Important Issues of the Day

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India, New Zealand sign 'historic' free trade deal

Deal to be implemented after New Zealand Parliament ratification later this year; Prime Minister calls the agreement a milestone, says it reflects 'convergence of values, trust, and shared ambition'

T.C.A. Sharad Raghavan
NEW DELHI

India and New Zealand on Monday signed a Free Trade Agreement (FTA) that Prime Ministers of both the countries hailed as a "historic" step towards deepening trade, investment, and people-to-people ties.

The FTA, signed by Commerce Minister Piyush Goyal and his New Zealand counterpart, Todd McClay, in New Delhi, will see New Zealand removing tariffs on all goods imported from India, while India will remove or reduce tariffs on 95% of current imports from New Zealand.

"Today marks a historic milestone in India's journey towards deeper global engagement and shared prosperity," a statement read out by Mr. Goyal quoted Prime Minister Narendra Modi as saying. "The signing of the India-New Zealand Free Trade Agreement reflects our strengthening economic partnership and a convergence of values, trust and shared ambition between two vibrant democracies."

This FTA, discussions for which were announced in March 2025 and concluded in December 2025, is one of the fastest India has negotiated.

The deal still needs to be ratified by New Zealand's Parliament, which Mr. McClay said would happen soon while adding that it would come into force within this year.

CONTINUED ON
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Deal dynamics

The graphic lists select products on which India will be reducing or eliminating tariffs, as well as items excluded from the deal. New Zealand has removed tariffs on all items

Immediate elimination
- Wood | Wool
- Leather-raw hides

Phased elimination
- Petroleum oil
- Vegetable oils
- Select electrical machinery

Tariff reductions
- Wine and pharma
- Polymers, aluminium, iron and steel articles

Products excluded by India
- Dairy products (milk, cream, whey, yoghurt, cheese etc.)
- Animal products (other than sheep meat)
- Agricultural products (onions, chana, peas, corn, almonds etc.)
- Sugar | Artificial honey
- Copper and articles thereof (cathodes, cartridges, rods)
- Aluminium and articles thereof (ingots, billets etc.)

Sealing the deal: Union Minister of Commerce and Industry, Piyush Goyal, with New Zealand's Minister for Trade and Investment, Todd McClay, during the signing ceremony of the FTA in New Delhi on Monday. SUSHIL KUMAR VERMA

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Q. The term ‘Regional Comprehensive Economic Partnership’ often appears in the news inthe contextoftheaffairsofagroupofcountriesknownas(2016)

(a)G20

(b) ASEAN

(c) SCO

(d) SAARC

Page No.12 , GS 2

Rajnath in Bishkek for SCO meeting

Event brings together the Defence Ministers of SCO member states; Minister is expected to hold bilateral discussions with his counterparts

Saurabh Trivedi
NEW DELHI

Defence Minister Rajnath Singh on Monday arrived in Bishkek, Kyrgyz Republic, leading a high-level Indian delegation for the Shanghai Cooperation Organisation (SCO) Defence Ministers' Meeting on Tuesday.

On the sidelines of the meeting, Mr. Singh is expected to hold bilateral discussions with his counterparts from Belarus, Kazakhstan, Kyrgyz Republic, and other participating nations, aimed at strengthening defence cooperation and expanding strategic ties.

Sources in the Defence Ministry said the meeting would bring together the Defence Ministers of SCO member states to deliberate on key regional and global security challenges, international peace, counter-terrorism efforts, and enhancing defence collaboration within the grouping.

The discussions are being held amid ongoing geopolitical tensions linked to the West Asia crisis, with member countries likely to explore measures to mitigate the impact of the conflict on regional stability.

India connect: Defence Minister Rajnath Singh with members of the Indian diaspora in Bishkek, Kyrgyz Republic on Monday. PTI

The Defence Minister will underscore Indian stance of zero tolerance towards terrorism, extremism

During the meeting, Mr. Singh is expected to reiterate India's commitment to global peace and stability, while underscoring its firm stance of zero tolerance towards terrorism and extremism in the face of evolving security challenges.

