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The Dangerous Wiring Together of a 'Conspiracy'

Context

- **The words of Shakespeare**, O horror, horror, horror! Tongue nor heart cannot conceive nor name thee! **resonate in contemporary India**, where the freedom of the press, once recognised as an inviolable constitutional right, now faces grave threats.
- What is unfolding is not merely the **summoning of journalists by the Assam police**, but a **larger erosion of the safeguards** that protect democratic dissent.
- At the heart of the controversy lies **Section 152 of the Bharatiya Nyaya Sanhita (BNS)**, a provision that many argue is **sedition disguised in sheep's clothing**.

The Context of the FIR

- The recent case against Thapar and Varadarajan stems from a First Information Report lodged in Guwahati in May 2025.
- The complaint accused the journalists of **conspiring to undermine national security through video interviews** and articles published by The Wire.
- **Though the FIR, written in polished language, attempts to link journalistic critique** with national security threats, it fails to establish any offence under the BNS.
- Even so, the **Assam police took cognisance of the complaint three months later**, summoning the accused for questioning.
- **This delay, coupled with the weak legal basis of the FIR, reveals not a concern for national security** but a determination to harass and intimidate critics.

Section 152 of the BNS: Sedition Reborn

- While sedition as an offence has formally been removed from Indian penal law, **Section 152 of the BNS has stepped into its place**.
- This **provision criminalises actions** that **endanger the sovereignty, unity and integrity of India**.
- In principle, **such language is appropriate when applied to secessionist** or armed rebellions, as envisaged in Article 19 of the Constitution.
- However, **the elasticity of the clause enables its misuse against dissenting voices**, even when their actions fall far short of rebellion or separatism.

- By threatening life imprisonment, **Section 152 casts a long shadow over free expression, creating fertile ground for abuse** by overzealous authorities.

Consequences of the Summons

• Erosion of Critical Debate and Financial Burden

- The summoning of journalists under such provisions has **immediate and chilling consequences**.
- First, it **freezes critical debate**. Any journalist, scholar, or citizen risks being dragged into prolonged litigation simply for voicing dissent against government policies.
- Second, **the financial burden of defending oneself against frivolous accusations is severe**, lawyers' fees, travel, and lodging expenses often amount to more than most individuals can bear.
- Thapar and Varadarajan, for instance, face repeated trips to Guwahati, **with no assurance that questioning will be limited to a single day**.
- The process itself becomes the punishment.
- Moreover, **the refusal of the police to provide a copy of the FIR**, despite Supreme Court rulings mandating this, **illustrates the impunity with which authorities defy judicial pronouncements**.
- Without access to the FIR, **the accused cannot even properly defend themselves**.
- This institutional defiance erodes both legal accountability and citizens' trust in the justice system.

• A Broader Threat

- The Assam case **may not remain confined** to Thapar and Varadarajan.
- The **logic of Section 152 allows investigative agencies to rope in others connected with critical publications**, retired intelligence chiefs, defence analysts, or other journalists.
- In this sense, the **threat extends beyond individual cases** to the very idea of free debate in India.

Alternatives to Harassment and Urgent Questions

• Alternatives to Harassment

- The harassment of journalists is **not only unnecessary but avoidable**.
- Modern technology permits **questioning through video conferencing**, as recognised in Delhi's allowance for cross-examining police officers via digital means.
- **Such methods would reduce the expense and inconvenience** for those accused, while also creating a transparent record of the proceedings.
- The **refusal to adopt such alternatives highlights the real intention**: not investigation, but intimidation.

• Three Urgent Questions

- The **present controversy raises three pressing questions** for Indian democracy.

- First, **should Section 152 of the BNS**, given its potential for abuse, **remain on the statute books at all?**
- Second, regardless of its constitutionality, **should not the police be bound to respect the mandates of the law**, particularly judicial rulings on transparency and due process?
- Finally, **should the state not be held accountable when its agents weaponize legal provisions** to harass citizens rather than protect justice?

