

# MAINS MATRIX

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### 1. Supreme Court's Ruling on the Waqf (Amendment) Act, 2025

The Supreme Court issued a balanced ruling, refusing to freeze the entire 2025 Act but striking down specific provisions it found problematic. The judgment is based on a *prima facie* (at first glance) consideration and does not prevent future challenges to the law's validity.

#### 1. Provisions Struck Down or Stayed by the Court

- **Proof of Religious Practice (Stayed as "Prima Facie Arbitrary"):**
  - **The Law:** Required a person creating a Waqf to prove they had been practising Islam for five years.
  - **The Court's View:** Agreed with the intent (to prevent Waqfs from being used as a "clever device" to tie up property and evade creditors/law) but found the mechanism arbitrary.
  - **The Ruling:** Stayed this provision until the government formulates a proper procedure to ascertain the five-year practice requirement.
- **Section 3C (Declared "Totally Unconstitutional"):**
  - **The Law:** Allowed a Waqf to lose its character and be declared government property immediately upon a doubt being raised, *before* the completion of a formal inquiry.
  - **The Court's View:** This unilateral power for the government to alter the status of a property without due process was unacceptable.
- **Composition of Waqf Councils & Boards (Modified by the Court):**
  - **The Ruling:** The Court itself set limits on the number of non-Muslim members:
    - **Central Waqf Council:** Max. **4 non-Muslims** out of 22 total members.
    - **State Waqf Boards:** Max. **3 non-Muslims** out of 11 total members.
  - **CEO Requirement:** Ordered that the CEO of State Waqf Boards must be from the Muslim community "as far as possible."

#### 2. Provisions Upheld by the Court

- **Abolition of "Waqf by User" (Upheld as Not Arbitrary):**
  - **The Old Concept ("Waqf by User"):** Land could be recognized as Waqf through long-term usage for religious/charitable purposes without any formal deed.
  - **The 2025 Change:** This concept was abolished. A formal Waqf deed is now mandatory for new Waqfs.
  - **The Court's Reasoning:** Upheld this change due to massive documented misuse where "huge government properties" were encroached upon and declared Waqf. The court cited the example of the Audina Pradesh Waqf Board notifying thousands of acres of government land as its own.
  - **Grandfather Clause:** The deletion of "waqf by user" applies **prospectively** (only to new Waqfs created after April 8, 2025). All existing registered "waqf by user" properties are protected.
- **Mandatory Registration of Waqfs (Upheld):**
  - **The Court's Reasoning:** Registration has been a requirement in Waqf laws for over 100 years (since 1923). The court stated that if Mutawalis (managers) have not registered a Waqf in 102 (or even 30) years, they cannot now claim the new requirement is arbitrary.
- **"Protected Monument" Argument (Rejected):**
  - **The Concern:** Petitioners argued a Waqf property would lose its status if notified as a "protected monument."
  - **The Court's View:** *Prima facie* rejected this argument, calling it a "fallacy."
- **Tribal Community Donations (Addressed):**
  - **The Concern:** The law would restrict tribal Muslims from donating land as Waqfs, threatening cultural minorities.
  - **The Court's View:** Addressed these concerns, implying they were not sufficient to strike down the provision.

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### 3. Key Government Arguments & Data (From the Second Article)

The Union Government defended the amendments by highlighting systemic misuse:

- **Explosion of Waqf Land:** The government submitted "shocking" data showing a massive and sudden increase in Waqf properties after 2013.
    - **Pre-2013 (Mughal era to 2013):** Total Waqf land = ~18.3 lakh acres
    - **2013-2024 (11 years):** Additional Waqf land = ~20.9 lakh acres
    - **Total as of 2024:** ~39.2 lakh acres
  - **Government's Stance:** The amendments target those who "evaded registration to avoid being accountable." It argued that the abolition of "waqf by user" prospectively does not deprive Muslims of the right to create a Waqf; it simply requires a formal deed for clarity and to prevent fraud.
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#### 4. Status of Disputed Properties (Interim Protection)

The court ordered that until the Waqf Tribunal makes a final decision, the Mutawalis (managers) of properties under dispute **cannot create any third-party rights** (e.g., sell or lease them). This is to balance the equities and protect valuable government properties during litigation.