Established on June 15, 2001 in Shanghai, the SCO is one of the largest regional organisations focusing on political, economic, and security cooperation. Its members are India, Russia, China, Kazakhstan, Kyrgyz Republic, Pakistan, Tajikistan, Uzbekistan, Iran, and Belarus.

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- Shanghai Cooperation Organisation is an Eurasian intergovernmental organisation and economic and security alliance.
- Origin: Began as the “Shanghai Five” (1996)—China, Russia, Kazakhstan, Kyrgyzstan, and Tajikistan—focusing on resolving border disputes and fostering security.
- In 2001, Uzbekistan joined, and the group evolved into the SCO with a wider mandate of cooperation.
- SCO mainly focuses on regional development and security issues like regional terrorism, ethnic separatism, religious extremism, etc.
- Official languages: Russian and Chinese.

- **Council of Heads of State (CHS): Supreme decision-making body.**
- **Councilof Headsof Government(CHG):Focusesoneconomicpolicies and cooperation.**
- **Secretariat (Beijing): Administrativehub.**
- **Regional Anti-Terrorist Structure (RATS): Tashkent-based counterterrorism body.**
- **The Regional Anti-Terrorist Structure (RATS) is a permanent organ of the SCO that serves to promote cooperation of member states against the three evils of terrorism, separatism and extremism.**
  It is headquartered in Tashkent.
- **The head of RATS is elected for a three-year term.**
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Page No. 10, GS 2

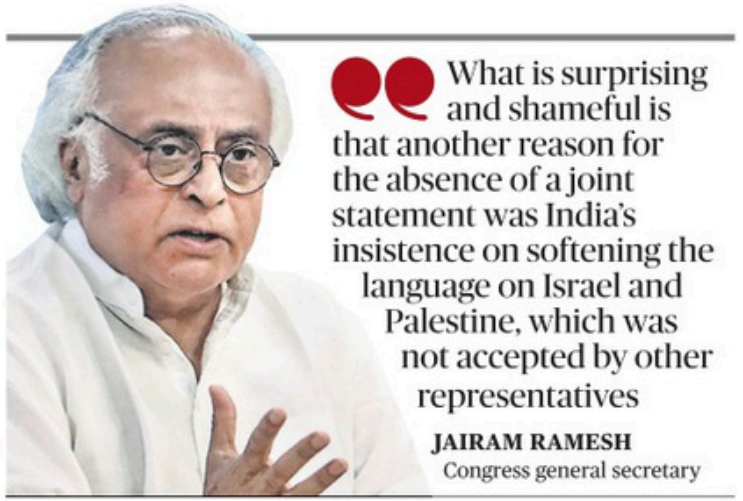
Congress targets Centre over lack of joint statement after BRICS meet

The Hindu Bureau
NEW DELHI

The Congress on Monday described as "shameful" the absence of a joint statement following last week's BRICS+ meeting in the capital, alleging that India's insistence on diluting language on Israel and Palestine prevented a consensus among member countries.

In a post on X, Congress general secretary Jairam Ramesh claimed that India's position was unacceptable to several BRICS+ members, resulting in the failure to issue a joint communiqué after the April 23-24 meeting of Deputy Foreign Ministers and Special Envoys.

"Both Iran and the UAE [United Arab Emirates] are part of the 11-member BRICS+, and their differing positions on the ongoing war in West Asia are natural. But what is surprising and shameful is that another reason for the absence of a joint statement was India's insistence on softening the language on Israel and Palestine, which was not accepted by the representatives of Russia, China, Brazil, South Africa, Egypt, Ethiopia, Indonesia, UAE, and Iran," Mr. Ramesh said in his X post.



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> **JAIRAM RAMESH**
> Congress general secretary

Mr. Ramesh alleged that India was "the only major country" continuing to show steadfast solidarity with Israel despite its actions in Gaza, southern Lebanon, and the occupied West Bank. "India's Prime Minister and Israel's Prime Minister are clearly soulmates, and now Israel has also become a significant part of the vast and exploitative Modani empire," Mr. Ramesh alleged.

