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DAILY CURRENT AFFAIRS

The Hindu & The Indian express

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What constitutes as contempt of court in India?

How does the Constitution define courts of record? What are the two types of contempt?

C. B. P. Srivastava

The recent controversy over the alleged contemptuous and derogatory remarks against the Chief Justice of India and the Supreme Court has not only raised eyebrows, but can also be considered an act of diminishing the 'authority' of India's top court. Moreover, such remarks being spread through media and social media may also be seen as an act of interfering and obstructing the administration of justice, thereby directly damaging the edifice of constitutional morality. This has been the basis for the demand to initiate contempt proceedings.

Understanding contempt

The phrase 'contempt of court' is used in Article 19(2) as one of the grounds for imposing reasonable restriction on fundamental freedoms yet the Constitution does not give guidelines on

how to initiate such proceedings. In India, the Supreme Court and High Court have been designated as courts of record under Article 129 and 215 respectively. A court of record is one whose decisions are kept in reserve for future references and inherently it also has the power to punish for its contempt. This implicit constitutional provision is explained in the Contempt of Court Act, 1971.

The Act classifies contempt into civil and criminal. Section 2(b) of the Act defines civil contempt as wilful disobedience to any judgment, decree, direction, order, writ or other process of a court or wilful breach of an undertaking given to a court. On the other hand, criminal contempt is defined in Section 2(c) of the Act, as the publication (whether by words spoken or written or by signs or by visible representations or otherwise) of any matter or the doing of any act which – (i) scandalises or lowers the authority of any court; or (ii)

prejudices or interferes or tends to interfere with, the due course of any judicial proceeding; or (iii) interferes or tends to interfere with the administration of justice in any other manner. This makes it clear that contempt is different from mere disrespect. It is beyond just covering disobedience and disruption in the working of the justice system. The Act further states that the High Court or Supreme Court may initiate contempt proceedings *suo moto*. It may also be initiated by a third party provided the petition has consent from the Attorney General or Advocate General for the Supreme Court and High Court respectively.

The mode of criticism

It is now a settled principle that fair criticism of a decided case is not contempt, but criticism that transgresses the limits of fair commentary may be considered contemptuous as held in

^① *Ashwini Kumar Ghosh versus Arabinda Bose* (1952). Further, in *Anil Ratan Sarkar versus Hiral Ghosh* (2002), it was held that the power to punish for contempt must be exercised with caution and shall only be exercised when there is a clear violation of an order. One of the landmark cases is of *M. V. Jayarajan versus High Court of Kerala* (2015) in which the top court upheld a contempt finding against an individual for using abusive language in a public speech while criticising a High Court order, establishing that such actions could be considered criminal contempt for undermining the judiciary's authority and disrupting the administration of justice. The top Court recently in ^② *Shanmugam @ Lakshminarayanan vs. High Court of Madras* (2025) has held that the very purpose to punish for contempt is to ensure administration of justice.

Criticising the Courts' action democratically is not wrong; however, one needs to consider that the judiciary is playing a crucial role by contributing to setting the priorities for the state so that the sanctity of administration of justice is maintained. Both the state and the citizens need to understand that any kind of misrepresentation would not only amount to contempt, it would also be detrimental to democratic principles, affecting the delivery of substantive justice (elimination of injustices).

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Consider the following statements :

1. Pursuant to the report of H.N. Sanyal Committee, the Contempt of Courts Act, 1971 was passed.
2. The Constitution of India empowers the Supreme Court and the High Courts to punish for contempt of themselves.
3. The Constitution of India defines Civil Contempt and Criminal Contempt.
4. In India, the Parliament is vested with the powers to make laws on Contempt of Court.

Which of the statements given above is/are correct ?

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

2022

Key Constitutional Provisions:

- **Article 19(2):** Freedom of speech and expression may be restricted on grounds including contempt of court.
- **Article 129:** The Supreme Court of India is a "Court of Record", with power to punish for contempt.
- **Article 215:** Each High Court of a State is a "Court of Record", with similar powers of contempt.

Contempt of Courts Act, 1971 – Key Provisions:

1. **Section 2(b) – Civil Contempt:** Wilful disobedience to any judgment, decree, direction, order, writ, or other process of a court, or breach of an undertaking given to a court.
2. **Section 2(c) – Criminal Contempt:** Publication (written/oral/visible) that – (i) Scandalises or lowers the authority of any court, or (ii) Prejudices or interferes (or tends to interfere) with the due course of any judicial proceeding, or (iii) Interferes with or obstructs the administration of justice in any manner.

