

24 Feb 2025 – 1 March 2025



Manupatra Weekly Wrap

A round-up of the last week's key updates to keep you informed on the go!

Case Laws



ADMINISTRATIVE

Supreme Court distinguishes between 'legislative decisions' and 'proceedings in the legislature'

Dr. Sunil Kumar Singh Vs. Bihar Legislative Council, Dated: 25.02.2025, (MANU/SC/0263/2025; 2025 INSC 264)

The **Supreme Court**, while distinguishing between 'legislative decisions' and 'proceedings in the legislature,' has observed that 'proceedings in the legislature' are immune from review based on allegations of procedural irregularities, whereas there is no absolute bar on judicial review of 'legislative decisions'.

ARBITRATION

Delhi High Court: In disputes relating to MSME parties, MSMED Act will prevail over Arbitration Act

Idemia Syscom India Private Limited Vs. M/S Conjoinix Total Solutions Private Limited, Dated: 24.02.2025, (MANU/DE/1117/2025; 2025:DHC:1205)

The **Delhi High Court** has observed that disputes pertaining to a party which is an MSME, MSMED Act, 2006, governing a very specific nature of disputes concerning MSMEs would prevail over Arbitration and Conciliation Act, 1996.

CIVIL

Supreme Court: If two decisions of Supreme Court are inconsistent, High Courts cannot follow one while ignoring other

M/S A.P. Electrical Corporation Vs. The Tahsildar & Ors. Etc., Dated: 27.02.2025, (MANU/SC/0276/2025; 2025 INSC 274)

The **Supreme Court** has observed that “If two decisions of this Court appear inconsistent with each other, the High Courts are not to follow one and overlook the other, but should try to reconcile and respect them both and the only way to do so is to adopt the wise suggestion of Lord Halsbury given in Quinn v. Leathern”.

Supreme Court: Restriction on use of land can't be kept open-ended for indefinite period

Nirmiti Developers Vs. The State of Maharashtra & Ors., Dated: 25.02.2025, (MANU/SC/0259/2025; 2025 INSC 265)

The **Supreme Court** has observed that while reserving land for any purpose, the landowner cannot be deprived of the use of the land for years together. Once an embargo has been put on a landowner not to use the land in a particular manner, the said restriction cannot be kept open-ended for indefinite period.

Kerala High Court: Government must be able to determine strength of local bodies for effective governance

State Of Kerala Vs. Abdul Gafoor & Ors., Dated: 24.02.2025, (MANU/KE/0446/2025; 2025: KER:15559)

The **Kerala High Court** while overturning the decision invalidating delimitation exercise for eight municipalities and one panchayat, has observed that the Government must be able to determine the strength of the local bodies in the interest of effective governance, taking into account factors such as resource allocation, revenue generation and administrative efficiency.

Kerala High Court: Civil contempt jurisdiction is meant to enforce compliance with orders, not to alter previous ones

Kerala State Electricity Board Ltd. & Ors. Vs. Raphael And Company, Dated: 24.02.2025, (MANU/KE/0485/2025)

The **Kerala High Court** has observed that “*The legal position is settled that civil contempt jurisdiction is meant to ensure compliance with the orders of the Court and maintain the dignity of the Court. This jurisdiction is not to be executed to supplement or modify earlier judicial decisions*”.

CRIMINAL

Supreme Court: Courts can't grant compensation for wrongful confinement in bail applications under Section 439 CrPC

Union Of India Thr. I.O. Narcotics Control Bureau Vs. Man Singh Verma, Dated: 28.02.2025, (MANU/SC/0287/2025; 2025 INSC 292)

The **Supreme Court** has observed that “*It is a settled principle of law that the jurisdiction conferred upon a Court under Section 439 CrPC is limited to grant or refusal of bail pending trial*”.