Conclusion

- What is unfolding in India today is **a tragedy of Shakespearean proportions, except it is not acted upon a stage**, but upon the fragile fabric of democracy.
- The **resurrection of sedition through Section 152** of the BNS **imperils not only individual journalists but the freedom of all citizens** to question power.
- **Unless checked by judicial intervention**, legislative reform, and greater police accountability, **the chilling effect will grow into a freezing silence**. A democracy without dissent is no democracy at all.

The Dangerous Wiring Together of a ‘Conspiracy’ FAQs

Q1. What is Section 152 of the BNS often compared to?

Ans. Section 152 of the BNS is often compared to sedition in “sheep’s clothing” because it revives similar restrictions under a new name.

Q2. Why were Karan Thapar and Siddharth Varadarajan summoned by the Assam police?

Ans. They were summoned because of an FIR accusing them of undermining national security through video interviews and articles.

Q3. What is the main consequence of police summons for journalists?

Ans. The main consequence is a chilling effect on free speech, as journalists fear harassment and financial burdens for expressing dissent.

Q4. How could questioning of journalists be made less harassing?

Ans. Questioning could be conducted through video conferencing, reducing cost, inconvenience, and misuse of power.

Q5. What larger issue does this controversy highlight?

Ans. The controversy highlights the erosion of press freedom and the misuse of legal provisions to silence dissent in India.

Source: [The Hindu](#)

Before Legislation Becomes Litigation

Context

- The framers of the Indian Constitution faced a formidable task: **defining the boundaries of constitutional democracy.**
- Unlike the British model of absolute parliamentary sovereignty, where Parliament can legislate without restraint, **the Constituent Assembly deliberately chose to subject Parliament's authority to the Constitution.**
- The principle was clear, **Parliament may legislate, but no law can contravene constitutional provisions.**
- However, **over time, a troubling pattern has emerged in India's law-making process; Constitutional courts have increasingly become arbiters of legislation,** not solely because of judicial assertiveness but also **due to Parliament's lapses in drafting, deliberation, and constitutional foresight.**

Judicial Review and Its Expanding Role

- The **power to strike down legislation was originally conceived as an exception,** to be exercised sparingly in rare cases of constitutional violation.
- Yet, in practice, **this exceptional power has gradually transformed** into a regular judicial function.
- Over the past decade, **the courtroom has become a recurring site where Parliament's legislative authority is contested.**
- For instance, **in May 2025, the Supreme Court heard challenges to the Waqf (Amendment) Act almost immediately after its passage,** ironically, by Members of Parliament themselves.
- The **Union Law Ministry's 2022 statement that 35 cases challenging central laws and constitutional amendments were pending** before the Supreme Court **underscores the scale of this phenomenon.**
- While **judicial review is essential for safeguarding constitutional values, its frequent invocation raises questions** about the quality and consistency of legislative drafting.

The Problem of Legislative Execution

- Legal challenges typically stem from three areas: constitutional violations, political theatrics, or poor drafting.
- The **most pervasive problem lies in execution.** Indian laws often contain vague definitions, incoherent clauses, cross-references that lead nowhere, or even provisions that directly contradict constitutional mandates.
- **Such deficiencies not only weaken the legitimacy of legislation but also damage economic stability, social cohesion,** and the democratic relationship between the legislature and judiciary.
- On paper, the legislative process is well-structured.
- The **Manual of Parliamentary Procedure provides for thorough vetting:** policy formulation by ministries, stakeholder consultations, review by the Law Ministry, Cabinet approval, and three stages of parliamentary debate, including committee scrutiny and clause-by-clause examination.
- In practice, **however, this system is frequently bypassed.**
- **Bills are introduced without sufficient notice,** committees are ignored, and debates are hurried. This leads to avoidable inconsistencies, such as Section 18(d) of the **Transgender Persons (Protection of**

Rights) Act, 2019, which prescribes only a two-year sentence for sexual abuse of transgender persons, compared to seven years or life imprisonment for similar offences against women under the **Bharatiya Nyaya Sanhita, 2023**.

- Such disparities are not merely technical flaws; **they invite constitutional scrutiny and raise doubts about Parliament's ability** to legislate with fairness and precision.

