

DYING TO LOOK FOREVER YOUNG

Shefali Jariwala’s tragic death pulls back the glossy curtain on India’s booming beauty industry — where botched procedures, legal loopholes, and blind faith in “forever young” collide. When wrinkle-free promises turn deadly, who takes the blame — the clinic, the culture, or the law?

colours of law

A SUCCESSFUL COMPANY, A BROKEN SYSTEM

India's aesthetic medicine and cosmetic market ranks among the world's fastest-growing and is anticipated to cross the \$20 billion level by 2030. Along with this growth came an explosion of Botox, fillers, chemical peels, thread lifts, and tightening of skin—all of which are being marketed as “non-invasive,” quick solutions for normal aging.

But while the business prospers, legal oversight is sadly thin.

The Schedule H drugs like Botulinum Toxin (Botox) are regulated by the Drugs and Cosmetics Act, 1940 and are legally to be administered only by a registered medical practitioner (RMP). They are administered by untrained staff in beauty parlours and spas with impunity, openly defying the law.



ritesh sharma
editor

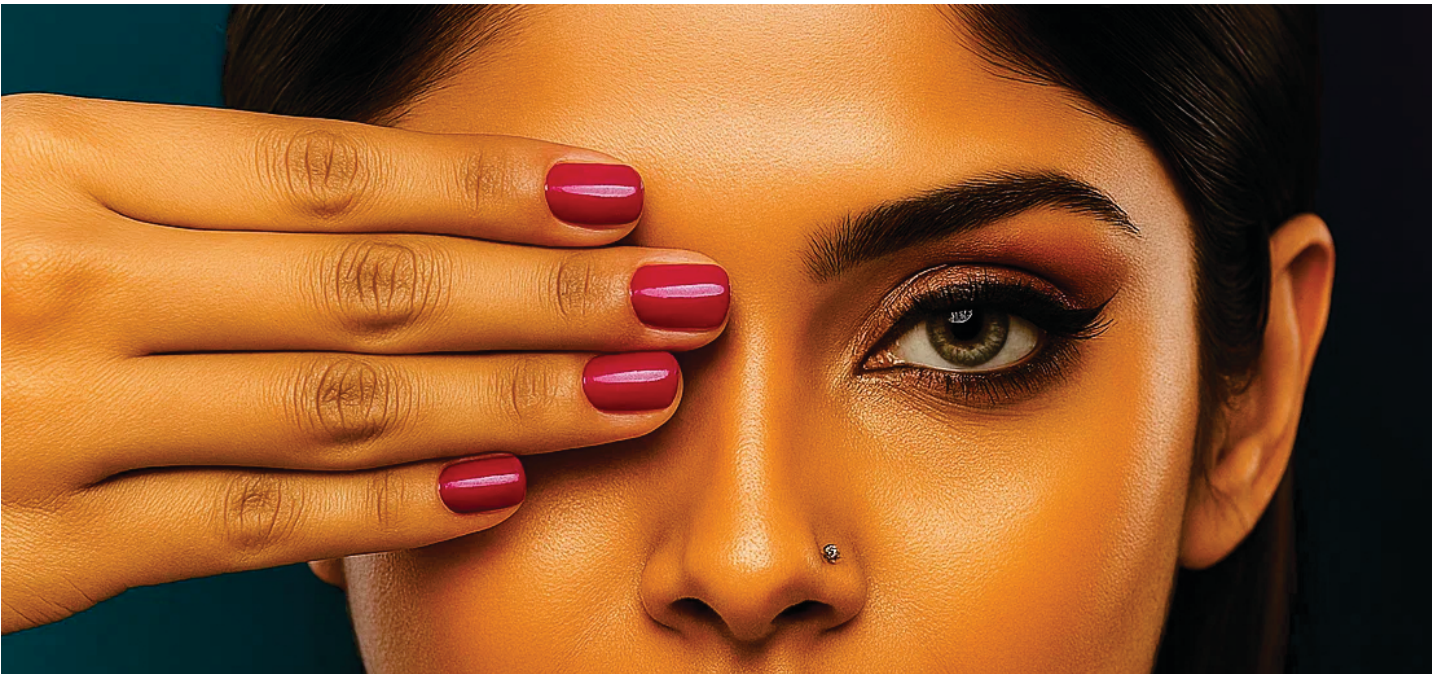
The Clinical Establishments (Registration and Regulation) Act, 2010 aimed to bring all clinical establishments, including beauty parlors, under

minimum standards of safety and hygiene protocols. So far, however, it has been notified only in 11 states and union territories, leaving substantial portions of India in regulatory darkness.

There is no national licensing system for performing the skills of practitioners who are performing cosmetic treatments. Salon technicians who have done a weekend course are performing injections that can only be performed by plastic surgeons or dermatologists in most of the cases.

INFORMED CONSENT OR COSMETIC ILLUSION

In the landmark case of Samira Kohli



v. Dr. Prabha Manchanda (2008), the Supreme Court ruled that informed consent was not a formality but a legal and ethical requirement. The patients must be informed in full about the risks, consequences, and alternatives of any medical procedure.

But in the beauty business, “consent” is just a signature on a shiny brochure—not an educated, willing decision. People are swayed by endorsements from celebrities, influencer marketing, and before-and-after imagery, as the life-threatening hazards are minimized or simply disregarded.

In Shefali's case, the question quite frankly must be raised: Was she informed of the dangers—or just sold a dream?

THE TWO-TIER COSMETIC REALITY

Shefali's death also exposes a very grim fault line in India's healthcare sector. While high-end cosmetic clinics in metros may have higher standards, tier-2 towns and small cities are flooded with unlicensed practitioners of low-cost treatments with no oversight, no sterilization, and no accountability.



The tragic death of actor Shefali Jariwala after a cosmetic anti-ageing procedure has sparked a national debate on India’s underregulated aesthetic medicine industry

To most middle-class women who try to stay “up-to-date” in a youth-obsessed culture, such inexpensive services seem the only option—when cosmetic procedures are not reimbursed by health insurance and inflation renders safer alternatives exorbitantly expensive. It's a time bomb waiting to explode. And Shefali was its newest victim.

Continue on page 7

A CALL FOR URGENT REFORM

Legal experts and health professionals have called for immediate reforms:

- A central regulatory authority for aesthetic medicine
- Compulsory licensing and medical qualifications for practitioners
- Ban on invasive procedures by non-doctors
- Public awareness campaigns about risks
- Strict advertising guidelines to prevent misinformation

Supreme Court Orders

REGISTERED BUT NOT OWNED?

Supreme Court Drops a Legal Bombshell

IN a landmark judgment set to reshape India's property landscape, the Supreme Court has ruled that the registration of a property is not conclusive proof of ownership. The decision underscores that while registration is a necessary procedural formality, it does not by itself establish legal possession or ownership rights over a property.

