

The Hindu Important News Articles & Editorial For UPSC CSE

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—It's about quality—

NASA astronauts Butch Wilmore and Sunita Williams, along with Nick Hague and Russian cosmonaut Aleksandr Gorbunov, returned to Earth after an unplanned 286-day mission aboard the International Space Station.

- They were stranded due to technical issues with Boeing's Starliner, originally intended for a short-duration mission. Their return aboard SpaceX's Crew Dragon Freedom marks a crucial moment in space exploration.

NASA's astronauts stranded in space for 9 months returned to earth by SpaceX ship

Agence France-Presse
WASHINGTON

Home at last: After an unexpected nine-month stay in space, a pair of NASA astronauts finally returned to earth on Indian time Wednesday, concluding a mission that gripped global attention.

A SpaceX Crew Dragon spaceship carrying Butch Wilmore and Sunita Williams – alongside fellow American Nick Hague and Russian cosmonaut Aleksandr Gorbunov – streaked through the atmosphere before deploying parachutes for a gentle splashdown off the Florida coast at 3.27 a.m. IST. Ground teams erupted in cheers as the spacecraft named Freedom, charred from withstanding scorching temperatures of 2,000 degrees Celsius during re-



Back to base: Sunita Williams being helped out of a capsule after it landed off the Florida coast in U.S. on Wednesday. ANI

entry, bobbed steadily on the waves.

As fast boats raced to the capsule for initial safety checks an unlikely escort arrived in the form of a playful pod of dolphins.

Soon after, a larger recovery vessel hoisted Freedom aboard. Teams opened the hatch, and one by one, the astronauts were helped out onto mo-

bility aids, waving and flashing thumbs-up signs.

Next, they will be flown by helicopter to Houston, where they will be able to meet their families, and begin a physical rehabilitation programme. The team left the International Space Station roughly 17 hours earlier after exchanging final farewells and hugs with remaining crew members.

Mr. Wilmore and Ms. Williams, veterans of two prior space missions, flew to the orbital lab in June last year, on what was supposed to be a days-long roundtrip to test out Boeing's Starliner on its first crewed flight. But the spaceship developed problems and was deemed unfit to fly them back, instead returning empty.

Their 286-day stay exceeds the usual six-month ISS rotation but ranks only sixth among U.S. records for single-mission duration. Frank Rubio holds the top spot at 371 days in 2023, while the world record remains with Russian cosmonaut Valeri Polyakov, who spent 437 consecutive days aboard the Mir station.

OVER THE MOON
» PAGE 2

Key Takeaways for UPSC

Technological and Space Diplomacy Aspects

- The mission underscores the significance of private sector involvement in space travel, with SpaceX stepping in after Boeing's Starliner failure.
- It highlights US-Russia cooperation in space despite geopolitical tensions.
- The development and safety concerns of commercial crewed spaceflight are critical for future missions.

Human Endurance and Space Exploration

- The astronauts spent 286 days in space, significantly exceeding the standard six-month ISS rotation.
- This raises questions on long-term spaceflight's physiological and psychological impact, crucial for future deep-space missions like Mars.

India's Space Program Perspective

- India is advancing human spaceflight capabilities with Gaganyaan, planned for 2025.
- Lessons from such missions help ISRO refine its strategies for crew safety, spacecraft reliability, and long-duration space stays.

Significance in Space Policy and Global Space Race

- The incident exposes the risks of crewed missions dependent on new spacecraft.
- Highlights the growing role of private space companies like SpaceX and Boeing in global space exploration.
- Encourages international collaboration for rescue and contingency planning in future missions.

Conclusion

- This mission emphasizes the importance of technological reliability, human endurance, and international cooperation in space exploration. As India gears up for its human spaceflight programs, analyzing such incidents can provide valuable insights into risk management and mission planning for future endeavors.

UPSC Mains Practice Question

Ques:Space exploration is increasingly driven by private sector participation. Discuss the role of private companies in advancing human spaceflight and the challenges they face. **(250 words)**

The ongoing conflict in Gaza has drawn international attention, with India reiterating its concern over the humanitarian crisis.

- ➔ The Ministry of External Affairs has called for the continuation of humanitarian aid to the people of Gaza and the release of all hostages taken by Hamas on October 7, 2023. This comes amid renewed Israeli airstrikes and diplomatic engagements between India and Israel.

