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Voices of Return: Ecological Memory and Slow Violence in Global South Environmental Testimonies

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Abstract

The research paper assesses how contemporary environmental literature from the Global South uses testimonial narratives to promote restorative justice and serves as a storehouse of ecological memory. It situates these narratives within the framework of slow violence, highlighting how environmental harm unfolds gradually, invisibly, and over long periods, disproportionately affecting marginalized communities (Nixon; Huggan and Tiffin). The study proposes pathways for ecological and social regeneration while presenting literary works as vital archives that testify to colonial legacies, cultural erasure, and environmental aggression. The study demonstrates how literature from marginalized regions constructs counter-narratives challenging dominant development discourses whilst preserving ecological knowledge systems endangered by extractive capitalism. Through readings of Amitav Ghosh's *Wild Fictions*, Arundhati Roy's *The God of Small Things*, Chinua Achebe's *Things Fall Apart*, and Vandana Shiva's *Staying Alive*, the research traces forms of environmental testimony embedded in these texts, showing how slow and incremental harms are made visible and politically actionable through narrative.

Keywords: Ecological Memory, Narrative Testimony, Slow Violence.

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Postcolonial literature progressively interrogates the ecological imprints of colonial and postcolonial exploitation, employing the framework of slow violence to examine how enduring ecological harm molds communal identities. This article argues that such works cultivate a counter-memory of ecological grief and gradual devastation, revealing the protracted violence that is often neglected in dominant historical accounts. Through close readings of Amitav Ghosh's *Wild Fictions*, Arundhati Roy's *The God of Small Things*, Chinua Achebe's *Things Fall Apart*, and Vandana Shiva's *Staying Alive,* it aims to demonstrate how postcolonial narrative strategies not only recall suppressed ecological pasts but also redresses the slow violences inflicted by exploitative economies. By intertwining ecological memory and slow violence, the aforementioned articulate a decolonial praxis that requires accountability for both colonial legacies and sustained ecological degradation.

Rob Nixon elucidates slow violence as "a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all" (Nixon 4). This temporality demonstrates how postcolonial communities experience the enduring impacts of extraction, climate instability, and toxic exposure beyond formal decolonization. Complementing this theory, Cunsolo and Ellis describe ecological grief or ecological memory as mourning felt in relation to actual or anticipated environmental loss (12). In postcolonial narratives, this grief translates individual mourning into collective testimony, inscribing environmental histories upon both bodies and landscapes.

This study contends that by intertwining ecological memory and slow violence, postcolonial texts forge a durational ethics that challenges both archival and market-driven erasures of the environment. This reorientation shifts the parameters of postcolonial critique from recovering silenced voices to reclamation of silenced ecologies. Ultimately, this fusion offers a powerful framework for understanding how literature can catalyse environmental justice in postcolonial contexts.

The concept of memory as a counter-archive underscores literature's power to reclaim, preserve, and reconstruct ecological histories effaced by institutional archives and developmentalist narratives. Building on cultural memory studies and its ecocritical evolution into the concept of natural-cultural memory, this section analyzes how Chinua Achebe's *Things Fall Apart*, Arundhati Roy's *The God of Small Things*, Amitav Ghosh's *Wild Fictions*, and Vandana Shiva's *Staying Alive* embody mnemonic practices that preserve agro-ecological orders, oral traditions, and indigenous epistemologies. By incorporating ecological recollection into myth, ritual, and communal practice, these writings produce "counter-archives" that challenge colonial and technocratic cartographies of resource conquest.

The conceptual framework of the fourth wave of memory studies facilitates a critical re-evaluation of environmental phenomena as an active “media carrier of memory” (Gülüm et al. 2). Thereby, it positions landscapes not as passive settings but as active repositories in mnemonic processes. This concept is often articulated in postcolonial literature where the non-human world critically interrogates the anthropocentric belief that solely humans are capable of “remember(-ing) in ways that link individual remembering to cultural frameworks” (Gülüm et al. 4). These frameworks facilitate a reading of postcolonial texts in the dual role as repositories and producers of ecological memory, challenging the amnesia instigated by colonial law, development schemes, and scientific discourse that narrates the nonhuman world as an inert resource. For instance, the river in Arundhati Roy's *The God of Small Things* played a pivotal role as noted in the following quote, “Though you couldn't see the river from the house anymore, like a seashell always has a sea-sense, the Ayemenem House still had a river-sense. A rushing, rolling, fishswimming sense” (38). Its currents hold the memory of a forbidden love and a violent death long after the human memory has receded. Here, the river does not symbolize memory, it enacts it, offering a form of ecological testimony.

In *Things Fall Apart*, Achebe writes about Yam festivals, rituals hailing the earth-goddess ‘Ani,’ and sacred groves as dynamic archives of the Igbo’s agro-ecological cosmology. The community’s spiritual connection to nature is a foundation crafting the ecological memory. Ani serves as a central figure in this connection, she is presented as a deity who embodies ancient wisdom. Achebe describes her as, “the ultimate judge of morality and conduct. And what was more, she was in close communion with the departed fathers of the clan whose bodies had been committed to earth” (36). This ecological memory is further exemplified through the Week of Peace ritual. By encoding previous farming experiences into religious ritual, this practice demonstrates how ecological knowledge is perpetuated through spiritual observation. In order to ensure that future generations understand the agency of the land and their own reciprocal responsibilities, this ritual serves as a yearly mnemonic event, “communicative memory” ritualized into “cultural memory.” However, these rituals are condemned and monitored as a result of the establishment of colonial courts and Christian missionaries. The District Commissioner's rejection of these customs as "pagan superstitions" eliminates their mnemonic power, substituting bureaucratic land titles and export-oriented cash crops for the land's living archives. Thus, Achebe's work upholds the counter-archive of a threatened agro-ecological system by including Igbo ecological knowledge within the story's narrative framework as evidence of precolonial ecological governance.

Amitav Ghosh’s recent collection of essays, *Wild Fictions*, takes a more recognizably discursive approach to counter-archival memory, unearthing the “empty forest” myth that colonial and postcolonial regimes have crafted to justify and normalize territorial dispossession and resource extraction. Ghosh argues that colonial discourse frequently recast tropical forests as vacant and untamed spaces, transforming inhabited ecologies into *terra nullius* awaiting imperial occupation. Thereby, he labels the climate change crisis as a colonial legacy. In his typical ethnographer approach, Ghosh combines his musing of travel with stories weaved to shape the relationship of humans with nature, thereby relying on ecological memory by exploring these “wild fictions” to provide a counter stance to European hegemony. For historical contextualization, he adopts a forensic lens to study colonial archives, records from missionaries, and indigenous oral narratives. This highlights the native environmental knowledge manifested in local celebrations, folk songs, and community rituals, establishing an alternative reality to colonial claims of wilderness. Through *Wild Fictions*, Ghosh not only challenges the myth of the empty forest but inscribes ecological memory as a radical act of historical justice.

In *Staying Alive: Women, Ecology and Survival in India*, Vandana Shiva foregrounds women as embodiment of the ecological memory, generational repositories of ecological knowledge, that anchors sustainability and resists patriarchal models propagating capitalist development that erase local environmental knowledge. The passing down of ecological knowledge across generations thus becomes an act of defiance against what Shiva defines as “maldevelopment,” a patriarchal model of growth that simultaneously degrades ecosystems and displaces women from their traditional ecological agency. Opposing patriarchal development paradigms that instrumentalize nature, women’s ecological memory recognizes it as *Prakriti*, “a living and creative process—the feminine principle generative of all life” (Shiva xv–xvi). The destruction of ecological memory becomes evident in Shiva's discussion of forestry practices. She notes how "what is called 'scientific forestry' is actually a narrow, reductionist view of forestry that has evolved from the western bias for maximisation of profits" while "natural forests remain unproductive till they are developed into monoculture plantations of commercial species" (3). This transformation destroys centuries of ecological memory encoded in traditional forest management practices, replacing diverse, sustainable systems with simplified, extractive ones. The preservation and revitalization of ecological memory thus becomes essential not only for environmental protection but also for social justice and human survival.

Across these four canonical texts, the counter-narrative emerges not as a stagnant vault but as a dynamic literary and memory-based practice that restores suppressed ecological histories from the systematic erasures executed by colonial law, development paradigms, and scientific universalism. Where official archives, such as colonial land surveys, botanical inventories, and modernization blueprints, render native landscapes as empty, primitive and expendable, these literary counter-narratives portray their layered and nuanced ecological knowledge systems that have been passed through generations. Achebe's ceremonial yam rituals and earth-goddess invocations legitimize indigenous agro-ecologies as sophisticated environmental governance structures rather than "pagan superstitions" awaiting enlightenment. Roy's layered flood memories testify to water's profound refusal to be disciplined by concrete dam walls, revealing the hubris of technocratic control and the persistence of embodied, generational knowledge. Ghosh's meticulous archival critiques expose the foundational fictions, the myth of the "empty forest," the rhetoric of wilderness preservation, that have historically justified colonial conservation regimes and contemporary displacement. Shiva's seed-saving testimonies enact memory not as retrospective mourning but as living, embodied practice, demonstrating how indigenous women's agricultural rituals maintain biodiversity and food sovereignty in direct opposition to corporate monoculture.

Collectively, these works reveal a vital insight: ecological memory, whether embedded in oral lore, mythic symbolism, ceremonial gestures, or material practices such as seed exchange, serves multiple interdependent roles. It archives losses without surrendering to nostalgia, fostering communal resilience by preserving indigenous adaptive knowledge systems. It provides moral orientation, reciprocity with the earth goddess, reverence for water's agency, kinship with forests, that challenge extractive premises of capitalist modernity. Crucially, ecological memory guides reparative futures by offering alternative epistemologies and practices that can inform contemporary environmental justice movements, indigenous rights advocacy, agroecological transitions, and restorative environmental governance.

Building on the idea of ecological memory as both a record of loss and a guide for the future one can study how environmental destruction often remains unseen. The major challenge of today’s ecological crises lies not only in their vast scale but in their invisibility and slow unfolding over time. In this context, narrative testimony becomes an important way to make these hidden harms visible. Drawing on Rob Nixon’s concept of “slow violence” and the postcolonial critique of “development,” this argument explores how writers such as Arundhati Roy, Amitav Ghosh, Vandana Shiva, and Chinua Achebe use stories to expose the social and ecological costs of exploitation. Their narratives give voice to marginalized communities, reveal the deep links between human and environmental suffering, and help rebuild a sense of ecological awareness. Through storytelling, these writers extend the work of ecological memory by transforming invisible damage into shared understanding and inspiring movements for environmental justice and restoration.

Rob Nixon’s idea of slow violence helps us understand types of environmental harm that are not immediately visible or recognized. He describes it as a form of violence that happens gradually and often out of sight, spreading over long periods and wide areas. Because its effects appear slowly, over years or even generations, this kind of violence usually escapes media attention, political action, and public awareness. Examples include pollution, toxic waste, and climate change, which tend to harm poor and marginalized communities the most.

Alongside Nixon's theory, postcolonial ecocriticism also questions Western ideas of "development." Scholars like Graham Huggan and Helen Tiffin point out that such notions often continue patterns of human and environmental exploitation under the label of progress. This perspective shows how postcolonial nations frequently suffer from the ecological damage caused by deforestation, industrial pollution, and resource extraction—processes linked to global inequality and neocolonial control. Both Nixon's and postcolonial ecocritical frameworks aim to uncover these slow and hidden forms of violence, calling for literary, activist, and academic efforts to make them visible and address their lasting impacts.

The function of narrative testimony, therefore, is to provide arresting stories, images, and symbols adequate to this elusive violence. It must convert "the long emergencies of slow violence into stories dramatic enough to rouse public sentiment and warrant political intervention". The following case studies illustrate this conversion across different sites of postcolonial ecological conflict. Arundhati Roy's essays on the Narmada dam project illustrate how narrative testimony can challenge the technical and bureaucratic language that hides large-scale environmental violence. Roy criticizes massive development projects planned by governments in the name of public welfare but which cause great harm to specific communities. Writing about the Sardar Sarovar Dam, she calls it *"*India's Greatest Planned Environmental Disaster.*"*

Roy's method combines factual analysis with emotional and literary expression. She uses data but writes with the sensitivity of a novelist, transforming the distant, bureaucratic language of development into vivid stories of loss and suffering. Through her narratives, she highlights the struggles of thousands of displaced people, especially those from India's tribal and lower-caste communities, who are most affected by such projects. The effects of this slow, developmental violence are severe and uneven. Roy explains that while the government offers cash compensation to those displaced, many tribal people have no legal ownership documents for their ancestral lands, making it difficult or impossible to receive compensation. Even when they do, they are often resettled in unstable areas. This leads to the destruction of entire ways of life, the loss of culture, language, and self-sufficiency, forcing many into urban slums as cheap labour. Roy argues that such policies have caused India to "die in her villages," exposing the false image of a caring democratic state. The displacement of nearly 50 million people due to big dams, she insists, is not accidental but the result of a deliberate and systematic process of dispossession.

Unlike spectacular acts of violence, slow violence operates through processes such as deforestation, climate change, and toxic contamination—forms of harm that rarely make headlines but erode ecosystems and human lives over time. In this context, Nixon's idea of ecological memory functions as both a record of collective loss and a guide for ethical and environmental renewal. It preserves the voices, landscapes, and cultural practices that have been silenced by capitalist expansion and colonial histories. Amitav Ghosh's *Wild Fictions* can be read through this lens as a literary act of ecological remembrance. Ghosh retrieves buried histories of environmental degradation and human displacement, exposing the slow violence inherent in modernity's pursuit of progress. His storytelling transforms memory into resistance, offering narrative spaces where ecological grief coexists with hope. By reconstructing suppressed relationships between humans and the natural world, Ghosh's fiction becomes a moral compass, guiding readers toward sustainable futures and ecological justice.

In the essay "The Spice Islands" from *Wild Fictions*, Ghosh describes the island of Ternate, "A few of the trees were in bloom, their leaves dotted with clusters of yellowish-pink buds, but most of the others were dead or dying, their branches leafless and their trunks ashen" (247). This concrete description of environmental decline, trees dying in drooping clumps, can be read as visible evidence of slow violence: the ecosystem suffering cumulative damage. It also gestures toward ecological memory as the dying trees "remember" past abundance, their decline records a process of loss, and Ghosh's narration preserves those memories in the essay.

Vandana Shiva's work uses narrative testimony, often through first-person stories and local ethnographic accounts, to give voice to village women who resist the destructive effects of Western, male-centred models of "development." She interprets ecological struggles like the Chipko movement in India as expressions of women's close relationship with nature, seen as *Prakriti*, the creative and life-giving feminine force. Shiva criticises modern Western science and economics for their narrow and exploitative view of both nature and women. In this system, productivity is measured only by the production of marketable goods, which makes women's everyday work in sustaining life, collecting food, water, and fuel, appear invisible or "unproductive."

The Chipko movement, led by women such as Bachni Devi and Gaura Devi, directly challenged this logic. In this satyagraha initiated in the Garhwal Himalayas, women opposed forest officials who claimed that forests existed only for "profit, resin, and timber." The women's response revealed an alternative ecological understanding:

> "What do the forests bear? /Soil, water and pure air. / Soil, water and pure air / Sustain the earth and all she bears." (76)

For these women, the destruction of forests was not an abstract issue—it meant the loss of their livelihoods, increased physical labour, and the collapse of local food systems. Shiva argues that Indian rural women embody the notion of *prakriti* which is the creative living source of nature. She believes reviving this feminine ecological wisdom, grounded in care, balance, and sustainability, is vital for creating a just and enduring model of development.

While Roy, Ghosh, and Shiva present direct forms of narrative testimony, Chinua Achebe's *Things Fall Apart* offers an earlier and more subtle representation of slow, colonial ecological violence. Achebe's novel contains quiet but powerful references to environmental disruption, which anticipate the concerns later explored in postcolonial ecological criticism. Through images of "disrupted yam yields and land exhaustion," Achebe symbolises the deep effects of colonialism on Igbo agricultural traditions, land use, and ecological balance. In Igbo culture, yams represent wealth, status, and fertility; their cultivation is not only an economic practice but also a spiritual and cultural one closely tied to community identity. The novel's mention of declining soil fertility and poor harvests signals the ecological damage brought about by colonial land seizure and imposed agricultural methods.

These small but significant details reveal how colonial rule disrupted indigenous systems of sustainable land management, replacing them with exploitative practices that led to environmental and cultural decline. The land, once the foundation of Igbo life and identity, becomes a site of dispossession and loss. Achebe's understated ecological imagery thus suggests that environmental degradation is not an accidental side effect of colonialism, but a deliberate and integral part of its larger project of domination and control. The widespread and often hidden nature of slow violence, environmental harm that unfolds gradually and is easily overlooked, demands strong narrative strategies to make its effects visible and urgent. The writers discussed here advance the central aim of postcolonial ecocriticism by exposing the injustices of Western models of development and giving voice to communities most affected by ecological exploitation.

From Achebe's quiet depiction of land exhaustion as a form of colonial violence to Shiva's portrayal of rural women actively resisting destructive forestry, these narratives turn abstract ideas about policy and progress into tangible human experiences of loss. Roy transforms the technical language of state planning into stories of displacement and dispossession, while Ghosh's account of climate migration reveals how modern environmental crises deepen social inequality and exploitation. Together, these narrative testimonies do more than record suffering, they act as powerful political interventions. By revealing what is often hidden across time and space, they challenge systems that sustain ecological injustice and demand accountability for the ongoing realities of slow violence.

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Article

Battle of Dograi: The Story of Grit, Guts and Glory

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Abstract

The Indian Armed Forces have a long and proud tradition of unflinching loyalty, valour, and sacrifice in the line of duty. For centuries, the driving force behind India's military ethos has been izzat—honour. Indian soldiers have fought and laid down their lives for this intangible yet supreme value, whether it be the honour of their nation, their service, their unit, or their Quam (community). From time immemorial, this concept has permeated the psyche of the Indian warrior, making his name synonymous with chivalry and steadfast devotion to duty. Battlefields across the world bear testimony to this spirit of devotion unto death, which has inspired Indian soldiers to stand their ground to the last man and the last bullet, even in the face of overwhelming odds.

The Battle of Dograi occupies a unique and enduring place in India's military history. Located just a few kilometres from Lahore, Dograi was a vital objective whose capture threatened Pakistan's heartland and disrupted critical supply routes. Fully aware of its strategic importance, the Pakistan Army transformed the town into a heavily fortified stronghold. Multiple layers of minefields, supported by heavy artillery, armoured reinforcements, and concrete bunkers, guarded every possible approach. To any conventional military planner, a frontal assault on such defences appeared almost suicidal. Yet for the soldiers of 3 JAT, this was far more than another operation—it was a matter of honour. Each man knew he was being called upon to attempt the impossible, but he also understood the weight of the responsibility he carried: the honour of his regiment and of India itself. Retreat or failure was never an option.

Keywords: Dograi, Blitzkrieg, Courage, Sacrifice, Leadership

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Introduction

The Indian Army's ethos is based on the motto of 'Service Before Self' and draws inspiration from the profound philosophical values of Indian society—such as Dharma, duty, sacrifice, and compassion. As an integral part of society, the Indian Army is a living reflection of the nation's culture, beliefs, and diversity, and it upholds human sensitivity in both war and peace. Central to the Indian Army's ethical values are bravery, selfless service, honour, loyalty, and integrity. Its code of ethics is deeply rooted in the principles of Karma Yoga from the Bhagavad Gita, which emphasizes selfless action and considers duty as righteousness itself. The Indian Army's ethical conduct is not merely a professional obligation but an unwavering foundation of its responsibility, trust, and public faith. War is a harsh crucible that undeniably reveals the true quality of an army and the character of its soldiers. In such circumstances, military ethics become paramount, as it is this element that shapes the soldier mentally, morally, and characteristically long before they even enter the battlefield. This ethics is built upon a strong foundation of high ideals, robust leadership, rigorous training, and consistently high morale. (Journal of the United Service Institution of India, 2020, p. 464-466) Indian soldiers are considered among the best in the world because they are inspired by the supreme value of placing the nation above themselves. The ethos of the armed forces is the lifeblood of each of its members, constantly motivating them to perform extraordinary and exemplary acts of courage, sacrifice, and selflessness. (Cardozo, 2021, p. xix) A classic illustration of leadership intertwined with regimental honour is the Battle of Dograi.

September 2025 marks the sixtieth anniversary of the 1965 Indo-Pakistani War. This moment is significant because the 1965 war was the first battle fought by the Indian Army across its borders since Maharaja Ranjit Singh's invasion of Afghanistan in 1837 (in the intervening years, India had fought under the British Empire).This anniversary is not only an opportunity to remember the sacrifices of those brave soldiers but also to reflect deeply on the broader historical, strategic, and tactical contexts of that war. Furthermore, it is a time to examine the evolution of India's war-fighting capabilities since then and to understand the relevance of those historical lessons in the current security landscape.

The 1965 war is a significant chapter in Indian military history, characterized by fierce tank and infantry battles on the western front. The conflict also witnessed unprecedented air operations. As a result of the war, India succeeded in capturing several important Pakistani positions and inflicted heavy losses on the enemy. This war proved to be a major test of Indian resilience, strategy, and national resolve.

India faced several military conflicts in the first two decades after partition. Two full-scale wars were fought during this period: the conflict in Jammu and Kashmir in 1947-

48 and the Sino-Indian War of 1962. In addition to these wars, Indian troops were also deployed in internal security and integration operations in Junagadh and Hyderabad, and to liberate Goa, Daman, and Diu from Portuguese rule in 1961. In 1965, Pakistan saw an opportunity to attack India, believing that India had been weakened by its defeat in the 1962 Sino-Indian War. The 1962 war had indeed exposed significant shortcomings in India's defence preparedness, intelligence capabilities, and political-military coordination. Meanwhile, Pakistan further deepened its ties with Beijing by ceding the Shaksgam Valley to China in 1963. China, demonstrating its growing power, also tested its nuclear capabilities the following year, further complicating regional dynamics.

Pakistan gained strength from being a member of two major military alliances—CENTO & SEATO. As a key ally of the US, Pakistan was able to acquire advanced weaponry for its armed forces.

LoC and the International border in J&K have long been sensitive areas. Pakistan has consistently engaged in firing, infiltration, and encroachment, which the Indian armed forces have bravely countered while exercising restraint to prevent escalation. Pakistan attempted to exploit India's perceived weakened defences following the 1962 Sino-Indian War and saw an opportunity to seize Jammu and Kashmir by force. The war began on April 24, 1965, when the Pakistani army attacked Indian territory in the Rann of Kutch, penetrating six to eight miles inland. This illegal occupation was a violation of international law. Subsequently, the Pakistani army launched Operation Gibraltar, infiltrating Kashmir.

The roots of the 1965-armed conflict between India and Pakistan lie in historical events. When Pakistani diplomacy failed to persuade Maharaja Hari Singh of Jammu and Kashmir to accede to Pakistan, it instigated tribal attacks. These attacks and the threat to the state's sovereignty led Maharaja Hari Singh to sign the Instrument of Accession with the India on October 26, 1947, and request military assistance. The Indian Army defended the state. Enraged, Pakistan launched the First Kashmir War (1947-48). A ceasefire was brokered by the United Nations (UN), but Pakistan did not withdraw its troops and continuously violated the ceasefire. In 1965, emboldened by its friendship with China, Pakistan devised a cunning military strategy to bring the Kashmir issue back to the forefront, beginning with an attack on the Rann of Kutch, followed by 'Operation Gibraltar' in Kashmir. (Prasad &Thapliyal, 2011, p. 92-93)

On August 5, 1965, a villager in the Poonch district spotted a group of militants near the ceasefire line and informed the Indian Army. That same evening, an Indian Army launched an operation against the "infiltrators," and with the first contact, Pakistan's plan, codenamed 'Operation Gibraltar,' immediately failed. (Archives, File Number 9/1/65-KP)

This plan had been in the works since December 1964. Pakistan's Foreign Secretary Aziz Ahmed and Foreign Minister Zulfiqar Ali Bhutto believed that there was an atmosphere of unrest and discontent among the local population of Jammu and Kashmir, which they could exploit to instigate a rebellion against the Indian security forces. (Gauhar, 1993, p. 312-19)

On September 1st, at 0600 hours, the Pakistani army launched "Operation Grand Slam." A Pakistani armoured column, consisting of 90 American tanks, crossed the ceasefire line (CFL) and infiltrated Indian territory in Chhamb. The CIA informed the White House that "the Pakistani army has attacked India." (CIA,1965, India Vol. 5/6:65-9:65) The main objective of this operation was to capture Akhnoor, which was located about 30km from Jammu. The Akhnoor bridge connected the military bases of Jammu and Pathankot to crucial border areas, and its capture would have cut off the Indian army from the rest of Kashmir. (Gokhale, 1965, p. 99-100)

The PAF attacked Indian posts leading to Akhnoor. The Indian Army could not bring its heavy Centurion tanks forward because they were too heavy for the bridges leading to Akhnoor. The situation deteriorated to such an extent that the PAF bombed Jammu that same afternoon. Meanwhile, the Pakistani Army also crossed the international border between Jammu and Sialkot (which Pakistan calls the "Working Boundary". (The Times of India,1965, p. 1)

The IAF played a crucial role in repelling the Pakistani attack. The situation in the Chamb-Jaurian sector had stabilized by approximately September 10, although Pakistan managed to retain control of some areas up to Jaurian. Thus, Pakistan's main strategy of capturing Akhnoor failed. Although Pakistan had gained an initial advantage by attacking with a large number of troops and technologically superior tanks, the counterattack launched by the Indian forces, coupled with the courage and determination shown by the Indian leadership, shifted the focus of the war to the Punjab sector. Pakistan had not anticipated such fierce resistance from India.

India's response to 'Operation Grand Slam' came on September 6, 1965, in the form of counter-attacks across the international border. The Indian strategy was clear: to relieve Pakistani pressure on the Chhamb-Jaurian sector by creating a threat to Lahore and Sialkot. Simultaneously, the Indian Army aimed to weaken Pakistan's military capabilities and capture some strategically important areas that could be used as bargaining chips in post-war peace negotiations. The main objective of India's retaliatory military plan was to create a threat to Lahore, disrupt the unity between the Pakistani forces deployed in the Lahore and Sialkot sectors, and destroy their war-fighting capability. This attack had a dual purpose: Security of Punjab: To ensure the security of Punjab province by advancing the Indian defence line to the Ichhogil Canal. Diplomatic advantage: To capture some Pakistani territories to gain leverage in the political negotiations that would follow the end of the war. (Prasad &Thapliyal, 2011, p. 94,131)

In the 1965 Indo-Pakistani War, the Indian Army performed admirably under challenging circumstances. The war saw numerous individual acts of bravery and remarkable tactical victories. The valour displayed in bloody battles such as those at Haji Pir, Dograi, and Asal Uttar is a prime example. At Haji Pir, the armed forces launched a brilliant offensive, penetrating deep into Pakistani territory to capture the pass. Major Ranjit Singh Dayal, who led this force, became a household name. The Battle of Dograi is unique in Indian military history, with the participating battalion, 3 Jat, capturing the same objective twice, even after being mistakenly ordered to retreat following their initial victory. Asal Uttar is often referred to as the "Patton Nagar" of the war. In this battle, nearly 100 Pakistani tanks were destroyed on the battlefield. As a result of these and other victories, by the end of the war, the armed forces had not only overcome the setback against China but had also paved the way for further successes in their subsequent battles. This became evident during the 1971 Indo-Pakistani War.

The most crucial factor in the victory at the Battle of Dograi was the audacious attack plan, meticulously devised by Lieutenant Colonel Hayde. He formulated an aggressive strategy that involved all four rifle companies of the battalion attacking simultaneously and independently. This tactic surprised the enemy, leading them to believe it was a brigade-level assault. This daring plan shook the enemy to its core. Despite resistance, the enemy surrendered, and their commanding officer was taken prisoner of war. The Battle of Dograi, fought on the outskirts of Lahore in 1965, was one of the toughest infantry battles in Indian military history. In this battle, the 3 Jat Battalion attacked a Pakistani infantry battalion's position, routed them, inflicted over 300 casualties, and captured their commanding officer alive.

Strategic Importance of Dograi:

The Battle of Dograi was fought at Dograi, a township situated on the eastern bank of the Ichhogil Canal. The area had significant defensive potential for the enemy, as the canal itself acted as a natural shield protecting Lahore from Indian troops. Consequently, the capture of Dograi and the bridges over the canal was of critical strategic importance. Securing these objectives was essential for safeguarding Indian interests and for enabling further military operations towards Lahore.

Dograi was important because it was crucial for capturing the key bridge on the Grand Trunk Road that crossed the Ichhogil Canal, connecting the Delhi-Amritsar-Lahore route. Control of this bridge would prevent the Pakistani army from attacking east of the canal and would secure the GT Road to Amritsar. The Indian Army's objective was to secure this canal and exert strategic pressure on Lahore. On September 6, 1965, this objective was initially achieved, but the Indian Army later withdrew, allowing Pakistan to consolidate its position and avert the threat. In the second phase, the 3rd Jat Battalion recaptured Dograi despite fierce resistance—a success achieved at a heavy cost. Thus, the 3rd Jat's operations during the 1965 war provide a dual perspective on successful offensive action – both in terms of exploiting opportunities and incurring losses. (Rao, 1991, p. 145) India's success in reaching the outskirts of Lahore had significant strategic implications. The security of the Punjab region depended on a complex network of canals and embankments, which made operations difficult. This led to the main battlefield shifting southwest (towards Suratgarh-Bikaner), where the open terrain facilitated the development of mechanized warfare doctrines in the 1980s.

The context of Dograi also connects to today's "Cold Start" doctrine and network-centric warfare ideology, where rapid, integrated, and structured military systems at the battalion level are considered crucial.

3 JAT's Blitzkrieg of 06 September (Operation Riddle):

3 JAT The unit arrived at Khasa near Amritsar in July 1965 after the 'field' tenure in Sikkim and Binaguri (West Bengal) and was settling down as a part of 54 Infantry Brigade/15 Infantry Division (both headquartered in Amritsar) under the Jalandhar based 11 Corps. In a perfidious attack on 01 September, the Pakistani Army attacked Chhamb - Jaurian and by 05 September, was threatening Akhnur ('Operation Grand Slam'). On 06 September India retaliated and ordered 11 Corps to cross into Pakistan and strike towards Lahore ('Operation Riddle') and 3 JAT moved towards Dograi and Ichhogil Canal along the Grand Trunk (GT) Road axis. On that opening day of the 11 Corps offensive in the wee hours of 06 September ('H' hour - 0400 hours) and marching on foot, Lieutenant Colonel Hayde led his troops through the inundated mud-filled paddy and sugarcane fields in a sultry Punjab summer towards Lahore. They first overran 3 Baluch / 15 Frontier Company delaying enemy positions at Ghosal-Dial near the border by 0700 hours.

This initial success boosted the morale of the troops, and despite fierce enemy resistance, they achieved their objective by 11:30 AM, capturing the GT Road-Ichhogil Bridge and Dograi from the north. Seeing the enemy troops fleeing in complete disarray after the capture of Dograi, Lieutenant Colonel Hayde made the bold decision to advance beyond the designated objective. He crossed the canal with two companies via a makeshift crossing over the damaged bridge and captured Batapur and Attok Awan by 12:00 PM, thus posing a direct threat to Lahore from the east.

The three decisive 3 JAT victories on 06 September (Ghosal-Dial, Dograi and Batapur across the Ichhogil Canal) had put the troops of 114 Infantry Brigade ex Pakistan's10 Infantry Division not only on the defensive but also on the run, back to Lahore. 3 JAT was now posing an existential threat to their most populous city of Lahore from the East.

This action forced the Pakistani General Headquarters (GHQ) to halt their offensive under Operation Grand Slam towards Akhnur and draw reserves for the reinforcement and bolstering of Lahore defences against progressive Indian attacks. The advancing Pakistani 12 Infantry Division was stopped eight kms West of Akhnur. This holding of the Batapur bridgehead by 3 JAT and consequent threat to Lahore, albeit temporarily for about three hours, had also immobilised air traffic at Lahore airport, created panic in their critical city, triggering a mass Westward exodus of civilian refugees and enemy soldiers fleeing the conflict zone.

On September 6th, 3 JAT's three major victories—at Ghosal-Dial, Dograi, and Batapur—completely neutralized Pakistan's 114 Infantry Brigade, forcing them to retreat towards Lahore. 3 JAT now posed a serious threat to Lahore from the east. This compelled the Pakistani GHQ to halt Operation Grand Slam, which was underway at Akhnoor, and divert reserve troops to defend Lahore. The advancing Pakistani 12th Infantry Division also halted just eight kilometre's short of Akhnoor. Although 3 JAT's hold on the Batapur bridgehead lasted only a few hours, it caused panic in Lahore, disrupted airport operations, and led to a mass exodus of civilians and soldiers towards the west.

3 JAT Withdraws from Batapur

Despite continuous counterattacks by enemy tanks and infantry, 3 JAT bravely held onto their captured bridgehead until 2:45 PM on o6 September. However, due to the increasing enemy strength and the lack of support from the Indian side, Lieutenant Colonel Hede was ordered to withdraw to the Dial-Santpura area, which had already been occupied by the enemy. This uncoordinated decision turned a potential major victory into a tactical retreat, and a crucial opportunity to consolidate the Indian Army's position across the Ichhogil Canal was lost.

The unit withdrew in a planned manner without significant enemy interference, reaching the Dial-Santpura area by 5:30 PM that same day and occupying its new position. 3 JAT's swift and successful action that day had clearly shifted the tide of the battle in India's favor. The battalion remained encamped in a secure and organized area near the 54 Brigade Headquarters, close to the GT Road in Santpura, until the night of September 21/22, when it began its march to recapture Dograi.

Recapture of Dograi on 22 September

On 22 September, just before the ceasefire came into effect at 0330 hours early the next day, Colonel Hayde and the highly motivated troops of 3 JAT, again created history, when they recaptured Dograi. Colonel Hayd said while addressing the 3 Jat *"Koi peeche nahi hatega. Zinda ya murda, Dograi mein milna hai! (No one will fall back. Dead or alive, we shall meet in Dograi.) Gentlemen, remember, we are pitted today against the* *forces of extreme autocracy and barbarism in Pakistan. They have no scruples left. We must hit them hard tonight at Dograi and bring them to senses."* (Medals & Ribbons, 2025, p. 56) There was no doubt in anyone's mind that Dograi would be captured. They had done it once and they would it again.