The apex court emphasized that true ownership entails legal authority to use, manage, and transfer property something that registration alone cannot guarantee.

Implications for Property

Owners

Millions of property holders, especially those who have acquired land or real



estate via purchase, inheritance, or gift, must now ensure their ownership is backed by robust legal evidence..

This ruling is expected to impact real estate transactions, property valuations, and legal

services. Developers and buyers alike must now ensure more rigorous due diligence during deals, with legal ownership gaining primacy over mere documentation.

Legal experts view this as a progressive step toward a more transparent and secure property rights regime. It is likely to encourage reforms in property registration processes and promote greater legal awareness among property holders. As the implications of this judgment unfold, it may set a precedent for stronger, clearer governance of land and property rights.

CHILD RIGHTS

COURTS MUST PROTECT MINOR'S RIGHTS BEFORE ORDERING DNA TESTS

THE Bombay High Court ruled that even if a mother consents to a DNA test of her child to determine paternity, the court must independently assess whether such a direction serves the best interests of the minor.

Justice R.M. Joshi, emphasized that a minor lacks legal capacity to consent to such invasive procedures, and courts must act as custodians of the child's rights, rather than merely adjudicating disputes between estranged parents.

The case arose from an appeal against a Family Court order that directed a DNA test on a child born in 2013, based on the father's claim



of adultery and denial of paternity. The Court rejected the justification, citing Section 112 of the Indian Evidence Act, which presumes legitimacy unless access is demonstrably denied. Justice Joshi noted that allegations of adultery could be substantiated through other evidence, and DNA tests cannot be used casually to override a child's right to dignity and legal presumption of legitimacy.

The judgment reiterates that courts bear a heightened duty to shield minors from being drawn into parental disputes under the guise of scientific proof.

THE DAILY DOSE OF

riteBOL

Disclaimer for Ritebol: Ritebol is a unique section of our newspaper that combines legal insights with a touch of wit and humor. Our intent is to make the general public more aware of legal matters while adding a splash of color to the often serious world of law.
Important Points: 1. Satirical Analysis: The witty analysis provided in *Ritebol* is meant to entertain and provoke thought. It is not intended to undermine the seriousness of court decisions or legal proceedings. 2. Educational Purpose: We aim to educate our readers about legal concepts, landmark judgments, and the intricacies of the legal system. However, *Ritebol* should not be considered a substitute for professional legal advice. 3.No Offense Intended: Our satirical commentary is in good spirit and should not be taken personally. We respect the judiciary, legal professionals, and all stakeholders involved in the legal process. 4. Accuracy and Authenticity: While we strive for accuracy, *Ritebol* may occasionally exaggerate or fictionalize aspects of court decisions for comedic effect. Readers are encouraged to verify information independently. 5.Open Dialogue: We welcome feedback, differing opinions, and lively discussions. Feel free to engage with us, but always maintain a respectful tone. Remember, *Ritebol* is a delightful blend of law and levity. Enjoy the ride, and let's keep the legal world colorful!

IN a world where screens are as much a part of a child's world as classrooms and play areas, the Delhi High Court ruling on cyber bullying recently is a turning point in the manner in which society must deal with child safety. The ruling by Justice Swarana Kanta Sharma upholding the conviction and five-year imprisonment of a man who had sent lewd messages and morphed pictures to a schoolgirl doesn't just dispense justice. It shifts the paradigm: from protecting children in physical space to protecting children in cyber space.

EMBRACING 'DIGITAL TOUCH'
The court's ruling that we now have to teach children about "digital touch" expanding the definition of "good touch" and "bad touch" to the cyber world is apt and opportune. Children have been raised in a generation where their digital presence is not a choice but a compulsion, especially in the post-pandemic world. From virtual classes to social media, their digital lives are the new normal. So are online dangers.

TRAUMA IN THE VIRTUAL WORLD
The damage inflicted by cyber abuse that is, cyberbullying, image morphing, and threats is no less harmful than violence. It can even be worse, as the damage is typically intangible, permanent, and multiplied by the internet's extent and permanence. The Delhi High Court so rightly understood this: one morphed image, even if never posted, is enough to "terrorize a young mind." The psychological damage can be devastating, and the damage

DIGITAL SCARS REAL PAIN

The Delhi High Court's call for educating children about "digital touch" is a wake-up call. As digital harm grows silent and invisible, safeguarding young minds in virtual spaces must become a national priority



TIME TO ACT: Schools, Parents, Tech

The solution lies in a multi-pronged approach.

In Schools: Curriculums must include digital ethics and safety as compulsory modules. Just as we teach physical hygiene, we must now teach digital hygiene how to manage privacy, handle cyber threats, and report abuse.

At Home: Parental engagement must evolve. Supervision needs to go beyond screen time limits it should involve open conversations about online experiences, vulnerabilities, and red flags.

In Systems: Law enforcement and judiciary must be trained to understand the fast-evolving nature of digital crimes. The tech industry must also step up by building better reporting systems, flagging abusive content and designing safer platforms for minors.

with digital boundaries, web permission, and emotional security. Parents, teachers, and lawmakers alike must understand that education for the digital age takes more than technical knowledge — it takes emotional and moral literacy.

Sustaining Digital Dignity Justice Sharma's judgment is a clarion call not to punish but to prevent. Not to react but to sensitise. Realisation of "digital touch," the judiciary, through this judgment, has envisioned a new area in the rights of the child for the right to digital dignity. While we go deeper into cyberspace, let us not forget that childhood cannot be the price we pay for digital progress. ●●

Law & LIFESTYLE

JALEBI JOINS THE CIGARETTE CLUB

India's Beloved Bites Get a Heath Warning Label



Eat — This Triangle Has Layers... of Trouble."

The initiative isn't a ban — the jalebi is not being outlawed. It's a nudge, and quite a smart one at that. Inspired by the success of tobacco warnings, this shift in public health messaging is trying to plate awareness before prohibition. A subtle sign in a canteen may now whisper: "One laddoo = five teaspoons of sugar. Proceed at your own risk."

And the timing couldn't be better — or worse, depending on how one looks at the national waistline. India is on track to become the world's second-largest obesity hub by 2050, with 449 million Indians projected to tip the overweight or obese scale. One in five urban adults is already overweight. Childhood obesity is ballooning. Sedentary lifestyles and indulgent diets are brewing a perfect storm of diabetes, hypertension, and cardiac disease.

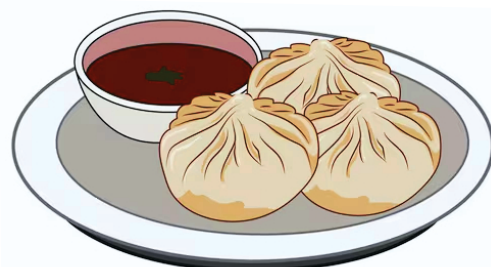
Health experts are applauding the effort. As he rightly points out, "This isn't about banning food — it's about making informed choices." After all, cultural icons can still exist but they don't have to sit at the root of a healthcare crisis.

