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Centre notifies Kandla, JNPA, Mundra and Paradip as mega ports

The Hindu Bureau

CHENNAI

The Centre has notified Deendayal (Kandla), Jawaharlal Nehru (Nhava Sheva), Paradip and Mundra ports as mega ports under the Indian Ports Act, 2025.

The notification was issued by the Ministry of Ports, Shipping and Waterways on September 25, 2026, and came into force on its publication in the Gazette of India.

Deendayal, Jawaharlal

Nehru and Paradip are major ports. Mundra, operated by Adani Ports and Special Economic Zone, is a port other than a major port. The major ports were notified under Section 73 (2) of the Act and Mundra under Section 73(3).

The notification states that the four ports satisfy the criteria for classification as a mega port.

These criteria were notified on July 30, 2026 in consultation with State governments.

1. Mega Ports and India's Port Infrastructure

Source: The Hindu

GS-3: Infrastructure | Ports & Shipping | Logistics | Blue Economy

Context

The Centre has notified **Deendayal, Jawaharlal Nehru Port (JNPA), Paradip and Mundra** as **Mega Ports** under the **Indian Ports Act, 2025**, recognising ports with exceptionally high cargo-handling capacity and strengthening India's maritime logistics infrastructure.

1. Functional Classification of Ports

1. **Container Ports:** Handle containerised cargo — **JNPA (India), Singapore (international)**.
2. **Bulk Cargo Ports:** Handle coal, iron ore, grain, crude oil etc. — **Paradip (India), Port Hedland (Australia)**.
3. **General Cargo Ports:** Handle machinery, steel, vehicles and packaged cargo — **Mumbai (India), Antwerp-Bruges (Belgium)**.
4. **Transshipment Ports:** Transfer cargo between vessels — **Vizhinjam (India), Singapore (international)**.
5. **Passenger/Cruise Ports:** Primarily handle passenger and cruise vessels — **Cochin (India), Miami (USA)**.

2. Administrative Classification of Ports

Major Ports

- **Definition:** Ports under the **Central Government's administrative control**, with the Major Port Authorities framework governing their administration.
- **India: 14 Major Ports are notified, of which 12 are operational.**
- **12 operational ports:** Syama Prasad Mookerjee, Paradip, Visakhapatnam, Chennai, Kamarajar, V.O. Chidambaranar, Cochin, New Mangalore, Mormugao, Mumbai, JNPA and Deendayal.
- **Two notified but under development: Vadhavan Port and Galathea Bay Port.**

Non-Major Ports

- **Definition:** Ports under the jurisdiction of the **respective State Governments/State Maritime Boards**.
- Around **200 non-major ports** are listed nationally, though only a portion handle significant cargo.

- **Examples:** Mundra, Dhamra, Hazira, Pipavav and Vizhinjam.

3. Mega Ports: Legal Framework and Criteria

1. **Section 73 of the Indian Ports Act, 2025** enables the Central Government to notify criteria for classifying a port as a **Mega Port**.
2. A qualifying **Major Port** can be notified as a Mega Port by the Centre.
3. A qualifying **Non-Major Port** can also receive Mega Port status in consultation with the concerned State Government.
4. The classification is based on **very high cargo throughput**, making it a capacity-based designation.
5. Mega status does **not change the port's existing administrative category**.

4. Four Mega Ports Notified in India

1. **Deendayal Port, Gujarat** — Major + Mega
2. **Jawaharlal Nehru Port (JNPA), Maharashtra** — Major + Mega
3. **Paradip Port, Odisha** — Major + Mega
4. **Mundra Port, Gujarat** — Non-Major + Mega

5. Significance for the Indian Economy

1. **Lower logistics costs:** Large-scale cargo handling creates economies of scale and improves efficiency.
2. **Trade competitiveness:** Faster and more efficient port operations reduce the logistics burden on exports and imports.
3. **Larger vessels:** High-capacity infrastructure enables India to attract larger vessels and international shipping networks.
4. **Port-led industrialisation:** Mega ports support manufacturing, warehousing, logistics parks and coastal industries.
5. **Investment and employment:** Large maritime ecosystems attract investment and generate direct and indirect employment.
6. **Maritime hub potential:** Stronger ports and transshipment facilities can help India retain more cargo and associated economic value domestically.

China, U.S. agree to \$30 bn tariff cut, AI dialogue during Xi's visit

The two leaders agree to set up a trade council and extend outcomes of earlier talks in Kuala Lumpur; they launch dialogue on AI risks and benefits; Beijing says it valued Washington's use of term 'super intelligence' instead of 'artificial intelligence'

Reuters
SHANGHAI

China said on Saturday it had agreed with the U.S. on a \$30 billion reciprocal tariff-reduction arrangement and on launching a dialogue on AI, under an eight-point consensus reached during President Xi Jinping's visit to U.S.

The two sides have also agreed to set up a trade council and extend the outcomes of earlier talks in Kuala Lumpur, the Chinese Foreign Ministry said.

The agreement follows an earlier move by the world's two largest economies to extend by two months a trade truce that



Xi Jinping and wife Peng Liyuan depart following their state visit to the U.S., at Joint Base Andrews, on Friday. REUTERS

had been due to expire on November 10, allowing more time to work on a potentially bigger trade deal, U.S. Treasury Secretary Scott Bessent said.

The three-day summit

between Mr. Xi and President Donald Trump, which ended on Friday, showcased personal diplomacy rather than big public breakthroughs. Mr. Xi has since landed in Beijing,

Chinese state news agency Xinhua reported on Saturday.

"This visit enriched the constructive and stable China-U.S. relationship, upheld the overall stability of bilateral ties, opened a new chapter in China-U.S. relations, and will have a far-reaching impact on world peace and development," Chinese Foreign Minister Wang Yi said.

Dialogue on AI

On artificial intelligence, the two sides agreed to hold a dialogue on the technology's risks and benefits, with the next round of discussions set for November, and to set up a communication channel

for AI-related incidents, the Chinese Foreign Ministry said.

