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# INSTITUTIONAL AUTONOMY AND DEMOCRATIC ACCOUNTABILITY IN INDIA (2025): A STRUCTURAL ANALYSIS OF EXECUTIVE, LEGISLATIVE AND JUDICIAL CONDUCT

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## **Introduction**

This paper examines institutional autonomy and democratic accountability in India in 2025 through a structural analysis of executive, legislative, and judicial conduct. The inquiry does not proceed on the assumption of institutional breakdown; rather, it considers whether the constitutional equilibrium designed to distribute power has operated with its intended steadiness. Legislative processes continued, statutes were enacted, judgments delivered, and elections conducted. Yet alongside this visible continuity, patterns emerged — executive authority expanding in scope, deliberative spaces narrowing in tempo, and judicial intervention exhibiting calibrated restraint in matters of structural consequence.

Scholarship on Indian constitutionalism has long engaged with separation of powers, judicial review, and the tension between governance efficiency and constitutional limitation. More recent comparative discourse has examined democratic backsliding and institutional centralisation. These analyses, however, frequently assess institutions in isolation. This study instead approaches them relationally, examining how their interaction shapes the operative distribution of power. The question, therefore, is not whether constitutional forms endure — they do — but whether their internal balance continues to animate the full promise of democratic accountability.

## **When the Legislature Failed: Parliament and Democratic Responsibility**

On 22 April 2025, violence disrupted the relative calm of Baisaran Valley near Pahalgam in Jammu and Kashmir. A meadow known for tourism became the site of targeted civilian killing: twenty-six tourists, predominantly Hindus, lost their lives, and more than twenty others sustained injuries. The attackers were reported to have links with the Pakistan-backed

Resistance Front (TRF). Among the most significant civilian-directed assaults in the region since 2008, the incident drew immediate attention to questions of intelligence coordination, territorial security management, and the adequacy of preventive safeguards. Beyond the immediate tragedy, it prompted examination of institutional response mechanisms and the capacity of parliamentary oversight to engage meaningfully with matters of national security accountability.<sup>1</sup>

On 7 May 2025, the Union Government announced Operation Sindoor as a response to the attack. Presented publicly as a calibrated military measure, the operation was described as reflecting resolve and strategic clarity. Official statements, however, indicated a narrowly confined exercise. Defence Minister Rajnath Singh noted that it commenced at 1:05 AM and concluded at 1:27 AM, spanning approximately twenty-two minutes. By 1:35 AM, Pakistan was formally notified that only non-military targets had been engaged and that no further escalation was contemplated. The sequence of timing, disclosure, and communication invited examination not of military capability alone, but of the political framing through which security responses are articulated and subsequently subjected to parliamentary scrutiny.<sup>2</sup>

Subsequently, Captain Shivkumar, Defence Attaché to Indonesia, observed: “I do agree that we did lose some aircraft, and that happened only because of the constraint given by the political leadership not to attack their military establishment or their air defence system.” The statement introduced an important clarification. The Air Force was deployed, yet its operational parameters were defined in advance by political direction. Engagement thus proceeded within delineated boundaries, where the authorization of force coexisted with specified restraint. Such structuring of military action underscores the constitutional reality that armed operations remain subject to civilian control; at the same time, it raises questions regarding how strategic discretion is calibrated and subsequently assessed within institutional frameworks of accountability.<sup>3</sup>

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<sup>1</sup> Al Jazeera Staff, “‘Act of War’: What Happened in Kashmir Attack that Killed 26 Tourists?” *Al Jazeera*, April 23, 2025, available at: <https://www.aljazeera.com/news/2025/4/23/act-of-war-what-happened-in-kashmir-attack-that-killed-26-tourists> (last visited on February 15, 2026).

<sup>2</sup> Press Information Bureau, “Operation SINDOOR: India’s Strategic Clarity and Intent” (Government of India, May 7, 2025), available at: <https://www.pib.gov.in/Pressreleaseshare.aspx?PRID=2128748&reg=3&lang=2> (last visited on February 15, 2026).

<sup>3</sup> Sameer Dixit, “IAF Lost Some Jets in Op Sindoor over Political Constraint to Not Hit Military: Indian Defence Attaché” *ThePrint*, May 15, 2025, available at: <https://theprint.in/defence/iaf-lost-some-jets-in-op-sindoor-over-political-constraint-to-not-hit-military-indian-defence-attache/2674410/> (last visited on February 15, 2026).

These developments did not directly resolve the antecedent security concern. The underlying breach warranted continued examination. Armed militants reportedly traversed an estimated 100–200 kilometres beyond the Line of Control, penetrated the hinterland, carried out a lethal assault in Pahalgam, and retreated without interception. The episode therefore raised questions extending beyond a discrete territorial incursion. That such movement could occur without timely detection or interdiction suggested vulnerabilities within existing surveillance, coordination, and response mechanisms. The issue, accordingly, was not confined to the immediacy of the attack, but implicated the institutional architecture through which border management, intelligence integration, and preventive security are structured and reviewed.

In the immediate aftermath, a ceasefire was publicly referenced by Donald Trump, introducing an external diplomatic dimension to the unfolding security narrative<sup>4</sup>. This was followed the next day by public expressions of support for Pakistan, adding a further layer of diplomatic signalling to the evolving regional context<sup>5</sup>. While India formally maintained that normalization with China required verified disengagement along the Line of Actual Control following the Galwan Valley clash of 15 June 2020, subsequent diplomatic engagement occurred amid continuing military standoffs. Some analysts interpreted this engagement as signalling a measured adjustment in the tenor of India's post-Galwan posture. The government, however, consistently described such dialogue as calibrated crisis management — a pragmatic effort to preserve border stability rather than a reconsideration of its stated foreign policy commitments. The development thus reflected the continuing balance between declaratory firmness and operational flexibility in the conduct of external relations.<sup>6</sup>

The Bihar Assembly elections, conducted from 6 to 11 November 2025, represented a significant episode in the State's democratic cycle. A competitive electoral process unfolded among the Rashtriya Janata Dal, the Indian National Congress, the Janata Dal (United), and the National Democratic Alliance. Alongside this visible contestation, however, concerns were

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<sup>4</sup> Niharika Sharma, “‘They Were Going Nuclear’: Trump Claims He Stopped India-Pakistan War after Operation Sindoor” *NorthEast Herald*, April 24, 2025, available at: <https://neherald.com/world/they-were-going-nuclear-trump-claims-he-stopped-india-pakistan-war-after-operation-sindoor> (last visited on February 15, 2026).

<sup>5</sup> Aman Sethi, “Trump Hopes to Win Nobel Peace Prize by Saying He Stopped India-Pakistan War after Operation Sindoor — with Pakistan Army Chief beside Him” *The Wire*, April 22, 2025, available at: <https://thewire.in/south-asia/trump-nobel-peace-prize-pakistan-army-chief-india-operation-sindoor-war> (last visited on February 15, 2026).

<sup>6</sup> Rajat Nag and Ritika Passi, “The Future of China–India Relations: Thaw after the Indo–Pakistan Conflict?” (Institute of South Asian Studies, National University of Singapore, 2025), available at: <https://www.isas.nus.edu.sg/papers/the-future-of-china-india-thaw-after-the-indo-pakistan-conflict/> (last visited on February 15, 2026).

voiced regarding processes not fully transparent to the electorate. Pre-election surveys projecting a majority for the party then out of power were, according to some commentators, followed by developments that prompted debate about adherence to constitutional convention. The episode thus drew attention not merely to electoral arithmetic, but to the integrity of procedural transitions within representative governance.

The ruling coalition — the National Democratic Alliance led by the Bharatiya Janata Party — undertook an extensive electoral campaign to secure continuity in office. The implications of the contest extended beyond the territorial boundaries of Bihar. An unfavourable outcome carried potential consequences not only for state governance but also for parliamentary arithmetic at the Union level, where coalition stability remained numerically contingent. In this context, the election assumed significance beyond routine political alternation. Observers noted that the intensity of mobilisation reflected broader concerns regarding governmental continuity, prompting debate about how closely electoral strategy and institutional preservation may converge in high-stakes democratic environments.

During the 2025 Bihar Assembly elections, allegations emerged that the Bharatiya Janata Party facilitated the transportation of groups of voters into the State, reportedly through the arrangement of several full trains carrying individuals described as party supporters. The stated objective, according to these accounts, was to consolidate electoral advantage. If substantiated, the use of public transport infrastructure in a manner perceived as electorally instrumental would raise questions extending beyond ordinary campaign strategy. Such developments would invite scrutiny regarding the distinction between legitimate political mobilisation and the preservation of procedural neutrality within the electoral framework, particularly where state-linked resources are alleged to intersect with partisan objectives.<sup>7</sup>

This account has been contrasted by some commentators with the approach adopted by the same political authority during the COVID-19 pandemic. At that time, migrant workers from Bihar — stranded and seeking return — encountered significant logistical hardship in securing organised transportation. Many travelled long distances on foot in the absence of immediate transit arrangements. Reports documented instances of physical exhaustion along highways, and accounts emerged of women compelled to give birth during transit under precarious

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<sup>7</sup> “Special Trains Being Arranged for Bihar’s Migrant Voters, Tejashwi Yadav Alleges Vote-Buying” *MSN News*, October 18, 2025, available at: <https://www.msn.com/en-in/news/India/special-trains-being-arranged-for-bihar-s-migrant-voters-tejashwi-yadav-alleges-vote-buying/ar-AA1PTQ21> (last visited on February 15, 2026).

conditions. The comparison, as articulated by critics, has been invoked to question disparities in administrative responsiveness across differing political and humanitarian contexts.

The disparity in logistical mobilisation, as framed by critics, has been interpreted as extending beyond questions of administrative capacity. Some observers have suggested that the sequencing of state facilitation reflected differentiated prioritisation across contexts. Where transport infrastructure was aligned with electoral activity, it was reportedly organised with immediacy; where humanitarian relief required coordination during the pandemic, implementation appeared comparatively delayed. The distinction, therefore, has been articulated not solely in terms of available means, but in relation to administrative prioritisation.

During this period, the conduct of the Election Commission of India drew sustained constitutional attention. Historically regarded as a guarantor of electoral integrity, its institutional posture was assessed by commentators against the expectations of procedural neutrality and regulatory vigilance embedded within its constitutional mandate.

In the final Special Intensive Revision (SIR) of the electoral rolls in Bihar, approximately 65 lakh names were reportedly excluded, amounting to an average deletion of nearly 26,749 entries per assembly constituency. The scale of this revision extended beyond routine clerical adjustment and assumed broader institutional significance. When electoral exclusions occur at such magnitude, the inquiry shifts from procedural mechanics to constitutional implication, engaging questions of representational accuracy and the integrity of participatory legitimacy. The episode thus prompted examination of how revision processes are structured, reviewed, and communicated within the framework of electoral accountability.<sup>8</sup> The scale and concentration of these exclusions placed them beyond the character of routine revision and invited closer institutional examination.

