be reverted to their earlier, restrictive form. The structural barriers that justified its relaxation decades ago remain largely intact, and courts continue to be inaccessible to the poor and marginalised. For instance, individuals whose homes are demolished by the state as a purported punitive measure may often lack the means or capacity to seek judicial redress. In such circumstances, if third parties step forward to challenge these demolitions on the ground that due process has not been followed, they ought to be accorded standing. This is not merely a representative action, but an assertion of a constitutional guarantee – that the rule of law must be upheld in its full measure, even where the harm is not personally suffered.

PILs often involve complex, polycentric disputes. Do they risk judicial overreach and the exclusion of key stakeholders?

TAR: The concern is valid. There have been instances where courts, while hearing such matters, have had to respond to executive inaction. This then raises a recurring question: do they possess the institutional competence to navigate such issues? In my view, they do, particularly when assisted by able counsel and robust adversarial presentation. At the same time, courts have also consciously refrained from encroaching upon the domains reserved for the executive or the legislature. For instance, on April 29, the Supreme Court declined to direct the enactment of specific laws on hate speech, instead leaving any legislative redress to the appropriate authorities. This reflects an important reality – there are limits to what the courts can do.

AB: In the past, there have been several instances where courts, while hearing PILs, have proceeded without hearing those directly affected. This was particularly evident in a series of cases before the Delhi High Court in the mid-2000s concerning slum evictions, where PILs filed by resident welfare associations sought the removal of slums, but the slum dwellers themselves were not impleaded as parties. Similarly, the Supreme Court's handling of pollution-related litigation over the past four decades, much of it arising from PILs filed by environmentalist M.C. Mehta, highlights the limits of judicial intervention in addressing problems of such scale and complexity.

There have been instances where courts have had to respond to executive inaction. This then raises a recurring question: do they possess the institutional competence to navigate such issues?

TALHA ABDUL RAHMAN

How can courts address the rise of 'ambush PILs' filed to preclude genuine claims?

AB: Increasingly, there have been instances of litigants rushing to court with poorly drafted petitions, often with the intention of securing an early dismissal and thereby precluding genuine litigants from approaching the court. These petitions are frequently driven by partisan motives. This is deeply concerning, as it risks prompting courts to deal with such matters in a cursory manner, without fully engaging with the complexities they warrant. In my view, this is not merely an issue of abuse of jurisdiction, but a problem rooted in the very nature of PIL itself.

TAR: It is often difficult to distinguish an 'ambush PIL' from one that raises genuine grievances. Yet, their proliferation has fostered an environment of suspicion, with courts increasingly questioning the *bona fides* of petitioners. While this may not fully address systemic concerns, there are procedural safeguards. The Supreme Court Rules, 2013, require that a writ petition contain a specific pleading identifying the fundamental rights alleged to have been violated. In the absence of such a disclosure, the Registry may decline to list the petition. Courts have also imposed costs to deter such filings.

Have courts ensured meaningful compliance with the directives issued in PILs?

TAR: Ensuring compliance with the directives in PILs often depends on the Bench. Where a judge is inclined to see a matter through, the case is kept pending, interim directions are issued, and compliance is periodically monitored. However, there has been a growing tendency in the Supreme Court to step back once a final judgment is delivered, leaving enforcement to the High Courts and trial courts. This is where gaps begin to emerge. In my view, the Supreme Court ought to retain some degree of oversight post-judgment, including initiating contempt proceedings for non-compliance.

AB: There are clear violations of several important directives issued by the Supreme Court in PILs, often without any recourse to contempt proceedings. This tends to create a culture of impunity, allowing authorities to disregard court orders with little consequence. That said, the problem is more endemic and not confined to the PIL jurisdiction.

Should guidelines be laid down on the role of the amicus curiae (a lawyer appointed to assist the court)?

AB: The role accorded to an *amicus* in PIL proceedings raises several concerns. In dealing with complex cases, courts have, at times, expanded the role of the *amicus* to an extent that risks diluting basic procedural safeguards, particularly the right of affected parties to be heard. For instance, in *T.N. Godavarman Thirumulpad vs Union of India*, which originated as a PIL to protect forest areas in the Nilgiris and Kerala, the *amicus*, at various stages, was filing applications for directions and had effectively stepped into the role of the petitioner's counsel. The issuance of guidelines in this regard would be a welcome step.

