



Daily News Analysis

The Hindu Important News Articles & Editorial For UPSC CSE

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Page 01:GS 2 : I.R. / Prelims

Amid escalating border clashes along the Durand Line, Taliban Foreign Minister Amir Khan Muttaqi stated that Afghanistan remains open to dialogue and diplomacy with Pakistan, but has "other means" if peaceful efforts fail. His remarks come after Pakistan's airstrikes in Kabul and retaliatory Afghan military operations, further straining already tense ties between the two neighbours.

Open to Pak. talks, but have options: Muttaqi

Taliban say Pakistan harbouring IS fighters from West Asia and must look into its 'internal failures'

Kalol Bhattacharjee
NEW DELHI

Afghanistan is open to dialogue and diplomacy for a peaceful resolution of its conflict with Pakistan, but if the efforts do not succeed, it has "other means", said the acting Foreign Minister of the Taliban administration, Amir Khan Muttaqi, on Sunday in response to the border clashes between the two countries.

"There are some special groups in Pakistan that are trying to disturb our relations. After they initiated hostile activities last week, we responded to defend our territory, and after that, our friends Saudi Arabia and Qatar intervened. Our doors are open for dialogue, but if Pakistan does not take this opportunity, then we have other

means," he said.

Mr. Muttaqi was holding a second press conference in the Embassy of Afghanistan here after facing a backlash for not including women media professionals in his Friday interaction with the media. He said the previous interaction was organised at "short notice, and the exclusion of women journalists happened from a "technical error".

Retaliatory strikes

Pakistan carried out airstrikes against targets in Kabul on Thursday, and in response, the Afghan Defence Forces conducted operations across the Durand Line in which 58 Pakistani soldiers were killed, said Zabiullah Mujahid, spokesperson of the Taliban administration.

Mr. Mujahid accused Pakistan of sheltering IS fighters from multiple coun-

tries in West Asia, and said

Pakistan-based IS elements were behind the attacks in Russia and Iran. Following heavy clashes on Sunday, Pakistan has captured 19 Afghan border posts, and the border crossings between the two countries have been shut temporarily in view of the prevailing tension.

Pakistan had claimed that Thursday's air strikes in Kabul eliminated the leader of the Tehreek-e-Taliban Pakistan (TTP), Mufi Noor Wali Mehsood, a claim that was denied by sources in the TTP.

Pakistan has been claiming that TTP is drawing support from the Afghan Taliban administra-



Talking tough: Taliban Foreign Minister Amir Khan Muttaqi, left, addressing a press conference in New Delhi on Sunday. PTI

Pakistan has been claiming that the TTP is using Afghan support and territory to launch attacks

Minister says women journalists were left out of Friday's press conference due to 'technical error'

tion and is using Afghan territory to launch attacks against it. Responding to the accusations, Mr. Muttaqi said the real problem is Pakistan's inability to maintain law and order along the Durand Line and the forced expulsion of the Afghan refugees from Pakistan.

"There are no terror groups inside Afghanistan. We have removed them all over the last four years. Pakistan, which carried out attacks deep inside Afghanistan, is unable to stop attacks that are taking place deep inside its own territory. They should look into their internal failures," said Mr. Muttaqi, urging Pakistan to control the law and order situation along the Durand Line.

"We have established our control inside Afghanistan after four decades of war. Why is Pakistan un-

able to establish control on its own territories?" asked Mr. Muttaqi who addressed the press conference with a large flag of the Taliban-run Islamic Emirate of Afghanistan (IEA) and expressed "regret" for many of the deaths that took place during the war in Afghanistan.

Condition of women

Faced with multiple questions on the condition of women in Taliban-ruled Afghanistan, Mr. Muttaqi said, "Afghanistan has Islamic rule. In Islam, everyone's rights are protected, be it men or women. Everyone has rights. There is no restriction on anyone."

He said Afghanistan has

10 million students attending schools and other educational institutes, of which 2.8 million are women and girls, adding,

"There are limitations in specific parts, and that does not mean that we oppose education. We have not declared it to be 'haram'."

Continuing his remarks on the women in Afghanistan, Mr. Muttaqi said the "Taliban's first priority was to bring an end to the war. "We have adopted such policies that will slowly bring change so that no conflict arises in the future. We have to carry everyone along with us and make policies accordingly," said Mr. Muttaqi in his first extensive remarks about the harsh anti-women policies that the Taliban has adopted since returning to power in August 2021.

He is expected to hold a meeting in FICCI on Monday where Afghan-Indian trade interests will be in focus.

Key Highlights

1. Border Clashes and Retaliation

- Pakistan conducted airstrikes inside Kabul targeting alleged TTP (Tehreek-e-Taliban Pakistan) hideouts.
- The Afghan Defence Forces retaliated, reportedly killing 58 Pakistani soldiers across the Durand Line.
- Heavy clashes led to Pakistan capturing 19 Afghan border posts, and all crossings were temporarily closed.

2. Statements by Taliban Officials



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- Amir Khan Muttaqi accused Pakistan of harbouring IS (Islamic State) fighters from West Asia and claimed Pakistan should address its "internal failures".
- Zabiullah Mujahid, Taliban spokesperson, alleged that IS elements in Pakistan were behind recent attacks in Russia and Iran.
- Muttaqi denied the presence of "terror groups" in Afghanistan, asserting that they had been eliminated in the past four years.

3. Women Journalists and Gender Policies

- Muttaqi clarified that the exclusion of women journalists from an earlier press conference was due to a "technical error".
- On the issue of women's rights, he stated:

"In Islam, everyone's rights are protected... There are limitations in specific parts, but education is not haram."

- Claimed 2.8 million women and girls are currently studying in Afghan institutions.

4. Diplomatic Outreach

- Muttaqi expressed appreciation for mediation efforts by Saudi Arabia and Qatar.
- He is scheduled to meet business representatives at FICCI, New Delhi, to strengthen Afghan-Indian trade cooperation.

Static and Current Linkages

Static Topic	Current Relevance
Durand Line (1893 Agreement)	Root of recurring border disputes between Afghanistan and Pakistan.
TTP (Tehreek-e-Taliban Pakistan)	Major non-state actor accused of using Afghan soil for cross-border attacks.
Islamic Emirate of Afghanistan (2021)	De facto Taliban administration after U.S. withdrawal.
India-Afghanistan Relations	India continues humanitarian and trade engagement despite non-recognition of Taliban regime.
Islamic State-Khorasan Province (IS-KP)	Transnational terror group with presence in Afghanistan-Pakistan region.

Analytical Perspective

1. Fragile Afghanistan-Pakistan Ties

- The tension reflects deep mistrust since Taliban's return to power in 2021.



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- Pakistan's claim of TTP's Afghan shelter contrasts with Taliban's counter-allegation of Pakistani IS presence.
- Indicates shifting terror networks and proxy competition in South Asia.

2. Regional Security Implications

- Escalation may destabilize the already volatile Af-Pak border region.
- Could hinder regional initiatives like CPEC extension and CASA-1000 energy corridor.
- Raises risks of refugee influx and terror spillover into neighbouring countries.