Concurrently, the Election Commission of India recorded substantial additions to the electoral rolls in both Lok Sabha and Vidhan Sabha elections, a pattern that had previously attracted allegations in Maharashtra. These additions were described by certain observers as clustering within identifiable categories: duplicate registrations across multiple locations; entries associated with unverifiable or non-existent addresses; bulk enrolments concentrated at

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<sup>8</sup> “EC Publishes List of 65 Lakh Voters Excluded from Bihar Draft Electoral Roll after SIR” *NewsOnAir*, October 24, 2025, available at: <https://www.newsonair.gov.in/ec-publishes-list-of-65-lakh-voters-excluded-from-bihar-draft-electoral-roll-after-sir/> (last visited on February 15, 2026).

individual premises; irregular or defective photographic records; and asserted misuse of Form 6 procedures. The characterisation of these trends prompted discussion regarding verification standards and the consistency of roll management practices across electoral cycles.

In Bengaluru Central's Mahadevapura Assembly constituency, approximately 1.25 lakh entries were reported as potentially irregular, reinforcing perceptions of systemic distortion rather than isolated clerical discrepancies.<sup>9</sup>

In Bihar, the deletions were reported across 128 assembly constituencies later won by the NDA. The final electoral roll recorded approximately 7.42 crore registered voters.<sup>10</sup>, while the recorded turnout was 7.45 crore votes<sup>11</sup>, leaving a reported surplus of approximately 3.3 lakh votes. No formal clarification was publicly recorded regarding this discrepancy.

In 2023, legislative amendments modified the institutional framework governing the Election Commission of India, recalibrating oversight mechanisms by limiting recourse to ordinary judicial review and situating removal of Commissioners within the parliamentary process.<sup>12</sup> This statutory framework acquired particular significance in 2025. The final Special Intensive Revision (SIR) list in Bihar reportedly recorded 14.35 lakh entries described as potential duplicates, including 3.42 lakh instances where age particulars across separate identity records reflected identical uniformity.<sup>13</sup>

The Special Intensive Revision (SIR) exercise was reported to involve higher levels of voter deletion in regions perceived to favour the opposition. In Seemanchal, approximately 7.7% of

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<sup>9</sup> "Case Registered in Bengaluru over Electoral Fraud in Mahadevapura Assembly Constituency" *The Economic Times*, October 16, 2025, available at: <https://economictimes.indiatimes.com/news/politics-and-nation/case-registered-in-bengaluru-over-electoral-fraud-in-mahadevapura-assembly-constituency/articleshow/125498822.cms> (last visited on February 15, 2026).

<sup>10</sup> "Bihar's Final Roll: 7.42 Crore Electors Listed, Nearly 69 Lakh Deleted" *The Economic Times*, October 25, 2025, available at: <https://economictimes.indiatimes.com/news/elections/assembly-elections/bihar/bihars-final-roll-7-42-crore-electors-listed-nearly-69-lakh-deleted/articleshow/124242810.cms> (last visited on February 15, 2026).

<sup>11</sup> "Congress Questions Bihar Voter Surge, Poll Body Says 3 Lakh People Added after SIR" *India Today*, November 15, 2025, available at: <https://www.indiatoday.in/elections/assembly/story/congress-questions-bihar-voter-surge-poll-body-says-3-lakh-people-added-after-sir-2820482-2025-11-15> (last visited on February 15, 2026).

<sup>12</sup> PRS Legislative Research, "Legislative Brief on The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023" (PRS India, Brief No. 4256), available at: <https://prsindia.org/billtrack/prs-products/prs-legislative-brief-4256> (last visited on February 15, 2026).

<sup>13</sup> Aman Sethi, "Bihar's 'Purified' Voter List Marred by Major Errors, Two Separate Analyses Find" *The Wire*, November 15, 2025, available at: <https://thewire.in/government/bihars-purified-voter-list-marred-by-major-errors-two-separate-analyses-find> (last visited on February 15, 2026).

names were removed, exceeding the state average of 5.9%, prompting debate regarding the consistency and neutrality of the revision process.<sup>14</sup> The pattern of deletion was interpreted by some observers as reflecting differentiated impact rather than routine administrative correction, prompting scrutiny of electoral fairness, equal participation, and adherence to constitutional principles governing representative democracy.

During the electoral period, allegations arose that the ruling party facilitated the disbursement of ₹10,000 to women in Bihar under the Mukhyamantri Rojgar Yojna. The distribution occurred while the Model Code of Conduct was in operation. Critics contended that such action was inconsistent with the Code as administered by the Election Commission of India and potentially engaged the supervisory ambit of Article 324 of the Constitution of India.<sup>15</sup> Such contraventions may invite consequences, including reprimand or possible disqualification under Section 10A of the Representation of the People Act, 1951.<sup>16</sup> No formal action followed.

Following completion of the first polling phase, at 6:52 PM on 10 November 2025, a vehicle carrying explosives detonated near the Red Fort in New Delhi. The blast resulted in 15 fatalities and injured more than 20 individuals. Public attention and national discourse shifted immediately to the incident. Reports indicated that a vehicle containing approximately 2,900 kilograms of explosives had remained in proximity to a high-security zone without prior interception. The episode prompted renewed examination of institutional vigilance and the functioning of preventive security mechanisms.<sup>17</sup>

Sections of the media gave sustained prominence to the incident, shifting public attention from the continuing electoral process. During this period, allegations concerning electoral irregularities in Bihar received comparatively limited examination. Commentators observed that certain platforms appeared increasingly aligned with official narratives rather than

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<sup>14</sup> “Parties Gear up for Seemanchal Challenge” *The Economic Times*, November 12, 2025, available at: <https://economictimes.indiatimes.com/news/elections/assembly-elections/bihar/parties-gear-up-for-seemanchal-challenge/articleshow/125231828.cms> (last visited on February 15, 2026).

<sup>15</sup> Press Information Bureau, “Model Code of Conduct Comes into Effect in Constituencies Where Elections Will Be Held” (Government of India, November 5, 2025), available at: <https://www.pib.gov.in/newsite/erecontent.aspx?reid=83354&reg=3&lang=2> (last visited on February 15, 2026).

<sup>16</sup> Akshaya Mukul, “Violations of Model Code of Conduct, Representation of the People Act and IPC by PM Narendra Modi” *CounterCurrents.org*, April 2, 2024, available at: <https://countercurrents.org/2024/04/violations-of-model-code-of-conduct-representation-of-the-people-act-and-ipc-by-pm-narendra-modi/> (last visited on February 15, 2026).

<sup>17</sup> Al Jazeera Staff, “Delhi Red Fort Blast Kills 13: What Happened as Police Invoke Terror Law” *Al Jazeera*, November 11, 2025, available at: <https://www.aljazeera.com/news/2025/11/11/delhi-red-fort-blast-kills-13-what-happened-as-police-invoke-terror-law> (last visited on February 15, 2026).

independent scrutiny. Following the elections, three principal accused arrested by the National Investigation Agency were released a day after the Bihar results were declared, prompting discussion regarding institutional consistency and the coherence of investigative and procedural accountability frameworks.

On 28 December 2023, Parliament enacted The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023, upon receiving presidential assent, thereby establishing a revised statutory framework regulating appointments and service conditions within the Election Commission of India.<sup>18</sup> This legislation significantly modified the appointment framework of the Election Commission of India.

The legislation replaced the earlier selection framework comprising the Prime Minister, the Leader of the Opposition, and the Chief Justice of India. With the exclusion of the Chief Justice, judicial participation in the appointment process ceased. The locus of selection consequently moved within the executive domain, consolidating institutional influence under the government and rendering its recommendation central to the constitution of the Commission.

This restructuring assumed particular significance during the Bihar Assembly elections conducted from 6 to 11 November 2025. Appointments and reconstitutions of Election Commissioners under the revised statutory framework coincided with consequential electoral processes, including the Special Intensive Revision of rolls and substantial voter deletions. At a moment of elevated political stakes, electoral oversight functioned without judicial participation in appointments, situating supervisory authority within an executive-centred framework and prompting discussion regarding institutional independence and procedural neutrality.

The transformation recalibrated the institutional character of the Election Commission of India, repositioning it within an appointment structure more closely aligned with the executive. Incumbent Election Commissioners were succeeded by new appointees under the revised statutory framework. In the context of the Bihar elections, these developments were interpreted

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<sup>18</sup> PRS Legislative Research, “The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023”, available at: <https://prsindia.org/billtrack/the-chief-election-commissioner-and-other-election-commissioners-appointment-conditions-of-service-and-term-of-office-bill-2023> (last visited on February 15, 2026).

by some observers as narrowing traditional safeguards and moderating the system of checks historically associated with electoral neutrality and public confidence.

In the latter half of 2025, the repercussions of institutional strain extended beyond elections and security into the social and economic sphere. In Odisha, thousands of young applicants assembled at an airstrip to compete for Home Guard positions, for which the minimum qualification was Class 5 education. Among them were B.Tech graduates, MBAs, and MCAs. The daily remuneration stood at ₹612. The episode did not resemble an ordinary recruitment exercise; it was widely interpreted as reflecting broader patterns of structural economic pressure.<sup>19</sup>

For years, the State presented education as a principal pathway to dignity, mobility, and economic security. By 2025, that assurance appeared considerably attenuated. When trained engineers and postgraduates sought low-skilled security positions, the imbalance was interpreted less as individual inadequacy than as indicative of structural dislocation. The economy, in this view, struggled to proportionately absorb its educated workforce. What may once have reflected a temporary mismatch between qualification and opportunity increasingly resembled a more persistent condition of employment stagnation, raising questions about long-term alignment between educational expansion and labour market capacity.

This period coincided with allegations concerning electoral irregularities, institutional concentration, and expanding executive influence. Observers noted that debates regarding democratic accountability unfolded alongside visible signs of economic slowdown. The State continued to produce large numbers of graduates annually, yet employment opportunities increasingly did not correspond to their qualifications. The burden of adjustment appeared to fall upon young applicants, while broader frameworks of governance and economic policy exhibited limited structural recalibration during this interval.

During the same period, aspects of public conduct within sections of the political class conveyed a contrasting impression. Senior leaders and legislators of the ruling party acknowledged expenditures of ₹70 lakh on firecracker displays lasting only minutes. Visible affluence — reflected in private air travel, high-value vehicles, and carefully managed public

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<sup>19</sup> Pallavi Prabhaker, “8,000 Aspirants, 183 Jobs and an Airstrip: Inside Odisha’s Home Guard Rush” *The Indian Express*, November 9, 2025, available at: <https://indianexpress.com/article/india/8000-aspirants-183-jobs-and-an-airstrip-inside-odishas-home-guard-rush-10445701/> (last visited on February 15, 2026).

profiles — appeared as recurring features of political stature, drawing attention to the contrast between concentrated authority and prevailing socio-economic pressures.<sup>20</sup> These expenditures occurred amid reported unemployment and underemployment pressures.

