

A recusal test the Delhi High Court failed

Prelims: General Studies Paper - 1
Current events of national and international importance

Mains: General Studies - 2
Structure, organization and functioning of the Executive and the Judiciary—Ministries and Departments of the Government; pressure groups and formal/informal associations and their role in the Polity.

1. Context

- Justice Swarana Kanta Sharma of the Delhi High Court **refused to recuse** from the Delhi liquor policy case (CBI vs Kuldeep Singh & Ors., April 20, 2026).

Recuse (Recusal) means a **judge voluntarily stepping aside from hearing a case** when there is a **possible conflict of interest or likelihood of bias**.

- The case involves former Delhi Chief Minister Arvind Kejriwal, with the Central Bureau of Investigation **challenging the discharge order**.
- Kejriwal, appearing in person, sought recusal citing **reasonable apprehension of bias**.
- Grounds: **prior adverse remarks**, links to Akhil Bharatiya Adhivakta Parishad events, **judge's children's professional links with government**, and remarks by Amit Shah.
- Seen as a **departure from established recusal jurisprudence**.

2. Law on Recusal

- Recusal is **uncodified**, based on **ethics, precedents, and global norms**.
- Core principles: **justice must be done and seen to be done**; judges must be **above suspicion**.
- Bangalore Principles (2002)**: avoid both **actual and apparent impropriety**.

- SC rulings** on principles governing judicial recusal :
 - ➔ **Ranjit Thakur (1987)** → **litigant's perception test** (focus on reasonable apprehension of bias).
 - ➔ **P.K. Ghosh (1995)** → **reasonable doubt** → **recusal** if alternatives exist.
 - ➔ **Bhullar (2011)** → **appearance of bias is sufficient**.
 - ➔ **SCAORA (2015)** → **reasonable apprehension standard**.
- India largely **rejects "duty to sit"**, except rare cases like Arun Mishra.

The **"duty to sit" doctrine** means that a judge has an obligation to **hear and decide cases assigned to them and should not recuse easily**, unless there are strong and valid grounds of bias or conflict of interest.

3. Issues in the Judgment

- Judge deciding her own recusal** raises concerns of **subjectivity**.
- Shift from **reasonable apprehension** to requiring **proof of actual bias**.
- Grounds were **dismissed without objective scrutiny**.
- Focus on **irrelevant aspects** (children's careers) instead of **conflict of interest**.
- Tone **defensive and argumentative**, not analytical.
- No referral** of plea to another judge.
- After judgment, Kejriwal and Manish Sisodia **refused further participation**.

4. Implications

- Weakens **"appearance of justice" principle**.
- Risks **bad precedent** in politically sensitive cases.
- May **erode public trust** in judicial impartiality.

- Highlights need for **institutional mechanisms** (independent handling of recusal).
- Reflects tension between **judicial authority and ethical restraint**; risks becoming an **embarrassing precedent unless corrected through appellate review and reforms like codified recusal guidelines and third-party adjudication of recusal pleas**.
- The shift towards private schools **predates the RTE Act**, as shown by the **Annual Status of Education (ASER) Report 2006**, due to issues like **poor infrastructure, teacher absenteeism, and quality concerns** in government schools.
- Thus, Section 12(1)(c) is a **tool of social justice and equality**, not privatisation.

The RTE Act and the idea of social inclusion

Prelims: General Studies Paper - 1
Indian Polity and Governance-Constitution, Political System, Panchayati Raj, Public Policy, Rights Issues, etc.

Mains: General Studies - 2
Government policies and interventions for development in various sectors and issues arising out of their design and implementation

1. Context

- In **January 2026**, the Supreme Court of India reaffirmed the purpose of **Section 12(1)(c)** of the Right to Education Act 2009.
- The provision mandates **25% reservation in private schools** for **economically weaker sections (EWS) and disadvantaged groups**.
- The Court emphasised **social integration**, noting that children from vastly different socio-economic backgrounds can **study together in the same classroom**.
- It described the provision as a **constitutional strategy to achieve equality of status through shared learning spaces**.
- Illustrative case: a low-income family saw **upward mobility and improved aspirations** when their child accessed private schooling through this provision.

2. Constitutional Purpose and Rationale

- Section 12(1)(c) is often **misinterpreted as promoting private schooling**, but actually aims at **integrated education spaces**.
- It does **not dilute the State's duty** to strengthen public education; instead, it **includes private schools as partners** in fulfilling the constitutional mandate.
- The RTE framework avoids a **zero-sum conflict between public and private schools**.