Initiation of Contempt Proceedings:

- Can be initiated suo motu by the Supreme Court or High Court.
- May also be initiated by a third party with prior consent of the Attorney General (AG) or Advocate General (for High Court cases).

Major Supreme Court Judgments Mentioned:

1. **Ashwini Kumar Ghosh vs. Arabinda Bose (1952):** Held that contempt jurisdiction should be exercised with caution and only in cases of clear violation.
2. **Anil Ratan Sarkar vs. Hirak Ghosh (2002):** Reiterated that contempt powers must be used sparingly.
3. **M.V. Jayarajan vs. High Court of Kerala (2015):** Using abusive language against a High Court amounted to criminal contempt for undermining judicial authority and disrupting administration of justice.

4. Shanmugam @ Lakshminarayanan vs. High Court of Madras (2025): Reaffirmed that the purpose of contempt is to ensure administration of justice, not to stifle criticism.

Takeaway:

- Fair criticism of the judiciary is permissible.
- Contempt arises only when such criticism obstructs justice or undermines judicial authority.
- Balance between freedom of speech (Article 19) and judicial independence is crucial for constitutional morality.



Historic win: New York City Mayor-elect Zohran Mamdani with his wife and parents after his speech in Brooklyn. GETTY IMAGES

New York gets its first Mayor-elect of South Asian origin

Anisha Dutta
NEW YORK

Zohran Mamdani on Tuesday made history by becoming New York City's first Muslim and South Asian-origin Mayor-elect, and its youngest since 1917, topping off a stunning grassroots campaign led by the message of affordability and upending a political class dominated by wealthy donors.

In his victory speech before a jubilant crowd in Brooklyn, the 34-year-old declared: "We have toppled a political dynasty... tonight, New York has

delivers exactly that," Mr. Mamdani said. "Years from now, may our only regret be that this day took so long to come."

More than two million New Yorkers voted, the highest turnout for a mayoral contest in more than 50 years, according to the New York Board of Elections.

Mr. Mamdani won 50.4% of the votes, while Mr. Cuomo, running as independent, won 41.6%. Mr. Sliwa won 7.1%.

Message to Trump

During his speech, Mr. Mamdani addressed U.S.

New York gets its first Mayor-elect of South Asian origin

Source: The Hindu, Page 1 Category: Personalities in News

Why in News:

Source: The Hindu, Page 1 Category: Personalities in News

Zorhan Mamdani made history by becoming New York City's first Muslim and South Asian-origin Mayor-elect, and its youngest since 1917.



Centre's governance guidelines for AI call for trust and safety

Aroon Deep
NEW DELHI

Advocating a hands-off approach to the regulation of artificial intelligence, the Ministry of Electronics and Information Technology on Wednesday released the India AI Governance Guidelines.

The document is a significantly changed revision of a framework put out for consultation in January.

The report was drafted by a panel formed in July and headed by Balaraman Ravindran, the head of the Department of Data Science and Artificial Intelligence at the Indian Institute of Technology, Madras. The broader group that worked on the pre-

vious framework was headed by Principal Scientific Adviser Ajay K. Sood.

The guidelines will “be a cornerstone in developing AI for India, and can be a role model for AI governance globally”, Abhishek Singh, Additional Secretary at the Ministry, said.

✖ The report emphasises seven principles for AI: trust; people-centricity; “responsible innovation”; equity; accountability; understandability of LLMs; and “safety, resilience and sustainability.” Mr. Ravindran stressed that the governance guidelines seek to signal India’s largely hands-off approach to AI.

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Centre's governance guidelines for AI call for trust and safety

Source: The Hindu, Page 1 Category: Science & Technology / Governance (GS Paper 2 & 3)

Why in News:

The Ministry of Electronics and Information Technology (MeitY) released the India AI Governance Guidelines, outlining a hands-off approach to regulating Artificial Intelligence while ensuring trust and safety.

Key Facts:

- Drafted by a panel formed in July, headed by Balaraman Ravindran, IIT-Madras.
- The guidelines aim to make India a global role model for AI governance.
- Emphasises seven guiding principles for AI:

1. **Trust**
2. **People-centricity**
3. **Responsible innovation**
4. **Equity**
5. **Accountability**
6. **Understandability of LLMs (Large Language Models)**
7. **Safety, resilience, and sustainability.**

FATF releases updated asset recovery framework; India played a key role, says ED

The Hindu Bureau
NEW DELHI

The global inter-governmental Financial Action Task Force (FATF) has released the "Asset Recovery Guidance and Best Practices" guidelines, which provide a comprehensive and updated framework to strengthen the global system for asset recovery against financial crimes.

