

PUCL Editorial: Eroding Fraternity: Continuing Atrocities against Muslims and Dalits in India

- India's unconstitutional silence in the face of the illegal war against Iran is a betrayal of the idea of India 4
- PUCL condemns the Transgender Persons (Protection of Rights) Amendment Bill, 2026 as unconstitutional and demands its immediate withdrawal 9
- PUCL condemns the attack by ABVP on students of Azim Premji University 12
- The Disturbed Area Law will fracture Rajasthani society, cause ghettoisation of Minorities in urban areas! 15
- Hold Delhi Police Accountable: Custodial Torture and Sexualised Violence by Delhi Police (Special Cell) 16
- Civil society groups raise alarm over Maharashtra's proposed "Dharma Swatantrya Adhinyam, 2026" 17

SL. NO. 520

ERODING FRATERNITY: CONTINUING ATROCITIES AGAINST MUSLIMS AND DALITS IN INDIA

The time of Ramzan is traditionally seen as a time of fasting, prayer and spiritual reflection for Muslims worldwide. However, what is changing at the grassroot level is that Ramzan has also begun to represent a time of fear and anxiety as far as Muslim in India are concerned. This is especially true for Muslims living in NDA-ruled states, as has been confirmed by a report by Muslim Mirror, which recorded 66 communal incidents and hate crimes in February 2026 alone. We have only shared a few such reported instances in March 2026 here, while acknowledging the need for a much more exhaustive database, to include all such incidents.

On March 1st, 2026, Roshan Khatoon, a Muslim woman from Amhi village, in Bihar's Madhubani district, went to the residence of the village pradhan, Kumari Devi, to resolve a dispute. She was set upon by a mob led by the pradhan's son, Manu Singh, tied to a pole, and beaten severely. She was observing her Ramzan fast and asked for water. Witnesses allege she was instead forced to drink a mixture of urine and alcohol.

On March 2nd, 2026, a 28-year-

old Muslim truck driver, Aamir Khan was reportedly shot dead by alleged cow vigilantes while transporting fruit in the industrial town of Bhiwadi in Rajasthan. His family alleged that individuals linked to cow-protection vigilante groups targeted him while he was waiting near a mosque with his vehicle.

On March 4th, 2026, during Holi celebrations, after a water balloon thrown by a child mistakenly hit a Muslim woman, clashes between two neighbouring families led to the death of Mr. Tarun Butolia after he was attacked by a mob in the same evening. 8 people reportedly sustained injuries, and 14 people were arrested. The incident led to heightened tensions in the area, also prompting the Delhi High Court to direct the Delhi Police to take measures to ensure that the celebration of Eid takes place in a peaceful manner. APCR had raised concerns about possible disruption of public life during Eid, especially in wake of a series of hate speeches, inflammatory posters, and public mobilisation in the area that appear to be openly calling for violence against members of the Muslim community in J.J. Colony and surrounding neighbourhoods.

On March 6th, 2026, it was reported that in Bihar's Darbhanga district, a 65-year-old Muslim man named Abdul Salam was lynched after he attempted to stop a group of young men from using anti-Muslim slurs.

On March 7th, 2026, it was reported that a sugarcane juice shop owned by a Muslim man was set on fire in Lucknow by an angry mob after reports emerged that a minor boy had licked the ice used at the shop. This was following a short clip, widely shared on WhatsApp, X, and other platforms on Friday, depicted a young boy (aged around 7-10) with a mental disability licking a block of ice near the sugarcane machine. The shop owner, Munna, a resident of Bahraich district, has operated the stall peacefully for 10-12 years.

On March 18th, 2026, a group of fourteen young Muslim men broke their fast on a boat in the Ganga river. Those observing Ramzan usually break their fast in the evening for *iftar*, with a meal or by consuming fruits, dates and juice. The videos that circulated in social media were reportedly of the group of 14 men eating from a large vessel and drinking water. A person from the BJP youth wing, Rajat Jaiswal, filed a complaint alleging that they consumed meat and discarded the remains into the river. In his complaint, he alleged that they had hurt religious sentiments associated with the River Ganga. Within hours, the 14 youth were arrested and remanded to 2 weeks judicial custody, and the ACP, Kotwali immediately tweeted that they were allegedly eating chicken biryani, and had been arrested.

The Varanasi Chief Judicial Magistrate even denied bail to the 14 arrested youth on 23rd March, 2026 and stated in its order that the "crimes committed by the accused were of a serious nature and non-bailable."

There were similar reported incidents of such brutal violence against Muslims in the context of minor altercations reported from Uttar Pradesh, Rajasthan, Bihar and Gujarat. It has been argued that we cannot see these incidents as isolated events anymore. The reason they happen with such impunity across state boundaries is due to the deeper culture of suspicion and dehumanisation towards Muslims fostered by state action and inaction. Muslims are constantly portrayed as outsiders, demonised as infiltrators and even ordinary actions are viewed with suspicion. These crimes of lynching and violence against Muslims emerge from this culture of dehumanisation which has become so much a part of India's socio-cultural fabric that they don't excite much media commentary anymore.

In fact to understand the feeling of anxiety among Muslims based on such incidents during Ramzan one has to go to the non-mainstream media which has covered these incidents. As far as the mainstream media is concerned, it is not a newsworthy matter any more. One only has to remember the media coverage given to the lynching of Akhlaq in Dadri in 2015 to the current scenario when the lynching of people like Roshan Khatoon from Aamir Khan barely registers in the media coverage. This indicates the new reality as far as

the media's coverage of violence against Muslims is concerned.

The fact that there seems to be a campaign among the right wing to polarise society during religious festivals be it Id or Holi is undoubtedly responsible for this new scenario when festivals are associated not with joy and celebration but fear and suffering especially for the minority community. The fact that these incidents surface more in BJP ruled states also indicates that these forces feel emboldened in these states that there will be impunity for what after all are not only crimes under the BNS but also calculated attempts to destroy the constitutional promise of fraternity.

Even as we observe this new phenomenon of hate crimes during festivals against Muslims, there is another reality of violence against Dalits which cannot be forgotten.

On February 9th, 2026, a Dalit youth named Rahul was brutally assaulted in Bhadohi in Uttar Pradesh after an argument with Shankar Bind, who objected to Rahul defecating near a canal. The assailant attacked him with casteist slurs and pierced his eye with a motorcycle key, causing Rahul to lose sight in that eye.

In February 2026, a 30-year-old Dalit law student at Government Law College in Churu, Rajasthan, named Meena Meghwal, filed a formal complaint alleging that her professors subjected her to caste-based discrimination and deliberately failed her in an examination. The complaint was filed at the Kotwali Police Station on February 27, in which the complainant, Meena

Meghwal, had accused Professor Apoorva Sharma and Professor Anil of making insulting casteist remarks, threatening to fail her, and deliberately awarding her low grades. The professor allegedly used casteist slurs in front of other students and told her, "You are chamari, you are from a lower caste. You cannot do LL.B. It is not your job," and also threatened to fail her. When she sought a reason for the low marks, she alleged that Professor Sharma told her, "It is my wish. I did it. You people are low caste."

On March 19th, 2026 a Dalit family in Madhya Pradesh's Neemuch district had staged a silent protest, seeking permission for mass suicide inside a hospital where they were receiving treatment after an alleged caste-based attack. The family, residing in Dasia village, said the assault stemmed from a dispute on February 26th over a chickpea crop. The victim, Premchand Mogiya, claimed that villagers Mohan Singh and Babu Singh assaulted his daughter and used casteist remarks against her. They said the accused attacked them again on March 15th, even after filing a complaint. The men reportedly assaulted them with sticks, leaving Mogiya, his wife, Mohanbai, and daughter, Neetu, severely injured. They alleged that the police are actively providing protection to the accused. Their protest placards read, "Stop atrocities against Dalits," "Stop hooliganism under police protection", "Chief Minister Mohan Yadav ji, give us justice or allow us to commit mass suicide" and "Because of police protection to casteist goons, we may have to abandon our home and land".

On March 2nd, 2026, a disabled

Dalit man, John Mark, a resident of Perumpaththu village, and an Odisha migrant worker, Srinath Gadda, were hacked to death by a nine-member gang armed with sickles and sharp weapons in a targeted caste attack in Tirunelveli, Tamil Nadu. Five others sustained injuries, two critically. Police stated the assault had been planned by young men from a dominant intermediate caste to intimidate Dalit youth in the locality. Seven accused were arrested and remanded to judicial custody.