West Asia war

Official sources, however, maintained that the lack of consensus stemmed from sharp differences among member states on the evolving situation in West Asia. They said India's position on Palestine "remains unchanged" and rejected suggestions that New Delhi had altered its stance.

A "chair's statement" was issued instead at the conclusion of the meeting, with India currently holding the BRICS Chair.

- **BRICS is a collaborative intergovernmental organization of major emerging economies, established to enhance economic cooperation and amplify the global political and economic influence of its members.**
- **The acronym originally stood for Brazil, Russia, India, and China, with South Africa joining later in 2010.**
- **Key Purpose: Its core objectives include promoting trade and investment among members, reforming global governance institutions like the UN and IMF, and establishing alternative financial systems to reduce dollar dependency.**
- **It aims to counterbalance Western influence and advocate for a more multipolar world order.**
- **Foundation and Evolution: The term BRIC was first coined by economist Jim O'Neill in 2001. The group began formal cooperation at the 2006 G-8 Outreach Summit and held its first official summit in Russia in 2009.**

- **Egypt, Ethiopia, Iran, Saudi Arabia and UAE became full member of BRICS from January 2024 and IndonesiainJanuary 2025.**

- **Belarus, Bolivia, Kazakhstan, Cuba, Malaysia, Nigeria, Thailand, Uganda, Uzbekistan and Vietnam joined BRICS as Partner Countries in 2025.**

- **New Development Bank (NDB): NDB is a multilateral development bank established by BRICS countries in 2015 to mobilise resources for infrastructure and sustainable development projects in emerging markets and developing countries (EMDCs).**
- **Significance: BRICS represents about 45% of the world's population and accounts for 37.3% of global GDP (inpurchasing powerparity terms),collectivelysurpassing the economicshareofthe G7(29.3%).**

- **Key Initiatives: Key initiatives are the New Development Bank (NDB, 2014), the Contingent Reserve Arrangement(CRA), theBRICS Grain Exchange, and the Science, Technology and Innovation (STI) Framework Programme (2015).**

Page No.7 , GS 3

Can middle school students engage with AI?

Mamidala Jagadesh Kumar

Chairman, Review Committee for NEP 2020, Ministry of Education and former Chairman, UGC. Views are personal

Recently, the Central Board of Secondary Education (CBSE) decided to introduce a Computational Thinking (CT) and Artificial Intelligence (AI) curriculum for classes 3-8, which will begin from the 2026-27 academic session. CT skills generally refer to abstraction, decomposition, pattern recognition, and algorithmic thinking. These skills are required to reason about intelligent systems and to understand how machine learning differs from rule-based computation. As with any transformational reform in education, it is necessary to examine the practicality of introducing computational concepts to middle school learners. Will it align with age-appropriate pedagogy for engaging with emerging digital and computational environments?

Global precedents

One first has to examine whether CBSE's curriculum clearly links CT and AI, since such a relationship is conceptually necessary. The foundational design principle behind the Organisation for Economic Co-operation and Development and the European Commission's AI Literacy Framework identifies CT as a precursor to AI learning. This framework recommends CT competencies across age bands beginning from early primary school. Similarly, the AI4K12 Initiative in the U.S. places CT-related competencies at the base of its "Five Big Ideas in AI." Their CT-competencies progression plan spans K-2, 3-5, 6-8, and 9-12 grade bands. The CBSE's sequencing broadly aligns with these comparative curricular architectures. However, its curriculum is designed independently in line with the National Education Policy (NEP), 2020 and the National Curriculum Framework for School Education (NCF-SE), 2023.

UNESCO also identifies topics such as "What is AI?", "Foundations of computing", and "Data literacy" as necessary for school students. Learners need to start cultivating logical thinking from an early stage and gradually build problem-solving skills. They also need opportunities to develop a basic understanding of AI as part of their broader digital learning.