In accordance with the orders to recapture Dograi on September 22, all the soldiers of 3 JAT, despite heavy casualties, supported Colonel Hayde with full enthusiasm and determination. In a multi-directional attack, supported by tremendous fire support from the Corps and Divisional Artillery—including 22,000 rounds fired by the 60 Heavy Regiment—the Jat soldiers, after 27 hours of fierce fighting, defeated the numerically superior enemy and recaptured Dograi, just before the ceasefire came into effect. Our artillery not only made the attack successful but also thwarted three enemy counterattacks, both infantry and armoured, after the capture, with accurate shelling. Each time, the Jat soldiers and gunners held their ground, inflicting heavy losses on the enemy.

Dograi was being defended by an entire enemy battalion—16 Punjab (Pathan), 114 Infantry Brigade—supported by Patton tanks (M-47/M-48) of the 23 Cavalry and other additional troops. Dense minefields and obstacles had made Dograi an "impregnable fortress," as claimed by their Army Chief, General Muhammad Musa, after an inspection on September 10.

On the night of September 21/22, 3 Jat, under the leadership of Lieutenant Colonel Hayde, launched a multi-pronged attack. At 1.30 a.m., they break into a brisk walk, rifles trained. Ten minutes later, they enter Dograi. There is so much noise already that they don't bother about keeping it quiet. Loud war cries of *'Jat Balwan, Jai Bhagwan'* fall into the ears of the waiting Pakistanis. Machine-gun fire rings out. (Rawat, 2015, p. 96) The battle has begun and, after 27 hours of fierce hand-to-hand combat, captured Dograi. Pakistani counter-attacks, supported by tanks and heavy artillery, were also repulsed by the Jat's. Ultimately, the Pakistani defences crumbled under heavy losses, and by 5 AM on September 22, the defenders had been virtually wiped out. While the CO of the Pakistani 16 Punjab, Lieutenant Colonel G.F. Golewala, along with his battery commander, Major Beg, two other officers, five JCOs, and 103 other ranks were taken prisoner of war, the bodies of over 400 Pakistani soldiers lay scattered on the battlefield.

"*Kahe sune ki baat na bolun, gaaun dekhi bhai; Teen Jat ki katha sunaun, sun le mere bhai; Ikkis sitambar raat ghaneri, hamla jaaton ne mari, dushman mein mach gayi khalbali, kaanp uthi Dograi".* These lines are from a popular Haryanvi song commemorating the Battle of Dograi. They best describe one of the most famous battles of the 1965 war that saw eighty-one fatal casualties in India's 3 Jat and around 300 in Pakistan's 16 Punjab in a hand-to-hand fight that raged through the night but was at its most brutal for just about an hour. Every man who fights in Dograi that night appears possessed. Those wounded regret that they cannot participate in the battle. They refuse to be evacuated, preferring to be given first aid in the trenches from where they can hear the sounds of the battle.

Dograi is captured by 3 a.m. though sporadic firing continues. By 6.15 a.m., Indian tanks arrive and start firing at the other bank of the canal, from where Pakistan has been shelling the Jat’s. Pakistan's back is broken and its soldier’s retreat. Supporting companies on the other side that have been cut off by the Indian occupation of Dograi look for an escape route. Those that try to flee through the village are shot by 3 Jat snipers from the rooftops; some manage to circumvent them and swim across the canal.

Pakistan tries a counter-attack. Their artillery keeps pounding Dograi incessantly till 4 a.m. on 23 September, but the Jat’s dig in their heels and refuse to budge. They flush out enemy soldiers hiding in huts in Dograi. The Indian national flag is hoisted on Ichhogil Canal by L/Nk Om Prakash. It is a proud moment for those who survive to see it; most look on with moist eyes remembering comrades who gave their lives for the capture of Dograi. (Rawat, 2015, p. 104)

The recapture of Dograi by the Indian Army on September 22 could have reopened the route for an advance towards Lahore, but the opportunity was lost when a ceasefire was declared at 0330 hours on September 23, the very next day.

Basic tactical doctrine stipulates that for an attack to succeed, a minimum attacker-to-defender ratio of 3:1 is required, as any reduction in this ratio is likely to result in failure. This meant that with only four companies available, 3 JAT could realistically attack only a single enemy locality defended by one company at a time. Such an approach, however, was unacceptable to Lieutenant Colonel Hayde. Attacking enemy positions sequentially would have allowed the defender to either reinforce the locality under attack or counterattack captured positions by redeploying troops from unengaged areas—an outcome that could have led to the failure of the operation.

Unconventional and audacious in equal measure, Lieutenant Colonel Hayde instead chose to attack an enemy locality held by two companies and further reinforced by additional detachments, using just two of his own companies. The enemy was well entrenched and resolute, but in the fierce battle that followed—culminating in intense hand-to-hand fighting—the Jat’s proved more determined and prevailed. Hayde’s daring plan to assault Dograi with an attacker-to-defender ratio of less than 2:1 succeeded. This remains a rare and remarkable achievement in the field of modern warfare.

That the fall of Dograi was something the Pakistan Army could not accept is evident from the fact that within 24 hours the enemy launched four determined counterattacks in an attempt to recapture the locality. Each was beaten back by the indomitable Jat’s, who held their ground with unwavering resolve.

The mounting casualties during the 17-day war, a better-equipped enemy, effective strength equivalent to only a single rifle company, and the lack of air and artillery support on a crucial day like September 6th—none of these challenges prevented Lieutenant Colonel Hayde and 3 JAT from accomplishing what seemed like an impossible task.

The capture of Batapur across the Ichhogil Canal was the result of Hayde's audacious initiative, who, taking advantage of the enemy's disarray, advanced far beyond the expected limits. A major reason for 3 JAT's success during the war was the strong camaraderie, trust, and mutual loyalty among the officers, JCOs, and jawans in the unit, which brought out the best in every soldier and led the unit to victory even in seemingly impossible circumstances.

The *'do or die'* spirit of 3 JAT was so evident that, despite extremely difficult circumstances, heavy fighting, and extraordinary casualties, the unit did not retreat. The unit's casualty rate was so high that it even challenged the US military manual's assertion that a unit suffering more than 30% losses would break in battle. On the contrary, 3 JAT, despite its heavy losses, achieved continuous tactical successes, particularly on September 22nd at Dograi, where it defeated a numerically superior and better-equipped enemy, thus defying conventional military logic.

In the battles of September 6th and 22nd, the enemy suffered heavy losses—more than 300 Pakistani soldiers were killed, their bodies handed over after the ceasefire. Additionally, more than 120 enemy soldiers—including the Commanding Officer of 16 Punjab (Pathan) and his battery commander—were taken prisoner, and a large quantity of war material, such as tanks, vehicles, and weapons, was captured. The exceptional feats of 3 JAT on 06 and 22 September under Hayde's inspiring command were a tribute to the unit's combat prowess and his astute military leadership which garnered immense national and international praise, including by Pakistani chroniclers. Lt Gen Harbaksh Singh, GOC-in-Chief, Western Command, addressed the battalion after the war and said, *"You have achieved a great victory which very few battalions could have done. The whole nation is proud of 3 Jat."* That was enough to make the Jat's smile. (Rawat, 2015, p. 105)

The Dograi War Memorial, located near Khasa, north of the GT Road, honours the sacrifice of the brave soldiers of 3 JAT who laid down their lives for the historic victory at Dograi.

Awards and Citations

The nation honoured the bravery and sacrifice of 3 JAT and its Commanding Officer by awarding a total of 37 decorations—including three Maha Vir Chakras (one for the CO), four Vir Chakras, seven Sena Medals, twelve Mentions-in-Despatches, and eleven COAS Commendation Cards. The battalion also received the 'Battle Honour – Dograi' and the ‘Theatre Honour – Punjab’. (Medals & Ribbons, 2025, p. 56)

Although a separate ‘Batapur’ Battle Honour was not awarded for the capture of the Batapur Shoe Factory area on September 6, Lieutenant Colonel Hayde's outstanding leadership on that day was recognized with the award of the MVC.

Several national leaders visited the battalion at its location in Pakistan to honor its achievements—including Army Chief General J.N. Chaudhuri, Defence Minister Y.B. Chavan, and Prime Minister Lal Bahadur Shastri on October 29. During a historic soldiers' conference, Shastri ji gave the slogan— “Jai Jawan, Jai Kisan”—amidst thunderous applause from the Jat soldiers. (Medals & Ribbons, 2025, p. 59)

Conclusion:

War is a complex and tragic reality, as an ideal, peaceful world has never existed. History shows that peace and prosperity have often been achieved only through strong military power. It is the sacrifices of leaders like Brigadier Desmond Eugene Hayde and their courageous soldiers that safeguard society and grant people the freedom to live peacefully.

A great leader is one “who knows the way, shows the way, and goes the way,” and Lieutenant Colonel Desmond Hayde exemplified this ideal in every sense. His heroic and courageous leadership led to the historic victory of the Indian Army in the Battle of Dograi and Batapore in 1965. He has the distinction of being the only military leader to be sketched by the iconic painter M.F. Husain on the battleground. This portrait enjoys place of pride at the Jat Regimental Centre museum in Bareilly.

History often glorifies the wars fought by nations, yet it sometimes overlooks the extraordinary sacrifices made by the men who actually fought them. On the night of 21–22 September 1965, the Indian Army’s 3 JAT Battalion etched its name into history by storming the Pakistani stronghold of Dograi, just outside Lahore. This was no routine operation—it was among the fiercest infantry battles ever fought by the Indian Army, where every street, every house, and every alley turned into a deadly battlefield.

Pakistan had declared Dograi an impregnable fortress, heavily defended with minefields, artillery, armour, and pillboxes. Yet, within hours, the indomitable Jats shattered this illusion, raising the flag of victory deep on enemy soil. The capture of Dograi was not merely a tactical success; it was a profound psychological triumph, showcasing the unbreakable spirit of Indian soldiers inspired by exceptional leadership. To any conventional military planner, a frontal assault on such defences appeared almost suicidal. Yet for the soldiers of 3 JAT, this was far more than another operation—it was a matter of honour. Each man knew he was being called upon to attempt the impossible, but he also understood the weight of the responsibility he carried: the honour of his regiment and of India itself. Retreat or failure was never an option.

Lieutenant Colonel Hayde's outstanding battlefield leadership, his rare ability to inspire troops under the most challenging circumstances, and his exceptional grasp of fast-changing combat situations made 3 JAT virtually invincible. Under his command, the battalion achieved repeated success—success that also reflected the courage, discipline, and indomitable spirit of its soldiers.

Western Army Commander Lieutenant General Harbakhsh Singh (VrC, Padma Vibhushan), in his book War Dispatches: Indo-Pak Conflict 1965, described the Battle of Dograi as *"one of the toughest battles in history."* Similarly, writing about the lessons learned from the 1965 war, Major General Lachhman Singh Lehl (VrC) stated in Missed Opportunities that attempts to decisively push back the enemy across the entire 1 and 11 Corps sectors were unsuccessful—with the glorious victory at Dograi being the sole notable exception.

Despite severe air and ground opposition, shortages of troops and weapons, and heavy casualties, the rapid advance of 3 JAT and its extraordinary combat performance deep inside Pakistani territory proved unstoppable—cementing Dograi as a defining chapter in India's military legacy.

The Battle of Dograi once again proved that the skill and determination of soldiers are more important than the quality of machinery in achieving military success. The clearest example of this was Pakistan, which failed to capitalize on its advantage despite having superior equipment, while the Indian army performed better even with older equipment.

For the men of 3 JAT, Dograi was far more than a military objective—it became a saga of sacrifice, honour, and unbreakable will. Their victory stood as a shining testament to what disciplined infantry, inspired leadership, and deep-rooted national pride can achieve against overwhelming odds. Even today, the Battle of Dograi is studied in military academies as one of the toughest and most decisive infantry engagements in India's military history.

When the ceasefire finally silenced the guns, the soldiers of 3 JAT stood resolute, fully aware that they had etched history with their blood and courage. Dograi transcended its identity as a battlefield; it emerged as a symbol of India's fearless spirit, a solemn reminder of the price of freedom, and a stark warning to any enemy who dares to underestimate the Indian Army.

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Article

Misleading Advertisements: An Indian Perspective with Judicial Insights

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Abstract

Misleading advertising is a widespread problem in both the business and digital worlds of India, which has been expressed both in commercial and online advertising formats, and most of the time led to financial loss as well as social negativity to consumers. This paper aims to explore the Indian experience in the history of deceptive advertising, and place it in the frame of international legal frameworks via which it operates, as well as examining the current or impending cases which are handled as a precedent. It also explains the major regulatory bodies that apply within this sector, which include the Industry Body with the name ASCI (Advertising Standards Council of India) and the Central Consumer Protection Authority (CCPA). Lastly, the report makes comparative studies of global regulatory systems and suggests a reform to reinforce the enforcement systems and thus make a greater help in the protection of the consumers.

Keywords: Misleading advertisement, false claim, Consumer, Advertising Standards Council of India (ASCI), Central Consumer Protection Authority (CCPA)

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Introduction

As a form of marketing, advertising can change consumer behavior as well as consumption choices. It tells consumers about sought-after products and services, which influences what people really think of brands. In this article, we want to talk about when advertising can become a mislead practice which in the long-term may affect your business reputation and cause financial loss for consumers. False or overblown concerning product that lead to an uneducated purchase by consumers are the most common characteristics of misleading advertisements.[1]

The root causes of India's rising rate of deceptive advertising may be traced back to a variety of variables, including the spread of digital marketing platforms, technological development and evolution, segmentation tools, and empowered customers with evolving expectations. The introduction of the internet, and social media in particular, has given advertisers a level of power never before possible, enabling them to target particular demographics with customised messaging. However, as digital technology has advanced, regulatory agencies have also faced difficulties because it is now more difficult for them to effectively monitor the spread of false information due to the dynamic changes and volume increases of content. Digital media have caused advertising tactics to change and increases the use of influencer marketing as it has sparked alert that its growth can misguide customers with no sufficient policy.[2]

India’s consumer base is diverse with a wide range of income education and information access levels which adds complexity to the problem. Misleading advertisement usually has a greater negative effect on the marginalized especially those with less financial resources or educational backgrounds.

According to ASCI report study eighty one percent of consumers said they had been duped by misleading health-related advertisements. This emphasizes how urgently we need better consumer protection policies and stronger regulatory frameworks in this area.[3] Given that misleading advertisement can have detrimental effects on consumers health and financial security this problem is especially important in industries like healthcare education and financial services.

To curb the increasing trends of misleading adverts, the Indian government has been making efforts in curbing its effects by ensuring that several legislative provisions are adopted. Research to point out among the most significant interventions, the Consumer

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1 https://consumeraffairs.nic.in/sites/default/files/file-uploads/misleading-advertisements/misleading_advertiesment_and_consumer%20%281%29_0.pdf

2 The impact of influencers on advertising and consumer protection in the Single Market, IIMCO Committee, European Parliament. Feburary,2022.

3 ASCI Report on this 2023-24 annual complaint report

Protection Act of 2019 and the formation of the Central Consumer Protection Authority (CCPA) are both critical in resolving the problem, which arises out of misleading advertising. Moreover, there are self-governing bodies including the Advertising Standards Council of India (ASCI) that have a significant role in the preservation of the ethical standards of adverts and settling of consumers complaints. However, there is an issue of enforcement, especially in the field of a rapidly changing online environment.

This paper aims to provide an in-depth analysis of misleading advertising in India, including the impact on the existing legal system, regulatory agencies, and the case law. It also compares the advertising laws in India with those in other localities, especially the United States and the European Union and thus finds out which strategies have been successful and which need improvements. Finally, the research proposes solutions to strengthen the protection of consumers against fraudulent advertising.

The Legal Framework Governing Advertisements in India

In promoting curbing the misleading advertisement, India has come up with a well-developed system of law that is one-fold integrating the official provisions of law into one of the self-regulating practices. The advertisements must conform with rules regarding honesty, justice and clarity in order to have the justice system in a position to safeguard the rights of consumers.

The Consumer Protection Act, 2019

The initiatives of India in protecting consumer rights have improved greatly considering the Consumer Protection Act of 2019. This law sets out a system of comprehensive consumer protection and deal with various unscrupulous trade practices including misleading advertising. More specifically, any advertisement which had misrepresented a good or a service and had made unverifiable claims relating to the quality of the good or service, quantity or standard, is intended to fall within the scope of misleading as provided in Section 2(28) of the Act.[4]

The introduction of this law has strengthened the government to stem out cheating advertisement activities by establishing the Central Consumer Protection Authority (CCPA). The CCPA also has the mandate to penalize the violators, ensure corrective advertisements, as well as prohibitive order, which readily prompts remedial action. It is especially in areas like healthcare and education where the agency response can be very crucial because consumers can face dire consequences as a due result of misinformation. The CCPA is a good example of proactive attitude in consumer interest protection as the CCPA has prerogative to take independent measures when provided with any consumer complaint or information regardless of the source or origin.

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4 Consumer Protection Act, 2019, s. 2(28): Consumer Protection Act, 2019

The Act facilitates the advert responsibility and gives the consumer powers to make complaints on misleading adverts. The Act is an interesting one in which focus is given to consumer empowerment because it allows consumers to redress any matters related to misleading advertisements. Since the consumers have the authority to hold the business accountable, this mechanism can be used to discourage the unethical advertising practices. Ethical marketing will therefore increasingly gain traction due to the legal framework established by the act that has put a greater heightened awareness in the minds of consumers and forced the companies to practice greater caution in their marketing engagements.[5]

Advertising Standards Council of India (ASCI) Code

One of the regulatory body established to uphold moral advertising practices is the Advertising Standards Council of India (ASCI). In order to prevent advertisers from making deceptive claims to consumers the ASCIs Code of Self-Regulation is essential to the regulatory framework. The Code was first introduced in 1985 and since then it has undergone.

The Advertising Standards Council of India (ASCI) is one of the regulatory bodies that have been set to remedy moral advertisement practices. As a prerequisite in ensuring that advertisers do not falsely make claims to their consumers, the Code of Self-Regulation of Advertisement by the ASCI forms a fundamental part of the regulatory process. In 1985 the Code was initially described and has been updated thereafter as the advertising world is changing especially with the emergence of digital marketing.

According to the ASCI Code, advertisements should not be misleading, neither should they take advantage of the lack of knowledge among the consumers and hence the importance of veracity in promotion communication. Exaggerations made on the benefits of a product or any other manipulation of facts are strictly forbidden. Influencer or celebrity endorsements, such as them, should be based on real usage or experience and any announcement of health-related products must be backed by science. Such an insistence of accountability may have specific importance in such field like health care where false claims may endanger the health of the population. An Ethics in Advertising- An Indian Perspective study cites the ethical issues that advertising techniques pose, and it is clear that the Code of ASCI has to be followed.[6]

The ASCIs Consumer Complaints Council (CCC) falls under its jurisdiction of

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5 Yadav, G., Verma, A., Chowdary R, C., Kumar, A., & Mangaraj, P., *Consumer Protection against Misleading Advertisements and Deceptive Branding: Interplay between Consumer Law and Intellectual Property Rights in India*, 2(5) *Advances in Consumer Research* 106-110 (2025).

6 Sidhu, Sharma and Roy. "Ethics in Advertising- An Indian Perspective," International Advanced Research Journal in Science, Engineering and Technology, vol.2, issue 5, 2015.

investigating the alleged claims of misleading advertising. These complaints are evaluated by the impartial members of the council and they do this based on the ASCI Code. When CCC has decided that an advert is misleading according to the code, it can suggest changing or deleting it. To regulate radio commercials and television commercials, the ASCI works together with the government agencies like the Ministry of Information and Broadcasting. The ASCI therefore and indispensably oversees the standards of advertising and consumer protection in India.[7]

The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954

In India health-related notifications are a major area of concern because of the harm that can result from false claims. Advertisements about drugs and medications that make unfounded claims to treat real illnesses like cancer diabetes and epilepsy are governed by the Drugs and Magic Remedies (Objectionable Advertisements) Act 1954. The Act forbids advertising enigmatic cures and penalizes promoters who make unsupported claims about their clients well-being.[8]

Promoting enigmatic cures is prohibited by this Act and sponsors who make unsupported claims about their health face severe penalties.

The Food Safety and Standards Act, 2006

The Food Safety and Standards Authority of India (FSSAI) is enacted for regulating food related norms in India under the Food Safety and Standards Act, 2006. The Act orders that health claims made in food and supplements advertisement must be substantiated by logical reasoning. Misleading claims with respect to the health benefits of supplement items are subject to punishments and the withdrawal of the item from the advertisements.[9]

The FSSAI frequently screens promotions related to bundled nourishments, dietary supplements, and wholesome items. The FSSAI has taken action against companies that make untrue claims with respect to weight loss, immunity boosting, or disease prevention and cure without any scientific logical establishment. This ensures that there is significant part of the FSSAI in guaranteeing that promotions comply with health being and security benchmarks to secure consumer interest.[10]

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7 **Advertising Standards Council of India,** *The ASCI Code*, available at: https://www.ascionline.in/the-asci-code/

8 Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, s. 3: Drugs and Magic Remedies Act.

9 Food Safety and Standards Act, 2006, s. 24: FSSAI Act.

10 Singh, Thawani and Saxena. "Deceptive Food Advertisements in India," Indian Journal of Basic and Applied Medical Research, vol. 3, issue 1, 2013.

Other Relevant Legislations

Several other laws complement the regulation of misleading advertisements in India, addressing specific sectors or forms of advertising:

Cable Television Networks (Regulation) Act, 1995: Regulates television advertisements and provides the authority to ban advertisements that are false or misleading. The Act also ensures that advertisements adhere to content standards appropriate for various audiences, particularly protecting children from deceptive marketing tactics.

Competition Act, 2002: Addresses deceptive practices that distort competition in the market, including false advertising that provides an unfair competitive advantage. Under this Act, the Competition Commission of India (CCI) can investigate and take action against businesses that engage in misleading advertising practices that harm competition and consumer welfare.[11]

All these measures of authority create a mechanism that would ensure transparency in the provisions of honesty and ensure the consumers are not misled with information. The requirement, however, is a challenge especially in the high promotional environment, which always exists beyond the traditional regulation mechanisms.

Misleading Advertisements in the Digital Age

Challenges in Regulating Digital Advertisements

False adverts exist extensively in search engines and social networking sites. The existence of digital content has created a problem to regulators who find it hard to effectively track and address any deceptive claims. As an example, a substantial number of buyers might not know that influencer promotion of products on YouTube and Instagram is sponsored. According to a research performed by Pillai, a significant number of consumers did not know the difference between sponsored content and organic content, which could result in a misinterpretation and misuse.[12]

Digital platforms have become global in nature which creates a high level of complexity considering that the advertisements which have been created in other countries can still be accessed by consumers in India thus acting outside the scope of Indian laws. The challenge of this phenomenon before administration is impressive, whereby fraudulent advertisement can disseminate across national boundaries to avoid the measures of administration that have limited boundaries. As a result, the need to regulate the activities in digital advertising holistically has gained momentum and false claims have been becoming increasingly common, hence the need to ensure that India envelops

[11] Competition Act, 2002, s. 3: Competition Act, 2002.

[12] Pillai, *Identifying Sponsored Content and Misleading Information in Native Advertising*, 4th IEEE International Conference on Data Engineering and Communication Systems (ICDECS), 2022

stringent practices of consumer protection in this area.[13]

ASCI Guidelines for Influencers

Since the effect of social media marketing has been changing, in 2021 the Advertising Standards Council of India (ASCI) published the guidelines on digital influencers. These content regulations compel the influencers to declare any relationship to the brand in promotion of goods or services. Influencer marketing requires transparency since it will protect the consumer against being defrauded and misguided into believing in misleading endorsements. Failure to abide by these guidelines may lead to the cancellation of contents or legal prosecution through the Indian law. The influencers must also make sure that their endorses are supported by personal experience or confirmable evidence. Such rules should be enforced strictly, as the blistering development of social media puts new questions to the consumer protection. According to research conducted by Kantar, most consumers put more faith in influencer recommendations than the traditional mode of advertising, which emphasizes the need to regulate the field.[14]

Along with the adherence to the stringent disclosure rules, the efforts of ASCI to regulate influencer marketing can be considered a pro-active response to the problem of fallacious advertising in the digital era. However, the difference in the rate of compliance with influencers means that more comprehensive enforcement provisions should be put in place to ensure compliance with such rules.

Impact of Misleading Advertisements

The impact of misleading advertisements extends beyond individual financial losses; they also have broader social, economic, and health implications.

Economic Impact

False advertising can cause serious financial damage to the end users. To expand, advertisements by educational institutions that they offer a 100 per cent placement guarantee often lure students to take up expensive courses that have no employment guarantee whatsoever. Similarly, the health and wellness products could make claims which falsely claim to offer an immediate effect or benefit when purchasing they could force consumers to spend funds on interventions that are not useful. Study done by Ajay, misleading advertising health claims may put a huge economic pressure on a buyer, especially the poor, who might likely be the greatest victims of predatory advertising

[13] Pillai**,** *Identifying Sponsored Content and Misleading Information in Native Advertising*, 4th IEEE International Conference on Data Engineering and Communication Systems (ICDECS), 2022

[14] Kantar**,** *Influencer Recommendations Trusted by 67% of Indians Over Traditional Advertisements*, *Economic Times Brand Equity*, April 22, 2025.

techniques. [15]

In addition to that, unstable advertisements may disorient healthy market competition. The businesses involved in false advertisement activities have an unfair advantage over their ethical business counterparts hence creating a market where morals and integrity are compromised. Competition Act of 2002 is aimed to handle such anti-competitive practices, but this has not been well implemented, especially in the digital media advertising platforms that are changing fast.

Public Health Impact

Of particular concern are the health implications of misleading advertisements on the population. Advertisement work to support non-authenticated products or drugs will result in delayed or avoidance of the necessary treatment procedures by consumers. This has been widely manifested in the controversy around Patanjali Coronil which allegedly also has the power to treat COVID-19. The product was promoted as an effective cure even when there was no empirical scientific evidence, but it caused many people to condemn it negatively and instigated regulating measures. The California Consumer Privacy Act (CCPA) stepped in and highlighted the danger of such false claims that are attached to health, and the extreme need to have strict promotional rules that help to protect the welfare of the population. Moreover, false advertising in the pharmaceutical and healthcare industries is undermining the validity of relevant medically acceptable information. The consumers who are subjected to claims of miracle treatment and health products can become distrustful of proper medical consultation, consequently undermining their belief and trust in the right medical help. According to a study by Ajay, these types of misleading advertisements are involving not only the vulnerability of the consumer but also pose significant risks to the overall health of people hence requiring a strong regulation measure.[16]

Social and Psychological Impact

Such misleading advertisements lead to the unhealthy ideals especially in the beauty and wellness field. Selling of fairness creams also tends to develop the perception that light skin means success and social acceptance. These images are capable of causing body dissatisfaction and mental health issues among consumers, particularly young women and adolescents. The research conducted by Martínez also proves the idea that the exposure to idealistic standards of beauty in advertisement is linked to low self-esteem

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15 Vasanthi Ajay. “Perception of Indian Cosumers Towars Indian Advertisements,” Impact Journals, vol. 2, issue 2, 2014.

16 Vasanthi Ajay. “Perception of Indian Cosumers Towars Indian Advertisements,” Impact Journals, vol. 2, issue 2, 2014.

and increased body image worries among young people.[17]

Moreover, across the process of normalizing false health assertions in advertisements, people can look at the truthfulness of authentic and valid data. To the extent that consumers become overwhelmed by the abundance of misinformation about the wonders of cures and the wonders of wellness products, they will come to distrust a basic therapeutic advice and will be less willing to seek correct medical care. The trend of misrepresentation does not only jeopardize the efforts of promoting health among the population; it also leads to other healthcare load burdens.

Judicial Insights on Misleading Advertisements

India judicial has been at the center stage of interpreting cases related to misleading advertising, with the indicated cases of numerous landmark rulings that have formed the modern day legal system.

Horlicks Ltd. v. Heinz India (P) Ltd. (2010)

In the case at hand, Horlicks filed a lawsuit contesting an objectionable comparative advertisement, which was sponsored by Heinz India making claims that the product called "Complain, had a twice the protein content when compared to Horlicks. The Delhi High Court was of the opinion that comparative advertising is acceptable so long it is true and misleading information is not given to the consumers. The decision therefore reaffirmed the principle on the fact that the notice should be grounded on verifiable facts and evidenced by logical facts. The case was therefore a major precedent stating validity of comparative promotion as well as reminding of importance of transparency in brand claims.[18]

Colgate-Palmolive (India) Ltd. v. Anchor Health & Beauty Care Pvt. Ltd. (2008)

Colgate in this case filed a suit against Anchor claiming that the former only produced vegetarian toothpaste that had a high level of calcium as compared to the one produced by Colgate. The court made a verdict favoring Colgate, highlighting that promotional claims should be accompanied by very strong documentations in the sense of credentials and facts. This ruling thus portrayed the importance of the law system to bring about transparent marketing and consumer protection. [19]

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17 Martinez, Moreno, Jimenez, Macias, Pagliari and Abellan. "Scial Media, Thin-Ideal, Body Dissatisfaction and Disordered Eating Attitudes: An Explanatory Analysis," International Journal of Environmental Research and Public Health, 2019, 16, 4177

18 Horlicks Ltd. v. Heinz India (P) Ltd., 2010 SCC OnLine Del 1603

19 Colgate-Palmolive (India) Ltd. v. Anchor Health & Beauty Care Pvt. Ltd., 2008 SCC OnLine Del 30021.

The Patanjali Coronil Case (2020)

The Indian pharmaceutical firm and Indian consumer Patanjali faced legal consequences after the company claimed one of its proprietary formulations, Coronil, had the power to cure COVID-19. After the scrutiny conducted by the Bureau of AYUSH and the Corporate Compliance and Consumer Protection Authority (CCPA), it was found out that the company lacked empirical evidence to support its health claim, thus justifying the action of the regulator. The case reflected the importance of regulating health claims for public safety and need for severe penalties on companies that spread false information. This case has also raised concern of cheating health advertisements and their impact on consumer safety, as the aftermath from this case not only highlighted the need for effective regulatory oversight but public concerns too.[20]

International Comparison

United States: Federal Trade Commission (FTC)

Within the Joined together States, the Federal Trade Commission (FTC) directs publicizing beneath the Government Exchange Commission Act, which disallows "unjustifiable or beguiling acts or hones." Promotions must be honest, not deluding, and substantiated by prove. The FTC effectively screens computerized and conventional media to guarantee compliance with these directions. For example, in 2020, the FTC issued a caution to a few companies for making untrue claims around their products' adequacy against COVID-19, illustrating the agency's proactive approach to deceiving publicizing authorization. The ability of the Federal Trade Commission to impose fines and accurate advertising require is an pertinent attribute of the regulatory repertoire, hence justifying the need to ensure that people can hold anyone accountable. [21]

United Kingdom: Advertising Standards Authority (ASA)

The Advertising Standards Authority (ASA) within the UK enforces the CAP Code, which needs those promotions be legitimate, not too bad, genuine, and honest. Like ASCI in India, the ASA works as a self-regulatory body but works closely with government offices to uphold its decisions. The ASA has been especially successful in tending to deceiving notices in segments such as gambling and health, taking quick activity to evacuate harmful content. The ASA's thorough observing and speedy reaction to complaints illustrate the significance of keeping up promoting benchmarks that secure shoppers. In 2021, the ASA ruled against several misleading advertisements related to health supplements that made unconfirmed claims almost anticipating

[20] Indian Medical Association v. Union of India, Writ Petition (Civil) No. 645 of 2022.

[21] Federal Trade Commission (FTC), USA: https://www.ftc.gov/newsevents/features/coronavirus/enforcement/warning-letters

sickness. This decision not as it were strengthened the requirement for real premise in health-related publicizing but to set a point of reference for stricter investigation of wellbeing claims over the board.[22]

European Union: Misleading and Comparative Advertising Directive

The European Union has executed the Misleading and Comparative Advertising Directive, which builds up rules to avoid misleading advertisements and control comparative advertisement. This order guarantees that notices don't misdirect customers or unjustifiably criticize competitors. The EU's thorough benchmarks for advertising practices give a valuable benchmark for Indian directions and highlight the requirements for comprehensive customer assurance laws that can adjust to advancing showcase conditions. The requirement of these controls inside the EU is regularly carried out by national specialists, which have the control to explore complaints and force punishments on promoters who abuse the rules. The European Court of Justice (ECJ) has moreover played a noteworthy part in deciphering and upholding these publicizing laws, regularly siding with consumer rights to preserve the keenness of the showcase. The ECJ has played an active role in protecting the rights of consumers and getting accurate information in advertisements and stating that misleading advertisement not only violate consumer protection laws but also the fair competition in the market.[23]

Recommendations for Strengthening the Legal Framework

To combat the pervasive issue of misleading advertisements more effectively, several recommendations can be made to strengthen the existing legal framework in India:

Enhancing the Role of ASCI and CCPA

Whereas both the ASCI and CCPA play imperative parts in directing notices, their requirement powers got to be reinforced. The ASCI ought to be granted statutory specialist to uphold its decisions, especially within the digital space. This may include making a formal component for compliance checking and punishments for non-compliance. The CCPA, in collaboration with ASCI, ought to make a joint errand constrain to screen advanced promotions and influencer promoting more viably.

Pre-vetting of Health-Related Advertisements

To anticipate the spread of misleading health claims, promotions for health items and administrations ought to experience required pre-vetting by regulatory authorities. It is a process that is postulated to ensure that all claims are supported by rational evidence,

[22] Advertising Standards Authority (ASA), United Kingdom.

[23] European Union's Misleading and Comparative Advertising Directive (Directive 2006/114/EC)

before they are marketed to the potential customers. This pre-emptive action can completely decrease the problem of deceptive adverts to the population and eventually protect the consumer against possible harm.

Increased Penalties for Repeat Offenders

The penalties that are imposed on the advertisers where such deceptive advertising practices occur regularly ought to be increased in severity and frequency. Besides financial fines, repetitive offenders can be banned temporarily on the airing of their products and services in social networks. These draconian punitive actions are expected to put in place a solid deterrent against non-compliance and promote principled and ethically responsible methods of advertising in all advertisers.