These instances of caste based violence and discrimination reported in the papers only indicate the continued and pervasive nature of violence based on caste. This is clearly an all-India reality and is part of the broader culture of hostility towards Dalits. To do an archive of atrocities against Dalits is to be reminded of the dehumanisation on grounds of caste which runs counter to the constitutional pro-mise of both fraternity and equality.

One strand of anti-Dalit violence is that it is often inflicted in the context of challenges to the ritual humiliations and indignities imposed by the caste based order on the Dalit community. Thus when Meena Meghwal as a Dalit law student asserts her right to education, she is met with casteist hostility. Or when a Dalit family seeks to assert their right to equality, they are brutally assaulted.

We must also remember that such majoritarian politics of hate is only strengthening patriarchal institutions, snatching women's autonomy and establishing caste-Hindu and Hindutva supremacy through their divisive politics and

violence.

In the context of this wave of hate crimes, one instance of an individual, 'Mohammad' Deepak standing up against hate has stood out like a ray of hope. Deepak Kumar, a gym owner from Kotdwar, Uttarakhand came into the national spotlight after identifying himself as 'Mohammad' Deepak while confronting a Hindutva mob who were harassing a 71-year-old Muslim garment seller over the name of his shop. That moment of confrontation went viral with Deepak's spontaneous and courageous gesture of resisting a bully capturing an idea of India based on the constitutional value of fraternity.

Deepak's action got expressions of support from across the country with many taking gym memberships in his gym as an expression of solidarity with Deepak and what he stood for, namely the value of fraternity which is integral to their idea of India. However at the same time, Deepak Kumar is facing protests, online and offline harassment and an FIR lodged by the police. Unfortunately when he moved for the quashing of the FIR, the Uttarakhand Court in an egregious order, not only refused to quash the FIR but also went on to direct him to provide the account of the 'donations' credited to his bank account till now, after the video of the incident involving him went viral on the internet.

An egregious instance with respect to justice for caste violence was the judgment in the Una incident on 16th March 2026. Almost ten years ago on July 11, 2016, four young Dalits

were publicly flogged and paraded around, in Una in Gir Somnath District of Gujarat, in broad daylight, for skinning a dead cow. The most inhuman kind of torture was meted out to the Dalits on the pretext of cow protection, and the perpetrators brazen in the conviction that there would be no accountability for their crimes uploaded a video of their brutal acts on social media.

In this case the Veraval sessions court convicted and sentenced five people to five years of rigorous imprisonment and acquitted 35 others. In the course of the trial, as many as 80 prosecution witnesses turned hostile. Many of them were cited to be the eyewitnesses of the alleged flogging of the four victims in the case. This acquittal

of 35 is an egregious instance of injustice and one hopes that the state will file an appeal challenging the acquittal and thereby sending out a message that there will be accountability for atrocities committed against Dalits. This brief survey of violence based on caste and religion only indicates that there is a serious problem in India today. The problem is one of continuing and persistent violence against Muslims and Dalits, which has become a part of the daily reality because of the continued impunity of the perpetrators. It's vital that we continue to push for justice in all such cases.

We salute the bravery and humanity of the gym owner from Uttarakhand, Deepak Kumar who has shown what it means to

stand for fraternity even against hate. There are many such unnamed people who are standing up against hate across India, and are resisting and questioning this onslaught. Such courageous efforts point to the reality of another India which lies under the waves of hate. We must therefore, not only draw hope and strength from these instances of bravery, but also work towards building a consciousness that upholds the Preambular values of fraternity, equality and dignity. As the Preamble of the Constitution reads, it is in the hands of 'We, the People of India', to build the India in which people from all communities feel safe, and coexist, truly bringing to life the value of Fraternity.

INDIA'S UNCONSTITUTIONAL SILENCE IN THE FACE OF THE ILLEGAL WAR AGAINST IRAN IS A BETRAYAL OF THE IDEA OF INDIA

PUCL DISCUSSION PAPER

Introduction

The PUCL is outraged by and strongly condemns the unprovoked and illegal bombing of Iran by the United States and Israel which commenced on February 28, 2026. As of 10 March, 2026 the bombing has spread death and devastation across Iran, with over 1300 civilian deaths, including over 200 children and destruction of Iran's infrastructure in over 200 cities. The bombing also resulted in the targeted assassination of Iran's Supreme leader, Ayatollah Ali Khamenei.

This unprovoked campaign of terror by Israel and the United States is a violation of

international law. The heart of the UN Charter, Article 2(4), mandates that, 'All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.' This provision is meant to outlaw the crime of 'aggression,' which, according to the Nuremberg tribunal, is the 'supreme international crime.' It is only when nation states eschew force as a way of resolving disputes that the Preambular promise of the UN Charter, 'to save succeeding generations from the scourge of war' which has 'twice, brought untold sorrow to

mankind,' can be fulfilled.

India under Modi has betrayed its constitution and its anti-colonial heritage and abdicated its leadership of the global south

India has remained silent in the face of this illegal war and choose not to issue any condemnation of the illegal US-Israeli aggression. The Prime Minister, Narendra Modi in a particularly cynical decision, chose to visit Israel just 2 days before the bombing began on 28th February. This was when there was a warrant of arrest issued by the International Criminal Court (ICC) against the Prime Minister of Israel for crimes

against humanity committed in Gaza. It is all the more shameful that in his address to the Israeli Cabinet, he declared that 'India stands with Israel firmly, with full conviction, from this moment and beyond.' Is one to make that as far as Modi is concerned, the fact that there are credible accusations of genocide against Netanyahu is of no consequence? Are we to understand that the official position as repeatedly stated by the Ministry of External Affairs, that 'India supports a two-state solution, towards the establishment of a sovereign, independent and viable State of Palestine' has changed? Which then takes us to the point that as far as India today is concerned there are no values (leave alone constitutional values) which govern its foreign policy.

The immorality of the Indian position was exposed on the world stage when India chose to remain silent on 4th March, 2026, when an unarmed Iranian warship, the IRIS Dena was torpedoed by the United States when the ship was returning to Iran after the "Milan" biennial multilateral naval exercise which was hosted by India and was within Sri Lankan waters. What is shocking is that the IRIS Dena was part of a set of 3 warships from Iran which on India's invitation participated in a multi-national naval even in Vishakhapatnam between 15th to 25th February, 2026. In fact during the event, Indian President Droupadi Murmu had participated in the meet.

When our country's honoured guests, about 86 young Iranian naval officers were murdered, the Indian government has, till date,

has failed to condemn the attack! Not only was India unable to protect its guests in what it sees as its backyard, but further did not even issue the mildest condemnation of the US action targeting a vessel which was not in the theatre of war and posed no military threat. This speaks to India's abdication of leadership of the global south, and India's betrayal of both its constitutional vision as well as the abandonment of its oft declared sovereignty over the Indian Ocean.

This abdication of leadership and the decision to cosy up to the United States is not only bereft of any values, but also has implications for the core constitutional principle of sovereignty. The decision to subordinate our interests to the demands of the United States regardless of our relationships with other nations, is an infringement of India's freedom to act as a sovereign nation. The cat was out of the bag when the US Treasury Secretary Scott Bessent on Friday announced that Washington issued a temporary 30-day waiver to allow Indian refiners to buy Russian oil already on vessels. The question rightly being raised is does India need US permission to import Russian oil? Is this not an infringement of India's sovereignty?

We have a proud heritage of defending our sovereignty which is being betrayed by the Modi government. The current dispensation can take a lesson from the first Prime Minister, who did not hesitate to criticize the powerful when they acted outside the constraints of the rule of law. When moving the Objectives

Resolution, Nehru fiercely defended Indian sovereignty and spoke out against even perceived attempts to dictate what India's policy should be. As he put it, 'The only way to influence India is through friendship and co-operation and goodwill. Any attempt at imposition, the slightest trace of patronage, is resented and will be resented.'

The current India US relationship seems to be one of a master and a vassal. While Nehru resented 'imposition', the Modi government silently acquiesces in whatever way Trump decides to slight and insult India.

Illegal war against Iran

The war in which Prime Minister Modi has silently acquiesced has no justification in international law. Israel and the US have tried to give a series of shifting justifications for the attack ranging from the supposed nuclear threat posed by Iran to the threat posed by its missile programme to regime change.

