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10 MCQ QUIZ

Top 10 MCQ from
today's session

Who became the **18th World Chess Champion** and the third Asian to achieve this feat?
कौन **18वें विश्व शतरंज चैंपियन** बने और यह उपलब्धि हासिल करने वाले तीसरे एशियाई हैं?

- A. Viswanathan Anand / विश्वनाथन आनंद
- B. Ding Liren / डिंग लिरेन
- C. Gukesh / गुकेश
- D. R. Praggnanandhaa / आर. प्रज्ञानानंदा

What was the key reason behind the Union Cabinet approving simultaneous elections for Lok Sabha and State Assemblies?

लोकसभा और राज्य विधानसभाओं के लिए एक साथ चुनावों को मंजूरी देने के पीछे केंद्रीय मंत्रिमंडल का मुख्य कारण क्या था?

-
- A. Reducing election costs / चुनाव लागत को कम करना
 - B. Strengthening federalism / संघवाद को मजबूत करना
 - C. Enhancing voter turnout / मतदाता मतदान बढ़ाना
 - D. Avoiding political instability / राजनीतिक अस्थिरता से बचाव

What is the length of India's first **Hyperloop test track**, recently inaugurated in Chennai?
हाल ही में चेन्नई में उद्घाटन किए गए भारत के पहले हाइपरलूप परीक्षण ट्रैक की लंबाई क्या है?

- A. 410 meters / 410 मीटर
- B. 500 meters / 500 मीटर
- C. 600 meters / 600 मीटर
- D. 1 kilometer / 1 किलोमीटर

What rank did IIT Delhi achieve in the **QS World University Rankings: Sustainability 2025**?

क्यूएस वर्ल्ड यूनिवर्सिटी रैंकिंग: स्थिरता 2025 में आईआईटी दिल्ली ने कौन सा स्थान प्राप्त किया?

-
- A. 1st in India and 171st globally / भारत में पहला और वैश्विक स्तर पर 171वां
 - B. 2nd in India and 202nd globally / भारत में दूसरा और वैश्विक स्तर पर 202वां
 - C. 3rd in India and 234th globally / भारत में तीसरा और वैश्विक स्तर पर 234वां
 - D. 4th in India and 245th globally / भारत में चौथा और वैश्विक स्तर पर 245वां

- What is the focus of the **Places of Worship (Special Provisions) Act, 1991**?
पूजा स्थल (विशेष प्रावधान) अधिनियम, 1991 का मुख्य उद्देश्य क्या है?
- **A. Preventing the conversion of religious sites / धार्मिक स्थलों के रूपांतरण को रोकना**
- **B. Promoting tourism in religious places / धार्मिक स्थलों में पर्यटन को बढ़ावा देना**
- **C. Construction of new places of worship / नए पूजा स्थलों का निर्माण करना**
- **D. Enabling retrospective claims on sites / स्थलों पर पिछले दावों को सक्षम बनाना**

Which state received national recognition for transparency in RTI implementation?

आरटीआई के कार्यान्वयन में पारदर्शिता के लिए किस राज्य को राष्ट्रीय मान्यता मिली?

A. Tamil Nadu / तमिलनाडु

B. Kerala / केरल

C. Karnataka / कर्नाटक

D. Maharashtra / महाराष्ट्र

- What does PM2.5 exposure, exceeding WHO standards, primarily impact?

डब्ल्यूएचओ मानकों से अधिक PM2.5 के संपर्क का मुख्य प्रभाव क्या है?

- A. Cardiovascular health / हृदय स्वास्थ्य
- B. Respiratory systems / श्वसन तंत्र
- C. Child development / बाल विकास
- D. All of the above / उपरोक्त सभी

Which exception is noted in the **Places of Worship Act, 1991**?

पूजा स्थल अधिनियम, 1991 में कौन सा अपवाद उल्लेखित है?

-
- A. Ram Janmabhoomi-Babri Masjid dispute / राम जन्मभूमि-बाबरी मस्जिद विवाद
 - B. Golden Temple disputes / स्वर्ण मंदिर विवाद
 - C. Ayodhya Mosque claims / अयोध्या मस्जिद दावे
 - D. None of the above / उपरोक्त में से कोई नहीं

$$F = G \frac{m_1 m_2}{d^2}$$

- What speeds are expected in the next phase of India's **Hyperloop project**?

भारत की हाइपरलूप परियोजना के अगले चरण में कौन सी गति की उम्मीद है?

- A. 200 km/h
- B. 400 km/h
- C. 600 km/h
- D. 800 km/h

$$E = mc^2$$

$$ds \geq 0$$

$$\frac{df}{dt} = \lim_{h \rightarrow 0} \frac{f(t+h) - f(t)}{h}$$

• **With reference to air pollution in India, consider the following statements:**

1. According to the Lancet Planet Health study, no region in India has air pollution levels below the WHO's recommended standard for PM_{2.5}.
2. The National Ambient Air Quality Standards (NAAQS) for PM_{2.5} in India is set at 5 µg/m³, which is the same as the WHO's recommendation.
3. Air pollution in India is linked to approximately 1.5 million deaths annually due to high levels of particulate matter.
4. The study found that every 10 µg/m³ increase in PM_{2.5} levels raises the risk of death due to any cause by 8.6%.

• **Which of the statements given above are correct?**

- (a) 1, 2, and 3 only
- (b) 1, 3, and 4 only
- (c) 2 and 4 only
- (d) 1, 2, 3, and 4

- भारत में वायु प्रदूषण के संदर्भ में निम्नलिखित कथनों पर विचार करें:
- लैंसेट प्लैनेट हेल्थ अध्ययन के अनुसार, भारत के किसी भी क्षेत्र में वायु प्रदूषण का स्तर WHO के PM2.5 के अनुशंसित मानक से कम नहीं है।
- भारत में PM2.5 के लिए राष्ट्रीय परिवेशी वायु गुणवत्ता मानक (NAAQS) $5 \mu\text{g}/\text{m}^3$ निर्धारित है, जो WHO की अनुशंसा के समान है।
- भारत में वायु प्रदूषण के कारण पार्टिकुलेट मैटर के उच्च स्तर के कारण सालाना लगभग 1.5 मिलियन मौतें होती हैं।
- अध्ययन में पाया गया कि PM2.5 के स्तर में प्रत्येक $10 \mu\text{g}/\text{m}^3$ की वृद्धि से किसी भी कारण से मृत्यु का जोखिम 8.6% बढ़ जाता है।
- ऊपर दिए गए कथनों में से कौन सा सही है?
- (ए) केवल 1, 2, और 3
- (बी) केवल 1, 3, और 4
- (सी) केवल 2 और 4
- (डी) 1, 2, 3, और 4

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Charles Darwin, *On the Origin of Species*

- *“It is not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change.”*



30 people drowned per hour in 2021, says WHO

Zubeda Hamid
GENEVA

The World Health Organization (WHO) published its first-ever global status report on drowning prevention on Friday.

The report, released at an event in Geneva, reveals that three lakh people died by drowning in 2021 around the world (an estimated 30 every hour).

Close to 92% of such deaths took place in low- and middle-income countries, disproportionately affecting the poor and marginalised. The WHO's South-East Asia Region (which includes India) saw 83,000 deaths, or 28% of the global burden.

WHO Director-General Tedros Adhanom Ghebreyesus, via video conference, said the report provided a snapshot of the global burden of drowning. Countries could use the report to raise awareness, guide implementation strategies and track progress on drowning pre-



Lurking danger: Unmindful of the risk and warning board, people playing in the sea in Visakhapatnam. K.R. DEEPAK

vention, he said.

Compiled with the participation of 139 countries - including India - the report found that while drowning deaths declined 38% since 2000, the progress had been uneven and the pace slow. The WHO's European Region, for instance, saw a 68% drop, while the South-East Asia Region saw a decline of 48%.

Children at risk

Primarily at risk are children and young people. Children aged under five

accounted for the single largest share of drowning deaths (24%), with a further 19% of deaths among children aged five to 14, and 14% among young people aged 15 to 29.

The report notes that globally, drowning is the fourth leading cause of death for children in the age group of one-four and the third leading cause of death for children aged five to 14.

Even these staggering numbers however, are an underestimate, notes Caro-

line Lukaszuk, technical officer, WHO, as the report does not capture deaths by drowning owing to natural disasters such as flooding, and those that occur on water transport, primarily due to a lack of accurate data. With vulnerability to flooding increasing due to climate change - and 75% of flooding deaths known to be due to drowning - this is a priority on the drowning prevention agenda, she says.

Training crucial

The report also states that while encouragingly, the WHO's evidence-based drowning prevention interventions are being implemented in many countries, the implementation is to varying degrees. For instance, only 33% of countries offer national programmes to train bystanders in safe rescue and resuscitation, and just 22% integrate swimming and water safety training into their school curriculum. Quality data collec-

tion also remains a challenge.

More than 7.2 million people, mainly children, could die due to this "silent killer" by the year 2050 if current trends continue. Yet almost all drowning deaths are preventable, the report states, highlighting that political will and investment in drowning prevention are critical to save lives. Providing day care for pre-school children and teaching school students basic swimming skills could help protect millions of lives, it says.