The divergence extended beyond perception and assumed structural significance. While applicants gathered at airstrips in pursuit of modest wages, elected representatives exhibited visible expenditure. Assurances previously articulated to the electorate — employment, dignity, and economic stability — remained unevenly realized. The expanding gap between governance outcomes and public welfare was interpreted by observers as part of a broader pattern, one also identified in debates concerning electoral administration, security policy decisions, and institutional restructuring.

The constitutional strain of 2025 was not confined to electoral processes or border security. Its effects were discernible in everyday life — in constrained livelihoods, deferred aspirations, and extended queues for positions misaligned with qualifications. Governance continued in visible form, and institutional procedures proceeded as prescribed. Yet for many observers, questions arose regarding whether the underlying purpose of these structures remained closely aligned with the interests they were constitutionally intended to advance. Institutions endured, authority operated, but public confidence appeared increasingly contingent upon demonstrable responsiveness.

The legislative orientation of the government was perceived by some commentators as extending beyond routine procedural reform toward broader constitutional reconsideration. This trajectory was reflected in the introduction of the Constitution (Amendment) Bill, 2025, moved by Bhim Singh in the Rajya Sabha on 6 December 2025. The Bill proposed deletion of the words “socialist” and “secular” from the Preamble, presenting the objective of restoring the Constitution’s original text on the basis that these terms were inserted during the Emergency period.<sup>21</sup>

This legislative initiative did not arise in isolation. In September 2023, debate emerged when

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<sup>20</sup> “Indore’s ₹70 Lakh Firework Wedding Sparks Social Media Debate” *Republic World*, November 11, 2025, available at: <https://www.republicworld.com/viral/indores-70-lakh-firework-wedding-sparks-social-media-debate> (last visited on February 15, 2026).

<sup>21</sup> The Constitution (Amendment) Bill, 2025 (Bill No. 3512 of 2025), available at: <https://sansad.in/getFile/BillsTexts/RSBillTexts/Asintroduced/351211202550328PM.pdf?source=legislation> (last visited on February 15, 2026).

copies of the Constitution distributed to Members of Parliament did not display the words “socialist” and “secular” in the Preamble. The omission, subsequently explained in procedural terms, nevertheless acquired symbolic resonance, as it preceded and was interpreted by some observers as foreshadowing later proposals to reconsider the constitutional vocabulary itself.<sup>22</sup>

Opposition parties registered formal objections to the omission. In response, the government stated that two versions had been circulated — one reflecting the amended Constitution and another reproducing the original text. The clarification, however, did not fully resolve debate. The selective presentation of foundational constitutional language, even if procedurally defensible, was regarded by some observers as carrying interpretive implications. It raised discussion regarding potential ambiguity surrounding the Republic’s core commitments and the stability of its established normative identity.

Parallel to these constitutional developments, the State expanded regulatory engagement within the digital sphere. The Sanchar Saathi application, introduced by the Department of Telecommunications, attracted allegations that certain features resembled surveillance-adjacent practices and warranted evaluation against statutory data protection standards. Reports indicated that the application functioned with limited user discretion, including instances of pre-installation and encouraged usage, prompting reference to Section 6 of the Digital Personal Data Protection Act, which conditions lawful processing upon free, informed, and unambiguous consent.<sup>23</sup>

The application was also described by some observers as potentially inconsistent with the principle of data minimisation, owing to the reported collection of broad categories of personal information, including call logs and location data, without publicly articulated necessity proportional to its stated objectives. Transparency mechanisms were viewed as limited, and user control appeared constrained. Privacy disclosures lacked specificity, data-deletion procedures were insufficiently detailed, and retention timelines were not clearly indicated. Taken together, these features prompted discussion regarding the practical enforceability of

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<sup>22</sup> “‘Secular, Socialist’ Missing from Copies of Constitution Given to MPs: Sonia, Adhir” *The Times of India*, September 28, 2023, available at: <https://timesofindia.indiatimes.com/india/secular-socialist-missing-from-copies-of-constitution-given-to-mps-sonia-adhir/articleshow/103823345.cms> (last visited on February 15, 2026).

<sup>23</sup> AmLegals, “Data Privacy and Security in India: Consequences of Mandatory Installation of Sanchar Saathi App”, available at: <https://amlegals.com/data-privacy-and-security-in-india-consequences-of-mandatory-installation-of-sanchar-saathi-app/> (last visited on February 15, 2026).

user rights central to contemporary data protection jurisprudence.

Invoking considerations of national security or grave exigency, the government retained authority to access broad categories of personal data, including call records, messages, photographs, videos, and transaction histories. However, in the absence of clearly articulated statutory safeguards, defined procedural thresholds, and independent oversight mechanisms, commentators cautioned that measures described as exceptional could assume a more routine character. Such a development would invite renewed examination of the balance between collective security imperatives and constitutionally protected informational autonomy.

Through constitutional amendment and digital regulation alike, the State extended its influence across both the foundational vocabulary of the Republic and aspects of individual autonomy. The cumulative pattern did not present as a singular reform measure. Rather, it was interpreted by some observers as reflecting incremental adjustment — a gradual redefinition of constitutional language and regulatory reach, articulated within the framework of legality yet prompting debate about its implications for the substantive contours of democratic freedom.

The redefinition of constitutional language found parallel expression in adjustments to statutory labour guarantees. The transition from the Mahatma Gandhi National Rural Employment Guarantee Act (MANREGA) to VB-GRAMG was presented in administrative terms, yet it indicated modification of the enforceability of entitlements available to rural workers. A framework previously described as rights-based assumed a more programmatic orientation. In this sequence, observers noted that shifts in constitutional vocabulary coincided with reconsideration of the material terms through which the State engages its social commitments to labour.<sup>24</sup>

First, the scheme was repositioned from a demand-driven statutory entitlement toward a supply-oriented administrative model. Under the Mahatma Gandhi National Rural Employment Guarantee Act (MANREGA), the State bore a legal obligation to provide employment upon demand, accompanied by provision for unemployment allowance in instances of non-compliance. The VB-GRAMG framework replaced this structure with a system described as “normative allocation,” under which the Central Government determines

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<sup>24</sup> Press Information Bureau, “India-Pakistan Border Management: Initiatives Taken by Government of India” (Government of India, October 24, 2023), available at: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2207351&reg=3&lang=1> (last visited on February 15, 2026).

funding ceilings for States according to specified criteria. This reconfiguration introduced fiscal parameters affecting implementation. Employment generated beyond centrally approved allocations became dependent on state fiscal capacity, moderating the universality and enforceability associated with the original guarantee.

Second, the central–state fiscal arrangement was substantively modified. Under the Mahatma Gandhi National Rural Employment Guarantee Act (MANREGA), unskilled wage costs were met by the Union Government. The revised framework introduced a 60:40 cost-sharing formula between the Centre and the states for most general category states. This adjustment redistributed fiscal responsibility toward state governments, altering the financial incidence of programme implementation. Observers noted that states with constrained revenue bases, particularly agrarian economies, might experience increased budgetary pressure, thereby rendering the continuity of employment provisioning more dependent on state-level fiscal capacity.

Third, the legislation incorporated a mandatory seasonal pause, permitting states to declare an aggregated suspension of employment for up to sixty days annually during peak agricultural periods. This provision allowed temporary withholding of work during phases when rural labour patterns shift, thereby affecting the timing of income flows for landless workers. As a result, the effective realization of the promised 125 days of employment became subject to seasonal structuring. The statutory framework was thus conditioned at a point closely associated with its income-support function, inviting examination of how protective objectives are balanced against administrative flexibility.

Fourth, the framework centralised elements of planning authority and correspondingly narrowed the operational space of Gram Sabhas. Local development proposals were required to align with centrally structured platforms such as the National Rural Infrastructure Stack and the PM Gati Shakti Master Plan. This adjustment modified the decentralised planning architecture associated with the Mahatma Gandhi National Rural Employment Guarantee Act (MANREGA), situating substantive coordination more closely within central administrative channels. As a consequence, participatory decision-making operated within a more vertically integrated governance structure.

## Convergence of Political Authority and Corporate Capital

*“Law is always meant for the rich, not for the poor.” – Karl Marx*

Governance during this period was interpreted by some observers as reflecting increasing alignment between legislative initiative, executive discretion, and corporate capital. Lawmaking, regulatory design, and policy implementation were perceived in certain instances as operating in ways that corresponded with the interests of large industrial conglomerates, including the Adani Group and Reliance Industries led by Mukesh Ambani.

In Bihar, reports indicated that the State government leased more than 1,000 acres of land to the Adani Group at a nominal rate of ₹1 per acre per year, for a tenure estimated between 25 and 33 years, in connection with a proposed thermal power project in Bhagalpur. The project was associated with the reported felling of over 100,000 trees, prompting discussion regarding environmental impact, distributive considerations, and the fiscal terms of allocation.<sup>25</sup>

This allocation occurred within an economic context in which modest sums retained tangible significance for many middle-income households. The contrast between fiscal restraint in daily life and concessional allocation of public resources was noted by some observers as institutionally consequential. While households managed rising living costs, corporate entities accessed land and related resources at valuations described as comparatively removed from prevailing market benchmarks.

The indirect tax framework was also interpreted by some commentators as contributing to distributional imbalance. Multi-tiered Goods and Services Tax (GST) structures were viewed as exerting proportionate pressure upon middle-income consumers, while larger corporations operated within exemption regimes and compliance arrangements defined through formal policy channels. The pattern was discussed in relation to the taxation of everyday goods, including popcorn, and the application of an 18% levy on air purifiers in Delhi, even during periods when reported AQI levels exceeded 1000. Such measures prompted debate regarding the classification of public health-related goods within the prevailing tax structure.

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<sup>25</sup> Santanu Chowdhury, “Congress Accuses Govt of Gifting 1050 Acres of Land in Bihar’s Bhagalpur to Gautam Adani” *The Hindu*, November 7, 2025, available at: <https://www.thehindu.com/news/national/bihar/congress-accuses-govt-of-gifting-1050-acres-of-land-in-bihars-bhagalpur-to-gautam-adani/article70053044.ece> (last visited on February 15, 2026).