Most tragically, on 28th February, 2026, the very day Israel and USA started bombing Iran the Omani Foreign Minister Badr bin Hamad Albusaidi announced a historic breakthrough in the talks between Iran and the USA regarding the issue of nuclear bomb and stockpiling of nuclear material. Even as he declared, "If the ultimate objective is to ensure forever that Iran cannot have a nuclear bomb, I think we have cracked that problem through these negotiations ... the single most important achievement, I believe, is the agreement that nuclear material that will create a bomb".

What is eerily apparent is that the USA and Israel felt threatened by the historic breakthrough which could have brought lasting peace to not just Iran but all of West Asia, and very cynically decided to bomb Iran on the very same day citing a reason which is exposed to be entirely fictitious.

The rationale for bombing Iran not only has no basis in any independently verifiable threat but also smacks of the hypocrisy of two nuclear-armed nations (USA and Israel) taking on the self-assumed role of policing nuclear 'threats' outside the framework of the Nuclear Non-Proliferation Treaty and asserting that they had the right to attack Iran.

PUCL believes in disarmament and does not support the dangerous trend towards militarisation around the world. However, disarmament is a global imperative for all nations in the world and the requirement of disarmament cannot be imposed on any one nation unilaterally. Iran's missile programme falls very much within this logic of the sovereign equality of states. There is no legal justification for any other state, including and especially nuclear armed Israel or the US, to unilaterally demand that Iran's missile capability be dismantled.

There is absolutely no legal, ethical or moral justification for the USA and Israel aiming to bring about regime change; this falls entirely outside the sphere of international law which is based on the understanding that the international order consist of sovereign states with different social, legal and political systems. If a powerful state goes

to war to unilaterally demand that the internal governing mechanism of a state be changed, then it spells the end of international law as we know it. The targeted assassination of Iran's Supreme Leader lays waste to the principle of sovereignty on which international law is based.

The justification for regime change offered by Trump was the shooting down of protesters against the regime. Trump said that he had "put Iran on notice" and that if the regime shoots at demonstrators the U.S. will hit Iran "very hard."

It is true that the protests which rocked Iran were met with brutal state repression and the mowing down of unarmed protesters in their thousands (some estimates put the toll as high as 35,000) on January 8 and 9th of 2026. Human Rights groups around the world have not forgotten the brutal repression by the Iranian regime of the protests which erupted in 2022 following the killing of Mahsa Amini resulting in 551 casualties. However the means to make the regime accountable for human rights abuses is not through the unilateral, arbitrary and immoral act of bombing Iran and launching an unprovoked war. This will only hurt the Iranian people and push the cause of human rights even further from their reach.

The Iranian regime must be made accountable for these unconscionable deaths as the Iranian state is bound to respect the human rights of its citizens under the UN Charter. However, it is utterly cynical of the US and Israel to use these deaths as a

factor to legitimise a war which has already resulted in over 1300 civilian deaths, thousands of casualties and mass suffering through the attack on civilian and military infrastructure.

Global response to the illegal war against Iran

The UN Secretary General has stayed true to the mandate of the UN by reminding the Security Council on 28th February that Article 2(4) of the UN Charter states that all Member States "shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State," and that international law and international humanitarian law must always be respected.

However, this basic fidelity to the UN Charter was lacking on the part of the Western powers. The leaders of France, Germany and the United Kingdom stated that they were 'appalled by the indiscriminate and disproportionate missile attacks launched by Iran against countries in the region' and went on state that they would enable 'necessary and proportionate defensive action to destroy Iran's capability to fire missiles and drones at their source' and would 'work together with the US and allies in the region on this matter.' They had not a word of condemnation of the US or Israeli action as a fundamental violation of international law. These western nations are not only silently acquiescing but actively supporting the criminal actions of the USA and Israel.

Spain was the only western country to unequivocally state

that 'Spain's position is the same as in Ukraine or Gaza. 'No to the breakdown of international law that protects us all. No to resolving conflicts with bombs. No to war.'

Russia and China have condemned the US Israeli war against Iran as has Pakistan!

War is the 'Supreme international crime' and India's silence is unconscionable

PUCL has always opposed the crime of aggressive war. As the judgment at Nuremberg put it, 'To initiate a war of aggression, therefore, is not only an international crime; it is the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole.'

It is this supreme international crime which needs to be condemned without reservations, as 'war' implies a range of other violations. It is the fount of all violations. India under Modi has shown itself unable to condemn what is without doubt the 'supreme international crime'. This is unconscionable and unacceptable!

There should be a constitutional compass to Indian foreign policy

Foreign policy as conducted by the Modi government has shown itself to be purely transactional and bereft of values. The values which should underpin our foreign policy must derive from our Constitution. The Directive Principles of State Policy, under Article 51(c) oblige India to 'foster respect for international law' and

under 51(a) require the State to 'promote international peace and security', under 51(b), 'to maintain just and honourable relations between nations' and under 51(d) 'encourage settlement of international disputes by arbitration'. If these values give a constitutional compass to our foreign policy, then the bombing of Iran and the assassination of her Supreme Leader should be condemned as a violation of Articles 51(a), (b), (c) and (d). It is further the fundamental duty of every citizen and by implication every high constitutional functionary to 'abide by the Constitution' and 'respect its ideal and institutions under Article 51-A (a), to 'cherish and follow the noble ideals which inspired our national struggle for freedom' under Article 51-A (b) and to 'uphold and protect the sovereignty, unity and integrity of India' under Article 51-A (c).

As early as in 1946 itself, even before we formally and officially gained independence on 15th August, 1947, the drafters of the Indian Constitution very much envisioned a contribution of a future independent India to global peace. The 'Objectives Resolution' – which later became the Preamble to the Constitution – adopted by the Constitutional Assembly on 22nd January, 1947, very clearly emphasised in sub point 8 that, 'this ancient land attains its rightful and honoured place in the world and make its full and willing contribution to the promotion of world peace and the welfare of mankind.'

As Nehru said in the Constituent Assembly, in the famous 'tryst with destiny' speech that our 'dreams are for India, but they are also for the world, for all the

nations and peoples are too closely knit together today for any one of them to imagine that it can live apart. Peace has been said to be indivisible; so is freedom; so is prosperity now; and so also is disaster in this one world that can no longer be split into isolated fragments.'

The idea of India in the world was also articulated powerfully by Rabindranath Tagore who invoked the ideal of a people who were not 'afraid' and a context where 'the world has not been broken up into fragments by narrow domestic walls.'

India's foreign policy in the past has derived from these constitutional values of promoting peace, upholding the UN based international order and defending the sovereignty of nation states, in particular from the global south. In fact, India has had a proud history of opposing aggression by imperial powers drawing from the values of the Indian Constitution.

The idea of India draws upon the understanding that imperial wars are a threat to world peace

Going back to another historical parallel, one should remember the Suez Crisis of 1956. When Nasser nationalized the Suez Canal, Egypt was attacked by the trio of Israel, the U.K., and France. India's response to this unprovoked attack was to assure Nasser of India's full support and to call the actions of Britain and France a 'reversion to a previous and unfortunate period of history when decisions were imposed by force of arms by Western powers on Asian countries... The whole purpose of the UN is

undermined, and the freedom of nations is imperilled if armed might is to decide issues between nations.' As Nehru put it, this was a 'reversal of history,' and 'no country in Asia or Africa, which has recently achieved freedom, can possibly tolerate this reversal.'

After the brutal European colonisations of the 18th and 19th centuries the world saw the period of decolonisation beginning from the independence of India in 1947 going right up to the end of the apartheid regime in South Africa in 1992. Today we seem to be witnessing a period of recolonization. The brutal assault on Gaza, Lebanon, Syria and Iran by the Israeli regime with the support of the United States speaks to this stark new reality. The kidnapping of the President of Venezuela, Maduro on 3rd January, 2026 and the continuing brutal blockade on Cuba by the United States is again a manifestation of unchecked power asserted by the US which is unquestioned by many countries including by the government of India. All this is reminiscent of the period when the coloniser countries of the West exercised hegemonic control over the rest of the world.

India should recognise the current reality as nothing other than a form of neo-colonialism and respond accordingly. India has a historical legacy to guide our actions being part of the founding group of the Non-Aligned Movement. India's foreign policy should also be anchored in the values of the Constitution as well as the significance of the UN Charter all of which are even more relevant today.