## 2. Courts node to mental health as right

### Case Overview

- **Case Name:** *Sukdeb Saha vs The State Of Andhra Pradesh*
- **Court:** Supreme Court of India
- **Date of Verdict:** July 2025
- **Origins:** A father's petition for a CBI inquiry into the suicide of his 17-year-old daughter (a NEET candidate) in a Visakhapatnam hostel, after the Andhra Pradesh High Court rejected his plea.

### Core Legal Ruling

- **Primary Holding:** Mental health is an integral and inherent part of the **Right to Life** under **Article 21** of the Indian Constitution.
- **Investigation Order:** The investigation into the specific case was transferred to the Central Bureau of Investigation (CBI).

### The "Saha Guidelines" (Interim Orders)

To ensure the ruling is not mere rhetoric, the Court issued binding interim measures:

- **Mandate for Institutions:** Schools, colleges, hostels, and coaching institutes are required to proactively develop mental health support systems.
- **Government Action:** States and Union Territories are instructed to bring these rules into force within two months.
- **Monitoring Bodies:** District-level monitoring committees must be set up.
- **Legal Force:** These guidelines will have legislative force until Parliament passes a full law on the matter.

### Criminological & Societal Analysis

- **Concept of Structural Victimisation:** The verdict reframes student suicides not as personal failures but as outcomes of **structural victimisation** and **institutional neglect**.
- **State Responsibility:** The state and educational institutions can be seen as **de facto perpetrators** for creating or ignoring conditions that drive individuals to harm.
- **Structural Violence:** Institutional neglect that systematically harms individuals by depriving them of basic needs (like mental health care) can be considered a form of **structural violence** (as per Johan Galtung's theory).

## Legal Significance & Gaps Filled

- **Elevated Right:** The judgment elevates the right to mental health from a **statutory right** (under the Mental Healthcare Act 2017, which has poor enforcement) to a **fundamental right** under the Constitution.
- **Normative Benchmark:** It establishes a higher constitutional standard for the state to safeguard citizens' mental well-being.

## Broader Implications

- **Shift in Perspective:** Changes the narrative from personal tragedy to public injustice, making hidden victims visible.
- **Restorative Measures:** Opens the door for preventive and restorative measures like counseling, institutional reform, and accountability mechanisms, moving beyond retribution.
- **Rights Holders:** Acknowledges students as active rights holders whose mental well-being deserves constitutional protection, not just passive subjects of the education system.

## Challenges & Future Outlook

- **Implementation Challenge:** Powerful judicial pronouncements alone cannot uproot deep-seated cultural and institutional norms.
- **Key Test:** The judgment's success depends on whether schools, universities, and governments meaningfully apply the guidelines, invest resources, and train personnel.
- **Final Question:** The verdict is a potential beacon of hope, but its legacy will be determined by whether it translates into tangible change or becomes a missed opportunity.

## How you can use it across various papers and topics:

### 1. GS Paper II (Governance, Constitution, Polity, Social Justice)

This is the most direct and high-value application.

- **Constitutional Law (Article 21):**
  - **Use Case:** To demonstrate the **evolutionary and expansive interpretation of Article 21** (Right to Life and Personal Liberty) by the judiciary.
  - **Quote:** "The Court has established an elevated normative benchmark. Citizens can insist on safeguarding their psychic health as a fundamental right, not just a statutory right."
  - **How to use:** In answers on Judicial Activism, Fundamental Rights, or specifically on Article 21, use this case as a recent, powerful example of the judiciary strengthening the constitutional safety net. Contrast it with earlier judgments that have expanded Article 21 to include right to privacy, clean environment, etc.
- **Governance & Government Policies:**
  - **Use Case:** To highlight the gap between **policy intent and implementation**.

- **Quote:** "The Mental Healthcare Act 2017 already enshrines the right... but it has not been implemented consistently, and enforcement mechanisms are still poor."
- **How to use:** When discussing challenges in governance, use this to show that a good law is meaningless without strong implementation mechanisms. The Court's intervention here is a response to executive failure.
- **Role of Judiciary:**
  - **Use Case:** To discuss the **proactive role of the judiciary** (judicial activism) in filling legislative and executive voids.
  - **How to use:** Use this case to argue that when other organs of the state fail to protect citizens' rights, the judiciary must step in. The "Saha Guidelines" are a prime example of the court issuing mandamus and creating a framework for governance.
- **Social Justice:**
  - **Use Case:** To discuss **vulnerable sections** (here, students) and the state's duty to protect them.
  - **How to use:** Link it to questions on the pressure on youth, the need for mental health support, and the state's role in ensuring a non-exploitative environment.