The Ministry also said in a separate statement that Beijing valued Washington's use of the term "super intelligence" in place of "artificial intelligence". As AI technology continues to advance, the two sides should step up exchanges and work toward consensus in line with new developments, it said.

The two sides also agreed to support each other in hosting the Asia-Pacific Economic Cooperation leaders' meeting and the Group of 20 summit, with both leaders planning to attend the gatherings hosted by the other.

2. U.S.–China Relations: Interdependence amid Strategic Rivalry

Source: Reuters

GS-2: International Relations | GS-3: Trade, Technology & Supply Chains

Context

The latest Xi Jinping–Donald Trump meeting produced an **eight-point understanding**, including tariff reductions covering **\$30 billion in goods**, extension of the trade truce, a bilateral trade council and dialogue on Artificial Intelligence (AI). This comes against a relationship marked by deep economic ties but growing strategic competition.

1. Economic Relationship

1. **Bilateral trade:** U.S. goods and services trade with China was **\$494.6 billion in 2025**.
2. **Goods trade:** U.S. exports to China: **\$106 billion**; imports from China: **\$308.7 billion**.
3. **U.S. goods deficit:** **\$202.7 billion** in 2025, down **31.8%** from 2024.

4. **Services:** U.S. recorded a **\$34.4-billion services surplus** with China.
5. **Interdependence:** China remains deeply integrated into U.S. supply chains, while China depends significantly on access to U.S. markets and advanced technologies.

2. Major Friction Points

Trade & Economic Model

- **Tariffs:** Both sides have repeatedly used tariffs as economic leverage.
- **Market access:** Disputes over Chinese subsidies, state-supported industries and barriers to foreign firms.
- **Technology transfer:** U.S. concerns over intellectual property and forced technology transfer.
- **Economic model:** U.S. criticism of China's state-led industrial policies and export-oriented growth.

Technology & AI

- **Semiconductors:** U.S. restrictions limit China's access to advanced chips and chip-making technology.
- **AI:** Competition has expanded to AI and high-performance computing.
- **Dual-use technology:** Civilian technologies increasingly have military applications.
- **China's response:** Beijing is accelerating domestic technological self-reliance.

Taiwan & Indo-Pacific Security

- **Taiwan:** China considers Taiwan a core sovereignty issue; the U.S. maintains unofficial relations and supports Taiwan's defensive capabilities.
- **Military presence:** U.S. alliances and deployments in the Western Pacific are viewed by Beijing as strategic pressure.
- **South China Sea:** Competing maritime claims and U.S. freedom-of-navigation operations remain contentious.
- **Regional order:** The broader contest concerns the future security architecture of the Indo-Pacific.

Critical Minerals

- **Rare earths:** China accounts for roughly **70% of global rare-earth mining and more than 85% of refining**.
- **Strategic importance:** Essential for electronics, electric vehicles, renewable technologies and defence.
- **Leverage:** Chinese export restrictions can affect global high-tech supply chains.
- **U.S. response:** Diversification of sources and development of alternative supply chains.

3. Current Development

1. **\$30-billion tariff reduction:** New reciprocal tariff-reduction arrangement covering \$30 billion in goods.
2. **Trade truce extended:** Both sides have gained additional time for negotiations.
3. **Trade council:** A bilateral mechanism will provide a regular channel for resolving trade issues.
4. **AI dialogue:** Formal talks will address **AI risks, safety and emergency communication**, with another meeting planned in Shenzhen.
5. **Overall direction:** Immediate economic tensions are being managed through dialogue, while the deeper **technology, security and strategic competition** continues.

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Personal law has no immunity from POCSO Act: HC

The Hindu Bureau

NEW DELHI

The Delhi High Court has held that a marriage recognised under Muslim personal law cannot confer immunity from prosecution under the Protection of Children from Sexual Offences (POCSO) Act when the wife is below 18 at the time of sexual intercourse.

Justice Sanjeev Narula, in a judgment delivered on Wednesday, dismissed a petition seeking quashing of a First Information Report registered against a man for rape under the Bharatiya Nyaya Sanhita (BNS) and the POCSO Act, holding that “personal law may determine whether a

conduct that a secular penal statute independently prohibits,” the judge said.

The case concerned a woman who was 16 years and three months old when she married the petitioner, then nearly 28, on December 20, 2024. She became pregnant, and her age came to light when she visited a government hospital during the pregnancy.

The woman consistently told the authorities that she had married voluntarily with the consent of both families and had not been subjected to force or coercion. She also supported the petitioner’s bail plea.

The petitioners argued that under Muslim personal law, a Muslim girl who

3. Personal Law Cannot Override POCSO Protection

Source: The Hindu

GS-2: Judiciary | Child Rights | Personal Laws | Fundamental Rights

Context

The **Delhi High Court**, in *Bilal & Anr. v. State (NCT of Delhi)*, decided on **23 September 2026**, refused to quash proceedings against a man who married a girl aged **16 years and 3 months**. The issue was whether a marriage claimed to be valid under **Muslim personal law** could protect the husband from prosecution under the Protection of Children from Sexual Offences (POCSO) Act, 2012 and the Bharatiya Nyaya Sanhita (BNS), 2023.

1. What Does Muslim Personal Law Say?

1. **Section 2, Muslim Personal Law (Shariat) Application Act, 1937:** For specified matters including **marriage**, Muslims are generally governed by Muslim Personal Law (Shariat).
2. **Classical Muslim law:** Capacity for marriage is traditionally linked to **attainment of puberty**, rather than the statutory age of 18.
3. **Presumption of puberty:** Under the classical rule reflected in *Mulla's Principles of Mohammedan Law*, puberty is generally **presumed at 15 years** in the absence of evidence to the contrary.
4. **Option of puberty (Khiyar-ul-bulugh):** In certain circumstances, a minor married by a guardian other than the father or paternal grandfather has a right to **repudiate the marriage** on attaining puberty, subject to the applicable conditions.
5. **The conflict:** Thus, Muslim personal law may recognise marriageability based on puberty, while **POCSO uses 18 years as the uniform child-protection threshold**.