Developed in response to a member-state request made through a World Health Assembly Resolution 76.18 (2023) and funded by Bloomberg Philanthropies, the report underscores that drowning is a complex health issue that requires the involvement of multiple sectors to address the broad range of risk factors. Legislation, even when it exists, is often out of step with the scale of the challenge, it says.

1. Global Drowning Statistics / वैश्विक डूबने के आँकड़े:

1. In 2021, approximately **3 lakh people worldwide died due to drowning**, which averages to **30 deaths per hour**.

2021 में, दुनियाभर में लगभग **3 लाख लोगों की डूबने से मृत्यु हुई**, जो हर घंटे **30 मौतों** के बराबर है।

2. **92% of deaths** occurred in low and middle-income countries, disproportionately affecting the poor and marginalized.

92% मौतें निम्न और मध्यम आय वाले देशों में हुईं, जिनमें गरीब और हाशिए पर मौजूद लोग अधिक प्रभावित हुए।

- **Regional Analysis / क्षेत्रीय विश्लेषण:** South-East Asia Region (including India) accounted for **28%** of the global drowning burden, with **83,000** deaths in 2021.

दक्षिण-पूर्व एशिया क्षेत्र (जिसमें भारत शामिल है) ने 2021 में 83,000 मौतों के साथ वैश्विक डूबने के भार का **28%** योगदान दिया।

- Progress in drowning reduction has been slow and uneven. The European region saw a **68% decline**, while the South-East Asia region saw a **48% decline** since 2000.

डूबने की घटनाओं में कमी असमान और धीमी रही। यूरोपीय क्षेत्र में **68%** गिरावट देखी गई, जबकि दक्षिण-पूर्व एशिया क्षेत्र में **48%** गिरावट आई।

-
- **Vulnerable Groups / कमजोर समूह: Children and Young People** are most at risk.
बच्चे और युवा सबसे अधिक जोखिम में हैं।
 - **24% deaths** were among children aged under 5.
24% मौतें 5 साल से कम उम्र के बच्चों में हुईं।
 - **19% deaths** occurred in the age group of 5 to 14.
19% मौतें 5 से 14 वर्ष की उम्र के बीच हुईं।
 - **14% deaths** were among young people aged 15 to 29.
14% मौतें 15 से 29 वर्ष के युवाओं में हुईं।

-
- Globally, drowning is the **fourth leading cause of death** for children aged 1 to 4 and the **third leading cause** for children aged 5 to 14.
विश्व स्तर पर, डूबना 1 से 4 साल के बच्चों के लिए चौथा प्रमुख मृत्यु कारण और 5 से 14 साल के लिए तीसरा प्रमुख कारण है।

Training and Prevention / प्रशिक्षण और रोकथाम:

Only **33% of countries** have national programs for rescue and resuscitation training.
केवल **33% देशों** के पास बचाव और पुनर्जीवन प्रशिक्षण के लिए राष्ट्रीय कार्यक्रम हैं।

Just **22% of countries** integrate swimming and water safety training into school curriculums.
केवल **22% देश** तैराकी और जल सुरक्षा प्रशिक्षण को स्कूल पाठ्यक्रम में शामिल करते हैं।

Teaching basic swimming skills to children and including water safety education in schools can help save millions of lives.
बच्चों को बुनियादी तैराकी कौशल सिखाना और स्कूलों में जल सुरक्षा शिक्षा शामिल करना लाखों जानें बचा सकता है।

- **Challenges / चुनौतियां**

- 1. Data Gaps / डेटा की कमी:**

1. Many deaths due to natural disasters like flooding are not captured due to lack of accurate data.

बाढ़ जैसी प्राकृतिक आपदाओं से होने वाली कई मौतों का डेटा सटीक जानकारी की कमी के कारण दर्ज नहीं किया जाता।

- 2. Climate Change / जलवायु परिवर्तन:**

1. With climate change, **75% of flooding deaths** are linked to drowning.

जलवायु परिवर्तन के साथ, **75% बाढ़ से होने वाली मौतें डूबने से जुड़ी होती हैं।**

- **Future Projections / भविष्य की संभावनाएं**

- By **2050**, over **7.2 million people**, mainly children, could die due to drowning if current trends continue.

अगर वर्तमान प्रवृत्तियाँ जारी रहें, तो **2050 तक 7.2 मिलियन लोग**, मुख्य रूप से बच्चे, डूबने से मर सकते हैं।



Patiala House Courts in New Delhi. SUSHIL KUMAR VERMA

The knotty promise of Section 69

As India enforces the Bharatiya Nyaya Sanhita, the new set of criminal laws that replace the Indian Penal Code, Section 69 faces questioning from legal eyes for its gender bias, potential misuse, and implications on modern relationships, finds **Sofibam Rocky Singh**

In July 31, a 25-year-old woman from Ramgarh, Jharkhand, filed an FIR accusing a man of engaging in a sexual relationship with her under the pretence of marriage. The woman claimed in her FIR that the man, 26, who she had known from college, had come home on multiple occasions and expressed the wish to marry her. In one instance, he allegedly told her mother explicitly not to consider any marriage proposals for her, as he intended to marry her himself.

The woman stated in her first information report (FIR) that she was introduced to his mother, who allegedly supported their union. She claimed that the man and his mother "backtracked on their commitments". She was therefore filing a case under Section 69 of the Bharatiya Nyaya Sanhita (BNS), the new set of criminal laws that replaces the colonial-era Indian Penal Code (IPC). While the trial is still pending, the man was granted bail by a local court in October.

Section 69 of the BNS, criminalises "sexual intercourse by employing deceitful means" and cites the "promise to marry...a woman without any intention of fulfilling the same", as grounds for imprisonment up to 10 years and the possibility of a fine. While it is not treated as rape, it is considered "inducement" and also applies to "false promise of employment or promotion, or marrying by suppressing identity".

There are several cases in court that use Section 69 in their FIRs, opening the doors to public and legal discourse around it. Before the BNS came into being, up to 40% of all rape case allegations pertained to "friend", "live in partners on pretext of marriage", and "separated husband", going by National Crime Records Bureau (NCRB) data between 2016 and 2022.

On December 5, the Gauhati High Court granted bail to a man after he was arrested when a woman claimed that she and the man had been in a relationship for nine years, during which period, they engaged in physical relationship regularly. The man also allegedly promised her to marry. However, she found out that he had become engaged to another woman. When she asked for an explanation, the man allegedly cited parental pressure to marry the woman.

"It is a settled position of law that a simple promise to marry without anything more does not give rise to the concept of misconception of fact. Therefore, under such circumstances, the petitioner does not deserve to be detained in custody," the High Court said.

Based on the past Prior to the enactment of the BNS, such cases were

registered under Section 376(2)(b) (commits rape repeatedly on the same woman) along with Section 50 (consent known to be given under fear or misconception), says Advocate K.S. Nanda, who represented the accused man in Jharkhand. Effectively, the two IPC Sections now form the base of Section 69.

Ravi Kant, advocate and country head of the Access to Justice Project, an international non-profit offering pro bono services, explains the difference between the previous law under IPC and the new provision in the BNS. "This is a new offence because they have used words such as 'deceitful means', 'inducement', 'false promise'. This is not rape," he clarifies.

Section 69 comes within Chapter 5 of the BNS: 'Of Offences Against Woman and Child', under "sexual offences". The need for this Section, says Kant, was "because such cases were reported a lot in the courts during the IPC times".

Another difference is that earlier, if a relationship lasted several years, and the woman claimed she was cheated on the pretext of marriage, the court typically dismissed such cases, he says. "It was reasoned that a long-term relationship implied mutual consent and understanding, making fraud difficult to substantiate." Now, even if the relationship is consensual, it is treated as an offence because it is taken as a false promise or a deception.

Gender biased
Deepika Narayan Bhardwaj, a journalist, filmmaker, and activist, says the law "inherently gender biased and discriminative" with the law suggesting that women do not have agency in decisions around sexual matters. On January 10 this year, she had started an online petition on Change.org to repeal Section 69 of the BNS, which has since garnered over 60,000 signatures.

Her contention in the petition is that "a consensual sexual relationship made on promise of marriage will be a crime only if a man renegees from it and not a woman".

"The petition also talks about the power equation, where 'the law presumes a woman cannot be in position of power to induce a man into sex by false promise of job or promotion'. She called the law "extremely regressive" and also said it "completely discards the concept of will and consent" around sexual matters.

In another judgment, the Gujarat High Court on September 19 commented: "In every case where a man fails to marry a woman despite a promise made to her, (he) cannot be held guilty for committing the offence of rape."

The report No. 246 of the Rajya Sabha on the BNS, released by the Department-related Parliamentary Standing Committee on Home Affairs on November 12 last year, six months before the BNS came into force, had cautioned against reinforcing gender stereotypes.

According to the report, it was difficult to prove whether a promise to marry had actually been made. It also asked "intentions can change over time", alluding to the very nature of relationships.

The report stated that "criminalising a promise to marry" can intrude into an individual's right to privacy and autonomy. It said that "defining what constitutes a legally binding promise to marry can be vague and open to interpretation", which could lead to "arbitrary enforcement and judgments". Also, a verbal intention to marry could be a challenge when it came to evidence collection.