3. Evidence and Impact

- **Over 5 million children** have benefited from this provision since its implementation.
- **Retention rates exceed 90%**, indicating sustained participation.
- In cities like **Delhi and Ahmedabad, mixed classrooms are becoming the norm**.
- Research (Rao & Gautam, 2019) shows:
 - ➔ **Increased generosity and pro-social behaviour**
 - ➔ **Reduced discrimination**
 - ➔ **No negative impact on academic performance or discipline**
- Administrative improvements:
 - ➔ **Streamlined reimbursements**
 - ➔ **Online MIS(Management Information Systems) systems** ensuring transparency and reduced discretion
- Broader benefits:
 - ➔ Access to **social capital, peer networks, and institutional culture**
 - ➔ Leads to **higher self-confidence, ambition, and expanded worldview**

4. Challenges and Way Forward

- Persistent issues:
 - ➔ **Resistance from some private schools**
 - ➔ **Hidden costs** (uniforms, books, materials) burdening families
 - ➔ **Uneven implementation across States**
 - ➔ Gaps in **transparency, grievance redress, and outreach**
- However, improvements in States like **Rajasthan, Gujarat, and Delhi** show that challenges are **manageable**.

- Requires **strong enforcement**, not just moral persuasion.
- Way forward:
 - ➔ Ensure **timely reimbursements** to schools
 - ➔ **Eliminate hidden costs** for beneficiaries
 - ➔ Strengthen **grievance redress mechanisms**
 - ➔ Enforce **strict inclusion norms** and monitoring systems

On TCS harassment and conversion case

Prelims: General Studies Paper - 1
Current events of national and international importance

Mains: General Studies - 2
Role of women and women's organization, population and associated issues

1. Background of the Case

- In March-April 2026, nine FIRs were registered in Nashik against employees of Tata Consultancy Services.
- The allegations relate to incidents that occurred between 2022 and 2026.
- The case **involves charges of sexual exploitation, rape, and alleged forced religious conversions.**
- The **company has initiated an internal inquiry and suspended the employees named in the FIRs.**

2. Nature of Allegations

- The primary complainant alleged that she was sexually exploited on the false promise of marriage.
- The accused are alleged to have attempted to influence or coerce victims into religious conversion.
- It is claimed that **vulnerable employees were specifically targeted and manipulated.**

3. Police Investigation and Legal Provisions

- The **Nashik Police have constituted a Special Investigation Team (SIT)** to investigate the case.
- Charges under the **Bharatiya Nyaya Sanhita relate to sexual offences, assault**, including provisions on harassment and stalking.

- Additional **charges under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 address caste-based violence, including sexual offences against SC/ST women** and enhanced punishment for targeting individuals based on caste.

4. Concerns and Criticism

- **Civil rights activists allege bias** and framing of the case as "love jihad."
- They **demand an impartial probe focused on sexual harassment.**
- **Concerns over media trial and misrepresentation** have been raised.
- Lack of evidence for an organised conversion network is questioned.
- The case **exposes gaps in workplace grievance redressal systems.**

5. Legal and Constitutional Issues

- The defence has **argued that there is no specific anti-conversion law in Maharashtra.**
- The case raises **questions about the distinction between voluntary relationships and coercion.**
- The issue **involves balancing Article 21 (right to life and personal liberty) and Article 25 (freedom of religion).**
- It underlines the importance of due process and evidence-based investigation in sensitive cases.

The tragedy of recurring Rohingya refugee deaths

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India and its neighborhood- relations.

1. Context

- In April 2026, an overcrowded trawler carrying 250–280 **Rohingya refugees and Bangladeshi nationals capsized in the Andaman Sea en route to Malaysia, leaving around 250 feared dead or missing.**

2. Life-Threatening Rohingya Sea Migration Crisis

- Since the 2017 Rohingya crisis, **over 7 lakh refugees have fled to Bangladesh, where statelessness and poor camp conditions persist.**
- **Aid cuts since 2023 and lack of livelihood options have increased dependence on smuggling networks** for migration to Malaysia.
- The **1,500-nautical-mile route involves overcrowded, unsafe boats**, with risk of abandonment at sea.
- **2025 was the deadliest year on record for Rohingya sea crossings** (around 900 deaths), with the crisis continuing into 2026 with rising departures.

3. Mediterranean vs Southeast Asia: Structured vs Ad Hoc Response

- The Mediterranean crisis has **caused nearly 28,000 deaths since 2014 as migrants fled conflicts in Syria, Eritrea, and Afghanistan.**
- Europe's response is relatively structured, with **missions like Operation Mare Nostrum and Operation Sophia.**

Operation Mare Nostrum: An Italian naval mission launched in 2013 after the Lampedusa tragedy, rescuing over 1,50,000 migrants in the Mediterranean Sea.