2. What Was the Legal Conflict?

1. The girl was **below 18**, but the petitioners relied on her having attained puberty and the validity of the marriage under Muslim personal law.
2. **POCSO Section 2(1)(d):** A child means **any person below 18 years**.
3. **POCSO Section 3:** Penetrative sexual assault against a child constitutes an offence, irrespective of the child's consent.
4. **BNS Section 63:** Sexual intercourse with a woman below 18 constitutes rape; the marital exception does **not** protect intercourse with a wife below 18.
5. Therefore, the question was whether **personal-law recognition of marriage could create an exception to these statutory criminal provisions**.

3. What Did the Delhi High Court Hold?

1. **Marriage does not change age:** A 16-year-old remains a child under POCSO even after marriage.
2. **Personal law cannot create criminal immunity:** Personal law may determine the civil validity and consequences of marriage, but cannot create an exception to a criminal statute where Parliament has provided none.
3. **Consent is not a defence:** The girl's consent, family approval and voluntary cohabitation cannot remove the statutory protection of POCSO.
4. **Section 42-A, POCSO:** Where there is inconsistency with another law, POCSO has **overriding effect**.
5. **Result:** The Court refused to quash the FIR; it clarified that this was **not a finding of guilt**, which remains for the trial court.

4. Constitutional Significance

1. **Article 14:** Child-protection law applies equally irrespective of religion or personal-law status.
2. **Article 15(3):** Permits the State to make **special provisions for children**.
3. **Article 21:** Protection of a child's **dignity, bodily integrity and personal liberty** forms part of the constitutional protection of life.
4. **Article 25:** Freedom of religion is subject to **other Fundamental Rights** and does not automatically provide immunity from secular criminal legislation.
5. **Independent Thought (2017):** The Supreme Court had already held that sexual intercourse with a wife **below 18** cannot receive protection from the marital exception under the then-IPC framework.

5. Significance of the Judgment

1. **18 years remains decisive:** POCSO protection depends on the child's **age, not marital status or puberty**.
2. **Clear boundary for personal law:** Personal law cannot independently override a statutory criminal prohibition enacted by Parliament.
3. **Strengthens child protection:** Marriage cannot become a mechanism for removing the protection available to a minor under POCSO.
4. **Separates civil and criminal consequences:** Even assuming a marriage is valid under personal law, its validity does not automatically determine **criminal liability for subsequent sexual conduct**.
5. **Need for authoritative clarity:** The judgment contributes to resolving the difficult interface between **personal law, child marriage and POCSO**, an area that has seen differing judicial approaches and may require definitive Supreme Court clarification.

• THE TOP TWO: 76-DAY ADJOURNMENT IN 1987 AND A 61-DAY STRETCH IN 1989 OVER BOFORS SCANDAL

46 days & counting: Monsoon Session is 3rd-longest *sine die* adjournment in history

Jatin Anand

New Delhi, September 27

AT 46 DAYS and counting, the Eighth Session of the 18th Lok Sabha has acquired the distinction of witnessing the third-longest *sine die* adjournment in history, Parliament records show. While the two longest adjournments came during previous Congress governments, this is the longest that Parliament has been adjourned since the BJP-led NDA government first came to power in 2014.

The Monsoon Session began on July 20 and was adjourned *sine die* on August 13. Unlike prorogation, which formally ends a session, an adjournment *sine die* ends the sitting without fixing a date for the House to meet again.

The 2023 Monsoon Session was held from July 21 to August 21, with 21 sittings, and the House was prorogued the following day. The prolonged adjournment comes after a session marked by repeated disruptions over several issues, including NEET paper leak, alleged theft at Ram temple and demands for Union Home Minister Amit Shah to respond to action on youth protesters.

The continued non-prorogation of the House has also fuelled speculation about the possibility of a fresh sitting in October. Political debate has centred on the numbers required for a constitutional amendment linked to delimitation and women's reservation. Claims about the government's

plans, however, are speculative rather than based on established parliamentary decisions.

Under the NDA government, before this, the longest a session went without getting prorogued after being declared adjourned *sine die* is longer than the 28-day period between August 12, 2015 and September 10, 2015, and the 20-day period between August 11 and August 31, 2021.

According to *Practice and Procedure of Parliament* by MN Kaul and S L Shakdher, a House may be adjourned from day to day, for more than a day, or *sine die* during a session.

An adjournment postpones the sitting of the House to another time. When a House is adjourned *sine die*, no date is fixed for its next sitting. The sit-

• ADJOURNMENT HISTORY

Period of Adjournment	Total days
12 May 1987 till 27 July 1987	76 days
18 August 1989 till 11 October 1989 & 13 October 1989 till 20 October 1989	61 days
22 December 1950 till 5 February 1951	45 days
11 December 1962 till 21 January 1963	41 days
13 August 2015 till 10 September 2015	28 days
7 August 1975 till 3 September 1975	27 days
28 August 1993 till 23 September 23	26 days
7 September 1990 till 1 October 1990	24 days
5 September 1988 till 30 September 1988	25 days
16 December 1988 to 5 January 1989	20 days
11 August 2021 till 31 August 2021	20 days
16 July 1979 till 3 August 1979	18 days

PRACTICE AND PROCEDURE OF PARLIAMENT BY MN KAUL AND S L SHAKDHER

ting has ended, but the session itself has not necessarily been terminated.

Prorogation is different. Under Article 85(2) of the Constitution, a session of Parliament is formally terminated by an order of the President. Ordinarily, prorogation follows an adjournment *sine die*, although the two are legally distinct.

The President exercises the power to prorogue Parliament on the advice of the PM.

The Speaker can call a sitting of LS before the date to which it has been adjourned, or at any time after the House has been adjourned *sine die*. This means that an adjournment *sine die* does not, by itself, prevent the House from being reconvened.