During this period, the Chief Minister of Delhi publicly described the escalating AQI crisis in terms of “temperature,” a formulation interpreted by some observers as moderating the perceived severity of the environmental situation. Despite persistently hazardous conditions, corrective measures were regarded by critics as limited in scope. Regulatory response and executive communication thus unfolded concurrently. The broader pattern was discussed in relation to governance priorities, with some commentators suggesting differentiated responsiveness between capital-intensive policy areas and immediate public health considerations.

Revenue generation under the rubric of infrastructure modernisation was also observed within the civil aviation sector. At Indira Gandhi International Airport and Chaudhary Charan Singh International Airport, pricing of everyday items such as drinking water and tea was described by some passengers as reflecting concession arrangements rather than conventional consumer safeguards. These airports were increasingly characterised as operating through commercialised models, with elements of operational cost recovery and revenue optimisation effectively borne by travellers through higher retail pricing.

In this context, the Directorate General of Civil Aviation issued notices to pilots regarding alleged non-compliance with safety norms applicable to Category C airfields and directed retraining measures. The timing and manner of implementation were followed by operational disruption. IndiGo reported a shortage of qualified flight crew, resulting in cancellation of numerous scheduled flights. The episode prompted discussion regarding regulatory coordination, workforce planning, and the resilience of aviation management systems under conditions of compliance enforcement.<sup>26</sup>

The immediate consequences of these disruptions were experienced primarily by passengers. Students missed competitive examinations; job applicants were unable to attend scheduled interviews; families encountered extended delays without timely alternatives. The episode was interpreted by some observers as reflecting a regulatory intervention implemented without sufficient transitional planning or mitigation mechanisms. In this account, institutional costs were effectively absorbed by ordinary travellers, many of whom lacked prior notice or

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<sup>26</sup> “DGCA Issues Show-Cause Notice to IndiGo over Simulator Training Lapses” *HDFC Sky*, November 7, 2025, available at: <https://hdfcsky.com/news/dgca-issues-show-cause-notice-to-indigo-over-simulator-training-lapses> (last visited on February 15, 2026).

accessible avenues of redress.

The sequence assumed added relevance in light of contemporaneous corporate developments. Weeks earlier, the Adani Group had acquired a 72.8% stake in Flight Simulation Technique Centre, a prominent aviation training enterprise. The temporal proximity between regulatory retraining directives and consolidation of ownership within pilot simulation infrastructure prompted discussion regarding market concentration, sequencing of administrative measures, and the broader interface between corporate expansion and regulatory decision-making<sup>27</sup>, a significant pilot training institution. When viewed within this context, the regulatory intervention acquired wider structural relevance. The concurrence between retraining directives and recent consolidation within the training sector prompted discussion regarding the interaction between state regulatory authority and concentrated private capital. It also raised consideration as to whether administrative discretion operated with adequate institutional separation from prevailing market interests.

The episode was interpreted by some observers as reflecting a broader structural pattern: regulatory authority exercised with limited transitional mitigation, even as corporate consolidation progressed concurrently. Administrative measures appeared prompt in matters of compliance enforcement, yet comparatively gradual where citizen-facing relief was implicated. In this account, governance priorities were viewed as facilitating capital expansion, while the immediate effects of systemic adjustment were experienced primarily by individuals without corresponding compensatory mechanisms.

The implications extended beyond a single documentary. Content financed through public funds was later disseminated on a private YouTube channel, generating viewership, subscriber growth, advertising revenue, brand collaborations, and platform visibility. In this sequence, public expenditure was associated with subsequent private monetisation: the State bore the initial cost, while downstream commercial benefits accrued within privately controlled media infrastructure.

Internal governmental communications reportedly referenced procedural irregularities in the transfer. Objections were recorded, cautionary advisories circulated, and certain officials

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<sup>27</sup> “Adani Defence to Acquire 72.8 Percent Stake in FSTC for ₹820 Crore” *HDFC Sky*, November 7, 2025, available at: <https://hdfcsky.com/news/adani-defense-to-acquire-72-8-percent-stake-in-fstc-for-rs-820-crore> (last visited on February 15, 2026).

sought reconsideration of the disbursement. These reservations were subsequently withdrawn. The administrative record reflected alteration without detailed public explanation. Accounts suggested that the change followed informal interactions involving political executives and associated networks. In this sequence, earlier institutional reservations appeared to diminish in the context of proximity to political authority.

The episode was interpreted by some observers as consistent with a broader prioritisation of public visibility within political strategy. Official disclosures indicated that the ruling party expended ₹1,737 crore during the 2024 Lok Sabha elections. The scale of expenditure, notable in magnitude, highlighted the increasing role of narrative construction, campaign communication, and mediated presence within contemporary electoral practice. Political competition was thus described as operating not solely through policy articulation, but also through resource-intensive projection and strategic brand management.<sup>28</sup>, alongside ₹976.46 crore reportedly allocated to print media advertising between 2019–20 and 2023–24.<sup>29</sup> Public expenditure was increasingly associated with political communication initiatives. Influencers emerged as informal amplifiers of governmental messaging.

This redirection of public expenditure occurred alongside reported pressures affecting segments of independent journalism. Accounts referenced instances of intimidation, harassment, and financial strain directed at reporters and investigative platforms. The deaths of Mukesh Chandrakar and Rajiv Pratap were cited by commentators as heightening concern regarding the safety of media professionals and the resilience of critical inquiry. The broader environment was described by observers as reflecting vulnerabilities within the institutional safeguards historically associated with press freedom.<sup>30</sup> Bank accounts of certain reporters were reportedly frozen. During the same period, government-aligned digital creators continued to receive institutional access and financial collaboration.

In a functioning democracy, such transfers would ordinarily prompt statutory audits,

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<sup>28</sup> Pragya Singh, “BJP Spent ₹1,73,768 Crore for 2024 Lok Sabha Polls: Expenditure Report to ECI” *The Hindu*, October 30, 2025, available at: <https://www.thehindu.com/news/national/bjp-spent-173768-cr-for-2024-lok-sabha-polls-expenditure-report-to-eci/article69163589.ece> (last visited on February 15, 2026).

<sup>29</sup> “Govt Spent ₹96,746 Crore on Advertisements in Print Media from 2019-20 to 2023-24” *The Hindu*, June 23, 2025, available at: <https://www.thehindu.com/news/national/govt-spent-96746-crore-on-advertisements-in-print-media-from-2019-20-to-2023-24/article67654389.ece> (last visited on February 15, 2026).

<sup>30</sup> Siddharth Bhatia, “From Exposing Corruption to Becoming a Hashtag: The Tragic Death of Rajeev Pratap” *BOOMlive*, July 5, 2024, available at: <https://www.boomlive.in/decode/from-exposing-corruption-to-becoming-a-hashtag-the-tragic-death-of-rajeev-pratap-29668> (last visited on February 15, 2026).

independent investigation, and rigorous parliamentary scrutiny. Instead, beneficiaries were afforded expanded institutional access, exclusive interviews, and visible public endorsement. **Narendra Modi** publicly felicitated the founder of **Curly Tales** as “Best Travel Creator,” a gesture that appeared to symbolically validate the convergence of publicly financed content and privately monetised influence within the contemporary media ecosystem.<sup>31</sup>

The normative principle underlying public expenditure holds that content financed through taxpayer resources is ordinarily expected to remain accessible within public broadcasting platforms such as Doordarshan. Public funds are allocated to serve collective purposes rather than private gain. In this instance, however, government-financed material appeared on private digital channels within twenty-four to forty-eight hours, creating a sequence in which publicly supported production became commercially monetisable content and shifting the practical locus of benefit from general audiences toward selected private intermediaries.

The government has defended comparable episodes by invoking broader policy objectives. These include promotion of E20 ethanol-blended petrol despite reported concerns regarding mileage and input costs; characterization of Delhi’s AQI conditions alongside regulatory measures such as the debated 100-metre rule; and continued explanation of the rupee’s movement toward ₹90.7 per dollar amid capital outflows and tariff uncertainty. While India remains among the world’s largest economies, certain international assessments have adopted a measured posture regarding macroeconomic stability. In this framing, policy continuity has been presented as calibrated reform, even as external commentary reflects cautious evaluation of long-term resilience.<sup>32</sup>

Public expenditure is not ordinarily conceived as venture capital for private enterprise. When taxpayer resources are associated with private commercial gain without clearly articulated public return, questions arise regarding propriety and transparency. Each additional levy on essential goods — particularly within a context where reports indicate that a significant proportion of food samples do not meet safety standards — contributes to perceptions of distributive imbalance. In such circumstances, citizens may experience fiscal obligations as

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<sup>31</sup> Curly Tales, “PM Modi Presents Curly Tales Founder Kamiya Jani with Best Travel Creator Award at National Creators Award in Delhi” *Curly Tales*, January 13, 2026, available at: <https://curlytales.com/pm-modi-presents-curly-tales-founder-kamiya-jani-with-best-travel-creator-award-at-national-creators-award-in-delhi/> (last visited on February 15, 2026).

<sup>32</sup> “IMF Assigns India a ‘C’ Grade for its GDP and National Accounts Data — the Second Lowest Rating” *GKToday*, October 11, 2025, available at: <https://www.gktoday.in/imf-assigns-india-a-c-grade-for-its-gdp-and-national-accounts-data-the-second-lowest-rating/> (last visited on February 15, 2026).

financing arrangements that insufficiently safeguard quality or equitably distribute regulatory and economic burdens.<sup>33</sup>, on health (over 50% Indian healthcare workers feel their workplace is unsafe, over 60% of people from rural areas go out of state for better medical treatment<sup>34</sup>), Of 127 lakh in GST collections over eight years, 3% was attributed to the highest decile.<sup>35</sup> The fiscal burden remained public. Benefits accrued through alternative channels.

The interaction of taxation policy, narrative communication, and concentrated capital has been interpreted by some observers as reflecting a governance architecture in which public resources are directed toward political visibility and commercial expansion. Fiscal measures, regulatory discretion, and mediated messaging were described as operating in complementary sequence, each reinforcing the practical effect of the other. Within this configuration, the distributive incidence was viewed as falling unevenly across the citizenry. The institutional framework thus raised continuing questions regarding the balance between consolidation of authority and accountability within a constitutional order.

Financial disclosures were cited by commentators as indicating concentration within political financing streams. Entities reportedly associated with the Adani Group were said to have purchased electoral bonds valued at ₹55.4 crore, of which ₹42.4 crore was reported as encashed by the Bharatiya Janata Party. The proximity between corporate contributions and political receipt prompted renewed discussion regarding transparency in electoral funding structures and the institutional relationship between private capital and governing authority.<sup>36</sup> The transaction was viewed as reflecting proximity between corporate financing and political authority.