Supreme Court acquits jeweler who possessed stolen gold bars without having knowledge of it being stolen

Hiralal Babulal Soni & Ors Vs. The State of Maharashtra & Ors., Dated: 25.02.2025, (MANU/SC/0266/2025; 2025 INSC 266)

The **Supreme Court** has acquitted a jeweler convicted for receiving stolen gold bars and observed that merely possessing a stolen property without the knowledge that it was stolen, would not justify conviction under Section 411 of the Indian Penal Code, 1860.

Supreme Court: Section 197 of the CrPC doesn't cover concept of 'deemed sanction'

Suneeti Toteja Vs. State of U.P. & Another, Dated: 25.02.2025, (MANU/SC/0258/2025; 2025 INSC 267)

The **Supreme Court** while quashing a case against a public servant due to lack of prior sanction, has observed that Section 197 of CrPC does not envisage a concept of deemed sanction and failure of sanctioning authority to provide sanction won't make it a 'deemed sanction'.

Delhi High Court: Women continue to face harassment in public, even after, decades of independence

Anupender Vs. State of NCT of Delhi, Dated: 28.02.2025, (MANU/DE/1294/2025; 2025:DHC:1329)

The **Delhi High Court** has observed that "after decades of independence, women continue to face harassment in public spaces, including public transport, where they should feel safe and secure. Despite the existence of stringent laws aimed at protecting women's dignity and personal autonomy, incidents like these highlight the audacity of offenders who dare to commit such acts, believing they can evade consequences".

Kerala High Court: To prosecute public servant for failing to report POCSO offences, sanction isn't mandatory

Dr Ditto Tom P Vs. State of Kerala, Dated: 24.02.2025, (MANU/KE/0447/2025; 2025:KER:15952)

The **Kerala High Court** has observed that to prosecute a public servant under Sections 19 and 21 of the POCSO Act, 2012 for failing to report POCSO Offences, it is not mandatory to obtain sanction under Section 197 of Code of Criminal Procedure, 1973.

CONSUMER

Supreme Court: Borrower is not a 'consumer', if loan was taken for profit generation

The Chief Manager, Central Bank Of India & Ors. Vs. M/S Ad Bureau Advertising Pvt. Ltd & Anr., Dated: 28.02.2025, (MANU/SC/02882025; 2025 INSC 288)

The **Supreme Court**, while taking into account decisions like *National Insurance Company Limited vs. Harsolia Motors & Ors. And Shrikant G. Mantri vs. Punjab National Bank*, observed that if the dominant intention or purpose of the transaction was to facilitate profit generation for the person who has availed service, then the person does not fall within the ambit of 'consumer' in terms of Section 2 (1) (d) (ii) of the Consumer Protection Act, 1986.

CONTRACT

Bombay High Court: Terminating contract without providing reasons is considered arbitrary

Systra MVA Consulting (India) Pvt. Ltd. Vs. Mumbai Metropolitan Region Development Authority, Dated: 25.02.2025, (MANU/MH/1088/2025; 2025: BHC-OS:2992)

The **Bombay High Court** has set aside a notice from the Mumbai Metropolitan Region Development Authority (MMRDA) that terminated a tender contract with Systra MVA Consulting (India) Pvt Ltd for the role of General Consultant for Mumbai Metro Line, stating that the cancellation was arbitrary and unjustified.

LAW OF EVIDENCE

Supreme Court outlines principles regarding careful application of Section 106 of Evidence Act

The State Of Madhya Pradesh Vs. Balveer Singh, 24.02.2025, (MANU/SC/0255/2025; 2025 INSC 261)

The **Supreme Court** has observed that “Section 106 cannot be invoked to make up the inability of the prosecution to produce evidence of circumstances pointing to the guilt of the accused. This section cannot be used to support a conviction unless the prosecution has discharged the onus by proving all the elements necessary to establish the offence”.

Supreme Court: Section 27 of Evidence Act cannot help the prosecution, if recovery isn't linked to accused's disclosure

Md. Bani Alam Mazid @ Dhan Vs. State of Assam, Dated: 24.02.2025, (MANU/SC/0254/2025; 2025 INSC 260)

The **Supreme Court** has observed that if recovery is not proved to be in furtherance of the confessional statement by accused then Section 27 of Indian Evidence Act, 1872 cannot aid prosecution.