Supply of aid to people of Gaza must continue: India

Expressing concern over the worsening situation, External Affairs Ministry says all hostages should be released; Israeli official reiterates call that Hamas be seen as a terrorist organisation

Suhasini Haidar
NEW DELHI

India has expressed concern over the worsening situation in Gaza, where Israel has resumed bombing, calling for the resumption of humanitarian supplies to Palestinians and the release of all hostages taken by the Hamas group during the October 7, 2023 attack on Israel.

The statement by the External Affairs Ministry came even as a high-level delegation from Israel's Foreign Ministry, led by Director-General Eden Bar Tal, was in New Delhi for talks this week.

On Tuesday, Mr. Bar Tal met Foreign Secretary Vikram Misri and Deputy National Security Advisers T.V. Ravichandran and Pavan Kapoor at the National Security Council Secretariat.

"We are concerned at the situation in Gaza," the External Affairs Ministry said in a statement on Wednesday. "It is important that all hostages are released. We also call for supply of humanitarian assistance to the people of Gaza to be sustained," it added.

Since the October 7 attacks and Israel's bombard-



Fleeing danger: Palestinians leave Beit Hanun, heading towards Gaza City following Israeli evacuation orders on Wednesday. AFP

ment of Gaza in which more than 45,000 people have been killed (including about 400 since the January 19 ceasefire), India has issued only a few such statements.

Israel has refused to extend the ceasefire without more hostage releases by Hamas. Many of the 59 remaining hostages are believed to have died. A total of 250 were originally taken on October 7, 2023, when about 1,200 people were killed.

India has refrained thus far, in its statements, from naming Israel for the bombardment, or from naming Hamas. The government has also not designated Hamas as a terrorist organisation thus far.

Speaking at the Raisina Dialogue in Delhi, Mr. Bar Tal made it clear that Israeli operations were unlikely to stop, and questioned how many of those killed in Israel's bombardment were civilians, calling for the international community to see Hamas as a terrorist organisation.

"In order to solve the problem, one has to look at the root causes of the problem," he said, referring to the current Israel-Hamas issue of "radicals and moderates", indicating there were no purely diplomatic solutions.

Speaking at the same session, Abla Abdel-Latif, executive director of the Egyptian Centre for Economic Studies, said, "The

reality is that things started 70 years before with the occupation of Palestine and all Palestinians have been living in an open jail in Gaza."

The West Asia conflict was not at the centre of discussions at the three-day Raisina dialogue that concluded on Wednesday, as the Russia-Ukraine conflict dominated the sessions, with more than half the gathered Ministers attending the conference coming from European countries.

However, James Lawless, Minister for Education and Innovation of Ireland, a country that along with Spain has been severely critical of Israeli actions in the aftermath of the terror attacks, said that while there were many differences between the two conflicts, and Israelis have a "history of hardships", that did not give them a "licence to perform whatever actions they wish to their neighbours".

"It's very regrettable that there were more rockets and attacks into Gaza overnight," Mr. Lawless told *The Hindu*. "That's a big setback for the peace process."

He said that a resolution could only come from a two-state solution.

Key Diplomatic Takeaways

India's Balanced Approach

- ▶ India has consistently maintained a neutral stance, avoiding direct condemnation of either Israel's military actions or Hamas' attacks.
- ▶ While calling for humanitarian aid to Gaza, India has not officially designated Hamas as a terrorist organization, unlike the US, UK, and EU.
- ▶ India has maintained its historical support for the two-state solution, advocating for peaceful coexistence between Israel and Palestine.

Israel-India Relations

- ▶ The visit of Israeli Foreign Ministry Director-General Eden Bar Tal to India highlights the growing strategic partnership between the two nations.
- ▶ Defence cooperation and security ties remain strong, with India being one of the largest buyers of Israeli military equipment.
- ▶ However, India's diplomatic statements indicate a careful balancing act to maintain ties with the Arab world.

Humanitarian Crisis and Global Response

- ▶ Over 45,000 Palestinians have been killed in Gaza since the conflict began, raising international concerns over humanitarian violations.
- ▶ Israel's refusal to extend the ceasefire without hostage releases has prolonged the crisis.
- ▶ Many countries, including Ireland and Spain, have been critical of Israel's actions, advocating for a peaceful resolution through a two-state solution.

India's West Asia Policy and Strategic Interests

- ▶ India maintains strong diplomatic and economic ties with both Israel and Arab nations, particularly in energy security.
- ▶ The ongoing crisis challenges India's balancing act, as it continues to engage with Israel for strategic interests while ensuring positive relations with the Gulf Cooperation Council nations.
- ▶ India's growing economic ties with Egypt, Saudi Arabia, and the UAE make it important to address humanitarian concerns in Gaza.