Differing court views
On November 26, the Supreme Court flagged a "worrying trend" of criminalising long-term consensual relationships after they turn into a physical relationship at a very belated stage, it can lead to serious consequences," the bench of justices B.V. Nagarathna and N. Kottiswar Singh said, while quashing an FIR against a man for committing rape by a woman who was in a relationship with him for over nine years, by her own account.

In another judgment, the Gujarat High Court on September 19 commented: "In every case where a man fails to marry a woman despite a promise made to her, (he) cannot be held guilty for committing the offence of rape."

The High Court's ruling came while quashing a February 2019 FIR for rape filed against a man, who had entered into a physical relationship with

a woman on the promise of marriage. Cases registered before the BNS came into force are being tried on the old IPC. The woman in her FIR complaint alleged that she got pregnant and when she informed the man, he reneged on his promise.

During the pendency of the trial, a baby boy was born. However, when the DNA samples of the accused and the child were tested, it was proven that the accused was not the biological father. Meanwhile, the woman got married to another person and didn't show up for the court proceeding again.

"He can only be held guilty if it is proved that the promise to marry was given with no intention to honour it and also that was the only reason due to which the woman agreed to have a sexual relationship," the High Court said, adding that "cases of consensual sexual relationship being later converted into allegations of rape are rapidly increasing".

On the other hand, in a separate case, the Kerala High Court in October declined to quash the criminal proceedings against a priest accused of raping a woman after promising to marry her. Dismissing the plea of the priest, the High Court observed that prima facie, the allegations warranted a trial, and that there was no reason to close the proceedings earlier.

Supporting the new law, advocate Gaurav Dudeja, Partner at law firm Phoenix Legal, in Delhi, says, "Section 69 of the BNS addresses the gaps and ambiguities in the previous law concerning sexual intercourse obtained under false pretences such as promises of marriage or other deceitful means."

"The definition of rape revolves around the 'consent' of the woman, and courts have consistently held that sexual intercourse based on a false promise of marriage, where there was no genuine intent from the outset, falls within the scope of rape. By introducing Section 69, the BNS explicitly criminalises such acts and provides clear punishment for them," he explains.

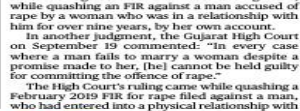
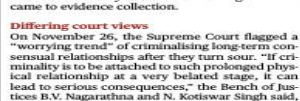
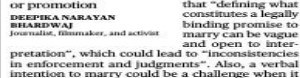
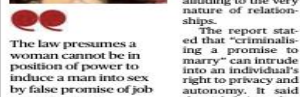
The law is protective to women who operate in a male-dominated, patriarchal society, where marriage for women is often seen as a way of attaining personhood. Many women are consistently told in their childhood years that they belong in another home — that of their husband's and in-laws.

Dudeja says the law broadens the legal framework by introducing the concept of sexual intercourse through deceitful means. "Moreover, it acknowledges that coercion is not limited to physical force, but can also be psychological or emotional — an aspect not explicitly addressed under the earlier law," he says.

PIL in Kerala HC
In September, a public interest litigation (PIL) was filed before the Kerala High Court challenging the constitutional validity of Section 69 of the BNS. The plea by a lawyer practising in the court of Kerala contended that "the Section is derogatory and misogynistic to the extent that it views women as naive, gullible and incapable of making decisions pertaining to their life". The plea also contended that the Section would lead to "serious issues for people who are in live-in relationships and people in relationships in the nature of marriage".

"By omitting to include the LGBTQ+ community, it is violative of the equal protection clause. Further, it penalises a very basic human emotion, the right to have sexual union, a facet protected under Article 21 of the Constitution," the plea stated. The High Court sought a response from the Central government on the issue.

The report No. 246 of the Rajya Sabha on the BNS, released by the Department-related Parliamentary Standing Committee on Home Affairs on November 12 last year, six months before the BNS came into force, had cautioned against reinforcing gender stereotypes.



The knotty promise of SECTION 69

As India enforces the Bharatiya Nyaya Sanhita, the new set of criminal laws that replace the Indian Penal Code, Section 69 faces questioning from legal eyes for its gender bias, potential misuse, and implications on modern relationships, finds **Soibam Rocky Singh**

On July 31, a 25-year-old woman from Ramgarh, Jharkhand, filed an FIR accusing a man of engaging in a sexual relationship with her under the pretence of marriage. The woman claimed in her FIR that the man, 26, who she had known from college, had come home on multiple occasions and expressed the wish to marry her. In one instance, he allegedly told her mother explicitly not to consider any marriage proposals for her, as he intended to marry her himself.

The woman stated in her first information report (FIR) that she was introduced to his mother, who allegedly supported their union. She claimed that the man and his mother “backtracked on their commitments”. She was therefore filing a case under Section 69 of the Bharatiya Nyaya Sanhita (BNS), the new set of criminal laws that replaces the colonial-era Indian Penal Code (IPC). While the trial is still pending, the man was granted bail by a local court in October.

Section 69 of the BNS, criminalises “sexual intercourse by employing deceitful means” and cites the “promise to marry...a woman without any intention of fulfilling the same”, as grounds for imprisonment up to 10 years and the possibility of a fine. While it is not treated as rape, it is considered “inducement” and also applies to “false promise of employment or promotion, or marrying by suppressing identity”.

There are several cases in court that use Section 69 in their FIRs, opening the doors to public and legal discourse around it. Before the BNS came into being, up to 40% of all rape case allegations pertained to ‘friend’, ‘live in partners on pretext of marriage’, and ‘separated husband’, going by National Crime Records Bureau (NCRB) data between 2016 and 2022.

On December 5, the Gauhati High Court granted bail to a man after he was arrested when a woman claimed that she and the man had been in a relationship for nine years, during which period, they engaged in physical relationship regularly. The man also allegedly promised her to marry. However, she found out that he had become engaged to another woman. When she asked for an explanation, the man allegedly cited parental pressure to marry the woman.

“It is a settled position of law that a simple promise to marry without anything more does not give rise to the concept of misconception of fact. Therefore, under the given circumstances, the petitioner does not deserve to be detained in custody,” the High Court said.

Based on the past
Prior to the enactment of the BNS, such cases were

registered under Section 376(2)(n) (commits rape repeatedly on the same woman) along with Section 90 (consent known to be given under fear or misconception), says Advocate K.S. Nanda, who represented the accused man in Jharkhand. Effectively, the two IPC Sections now form the base of Section 69.

Ravi Kant, advocate and country head of the Access to Justice Project, an international non-profit offering pro bono services, explains the difference between the previous law under IPC and the new provision in the BNS. “This is a new offence because they have used words such as ‘deceitful means’, ‘inducement’, ‘false promise’. This is not rape,” he clarifies.

Section 69 comes within Chapter 5 of the BNS: ‘Of Offences Against Woman and Child’, under “sexual offences”. The need for this Section, says Kant, was “because such cases were reported a lot in the courts during the IPC time”.

Another difference is that earlier, if a relationship lasted several years, and the woman claimed she was cheated on the pretext of marriage, the court typically dismissed such cases, he says. “It was reasoned that a long-term relationship implied mutual consent and understanding, making fraud difficult to substantiate.” Now, even if the relationship is consensual, it is treated as an offence because it is taken as a false promise or a deception.

Gender biased

Deepika Narayan Bhardwaj, a journalist, filmmaker, and activist, calls the new law “inherently gender biased and discriminative” with the law suggesting that women do not have agency in decisions around sexual matters. On January 10 this year, she had started an online petition on Change.org to repeal Section 69 of the BNS, which has since garnered over 60,000 signatures.

Her contention in the petition is that “a consensual sexual relationship made on promise of marriage will be a crime only if a man reneges from it and not a woman”.

The petition also talks about the power equation, where “the law presumes a woman cannot be in position of power to induce a man into sex by false promise of job or promotion”. She called the law “extremely regressive” and also said it “completely discards the concept of will and consent” around sexual matters.

Since Section 69 is a recent addition, Bhardwaj uses past data recorded under Section 376 (rape) for context and comparison. Until 2015, the NCRB that compiles a yearly compendium of crimes across India in ‘Offenders Relation to Victims

of Rape’ category under the ‘Crime Against Women’ chapter, the relationship between the accused and the survivor in rape cases was broadly categorised as a ‘family member’, ‘neighbour’, or ‘stranger’. However, the growing number of cases involving ‘false promises of marriage’ led the NCRB to refine its classifications.

In 2016, specific subcategories were introduced under the ‘Offenders Relation to Victims of Rape’, including ‘friend’, ‘live in partners on pretext of marriage’, and ‘separated husband’.

NCRB data further reveals that the average conviction rate for all rape cases between 2016 and 2022 stood at 29.71%. However, the data does not include a sub-classification of conviction rates under the ‘Offenders Relation to Victims of Rape’ category. This makes it challenging to determine conviction trends specific to cases involving false promises of marriage or similar allegations.

Parliamentary report

The report no. 246 of the Rajya Sabha on the BNS, released by the Department-related Parliamentary Standing Committee on Home Affairs on November 12 last year, six months before the



The law presumes a woman cannot be in position of power to induce a man into sex by false promise of job or promotion

DEEPIKA NARAYAN BHARDWAJ
Journalist, filmmaker, and activist

interpretation”, which could lead to “inconsistencies in enforcement and judgments”. Also, a verbal intention to marry could be a challenge when it came to evidence collection.