### 3. GS Paper I (Society)

- **Social Issues:**
  - **Use Case:** To discuss the **societal pressures** on youth (exam stress, coaching culture, societal expectations linked to self-esteem).
  - **Quote:** "It is also about social values that link self-esteem to hierarchy and of a governance collapse..."
  - **How to use:** In answers on the challenges faced by Indian youth, use this judgment to argue that the problem is not individual but socio-structural, requiring a multi-pronged solution.

## 3. Rising Obesity, Children's Exposure to Ultra-Processed Foods

### 1. Key Findings (From UNICEF report Feeding Profit: How Food Environments Are Failing Children, Sept 2025)

- **1 in 5 children & adolescents (5–19 years)** are living with overweight.
- Children are exposed to "unhealthy food environments" through:
  - Advertisements
  - Food service facilities
  - Lack of legal protections.
- **Most affected age group:** 5–14 years.

- **Environmental factor:** Rise in chain outlets (convenience stores, supermarkets, etc.) selling unhealthy foods.
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## 2. Charts & Data

### Chart 1: Number of Children & Adolescents with Overweight (Global, by Age Group)

- 0–4 yrs: **35 million**
- 5–9 yrs: **147 million**
- 10–14 yrs: **141 million**
- 15–19 yrs: **103 million**

### Chart 2: % of Children & Adolescents with Overweight (Global, by Age Group)

- 0–4 yrs: **5%**
  - 5–9 yrs: **21%**
  - 10–14 yrs: **21%**
  - 15–19 yrs: **18%**
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### Chart 3: Trends of Food Outlets (2013 → 2023)

- **a) Chain outlets density:**
    - High-income: Sharp increase
    - Upper-middle-income: Increase
    - Low & lower-middle-income: Minimal rise
  - **b) Non-chain outlets density:**
    - High-income: Decline
    - Upper-middle-income: Slight decline
    - Low & lower-middle-income: Stable/slight rise
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### Charts 4a & 4b: Types of Foods Available in South Asia (2023)

- **At school food service facilities (4a):**
  - Cooked meals, vegetables & fruits → less available.
  - Packaged snacks, fast food, sugary beverages → more available.
- **Near schools without food facilities (4b):**
  - Children still exposed to packaged snacks, fast food, sugary drinks.
  - Country variation:
    - Bhutan & India: higher sugary beverages.



- Nepal, Pakistan: fast food & packaged snacks.

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#### Chart 5: Legal Measures to Protect Children (Share of Countries, %)

- **Aligned with “International Code”** (marketing restrictions, school food regulation, etc.)
  - **High-income** countries: stronger legal protections.
  - **Low/low-middle-income**: weaker protections.
- **Global reality:**
  - Only **18%** of 202 countries have mandatory restrictions on unhealthy foods near schools.
  - Only **19%** ban unhealthy foods/drinks in school meals.
- **Measures include:**
  - Marketing restrictions
  - Restrictions on sponsorship/ads
  - Regulation of food in schools
  - Front-of-pack labelling
  - Taxes on sugary drinks

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### 3. Core Concerns

- **Availability & Marketing Bias:** Packaged snacks, fast food & sugary beverages dominate over healthier foods like fruits & vegetables.
- **Regulation Gaps:** Few countries enforce strong mandatory restrictions.
- **Children at Risk:** Especially vulnerable are those aged 5–14 yrs with high overweight prevalence.

#### Using the Article in UPSC GS Mains Syllabus

##### 1. GS Paper 1 (Society)

- **Issues related to health, education, and human resources**
  - Rising childhood obesity = social issue linked to lifestyle, urbanization, and family food choices.
  - **Sociological angle:**
    - Durkheim’s anomie → breakdown of healthy norms due to consumerism.
    - Marx’s commodification → food as profit-driven product, not public good.
  - Use stats from Chart 1 & 2 (21% overweight in 5–14 yrs) to highlight **changing family/childhood in India & globally**.
- **Globalization effects**

- Spread of multinational food chains in South Asia (Chart 3 & 4).
  - Uniformity of unhealthy diets = cultural homogenization.
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## 2. GS Paper 2 (Governance, Social Justice, Health Policy)