As of 31 March 2024, the Bharatiya Janata Party reported a fund balance of approximately ₹7,113 crore, positioning it among the most financially resourced political parties in the country. Its declared total assets for the financial year 2023–24 were stated at around ₹9,181 crore. In the subsequent financial year 2024–25, the party disclosed additional donations of

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<sup>33</sup> “1 in 4 Foods Fail Safety Tests: Why Food Safety Must Be an Important Policy Priority” *Factly*, October 4, 2023, available at: <https://factly.in/1-in-4-foods-fail-safety-tests-why-food-safety-must-be-an-important-policy-priority/> (last visited on February 15, 2026).

<sup>34</sup> “More than 50% Healthcare Workers Feel Their Workplace Is Unsafe: Study” *The Hindu*, August 13, 2025, available at: <https://www.thehindu.com/news/national/more-than-50-healthcare-workers-feel-their-workplace-is-unsafe-study/article68775165.ece> (last visited on February 15, 2026).

<sup>35</sup> “127 Lakh Crore GST Collected in 8 Years, Only 3 Percent Came from Richest 10 Percent, Says AAP” *The Kashmiriyat*, December 11, 2024, available at: <https://thekashmiriyat.co.uk/127-lakh-crore-gst-collected-in-8-years-only-3-percent-came-from-richest-10-percent-says-aap/> (last visited on February 15, 2026).

<sup>36</sup> “These Firms Linked to Adani Group Bought Electoral Bonds Worth ₹554 Cr, BJP Encashed ₹424 Cr” *NewsLaundry*, March 21, 2024, available at: <https://www.newsLaundry.com/2024/03/21/these-firms-linked-to-adani-group-bought-electoral-bonds-worth-rs-554-cr-bjp-encashed-rs-424-cr> (last visited on February 15, 2026).

approximately ₹6,000 crore, reflecting continued financial expansion and organisational resource consolidation.<sup>37</sup>

The scale of these figures was interpreted by some observers as indicative of significant financial concentration within a single political organisation. Electoral competition therefore proceeded within an economic environment described as uneven in resource distribution. In this context, access to capital was viewed as conferring structural advantage over time. Financial capacity increasingly assumed analytical importance in discussions of political continuity, and the architecture of electoral finance was seen as playing a central role alongside, and at times shaping, the practical operation of democratic consent.

### **When the Executive Failed: Control Over Consent**

The functioning of the executive during this period was interpreted by some observers as reflecting recurrent institutional strain rather than isolated administrative lapse. Agencies constitutionally tasked with implementing law were described in certain instances as aligning closely with prevailing political direction. Administrative authority, in this account, appeared oriented toward preserving institutional position alongside, rather than exclusively prioritising, citizen protection.

The pattern was cited by some observers in connection with events at India Gate, where students assembled to demand measures addressing air quality concerns. The gathering was dispersed by police action. Participants were detained and charges were reported under provisions relating to public order and alleged obstruction of police personnel. First Information Reports were registered, situating a civic demonstration within the framework of criminal procedure.<sup>38</sup> The executive response was viewed as restricting dissent with lasting professional consequences.

The functioning of the executive was also examined in relation to events reported on 19 May 2024 at approximately 2:30 AM in Kalyani Nagar, Pune, where a 17-year-old, alleged to have

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<sup>37</sup> Pragya Singh, “BJP Emerges Richest Party with ₹7,113 Cr Fund Balance; Congress Has ₹857 Cr: ECI Data” *The Hindu*, October 29, 2025, available at: <https://www.thehindu.com/news/national/bjp-emerges-richest-party-with-7113-cr-fund-balance-congress-has-857-cr-eci-data/article69150583.ece> (last visited on February 15, 2026).

<sup>38</sup> Nivedita Singh, “India Gate Protest: Delhi Court Sends Demonstrators to Judicial Custody” *The Hindu*, January 6, 2026, available at: <https://www.thehindu.com/news/cities/Delhi/india-gate-protest-delhi-court-sends-demonstrators-to-judicial-custody/article70317814.ece> (last visited on February 16, 2026).

been under the influence of alcohol, fatally struck two software engineers in a vehicular incident. Public commentary noted that the administrative response differed from expectations of custodial detention, with reports indicating that the juvenile was initially directed to complete an essay. Proceedings under the Juvenile Justice Act were described as limited in early stages, prompting scrutiny of case management. Observers questioned whether discretionary considerations affected perceptions of procedural consistency.<sup>39</sup>

Across institutional domains, observers described increasing executive influence as intersecting with questions of administrative autonomy. Agencies such as the National Investigation Agency, Enforcement Directorate, Central Bureau of Investigation, police authorities, and segments of the civil service were, in some accounts, viewed as operating in close alignment with prevailing political direction. Allegations including custodial abuse and instances of non-registration of complaints prompted scrutiny of institutional responsiveness. The Vaishakha custodial rape case was referenced by commentators as illustrative of ongoing debates concerning accountability safeguards.

Public scrutiny also intensified in relation to the case of Angel Chakma. On 9 December 2025, he was reportedly subjected to racial abuse, physical assault with rods and sticks, and a stabbing injury to the lower back, during which he was allegedly called “Chinese.” He sustained serious injuries and was hospitalized. Commentators questioned the immediacy and adequacy of protective and investigative response, given the gravity and apparent communal overtones of the attack. On 26 December 2025, seventeen days later, he was reported to have died from complications arising from severe bone marrow injury.<sup>40</sup> His father, a serving army personnel, sought to file an FIR. Registration was reportedly declined.

Allegations of evidentiary irregularities were cited in the Bengal doctor case,<sup>41</sup> to the historic manipulation surrounding the **Ajmer rape scandal of 1992**<sup>42</sup>, executive agencies were

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<sup>39</sup> “The Pune Porsche Accident, Booze, 300 Word Essay, Rich Dad and a Political Slugfest” *The Times of India*, March 11, 2024, available at: <https://timesofindia.indiatimes.com/city/pune/the-pune-porsche-accident-booze-300-word-essay-rich-dad-and-a-political-slugfest/articleshow/110328618.cms> (last visited on February 16, 2026).

<sup>40</sup> “Tripura Student Angel Chakma Death, Mob Attack: What We Know So Far” *The Hindu*, February 15, 2026, available at: <https://www.thehindu.com/news/national/tripura-student-angel-chakma-death-mob-attack-what-we-know-so-far/article70452233.ece> (last visited on February 16, 2026).

<sup>41</sup> “CBI Probing Tampering of Evidence in RG Kar Rape Murder Case” *NDTV*, February 24, 2018, available at: <https://www.ndtv.com/india-news/cbi-probing-tampering-of-evidence-in-rg-kar-rape-murder-case-8939635> (last visited on February 16, 2026).

<sup>42</sup> “Ajmer Rape Case: Timeline of Events” *BBC News*, 1992, available at: <https://www.bbc.com/news/articles/cr40dzlezp7o> (last visited on February 16, 2026).

described as affecting procedural safeguards and investigative consistency.

In September 2025, the **Staff Selection Commission (SSC)** issued a notice prohibiting candidates, coaching centres, and social media users from discussing or analysing examination papers. Such discourse was classified as “unfair means” under the **Public Examination (Prevention of Unfair Means) Act**, attracting criminal liability, including imprisonment and monetary penalties. The directive raised concerns regarding its compatibility with Article 19(1)(a), as regulatory power appeared to be deployed in a manner that constrained scrutiny and narrowed the space for public discussion.<sup>43</sup>

Taken together, these developments were interpreted by some observers as indicating a broader institutional trajectory. The executive was described in certain accounts as moving away from the posture of an impartial administrator toward a model of differentiated regulatory engagement. Patterns of enforcement were characterised as stringent in some contexts and comparatively restrained in others, particularly where questions of influence or dissent arose. In 2025, executive authority was not assessed solely in terms of effectiveness; it was debated in relation to its consistency with the constitutional obligation to act in the service of the public.

### **Concerns Regarding Judicial Institutional Integrity**

Questions relating to transparency and accountability have been cited as influencing public confidence in judicial institutions. The collegium system, operating without direct electoral oversight, has periodically attracted commentary regarding opacity, insularity, and the potential for preferential patterns. At the Punjab and Haryana High Court, reports have indicated that a significant proportion of personnel are related to one another, including judges, advocates, clerical staff, and support personnel. If verified, such concentration would invite examination of institutional independence, procedural equity, and the resilience of merit-based appointment and governance norms.

Judicial accountability has also been debated in the context of internal disciplinary processes. In Madhya Pradesh, civil judge Aditi Kumar Sharma resigned after filing a formal complaint

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<sup>43</sup> “SSC Warns Aspirants against Discussion and Circulation of Question Papers; Notice Highlights Legal Implications under New Act” *The Times of India*, April 5, 2024, available at: <https://timesofindia.indiatimes.com/education/news/ssc-warns-aspirants-against-discussion-and-circulation-of-question-papers-notice-highlights-legal-implications-under-new-act/articleshow/123778301.cms> (last visited on February 16, 2026).

alleging harassment by a senior judicial officer, Rajesh Kumar Gupta. She was subsequently terminated — an action later described by the Supreme Court of India as “arbitrary and illegal.” Meanwhile, the officer concerned was elevated to the High Court, and no publicly documented inquiry was widely reported. The episode was cited by commentators as prompting questions regarding the adequacy of institutional mechanisms to protect complainants while maintaining standards of accountability.<sup>44</sup>

The disparity in judicial treatment extended to criminal justice outcomes. Individuals accused of serious crimes received preferential treatment, while activists and dissenters remained incarcerated. Sonam Wangchuk, a scientist and environmental advocate<sup>45</sup>, remained in custody without grant of bail. In the Atul Subhash matter, the first substantive hearing was reported to have occurred in 2025. The presiding judge was unavailable, and the subsequent listing was scheduled approximately one year later.<sup>46</sup>

In contrast, in the widely reported Pune vehicular incident involving a Porsche, a 17-year-old driver alleged to have been intoxicated and implicated in the deaths of two software engineers was granted bail shortly after arrest. Early proceedings characterised the offence as not falling within the most severe statutory category. The difference in procedural timelines across cases was noted by commentators. Observers suggested that the calibration of seriousness appeared to vary in application, prompting debate regarding consistency in accountability standards and whether experiences of justice may differ across circumstances and social position.<sup>47</sup>

Taken together, these developments suggested a judiciary strained by mounting backlog, weakened by persistent vacancies, shadowed by allegations of insularity, and marked by perceived unevenness in legal application. The institution constitutionally entrusted with guardianship appeared, in critical moments, unable to consistently project the image of an equal and dispassionate arbiter. In 2025, concerns extended beyond administrative delay; they

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<sup>44</sup> Siddharth Narrain, “‘The Institution Failed Me’: Judge Aditi Gajendra Sharma’s Account of Defiance” *The Leaflet*, July 10, 2025, available at: <https://theleaflet.in/leaflet-reports/the-institution-failed-me-judge-aditi-gajendra-sharmas-account-of-defiance> (last visited on February 16, 2026).