Differing court views

On November 26, the Supreme Court flagged a “worrying trend” of criminalising long-term consensual relationships after they turn sour. “If criminality is to be attached to such prolonged physical relationship at a very belated stage, it can lead to serious consequences,” the Bench of Justices B.V. Nagarathna and N. Kotiswar Singh said, while quashing an FIR against a man accused of rape by a woman who was in a relationship with him for over nine years, by her own account.

In another judgment, the Gujarat High Court on September 19 commented: “In every case where a man fails to marry a woman despite a promise made to her, [he] cannot be held guilty for committing the offence of rape.”

The High Court’s ruling came while quashing a February 2019 FIR for rape filed against a man, who had entered into a physical relationship with

a woman on the promise of marriage. Cases registered before the BNS came into force are being tried on the old IPC. The woman in her FIR complaint alleged that she got pregnant and when she informed the man, he reneged on his promise.

During the pendency of the trial, a baby boy was born. However, when the DNA samples of the accused and the child were tested, it was proven that the accused was not the biological father. Meanwhile, the woman got married to another person and didn’t show up for the court proceeding again.

“He can only be held guilty if it is proved that the promise to marry was given with no intention to honour it and also that was the only reason due to which the woman agreed to have a sexual relationship,” the High Court said, adding that “cases of consensual sexual relationship being later converted into allegations of rape are rapidly increasing”.

On the other hand, in a separate case, the Kerala High Court in October declined to quash the criminal proceedings against a priest accused of raping a woman after promising to marry her. Dismissing the plea of the priest, the High Court observed that prima facie, the allegations warranted a trial, and that there was no reason to close the proceedings earlier.

Supporting the new law, advocate Gaurav Dudgeja, Partner at law firm Phoenix Legal, in Delhi, says, “Section 69 of the BNS addresses the gaps and ambiguities in the previous law concerning sexual intercourse obtained under false pretences such as promises of marriage or other deceitful means.”

“The definition of rape revolves around the ‘consent’ of the woman, and courts have consistently held that sexual intercourse based on a false promise of marriage, where there was no genuine intent from the outset, falls within the scope of rape. By introducing Section 69, the BNS explicitly criminalises such acts and provides clear punishment for them,” he explains.

The law is protective to women who operate in a male-dominated, patriarchal society, where marriage for women is often seen as a way of attaining personhood. Many women are consistently told in their childhood years that they belong in another home – that of their husband’s and in-laws’.

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PIL in Kerala HC

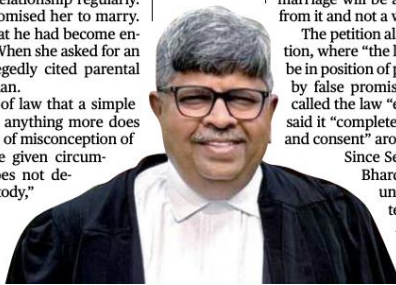
In September, a public interest litigation (PIL) was filed before the Kerala High Court challenging the constitutional validity of Section 69 of the BNS. The plea by a lawyer practising in the courts of Kerala contended that “the Section is derogatory and misogynistic to the extent that it views women as naive, gullible and incapable of making decisions pertaining to their life”. The plea also contends that the Section would lead to “serious issues for people who are in live-in relationships and people in relationships in the nature of marriage”.

“By omitting to include the LGBTQ community, it is violative of the equal protection clause. Further, it penalises a very basic human emotion, the right to have sexual union, a facet protected Under Article 21 of the Constitution,” the plea stated. The High Court sought a response from the Central government on the issue.



This is not rape because they have used words such as ‘deceitful means’, ‘inducement’, ‘false promise’. This is not rape

RAVI KANT
Advocate and country head, Access to Justice Project



- **Introduction to Section 69 / धारा 69 का परिचय:** Part of the **Bharatiya Nyaya Sanhita (BNS)**, replacing the Indian Penal Code (IPC), Section 69 criminalizes the "**promise to marry a woman without fulfilling the same**" as a punishable offence.
भारतीय न्याय संहिता (BNS) के तहत धारा 69, IPC की जगह लेते हुए, "शादी का झूठा वादा" करने को अपराध बनाती है।
- Penalties include **imprisonment of up to 10 years** or a **fine**, aimed at addressing false promises of marriage that lead to exploitation.
इस धारा के तहत **10 साल तक की सजा या जुर्माने** का प्रावधान है।

2. Legal Framework / कानूनी ढांचा:

2. Section 69 is categorized under the "**Offences Against Women and Children**" chapter of the BNS.
धारा 69 को BNS के "**महिलाओं और बच्चों के खिलाफ अपराध**" अध्याय में शामिल किया गया है।
3. It addresses issues like "**false promises of marriage,**" often leading to exploitation and violation of consent.
यह "**शादी के झूठे वादों**" के कारण होने वाले शोषण और सहमति के उल्लंघन जैसे मुद्दों पर ध्यान केंद्रित करता है।

3. Judicial Observations / न्यायिक टिप्पणियां:

3. Courts have emphasized the **importance of intent and consent** in cases under this section.

न्यायालयों ने इस धारा के तहत मामलों में इरादे और सहमति के महत्व को रेखांकित किया है।

4. False promises of marriage are considered "**fraudulent inducement**" if they lack the genuine intention of marriage.

शादी के झूठे वादे को "**धोखाधड़ी भरा प्रलोभन**" माना जाता है यदि उसमें शादी के वास्तविक इरादे की कमी हो।

- **Gender Bias Concerns / लैंगिक पक्षपात के मुद्दे:** Critics argue that the law presumes **women as victims** and men as perpetrators, potentially leading to misuse. आलोचकों का मानना है कि यह कानून महिलाओं को पीड़ित और पुरुषों को अपराधी मानता है, जिससे दुरुपयोग की संभावना बढ़ जाती है।
- Cases involving consensual relationships that later turn sour can lead to **false accusations**. सहमति से बने रिश्तों में बाद में खटास आने पर झूठे आरोपों का खतरा रहता है।

5. Case Studies / केस अध्ययन:

5. Jharkhand Case (July 2023):

A 25-year-old woman filed a case against a man who allegedly exploited her on the false promise of marriage.

झारखंड मामला (जुलाई 2023): एक 25 वर्षीय महिला ने एक व्यक्ति पर शादी का झूठा वादा कर शोषण करने का आरोप लगाया।

6. NCRB Statistics (2016-2022):

Reports indicate a rise in cases of "false promises of marriage," but conviction rates remain low.

NCRB आंकड़े (2016-2022): रिपोर्ट में "शादी के झूठे वादों" के मामलों में वृद्धि दिखाई देती है, लेकिन सजा दर कम है।

- **Parliamentary Review / संसदीय समीक्षा:** The Parliamentary Standing Committee emphasized the **need for clarity** in defining offences to prevent misuse.
संसदीय स्थायी समिति ने अपराधों को स्पष्ट रूप से परिभाषित करने की आवश्यकता पर जोर दिया।

7. Concerns and Challenges / चिंताएँ और चुनौतियाँ:

7. **Ambiguity** in the definition of offences may lead to **legal misuse** and prolonged trials.

अपराधों की परिभाषा में स्पष्टता की कमी कानूनी दुरुपयोग और लंबे मुकदमों का कारण बन सकती है।

8. The provision does not address cases where **women exploit men** under false promises.

यह प्रावधान उन मामलों को संबोधित नहीं करता जहां महिलाएं पुरुषों का शोषण करती हैं।

-
- **Public and Legal Reactions / सार्वजनिक और कानूनी प्रतिक्रियाएँ:** Lawyers and activists highlight the **need for balanced laws** that protect both genders.
वकील और कार्यकर्ता दोनों लिंगों की सुरक्षा के लिए **संतुलित कानून** की आवश्यकता पर जोर देते हैं।
 - Suggestions include **adding safeguards** to prevent misuse while ensuring justice for genuine victims.
सुझावों में दुरुपयोग रोकने के लिए **सुरक्षा उपाय** जोड़ने और वास्तविक पीड़ितों के लिए न्याय सुनिश्चित करने का प्रस्ताव शामिल है।

- **Conclusion / निष्कर्ष**

- Section 69 of the BNS is a **progressive yet contentious addition** aimed at addressing gender-based crimes. However, its effectiveness will depend on **balanced implementation** and judicial clarity.

भारतीय न्याय संहिता की धारा 69 लिंग आधारित अपराधों को संबोधित करने के लिए एक प्रगतिशील लेकिन विवादास्पद प्रावधान है। इसकी सफलता संतुलित कार्यान्वयन और न्यायिक स्पष्टता पर निर्भर करेगी।

TWO-DAY DISCUSSION IN LOK SABHA

Congress has always chosen power over Constitution: Rajnath

'No problem with caste census, let your blueprint specify quotas'



Defence Minister Rajnath Singh initiates the Lok Sabha discussion on the Constitution on Friday. **P77**

VIKAS PATHAK
NEW DELHI, DECEMBER 13

FROM LISTING the excesses of the Emergency to the toppling of elected governments to overhauling the Shah Bano verdict to undermine the judiciary, BJP senior leader and Defence Minister Rajnath Singh mounted a scathing attack Friday on the Opposition Congress, saying it has never respected the Constitution.