Conclusion

Daily News Analysis

- ▶ India's response to the Gaza crisis reflects its strategic autonomy in foreign policy. While strengthening ties with Israel, India remains committed to humanitarian assistance and a diplomatic resolution to the conflict. Moving forward, India's engagement in multilateral diplomacy will be crucial in advocating for lasting peace in the region.

UPSC Mains Practice Question

Ques :India's foreign policy in West Asia is shaped by a careful balance between its ties with Israel and its historical support for Palestine. Discuss with reference to recent developments.(250 words)



The Parliamentary Standing Committee on Social Justice and Empowerment has urged the Union government to accelerate the centralisation of Eklavya Model Residential Schools (EMRS) and enhance the authority of the National Education Society for Tribal Students (NESTS) for better management.

- The panel also raised concerns over the slow implementation of tribal welfare schemes, particularly the PM-JANMAN package and the establishment of tribal freedom fighters' museums.

Pursue centralisation of Eklavya schools, House panel urges govt.

Abhinay Lakshman

NEW DELHI

A parliamentary panel on social justice on Wednesday asked the Union government to “urgently” pursue the centralisation of Eklavya schools and empower the National Education Society for Tribal Students (NESTS) further to run them. Proposals for the move have been pending for months, as reported by *The Hindu* earlier.

The Parliamentary Standing Committee on Social Justice and Empowerment also noted the “slow” progress in the implementation of the PM-JANMAN package across 29,000 villages where particularly vulnerable tribal groups reside. It said that



The panel also pointed out that the Tribal Affairs Ministry has been unable to spend the full allocation it received. FILE PHOTO

so far, scheme saturation had been achieved in just 4,288 of these villages.

The departmental House committee, headed by Karnataka MP P.C. Mohan of the BJP, made these observations in the seventh report on the De-

mands for Grants of the Ministry of Tribal Affairs for the financial year 2025-26, tabled in the Lok Sabha on March 19. In the report, the panel also pointed out that the Union government's project to set up tribal freedom fighters' museums to

honour their struggles was moving slowly, noting that only three of the 11 sanctioned museums had been inaugurated so far.

The panel, in its report, stated that the Tribal Affairs Ministry's budget was increased in this financial year to ₹14,925.81 crore but also pointed out that the Ministry was unable to spend the full allocation it received year after year.

On the tribal freedom fighters' museums, the panel appreciated the government's efforts to recognise their struggles but noted that eight of the museums that were sanctioned between 2017 and 2020 were yet to be finished. Three were launched in Jharkhand, Jabalpur and Chhindwara.

Key Issues Highlighted by the Parliamentary Panel

Centralisation of Eklavya Model Residential Schools (EMRS)

- The committee emphasized the urgent need to centralize Eklavya schools for efficient administration and better educational outcomes for tribal students.
- NESTS, the nodal agency under the Ministry of Tribal Affairs, needs to be strengthened to manage these schools effectively.
- Delays in decision-making regarding centralisation have hindered the expansion and quality improvement of these institutions.

Slow Implementation of PM-JANMAN Package

- The PM-JANMAN scheme aims to ensure comprehensive development in villages inhabited by particularly vulnerable tribal groups.
- Out of 29,000 targeted villages, saturation of welfare schemes has been achieved in only 4,288 villages.
- The slow pace indicates challenges in last-mile delivery, administrative inefficiencies, and lack of proper monitoring mechanisms.

Tribal Freedom Fighters' Museums

- The government had sanctioned 11 museums to honor tribal leaders' contributions to India's freedom struggle.
- Only three museums (Jharkhand, Jabalpur, and Chhindwara) have been inaugurated so far, while the remaining eight, sanctioned between 2017 and 2020, are still under construction.
- The panel acknowledged the importance of these museums in recognizing tribal history but called for their expedited completion.

Budget Allocation and Underutilization of Funds

- The budget for the Ministry of Tribal Affairs has increased to ₹14,925.81 crore for 2025-26.
- However, the ministry has consistently failed to fully utilize the allocated funds, raising concerns about inefficiencies in fund disbursement and implementation.

Significance for Tribal Development and Governance

- Centralisation of EMRS can improve quality education for tribal students, ensuring better management, teacher training, and infrastructure development.
- Faster implementation of the PM-JANMAN package is crucial to improving the living standards of vulnerable tribal groups.

- Recognizing tribal freedom fighters through dedicated museums strengthens cultural identity and historical representation.
- Addressing fund utilization issues can enhance the effectiveness of tribal welfare schemes.