3. India's Diplomatic Space

- Taliban choosing New Delhi for a press conference underscores India's renewed engagement.
- India can leverage trade and humanitarian diplomacy to maintain strategic presence in Afghanistan.

4. Human Rights and Gender Concerns

- Taliban's statements on women's rights remain contradictory to on-ground restrictions.
- The issue continues to challenge global recognition and legitimacy of the regime.

Strategic Implications

- **For Pakistan:** Deteriorating ties with Kabul complicate its western border security and internal counter-terror strategy.
- **For Afghanistan:** Facing diplomatic isolation, Kabul seeks to assert sovereignty and project national legitimacy.
- **For India:** Offers opportunity to engage both bilaterally and through multilateral platforms like SCO for regional stability.
- **For Global Community:** Renewed clashes highlight fragility of post-U.S. withdrawal security architecture in South Asia.

Challenges Ahead

- Ensuring de-escalation and avoiding all-out conflict along the Durand Line.
- Building trust mechanisms between Kabul and Islamabad to manage TTP and IS threats.
- Balancing human rights concerns with pragmatic diplomatic engagement.
- Managing the refugee situation and preventing radicalization in border zones.

Conclusion

The Afghanistan-Pakistan border confrontation underlines the complex interplay of terror networks, territorial disputes, and political legitimacy in the post-2021 regional order. While the Taliban's outreach for talks signals



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readiness for diplomacy, the warning of "other means" reflects persistent volatility. For India and the wider region, stability in Afghanistan remains central to a peaceful and cooperative Indo-Pacific and Central Asian security framework.

UPSC Prelims Practice Question

Ques: Consider the following statements:

1. The Tehreek-e-Taliban Pakistan (TTP) is designated as a terrorist organization by the United Nations.
2. The Taliban administration in Afghanistan is formally recognized by India.
3. The Durand Line was demarcated in 1893 during British rule.

Which of the statements given above is/are correct?

- (A) 1 and 3 only
- (B) 2 and 3 only
- (C) 1 and 2 only
- (D) 1, 2 and 3

Ans: a)

UPSC Mains Practice Question

Ques: Non-state actors like TTP and IS-KP continue to challenge state authority in South Asia. Analyze how such transnational groups complicate the security environment for neighbouring countries, including India. **(250 Words)**



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Page 01 : GS 1 : History / Prelims

The Tamil Nadu State Department of Archaeology (TNSDA) has discovered strong evidence of Iron Age culture at Thirumalapuram in Tenkasi district, located near the Western Ghats. The findings from the first season of excavation indicate that the site could date back to the early to mid-third millennium BCE, aligning it chronologically with prominent archaeological sites like Adichanallur and Sivagalai.



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Initial findings point to Iron Age origins at new excavation site in T.N.

N. Sai Charan
CHENNAI

The first season of excavations carried out by the Tamil Nadu State Department of Archaeology (TNSDA) at Thirumalapuram in Tenkasi district has brought to light the presence of Iron Age culture close to the Western Ghats in Tamil Nadu.

According to tentative estimates, the site could date back to the early to mid-third millennium BCE, similar to Adichanallur and Sivagalai. Official sources said the exact period would be confirmed through scientific analyses.

Burial site

According to the recently released report, *Archaeological Excavations in Tamil Nadu: A Preliminary Report*, the burial site at Thirumalapuram covers nearly 35 acres and lies about 10 km northwest of the present-day village, between two seasonal streams that rise from the Western Ghats near the Ku-



Rich yield: An urn burial site at Thirumalapuram in Tamil Nadu's Tenkasi district. SPECIAL ARRANGEMENT

lasegarapereri tank. During the first season of excavations started last year, TNSDA archaeologists dug 37 trenches and unearthed several artefacts, including a rectangular stone slab chamber with urn burials and urns, a first-of-its-kind discovery in Tamil Nadu.

The chamber, made of 35 stone slabs, was filled with cobblestones up to a depth of 1.5 metres.

The excavations also yielded a rich collection of ceramics found in graves and among grave goods. These included white-

painted black-and-red ware, red ware, red-slipped ware, black-polished ware, and coarse red ware.

Unique feature

The black-and-red ware, black ware, and black-slipped ware types had white-painted designs, a unique feature first reported from T. Kallupatti and later from Adichanallur, Sivagalai, Thulukkarpatti, and Korkai, the report said.

According to the report, symbols on the urns were

among the most striking discoveries at Thirumalapuram. One red-slipped pot featured dotted designs showing a human figure, a mountain, a deer, and a tortoise.

A total of 78 antiquities made of bone, gold, bronze, and iron were also found. They include a tweezer, sword, spearhead, gold ring, axe, dagger, chisel, bonehead, and arrowhead. Three tiny gold rings were found in an urn at a depth of 0.49 metres. Each ring measures 4.8 mm in diameter and weighs less than one milligram.

Based on the unearthed materials, archaeologists believe this site dates to Iron Age. Official sources said the dating remains tentative as studies are still under way. Comparisons with sites such as Sivagalai and Adichanallur, dated between 3,345 BCE and 2,513 BCE respectively, suggest that Thirumalapuram could be placed in the early to mid-third millennium BCE.

Key Highlights of the Excavation

1. Site Details

- Location: Thirumalapuram, about 10 km northwest of the present-day village in Tenkasi district.
- Area: The burial site covers nearly 35 acres, situated between two seasonal streams emerging from the Western Ghats.
- Project: Conducted by TNSDA during the first excavation season (2024–25).

2. Major Discoveries

- Rectangular stone slab chamber with urn burials — first-of-its-kind in Tamil Nadu.



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- Chamber constructed using 35 stone slabs and filled with cobblestones up to a depth of 1.5 metres.
- Unearthed 37 trenches yielding a rich collection of artefacts and ceramics.

3. Ceramic Finds

- **Varieties include:**
 - White-painted black-and-red ware
 - Red ware, red-slipped ware, black-polished ware, and coarse red ware
- The white-painted designs on black-and-red ware resemble earlier findings from T. Kallupatti, Adichanallur, and Korkai, signifying cultural continuity.

4. Symbolic Artefacts

- One red-slipped pot features painted symbols of a human figure, mountain, deer, and tortoise — possibly indicating ritual or mythological motifs.
- Such iconography provides insights into symbolic expression and belief systems of Iron Age communities.

5. Metal and Bone Artefacts

- 78 antiquities recovered, including:
 - Tools and weapons: sword, spearhead, dagger, axe, chisel, arrowhead
 - Ornaments: gold rings (4.8 mm diameter, <1 mg weight)
 - Implements: tweezers, bonehead, etc.
- Suggests advanced metallurgical skills and funerary offerings culture.