LAW OF MEDICINE

Kerala High Court: Men & women two distinct legal entities under ART Act

Sajitha Abdul Nazar & Ors. Vs. Union Of India & Ors., Dated: 24.02.2025, (MANU/KE/0410/2025)

The **Kerala High Court** has observed that “when a woman wants to undergo an IVF procedure, only her age is considered relevant, irrespective of her husband's age, and the

same principle applies conversely to men. The above interpretation leads to an inevitable conclusion that the legislature has treated men and women as distinct legal entities under the Assisted Reproductive Technology (Regulation) Act, 2021 (ART Act) rather than imposing uniform couple-centric legislation”.

INSURANCE

Supreme Court: Life insurance claims can be denied for not disclosing other existing policies

Mahaveer Sharma Vs. Exide Life Insurance Company Limited & Anr., Dated: 25.02.2025, (MANU/SC/0260/2025; 2025 INSC 268)

The **Supreme Court** has observed that “An insurance is a contract *uberrima fides*. It is the duty of the applicant to disclose all facts which may weigh with a prudent insurer in assuming the risk proposed. These facts are considered material to the contract of insurance, and its non-disclosure may result in the repudiation of the claim”.

INSOLVENCY

NCLAT: NCLT empowered to decide if SRA liable to pay pre-CIRP electricity dues under Section 60(5) Of IBC

Punjab State Power Corporation Limited Vs. Akums Lifesciences Limited, Dated: 25.02.2025, (MANU/NL/0160/2025)

The **National Company Law Appellate Tribunal (NCLAT)**, New Delhi bench has held that NCLT has the authority to decide whether Successful Resolution Applicant (SRA) is liable to pay Pre-Corporate Insolvency Resolution Process (CIRP) electricity dues after the approval of the resolution plan and taking over of the corporate debtor under section 60(5)(c) of the Insolvency and Bankruptcy Code, 2016 (Code).

NCLAT: Electricity, being an essential supply, cannot be disconnected during CIRP period

Maharashtra State Electricity Distribution Company Ltd. & Anr. Vs. Ravi Sethia Resolution Professional of Morarjee Textiles Ltd., Dated: 24.02.2025, (MANU/NL/0154/2025)

The **National Company Law Appellate Tribunal (NCLAT)**, New Delhi has observed that electricity, being an essential supply, cannot be disconnected during the moratorium period under Section 14 of the Insolvency and Bankruptcy Code, 2016, even if no payment is made for the supply. The payment for such supply shall be considered part of the Corporate Insolvency Resolution Process (CIRP) costs.

INTELLECTUAL PROPERTY RIGHTS

Delhi High Court ordered Amazon to pay ₹339.25 crore to luxury brand Beverly Hills Polo Club in trademark infringement suit

Lifestyle Equities Cv & Anr. Vs. Amazon Technologies, Inc. & Ors., Dated: 25.02.2025, (MANU/DE/1166/2025; 2025: DHC:1231)

The **Delhi High Court** has observed that “*the Defendants have indulged in deliberate and wilful infringement as also the various factors which are set out herein above, the royalties that the Plaintiffs would have earned based on their business plan which they clearly achieved in the first year is a reasonable measure of damages in the present case in order to compensate the Plaintiffs*”.

GOODS & SERVICE TAX

Supreme Court: Arrest under GST Act cannot be made solely to investigate whether cognizable and non-bailable offence has occurred

Radhika Agarwal Vs. Union of India and Others, Dated: 27.02.2025, (MANU/SC/0274/2025; 2025 INSC 272)

The **Supreme Court** has observed that “*to pass an order of arrest in case of cognizable and non-cognizable offences, the Commissioner must satisfactorily show, vide the reasons to believe recorded by him, that the person to be arrested has committed a non-bailable offence and that the pre-conditions of sub-section (5) to Section 132 of the GST Act are satisfied. Failure to do so would result in an illegal arrest*”.