Conclusion

- The recommendations of the parliamentary panel highlight critical gaps in tribal welfare policies and implementation. Strengthening institutions like NESTS, expediting infrastructure projects, and ensuring efficient fund utilization are essential steps towards improving tribal development. The government must address these challenges to ensure inclusive growth and empowerment of tribal communities.

UPSC Mains Practice Question

Ques : Discuss the role of Eklavya Model Residential Schools (EMRS) in improving the education of tribal students in India. How can their administration be strengthened?(250 words)

The anticipation surrounding the Indian summer monsoon has once again sparked debates on whether 2025-2026 will be influenced by El Niño or La Niña. While these climate phenomena have historically impacted monsoon patterns, recent sea surface temperature (SST) anomalies have complicated predictions.

- ➔ The article explores the evolving nature of El Niño-Southern Oscillation (ENSO) and its impact on monsoon forecasting.

El Niño or La Niña? Murky pattern of temperature keeps confusion alive

The unusual pattern of cold SST anomalies to the west of warm SST anomalies in the far east have persisted. In the last few decades, the reverse pattern — with warm SST anomalies around the dateline and cold SST anomalies around the Galapagos — has been more common

Raghu Murtugudde

It's that time of the year again. India waits eagerly for the summer monsoon forecast, tinged with some anxiety about whether it will be 'normal'. The fate of the monsoon also raises the question of whether 2025-2026 will be an El Niño year or a La Niña year. Even though only 60% of deficit and surplus years have historically been accounted for by El Niño and La Niña events, respectively, they have been perceived as the harbingers of bad news or good news about the monsoons.

There have been many headlines over the last few months claiming the world is in the grip of a La Niña. Is this true? Sea surface temperature (SST) patterns in the tropical Pacific Ocean have evolved in a rather unexpected way since early 2024.

Recall that the El Niño forecasts issued in early 2023 turned out to be quite accurate even as the 2023 summer monsoon was essentially 'normal' in terms of total seasonal rainfall.

Recall also that a normal monsoon hardly means an even distribution in space or time. Heavy spells were reported across many States even as parts of Karnataka, Kerala, Uttar Pradesh, West Bengal, and the Northeast registered shortfalls.

The forecasts at the beginning of 2024 seemed equally confident about a strong La Niña for the latter half of 2024. They appeared to validate the presence of cold SST anomalies appearing early in the far eastern tropical Pacific Ocean, which is an expected early symptom of La Niña.

Strangely, however, the cold SST anomalies began shifting westward, towards the international dateline, with warm SST anomalies appearing in the far east by early summer 2024.

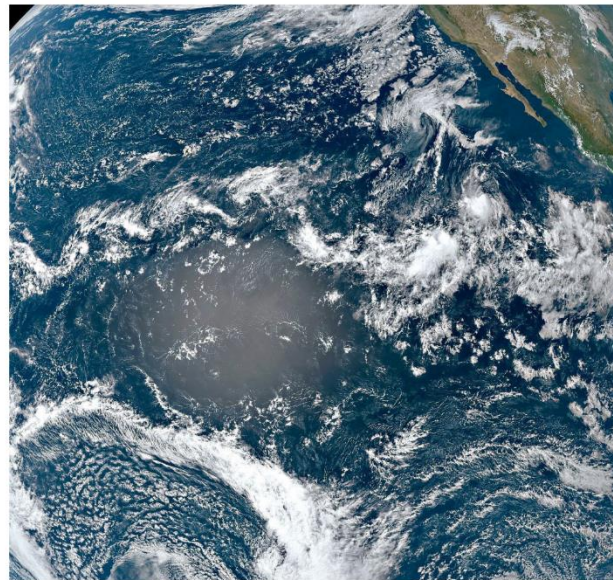
Anomalies in wind patterns were equally strange: strong easterly anomalies blew in the central-western tropical Pacific even as there were westerly anomalies in the far eastern tropical Pacific.

The unusual pattern of cold SST anomalies to the west of warm SST anomalies in the far east have persisted to date. In the last few decades, the reverse pattern — with warm SST anomalies around the dateline and cold SST anomalies around the Galapagos — has been more common. This pattern has been called the Dateline El Niño or a Central Pacific El Niño.

According to our best understanding thus far, La Niña events tend to have one dominant pattern, with cold SST anomalies in the far eastern to central tropical Pacific. But El Niños can have warm SST anomalies in the east or central Pacific: these are called El Niño "flavours".