The message is clear: you can love your mithai, just don't let it break your heart literally.

Much like cigarette packets became canvases of caution, these "oil and sugar boards" aim to turn casual snacking into conscious eating. And Nagpur has taken the lead, with more cities expected to follow. The hope? That the next generation knows samosas are delicious and dangerously addictive when unchecked.

In a country where food is culture, celebration, and comfort, this move signals something bigger a cultural detox, not a culinary war. The laddoo isn't the villain. But unchecked consumption is.

Health, after all, is the real festival worth celebrating. ●●



HURT BY NON-VEG? Then why order from a non-veg restaurant

Mumbai Consumer Court to Complainants

THE Mumbai Suburban District Consumer Disputes Redressal Commission rejected a complaint filed by two people who claimed to have been served non-vegetarian food when they were staunch vegetarians. The commission noted that if eating non-vegetarian food injures one's religious sentiments, then such persons should ideally not order from restaurants that serve vegetarian as well as non-vegetarian food.

The complainants had ordered a steamed 'Darjeeling momo combo' and a soft drink at a momo stall in Sion, Mumbai. They said they had mentioned their vegetarian option twice while ordering. But when it was delivered to them, they allegedly got chicken momos, which gave them mental trauma and caused emotional distress. They sought a compensation of Rs 6 lakh on grounds of hurting their religious sentiments.

The restaurant, however, responded that the complainants themselves had requested non-vegetarian dishes, as indicated in the bill. The complainants were also accused by the company of abusing employees verbally and physically, causing disruptions at the outlet. The restaurant went ahead and returned the order, gave the products free of charge, and even offered a 1,200 gift card as a gesture of goodwill. The company also claimed that the demand for Rs. 6 lakh compensation was made in malafide intent to harass.

The commission observed that the display board may not have served to clearly mention whether the Darjeeling momo combo was veg or non-veg but stated "veg/non-veg" options at the bottom. Stressing personal responsibility, the commission said, "A sensible person would be able to differentiate between veg and non-veg food prior to consuming." It held that no lack of service by the company was proven and rejected the complaint. ●●

A CURE THAT COSTS MORE

From free outpatient care to high-priced medical colleges, India's PPP healthcare push risks turning public health into a luxury few can afford.



WHILE various Indian states are in a hurry to privatize government hospitals on a Public-Private Partnership (PPP) footing, health policy experts and civil society organizations are raising an urgent question is this healthcare reform actually good for the public?

Spurred on by policy initiatives of the center and World Bank suggestions, Karnataka, Rajasthan, Uttar Pradesh, and Chhattisgarh are introducing PPPs in hospitals and medical colleges with the hope of more effective delivery of services and less government spending. Independent assessments and earlier case studies, however, cast significant skepticism on these hopes.

A SHIFT FROM PUBLIC TO PRIVATIZED CARE

Though India's public health infrastructure is strained, particularly in rural regions, it continues to be the main source of treatment for millions. As per the National Sample Survey Office (NSSO) 75th round (2017-18), almost 46% of hospitalizations in rural areas and 35% in urban areas took place in government hospitals. For poor families, public facilities are generally the best option available, particularly for outpatient treatment.

The World Bank and NITI Aayog project that India will require another 3 million hospital beds by 2030 roughly 100,000 per annum to achieve basic healthcare needs. India currently provides just 5.3 beds per 10,000 population, much short of the WHO standard of 30 and World Bank's 40.

With such pressure in view, some states have entered PPP arrangements with private firms, sometimes offloading decades-old hospitals and public property, hoping for private efficiency to plug the gaps. But the experiences of states such as Chhattisgarh, Gujarat, and Andhra Pradesh indicate that the outcomes have usually been disappointing and sometimes exclusionary.

THE CHHATTISGARH EXAMPLE & TROUBLING PRECEDENTS

In 2012, the Chhattisgarh government rented out a fully functional district hospital to a private firm for 30 years at a token rent. A later Comptroller and Auditor General (CAG) audit revealed serious operational shortcomings, such as denial of services to poor patients. Far from enhancing care, the PPP model in effect converted the hospital into a private establishment, fees charged for almost all services.

Such cases have given rise to sweeping fears that PPP healthcare reforms, as laudable as they are, can actually lower access to cheap healthcare, especially for uninsured poor patients.

PUBLIC ASSETS, PRIVATE PROFITS?

Most PPP hospitals are given government land, infrastructure, and even financing but fail to provide free or

subsidized services on a regular basis to the public. Officially, it is agreed that a number of beds should be reserved for free treatment, but enforcement is poor or non-existent in many states.

Additionally, with the highest in Asia medical inflation rates of 12–14%, access to care is becoming increasingly unaffordable. Patients essentially pay twice: once as citizens when public hospitals are constructed and again as consumers when hospitals are run by private companies whose services are fee-based.

EROSION OF OUTPATIENT CARE

The PPP model has one significant disadvantage—the withdrawal of OPD services, which are absolutely essential for everyday healthcare and get utilized 2–3 times more than inpatient care. Most PPP hospitals deal with inpatient admissions only, which are reimbursable under insurance programs, while OPD consultations are either no longer free or unavailable. This deprives a huge majority of the population especially the poor of low cost first-contact care. And though schemes such as Ayushman Bharat can pay for hospital stays, they don't make up for this essential deficit.

DATA SPEAKS FOR ITSELF

The same NSSO report (2017-18) revealed the following:

- ✧ Government hospital stay: Rs. 4,452
- ✧ Private hospital stay: Rs. 31,845
- ✧ In urban areas, the gap was even more: Rs.5,135 (govt) vs Rs. 41,239 (private)

Now that PPP hospitals begin to charge similar to private hospitals, this affordability gap is closing not by lowering costs, but by increasing the cost of care in erstwhile public hospitals.

MEDICAL EDUCATION: A GROWING CONCERN

PPP measures have also spread to medical education. New medical colleges in Uttar Pradesh, Rajasthan, Gujarat, and Karnataka, set up under PPP, are demanding between Rs12–16 lakh annually for MBBS seats. New policy relaxations enable private colleges to set fees for as many as 75% of their seats, pricing out middle-class candidates and potentially exacerbating public doctor shortages.

Even AIIMS type institutions are being proposed now under PPP, raising an alarm that elite healthcare and medical education will soon become a preserve of the wealthy.

MODELS THAT WORKED: PUBLIC SYSTEMS THAT DELIVER

States like Kerala and Himachal Pradesh, that have invested in building their own govt health infrastructure instead of

outsourcing, have much improved public health indicators. Andhra Pradesh, on the other hand, which has registered a 10% increase in private hospital share since 2013, is an example to learn from of increasing unaffordability.