The two longest *sine die* ad-

journments in LS history occurred during the Eighth Lok Sabha. The longest, lasting 76 days, occurred in 1987 during the Eighth Session of the Eighth Lok Sabha, against the backdrop of Bofors controversy. The second-longest, lasting 61 days, occurred in 1989 during the Fourteenth Session of the same Lok Sabha.

The Eighth Session began on February 23, 1987, and was adjourned *sine die* on May 12 amid disruptions over Bofors. The Speaker exercised the power under the proviso to Rule 15 to reconvene the House from July 27 to August 28. The session continued for several months despite the long gap between sittings. The LS adopted a motion on August 6 to constitute a 30-member JPC to inquire into

the Bofors deal. The RS adopted a corresponding motion on August 12. LS was prorogued on September 3, 1987, bringing the session to an end after the 76-day intervening adjournment.

The Fourteenth Session of the Eighth Lok Sabha began on July 18, 1989, and was adjourned *sine die* on August 18.

The period was marked by another major political confrontation involving Bofors. Around 100 Opposition MPs resigned en masse after a CAG report on the deal was tabled. The Speaker again reconvened the House from October 11 to 16. The House was adjourned *sine die* on October 13 and prorogued on October 20. The intervening period between sittings amounted to 61 days.

4. 46 Days and Counting: Adjournment Sine Die of Lok Sabha

Source: The Indian Express

GS-2: Parliament | Parliamentary Procedure | Constitutional Provisions

Context

The **Monsoon Session of the 18th Lok Sabha** ran from **20 July to 13 August 2026** and was adjourned *sine die* on 13 August. By 27 September, the session had remained **unprorogued for 46 days**—the **third-longest such period** in Lok Sabha history, after 76 days in 1987 and 61 days in 1989.

1. Adjournment

Sine Die

1. **Meaning:** The sitting of the House ends **without fixing a definite date for the next sitting**.
2. **Power:** In Lok Sabha, the **Speaker** determines when the House is adjourned *sine die* under **Rule 15** of the Rules of Procedure.
3. **Effect:** It ends the **sitting**, but does **not end the session**.
4. **Reassembly:** The Speaker may reconvene the House during the same session under Rule 15.

2. Prorogation and President's Power

1. **Meaning: Prorogation** formally terminates a **session** of Parliament.
2. **Article 85(2)(a):** The **President** has the power to prorogue either House.
3. **Effect:** Prorogation ends the session but **does not dissolve Lok Sabha**.
4. **Article 85(1):** Not more than **six months** may intervene between the last sitting of one session and the first sitting of the next.

3. What Happened in the Monsoon Session?

1. **13 August:** Lok Sabha was adjourned *sine die*.
2. **After adjournment:** The session was **not immediately prorogued**, unlike the usual practice.
3. **46-day gap:** By late September, the same session had remained formally open for 46 days without a sitting.
4. **Constitutional position:** Since *sine die* adjournment does not terminate the session, the **Speaker can reconvene the House** without requiring the existing session to be prorogued first.
5. **Historical significance:** The present period is the **third-longest instance** of a Lok Sabha session remaining adjourned *sine die* without prorogation.

• **ARTIFICIAL INTELLIGENCE**

From Nepal to India, how AI is aiding disaster management

Amitabh Sinha

New Delhi, September 27

DURING THE recent Nepal disaster, an artificial intelligence (AI)-powered web portal, which could match crowdsourced data on missing persons with official lists of the dead and injured, came into widespread use. The simple tool developed by Niraj Bhushal, an IT engineer in Nepal's Finance Ministry, also did the important work of mapping damaged buildings.

Similarly, private drone operator Manish Maharjan flew drones equipped with thermal cameras that could detect human-shaped thermal signatures in the debris and guide rescue teams to those potentially trapped.

These efforts illustrate the growing utility of new technology, particularly AI-enabled tools, in disaster management.

Growing utility and use

Disaster management is no longer confined to designated authorities. Companies like Google, telecom providers, satellite companies, and others are now integral players.

"The big advantage of the AI tools is their ability to process large volumes of data in a meaningful way, using natural language, speech and video, on an almost real-time basis. In disaster management situations, time is the most vital thing.

That is the main reason why we are seeing increasing reliance on AI tools... It's a great use-case scenario," said Subimal

Ghosh, head of the Centre for Climate Studies at IIT Bombay, who is using AI to provide local forecasts of heavy rain-



5. From Nepal to India: AI in Disaster Management

Source: The Indian Express

GS-3: Disaster Management | Science & Technology | Artificial Intelligence

Context

Recent disasters in the **Himalayan region and India** have highlighted the need for faster forecasting, early warning and rescue. **Artificial Intelligence (AI) and Machine Learning (ML)** can combine weather, satellite, drone, sensor and historical data to strengthen different stages of disaster management.

1. AI Across the Disaster-Management Cycle

1. **Prediction & Early Warning:** AI analyses rainfall, river levels and weather patterns to identify hazards earlier.
Example: Google Flood Hub provides river-flood forecasts up to 7 days ahead.
2. **Risk Assessment & Mapping:** AI with **satellite imagery, Remote Sensing and Geographic Information System (GIS)** identifies vulnerable areas and improves hazard maps.
Example: Flood-, landslide- and glacier-risk zones can be identified more precisely.
3. **Preparedness & Evacuation:** AI-based forecasts can generate **location-specific, impact-based warnings**, helping authorities decide where evacuation and preparedness measures are required.
4. **Response & Rescue:** AI can rapidly process drone, thermal-camera and satellite data to identify affected areas and locate survivors.
Example: In Nepal, AI-supported systems helped match missing-person information with official casualty records, while drones assisted search operations.
5. **Damage Assessment & Recovery:** AI analyses post-disaster satellite and drone imagery to quickly assess damage to **houses, roads, bridges and other infrastructure**, helping prioritise relief and reconstruction.