Tropical Pacific SST anomalies
What is driving this strange new pattern in the tropical Pacific SST anomalies? Right now, we don't know. Maybe it is just a part of the record warm temperatures of 2023 that continued into 2024 and then 2025. Lack of cooling in the far eastern tropical Pacific does inhibit heat uptake by the ocean, allowing greenhouse gases to build up heat in the atmosphere instead.

There is nonetheless one clue about the anomalies' origin. This author was part of a study published last year that



Lack of cooling in the far eastern tropical Pacific inhibits heat uptake by the ocean, allowing greenhouse gases to build up heat in the atmosphere. NASA

reported a natural mode of climate variability in the southern Pacific Ocean that drives wind anomalies in the tropical Pacific — and thus can decide whether the SST anomalies in the tropical Pacific during the summer are warm or cool.

Since the El Niño and the La Niña both peak during December of one year into January and February of the following year, the transition of this winter state into the following summer appears to be determined by the Southern Hemisphere climate variability, called the ENSO transition mode (ETM). 'ENSO' here is the El Niño Southern Oscillation, which encompasses the warm state of an El Niño and the cold state of a La Niña.

The ETM is relevant at present because it was unfavourable for a transition from the El Niño state during the winter of 2023-2024 into a La Niña state in the summer of 2024. It is likely the strong La Niña that was forecast for 2024 failed to emerge due to ETM-induced wind anomalies in the tropical Pacific.

Summer and fall of 2025
Nature is asserting its will again by creating a confused ENSO state: with warm SST anomalies in the far eastern tropical Pacific and cold SST anomalies in the central-western tropical Pacific. Forecasts issued in February 2025 for the rest of this year are also mixed. Some weather prediction centres have said a La Niña will emerge by fall while some

Nature is asserting its will again with a confused ENSO: warm SST anomalies in the far eastern tropical Pacific and cold SST anomalies in the central-western tropical Pacific. Forecasts made in February are mixed. Some weather centres say a La Niña will emerge by fall, while some say it will be a 'normal' year

others have said it will be a 'normal' year. One climate model has even called for a relatively strong El Niño.

Where does this leave us in terms of the monsoon for this year? The 2023 monsoon was normal despite the strong El Niño, attributed to the emergence of the Indian Ocean Dipole (IOD) in the fall of 2023. There continues to be controversy among climate researchers as to whether the IOD can influence the monsoon or whether an El Niño itself can induce the IOD, easing the negative impacts on the monsoon.

Note, however, that the El Niño pattern itself was slightly unusual during 2023: the expected cooling in the far western Pacific was not recorded. Instead, weak warm SST anomalies were, which were attributed to a combination of global warming and the El Niño.

What combination of all these modes will play out in the coming months is not

clear yet. So we wait again for the forecasts to give us clearer clues. As usual, we must hope for the best and prepare for the worst. Considering we have not really managed to explain the levels of warming seen since the beginning of 2023, the climate models will continue to struggle to produce reliable forecasts.

The relationship between ENSO and the monsoon itself has changed in recent decades. Experts have argued that this relationship has altered the global belt of cold and warm temperature anomalies in the mid-latitudes, related in turn to the meandering of the jet stream. This mid-latitude change is in turn affecting the monsoon as well as the pre-monsoon cyclones. And the pre-monsoon cyclones are tinkering with the onset of the monsoon itself.

So many factors influence a deceptively simple decision and keep India's farmers on edge over their own fortunes. The State and Union governments can only hope for more reliable forecasts. The climate community and the India Meteorological Department are striving to meet all their expectations. Then again, managing expectations is as challenging as managing the risks from the vagaries of the monsoon, not to forget the heat waves that have arrived early this year.

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Key Observations on ENSO Patterns

➔ Unexpected SST Anomalies

- In early 2024, cold SST anomalies appeared in the far eastern tropical Pacific, signaling a transition to La Niña.
- However, these anomalies shifted westward, creating an unusual pattern of cold SST anomalies in the central-western Pacific and warm SST anomalies in the far east—opposite of the commonly observed El Niño pattern.

➔ Wind Pattern Anomalies

- Strong easterly winds in the central-western tropical Pacific and westerly anomalies in the far eastern Pacific added to the confusion.
- Historically, La Niña has a dominant pattern of cold SST anomalies in the eastern and central Pacific, while El Niño has multiple variations (East Pacific El Niño and Central Pacific El Niño).

➔ Role of ENSO Transition Mode (ETM)

- The ETM, a climatic variability mode in the southern Pacific, influences wind patterns and determines whether an El Niño transitions into La Niña.
- The ETM was unfavorable for a strong La Niña transition in 2024, possibly explaining the failure of earlier forecasts predicting a robust La Niña.