A REFORM THAT NEEDS REFORMING

India's PPP model of healthcare requires expansion less than it requires accountability. The guarantee of greater efficiency and coverage cannot be at the expense of universal access and equity. If public hospitals, constructed with public funds, are transferred without assurances of free care or stringent monitoring, the outcome is not reform it's privatization of public duty.

The success of this reform will ultimately be measured, not in number of beds, but in number of individuals who are able to afford to lie in them. ●●

GLOBAL

From Catwalk to Courtroom

PRADA'S KOLHAPURI CATWALK FACES LEGAL STRUT



"inspired by Indian artisans." However, no formal acknowledgment was made to the artisans, the GI Registry, or the Indian government. This omission was presented as a deliberate attempt to avoid accountability.

The PIL emphasized that Kolhapuri chappals were not merely footwear but a cultural emblem rooted in the traditions of Maharashtra and Karnataka. Prada's use of

the design without any form of partnership or benefit-sharing was described as an act of cultural misappropriation and unjust enrichment.

A request was made by the petitioner for the court to mandate a structured collaboration between Prada and officially registered artisan groups. Suggestions included co-branding, capacity-building programs, and revenue-sharing to ensure fair economic returns and international recognition for traditional craftspeople.

The High Court was asked to examine whether Prada's conduct amounted to cultural appropriation with legal consequences under Indian intellectual property and consumer protection laws. ●●



Madras High Court has held that foreign-funded NGOs cannot be considered with automatic suspicion unless there is unequivocal proof of misuse or anti-national activity. Providing relief to Ellen Sharma Memorial Trust who was denied FCRA licence renewal in 2021

on a procedural default the Court ruled that bureaucratic stiffness should not crush genuine charitable work. The trust's supposed violation was for a new rule implemented in 2020 applied only for a short while to its case, and was considered an unintentional mistake. Authorities have been instructed to renew its licence,emphasizing that intent andsocial welfare should prevail above technicalities.

TC AREN'T HOSTAGE TO PARENTAL DISPUTES

Delhi High Court



IN a case highlighting the intersection of family law and a child's right to education, the Delhi High Court has ruled that a school cannot withhold a Transfer

Certificate (TC) from a student merely because of a pending matrimonial or guardianship dispute between the parents.

The judgment came in response to a writ petition filed by a minor child through her mother, seeking directions to the Directorate of Education and Montfort School for the immediate issuance of her Transfer Certificate. After the parents separated, the child began residing with her mother in Gurugram and secured admission to a new school. However, Montfort School refused to issue the TC, allegedly based on a letter from the father requesting the school not to do so.

The Court observed, "The school cannot deny the issuance of Transfer Certificate (TC) to the child who has sought admission in another school. In the event of delay in issuance of Transfer Certificate, even a disciplinary action can be taken against the Head-Master or In-Charge of the school. Needless to say, in a matrimonial or guardianship dispute, it is the interest of the child which is of paramount consideration."

What turned heads in the courtroom was the fact that no order had been passed by the Family Court, or any other competent authority, restraining the issuance of the TC. The school's reliance on the father's communication, without any legal mandate, was deemed improper. ●●



A Reformative Leap, Not a Legal Loophole



What happens when a killer wants to study law? The Supreme Court just said yes and sparked a debate on education, justice, and second chances

THE Supreme Court has rightly affirmed the right of convicted prisoners to pursue legal education through online courses, setting a powerful precedent in favour of reformative justice. By upholding the Kerala High Court's earlier order permitting two convicted murderers to enrol in online law programs, the apex court has sent a clear message: the bars of a prison cell cannot, and should not, confine the constitutional right to education.

The case in question involved two life-term convicts, Pattakka Suresh Babu and V Vinoyi, who were granted permission by the Kerala High Court to pursue law degrees through virtual learning. Both had successfully cleared their entrance exams and secured admission to recognised law colleges KMCT Law College, Kuttipuram, and Sree Narayana Law College, Poothotta, respectively. Their bid to study law sparked resistance from the Bar Council of India (BCI), which moved the Supreme Court against the Kerala High Court's ruling.

However, the BCI's objections grounded in concerns about precedent and the traditionally in-person nature of legal education were met with sharp criticism by the Supreme Court bench, comprising Justices Surya Kant and N. Kotiswar Singh. The bench denounced the BCI's stance as "rigid" and out of sync with modern, reform-centric jurisprudence. The justices firmly held that the BCI had overstepped its role and delayed

its challenge by over a year, thus weakening the merit of its opposition.

Justice Surya Kant went further, suggesting that legal education should be shaped by scholars and academics, not regulatory authorities clinging to outdated conventions. The Supreme Court's view positions education as a cornerstone of prisoner reform, not a privilege to be stripped away by virtue of conviction.

This decision reframes the debate around the rights of prisoners and reinforces the idea that rehabilitation, not retribution, must remain the core philosophy of the criminal justice system. Education, particularly legal education, holds the potential to create awareness, foster accountability, and even enable former offenders to contribute constructively to society perhaps even within the justice system they once wronged.

The Court's ruling does not suggest leniency for serious crimes; rather, it affirms a larger democratic value the belief that every individual, no matter their past, deserves a chance at personal reform through access to knowledge.

The judiciary has now drawn the line denying education, especially when it is self-driven and online, is not just unconstitutional but counterproductive. It is a step not just towards justice for the incarcerated, but towards a more inclusive, reformative legal framework.

The Delhi High Court has ruled that delaying financial support to a dependent wife and child undermines their dignity. Upholding a Rs 45,000 monthly maintenance order, the Court emphasized that timely disbursal is not a favor but a legal obligation

Supreme Courts to Cops

DON'T RUSH THE CUFFS IN MATRIMONIAL DISPUTES

Supreme Court upholds Allahabad HC's "cooling-off" rule no arrests for two months in 498-A cases without due scrutiny



IN a strong endorsement of due process, the Supreme Court upheld the Allahabad High Court's two-month "cooling-off" period before arrests in matrimonial cruelty cases, putting the brakes on knee-jerk handcuffing of husbands and in-laws. A bench headed by Chief Justice BR Gavai and Justice AG Masih observed that blind arrests cause irreparable damage. "What they have suffered cannot be resituated or compensated in any manner," the court remarked, referring to a case where a man and his father spent 109 and 103 days in jail respectively, based on what later appeared to be exaggerated charges by the complainant an IPS officer herself.

The court took a stern view of misuse of Section 498-A of the IPC, which deals with cruelty against women by their husband or his relatives. It insisted that the guidelines laid down by the Allahabad High Court must be implemented in full.