The CBSE curriculum includes introductory discussions on AI fairness, responsible use, and digital safety. This focus is broadly consistent with cross-national practices

Tackling inherent risks

There are, of course, risks associated with children interacting with AI. The CBSE curriculum includes introductory discussions on AI fairness, responsible use, and digital safety. This focus is broadly consistent with cross-national practices. For instance, the AI4K12 guidelines include topics such as recognising when AI systems may mislead; identifying bias in datasets; and distinguishing between AI and human capabilities across all age groups. But can children meaningfully engage with such content at a young age? Classroom-based interventions, including studies conducted in U.S. middle schools, led to interesting outcomes. They suggest that learners in the 11-13 age group can engage with AI ideas when supported by structured pedagogical interventions. These studies reveal that introducing ethical dimensions of AI at this stage can be pedagogically feasible.

A growing body of empirical research suggests that introducing concepts such as supervised learning or predictive modelling is viable for learners in the 11-14 age group. Many comprehensive research studies on AI in K-12 education suggest that school-age participants as young as 10-12 years can work with fundamental AI concepts. Thus, the CBSE's CT-AI framework appears compatible with the learning capacities observed in this age group.

Many international initiatives encourage the use of no-code tools for introductory AI learning. Multiple empirical studies show that by using such tools, middle school learners can design, build, test, and reflect on their projects without coding. For this reason, the CBSE's expectation that Class 8 students can attempt to solve real-world problems using no-code tools is supported by several international initiatives.

However, children may start attributing human-like traits or capabilities to AI tools, although these tools do not actually possess them. Does the CBSE curriculum address this challenge by creating awareness among children? The CBSE's curriculum contains topics discussing ethical use, fairness, and responsible digital behaviour. Such discussions can help reduce children's misconceptions about AI. These modules can support better understanding and the prudent use of AI systems.

The CBSE curriculum follows a cross-disciplinary design by integrating CT into Mathematics and 'The World Around Us' course for Classes 3-5. Global experiences which involved cross-disciplinary instructional models reported improvements in students' reasoning and problem-solving in several contexts. The CBSE's pedagogical orientation reflects similar design principles.

Away from rote learning

One problem in Indian education is the habit of rote learning. CT and AI learning have the potential to encourage inquiry-driven, reflective learning rather than traditional rote-based methods. The CBSE curriculum emphasises practical modelling, reflection, and ethical reasoning. This approach can therefore contribute to ongoing efforts to move classroom practices away from rote-based methods.

International practices and available research suggests that middle school is an appropriate stage to introduce foundational CT-AI elements. The CBSE's CT-AI curriculum is structured to make thoughtful and effective use of this developmental stage in learners' growth, and it exhibits coherence with the vision of the NEP 2020.

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Mains Question

"Artificial Intelligence is transforming the learning ecosystem, but its impact on students is a double-edged sword."

Critically examine the opportunities and challenges posed by AI in the education sector. *(250words)*

"कृत्रिम बुद्धधमत्ता लिक्षा प्रणिी को बदि िही है, पिंतु छिों पि इसका प्रभाव द्ववधिी तिविा के समिा है।"

शशक्षा क्षेत्र में AI के अवसरों एवं चुनौततयों का समालोचनात्मक परीक्षण कीजिए। (250 शब्द)

Page No. 6, GS 2

Electoral roll purges raise constitutional questions

P.D.T. Achary

Former Secretary General, Lok Sabha

Voter deletions under the Special Intensive Revision of electoral rolls raise concerns over constitutional and procedural validity

The Election Commission of India (ECI) has invented the term "logical discrepancy" to delete voters from the voters' list in the recent elections (the States of Assam, Kerala, Tamil Nadu and West Bengal, and the Union Territory of Puducherry). It is alleged that lakhs of voters have been removed from the voter list in States where elections have been held recently. Even the Supreme Court of India's innovative idea of tribunals could not get these voters back onto the list, mainly because of the near-total mess created by the ECI's Special Intensive Revision (SIR) of electoral rolls exercise.

It has been pointed out by many commentators – including this writer in this daily – that the SIR, as designed by the ECI, is deeply flawed and, if continued, will result in the elimination of a very large number of Indian citizens from the electoral roll. Media reports indicate an alarming situation, particularly in West Bengal, where lakhs of genuine citizens have had their names removed from the electoral roll and placed under the category of "logical discrepancies". The fact is that many of them were unable to vote in the election/first phase of the election.