2. Significance

1. **Speed:** Processes massive volumes of data much faster than conventional methods.
2. **Greater Lead Time:** Earlier warnings provide more time for evacuation and preparedness.
3. **Precision:** Enables **geo-targeted and impact-based warnings** rather than broad warnings for an entire region.
4. **Efficient Resource Allocation:** Helps identify severely affected locations and prioritise rescue teams, relief material and infrastructure restoration.

5. **End-to-End Management:** Creates a more integrated system covering **prediction, preparedness, response, relief and recovery**.

3. Limitations

1. **Data Dependence:** Poor, incomplete or biased data can reduce the reliability of AI outputs.
2. **Unprecedented Events:** Models trained on historical data may struggle with extreme events outside previous patterns.
3. **Digital Divide:** Remote and vulnerable regions may lack sensors, connectivity, computing infrastructure and skilled personnel.
4. **False Warnings:** Incorrect predictions can cause panic and eventually create **warning fatigue**.
5. **Human Judgement:** AI cannot replace field verification, local knowledge and expert decision-making during emergencies.

4. Way Forward

1. **AI + Conventional Systems:** Integrate AI with **satellites, radars, sensors, Numerical Weather Prediction (NWP) and ground observations**.
2. **Integrated Data:** Develop interoperable, real-time disaster databases and improve sharing among agencies.
3. **Impact-Based Forecasting:** Move beyond predicting the hazard to predicting **its likely impact on people, infrastructure and livelihoods**.
4. **Last-Mile Delivery:** Convert technical forecasts into **local-language, geo-targeted and actionable alerts**.
5. **Human-in-the-Loop:** Keep experts and local authorities involved in validating AI outputs and taking critical decisions.

COP31 hosts Australia and Türkiye face the fossil-fuel question

There is likely to be pressure on the COP31 presidencies to include fossil fuel language as part of the agenda. The catastrophic floods in Nepal on August 26 and the damage they wrought are also set to add momentum to both mitigation action, including the language surrounding fossil fuels at COP31

Rishika Pardikar
TRABZON, TÜRKİYE

The next United Nations climate change conference, COP31, will be held in Antalya in Türkiye in November this year. Türkiye will be hosting the event, with its Minister of Environment Murat Kurum serving as COP31 President. Australia will oversee the negotiations process, with its Minister for Climate Change and Energy Chris Bowen as the Vice-President of COP31.

This is a novel arrangement – a result of both Australia and Türkiye not being willing to concede their demand to host, and where both countries share crucial responsibilities. In previous editions, the COP's physical host has differed from the President only for logistical reasons.

A pre-COP event will be held in Fiji on October 5-8, where Pacific Island countries and Australia will discuss preparations for the main event, including what to negotiate. These pre-COPs are a routine affair before the annual summits.

Domestic fossil reliance

Both Türkiye and Australia are heavy users of fossil fuels. Australia is the world's third-largest fossil fuels exporter, after Russia and the U.S. Domestically, Australia as well as Türkiye rely on coal, gas, and oil to generate respectively around 90% and 80% of their energy needs. Three weeks ago, Australia also came under fire from climate groups for approving the expansion of a coal mine.

The primary goal at COP31 is a target to electrify industry and vehicles and in turn "to raise the share of final energy demand met by electricity from just over 20% today to 35% by 2035".

"Oceans and Seas" are also a priority agenda: Türkiye hosted a 'Blue Dialogue' on September 10-11 whose focus was on protecting marine resources.

However, none of the themes listed as a priority for the event make direct reference to transitioning away from fossil fuels.

That said, various industries in Australia, including iron-ore mining, are trying to decarbonise by investing in hybrid or electric heavy machinery. Local governments are also pushing for electric vehicles (EVs), which recently overtook petrol car sales for the first time in Australia.

Türkiye, on the other hand, is working to augment recycling and so eventually reduce methane emissions. In fact, the country has listed 'zero waste and a circular economy' on the COP31 priority list. The fortunes of a local EV brand,



An oil rig is visible in the distance near Cape Town harbour. ALPHA PERSPECTIVE/UNSPLASH

Togg, has ballooned so much that the government hopes it will herald a new era in the automobiles market.

Loss and damage financing

At the COP30 in Belém, Brazil, last year, the European Union pushed for a "fossil fuel roadmap" to help countries worldwide transition away from fossil fuels. While many countries supported the call, observers have said it took the focus away from developing countries' calls to triple adaptation finance and developed countries' resistance to that.

That said, most countries involved in the UN Framework Convention on Climate Change (UNFCCC) did not oppose the call for the "fossil fuel road map" at COP30.

India did not oppose either, on the condition that it incorporate the principle of common but differentiated responsibilities and that countries are not expected to follow uniform energy transition pathways. Beyond the UNFCCC framework as well, and partly because of the slow pace of negotiations at the COP summits, there have been calls for concrete action to transition away from fossil fuels. In April this year, the first conference on 'Transitioning Away from Fossil Fuels' was held in Santa Marta in Colombia, co-hosted by Colombia and the Netherlands.

The second conference is scheduled

for 2027, to be co-hosted by Tuvalu and Ireland.

Given such momentum, there is likely to be pressure on the COP31 Presidencies to include fossil fuel language as part of the agenda. The catastrophic floods in Nepal on August 26, boosted no doubt by climate change, and the damage they wrought are also set to add momentum to both mitigation action, including the language surrounding fossil fuels at COP31, and to loss and damage financing. But as with their not mentioning the transition away from fossil fuels, the joint Australia-Türkiye presidencies have also included no loss and damage financing, or even the broader climate finance question, among the priority topics.

"We know there are strong views on all sides of this topic," the Türkiye Presidency said in response to questions from the author about whether this will change. "We will create space for Parties to discuss the transition and listen carefully to the positions they bring forward to see what we can agree by consensus. But listening to Parties' views on negotiations does not mean we are standing still. We are taking the next logical steps in the energy transition by making electrification the flagship thematic priority of the COP31 Presidency's Action Agenda, because electrifying buildings, transport and industry is key to reducing emissions and

should be accompanied by complementary efforts to expand renewable energy.