These include:

- A mandatory 2-month window after FIR registration before any arrest.
- Formation of Family Welfare Committees in each district to assess complaints.
- Referral only of those cases under Section 498-A that are punishable with less than 10 years of imprisonment.

The apex court emphasized the need to check the rising trend of "sweeping allegations" against entire families, noting that justice must balance protection with prevention of misuse.

As a moral remedy, the IPS officer wife was asked to issue an unconditional public apology a gesture the court said may not undo the damage, but could offer a sliver of redress.

Opinion



OUR EGO IS VERY FRAGILE

"You must not be so honest. Learn that in future - you should never say in the Supreme Court that your senior is busy in High Court ... Our egos are very fragile. You don't want to offend the ego of the judge. Your case will go out. Directly. Not on merits. Do not tell things like this. Small white lies are permitted,"

Justice PV Sanjay Kumar, Supreme Court



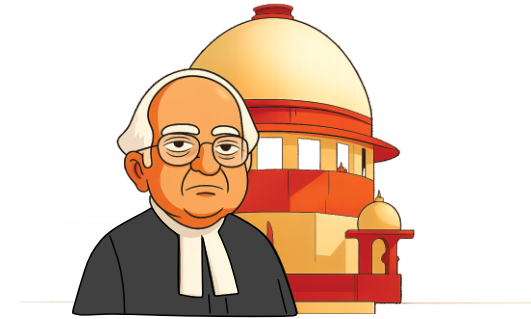
JUDGES ALSO HUMANS, KEEP LEARNING

Judicial work involves continuous learning. Judges are also human beings and are susceptible to errors in their rulings. As judges, we are duty-bound to correct our mistakes in properly constituted proceedings.

Justice Abhay S Oka, Supreme Court

JUDGES' ASSETS GO PUBLIC

A bold step towards judicial transparency and accountability



IN a significant decision aimed at improving transparency in the judiciary and building public trust, the Supreme Court of India has made it necessary for its judges to publicly declare their assets. This decision was reached during a Full Court meeting led by Chief Justice of India (CJI) Sanjiv Khanna, where all judges agreed to the new rule.

Following this decision, the asset declarations of all 21 sitting Supreme Court judges, including the CJI and his three immediate successors, have been published on the Supreme Court's official website. This is a major change from the previous practice, where judges submitted their asset details confidentially to the Chief Justice, with no requirement to make them public.

This move comes amid recent controversy surrounding allegations of cash recovered from the home of Justice Yashwant Varma during his time at the Delhi High Court, which has brought attention back to the topic of judicial accountability.

While some judges had previously disclosed their assets voluntarily, there was no formal requirement for full disclosure. With this new mandate, the Supreme Court has established a formal practice, making public asset declarations a policy for all its judges. This step is widely viewed as a way to improve judicial integrity and enhance accountability in democracy.

REEL VIOLENCE, REAL-LIFE IMPACT?

Cinema thrills, but at what cost? The Kerala High Court is examining whether on-screen violence is just entertainment—or a dangerous spark in a tinderbox society already on edge.



THE Kerala High Court was seen raising serious concerns regarding the ill effect of violent content in cinema on society. The observations were made by a Division Bench of Justice A.K. Jayasankaran Nambiar and Justice C.S. Sudha during hearings for the Hema Committee Report, which analyzed the exploitation of women in Malayalam cinema.

The Kerala Women's Commission had led the issue of too much violence in cinema into the court's eyes. The Bench observed that such material may not only mirror aggression in society but also help to glorify and legitimize violence, further shaping public behavior negatively.

Justice Nambiar also said that although films are under the blanket of protection of free speech granted by the Constitution, the boundaries of control have to be determined with regard to public and constitutional morality. It was

posed if the films were just reflecting the increased violence in society or actually propagating it by glorifying the act.

The Bench ordered the Kerala Women's Commission to research the extent and desirability of State intervention in controlling film content. It was recognized that although the censor board functions under certain guidelines, wider questions relating to content morality and social influence were beyond its existing remit.

The court also quoted a recent Supreme Court decision which authorized police investigations based on pre-Hema Committee findings statements of witnesses. Advocate General Gopalakrishna Kurup told the court that the Supreme Court had declined to stay the Special Investigation Team (SIT)



investigation. Justice Nambiar explained that the SIT would not force victims to give evidence and non-cooperation would be honored. Additionally, advocate Sandhya Raju raised concerns about gender-based bullying beyond the film industry, leading the court to suggest that any forthcoming legislation should be inclusive and not limited to cinema. The Bench emphasized that the court's objective was to assist the State in crafting comprehensive and forward-looking legislation.

RABIES RISK RISING

SC Seeks Action on Stray Dog Menace

With rabies deaths rising and over 37 lakh dog bites in 2024, the Supreme Court demands urgent action on the stray dog crisis



THE Supreme Court has suo motu cognisance of a media report that reports on a shocking upsurge in incidents of bites from stray dogs and related rabies-related fatalities. Terming the matter "very disturbing and alarming," a bench led by Justices J.B. Pardiwala and R. Mahadevan recognised the seriousness of the situation, particularly in Delhi and its suburbs where many daily incidents are being reported.

The court noted that children and the elderly are the most susceptible and many of them are "falling victim to the horrific disease" of rabies. It ordered the issue, along with the startling news report, to be brought to the attention of the Chief Justice of India for suitable directions.

Congress Parliament Member Karti Chidambaram, the outspoken supporter of strict control on stray dogs, had greeted the Court's focus, declaring, "Move the dogs from the streets, sterilise them, vaccinate them, and keep them in safe shelters." He was highlighting adoption and security but resisting uncontrolled presence of strays on public spaces.

Nationwide Health Concern Union Minister S.P. Singh



Baghel reported recent statistics in Parliament on July 22, 2024, that India had 37,17,336 dog bite cases and 54 suspected human rabies deaths in 2024 alone. These statistics highlight a serious public health and municipal administration crisis.

The Minister of State for Home Affairs told the House that municipalities are responsible for curbing stray dog populations. The Animal Birth Control (ABC) Programme at the local level seeks to neuter and vaccinate stray dogs to lower risks.

In support of this initiative, the Centre has brought into effect the Animal Birth Control Rules, 2023, under the Prevention of Cruelty to Animals Act, 1960. Moreover, an advisory was

sent in November 2024 asking the states to apply the ABC Programme more strictly. The advisory particularly emphasized the necessity to safeguard children, especially toddlers, from stray dog bites in cities.

A Turning Point

With the Supreme Court intervening, the case now comes into a legal and constitutional limelight.

The Court's suo motu action might stimulate stronger enforcement of municipal obligations, better mechanisms for public safety, and even lead the way towards judicial direction in the future on how to deal with stray dogs, reconciling animal rights with human life and dignity.