Static and Current Linkages

Static Topic	Current Relevance
Iron Age in South India (1500–500 BCE)	Thirumalapuram adds to understanding of early Iron Age settlements and burial practices.
Adichanallur & Sivagalai Excavations	Comparative dating helps situate Thirumalapuram within early Dravidian cultural development.
Material Culture	Pottery, symbols, and metal artefacts reflect technological and artistic advancement.
Archaeological Methodology	Scientific dating (C-14, thermoluminescence) to confirm chronological framework.
Cultural Heritage of Tamil Nadu	Strengthens Tamil Nadu's position as a major centre of early urban and metallurgical development.



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Analytical Perspective

1. Expanding the Cultural Horizon

- The discovery extends the geographical spread of Iron Age civilization toward the Western Ghats.
- Indicates wide regional interaction among Iron Age communities in southern India.

2. Evolution of Burial Practices

- The urn burials with grave goods show ritualistic complexity and belief in afterlife.
- Parallels found with Megalithic sites in Tamil Nadu and Karnataka suggest shared cultural traits.

3. Technological and Metallurgical Advancement

- The presence of iron tools and gold ornaments highlights early metalworking proficiency.
- Demonstrates transition from Bronze Age to Iron Age economies.

4. Continuity with Sangam Age Culture

- Symbolic motifs and artefacts resonate with later Sangam literature references to burial rituals and hero stones (nadukal).
- Suggests cultural continuity in southern peninsular traditions.

Strategic and Academic Implications

- For Archaeology: Offers new avenues to trace Iron Age chronology and cultural patterns in South India.
- For Tamil Nadu: Reinforces the state's claim as a cradle of early civilization with rich indigenous heritage.
- For Education and Tourism: Can promote archaeological tourism and heritage studies around Tenkasi.
- For Research Institutions: Encourages interdisciplinary collaboration in archaeobotany, metallurgy, and cultural anthropology.

Challenges Ahead

- Need for scientific dating and preservation of fragile artefacts.
- Preventing site degradation due to local construction and climate exposure.
- Integrating local communities into heritage conservation efforts.
- Ensuring transparent publication of excavation data for academic use.

Conclusion

The Thirumalapuram excavation represents a significant milestone in mapping the Iron Age cultural landscape of Tamil Nadu. The finds — from urn burials and painted ceramics to gold artefacts — not only mirror technological



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sophistication but also the ritual and symbolic depth of early Dravidian society. Together with Adichanallur and Sivagalai, Thirumalapuram strengthens the archaeological evidence of a thriving protohistoric civilization that laid the cultural foundation for Tamilakam's classical age.

UPSC Prelims Practice Question

Ques: With reference to the recent excavation at Thirumalapuram in Tamil Nadu, consider the following statements:

1. The site is located close to the Eastern Ghats in Tamil Nadu.
2. It has yielded a rectangular stone slab chamber with urn burials — the first such discovery in Tamil Nadu.
3. The site is believed to date back to the early to mid-third millennium BCE.
4. The excavation was carried out by the Archaeological Survey of India (ASI).

Which of the statements given above are correct?

- (A) 1 and 4 only
- (B) 2 and 3 only
- (C) 2, 3 and 4 only
- (D) 1, 2 and 3 only

Ans: (b)

UPSC Mains Practice Question

Ques: Discuss the significance of the recent Thirumalapuram excavation in understanding the Iron Age culture and its continuity with the Sangam Age civilization in South India.



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Page 04 :GS 2 : I.R. / Prelims

India will be represented by Minister of State for External Affairs KirtiVardhan Singh at the Sharm el-Sheikh Peace Summit on Gaza, co-hosted by Egyptian President Abdel Fattah el-Sisi and U.S. President Donald Trump. The summit, aimed at finalizing a ceasefire and reconstruction plan for Gaza, comes amid renewed diplomatic efforts to stabilize the West Asian region after prolonged conflict between Israel and Hamas.

Prime Minister Narendra Modi declined the invitation due to short notice, but India reaffirmed its support for peace and humanitarian assistance in Gaza.



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India sends Minister to Egypt for Gaza summit

New Delhi will be represented by Minister of State for External Affairs Kirtiwarthan Singh in place of Prime Minister Narendra Modi, who declined the invitation from Egypt due to the short notice

Suhasini Haidar
NEW DELHI

India will send Minister of State for External Affairs Kirtiwarthan Singh to represent the country at the Peace Summit on Gaza in Sharm el-Sheikh to be co-hosted by Egypt and the United States on Monday, officials confirmed to *The Hindu*.

Prime Minister Narendra Modi was among more than 20 world leaders invited over the weekend to attend the summit, which will be co-hosted by Egyptian President Abdel Fattah el-Sisi and U.S. President Donald Trump, to discuss the ceasefire deal between Israel and Hamas, brokered mainly by negotiators from the U.S., Egypt, and Qatar.

However, given the short notice, Mr. Modi, whose invitation was delivered by Egyptian Ambassador Kamel Galal, declined the invitation. Mr. Modi had also met U.S. special envoy and Ambassador-designate Sergio Gor in Delhi on Saturday.

Egypt's FM to visit Delhi
Mr. Singh left for Cairo on Sunday and will travel to Sharm el-Sheikh on Monday, the officials said. Mr. Modi, however, expected to meet Egyptian Foreign Minister Badr Abdelatty in



Key gathering: More than 20 world leaders are expected at the Sharm el-Sheikh Summit for Peace on Monday. REUTERS

ter this week, who is travelling to Delhi to hold the India-Egypt Strategic Dialogue.

According to sources, Mr. Abdelatty's visit is part of the Sisi-Modi Strategic Partnership Agreement signed in January 2023, and this is his first visit to India since taking over in 2024. Mr. Abdelatty has been in frequent contact with External Affairs Minister S. Jaishankar, including during Operation Sindoar in May, and Egypt had strongly condemned the Pahalgam terror attacks.

Mr. Abdelatty is also expected to brief the government on the plans for the reconstruction of Gaza.

Although Egypt is not a member of the India-Middle East-Europe Economic Corridor (IMEC), it has been keen to discuss alternative route alignments

On Monday morning, Mr. Trump will be in Jerusalem to address the Israeli parliament as he and Mr. Netanyahu await the release of 20 Israeli hostages still alive and the return of remaining bodies of those who have died since they were abducted by Hamas during the 2023 terror attacks. Israel will release about 2,000 Palestinian prisoners.

Finalise truce deal

Mr. Abdelatty spoke by telephone to his counterparts in a number of countries, said the Egyptian Foreign Ministry on Sunday, and conveyed the invitation from President Sisi and President Trump to witness the signing of a peace agreement.

"During the calls, Minister Abdelatty discussed the substantive arrangements of the summit, which is a historic summit aimed at ending the war on the Gaza Strip," said the statement.

"The summit seeks to help restore regional stability and alleviate the suffering of the Palestinian people in Gaza, in line with U.S. President Donald Trump's vision for peace in the region," it added.

Mr. Modi had welcomed the Gaza ceasefire agreement last week and spoke to Mr. Trump over the telephone to congratulate him.

Key Highlights

1. India's Participation

- Minister Kirtiwarthan Singh will represent India at the summit in Sharm el-Sheikh, Egypt.
- The summit seeks to consolidate a U.S.-Egypt-Qatar brokered ceasefire deal between Israel and Hamas.
- PM Modi's decision not to attend personally reflects logistical constraints, not diplomatic distancing.

