

Legal Current Affairs of April 2025

1. “SC Strikes Down TN Governor’s Indefinite Withholding of Bills Said no to the Pocket veto”

Background

- Between **January 2020 and April 2023**, the Tamil Nadu Legislative Assembly passed 12 bills related to university governance and other related matters and these were forwarded to Governor **R.N. Ravi** for his assent, who joined office of Governor in November 2021.
- The bills remain with the Governor for over two years without any action. In **October and November 2023**, he **withheld assent** to 10 out of 12 bills and **reserved** two for the President’s assent even though the Legislative Assembly had already re-passed them.
- The Tamil Nadu government filed a **writ petition** in the Supreme Court in **October 2023**, challenging these delays by the Governor under Article 200 of the Constitution.

Legal Issues involved in this case

- **Governor’s power under Article 200:** Does the Governor enjoy an absolute or pocket veto over the state’s legislative assembly bill and can he delay his assent indefinitely?
- **Reserving re-passed bills for the President:** Is reserving the bill for the President’s assent after the Assembly has reconsidered them allowed or not?
- **Judicial enforceability:** Can the Court impose timelines on the assent of the bill and utilize Article 142 to deem assent granted?

Supreme Court’s Rulings

- **No absolute or pocket veto:** Governors have only three limited options under Article 200. He can assent, withhold, or reserve a bill for the President’s assent; the Governor **cannot sit indefinitely** or deny assent secretly (pocket veto).
- **Reserving a bill after its re-passage is illegal**, except when the bill is materially different otherwise, once re-passed, the Governor **must give his assent**.
- **Timelines imposed** on the assenting of the Bill :
Up to **1 month** to withhold or reserve bills with Cabinet advice.

Up to **3 months** of withholding against Cabinet's advice, with message.

Up to **1 month** to assent after a bill is re-passed.

- **Judicial review is enforceable:** The Court held that excessive delay is subject to judicial review.
- **Assent deemed granted under Article 142:** Owing to the Governor's prolonged inaction and disrespect for democratic function, the Court declared the ten pending bills as having been **assented to by operation of law.**

Legal Provisions involved

Article 200 – Governor's Role in Assenting to Bills

- The Governor must either assent, withhold or reserve it for the President without delay.
- The phrase "**as soon as possible**" mandates timeliness, ruling out any "pocket veto" or indefinite holding of bills.
- Once the Assembly re-passes a bill even with a simple majority of the members the Governor **must** give his assent to the bill and **cannot** re-reserve it.

Article 201 – Reserving Bills for the President

This Article empowers the President to decide on bills reserved by the Governor but the Court held that "**the Governor's reservation power must comply with Article 200 and is subject to judicial review**".

2. SC Begins Hearing on Waqf (Amendment) Act, 2025

Background

- On **16 April 2025**, a Bench of the Supreme Court led by **CJI Sanjiv Khanna** began hearing a petition of the case that challenged the constitutionality of the **Waqf (Amendment) Act, 2025** which drew virtual public participation of thousands of people.
- Petitioners, including AIMIM's Asaduddin Owaisi, the AIMPLB, DMK, and others, argued that the Act violated Articles 14, 25, and 26 of the Constitution by allowing non-Muslims members to constitute a majority on Waqf management boards and abolishing the longstanding doctrine of "**waqf by user.**"
- Senior Advocate **Kapil Sibal** condemned the changes in Waqf Act by saying that these changes are affecting the faith of people and enabling land encroachment, while Solicitor

- General **Tushar Mehta** countered their argument by saying that registered entities are protected and custodians are responsible for non-registration.
- The Court granted the Union a **seven-day deadline** for its response and issued interim directives on **17 April** preserving the status quo: no new Waqf board appointments, no denotification of Waqf-by-user properties pending further hearings of the Court.

Legal Provisions involved

The Waqf (Amendment) Act, 2025 (renamed as the UMEED Act) modernizes Muslim charitable endowments by enhancing transparency, inclusivity, and legal oversight. It mandates digital registration of the properties in their annual audits. Boards must now include representation of two non-Muslims, two Muslim women, and sectarian members. The Act abolishes arbitrary waqf declarations (Section 40), enables High Court appeals against tribunal decisions, and shifts disputed Waqf property adjudications to district collectors of the particular District. While supporters argue that this move curbs corruption meanwhile critics allege it erodes religious autonomy of the Muslim Communities prompting widespread protests and Supreme Court challenges under Articles 14, 25 and 26 (Right to Religion), and 300A.

Article 14 – Equality Before Law

Petitioners argue that the Act creates arbitrary classifications in the community For e.g., requiring five years of Islamic practice to create a waqf board, erasing “waqf by user,” and while excluding similar religious endowments of other communities which violate equality provision of the Constitution.