Operation Sophia: An EU-led operation started in 2015 to combat human smuggling networks while also supporting search-and-rescue efforts in the Mediterranean

- Institutional mechanisms such as **the Common European Asylum System ensure coordination** and standardized asylum processes.
- Legal accountability is enforced through judgments like **Hirsi Jamaa v. Italy, which prohibits illegal pushbacks under international law.**

Illegal pushbacks: The forcible return of migrants or refugees across borders without assessing their asylum claims or ensuring due process, in violation of international refugee and human rights law

- In contrast, **Southeast Asia lacks binding frameworks**, as seen during the 2015 Andaman crisis where delayed, uncoordinated responses left thousands stranded at sea.

4. Governance Vacuum

- Conflict in Myanmar, led by the Arakan Army, has intensified displacement.
- Regional states like **India, Bangladesh, Thailand, and Malaysia** are not part of the Refugee Convention 1951, limiting protections.
- **ASEAN's principle of non-interference has limited collective action**, making mechanisms like the **Five-Point Consensus** largely ineffective.

The **ASEAN Five-Point Consensus** is a peace plan adopted by the Association of Southeast Asian Nations in April 2021 to **resolve the Myanmar crisis after the military coup.**

- Internal divisions have led to policy paralysis.

KEYWORDS

Convention Relating to the Status of Refugees (1951)

- The Refugee Convention 1951 (formally the Convention Relating to the Status of Refugees) **was adopted on 28 July 1951 in Geneva.**
- It provides an internationally accepted definition of a refugee as a **person who cannot return to their country due to a well-founded fear of persecution based on race, religion, nationality, social group, or political opinion.**
- Its **core principle is non-refoulement (Article 33)**, which prohibits sending refugees back to places where their life or freedom is at risk.
- The Convention **also specifies categories of people who are excluded**, such as war criminals or serious offenders.
- Later, the **1967 Protocol removed the geographic limitations of the Refugee Convention**, making its provisions universally applicable to refugees worldwide and **strengthening the mandate of the United Nations High Commissioner for Refugees**

Helicobacter pylori

- Helicobacter pylori is a **spiral-shaped bacterium that infects the stomach lining.**

- It was discovered in 1982 by **Barry Marshall and Robin Warren**, who later won the **Nobel Prize in Physiology or Medicine**.
- The bacterium **survives in the acidic stomach by producing urease enzyme that neutralize acid**.
- It is a major **cause of peptic ulcer disease and chronic gastritis**, spreading through contaminated food, water, or close contact.
- If untreated, long-term infection increases the risk of stomach cancer.

Sombrero Galaxy

- The Sombrero Galaxy (Messier 104) is located in the **constellation Virgo and is about 29 million light-years away**.
- It **looks like a sombrero hat due to its bright central bulge and a prominent dark dust lane**.
- It is considered a **“peculiar” galaxy categorized as a lenticular galaxy** due to its unique, intermediate shape between a spiral and an elliptical galaxy.
- It hosts a very large supermassive black hole at its center.

Place in News

Rooppur Nuclear Power Plant



Source: World Nuclear Association

- The Rooppur Nuclear Power Plant is **Bangladesh’s first nuclear power facility, with a planned capacity of 2,400 MW**.
- It is being **constructed with financial and technical assistance from Russia**, mainly through its state nuclear agency Rosatom.

- Under a **tripartite Memorandum of Understanding (MoU) with Russia and Bangladesh**, India is providing **training, technical expertise**, and consultancy for the project.
- **Once fully functional, it is expected to supply around 10% of Bangladesh’s electricity demand** and reduce pressure on its overstretched power grid.

Pompeii

- Situated approximately **25 km southeast of Naples, Italy**.
- Mount Vesuvius is a **stratovolcano (composite volcano)** and the **only active volcano on the European mainland**.
- The ancient Roman city of Pompeii was **buried in ash in AD 79** due to its eruption.
- The eruption released a **massive cloud of superheated gas, ash, and pumice** reaching heights of **about 33 km**.
- Pompeii was designated a **UNESCO World Heritage Site in 1997** and is unique because **volcanic ash preserved the city, effectively “freezing” it in time**.
- A **famous ivory statuette of the Hindu goddess Lakshmi (or a yakshi)** discovered in Pompeii provides evidence of **robust Indo-Roman trade via the Red Sea as early as the 1st century AD**.
- Archaeologists have recently used **AI-based reconstruction techniques** to recreate the **face of a victim found clutching a terracotta mortar**, offering deeper insights into the **final moments during the eruption of Mount Vesuvius**.