"The guidance follows up on one of the most significant global reforms to the FATF standards on confiscation and international cooperation in over three decades. It outlines practical measures for policy-makers and practitioners to identify, trace, freeze, manage, confiscate, and return assets derived from criminal activity," the Enforcement Directorate (ED) said on Wednesday.

The ED stated that India played a prominent role in the development of both



The ED said that India played a key role in the development of revised FATF standards.

the revised FATF standards and the guidance document.

"The document contains multiple examples from cases investigated by the ED, which are cited as models of effective asset recovery practice and inter-agency coordination. This recognition reflects the increasing international standing of India and the ED in the global discourse on asset recovery and financial crime enforce-

ment," it said. The new framework expands the definition of asset recovery to cover the entire process from the identification of criminal property to its eventual confiscation and return. "For the first time, the FATF has mandated that countries provide for non-conviction-based confiscation, enabling authorities to recover criminal assets even in the absence of a criminal conviction where prosecution is not possible or practical," the agency said.

The guidance also promotes the adoption of tools such as extended confiscations and unexplained-wealth orders that require individuals to show the lawful origin of their assets when there is reasonable suspicion of criminal linkage. Greater emphasis has been placed on provisional measures to secure assets at an early stage and prevent their dissipation.

Why in News:

Foreign investors have sold ₹1.5 lakh crore worth of Indian stocks as of November 4, 2025, marking the largest FPI sell-off in nearly 20 years. Experts attribute this to tepid corporate earnings, high valuations, and slowing economic momentum, reducing investor confidence in India's equity markets.

Key Economic Concepts Explained

Price-to-Earnings (P/E) Ratio:

- It measures how much investors are willing to pay per rupee of a company's earnings.
- Formula: $P/E \text{ Ratio} = \text{Market Price per Share} \div \text{Earnings per Share (EPS)}$
- In this article: Indian stocks are trading 22 times their earnings, showing they're relatively expensive, which discourages new foreign investments.

Corporate Earnings Growth:

- Refers to the rate at which companies' profits are increasing.
- India's corporate profits have been flat over the last few quarters.
- Experts say for renewed Foreign Portfolio Investment (FPI) inflow, either:
 - Corporate earnings must grow 15-20% annually, or Market valuations must fall.
 - Current profit growth forecast: only 10-11% over the next two years, which is not attractive to foreign investors.



Chinese varsities dominate QS Asia rankings; India slips

The Hindu Bureau
NEW DELHI

China has overtaken India as the most-represented location in the **QS World University Rankings: Asia 2026**, according to the rankings released this week.

While India **added 132 universities and institutes** to the list this year, **taking its tally to a record high of 294**, China added **259 institutions**, bringing its total to **394**.

In the last two editions, India had the highest number of universities and institutes in the rankings, ahead of China. This year, a total of **1,526 universities were ranked**, of which **557 are new entries**.

Among the top 100 Seven Indian institutions feature in the top 100, with the Indian Institute of Technology, **Delhi**, ranked

This year, a total of 1,526 universities have been ranked, of which 557 are new

highest at **59**, followed by the Indian Institute of Science (IISc), and the IITs in Madras, Bombay, Kharagpur, and Kanpur, along with the University of Delhi. China, meanwhile, has 25 universities in the top 100. While India retained the same number of institutes in the top 100 as last year, their rankings declined. The IIT-Delhi slipped from 44 in the 2025 rankings to 59 this year.

Delhi University fell from 81 to 95, the IISc from 62 to 64, and the IIT Madras from 56 to 70.

The **top 10 positions** in the 2026 rankings were dominated by universities from **Hong Kong, Singapore, and China**.

Why in News:

In the **QS Asia University Rankings 2026**, China has overtaken India as the most represented country, marking a decline in India's relative standing in higher education.

Key Points:

- **China: 394 universities (added 259)**
- **India: 294 universities (added 132)**
- **Total ranked: 1,526; new entries: 557**
- **Top Indian institute: IIT Delhi – Rank 59 (down from 44 in 2025)**
- **Other Indian institutes in top 100: IISc, IIT Madras, IIT Bombay, IIT Kharagpur, IIT Kanpur, Delhi University**
- **Top 10 dominated by: Hong Kong, Singapore, and China**