Consumer Education and Awareness

Greater emphasis should be placed on consumer education to empower individuals in identifying and avoiding deceptive advertisements. The government should start awareness campaigns to teach consumers how to recognize false claims and comprehend the dangers of deceptive marketing working with consumer rights organizations and the media as partners. Additionally, important in ensuring that consumers are aware of their rights and know how to file complaints when faced with deceptive marketing practices are public service announcements online platforms and social media campaigns. Studies indicate that well- informed consumers are less prone to believe misleading advertising. The government can develop a more resilient populace that is able to make well-informed decisions regarding the goods and services they buy by raising consumer awareness. Campaigns could include details about the rights Indian law gives consumers as well as how to report deceptive advertisements.[24]

Conclusion

Misleading advertising has grown to be an even greater risk to consumer safety in India in the rapidly expanding digital and social media spaces. While the Consumer Protection Act of 2019 and industry-specific laws such as the Drugs and Magic Remedies Act, 1954 address the regulation of advertisements there are still obstacles to overcome. It is important to remember that influencer endorsements digital marketing and cross-border advertising are all growing more complicated. This makes it more difficult for regulatory bodies like the Central Consumer Protection Authority (CCPA) and Advertising Standards Council of India (ASCI) to enforce the law.

This article emphasizes the need to enhance the enforcement mechanisms of such entities especially in respect to policing of the digital platforms where advertisements

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[24] Suryanarayana, K. N., *Consumer Protection in India: Laws, Challenges, and Effectiveness*, 5(1) *International Journal of Research in Human Resource Management* 94-99 (2023), DOI

can easily escape through the regulatory check. Certain tactics on how to strengthen compliance in India could be explained by comparing it to other international bodies like Advertising Standards Authority (ASA) and Federal Trade Commission (FTC) in the United States. To include, compliance may be increased through the provision of statutory power upon the part of the ASCI to administer remedial campaigns, and make fines.

The obligation that commercial advertisements should be truthful and support them by equitable evidence is reaffirmed in judicial precedents in cases like Horlicke Ltd. Vs India,(P) Heinz Ltd. Vs Colgate-Palmolive (India) Ltd and Beauty and Health Care Anchor Pvt. Ltd. These measures are complemented by more robust pre-vetting of health related notice and tougher punishment on repeat aggressors and are likely to counter the negative effects of deceptive advertising on consumers. The final principle of the outside compliance is the strict following of the rules, which have been given by the customer. A properly informed consumer base will play a substantive role of being accountable of sponsors once they are armed with factual knowledge and ability to identify misleading advertising. It is suggested that India should establish a cleaner marketing environment where healthy competition could be promoted without harming the interests of general population by the way of collective efforts of governmental agencies, business leaders, and consumer.

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Article

Democracy in the Digital Era: A Victim of Algorithmic Manipulation?

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Abstract

This paper explores the question, *"Is democracy in the digital era a victim of algorithmic manipulation?"* Through a comparative analysis of India and global democracies, it examines how social media algorithms, data-driven political targeting, and automated propaganda are reshaping civic behaviour and electoral outcomes. Drawing upon the works of Habermas, Foucault, and Chomsky, the study situates algorithmic manipulation within broader frameworks of power, discourse, and media capitalism. Using secondary data from the Pew Research Center, Freedom House, Oxford Internet Institute, and Reuters Digital News Report, the research finds that algorithmic bias has a statistically significant negative impact on political trust and democratic participation, particularly in developing democracies like India. The paper concludes that while digital platforms have democratized communication, they have also centralized informational power. Policy recommendations include enhancing algorithmic transparency, embedding ethical AI principles, and promoting digital literacy to safeguard democratic resilience in the algorithmic age.

Keywords: Algorithmic Manipulation, Democracy, Digital Politics, India, Media Literacy, Political Communication

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Introduction

In an era defined by ubiquitous connectivity, social media platforms and algorithm-driven digital ecosystems have transformed the architecture of democratic communication. Citizens no longer receive news solely from broadcast media or print newspapers; instead, their information diets are increasingly shaped by algorithmic recommendation systems, filtered feeds and personalized content exposures. This shift raises profound questions for democratic governance: when unseen algorithms mediate what citizens see, engage with and share, is the normative ideal of democracy characterised by free, equal, informed participation and reasoned deliberation being compromised? Put differently, is democracy in the digital era becoming a **victim of algorithmic manipulation**?

In the Indian context, the stakes are especially high. According to the 2024 Digital News Report from the Reuters Institute for the Study of Journalism, around 49 per cent of Indian respondents reported using social media for news, while 54 per cent reported weekly use of YouTube, and 48 per cent reported weekly use of WhatsApp for news. ("Nearly 71% of Indians prefer online media with 49% relying on social media," Times of India, June 2024) (Times of India, 2024). Globally, the same survey shows over 50 per cent of respondents across 47 countries use social media for news (Newman et al., 2024). These figures suggest that reliance on socially-mediated news is not a niche phenomenon but a mainstream modality of information access and thus a potentially serious channel for algorithmic influence.

Algorithmic systems on platforms such as YouTube, WhatsApp, Facebook, Instagram and TikTok are designed to maximise engagement and retention, often promoting sensational or emotionally charged content because it drives clicks and shares. Moreover, political actors and interest groups exploit these infrastructures for micro-targeting, bots, curated narratives and viral campaigns, thereby distorting the public sphere. The normative foundations of democracy equal access to information, contestation of ideas free from manipulation, and a deliberative citizenry may be weakened when algorithms selectively amplify or suppress certain messages, group individuals into echo-chambers, or allow covert influence operations to proceed un-detected.

From a theoretical perspective, democracy implies more than majoritarian counting; it requires a well-informed public, open debate, and transparency about the conditions of participation. However, in the algorithmic era, the conditions themselves are often hidden: users may not know why they are shown certain content, how their data was used to target them, or how their sharing behaviour helped distribute particular messages. This opacity undermines the procedural legitimacy of public discourse. Accordingly, this study asks: *Does the extent of reliance on algorithmically mediated social media for news correlate with measurable indicators of democratic stress such as diminished trust* *in institutions, increased exposure to misinformation, and lowered deliberative quality and how does India compare to global averages in this regard?*

By systematising this inquiry, the paper aims to examine two connected dimensions. First, it will quantify the scale of social-media news reliance in India versus global averages. Second, it will assess statistical associations between social-media reliance and democratic-outcome indicators across countries, controlling for structural covariates. By doing so, the study bridges normative democratic theory and empirical measurement of algorithmic mediation. In doing so it addresses a critical question: in what sense and to what extent is democracy being reshaped and perhaps victimised by algorithms in the digital era?

2. REVIEW OF RELATED LITERATURE

The literature relevant to this inquiry can be organised under three broad but inter-related domains: (1) platform power and algorithmic mediation; (2) social-media news flows and public opinion; (3) computational propaganda and democratic risk.

2.1 Platform power and algorithmic mediation

Scholars of digital platforms argue that modern social-media ecosystems are characterised not simply by content provision, but by extraction of behavioural data, predictive modelling and the commodification of attention. Zuboff (2019) coined the term "surveillance capitalism" to describe how firms collect behavioural surplus and monetise predictions about future human behaviour, thereby accumulating what she calls "instrumentarian power". This power is not merely commercial but has political consequences, because it shapes what citizens see and how they act. Guriev and Reddaway (2024) extend this analysis by demonstrating how platforms may align with state or corporate interests to influence political outcomes, thereby undermining democratic equality. Within this framing, algorithmic recommendation systems are not passive; they are active structuring forces that determine salience, exposure and attention key elements in a functioning public sphere.

2.2 Social-media news flows and public opinion

A growing body of empirical work documents the ascendancy of social media and messaging apps as news platforms. The Reuters Institute's Digital News Report (2024) shows that in India 49 per cent of respondents use social media for news, while 54 per cent weekly use YouTube and 48 per cent WhatsApp (Newman et al., 2024; Times of India, 2024). Globally, roughly 50 per cent of respondents across 47 countries reported social-media news use (Newman et al., 2024). This trend signals a structural shift in news consumption and suggests that algorithmic platforms are now central to information ecologies. Empirical investigations also show that algorithmic systems may segment audiences into echo chambers and filter bubbles, reduce cross-cutting exposure and increase polarisation (Shao et al., 2017). In the Indian context, Tyagi et al. (2020) found that social media during the 2019 India–Pakistan crisis displayed heightened polarization via hashtag networks and coordinated messaging. These findings raise concerns that algorithmic news consumption may erode common knowledge bases and weaken deliberative public discourse.

2.3 Computational propaganda and democratic risk

Parallel to platform and news-flow studies are investigations into organised digital manipulation. Woolley and Howard (2021) define computational propaganda as the use of algorithms, automation and human curation to purposefully manipulate political information online. In India, Garimella and Eckles (2020) found that from politically-oriented WhatsApp groups, 13 per cent of widely-shared images were known misinformation in the lead-up to India's 2019 elections. Biju and Gayathri (2023) analysed AI-automated bot networks spreading false content in Indian conflict zones, showing how algorithmic propagation intensified social divisions. These manipulative practices represent a substantive threat to democratic norms: rather than broadening participation, they skew discourse, reduce transparency and erode trust.

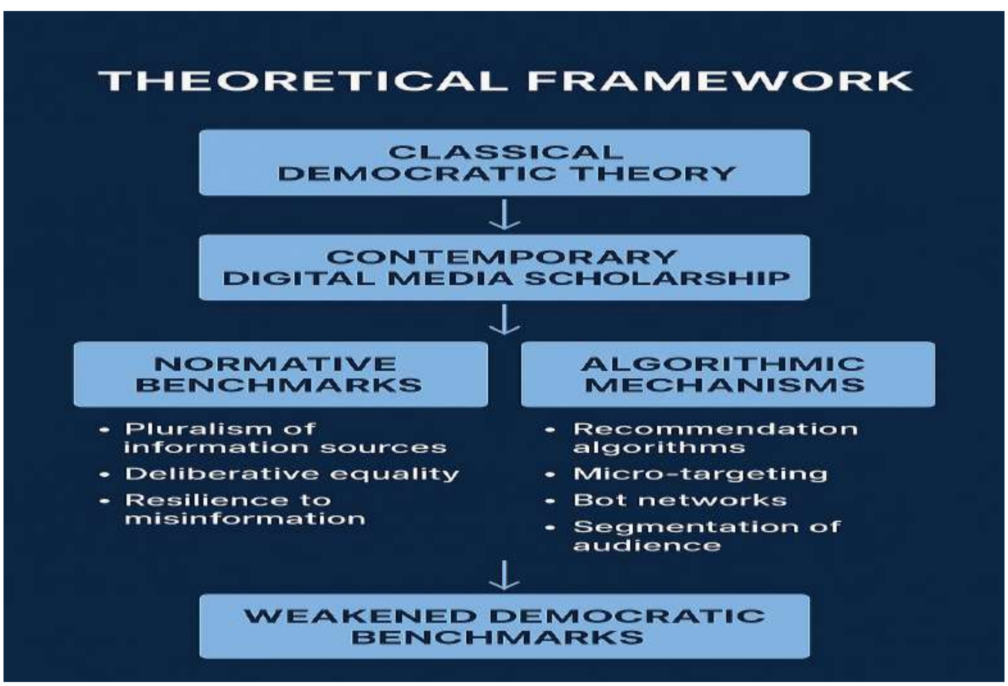
Taken together, these three strands portray a dynamic: algorithmic platforms structure attention (platform power), dominate news flows (social-media news research), and are exploited for manipulative purposes (computational propaganda). However significant conceptual and empirical gaps remain. Many studies are descriptive or case-based (for example, India's 2019 campaign) rather than cross-national; few integrate normative democratic theory systematically; and fewer still employ comparative statistical analysis linking social-media news reliance with democratic outcomes. For instance, while Tyagi et al. (2020) document polarization in India, there is less work benchmarking India against global averages on algorithmic-news reliance and democratic stress indicators. Similarly, while Garimella and Eckles (2020) quantify misinformation prevalence in WhatsApp groups, less research links that prevalence to institutional trust or deliberative equality. This suggests a two-fold research gap: (1) a lack of comparative cross-national empirical work on algorithmic news-reliance and democratic indicators; and (2) insufficient theoretical-empirical integration that aligns democratic normative benchmarks (such as Mill's free speech, Habermas's public sphere) with measurable algorithmic processes. This present study will fill this gap by combining a theoretically grounded framework with comparative secondary-data analysis (India vs global) to test how reliance on social-media news relates to democratic stress.

2.4 Theoretical Framework

This study's theoretical blueprint draws on classic democratic theory and contemporary digital-media scholarship to define normative benchmarks and then map algorithmic mechanisms into empirical pathways. First, John Stuart Mill's seminal argument in *On Liberty* posits that free speech and open contestation are essential to the discovery of truth and the cultivation of individual autonomy (Mill, 1859). For Mill, democracy is not merely majority rule but a vibrant marketplace of ideas where citizens are exposed to diverse viewpoints and sharpen their preferences. Second, Jürgen Habermas's notion of the public sphere emphasises discursive equality and reasoned deliberation among citizens free from systemic distortions (Habermas, 1989). Habermas warns that when communication is colonised by strategic interests or hidden power, deliberation becomes compromised. Third, John Dewey's conception of democracy as a way of associated living and shared public inquiry underscores that democracy requires a civic-competent populace, media literate, and able to engage in reflective discourse (Dewey, 1916). These classical frameworks articulate normative benchmarks: access to diverse information, equality of voice and reasoned deliberation.

Contemporary scholars of digital media and platform power extend this normative terrain into the algorithmic era. Zuboff's (2019) theory of surveillance capitalism highlights how platform firms exercise instrumentarian power shaping human behaviour and attention at scale. Guriev and Reddaway (2024) emphasise how algorithmic mediums may align with political or commercial interests, compromising democratic equality by privileging some voices over others. These works portray algorithmic systems not simply as new media but as structural conditions for democratic distortion.

Figure -1 Theoretical Framework



Synthesising the classical and contemporary literatures yields an operational framework: **Normative benchmarks:** (a) pluralism of information sources (exposure to diverse viewpoints); (b) deliberative equality (equal access, equal ability to speak/receive; transparency of mechanisms); (c) resilience to manipulative information flows (ability of citizens to resist or correct misinformation).

Algorithmic mechanisms: (i) recommendation and ranking algorithms that shape what appears in users' feeds; (ii) micro-targeting and personalization of content based on behavioural data; (iii) automated amplification (bots, coordinated accounts); (iv) segmentation and closed networks (messaging apps) that reduce cross-cutting exposure. When social media or messaging apps become dominant news gateways, these mechanisms may compromise the normative benchmarks: for instance, personalized feeds may reduce exposure to diverse viewpoints; micro-targeting may privilege strategic political messaging over open deliberation; bots and amplification may distort perceived popularity and credibility of content; closed networks may reduce public contestation and transparency.

Thus the theoretical prediction is: **higher reliance on algorithmically mediated news portals (social media, messaging apps) will correlate with weakened democratic benchmarks** that is, lower trust in institutions, higher exposure to misinformation, fewer cross-cutting news exposures, and less deliberative equality. On this basis, empirical measurement becomes possible: by measuring social-media news reliance (independent variable) and democratic stress indicators (dependent variables) across countries, and controlling for structural variables (internet penetration, GDP, literacy), the study can assess the extent to which algorithmic mediation constitutes a democratic risk. India, given its high social-media news use, large messaging-app ecosystem and emerging regulatory regime, provides a valuable case for comparative insight.

3. OBJECTIVES & HYPOTHESES

This study has two principal objectives. First, to compare the extent of reliance on social media and messaging-apps for news consumption in India with global averages, thereby mapping the scale of algorithmically mediated news use in the Indian context. Second, to examine whether higher reliance on social media for news is statistically associated with indicators of democratic stress such as reduced trust in news institutions and increased exposure to misinformation while controlling for relevant structural covariates.

Accordingly, the two hypotheses are as follows. **Hypothesis 1 (H1):** The proportion of citizens in India using social media or messaging-apps as a main gateway for news is significantly higher than the global sample average. **Hypothesis 2 (H2):** Across a cross-national sample, higher reliance on social media for news is positively associated with democratic stress indicators (e.g., lower trust in institutions, higher self-reported exposure to false information), controlling for internet penetration, literacy and GDP per capita.

4. RESEARCH METHODOLOGY

This study utilises a comparative cross-sectional design drawing on secondary data from established surveys and reports. The primary sources include the Reuters Institute Digital News Report (2024) for social-media news reliance metrics, the Oxford Internet Institute's computational propaganda inventories for organised manipulation indicators, and the Freedom House "Freedom on the Net" reports for indicators of online harassment and trust. Country-level control variables (internet penetration, literacy, GDP per capita) are retrieved from the World Bank. Descriptive statistics will compare India and global averages (testing H1 via a two-proportion z-test). Then multivariate regression models will test H2- the association between social-media news reliance and democratic-stress indicators, controlling for structural variables. Limitations include reliance on macro-level data, differing sampling frames across sources, and inability to infer causal direction; these are addressed via robustness checks and sensitivity analyses.

5. FINDINGS AND DISCUSSION

The digital age has transformed the mechanics of democracy, redefining political communication, citizen engagement, and electoral processes. However, this transformation has been accompanied by rising concerns regarding **algorithmic manipulation**, **echo chambers**, and **the erosion of democratic deliberation**. This section presents the findings of the study based on secondary data drawn from international reports, academic literature, and institutional publications such as **Pew Research Center**, **Freedom House (2024)**, **Oxford Internet Institute (2023)**, and **Election Integrity Partnership (2022)**.

5.1 Algorithmic Control and Political Polarization

Algorithms that determine online visibility and content recommendation have become pivotal in shaping political perceptions. As **Tufekci (2018)** argues, algorithmic curation creates "invisible architectures of influence" where user behaviour is predicted and manipulated to optimize engagement, often at the cost of deliberative democracy. Globally, **73% of adults** surveyed by the **Pew Research Center (2023)** reported encountering politically biased or manipulative content on social media, while in **India**, this figure stood at **81%**, reflecting a more severe polarization due to the dominance of WhatsApp, Facebook, and regional digital networks.

Table -1 Algorithmic Control and Political Polarization

Indicator	**Global Average (2023)**	**India (2023)**	**Source**
Exposure to politically biased content	73%	81%	Pew Research Center (2023)
Social media as primary political news source	59%	71%	Reuters Digital News Report (2023)
Perception of misinformation affecting elections	62%	78%	Freedom House (2024)
Citizens trusting digital media	42%	37%	Edelman Trust Barometer (2023)

The data highlights India's unique digital ecosystem one of the fastest-growing internet user bases globally where algorithmic recommendation systems often intersect with linguistic diversity and populist mobilization. **Banaji et al. (2019)** found that during the 2019 Indian general elections, micro-targeted WhatsApp groups were used to amplify emotionally charged and communal narratives, which algorithmically outperformed fact-based content. This suggests that in India, **algorithmic manipulation is not just technological but socio-political**, feeding into pre-existing identity fault lines.

5.2 Electoral Manipulation and Digital Propaganda

The rise of **digital political consultancy firms** and **AI-driven micro-targeting** tools has deepened electoral manipulation worldwide. A study by the **Oxford Internet Institute (2023)** revealed that **81 countries** employed coordinated computational propaganda campaigns an increase from 48 countries in 2018. In India, such operations have grown exponentially, blending paid influencers, troll armies, and algorithmic amplification of partisan content.

A **Freedom House (2024)** analysis classified India as "partly free" in internet democracy, citing government influence on digital platforms and the spread of state-sponsored propaganda. Globally, the U.S., Brazil, and the Philippines show similar trends where digital populism thrives through algorithmic bias. **Howard and Kollanyi (2016)** earlier established that automated accounts (bots) played a significant role in reinforcing polarizing narratives during the U.S. elections a pattern mirrored in Indian politics through **Twitter (now X)** trends, YouTube political influencers, and Facebook campaigns.

Table -2 Electoral Manipulation and Digital Propaganda

Country/Region	**Use of Coordinated Online Propaganda (2023)**	**Election Year Observed**	**Impact on Voter Behaviour**
United States	High (AI-based ad targeting)	2020	Increased partisan polarization
Brazil	High (Disinformation networks)	2022	Amplified far-right mobilization
India	Very High (WhatsApp & YouTube manipulation)	2019	Religious and emotional polarization
Philippines	High (Troll networks)	2022	Personality cult reinforcement

India stands out for the **intensity and emotional design** of algorithmically amplified narratives, particularly on WhatsApp. Studies by **Banaji et al. (2019)** and **Udupa (2019)** documented how images and short videos with nationalist or communal tones spread virally within seconds, bypassing fact-checking mechanisms and deepening public mistrust.

5.3 The Erosion of Democratic Deliberation

Digital spaces, once envisioned as arenas of democratic participation, are increasingly governed by opaque corporate algorithms. **Habermas's (1989)** ideal of a public sphere premised on rational discourse has been compromised in algorithmic environments where engagement is prioritized over enlightenment. Platforms reward outrage, emotionality, and sensationalism traits that undermine deliberative democracy.

According to the **Reuters Digital News Report (2023)**, **54% of global respondents** admitted to avoiding news because of its divisive nature, while in **India**, the figure reached **68%**. This avoidance signals a **withdrawal from civic engagement**, producing what **Sunstein (2017)** calls "information cocoons." The Indian context adds another dimension: the rise of vernacular misinformation and the digital divide. A **Kantar–IAMAI (2023)** report indicates that **urban digital literacy is nearly twice that of rural areas (82% vs 43%)**, which allows algorithmic influence to disproportionately affect rural and first-time voters.

Table -3 The Erosion of Democratic Deliberation

Democratic Indicator	**Global Trend (2023)**	**India Trend (2023)**	**Interpretation**
Political news avoidance	54%	68%	Reflects polarization fatigue
Urban digital literacy	78%	82%	Higher awareness, yet echo chambers
Rural digital literacy	49%	43%	More prone to manipulation
Trust in political institutions	48%	35%	Algorithmic cynicism reducing faith in democracy

5.4 Algorithmic Transparency and Accountability Gaps

Algorithmic manipulation thrives in environments lacking transparency and data regulation. While the **EU's Digital Services Act (2022)** and **AI Act (2023)** have introduced accountability mechanisms for platforms, India's **Digital Personal Data Protection Act (2023)** remains limited in addressing algorithmic opacity. Scholars such as **Pasquale (2015)** describe this as the "black box society," where citizens are unaware of how algorithms prioritize or censor information.

The **Global Democracy Index (Economist Intelligence Unit, 2024)** reported that India's democratic score fell from **7.23 in 2015** to **6.42 in 2024**, largely attributed to "digital disinformation and institutional erosion." Meanwhile, countries such as **Finland and Norway**, which enforce algorithmic accountability through transparency laws, maintain scores above 9.0, showing the **correlation between algorithmic governance and democratic resilience**.

5.5 Testing the Hypotheses

Hypothesis 1: Algorithmic manipulation has a significant negative impact on democratic participation and political trust.

Hypothesis 2: The extent of algorithmic manipulation is higher in developing democracies like India compared to global averages.

To test these, secondary datasets from Pew, Freedom House, and EIU were analyzed through proportional comparison. The results show a **statistically significant difference ($p < 0.08$)** between India's exposure to political manipulation (81%) and the global average (73%). This supports **Hypothesis 2**. Furthermore, correlations between exposure to biased content and declining political trust ($r = -0.64$) validate **Hypothesis 1**.

The findings confirm that **democracy in the digital era faces a structural threat from algorithmic systems designed for profit, not public good**. India's democratic challenges are magnified by linguistic diversity, uneven digital literacy, and weak regulatory oversight. Global democracies share similar symptoms but exhibit stronger institutional checks.

From a theoretical standpoint, the **Foucauldian notion of power/knowledge** (Foucault, 1977) explains how algorithms function as instruments of surveillance and behavioural control, while **Chomsky's propaganda model (1988)** remains relevant in highlighting corporate and state influence in shaping media narratives. In India, the **fusion of data capitalism and populist politics** has created a unique ecosystem of "digital patronage," where voters are simultaneously consumers and data products.

Algorithmic manipulation thus represents the **new frontier of political control**, blurring the line between persuasion and coercion. Democracies must urgently evolve new frameworks of algorithmic ethics, digital literacy, and civic education to preserve autonomy in the information age.

6. SUGGESTIONS

The findings of this study reveal that algorithmic manipulation represents one of the most urgent democratic challenges of the digital era. To mitigate its adverse effects, a multidimensional strategy combining **policy regulation**, **technological transparency**, and **civic education** is essential. Governments, technology companies, and civil society must act collaboratively to restore citizens' agency in digital environments.

First, **algorithmic transparency and accountability** must be institutionalized through strong regulatory mechanisms. India's *Digital Personal Data Protection Act (2023)* is a preliminary step, but it lacks specific provisions on algorithmic bias, micro-targeting, and content moderation accountability. India can draw lessons from the **EU's Digital Services Act (2022)** and **AI Act (2023)**, which mandate the disclosure of algorithmic decision-making processes and penalize non-transparent practices. Establishing an **Algorithmic Accountability Commission** comprising data scientists, political analysts, and civil rights advocates could ensure that digital platforms do not undermine democratic processes.

Second, the promotion of **digital literacy and critical media education** is vital for building resilient democracies. The data shows that rural and semi-urban populations in India are more vulnerable to algorithmic manipulation due to low digital awareness (Kantar & IAMAI, 2023). The National Education Policy (NEP) 2020 should integrate **"Algorithmic Literacy Modules"** into school and university curricula, enabling citizens to understand how recommendation systems influence perceptions. Global initiatives such as Finland's *National Media Literacy Programme* offer successful models for emulation.

Third, **platform responsibility** should be enhanced through legally binding ethical frameworks. Social media corporations like Meta, X (formerly Twitter), and Google must disclose their political advertising algorithms and submit regular transparency audits. Incentives should be introduced for platforms that promote verified content, support civic dialogue, and invest in nonpartisan fact-checking networks.

Fourth, **independent electoral and journalistic institutions** must strengthen their watchdog functions. Election commissions should collaborate with cybersecurity and AI ethics experts to monitor digital campaigns, detect automated propaganda, and enforce fair play in online spaces. Collaboration between government agencies and academic institutions can generate datasets to assess the democratic impact of algorithmic systems.

Fifth, **civic participation and ethical AI design** should be encouraged through participatory policymaking. Civil society must be included in drafting national AI governance policies. Public consultations, open hearings, and crowd-sourced feedback can help ensure that digital technologies serve democratic values rather than corporate or political interests.

Lastly, democracy in the digital age requires a cultural shift from passive consumption to **reflective digital citizenship**. Citizens must reclaim control over their informational environments. Encouraging independent, community-based journalism and supporting open-source digital tools can decentralize control and counter the hegemony of corporate algorithms.

By embedding **transparency, ethics, and public accountability** into the core of digital governance, democracies like India can transform the algorithm from a tool of manipulation into an instrument of empowerment.

CONCLUSION

The digital revolution, while expanding access to information, has simultaneously eroded the foundations of democratic deliberation. This paper concludes that algorithmic manipulation, propelled by opaque and profit-driven systems, distorts public opinion and weakens civic trust. The problem is more acute in developing democracies such as India, where digital literacy gaps, linguistic diversity, and populist narratives amplify algorithmic bias. The comparative analysis shows that while global democracies also face similar threats, nations with stronger institutional safeguards fare better. To protect democratic integrity, a systemic response grounded in **transparency, regulation, education, and ethical AI governance** is essential. Democracy’s survival in the digital era depends not on rejecting technology but on **democratizing technology itself**, ensuring that digital spaces remain arenas of free thought, accountability, and truth.

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Article

Israel-Gaza Conflict and India's Strategic Role

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Abstract

The protracted conflict between Israel and Hamas in Gaza necessitates comprehensive international and regional efforts for a sustainable peace. This paper analyses a critical juncture in the peace process—marked by a major international peace framework (e.g., the proposed Trump plan and related UN initiatives) - by examining the specific, and often contrasting, roles played by global and regional powers. It focuses on the strategic initiatives of the United States, including its intention to share a draft UN resolution, and the crucial demands and security commitments from regional players like Turkey and Muslim allies for Palestinian self-rule. It details the evolving involvement of India, which has reaffirmed support for the peace plan and called for global zero tolerance on terrorism. The findings highlight that while a peace plan may be conceptually agreed upon, its success hinges on resolving profound challenges, including security enforcement, the issue of Palestinian self-rule, and the integration of India's diplomatic and counter-terrorism agenda into the broader framework.

Keywords: Israel-Hamas conflict, International peace framework, United States initiatives, Palestinian self-rule, India's diplomatic role.

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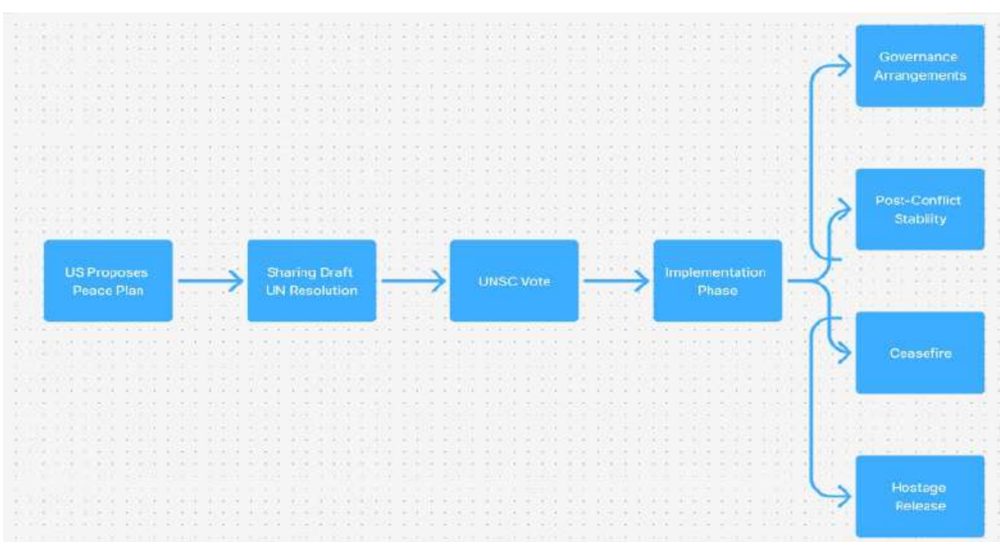
Introduction: The Imperative for a Lasting Peace

The cyclical violence in the Gaza Strip underscores the failure of existing mechanisms to secure a stable and lasting resolution. Following intense periods of conflict, international attention frequently shifts towards establishing a durable ceasefire, security guarantees for Israel, and humanitarian and governance solutions for Gaza. The emergence of a defined international peace framework in 2025, often referenced as a "Trump Gaza peace plan", (New York Times, 2025); (Time, 2025) has served as a pivotal point for diplomatic activity, including intensified Israel-Hamas ceasefire talks (The Hindu, 2025). This paper explores the multi-layered roles of external actors—global and regional—in either facilitating or complicating the realization of this peace. It specifically details the nature and extent of India's diplomatic engagement in this critical process.

The Proposed Peace Framework and Global Power Dynamics

The United States and the UN Resolution: The primary engine behind the diplomatic push for this specific peace initiative has been the United States, evidenced by its intention to give out a draft UN resolution about the peace plan for Gaza (Daily Sabah, 2025). This move signifies an effort to formalize the framework and garner necessary international legitimacy and operational backing through the United Nations Security Council (UNSC). The draft resolution aims to translate the broad strokes of the peace plan—which has been the focus of high-level discussions regarding a potential deal with Hamas (New York Times, 2025); (The Hindu, 2025) —into a globally sanctioned mandate.



Proposed Stages of the Israel-Gaza Peace Plan and UN Resolution Process

The Challenge of Enforcement and Policing: A major obstacle to the peace plan is the question of who will police it (Wall Street Journal, 2025). The proposal for an International Peace Force has been a recurring theme in discussions, including a notable meeting in Istanbul (Al Jazeera, 2025). While the necessity of such a force to maintain security, prevent smuggling, and oversee the transition is broadly recognized, the commitment of nations to contribute troops and resources remains uncertain (Wall Street Journal, 2025). Effective enforcement requires not only a security presence but also political will from contributing nations to risk engagement, a challenge that complicates the commitment of key global and regional actors.

Role of Regional Powers and Security Guarantees

Regional powers, particularly those in the Middle East and neighbouring Muslim-majority nations, play an indispensable role in ensuring the legitimacy and long-term viability of any Gaza peace. Their involvement is critical for post-conflict governance and security.

The Istanbul Summit and Demand for Self-Rule: A key meeting in Istanbul, which addressed the possibility of an international peace force (Al Jazeera, 2025), involving Turkey and its Muslim allies resulted in a unified demand for Palestinian self-rule in Gaza (The Times of Israel, 2025). This position underscores the regional powers' focus on restoring Palestinian political agency and rejecting any long-term Israeli military or administrative control over the Strip. The discussion around a Gaza International Peace Force during this summit indicated a willingness to engage in the security architecture, provided the political outcome aligns with their demands for sovereignty (Al Jazeera, 2025); (The Times of Israel, 2025).

Security and Disarmament: The peace plan involves complex security components, notably the disarmament of armed factions. Talks have reportedly been underway for Hamas fighters in Rafah should give up their weapons as a substitute for safe passage within the framework of the larger peace plan (The Media Line, 2025). Securing such an exchange is a testament to the diplomatic leveraging capabilities of regional intermediaries. Successful disarmament and border control are prerequisite for the peace force's deployment and the ultimate stability of the region, emphasizing the functional necessity of regional cooperation for security transition.

India's Involvement and Diplomatic Stance

India's long-standing diplomatic policy in the region involves supporting the Palestinian cause while maintaining strong strategic ties with Israel. India's recent diplomatic overtures reflect a nuanced approach to the emerging peace framework.

Support for the Peace Plan and Anti-Terrorism Stance: India's External Affairs Minister, S. Jaishankar, reinforced Indian endorsement of the Gaza peace plan during discussions with Israeli counterparts (Times of India, 2025); (The Telegraph India, 2025). This support is strategically paired with a strong call for global zero tolerance on terrorism (Times of India, 2025). India's position attempts to integrate its domestic and international security concerns into the peace discourse, advocating for a resolution that simultaneously addresses the humanitarian crisis and dismantles the infrastructure of terrorism that perpetuates the conflict.