Madras High Court: Supply of holographic stickers by Prohibition & Excise Dept for alcohol bottles is considered supply of "goods" and is not taxable

M/s.United Breweries Limited Vs. The Joint Commissioner of GST & Ors., Dated: 24.02.2025, (MANU/TN/0772/2025)

The **Madras High Court** has observed that “*there is no dispute that “label” is “thing” viz., noun. It is a thing and therefore “goods” within the meaning of Section 2(52) of the respective GST enactments as “goods” means every kind of movable property*”.

SERVICE

Supreme Court: Employee cannot be denied pension due to "break in service" if absence was approved as extraordinary leave

Jaya Bhattacharya Vs. The State of West Bengal & Ors., Dated: 25.02.2025, (MANU/SC/0257/2025; 2025 INSC 270)

The **Supreme Court** has observed that “*In our considered view, having once regularized her service during the period of absence by granting extraordinary leave, it cannot be held that the said period can be treated as break in service*”.

Madras High Court: Can't claim HoD's post as absolute right

Prof. Dr.M.Srinivasan Vs. The Chancellor of Universities & Ors., Dated: 25.02.2025, (MANU/TN/0747/2025; 2025: MHC:492)

The **Madras High Court** while refusing to interfere with amendment made to Statute 25, Chapter IX, Volume 1, University Calendar 2016 of the Madras University, has observed that in absence of any alteration in the service conditions for the post of Head of the Department, the post cannot be claimed as an absolute right by the professors.

TENANCY

Supreme Court: Tenant cannot demand that landlord vacate another property to fulfill bona fide need

Kanahaiya Lal Arya Vs. Md. Ehshan & Ors., Dated: 25.02.2025, (MANU/SC/0264/2025; 2025 INSC 271)

The **Supreme Court** has observed that “*the landlord is the best judge to decide which of his property should be vacated for satisfying his particular need. The tenant has no role in dictating as to which premises the landlord should get vacated for his need alleged in the suit for eviction*”.

Notification Updates



Ministry of Communications

Notification No.: DS-28/1/2020-DS-III, Dated: 25.02.2025, MANU/MCOM/0010/2025

The **Ministry of Communications** mandates all licensees to manage license lifecycles and submit reports online via the Saral Sanchar Portal to enhance digitization and efficiency. Offline requests for changes or submissions will no longer be accepted. Licensees must also notify relevant authorities before installing new nodes or starting new services.

Notification No.: SO982(E), Dated: 25.02.2025, MANU/MCOM/0011/2025

The **Central Government** has established standards and conformity assessment measures for specific telecommunication equipment, which will be enforced 180 days after notification. These standards, set by the Telecommunication Engineering Centre, must be adhered to for the import, sale, distribution, or use of the listed equipment.

Ministry of Environment, Forest and Climate Change

Press Information Bureau, Dated: 24.02.2025, MANU/PIBU/0186/2025

The CAQM Sub-Committee has revoked Stage-II of the Graded Response Action Plan (GRAP) in the NCR due to significant improvement in Delhi's air quality, with the AQI recorded at 186. Stage-I actions will remain in place to ensure AQI levels do not deteriorate, and agencies are urged to monitor and implement these measures.

Ministry of Electronics & IT

Press Information Bureau, Dated: 27.02.2025, MANU/PIBU/0193/2025

The government has launched the Aadhaar Good Governance portal to streamline the approval process for Aadhaar authentication requests, enhancing ease of living and service accessibility. This initiative allows both government and private entities to use Aadhaar authentication for public interest services, aiming to improve transparency and inclusivity. The portal provides a step-by-step guide for authentication requests and supports seamless service access across various sectors.