Unfortunately, the Modi government chooses to eschew the ideals which animated the birth of India and rather operate in a particularly amoral, cynical manner. India today prides itself on its transactional approach to foreign policy. This is a shameful limitation on our role on the international stage compared to the key role India has played earlier as leader of the Non-aligned movement.

It is in India's self-interest to defend a rules based order

The defence of international law is not only a constitutional imperative but also in the self-interest of a middle power like India. As the Canadian Prime Minister Mark Carney put it, 'the middle powers must act together, because if we're not at the table, we're on the menu.' When middle powers only negotiate bilaterally with a hegemon, we negotiate from weakness. We accept what's offered. We compete with each other to be the most accommodating. This is not sovereignty. It's the performance of sovereignty while accepting subordination. In a world of great power rivalry, the countries in between have a choice – compete with each other for favour, or to combine to create a third path with impact.'

In a rapidly changing world where re-colonisation by the most powerful countries is the imperative, India must act in its self-interest. Cosying up to the hegemon is not in India's self-interest. India should aim as Carney indicated for something larger. It should aim to bring together the middle powers and aim to constrain the hegemony of the most powerful. It cannot stay

silent when President Trump has bombed eight countries in one year laying waste to the principle that the powerful are constrained by international law.

Conclusion

The US and Israel bombardment of Iran has a direct implication for the rest of the world. What is being done is the destruction of a world order governed by a whole body of international law. This wanton disregard for international law is also being seen in the continuing genocide in Gaza in which the world watches as Israel with US complicity continues its destruction of the very foundations of the collective life the Palestinian people. In Gaza alone, the US and Israel have killed more than 72,000 Palestinians till date, and have continued to deliberately impose a siege on the people of Gaza, manufacturing conditions for starvation, malnutrition and disease. At least 615 of the killings took place during airstrikes and murders during the 'ceasefire' between Israel and Hamas.

The impunity with which the genocide against Gaza and the current war are perpetrated is encouraging fascist and supremacist regimes around the world. The message that Prime Minister Modi's visit to Israel (in February, 2026) sent out was that international law is of no consequence. Twinned with the abdication of a responsibility to protect international law is the willingness to shred the Indian Constitution. It is clear that the Modi regime would have no hesitation in displacing the constitutional principles of human rights, equality and justice by

militarized nationalism and the suppression of dissent.

The invasion of Iran has no legal, moral or ethical justification and must be condemned in the strongest possible terms. This is the mandate of both international law as well as the Indian Constitution. If this armed aggression is not condemned by the world's largest democracy, it becomes one more nail in the coffin of the international legal order. Each time such violations pass without condemnation, the principle of impunity by the powerful gets sanctified.

In this context of a willingness to tear down the rules based order by the powerful, India's immoral and unacceptable silence highlights a dangerous

backsliding from India's historically pre-eminent position as a leader of the non-aligned nations. India had stood for an international rules based order based on resolving disputes through dialogue and discussion. India should have had a clear unequivocal condemnation of the unprovoked war against Iran drawing her position both from India's anti-colonial heritage as well as her Constitution.

The Modi government must therefore condemn the bombing of Iran by US and Israel, the attack on the Iranian warship IRIS Dena in the Indian Ocean waters, and the continuing war against Iran, in the strongest terms and make a case that India stands in defence of the UN Charter and the right of all

nations not to be subjected to wanton attacks.

The Modi government must also return to our constitutional imperative to promote peace and work towards building rapprochement between all parties and bring an end to this needless war. This is vital especially as there is the possibility of the war turning nuclear. This would be a devastating catastrophe which India must work towards preventing.

This is the heart of the idea of India sanctified in the Indian Constitution.

PUCL National

(12th March, 2026)

PUCL CONDEMNS THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) AMENDMENT BILL, 2026 AS UNCONSTITUTIONAL AND DEMANDS ITS IMMEDIATE WITHDRAWAL

PUCL NATIONAL

- The amendments proposed in the Transgender Persons (Protection of Rights) Amendment Bill, 2026 constitute a gross dilution of valuable rights provided under the Transgender Persons (Protection of Rights) Act, 2019 and shall result in exclusion of a large number of Transgender Persons from its ambit, denial of their constitutional and statutory rights and targeting their support system.***
- The proposed amendments are unconstitutional and infringe upon the fundamental rights of Transgender Persons, while being violative of***

established international human rights standards and conventions, and judicial precedents.

- The Bill constitutes a blatant betrayal by the Indian government of Transgender citizens, which will only put them to further risk, social and legal exclusion and denial of their basic human rights; The Bill should be withdrawn forthwith!***

The Union Social Justice and Empowerment Minister, Dr. Virendra Kumar introduced the Transgender Persons (Protection of Rights) Amendment Bill, 2026 ("the Bill") in Parliament on March 13th, 2026. The Bill was not released in the public domain for

scrutiny and consultation. The Bill is regressive and nothing but a shocking attempt to take back the hard won rights of the transgender community. The aim of the proposed amendments is to destroy the framework set by the Supreme Court of India in its historic decision in NALSA v Union of India (2014), which recognised the right to self-identification of gender by transgender persons and set in place the legal recognition of the rights of the transgender community.

Narrowing of the definition of transgender persons who are entitled to protection by the law

The Bill fundamentally alters the

scope of the Transgender Persons (Protection of Rights) Act, 2019 (“the Act”) by diluting the existing definition of a transgender person under Section 2 (k) of the Act and replacing it with a reductive definition of a transgender person. This tantamounts to changing the law altogether and excluding a large number of transgender citizens from the ambit of the law, which is a shocking development.

The amendment at its heart seeks to take away the right of a transgender person to self-identification, which was recognised under the 2019 Act. This is made clear by the deletion of Section 4 (2) of the 2019 Act which read, ‘A person recognised as transgender under sub-section (1) shall have a right to self-perceived gender identity’.

According to the new definition, only three groups are entitled to the protection of the law, namely, 1) someone from the traditional socio-cultural trans groups like Kinnars, Jogtis, Hijras, etc. 2) intersex people 3) or a person who has been “by force, allurements, inducement, deceit, or undue influence” been subject to “mutilation, castration, amputation or emasculation” and forcibly made to present “a transgender identity” can be considered a transgender person under this new bill.

A proviso has also been added to specifically exclude persons with different sexual orientations and self-perceived sexual identities.

This amendment instead of expanding the rights of the transgender community dilutes it significantly. By way of this

amendment, all the rights which transmen enjoyed will be taken away as transmen are no more considered transgender as far as the law is concerned. Moreover under the amendment, no person can exercise their right to identify as a transwoman either. The only option for a transgender person under the law is a traditional identity. Those who see their identity on a spectrum fall outside this conservative new definition proposed by the amendment. Thus the law expressly discriminates against trans men, trans women, genderqueer and non-binary persons, because of the narrow definition of transgender persons which the proposed law adopts.

Discriminatory intent of the amendment

The objects and reasonings of the Bill goes on to underline that the legislative policy has been formulated to only protect those who “face severe social exclusion due to biological reasons for no fault of their own and no choice of their own.” It then goes on to state that the purpose of the Act was not to “protect each and every class of persons with various gender identities, self-perceived sex/gender identities or gender fluidities.”

This goes against the historic NALSA judgement which recognised the right of transgender persons to determine one’s own gender identity as integral to lead a life with dignity as recognised under Article 21 of the Constitution. It also emphasised that while discrimination on the ground of “sex” is prohibited under Articles 15 and 16 of the Constitution, sex here does not only refer to

biological attributes but also one’s self-perceived gender.

The Bill is premised on an entirely false assertion that the intent of the 2019 Act was not to protect all categories of transgender persons, self perceived sex/gender identities and gender fluidities, in as much as the 2019 Act categorically included all transgender persons, including self-perceived gender identities and did not make any distinction or exclusion on the basis of self-perceived gender or sexuality. This is also clear from the Statement of Object and Reasons of the Transgender Persons (Protection of Rights) Bill, 2019, which clearly acknowledged that it was being introduced in compliance of the directions of the Supreme Court of India in the NALSA judgment and further stated under clause 4 (c) that the 2019 Bill sought to “confer right upon transgender persons to be recognised as such, and a right to self-perceived gender identity”.

New hurdles introduced for legal recognition of transgender identity

Even for those who fall within the narrow definition of transgender, the ability to change one’s gender is made far more difficult, by bringing in amendments to Section 6 and 7 of the Act. The amendment makes it mandatory for a person to get medical certification, for getting a certificate of (transgender) identity. However even after getting such a certificate, the District Magistrate has the discretion to grant recognition or reject it.