Likewise, the reply said on mitigation financing: "we have been clear that we need to close the climate finance chasm, and we are holding donors to the financial commitments made at past COPs, while also introducing innovative new mechanisms, such as the 'Climate Implementation Bridge', to address the gap between ambitious climate plans and the finance needed to make them a reality."

The Australian Presidency did not respond.

Countries participating at COPs can propose new agenda items for consideration during negotiations. For example, the European Union introduced the "road map" in the formal negotiations agenda at the last minute at COP30. That said, it remains to be seen whether countries will do so at COP31, and if so what the items will be – and ultimately how the event's two fossil fuel-heavy stewards will navigate negotiations.

The author was in Türkiye September 8-13 at the invitation of the government for a COP31-themed media tour. She also visited Australia in October 2025 on a similar official tour.

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THE GIST

Australia and Türkiye are heavy users of fossil fuels; both countries rely on coal, gas, and oil to generate respectively around 90% and 80% of their domestic energy needs; Australia is the world's third-largest fossil fuels exporter

The primary goal at COP31 is a target to electrify industry and vehicles and in turn to raise the share of final energy demand met by electricity from just over 20% today to 35% by 2035; 'Oceans and Seas' are also a priority agenda

At COP30, the EU advocated a global 'fossil fuel roadmap' to guide the transition away from fossil fuels; critics said it diverted attention from developing nations' demand for tripling adaptation finance

6. COP31: Australia and Türkiye Face the Fossil-Fuel Question

Source: The Hindu

GS-3: Environment | Climate Change | Energy Transition | Climate Finance

Context

The **31st Conference of the Parties (COP31)** will be held in **Antalya, Türkiye, in November 2026**, with Türkiye hosting and Australia taking a central role in negotiations. The central challenge is to convert climate commitments into implementation while addressing the difficult question of **fossil-fuel dependence, energy transition and climate finance**. Recent floods in Nepal have further strengthened the demand for mitigation, adaptation and loss-and-damage measures.

1. Why Fossil Fuels Will Be Central to COP31

1. **High Fossil-Fuel Dependence:** Coal, gas and oil account for around **90% of Australia's** and **80% of Türkiye's domestic energy needs**, creating a major transition challenge.
2. **Australia as Fossil-Fuel Exporter:** Australia is among the world's largest fossil-fuel exporters, making rapid reduction of fossil-fuel dependence economically and politically sensitive.
3. **Fossil-Fuel Roadmap:** The **European Union** has advocated a global roadmap for transitioning away from fossil fuels, building on the direction established at COP28.
4. **Energy Transition Target:** COP31 discussions are expected to push greater electrification of industry and transport, with the aim of raising electricity's share of final energy demand from around **20% today to 35% by 2035**.
5. **Different National Circumstances:** Countries differ in their energy mix, development needs and dependence on fossil-fuel industries, making a uniform phase-out difficult.

2. Major Climate Issues on the COP31 Agenda

1. **Mitigation:** Accelerating emission reductions and strengthening Nationally Determined Contributions (NDCs) under the Paris Agreement.
2. **Adaptation:** Increasing resilience against floods, heatwaves, droughts and other climate impacts, particularly in vulnerable developing countries.
3. **Loss and Damage:** Providing financial support for climate-related impacts that cannot be adequately prevented through mitigation or adaptation.
4. **Oceans and Seas:** Strengthening attention to marine ecosystems, ocean warming and climate-related risks to coastal communities.
5. **Just Energy Transition:** Ensuring that movement away from fossil fuels does not disproportionately affect workers, communities and energy access.

3. The Climate-Finance Challenge

1. **Adaptation-Finance Gap:** Developing countries continue to demand substantially greater financial support for adaptation.
2. **Loss-and-Damage Finance:** Vulnerable countries require dedicated resources to deal with irreversible climate impacts.
3. **COP30 Concern:** At COP30, the push for a global fossil-fuel transition roadmap was accompanied by criticism that adaptation-finance commitments were insufficient.

4. **Implementation Gap:** Climate commitments often remain ahead of actual financial flows, technological support and domestic implementation.
5. **Equity Question:** The debate involves **Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC)**, particularly the greater historical contribution of developed economies to accumulated emissions.

4. Australia–Türkiye Presidency Arrangement

1. **Türkiye as Host:** Türkiye will host COP31 in **Antalya**, with its Environment Minister serving as COP31 President.
2. **Australia's Role:** Australia will lead the negotiations, creating a distinctive **host–negotiating-country partnership**.
3. **Pre-COP:** A preparatory meeting was planned in **Fiji in October**, bringing Pacific Island concerns into the negotiations.
4. **Türkiye's Initiative:** Türkiye has promoted a “**Blue Dialogue**” focusing on ocean-related climate issues.
5. **Negotiation Priority:** The presidency will have to balance **mitigation, fossil-fuel transition, adaptation, finance and energy security**.

5. Way Forward

1. **Clear Transition Roadmap:** Establish measurable pathways for reducing unabated fossil-fuel use while expanding renewable energy.
2. **Renewables + Electrification:** Scale up renewable power, grids, storage and electrification of transport and industry.
3. **Finance with Implementation:** Align climate-finance commitments with actual mobilisation and delivery, especially for adaptation and loss and damage.
4. **Just Transition:** Support workers and regions dependent on coal, oil and gas through reskilling, diversification and social protection.
5. **Climate Justice:** Ensure that climate action reflects **historical responsibility, developmental needs and national circumstances**.

Should voting be a fundamental right?

A recent *Indian Express* report revealed an unprecedented rift within the EC over alleged unilateral changes to rules, voter additions/deletions, and centralised data access, prompting a re-examination of the argument that the 'right to vote' ought to be elevated from a statutory guarantee to a fundamental one

LETTER & SPIRIT

Kartikey Singh

On September 23, an *Indian Express* investigation revealed an unprecedented rift within the three-member Election Commission of India (EC), with Election Commissioners Sukhbir Singh Sandhu and Vivek Joshi recording 14 objections over 10 months against Chief Election Commissioner Gyanesh Kumar, regarding alleged unilateral changes to rules, voter additions/deletions, and centralised data access, without the Commission's full approval.

