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The Kamalesan Case and Its Simple Lesson

Context

- Lieutenant **Samuel Kamalesan's dismissal** from the Indian Army for refusing to enter the sanctum of his regiment's temple or gurdwara during ritual worship presents a clash between individual conscience and **institutional cohesion**.
- The Delhi High Court and the Supreme Court upheld the Army's decision, interpreting his refusal as **disobedience of a lawful command** rather than an exercise of religious freedom.
- Their reasoning rested on **military necessity**, discipline, and the constitutional authority under **Article 33**, which allows the restriction of fundamental rights for the armed forces.

When Restraint Becomes Silence

- While judicial deference to military expertise is common, it is not absolute.
- The courts have previously reshaped military norms in cases involving women officers, recruitment, pensions, and **promotion policies** when equality demanded intervention.
- The question here was modest: whether a sincere religious objection could be **accommodated without weakening discipline**.
- The principle from Bijoe Emmanuel, that respectful dissent need not be punished, offered a constitutional framework.
- A **proportionality test** could have examined whether compelling entry into the sanctum was essential to cohesion.
- The judiciary chose restraint, but restraint left the deeper dilemma unresolved.

The Army's Ethos and the Fragility of Trust

- **Ritual as Unity**
 - The Army argued that participation in ceremonial practices enhances **morale, trust, and troop bonding**, especially in fixed-class regiments where officers must be fully accepted by the soldiers they lead into combat.
 - Rituals, though rooted in faith, function as **secular instruments of cohesion**. Kamalesan's refusal, however respectful, was seen as distancing.
 - This interpretation guided the disciplinary action.

- **An Institution Proud of Inclusivity**

- The Army's record of **religious diversity** and **equal opportunity** is longstanding. From UN missions to disaster relief, it has integrated soldiers of all faiths.
- The prominence of **Colonel Sofiya Qureshi** during Operation Sindoor exemplifies its efforts to highlight women and officers from varied backgrounds.
- This tradition of inclusivity makes the Kamalesan episode particularly unsettling, for it suggests a moment when an institution known for flexibility **chose rigidity instead**.

- **A Modest Request, A Missed Opportunity**

- Kamalesan attended the parades, followed all customs, removed his shoes, tied the turban, and stood with his troops.
- His single request was not to **enter the sanctum during active worship**, a line many Protestant Christians cannot cross.
- This was a chance for the Army to employ its characteristic pragmatism.
- The example of **Eric Liddell** in Chariots of Fire, whose Olympic team reshuffled events to honour his belief, shows how institutions can bend without breaking.
- A small accommodation would have preserved both **discipline and dignity**.

The Costs: Personal, Institutional, and Symbolic

- **More Than a Lost Officer**

- The dismissal cost the Army more than one career.
- It risks sending an unintended signal to minority soldiers that sincere conscience-based boundaries may carry **no institutional weight**, even when expressed respectfully.
- India's military unity has never rested on majoritarian comfort but on **deep interfaith trust** forged in war and counterinsurgency.
- Any perception that religious lines may be crossed under compulsion threatens that trust.

- **Messages Beyond Intention**

- Neither the courts nor the Army may have intended exclusion, but institutional messages do not depend solely on intention.
- In diverse militaries, **perception shapes morale** as much as policy. A feeling of vulnerability among minority soldiers, even slight, can erode the confidence that underpins cohesion.

Leadership, Rigidity, and the Drift of Institutions

- **Avoiding the Path of Prejudice**

- While not equivalent to the Dreyfus affair, this episode carries a cautionary note.

- Strong institutions can drift toward **rigidity** one small step at a time, mistaking uniformity for unity.
- Victor Hugo's warning that armies lose strength when they lose **their sense of justice** remains relevant.
- The Indian Army's credibility rests on rising above religious and political divides. Any shift toward coercive uniformity risks diminishing that credibility.

• A Failure of Command, Not of Commitment

- The troubling aspect is not the legal judgment but that the issue **reached a courtroom at all**.
- A matter solvable by empathetic leadership and a single directive hardened into a disciplinary conflict.
- The Army has long balanced **tradition with modernity** and **authority with fairness**; here, that balance slipped.

Conclusion

- When duty meets conscience, the challenge is not choosing between them but enabling them to **coexist**.
- A small accommodation would have reinforced the principle that **every soldier, of every faith, stands equal in uniform**.
- As Justice Chinnappa Reddy wrote, **our Constitution practises tolerance**. Institutions honour that ideal not through enforced uniformity but through discerning when uniformity is **not required**.

The Kamalesan Case and Its Simple Lesson FAQs

Q1. What central conflict does the Kamalesan case highlight?

Ans. The case highlights the conflict between individual conscience and institutional cohesion in the Indian Army.

Q2. Why did the courts uphold Lieutenant Kamalesan's dismissal?

Ans. The courts upheld the dismissal because they viewed his refusal as disobedience of a lawful command under military discipline.

Q3. What made Kamalesan's request distinct from a refusal of duty?

Ans. His request was distinct because he participated in all rituals except entering the sanctum during worship due to sincere religious beliefs.

Q4. What broader message might the dismissal send to minority soldiers?

Ans. The dismissal may signal to minority soldiers that their conscientious boundaries may not be respected even when expressed respectfully.

Q5. What alternative approach could have preserved both discipline and trust?

Ans. A small accommodation by the Army could have preserved both discipline and trust within the unit.