The point to be noted is that even

if the law is meant for the restrictive category of so called traditional identities of 'kinnar, hijra, jogta and aravani', those who come within this category still have to go through the hoop of getting a medical certificate. The question of mandating even hijras to get a medical certificate does grave violence to the notion of a traditional identity itself. This provision in effect puts forward a medical test to identity if a person belongs to a socio-cultural identity which has existed even prior to the advent of modern medicine!

This will make it highly difficult for transgender persons to obtain a certificate of identity and get legal recognition of their rights. Instead of making the process easier for transgender persons, so they can avail of and assert their rights under the Act, the government has increased the obstacles for transgender persons to gain legal recognition. This is highly discouraging and will only impede the implementation of the Act, which has in any case been poor.

By removing self-identification and introducing the requirement for medical certification, the state is taking over the role of deciding the gender identity of a transgender person. This not only stands in complete violation of the NALSA judgment and upturns the fundamental basis of the 2019 Act, but infringes upon the constitutional rights guaranteed to citizens under Articles 14, 15 and 21 of the Constitution.

Criminalisation of support groups and chosen family of transgender persons

Under the Offences and Penalties chapter, the Bill proceeds to amend Section 18 of the Act. Under the proposed Section 18 (e) and (f), an offence of kidnapping and abduction has been added under the pretence of protecting adults and children. However this provision can be weaponised to target support structures and individuals that provide help to transgender individuals facing abuse and rejection by their natal families. Thus even with respect to traditional communities, the approach of the amendment is tinged with suspicion and capable of misuse to target chosen families. The offence of kidnapping and abduction introduced by way of the amendment should be with the intention to compel the adult / child to assume, adopt or outwardly present transgender identity through 'force, allurements, deceit, undue influence or otherwise' by 'emasculat[i]on, mutilat[i]on, castrat[i]on, amputat[i]on or any surgical, chemical or hormonal procedure'. The broad wordings of the section, enable its misuse against any person supporting a transgender person in their attempt to undergo sex change / reassignment procedures or to outwardly present themselves as transgender. Moreover, it infringes upon the right to privacy, choice and autonomy of transgender persons, foregrounding a stereotypical understanding of transgender identity as based on coercion, inducement, fraud and violence, and not on personal choice.

Similarly under the proposed Section 18 (g) and (h) new offences have been introduced for compelling an adult/child by

'force, threat, coercion, allurements, deception, inducement, or undue influence' to dress, present or conduct themselves outwardly as a transgender person. The irony of this offence sought to be introduced is that, it is in fact transgender persons who are often subjected to violence, discrimination and abuse, and are compelled to hide their transgender identity rather than to assume it. The provisions are reminiscent of the colonial Criminal Tribes Act, 1871 which criminalised transgender persons for appearing dressed or ornamented as women. The provisions are capable of misuse against the support systems of the transgender person, outside of their natal families, and can put the transgender person to further risk.

The approach of the amendment is thus tinged with suspicion even towards those it unequivocally claims to protect, namely the traditional communities. The amendment in fact defines transgender to include those who are 'forced' or 'induced' to 'present a transgender identity' by 'emasculat[i]on, mutilat[i]on or castrat[i]on'. It seeks to punish such persons who cause 'mutilat[i]on, emasculat[i]on, amputat[i]on or castrat[i]on'. This amendment by foregrounding 'coercion' as an essential dimension of the transgender identity, does violence to the element of choice and foreground a stereotypical understanding of transgender identity as based on coercion, fraud and violence not on choice.

These newly added offences which can be misused against supportive individuals and

chosen families of transgender persons are punishable with rigorous imprisonment from 5 to 10 years going up to life imprisonment, the offences of physical, sexual, emotional and economic abuse of transgender persons attracts a sentence of only six months to 2 years. Meanwhile with there being no provision in the Bharatiya Nyaya Sanhita, 2024 for rape of transwomen, boys and men (offence of sodomy), leaving no other recourse under criminal law for sexual assault of a transgender person. It is unfortunate that the government has lost a valuable opportunity to introduce changes in the law that were being demanded by the transgender community with a view to protect their rights, and have instead introduced this Bill curtailing their rights further and increasing the risk of criminalisation.

Passing this amendment will put in jeopardy the rights of thousands of persons who are

currently recognised as transgender. It will limit the right to self-identification for newer generations and represents a setback in the struggle for transgender rights.

This amendment is a part of a wider framework of attack on rights

This amendment is part of a wider series of legislations passed by the Modi government all targeting the rights of vulnerable populations. The repeal of the MGNREGA and the passing of the VG RAMJI Act targets the right to work of the poorest sections of rural India. The passing of the four Labour Codes deprives the working class of core labour rights by diluting core labour standards including the right to association and assembly. BJP ruled states like Maharashtra have introduced legislation which restricts the constitutional right to follow the religion of your choice. Rajasthan has introduced legislation which

grants the state the power to prevent those from minority communities from buying property in certain so called disturbed areas. Thus this amendment is part of the broader anti-diversity and anti-rights thrust of this government and must also be opposed.

The Bill must be withdrawn!

- PUCL strongly condemns the Transgender Persons (Protection of Rights) Amendment Bill, 2026, as an unconstitutional and regressive policy that has been tabled in Parliament without consultation with public stakeholders and must be withdrawn immediately.
- The PUCL stands in solidarity with the transgender community in its opposition to the Bill and demands that the Bill be withdrawn forthwith!

PUCL National

(March 19, 2026)

PUCL CONDEMNS THE ATTACK BY ABVP ON STUDENTS OF AZIM PREMJI UNIVERSITY

PUCL KARNATAKA

Universities must protect the spirit of critical inquiry, not surrender to the blackmail of mob violence!

Government of Karnataka must unilaterally withdraw the prosecution which targets the students!

PUCL Karnataka strongly condemns the attack on students of Azim Premji University and the members of Spark Reading Circle by members of the Akhil Bharatiya Vidyarthi Parishad. Unfortunately, the response to

lawless violence of the ABVP by feckless university administrations is to cave in and abandon the core mandate of a university which is to cultivate a fellowship of learning.

On 24th February 2026, ABVP goons illegally trespassed into Azim Premji University (APU) in Sarjapura, Bengaluru, apparently triggered by an Instagram post from the student group Spark Reading Circle APU announcing a discussion on the 1991 Kunan-Poshpora incident in Kashmir, which they labeled "anti-national".

The ABVP members gathered outside the APU campus, raised slogans waved the Tricolour, then trespassed, assaulted security guards and a first-year BA student, issued death threats, vandalized property by smearing black paint on the signboard and wrote slogans like "ban SPARK" and "ban AISA".

These actions of the ABVP members clearly amount to vigilantism. The Supreme Court decision in Tehseen Poonawalla v Union of India in fact addressing the nature of

vigilantism held that,

“Such vigilantism, be it for whatever purpose or borne out of whatever cause, has the effect of undermining the legal and formal institutions of the State and altering the constitutional order. These extrajudicial attempts under the guise of protection of the law have to be nipped in the bud; lest it would lead to rise of anarchy and lawlessness which would plague and corrode the nation like an epidemic. The tumultuous dark clouds of vigilantism have the effect of shrouding the glorious ways of democracy and justice leading to tragic breakdown of the law and transgressing all forms of civility and humanity. Unless these incidents are controlled, the day is not far when such monstrosity in the name of self-professed morality is likely to assume the shape of a huge cataclysm. It is in direct violation of the quintessential spirit of the Rule of law and of the exalted faiths of tolerance and humanity.”

The Sarjapur Police Station formally arrested 20 persons on February 25 following the registration of an FIR based on a complaint by security manager S Wilson. The case invokes BNS Section 191 (rioting), 189 (unlawful assembly), 351 (criminal intimidation), 115 (voluntarily causing hurt), 352 (intentional insult to provoke breach of peace), and 329 (criminal trespass). The injured security guards include Jagadeesh, Chandan Mahalik, Chitr Bahadur, Naresh, Sripathi, and Harish. The accused have already been granted bail.

Shockingly the APU Registrar Rishikesh BS's response to this

blatant attempt to police university spaces by lawless violence was to file a separate complaint against the Spark Reading Circle APU Instagram account for posting about an event on the Kunan-Poshpara “mass rape” allegedly by army personnel, accusing it of defaming the university, and instigating enmity. The university in their complaint emphasized that there was no faculty knowledge or permission for the event.