JOINT POLLS: DRAFT BILL CIRCULATED P 6

Samvidhan not Sangh ka vidhan, fear spreading, learn from 1975: Priyanka
Says one business group favoured, takes name which is later expunged

VIKAS PATHAK
NEW DELHI, DECEMBER 13

OPENING FOR the Opposition in the Lok Sabha discussion on the Constitution, Congress leader Priyanka Gandhi Vadra Friday sought to turn the tables on the government, saying it has forgotten that the "Samvidhan" (Constitution) is not "Sangh ka"



Congress's Priyanka Gandhi Vadra opened for the Opp. **P77**



Leaders pay tribute to those who fell defending Parliament during the terror attack on December 13, 2001. **Anil Sharma**



THE NEW KING

D Gukesh with his FIDE World Chess Championship trophy in Singapore, Friday. **P71** **PAGE 24**

EPFO works on plan to introduce ATM card facility for withdrawal of funds

AANCHAL MAGAZINE
NEW DELHI, DECEMBER 13

RETIREMENT FUND body Employees' Provident Fund Organisation (EPFO) is working towards rolling out a facility that will allow members to withdraw funds from their corpus through an ATM card. The ATM-card type withdrawal from the EPFO,

THE E Amid high rate of rejection

THE MOVE by the EPFO for an ATM-card type facility comes in the wake of concerns over a high rate of rejection of EPF final settlements in recent months.

which would be subject to a certain ceiling, is likely to be rolled out by the middle of next year, officials said.

The EPFO is working towards improving its IT infrastructure under EPFO 3.0, the first phase of which would end in December and is expected to be completed in June 2025. The ATM card feature for withdrawal of funds

BUSINESS AS USUAL
By UNNAY

50, 10-100-100 Gaurav: chh gaurav make wrong moves: we fixed this year soonest



Held as 'spy' and acquitted, UP man will be judge now

MANISH SAHU
LUCKNOW, DECEMBER 13

OVER TWO decades after he was arrested on espionage charges, a 46-year-old from Kamrup is within touching distance of judgeship. Last week, the Allahabad High Court ordered the Uttar Pradesh government to issue the letter appointing Pradeep



Give Pradeep Kumar his appointment letter by Jan 15, 2025: HC

Kumar, a resident of Kamrup who was arrested in June 2002, as Additional District Judge. **CONTINUED ON PAGE 2**



Loved across the Board

High drama starring Allu Arjun: Arrest, then bail but night in jail




Actor Allu Arjun leaves a Hyderabad hospital after medical check-up following his arrest Friday in a stampede case. **P77**

SREENIVAS JANYALA
HYDERABAD, DECEMBER 13

TELANGANA FILM star Allu Arjun was arrested Friday morning from his house in Hyderabad in connection with a stampede at the premiere of his film, *Badugi*, 2, earlier this month.

He was remanded in 14-day judicial custody by a lower court before the Telangana High Court granted him four-day interim bail later in the day. However, he was not released from jail as of late Friday night, with sources saying that he would likely have to spend the night in **CONTINUED ON PAGE 2**






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**RBI Kehta Hai...
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Sardar Patel sculptor Ram Sutar firm gets contract for new statue

VALLABH OZARKAR

MUMBAI, DECEMBER 13

ALMOST FOUR months after a 35-foot tall statue of Chhatrapati Shivaji Maharaj collapsed at Rajkot fort in Malvan in Maharashtra's Sindhudurg district, triggering a massive political slugfest in the state, the Maharashtra government has awarded the contract of building a new 60-foot statue of the Maratha warrior king at the fort to renowned sculptor Ram Sutar and Anil Sutar's firm Ram Sutar Art Creations Pvt Ltd that built the 'Statue of Unity' in Gujarat.

In August this year, the 35-foot statue of Chhatrapati Shivaji Maharaj at Rajkot fort collapsed, almost seven months after it was inaugurated by Prime Minister Narendra Modi in December 2023. Almost a month after the collapse, the state Public Works Department (PWD) had floated a tender to build a new 60-foot tall statue at an estimated cost of Rs 20 crore and for selecting the contractor for design, engineering, procurement, construction, erection, operation and maintenance of the statue.

The PWD received bids from two firms, Garnet Interiors and Ram Sutar Art Creations Pvt Ltd.

Garnet Interiors had quoted Rs 20.90 crore, while Ram Sutar Art Creations Pvt Ltd made a quotation of Rs 36.05 crore.

However, the contract was awarded to Ram Sutar's firm after it matched the quotation of the other bidder and the work order has been issued to Sutar's firm for ₹ 20.95 crore.

"As per the tender condition, even as Sutar's bid was more than the other firm, later during negotiations the firm agreed to match with the L1's costing and hence it has been awarded to the firm," a PWD official said, confirming that the work order has been given to Ram Sutar Arts Creations and the statue will have to be completed within six months. When contacted, Anil Sutar confirmed the work order has been issued to his firm and that the statue would be 60-foot tall and made of bronze metal with 8-mm thick cladding.

According to officials, the statue will be 60-foot high from toe to head and will have a strong pedestal of 3-metre high made of concrete. The tender document says that the statue will have 100 years' guarantee and the contractor will have to carry out maintenance and repair of the statue for the next 10 years after its construction.

An official said that initially, a

3-foot fibre model will be created and once approved by the Arts Directorate, it will be taken up for actual construction. "The project will be executed under the guidance of IIT-Bombay and experienced agencies will be given the task of building the statue. Several experts would also be roped in to ensure that the statue is strong," an official said.

The firm Ram Sutar Art Creations Pvt Ltd is headed by directors sculptor Ram V Sutar (Padmashree) and his son Anil R Sutar, a professional architect and sculptor. Besides making the world's tallest statue, 'Statue of Unity' (182-metres), Sutar's bust of Mahatma Gandhi has been highly appreciated and has been selected for installation in more than 450 cities all over the world.

The Sindhudurg police had registered an FIR against the sculptor and structural consultant under sections of the BNS related to attempt to commit culpable homicide, act endangering the life or personal safety of others, attempt to murder as well as cheating. The FIR against Jaideep Apte (sculptor) the proprietor M/s Artistry and Dr Chetan S Patil, structural consultant of the statue, was based on a complaint filed by Ajit Patil, assistant engineer of PWD.

1. Award of Contract for New Statue / नई प्रतिमा के लिए ठेका प्रदान:

1. Renowned sculptor **Ram Sutar** and his firm **Ram Sutar Art Creations Pvt Ltd** have been awarded the contract to build a **60-foot tall bronze statue** of Chhatrapati Shivaji Maharaj at Rajkot Fort, Maharashtra.

प्रसिद्ध मूर्तिकार **राम सुतार** और उनकी कंपनी **राम सुतार आर्ट क्रिएशंस प्राइवेट लिमिटेड** को महाराष्ट्र के राजकोट किले पर छत्रपति शिवाजी महाराज की **60 फीट** उंची कांस्य प्रतिमा बनाने का ठेका दिया गया है।

2. The statue will have **8-mm thick cladding** and will be completed within **six months** under the guidance of **IIT-Bombay**.

प्रतिमा की मोटाई **8 मिमी** होगी और इसे **छह महीने** के भीतर **आईआईटी-बॉम्बे** के मार्गदर्शन में पूरा किया जाएगा।

2. Context and Reason for New Statue / नई प्रतिमा के लिए संदर्भ और कारण:

2. The **35-foot statue** of Chhatrapati Shivaji Maharaj, installed in **December 2023**, had collapsed within seven months, triggering political controversy.
35 फीट ऊंची प्रतिमा, जिसे **दिसंबर 2023** में स्थापित किया गया था, सात महीने के भीतर गिर गई, जिससे राजनीतिक विवाद हुआ।
3. The Maharashtra Public Works Department (PWD) floated a tender for a **new 60-foot statue** with an estimated cost of **₹20 crore**.
महाराष्ट्र लोक निर्माण विभाग (PWD) ने **60 फीट ऊंची नई प्रतिमा** के लिए **₹20 करोड़** की अनुमानित लागत के साथ निविदा जारी की।

3. Selection Process and Cost / चयन प्रक्रिया और लागत:

3. Two firms, Garnet Interiors and Ram Sutar Art Creations Pvt Ltd, submitted bids of ₹20.9 crore and ₹36.05 crore, respectively.
दो कंपनियों, गार्नेट इंटीरियर्स और राम सुतार आर्ट क्रिएशंस प्राइवेट लिमिटेड, ने क्रमशः ₹20.9 करोड़ और ₹36.05 करोड़ की बोली लगाई।
4. After negotiations, the contract was awarded to Ram Sutar's firm for ₹20.95 crore, matching the lower bid.
बातचीत के बाद, अनुबंध राम सुतार की कंपनी को ₹20.95 करोड़ में दिया गया।

4. Specifications and Warranty / विशेषताएँ और गारंटी:

4. The statue will be made of **bronze metal**, with a **3-meter high pedestal** of reinforced concrete.
प्रतिमा को **कांस्य धातु** से बनाया जाएगा, जिसमें **3 मीटर उंचा मंच** होगा।
5. The contractor will provide a **100-year guarantee** for the statue, including **maintenance for the first 10 years**.
ठेकेदार प्रतिमा के लिए **100 साल की गारंटी** देगा, जिसमें **पहले 10 वर्षों के लिए रखरखाव** शामिल है।

5. Legal Issues Surrounding the Collapse / गिरने से जुड़े कानूनी मुद्दे:

5. FIRs have been registered against the previous sculptor **Jaideep Apte** and structural consultant **Dr. Chetan S. Patil** under sections of the **Bharatiya Nyaya Sanhita (BNS)** for negligence.

