



**TATHASTU**  
Institute Of Civil Services

# DAILY CURRENT AFFAIRS

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- **Judicial sensitivity to sentiments is a sign of regression**
- **What is the significance of the Census?**
- **How is India planning to localise EV manufacturing?**
- **Extremely fortunate to be part of space mission, says Shukla**
- **India and Mongolia hold joint military exercise to enhance interoperability**

## Judicial sensitivity to sentiments is a sign of regression

### Main Idea:

The article says that **Indian courts are no longer strongly protecting free speech**. Instead, they are trying to **control and manage it** by telling people how to speak, what to say, and sometimes even asking them to apologize for offending others. Indian courts today are not defending free speech. They are managing it. **Indian courts today are not defending free speech. They are managing it.**

## Judicial sensitivity to sentiments is a sign of regression

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

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

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

### A validation of outrage

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



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of India

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

### A misreading

Two disturbing patterns emerge from these cases.

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

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

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

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

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

### The signal to the citizen

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

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

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





### What's Going Wrong:

- Courts are **focusing on people's feelings (sentiments)** rather than protecting the speaker's right.
- Judges **are asking people to apologize** for things that may hurt emotions, even when what they said is legal.

### Examples:

- A young man criticized the Prime Minister and was not protected by the court.
- Kamal Haasan was told to apologize for a cultural comment.
- A podcaster was judged for using strong language.
- A professor was taken to court for his opinion about a woman soldier.
- Rahul Gandhi was denied relief for calling the army cowardly — even though such speech should be examined under strict legal standards.

### Two disturbing patterns emerge from these cases.

First, the judiciary is increasingly equating speech that provokes emotional reactions with legally actionable harm.

#### “Feeling hurt is being treated like a crime”

- Courts are starting to treat speech that hurts emotions as if it is illegal.
- But the Constitution only allows restrictions on speech if it causes violence, hatred, or disturbs public order — **not just because someone is offended.**

#### More outrage = more cases

- When courts ask people to apologize for upsetting others, it encourages people to get angry more easily.
- This makes it easier for mobs and people looking to create drama to misuse the law.
- It creates a situation where being offended becomes a tool to silence others.

The **growing judicial tendency in India to curb free speech by prioritizing sentiments, over constitutional liberty is alarming.**

The **doctrine of “chilling effect”** that is robust in American and European jurisprudence, has been acknowledged in India's courts but seldom enforced.

The **doctrine of “chilling effect”** means that people **stop speaking freely or expressing their views** because they are **afraid of punishment, arrest, or trouble** — even if what they say is legal.

The courts are urged to uphold **freedom of expression**, even if provocative or offensive, as the cornerstone of a vibrant democracy. True democratic strength lies not in suppressing provocation, but in **tolerating dissent.**

The judiciary must act as a **protector of rights**, not as a **gatekeeper of cultural sensibilities**, and remember that **India's democratic roots lie in protest, not politeness.**





## What is the significance of the Census?

### The story so far:

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

## What is the significance of the Census?

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

### EXPLAINER

Ramgarajan.R

**The story so far:**  
The Union Home Ministry has announced the next Census will be conducted in two phases and that the reference date for Census enumeration would be March 1, 2027.

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

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

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



**Numbering people:** A Census worker collects information on the first day of the national Census at Ramnaghi Chapori village, east of Guwahati, India, on April 1, 2010. AP

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

The second phase is the 'population enumeration' phase that is usually conducted during the month of February of the Census year as the usual reference date for population count is fixed as March 1 of the Census year. This captures individual details like name, sex, age, religion, whether belonging to Scheduled

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

**What is the significance?**  
The decennial Census had happened from 1881 till 2011 without a break in India. However, due to the COVID-19 pandemic, the 2021 Census was postponed. While the exercise could have been conducted any time after 2022, it has been continuously postponed. The present Census can be considered the most significant in Independent

### THE GIST

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

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

## What is the history of Census?

**Def. : Census** is the process of collecting, compiling and analysing the population of the country.

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This kind of census was started in **1881 during the British period** with **W. C. Plowden** being the **first Census Commissioner of India**. The details collected broadly contained questions relating to **age, sex, mother tongue, literacy status, religion, caste** etc.

The last census where caste was enumerated for Hindus was in **1931**.

## How the Census is Conducted?

- The Census is a **Union subject**, and is governed by the **Census Act, 1948**.
- The **Central Government** is responsible for the entire Census and appoints a **Census Commissioner**.
- It also appoints **Directors of Census Operations** for each state.
- **State governments** provide staff, mainly **teachers**, through local authorities.