2. High-Level Global Gathering

- Over 20 world leaders and representatives are attending, including:
 - UN Secretary-General António Guterres
 - Leaders of France, Italy, Spain, and the U.K.
 - Pakistan Prime Minister Shehbaz Sharif
- Iran and Hamas declined the invitation.



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- Uncertainty remains over participation of Israeli PM Netanyahu and Palestinian Authority President Mahmoud Abbas.

3. Parallel Diplomatic Engagements

- Egyptian Foreign Minister BadrAbdelatty will visit New Delhi later this week for the India–Egypt Strategic Dialogue.
- The visit builds upon the Sisi–Modi Strategic Partnership Agreement (2023).
- Abdelatty expected to brief India on Gaza reconstruction and regional stability plans.
- Egypt also exploring alternative trade alignments with India due to instability around Israel's Haifa Port, part of the India–Middle East–Europe Economic Corridor (IMEC).

4. Peace Process Developments

- The summit will witness signing of a ceasefire and prisoner exchange:
 - Israel to release ~2,000 Palestinian prisoners.
 - Hamas to release 20 Israeli hostages.
- The goal is to end the war on Gaza and restore regional stability in line with U.S. peace framework.

Static and Current Linkages

Static Topic	Current Relevance
India–Egypt Strategic Partnership (2023)	Institutionalized cooperation in defence, trade, and regional peace initiatives.
India's West Asia Policy	Emphasizes peace, stability, and balanced engagement with both Israel and Palestine.
India–Middle East–Europe Economic Corridor (IMEC)	Egypt's interest in alternate routes highlights evolving regional connectivity dynamics.
Non-Alignment and Strategic Autonomy	India's measured participation reflects balanced diplomacy between competing powers.
UN and Multilateralism	India supports peaceful resolution of conflicts through dialogue and multilateral forums.

Analytical Perspective

1. Balanced Diplomacy

- India's decision to send a ministerial-level representative instead of the PM reflects strategic neutrality — maintaining engagement without being drawn into regional rivalries.
- Reinforces India's consistent position on peaceful coexistence and two-state solution.



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2. Strengthening Ties with Egypt

- Egypt has emerged as a key West Asian interlocutor for India.
- The Strategic Dialogue and cooperation in IMEC alternatives underline growing geo-economic convergence.

3. Implications for India's West Asia Outreach

- India's involvement signals continued relevance in regional peace-building efforts.
- Supports India's energy security and diaspora interests in the region.
- Enhances India's diplomatic visibility amid U.S. and Arab-led negotiations.

4. Shifts in Global Mediation Framework

- Egypt and the U.S. playing co-host roles indicate regional multilateral diplomacy over traditional Western dominance.
- India's participation shows its readiness to be part of multi-polar conflict resolution initiatives.

Strategic Implications

- For India: Demonstrates proactive but balanced role in global peace processes.
- For Egypt: Strengthens its position as a diplomatic hub between Asia, Africa, and the Middle East.
- For the Region: Signals cautious optimism for post-war reconstruction and humanitarian cooperation.
- For IMEC and Connectivity: Highlights need to diversify routes due to evolving geopolitical risks.

Challenges Ahead

- Ensuring that the ceasefire holds amid fragile trust between Israel and Hamas.
- Balancing relations with Israel, Arab states, and Iran simultaneously.
- Managing humanitarian aid and reconstruction financing in conflict-affected Gaza.
- Avoiding polarization in international forums over Palestinian statehood.

Conclusion

India's participation at the Sharm el-Sheikh Gaza Summit underlines its principled diplomacy rooted in dialogue and peace. While logistical constraints kept the Prime Minister away, New Delhi's engagement through MoSKirtivardhan Singh signifies India's solidarity with peace efforts and regional partners like Egypt. Amid complex power dynamics in West Asia, India continues to pursue a policy of strategic autonomy, aligning with its vision of global peace, stability, and inclusive development.



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UPSC Prelims Practice Question

Ques: The Peace Summit on Gaza held at Sharm el-Sheikh was co-hosted by which two countries?

- (A) Egypt and Israel
- (B) Egypt and the United States
- (C) Egypt and Qatar
- (D) Israel and the United Kingdom

Ans : b)

UPSC Mains Practice Question

Ques: Critically examine India's approach to the Gaza conflict in light of its strategic relations with both Israel and the Arab world. **(250 Words)**



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Page : 09: GS 2 : Indian Polity/ Prelims

India is gradually positioning itself as a hub for international commercial dispute resolution — a role once considered unimaginable. The recent India Alternative Dispute Resolution (ADR) Week, organized by the Mumbai Centre for International Arbitration (MCIA), marked a turning point, with top global arbitration experts engaging with Indian counterparts — signaling India's growing credibility in global legal services.

Parallelly, the Bar Council of India's 2025 Rules for Registration and Regulation of Foreign Lawyers and Law Firms represent a calibrated step toward liberalizing India's legal market, allowing foreign lawyers limited rights to practice international and home-country law in India.

Key Highlights

1. Evolution of Foreign Legal Practice in India

• Early Resistance (1990s–2018):

- Lawyers Collective (2009) – Bombay HC barred foreign firms from practicing corporate or litigation work.
- A.K. Balaji (2012) – Madras HC reaffirmed the bar, allowing only temporary foreign law advice.
- Supreme Court (2018) – Permitted "fly-in, fly-out" consultations but not permanent offices.

• Concerns:

- Fear of foreign dominance due to smaller, fragmented Indian firms.
- Need for domestic capacity building before full liberalization.

2. The 2025 Framework

Global doors, measured steps

Not so long ago, the idea of India as the place for resolution of international commercial disputes would have sounded like the start of a bad lawyer joke. Equally unimaginable was that the Supreme Court of India, known for decades for its exceptional judicial activism and for protecting the constitutional rights of India's citizenry, would throw its weight behind the idea of making India a destination for the resolution of high-value commercial disputes – first, for adjudicating disputes related to domestic investments; and second, for adjudicating disputes related to cross-border investments.

The India Alternative Dispute Resolution Week, organised by the Mumbai Centre for International Arbitration in Bengaluru, Mumbai and Delhi last month, reflects a change unimaginable just a decade ago. No one expected that top litigation and arbitration counsel from across the globe would flock to India in such a short span of time; and that they would trade best practices with the Indian Bar and Bench, in a manner hitherto seen in New York, London, and Singapore.

Foreign law firms in India
The fact is that international interest in the Indian legal profession is not new. In fact, foreign lawyers were interested in tapping the Indian market as early as the 1990s, when the economy opened up. However, Indian law firms at that time knew law was patchy, and the possibility of scaling up was limited by the fragmented manner in which firms were organised. There was also a brain drain from the five-year law schools. In short, the Indian legal industry, at that juncture, was simply not ready to jostle with foreign law firms.