पिछले मूर्तिकार **जयदीप आप्टे** और संरचनात्मक सलाहकार **डॉ. चेतन एस. पाटिल** के खिलाफे **भारतीय न्याय संहिता (BNS)** की धाराओं के तहत लापरवाही के लिए FIR दर्ज की गई है।

- **About Ram Sutar / राम सुतार के बारे में:** Ram Sutar is a **Padma Shri awardee** known for his iconic **Statue of Unity** (182 meters tall) and over **450 other sculptures** installed worldwide.

राम सुतार एक पद्मश्री पुरस्कार विजेता हैं, जो अपनी स्टैच्यू ऑफ यूनिटी (182 मीटर ऊंची) और दुनिया भर में स्थापित 450 से अधिक मूर्तियों के लिए प्रसिद्ध हैं।

- His works include the **world's tallest statue** and other notable pieces such as **Mahatma Gandhi's statues**.

उनके कार्यों में दुनिया की सबसे ऊंची प्रतिमा और महात्मा गांधी की मूर्तियाँ शामिल हैं।

- **Historical and Political Context / ऐतिहासिक और राजनीतिक संदर्भ**

- The new statue represents Maharashtra's efforts to honor **Chhatrapati Shivaji Maharaj**, a Maratha king known for his **valor, governance, and resistance against Mughal rule.**

यह नई प्रतिमा महाराष्ट्र के छत्रपति शिवाजी महाराज की वीरता, शासन और मुगल शासन के खिलाफ प्रतिरोध को सम्मानित करने के प्रयासों का प्रतीक है।

- The collapse of the previous statue led to criticism of the **state government's oversight** and calls for stricter quality controls.

पिछली प्रतिमा के गिरने से राज्य सरकार की लापरवाही की आलोचना हुई और सख्त गुणवत्ता नियंत्रण की मांग उठी।

Switzerland suspends MFN status to India in tax avoidance agreement

RAVI DUTTA MISHRA & ANCHAL MAGAZINE
NEW DELHI, DECEMBER 13

IN WHAT could potentially impact Swiss investments in India and higher taxes on Indian companies operating in Switzerland starting January 1, 2025, Bern has suspended the Most-Favoured-Nation (MFN) clause in the Double Taxation Avoidance Agreement (DTAA) that India and Switzerland entered originally in 1994 and amended in 2010, a statement released by the Swiss government dated December 11 showed.

This decision follows a ruling by the Indian Supreme Court last year, which determined that the DTAA cannot be enforced unless it is notified under the Income Tax Act. As a result, Swiss companies such as Nestlé face higher taxes on dividends. The Supreme Court ruling effectively overturned a Delhi High Court order that had ensured companies and individuals were not subject to double taxation while working in or for foreign entities.

Tax experts said that the move by the Swiss could “impact investments” in India as dividends would be subject to “higher withholding tax”. Notably, India and four-nation European Free Trade Association (EFTA), an intergovernmental grouping of Iceland, Liechtenstein, Norway and Switzerland signed a free trade agreement where the EFTA countries committed investment worth \$100 billion investment in India over a 15-year.

However, the Swiss embassy said that there is no direct impact on the EFTA-India TEPA.

“In particular this week’s decision does not negatively affect in-



The Swiss authorities said that the suspension was enforced due to a lack of “reciprocity” in the DTAA. *File*

vestment from Switzerland to India. The question of the interpretation by Switzerland and India of the most-favoured-nation clause concerns the residual tax rate applicable to dividends based on the double taxation agreement paid by a company of one contracting state to a resident of the other contracting state. However, the change in this residual rate has no impact on the validity of the double taxation agreement as such, or on any other treaties under international law concluded between Switzerland (independently or under the EFTA framework) and India,” the embassy said in response to a query.

The Swiss authorities said that the suspension was enforced due to a lack of “reciprocity” in the DTAA by the Indian government. They added that for dividends due on or after January 1, 2025, the residual tax rate in the source state would be limited to 10 per cent.

“Based on the Indian Supreme Court ruling, the Swiss competent authority acknowledges that its interpretation of paragraph 5 of the Protocol to the IN-CH DTA is not shared by the Indian side. In the absence of reciprocity, it therefore waives its unilateral ap-

EXPLAINED
E Likely impact of the move

THE MOVE by the Swiss authorities, according to tax experts, could “impact investments” in India as dividends would be subject to “higher withholding tax”. Nearly 140 Indian companies have invested in an estimated 180 entities in Switzerland and are mostly active in the sectors of technology (32 per cent) and life sciences (21 per cent).

plication with effect from January 1, 2025. Accordingly, income accruing on or after this date may be taxed in the source state at the rates provided in the DTA IN-CH, regardless of paragraph 5 of the Protocol,” the Swiss government statement said.

Amit Maheshwari, Tax Partner, AKM Global said that Switzerland has announced this in direct response to the Nestlé ruling pronounced by the Indian apex court in 2023 where the court held that MFN application is not automatic and it requires a separate notification from India to grant lower tax rates under the MFN clause.

He said that Switzerland is of the view that it is not receiving the same treatment that India grants to other countries with more favourable tax treaties and the main reason behind this is reciprocity, which ensures that taxpayers in both countries are treated equally and fairly.

Switzerland’s investment flows in India amounted to \$9.95 billion between 2000 and 2023 according to the Ministry of Commerce and Industry and the International Monetary Fund (IMF) says that Swiss investments stocks in India amounted to \$35 billion in 2021.

Over 330 Swiss companies including Nestlé, ABB, Novartis, Roche UBS and Credit Suisse have invested in India, with a presence in various sectors such as machinery, electrical and metal (MEM), pharmaceutical, finance, construction, sustainable technologies and cleantech industry, as well as Information and Communications Technology services.

Moreover, nearly 140 Indian companies, including TCS, Infosys, HCL Tech, Wipro, Dr Reddy’s Labs and Eureka Forbes, have investments in an estimated 180 entities in Switzerland. These companies are mostly active in the sectors of technology (32 per cent) and life sciences (21 per cent). According to the IMF, Switzerland is the 8th largest recipient of Indian FDIs stocks, amounting to \$3.7 billion.

“This seems to have been disregarded after the said ruling since Swiss authorities announced in August 2021 that based on the most favoured nation clause between Switzerland and India, the tax rate on dividends from qualifying shareholders would be reduced from 10 per cent to 5 per cent, effective retroactively from July 5, 2018. However, the subsequent ruling in 2023 contradicted the same. The fallout of this is that more countries may follow Switzerland after this,” Maheshwari said.

He said that this could impact Swiss investments in India as div-

idends would be subject to higher withholding now and income accruing on or after January 1, 2025, may be taxed at the rates provided for in the original double taxation treaty between Switzerland and India, regardless of the most favoured nation clause.



Sandeep Jhunjhunwala, M&A Tax Partner at Nangia Andersen, said Switzerland’s decision to suspend the unilateral application of the MFN clause under its tax treaty with India marks a significant shift in bilateral treaty dynamics. He said that the move, grounded in the Indian Supreme Court’s Nestlé ruling rejecting the automatic applicability of the MFN clause, highlights the growing emphasis on reciprocity and mutual agreement in interpreting treaty provisions.

“Effective 1 January 2025, the beginning of the tax year in Switzerland, this suspension may lead to increased tax liabilities for Indian entities operating in Switzerland, highlighting the complexities of navigating international tax treaties in an evolving global landscape. Beyond its immediate fiscal impact, this development reflects broader trends in international taxation, with countries like India increasingly asserting stricter interpretations of treaty provisions to protect domestic tax revenues.

It further underscores the necessity of aligning treaty partners on the interpretation and application of tax treaty clauses to ensure predictability, equity, and stability in the international tax framework,” Jhunjhunwala added.

A query emailed to Commerce and Industry Ministry and Finance Ministry was unanswered at the time of publishing.