### Census Process (since 1971):

- **Phase 1: House Listing**
  - ◆ Conducted over 5–6 months.
  - ◆ Collects information about houses (e.g., water source, toilet, kitchen, cooking fuel, TV, computer, vehicle, etc.).
- **Phase 2: Population Enumeration**
  - ◆ Usually done in **February** of the Census year.
  - ◆ Collects personal data like **name, age, gender, religion, caste (SC/ST), language, literacy, education, and occupation.**

**Provisional data is released soon after enumeration.**

**Final Census report** with detailed demographic and socio-economic analysis is published later (e.g., 2011 Census data was finalized in 2013).

### **What is the significance?**

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

**The present Census can be considered the most significant in Independent Indian history due to three reasons.**

1. First, the **Central government has decided to enumerate the caste details of all Hindus.** All Censuses after Independence have captured only SC and ST details. One of the reasons for the postponement of the Census to 2027 is to undertake the preparatory work for caste enumeration.
2. Second, **since this Census would be the first one after 2026, it can be used for the delimitation exercise of determining the revised number of seats in Lok Sabha and State Assemblies.**
3. Third, **this Census would also form the basis for reserving one-third of seats for women in Lok Sabha and State Assemblies.**

### **What should be the way forward?**

- Caste enumeration must be done carefully and accurately, **as it will guide decisions onv affirmative action for backward classes.**
- At the same time, **concerns of southern, smaller northern, and northeastern States about losing political influence due to delimitation based on the 2027 Census must be addressed.**

Many States are asking to keep the current number of Lok Sabha seats unchanged. **A broad consensus is needed before deciding how to proportionally increase seats.**

Therefore, the **delimitation process should not be rushed before the 2029 elections.**

Also, the one-third reservation for women in Lok Sabha should be implemented based on this upcoming Census.





## How is India planning to localise EV manufacturing?

# How is India planning to localise EV manufacturing?

What does the Scheme to Promote Manufacturing of Electric Passenger Cars in India propose?

Saptaparno Ghosh

### The story so far:

**M**ore than a year since it was announced, the Ministry of Heavy Industries (MHI) notified guidelines of the Scheme to Promote Manufacturing of Electric Passenger Cars in India.

### What does the policy propose?

At the centre of the notified policy is the provision to reduce customs duty on the import of ready-to-ship completely assembled electric four-wheelers from the present 70-100% to 15%. This would apply to all vehicles valued at \$35,000 for a period of five years. However, this would be subject to the manufacturer investing a minimum of ₹4,150 crore over the next three years. They would also be expected to build infrastructure and facilities as to enable 25% of the overall manufacturing activity to be undertaken domestically

within three years, and 50% within five years. The MHI specifies that a maximum of 8,000 vehicles can be imported at the reduced duty rate in a year. The maximum duty permitted to be foregone under the scheme has been capped at ₹6,484 crore.

### Does this help our overall ecosystem?

Shouvik Chakraborty, Assistant Research Professor at the Political Economy Research Institute at the University of Massachusetts Amherst, argues that a domestic industrial policy aligned with a vision for the future could be a step in the right direction. However, he holds that the current policy would bode well for India only if there is a sharing of technology with domestic auto-makers. Further, he observes, "Countries these days are extremely cautious about transferring technology outside. In that light, India must not become a domestic hub for producing components of a

vehicle." Dinesh Abrol, adjunct faculty at the Transdisciplinary Research Cluster on Sustainable Studies at JNU in Delhi, observes that no foreign firm has ever helped build some other country's ecosystem. He attributed China and South Korea's ability to build manufacturing setups to their focus on skilling, research and development alongside undertaking innovation projects. "This enabled conditions for a technology transfer and prompting companies to come and invest into the ecosystem," he states. China as the leading manufacturer of EVs accounted for 70% of the global manufacturing in 2024. The other set of concerns relate to the potentially increased focus on four-wheeler EVs. According to data compiled by FADA, EVs accounted for 7.8% of all vehicles sold in FY 2025. This was predominantly led by electric three-wheelers (at 57% in its category), followed by two-wheelers (6.1%), passenger vehicles (2.6%) and

commercial vehicles (0.9%). Also imperative to note that the International Energy Association (IEA) attributed India as the world's largest market for electric three-wheelers in 2024. Mr. Chakraborty further emphasises that majority of India is travelling by public transport, and policies must also endow their focus towards building the same.