Citizenship as basic requirement

The issue of the elimination of people from the voter list revolves around the question of citizenship. Article 326 enjoins that every person who is a citizen of India and who is not less than 18 years of age and who is not disqualified under the Constitution or law shall be entitled to be registered "as a voter at any election". Thus, citizenship is the basic requirement for anyone to be registered as a voter.

The citizenship law is administered by the Union Home Ministry. Therefore, it is the duty of the Ministry to announce the list of documents required to prove the citizenship of Indians. However, as far as is known, the Ministry has not issued any such list.

Instead, the ECI announced a list of documents at the time of initiating the SIR in Bihar. Since many documents that citizens normally use for various purposes, such as Aadhaar card, ration card, and even the photo voter identity card issued by the ECI itself, were not accepted by the ECI as proof of citizenship, people began running helter-skelter in search of the documents listed by the ECI. Many of such documents were hard to find, especially for rural people who are not in the habit of preserving such documents. Thus, as many as 91 lakh voters were removed from the voter list in West Bengal because they could not produce the documents that the ECI required to prove their citizenship

Duty of the Home Ministry

A question of great constitutional significance arises here. Does the ECI have the power under Article 324 to determine what documents the citizens should produce to prove their citizenship? The simple answer is that such power is vested in the Union Home Ministry, and it is the constitutional duty of the Home Ministry to announce publicly the documents required for this purpose. The ECI can only verify those documents while enrolling citizens in the voters' list. Here, the ECI is acting beyond its jurisdiction. Article 324 does not empower the ECI to usurp the power of the Home Ministry. But it is surprising that the Supreme Court did not address this question when the issue of documents came before it. It was expected that the Court would direct the Union government to announce the list of documents and submit an affidavit in this regard. Instead, the Court merely requested the ECI to consider whether the Aadhaar card could also be counted as a relevant document.

The SIR has been conducted in the election-bound States, deviating from the law. Section 21 in The Representation Of The People Act, 1950 says that the electoral roll shall be revised before each general election and before a bye-election and also in any year as directed by the ECI. Apart from these the ECI can also undertake a special revision of the roll of a constituency or part of it for reasons to be recorded. Rule 25 of the Registration of Electors Rules, 1960 explains that the revision can be done summarily or intensively, which makes it clear that pre-election revision is summary in nature and the revision done in any year (when there is no election coming up) is intensive.

A combined reading of Section 21(2) of The Representation Of The People Act, 1950, and Rule 25 of the Registration of Electors Rules makes it clear that only a summary revision of the rules can be done before the general election or any bye-election.

The intensive revision can be done at any other time when elections are not due, the reason being that such a revision is very comprehensive and the voters' list needs to be prepared afresh. It is a very time-consuming exercise and cannot be done in such a hasty manner. The SIR conducted by the ECI a couple of months before the Bihar election, and, thereafter, in Kerala, Tamil Nadu and West Bengal is thus a clear deviation from the law and past practice.

In West Bengal, where the SIR exercise was absolutely chaotic, over 91 lakh voters have been removed from the voter list, many of whom have been placed in the category of "logical discrepancy". This categorisation of citizens is unknown to the election law. The Registration of Electors Rules, 1960 lays out a detailed scheme for the preparation of the electoral roll. Besides, the ECI has issued detailed instructions, one of which is that the booth-level officers (BLOs) should distribute enumeration forms to all existing electors through house-to-house visits.

Rule 8 clearly states that the occupants of the dwelling houses shall furnish the information called for to the best of their ability. This should mean that the ECI will have to accept the information that the occupants of the house have collected to the best of their ability. It makes no sense for the ECI to insist on obtaining information that, in the normal course, is not possible to procure, particularly for unlettered rural people in remote parts of the country. The fact that 64 lakh voters in Bihar and 91 lakh in West Bengal were removed from the voters' list amply demonstrates the deliberate non-adherence to this and other rules by the ECI.

An instance of violations

The object of this hastily conducted SIR seems to be to remove millions of voters from the voters' list. Media reports suggest that much of these deletions have been done without giving those affected a hearing, which is a blatant denial of natural justice as well as a violation of statutory provisions. Free and fair elections cannot be ensured by deviating from or violating the statute. The justice system in the country cannot permanently turn a blind eye to it.