TAR: Typically, courts appoint lawyers of a certain competence and integrity as *amici*, with the expectation that they will assist the court in navigating the pleadings and arguments in a case. However, the role of the *amicus* is not uniform and can vary across jurisdictions. In my view, an *amicus* should refrain from taking sides and instead assist the court by fairly presenting the arguments on all sides. Given how fluid the role is, clearer guidelines are needed.

What reforms are needed to strengthen the PIL jurisdiction?

TAR: One requirement for entertaining a PIL should be that it is well-researched and confined to challenging enacted laws or executive action or inaction, rather than inviting the court to make policy choices. For instance, a petitioner should not approach the court seeking the enactment of a Uniform Civil Code.

AB: We need to return to the fundamental idea that PILs are an extrapolation of the principle underlying *habeas corpus* –that parties who cannot, for unavoidable reasons, appear before the court are represented by someone else. Only then will PILs retain their legitimacy.

To listen to the full interview
Scan the code or go to the link
www.thehindu.com

GS Paper II – International Relations

How is the next UN chief being chosen?

Why is the role of Secretary-General important? Who are the candidates? What factors shape the choice? Why does this election matter now? What are the candidates' campaign priorities? What happens next?

EXPLAINER

Raja Karthikeya

The story so far:

The election of the next UN Secretary-General is underway. On April 21-22, four candidates – two women and two men – pitched their records of public service and leadership to the UN General Assembly in "informal, interactive dialogues".

Why is the role of Secretary-General important?

The UN Charter defines the Secretary-General as the UN's Chief Administrative Officer, who oversees the work of the UN Secretariat and fulfils "any other functions and duties entrusted" to them by the organisation's principal organs, including the General Assembly, the Security Council, and the Economic and Social Council. The Secretary-General also has the mandate to bring to the Security Council's attention any issue that threatens global peace and security.

Where needed, the Secretary-General has the authority to appoint "Personal Envoys" (as Antonio Guterres has now done for the current West Asia conflict).

Often described as the world's "chief diplomat," the Secretary-General is the face and voice of the UN, speaking as the world's conscience on issues ranging from the arms race in space and climate change to persistent inequality that hampers economic growth.

How is the Secretary-General elected?

The UN Charter states that the Secretary-General is appointed by the General Assembly on the recommendation of the Security Council. This means that the Permanent Members of the Security Council – China, France, Russia, the U.K., and the U.S. – have a significant say in who gets elected.

What considerations play a role?

While the term of a Secretary-General is technically "discretionary," incumbents have, since 1981, voluntarily limited themselves to two terms. By custom, the post rotates among five regions of the world: Africa, Asia, Eastern Europe, Western Europe, and Latin America and the Caribbean. This is the turn of the latter. Within the region, there are dynamics at play, with Spanish-speaking Latin American countries and English-speaking Caribbean nations supporting different candidates.

Often described as the world's 'chief diplomat,' the Secretary-General is the voice of the UN. REUTERS

Who are the candidates?

The four candidates now officially in the race are: Michelle Bachelet, former President of Chile and former UN High Commissioner for Human Rights; Macky Sall, former President of Senegal; Rafael Grossi, Head of the International Atomic Energy Agency; and Rebecca Grynspan, Head of the UN Conference on Trade and Development.

Why is this election crucial?

Eighty years after its founding, the UN is facing a deep financial and political crisis. The Secretariat relies on mandatory "assessed contributions" collected from member states. Still, non-payment, partial payment, and delay in payment of dues by leading contributors have triggered an unprecedented financial situation.

The Security Council is paralysed by acrimony and persistent vetoes by the permanent members. The UN is also struggling to mobilise funds and troops for missions in places such as Haiti, and with host country relations in cases such as in Mali, where the UN mission was forced to withdraw.

Over the past decade, the UN played a key role in responding to the COVID-19 pandemic, advancing climate action through the Paris Agreement, and promoting sustainable development via the 2030 Agenda. However, recent conflicts in Gaza, Lebanon, Sudan, Ukraine, and Iran have raised questions about its ability to prevent war – a central idea of the UN Charter. There are increasing calls for the UN to "return to basics" by focusing more on conflict resolution. The Sustainable Development Goals are now universal markers of developmental progress but there is rising concern that only 18% of the targets are on track to be met by 2030. Meanwhile, the humanitarian system is under severe strain due to multiple conflicts, intensifying disasters, and pressures on international humanitarian law. The next Secretary-General will have the unenviable task of not just administering, but rejuvenating the organisation.