- **Issues relating to development & management of social sector/services relating to Health**
    - Children's vulnerability shows **policy failure** in regulating food environments.
    - Can quote UNICEF data: Only 18% countries restrict unhealthy food near schools.
  - **Government policies & interventions for development**
    - India's steps:
      - FSSAI's Eat Right Campaign.
      - Mid-Day Meal reform (now PM-POSHAN).
      - Food labelling norms.
    - Link to **NEP 2020** – emphasis on nutrition alongside education.
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## 3. GS Paper 3 (Economy, Environment, Science-Tech)

- **Indian Economy – issues of growth and development**
    - Junk food industry = **corporate profit vs public health**.
    - WTO & trade liberalization = increased market penetration of ultra-processed foods.
  - **Science & Tech: Developments in food processing & health**
    - Rise of ultra-processed foods due to aggressive food technology.
    - Need for **R&D in healthier substitutes**.
  - **Environment: Agriculture and food security**
    - Obsession with packaged snacks → undermines local farmers/vegetables.
    - Shift in dietary patterns threatens **traditional, sustainable diets**.
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## 4. GS Paper 4 (Ethics – Case Studies & Values)

- **Ethics in Governance & Corporate Responsibility**
  - Ethical issue: Should companies be allowed to market junk food to children?
  - Conflict between **profit motive** vs **public health welfare**.
  - Can quote: "Integrity without health is like wealth without peace."



## 4.SC on anticipatory bail in caste crime

### Case Overview

- **Case Name:** *Kiran vs Rajkumar Jivang Jivin*
- **Court:** Supreme Court of India
- **Date of Ruling:** September 1, 2025
- **Bench:** Led by Chief Justice of India P. R. Gavai
- **Core Issue:** Whether anticipatory bail was correctly granted by the Bombay High Court in violation of Section 18 of the SC/ST (Prevention of Atrocities) Act, 1989.

### Key Legal Provision

- **Section 18 of the SC/ST (PoA) Act, 1989:** Creates a **specific bar** against the grant of anticipatory bail for offences under the Act when a *prima facie* case is made out.
- **Effect:** Excludes the application of Section 438 of the CrPC (Anticipatory Bail) for such offences.

### Facts of the Case

- **Complainant:** Kiran, a member of a Scheduled Caste community.
- **Incident Date:** November 26, 2024 (related to an Assembly election).
- **Allegations:**
  - Accused attacked the complainant with iron rods for refusing to vote as directed.
  - Used caste-based slurs and abuse.
  - Molested the complainant's mother and aunt.
  - Looted mangalsutra (gold chain).
  - Threatened to burn down their house.
- **Trial Court:** Additional Sessions Judge at Parbhani **rejected** anticipatory bail, noting clear caste intent and corroboration.
- **High Court:** Bombay High Court (Aurangabad Bench) **granted** anticipatory bail, terming the FIR politically motivated, exaggerated, and inconsistent.

### Supreme Court's Key Observations & Ruling

1. **Reaffirmation of Section 18 Bar:** The Court reiterated that the bar on anticipatory bail is constitutionally valid (does not violate Articles 14 or 21) and is intended to protect victims from intimidation and ensure effective prosecution.
2. **Precedent Cited:** Relied on past judgments (*State of M.P. vs Ram Krishna Balothia*, *Vilas Pandurang Pawar vs State of Maharashtra*, *Prathvi Raj Chauhan vs Union of India*) to affirm that offences under the Act form a distinct class due to systemic caste discrimination.

3. **"Mini-Trial" Prohibited:** Courts **cannot conduct a "mini-trial"** or appreciate evidence at the bail stage. The only test is to check if the allegations in the FIR make out a *prima facie* case under the Act.
4. **"Public View" Interpretation:** Insults and assaults occurring outside the complainant's house, visible to others, qualify as acts **"within public view"** (satisfying Section 3(1)(r) of the Act).
5. **Electoral Retaliation:** The attack triggered by the victim's voting choice falls under **Section 3(1)(b)** of the Act, which criminalizes coercion or retaliation against SC/ST members in electoral matters.
6. **Strength of Prosecution:** Independent witness accounts, recovery of weapons, and medical evidence strengthened the *prima facie* case.
7. **Final Ruling:** Cancelled the anticipatory bail, calling the High Court's order a **"manifest error and jurisdictional illegality."**

### Significance & The Way Forward

- **Substantive Shield:** Reinforces that the SC/ST Act is a substantive shield for the dignity and security of vulnerable communities, not a mere procedural formality.
- **Guidance for Courts:**
  - Courts must respect the legislative intent of Section 18.
  - Must apply the *prima facie* test strictly based on the FIR, without dismissing allegations as exaggerated without a full trial.
- **Democratic Participation:** Recognizes that protecting SC/ST voters from electoral retaliation is crucial for democratic participation and social justice.
- **Rule of Law:** Underscores that the rule of law must firmly protect the most marginalized.