CANE AND CONSEQUENCE

When Discipline Turns Disproportionate

IS every classroom slap a crime? Not exactly says the Kerala High Court in a reflection-provoking judgment that hitches a very thin but important line between discipline and brutality.

In its latest ruling, the Court made it clear that corporal punishment by teachers is not necessarily a criminal offence under the Bharatiya Nyaya Sanhita (BNS) or the Juvenile Justice (Care and Protection of Children) Act, 2015 as the law stands today. Still, this is not an open invitation to brutal discipline. If the behavior of a teacher becomes extreme, sadistic, or involves sensitive areas of the child's body, it can very well attract penal action under Section 323 of the IPC or similar provisions of BNS.

Three petitions asking for quashing of criminal charges for beatings in school were before the Court. Two were rejected on the ground of non-severity, but in one instance—one involving a PVC pipe allegedly used by a teacher—the Court saw grounds sufficient to order trial.

Notably, the Court clarified that India's adherence to international child

rights conventions such as the UNCRC does not necessarily criminalize corporal punishment unless under domestic legislation.

The judgment raises a deeper question: Should corporal punishment be banned outright in India through unequivocal statutory provisions? Till then,

A teacher's cane may not be a crime under law but when discipline turns to cruelty, it crosses into the realm of offence. The line between correction and violation is thinner than we think



the judiciary serves as a balancing force, making sure that a child's dignity isn't bulldozed in the guise of disciplining them.

This judgment sends a quiet but stern message to teachers, discipline should never be a cover for violence. And as classrooms change, so too must our comprehension of child rights. Let's substitute the rod with reason, and make education never compromise on a child's welfare.

HACKED WALLETS, FROZEN HOPES

Even when stolen money is traced and frozen, victims of cyber fraud are stuck in a legal freeze frame with no clear way to reclaim what's theirs



IN an age where cyber frauds are becoming alarmingly common, victims who act promptly and by the rulebook often find themselves caught in an unyielding legal and procedural labyrinth. Despite swift action by law enforcement and successful freezing of fraudulent accounts, the path to actual recovery of stolen funds remains slow, inconsistent, and fraught with legal hurdles.

A Prompt Victim Still Left Waiting

Rohan Mehta (name changed), a marketing executive from Jodhpur, lost Rs 28 lakh to a sophisticated cyber fraud. Without hesitation, he dialed the national cybercrime helpline (1930) and filed a complaint. Acting swiftly, police managed to trace the siphoned money and freeze over 100 accounts involved in the laundering chain.

However, nearly a year later, Mehta is still waiting to recover Rs 15 lakh. Although Rs12 lakh was returned with a court's approval, the remaining amount remains in limbo. The obstacle? Despite a judicial order, the final release of funds depends on the discretion of the investigating officer (IO), and the absence of a centralized legal protocol complicates the process further.

Layering: The Legal Nightmare Behind Cybercrime

The structural design of cyber fraud especially the technique known as "layering" makes it legally complex to trace and reclaim stolen amounts. This method involves breaking down and distributing the defrauded funds across multiple bank accounts (often fake or rented), stretching across states and blending proceeds of various scams to create a digital

smokescreen.

One retired doctor in Delhi lost a significant sum in a 'digital arrest' scam. He later learned that his money had passed through 185 accounts nationwide. Even though 60% of the amount remained in initial accounts and was recoverable through court orders, the rest was irretrievably entangled in deeper financial layers.

Legal Recovery: What the Law Allows

Victims must file an application under Section 503 of the Bharatiya Nagarik Suraksha Sanhita (BNSs) to reclaim frozen amounts during a pending investigation. If the paperwork is complete, courts may grant temporary custody of funds via a Supurddginama (a legal undertaking) within a week. However, the process doesn't end there.

Victims must submit a bond ensuring that if another rightful claimant arises, the refunded money will be returned. This legal safeguard, while necessary, adds another layer of delay and formality.

Informal Settlements: A Troubling Trend

In some cases, the victims are approached by individuals whose bank accounts were used (often unknowingly) as part of the laundering chain. These are typically traders, shopkeepers, or small entrepreneurs who find themselves locked out of their own accounts after police intervention.

Desperate to regain access, they offer to return the money in cash or bank transfer in exchange for a No Objection Certificate (NOC) from the victim. This practice though extralegal is becoming increasingly common as a



means to expedite resolution. "It's not ideal," "But for many, it's the only practical route left when formal processes fail or stall indefinitely."

Lack of SOPs: Police and Banks Left Waiting

Law enforcement officials acknowledge the absence of a unified Standard Operating Procedure (SOP) on how to release frozen funds post-investigation. As Shantanu Kumar, SP Cybercrime, Rajasthan, noted, "Banks are reluctant to release any funds without a specific court order. We are still awaiting comprehensive guidelines from the Ministry of Home Affairs."

While an advisory from the Indian Cybercrime Coordination Centre (I4C) recommends refunding up to Rs 50,000 if the IO confirms fraud, it is seldom implemented in practice.

The Rise of 'Mule Accounts' and Insider Complicity

The cybercrime ecosystem is sustained by "mule accounts" — bank accounts either created with forged documents or "rented out" for a fee. In December 2024, Rajasthan's Special Operations Group (SOG) arrested 15 individuals, including teachers and lawyers, who had lent their accounts to scammers.

In some cases, banking staff themselves have been implicated. Hanumangarh police arrested a branch manager of Indian Overseas

Bank for facilitating the laundering of over ₹ 26 crore. Allegations included opening fake business accounts and directly handing over ATM kits to fraudsters.

Social media platforms have further fueled the underground economy, with fraudsters openly advertising "rent-your-account" deals, roping in unsuspecting users.

The Waiting Game: Justice Delayed, Confidence Eroded

For victims like Mehta, who did everything by the book, the silence from the system is deafening. "It's no longer just about the money," he says. "It's about the trust. Even when you follow the process, the system still fails to protect or compensate you."

As cybercrime continues to rise year on year, legal experts and victims alike stress the urgent need for:

- ▲ A uniform SOP for fund recovery,
- ▲ Centralized oversight to ensure accountability,
- ▲ Fast-tracked refund mechanisms,
- ▲ Awareness campaigns to prevent the misuse of personal bank accounts.

Until then, victims will continue navigating a legal maze where justice, though promised, remains painfully out of reach.

WHEN AGE BLOCKS PARENTHOOD



SC weighs if age caps in surrogacy law unfairly deny parenthood to genuine, hopeful couples



IN a country where parenthood is often seen as a deeply personal milestone and a cultural expectation, the question now before the Supreme Court is both legal and emotional: Should age alone determine one's eligibility to become a parent through surrogacy?

WHAT THE LAW SAYS

The Surrogacy (Regulation) Act, 2021, and the Assisted Reproductive Technology (Regulation) Act, 2021 both brought into effect in 2022 set strict age boundaries for those seeking surrogacy.