These concerns were aired in court, which resulted in multiple decisions. First, in its 2009 decision in Lawyers Collective, the Bombay High Court disallowed foreign law firms from practising corporate or litigation work in India, even if they had on their rolls Indian qualified lawyers. Three years later, the Madras High Court doubled the position in A.K. Balaji, but fortunately left a small crack open by permitting temporary advice on foreign law to be provided by foreign lawyers. Finally, in 2018, the Supreme Court harmonised the strands: "fly-in, fly-out" advice was fine, but permanent offices were not. Foreign law firms that wanted to open offices in India were left standing at the altar, which then gradually led to a waning of their interests.

Many critics called the Indian approach parochial. In truth, it was really about timing. The worry was never that Indian lawyers lacked ability. Think of Sir Benegal Rau, or Fali Nariman, or Soll Sorabjee, whose advocacy travelled well beyond Indian courts. Rather, the concern was that domestic firms would be muscled out by foreign law firms.

A changed picture
The picture has changed dramatically. Indian law firms hitherto maimed by 15-20 lawyers, have over 1,000 lawyers with significant global exposure. That, coupled with top-notch know-how, allows Indian law firms to grow even further. Commendable in this growth has also been the fact that unlike many other sectors in India which grew because of the introduction of foreign direct investment, the Indian legal profession grew organically, with little or no outside support. Today, Indian law firms have offices abroad, and Indian lawyers are often dually or triply qualified, practising across jurisdictions and climbing to the very top of their fields.

It is against this backdrop that the Bar Council of India's 2025 Rules for Registration and Regulation of Foreign Lawyers and Law Firms can be seen as the first formal step towards providing new impetus to the growth of the Indian legal profession. This comes on the heels of the Bar Council's first substantive acknowledgement in 2023, indicating that the Bar was open to allowing foreign lawyers to practise foreign and international law in India. The 2025 amendments give a framework.

Aristotle's Golden Mean
Yes, the framework bristles with compliance obligations, be it registrations, ministry certifications, annual filings or the 60-day cap on unregistered "fly-in" work. While these may feel like red tape, they ensure foreign expertise complements rather than eclipses the domestic profession. Concerns about such requirements deterring entrants remain, and indeed, it is better to air these now than after the floodgates open. Put simply, the idea is that foreign firms can advise on their home-country law, international law, and appear in international arbitrations seated in India. What they cannot do is equally crucial. They are not permitted to practise Indian law or appear in Indian courts unless enrolled. Reciprocity remains the lodestar of the new framework. Foreign firms may only set up shop in India if Indian lawyers are given the same rights in the foreign jurisdiction. Far from a bland compromise, this is Aristotle's Golden Mean – neither reckless liberalisation nor defensive insularity. As Rabindranath Tagore once said, "If everything comes to us that belongs to us, then we create the capacity to receive it." India, slowly and deliberately, is creating that capacity.

As that capacity builds, so will the consequences. As Abraham Lincoln put it, "I walk slowly, but I never walk backward." That has been India's legal journey: cautious, deliberate, but steadily moving forward. The Indian legal profession and domestic law firms are set to become a world players, a testament of which was played out through September.



Nakul Devyan
Senior Advocate designated by the Supreme Court of India and King's Counsel in England and Wales. He is also called to the Bar in Singapore.

The India Alternative Dispute Resolution Week
The India Alternative Dispute Resolution Week, organised by the Mumbai Centre for International Arbitration in Bengaluru, Mumbai and Delhi last month, reflects a change unimaginable just a decade ago. No one expected that top litigation and arbitration counsel from across the globe would flock to India in such a short span of time; and that they would trade best practices with the Indian Bar and Bench, in a manner hitherto seen in New York, London, and Singapore.

Global doors, measured steps
The picture has changed dramatically. Indian law firms hitherto maimed by 15-20 lawyers, have over 1,000 lawyers with significant global exposure. That, coupled with top-notch know-how, allows Indian law firms to grow even further. Commendable in this growth has also been the fact that unlike many other sectors in India which grew because of the introduction of foreign direct investment, the Indian legal profession grew organically, with little or no outside support. Today, Indian law firms have offices abroad, and Indian lawyers are often dually or triply qualified, practising across jurisdictions and climbing to the very top of their fields.

It is against this backdrop that the Bar Council of India's 2025 Rules for Registration and Regulation of Foreign Lawyers and Law Firms can be seen as the first formal step towards providing new impetus to the growth of the Indian legal profession. This comes on the heels of the Bar Council's first substantive acknowledgement in 2023, indicating that the Bar was open to allowing foreign lawyers to practise foreign and international law in India. The 2025 amendments give a framework.

Aristotle's Golden Mean
Yes, the framework bristles with compliance obligations, be it registrations, ministry certifications, annual filings or the 60-day cap on unregistered "fly-in" work. While these may feel like red tape, they ensure foreign expertise complements rather than eclipses the domestic profession. Concerns about such requirements deterring entrants remain, and indeed, it is better to air these now than after the floodgates open. Put simply, the idea is that foreign firms can advise on their home-country law, international law, and appear in international arbitrations seated in India. What they cannot do is equally crucial. They are not permitted to practise Indian law or appear in Indian courts unless enrolled. Reciprocity remains the lodestar of the new framework. Foreign firms may only set up shop in India if Indian lawyers are given the same rights in the foreign jurisdiction. Far from a bland compromise, this is Aristotle's Golden Mean – neither reckless liberalisation nor defensive insularity. As Rabindranath Tagore once said, "If everything comes to us that belongs to us, then we create the capacity to receive it." India, slowly and deliberately, is creating that capacity.

As that capacity builds, so will the consequences. As Abraham Lincoln put it, "I walk slowly, but I never walk backward." That has been India's legal journey: cautious, deliberate, but steadily moving forward. The Indian legal profession and domestic law firms are set to become a world players, a testament of which was played out through September.



Daily News Analysis

- **New Rules by the Bar Council of India (BCI):**

- **Allows foreign lawyers/firms to register and advise on:**
 - Home-country law
 - International law
 - International arbitrations seated in India
- **Prohibits:** Practicing Indian law or appearing in Indian courts unless enrolled with the Bar.
- **Conditions:**
 - Registration and ministry certification required
 - Annual compliance filings
 - "Fly-in" work capped at 60 days per year
 - Reciprocity clause — only those from countries where Indian lawyers enjoy similar rights can operate in India

3. Domestic Legal Transformation

- Indian law firms have expanded rapidly — from 15–20 lawyers to over 1,000-member teams.
- Growth has been largely organic, without foreign direct investment.
- Many Indian lawyers now hold dual or triple qualifications, practicing in global jurisdictions.

Static and Current Linkages

Static Topic	Current Relevance
Alternative Dispute Resolution (ADR)	India positioning as global arbitration hub via MCIA and ADR Week.
Bar Council of India (BCI)	2025 rules liberalizing entry of foreign law firms under regulatory supervision.
Reciprocity Principle in International Law	Core foundation for foreign lawyer participation in India.
Atmanirbhar Bharat & Service Sector Reform	Strengthening domestic legal industry while engaging global expertise.
Ease of Doing Business & Arbitration Reform	Enhancing India's credibility as an international investment destination.