- **The Election Commission of India (ECI) has invented the term “logical discrepancy” todeletevotersfromthevoters’list inthe recentelections(the StatesofAssam, Kerala, Tamil Nadu and West Bengal, and the Union Territory of Puducherry).**
- **It is alleged that lakhs of voters have been removed from the voter list in States whereelectionshavebeen heldrecently.**
- **Even the Supreme Court of India’s innovative idea of tribunals could not get these voters back onto the list, mainly because of the near-total mess created by the ECI’s Special Intensive Revision (SIR) of electoral rolls exercise.**
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Page No.6 , GS 2

Gang of seven

Large-scale defections have rendered the Tenth Schedule impotent

On April 24, seven of the Aam Aadmi Party (AAP)'s 10 Rajya Sabha members announced their merger with the Bharatiya Janata Party (BJP). The Rajya Sabha Chairman has accepted their claim of merger, raising the BJP's strength in the Upper House to 113 and the combined strength of the National Democratic Alliance above the halfway mark for the first time. The episode highlights the nature of AAP, the crass opportunism of the turncoats, the machinations of the BJP, and the institutionalised defanging of the anti-defection law. Of the seven, Raghav Chadha, Sandeep Pathak and Swati Maliwal were part of AAP in an organic manner, to the limited extent that it had an identity beyond the whims of its founder, Arvind Kejriwal. For the other four, their exit is as opportunistic as their entries into AAP were. Mr. Kejriwal used to taunt the Congress for losing its legislators to the BJP in several States, as symptomatic of the erosion of its ethical responsibility. But a relentless campaign of anarchy in pursuit of power exposed the true character of AAP as a far cry from its grand claims. The disintegration of its Rajya Sabha contingent is the culmination of the cynicism and opportunism on which AAP thrived, imposing a heavy cost on the democratic institutions of India. It reaped what it sowed.

That is no reason to ignore the brazen misinterpretation – invoked by the gang of seven and accepted by the Chairman of the Rajya Sabha – of the Tenth Schedule of the Constitution, which bars the defection of elected representatives from their original party. The merger exception in the Schedule is clear that a party can merge with another, subject to the concurrence of two-thirds of its legislators. In 2023, the Supreme Court of India elaborated that the legislature party cannot dictate the course of the political party, and the two cannot be conflated. Two-thirds of the members of the legislature party of the original party must accept a merger for it to be valid under the anti-defection law. To turn this around and argue that two-thirds of a party's legislative members can cross over to another party without attracting disqualification is a stretch, and is being challenged in the Court by AAP. The Court's past interventions on similar developments are less than reassuring, sadly. Elected governments have been unseated on the back of large-scale defections, rendering the Tenth Schedule impotent in the recent past. That the Court could not set any deterrence to this open betrayal of popular mandates is borne out by the fact that such acts are being repeated with impunity.

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Page No.6 , GS 3

A tightening of the fist in India's digital public square

Vikram Raj

Journalist associated with the Internet Freedom Foundation

Imagine this. You leave a sharp, satirical comment on social media or under a news article about rising fuel prices, and it gets a few likes. A few hours later, the comment disappears. The platform does not explain. Your account remains, but you notice that posts on similar topics no longer appear publicly. You have not been charged with any offence. No court has issued an order. Yet something has quietly shifted.

This is not a far-fetched scenario. It is a plausible outcome under the draft amendments to India's Information Technology Rules released by the Ministry of Electronics and Information Technology (MeitY) on March 30, 2026. Presented as technical clarifications, the changes mark a deeper transformation in how speech is governed online and who gets to decide its limits.

Core area of concern

At the centre of concern is a proposed expansion of executive power that risks bypassing Parliament and the courts. One provision, Rule 3(4), would require platforms to comply with a wide array of government-issued instruments, including advisories, directions and standard operating procedures, as a condition for retaining "safe harbour" protection under Section 79 of the IT Act. In plain terms, platforms would be legally safer if they follow government instructions, even when those instructions do not arise from formal law.