<sup>45</sup> “30 Nation Building Awards Now Shown as Criminal: Sonam Wangchuk to Court” *MSN News*, October 3, 2025, available at: <https://www.msn.com/en-in/news/India/30-nation-building-awards-now-shown-as-criminal-sonam-wangchuk-to-court/ar-AA1TO5mz> (last visited on February 16, 2026).

<sup>46</sup> Shonee Kapoor, “Justice Denied to Atul Subhash”, available at: <https://www.shoneekapoor.com/legal-news/justice-denied-to-atul-subhash/> (last visited on February 16, 2026).

<sup>47</sup> “Bombay High Court Orders Immediate Release of 17 Year Old in Fatal Porsche Accident; Emphasizes Juvenile Justice Principles” *JGU Child Rights Clinic*, March 13, 2024, available at: <https://jgu.edu.in/child-rights-clinic/bombay-high-court-orders-immediate-release-of-17-year-old-in-fatal-porsche-accident-emphasizes-juvenile-justice-principles/> (last visited on February 16, 2026).

touched the deeper question of whether fairness itself was being uniformly secured.

### **The Nithari Case: Judicial Failure Through Investigative Collapse**

The **Nithari killings** remain among the most disturbing instances of investigative and prosecutorial breakdown. In the case concerning Surendra Koli, authorities alleged the kidnapping, sexual assault, and murder of more than twenty victims, largely young girls from Nithari. The victims were reportedly taken to a residence at D-5, Sector 31, Noida, owned by Moninder Singh Pandher, where the offences were said to have occurred. Koli was accused of dismembering bodies and discarding skeletal remains in a drain behind the property.

Despite the scale and brutality of the crimes, both accused were ultimately acquitted. Pandher was acquitted by the Allahabad High Court in October 2023, and in November 2025<sup>48</sup>, the Supreme Court of India acquitted Surendra Koli of all charges. The acquittal did not rest on exoneration of conduct, but on the complete erosion of evidentiary reliability caused by systemic failure.

First, the Court declined to place reliance upon the alleged confession attributed to Koli. The statement was recorded after approximately sixty days of police custody, in circumstances described as lacking adequate legal assistance and reportedly involving the presence of investigating officials. On this basis, the Court determined that the confession did not satisfy the voluntariness requirement and was therefore inadmissible under established evidentiary safeguards governing custodial statements.

Second, the alleged recoveries of incriminating articles, including weapons and human remains, were subject to judicial scrutiny and found procedurally deficient. The Court noted that the recoveries did not meet the requirements prescribed under Section 27 of the Indian Evidence Act. Observations indicated that the crime scene had not been adequately secured, the discovery process raised concerns regarding integrity, and contemporaneous documentation was limited or incomplete. As a result, the probative value attributed to these recoveries was materially reduced in the Court's assessment.

Third, the Court recorded significant investigative shortcomings that had, in its words,

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<sup>48</sup> Aniruddha Ghosal, "Nithari Serial Killings Case: Allahabad HC Acquits Koli Pandher" *The Hindu*, June 4, 2025, available at: <https://www.thehindu.com/news/national/nithari-serial-killings-case-allahabad-hc-acquits-koli-pandher/article67425911.ece> (last visited on February 16, 2026).

“corroded the fact-finding process.” These included failure to secure the crime scene prior to excavation, absence of timely and independent medical examination during extended police custody, inadequate documentation and preservation of post-mortem and forensic material, and insufficient exploration of alternative investigative leads — including a possible organ-trade dimension referenced by a government-appointed committee — thereby affecting evidentiary coherence at multiple stages.

The acquittals in the Nithari proceedings were not framed as affirmative findings of innocence in a substantive sense; rather, they reflected the prosecution’s inability to sustain conviction amid procedural lapses. The outcome was characterised as indicative of systemic investigative breakdown rather than doctrinal limitation. The case illustrated that the absence of reliable process can constrain adjudicative outcomes, even where statutory provisions provide sufficient penal framework, underscoring the centrality of institutional competence across investigation, prosecution, and adjudication.

In this case, the judiciary was confronted less with finely balanced reasonable doubt than with the accumulated effects of investigative deficiency. The evidentiary record presented for adjudication reflected procedural fragmentation rather than coherent reconstruction. The acquittals therefore illustrated a structural limitation: where investigation is materially compromised, adjudication operates within constrained evidentiary bounds. Courts may return acquittal not as affirmation of innocence, but because the institutional framework required to establish guilt beyond reasonable doubt has been rendered insufficient to sustain conviction.

### **Unnao Case: Political Influence and Procedural Breakdown**

The Unnao proceedings were cited by commentators as reflecting a complex intersection of political position, administrative delay, and procedural inconsistency. A 17-year-old minor alleged gang rape by Kuldeep Singh Sengar, then a sitting legislator. Reports indicated that the complaint initially encountered resistance at the local level. The victim’s father subsequently died following an assault allegedly involving persons associated with the accused. Despite repeated representations, registration of a First Information Report and substantive investigative measures were described as delayed, prompting scrutiny regarding institutional responsiveness and neutrality.

In a subsequent effort to secure attention to her case, the survivor attempted self-immolation

outside the residence of Yogi Adityanath. Commentators interpreted the act not merely as individual extremity but as reflecting a perception of procedural exhaustion. It suggested that conventional legal avenues were viewed as insufficiently responsive. In that episode, institutional reaction was described as delayed, raising broader questions about the timeliness and accessibility of protective intervention within the criminal justice framework.

Subsequent judicial proceedings prompted additional debate regarding consistency in appellate standards. On 23 December 2025, the Delhi High Court suspended the life sentence imposed upon the accused and granted bail, observing that more than seven years of incarceration had been completed. The order was grounded in assessment of custodial duration and applicable legal criteria. Nonetheless, given the acknowledged gravity of the offence and the victim's minority at the relevant time, the decision attracted public scrutiny concerning principles governing sentence suspension and bail in serious criminal matters.<sup>49</sup>

The appellate determination was grounded in a contested question of statutory interpretation. Although the conviction had been recorded under Section 5(c) of the Protection of Children from Sexual Offences Act, addressing aggravated penetrative sexual assault by a public servant, the Court concluded that a Member of the Legislative Assembly did not fall within that specific statutory definition. This construction was viewed by some commentators as departing from interpretive reasoning articulated in *P. V. Narasimha Rao v. CBI*, wherein Members of Parliament and State Legislatures were recognised as public servants within the meaning of Section 21 of the Indian Penal Code, prompting renewed debate over definitional consistency across statutory frameworks.<sup>50</sup>

The Constitution accords legislators limited privilege under Articles 105 and 194, primarily confined to speech and voting within the House and its committees. It does not provide immunity for criminal conduct unrelated to legislative functions. In the present context, however, the interpretation adopted resulted in exclusion of the accused from the aggravated-offence framework addressing abuse by public servants. Commentators observed that this construction narrowed the statutory ambit in circumstances where public office formed a

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<sup>49</sup> "Law on Suspension of Sentence" *The Hindu*, February 15, 2026, available at: <https://www.thehindu.com/news/national/tamil-nadu/law-on-suspension-of-sentence/article70454524.ece> (last visited on February 16, 2026).

<sup>50</sup> "Parliamentary Privileges and Related Cases", *DrishtiIAS*, available at: <https://www.drishtias.com/daily-updates/daily-news-analysis/parliamentary-privileges-and-related-cases> (last visited on February 16, 2026).

significant element of the offence's enhanced gravity.

The broader statutory framework appeared to operate in a different direction. Section 8(3) of the Representation of the People Act provides for disqualification upon conviction where the sentence is two years or more. By contrast, Section 135A of the Code of Civil Procedure confers limited protection from arrest in specified civil proceedings and does not extend to criminal liability. When read together, the statutory scheme does not indicate legislative intent to insulate elected representatives from penal consequences following serious criminal conviction.<sup>51</sup> These principles were viewed as diluted procedurally.

On 29 December 2025, the Supreme Court of India stayed the order of the Delhi High Court, ensuring that the accused remained in custody pursuant to a challenge initiated by the Central Bureau of Investigation. The intervention prevented immediate release and restored interim custodial status. Nonetheless, the sequence of orders prompted broader discussion regarding interpretive coherence across judicial tiers and the sensitivity of public confidence in the administration of criminal justice.<sup>52</sup>

Political commentary further shaped the episode. Sudhanshu Trivedi publicly defended the legislator, prompting debate regarding party loyalty and standards of constitutional accountability.

The Unnao proceedings generated debate extending beyond claims of judicial error, drawing attention to questions of interpretive consistency, clarity of constitutional limits, and uniform application of statutory safeguards. For the survivor, commentators observed that the process appeared less predictably protective and more shaped by visible asymmetries of influence within institutional settings.

In this episode, the judiciary was not universally regarded as a constitutional counterweight. For some observers, it appeared as another institutional forum where justice was debated,

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<sup>51</sup> The Code of Criminal Procedure, 1973 (Act 2 of 1974), s. 135A, available at: [https://www.indiacode.nic.in/show-data?actid=AC\\_CEN\\_3\\_20\\_00051\\_190805\\_1523340333624&sectionId=33477&sectionno=135A&orderno=145](https://www.indiacode.nic.in/show-data?actid=AC_CEN_3_20_00051_190805_1523340333624&sectionId=33477&sectionno=135A&orderno=145) (last visited on February 16, 2026).

<sup>52</sup> "Supreme Court Stays High Court Order Suspending Sentence of Convict in Custodial Death Case" *India Today*, December 29, 2025, available at: <https://www.indiatoday.in/india/video/supreme-court-stays-high-court-order-suspending-sentence-of-convict-in-custodial-death-case-ytvd-2843311-2025-12-29> (last visited on February 16, 2026).

delayed, and experienced as uncertain.

### **Asaram Bapu Case: Post-Conviction Adjudication and Public Debate**

The proceedings concerning Asaram Bapu were cited by commentators as illustrating tension between conviction and subsequent judicial process. He stands convicted in two separate rape cases, including one involving a 17-year-old minor, placing the offences within a grave statutory category. While the trial judgments affirmed criminal culpability, later judicial developments were viewed by critics as moderating the immediate custodial or procedural consequences of conviction, thereby prompting debate regarding consistency and standards applied in post-conviction adjudication.<sup>53</sup>

Notwithstanding the gravity of the convictions and the victim's minority, the Supreme Court of India granted bail to Asaram Bapu on multiple occasions. Commentators argued that the reasons articulated did not, in their view, sufficiently reflect the seriousness of the offences or the typically rigorous standards applied in cases involving sexual violence against minors. The exercise of judicial discretion consequently became a subject of debate, with observers examining whether adequate weight had been accorded to the gravity of conviction.