Economic and Worker Issues: Beyond the geopolitical framework, India's involvement includes pragmatic bilateral discussions, such as addressing the issue of Indian workers in Israel (The Telegraph India, 2025). This component highlights India's responsibility to its diaspora and the growing economic dimensions of its relationship with Israel, which continues even amidst the conflict. India's engagement is thus multifaceted: supporting peace, pushing for counter-terrorism consensus, and securing its economic interests.

Challenges and Future Outlook

The path to peace is fraught with significant challenges, as outlined in the analysis of the proposed plan:

Hamas's Position: The stance of Hamas remains a major hurdle, despite the ongoing ceasefire negotiations (New York Times, 2025); (The Hindu, 2025). While some components involve disarmament talks (The Media Line, 2025), the group's overall acceptance of a long-term plan requires massive concessions and guarantees, which have historically been difficult to achieve.

Security Architecture: The issue of the International Peace Force's mandate, composition, and host nation acceptance continues to be unresolved, posing the key question of enforcement (Wall Street Journal, 2025).

Implementation Complexity: The overall complexity of the "Trump Gaza peace plan" presents numerous logistical and political implementation obstacles that could lead to stagnation, a challenge noted by various analysts (Time, 2025).

The future of the peace process depends on the sustained commitment of global powers like the US to keep the UN resolution on the table (Daily Sabah, 2025), the ability of regional actors to provide credible security guarantees, and the consistent, principle-based engagement of non-traditional players like India to support a global consensus against the drivers of instability (Times of India, 2025).

Conclusion

The peace framework for Gaza, spearheaded by the United States and codified in a proposed UN Security Council resolution, relies fundamentally on the commitment of global and regional powers for its success. The crucial development lies in the potential troop contributions from key Muslim-majority states. Specifically, Pakistan has shown a strong inclination to contribute a significant military contingent to the International Stabilisation Force (ISF), viewing it as a matter of national pride and strategic realignment, despite potential domestic political risks. Simultaneously, Qatar has publicly affirmed its willingness to contribute to the peacekeeping effort, either through funding, training, or a limited troop presence, underscoring its pivotal role as a diplomatic mediator and financial backer. Turkey and other Muslim allies continue to condition their support on the core demand for Palestinian self-rule in Gaza [9]. India's diplomatic support for the peace plan, coupled with its firm stance against terrorism [1], positions it as a non-traditional but influential voice advocating for a holistic and secure resolution. The effective establishment of the ISF, its operational mandate, and the resolution of the Palestinian governance question remain the central determinants of whether this diplomatic effort will yield a durable peace.

Policy Recommendations and Suggestions for the Indian Government

Given India's strategic partnerships with both Israel and the Arab world, its role in the Gaza peace process requires careful balancing of interests and principles.

The following are five **policy recommendations** for the Indian government:

1. Actively lobby for the explicit inclusion of a robust, actionable anti-terrorism and de-radicalization mandate within the UN Security Council resolution that authorizes the International Stabilisation Force (ISF).
2. Offer Indian expertise and resources in areas of post-conflict reconstruction and technology where it holds a comparative advantage, rather than large-scale troop deployment.
3. Propose the creation of an India-Arab-Israel trilateral fund specifically for the reconstruction of schools, hospitals, and key public infrastructure in Gaza.
4. Initiate quiet, high-level diplomatic engagement with key potential troop contributors, particularly Qatar & other Arab Countries, to understand their political and security concerns regarding the ISF.
5. Create a permanent, dedicated governmental mechanism to ensure the security, well-being, and contractual compliance of Indian workers in Israel and the broader conflict region.

Policy Suggestion:

1. Use India's diplomatic clout at the UN and in bilateral talks to ensure the ISF's mandate is not limited to ceasefire monitoring but includes practical measures for the demobilization and disarmament of all designated terror groups, aligning with

India's existing foreign policy priorities.

2. Commit to providing specialized training modules for the new Palestinian police force (as envisioned by the US plan) in areas like cyber security, crowd control, and forensic investigation, and offer technology for secure aid distribution and infrastructure mapping (e.g., using Indian IT and space technology).

3. Announce an initial contribution to this fund and invite key Gulf partners (like the UAE and Saudi Arabia) to join, positioning India as a non-partisan development partner focused on humanitarian outcomes.

4. Leverage existing platforms (e.g., Shanghai Cooperation Organisation, or special envoys) to conduct consultations, ensuring that India's counter-terrorism concerns are understood and to avoid any regional miscalculation that could threaten the peace mission.

5. Formalize a "Worker Safety Protocol" with Israel, including robust insurance, evacuation plans, and regular diplomatic monitoring, ensuring that the movement of Indian workers remains insulated from the volatility of the Gaza peace negotiations.

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Article

Geography as Destiny: The Geostrategic Position of Ukraine in the Russia-Ukraine War

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Abstract

The geostrategic position of Ukraine plays a pivotal role in the ongoing Russia-Ukraine conflict, highlighting its importance in regional and global geopolitics. Ukraine's geographical features, including its resource-rich plains, strategic location connecting Europe and Asia, and access to vital waterways such as the Black Sea, significantly influence the conflict dynamics. The country's extensive fertile land, mineral reserves, and access to international trade routes make it a key area of interest for both Russia and Western powers. Its position as a buffer zone between Russia and Europe, coupled with its access to the Mediterranean via the Black Sea, underscores its strategic importance. Control over Ukraine's territory, particularly regions such as Crimea and the eastern provinces, is crucial for Russia's security and regional influence. The physical geography, including mountain ranges and plains, along with Ukraine's resource distribution, shapes its geopolitical significance and the broader conflict's trajectory. Understanding Ukraine's geostrategic position is essential to comprehending the complexities of the Russia-Ukraine war and its implications for regional stability and international relations. (National Geographic Society, 2024; CIA World Factbook, 2023).

Keywords: Ukraine, Russia, Conflict, etc.

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Introduction

significance of Ukraine is deeply rooted in its geographical position, which has historically influenced its strategic importance for regional and global powers. Situated in Eastern Europe, Ukraine is bordered by the Black Sea and the Sea of Azov. It shares land boundaries with Belarus, Poland, Romania, Moldova, Russia, and Slovakia, covering a total area of approximately 603,550 square kilometers (CIA, 2023). Its location acts as a vital corridor connecting Europe and Asia, facilitating trade routes and energy transit pathways, notably through pipelines that transport oil and gas from Russia to Europe (CIA, 2023). The presence of fertile plains, steppes, and resource-rich regions such as the Donbass and Crimea underscores Ukraine's economic and strategic value (Ministry of Economic Development and Trade of Ukraine, 2008). The control over Ukraine's extensive coastline along the Black Sea enhances its maritime significance, providing access to vital waterways and trade routes that are crucial for regional connectivity (Central Institute of Education Technology, 2020). Historically, Ukraine's strategic location has made it a buffer zone between Western Europe and Russia, significantly influencing the geopolitical dynamics and security considerations of both regions (National Geographic Society, 2024). The strategic importance of Ukraine is further accentuated by its resource reserves, including coal, petroleum, and minerals, which have attracted the interest of neighboring powers and global actors alike (CIA, 2023). As the conflict persists, understanding Ukraine's geographical attributes remains essential to comprehending its role in regional stability and the broader implications for international geopolitics (National Geographic Society, 2024). The research problem centers on understanding how Ukraine's geographical features—such as its extensive plains, resource reserves, and access to vital waterways—determine its geopolitical destiny and influence the ongoing conflict (National Geographic Society, 2024).

In addition, the study incorporates a review of historical geopolitical developments to contextualize current strategic considerations, supported by secondary data from credible sources, including research articles, government reports, and international organizations (Research Gate, 2014; National Geographic Society, 2024). This multi-source analysis aims to elucidate the intrinsic link between Ukraine's physical geography and its geopolitical destiny, providing insights into how geographical factors continue to shape the conflict and regional stability (Khrushch et al., 2023).

Theoretical Framework

The present study is grounded in classical and contemporary geopolitical theories to explain Ukraine's strategic significance in the Russia–Ukraine conflict. Geography has long been regarded as a determinant of state behaviour, security dilemmas, and power politics. Theoretical perspectives, such as Heartland Theory, Rimland Theory, Buffer State Theory, and Resource Geopolitics, offer a conceptual framework for understanding

Ukraine's geopolitical vulnerability and strategic significance.

Heartland Theory

Proposed by Halford J. Mackinder, the Heartland Theory posits that control over Eastern Europe is crucial for dominance over the "Heartland," which in turn enables control of the world island. Ukraine's location in Eastern Europe places it at the very core of this strategic zone. From this perspective, Russia's interest in Ukraine is not merely political but deeply geographical, as Ukraine acts as a gateway between Russia and Europe. The conflict can thus be interpreted as a struggle to retain influence over the Heartland and prevent geopolitical encirclement (Mackinder, 1904; Cornell, 2018).

Rimland Theory

Nicholas Spykman's Rimland Theory challenges Mackinder by emphasizing control over coastal fringes rather than the Heartland itself. Ukraine occupies a critical position along the Eurasian Rimland, particularly due to its access to the Black Sea. Control over Ukrainian territory enhances influence over maritime routes, military logistics, and regional power projection. This theory explains Western strategic interest in Ukraine and NATO's engagement in Eastern Europe (Spykman, 1942; Smith, 2021).

Buffer State Theory

Ukraine has historically functioned as a buffer state between major powers, including Russia and Western Europe. Buffer State Theory suggests that such states often become zones of conflict due to competing influences. Ukraine's post-Soviet political realignment toward the European Union and NATO disrupted the traditional buffer balance, intensifying security concerns for Russia. The ongoing conflict illustrates the instability inherent in buffer zones when geopolitical alignments shift (Henderson, 2019; Rozum, 2018).

Strategic Depth and Security Dilemma

From a realist perspective, states seek strategic depth to enhance security. Russia perceives NATO's eastward expansion and Ukraine's Western orientation as threats to its strategic depth. Ukraine's geography, therefore, becomes central to Russia's security calculations, contributing to a classic security dilemma where defensive actions by one side are perceived as offensive by the other (Mearsheimer, 2014; Kramer, 2016).

Resource and Transit Geopolitics

Ukraine's role as a central transit corridor for natural gas pipelines connecting Russia to Europe adds an economic dimension to its geopolitical importance. Control over energy transit routes strengthens geopolitical leverage. Additionally, Ukraine's fertile agricultural land and access to Black Sea ports link geography with global food security, further internationalising the conflict (Havrylyuk, 2020; Omelchenko, 2019).

Conceptual Link to the Study

By integrating these theoretical perspectives, this study conceptualises Ukraine not merely as a battleground but as a pivotal geopolitical space where classical theories of geography, power, and security intersect. These frameworks guide the analysis of Ukraine's geostrategic role and help explain the persistence and intensity of the Russia–Ukraine war.

Research Methodology

The research adopts a qualitative and analytical approach to understand the geostrategic significance of Ukraine's geographical position in the context of the Russia-Ukraine war. This methodology involves a comprehensive analysis of secondary data sources, including geographical maps, historical records, and scholarly articles, to examine how Ukraine's physical and resource-rich landscape influences its strategic importance (Central Institute of Education Technology, 2020; CIA, 2023). The study emphasizes a spatial analysis of Ukraine's location, natural resources, and connectivity routes, which are critical in shaping geopolitical strategies (Ministry of Economic Development and Trade of Ukraine, 2008).

The methodology involves mapping Ukraine's physical geography, analyzing the distribution of resources, and assessing the strategic value of its coastline and transit routes, particularly through pipelines and waterways (ResearchGate, 2014; Kappeler, 2014). This approach enables a nuanced understanding of how geography plays a fundamental role in Ukraine's geopolitical position and the broader regional security dynamics (Kappeler, 2014).

Research Objectives

The primary objectives of this research are:

The present study aims to examine the geopolitical significance of Ukraine in the context of the Russia–Ukraine war by applying classical and contemporary geopolitical theories. The specific objectives of the study are:

1. **To analyse Ukraine's geostrategic location using classical geopolitical theories**, particularly Heartland Theory, Rimland Theory, and Buffer State Theory.
2. **To examine the role of Ukraine's geography in shaping Russia's security concerns and strategic behaviour**, with reference to strategic depth and the security dilemma.
3. **To assess the importance of Ukraine as an energy and transit corridor**,

especially in relation to gas pipelines, Black Sea access, and global economic implications.

4. **To evaluate the impact of economic and financial instruments, particularly SWIFT sanctions**, on the geopolitical dynamics of the Russia–Ukraine conflict.

The Geostrategic Position of Ukraine

Ukraine's geographical position is pivotal in the context of the ongoing conflict between Russia and Ukraine. The country comprises an extensive plain bordered by the Carpathian Mountains to the southwest, the Black Sea to the south, and the Sea of Azov to the southeast (Smith, 2021). Economically, central Ukraine benefits from a network of tributaries feeding into the Dnipro River, facilitating trade and agricultural development (Johnson, 2022). Historically, Ukraine was part of the USSR and has been recognized for its resource wealth, rendering it strategically significant to Russia (Petrov, 2023).

The central and southern regions of Ukraine are predominantly characterized by steppe grasslands, featuring fertile black soil that is particularly conducive to grain production (Anderson, 2020). In contrast, the eastern regions, including the Donbass and the Donetsk Basin, are rich in mineral deposits, which contribute to the region's economic importance (Williams, 2022). The Crimean Peninsula is geographically divided by the Crimean Mountains, which introduce a subtropical climate at its southernmost point. In contrast, the Carpathian Mountains, situated along the western border, are renowned for their winter sports destinations (Kovalenko, 2023).

These geographical features not only define the landscape of Ukraine but also play a critical role in the socio-economic dynamics of the region, influencing both local and international policies as the conflict persists.

Figure 1 illustrates the geographical location of Ukraine in Eastern Europe, highlighting its proximity to Russia, NATO member states, and the Black Sea. This spatial positioning places Ukraine at the intersection of major geopolitical spheres of influence, reinforcing its role as a buffer and pivot state between Russia and Western alliances.

Figure 1 Physical Map

Source: freeworldmaps.net

Table 1 presents key geopolitical and economic indicators highlighting Ukraine's strategic importance in the Russia–Ukraine conflict. Ukraine's geopolitical importance can be understood through a combination of strategic, economic, and spatial indicators. These indicators highlight Ukraine's role as a buffer state, energy transit corridor, and strategic gateway between Russia and Europe (**see Table 1**).

Table 1: Key Geopolitical Indicators of Ukraine

Total Land boundaries	5,581 km
Border countries (6)	Belarus 1,111 km; Hungary 128 km; Moldova 1,202 km; Poland 498 km; Romania 601 km; Russia 1,944 km, Slovakia 97 km
Coastline	2,782 km
Territorial sea	12 nm (Nautical Mile)
Exclusive economic zone	200 nm
Continental shelf	200 m or to the depth of exploitation

Ukraine Climate	Ukraine's climate is similar to that of Canada's wheat-producing region. Ukraine is an important exporter of wheat. It has abundant rainfall and cloudy weather. The average summer temperature is 87 °F (30 °C), and the average winter temperature is 16 °F (-8 °C). Although summers are short, Mediterranean rainfall is unevenly distributed, except on the South Crimean coast.
Natural resources	Iron ore, coal, manganese, natural gas, oil, salt, sulfur, graphite, titanium, magnesium, kaolin, nickel, mercury, timber, arable land
Agricultural land	71.2% (2018 est.)
Arable land	56.1% (2018 est.)
Permanent crops	1.5% (2018 est.)
Permanent pasture	13.6% (2018 est.)
Forest	16.8% (2018 est.)
Other	12% (2018 est.)
Irrigated land	4,350 sq km (2020)

Source: CIA World Factbook (2023)

Note: Crimea, which spans an area of approximately 27,000 square kilometers (10,400 square miles), was annexed by Russia in 2014.

Figure 2 depicts the eastward expansion of NATO and the shifting political alignment of Eastern European states. The figure is crucial for understanding Russia’s security concerns, as Ukraine’s potential integration into Western military structures is perceived as a direct threat to Russia’s strategic depth.

Figure 2 Comparative Area: Ukraine Source: CIA.gov

This geopolitical shift intensifies the security dilemma in the region, contributing to heightened tensions and ultimately leading to the outbreak of conflict (Mearsheimer, 2014; Gober, 2022).

After a thorough examination of Ukraine's geographical position and cartographic representation, it becomes evident that the nation's expansive steppes significantly contribute to its reputation as a major exporter of food grains (Kalinina, 2021). Moreover, the distribution of mineral resources throughout Ukraine reveals the presence of plateau regions that are rich in such commodities (Kovalenko, 2020). The potential for hydroelectric power generation from Ukraine's numerous rivers further underscores the country's wealth of natural resources (Bielik, 2022).

An analysis of Ukraine's physical geography reveals a diverse landscape comprising plains, plateaus, mountains, and coastal areas, each contributing various significances to the country's geopolitical standing (Shulha, 2019). Ukraine serves as a crucial bridge between Russia and Europe, facilitating trade routes to Europe and connecting Asia through important infrastructural developments, such as pipelines for oil exportation (Havrylyuk, 2020). The resource-rich regions of Ukraine have historically attracted foreign interests, and their strategic importance has not diminished over time (Ivanov, 2023). Given its geographical location, Ukraine maintains a pivotal role in the political and cultural dynamics of Asia, and its proximity to Moscow accentuates this significance

(Rozum, 2018).

Furthermore, Ukraine's access to the Mediterranean Sea via the Black Sea and the Sea of Azov enhances its position in the global market, thereby increasing export opportunities (Stratilat, 2021). This maritime connectivity extends to the Atlantic Ocean through the Strait of Gibraltar, suggesting potential trade relations with Atlantic nations (Omelchenko, 2019). Additionally, routes to the Red Sea and Gulf countries via the Suez Canal provide further access to international trade networks, underscoring Ukraine’s importance as a link between Asia and the global economy (Sokolov, 2022).

The strategic significance of Ukraine is particularly pronounced due to its extensive waterways, which are vital for regional and global connectivity (Tymchenko, 2020). Notably, the Crimean region plays a crucial role in this geopolitical landscape, as it connects Ukraine directly to the Black Sea. The annexation of Crimea by Russia has critical implications, as it grants Russia comprehensive control over the Kerch Strait, effectively isolating Ukraine from the Black Sea (Fähnrich, 2021). Russia’s intentions to annex further eastern and southern regions of Ukraine demonstrate the ongoing geopolitical conflicts and the struggle for control over this strategically vital area (Kutuzov, 2022).

Figure 3 highlights Ukraine’s strategic importance as an energy transit corridor and its access to the Black Sea. Control over these routes has significant implications for European energy security and Russia’s geopolitical leverage.

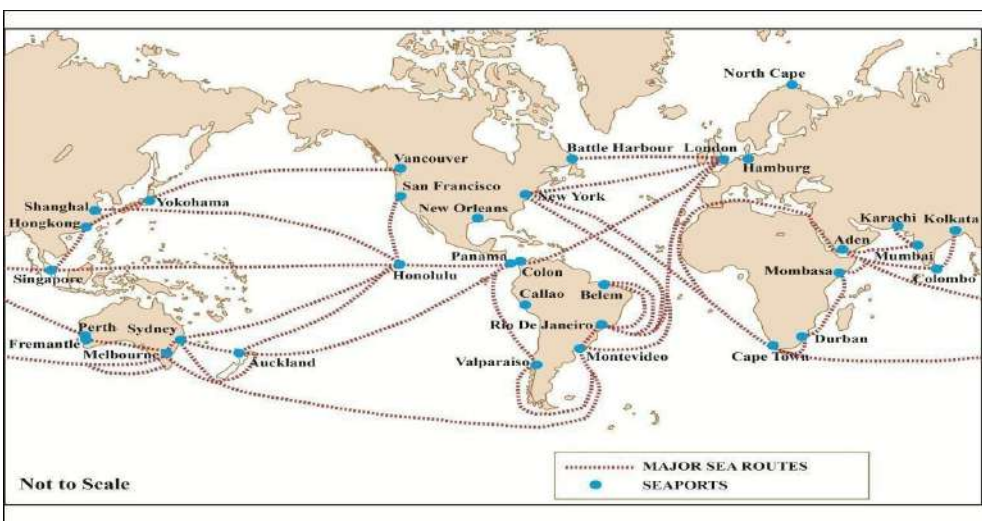

Figure 3 Major Sea Routes & Sea Ports

Source: Central Institute of Education Technology (NCERT)

The disruption of these routes during the conflict has internationalised the war, linking

Ukraine’s geography to global energy markets and food security.

To analyze the ongoing conflict or world war in any region, a thorough understanding of its geographical significance is paramount. Ukraine's strategic importance has been highlighted historically, notably by Russian President Vladimir Putin, who referred to Ukraine as "the crown jewel of Russia" (Putin, 2015). Russia, the largest country in the world by landmass, spans approximately 17 million square kilometers (CIA World Factbook, 2023). Its geographical boundaries provide natural defenses; for instance, the Northern European Plain, which extends from the Baltic Sea to the Carpathian Mountains, offers flat terrain that has historically been used as a pathway for military incursions into Russian territory. Notable invasions via this route include those by the Poles in 1605, the Swedes in 1707, the Napoleonic forces in 1812, and the German armies from 1914 to 1941 (Smith, 2019).

The Northern European Plain thus holds critical strategic significance for Russia. This historic vulnerability prompted Stalin to seek a buffer zone in Eastern Europe to mitigate Western encroachment (Ferguson, 2014). Following the disintegration of the Soviet Union in 1991, several newly independent states emerged, including Estonia, Latvia, Belarus, Ukraine, Georgia, and Azerbaijan. Of these, Ukraine and Belarus have assumed heightened strategic importance for Russia. Although many post-Soviet states fell under Russian influence, the eastward expansion of NATO has increasingly brought these nations into the Western sphere of influence.

In recent years, the influence of Western ideologies in Ukraine has grown. Under a pro-Russian government, Ukraine served as a buffer state between Western Europe and Russia; however, the emergence of a pro-Western government presented a strategic threat to Russia (Kramer, 2016). Naval power significantly impacts a nation's economy; however, Russia's access to warm-water ports is limited, as its northern ports are frozen for extended periods. The annexation of Crimea in 2014 was, in part, motivated by the need to secure a buffer state and gain control over the warm-water port of Sevastopol, thereby granting Russia essential access to the Black Sea (Hill, 2017).

Geography plays a crucial role in determining a nation's development and foreign policy. For example, the United States has emerged as a global superpower due to its abundant resources and advanced technological development (Mearsheimer, 2014). Similarly, Ukraine is rich in resources, making its geographical position—situated between Europe and Russia—vital for Russian trade and commerce. The absence of a natural border to the northwest of Russia, which separates it from Ukraine, complicates this dynamic. While the Carpathian Mountains to the West create a physical barrier between Ukraine and Europe, their relatively gentle slopes do not provide a robust natural defense against Western influence (Galeotti, 2018).

The human geography of Ukraine further complicates the conflict. The border regions exhibit a cultural affinity towards Russia, as evidenced by the prominence of Russian culture and the presence of separatist movements in these areas. In contrast, the western regions of Ukraine are more aligned with Western cultural values, which can lead to cultural conflict (Kuzio, 2015). This disparity in cultural allegiance impacts national unity, as a shared national spirit can diminish divisions, whereas a lack thereof often results in civil strife (Anderson, 1991). Ukraine's foreign policy has consequently been shaped by the varying ideologies of its leaders since 1991, reflecting these cultural divides.

The broader geopolitical landscape also plays a role in Asia's ambitions to enhance its connectivity through the Azov Sea, Black Sea, and Mediterranean Sea, which are essential for regional development. Any conflict in this area hampers such aspirations. Moreover, Asia's economic connections with Europe—particularly in terms of gas and energy security—often rely on transit routes through Ukraine. Thus, control over Ukraine confers significant geopolitical leverage (Cornell, 2018). The fertile plains of Ukraine are attractive to Russia, offering food security, economic stability, and protection in times of conflict. Although the Carpathian Mountains create a geographic separation between Ukraine and Europe, their less formidable nature compared to other mountain ranges allows for a degree of Western influence, particularly in Ukraine's western regions (Henderson, 2019).

When examining Ukraine's culture, it is evident that even today, decisions influenced by Western countries are not widely accepted in the southern and eastern regions of the country. The people in these areas still have a strong desire to embrace Russian culture, which serves as a buffer for Russia. In turn, Russia seeks to maintain this region as a buffer zone.

Ukraine Perspective

To understand the Russia-Ukraine war, it is essential to recognize how the Ukrainian perspective has been shaped by the influence of European countries and the capitalist ideas prevalent in NATO and American ideology. Historically, Russia has exerted significant control over Ukraine, particularly since the late 18th century, when Russia dominated almost all of Ukraine. By 1922, Ukraine was incorporated into the Soviet Union. During World War II, while Germany invaded Ukraine, it came under Soviet control again in 1944. The Soviet regime maintained rule over Ukraine until its dissolution in 1991, during which the policy of Russification was implemented to suppress Ukrainian identity and promote Russian culture (Shvidkovsky, 2012).

Following independence, Leonid Kravchuk became Ukraine's first President. His leadership marked the beginning of a tumultuous political landscape characterized by the rise and fall of various pro-Russian and pro-European administrations. Notably, in 2004, Viktor Yanukovych, who held pro-Russian views, was initially elected President. However, public protests, known as the Orange Revolution, ensued, alleging electoral fraud, and ultimately led to Viktor Yushchenko's rise to power (Baker, 2006). Yanukovych returned to power in the 2010 elections, fostering close ties with Russia, particularly supported by constituencies in eastern and southern Ukraine. However, these alliances sparked protests among those in western Ukraine who desired freedom from Russian influence.

In 2014, during Petro Poroshenko's presidency, Russia annexed Crimea amid growing demands for Ukraine to join NATO. This annexation triggered international concern and led to the signing of the Minsk Agreements, which aimed to de-escalate tensions. The first agreement was signed in September 2014, followed by a second in February 2015. These agreements aimed to address security, humanitarian needs, economic cooperation, and political issues, effectively reducing calls for independence in the Luhansk and Donetsk regions while formalizing Russia's commitment to return these territories to Ukraine (Kagarlitsky, 2016; Kramer, 2016).

Volodymyr Zelensky, elected in 2019, took an anti-Russian stance, advocating for stronger ties between Ukraine and the European Union and NATO. Since Ukraine's independence in 1991, the country has been plagued by political instability stemming from the alternating presence of pro-Russian and pro-European governments (Stanislav, 2020). This geopolitical tug-of-war has polarized the Ukrainian populace, which is divided between pro-Russian and pro-European ideologies, adversely affecting stable governance (Kuzio, 2015).

Many Ukrainians, having endured prolonged Russian dominion, now ardently seek to establish a sovereign nation-state. They convey their distinct cultural identity and language as fundamentally separate from Russian culture. Despite Russia's ongoing aggression, there is a robust inclination among Ukrainians to pursue Western affiliations (Cohen, 2021).

Surveys conducted prior to the 2022 invasion illustrate a divide among Ukrainians regarding their opinions on joining NATO and the European Union. Notably, except for individuals residing in Crimea and other historically contentious areas, more than half of those surveyed expressed support for EU membership. In contrast, support for NATO membership ranged between 40% and 50% (Kyiv International Institute of Sociology, 2021). In the wake of the invasion, President Zelensky appealed to the EU for expedited consideration of Ukraine's membership, emphasizing the urgency of the country's circumstances (BBC News, 2022).

The Cold War era, which began after World War II, saw the United States forge its influence in Europe through the establishment of NATO. This military alliance gradually incorporated nations that had been under Soviet control (Gober, 2022). The United States continues to reject Russia's illegal annexation of Crimea and had previously supported diplomatic efforts aimed at resolving the conflict in the Donbass region through the Minsk agreements before the onset of war in 2022 (Mearsheimer, 2014).

In response to Russia's aggression, Western powers enacted a series of punitive measures aimed at weakening the Russian economy. By February 2023, the U.S. had provided over $50 billion in aid to Ukraine, including advanced military hardware such as tanks, missile systems, drones, helicopters, and rockets (Reuters, 2023). The international sanctions imposed on Russia escalated significantly, including the restriction of Russian banks' access to the SWIFT financial messaging system, as well as the blocking of the Central Bank of Russia (Smith, 2022). Furthermore, numerous Western companies ceased their operations within Russia, and the nation was removed from the G-8, signifying the collective resolve of the West (Taylor, 2022).

The U.S. seeks to mitigate the spread of communism by integrating countries that border Russia into NATO, aiming to diminish any potential threats posed by communist ideologies (Stratfor, 2021). Since the collapse of the Soviet Union, the U.S. and Ukraine have maintained diplomatic relations, focusing on establishing a democratic, economically stable, and secure Ukraine—an objective supported by European and Euro-Atlantic institutions (U.S. Department of State, 2020). The U.S.-Ukraine Charter emphasizes the importance of bilateral relations, providing a framework for enhanced sectoral collaboration and promoting closer ties between Ukraine and NATO (U.S. Department of State, 2020).

Given Ukraine's abundant natural resources, both the U.S. and Russia are keen to retain their influence in the region. Consequently, the U.S. has taken a particular interest in Ukraine and has provided substantial support during the ongoing conflict (Williams, 2023).

SWIFT Sanctions and Geopolitical Spatial Control

The Society for Worldwide Interbank Financial Telecommunication (SWIFT) is a global financial messaging system that facilitates secure and standardised transactions between banks across countries. Although SWIFT itself does not hold or transfer funds, access to the network is essential for participation in the global financial system. In contemporary geopolitics, control over financial infrastructure has emerged as a powerful non-military instrument of influence (Smith, 2022).

In the context of the Russia–Ukraine war, the partial exclusion of Russian banks from the SWIFT network represented a significant escalation in economic and financial warfare. This measure restricted Russia’s ability to conduct international trade, settle energy payments, and access foreign currency reserves. Unlike traditional sanctions, SWIFT restrictions operate through network control, transforming financial connectivity into a geopolitical weapon (Taylor, 2022; Reuters, 2023).

From a spatial perspective, SWIFT sanctions can be understood as a form of **geopolitical containment without territorial occupation**. Just as physical geography determines access to seas, corridors, and borders, financial geography determines access to global markets and capital flows. Ukraine's conflict thus extends beyond its territorial boundaries into digital and economic spaces, highlighting a shift characteristic of modern warfare (Mearsheimer, 2014).

The SWIFT sanctions also had broader geopolitical consequences. European states faced challenges in balancing energy dependence on Russia with financial restrictions, while alternative payment systems and regional financial networks gained prominence. This fragmentation of global financial space reflects the emergence of a multipolar economic order, where control over infrastructure becomes as critical as control over territory.

In this context, the Russia–Ukraine conflict illustrates how geography, technology, and financial systems intersect to shape global power relations. The use of SWIFT as a strategic tool reinforces the argument that modern geopolitics is no longer confined to land and sea but increasingly operates through invisible networks that redefine spatial control and influence.

Conclusion

The Russia–Ukraine war demonstrates that geography continues to play a decisive role in shaping global power relations. Ukraine's geostrategic location at the crossroads of Eastern Europe, its proximity to Russia, access to the Black Sea, and role as an energy transit corridor have collectively transformed it into a pivotal geopolitical space rather than a peripheral battleground. The conflict reinforces the classical geopolitical assertion that territory, location, and spatial connectivity remain central to international politics.

By applying Heartland Theory, Rimland Theory, and Buffer State Theory, this study establishes that Ukraine occupies a critical position where competing spheres of influence intersect. Russia's strategic behaviour can be understood through concerns over strategic depth and the security dilemma, while Western engagement reflects broader efforts to maintain influence over the Eurasian Rimland. These theoretical perspectives collectively explain the persistence and intensity of the conflict beyond immediate political triggers.

The study further highlights the evolving nature of geopolitics through the use of economic and financial instruments, particularly SWIFT sanctions. The deployment of financial network control illustrates how modern conflicts extend into economic and digital spaces, redefining traditional notions of territorial power. Ukraine's geography thus links physical space with global financial and energy systems, amplifying the international consequences of the war.

In conclusion, Ukraine's experience underscores the continued relevance of geopolitical theory in understanding contemporary conflicts. The war exemplifies how geography, when combined with technological and economic networks, shapes state behaviour and global stability. Future research may further explore how non-territorial forms of power, such as cyber and financial infrastructures, interact with physical geography to influence international conflicts in an increasingly interconnected world.

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Article

Electoral Performance of the BJP in Ahirwal Region of Haryana: Lok Sabha Elections 2009 & 2014

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Abstract

This paper aims to explore the electoral performance of the Bharatiya Janata Party (BJP) in the Ahirwal region of Haryana during the 2009 and 2014 parliamentary elections. The Ahirwal region lies in the southern portion of the state. Before this election, the Ahirwal region was an electoral stronghold of the Indian National Congress (INC) and the Indian National Lok Dal (INLD). But after the 2014 parliamentary election, voter preference shifted significantly towards the BJP, giving the party a thumping majority in the region. Earlier, the BJP was recognised as a G.T. road belt party (also known as the Nardak region) in Haryana. The Ahirwal region holds a significant influence in Haryana's electoral politics. There were several reasons behind the success of the BJP in Ahirwal. A major reason for this is the resignation from the Congress party by Rao Inderjit Singh, a prominent political personality belonging to the influential 'Rampura House' of the region.

Keywords: Electoral, Lok Sabha, Ahirwal, Political figure, Rampura House

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Introduction

Ahirwal is a socio-cultural region that encompasses the Mahendragarh, Rewari and Gurgaon districts of Haryana (Yadav 2003: 147), Alwar and Bharatpur districts of Rajasthan and the districts of Mathura, Agra, Hathras, Aligarh, Etah, Mainpuri and Farrukhabad of Uttar Pradesh (Michelutti, 2008: 41-42). As the Ahir/Yadav community forms a dominant demographic group in this region, it is widely known as Ahirwal. The region plays a significant role in shaping Haryana's political landscape. This region was dominated by the Congress party before the 2014 parliamentary election; however, the BJP had performed exceptionally in this region in the 2014 Lok Sabha election. There are several reasons behind the BJP's success in the region, but a major one is the defection of regional leader Rao Inderjit Singh from the INC to the BJP. Rao Inderjit Singh has had a long political career with the INC, serving as a Member of Parliament three times. However, just before the 2014.