- **Switzerland Suspends MFN Clause with India / स्विट्जरलैंड ने भारत के साथ MFN क्लॉज निलंबित किया:** Effective January 1, 2025, Switzerland has suspended the **Most-Favoured Nation (MFN)** clause in the **Double Taxation Avoidance Agreement (DTAA)** with India.
1 जनवरी 2025 से प्रभावी, स्विट्जरलैंड ने भारत के साथ डबल टैक्सेशन अवॉयडेंस एग्रीमेंट (DTAA) में सर्वाधिक अनुकूल राष्ट्र (MFN) खंड को निलंबित कर दिया है।
- The decision stems from Switzerland's claim of **lack of reciprocity** in the agreement. यह निर्णय स्विट्जरलैंड द्वारा समझौते में **पारस्परिकता की कमी** के दावे के कारण लिया गया है।

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- **Impact on Indian Companies / भारतीय कंपनियों पर प्रभाव:** Indian companies receiving **dividends from Swiss investments** will now face **higher withholding taxes**.
स्विट्जरलैंड से लाभांश प्राप्त करने वाली भारतीय कंपनियों को अब **अधिक कर कटौती** का सामना करना पड़ेगा।
 - Nearly **140 Indian companies** operating in Switzerland, especially in sectors like **technology (32%), life sciences (21%), and finance**, will be affected.
स्विट्जरलैंड में कार्यरत लगभग **140 भारतीय कंपनियां**, विशेष रूप से **प्रौद्योगिकी (32%), जीवन विज्ञान (21%), और वित्त** जैसे क्षेत्रों में, प्रभावित होंगी।
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- **Reason for Suspension / निलंबन का कारण:**
- Switzerland cited the **Indian Supreme Court ruling** in the **Nestle case**, which determined that the DTAA could not override India's **Income Tax Act**, leading to higher tax liabilities on dividends.
स्विट्जरलैंड ने नेस्ले मामले में भारतीय सुप्रीम कोर्ट के फैसले का हवाला दिया, जिसमें DTAA को भारत के आयकर अधिनियम से ऊपर नहीं माना गया, जिससे लाभांश पर अधिक कर देयता हो गई।
- Swiss authorities noted that **India's DTAA interpretation** does not align with their expectations of mutual benefits under the agreement.
स्विस अधिकारियों ने कहा कि DTAA की भारत की व्याख्या समझौते के अंतर्गत आपसी लाभ की उनकी अपेक्षाओं के अनुरूप नहीं है।

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- **Economic Impact / आर्थिक प्रभाव:** Swiss investment stocks in India totaled **\$35 billion in 2021**, while **FDI inflows from Switzerland to India stood at \$9.95 billion** between 2000 and 2022.
भारत में स्विस् निवेश स्टॉक **2021 में \$35 बिलियन** था, जबकि **2000 और 2022** के बीच स्विट्जरलैंड से भारत में FDI प्रवाह **\$9.95 बिलियन** था।
 - Swiss companies like **Nestle, ABB, Novartis, and Credit Suisse** are major investors in **machinery, pharmaceuticals, and finance**.
नेस्ले, एबीबी, नोवार्टिस, और क्रेडिट सुइस जैसी स्विस् कंपनियां मशीनरी, फार्मास्यूटिकल्स, और वित्त में प्रमुख निवेशक हैं।
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- **What the Suspension Means / निलंबन का अर्थ:** The MFN clause ensured that Indian companies were treated at par with Switzerland's most-favored trading partners under the **European Free Trade Association (EFTA)**. MFN क्लॉज ने सुनिश्चित किया कि भारतीय कंपनियों को स्विट्जरलैंड के **यूरोपीय मुक्त व्यापार संघ (EFTA)** के सबसे अनुकूल व्यापार भागीदारों के **समान待遇** मिले।
- Suspension of the clause will result in **higher tax liabilities** for Indian companies, affecting their cost of doing business in Switzerland. इस क्लॉज के निलंबन से भारतीय कंपनियों पर **अधिक कर देयता** होगी, जिससे स्विट्जरलैंड में उनके व्यापार की लागत प्रभावित होगी।


6. Government's Response / सरकार की प्रतिक्रिया:

6. The Ministry of Finance is expected to engage in **bilateral discussions** to resolve the issue and reinstate favorable terms.

वित्त मंत्रालय के **द्विपक्षीय चर्चा** के माध्यम से इस मुद्दे को हल करने और अनुकूल शर्तों को बेहाल करने की उम्मीद है।


7. Tax experts believe this move could set a precedent for other countries to reconsider their tax agreements with India.

कर विशेषज्ञों का मानना है कि यह कदम अन्य देशों को भारत के साथ अपने कर समझौतों पर पुनर्विचार करने के लिए प्रेरित कर सकता है।



- 
- **Conclusion / निष्कर्ष:** The suspension highlights the need for **India to renegotiate tax treaties** to ensure reciprocal benefits and maintain investor confidence.

यह निलंबन पारस्परिक लाभ सुनिश्चित करने और निवेशकों का विश्वास बनाए रखने के लिए भारत को कर संधियों पर पुनर्विचार करने की आवश्यकता को दर्शाता है।

- 
- Resolving the issue is crucial for retaining Switzerland as a key economic partner.


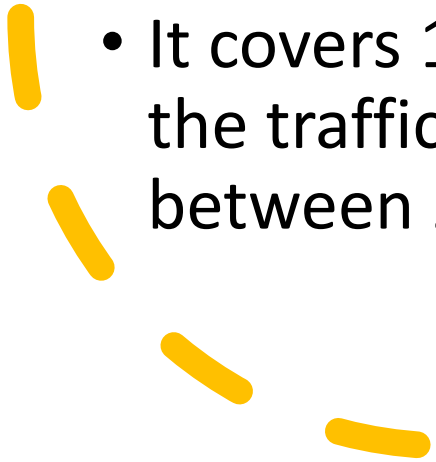


स्विट्जरलैंड को एक प्रमुख आर्थिक भागीदार बनाए रखने के लिए इस मुद्दे को सुलझाना महत्वपूर्ण है।





Global Report on Trafficking in Persons 2024

- 
- The United Nations Office on Drugs and Crime has released its Global Report on Trafficking in Persons 2024.
 - **About**
 - This is the eighth edition of the UN Report. First report was published in 2009.
 - It covers 156 countries and provides an overview of the response to the trafficking in persons by analysing trafficking cases detected between 2019 and 2023.
- 

- A 25% rise in the global detection of victims was recorded in 2022 compared to 2019.



- **Child Victims:** In 2022, global detections increased 31% compared to the pre-pandemic levels in 2019, with a sharper increase of 38% specifically among girls.



-
- **Majority of Victims:** In 2022, 61% of trafficking victims detected worldwide were female.
 - Adults continue to be the most detected age group, and adult females make up 39% of all detected victims.
 - At the same time, girls make up a significant 22% of the total detected victims.
 -

-
- **Organised Crime Groups:** 74% of the traffickers operated as groups and networks loosely connected in a business-type criminal relation or as structured criminal organizations.
 - Non-organized criminals account for about 26% of traffickers convicted.
 - **Trafficking routes:** Victims are trafficked globally through an increasing number of international routes, with African victims trafficked to the highest number of destinations.

Map.1 Main detected transregional flows, 2022 (or most recent)





- **UN Office on Drugs and Crime (UNODC)**

- It is a global leader in the fight against illicit drugs and international crime, in addition to being responsible for implementing the United Nations lead programme on terrorism.

- Established in **1997** and **headquartered in Vienna**.

- UNODC relies on **voluntary contributions**, mainly from governments, to carry out the majority of our work.



- **Human Trafficking in India**

- India recorded 10,659 cases of human trafficking between 2018 and 2022.
- Maharashtra registered the highest number of cases in the past five years, followed by Telangana and Andhra Pradesh.
- States like West Bengal and Assam are considered source States while Maharashtra and Karnataka are destination States.

Protection of Children from Sexual offences (POCSO) Act, 2012, is a special law to protect children from sexual abuse and exploitation.

2012

2023

Section 143 to 146 of the Bharatiya Nyaya Sanhita (BNS), 2023 provides penal provisions for various forms of trafficking in persons, habitual dealing in slaves and unlawful compulsory labour.

Disease X

Covid-19

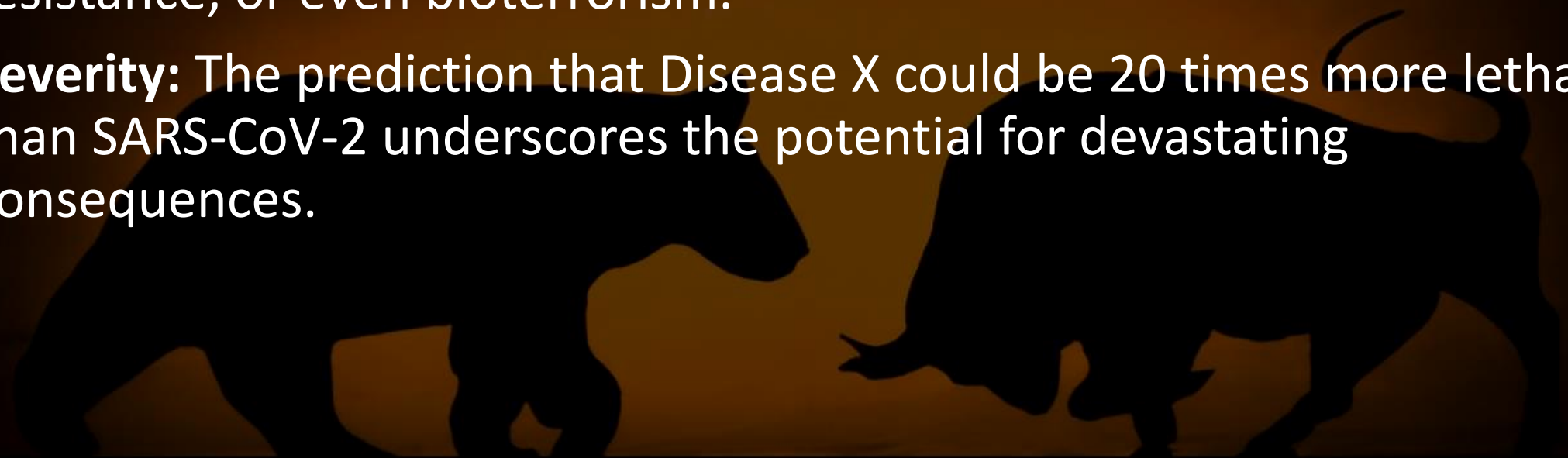


The recent outbreak reported in the Democratic Republic of Congo, which remains unclassified, has raised concerns that it could be an instance of **Disease X**.