➔ Climate Change and Ocean Heat Uptake

- The record-breaking global temperatures of 2023 and 2024 may have altered ENSO patterns.
- Lack of cooling in the eastern Pacific reduced heat absorption by the ocean, leading to increased atmospheric heat retention.

Impact on the Indian Monsoon

➔ Uncertainty in 2025 Monsoon Forecast

- ENSO forecasts for 2025 are mixed—some models predict La Niña emergence by fall, while others suggest a normal year or even a strong El Niño.
- The Indian Ocean Dipole (IOD) played a key role in stabilizing the 2023 monsoon despite a strong El Niño.

➔ Changing ENSO-Monsoon Relationship

- Over the past decades, ENSO's influence on monsoons has weakened due to changes in mid-latitude temperature anomalies and jet stream behavior.
- Pre-monsoon cyclones, influenced by these changes, have further complicated monsoon onset and distribution.

➔ Challenges in Climate Forecasting

Daily News Analysis

- The inability to fully explain recent warming trends has made climate models less reliable for long-term predictions.
- The India Meteorological Department (IMD) continues to refine its models, but managing expectations remains as challenging as managing climate risks.

Conclusion

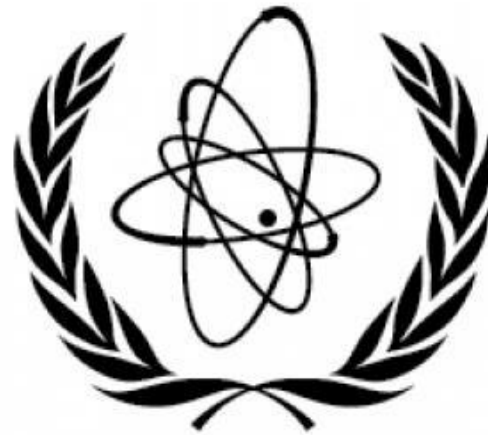
- With uncertainty surrounding ENSO's impact, India must prepare for monsoon variability rather than rely solely on forecasts. Strengthening adaptive strategies, improving climate resilience in agriculture, and enhancing monsoon prediction models remain critical. The changing ENSO dynamics underscore the need for continuous climate research and policy adaptation to mitigate monsoon-related risks.

UPSC Mains Practice Question

Ques :Discuss the impact of El Niño and La Niña on the Indian monsoon. How has climate change altered this relationship in recent decades?

In News : International Atomic Energy Agency (IAEA)

- ▶ International Atomic Energy Agency (IAEA) Director recently lauded India's expanding nuclear sector, calling it one of the 'most dynamic' in Asia and the world.



IAEA

International Atomic Energy Agency

About International Atomic Energy Agency

- ▶ It is the world's foremost intergovernmental forum for scientific and technical cooperation in the nuclear field.
- ▶ It works for the safe, secure, and peaceful uses of nuclear science and technology.
- ▶ An autonomous organization within the United Nations system, the IAEA carries out programmes to maximize the contribution of nuclear technology to society while verifying its peaceful use.
- ▶ It is widely known as the world's "Atoms for Peace and Development" organization within the United Nations family.
- ▶ IAEA reports to both the United Nations General Assembly and Security Council.
- ▶ **Statute:**

- The Statute of the IAEA was approved on 23 October 1956 by the Conference on the Statute of the International Atomic Energy Agency, which was held at the Headquarters of the United Nations.
- It came into force on 29 July 1957.
- **Headquarters:** Vienna, Austria.
- **Membership:** Currently, it has 178 member states.

International Atomic Energy Agency Structure

- The General Conference, consisting of all members, meets annually to approve the budget and programs and to debate the IAEA's general policies.
- The Board of Governors, which consists of 35 members who meet about five times per year, is charged with carrying out the agency's statutory functions, approving safeguards agreements, and appointing the director general.
- The day-to-day affairs of the IAEA are run by the Secretariat, which is headed by the director general.
- International Atomic Energy Agency Functions
- It works with its member states and multiple partners worldwide to promote the safe, secure, and peaceful use of nuclear technologies.
- It applies nuclear safeguards – consisting of monitoring, inspection, information analysis, and other activities – to verify that nuclear activities remain peaceful and detect and deter their diversion, including to weapons-related purposes.
- In particular, the IAEA implements comprehensive safeguards agreements mandated by the Nuclear Non-Proliferation Treaty (NPT), which serve as a first line of defense against nuclear weapons proliferation.
- IAEA assists its member states and promotes the exchange of scientific and technical information between them.
- IAEA enhances national, regional, and international capacities to respond to nuclear and radiological incidents, which is essential to minimizing their impact.