The aftermath prompted further discussion. Upon release, Asaram Bapu was publicly received by supporters, generating commentary regarding the symbolic implications of post-conviction celebration. The episode was interpreted by critics as revealing tension between formal adjudication and broader social response, and as raising questions about the communicative force of penal sanction where social influence remains pronounced.

In prosecutions concerning sexual offences against children, bail assumes significance beyond procedural sequencing; it signals how courts balance liberty interests with victim protection and societal condemnation of harm. Repeated grants of bail in such contexts have been described by some observers as affecting public confidence in consistency and sustained accountability following conviction.

The case of Asaram Bapu was viewed by some commentators not as an isolated exercise of discretion, but as reflective of a broader pattern in which social influence intersected with legal

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<sup>53</sup> "Asharam Bapu Case: Judicial Leniency and Moral Contradiction" *BBC News*, April 13, 2018, available at: <https://www.bbc.com/news/world-asia-india-43889797> (last visited on February 16, 2026).

consequence, rendering justice formally pronounced yet variably perceived.

### **The Aravalli Matter: Environmental Adjudication and Ecological Consequence**

The Aravalli Range, among the world's oldest mountain systems, became the subject of significant judicial interpretation with notable environmental implications. Reports indicated that a substantial portion of its expanse was removed from stringent regulatory classification, prompting discussion regarding hydrological stability, biodiversity preservation, and rural sustainability across north-western India. The potential consequences extend to agrarian communities dependent on groundwater recharge and soil retention historically associated with the range. In such a context, debates emerged over the balance between developmental prioritisation and long-term ecological continuity.

Notwithstanding periodic political assurances concerning river conservation, geological preservation, and cultural heritage, environmental safeguards were described by some observers as uneven in implementation. Civilisation extends beyond electoral cycles to include ecological inheritances shaped across centuries. The Aravalli Range functions as a critical climatic and hydrological regulator within the region. While development policy operates within constitutional authority, questions arise regarding the extent to which short-term economic objectives should recalibrate environmental protections with enduring intergenerational significance.

On 20 November 2025, the Supreme Court of India delivered a judgment defining the Aravalli Hills as landforms with local relief of 100 metres or more, restricting new mining prohibitions to that specified classification.<sup>54</sup> Of 12,081 identified hills, approximately 1,041–1,048 were reported to satisfy the prescribed threshold. Accordingly, roughly 8.7% of the Aravalli system fell within continued protection, while the remaining areas were excluded from that regulatory classification.

This interpretive approach was viewed by some commentators as diverging from established environmental jurisprudence, including principles articulated in *Vellore Citizens' Welfare Forum v. Union of India*.<sup>55</sup> Commentary further noted the absence of express reliance on the

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<sup>54</sup> "Aravalli Hills, Height and Environment: Mining and the Court Case" *Frontline*, February 11, 2026, available at: <https://frontline.thehindu.com/environment/aravalli-hills-height-environment-mining-court-case/article70426396.ece> (last visited on February 16, 2026).

<sup>55</sup> "Vellore Citizens' Welfare Forum v. Union of India", *Lawctopus*, available at:

polluter pays principle, reaffirmed in *Indian Council for Enviro-Legal Action v. Union of India* and *M. C. Mehta v. Union of India*, which articulated absolute liability and linked environmental protection with Article 21.<sup>56</sup> Commentary suggested limited engagement with *Andhra Pradesh Pollution Control Board v. Prof. M. V. Nayudu* standards.<sup>57</sup>

By adopting an elevation-based metric, the ruling introduced a segmented regulatory classification within the Aravalli Range, a geological system estimated to be nearly two billion years old and extending approximately 700 kilometres. Commentators observed that this approach enabled subsequent regulatory adjustments permitting extraction, levelling, and commercial utilisation under revised criteria. Terrain previously falling within broader judicial protection was thereby repositioned within narrower administrative categories, inviting debate over the durability of court-mediated environmental safeguards.

The implications extend beyond environmental management into questions of democratic process. Environmental governance ordinarily entails participatory deliberation, institutional transparency, and regard for intergenerational equity. Where public consultation appears limited while authorisations enable long-term ecological alteration, critics argue that environmental decision-making intersects with broader concerns regarding accountability and civic confidence. In such contexts, debate arises not only over development objectives but also over the constitutional balance between growth and conservation.

For some observers, the episode resonated with concerns expressed in criminal justice discourse. The conventional sequence—prevention, victim protection, and proportionate sanction—was described as strained in certain instances. The critique suggested that procedural complexity can, at times, shift burdens onto complainants. Such commentary reflects apprehension regarding institutional coherence rather than categorical indictment.

The Aravalli Range ruling was interpreted by some commentators as illustrating how formal legal reasoning, when applied through narrow definitional criteria, may insufficiently account

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<https://lawctopus.com/clatalogue/clat-pg/vellore-citizens-forum-union-of-india/> (last visited on February 16, 2026).

<sup>56</sup> “*M.C. Mehta v. Union of India (Oleum Gas Leak Case)*”, *Lawctopus*, available at: <https://lawctopus.com/clatalogue/clat-pg/mc-mehta-versus-union-of-india-oleum-gas-leak-case/> (last visited on February 16, 2026).

<sup>57</sup> “Case Analysis: *Andhra Pradesh Pollution Control Board v. S. Prof. M. V. Nayudu (Retd.)*”, *LegalServiceIndia.com*, available at: <https://www.legalserviceindia.com/legal/article-17304-case-analysis-andhra-pradesh-pollution-control-board-v-s-prof-m-v-nayudu-retd-.html> (last visited on February 16, 2026).

for ecological context. By emphasising threshold-based classification over landscape continuity, the judgment prompted debate regarding alignment with constitutional commitments to life, dignity, and sustainable development.

### **Bhopal Gas Tragedy: Industrial Catastrophe and Regulatory Reckoning**

The Bhopal Gas Tragedy remains one of the most significant instances of industrial and regulatory failure in India. On the night of 2 December 1984, approximately 36,000 kilograms of methyl isocyanate (MIC) leaked into the atmosphere, exposing large segments of the city to toxic contamination. Contemporary estimates recorded over 3,000 immediate fatalities, with more than 20,000 individuals sustaining serious injury. The disaster precipitated a prolonged humanitarian and environmental crisis, the repercussions of which continue to influence public health, environmental policy, and industrial regulation across generations.<sup>58</sup> Decades after the Bhopal Gas Tragedy, its legacy remains visible in patterns of chronic illness, soil and groundwater contamination, and intergenerational health effects documented in affected communities. The disaster has been cited by scholars as establishing a complex regulatory precedent: that large-scale industrial negligence can produce protracted litigation and constrained liability outcomes. Debates have persisted regarding whether the legal and compensatory framework that followed sufficiently strengthened deterrence. The aftermath therefore continues to inform discourse not only in epidemiology and environmental remediation, but also in accountability and corporate governance.

Comparable concerns have arisen internationally. In Vicenza, Italy, a chemical facility operated by Miteni was linked to contamination affecting surrounding communities. Medical assessments identified PFAS compounds — often termed “forever chemicals” due to their persistence in water systems and human tissue. By the time contamination was formally acknowledged, reports suggested that hundreds of thousands had experienced related exposure. Italian authorities initiated criminal proceedings against company executives and ordered permanent closure of the facility, reflecting a regulatory response framed as assertive in addressing toxic harm.<sup>59</sup>

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<sup>58</sup> Simon Capewell et al., “Tobacco Industry Interference: A Case for Treating it as a Public Health Problem” (2006) *BMJ*, available at: <https://pmc.ncbi.nlm.nih.gov/articles/PMC1142333/> (last visited on February 16, 2026).

<sup>59</sup> “PFAS Contamination Case in Veneto: Vicenza Court Delivers Historic Judgement in Pollution Trial” *UniPD Centre for Human Rights*, February 3, 2026, available at: <https://unipd-centrodirittumani.it/en/news/pfas->

The industrial infrastructure did not cease with closure of the Italian facility. In 2019, the decommissioned plant was reported to have been acquired by Viva Life Science, an Indian enterprise. Its machinery was transported to Ratnagiri, near Mumbai, and subsequently reassembled. By 2025, the installation was described as fully operational, prompting renewed discussion regarding cross-border transfer of industrial assets previously linked to environmental and public health controversy, and the adequacy of regulatory oversight in such transitions.<sup>60</sup> The facility reportedly resumed production of chemical compounds previously restricted in Italy.

The relocation was described by some critics as occurring within a regulatory gap. India does not presently maintain a comprehensive statutory framework specifically addressing PFAS substances, and no uniform national standard governs their manufacture, disposal, or long-term environmental persistence. In the absence of specialised safeguards, commentators cautioned that public health considerations may not receive structured prioritisation relative to industrial continuity. Substances subject to heightened restriction in parts of Europe therefore remained legally permissible within Indian jurisdiction, prompting discussion regarding comparative precautionary governance.

The continuity has drawn renewed attention in light of the unresolved legacy of the Bhopal Gas Tragedy. While its consequences continue to inform environmental jurisprudence and regulatory reform, a new category of chemical industry operates amid debate concerning adequacy of precaution and oversight. Critics frame the pattern not solely as informational deficit, but as reflecting uneven regulatory intensity. In this configuration, industrial risk is perceived as disproportionately borne by communities with comparatively limited institutional recourse.

The controversy engages constitutional principle. Article 21 has been interpreted to encompass environmental protection within the right to life. Where substances restricted elsewhere are introduced without commensurate domestic safeguards, debate arises regarding the substantive realisation of that guarantee. Regulatory design, in such contexts, becomes a visible measure

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contamination-case-in-veneto-vicenza-court-delivers-historic-judgement-in-pollution-trial (last visited on February 16, 2026).

<sup>60</sup> “How Machinery from a Banned Italian Chemical Plant Found a Second Life in Maharashtra” *NDTV Profit*, January 30, 2024, available at: <https://www.ndtvprofit.com/business/how-machinery-from-a-banned-italian-chemical-plant-found-a-second-life-in-maharashtra-10008797> (last visited on February 16, 2026).

of state prioritisation between economic expansion and precautionary stewardship.

The cautionary lessons associated with the Bhopal Gas Tragedy were, according to some commentators, not fully translated into enduring structural reform. Comparable risks were said to have resurfaced within a context marked by expanded scientific knowledge and global regulatory precedent. Critics argue that hazards capable of precautionary mitigation advanced amid limited public deliberation. In this account, institutional continuity appeared uneven, with regulatory adaptation described as incremental rather than constituting a comprehensive and preventive protective framework.