The Democratic Deficit in Law-Making

- When legislation is incomprehensible, **democracy itself is weakened**.
- A **functioning constitutional democracy depends on informed participation**, yet MPs often face dense legal texts passed under time pressure.
- Instead of deliberating meaningfully, **legislators are left to follow party instructions, reducing their role to symbolic rhetoric** rather than substantive debate.
- The **disconnect between complex legislation and the representative function** of MPs points to a deeper democratic dilemma.
- **Parliamentarians**, drawn from diverse walks of life, **are expected to engage with intricate constitutional jurisprudence** without adequate institutional support.
- As a result, the law-making process risks becoming a technical exercise confined to legal experts, undermining Parliament's representative character.

The Case for a Retainer Attorney-General

- To address these systemic flaws, **Parliament requires a constitutional safeguard before laws are enacted**.
- Article 88 of the Constitution **already grants the Attorney-General of India (AG) the right to participate in parliamentary proceedings**, though this power is seldom invoked.
- Reviving this role could prove transformative.
- If the **AG were systematically involved in legislative deliberations**, two benefits would follow.
- First, the **AG could pre-emptively identify constitutional inconsistencies** and problematic drafting, reducing the burden of judicial review.
- Second, **MPs would gain access to expert, non-partisan legal guidance**, enabling them to vote with greater understanding and confidence.
- A well-drafted statute not only enhances Parliament's credibility but **also allows the judiciary to focus on interpretation rather than invalidation**.
- In this way, **the Attorney-General could act as a constitutional gatekeeper**, bridging the divide between law-making and judicial review.

Conclusion

- The **framers of the Constitution envisioned Parliament as the supreme law-making body** within the boundaries of constitutional discipline.
- However, **the frequent judicial intervention in recent years signals systemic weaknesses in legislative drafting** and deliberation.

- **By institutionalising the Attorney-General's advisory role** during parliamentary debates, **India can strengthen the quality of its laws, safeguard democratic participation,** and reduce unnecessary litigation.
- Ultimately, **ensuring that laws are precise, constitutional,** and comprehensible is not just a legal necessity, **it is vital for preserving the integrity of India's constitutional democracy.**

Before Legislation Becomes Litigation FAQs

Q1. Why did the framers of the Indian Constitution reject the British model of parliamentary sovereignty?

Ans. They rejected it because they wanted Parliament to be bound by the Constitution, ensuring that no law could violate constitutional principles.

Q2. Why has judicial review become more frequent in India?

Ans. Judicial review has become frequent due to poor legislative drafting, inadequate scrutiny, and constitutional inconsistencies in laws passed by Parliament.

Q3. What is the main problem in the execution of law-making?

Ans. The main problem lies in rushed procedures, bypassing committees, and drafting errors that create vague or contradictory provisions.

Q4. How does complex legal drafting affect democracy?

Ans. It weakens democracy because legislators struggle to understand and debate laws, often leaving them to simply follow party directions.

Q5. How can involving the Attorney-General improve the legislative process?

Ans. The Attorney-General can provide non-partisan constitutional advice, flag inconsistencies, and help Parliament pass clearer, stronger, and more constitutional laws.

Source: [The Hindu](#)

Tourism Sector in India - A Strategic Economic Driver and Tariff-Proof Sector

Context:

- The **US decision to impose higher tariffs** on Indian exports highlights India's **vulnerability** to external trade shocks.
- **Tourism** emerges as **a resilient alternative growth engine**, offering employment, foreign exchange, and soft power advantages.

Tourism's Economic Potential:

- **Labour-intensive sector:**

- Generates jobs across transport, hospitality, handicrafts, wellness, food services, and entertainment.
- Employs both **skilled** professionals (**urban**) and **semi-skilled** youth (**rural**).

- **Current contribution:**

- Tourism contributes around **5% of India's GDP** (compared to the global average of 10%).
- Countries like **Spain and UAE**, where tourism accounts for about 12% of GDP, illustrate the potential when the sector is treated as a national growth priority.

- **Foreign exchange earnings:**

- In 2024, tourism generated **\$28 billion** or Rs 2,45,000 crore in foreign exchange earnings for India.
- This is only a fraction of the **potential of \$130-140 billion**, which can be achieved **if the sector reaches 10% of GDP**.