Based on this complaint, on February 24, Police registered a case against the office bearers of Spark Reading Circle APU under IT Act Sections 66E (privacy violation), Section 67 (obscene material), Bharatiya Nyay Sanhita Section 229 (false evidence) and Section 299 (outraging religious feelings). It is abundantly clear that the ingredients for these offences are in no way made out.

The complaint has been filed by Registrar. It is beyond comprehension how the Registrar claims to be aggrieved by a reading circle on Kunan Poshpara. The Police has failed to apply its mind to the facts which do not constitute any crime – forget the crime of outraging religious feelings and obscenity.

At this stage it is crucial to bring to attention what is the incident of Kunan Poshpara? The issue, in the opinion of the PUCL is a serious one and should be discussed. It has been documented by numerous fact finding bodies including Human Rights Watch and the Jammu and Kashmir Coalition of Civil Society (JKCCS). In Kashmir itself the infamous day is marked as Kashmiri Women's

Resistance Day. There is academic literature on the point including a book by Essar Batool titled, ‘Do you remember Kunan Poshpora?’ published by well-known feminist publisher Zubaan books.

As per the 2018 Report of Office of the United Nations High Commissioner for Human Rights titled “Situation of Human Rights in Kashmir: Developments in the Indian State of Jammu and Kashmir from June 2016 to April 2018, and General Human Rights Concerns in Azad Jammu and Kashmir and Gilgit-Baltistan”:

“According to survivors and a local administration official, on the night of 23 February 1991, soldiers from the 4 Rajputana Rifles regiment of the Indian Army gang-raped around 23 women of Kunan and Poshpora villages of Kupwara district. The Indian Army and Government of India have denied the allegations. In 1991, Wajahat Habibullah, who at the time was the divisional commissioner of the Kashmir region (a civil service position), filed a report with the state government addressing these allegations. In March 1991, former Chief Justice of Jammu and Kashmir High Court Mufi Bahauddin Farooqi led a fact-finding team that interviewed several survivors; he reportedly noted that “he had never seen a case in which normal investigative procedures were ignored as they were in this one”. The Jammu and Kashmir Police stopped its investigations by October 1991 after it declared the case was “untraceable”. In July 2013, Wajahat Habibullah accused the state authorities of deleting parts of the report where he had recommended a higher

level investigation and a special order to ensure army cooperation”.

Universities are spaces of intergenerational learning and reflection. The students by discussing Kunan Poshpara and abuse of AFSPA were centering the continued injustice to the survivors of sexual violence by the Armed Forces which took place 27 years ago and for which attempts to seek justice have been denied and blocked over the years by the authorities at different levels. The antagonism of the state points to how systematically there is culture of impunity and fear such that the mere expression of solidarity with survivors of such grave injustice has been responded with weaponizing of the law.

The action of the APU administration in which they take criminal action against their own students does grave injustice to the very mandate of APU. The APU website declares that ‘we care for the well-being of each individual in our community. We hope that learning can be a dynamic and creative process that will help all individuals discover their potential.’ One is hard put to discover any ethic of care in the decision to file an FIR targeting their own students! The Registrar, Mr Rishikesh needs to answer the question as to how he justifies the shocking decision to file FIR targeting his own students as aligned with the mandate of APU to ‘care for the well being of each individual’ in the APU community?

Leaving aside the specific APU mandate of care, the question of what does a university do in the context of the discussion of

topics which may be unpalatable to the powers that be remains.. In the face of serious engagement by both civil society and academia, surely APU cannot take the morally and constitutionally indefensible position that discussion per se warrants the filing of an FIR against its own students!

The APU administration has failed to honour the constitutional mandate of Article 51-A(h), to develop the scientific temper, humanism and the spirit of inquiry and reform. The role of a university is to foster discussion even on difficult issues, not shut down speech. The fact that in this case the shutting down of speech was in response to the vigilante action on APU’s campus, makes APU complicit in silencing its own students and abandoning the mandate to foster a spirit of conversation.

By contrast the Karnataka Home Minister Dr G Parameshwara has not only condemned the violence but has also gone on to state that no one can interpret seminar topics unilaterally or take law into hands, affirming strict action!

The attack indicate the increasing fragility of the atmosphere of open discussions in university spaces. On 20th February, 2026, All India Students’ Federation, the student wing of CPI organized a study circle in Dr. Hari Singh Gour University (Sagar, Madhya Pradesh) aimed at promoting scientific temper and rational debate. However, the study circle was interrupted by a mob of 100 to 150 people allegedly from the ABVP and RSS, who assaulted the participants. There have been other such attacks at the

Jawaharlal Nehru University, Banaras Hindu University, and Jadavpur University among others.

The ABVP attack on students in Azim Premji University is thus only the latest flashpoint in what is becoming a calculated strategy to intimidate the spirit of inquiry into silence. The strategy involves the use of violence by groups such as the ABVP acting as vigilante enforcers of a morality at odds with the Constitution. When mobs are emboldened and speech is silenced, the culture of a rich and vibrant associative democracy at the heart of which are universities erodes.

We urge the Government of Karnataka to unilaterally withdraw the prosecution which targets students and we call upon law enforcement authorities to conduct a prompt investigation, ensuring that those responsible for the attack at APU are held accountable under the law. Remembering injustices is an act of resistance and PUCL stands with the students of Sparks Reading Circle targeted through the FIR.

Arvind Narrain, President
Shujayathulla E, General Secretary

People’s Union for Civil Liberties,
Karnataka

THE DISTURBED AREA LAW WILL FRACTURE RAJASTHANI SOCIETY, CAUSE GHETTOISATION OF MINORITIES IN URBAN AREAS!

PUCL RAJASTHAN

The PUCL demands the Immediate Withdrawal of this Anti-Constitutional Bill!

Critique of the Rajasthan Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from Premises in Disturbed Areas Bill, 2026

The PUCL demands the withdrawal by the Government of Rajasthan of the draft bill popularly called the Rajasthan Disturbed Areas Bill on the 6th March, 2025 when the Bill will come up for discussion in the Assembly. The Bill is unconstitutional, as literally every section is challenging the fundamental rights and the constitutional principles and has no place within our legal framework which is based on the core principle of non-discrimination. It is shocking that a bill which will promote "residential segregation by legal means." Is being made into law in the peaceful state of Rajasthan.

One of the most glaring features of the bill is section 2 (f), which defines a term used frequently in the draft bill and one of the key grounds for declaring an area disturbed, which is "improper clustering of persons of one community", as stated in the draft bill, it means concentration or congregation of persons of a community in any locality or area arising from coercive, distress-driven, or otherwise unhealthy circumstances, or which causes or is likely to cause demographic

imbalance, segregation, communal tension, or disturbance of public order, social harmony or the mixed-community character of the locality or area.

The foundation of the two terms, "improper clustering of persons" and "demographic imbalance" is based on the principle, that people of only one community, one culture, one ethnicity, one religion and one kind of lifestyle need to live together. This is a clear challenge to the section 19 e, "to reside and settle in any part of the territory of India". A state law, cannot curtail this right in order to impose the unconstitutional value of segregating persons based on the community they belong to.

It also undermines the principle of fraternity, clearly stated in the Preamble as one which will ".....promote among them all FRATERNITY assuring the dignity of the individual and the [unity and integrity of the Nation", intermixing of the people of different religions, ethnicities, language, cultures, which would build Unity and Integrity as envisaged by our Constitution founders.

However, the BJP Government of Rajasthan, considers intermixing as the problem, which is the very basis of unity. The ill effects of residential segregation will be generational, children will no longer play together, schools will become segregated over time, creating suspicion of each other and build enmity and indifference over time.

It is obvious that this law by declaring areas, localities as "disturbed area, as stated in section 2 (b), will be an attempt to cause segregation or bring about ghettoisation of communities. It should be noted that the disturbed area can be declared for a maximum of three years for any area and extend further if required.

The agenda of the law, as the title of the Bill says, "... Transfer of property.....", means there will be no purchase or sale of property by one community, as the law in its implementation is evident in the state of Gujarat. In Gujarat, that Muslim-dominated localities bordering Hindu-dominated localities are typically declared disturbed to prevent further inter-mixing via property transactions in Gujarat, as seen in its large cities Ahmedabad, Baroda, and Surat, and increasingly in smaller cities like Himmat Nagar, Khambhat, and Godhra to name a few.