Analytical Perspective

1. Strategic Liberalization

India's legal sector reform follows Aristotle's "Golden Mean" — balancing openness with caution. The framework ensures foreign expertise complements, not replaces, domestic capacity.

2. Boost to India's Global Legal Image



Daily News Analysis

By inviting global arbitration experts and foreign law firms, India enhances its reputation as a credible dispute resolution venue. This supports India's broader ambition to be an investment-friendly economy.

3. Strengthening Domestic Legal Capability

The gradual entry of foreign law firms will likely:

- Encourage knowledge exchange and best practices.
- Create incentives for Indian firms to scale, specialize, and globalize further.
- Foster professionalism and ethical modernization within the Bar.

4. Economic and Policy Synergy

Legal sector liberalization complements ongoing reforms in trade, services, and FDI, strengthening India's position in the knowledge economy.

Strategic Implications

- Global Arbitration Hub: India may emerge as a preferred seat for international arbitration, reducing outflow to Singapore or London.
- Professional Mobility: Reciprocity clauses may open opportunities for Indian lawyers abroad.
- Judicial Diplomacy: Enhances India's soft power through legal cooperation and global rule-of-law leadership.
- Investment Confidence: Transparent legal processes attract more cross-border investors.

Challenges Ahead

- Compliance Burden: Over-regulation may deter some foreign firms.
- Protection of Domestic Interests: Ensuring foreign entry doesn't undermine smaller Indian firms.
- Reciprocity Gaps: Not all countries offer equivalent access to Indian lawyers.
- Coordination Issues: Need for synergy among BCI, Ministry of Law, and arbitration institutions.

Conclusion

India's approach to legal sector reform exemplifies measured global integration — neither protectionist nor reckless.

By combining openness with regulatory prudence, India is building the capacity to become a world-class legal hub, echoing Tagore's wisdom:

- "Everything comes to us that belongs to us if we create the capacity to receive it."



Daily News Analysis

As India walks this path — slowly, deliberately, and confidently — it strengthens both its legal profession and its standing in the global order.

UPSC Prelims Practice Question

Ques :Consider the following statements regarding the Bar Council of India (BCI) 2025 rules:

1. Foreign law firms can set up permanent offices in India to practice Indian law.
2. Foreign lawyers can provide advice on international law and home-country law in India.
3. There is a reciprocity condition for foreign law firms to operate in India.

Which of the above statements is/are correct?

- A) 1 only
- B) 2 and 3 only
- C) 1 and 2 only
- D) All of the above

Ans: b)

UPSC Mains Practice Question

Ques:The 2025 Bar Council of India rules for registration of foreign lawyers reflect a cautious yet progressive approach. Critically examine how these reforms balance India's domestic legal capacity with global integration.**(150 Words)**



Daily News Analysis

Page 09 :GS 2: Social Justice / Prelims

Cash transfers in India have emerged as a central tool for women-focused social policy, aiming to provide financial support and foster self-employment. Recently, Bihar launched the MukhyamantriMahilaRojgarYojana, transferring ₹10,000 to 75 lakh women as seed capital, with potential top-ups of ₹2 lakh for successful ventures. Other examples include Karnataka's Gruha Lakshmi, West Bengal's LakshmirBhandar, Madhya Pradesh's LadliBehnaYojana, and Telangana's Mahalakshmi, all facilitated via India's Direct Benefit Transfer (DBT) framework built on the JAM trinity: Jan Dhan accounts, Aadhaar, and mobile phones.

While India has made remarkable progress in formal financial inclusion — with 89% of women holding bank accounts and women owning 55.7% of PMJDY accounts — the question remains: does access to cash equate to genuine economic agency for women?



Daily News Analysis

Do cash transfers build women's agency?

There is a need to ensure that women do not only receive money but also control, grow, and sustain it for their own advancement.

DATA POINT

Shrawani Prakash
Jyoti Bharti
Riya Khanna

The politics of welfare in India has become increasingly gendered, with cash transfers emerging as both a social policy instrument and an electoral strategy. Just weeks before Assembly elections, the Bihar government has rolled out the Mukhyamantri Mahila Rojgar Yojana – a ₹10,000 transfer to 75 lakh women as seed capital for self-employment. The goal is to help them start or expand small enterprises, with up to ₹2 lakh in addition, for successful ventures.

This joins a list of women-focused cash transfer programmes, such as Karnataka's Gruha Lakshmi, West Bengal's Lakshmi Bhadrak, and Madhya Pradesh's Ladli Behana Yojana, and Telangana's Mahalakshmi. These are powered by India's Direct Benefit Transfer (DBT) architecture, anchored on the 'JAM trinity' of Jan Dhan accounts, Aadhaar, and mobile phones. This infrastructure enables targeted delivery and transparency.

As of August 2025, over 56 crore Pradhan Mantri Jan Dhan Yojana accounts have been opened, with women owning 55.7% of them. According to the World Bank's Global Findex Database 2025, 54% of Indian women reported opening their first bank account primarily to receive government benefits or wages. With 89% of Indian women now holding a bank account – on par with developed nations and far above the global average of 77% – India has achieved a remarkable milestone in recognising women as economic actors with a formal financial identity (Chart 1).

At the heart of this progress lies a critical question: can direct cash empower women as economic agents rather than just welfare recipients? DBT schemes have been

shown to enhance women's visible control over resources. Research shows that income in a woman's name increases her say in household decisions and improves outcomes for children and the elderly. Therefore, schemes such as Bihar's can represent the first formal recognition of women's economic contributions (Chart 3).

Therefore, India's leap from access to agency for women remains incomplete. So, for schemes such as Bihar's Rojgar Yojana to become genuine instruments of economic empowerment, they need to move beyond simply placing money in women's bank accounts. Beneficiaries require complementary long-term support.

Most importantly, building genuine financial agency will require giving women control over assets by providing them with secure property rights and joint land titles. Only when women have tangible control over land or business assets can they leverage credit, participate in markets, and engage in new forms of commerce.

Equally critical is strengthening the 'mobile' pillar of the JAM trinity. Subsidised smartphones and affordable data plans would allow women to access their accounts and digital payment tools independently, avoiding reliance on shared devices that erode privacy and autonomy. Banks, fintech, and mobile operators must co-create financial products that reflect the realities of women's informal, seasonal, or sporadic incomes; caregiving responsibilities; and limited financial and digital literacy.

Community-based finance networks can bridge the trust gap. Initiatives such as digital banking sahaks and secure WhatsApp or UPI groups can offer trusted spaces for women to seek advice, share experiences, and resolve doubts collectively. Another priority should be to expand the number of female banking agents – less than 10% of India's 1.3 million business correspondents are women. The path to real empowerment lies in coupling access with agency-building – ensuring women can not only receive money but also control, grow, and sustain it for their own advancement.