- ☞ **Married women:** 23–50 years
 - ☞ **Married men:** 26–55 years
 - ☞ **Single women:** Only widowed/divorced, 35–45 years
 - ☞ **Unmarried women:** Not allowed
- These criteria, while intended to ensure medical safety and align with global practices, now stand at the center of a constitutional challenge.

THE RETROSPECTIVE FALLOUT

At the heart of the issue is the retrospective application of these rules. Petitioners argue that couples who had already begun medical procedures retrieved eggs, created embryos, and were awaiting implantation were suddenly disqualified because of age. One striking case involves a couple who began their surrogacy journey in 2019, only to be barred later due to the husband's age of 62.

The petitioners have raised fundamental concerns under Articles 14 and 21 of the Constitution, arguing that reproductive autonomy and the right to equality are being unjustly curtailed. They rightly question whether the absence of a transitional clause often standard in personal laws has left families stranded in a legal limbo.

GOVERNMENT'S RATIONALE

The government is justified in defending the law, citing medical risks

and world practice. According to the government, parenthood is not a categorical right but has to be governed by legal and biological factors. However, that argument ignores the fact that reproductive experiences are not always linear or age-conforming. The sharp question posed by Justice B.V. Nagarathna, "If nature permits geriatric pregnancies, why shouldn't the law?" reflects a broadening unease with absolute legal prohibitions that have no shades of judgment.

REPRODUCTIVE RIGHTS AT A CROSSROADS

This is not merely a statutory interpretation case; it's a case about how much the state can interfere with personal choices. The decision will have a precedent on whether law can weigh medical common sense against compassion, self-determination, and changing values of what constitutes family.



CAUGHT A SCAM CALL? REPORT IT FAST ON CHAKSHU!

WITH THE rise in online scams and fraudulent calls, protecting yourself from cybercriminals has become more important than ever. Fake calls on mobile phones and deceptive messages on platforms like WhatsApp and Instagram are now common tools for fraudsters. To fight this growing menace, the Department of Telecommunications (DoT) has launched two powerful tools for the public: the Chakshu Portal and the Cyber Crime Portal.

What to Do If You Receive a Suspicious Call or Message

If someone calls or messages you pretending to be a government official, bank representative, or service provider and tries to mislead you, don't panic take action immediately.

You can now report such suspicious calls and messages on the Chakshu Portal through the official Sanchar Saathi website (sancharsaathi.gov.in). If you have already fallen victim to an online fraud or scam, you should immediately file a complaint at www.cybercrime.gov.in.

How to File a Complaint on the Chakshu Portal

1. **Visit** the official website: sancharsaathi.gov.in
2. **Click on 'Chakshu'** – the fraud reporting platform
3. **Submit the details** of the suspicious phone number, email ID, or social media account
4. **Upload evidence** such as screenshots, call recordings, or messages
5. **Submit your complaint** – no need to disclose your identity
6. **Action will be taken within 24 hours**, and if required, the number/account may be blocked

How Does This Help?

- ▲ If a number receives multiple fraud complaints, it will be flagged and investigated
- ▲ The identity of the complainant is kept completely confidential
- ▲ Over 2 crore fake mobile connections have already been deactivated
- ▲ More than 1 lakh stolen mobile phones have been recovered with the help of this system

Why This Matters

Fraudulent calls and online scams are not just annoying they can lead to serious financial loss, identity theft, and emotional stress. Reporting them helps protect you and others from becoming victims.



Right to privacy isn't absolute
WhatsApp chats accessed without consent can be used as evidence in family court, rules MP High Court

CALCUTTA HIGH COURT DRIVE, DON'T FEAR

Police Can't Park Your License, Only the RTO Can!



THE Calcutta High Court has made it clear that the license suspension, revocation, or impounding of a driving license can be done only by the licensing authority under the Motor Vehicles Act, 1988 and not by the police. The ruling was in regard to a plea against a 90-day suspension of a license for speeding ordered by the Assistant Commissioner of Police, Traffic, Kolkata.

Under Section 19 of the Motor Vehicles Act, only the licensing authority, as defined under Section 2(20), has the power to disqualify or suspend a license. The police, no matter the departmental notifications, cannot exercise this authority.

WHY IT MATTERS

The ruling reinforces that executive notifications cannot take precedence over statutory provisions, and it safeguards



citizens from abuse of authority by police officials. Suspension can only be done through due process by the power officially authorized to issue driving permits. If your license is suspended by traffic police, you may be entitled to challenge it know your rights under the Motor Vehicles Act.

PULLING PEOPLE, PUSHING DIGNITY BACKWARD

THE Supreme Court's recent comment on the persistence of hand-pulled rickshaws in Matheran a scenic, car-free hill resort nestled in Maharashtra's Western Ghats demands immediate notice and response. Calling the practice "inhuman" and "belittling" to India's prestige, the top court had good reason to ask how a developing country, run by a Constitution that promises social and economic justice, can permit such backward practices to survive.

In a 45-year-old precedent the Azad Rickshaw Pullers Association case the judiciary had intervened to defend the dignity and sustenance of exploited cycle-rickshaw operators. The resonance of that judgment sounds even more acutely, when India is at the juncture of technological progress and social responsibility. Most unfortunate is the fact that, in the 21st century, human beings are

forced to drag other human beings up a hill in a tourist town renowned for its environmentally sensitivity. This is not simply a question of antiquated forms of transport; it is a serious failure of policy, understanding, and social conscience.

The Supreme Court has now asked the Maharashtra government to draw up a solid plan in six months to replace hand-pulled rickshaws with e-rickshaws. Significantly, the Court has proposed that the battery-powered vehicles be hired out only to people who are presently occupied with the arduous task of pulling rickshaws, thus maintaining their livelihood and restoring their dignity.

As India strides towards progress, the continued use of hand-pulled rickshaws in Matheran tugs at the nation's conscience



PRIVACY VS. PROOF

THE Madhya Pradesh High Court held that a wife's WhatsApp chats, even if accessed by her husband without her consent, can be tendered as evidence in divorce proceedings to prove charges of adultery.

The court noted that by Section 14 of the Family Courts Act, 1984, family courts are allowed to consider any material that can help settle disputes even if the material in question would not be admissible normally under the Indian Evidence Act, 1872. The judgment held that a husband can place such chats before courts to substantiate allegations of extramarital affairs or cruelty.

In the present case, the husband had pulled out his wife's personal WhatsApp messages through a tracking application secretly installed in her phone. The chats purportedly unearthed an extramarital affair with some other man. Relying on the same, he has filed for divorce on charges of cruelty and adultery.

The legal team representing the wife objected to the filing of the chats on grounds that it represented a violation of her right to privacy under Article 21 of the Constitution and contravened sections of the Information Technology Act—Sections 43, 66, and 72.