Torture shadows India's justice system

The ruling by the King's Bench Division of the High Court of Justice in London on February 28 in the Sanjay Bhandari extradition case, upholding the fugitive's defence against extradition, and the proceedings in Tahawwur Rana's appeal in the U.S. Supreme Court challenging the latter's extradition are significant judicial developments with larger implications for a constitutional state. Hopefully, these proceedings will spur the government to reinforce India's claim as a professed defender of human rights by enacting a comprehensive law against torture, enabling it to ratify the United Nations Convention against Torture (UNCAT).

This is because the defence of Bhandari, facing Indian prosecutors for tax evasion and money laundering, and of Rana, whose extradition is sought for his role as a conspirator in the 26/11 Mumbai terrorist attack, is premised essentially on credible evidence of endemic custodial torture in India including its non-ratification of the Convention.

In Bhandari's case, Justices Holroyde and Steyn, while denying the Indian government's plea for extradition, found that Bhandari faced a real risk of custodial torture in Indian jails and that India had not ratified the UNCAT.

Rana, in his renewed application for a stay on extradition to India pending the decision of his *Habeas Corpus* petition, has cited the U.K.

judgment and its reasoning. Other fugitives from Indian law have also challenged the government's extradition request on similar grounds, exposing a legal lacuna that has compromised the effectiveness of the country's criminal justice system.

Although one of the earliest Unilateral Declarations against Torture (Resolution number 32/64) was initiated by India in the UN General Assembly and has ratified several other international treaties against torture, including the Universal Declaration of Human



Ashwani Kumar

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Views expressed are personal

Rights (1948) and the International Covenant on Civil and Political Rights (1976), its ambivalence in ratifying the UNCAT is confounding. Articles 51(c), and 253 of the Constitution mandate respect for international treaties to which India is a party (*NALSA* (2014), *Vishakha* (1997) et al. Regrettably, India finds itself in the company of discredited non-ratifying dictatorial regimes such as Angola, Brunei, Comoros, the Gambia, Haiti, and Sudan.

Judicial abdication

Reflecting a broad political consensus on the outlawing of torture based upon deeply felt popular sensitivities, the Select Committee of the Rajya Sabha had recommended a comprehensive anti-torture legislation as early as 2010. The Law Commission also recommended this in its 273rd Report (2017) and furnished a draft of the proposed law for consideration. The Human Rights Commission of India has similarly supported a stand-alone domestic law against torture.

In an expansive interpretation of Article 21 of the Constitution, the Supreme Court has declared that torture in any form is an unacceptable infringement of the sacrosanct right to dignity and privacy (*D.K. Basu* (1997), *Puttaswamy* (2017), *Nambi Narayanan* (2018), *Romila Thapar* (2018). Even so, in *Ashwani Kumar* (2019), the constitutional court found itself unable to even nudge the government to consider enacting the requisite law, despite its several pronouncements suggesting suitable laws on different subjects (*Tehseen Poonawalla* (2018), *Ranveer Allahabadia* (2025), etc.). The Court failed to appreciate that "a lack of legislation may be contrary to the principle of legal certainty," that "it is the function of the court to provide effective remedy" and that "it is legitimate for constitutional courts to caution legislatures against their failure to introduce what they consider as adequate legislation." [Opinion No.18 [2015] Consultative Council

of European judges]. Nor did it heed D.Y. Chandrachud's declaration in *Jeet S. Bisht* (2007) that the doctrine of separation of powers "allows methods to be used to prod and communicate to an institution either its shortfalls or excesses in discharging its duties..." Even as the Court cautioned in *Sharaya Bano* (2017) that constitutional rights can be defeated through inaction, indifference, or ambivalence on the part of other organs of the State, its failure to facilitate the enactment of a comprehensive law against torture is an impermissible abdication of its remit.

In these premises, the extradition cases raise profoundly important questions about a democratic State baulking at fulfilling its compelling constitutional and international obligations. Surely, the price of security cannot be an unconscionable brutalisation of the incarcerated. Whether a democratic State can, by its inaction, demonstrate a brazen disdain for national consensus on a core humanitarian issue is a disconcerting interrogatory. India's continued failure to enact a credible anti-torture law indicates the impoverishment of our politics and the indifference of political parties as democratic agents, to mediate fundamental policy choices in furtherance of the republic's core values.