### **Gurmeet Ram Rahim Singh: Conviction and Executive Discretion**

The proceedings concerning Gurmeet Ram Rahim Singh have been cited by commentators as illustrating tension between criminal conviction and subsequent executive discretion. Convicted in connection with the 2002 murder of a journalist, he remained formally incarcerated, yet was released on multiple occasions through parole and furlough provisions available under law. The timing of certain releases during electoral periods generated public discussion regarding the degree to which penal administration operates independently of political context and the importance of maintaining confidence in neutrality.<sup>61</sup>, coinciding with successive state and national elections as follows:

1. February 2022 (21 days' parole) – Punjab elections (February)
2. June 2022 (30 days' parole) – Haryana municipal elections (June)
3. October 2022 (40 days' parole) – Adampur bypolls (October)
4. January 2023 (40 days' parole) – Haryana panchayat elections (January)
5. July 2023 (30 days' parole) – panchayat bypolls (July)
6. November 2023 (21 days' parole) – Rajasthan Assembly elections (November)
7. January 2024 (50 days' parole) – Lok Sabha elections (April–May)

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<sup>61</sup> “Inside Ram Rahim’s Double Life: Crimes, Convictions, Repeated Paroles” *Brut.media*, available at: <https://www.brut.media/in/articles/inside-ram-rahims-double-life-crimes-convictions-repeated-paroles> (last visited on February 16, 2026)

8. October 2024 (20 days' parole) – Haryana Vidhan Sabha elections (October)
9. January 2025 (30 days' parole) – Delhi Vidhan Sabha elections and Haryana municipal elections (February)
10. April 2025 (21 days' parole) – Dera Sacha Sauda Diwas
11. August 2025 (40 days' parole) – birthday observance

At the relevant time, the governing framework was the Haryana Good Conduct Prisoners (Temporary Release) Act. Section 5A classified persons convicted of offences such as rape and murder within the category of “hardcore prisoners,” circumscribing eligibility for temporary release to specified humanitarian grounds, including death of immediate family members or attendance at close familial ceremonies. Such release was ordinarily limited to short duration — typically up to forty-eight hours — and conditioned upon police escort, reporting requirements, and oversight mechanisms intended to preserve administrative accountability and public order.<sup>62</sup>

The repeated paroles granted to Gurmeet Ram Rahim Singh were described by commentators as raising questions regarding alignment with the earlier statutory framework. Rather than operating solely within the prior restrictive scheme, the State subsequently revised the governing legislation. In 2022, the Haryana Government enacted amendments to the Haryana Good Conduct Prisoners (Temporary Release) Act, recalibrating the parole regime and broadening eligibility parameters for temporary release, including provisions applicable to prisoners previously classified within the “hardcore” category.<sup>63</sup> While retaining the designation of “hardcore prisoner,” the amended Haryana Good Conduct Prisoners (Temporary Release) Act permitted eligible convicts to apply for up to ten weeks of parole annually upon completion of five years of sentence, inclusive of as much as two years spent in undertrial custody. In operational terms, eligibility could arise after approximately three years of post-conviction imprisonment, thereby expanding access to temporary release within the revised statutory framework.

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<sup>62</sup> Chandigarh Judicial Academy v. State of Punjab, CRWP 1840 of 2014 (Punjab & Haryana High Court, 2015), available at: [https://highcourthd.gov.in/landmark\\_judgments/HC/English/CRWP\\_1840\\_2014.pdf](https://highcourthd.gov.in/landmark_judgments/HC/English/CRWP_1840_2014.pdf) (last visited on February 16, 2026).

<sup>63</sup> The Haryana Good Conduct Prisoner Act, 2022 (Haryana), available at: <https://haryanaprison.gov.in/sites/default/files/Haryana%20Good%20conduct%20prisoner%20Act%202022.pdf> (last visited on February 16, 2026).

The amended Act also moved away from the earlier emphasis on narrowly defined humanitarian grounds and reduced the centrality of prior judicial appraisal, repositioning parole as a structured statutory entitlement subject to administrative evaluation. Consequently, temporary release assumed a more regularised character within penal administration. Commentators debated whether such redesign increased vulnerability to contextual considerations, including political sensitivity.

The paroles granted to Gurmeet Ram Rahim Singh were framed by critics not as isolated clemency decisions but as occurring alongside broader legislative recalibration. In this account, the timing of reform appeared aligned with the circumstances of a high-profile convict possessing significant social following. Observers questioned whether penal policy could, in certain contexts, intersect with electoral arithmetic. Concerns were expressed that the deterrent rationale of punishment might be perceived as attenuated where release mechanisms operate with expanded frequency.

In this episode, accountability was viewed as evolving through legislative revision rather than simple administrative action. A convict of serious offences alternated between incarceration and release under broadened statutory parameters. Critics argued that such developments illustrate how executive-led reform, absent sustained judicial scrutiny, can reshape penal architecture and generate debate regarding coherence and equality within the criminal justice system.

### **Public Discourse, Sexual Violence, and Institutional Responsibility**

Public discussion concerning sexual violence in India has periodically been affected by statements attributed to individuals holding positions of authority, prompting debate regarding standards of accountability in political speech. In Madhya Pradesh, Ashok Singh was reported to have made remarks interpreted as threatening and referencing sexual violence. Commentators viewed the episode as raising questions about the intersection of political influence, social power, and institutional response to language capable of normalising harmful conduct.<sup>64</sup> No immediate or proportionate legal action was widely reported in connection with the remarks, prompting debate regarding the adequacy of institutional response. Commentators

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<sup>64</sup> “BJP Councillor’s Husband Arrested for Rape after Threat Video Goes Viral” *NDTV*, October 12, 2025, available at: <https://www.ndtv.com/india-news/bjp-councillors-husband-arrested-for-rape-after-threat-video-goes-viral-10059996> (last visited on February 16, 2026).

argued that where such statements remain unaddressed, the signal conveyed may be one of insufficient deterrence.

In Karnataka, senior Congress legislator K. R. Ramesh Kumar was reported to have stated on the Assembly floor, “When rape is inevitable, lie down and enjoy.” Contemporary accounts noted that the remark elicited laughter within the House, including from the presiding Chair. The episode generated significant criticism, with observers describing it as reflecting diminished standards of decorum and sensitivity within a constitutional forum, thereby affecting perceptions of legislative dignity and representative accountability.<sup>65</sup>

Comparable controversy arose in other contexts. Mulayam Singh Yadav publicly remarked in relation to rape cases, “Boys make mistakes, why hang them?” — a statement that generated widespread criticism. In West Bengal, Mamata Banerjee was reported to have issued comments interpreted by critics as placing emphasis on women’s self-restraint for safety. Such statements were described by commentators as reflecting insensitivity within political discourse, and as contributing to debate regarding whether public messaging from elected officials adequately reinforces norms of victim protection and state accountability.<sup>66</sup>

In Bihar, Nitish Kumar was reported to have removed the hijab of a doctor during a public appointment-letter distribution ceremony. The incident generated significant criticism, with commentators describing it as implicating concerns of personal dignity and religious autonomy, and prompting debate regarding the boundaries of political authority within official and symbolic public spaces.<sup>67</sup> In Uttar Pradesh, under the BJP-led government in coalition with the Nishad Party, Sanjay Nishad was reported to have made remarks interpreted by critics as trivialising allegations of sexual misconduct. Commentators noted that the statement suggested differential public reaction depending on the gravity of conduct. The episode generated debate regarding the tone of political communication on gendered violence and whether institutional actors consistently uphold norms of sensitivity and accountability in public discourse.<sup>68</sup> The

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<sup>65</sup> Imran Qureshi, “India Lawmaker Sorry for ‘Lie Down and Enjoy Rape’ Remark” *BBC News*, January 18, 2022, available at: <https://www.bbc.com/news/world-asia-india-59694671> (last visited on February 16, 2026).

<sup>66</sup> Santanu Chowdhury, “Mamata Terms Durgapur Gang Rape Shocking, Says No Accused Will Be Spared” *The Hindu*, December 14, 2025, available at: <https://www.thehindu.com/news/national/west-bengal/mamata-terms-durgapur-gang-rape-shocking-says-no-accused-will-be-spared/article70154689.ece> (last visited on February 16, 2026).

<sup>67</sup> Al Jazeera Staff, “Uproar in India over Bihar Chief Minister Pulling down Muslim Woman’s Hijab” *Al Jazeera*, December 18, 2025, available at: <https://www.aljazeera.com/news/2025/12/18/uproar-in-india-over-bihar-chief-minister-pulling-down-muslim-womans-hijab> (last visited on February 16, 2026).

<sup>68</sup> “UP Minister Sanjay Nishad Sparks Outrage over Misogynistic Remarks on Nitish Hijab Row, Clarifies

episode was described by commentators as reflecting cross-party deficiencies in addressing misogynistic rhetoric within political discourse.

The case of Ankita Bhandari was cited in public debate as illustrating the intersection of influence, exploitation, and institutional oversight. Ankita, a 19-year-old employee at a resort, was reported to have faced coercive pressure to provide “special services,” prompting scrutiny regarding workplace vulnerability, regulatory supervision, and the accountability of individuals operating within networks of social or political proximity.<sup>69</sup> Allegations were reported linking the matter to Dushyant Kumar Gautam. Without pre-empting final adjudication, commentators observed that cases involving individuals perceived to possess political proximity often generate heightened scrutiny regarding institutional independence and accountability, particularly where exploitation is alleged within hierarchies of influence.

Taken collectively, these episodes have been described by critics as reflecting deficiencies in the tone and substance of political engagement with sexual violence. Public narratives of national development — frequently articulated through slogans such as “Viksit Bharat” and “Vishwaguru” — have been contrasted by commentators with continuing concerns regarding gender-based violence and institutional responsiveness. The debate centres not on rhetoric alone, but on whether governance structures consistently reinforce constitutional commitments to equality and dignity.

Some observers characterise the pattern as one in which economic influence, political proximity, and discretionary power interact in complex ways. In this framing, access to capital and authority may affect perceptions of penal consequence and administrative responsiveness. The resulting discourse raises broader constitutional questions about equal protection, accountability, and whether institutional processes operate with consistent regard for those lacking comparable influence.

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Later” *MSN News*, December 16, 2025, available at: <https://www.msn.com/en-in/news/India/up-minister-sanjay-nishad-sparks-outrage-over-misogynistic-remarks-on-nitish-hijab-row-clarifies-later/ar-AA1Suiuf> (last visited on February 16, 2026).

<sup>69</sup> GroundXero, *A Fact Finding Report on the Murder of Ankita Bhandari* (February 2023), available at: <https://www.groundxero.in/wp-content/uploads/2023/02/A-Fact-Finding-Report-on-the-Murder-of-Ankita-Bhandari.pdf> (last visited on February 16, 2026).