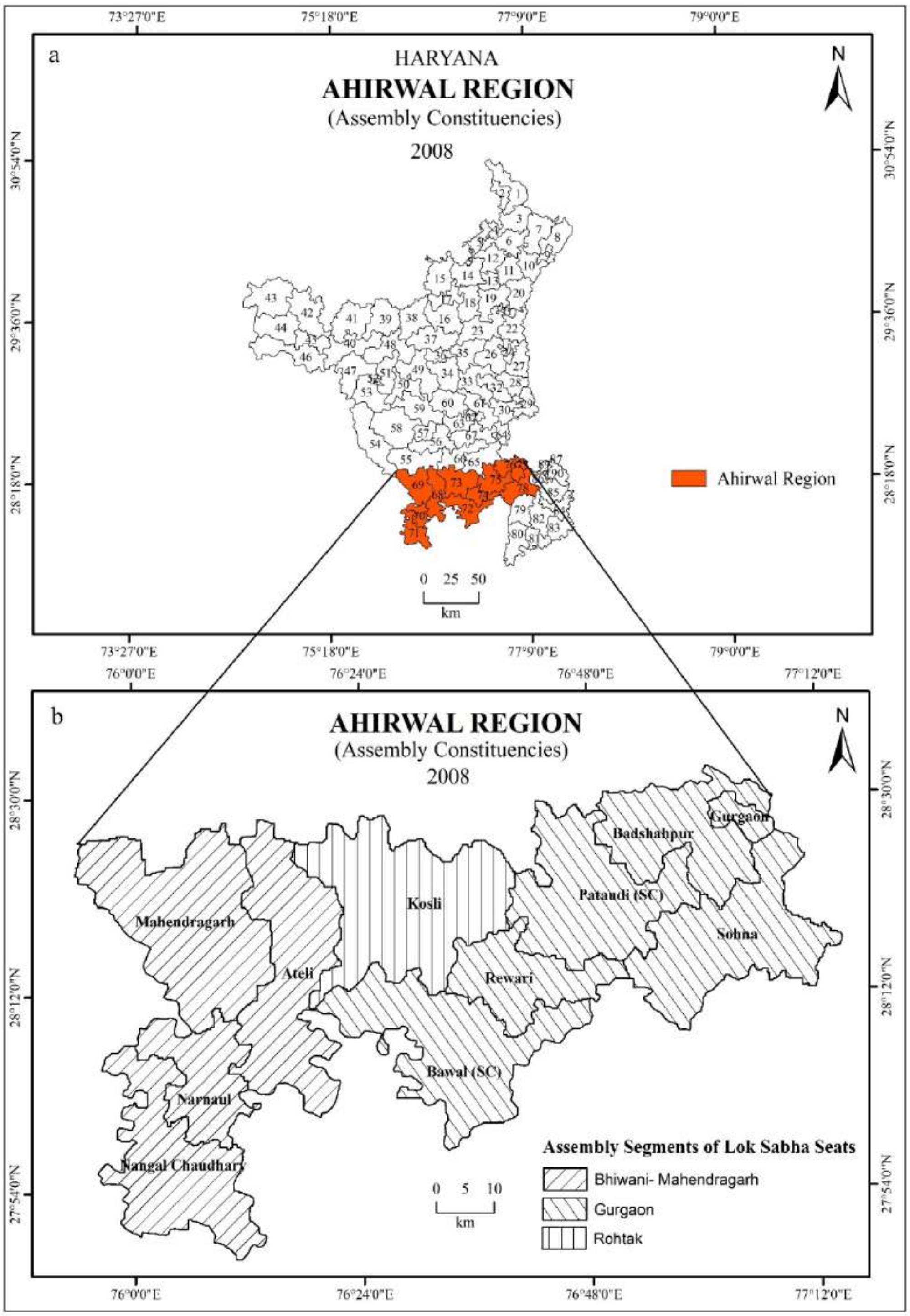

a
HARYANA
AHIRWAL REGION
(Assembly Constituencies)
2008
Ahirwal Region
b
AHIRWAL REGION
(Assembly Constituencies)
2008
Mahendragarh
Ateli
Narnaul
Nangal Chaudhary
Kosli
Rewari
Bawal (SC)
Pataudi (SC)
Badshahpur
Gurgaon
Sohna
Assembly Segments of Lok Sabha Seats
Bhiwani- Mahendragarh
Gurgaon
Rohtak

Fig. 1

parliamentary election, he left the Congress party and joined the BJP. His decision played a key role in strengthening the BJP's regional position, leading to notable electoral support throughout all seats of the region.

Objective

The main objective of the paper is to analyse the electoral performance of the Bharatiya Janata Party (BJP) in the Ahirwal region of Haryana in the 2009 and 2014 Lok Sabha elections.

Methods and Procedures

The study focuses on the 2009 and 2014 Lok Sabha elections, which were selected because both were conducted under the delimitation order of 2008. For analysing the electoral performance of the BJP, assembly segment-wise data for the 2009 and 2014 parliamentary elections were taken for the study. To assess the BJP's electoral performance, two indicators have been considered: the leading party in each assembly segment and the number of votes polled by the BJP. Data for the assembly segments were obtained from the Election Commission of India reports *(Nirvachan Sadan*), New Delhi.

As per the delimitation order 2008, the Ahirwal region of Haryana covers the eleven assembly constituencies, forming part of three Lok Sabha seats (Table 1, Fig. 1b).

Table 1: Assembly segments of the Ahirwal region of Haryana

Sr. No.	Assembly Constituency	Part of Lok Sabha Seat	Part of District
1	Ateli (68)	Bhiwani-Mahendragarh	Mahendragarh
2	Mahendragarh (69)	Bhiwani-Mahendragarh	Mahendragarh
3	Narnaul (70)	Bhiwani-Mahendragarh	Mahendragarh
4	Nangal Chaudhary (71)	Bhiwani-Mahendragarh	Mahendragarh
5	Bawal (SC) 72	Gurgaon	Rewari
6	Kosli (73)	Rohtak	Rewari
7	Rewari (74)	Gurgaon	Rewari
8	Pataudi (SC) (75)	Gurgaon	Gurugram*
9	Badshahpur (76)	Gurgaon	Gurugram*
10	Gurgaon (77)	Gurgaon	Gurugram*
11	Sohna (78)	Gurgaon	Gurugram*

Source: Delimitation Commission of India, 2008
Note: *The district of Gurugram was called 'Gurgaon' until 2016.

Table 2: Electoral Performance of BJP in Ahirwal Region of Haryana

		Election 2009		Election 2014	
Sr. No.	**Assembly Segment**	**Leading Party**	**% Vote Polled by the BJP**	**Leading Party**	**% Vote Polled by the BJP**
1	Ateli (68)	HJCBL	*	BJP	60.05
2	Mahendragarh (69)	HJCBL	*	BJP	46.42
3	Narnaul (70)	HJCBL	*	BJP	55.16
4	Nangal Chaudhary (71)	INLD	*	BJP	45.53
5	Bawal (SC) (72)	INC	19.25	BJP	63.38
6	Kosli (73)	INC	*	BJP	58.15
7	Rewari (74)	INC	13.35	BJP	67.66
8	Pataudi (SC) (75)	INC	20.27	BJP	66.12
9	Badshahpur (76)	INC	24.94	BJP	62.1
10	Gurgaon (77)	INC	28.34	BJP	64.99
11	Sohna (78)	BSP	15.38	BJP	45.29

Source: Election statistics, Haryana

* In the 2009 parliamentary election, the INLD and BJP formed an alliance, under which the BJP did not contest the Bhiwani-Mahendragarh and Rohtak parliamentary seats.

Results and Discussion

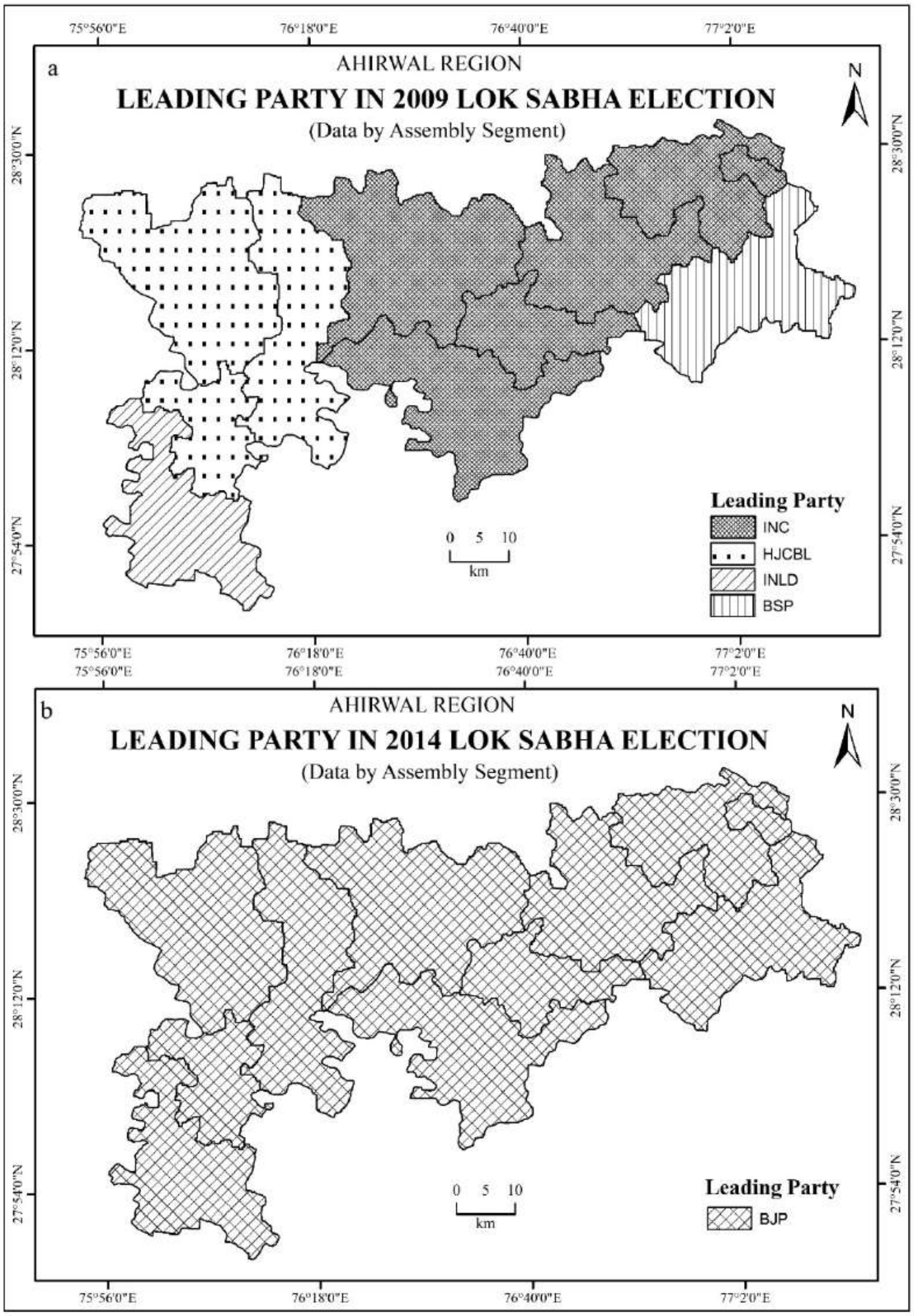
Electoral Performance of BJP: Lok Sabha Election, 2009

In the 2009 parliamentary election, the Indian National Congress (INC) had emerged as the dominant political party in the state. The BJP had performed poorly in this election. In the Ahirwal region, the BJP contested only the Gurgaon Lok Sabha seat due to an alliance with the INLD. The Bhiwani-Mahendragarh and the Rohtak Lok Sabha seats were allocated to the INLD, whose candidates contested the election from there. In the four assembly segments of Bhiwani-Mahendragarh Lok Sabha seats, the newly created party in 2007, the Haryana Janhit Congress Bhajan Lal (HJCBL), was the leading party in the three assembly segments of the region (Fig.2a). The candidate of HJCBL from the Bhiwani-Mahendragarh Lok Sabha seat was an Ahir from the Mahendragarh district. Having a candidate, Rao Narender Singh, from the same caste and same district worked to the advantage of the HJCBL, enabling him to take the lead in three assembly segments. The INLD had emerged as the leading party in the Nangal Chaudhary assembly segment of the Bhiwani-Mahendragarh Lok Sabha seat (Fig.2a). In the Kosli assembly segment of the Rohtak Lok Sabha seat, the INC was the leading party (Fig.2a). In the entire Ahirwal region, the INC secured its highest vote share in the Kosli assembly segment, i.e., 53.3%.

The lone Lok Sabha seat from where the BJP had contested this election in the Ahirwal was Gurgaon. However, in the assembly segments of the Gurgaon parliamentary seat, the BJP's performance remained very dismal. In the Gurgaon assembly segment, the party secured 28.34 % of the votes and finished in second place (Fig. 3a). In the Pataudi (SC) and Badshahpur assembly segments, the party received 20-25% of the votes, again securing second place (Fig. 3a). However, in the Bawal (SC), Rewari, and Sohna assembly segments, the BJP received less than 20% of the votes in this election and finished at third place (Fig. 3a). Out of the eleven assembly segments, the INC had emerged as the leading party in terms of vote share in six. "It is interesting to note that of these six assembly segments, five were only from the Gurgaon lok sabha seat from where Rao Inderjit Singh of the Congress was the candidate. The other lone assembly segment from where the Congress the leading party was the Kosli assembly segment of the Rohtak lok sabha seat" (Singh, 2024: 82). In the Sohna assembly segment under the Guragon parliamentary seat, the Bahujan Samaj Party (BSP) emerged as the leading party (Fig. 2a). Overall, the electoral scenario of the Gurgaon Lok Sabha clearly shows that the Congress was able to won this seat due to Rao Inderjit Singh because he is a well-known political personality in the Ahirwal region. The BJP's performance was very disappointing in this election. The party fielded a candidate only in the Gurgaon Lok Sabha seat, where it had polled 11.05% of the vote.

Electoral Performance of BJP: Lok Sabha Election, 2014

The 2014 Lok Sabha elections in India had an important place in the country's politics. The BJP had obtained enough parliamentary seats to form the government on its own in this election. In this parliamentary election, the BJP had won 282 seats across the country. In the case of Haryana also the party had performed quite well and had won 7 out of the 10 parliamentary seats. In the Ahirwal region, the party had registered a lead across all eleven assembly segments (Fig. 2b) and secured 57.71% of the votes. The highest vote percentage polled by the party was in the Rewari assembly segment of the Gurgaon parliamentary seat. On the other side, its lowest vote percentage was in the Sohna assembly segment of the Gurgaon Lok Sabha seat. The Fig. 3b depicts the percentage of votes polled by the BJP in this election.

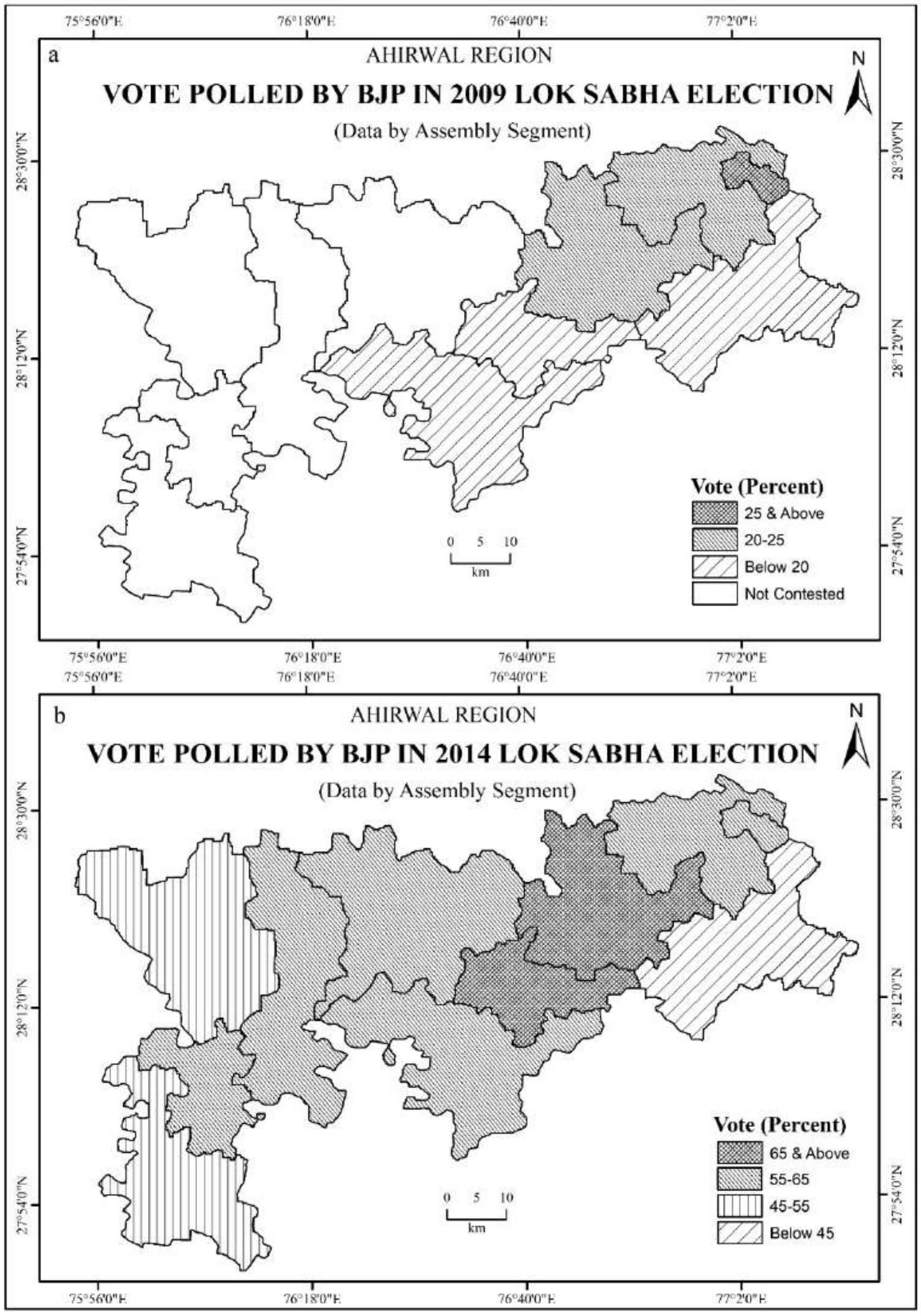


a
AHIRWAL REGION
LEADING PARTY IN 2009 LOK SABHA ELECTION
(Data by Assembly Segment)
Leading Party
INC
HJCBL
INLD
BSP
0 5 10
km
75°56'0"E
76°18'0"E
76°40'0"E
77°2'0"E
28°30'0"N
28°12'0"N
27°54'0"N
b
AHIRWAL REGION
LEADING PARTY IN 2014 LOK SABHA ELECTION
(Data by Assembly Segment)
Leading Party
BJP
0 5 10
km

Fig. 2

The assembly segments of Rewari and Pataudi (SC) had polled the vote percentage of 65 and above. These two assembly segments are part of the Gurgaon parliamentary constituency. In this election, Rao Inderjit Singh was the party's candidate from the Gurgaon seat. He is a stalwart leader in this region, and his influence shows directly in these assembly segments. Here, it is important to mention that Rewari is the home district of Rao Inderjit Singh. In the assembly segments of Bawal (SC), Badshahpur, and Gurgaon (part of the Gurgaon parliamentary seat), Ateli and Narnaul, of the Bhiwani-Mahendragarh Lok Sabha seat and the assembly segment of Kosli (part of the Rohtak parliamentary seat), the party had polled between the vote percentage of 55-65. In the Kosli assembly segment, the BJP gained 58.15% of the vote in this election. The party had not fielded a candidate (due to an alliance with INLD) from this constituency in the 2009 parliamentary election. The two assembly segments, Mahendragarh and Nangal Chaudhary (of the Bhiwani-Mahendragarh parliamentary constituency), the party had polled the vote percentage between 45 to 55. The BJP's lower vote share in these assembly segments could be attributed to the influence of strong regional leaders. In the Mahendragarh assembly segment, the Congress sitting MLA, Rao Dan Singh, significantly impacted the BJP's performance. Similarly, in Nangal Chaudhary, the INLD sitting MLA Rao Bahadur Singh, also retained considerable influence over the electorate. In the Sohna assembly segment (of the Gurgaon Parliamentary seat), the party had polled below 45% vote.

Multiple reasons lay behind the BJP's strong electoral performance in the region. One reason that applied across the entire country was the nation-wide pro-change sentiment against the UPA government. "In this election, the Congress party had to confront several scandals and scams, including the 2G spectrum allocation, the Commonwealth Games controversy, and allegations related to coal block allocations. These issues significantly damaged the party's public image" (Prasad, 2014: 3). The BJP had benefited from all these factors in this election. On the other hand, the BJP sought to establish a stronghold in the Ahirwal region in order to expand its influence in Haryana and its neighbouring states, where the Ahir community holds a significant demographic and political presence. Mahant Chandnath, the head of a '*math*' in Rohtak, a Yadav, was fielded as a candidate from the Alwar Lok Sabha constituency in Rajasthan. Another key event that bolstered the BJP's success in the region was the ex-servicemen rally organised in Rewari on September 15, 2013. This was the first major BJP rally in India from where the party's prime ministerial candidate and the then Gujarat Chief Minister, Narendra Modi, formally launched his election campaign. The BJP deliberately selected Rewari as the rally venue as Haryana is a major contributor to the country's armed forces, with a large number of both serving and retired soldiers hailing from the region. Amit Shah accompanied Narendra Modi during his first rally in Mahendragarh on August 14, 2014. The other major factor behind the BJP's rise in Ahirwal was the widespread belief that the Congress government in power was engaged in regional favouritism. The then Congress Chief Minister, Bhupinder Singh Hooda, was accused of focusing development works primarily in Rohtak, Jhajjar and Sonipat districts, while allegedly neglecting other parts of Haryana. “The internal conflicts within the Congress party were not effectively managed by the central and state leadership, leading to the exit of several prominent leaders, including Rao Inderjit Singh from the Ahirwal belt” (Singh, 2023:295). This was another major factor behind the BJP’s success in the Ahirwal region. Rao Inderjit Singh carries a political legacy of ‘Rampura House’. The Rampura House traces its lineage to Rao Tularam, the renowned revolutionary leader who led the 1857 uprising against the British government from this region. Rao Inderjit Singh’s paternal family hails from Rampura village, which holds a notable place in Haryana’s political history. This village is particularly well-known because his father, Rao Birender Singh, served as the second chief minister of Haryana. For this reason, the people of the area continue to hold this family and their ancestral house in high regard. In the 2009 Lok Sabha election, Rao Inderjit Singh contested the Gurgaon parliamentary seat from the Congress party. But in 2013, he decided to quit the Congress party, largely due to his differences with the then chief minister Bhupinder Singh Hooda and Hooda’s style of functioning. In 2014, he officially resigned from Congress and joined the BJP. After this, he contested the 2014 parliamentary election as a BJP candidate and won. Rao Inderjit Singh’s decision to leave the Congress and join the BJP proved to be a major turning point for the BJP, as his strong popularity in the region significantly strengthened the party’s position. Rao Inderjit Singh contested the 2019 and 2024 Lok Sabha elections from the Gurgaon parliamentary constituency as a BJP candidate and won both the times.



a
AHIRWAL REGION
VOTE POLLED BY BJP IN 2009 LOK SABHA ELECTION
(Data by Assembly Segment)
N
Vote (Percent)
25 & Above
20-25
Below 20
Not Contested
0 5 10
km
75°56'0"E
76°18'0"E
76°40'0"E
77°2'0"E
28°30'0"N
28°12'0"N
27°54'0"N
b
AHIRWAL REGION
VOTE POLLED BY BJP IN 2014 LOK SABHA ELECTION
(Data by Assembly Segment)
N
Vote (Percent)
65 & Above
55-65
45-55
Below 45
0 5 10
km

Fig. 3

Conclusion

The 2014 Lok Sabha election clearly demonstrated the BJP's emergence as a dominant political force in the Ahirwal region of Haryana. Before this election, the BJP's electoral performance was very poor. But the BJP strategically worked in this region for the betterment of its performance. Seeking to consolidate its presence in the Ahirwal region, the BJP kicked off its poll campaign from Rewari. Furthermore, Rao Inderjit Singh's decision to join the BJP significantly altered the electoral landscape in the region. Coming from a well-known royal family, he and his family hold considerable influence and enjoy a strong presence here. Since the 2014 parliamentary elections, the BJP has established itself as a dominant political party in this region. Today, the Ahirwal region is considered a significant stronghold of the BJP in Haryana.

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Article

Regulatory and Legal Challenges for Women's Participation in Governance: A Comparative Study of Public Sector Institutions and Panchayati Raj Institutions in Haryana

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Abstract

This research paper provides a comprehensive analysis of the regulatory and legal challenges surrounding women's participation in Haryana's governance, contrasting the elective landscape of Panchayati Raj Institutions (PRIs) with the appointive environment of Public Sector Institutions (PSIs). This study identifies a systemic dual-track challenge: in rural governance, high numerical quotas are frequently undermined by the "Sarpanch Pati" or proxy leadership phenomenon, where male relatives exercise de facto authority a practice recently deprecated by the Supreme Court as an unconstitutional subversion of gender reservation. Utilizing a doctrinal research methodology, the paper evaluates pivotal judicial outcomes, specifically the Rajbala v. State of Haryana judgment, which upheld educational bars that critics argue disenfranchise a significant swathe of the rural female population.

The paper also highlights institutional gaps in gender-disaggregated data and notes that economic support through the Haryana Women Development Corporation whose share capital grew to ₹30 crore must be paired with governance capacity building. It concludes that substantive empowerment requires shifting from numerical representation to gender-responsive budgeting and strict enforcement against proxy subversion to fulfill the constitutional promise of parity.

Keywords: Panchayti, Sarpanch Pati, PSI, Women, Governance

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Introduction

The architectural framework of gender governance in India is fundamentally anchored in the constitutional imperative of substantive equality, a principle that transcends mere formal non-discrimination to mandate proactive state intervention. The principle of gender equality is enshrined in the Indian Constitution within its Preamble, Fundamental Rights, Fundamental Duties, and Directive Principles, granting not only equality to women but empowering the state to adopt measures of positive discrimination. In the state of Haryana, this mandate has manifested through a complex legal geography that bifurcates women's participation into the elective, grassroots arena of Panchayati Raj Institutions (PRIs) and the appointive, bureaucratic sphere of Public Sector Institutions (PSIs) and State Public Sector Enterprises (SPSEs).[1] While the 73rd and 74th Constitutional Amendments of 1992 provided the initial impetus for local self-governance by reserving at least one-third of seats for women, Haryana has recently sought to pioneer a "parity model" through the Haryana Panchayati Raj (Second Amendment) Act of 2020, which elevated this reservation to 50 percent. However, this progressive legislative momentum in the rural political sphere stands in stark contrast to the regulatory "glass ceilings" observed in state-owned corporations, where participation is often reduced to a compliance-driven "tokenism" under the Companies Act of 2013.[2]

The Constitutional and Doctrinal Foundation of Gender Rights

The legal discourse surrounding women's participation in governance must begin with the "Golden Triangle" of the Indian Constitution Articles 14, 15, and 16. Article 14 establishes the principle of equality before the law and equal protection of the laws, seeking to institutionalize the "equality of status" envisioned in the Preamble. This is augmented by Article 15, which prohibits discrimination on the basis of sex, while simultaneously providing a critical "safety valve" in Article 15(3), which allows the state to make special provisions for women and children. In the context of administrative and governance roles, Article 16 guarantees equality of opportunity in matters of public employment, ensuring that women have equal rights as men to effectively participate in the administration of the country.[3]

The constitutional and statutory framework for women's representation operates across multiple tiers of governance. At the universal level, Article 14 provides the foundation for equality, while Article 15(3) grants the specific power to make "special provisions" for women. For state and central administration, Article 16 ensures equality of

[1] Sarkar, L. (1988). *The law and the status of women in India*. Indian Council of Social Science Research.

[2] Mazumdar, V. (1979). *Symbols of power: Studies on the political status of women in India*. Allied Publishers.

[3] Desai, N., & Krishnaraj, M. (1987). *Women and society in India*. Ajanta Publications.

opportunity in public employment. Local governance has been shaped by the 73rd and 74th Amendments of 1992, which mandated a minimum of 33.3% reservation for women in rural and urban local bodies respectively. In Haryana, the 2020 Amendment to the Haryana Panchayati Raj Act has increased this to 50% through an odd-even ward rotation system. For public and listed corporations, the Companies Act of 2013 establishes a regulatory requirement for at least one woman director on corporate boards.[4]

The transformative shift toward participatory governance occurred with the 73rd and 74th Amendments, which constitutionalized rural and urban local bodies, respectively. These amendments did not merely suggest participation; they enjoined upon states the establishment of a three-tier system of Panchayats and Municipalities, devolving adequate powers, responsibilities, and finances. Crucially, they provided a constitutional mandate for women's political participation by reserving seats and chairperson positions, thereby fundamentally altering the demographic composition of grassroots governance.[5]

Statutory Evolution of Panchayati Raj in Haryana: The 2020 Parity Model

The primary legislative instrument governing rural governance in the state is the Haryana Panchayati Raj Act of 1994. For over two decades, this Act operated under the standard 33 percent reservation model. However, the Haryana Panchayati Raj (Second Amendment) Act of 2020 marked a radical departure by institutionalizing 50 percent reservation for women in all PRIs. This amendment substitutes Section 9 of the principal Act, introducing a sophisticated rotation mechanism for wards. All wards in a Gram Panchayat and all Gram Panchayats in a block are now categorized to ensure that half are represented by women through an "odd-even" numerical assignment.

This legislative shift aims to create a state of "legislated parity." According to current data, approximately 48 percent (443 out of 925) of Sarpanch posts in Haryana are now held by women. The statutory framework requires the state to devolve significant responsibilities upon these leaders, covering issues from local infrastructure to social welfare. However, the regulatory contours of this participation are often hampered by the Haryana Panchayati Raj Election Rules of 1994, which govern the minutiae of the election process and have been frequently amended (as seen in the 2021 updates) to accommodate new eligibility criteria and reservation dynamics.[6]

The Judicial Paradox: Educational Bars and the Rajbala Judgment

A defining moment in the legal history of Haryana's governance was the 2015 Supreme Court judgment in *Rajbala v. State of Haryana*. This case scrutinized an amendment to

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[4] Parashar, A. (1992). *Women and family law reform in India*. Sage Publications.

[5] Yadav, S. (2006). *Gender justice and human rights*. Hope India Publications.

[6] Hota, P. (2010). *Empowerment of women through Panchayati Raj*. Discovery Publishing House.

the Haryana Panchayati Raj Act that prescribed minimum educational qualifications for candidates contesting local body elections. The law mandated that general candidates have a 10th-grade education, while women and Scheduled Caste candidates were required to have passed the 8th grade (and 5th grade for SC women).[7]

The doctrinal tension in *Rajbala* centered on whether the "right to contest" is a fundamental right or a mere statutory right. The Supreme Court upheld the amendment, clarifying that the right to vote and contest are constitutional/statutory rights that can be subject to reasonable restrictions. The court reasoned that education enables a representative to better understand their duties and the complexities of governance. However, from a critical evaluation perspective, this judgment created a significant regulatory barrier for women. Critics argued that by placing educational and property-based bars such as the requirement of having a functional toilet at home and no outstanding electricity dues or cooperative bank arrears the state effectively disenfranchised a large swathe of the rural female population.

The impact of this judgment is twofold. On one hand, it seeks to professionalize the "quality" of representation. On the other, it ignores the systemic historical deprivation of education for women in Haryana, creating a "qualification trap" where those most in need of governance representation are legally barred from seeking it. This creates a hierarchy of citizenship within the 50 percent quota, where only the "educated elite" among women can participate, potentially alienating marginalized grassroots voices.

Public Sector Institutions and the Corporate Governance Model

In contrast to the mass-electoral participation of PRIs, women's participation in Haryana's Public Sector Institutions (PSIs) and State Public Sector Enterprises (SPSEs) follows an appointive, compliance-based trajectory. The regulatory driver here is not the Panchayati Raj Act but the Companies Act of 2013. Section 149(1) of the Act mandates that certain classes of companies specifically public companies with a paid-up share capital of ₹100 crore or more or a turnover of ₹300 crore or more must have at least one woman director.[8]

Analysis of Haryana's SPSEs reveals that while the letter of the law is often met, the spirit of gender diversity is frequently absent. The Haryana State Industrial and Infrastructure Development Corporation (HSIIDC) and Haryana Vidyut Prasaran Nigam Limited (HVPNL) are key examples of entities that trigger this mandate due to their significant turnover and capital bases. HSIIDC reported a turnover of ₹1,563.68 crore in recent audit cycles, necessitating female representation on its board. Similarly, HVPNL

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[7] Meenakshisundaram, S. S. (1994). *Decentralisation in developing countries*. Concept Publishing Company.

[8] Sharma, B. R. (1990). *Constitutional law and judicial activism*. Ashish Publishing House.

meets the criteria both through its paid-up capital of ₹3,520.66 crore and a turnover of ₹2,154.41 crore. Other major entities, such as the Haryana Power Generation Corporation Limited (HPGCL) and the Haryana Agro Industries Corporation, are also subject to Section 149(1) and related board diversity rules.[9]

A critical evaluation of these institutions through Comptroller and Auditor General (CAG) reports reveals persistent vacancies in director positions. The report for the period ending March 2020 highlighted that vacancies for functional and independent directors in SPSEs were not filled in a timely manner, which indirectly limits the opportunity for women to enter these boardrooms. Furthermore, the requirement of "at least one" woman director often leads to a "compliance ceiling" where companies fulfill the minimum requirement but fail to integrate women into core decision-making committees or senior management.[10]

Comparative Interpretation: Electoral Parity vs. Appointive Tokenism

The divergence between PRIs and PSIs in Haryana represents two different philosophies of gender governance. In PRIs, the state has adopted a "Radical Inclusion" model through a 50 percent quota. This is a recognition that at the grassroots level, volume is the only way to challenge entrenched patriarchy. In PSIs, the model is one of "Incremental Compliance," where gender diversity is viewed through the lens of corporate risk management and regulatory adherence.

The impact of these different models is reflected in the nature of female authority. In PRIs, women Sarpanches are often the "face" of governance but struggle with the "Sarpanch Pati" (proxy) phenomenon, where husbands exercise actual power. In PSIs, women directors are often highly qualified professionals who possess de jure authority but may be sidelined by the "old boys' club" dynamics of state-owned enterprise boards.