Overruling these objections, the High Court declared that although the right to privacy is certainly a fundamental right, it is not an absolute right that can never be overridden in the cause of justice. The court relied on past Supreme Court decisions to support its stand that privacy rights are open to reasonable restrictions, especially when balanced against the right to a fair trial.

But the court entrusted the matter to the discretion of the family court to decide whether or not to depend on the WhatsApp messages as credible evidence in the ultimate verdict.

FOR THE PUBLIC:

- ☞ Verify the qualifications of any practitioner of cosmetic treatments.
- ☞ Demand written risk statements before any procedure is agreed upon.
- ☞ Report illegal clinics and unhygienic procedures to health authorities.


HER DEATH SHOULD STIR THE NATION'S CONSCIENCE

Shefali Jariwala was not just a celebrity. She was a woman struggling with the pressures of society, as so many women do, to be young and present. Her death is not just a failure of medicine but of culture and the system. We need to face the cold hard reality: we've made reckless beauty standards acceptable through an unregulated market, weak legislation, and indifferent ethics. Shefali's tale must be an eye-opener—a wake-up call, first and foremost, to policymakers and practitioners, but to all of us. It's time to demand accountability, dispel illusions, and prioritize safety over glitzy perfection.

Because beauty should never cost a life.

BEYOND THE LEGAL AGE

Why India's age of consent law at 18 needs urgent reform to reflect adolescent realities and protect young love, not criminalise it.

 LEGAL experts believe India needs to change its approach to adolescent sexuality. They argue that the current legal framework criminalises teenage relationships and puts reproductive health at risk. The strict legal view on the age of consent faces criticism for not reflecting real-life situations or international standards.

ADOLESCENT RELATIONSHIPS CRIMINALISED

Legal analysts point out that the Protection of Children from Sexual Offences (POCSO) Act, which makes all sexual activity under 18 illegal without distinguishing between consensual and non-consensual acts, has unfairly labelled many adolescents as offenders. This lack of clarity penalises consensual teenage relationships, leading to confusing legal situations and contradictions in the system.

SUPREME COURT CONUNDRUMS

Recent West Bengal and Tamil Nadu Supreme Court rulings revealed these issues. In one, the court maintained the conviction of a man involved in a consensual relationship with a minor, whether or not they were married. In another, a judge acknowledged that the law failed to consider the young woman's reliance on her partner. These cases show the challenge for the legal system in weighing rigid laws against the social and emotional circumstances experienced by teenagers.

GLOBAL PRACTICES PROVIDE ALTERNATIVES

Experts point out that most liberal democracies like the UK, Canada, and some EU states have fixed 16 as the age of consent and also given "close-in-age" exceptions to avoid criminalisation of consensual teen relationships. They believe that India's uniform application of 18 years as the age of consent, exceptionless in nature, ignores both the realities of adolescence and common international practices.

MEDICAL AUTONOMY AND THE MTP ACT

India's Medical Termination of Pregnancy (MTP) Act has come under criticism as well. Although it was amended in 2021, it still requires parent consent for minors who wish to undergo abortions and mandates the reporting of these as statutory rape. This forces most adolescents to access unsafe, illegal procedures or to report relationships that can result in criminal prosecution. Conversely, nations such as the UK allow physicians to assess a minor's ability to give consent based on the Gillick competency doctrine, permitting access to secure medical services.

SHORTAGE OF EXTENSIVE SEX EDUCATION

Commentators have emphasized that criminalisation is not a substitute for good sex education. Sex education in India tends to be patchy and stigmatising, leading to misinformation and bad reproductive health outcomes. Empirical evidence indicates that age-appropriate and well-rounded sex education can delay sexual

initiation, lower risky behaviour, and result in improved health outcomes.

PROPOSED LEGAL REFORMS

Legal and health professionals suggest a number of reforms to bring the law into harmony with constitutional values and the needs of adolescents:

1. Reduce the age of consent to 16 with a close-in-age provision in order not to criminalise consensual peer relations.
2. Amend the POCSO Act to distinguish between abuse and consensual teenage relationships, and protect against misuse by families as a tool of social control.
3. Modify the MTP Act so that competent minors have access to abortion without mandatory reporting, if a medical professional evaluates their comprehension.
4. Provide Comprehensive Sex Education in schools and online platforms to teach youth anatomy, relationships, consent, and reproductive health.


A RIGHTS-BASED APPROACH NEEDED

Legal scholars emphasise that protecting adolescents should not involve punishing them. They argue that the law must change to reflect shifting societal realities, and that adolescent autonomy must be respected. Silence, stigma, and over-criminalisation only harm young people. Indian laws must change to support adolescent independence, balance protection with their rights, and ensure rights-based reproductive care. As one legal expert stated, "Consent is not criminality." The aim should be to move from outdated legal frameworks to compassionate, evidence-based approaches that support rather than punish adolescents.●●



Court Orders

NO WHATSAPP FOR WARRANTS

 THE Supreme Court has emphatically ruled that investigating agencies, including police, cannot serve summons or notices through WhatsApp or other electronic means, as such actions violate the liberty of the individual. The court dismissed the Haryana government's plea seeking permission to allow electronic service of notices under the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.



Judicial vs Executive Acts

A bench of Justices Sanjiv Khanna and Dipankar Datta observed that summons issued by a court fall within the realm of a judicial act, whereas notices by investigating agencies are part of executive procedures. The procedure for judicial acts, they emphasized, cannot be read into the framework of executive action.

BNSS Provisions Don't Support

Electronic Notice by Police

The Haryana government had argued that the BNSS permits electronic means for court-related processes, and by extension, police should also be allowed to use such modes. However, the Supreme Court rejected this reasoning, stating that Section 35(6) of the BNSS secures an individual's fundamental right to life and liberty under Article 21 of the Constitution, and the legislature has deliberately excluded electronic communication from procedures related to police-issued notices under this section.

Personal Service of Summons Mandatory

The court held that summons or notices must be personally served on the accused, and not via WhatsApp or other digital modes. The physical mode of delivery is essential where the failure to appear could lead to arrest, the bench said. It upheld the arguments made by senior advocate Siddharth Luthra, appearing as amicus curiae, that the mode of service must follow regular legal procedure.

Liberty Cannot Be Compromised by Convenience

Emphasizing the protection of personal liberty, the bench remarked: "The protection of one's liberty is a crucial aspect of the right to life guaranteed to each and every individual. Any attempt to rewrite procedural safeguards under the guise of convenience would violate legislative intent."

The Court concluded that electronic communication is not a valid mode of service under Section 35 of the BNSS. Its conscious exclusion by the legislature reaffirms that a judicially unapproved shortcut cannot override constitutional protections.●●

The Supreme Court rules that police summons must be served in person digital messages don't meet legal standards for notice