Article 25 – Freedom of Conscience and Religious Practice

Petitioners claim that waqf creation and its management fall within religious practice, and the Act’s restrictions violate these freedoms.

Article 26 – Freedom to Manage Religious Affairs

Central to challenges against non-Muslim inclusion on waqf boards and state interference in the creation of the board, petitioners see this as infringement of autonomy of the community.

Article 300A – Right to Property

The deletion of waqf recognition (e.g., waqf by user), certain limits on property creation, and retrospective validation provoke challenges under property rights.

3. “Supreme Court Orders Quarterly Reports on Delhi Waste and Vehicular Pollution”

- A Supreme Court Bench led by Justices Oka and Bhuyan praised the MCD for resolving over **820,000** solid waste complaints, issuing **2,000+** fines, and registering **1,449 bulk waste generators** on its 311 apps. The Court ordered **mass media awareness campaigns** and submission of a **compliance affidavit by 30 June**. Simultaneously, it examined vehicular pollution controls, focusing on **HSRP and fuel-type stickers**, directing the Union to provide full NCR compliance reports by the same date.
- On **24 April**, the Court flagged deeper institutional issues: **134 CPCB (Central Pollution Control Board) vacancies**, **30% underutilisation of NCAP (National Clean Air Programme) funds** and frequent staff transfers etc. The Bench mandated **quarterly enforcement reports**, a **real-time air-quality portal within a month**, appointment of **senior nodal officers for waste management**, and imposition of **strict penalties and enhanced transparency**.

Legal Provisions involved

Solid Waste Management Rules, 2016

- Notified by the Ministry of Environment which mandates door-to-door segregation of waste, its scientific disposal, composting and processing by municipal bodies.
- The Court stressed the need for public awareness of source segregation and quarterly compliance reporting to enforce these rules.

Motor Vehicles Act, 1988 – Section 192(1)

- Penalises operating vehicles that **lack proper registration**, including non-compliant **HSRP(High-Security Registration Plate) plates** and **colour-coded fuel stickers**.
- Central to the Court's enforcement of penalties for failing to follow HSRP mandates.

4. PMLA - Bribe charges against minister

- DMK Minister **V. Senthil Balaji** was arrested by the Enforcement Directorate in **June 2023** under the **Prevention of Money Laundering Act (PMLA)**. He was accused of a cash-for-jobs scam during his tenure as Tamil Nadu's Transport Minister from 2011 to 2015, which involved bribes for recruitment in the transport department and linked charges under the Prevention of Corruption Act.



- The Court expressed serious concerns that the accused's reappointment as a minister shortly after bail could allow him to influence witnesses and their testimony and render the bail decision ineffective.
- The Supreme Court issued an ultimatum to the accused to either resign his ministerial office or his bail will be forfeited by the court. Balaji resigned on **27 April**, and the Court **refused to cancel his bail** but warned him that if he assumed office again, the ED could file for the cancellation of his bail. Bail was originally granted due to **delay** in trial procedure.

PMLA Act, 2002

The Prevention of Money Laundering Act, 2002 (PMLA) was enacted to prevent money laundering in the country and for the confiscation of property derived from such money laundering. It aims to combat money laundering related to illegal activities such as drug trafficking, smuggling, and terrorism financing.

5. "SC Judges' Online Asset Declarations"

Background

On **1 April 2025**, following growing concerns over judicial transparency sparked by the cash seizure during a fire at **Justice Yashwant Varma's residence**, a full court meeting of the Supreme Court chaired by **CJI Sanjiv Khanna** unanimously resolved to **publicly disclose judges' asset declarations**. This marked a departure from prior practice, where declarations were submitted privately to the CJI (since 1997), with voluntary online publication attempted only briefly between 2009 and 2018.

Asset Disclosure Rollout

- On **5 May 2025**, the Court took concrete action, uploading the **asset statements of 21 of its 33 sitting judges** including the Chief Justice along with details of their spouses and dependents, on its official website. The disclosures reveal largely conservative portfolios: fixed deposits, PPF, modest real estate, few car owners, and minimal liabilities.
- The Court confirmed that assets of the **remaining 12 judges** would be uploaded upon receipt. It also plans to maintain this practice for **all future judicial appointees**, signaling a permanent shift toward transparency.