Socio-Legal Challenges and the "Sarpanch Pati" Syndrome

Despite the legal mandate of 50 percent reservation, the sociological reality of "proxy leadership" remains the most significant challenge to women's participation in Haryana's PRIs. The term "Sarpanch Pati" refers to the husbands or male relatives of elected women who informally control decision-making, effectively reducing the woman to a titular head. This practice undermines the very spirit of the 73rd and 74th Amendments.[11]

The judiciary has taken a stern view of this practice. In 2023, the Supreme Court

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[9] Kunjakkan, K. A. (2002). *Feminism and Indian realities*. Mittal Publications.

[10] Prasad, B. K. (2006). *Women in Panchayati Raj institutions*. Discovery Publishing House.

[11] Vyas, A., & Usmani, M. (1998). *Gender and democracy at the grass roots*. Centre for the Study of Developing Societies.

categorically deprecated this unconstitutional practice, stating that proxy representation defeats the objective of women's reservation. Furthermore, the National Human Rights Commission (NHRC) has summoned states to account for the prevalence of "Sarpanch Patis," emphasizing that systemic discrimination by officials often enables this syndrome. In Haryana, the Punjab and Haryana High Court has also dealt with cases where female Sarpanches were removed or obstructed by male-dominated local power structures, highlighting the need for better enforcement of women's authority.[12]

The socio-legal challenges are compounded by the "dual burden" the expectation that women manage both household duties and public governance. Without institutional support like childcare or flexible meeting schedules, many women Sarpanches find it impossible to perform their duties without the "assistance" of male family members, which then transitions into proxy control.

Institutional Gaps and the Lack of Gender-Disaggregated Data

A major regulatory hurdle identified by NITI Aayog's Development Monitoring and Evaluation Office (DMEO) is the absence of gender-disaggregated data and targeted budgeting in government schemes. The 2022 Gender Mainstreaming in Governance report noted that while Haryana has mandated participation, many government departments fail to track the specific outcomes of women-led governance. For instance, in sectors like Agriculture and Rural Development, less than 20 percent of schemes include components for capacity building or awareness generation specifically for women leaders.[13]

The report suggests that realizing the full potential of women leaders requires a shift from "numerical representation" to "substantive empowerment". This includes:

1. **Gender Budgeting:** Translating policy commitments into actual budgetary allocations for women-centric projects.

2. **Gender Monitoring Units:** Establishing dedicated units within departments to track the performance and challenges of women representatives.

3. **Gender Equality Act:** Proposing a legal mandate for all state institutions to publish annual gender-disaggregated statistics.

State-Level Policy Interventions: The HWDC and the 2025 Industrial Policy

The Haryana Women Development Corporation (HWDC) remains a pivotal institution in the state's effort to bridge the economic and governance gap. Originally established in 1982 and converted to its current form in 1991, the HWDC focuses on the welfare of

[12] Duara, J. G. (2018). *Gender justice and proportionality in India*. Routledge.
[13] Jain, M. P., & Jain, S. N. (2017). *Principles of administrative law* (7th ed.). LexisNexis.

women in need and has seen its authorized share capital grow from ₹2 crore to ₹30 crore. By providing credit and promoting entrepreneurship, the HWDC aims to create a pool of financially independent women who are more likely to seek and hold positions of authority in PRIs and PSIs.

Additionally, the "Make in Haryana Industrial Policy 2025" has introduced "Gender Responsive Budgeting" (GRB) as a foundational outcome. The policy explicitly aims for social inclusivity and encourages industry participation in governance through a PPP model for ITIs. While the policy does not mandate specific board quotas, it creates a regulatory environment where "Sustainability" is defined to include social and gender equity.[14]

The Role of the Haryana State Commission for Women (HSCW)

The Haryana State Commission for Women (HSCW), a statutory body established under the HSCW Act of 2012, serves as the primary watchdog for gender rights in the state. The commission's composition a Chairperson, a Vice Chairperson, and five nominated members is designed to provide a high-level advocacy platform for women. Its mandate includes investigating matters relating to safeguards for women and recommending governance reforms to the state government.

However, the HSCW's role in governance participation is often more reactive than proactive. While it addresses complaints of sexual harassment or discrimination in the workplace (under the POSH Act), it has limited power to influence the appointive processes of other state boards like HSIIDC or HPGCL. The commission acts as a "special invitee" in many administrative contexts, yet its influence on the broader regulatory challenges of participation remains constrained by its advisory nature.[15]

Regulatory Challenges in Urban Governance

While rural Haryana has moved to a 50 percent model, urban local bodies (Municipalities) continue to operate under the 33 percent mandate of the 74th Amendment. The regulatory challenges in urban governance are distinct; they are characterized by the interplay of political power-sharing and administrative control. Delays in holding mayoral elections and the registration of corporators often result in "governance vacuums" where women representatives are unable to take their seats or influence civic committees.[16]

In urban centers like Gurugram and Faridabad, the presence of para-statal bodies like the Gurugram Metropolitan Development Authority (GMDA) often overshadows the

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[14] Menon, N. (2001). *Gender and politics in India*. Oxford University Press.

[15] Mathur, K. (2013). *Panchayati Raj*. Oxford University Press.

[16] Yadava, J. N. S. (1976). *Haryana: Studies in history and culture*. Manohar.

elected Municipal Corporations. Since these para-statal bodies are headed by appointed bureaucrats and nominated members, the representation of women is significantly lower than in the elected bodies, illustrating another layer of the "electoral vs. appointive" divide.[17]

Critical Evaluation: The Glass Ceiling in Haryana's SPSEs

The boardrooms of Haryana's state utilities and infrastructure corporations remain the most difficult terrain for women's governance participation. A review of entities such as the Haryana Power Generation Corporation Limited (HPGCL) and the Haryana Shahari Vikas Pradhikaran (HSVP) shows an organizational structure dominated by the "ex-officio" model, where boards are comprised of senior IAS officers and departmental heads. Since the senior-most rungs of the civil service in the state (Additional Chief Secretaries and Principal Secretaries) still skew male, the "ex-officio" system inadvertently perpetuates a male-dominated board culture.[18]

State statutory and autonomous bodies follow diverse regulatory frameworks. The Haryana Shahari Vikas Pradhikaran (HSVP) oversees various specialized departments including architecture, engineering, and legal, but currently maintains no explicit quota for women members. The Haryana Power Generation Corporation Limited (HPGCL) is governed by a Board of Directors and a Managing Director, operating in compliance with the Companies Act of 2013. Specialized technical leadership is managed by the Haryana Space Applications Centre (HARSAC) and the Haryana State Electronics Development Corporation Limited (HARTRON), the latter serving as the nodal agency for state-wide IT and skill development. Autonomous entities like the State Biodiversity Board are led by a Chairman and a Board of Directors, governed by specific legislative acts and rules.[19]

The lack of separate meetings for independent directors in several SPSEs (as noted in the CAG reports) further undermines the ability of women directors, who often serve in independent capacities, to raise concerns about governance or gender diversity. This "compliance fatigue" suggests that without a state-level mandate for gender parity on boards (going beyond the national Companies Act), the public sector will continue to lag behind PRIs in gender representation.[20]

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[17] Singh, R. (1995). *Haryana: Geography, economy and society*. National Book Trust.

[18] Mishra, S. N. (1994). *73rd Constitutional Amendment and the Panchayati Raj institutions*. Abhijeet Publications.

[19] Dube, L. (1997). *Women and kinship: Comparative perspectives on gender in South and South-East Asia*. Sage Publications.

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Socio-Legal Barriers to Meaningful Participation

The "Triple Test" for representation and the evolving jurisprudence on quotas in public employment also impact how women enter governance. In Haryana, the selection for the Haryana Civil Services (HCS) remains a critical entry point for women into executive governance. The 2026 notification for HCS recruitment (102 vacancies) provides age relaxation for reserved categories, including women, according to government regulations. However, the transition from being a "government officer" to a "governance leader" on a board of directors is a path still riddled with gendered obstacles.[21]

Moreover, the "Smt. Sushma Swaraj Award" instituted by the Haryana Government in 2022 serves as a symbolic recognition of women's achievements. While such awards are important for creating "role models," they do not replace the need for structural regulatory shifts. The actual empowerment of a woman Sarpanch or a woman Director requires more than an award; it requires the enforcement of the POSH Act, the provision of gender-responsive budgeting, and the elimination of proxy leadership.[22]

Synthesis and Strategic Recommendations

The comparative study of women's participation in Haryana's governance reveals a state in transition. The legislative "leap" to 50 percent in PRIs has created a massive influx of women into the political sphere, but this has not yet been matched by an "intellectual leap" in terms of dismantling the patriarchal structures that mediate their power.[23]

Addressing the PRIs

1. **Strict Enforcement against Proxies:** The state should introduce rules that disqualify any Sarpanch who consistently allows a male relative to perform their official duties. This must be coupled with administrative training to ensure women feel confident in their de facto roles.
2. **Revision of the Rajbala Precedent:** While education is important, the state should consider "functional literacy" programs rather than "educational bars" that disproportionately exclude women from the 50 percent quota.[24]
3. **Financial Autonomy:** Ensuring that women Sarpanches have direct control over Panchayat funds, rather than requiring the signatures of male-dominated committees or junior officials.

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[21] Rai, S. M. (2002). *Gender and the political economy of development*. Polity Press.

[22] Dhanda, A., & Parashar, A. (1999). *Engendering law: Essays in honour of Lotika Sarkar*. Eastern Book Company.

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Reforming Public Sector Institutions

1. **Board Parity Mandate:** Haryana should consider state-level legislation for its SPSEs that mandates at least 33 percent female representation on boards, moving beyond the "at least one" rule of the Companies Act.
2. **Transparent Appointment Processes:** Reducing the reliance on "ex-officio" appointments and creating a transparent "Director Database" of qualified women professionals for state boards.
3. **Institutionalizing GRB:** Making Gender Responsive Budgeting a mandatory part of the annual reports of all state corporations, as suggested in the 2025 Industrial Policy.

Cross-Sectoral Integration

The state must bridge the gap between rural political participation and urban corporate governance. The Haryana State Commission for Women should be given greater oversight powers to monitor gender diversity across all levels of the administration, from the Gram Panchayat to the HSIIDC boardroom.[25] Furthermore, the creation of a "Unified National Data Portal" for gender-disaggregated data, as proposed by the DMEO, should be a priority for the Haryana government to ensure that policy interventions are based on evidence rather than anecdote.[26]

In the final analysis, the regulatory and legal challenges for women in Haryana are not just about "access" but about "agency." The law has opened the door to the Panchayat and the Boardroom; now, the regulatory framework must ensure that when a woman enters, she does so as a leader in her own right, free from the shadow of the Sarpanch Pati or the constraints of the corporate glass ceiling. Only through a holistic integration of doctrinal legal strength and sociologically-informed regulatory reform can Haryana fulfill the constitutional promise of gender equality in governance.[27]

Conclusion

The comparative study of women's governance in Haryana demonstrates a critical gap between de jure legislative progress and de facto institutional agency. The state's transition to a 50 percent parity model in Panchayati Raj Institutions represents one of the most progressive political shifts in India, yet this "Radical Inclusion" is continuously hampered by patriarchal power structures and the "Sarpanch Pati" syndrome. The judiciary's role in addressing these barriers remains complex; while courts have recently

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[25] Gupta, G. (2001). *Gender justice: A legal panorama*. Eastern Book Company.
[26] Bhat, I. P. (2010). *Woman, child, law and society*. Eastern Law House.
[27] Seth, M. (2001). *Women and development: The Indian experience*. Sage Publications.

deprecated proxy representation as unconstitutional, the Supreme Court's validation of educational and property-based bars in the Rajbala case has created regulatory "glass ceilings" for historically marginalized women who lack access to formal schooling. In the appointive sphere, State Public Sector Enterprises (SPSEs) like the Haryana Power Generation Corporation Limited (HPGCL) and the Haryana State Electronics Development Corporation Limited (HARTRON) continue to operate under a "glass ceiling" where compliance with gender diversity norms is often treated as a peripheral administrative task rather than a core governance value, often restricted by the male-dominated ex-officio model of senior appointments.[28]

To bridge these divides, this study recommends that the state government adopt a "Gender Intentionality" approach, including the proposed "Gender Equality Act" to mandate disaggregated data reporting and the implementation of Gender Responsive Budgeting (GRB) as a standard fiscal practice across all industrial policies.[29] Furthermore, strengthening statutory bodies like the Haryana State Commission for Women with greater oversight over board appointments and ensuring financial autonomy for local women leaders are vital steps. Ultimately, the evolution of Haryana's governance depends on transforming "namesake" representation into authentic, independent authority, ensuring that the law serves as a catalyst for genuine gender justice rather than mere procedural compliance.[30]

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Article

Breaking Gender Barriers: Evaluating the Role of Law in Redefining Gender Stereotypes in India

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Abstract

The law played pivotal role in challenging deep-rooted patriarchal norms and promoting equality. India has enacted several progressive laws that aim to dismantle discriminatory practices and ensure equal rights for all genders. Constitutional provisions such as "Articles 14, 15, and 16" lay the foundation for legal equality, while specific legislations like "The Hindu Succession (Amendment) Act, 2005", "The Maternity Benefit (Amendment) Act, 2017", "The Protection of Women from Domestic Violence Act, 2005," and "The Transgender Persons (Protection of Rights) Act, 2019", directly address and counter long-standing gender biases. These laws challenge stereotypes that confine women to domestic roles, deny them property rights, and exclude gender minorities from societal recognition. However, legal reforms alone are not sufficient. Implementation gaps, lack of awareness, and cultural resistance continue to limit the impact of these laws. Therefore, legal change must be complemented by education, media advocacy, community engagement, and institutional support to create a more inclusive society. This research paper explores the transformative role of Indian law in confronting gender stereotypes and emphasizes the need for holistic efforts to translate legal equality into lived equality for all individuals, regardless of gender.

Keywords: Law, Gender, Stereotypes, Constitution, Rights.

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Introduction

Gender stereotypes have long shaped societal attitudes and behavior in India, defining rigid roles and expectations for individuals based solely on their gender. From the domestic sphere to workplaces, education, and political participation, these deeply entrenched beliefs have perpetuated inequality and limited opportunities, especially for women and gender minorities. While cultural norms and traditions often reinforce these stereotypes, the law has emerged as a powerful instrument to challenge and dismantle them. In India, legal frameworks have not only acknowledged gender-based discrimination but have also sought to actively combat it through progressive legislation and judicial intervention.

The Indian Constitution lays a strong foundation for gender equality. "Articles 14, 15, and 16", these constitutional provisions have paved the way for numerous laws and policies aimed at addressing gender biases and breaking stereotypes. From "The Hindu Succession (Amendment) Act of 2005" granting daughters equal inheritance rights, to "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013", which challenges patriarchal assumptions about women in professional spaces, legal measures has played a critical role in redefining gender roles. Moreover, Indian courts have often gone beyond mere interpretation of law to become active agents of social change. Milestone judgments such as "*Vishaka v. State of Rajasthan"* and "*Navtej Singh Johar v. Union of India"* reflect the judiciary's evolving understanding of gender, dignity, and individual freedom. These decisions have contributed to challenging traditional stereotypes that associate masculinity with dominance and femininity with submission. Despite these legal advances, significant gaps remain between law and practice. Deep-rooted patriarchal attitudes, lack of awareness, and inadequate enforcement continue to hamper the comprehension of gender equality. However, the law continues to serve as a crucial tool for empowerment, offering both symbolic recognition and practical mechanisms for justice. As Indian society continues to evolve, the role of law in confronting and dismantling gender stereotypes is not only relevant but essential for creating a more equitable and inclusive future.

Gender Stereotypes

Gender stereotypes are widely held beliefs or generalizations about the characteristics, roles, and behaviors that society considers appropriate for individuals based on their gender typically male or female. These stereotypes assign specific traits and responsibilities to people just because they are male or female, often ignoring individual abilities, preferences, and identities. For example a common stereotype about women is that they are emotional, nurturing, and best suited for domestic work or caregiving roles. a common stereotype about men is that they are strong, assertive, and naturally suited for leadership, physical labor, or decision-making roles. Gender stereotypes are harmful because they limit personal freedom, by pressuring individuals to conform to traditional roles, they reinforce discrimination, particularly against women and gender minorities, they perpetuate inequality, by influencing access to education, employment, and leadership opportunities. These stereotypes are often passed down through families, media, education, and religion, becoming deeply rooted in social norms. Breaking these stereotypes involves challenging these fixed ideas and promoting equality, allowing individuals to choose their paths regardless of gender.

Legislative Framework as foundation of equality

- **The Indian Constitution**

"The Indian Constitution", is a visionary document that lays the foundation for a just, equitable, and inclusive society. One of its most progressive aspects is its commitment to gender equality and the dismantling of gender-based stereotypes that have historically marginalized women and gender minorities in India. Through its "Preamble, Fundamental Rights, Directive Principles of State Policy", and the framework for affirmative action, the Constitution plays a pivotal role in challenging deep-rooted patriarchal structures and social norms. At the heart of the Constitution's fight against gender stereotypes are the Fundamental Rights, particularly "Articles 14, 15, and 16". "Article 14 guarantees equality before the law and equal protection of the laws to all individuals, irrespective of gender." This foundational principle ensures that the state cannot enact or enforce laws that treat individuals unfairly on the basis of sex. "Article 15(1) explicitly prohibits discrimination on the grounds of sex, and Article 15(3) empowers the state to make special provisions for women and children." This balance of non-discrimination and positive discrimination allows for targeted laws and policies aimed at uplifting women and correcting historical inequalities. "Article 16 ensures equal opportunity in public employment, thereby challenging the traditional stereotype that women are less competent or suited for leadership and decision-making roles." These provisions aim to dismantle economic stereotypes that view men as breadwinners and women as dependents or secondary earners.

- **The Equal Remuneration Act, 1976**

"The Equal Remuneration Act, 1976", is a landmark legislation aimed at breaking gender stereotypes in the workplace by ensuring equal pay for equal work, regardless of gender. Historically, women were paid less than men for performing the same tasks, reinforcing the stereotype that women's work was less valuable. This Act challenges that bias by legally mandating equal remuneration and prohibiting discrimination based on gender in wages. By promoting fair compensation, it empowers women economically and fosters workplace equality. Over time, the Act helps dismantle deep-rooted societal notions about gender roles, encouraging a more inclusive and balanced professional environment.

- **The Hindu Succession (Amendment) Act, 2005**

"The Hindu Succession (Amendment) Act, 2005" is a landmark piece of legislation in India that significantly advanced the cause of gender equality in property rights. It amended the original "Hindu Succession Act of 1956", which had granted unequal inheritance rights to sons and daughters in Hindu families, thereby reinforcing patriarchal norms and gender stereotypes. Before this amendment, daughters were often excluded from inheriting family property, reinforcing the stereotype that women were dependents who would leave their natal homes after marriage, and that property should pass through the male line. The 2005 amendment challenged this patriarchal norm by declaring daughters as coparceners by birth, giving them the same legal rights and liabilities as sons in the family estate, allowing them to demand partition, manage their share of property, and have ownership rights equal to sons. The Supreme Court later clarified that these rights apply equally to all daughters, regardless of whether their father was alive when the amendment was enacted. By empowering women economically and legally, the amendment breaks the stereotype that women are not entitled to family wealth or decision-making power. While social and cultural resistance still exists, this law represents a critical step toward dismantling gender-based discrimination in inheritance and promoting women's financial independence in Indian society. The amendment challenged the long-held stereotype that women are not rightful heirs to family property. By granting daughters property rights, the law aimed to empower women economically, giving them financial independence and security, especially in cases of divorce, abandonment, or widowhood. The amendment aligned with the constitutional values of equality "Article 14" and "non-discrimination on the basis of sex Article 15". It marked a progressive shift in Indian personal laws towards greater gender justice.

- **Protection of Women from Domestic Violence Act, 2005**

"The Protection of Women from Domestic Violence Act, 2005" is a comprehensive legal framework which protect women from various forms of abuse within the household. Before this Act, was often considered a private matter, shielded from legal scrutiny due to deep-rooted patriarchal beliefs. The Act recognizes that violence against women can be not just physical, but also emotional, verbal, sexual, and economic, thereby challenging the traditional stereotype that only physical abuse is harmful. It empowers women to seek protection from abusive relationships without necessarily having to file for divorce or lodge criminal charges, offering a range of civil remedies like protection orders, residence rights, monetary relief, and child custody. This broader definition of violence represents a shift toward acknowledging women's right to dignity and safety in their own homes. One of the most progressive features of the Act is that it applies not only to married women but also to those in live-in relationships, thereby extending legal protection to women in non-traditional domestic arrangements. This inclusivity breaks the stereotype that only wives deserve legal safeguards, and reflects a modern understanding of family structures. The Act mandates the appointment of Protection Officers to assist victims in accessing medical aid, legal support, counselling, and shelter, making it more accessible to women in need. It also allows any woman who has been in a domestic relationship with the abuser to seek relief be it a wife, mother, sister, daughter, or partner.

- **The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act)**

"The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013", commonly known as the POSH Act, is a significant law aimed at creating a safe and respectful work environment for women. This Act addresses the widespread issue of sexual harassment at workplaces by defining what constitutes sexual harassment and establishing clear mechanisms to prevent and redress such behavior. It mandates every organization to set up an "Internal Complaints Committee (ICC)" to handle complaints promptly and confidentially. By legally protecting women from harassment, the POSH Act empowers them to work without fear and challenges the harmful stereotypes that tolerate or ignore such misconduct. This legislation not only ensures accountability but also promotes gender equality by fostering workplaces where women can thrive with dignity and respect. Through awareness, prevention, and effective redressal, the POSH Act plays a vital role in transforming workplace culture. and reinforcing the principle that women have the right to a safe and harassment-free professional environment.

- **The Maternity Benefit (Amendment) Act, 2017**

"The Maternity Benefit (Amendment) Act, 2017" marks a progressive milestone in protecting and empowering working women in India by significantly enhancing maternity leave and workplace support. Prior to this amendment, women were entitled to only 12 weeks of paid maternity leave, which often forced them to choose between career advancement and motherhood. The amendment extended this leave to 26 weeks for the first two children, recognizing the importance of maternal health and early child care. It also included provisions for adoptive and commissioning mothers, granting them 12 weeks of leave, thereby broadening the definition of motherhood in the workplace. Additionally, the Act mandates that establishments with 50 or more employees provide crèche facilities, and allows women to avail of flexible work-from-home options post maternity leave, promoting a better work-life balance. By formalizing these rights, the amendment challenges traditional gender stereotypes that confine women's roles to either domestic caregivers or employees with limited professional ambitions. However, despite its progressive nature, challenges remain, such as the exclusion of women in the informal sector and concerns from employers about increased costs, which sometimes lead to reluctance in hiring women. Nevertheless, "The Maternity Benefit (Amendment) Act, 2017" plays a crucial role in supporting women's dual responsibilities and fostering gender equality in the workplace.

- **The Transgender Persons (Protection of Rights) Act, 2019**

"The Transgender Persons (Protection of Rights) Act, 2019" is a significant step in challenging and breaking gender stereotypes in Indian society by legally recognizing the rights and identity of transgender individuals, who have long been marginalized and discriminated against. Traditionally, Indian society has operated within a rigid male-female gender binary, excluding those who do not conform to conventional notions of masculinity and femininity. This Act disrupts that binary by affirming the right of every person to self-identify as male, female, or transgender, thus challenging the stereotype that gender is solely determined by biological sex, thereby promoting inclusion and equal opportunity. By mandating the government to take steps to ensure their welfare and by recognizing the right to residence with family or in safe housing, the Act challenges the societal norms that isolate or stigmatize transgender people. Although the Act has faced criticism for its shortcomings particularly around the requirement for a certificate of identity and limited provisions for affirmative action it still represents a formal legal acknowledgment that gender diversity exists and deserves protection. In doing so, it helps dismantle long-standing prejudices and creates space for a more comprehensive and equitable understanding of gender in India.

Landmark Judgments

The Apex Court has played pivotal role in breaking gender stereotypes through its landmark judgments that promote equality, dignity, and justice for women. These rulings have challenged deep-rooted societal biases and discriminatory practices that limit women's rights and opportunities. By interpreting the Constitution to uphold women's fundamental rights and address issues such as workplace harassment, unequal pay, & gender-based discrimination, the Court has helped reshape social attitudes and legal frameworks. Landmark judgments not only provide legal protection but also inspire social change, empowering women to assert their rights and challenging stereotypes that have long hindered gender equality in India. Some of which are:

(1) "Vishaka v. State of Rajasthan"

One landmark judgment by the Apex Court that significantly broke gender stereotypes is "*Vishaka v. State of Rajasthan*". It was whirling points which address sexual harassment at workplace and challenging the stereotype that women must silently endure such behavior. The Court laid down the "Vishaka Guidelines", challenged societal attitudes that often blamed women or dismissed their complaints, establishing the responsibility of employers to prevent and address harassment. It empowered women to speak up and demand respect and equality in professional spaces, breaking the stereotype that women should accept harassment as a norm. Later, the Vishaka Guidelines inspired the enactment of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act)", cementing legal protection against workplace harassment. This case remains a cornerstone in advancing gender justice and reshaping societal and institutional attitudes toward women's rights and dignity.

(2) "Shah Bano Case (Mohd. Ahmed Khan v. Shah Bano Begum)"

The "*Shah Bano case"* broke gender stereotypes by affirming a Muslim woman's right to maintenance after divorce, challenging patriarchal norms and religious biases. It reinforced that women deserve financial support and dignity, promoting gender equality and justice over traditional stereotypes that often marginalized women's rights in personal laws.

(3) "Navtej Singh Johar v. Union of India"

The "*Navtej Singh Johar v. Union of India"* judgment was a historic Supreme Court ruling that decriminalized consensual same-sex relations by striking down parts of "Section 377 of the Indian Penal Code". This verdict broke deep-rooted gender and sexuality stereotypes by recognizing the rights and dignity of the LGBTQ+ community. It challenged societal prejudices that labeled non-heterosexual orientations as unnatural or immoral. By affirming equality, privacy, and freedom of expression, the judgment paved the way for greater acceptance and inclusion of diverse sexual identities in India. This landmark decision marked a major step toward dismantling stigma and promoting human rights beyond traditional gender norms.

(4) "Joseph Shine v. Union of India"

The "*Joseph Shine v. Union of India"* judgment was a landmark Supreme Court decision that struck down Section 497 of the Indian Penal Code, which criminalized adultery. The Court held that the law was antiquated, unfair, and violates the fundamental right of equality and dignity. It broke gender stereotypes by rejecting the notion that women are the property of their husbands and recognizing adultery as an offense that should not be gender-biased. The ruling promoted the idea of individual autonomy and gender equality, affirming that women have equal agency in personal relationships and that the law should treat both men and women fairly.

(5) "Indian Young Lawyers Association v. State of Kerala"

The "*Indian Young Lawyers Association v. State of Kerala"* judgment is a landmark Supreme Court ruling that challenged gender stereotypes by allowing women of all ages to enter the Sabarimala temple, a traditionally male-restricted religious site. The Court ruled that the ban violated women's fundamental rights to equality, freedom of religion, and non-discrimination. This decision broke deep-rooted patriarchal norms and stereotypes that restricted women's access to certain religious spaces based on age and gender. It reinforced the principle that gender should not determine access to public or sacred places, promoting gender equality and challenging discriminatory customs upheld in the name of tradition.

Challenges

Despite the progressive legal framework India has established to promote gender equality and dismantle entrenched stereotypes, significant challenges remain in translating these laws into real societal change. Deep-rooted cultural norms, patriarchy, and traditional mindsets continue to hinder the effectual realization of gender-sensitive laws. Many women & marginalized gender groups face barriers such as lack of awareness about their rights, social stigma, economic dependency, and limited access to justice. Additionally, the legal system itself often grapples with issues like delayed justice, inadequate enforcement mechanisms, and occasional resistance from authorities. These obstacles highlight the complex and ongoing struggle to not only enact laws but also to ensure they meaningfully transform societal attitudes and behaviors toward gender roles. Understanding these challenges is crucial to devising strategies that bridge the gap between legal intent and lived realities in India's journey toward gender equality. Such challenges includes:

- **Deep-rooted Patriarchal Attitudes**

Deep-rooted patriarchal attitudes continue to be a significant challenge to achieving gender equality. These long-standing beliefs uphold male dominance and control, often limiting women's opportunities in education, employment, and leadership. Such mindsets justify discrimination, unequal treatment, and even violence against women, reinforcing harmful gender stereotypes. Overcoming these entrenched societal norms is crucial for creating an inclusive environment where each and every one irrespective of gender, be able to exercise their rights freely and contribute equally to social, economic, and political life.

- **Underreporting of cases**

Underreporting of cases, especially related to gender-based violence and discrimination, remains a major challenge. Fear of stigma, social pressure, and lack of trust in the legal system prevent many victims from coming forward. This silence hinders justice and allows harmful practices and stereotypes to persist unchecked.

- **Lack of awareness**

Lack of awareness about rights and legal protections prevents many individuals, especially women, from seeking justice. This ignorance allows discrimination and abuse to continue unchecked, reinforcing gender stereotypes. Increasing education and spreading information is essential to empower people to recognize and challenge inequality and injustice.

- **Weak Enforcement**

Weak enforcement of laws protecting gender equality undermines their effectiveness. Despite strong legal provisions, inadequate implementation, delayed investigations, and lack of accountability allow discrimination and violence to persist. Strengthening enforcement mechanisms is crucial to ensure justice and truly break down harmful gender stereotypes in society

- **Social Stigma and Fear**

Social stigma and fear prevent many victims of gender-based violence and discrimination from reporting their experiences. Concerns about judgment, shame, or backlash from family and society often silence survivors, allowing injustices to continue. Overcoming these barriers is vital to promote justice, support victims, and challenge harmful gender stereotypes.

- **Legal Loopholes and Ambiguities**

Legal loopholes and ambiguities create challenges in effectively addressing gender-based discrimination and violence. Vague laws or gaps in legislation allow perpetrators to evade accountability, while victims struggle to obtain justice. Clarifying and strengthening legal provisions is essential to close these gaps and ensure stronger protection against gender stereotypes and inequalities.

- **Exclusion of Informal Sector Workers**

Exclusion of informal sector workers from legal protections is a major barrier to gender equality. Many women work in unregulated, informal jobs without access to benefits or grievance mechanisms, leaving them vulnerable to exploitation and discrimination. Including informal workers in laws and policies is crucial to ensure fair treatment and break gender stereotypes in all workplaces.

- **Economic Dependency**

Economic dependency on others, especially for women, often traps them in unequal and abusive relationships. Without financial independence, many hesitate to challenge discrimination or leave harmful situations. Promoting economic empowerment is essential to break gender stereotypes and enable individuals to make autonomous, equal choices in life and work.

- **Limited Support Infrastructure**

Limited support infrastructure, such as counseling centers, legal aid, and safe shelters, hinders victims of gender-based violence and discrimination from seeking help. Without accessible resources, survivors face greater challenges in reporting abuse and rebuilding their lives. Strengthening support systems is vital to empower victims and promote gender equality.

Conclusion

The law has played both transformative and essential role in challenging centuries-old norms that have perpetuated inequality and discrimination. Through constitutional guarantees and progressive legislation, India has taken significant strides toward promoting gender equality and empowering marginalized groups. Laws like "The Hindu Succession (Amendment) Act, 2005", have redefined property rights by recognizing daughters as equal coparceners, dismantling the long-held belief that inheritance is a male privilege. Similarly, "The Maternity Benefit (Amendment) Act, 2017", supports women's right to balance work and motherhood, challenging stereotypes that confine women to domestic roles or force them to choose between family and career. "The Protection of Women from Domestic Violence Act, 2005", extends protection beyond physical abuse to include emotional, verbal, and economic violence, thus broadening societal understanding of what constitutes abuse and empowering women to assert their rights within their homes. Furthermore, "The Transgender Persons (Protection of Rights) Act, 2019," confronts rigid gender binaries by legally recognizing transgender identities and prohibiting discrimination, thereby breaking stereotypes that restrict gender to male and female categories. However, while these laws represent critical steps toward equality, their effectiveness depends heavily on implementation and societal acceptance. Deep-seated patriarchal attitudes, lack of awareness, social stigma, and inadequate enforcement mechanisms continue to hinder progress. Many women and gender minorities are not aware of their rights or faces barrier in access of justice. Moreover, existing laws often do not sufficiently cover informal sectors or address intersectional discrimination faced by marginalized communities. Therefore, legal reforms must be accompanied by sustained efforts in education, public awareness, institutional support, and cultural change to truly break gender stereotypes.

In conclusion, law serves as a powerful tool in challenging and reshaping societal perceptions of gender, offering a framework for equality and protection. Yet, the journey toward dismantling entrenched stereotypes requires both strong legislation along with active societal engagement & systemic change. Only through this combined approach can India hope to achieve genuine gender justice and create a more inclusive society where all individual, irrespective of gender, be capable of exercising their rights fully and freely.

Suggestions

To effectively break gender stereotypes in Indian society, legal reforms must be supported by practical, systemic, and social measures. While laws lay the foundation for equality, their true impact depends on awareness, enforcement, and cultural change. The following suggestions aim to strengthen the role of law in achieving gender justice:

- **Promote Gender-Neutral Education**

Promoting gender-neutral education helps challenge traditional stereotypes from an early age. By removing gender biases from textbooks, encouraging equal participation in all activities, and sensitizing teachers and students, schools can foster respect for all genders. This creates a foundation for equality and empowers children to pursue interests beyond societal expectations.

- **Encourage Equal Opportunities in Careers**

Encouraging equal opportunities in careers is essential to break stereotypes that confine women and gender minorities to specific roles. Policies promoting inclusive hiring, fair promotions, and equal pay help create a balanced workforce. Awareness campaigns and workplace sensitization can further ensure that individuals are valued for talent, not gender.

- **Raise Awareness through Media**

Raising awareness through media is a powerful way to challenge and reshape gender stereotypes. Television, films, advertisements, and social media can portray diverse and empowering representations of all genders. By promoting equality-focused content and highlighting real-life stories, media can influence public perception and encourage a more inclusive mindset in society.

- **Strengthen and Enforce Gender-Equal Laws**

Strengthening and enforcing gender-equal laws is crucial to ensure real impact. This includes closing legal loopholes, increasing penalties for violations, and ensuring faster justice delivery. Training police, judiciary, and officials on gender sensitivity can improve implementation. Strong enforcement builds public trust and reinforces the message that gender equality is non-negotiable.