The report also found that 97 eligible voters from Goa were excluded from the electoral roll after the centralised ECINet software prevented ground-level Electoral Registration Officers (ERO) from reversing decisions. More concerning, the consequences extend beyond the loss of voting rights. Reportedly, several State schemes use electoral rolls to establish eligibility, including the Goa Mediclaim Scheme. The scheme covers super-specialty treatments unavailable in government hospitals, such as dialysis, angioplasty, open-heart surgery, transplants, chemotherapy and cochlear implants, and is available only to State voters. This issue has once again cast a spotlight on the 'right to vote', the foundational processes of India's electoral machinery, and the genesis of India's 'universal adult suffrage' (UAS).

What shaped adult suffrage in India?

India's constitutional promise of the 'right to vote' differs significantly from that of many Western democracies. Reflecting the flawed belief, espoused by thinkers like J.S. Mill, that voting should be reserved for the 'enlightened', countries like the U.K. initially restricted the franchise to male property owners. Universal male suffrage emerged only in 1918, and women were granted the 'right to vote' a decade later in 1928. In the U.S., although the 15th and 19th Amendments extended voting rights to African Americans (1870) and women (1920), systemic barriers such as poll taxes and literacy tests continued to disenfranchise many for decades thereafter.

In sharp contrast, India's choice of immediate, universal inclusion ensured 'democratic equality' from the outset, bypassing the prolonged and often violent struggles seen elsewhere. Article 326 of the Constitution granted every adult citizen the 'right to vote', regardless of gender, caste, religion, education, or property. This commitment to a robust, inclusive democracy found further constitutional reinforcement in a series of Supreme Court judgments, notably starting with *Kesavananda Bharati v. State of Kerala* (1973), which established democracy as part of the 'basic structure' doctrine. For this ideal to function meaningfully, people should be able to freely decide the fate of their government.

This inclusive vision was operationalised through two key laws: the Representation of the People Act, 1950, which governs the preparation and revision of electoral rolls; and the 1951 Act, which regulates election conduct, candidature, and electoral offences. The EC has repeatedly introduced administrative innovations to realise this 'constitutional promise'.

Notably, the then Chief Election Commissioner Sukumar Sen, faced with the task of enrolling 173 million largely illiterate voters, turned a logistical hurdle into a democratic breakthrough by



Enabling democracy: Courts have regarded the right to vote as an inseparable part of democracy, as it enables citizens to shape governance. R. ASHOK

introducing election symbols, making UAS practically accessible.

In India, the EC has the responsibility to reach the last citizen, wherever they may be, to actualise their 'right to elect'.

What is the legal status of right to vote?

The legal status of the 'right to vote' in India has long been debated, and whether it is classified as a statutory, constitutional, or fundamental right determines how easily it can be changed, how it is enforced, and the level of legal protection it receives. Although Dr. B.R. Ambedkar and K.T. Shah proposed including it in the Constitution's fundamental rights part, the Constituent Assembly's Advisory Committee ultimately rejected the idea. Importantly, a Constitution Bench of the Supreme Court in *Kuldip Nayar v. Union of India* (2006) held that the 'right to elect' is a statutory right under Section 62 of the RPA, 1951, and not a fundamental or constitutional right.

Though a two-judge Bench in *Rajbala v. State of Haryana* described the 'right to vote' as a constitutional right in 2015, the larger bench ruling in *Kuldip Nayar* prevails. Again, in *Anoop Baramwal v. Union of India* (2023), the top court declined to pronounce on the issue, noting that it had already been settled by the five-judge Bench in the *Kuldip Nayar* judgment. However, in his dissent, Justice Ajay Rastogi asserted that the 'right to vote' is an expression of Article 19(a) and reflects the essence of Article 21. Yet, as this view remains a minority opinion, the 'right to elect' continues to be recognised as a statutory right.

Nevertheless, even though it is not a fundamental right, courts have regarded the 'right to vote' as an inseparable part of democracy, anchoring their reasoning in the idea that it enables citizens to shape governance, making it a "democratic imperative" vital to the Indian republic's survival.

Why do we need accurate poll rolls?

Free and fair elections rest on accurate electoral rolls under the RPA, 1950. Inaccuracies – such as mass omissions, ineligible inclusions, duplicates, or incorrect entries – undermine the "one person, one vote" principle by enabling impersonation, disenfranchisement, or

dilution of votes, ultimately distorting the people's mandate. Therefore, the EC is empowered under Section 21 of the 1950 Act to prepare and revise these rolls to ensure integrity. The Chief Election Commissioner and Other Election Commissioners (Appointment, Conditions of Service and Term of Office) Act, 2023 lays down how the EC must transact its business. Section 17 requires the Commission's business to be conducted in accordance with the Act, while Section 18 provides that its procedure and allocation of business may be regulated by unanimous decision. It further requires business to be transacted as far as possible unanimously, but where the CEC and other Commissioners differ, the matter is decided by majority.

Deriving its authority from Article 324, the EC serves as the constitutional guardian of elections, with powers of superintendence, direction, and control. A key duty is preparing accurate electoral rolls, guided by Section 19 of the RPA, 1950, which mandates that any citizen aged 18 or above, "ordinarily resident" in a constituency and not disqualified, is entitled to be registered. "Ordinary resident" implies a genuine, continuous presence, not a temporary stay.

While discrepancies may arise, courts have consistently held that only substantial and systemic errors that demonstrably "materially affected" the election outcome can compromise the sanctity of the electoral roll. Minor mistakes or isolated disenfranchisement are insufficient.