What are the candidates' campaign priorities?

During their interactions with the General Assembly, Ms. Bachelet, Ms. Grynspan, and Mr. Sall all emphasised preventive diplomacy – the UN term for preventing conflicts through adroit behind-the-scenes parley with the stakeholders to the conflict. However, their approaches differ. Ms. Bachelet prioritised field presence, while Ms. Grynspan focused on merging the UN's work in the prevention of conflict with its work on human rights. Ms. Grynspan was arguably the most vocal on UN reform, proposing restructuring the Secretary-General's office within the first 100 days if elected. Among areas for priority action, Ms. Bachelet highlighted climate, Mr. Sall highlighted migration, and Mr. Grossi highlighted UN-World Bank relations. Ms. Grynspan stressed the need to protect least-developed nations from funding cuts.

All candidates committed to gender parity, while Ms. Bachelet emphasised improving geographic diversity within the UN workforce, a longstanding demand of developing countries. On the stasis in the Security Council, Ms. Grynspan and Mr. Sall said they would publicly call out permanent members of the council who violate international law, while Mr. Grossi promised to uphold the UN Charter. Ms. Bachelet said she will use the Secretary-General's office to build political viability for Security Council reform.

What happens next?

In the next phase, the Security Council will hold closed-door deliberations and straw polls before recommending a candidate to the General Assembly around October. Once the latter confirms the choice through a simple majority vote, the new Secretary-General will take office on January 1, 2027.

(Raja Karthikeya is a former international civil servant)

THE GIST

- The UN is facing a deep financial and political crisis, with Security Council paralysis, funding shortfalls, and rising global conflicts.
- The next Secretary-General will have the task of rejuvenating the organisation, focusing on conflict prevention, reform, and advancing sustainable development goals.

GS Paper III – Economic Development

Revenue-deficit States may face fiscal stress, says Centre

T.C.A. Sharad Raghavan
NEW DELHI

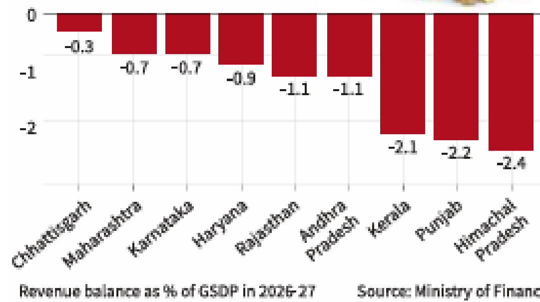
The Union Finance Ministry has warned that States with revenue deficits and high debt burdens will find it harder to deal with fiscal shocks, including from the West Asia crisis, forcing them to either reprioritise expenditure away from productive areas, or approach the Centre for more funds at a time when it is trying to consolidate its own finances.

In its Monthly Economic Review for April, the Department of Economic Affairs in the Ministry said nine of the 18 large States analysed were in revenue deficit as per their own projections for 2026-27. Seven are projected to be revenue surplus, while one is in revenue balance.

A revenue deficit is when expenditure on recurring items such as salaries, pensions, subsidies, and interest payments exceeds the revenue earned from sources such as taxes and fees.

In the red

Nine of the 18 large States analysed by the Ministry of Finance are in revenue deficit



Revenue balance as % of GSDP in 2026-27 | Source: Ministry of Finance

The States with projected revenue deficits as a percentage of their gross state domestic products (GSDP) are Himachal Pradesh (-2.4%), Punjab (-2.2%), Kerala (-2.1%), Andhra Pradesh (-1.1%), Rajasthan (-1.1%), Haryana (-0.9%), Karnataka (-0.7%), Maharashtra (-0.7%), and Chhattisgarh (-0.3%).

Tamil Nadu and West Bengal were excluded from the analysis as they have so far presented only interim budgets for 2026-27.

"Revenue-deficit States are constrained by the debt servicing obligations and carry, on average, significantly higher outstanding liabilities than revenue-surplus States, and many of them spend more than 15% of their revenue receipts on interest payments," the report of the Ministry noted.

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