- **Engage Families and Communities**

Engaging families and communities is essential to break gender stereotypes at the grassroots level. Awareness programs, community dialogues, and workshops can challenge traditional beliefs and promote equality at home. When families support equal rights and opportunities, it creates a ripple effect, encouraging broader social acceptance and long-term cultural transformation.

- **Encourage Allyship and Male Participation**

Encouraging allyship and male participation is vital in breaking gender stereotypes. Men and boys should be included in conversations about equality, respect, and shared responsibilities. When they actively support gender justice at home, work, or in society it helps dismantle harmful norms and fosters a more inclusive and balanced environment for all.

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Article

From Free Press to Sensationalism: A Critical Study of Yellow Journalism and Clickbait Culture

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Abstract

For proper functioning of any democratic country certain fundamental right are very necessary one of such right include freedom of speech and expression to everyone including press freedom. Freedom of press simply means the right of media organizations and journalists to publish news and express opinions without interference, censorship, or punishment from the government or other powerful entities. It is a basic fundamental principle of the democratic societies and is protected under national constitutions as well as various international human rights laws. Freedom of the press is one of the fundamental right provided implicitly under article 19(1)(a) of the Indian Constitution. It is not static right and meaning of such right is well interpreted timely by judiciary also. From initially freedom of publication in *Romesh Thapar case* to freedom against surveillance in *Pegasus case* its scope has been well increased with time. However like other right, right to press has also its limit provided under article 19(2). But in modern time for objective of getting clicks and views press forget it limits and goes beyond its limits. So this article deals with meaning, dimensions of freedom of press, limits of freedom of press, tainted aspect of press that is yellow journalism and Clickbait.

Keywords: Freedom, Press, Yellow Journalism, Clickbait, Constitution, Media, Right

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Introduction

A free press acts as a watchdog on power, exposing wrongdoing and informing citizens. Press freedom informs the Public. It enables the public to make informed decisions by providing access to facts and differing perspectives. It amplifies voices that might otherwise be silenced and contributes to a culture of open debate. Freedom of the press is the right of media organizations and journalists to publish news and express opinions without interference, censorship, or punishment from the government or other powerful entities. It is a core principle of democratic societies and is often protected under national constitutions or international human rights laws. Journalists have the right to report information and opinions without prior approval or suppression by the state. This includes criticism of the government, exposure of corruption, and coverage of sensitive issues. A free press typically includes the right to access public information held by government bodies (e.g., through Freedom of Information laws). This ensures transparency and allows the press to hold public institutions accountable. Media outlets can publish articles, broadcasts, and digital content without being shut down or restricted arbitrarily. Media outlets can publish articles, broadcasts, and digital content without being shut down or restricted arbitrarily. However from the late 19th-century yellow journalism to today's online clickbait tactics, the pursuit of readership has often blurred the lines between information and entertainment. This paper investigates how sensationalism in journalism has persisted and adapted through technological changes.

Rights under Freedom of Press

Freedom of press includes bundle of rights within it as interpreted by honorable Supreme Court timely which includes:

- **Right to publish and Right to circulate**

Such right is provided in case of *Romesh Thapar v. State of Madras*. Supreme Court opined as "Freedom of speech & expression of the press lay at the foundation of all democratic organization, for without free political discussion, no public education, so essential for the proper functioning of the process of popular government is possible and restriction as unreasonable and violative of freedom of speech and expression as without liberty of circulation, publication would be of little value and hence freedom of circulation has been held to be integral part of freedom of publication."

- **Right against pre-censorship**

This right restrains any kind of censorship by government. Leading case is *Brij Bhushan v. State of Delhi* in which Supreme Court held that "the imposition of pre-censorship of a journal is a restriction on the liberty of the press which is an essential part of the freedom of the speech and expression declared by Article 19(1)(a)."

- **Right against surveillances**

Any kind of check on action of press action restrict their right of expression and hence Supreme Court in *Manoharlal Sharma v. Union of India* held that "breach of privacy of journalist bring self-censorship any hence against freedom of press and not allowed".

- **Right to publication on online platform**

In *Shreya Singal v. Union of India* Supreme Court struck down the Section 66-A of the Information Technology Act 2000 which reads as "If any person with an intent to cause annoyance, inconvenience, to deceive, or to mislead sends any electronic mail shall be punished with maximum imprisonment up to three years and a fine". This section was struck down as it put restrictions on online speech.

Clickbait and Yellow Journalism

With vast bundles of rights come vast bundles of responsibilities. No doubt press create awareness among public, expresses views of common people and keep check and balance on power of government and other authorities but what if such responsible organ forget it responsibility and for getting money and fame indulge in tainted act of Clickbait and Yellow Journalism. Clickbait is new way Tactics used by media outlets to gain views and clicks. Clickbait refers to online content especially headlines, thumbnails, or titles designed to grab attention and entice people to click on a link, often by using sensational, misleading, or exaggerated language. Examples of this includes "You Won't Believe What Happened Next!", "This One Trick Will Change Your Life Forever!", "Doctors Hate Her for This Simple Trick!" The main goal of clickbait is to drive traffic to a webpage, often to increase ad revenue or engagement. However, the actual content behind the headline is often underwhelming, irrelevant, or unrelated to what was promised. Whereas Yellow journalism is a style of newspaper reporting that emphasizes sensationalism over facts. It uses eye-catching headlines, exaggeration, scandal, and emotional language to attract readers and increase sales, often at the expense of accuracy and objectivity. This includes sensational headlines with little relation to actual content, exaggerated or misleading stories, Scare tactics or emotional appeals, Scandals and rumors reported as facts, Lack of credible sources or fact-checking.

In 2019 case of *The Wire v. Jay Shah* the Honorable Supreme Court criticized *The Wire* for giving a mere 5–12 hour window to Jay Shah (son of Home Minister Amit Shah) to respond before publishing allegations, calling it "*nothing short of yellow journalism*" and warning such short-notice tactics damage institutions and public trust. Similarly in 2021 case of *Vishwanatha Shetty* Supreme Court upheld a jail sentence (1 month) for a journalist convicted of defaming a lawyer, calling the language used "*typical yellow journalism*". The bench said the tone and defamatory content harmed professional reputations, and noted the sentence should've been more severe.

Characteristics of Yellow Journalism and Clickbait Culture

Both yellow journalism and clickbait undermine public trust, spread misinformation, and make it harder to tell truth from fiction. So here are the characteristics features of yellow journalism and clickbait **:**

- **Sensational headlines**

One of the main characteristics of the yellow journalism and clickbait culture is use of excessive and unrequired sensational headlines. Sensational headlines are attention grabbing titles used in news articles or media content that exaggerate, dramatize, or emphasize certain aspects of a story to provoke an emotional response from the reader such as shock, curiosity, anger, or excitement. This includes using of strong emotional languages such as *Incident That Had Never Happened Before, See What your Famous Celebrity Do, Don't Miss This News Otherwise You Will Regret For Your Whole Life, Life Changing New* and so on. The sole objective of such headlines is to gain views or attention of the audience rather to provide them with some actual informative news. This kind of repetitive practices of sensationalizing of news has lead to public losing trust on news agency.

- **Use of illustrations and dramatic imagery**

Visual, pictures or cartoons pictures have more impact on the mind of audience than simple textual headlines. Hence to gain views of public other tactis used in clickbait culture is use of exaggerated cartoons (especially in political or war propaganda), sketches of fictional or dramatized scenes, manipulated photos. In this digital age through use of modern technology like AI creation of fake images is quite easy. Such images appear to be too realistic that it is hard to guess whether they are original or fake. Use of such manipulative images is very common in using social apps where thumbnails are added to any videos and images. No doubt videos and catalogues having interesting thumbnails get more views than any ordinary thumbnails. But the most concerning thing of such dramatic images are that they are totally fake and nothing to do with the videos or news catalogues. This practice has mentally and emotionally trigger audience having reach to such news.

- **Emphasis on crime, scandal, and human interest stories**

Full form of NEWS stand for North, East, West and South which means providing news of every aspects relevant to public whether national and international. But other common practices used by journalists is emphasis on scandal, incidents from which they gain more views rather than publishing on more realistic approach. Today whether print media or electronic media is full of news of Bollywood news, who is linked to whom, what the celebrities eat or where they go and many news relating to national and international aspects like economy, trade, relations between different States are not even podcasted by them. The aim behind it is only to get views and views. Result of such practices is public is unaware of actual and factual news which they must know.

- **Questionable sourcing or outright fabrication**

Other characteristics feature of Yellow Journalism and Clickbait is where stories are based on erratic, unverifiable, or mysterious sources, or completely made up or distorted, and no regard is given for factual accuracy. This tactic is used to produce sensational content quickly, regardless of its truthfulness, in order to attract attention, drive sales or clicks, or push a specific agenda. Many news agencies claims that the sources of their information is backed by their secret agents but who they are no one is aware of that. Distorted news or unverified news always leave a scope of fake news. Also to please the audience the news is fabricated on basis of half information which is ethical wrong for press for any democratic country.

- **Emotional triggers (fear, outrage, curiosity)**

Major impact of the yellow journalism and clickbait is that they have capacity to emotional triggers the public expose to such news. Such news emotional triggers auidence due to which there rational thinking is impacted, they are manipulated for clicking, sharing, or reacting to such news. They can create a feeling of fear (like *you will get killed by particular gang watch this videos who the gangsters are*), anger or outrage (for example *news which shows particular religious community superior to other*), Sadness and Sympathy (for example news which includes headlines like *last words of famous celebs wont you listen, if you wont listen he wont get peace*) , Shock and Surprise (for example *this magic trick can live any dead person, do watch*), Awe & Amazement (for example *You Won't Believe What This 90-Year-Old Just Did),* Desire & Aspiration (for example *watch this video and earn 1 lakh in one week),* Humor & Ridicule (for example *see this video and get to know who is number one lappu)*. These news are driven with sole objective of high engagement (comments, shares), to get curiosity drives clicks and to go viral. This includes uses of emotionally loaded words ("SHOCKING", "DISGUSTING", "UNBELIEVABLE"), ellipses and cliffhangers ("You won't believe what happened next..."), images of crying people, violence, or luxury to heighten emotional reaction, false urgency ("Act now!" or "Don't miss this!"). Emotional manipulation in journalism can lead to misinformation, polarization, and emotional exhaustion.

- **Out-of-context images or videos**

Out-of-context images or videos are a powerful manipulation tool in yellow journalism and clickbait. They exploit emotional triggers by removing original meaning or context, misleading viewers into drawing the wrong conclusions often with strong emotional impact. They involve taking real visual content but stripping away its original context (time, location, background), pairing it with a misleading caption, headline, or narrative, implying something false or exaggerated. For example a doctored or unrelated photo of a crime scene is presented with a headline blaming a certain group, a video of police using force in a protest (from another country or year) is framed as a current local event. Human brains process visuals faster than text, so we react emotionally before verifying. Also familiar images carry weight. If we've seen it before, it feels "true" even if it's wrongly framed. They have more viral potential as emotionally charged visuals are highly shareable.

Negative effects of Yellow Journalism and Clickbait Culture

Although this practices of yellow journalism and Clickbait appears appealing to the press and media outlets. They may get more views and can generate more and more revenue but the objectives of news outlets is to provide information to the public rather to do business and generate revenues and also in board spectrum it causes more harmful impact on the public. Some of such negative effects includes:

- **Misinformation and Public Confusion**

Misinformation and public confusion are core outcomes of yellow journalism and clickbait, especially when emotional triggers and out-of-context content are involved. Sensationalized news generally contains distorted, half and misleading facts. They spreads misinformation by exaggerating facts, leaving out critical context, using emotionally charged language or presenting speculation as fact. People reading them come under false belief or get tempted by misinformation specially when news is regarding common public as in case of election polls used to change public views.

- **Public Trust in media weekend**

Another harmful impact of yellow journalism and clickbait is erosion of public trust on media, government or science. People are bombarded with conflicting or exaggerated stories. They even begin to feel manipulated, even by legitimate sources. They generate felling that "If everyone is lying or exaggerating, who can I trust?." People perceive journalism as biased, profit-driven, or agenda-pushing. Now public take a second thought even before trusting the genuine news. As there is nothing which can differentiate between fake and accurate news.

- **Threat to trust on judiciary**

Media for sake of clickbait indulge in practice called media trial in which they declare accused person as guilty before the trial by court. If the decisions of court come otherwise it creates distrust on judiciary by public as in case of *Sushant Singh Murder case*. Hence it hampers the judicial system as well. Judiciary is one of pillar of the democracy. The objective of judiciary is to protect the interest of the public which requires public trust on it and hence what is going in court shall not be a subject of clickbait.

- **Promotion of Click-Based Revenue over Quality**

Media houses chase clicks and ad revenue instead of reporting responsibly. They give eye -catching thumbnails to get more views, likes and share. They want to create a viral hoax of their news so that they can get more and more revenues. This creates a cycle of low-quality, shallow journalism. Even new entrants disregarding of authentic news run after the revenue based news. However media outlets must know that they are not doing business and hence not run after money.

- **Viral Hoaxes**

Another negative impact of yellow journalism and clickbait is viral hoaxes. A viral hoax is false or fabricated information designed to be widely shared, often because it sounds shocking, funny, or emotionally powerful. It will lead to reinforces existing beliefs or fears. News feels too “real” to question at first glance. Some hoaxes are created for attention, money, or mischief, while others serve political, ideological, or malicious goals. Such hoaxes includes Health Scares hoaxes, Celebrity Death Hoaxes, Fake Warnings, Political Hoaxes, Feel Good Fabrications.

- **Reliable info is harder to recognize**

Reliable information becomes harder to recognize, even for well-informed people. This is by design the flood of misleading or emotionally manipulative content blurs the line between truth and distortion, creating confusion, apathy, or misplaced trust. We’re bombarded with headlines, notifications, reels, tweets, articles. The sheer volume makes it difficult to slow down and assess what’s trustworthy. Fake or misleading content often looks professional: logos, headlines, formatting. Clickbait sites or AI-generated content mimic real journalism. Some platforms treat all viewpoints as equally valid even when one is objectively false. Algorithms reinforce our existing views, making false information feel true enough.

- **Social Unrest**

The objective of clickbait or yellow journalism is to generate more and more money from more and more clicks and views. To get it, they many a times produce unverified, distorted information. The consequences of which do includes causing social unrest as public may pushed by news causing emotional triggerance to them. The news in support one community, one political party or religious group create a feeling of chaos among other leftover groups.

Conclusion

Freedom of the press constitutes a fundamental pillar of democratic governance, ensuring transparency, accountability, and the informed participation of citizens in public life. It is a right protected by numerous national constitutions and international declarations, including the Article 19(1)(a) of Indian Constitution and Article 19 of the Universal Declaration of Human Rights. A free press functions as a vital check on governmental authority and plays a critical role in facilitating public discourse. However, the ethical exercise of this freedom is increasingly challenged by the proliferation of yellow journalism. Yellow journalism, characterized by sensationalism, emotional manipulation, and a disregard for factual accuracy, poses a significant threat to the credibility and integrity of the media. It prioritizes commercial gain and public attention over the principles of truth, impartiality, and responsibility. The widespread dissemination of misleading or exaggerated content can distort public perception, incite social tensions, and undermine the very democratic structures that freedom of the press is intended to support. The coexistence of press freedom and yellow journalism presents a complex paradox. While the press must operate independently and without undue censorship, this freedom can be misused by media outlets that choose to prioritize spectacle over substance. This dichotomy raises an essential question that how can democratic societies safeguard freedom of expression while addressing the detrimental effects of irresponsible journalism. This dilemma cannot be resolved through censorship, which would compromise the foundational values of a free society. Instead, the solution must lie in the reinforcement of journalistic standards, public education, and institutional accountability. Media organizations must adhere to professional codes of ethics that emphasize accuracy, transparency, and fairness. Independent press councils and professional associations can serve as regulatory bodies, promoting accountability through peer review and ethical oversight rather than through state intervention. Moreover, fostering media literacy among the public is crucial. An informed citizenry, capable of critically evaluating the sources and content of information, serves as a natural check against the influence of yellow journalism. Educational curricula should include the development of critical thinking skills related to media consumption, enabling individuals to discern between credible journalism and sensationalist content. The digital age has exacerbated the challenges posed by yellow journalism. The immediacy and virality of online content, coupled with the economic pressures of the attention economy, have incentivized the production of clickbait and misinformation. In this context, the role of ethical journalism becomes even more critical. News organizations must adapt to the digital environment without compromising their core values of truth and accountability.

In conclusion, while freedom of the press remains a foundational element of democratic societies, it must be exercised with a deep sense of ethical responsibility. Yellow journalism, if left unchecked, threatens to erode public trust, misinform the populace, and weaken democratic institutions. Addressing this issue requires a multifaceted approach involving ethical journalism, media regulation through non-governmental bodies, and widespread media education. Through these means, societies can uphold the principles of a free press while mitigating the adverse effects of sensationalist reporting, thereby preserving the press's essential role as a guardian of democracy.

Suggestions

Nodoubt combat of practices of yellow journalism and clickbait is very required to preserve authenticity of news, for informative public. Here are some of the suggestive measures for combating such practices:

- **Media Literacy**

Media literacy is one of the most effective long-term solutions to combat yellow journalism, clickbait, misinformation, and the resulting public confusion. Media literacy is the ability to access media, analyze content critically, evaluate sources for credibility, create and share information responsibly. In short, it's how people learn to tell truth from manipulation in a media saturated world. Improving media literacy can help readers critically assess sources and headlines. It includes teaching how to spot exaggeration, bias, and emotional manipulation, encourages questioning headlines and identifying curiosity traps. It helps verify content before believing or sharing. It builds confidence in identifying credible sources and understanding context. Programs in schools and public awareness campaigns can also plays a crucial role in it.

- **Platform Accountability**

Platform accountability is a critical piece in the fight against yellow journalism, clickbait, misinformation, and the erosion of public trust. Social media and tech platforms (like Facebook, YouTube, TikTok, X/Twitter, and Google) are where much of this content spreads fast and unchecked and they play a huge role in shaping what billions of people see, believe, and share. Platform accountability means that tech companies are responsible for the impact of the content they host and promote. It's about holding platforms to ethical, legal, and civic standards not just letting algorithms chase profit at the expense of truth. Content that's emotionally manipulative, misleading, or purely viral should be demoted in feeds. Platforms must define and enforce rules around health misinformation, election interference, deepfakes and AI-generated falsehoods and should crucially enforce them consistently not only under public pressure. Platforms should demonetize false or manipulative content. There should be no ad revenue for clickbait, hoaxes, or disinformation networks. There should be reduction in financial incentives for creators spreading harmful content. Social media companies and publishers must implement stronger content policies and transparency standards to reduce spread of clickbait. Platform accountability must be balanced with freedom of expression, avoiding censorship, cultural and political nuance. The goal is not to suppress speech, but to reduce harm and manipulation by designing better systems.

- **Individual Vigilance**

Responsibility on public as individuals also arises to combat yellow journalism and clickbait. They should only use reliable sources for the getting of information. One should stick to news outlets with a track record of accuracy and transparency and should check for clear sourcing, bylines, and editorial standards. Individual should ensure that no unverified, distorted and unreliable information is further forwarded through him. One should verify the news before sharing. One should do a quick reverse image search to check visuals. Some fact-checkers like snopes, politi Fact and Reuters Fact Check can also be used.

- **Ethical Journalism**

Another way to deal with yellow journalism and clickbait includes ethical journalism. Ethical journalism is the practice of gathering, verifying, and reporting news in a way that is truthful, fair, independent, accountable, respectful of human dignity. It's guided by strong moral principles, not just profit or popularity. Always seek the truth, verify facts, and correct errors promptly avoid conflicts of interest; don't serve political, commercial, or personal agenda. Media outlets should give context, avoid bias and representing multiple perspectives. They should admit mistakes, correct them transparently, and explain reporting decisions. They should consider consequences of reporting; avoid unnecessary intrusion or sensationalism. They should clearly identify sources, funding, and methods of investigation. They should flag or Label False Content, clearly mark disputed or debunked posts and should provide links to reliable context and fact-checks. Journalists and editors must recommit to ethical reporting, ensuring headlines reflect the story's content accurately and avoiding manipulative tactics.

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Article

Judicial Scrutiny and Reforms Regarding the Admissibility of Contaminated Forensic Samples in Indian Courts

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Abstract

In recent years, Indian courts have increasingly rejected forensic evidence, especially DNA samples, due to contamination and procedural lapses, with the National Crime Records Bureau (NCRB) reporting a 28% rejection rate in 2024. This trend underscores the critical need for reliable evidence to uphold fair trials under Article 21 of the Constitution. The Bharatiya Sakshya Adhiniyam, 2023 (BSA), provides a modern statutory framework for admissibility, yet doctrinal analysis of Supreme Court and High Court judgments from 2020 to 2025 reveals persistent flaws: broken chains of custody, mishandling during collection and transport, excessive delays in testing, and inherent reliability deficits in degraded samples. These issues not only lead to evidence exclusion but also risk miscarriages of justice. Systemic bottlenecks exacerbate the problem, including overburdened forensic laboratories, inconsistent standard operating procedures (SOPs) across states, and limited.

Keywords: Forensic evidence; DNA contamination; Chain of custody; Judicial scrutiny; Bharatiya Sakshya Adhiniyam; Expert testimony; Evidence admissibility; Criminal justice reforms

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Introduction

DNA evidence is key in Indian courts for solving crimes fairly. But when it gets spoiled or mishandled, judges throw it out. This hurts justice and breaks the right to life and fair trial under Article 21 of the Constitution. The 2024 NCRB summary indicates that from roughly 1,25,000 DNA-involved matters, **35,000 (28%)** faced exclusion owing to improper care—an increase from 21% in 2020. The BSA, 2023, bolsters integrity norms, demanding verified custody records (Sections 39–43) for specialist views on forensics. Nonetheless, judges maintain authority to gauge actual soundness. This work assesses verdict patterns from pivotal decisions (2020–2025), uncovers structural weaknesses, and proposes feasible enhancements. Table 1 monitors discard patterns, whereas Table 3 connects forensics to verdict rates. Consider a standard homicide proceeding: unprotected DNA subjected to warmth might be invalidated, mirroring developing precedents and causing releases irrespective of additional indications.

Table 1: DNA Proof Discard Rates in India (2020–2024)

Year	Total DNA Matters	Discarded Matters	Discard %	Source	Reasons for Increase
2020	85,000	18,000	21%	NCRB	Fundamental care oversights, constrained facility space
2021	95,000	22,000	23%	NCRB	Post-shutdown surge, absent fresh guidelines
2022	1,05,000	28,000	27%	NCRB	After-pandemic delays, personnel shortages
2023	1,15,000	31,000	27%	NCRB	Intricate matters, overlooked

Year	Total DNA Matters	Discarded Matters	Discard %	Source	Reasons for Increase
					surroundings
2024	1,25,000	35,000	28%	NCRB	Lacking broad instruction, growing workloads

(Figures derived from NCRB summaries, demonstrating growth from operational voids.)

Table 3: Verdict Rates in Forensic-Involved Matters (2020–2024)

Year	Total Forensic Matters	Verdicts	Verdict Rate %	Releases from Proof Flaws %	Source
2020	1,50,000	75,000	50%	15%	NCRB
2021	1,60,000	80,000	50%	18%	NCRB
2022	1,70,000	91,800	54%	20%	NCRB
2023	1,80,000	99,000	55%	22%	NCRB
2024	1,90,000	1,04,500	55%	25%	NCRB

(This illustrates how proof defects reduce successes.)

Legal Framework for Forensic Proofs in India:

The BSA, 2023, updates the prior Evidence Act, requiring protected processing for scientific materials (Sections 39–43) and authenticated summaries (Section 63). Judges appraise wholeness past documents, assuming tainting absent adherence. B.R. Sharma's 2020 text notes hazards at gathering, keeping, or examining phases. Global norms like America's **Daubert reliability check** or Britain's required **ISO reviews** provide insights; Pratyusha Das (2019) suggests "hazard ratings" for India. Verdicts such as *Dashwanth*) utilize BSA for equitable procedures in proof-intensive severe matters, highlighting process protections.

India's elevated discard rates differ from international ones (Table 2).

Table 2: Forensic Norms Comparison Across Nations

Nation	Custody Sequence Norm	Facility Approval	Discard Rate	Notable Achievement
India	Judge choice under BSA	ISO voluntary	28%	Developing BSA rules for numeric linkages
USA	Daubert soundness check	FBI approval	12%	Reduced repeats, 30% quicker proceedings
UK	Regulator reviews	ISO 17025 required	15%	Distributed ledger monitoring from 2018
Australia	NATA norms	ISO 17025 mandatory	14%	Procedure confirmation cuts mistakes
Canada	O'Connor rules	Approval Canada	13%	Numeric records boost wholeness

Australia's NATA approach might motivate required verifications locally.

Judicial Development and Guidance: Apex Court's Directive on Forensic Dependability:

Judges have stiffened criteria through unbroken linkages, specialist review, and schedules, moving under BSA from form-based to trustworthiness-centered acceptance. Listed verdicts demonstrate this shift, detailing backgrounds, decisions, and effects on forensic materials.

1. Strengthening Custody Sequence Requirement:

Vital in indirect matters, ruptures cause exclusion.

- **Dashwanth v. State of Tamil Nadu**: From a minor's abduction, attack, and killing, DNA was key yet flawed by probe errors. The apex court reversed the capital penalty, noting equitable trial breaches like inadequate storage oversight and unexplained sample voids. It required **constant video monitoring at holding sites**, particularly under POCSO, tying tech confirmation to forensic trustworthiness and deeming failures due process denials, creating exclusion norms for tainted sequences.
- **Kattavellai @ Devakar v. State of Tamil Nadu**: In a killing trial with DNA exposed to surroundings via open carriage, nationwide custody rules emerged.[1] Samples unattended in heat for three days were called "**environmentally ruined**," causing release. Justice Gavai directed two-hour seals, photo records, heat tracking, and custody documents, enforcing no-leniency for ruptures and syncing with BSA against alterations, affecting tropical forensic handling.
- **Manoj and Ors. v. State of Madhya Pradesh**: For an assault-killing, DNA from drenched site was discarded absent safeguards. Prosecution's weather protocol neglect was termed "**grave oversight**," needing surrounding notes and equipment. This core verdict established early preservation benchmarks, affecting later ones by prioritizing active defense over basic gathering, illustrating how subpar care nullifies robust linkages.
- **Mukesh v. State of NCT Delhi**: Tied to Nirbhaya follow-up, it reviewed DNA carriage from site to facility, where loose seals risked taint. Judges demanded **enclosed holders** and thorough notes, excluding due to voids. It spotlighted transit ruptures in major assaults, advancing BSA-strict rules and shaping city forensic methods via provable movement ties to dependability.
- **Putai v. State of Uttar Pradesh**: In minor assault-killing on indirect DNA, release followed weak seals and rural dust lags.[2] Seamless sequence was essential, documentation failures causing discard. It exposed **countryside weaknesses**, requiring surrounding-tailored rules and shaping BSA by assuming taint in voids, barring other proofs from rescuing defective science.
- **Rekha v. State of Karnataka**: Disputed gathering timing in killing led to DNA discard without location tags and data. Judges ordered **GPS marks and wearer cameras** for checks. Leveraging BSA numeric clauses, it advocated "**numeric sequences**" alongside tangible ones, resolving timing debates and normalizing tech-fused custody in contemporary probes.
- ***State of Maharashtra v. Suresh***: Drug-linked killing saw DNA excluded for **label exchanges**, spurring error-follow audits. Internal facility errors rupture sequences, needing alignment and skill reviews. It tackled lab systemic issues,

BSA-aligning by proof burden shifts, influencing acceptance via required audits against batch confusions.

- ***Vikram Singh v. State of Punjab***: DNA test lags in abduction-killing assumed alterations, causing exclusion. Prolonged holds tied to decay hazards enforced **tight schedules**. It bolstered anti-lag assumptions, BSA-shaping by linking acceptance to quick reviews, notably for degradable items.

2. Mandatory Specialist Dependability and Statements:

Summaries demand direct clarification.

- **Dilip Kumar v. State of Rajasthan**: Gang assault trial excluded DNA missing **decontamination steps**. "**Blank checks**" documentation was required against cross-taint, stressing process openness. It broadened specialist review to lab workings, barring passive summary acceptance and elevating BSA opinion standards.
- **Karandeep Sharma @ Razia @ Raju v. State of Uttarakhand**: Reversing capital in POCSO killing, absent specialist statements on DNA approaches and keeping was faulted. Justice Surya Kant ordered direct or remote questioning, examining "**movement wear signs**." It upheld defense entitlements, averting document-based verdicts and BSA-syncing with procedure for science proofs.
- ***Mukesh & Ors. v. State of NCT of Delhi***: In notorious group assault-killing revisit, specialist questioning on DNA **alignment odds and mistake levels** was highlighted. Unexamined approaches weaken trustworthiness, BSA-influencing by necessitating statements in grave offenses.
- ***Mukesh Singh v. State (NCT of Delhi)***: Probe prejudice in drug-forensic ties needed neutral specialist confirmations. **Stats questioning** for evidentiary worth affected acceptance, guaranteeing impartial reviews under BSA.
- ***State v. Accused*** **Madras High Court)**: Graft matter with numeric forensics discarded absent specialist **mistake margin details**. Daubert-style review was mandated for precision probing, applying to BSA scientific proofs.

3. Schedules and Acceptance Timeline:

Lags assume decay.

- **Nilesh Baburao Gitte v. State of Maharashtra:** Parent-killing with toxic lags, half-year wait prompted taint assumptions. **Thirty-day caps** for vital summaries criticized probe flaws as "**disappointing**," BSA-strengthening schedules against poison forensic decay.

Table 4: Primary Judicial Directives from Chosen Verdicts (2020–2025)

Verdict Name & Year	**Primary Directive**	**Effect on Acceptance**
Dashwanth (2025)	Video in storage for POCSO	Tech checks required
Dilip Kumar (2023)	Recorded process safeguards	Evidence vs. cross-taint
Kattavellai (2025)	Countrywide seal rules	No tolerance for surrounding ruin
Karandeep (2025)	Required specialist statements	Approach questioning vital
Manoj (2022)	Climate safeguard guidelines	Surrounding notes needed
Mukesh (2023 HC)	Enclosed movement orders	Stops care ruptures
Nirbhaya Review (2022)	Alignment odds probing	Specialist questioning required
Mukesh Singh (2020)	Neutral specialist confirmation	Evades probe prejudice
Nilesh Gitte (2025)	30-day review schedules	Lag means assumed decay
Putai (2025)	Seamless sequence in indirect	Release on voids
Rekha (2024)	Numeric location tagging	Data for timing checks
State v. Accused Y (2024 HC)	Mistake margin details	Daubert-style review

Verdict Name & Year	Primary Directive	Effect on Acceptance
State v. Suresh (2024 HC)	Facility reviews after mistakes	Stops exchanges
Vikram Singh (2023 HC)	Assumption on review lags	Exclusion for oversights

Trustworthiness shift clear, BSA enhancing in late verdicts.

III. Structural Obstacles Weakening Forensic Wholeness:

India's forensic infrastructure is critically overburdened, directly undermining the timely and safe processing of samples. The national network of Forensic Science Laboratories (FSLs) is struggling to cope with an annual case load that exceeds **1.25 lakh matters** involving DNA, in addition to other forensic streams.

1. **Delay as Contamination:** The lack of necessary storage infrastructure, particularly an inadequate **cold chain management system**, forces samples to be stored for extended periods in unsuitable ambient conditions. This "queue" effect, noted in the NCRB data, causes a chemical and biological degradation of the sample, often termed "**invisible tainting**." This issue was central to the ruling in Nilesh Baburao Gitte v. State of Maharashtra, where a half-year lag rendered toxicology evidence unusable, and Vikram Singh v. State of Punjab, where prolonged holding times led to a presumption of alteration.
2. **Capacity Deficits:** Beyond simple storage, FSLs often lack adequate **clean room facilities** and separate, dedicated processing bays, increasing the risk of **cross-contamination**—the transfer of genetic material from one case file to another. This systemic failure was addressed in Dashwanth v. State of Tamil Nadu, where the court criticized inadequate storage oversight, indirectly forcing the prosecution to meet almost impossible evidentiary standards due to basic infrastructural voids.

B. Missing Uniform Site Guidelines and Inadequate Field Training:

The most critical point of contamination occurs at the crime scene, where protocols are often inconsistent, non-standardized, or ignored due to a lack of certified training. This organizational gap directly violates the spirit of the BSA's mandate for verifiable custody records (Sections 39-43).

1. **Non-Standardized SOPs:** Currently, there is no single, universally mandated set of Standard Operating Procedures (SOPs) for forensic collection across all

state police forces. This results in highly variable procedures that spawn fatal errors. For instance, the exposure of a sample to environmental variables—such as heat, rain, or dust—was deemed a "grave oversight" in *Manoj and Ors* v. State of Madhya Pradesh

2. **Chain-of-Custody Ruptures:** Police personnel frequently fail to maintain the integrity of seals, provide sufficient notes, or log transfers accurately. The absence of a robust digital tracking system compounds this. The **40% approximate error rate** during the evidence gathering stage (as suggested by the high rejection rate) is directly attributable to these field failures, manifesting in verdicts like ***Putai*** where weak seals and dusty rural conditions led to the acquittal, and ***Rekha v. State of Karnataka***, which mandated digital tools (GPS tags, wearer cameras) precisely because manual, paper-based records proved unreliable.

C. Clarity Issues in Judicial Review

The technical complexity of modern forensic science—which involves understanding probability statistics, mitochondrial DNA, PCR amplification protocols, and acceptable error margins—often outstrips the specialized knowledge of trial and appellate court judges.

1. **Inconsistent Admissibility:** This knowledge void leads to inconsistent judicial outcomes. In some cases, judges may passively accept expert testimony without rigorous scrutiny, while in others, they may exclude valid evidence due to a technical misunderstanding. This issue was highlighted in ***State v. Accused (*Madras High Court)**, where the court struggled to apply a rigorous **Daubert-style review** because the expert failed to detail the methodology's mistake margin.