The minority community of the state will be hit by this law making it impossible for them to buy or sell land. They will be out of the property market, causing an economic blow to the community. The scenario of bureaucratic tape of getting sanctions to sell, develop or even buy, will be impossible for ordinary people who would be hit most, as section 5 clearly states.

The Punishments stated in the law, under section 8 is so serious, that you could be in jail between 3 and 5 years for attempting to sell or buy property or engaging in other lawful transactions which this unconstitutional law sees as violations in a disturbed area. The PUCL is clear that this bill needs to be unilaterally withdrawn, by the Government of Rajasthan, as it is rife with unconstitutional implications. The Bill if passed will result in such

deleterious consequences that It should not even be sent to a legislative committee.

If the government persists in its error of persisting with this unconstitutional bill, the bill must be defeated on the floor of the assembly. The MLAs should understand the deeper unconstitutional agenda and not vote according to parties, but according to their constitutional conscience. The PUCL is committed to taking legal action

to challenge this unconstitutional Bill should it become law.

Kavita Srivastava (National President)
V. Suresh (National General Secretary)
Bhanwar Meghwanshi (PUCL Rajasthan President)
Anant Bhatnagar (PUCL Rajasthan General Secretary)

5th March, 2026

HOLD DELHI POLICE ACCOUNTABLE: CUSTODIAL TORTURE AND SEXUALISED VIOLENCE BY DELHI POLICE (SPECIAL CELL)

PUCL NATIONAL

The PUCL organised a well attended online meeting of almost 200 people on 23rd March 2026 regarding the illegal detention of 11 youth activists and the brutal torture perpetrated by the Delhi Police (Special Cell). The discussion was moderated by Kavita Srivastava, National President, PUCL and Dr. V. Suresh, National General Secretary, PUCL. Nine of the eleven youth activists shared about their experiences of torture and asserted that the attack is not on just them, but any dissenting voice. They said that this incident is a part of the government's ongoing crackdown, towards meeting the deadline given by the Union Home Minister Amit Shah - that they will eradicate Naxalism by March 31st, 2026.

From 12 to 15 March, 2026, the Delhi Police abducted and illegally detained eleven students and young activists and subjected many of them to inhumane and degrading torture, of a sexualised nature. This was the second such horrific

experience for four of the activists within a span of one year!

The detained students were:

1. Rudrabikram Roy, student of BCA at Indira Gandhi National Open University, Editor of Nazariya Magazine, from Kolkata, West Bengal
2. Shiv Kumar, member of Mazdoor Adhikar Sangathan, Kundli, Haryana, from Devru village, Sonipat, Haryana
3. Sri Ilakkiya, post graduate in MA Psychology from Delhi University, member of Bhagat Singh Chhatra Ekta Manch, from Erode, Tamil Nadu
4. Akshay E R, final year student of LLb from Faculty of Law, Delhi University, member of Bhagat Singh Chhatra Ekta Manch, from Thrissur, Kerala
5. Abhinash Satapathy, student of BA (Prog) at SGTB Khalsa, Delhi University, member of Bhagat Singh Chhatra Ekta Manch, from Nimapada, Odisha
6. Manjeet Beniwal, President

of Mazdoor Adhikar Sangathan, Kundli, Haryana

7. Gaurav Kumar, student of BA Journalism and Mass Communication at Delhi School of Journalism, Delhi University, member of Bhagat Singh Chhatra Ekta Manch, from Nawada, Bihar
8. Lakshita Rajora, graduate of BA Journalism and Mass Communication from Delhi School of Journalism, Delhi University, former member of Forum Against Corporatization And Militarization, from Kota, Rajasthan
9. Adv. Ehtmam-ul Haque, former associate of Adv. Chirayu Jain, practicing in Delhi High Court, former member of Forum Against Corporatization And Militarization, from Lucknow, UP
10. Dristy Baisya, student of BA Sociology, Miranda House, Delhi University, member of Bhagat Singh Chhatra Ekta Manch, from Rangia, Assam
11. Aman From Hisaar, working as a Mate in MGNREGA

What was particularly disturbing about this entire episode of illegal detention was the deeply sexualised nature of the torture inflicted on the young students which included beatings on the private parts, stripping, threats of rape, photographing the students naked as well as the shocking attempts to get some of the students to perform oral sex on each other.

The students shared the disturbing details of what they were made to endure with courage and dignity which was quietly impressive. In fact the three expert panellists who responded to the students, Vrinda Grover, Mihir Desai and Henri Tiphagne expressed their strong admiration both for the clarity of the presentations, the courage of their convictions as well as the dignity with which they conducted themselves.

Senior Advocate Vrinda Grover highlighted that this type of sexualised torture, especially on young men, can be observed in Ukraine, a complete war zone, where the Russian government is detaining and torturing prisoners of war. It was shocking that similar torture was being inflicted not in a war zone, not against so

called enemies but against one's own people. She urged us to prepare for a long battle, if we were to sustain a campaign against torture.

Henri Tiphagne of People's Watch, and a senior human rights lawyer who has worked closely on police brutality and torture, proposed that multiple like-minded groups must be brought together to sustain a long campaign against torture, and also to ensure that India ratifies the UN Convention Against Torture and becomes a signatory to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

Senior Adv Mihir Desai, National Vice President, PUCL, emphasised that the fact that the youth have been willing to fight for justice and accountability, shows that the Delhi Police has failed in terrorising them, despite the gruesome methods of torture used. He said that despite the fact torture has been repeatedly held violative of Article 21, courts have failed to take torture seriously. He highlighted that it is important to knock the doors of the court again and again and

strategise at 2 levels: the legal response and the wider campaign to mobilise the public. The attack on dissent from the government of India must be met with a strong public campaign, he said.

This sentiment was shared by many participants in the meeting. As one participant noted, 'I have read about torture but not in such graphic detail. Hearing it virtually directly with such horrendous details and much of it is sexualized is extremely shocking. Young people going through such torture...Admire the young people who demonstrate such courage. Salute them.'

The fact that this form of shocking illegalities are being perpetrated in the capital of India, by the Delhi Police was a matter of grave concern for those assembled. The meeting concluded after almost two and half hours with an expression of solidarity for the students and a decision to campaign against the impunity of Delhi police and continue to struggle for justice.

The recording of the full public meeting is available on [PUCL's YouTube channel](#).

CIVIL SOCIETY GROUPS RAISE ALARM OVER MAHARASHTRA'S PROPOSED "DHARMA SWATANTRYA ADHINIYAM, 2026"

JOINT PRESS STATEMENT SIGNED BY OVER 35 ORGANISATIONS

A coalition of close to 30 civil society organisations, women's rights groups and constitutional rights advocates will hold a joint press conference on March 11, 2026 in Mumbai to express deep concern over the Maharashtra Cabinet's decision to approve the draft "Dharma Swatantrya Adhiniyam, 2026", a proposed

anti-conversion law reportedly designed to regulate religious conversion and interfaith relationships.

The Maharashtra Cabinet approved the draft legislation on March 5, 2026, with government representatives indicating that the law will be stricter than anti-

conversion statutes already enacted in several other states. Media reports suggest that the bill may be introduced during the ongoing Budget Session of the Maharashtra Legislative Assembly.

However, the text of the draft law has not yet been made public,

raising serious concerns about transparency, democratic process, and the potential implications of the legislation for fundamental rights.

The participating civil society organisations emphasise that legislation with far-reaching implications for religious freedom, privacy, and personal liberty cannot be drafted and introduced without public consultation, scrutiny, and debate.

A growing pattern of anti-conversion laws framed around “love jihad”

The proposed Maharashtra law appears to follow the pattern of anti-conversion legislation already enacted in several states under the banner of “freedom of religion” laws. While framed as measures to prevent coercion or fraudulent religious conversions, these statutes have frequently been justified politically through the narrative of “love jihad”—a conspiracy theory alleging that Muslim men systematically lure Hindu women into marriage in order to convert them.

This claim has no legal basis. In 2020, the Union Government informed Parliament that the term “love jihad” has no definition under existing laws, and that no case of “love jihad” has been reported by any central agency.

Despite this, the political discourse surrounding the proposed Maharashtra law has repeatedly invoked this narrative. Public statements by state ministers have suggested that the legislation is intended to prevent the “forcible marriage and conversion of Hindu girls”.