Shrawani Prakash, Jyoti Bharti and Riya Khanna are with ICIMES's Economic Policies for Women Led Development Program

Beyond the transfer

The data for the charts were sourced from the World Bank Findex Report (2025) and the CMS-Telecom Report 2025.



Chart 1: Proportion of women who own bank accounts in India and globally.



Chart 2: Women's engagement in financial activities using bank accounts (%)

Many women use their accounts primarily to withdraw money that was transferred – usage for savings, borrowing, or payments remains low

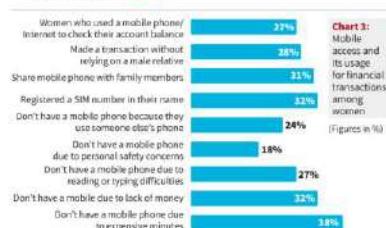


Chart 3: Mobile access and usage for financial transactions among women (Figures in %)

Key Highlights

1. Expansion of Women-Focused Cash Transfers

- Seed capital transfers (e.g., Bihar) aim to promote entrepreneurship and self-employment.
- DBT infrastructure enables targeted delivery and transparency.
- Over 56 crore PMJDY accounts opened; majority women-owned.

2. Current Usage Patterns

- Around 20% of accounts remain dormant, especially in rural/semi-urban areas.
- Cash withdrawals dominate; usage for savings, credit, or digital payments remains limited.
- Digital divide and mobile access issues hinder active financial participation.



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3. Barriers to Agency

- Patriarchal norms constrain women's decision-making power.
- Low mobile phone ownership (19% less than men) restricts independent digital banking.
- Financial and digital literacy gaps force women to rely on male relatives for transactions.

4. Complementary Measures for Empowerment

- Asset control: Secure property rights and joint land titles to enable credit access.
- Digital inclusion: Subsidized smartphones, affordable data, and women-friendly fintech solutions.
- Community support: Digital banking sakhis, secure WhatsApp/UPI groups, and female business correspondents (<10% currently).

Static and Current Linkages

Static Topic	Current Relevance
Direct Benefit Transfer (DBT)	Core mechanism for targeted, cash-based social welfare.
JAM Trinity (Jan Dhan, Aadhaar, Mobile)	Enables transparency, delivery, and potential digital empowerment.
Women's Financial Inclusion	89% account ownership; foundation for economic identity.
Gender and Welfare Policy	Cash transfers increasingly used for political outreach and women's empowerment.
Atmanirbhar Bharat / Entrepreneurship	Seed capital for self-employment aligns with women-led economic development.

Analytical Perspective

1. Access vs. Agency

- Cash transfers increase visible control over resources, enhancing women's say in household decisions.
- However, mere account ownership does not guarantee sustained empowerment.

2. Structural and Social Barriers

- Patriarchal norms, low digital literacy, and shared device access limit independent use of financial resources.
- Digital inclusion is critical to convert financial access into autonomous decision-making.

3. Policy Design Considerations



Daily News Analysis

- Complementary support, such as financial literacy programs and asset ownership reforms, is essential.
- Community-based networks and women-specific banking services can foster confidence and long-term financial agency.

4. Economic Implications

- Women-controlled financial resources contribute to household welfare and local economic activity.
- Empowered women can leverage credit and market participation, supporting inclusive growth.

Strategic Implications

- Women's Economic Agency: Cash transfers can enhance economic identity but need accompanying measures to ensure agency.
- Entrepreneurial Growth: Seed capital programs can stimulate women-led enterprises.
- Digital Empowerment: Integration of women into digital financial systems strengthens financial independence and formal economy participation.
- Policy Synergy: Combining DBT, asset reforms, and financial literacy can create sustainable pathways for empowerment.

Challenges Ahead

- Dormant Accounts: Overcoming non-use and low engagement in formal banking.
- Digital Divide: Limited access to smartphones, data, and secure digital tools.
- Patriarchal Constraints: Cultural norms restricting control over finances.
- Sustainability: Ensuring long-term self-employment success beyond initial cash transfers.

Conclusion

Cash transfers represent a significant step toward financial inclusion and women's economic empowerment, but access alone does not guarantee agency. For programs like Bihar's RojgarYojana to truly transform women's lives, financial access must be complemented with asset control, digital empowerment, and community-based support networks. Only then can India bridge the gap from financial inclusion to genuine agency, enabling women to control, grow, and sustain resources for their advancement.

UPSC Prelims Practice Question

Ques: Consider the following statements about the JAM Trinity in India:



Daily News Analysis

1. Jan Dhan accounts provide universal access to banking.
2. Aadhaar ensures identity verification for financial inclusion.
3. Mobile phones are used to access and operate accounts digitally.

Which of the above statements are correct?

- A) 1 and 2 only
- B) 1 and 3 only
- C) 2 and 3 only
- D) 1, 2 and 3

Ans : d)

UPSC Mains Practice Question

Ques: Assess the impact of the JAM trinity (Jan Dhan, Aadhaar, Mobile) on women's financial inclusion in India. To what extent has it translated into economic agency and empowerment? Suggest complementary measures to strengthen outcomes. **(150 Words)**



Daily News Analysis

Page : 08 Editorial Analysis

Great Nicobar revives the issue of nature's legal rights

From an ecological point of view, the Andaman and Nicobar Islands can be easily rated as one of the world's most major biological diversity hotspots, acting as a global carbon reservoir and climate regulator. Unfortunately, the development trajectory of the Andaman and Nicobar Islands has been largely influenced by mainland India which has often been far removed from the needs of an island ecology. The issue in focus now is the Government of India's multi-crore mega-plan for the Great Nicobar Island – the construction of a power plant, township, transhipment port and airport, which will also affect 13,000 hectares of pristine forests.

Essential judicial precedent

A landmark judgment relating to the issue of diversion of forests that could come to the rescue of the Great Nicobar Island is the Niyamgiri Hills case, pursuant to the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

In its 2013 judgment, in *Orissa Mining Corporation Ltd. vs Ministry Of Environment & Forest and Ors.*, the Supreme Court of India addressed the concerns of the Dongoria Kondh tribe who resisted plans for bauxite mining in the sacred Niyamgiri Hills of Odisha. Following protests by the tribes in the region against mining which threatened their culture, religion and environment, the Court ordered a referendum in the affected *gram sabhas*, which unanimously voted against the project. The Court upheld the competence of the *gram sabha* to safeguard and preserve the traditions of the community, their cultural identity, community resources and community modes of dispute resolution.

In light of this judgment, the pertinent questions with respect to the proposed project on the Great Nicobar Island include whether the Tribal Council of Little and Great Nicobar has been allowed to exercise its competence in certifying the settlement of forest rights under



Anwar Sadat

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the Forest Rights Act before the decision to divert forest land. A report in this daily, "Forest rights of tribal people were not settled for Nicobar project: council" (August 23, 2025), has highlighted how the Tribal Council had said that the Andaman and Nicobar Islands Administration had made a false representation to the Centre by claiming that rights of the tribal people under the Forest Rights Act had been identified and settled before diverting the required forest land for the project.