What is Disease X?

Unknown Threat: Disease X represents the very real possibility of a future pandemic caused by a pathogen that is currently unknown to science. It's a placeholder name for a potential global health emergency.

- **Potential Origins:** It could emerge from various sources, including zoonotic spillover (animal-to-human transmission), antimicrobial resistance, or even bioterrorism.
- **Severity:** The prediction that Disease X could be 20 times more lethal than SARS-CoV-2 underscores the potential for devastating consequences.



Global and National Initiatives

WHO Priority Pathogens List: The inclusion of Disease X on this list highlights the need for proactive research and development of medical countermeasures.

Global Initiatives: The WHO Pandemic Treaty, Pandemic Fund, mRNA technology hubs, and other initiatives aim to strengthen global cooperation and preparedness.

Indian Initiatives: India has programs like the IDSP, National Institute of Virology, and biotech initiatives focused on disease surveillance, research, and vaccine development.

A motocross rider is shown in action, descending a sand dune. The rider is wearing a white and blue racing suit with "REALIFE" and "RACER" visible on the chest, and a helmet with "THOR" branding. The motorcycle is red and white. A large, billowing cloud of sand is kicked up behind the rider, partially obscuring the background. The sky is a clear, pale blue. The overall scene is dynamic and captures the intensity of desert riding.

Desert Knight Exercise


-
- India, France, and the UAE have launched “Desert Knight, defence exercise.
 - **About Desert Knight Exercise**
 - **Nations Involved:** India, France, and the United Arab Emirates (UAE).
 - **Location:** Conducted over the Arabian Sea, approximately 350-400 km southwest of Karachi.
 - **Objective:** Strengthen trilateral defence cooperation.
 - Enhance combat skills and interoperability among the air forces of the three nations.

Significance

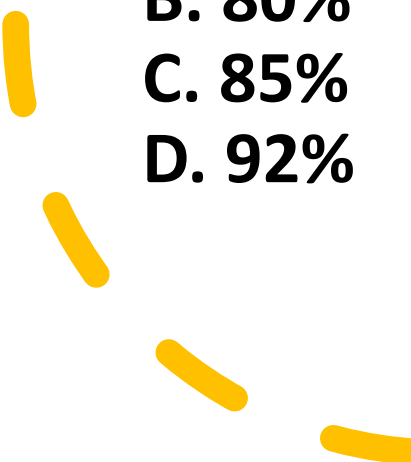
Desert Knight aligns with India's broader Indo-Pacific strategy, which emphasizes cooperation with like-minded nations to ensure a free, open, and inclusive Indo-Pacific region.

Countering China's Influence

Top 10 MCQ from
today's session

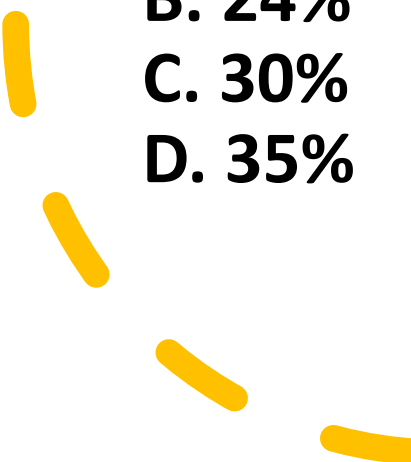



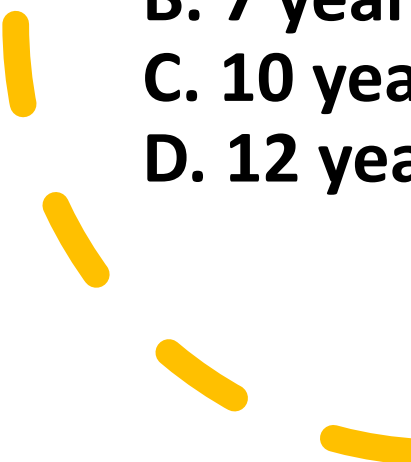
- According to the Global Drowning Statistics 2021, what percentage of drowning deaths occurred in low and middle-income countries?
वैश्विक डूबने के आँकड़े 2021 के अनुसार, डूबने से होने वाली कितने प्रतिशत मौतें निम्न और मध्यम आय वाले देशों में हुईं?

- **A. 75%**
 - B. 80%**
 - C. 85%**
 - D. 92%**
- 

- 
- What percentage of child drowning deaths occurred among children aged under 5 in 2021?

2021 में 5 साल से कम उम्र के बच्चों में डूबने से कितने प्रतिशत मौतें हुईं?

- **A. 20%**
 - B. 24%**
 - C. 30%**
 - D. 35%**
- 

- 
- What is the maximum penalty under Section 69 of the Bharatiya Nyaya Sanhita for making false promises of marriage?
भारतीय न्याय संहिता की धारा 69 के तहत शादी के झूठे वादे करने के लिए अधिकतम सजा क्या है?
 - **A. 5 years imprisonment or fine / 5 साल की कैद या जुर्माना**
 - **B. 7 years imprisonment or fine / 7 साल की कैद या जुर्माना**
 - **C. 10 years imprisonment or fine / 10 साल की कैद या जुर्माना**
 - **D. 12 years imprisonment or fine / 12 साल की कैद या जुर्माना**
- 

Which sculptor was awarded the contract to build the 60-foot bronze statue of Chhatrapati Shivaji Maharaj?

60 फीट ऊंची छत्रपति शिवाजी महाराज की कांस्य प्रतिमा बनाने का ठेका किस मूर्तिकार को दिया गया?

- A. Anish Kapoor / अनीश कपूर
- B. Ram Sutar / राम सुतार
- C. Subodh Gupta / सुबोध गुप्ता
- D. Jaideep Apte / जयदीप आप्टे

-
- Switzerland suspended the Most-Favoured Nation (MFN) clause with India effective from which date?

स्विटजरलैंड ने भारत के साथ सर्वाधिक अनुकूल राष्ट्र (MFN) खंड को किस तारीख से प्रभावी रूप से निलंबित कर दिया?

- **A. January 1, 2024 / 1 जनवरी 2024**
- **B. January 1, 2025 / 1 जनवरी 2025**
- **C. March 1, 2024 / 1 मार्च 2024**
- **D. March 1, 2025 / 1 मार्च 2025**

What is the estimated cost of the new 60-feet statue of Chhatrapati Shivaji Maharaj?

छत्रपति शिवाजी महाराज की नई 60 फीट ऊंची प्रतिमा की अनुमानित लागत कितनी है?

- A. ₹15 crore
- B. ₹18 crore
- C. ₹20 crore
- D. ₹22 crore

The Global Report on Trafficking in Persons 2024 noted that what percentage of victims detected in 2022 were female?

व्यक्तियों की तस्करी पर वैश्विक रिपोर्ट 2024 में कहा गया कि 2022 में कितने प्रतिशत पीड़ित महिलाएं थीं?

-
- A. 50%**
 - B. 55%**
 - C. 61%**
 - D. 65%**

- Which exercise involving India, France, and the UAE aims to enhance trilateral defense cooperation?

भारत, फ्रांस और यूएई की कौन सी सैन्य अभ्यास त्रिपक्षीय रक्षा सहयोग को मजबूत करने का लक्ष्य रखती है?

- **A. Desert Knight / डेजर्ट नाइट**
- B. Blue Flag / ब्लू फ्लैग**
- C. Shakti / शक्ति**
- D. Varuna / वरुणा**

- According to the Global Report on Trafficking in Persons 2024, which continent's victims are trafficked to the highest number of destinations globally?

व्यक्तियों की तस्करी पर वैश्विक रिपोर्ट 2024 के अनुसार, किस महाद्वीप के पीड़ितों को वैश्विक स्तर पर सबसे अधिक स्थानों पर तस्करी किया जाता है?

- **A. Africa / अफ्रीका**
- B. Asia / एशिया**
- C. Europe / यूरोप**
- D. South America / दक्षिण अमेरिका**

-
- . Disease X, a potential future pandemic, could be how many times more lethal than SARS-CoV-2?

डिजीज एक्स, एक संभावित भविष्य महामारी, SARS-CoV-2 की तुलना में कितनी गुना अधिक घातक हो सकती है?

- **A. 10 times / 10 गुना**
- **B. 15 times / 15 गुना**
- **C. 20 times / 20 गुना**
- **D. 25 times / 25 गुना**

Fun Fact

Myth: The more you sweat, the more calories you burn.

- **Burst:** Sweat is your body's way of cooling down, not a direct indicator of calorie burn. You can burn calories without sweating and sweat without burning many calories.

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Thank you
guys.