### how you can use the Kiran vs Rajkumar case in your answers:

#### 1. GS Paper II (Governance, Constitution, Polity, Social Justice)

This is the most direct and high-value application.

#### A. For Questions on Indian Constitution:

- **Fundamental Rights (Articles 14 & 21):** Use this case to show how the Court balances fundamental rights.
  - **Argument:** While the accused has rights (Article 21 - liberty), the Court has upheld that the **rights of the victim community to equality (Article 14), life with dignity (Article 21), and protection from exploitation** take precedence in cases of caste atrocities. The bar on anticipatory bail under Section 18 has been held as a reasonable classification, not violating Article 14.
  - **Usage:** "The Supreme Court, in *Kiran vs Rajkumar* (2025), reaffirmed the constitutional validity of Section 18 of the SC/ST Act, upholding it as a necessary measure to achieve substantive equality for historically marginalized communities, thus preserving the spirit of Articles 14, 15, and 21."

#### B. For Questions on Judiciary:

- **Judicial Activism vs. Restraint:** This is a classic case of the Supreme Court correcting a High Court's overreach (activism in a positive sense).
  - **Argument:** The HC conducted a "mini-trial," which is a form of judicial overreach at the wrong stage. The SC exercised restraint by insisting that the legislative intent (Parliament's will to protect SC/ST communities) must be respected.
  - **Usage:** "The judgment exemplifies the Supreme Court's role as a guardian of the Constitution and a check on judicial overreach by lower courts, as seen in its cancellation of the HC's order in *Kiran vs Rajkumar* for disregarding legislative mandate."

### C. For Questions on Social Justice & Welfare Schemes:

- **Protection of Vulnerable Sections:** This is the core of the judgment.
  - **Argument:** The case demonstrates the state's mechanism (the SC/ST Act) for protecting the most vulnerable from systemic violence and intimidation. It shows the legal framework's evolution to address social realities.
  - **Usage:** "The effective implementation of laws like the SC/ST (PoA) Act is critical for social justice. The Supreme Court's stern stance in *Kiran vs Rajkumar* against diluting the Act's provisions strengthens the legal shield available to Dalits and Adivasis against intimidation and violence."

### D. For Questions on Representation of People's Act/Electoral Issues:

- **Electoral Coercion:** The case specifically involved electoral retaliation.
  - **Argument:** It highlights the challenge of ensuring free and fair elections for all, especially for communities vulnerable to coercion.
  - **Usage:** "The judgment in *Kiran vs Rajkumar* broadens the protection for SC/ST voters by recognizing electoral retaliation as a serious offence under the SC/ST Act, thereby strengthening the integrity of the democratic process."

## 2. GS Paper IV (Ethics, Integrity and Aptitude)

This judgment is rich with ethical concepts.

### A. For Questions on Ethics in Governance:

- **Human Dignity:** The entire Act and the judgment are based on the principle of upholding human dignity.
- **Empathy and Compassion:** The Court displayed empathy towards the victim's plight and the community's historical context.
- **Impartiality and Non-partisanship:** The Court warned against biases that lead to dismissing genuine cases as "politically motivated" without evidence.
- **Usage:** "An ethical administrator must ensure the SC/ST Act is implemented with empathy and impartiality. The Supreme Court in *Kiran vs Rajkumar* cautioned against pre-conceived notions and stereotypes that lead to the dismissal of genuine cases, underscoring the ethical virtue of justice."

An analysis of the passive conduct of social media companies during political unrest and government-imposed shutdowns, highlighting the tension between their commercial interests and their professed commitment to digital rights.

1. Core Thesis & Main Argument

- Argument:** Social media companies remain largely passive during political unrest, prioritizing commercial interests and avoiding government reprisals over defending digital rights and user access.
- Tension:** A conflict exists between their profit motives and their marketed image as defenders of free expression and participation.