Yet the recent Goa episode complicates this comfortable "substantial versus isolated" binary that courts have relied on. The *Indian Express* report revealed that 97 eligible voters were dropped from the rolls, not through electoral fraud but because the ECINet software architecture itself denied EROs the authority to reverse erroneous deletions. What makes the episode damning is not merely the exclusion, but the apparent unresponsiveness that followed. The EROs reportedly flagged the anomalies to the Commission by email, yet the corrections were not restored. This is not the isolated clerical error that courts have historically forgiven; it is a systemic failure baked into the software's design, compounded by administrative inertia.

While the right to inclusion or

objection in electoral rolls is conferred on individuals, not political parties, the court in *Lakshmi Charan Sen v. A.K.M. Hassan Uzaman* (1985) observed that in a largely illiterate and politically unaware electorate, parties should take steps to ensure eligible voters are included, and ineligible ones are removed. Given India's party-based Parliamentary system, such vigilance will help in preserving 'electoral integrity'.

What lies ahead?

The revelations against the EC lend fresh urgency to the argument that the 'right to vote' ought to be elevated from a statutory guarantee to a fundamental one. If the body constitutionally tasked with safeguarding the franchise can itself be riven by disputes over unilateral action, leaving the citizen's only recourse to the EC's internal correction mechanisms, or to a statutory right that the Parliament could dilute at will, is precarious.

Many scholars argue that the 'right to vote' cannot be regarded as merely a statutory right, as it flows from Article 326, and any legislation regulating it must conform to the parameters prescribed by Articles 325 and 326. It is therefore necessary to ensure that the legislature does not impose irrational or unreasonable restrictions on the 'right to vote', particularly since "free and fair elections" and "democracy" are basic features of the Constitution.

Justice Rastogi's dissent in *Anoop Baramwal*, over the legal status of the 'right to vote', offers doctrinal ground for a larger Bench to revisit the question that the majority in *Kuldip Nayar* considered settled.

Elevating the 'right to vote' to fundamental status would not diminish the EC's authority to purify rolls; it would instead subject that authority to the heightened standard of judicial review reserved for fundamental rights, ensuring that the drive to centralise electoral administration is always weighed against, rather than allowed to override, the citizen's claim to be counted. In a democracy where software now mediates the relationship between the voter and the ballot, the constitutional status of the 'right to vote' can no longer remain a matter of legislative grace. (Kartikey Singh is a lawyer based in New Delhi.)

THE GIST

India's choice of immediate, universal adult suffrage ensured democratic equality from the outset. Article 326 of the Constitution granted every adult citizen the 'right to vote'.

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If the body constitutionally tasked with safeguarding the voting rights can be riven by disputes over unilateral action, leaving the citizen's only recourse to the EC's internal correction mechanisms, or to a statutory right that the Parliament could dilute at will is precarious.

7. Should the Right to Vote Be a Fundamental Right?

Source: The Indian Express

GS-2: Election Commission | Electoral Reforms | Fundamental Rights | Constitutional Provisions

Context

A recent debate over **electoral-roll additions/deletions, centralised electoral data and the Election Commission of India's (ECI) exercise of its powers** has revived the question of whether the right to vote should receive Fundamental Right status. India adopted **universal adult suffrage from the beginning of the Republic**, but the Supreme Court has consistently treated the *right to vote/elect* as a **statutory right**, while distinguishing it from the constitutionally protected **freedom of voting/expression**.

1. Constitutional and Legal Status

1. **Article 326:** Provides for elections to Lok Sabha and State Legislative Assemblies on the basis of **adult suffrage**; citizens aged 18+ can be registered subject to lawful disqualifications.
2. **Representation of the People Act, 1951: Section 62** specifically regulates the statutory right to vote for persons whose names are on the electoral roll.
3. **Article 324:** Entrusts the ECI with the **superintendence, direction and control** of elections.
4. **Article 325:** Mandates one general electoral roll and prohibits exclusion solely on grounds of **religion, race, caste or sex**.
5. **Supreme Court position:** *Kuldip Nayar v. Union of India* (2006) reaffirmed that the right to elect is a **statutory right**, not a Fundamental Right. The position was reiterated in *Anoop Baranwal v. Union of India* (2023).

2. Why the Issue Matters

1. **Electoral-roll accuracy:** Wrongful deletion or exclusion can prevent an eligible citizen from exercising the vote.
2. **Due process:** Changes in electoral rolls require transparent procedures, notice and effective opportunities for correction.
3. **ECI accountability:** Article 324 gives the Commission wide powers, making institutional transparency important for electoral integrity.
4. **Democratic participation:** Voting is the principal mechanism through which citizens choose their representatives and influence government.

5. **Freedom of voting:** The Supreme Court has distinguished the statutory **right to vote** from the **freedom of voting**, which has been recognised as connected with freedom of expression under Article 19(1)(a).

3. What Would Change if It Became a Fundamental Right?

1. **Stronger constitutional protection:** Restrictions would have to satisfy Fundamental Rights standards rather than being governed primarily by ordinary election legislation.
2. **Greater judicial scrutiny:** Arbitrary interference with voting could potentially be challenged more directly through constitutional remedies.
3. **Higher accountability:** Electoral authorities would face stronger constitutional scrutiny regarding exclusion and procedural safeguards.
4. **But regulation remains necessary:** Even a Fundamental Right would not mean an unlimited right; reasonable constitutional and statutory conditions would still be required.
5. **Constitutional amendment:** Changing its formal status would require appropriate constitutional action; it cannot be achieved merely through an administrative decision of the ECI.

4. Way Forward for Electoral Integrity

1. **Transparent Electoral Rolls:** Provide clear reasons for additions, deletions and corrections.
2. **Effective Grievance Redressal:** Give voters accessible mechanisms to challenge wrongful exclusion before elections.
3. **Independent Audits:** Regularly audit electoral databases and software to detect systemic errors.
4. **Data Protection:** Ensure centralised electoral databases have strong safeguards against errors, misuse and unauthorised access.
5. **Institutional Accountability:** Strengthen transparency in the exercise of Article 324 powers while preserving the ECI's constitutional independence.