Ministry of Ports, Shipping and Waterways

Press Information Bureau, Dated: 27.02.2025, MANU/PIBU/0196/2025

Union Minister Sarbananda Sonowal launched the 'One Nation-One Port' initiative to standardize operations across India's ports, aiming to enhance efficiency and global competitiveness. The initiative includes the Sagar Ankalan Logistics Port Performance Index and the Bharat Global Ports Consortium to strengthen India's maritime infrastructure and trade. Additionally, the MAITRI app was introduced to streamline trade processes, and the India Maritime Week was announced to celebrate maritime heritage and development.

Reserve Bank of India

**Notification No. : DOR.CRE.REC.63/21.06.001/2024-2025, RBI/2024-2025/119,
Dated: 25.02.2025, MANU/RMIC/0022/2025**

The **Reserve Bank of India** has revised the risk weights for microfinance loans, setting them at 100% for both commercial banks and regional rural banks. Microfinance loans that meet specific criteria may be classified under the regulatory retail portfolio with a 75% risk weight, while those in the nature of consumer credit are excluded from higher risk weights.

**Notification No.: DOR.STR.REC.61/21.06.001/2024-2025, RBI/2024-2025/120,
Dated: 25.02.2025, MANU/RMIC/0021/2025**

The **Reserve Bank of India** has decided to restore the risk weights on exposures of Scheduled Commercial Banks to Non-Banking Financial Companies to align with external ratings, reversing a previous increase. This change will take effect from April 2025, with other instructions remaining unchanged.

**Notification No.: DOR.CRE.REC.62/07.10.002/2024-2025, RBI/2024-2025/118,
Dated: 24.02.2025**

The **Reserve Bank of India** has reviewed and rationalized prudential norms for Urban Co-operative Banks (UCBs) to enhance financial soundness and operational flexibility. Key changes include revised definitions and limits for small value loans, real estate exposure, and provisioning requirements for security receipts. These changes are effective immediately, with some extended timelines for compliance.

Press Release No.: 2024-2025/2231, Dated: 21.02.2025, MANU/RPRL/0141/2025

The **Reserve Bank of India** has released a draft circular on responsible lending conduct concerning foreclosure charges and pre-payment penalties on loans. They are inviting comments from stakeholders and the public, which can be submitted via email by a specified deadline. The final circular will be issued after considering the feedback received.

**Notification No.: FMRD.DIRD.16/14.03.042/2024-2025, RBI/2024-2025/117,
Dated: 21.02.2025, MANU/RMIC/0019/2025**

The **Reserve Bank of India** has issued the "Forward Contracts in Government Securities Directions, 2025," which outlines the framework for undertaking forward contracts in government securities in the OTC market. These directions specify eligibility criteria for market participants, settlement processes, reporting requirements, and compliance obligations. The directions aim to regulate and facilitate transactions in bond forwards, ensuring adherence to prudential norms and accounting standards.

Securities and Exchange Board of India

**Circular No.: SEBI/HO/CFD/CFD-PoD-2/P/CIR/2025/25, Dated: 25.02.2025,
MANU/SMIS/0012/2025**

The **Securities and Exchange Board of India** has collaborated with industry associations and stock exchanges to establish industry standards for disclosing material events under Regulation 30 of the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015. These standards aim to facilitate ease of doing business and ensure compliance by listed entities.

**Circular No.: SEBI/HO/MRD/PoD1/CIR/P/2025/24, Dated: 25.02.2025,
MANU/SDEP/0001/2025**

The **Securities and Exchange Board of India** has decided to allow the opening of demat accounts in the name of Associations of Persons (AoP) for holding securities like mutual funds, corporate bonds, and government securities. This decision aims to facilitate ease of doing business, with specific conditions and responsibilities outlined for AoPs and depositories. The provisions will be effective from June 2025.

Telecom Regulatory Authority of India

Press Release No.: 13/2025, Dated: 21.02.2025, MANU/TRAI/0009/2025

The **Telecom Regulatory Authority of India** has released recommendations for a new framework for service authorizations for broadcasting services under the Telecommunications Act, 2023. The framework aims to simplify and harmonize terms and conditions for broadcasting services, promoting growth and ease of business. It includes provisions for new services, infrastructure sharing, and financial harmonization, with a focus on enhancing consumer choice and reducing electronic waste.