### What about our industrial ambitions?

Reuters had reported in December 2023 that Tata Motors opposed Tesla's proposal to lower import duties. It had argued that lowering duties would "vitiate" the investment climate which was premised around expectations of the tax regime favouring locals. The auto-maker further held that India's EV players required more government support in the early growth stages of the industry. According to IEA's EV Outlook, domestic Original Equipment Manufacturers (Tata and Mahindra) accounted for more than 80% of the electric cars produced domestically in 2024. Additionally, it attributed a less than 15% share of Chinese imports in the country's EV sales in 2024 to high import duties on EVs and the availability of locally made, affordable electric models. Thus, the lowering of duties prompt concerns about the impact on domestic industries. According to Mr. Abrol, the policy is premised around foreign-capital. He suggested the policy should instead be oriented towards local ecosystems.

### THE GIST

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### What does the policy propose?

- Reduction of customs duty on the import of ready-to-ship electric four-wheelers from the present 70-100% to 15%.
- This would apply to all vehicles valued at \$35,000 for a period of five years.
- In return, the manufacturer investing a minimum of ₹4,150 crore over the next three years, to build infrastructure and facilities as to enable 25% of the overall manufacturing activity to be undertaken domestically within three years, and 50% within five years.
- The MHI specifies that a maximum of 8,000 vehicles can be imported at the reduced duty rate in a year.

### Does this help our overall ecosystem?

- India's industrial policy for EVs is positive **only if it ensures technology transfer** to domestic firms, else India risks becoming merely a manufacturing base.
- Countries are **unwilling to share technology**, so relying on foreign firms may not strengthen India's ecosystem.
- **Lessons from China & South Korea:** Their success came from **skilling, R&D, and innovation**, which created conditions for **organic tech growth** and attracted investments.
- **EV Market Trends:** In FY 2025, EV sales were led by **3-wheelers (57%)**, with 2-wheelers and 4-wheelers trailing. India is the **largest market for electric three-wheelers globally**.
- Emphasis should shift towards **public transport infrastructure**, as the majority in India still rely on it for mobility.



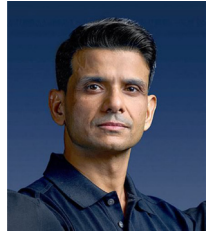


### What about our industrial ambitions?

- **Tata Motors' Stand:** Opposed Tesla's push for lower import duties, arguing it would **undermine local investments** based on existing tax protections.
- Indian EV companies like **Tata and Mahindra** need **continued government support** in the early stages of the EV sector's growth.
- **Current Dominance:** Over **80% of electric cars in 2024** were made by domestic manufacturers, aided by **high import duties** that limited Chinese imports to below 15%.
- Reducing duties could hurt local industry by making **foreign EVs more competitive**.
- Current policy overly favors **foreign capital** and must instead **strengthen local ecosystems** and manufacturing capacity.

### Extremely fortunate to be part of space mission, says Shukla

Indian Air Force pilot **Shubhanshu Shukla**, 39, is all set to become the **second Indian** to travel to space — **41 years** after **Rakesh Sharma's** 1984 mission.



#### What is the mission?

Shukla will be part of the **Axiom-4 mission** to the **International Space Station (ISS)**.

- The launch is scheduled for **Tuesday at 5:52 p.m. IST**.
- The crew will travel aboard **SpaceX's Dragon spacecraft**, mounted on a **Falcon 9 rocket**, from **Launchpad 39A, Kennedy Space Centre (KSC), Florida**.



Axiom-4 mission

#### Who are the crewmates?

- **Peggy Whitson** (Commander)
- **Tibor Kapu** (Hungary)
- **Slawosz Uznanski-Wisniewski** (Poland)

### India and Mongolia hold joint military exercise to enhance interoperability

India and Mongolia are conducting the **17th edition** of the joint military exercise '**Nomadic Elephant**' from **May 31 to June 13** in **Ulaanbaatar, Mongolia**.

- The exercise focuses on **counter-terrorism, precision sniping**, and non-conventional operations in **semi-urban and mountainous terrain** under a **UN mandate**.

It aims to **enhance interoperability, mutual coordination**, and **operational capabilities** of both forces.

- A key aspect is **simulated UN peacekeeping drills** to replicate real-world multinational missions.
- The exercise also promotes **defence cooperation** and **cultural understanding** between the two nations.