Whether or not the cited cases validate Professor Harold Laski's profound insight that "ideas must wait upon events that give them birth," only time will tell. Wiser with the lesson of Guantanamo Bay that torture in State custody irretrievably dents democracy's soft power, the Indian State is expected to vindicate the republic's foundational principles by ratifying the Convention. It is time for a nation wedded to democracy and seeking a role as the world's moral arbiter to recognise that a flailing democracy is antithetical to a resurgent Bharat and that torture in any form is "... a wound in the soul so intangible that there is no way to heal it..."

In an expansive interpretation of Article 21 of the Constitution, the Supreme Court has emphatically declared that torture in any form is an unacceptable infringement of the sacrosanct right to dignity and privacy

GS Paper 02 Governance

UPSC Mains Practice Question: Analyze the impact of custodial torture on India's justice system and international reputation. Suggest measures to prevent such practices.

Context :

- ▶ The recent rulings in the Sanjay Bhandari extradition case in the United Kingdom and the ongoing proceedings in Tahawwur Rana's extradition appeal in the United States have raised serious concerns about custodial torture in India.
- ▶ These cases highlight the legal and moral necessity for India to enact a comprehensive anti-torture law and ratify the United Nations Convention against Torture (UNCAT). Despite being a signatory to several human rights treaties, India's failure to ratify UNCAT weakens its global human rights stance.

Key Issues with India's Anti-Torture Framework

- ▶ **Custodial Torture and Extradition Cases**
 - The UK High Court denied Bhandari's extradition on the grounds that he faced a real risk of custodial torture in India and cited India's non-ratification of UNCAT.
 - Tahawwur Rana, accused in the 26/11 Mumbai attack case, has cited similar concerns in his appeal against extradition to India.
 - Several other fugitives have used the same argument, exposing a legal loophole that affects India's ability to bring back individuals facing trial.
- ▶ **India's Ambiguity on UNCAT Ratification**
 - Despite initiating an early UN resolution against torture, India has not ratified UNCAT, placing it in the company of authoritarian regimes such as Sudan, Brunei, and Angola.
 - Articles 51(c) and 253 of the Constitution mandate adherence to international treaties, yet the government remains reluctant.
- ▶ **Judicial Inaction and Political Indifference**
 - The Rajya Sabha Select Committee (2010) and the Law Commission (273rd Report, 2017) recommended a standalone anti-torture law, but no action has been taken.
 - The Supreme Court has strongly condemned custodial torture under Article 21 (D.K. Basu, Puttaswamy, Nambi Narayanan cases).
 - However, in Ashwani Kumar (2019), the Court refrained from directing the government to legislate on the issue, showing judicial restraint despite past precedents (Vishakha, NALSA, Tehseen Poonawalla).

Implications of India's Inaction

➔ **Human Rights and International Reputation**

- India's failure to pass an anti-torture law damages its credibility as a democratic nation and weakens its position as a defender of human rights.
- The Guantanamo Bay case in the US serves as a reminder that state-sanctioned torture undermines democracy's moral authority.

➔ **Legal and Diplomatic Challenges**

- The rejection of extradition requests based on torture concerns hampers India's ability to prosecute criminals and fugitives.
- The absence of legal safeguards weakens India's negotiating power in international legal forums.

➔ **Impact on Law Enforcement and Justice System**

- Custodial torture leads to wrongful confessions, false convictions, and erodes trust in the justice system.
- The absence of legal deterrence allows human rights violations to persist unchecked.

Way Forward

➔ **Enactment of a Comprehensive Anti-Torture Law**

- The proposed law should define torture, establish accountability mechanisms, and provide for independent investigations into custodial torture cases.

➔ **Ratification of UNCAT**

- India should formally ratify the UNCAT and align its legal framework with international human rights standards.

➔ **Judicial and Police Reforms**

- The judiciary must take a proactive role in ensuring the protection of fundamental rights, while police reforms must focus on humane interrogation techniques and better training.

➔ **Strengthening Human Rights Institutions**

- The National Human Rights Commission (NHRC) and state bodies should be given more autonomy and resources to investigate cases of torture effectively.

Conclusion

- ➔ India, as a democracy aspiring for global leadership, must not allow custodial torture to tarnish its justice system. Enacting an anti-torture law and ratifying UNCAT will strengthen India's human rights framework and reinforce its commitment to constitutional values. Addressing this issue is not just a legal necessity but a moral imperative to uphold the dignity and rights of individuals.
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