6. “Supreme Court Mandates Accessible Digital KYC for Acid Attack Survivors and the Visually Impaired”

Background of the Case:

In April 2025, the Supreme Court of India addressed the challenges faced by persons with disabilities in accessing digital services particularly the digital Know Your Customer (KYC) processes. The petitioners **Pragya Prasun**, an acid attack survivor, and **Amar Jain**, a visually impaired lawyer highlighted the drawbacks in the existing KYC procedures that affect their ability to access essential services like banking, telecommunications and other government schemes. Pragya Prasun, due to severe facial disfigurement due to acid attack was unable to comply with the traditional "live photograph" requirement, which mandated blinking to verify identity. Similarly, Amar Jain, being 100% blind faced difficulties as the digital KYC processes were not compatible with screen readers and lacked alternative methods for identity verification.

Court's Findings and Directions:

The Supreme Court, in its judgment said that digital access to everyone is an integral part of the **right to life and personal liberty under Article 21 of the Constitution**. The Court emphasized that the Government has an obligation to ensure that digital infrastructure, government portals, online learning platforms, and financial technologies are universally accessible to all, inclusive and responsive to the needs of all vulnerable and marginalized populations. Bridging the gap of digital divide is no longer a matter of policy discretion but has become a constitutional right to secure a life of dignity, autonomy, and equal participation in public life.

To address the issues raised, the Court issued several directions:

- The **Reserve Bank of India (RBI)** was directed to issue guidelines to all regulated entities to adopt alternative modes for verifying "liveness" or capturing a "live photograph" of customers for conducting Digital KYC beyond the traditional "blinking of eyes" to ensure inclusivity of every section of the society.
- The **Central Government**, along with regulatory bodies like the RBI, Securities and Exchange Board of India (SEBI), and the Department of Telecommunications (DoT), was instructed to frame rules for making the process of digital KYC accessible to persons with blindness/low vision.
- Public and private establishments conducting digital KYC were mandated to ensure effective compliance with accessibility standards and to actively assist persons with disabilities in availing the services.

7. Medical Negligence Case

Background

In this case, the Supreme Court addressed the issue of medical negligence resulting in the death of a 27 year old B.Tech graduate. The National Consumer Disputes Redressal Commission (NCDRC) had earlier held both the hospital and the operating doctor liable, awarding a total compensation of rupees 20 lakhs. The hospital challenged the decision of NCDRC contending that the findings lacked some evidence through medical literature or expert evidence.

Supreme Court's Judgement :

The Supreme Court upheld the NCDRC's findings of medical negligence against both the hospital and the doctor, and confirmed their vicarious liability. The Court found the ₹15 lakh compensation imposed on the hospital is excessive, especially in the absence of any documentary evidence. The hospital had already deposited ₹10 lakhs in the Court, which had gained interest over time. Considering this, the Court deemed the deposited amount, along with the interest, sufficient to serve the interests of justice. Consequently, the Court modified the compensation payable by the hospital to ₹10 lakhs, directing that the amount be released to the complainant upon application. The ₹5 lakh liability of the doctor was upheld by the court as he had accepted the NCDRC's ruling and deposited the amount.

Legal Significance:

Causing death by medical negligence – Section 106(1) of BNS reads as "Whoever causes death of any person by doing any rash or negligent act not amounting to culpable homicide, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine; and if such act is done by a registered medical practitioner while performing medical procedure, he shall be punished with imprisonment of either description for a term which may extend to two years, and shall also be liable to fine."

8. "A Few Taunts Are Not Cruelty": Supreme Court"

The petitioner's husband married her in September 2005. The husband filed for divorce on **15 May 2019**, and within three days of being served divorce summons on **17 July 2019**, the wife lodged an FIR on **20 July 2019** against her husband and parents-in-law under **Sections 498A (cruelty against women)** and **114 IPC**. She alleged mental harassment, insults and financial exploitation including being compelled to give salary to her father-in-law. The Gujarat High Court

declined to quash the FIR filed by the wife against her husband and in-laws holding that allegations required judicial scrutiny during trial.

Supreme Court's Findings

The Court noted the **long delay of 14 years** in registering the FIR and its timing right after divorce proceedings began suggesting a **malafide motive** of the wife. It observed that the **allegations were vague and non-specific** that lack details of dowry demand and physical or mental cruelty. The Court held that **occasional taunts are part of everyday family life and cannot constitute criminal cruelty under Section 498A.**

Legal Holding

Invoking **Section 482 of the CrPC**, the Supreme Court quashed the criminal proceedings against the husband and **in-laws**. The court deeming them an **abuse of the legal process**. The case against the **husband** of physical and mental cruelty was allowed to continue. The Court cautioned High Courts against adopting a technical approach when dealing with alleged mala fide and vague FIRs in matrimonial disputes particularly those filed after divorce petitions with the obligation to scrutinize timing, content, and motive carefully.

498A. Husband or relative of the husband of a woman subjecting her to cruelty.

Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

Explanation—For the purpose of this section, “cruelty” means: (a) any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or (b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