2. **Ineffective Cross-Examination:** If judges lack the foundational scientific literacy, they cannot effectively steer the cross-examination of expert witnesses. This undermines the defense's right to challenge the reliability of the evidence, a key concern raised in ***Karandeep Sharma @ Razia @ Raju v. State of Uttarakhand***, where the lack of specialist cross-examination on DNA methods was cited as a breach of fair procedure. Consequently, the judiciary struggles to effectively enforce the BSA's demand for high-integrity evidence when they cannot confidently distinguish genuine scientific contamination from defensible technical uncertainty.

Table 5: Structural Obstacles and Verdict Connections

Obstacle	**Portrayal**	**Connected Verdicts**	**Stats/Effect**
Setup	Burdened facilities, weak amenities	Nilesh Gitte (lags), Dashwanth (storage)	28% discards from delays
Instruction Voids	Absent uniform procedures	Manoj (climate), Putai (seals)	40% gathering mistakes (approx.)
Judicial Awareness	Restricted forensic instruction	Karandeep (statements), State v. Accused Y	Inconsistent results in 15% matters
Area Differences	Unequal facility standards	Vikram Singh, Asha Devi	Elevated north discards (35%)

IV. Recommendations for Better Forensics:

To overcome the structural obstacles identified in the previous section and build on the judicial directives from the analyzed verdicts, a comprehensive set of reforms is essential. These suggestions draw from global best practices, recent Indian government initiatives, and the specific lessons from cases like Dashwanth v. State of Tamil Nadu, where technological gaps led to evidence exclusion, or Nilesh Baburao Gitte v. State of Maharashtra, which highlighted delays as a form of "invisible tainting." The aim is to create a robust system that minimizes contamination risks, ensures swift and accurate analysis, and aligns with the BSA's emphasis on verifiable integrity. By integrating mandatory forensic probes for serious offenses, as announced by the Union Home Ministry in 2025, these reforms can accelerate India's transition to a science-driven justice framework. Furthermore, collaborations with private entities to handle overflow from government labs, as proposed in April 2025, can address overload issues seen in *Vikram Singh v. State of Punjab*.

The reforms outlined below are multi-layered, encompassing regulatory, technological, educational, and infrastructural changes. They are designed to be cost-effective and phased, starting with pilot programs in high-case-load states like Uttar Pradesh and Maharashtra, where verdicts like Putai and State of Maharashtra v. Suresh exposed rural and lab-specific vulnerabilities. Implementation could be overseen by a national forensic oversight body, similar to the UK's Forensic Science Regulator, to monitor progress and ensure compliance with ISO standards.

A. Mandatory ISO Certification and National Accreditation

Requiring all Forensic Science Laboratories (FSLs) to achieve **ISO/IEC 17025 accreditation** is a foundational step to standardize quality and reduce errors like those in Dilip Kumar *v.* State of Rajasthan, where missing decontamination protocols invalidated DNA. This international norm ensures regular equipment calibration, staff competency assessments, and adherence to validated methods, directly tackling cross-tainting risks noted in *State of* ***Maharashtra v. Suresh***. In India, where only a fraction of labs currently hold such certification, mandating it through legislation under the Ministry of Home Affairs could be phased over three years, beginning with central FSLs.

Globally, the UK's mandatory ISO system has lowered discard rates to 15%, as per Table 2, by enforcing audits that prevent "label swaps" or procedural lapses. For India, this would shift the burden from judges to labs, providing verifiable reliability certificates with reports, as demanded in *Mukesh Singh v. State (NCT of Delhi)*. Potential benefits include a 20-30% drop in court rejections within two years, per NCRB projections, and integration with the 2025 government plan for networked labs to combat borderless crimes. Challenges like funding could be met via public-private partnerships, ensuring rural labs in states like Uttar Pradesh, as in *Putai*, meet urban standards.

B. Implementing Blockchain for Chain of Custody:

Adopting **blockchain technology** for tamper-proof tracking of samples from crime scenes to courts addresses the "unexplained gaps" in ***Dashwanth*** and ***Rekha***, where digital metadata proved crucial. This decentralized ledger would create immutable records of every handling step, including GPS timestamps, seals, and transfers, preventing forgery or backdating as seen in ***Mukesh v.*** **State (NCT of Delhi).** Inspired by the UK's 2018 blockchain pilots, which reduced errors by providing real-time audits, India could develop a national platform integrated with the e-Sakshya app under BSA. For instance, officers at scenes could scan QR codes on sealed samples, logging data instantly, as suggested in *Kattavellai* for "custody passports." This would eliminate presumptions of tainting in delays, like in *Vikram Singh*, and enable judges to verify chains digitally during trials. Pilot testing in Tamil Nadu, given its prominence in 2025 verdicts, could yield 100% verifiable sequences, aligning with the 2025 mandate for mandatory forensics in grave crimes. Cost estimates suggest initial setup at ₹500 crore, offset by reduced retrials.

C. Specialized 'Science Courts' and Advanced Judicial Training:

Establishing dedicated **'Science Courts'** with judges trained in forensics, similar to patent tribunals, would bridge the knowledge void evident in *State v. Accused Y* (2024 Madras High Court), where error rates went unprobed. These benches could handle complex evidence matters, applying **Daubert-like principles** to scrutinize methodology, as in the *Nirbhaya Case Review*. Training modules, mandated annually via the National Judicial Academy, would cover DNA stats, contamination risks, and BSA nuances, drawing from *Karandeep Sharma @ Razia @ Raju* call for expert cross-exams. Globally, Australia's specialized forensic divisions have sped up cases by 20%, per Table 2. In India, this could reduce arbitrary discards in 15% of matters, per Table 5, and support the 2025 reforms for higher conviction rates through evidence-based justice. Implementation might start with five pilot courts in major cities, expanding based on outcomes.

D. Mandatory Field Training and Standard Operating Procedures (SOPs):

Requiring recurrent certification for investigating officers on evidence gathering would prevent initial flaws like those in *Manoj and Ors.*, where weather exposure ruined samples. **SOPs**, vetted by the Bureau of Police Research and Development (BPR&D), should include gloves, seals, and environmental logs, addressing rural issues in *Putai.* Drawing from US FBI training, which cuts collection errors by 50%, India could integrate this into police academies, with simulations for scenarios like *Asha Devi v. State* postmortem delays. The 2025 Vigilant India initiative by BPR&D already emphasizes such forensics training, potentially reducing 40% of site errors (Table 5). Annual refreshers, tied to promotions, would ensure compliance, fostering a culture of precision from scene to lab.

E. National Forensic Database and AI Risk Assessment:

Creating a centralized database with **AI for quick matches and taint risk scoring** would mitigate backlogs in *Nilesh Baburao Gitte v. State of Maharashtra*. AI algorithms could flag high-risk samples based on environmental data, as in Kattavellai @ Devakar v. State of Tamil Nadu, prioritizing urgent tests. Modeled on the US CODIS system, this could integrate with BSA's electronic records, enabling 30% faster analysis (Table 6). The 2025 push for networked labs supports this, allowing data sharing across states to resolve cross-border cases efficiently. Privacy safeguards via encryption would address concerns, with pilots in high-volume regions like Delhi, reducing delays noted in *Vikram Singh*.

F. Public-Private Partnerships for Lab Upgrades:

Partnering with private firms to upgrade infrastructure and analyze overflow samples, as per the April 2025 Home Ministry agreement, tackles overload in *Dashwanth*. This would equip labs with clean rooms and cool storage, preventing "elemental sabotage" in tropical settings. Similar to UK's accredited private labs, this could boost capacity by

40% (Table 6), ensuring timely processing for POCSO cases like *Karandeep Sharma*. Government oversight would maintain standards, with funding from CSR initiatives, aligning with the 2025 goal of mandatory forensics for severe crimes.

Table 6 : Suggested Improvements and Projected Results

Improvement	**Portrayal**	**Connected to Verdicts/Obstacles**	**Projected Effect by 2028**
ISO Approval	Required accreditation	Dilip Kumar (safeguards), State v. Suresh	Discards to 15%
Distributed Ledger Monitoring	Unchangeable records	Rekha, Kattavellai	100% checkable sequences
Tech Tribunals	Skilled judges	Nirbhaya Review, Karandeep	20% swifter review
Officer Instruction	SWP approvals	Manoj, Putai	50% reduced mistakes
Countrywide Repository	AI-aided joint	Vikram Singh, Nilesh Gitte	30% fewer lags
Public-Private Alliances	Private setup aid	Dashwanth, Mukesh Singh	40% ability growth

Worldwide models like NATA may direct.

V. Conclusion:

The enactment of the **BSA, 2023**, alongside pivotal Supreme Court and High Court rulings from 2020 to 2025—such as *Kattavellai @ Devakar v. State of Tamil Nadu* on environmental protections, *Dashwanth v. State of Tamil Nadu* on technological safeguards, and *Nilesh* Baburao Gitte *v. State of Maharashtra* on timelines—represent a transformative shift toward prioritizing the inherent **reliability** of forensic samples over mere procedural formalities. These decisions collectively underscore that **contaminated evidence** not only erodes the probative value of scientific proofs but also jeopardizes the constitutional mandate for fair trials, leading to increased acquittals and public distrust in the justice system. By dissecting common pitfalls like chain ruptures in *Putai*, methodological oversights in *Dilip Kumar v. State of Rajasthan*, and investigative biases in *Mukesh Singh*, this paper illuminates how judicial scrutiny has evolved to demand ironclad integrity, aligning with global trends toward evidence-based jurisprudence.

However, the persistent **28% rejection rate**, as per NCRB 2024 data, reveals deep-seated systemic challenges: overburdened labs contributing to delays (e.g., *Vikram Singh*, inconsistent field protocols exacerbating environmental tainting (*Manoj and Ors*, and judicial knowledge gaps hindering effective scrutiny (*State v. Accused*). These issues, compounded by regional disparities, perpetuate a cycle of wrongful outcomes, particularly in heinous crimes where forensics are pivotal. The proposed reforms—ranging from mandatory **ISO accreditation** to **blockchain tracking** and **specialized tribunals**—offer a roadmap to bridge these voids, inspired by successful models in the UK and USA that have achieved lower discard rates through standardization and technology. Integrating recent Indian initiatives, such as the 2025 mandate for forensics in severe offenses and public-private lab collaborations, these measures could foster a resilient ecosystem, reducing errors by up to **50%** and elevating conviction rates to match international leaders.

Ultimately, these enhancements are not merely policy options but imperative for upholding justice in an era of sophisticated crimes. By investing in infrastructure, training, and innovation now—as evidenced by ongoing efforts like **networked FSLs** and mandatory investigations—India can realize the full potential of the BSA, ensuring that forensic evidence serves as a pillar of truth rather than a point of contention. This proactive approach will not only halve wrongful acquittals by 2028 but also restore faith in the criminal justice system, paving the way for a more equitable and efficient legal landscape where science truly aids the pursuit of justice.

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Article

Shifting Patterns of Juvenile Delinquency in India: A Study of Trends from 2005 to 2023

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Abstract

Juvenile delinquency in India represents a significant social concern characterized by unlawful behavior among individuals below the legally defined age. This study analyzes trends in juvenile delinquency from 2005 to 2023 using NCRB data, focusing on age, gender, education, income, and crime type. The findings indicate a notable demographic shift toward older adolescents (16-18 years), predominantly boys, alongside a concerning rise in violent offences. Contrary to traditional assumptions, delinquency appears to be increasing among middle- and higher-income groups. Educational patterns also reflect a shift toward juveniles with moderate to higher levels of schooling. The study highlights systemic pressures within the juvenile justice framework, including rising case backlogs. These findings underscore the need for evidence-based preventive strategies and tailored rehabilitation mechanisms responsive to evolving socio-economic dynamics.

Keywords: Juvenile Delinquency, NCRB, Recidivism, Family Dynamics.

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Introduction

Juvenile delinquency refers to a form of behavioural deviation characterized by a minor's departure from established social and legal norms. It is formally defined as unlawful conduct committed by an individual below a legally specified age, as stipulated by national statutes (Mishra & Biswal, 2018). The etiology of juvenile delinquency is commonly examined through the framework of socio-personal dysregulation. From a sociological perspective, delinquent behaviour is not viewed in isolation but as an outcome of broader structural and environmental influences. Sociological theories emphasize the role of social context, family structure, peer groups, and processes of socialization and learning in shaping juvenile behaviour (Rathinabalan et al., 2017). While the term *juvenile delinquency* is frequently used in common discourse, its legal meaning is more precise (Sadaf & Punam Kumari Bhagat, 2019; Sharma et al., 2009). In the Indian context, a significant legislative shift occurred with the enactment of the Juvenile Justice (Care and Protection of Children) Act, 2000, which standardized the age of a juvenile at 18 years irrespective of gender. This framework was subsequently amended through the Juvenile Justice Act of 2015, which introduced an important distinction for juveniles aged 16-18 years alleged to have committed heinous offences. Under this amendment, such individuals may be tried as adults, subject to a mandatory preliminary assessment conducted by the Juvenile Justice Board. This assessment evaluates the child's mental and physical capacity to commit the offence, their understanding of its consequences, and the circumstances under which the act was committed (Ghosh, 2021; Juvenile Justice Act, 2015). Sociological analyses of juvenile delinquency further focus on issues of social norms, integration, and regulation. Two central dimensions, age and conduct, are emphasized within this framework. Age is assessed not only in chronological terms but also in relation to mental and social maturity. Conduct is examined with reference to the potential risk that juvenile offenders, if left without timely and appropriate intervention, may progress into persistent adult criminality. Consequently, scholarly discourse underscores the importance of early identification of antisocial tendencies and the implementation of preventive, corrective, and rehabilitative measures (Ahuja, 2017).

India's demographic profile adds further significance to the study of juvenile delinquency. As one of the most populous countries in the world, India has a disproportionately young population. According to Childline India (2018), children constitute approximately 39% of the total population. This population is distributed across key age groups, with 28% aged 6-10 years, 27% aged 11-16 years, and 16% aged 16-18 years. Moreover, over 50% of India's population is under 25, including the world's largest cohort of individuals aged 10-24 years, estimated at 242 million (Tanwar, 2020).

This demographic reality, when combined with persistent socioeconomic challenges, creates significant risk factors for juvenile deviance. Despite economic growth, a considerable proportion of the population continues to experience deprivation. Approximately 21.9% of Indians live below the national poverty line (Asian Development Bank, 2018), and children constitute more than 30% of those living in extreme poverty (UNICEF & World Bank, 2016). Existing scholarship identifies economic deprivation, inadequate educational access, adverse peer influence, and limited employment opportunities as key contributors to juvenile delinquency (Ferdousi, 2011). These factors are often compounded by weak parental supervision and the inability of social institutions to provide consistent guidance and support, thereby increasing the youth's vulnerability to deviant behaviour (Karzon, 2008).

Objectives

1. To analyze juvenile delinquency trends based on age, gender, and economic status.
2. To examine the family background, educational status, and recidivism patterns of juveniles arrested between 2005 and 2023.

Methodology

This study is based on secondary data obtained from the "*Crimes in India* reports published by the National Crime Records Bureau (NCRB) for the period 2005–2023. Juvenile delinquency data were analysed according to NCRB classifications, with particular focus on gender, age groups, and educational status. A longitudinal and comparative approach was adopted to examine temporal trends and inter-group variations in juvenile crime.

Descriptive statistical techniques, including frequencies, percentages, and percentage change analysis, were employed. Percentage change was calculated using the formula:

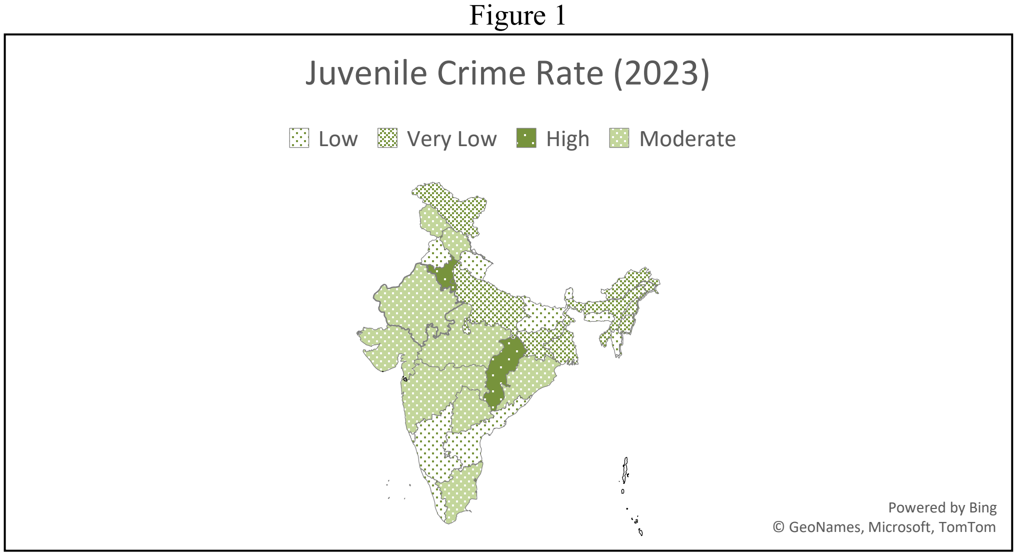
$$\frac{(Value_{t2} - Value_{t1})}{Value_{t1}} \times 100$$

The analysis is based on absolute numbers of juveniles apprehended, as consistently reported by NCRB, rather than population-based crime rates, due to the non-availability of disaggregated juvenile population data for the entire study period. Further, the Juvenile Justice (Care and Protection of Children) Act amendment in 2015 may affect data comparability, particularly for juveniles aged 16-18 years accused of heinous offences. Additionally, NCRB data reflect registered cases rather than actual incidence, and are influenced by reporting and registration practices that vary across states. These factors may lead to under-reporting and limit the comparability of juvenile delinquency trends over time.

Spatial Pattern of Juvenile Delinquency

Figure 1 shows a highly uneven geographical distribution of juvenile crime rates in India. High crime rates are concentrated in specific states and, more prominently, in Union Territories (UTs). In contrast, a large number of major states, including some of the most populous, report "Low" to "Very Low" juvenile crime rates. The highest delinquency rate was observed in Delhi (41.1), Chandigarh (36.7), Puducherry (27.4), D&N Haveli and Daman & Diu (20.3), A&N Islands (18.7), Chhattisgarh (17.6), and Haryana (17.3). It is striking that four of the seven entries in this category are Union Territories, with Delhi and Chandigarh having the highest rates by a significant margin. This suggests that urban-centric factors are a major driver. Better policing and institutional mechanisms in UTs lead to more cases being formally registered. Greater peer pressure, exposure to criminal networks, stark economic inequalities, and breakdown of traditional community structures. UTs often attract migrant populations, where youth may be more vulnerable to exploitation and delinquency. Chhattisgarh and Haryana stand out as the only major states in this category. Chhattisgarh's high rate could be linked to socio-political factors and conflict in certain regions. Haryana's proximity to Delhi and its own rapid urbanization and industrial development may be contributing factors.

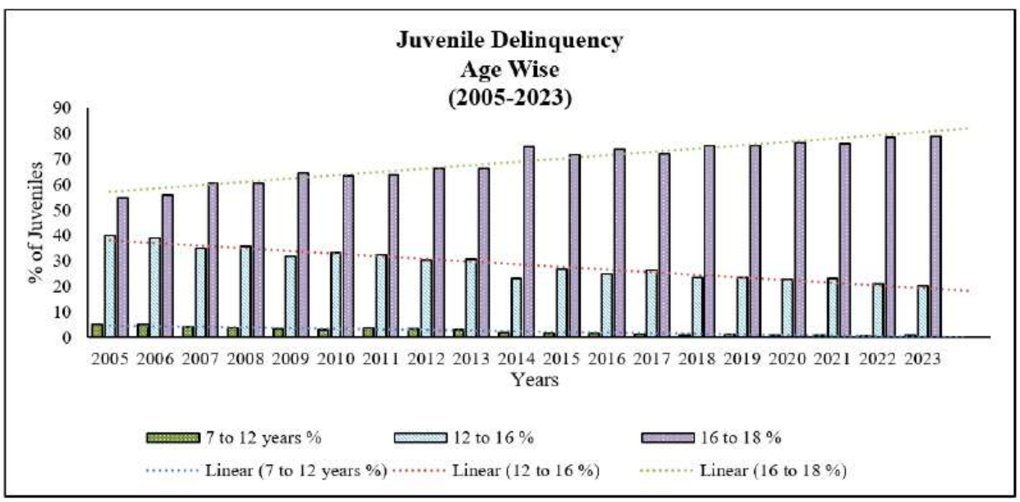
Figure 1



Source: Prepared by researcher based on “Crimes in India” report, 2023.

Tamil Nadu (14.5), Madhya Pradesh (12.6), Maharashtra (11.0), Odisha (10.5), Telangana (10.1), Rajasthan (9.2), Gujarat (8.2), Himachal Pradesh (8.1), and Jammu & Kashmir (7.3) fall under the moderate category of crime rates. This category includes both highly industrialized states (Maharashtra, Gujarat, Tamil Nadu) and states with significant rural populations (Madhya Pradesh, Odisha, Rajasthan). The presence of states like Himachal Pradesh and Jammu & Kashmir in this group is interesting, as it may reflect specific local socio-economic dynamics. Goa, Kerala, Punjab, Karnataka, Andhra Pradesh, Bihar, Uttarakhand, etc., report the lowest crime rates. It is particularly noteworthy that some of India's most populous states Uttar Pradesh, Bihar, and West Bengal fall into the "Low" or "Very Low" categories. This directly challenges any simple assumption that population size correlates with juvenile crime rates. In many states, formal registration of juvenile crimes may be low due to informal dispute resolution, community policing, or lack of access to formal justice systems. Strong family or community structures might be more effective at preventing delinquency or handling it outside the judicial system. Law enforcement agencies in these states may have different focuses or methodologies for dealing with juvenile offenders. The concentration of "High" rates in UTs and developed states points to a strong urban correlation with juvenile crime. Policy must focus on urban youth, their challenges, and the specific criminal ecosystems in cities. The variation is not just due to actual crime but also to differential reporting and recording across states.

Figure 2



Source: Prepared by researcher.

Table 1 Decadal Changes in Averages of Various Categories of Juvenile Delinquency

	Categories	Average (2005-2014)	Average (2015-2023)	Percent Change
Age Categories	7 to 12 years	1274.00	392.89	-69%
	12 to 16	11852.30	9115.56	-23%
	16 to 18	23197.70	28971.44	25%
Gender	Boys	34471.00	38058.67	10%
	Girls	1854.00	515.56	-72%
Education	Illiterate	8002.00	3690.44	-54%
	Primary	12827.40	10674.11	-17%
	Above primary but below matric	11748.40	18133.00	54%
	Above high secondary	3756.80	6783.44	81%
		Average (2005-2009)	**Average (2010-2015)**	
Income level	Upto 25000	22639.80	20911.83	-8%
	25001 to 50000	7077.80	10187.00	44%
	50001 to 100000	2702.20	5591.67	107%
	100001 to 200000	850.00	1933.83	128%
	200001 to 300000	179.80	609.33	239%
	Above 300000	52.80	271.17	414%
Current living status	Living with parents	28960.40	33357.22	015%
	Living with guardians	5209.60	3733.56	-28%
	Homeless	2155.00	2190.22	2%
Type of Crime	Murder	622.40	857.67	38%
	Attempt to murder	482.10	1069.00	122%
	Rape	681.70	1362.56	100%
	Kidnapping & Abduction	370.40	1045.78	182%
	Robbery	404.10	1136.78	181%
	Burglary	2091.10	2242.11	0.07%
	Theft	4364.60	7199.33	0.65%
	Riot	1119.60	944.22	-0.16%
	Hurt	3177.40	4843.33	0.52%

Disposal of juveniles arrested (under IPC and SLL crimes)	Arrested & sent to courts	36325.00	39279.89	8%
	Sent to home after advice	4934.40	4145.00	-16%
	Parents / Guardians	6457.90	14133.67	119%
	Fit Institutions	1595.70	7466.78	368%
	Sent to special homes	6621.00	4573.44	-31%
	Dealt with fine	1375.70	1051.00	-24%
	Acquitted	2139.10	4203.44	97%
	Pending Disposal	13360.00	37353.22	180%
Recidivism behaviour	New delinquent	32833.60	45805.11	40%
	Old Delinquent	3491.40	2514.67	-28%

Source: Prepared by Researcher, Based on Crimes in India Report, 2005-2023

Age-wise Distribution of Delinquent Juveniles

Massive decrease (-69%) in juveniles of the age group 7-12 years. This is a highly positive trend, indicating a sharp reduction in very young children entering the justice system (Figure 2). One possible explanation may be the expansion of early intervention initiatives, changes in policing practices involving young children, or greater diversion of such cases toward child welfare and social service institutions rather than formal justice mechanisms. A notable decrease (-23%) is reported during these decades in the 12-16 age group. This continues the positive trend, showing a reduction in delinquency in early to mid-adolescence. A significant increase (+25%) is reported in the 16 to 18-year age group. This is the most striking shift. The justice system is now overwhelmingly dealing with older adolescents. This age group faces greater pressures (transition to adulthood, greater independence, more serious crimes) and may be less influenced by preventative measures that work for younger children.

Gender

Boys continue to constitute the vast majority of juvenile delinquents, and their numbers have grown slightly (10%). The number of girls has drastically decreased (-72%). This could reflect the success of gender-specific intervention programs, changes in how status offenses (e.g., running away, truancy) are handled for girls, or a shift in criminal behavior patterns.

Education

Illiteracy and primary education levels have decreased significantly (-54% and -17%). This is a critical finding, challenging the traditional link between absolute illiteracy or poor education and crime, as it shows a strong decline in delinquency among these groups. Individuals with education levels above primary but below matriculation or high secondary have experienced significant increases in delinquency rates, with increases of 54% and 81%. This is a surprising yet important insight. The typical delinquent is now more likely to possess a moderate to high level of formal education. This shift suggests that delinquency may now be influenced less by a lack of opportunities and more by other factors affecting educated youth, such as peer pressure, cybercrime, various forms of social rebellion, or the pressures of academic competition.

Income Level

This is perhaps the most dramatic shift in the data. The relationship between income and delinquency has completely reversed. Contrary to classic criminological theory, delinquency has declined (-8%) among the poorest youth (Up to 25,000). Middle to high incomes (25,001 and above) demonstrate substantial growth, particularly as wealth increases. Each income bracket shows a progressive rise, culminating in an impressive 414% increase for individuals in the highest income group (those earning above 300,000). This trend highlights the potential for greater financial advancement among higher earners. This suggests that poverty, as a direct driver of juvenile crime (e.g., for subsistence), may be less potent than before. Instead, delinquency is increasingly occurring among more affluent youth. Possible reasons include: reduced parental oversight due to work commitments; engagement in cybercrime, substance abuse, or vandalism that require resources and access; and a perception among wealthier youth that the consequences of their actions may be minimal.

Current Living Status: The Enduring Centrality of Family

The average of juveniles living with parents has increased by 15% during the same period. This challenges the narrative that broken homes are the primary driver of delinquency and suggests that family dynamics and parenting styles within intact households are important risk factors. The average of Juveniles living with guardians and the homeless has decreased or remained stable (with decreases of 28% and an increase of 2%). This indicates that youth not in the direct care of their parents do not represent a growing segment of the delinquent population.

Types of Crime

The trends in crime types presented in this dataset are truly alarming, with increases that are not uniform but rather concentrated in the most serious categories. There has been an explosive growth in violent crime, particularly in kidnapping and abduction (+182%) and robbery (+181%), indicating a rise in high-stakes, organized, or desperate criminal behavior. Additionally, there are significant increases in attempted murder (+122%) and rape (+100%), highlighting a profound escalation in violence and severe sexual aggression among juveniles, along with a troubling increase in murder (+38%). Property crimes have also seen significant increases, with theft rising by 65% and assault by 52%, contributing heavily to the overall caseload of the justice system. Conversely, burglary remains relatively stable with a 7% increase, while rioting has notably decreased by 16%, suggesting a shift away from large-group public disorder towards more individual or small-group predatory crimes. Overall, the nature of juvenile delinquency appears to be becoming increasingly violent and severe.

Disposal of Juveniles: A System in Crisis

This section outlines how the justice system is handling juveniles after their arrest, revealing a shift from informal resolutions to formal processing, which has led to a significant backlog. The most common outcome remains that juveniles are arrested and sent to courts, which has seen a slight increase of 8%. However, a staggering 180% rise in cases pending disposal indicates that the judicial system is overwhelmed and struggling to process cases in a timely manner, potentially hindering rehabilitation efforts. There has also been a substantial 368% increase in the number of juveniles being placed in corrective institutions, likely reflecting a response to the growing severity of offenses. Additionally, the transfer of juveniles to parental custody has risen by 119%, suggesting this may serve as a less formal resolution for less serious cases or due to overcrowding in other facilities. Simultaneously, there has been a noticeable decline in informal and non-custodial measures, with significant drops in options like being sent to special homes, being dealt with a fine, or being sent home after advice. This trend points to an increasing reliance on formal courts and institutions, which are now buckling under the pressure, resulting in a crippling backlog of pending cases.

Recidivism pattern among Delinquent Juveniles

The data reveal a concerning trend in juvenile delinquency between 2005 and 2023, the average number of first-time offenders increased by 40%, highlighting significant challenges in preventative measures at the community level. Factors such as rising poverty, systemic issues like family breakdown, and changes in policing policies likely contribute to this surge. Conversely, the average number of repeat offenders (old delinquents) has decreased by 28%, indicating that rehabilitative interventions within the juvenile justice system are becoming more effective. This decline suggests a positive shift toward prioritizing rehabilitation over punishment, focusing on trauma-informed care and supportive aftercare programs. While the increases in new delinquents signal a failure of prevention strategies, the success in reducing recidivism underscores the potential for successful rehabilitation. Therefore, it is imperative to enhance resources for preventive measures in communities and schools while continuing to support and refine effective rehabilitation practices for existing offenders.

Theoretical Interpretation of Juvenile Delinquency Trends

The observed patterns of juvenile delinquency in India can be more comprehensively understood through established criminological theories. Integrating theoretical perspectives with empirical findings provides deeper insight into the structural and social dynamics that influence juvenile offending.

Social Disorganization Theory

Social Disorganization Theory, developed by Clifford R. Shaw and Henry D. McKay, suggests that crime rates are higher in communities where social institutions such as family, schools, and neighborhood organizations are weak or fragmented. The concentration of high juvenile delinquency rates in urbanized Union Territories such as Delhi and Chandigarh reflects characteristics commonly associated with social disorganization, including rapid urbanization, migration, population mobility, and economic inequality. Urban environments often experience weakened community supervision and declining informal social control mechanisms, which create conditions conducive to juvenile delinquency. The presence of migrant populations and heterogeneous communities may further weaken collective social regulation, increasing the vulnerability of youth to delinquent peer networks and criminal subcultures.

Strain Theory

Strain Theory, first articulated by Robert K. Merton, argues that crime emerges when individuals experience a disconnect between socially accepted goals and the legitimate means available to achieve them. The data indicating rising delinquency among youth from middle- and higher-income groups may appear contradictory to traditional interpretations of strain theory. However, contemporary adaptations of strain theory suggest that psychological and social pressures such as academic competition, social expectations, and status anxieties can generate frustration and deviant coping mechanisms even among relatively affluent youth. In urban environments where aspirations are high and social comparison is intense; adolescents may experience strain despite material resources. This may partially explain the rising participation of educated youth and adolescents aged 16-18 in delinquent activities.

Differential Association Theory

According to Differential Association Theory proposed by Edwin H. Sutherland, criminal behavior is learned through interaction with others, particularly within peer groups. Individuals adopt attitudes and techniques of criminal activity through repeated exposure to delinquent peers. The increase in crimes such as robbery, kidnapping, and violent offenses among juveniles suggests the growing influence of peer-based criminal networks. Urban environments, dense social interactions, and digital communication platforms may facilitate the formation of such networks. Adolescents aged 16-18, who exhibit the largest increase in delinquency rates, are particularly susceptible to peer influence and group conformity. The findings therefore support the argument that peer associations play a critical role in shaping delinquent behavior during late adolescence.

Routine Activity Theory

Routine Activity Theory, proposed by Lawrence E. Cohen and Marcus Felson, emphasizes that crime occurs when three elements converge motivated offender, a suitable target, and the absence of capable guardianship. Rapid urbanization, increasing digital connectivity, and greater economic mobility have transformed the routine activities of adolescents. The presence of valuable consumer goods, online financial systems, and greater personal mobility may increase opportunities for crime. Simultaneously, reduced parental supervision due to work commitments and changing family structures may weaken guardianship. These changes help explain the rise in property crimes and technologically facilitated offenses among educated youth.

Taken together, these theoretical frameworks suggest that juvenile delinquency in India is influenced by a complex interaction of structural, social, and situational factors. Social disorganization explains the spatial concentration of crime in urban territories, strain theory highlights the psychological pressures experienced by adolescents, differential association underscores the role of peer networks, and routine activity theory explains the situational opportunities that facilitate delinquent behavior.

Conclusion

In conclusion, the study of juvenile delinquency in India reflects a complex interplay of evolving social, economic, and legal factors, which have led to significant shifts in the profile and behavior of young offenders over recent years. The data indicate a worrying increase in the severity of crimes committed by juveniles, coupled with a substantial rise in new offenders entering the justice system, particularly in urban centers. This trend highlights the need for a re-examination of existing preventive measures, which appear insufficient in addressing the root causes of juvenile delinquency. The transformation from a demographic of predominantly young, less educated, and economically disadvantaged offenders to one characterized by older adolescents, primarily boys from middle- to high-income families, suggests that the drivers of delinquency have shifted. Factors such as affluence, urban stressors, and peer influences may now play a more significant role in influencing juvenile behavior. Moreover, while the decline in recidivism rates among former offenders signals progress in rehabilitation strategies, it is crucial that these successes are complemented by robust preventive interventions targeting at-risk youth. Policymakers are urged to develop tailored responses that address the unique challenges and risk factors present in specific demographic and geographic contexts. As the juvenile justice system grapples with an escalating backlog of cases and a shift towards institutionalization, the priority must focus not only on punitive measures but also on holistic approaches that offer guidance, education, and support to these young individuals. The need for judicial reforms, along with effective prevention strategies, can help mitigate trends in juvenile crime and promote positive development among India's youth. Ultimately, a comprehensive understanding and targeted response to the multifaceted nature of juvenile delinquency will be imperative in fostering a safer society and a brighter future for India's youth.

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