2. Key Examples Cited (Case Studies)

Country	Year	Platform(s ) Involved	Governmen t Action	Company Response	Consequenc e
Nepal	(Recent )	26 Social Media Platforms	Ban on access	Boilerplate statement s on digital rights	Passivity heightened users' sense of abandonment
Russia	2018	Telegram	Ban	Fought ban with technical evasions	Offered little political solidarity to arrested users
Myanma r	2021	Facebook	Ban	N/A (Ban severed access)	Cut off protesters from news and organizing tools
Nigeria	2021	Twitter (X.com)	Suspension for months	Remained largely silent	Economic cost of ~\$25M/day; businesses

Country	Year	Platform(s) Involved	Government Action	Company Response	Consequence
					moved to alternatives
Iran	2022	Instagram, WhatsApp	Shutdown	Issued generic appeals	Collapse of millions of dependent small businesses

### 3. Underlying Reasons for Company Passivity

- **Fear of Government Reprisal:** Concerns about retaliation in profitable markets.
- **Commercial Interests:** Platforms are multinational corporations with commercial, not civic, interests.
- **Risk to Executives:** Company executives could face personal jeopardy for encouraging defiance of local law.
- **Business Model Disruption:** Implementing robust workarounds would disrupt the centralized data collection crucial for targeted advertising revenue.

### 4. Existing Technological Solutions (Underutilized)

- **Decentralized Infrastructure:** Using federated servers (e.g., Mastodon) instead of a single point of failure.
- **Proxy Relays & VPNs:** Allowing volunteers to route traffic (e.g., Signal's model in Iran).
- **Traffic Disguise:** Using content delivery networks (e.g., YouTube) or encrypted protocols (e.g., HTTPS for WhatsApp) to make filtering harder.
- **Failover Systems:** Routing traffic or messages between owned platforms (e.g., Meta's apps) when one is blocked.

### 5. Contrast with Other Industries

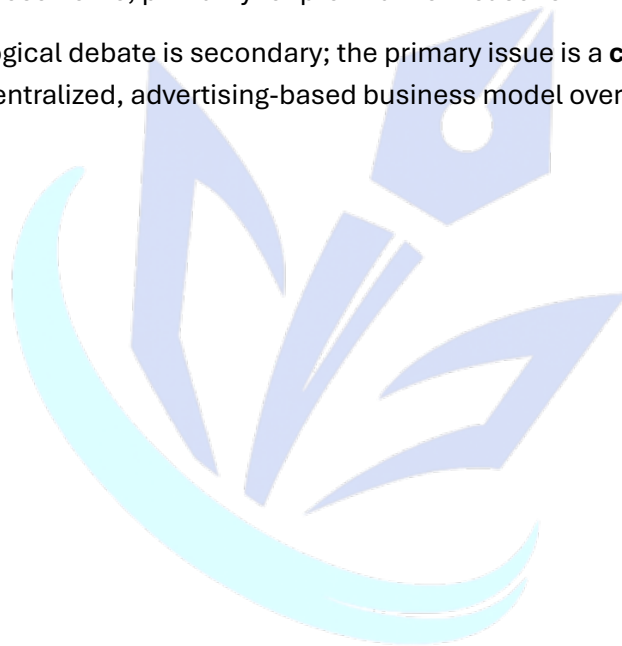
- **Television Companies:** Comply with shutdown orders but do not market themselves as defenders of voice.
- **Financial Companies:** Take explicit political stands (e.g., PayPal/Visa curtailing services in Russia due to the Ukraine invasion).
- **Wikipedia:** Fought multi-year legal battles against censorship in Turkey and won.

### 6. International Norms & Principles

- **UN Human Rights Council (2016):** Declared internet shutdowns a violation of international human rights law.
- **Santa Clara Principles:** Call for transparency and accountability, including disclosing government demands and justifying company responses. A gap exists between rhetoric and compliance.

## 7. Conclusion & Irony

- Government bans often fail, leading to *less* state control as users find workarounds (VPNs, etc.).
- Companies have the technical capability to integrate these tools directly (e.g., in-app VPN) but choose not to, primarily for profit-driven reasons.
- The technological debate is secondary; the primary issue is a **corporate choice** to prioritize a centralized, advertising-based business model over robustly defending user rights.



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