This sits uneasily with the Supreme Court of India's landmark ruling in *Shreya Singhal vs Union of India* (2015), which held that platforms are only required to act on unlawful content when they receive a court order or a government notification grounded in law. By allowing informal directives to trigger compliance obligations, the draft rules appear to dilute that constitutional safeguard.

The likely result is not targeted moderation but broad over-censorship. Faced with uncertain and potentially unpublished directives, platforms will err on the side of removal. It is the predictable logic of risk management. When liability is unclear, speech becomes expendable.

The draft amendments to India's Information Technology Rules trigger fears of digital overreach and a departure from existing judicial rulings

A second shift expands the scope of state oversight far beyond traditional publishers. Amendments to Rule 8 bring ordinary users who post or share news and current affairs content within the ambit of the government's oversight mechanism. This includes the Inter-Departmental Committee, a body empowered to review content and recommend blocking.

This is not merely an administrative adjustment. It reintroduces, through a different route, a regulatory framework that has already faced judicial scrutiny. In 2021, the Bombay High Court stayed key provisions of the IT Rules, citing concerns under Article 19(1)(a) of the Constitution. The Madras High Court later observed that such oversight could undermine media independence. Those challenges remain pending. Yet, the new draft effectively reconstructs the same architecture while those questions are unresolved.

An undefined role

Equally troubling is the transformation of the Inter-Departmental Committee itself. Originally designed to address grievances, it is now empowered to examine any "matter" referred by the Ministry of Information and Broadcasting. The term is left undefined. A procedure is currently in place under Rule 14 but compliance remains an issue. There is no clear threshold for intervention, and no guarantee that affected users will be heard before action is taken.

This shift from grievance redress to proactive scrutiny changes the character of the body. It becomes less a forum for dispute resolution and more an instrument of preemptive control.

The third major concern lies in expanded data retention obligations. The draft clarifies that platform duties to retain user data operate in addition to requirements under any other law. In practice, this could mean that personal data, browsing activity and communication records are stored for extended periods, potentially years, depending on overlapping legal mandates.

The risks here are not abstract. Longer retention increases the surface area for misuse, whether through unauthorised access, data breaches or function creep. It also alters the relationship between citizens and digital spaces. When every interaction may be archived indefinitely, self-censorship follows naturally.

Taken together, these amendments signal a shift toward a model where executive discretion plays a dominant role in shaping online speech. The concern is not only about individual provisions but about their cumulative effect. Each change reinforces the other. Informal directives gain force through safe harbour rules. Oversight expands to include ordinary users. Data retention deepens the state's informational reach.

Upsetting the balance

Supporters of the policy may argue that governments require flexible tools to manage harmful content. That is true in principle. But constitutional systems impose limits on how that power is exercised. Delegated legislation must remain within the bounds of its parent statute, a principle affirmed in cases such as *Indian Express Newspapers vs Union of India* (1986). When rules begin to create new obligations that are not clearly grounded in law, the balance between regulation and overreach begins to tilt.

The short public consultation period, which ended on April 14, only heightens the concern. Changes of this magnitude deserve wider debate, legislative scrutiny and careful alignment with existing judicial rulings.

India's digital public sphere has grown precisely because it has allowed a diversity of voices, from professional journalists to ordinary citizens. That openness has always required some regulation. The question now is whether the new rules preserve that openness or narrow it through administrative control.

The answer will shape not only how platforms operate but also how freely citizens can speak, critique, and participate in public life.

- **One provision, Rule 3(4), would require platforms to comply with a wide array of government-issued instruments, including advisories, directions and standard operating procedures, as a condition for retaining “safe harbour” protection under Section 79 of the IT Act.**

- **In plain terms, platforms would be legally safer if they follow government instructions, even when those instructions do not arise from formal law.**

- **This sits uneasily with the Supreme Court of India’s landmark ruling in Shreya Singhal vs Union of India (2015), which held that platforms are only required to act on unlawful content when they receive a court order or a government notification grounded in law.**

- **By allowing informal directives to trigger compliance obligations, the draft rules appear to dilute that constitutional safeguard.**

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