- **Outbound tourism challenge:**

- In 2024, **over 28 million Indians travelled abroad**, spending an estimated \$28-31 billion.
- Indian travellers are **among the highest spenders** globally, presenting both a challenge and an opportunity.
- Unless India offers world-class domestic experiences, spending will flow outward.

Growth Projections:

- **If India can raise tourism's GDP contribution** from 5 to 10% over the next decade, the results would be transformative.
- **For example**, it will lead to an **additional \$516 billion** to the economy each year, **40 million new jobs**, and **foreign exchange earnings** rising to \$130-140 billion.

Addressing Capacity Constraints:

- Unlike goods exports, the tourism sector is shaped primarily by **perception**, infrastructure, and facilitation — all of which can be directly enhanced.
- India currently has about 1,80,000 branded hotel rooms and 1.5 million unbranded rooms.
- Industry estimates indicate that India **needs to triple its capacity** in both categories **to meet demand, remain price-competitive, and position itself** as a major global events and conventions host.

Strategic Pathways for Tourism Growth:

- **Infrastructure and destination development:**

- **The Union Budget 2025-26 announcement** on developing 50 destinations in partnership with states is an important step.

- A world-class destination in each state, blending **infrastructure, sustainability, and brand**, can shift India's positioning from a **"place to see" to a "place to experience."**

- **Seamless travel and connectivity:**

- **Simplifying e-visas**, reducing immigration queues and delivering a seamless arrival experience.
- With India's airlines set to expand their fleet by 1,000 aircraft, improved connectivity can give a decisive boost to tourism.

- **Digital and content-led promotion:**

- Millions of creators already showcase India to the world; the task now is to amplify visibility of India's culture and experiences through **AI-enabled curation and partnerships with global platforms**.

- **Private investment:**

- Expanding the tourism sector's inclusion in the **Harmonised Master List of Infrastructure** can catalyse investments, including **PPP** projects like hotels, ropeways, wayside amenities, and convention centres.

- **Domestic tourism as a movement:**

- Domestic tourism, **accounting for 86% of sector revenues**, fosters cultural exchange, economic redistribution, and national integration.
- **Making interstate travel more affordable** and convenient will amplify these benefits.
- The **Dekho Apna Desh** campaign can evolve into a national movement.

Tourism as a Green and Inclusive Growth Driver:

- **High multiplier effect:** Every rupee spent flows across multiple sectors (transport, crafts, food services and community enterprises).
- **Sustainable development:** When developed sustainably, tourism is also a green growth driver, creating livelihoods without large-scale environmental costs.
- **New niches:** Wellness tourism, spiritual journeys, medical value travel, cultural experiences.

Conclusion:

- Tourism can provide **economic resilience** against trade shocks.
- It creates jobs that cannot be offshored, generates untaxable domestic demand, and **fosters national pride**.
- With **bold strategy**, infrastructure push, and sustainable promotion, India can turn adversity (tariffs) into opportunity by making **tourism** a pillar of economic growth and **soft power projection**.

Tourism Sector in India FAQs

Q1. How does the recent US tariff hike on Indian exports highlight the need for tourism-led economic diversification?

Ans. It shows India's dependence on external trade and the resilience tourism offers for growth, jobs, and forex earnings.

Q2. What is the employment potential of tourism in India compared to other sectors?

Ans. Tourism can generate 40 million jobs across skilled urban and semi-skilled rural areas if its GDP share doubles to 10%.

Q3. What are the key challenges constraining India's tourism growth?

Ans. Low hotel capacity, weak infrastructure, facilitation bottlenecks, and high outbound spending limit growth.

Q4. How can government initiatives reposition India as a global tourism hub?

Ans. By developing 50 world-class destinations, easing e-visas, boosting connectivity, and strengthening the "Dekho Apna Desh" campaign.

Q5. How can sustainable tourism drive inclusive and green growth in India?

Ans. It creates livelihoods with minimal environmental costs while promoting wellness, spiritual, and cultural travel.

Source: IE

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