Granting rights to nature in India

What is being witnessed in the Great Nicobar is not new but one more example of how big multipurpose projects are on track to be planned disasters. The examples are many – from Tehri in the north to Koel Karo in the east to Sardar Sarovar in the west. To respond to a consistent failure of environmental law in protecting ecology, several countries (Bolivia, Colombia, Ecuador and New Zealand) have adopted a new legal approach called 'earth jurisprudence' or 'rights of nature' which grants rights to non-human natural entities (rivers, forests, mountains, and various ecosystems), recognising them as subjects of rights holders.

This approach drew inspiration from an influential article written by Christopher Stone in 1972 – "Should Trees Have Standing? – Toward Legal Rights For Natural Objects". He argued that the current approach did not consider damages to the environment, but only environment-related damages to humans in granting relief.

Second, such relief did not go to the natural entity but only to affected human beings. He said that making natural entities as right holders, by vesting them with legal standing in court and making them the direct beneficiaries of legal redress, would improve the environment. But the question arises whether natural entities, like human adults, be held legally responsible and exercise legal competences by entering into contracts or whether they can sue and be sued by

There are examples in the legal world that offer guidance on the protection of territories and natural resources

an aggrieved party. Stone suggested the creation of a guardianship body which could initiate legal action and also collect funds to preserve and restore its condition.

The groundbreaking turn towards recognising the rights of natural entities happened in India in 2017 when the Uttarakhand High Court granted legal personhood to the Ganges and Yamuna rivers, as well as the Gangotri and Yamunotri glaciers. The judgment, in *Mohd. Salim vs State of Uttarakhand and Others*, conferred these entities with rights and obligations but only through a designated person. Although the Supreme Court stayed the ruling of the High Court, some of the elements in the High Court judgment, especially the idea of conferring guardianship responsibilities on behalf of those natural entities, could be a signpost for designing legal personhood.

The case in Colombia as guidance

Pushing the boundary of the Forest Rights Act further to incorporate the idea of granting legal personhood is one such option. Still, the idea of granting legal personhood to natural entities will require the building of greater clarity on the specific legal rights and the responsibility of individuals charged with upholding them. An in-depth study of important normative questions such as how to define rights bearing nature, what rights to recognise, who can speak for nature, and whether someone should be responsible for protecting nature, is required.

In finding answers to these normative questions, there is guidance from Colombia's Atrato River case (2016), which recognised bio-cultural rights – a reference to the right of ethnic communities to autonomously administer and protect their territories as well as the natural resources that constitute their habitat. The formation of a commission of guardians requires the inclusion of representatives from the indigenous people facing the destruction of their habitat.

GS. Paper 3-Environment

UPSC Mains Practice Question: Legal personhood for natural entities can strengthen environmental governance in India. Discuss with reference to the Great Nicobar Island project and international experiences like the Atrato River case. (150 Words)

Context :



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The Great Nicobar Island in the Andaman and Nicobar archipelago is one of the world's major biodiversity hotspots, acting as a global carbon sink and climate regulator. The Indian government's proposed mega-development plan — including a power plant, township, transshipment port, and airport — threatens 13,000 hectares of pristine forests and raises urgent questions about environmental protection, tribal rights, and the legal recognition of nature.

Key Highlights

1. Judicial Precedent: Niyamgiri Hills Case (2013)

- Supreme Court upheld the rights of the Dongria Kondh tribe against bauxite mining in Odisha.
- Gram Sabha referendum was conducted; unanimous rejection of the project.
- Emphasized tribal competence in safeguarding cultural identity, community resources, and forest rights under the Forest Rights Act, 2006 (FRA).

2. Current Concerns in Great Nicobar

- Tribal Council of Little and Great Nicobar reported that forest rights under FRA were not settled prior to forest diversion.
- Allegations of false representation by Andaman and Nicobar Administration to the Centre regarding tribal rights.

3. Legal Personhood for Nature

- Inspired by 'earth jurisprudence' and Christopher Stone's 1972 article, granting rights to non-human natural entities.
- Uttarakhand High Court (2017) granted legal personhood to Ganga and Yamuna rivers and glaciers (Mohd. Salim vs State of Uttarakhand), though stayed by SC.
- Concept includes guardianship bodies to protect natural entities and enable legal standing.

4. Global Guidance

- Colombia – Atrato River Case (2016): Recognised bio-cultural rights for ethnic communities to protect natural habitats.
- Emphasized formation of guardian commissions including indigenous representatives.

Static and Current Linkages

Static Topic	Current Relevance
Forest Rights Act, 2006	Framework for recognising tribal rights over forests and customary lands.



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Static Topic	Current Relevance
Judicial Activism in Environmental Law	Niyamgiri case demonstrates judicial protection of tribal and environmental rights.
Legal Personhood of Nature	Uttarakhand HC case and global examples suggest expanding FRA to include nature's rights.
Bio-cultural Rights	Atrato River case as guidance for integrating indigenous stewardship with ecological protection.
Mega-Development Projects in Sensitive Ecosystems	Great Nicobar project highlights conflict between development and conservation.

Analytical Perspective

1. Environmental and Ecological Risk

- Large-scale infrastructure threatens forest ecosystems, biodiversity, and carbon sinks.
- Disruption to island ecology could have regional and global climate implications.

2. Tribal Rights and Participation

- FRA mandates settlement of forest rights by tribal councils before diversion.
- Failure to consult indigenous communities violates both law and ethical governance principles.

3. Rights of Nature as Legal Innovation

- Legal personhood assigns rights and protections to natural entities via guardians.
- Ensures ecological concerns are addressed directly, not only through human impact.

4. Policy and Governance Implications

- Integrating guardian bodies and indigenous representation can strengthen environmental governance.
- Establishing clear legal obligations for guardianship ensures accountability.

Strategic Implications

- Biodiversity Conservation: Protecting Great Nicobar aligns with India's commitments under Convention on Biological Diversity and climate mitigation targets.
- Indigenous Empowerment: Recognition of tribal authority fosters inclusive and participatory governance.
- Legal Innovation: Adoption of rights of nature frameworks can set precedent for other ecological hotspots in India.
- Conflict Mitigation: Early incorporation of nature and tribal rights reduces legal and social conflicts in development projects.



Daily News Analysis

Challenges Ahead

- **Legal Clarity:** Defining specific rights of natural entities and responsibilities of guardians.
- **Implementation:** Ensuring genuine participation of indigenous communities in monitoring and decision-making.
- **Balancing Development and Conservation:** Mega-projects often prioritize economic gains over ecological sustainability.
- **Judicial and Policy Alignment:** Harmonizing FRA, environmental law, and emerging nature-rights jurisprudence.

Conclusion

The Great Nicobar project underscores the urgent need to reconcile development with ecological preservation and tribal rights. Legal personhood for natural entities, inspired by global examples and India's own judiciary, offers a framework for protecting ecosystems while respecting indigenous governance. Moving forward, integrating guardian bodies, bio-cultural rights, and proactive environmental governance is essential to ensure sustainable development and protect India's ecological heritage.