The participating civil society organisations warn that such framing stigmatises interfaith relationships, fuels communal suspicion, and undermines the constitutional autonomy of adult individuals to choose their partners and their faith.

Intrusive regulation of personal choices

Reports indicate that the proposed law would impose a highly intrusive regulatory regime over religious conversion, including:

- Mandatory prior permission from a designated authority before conversion
- A 60-day advance notice requirement before a person may change their religion
- Mandatory post-conversion registration within 25 days, failing which the conversion may be declared invalid
- Provision allowing relatives to trigger criminal investigations by alleging coercion
- Non-bailable offences, with penalties reportedly extending up to seven years’ imprisonment and fines up to ₹5 lakh

The participating civil society organisations note that such provisions effectively transform a matter of individual conscience and belief into a bureaucratically regulated activity subject to state approval.

These measures also create conditions where family members, vigilante groups, or politically motivated actors can intervene in the private decisions of consenting adults, particularly in cases involving interfaith relationships.

Threat to constitutional freedoms

The proposed legislation raises serious constitutional concerns under several provisions of the Constitution of India.

Article 25 guarantees the freedom to profess, practice, and propagate religion, which includes the right to adopt and change one’s faith. The right to privacy, recognised by the Supreme Court in Justice K.S. Puttaswamy v. Union of India, protects intimate personal decisions relating to marriage, family life, and belief.

In addition, Articles 14 and 21 guarantee equality before the law and the protection of personal liberty. The participating civil society organisations maintain that prior notice requirements, police inquiries into personal belief, and criminal penalties linked to marriage or conversion fundamentally alter the relationship between the individual and the State by placing private decisions under administrative and police surveillance.

Ongoing constitutional challenge to anti-conversion laws before the Supreme Court

The Maharashtra proposal also comes at a time when the constitutional validity of similar anticonversion laws across several states is already under challenge before the Supreme Court of India.

A batch of writ petitions—first filed by Citizens for Justice and Peace (CJP), Mumbai that is the lead petitioner in the Supreme Court—has been pending before the

Supreme Court since 2020, raising fundamental constitutional questions about the scope of freedom of conscience, personal liberty, equality before the law, and the limits of State power in regulating religious conversion and interfaith relationships. Hearings in the matter that have happened intermittently with pressing demands made by CJP for an interim stay on the most egregious provisions are also scheduled today, March 11, 2026.

Originally filed against laws enacted in Uttar Pradesh, Uttarakhand, Madhya Pradesh and Himachal Pradesh, the petitions were later expanded—with the Court’s permission—to include similar statutes enacted in Chhattisgarh, Gujarat, Haryana, Jharkhand and Karnataka. As a result, the ongoing proceedings now concern nine state anti-conversion laws, each framed as a “Freedom of Religion” or “Prohibition of Unlawful Conversion” statute.

The petitions argue that while these laws are formally presented as safeguards against forced or fraudulent conversions, their design and implementation have created a legal regime that treats voluntary religious conversion as inherently suspicious, particularly when it occurs in the context of interfaith relationships or marriage.

Among the provisions under challenge are:

- mandatory prior declarations before a District Magistrate
- police inquiries into the reasons for conversion
- criminalisation of conversions associated with marriage

- third-party complaints by relatives or unrelated persons
- reversal of the burden of proof
- stringent bail provisions and enhanced penalties

According to the petitioners, these provisions subject the exercise of freedom of conscience to executive scrutiny and police investigation, opening the door to misuse and harassment, particularly against consenting adult couples and religious minorities.

In April 2025, the Supreme Court heard applications filed by CJP seeking interim relief against some of the most intrusive provisions, including those requiring prior declaration and enabling third-party complaints. The Court directed the Union Government and the concerned States to file responses, indicating that the matter raises serious constitutional questions requiring detailed consideration.

Several High Courts examining similar laws have already expressed concern regarding provisions that interfere with the autonomy of consenting adults. For instance, the Gujarat High Court stayed provisions of the Gujarat Freedom of Religion Act that criminalised interfaith marriages involving conversion, while the Madhya Pradesh High Court stayed provisions requiring prior declaration before authorities.

Participating organisations emphasise that introducing another anti-conversion law while the Supreme Court is actively considering the constitutional validity of similar statutes raises serious questions of legislative

prudence and constitutional accountability.

Earlier attempts at monitoring interfaith marriages in Maharashtra

The proposed legislation must also be viewed alongside earlier attempts by the Maharashtra government to monitor interfaith marriages. In December 2022, the state government issued a Government Resolution creating a committee tasked with monitoring inter-religious marriages. This decision was challenged before the Bombay High Court by several organisations, including Citizens for Justice and Peace (CJP), People’s Union for Civil Liberties (PUCL), Forum against the Oppression of Women (FAOW), and Indian Muslims for Secular Democracy (IMSD).

The petition argues that such monitoring violates the right to privacy, personal liberty, and the autonomy of adult women, and places interfaith couples at risk of surveillance and harassment. The matter remains pending before the Bombay High Court.

Demand for transparency and democratic scrutiny

Civil society organisations participating in the press conference are calling upon the Maharashtra government to:

1. Immediately make the draft bill public.
2. Initiate a process of public consultation involving civil society, women’s groups, legal experts, and minority rights organisations.
3. Refer the bill to a legislative standing committee for detailed scrutiny.

4. Refrain from introducing or passing the legislation without meaningful democratic debate.

5. Put out data on so called 'forced' conversions by marriage or otherwise which is necessitating such a law in Maharashtra

Legislation affecting fundamental rights must not be passed through opaque procedures or rushed legislative processes.

A call to defend constitutional freedoms

The participating civil society organisations stress that protecting individuals from coercion or fraud in matters of religion is already addressed through existing criminal law provisions.

What is at stake in the present moment is not the prevention of

crime, but the expansion of state power into the most intimate domains of personal life.

India's constitutional framework recognises that decisions relating to faith, marriage, and identity belong to individuals—not to the State, families, or vigilante groups. The proposed legislation risks undermining these principles by creating a climate of surveillance, suspicion, and criminalisation around interfaith relationships and religious choice.

Civil society groups therefore urge the Maharashtra government to pause the legislative process, release the draft law for public scrutiny, and ensure that constitutional freedoms remain the guiding framework for any future policy.

People's Union for Civil Liberties

Founder: Jaya Prakash Narayan
President: Kavita Srivastava
General Secretary: V. Suresh
Treasurer: Tarakeshwari Negi
Vice Presidents: Binayak Sen, Farman Naqvi, Mihir Desai, ND Pancholi, YJ Rajendra, Pushpendra, Prof. Saraswati
Secretaries: S. Balamurugan, Bhanwar Meghwanshi, Fr. Solomon, Sudha Bharadwaj, Seema Azad, Prasad Chacko, Lara Jesani, Arvind Narrain, Shahid Kamal,
Organising Secretaries: Arvind Avinash, Aishwarya Ravikumara, Kailash Meena, Mujahid Nafees, Sarfaraz, TD Bhaskar, Vertika Mani Tripathi

Printed and Published by:
V. Suresh, General Secretary, PUCL, on behalf of **People's Union for Civil Liberties**; **Printed at:** Royal Offset, 489, Patparganj Indl. Area, Delhi-92; **Published at:** 332, Ground Floor, Patpar Ganj, Opp. Anand Lok Apptt., Mayur Vihar-I, Delhi 110091;
Editor: V. Suresh.

Regd. Office :

332, Ground Floor, Patparganj
 Opp. Anandlok Apartments
 Mayur Vihar-I, Delhi-110091
E-mail : puclnat@gmail.com
 pucl.natgensec@gmail.com
Website : www.pucl.org

PUCL BULLETIN

Editor: V. Suresh
Editorial Board: Anant Bhatnagar, Arvind Narrain, Bhanwar Meghwanshi, Geeta Seshu, Kavita Srivastava, Lara Jesani, Seema Azad, Aishwarya
Assistance: Babita Garg

See the online version of this edition to access more from various PUCL state units:

1. Report of the 12th State Convention of PUCL Rajasthan
2. Joint Press Statement on the **implementation of Forest Rights Act in the Konkan Division**
3. Full recording of the online public meeting: **Hold Delhi Police Accountable: Custodial Torture and Sexualised Violence by Delhi Police (Special Cell)**



You can also
 Scan to watch
 the full recording.