Source: **The Hindu**

Enabling a Modern and Future-Ready Labour Ecosystem

Context

- On **November 21, 2025**, India marked a milestone in its long journey toward Viksit Bharat with the implementation of the **Four Labour Codes**.
- Together, these reforms represent one of the most ambitious attempts to modernise India's labour governance framework.
- They aim to create a fair, future-ready system that supports both the protection of workers and the competitiveness of enterprises, reflecting India's broader aspirations of **Aatmanirbhar Bharat** and inclusive growth.

Evolution of India's Labour Framework

- India's labour laws have historically developed in a fragmented manner, shaped by varying economic contexts and social needs since Independence.
- The resulting framework, consisting of numerous separate legislations, created complexities for employers and often left gaps or inconsistencies for workers.
- Recognising these challenges, the **Second National Commission on Labour** recommended consolidating the many existing laws into broader functional codes.
- After extensive consultation with stakeholders, including employers, labour unions, and State governments, the Four Labour Codes were enacted between 2019 and 2020.

A Large and Dynamic Workforce

- India's transformation is underpinned by its demographic strength: with over **643 million workers**, it boasts one of the largest and youngest labour forces globally.
- Between 2017-18 and 2023-24, the country generated **83 crore new jobs**, saw unemployment fall from **6% to 3.2%**, and witnessed a rise in formal employment.
- Yet a large share of India's workers remain in the **informal sector**, underscoring the urgent need for simplified laws and stronger protections.
- The new Codes aim to bridge these gaps. The Code on Social Security's broader coverage, including for unorganised workers, signals a decisive move to extend the benefits of growth and security to those who have traditionally been excluded from formal protections.

The Core Objective of Labour Codes: Strengthening Worker Protections

- **Universal minimum wages** and a **national floor wage** establish a more consistent and equitable wage structure.
- **Mandatory appointment letters** and **timely wage payments** reinforce transparency and accountability.
- A clearer framework for **working hours**, including the standard **48-hour work week**, helps ensure predictability and work-life balance.
- The **OSH Code** emphasises workplace safety through mandatory safety committees, free preventive health check-ups, and stronger norms for working conditions.

- The **Social Security Code** provides universal ESIC coverage, streamlined EPF processes, and creates a National Social Security Fund addressing the needs of various worker categories.
- These measures collectively advance worker welfare while supporting productivity and sustained economic growth.

Some Other Features of New Labour Codes

• Simplifying Compliance and Encouraging Formalisation

- From the perspective of businesses, especially MSMEs, the Codes represent a significant shift toward simpler and more transparent compliance.
- The introduction of single registration, single licence, and single return mechanisms, reduces administrative burdens and encourages participation in the formal economy.
- A **uniform definition of wages** also reduces ambiguity and disputes, promoting predictability in wage calculations and legal compliance.

• Preparing for the Future of Work

- The nature of employment in India is rapidly evolving, driven by digital platforms, flexible work arrangements, and the rise of gig and platform-based labour.
- By including **gig and platform workers** under the Social Security Code, India has taken a forward-looking step.
- As this workforce is projected to expand from **one crore in 2024-25 to 2.35 crore by 2029-30**, establishing social protection frameworks early is vital for ensuring sustainable livelihoods and equitable growth.

• Advancing Women's Participation in the Workforce

- Despite recent improvements, women's labour force participation, at **8%**, according to the ILO's India Employment Report 2024, remains below potential.
- The Labour Codes attempt to address key barriers by:
 - reinforcing **equal remuneration**,
 - strengthening **maternity benefits**,
 - extending social protection to women in unorganised and gig sectors, and
 - allowing **women to work at night** with their consent, supported by safety measures.

• Balancing Worker Protections and Enterprise Competitiveness

- A modern labour framework must carefully balance the **rights of workers** with the needs of businesses.
- The Labour Codes aim to strike this balance by simplifying industrial relations procedures, improving transparency, and ensuring faster resolution of disputes.

- This stability is crucial for attracting investment, strengthening India's integration into global value chains, and enabling industries to grow competitively.

Conclusion

- As the Codes come into force, **State-level implementation** will be critical. Uniformity and consistency across States, particularly in thresholds, rules, and enforcement, will determine the effectiveness of the reforms.
- Just as the **Goods and Services Tax (GST)** represented a major overhaul of indirect taxation, the Labour Codes constitute one of the most far-reaching reforms in labour regulation.
- Their success will depend on continued **reform momentum**, coordination with States, investment in digital systems, and sustained dialogue with stakeholders.
- If implemented effectively, these Codes have the potential to significantly **boost job creation**, expand social security, increase formalisation, and strengthen India's long-term growth trajectory.

Enabling a Modern and Future-Ready Labour Ecosystem FAQs

Q1. What is the significance of November 21, 2025, in India's labour history?

Ans. November 21, 2025, is significant because the Government of India implemented the Four Labour Codes, marking a major reform in the country's labour framework.

Q2. How do the Labour Codes benefit workers?

Ans. The Labour Codes benefit workers by ensuring universal minimum wages, timely payment of wages, better safety standards and expanded social security coverage.

Q3. Why was there a need to consolidate India's earlier labour laws?

Ans. There was a need to consolidate earlier labour laws because they were numerous, outdated, and complex, making compliance difficult and protections inconsistent.

Q4. How do the Labour Codes support the future of work in India?

Ans. The Labour Codes support the future of work by including gig and platform workers under social security and by adapting regulations to new forms of employment.

Q5. How do the Labour Codes promote women's participation in the workforce?

Ans. The Labour Codes promote women's participation by ensuring equal pay, improving maternity benefits and allowing women to work at night with adequate safety measures.

Source: **The Hindu**

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