News



Civil

26.02.2025

The **Bombay High Court** while dismissing a man's plea seeking compensation from Municipal Corporation for demolishing his "unauthorised" structure, has observed that a person cannot be permitted to perform an illegal act in the garb of being "illiterate".

25.02.2025

The **Supreme Court** has set aside a direction passed by the Allahabad High Court stating that officials of the Government must get treatment from Government Hospitals in Uttar Pradesh.

The **Delhi High Court** stated that if the Chinese AI platform DeepSeek poses a threat, users have the right to stop using it.

The **Jammu and Kashmir High Court**, while directing an 80% reduction in toll fees at two toll plazas, has observed that if the highway is in a deteriorated condition and uncomfortable to drive on, it is considered unfair for commuters to continue paying tolls; rather, the same is a violation of fair service.

24.02.2025

The **Supreme Court** heard a petition filed by an Advocate, appearing as a petitioner-in-person, challenging the fees and other incidental charges for the All-India Bar Examination (AIBE). According to the petitioner, the Bar Council of India (BCI) charges Rs. 3,500 for the AIBE, which allegedly violates the Supreme Court's judgment in the Gaurav Kumar v. UOI (2024) case.

The **Supreme Court**, while dismissing a Public Interest Litigation (PIL) seeking regulation of internet prices, has stated that consumers have multiple options of availing internet services as it is a free market.

The **Supreme Court** expressed dismay over the States' failure to take action against misleading medical advertisements.

The **Kerala High Court** has directed the Kerala State Legal Services Authority (KeLSA) to collect grievances and suggestions from residents of areas affected by human- animal conflict, seeking a lasting solution.

23.02.2025

The General Counsels' Association of India (GCAI) has requested the Law Ministry to allow 'legal practitioners' in private or public organizations the option to enroll as advocates and represent their employers in court.

Customs

26.02.2025

The **Bombay High Court** while hearing Skoda Auto Volkswagen India's petition challenging tax demand by Indian Customs authority, has asked the Customs Authority to file an affidavit explaining how the show-cause notice issued to the company is not barred by limitation.

Insolvency

27.02.2025

The Chennai Bench of the **National Company Law Appellate Tribunal** (NCLAT) overturned the National Company Law Tribunal (NCLT) order that had previously admitted Coffee Day Enterprises Ltd (CDEL), the operator of the Cafe Coffee Day chain, into the Corporate Insolvency Resolution Process (CIRP).

Family

27.02.2025

The Union Government informed the **Karnataka High Court** that it is working on drafting guidelines for determining child custody issues and plans to release them within two to three months.

Securities and Exchange Board of India

01.03.2025

A **Mumbai Court** ordered the Anti-Corruption Bureau (ACB) to file an FIR against former SEBI chairperson Madhabi Puri Buch, three current whole-time directors of SEBI, and two BSE officials in connection with a listing fraud from 1994



International Updates

Banking

FSB outlines 2025 priorities, emphasizing digital innovation and global stability

The Financial Stability Board (FSB) has released its Work Program for 2025, identifying key financial risks and strategic priorities. The report underscores the importance of digital innovation, climate change, and macroeconomic shifts, shaping regulatory approaches worldwide, including in Australia. As Australian regulators often align with FSB recommendations, the report is expected to influence the country's financial oversight. With a strong focus on global collaboration and stability, the FSB's agenda sets the stage for significant regulatory developments in Australia's financial sector.

ASIC proposes easing compliance requirements for financial licensees

The Australian Securities and Investments Commission (ASIC) has initiated consultations on additional compliance relief measures for financial services and credit licensees. The proposal, outlined in Consultation Paper CS 16, seeks to reduce the reporting burden related to misleading and deceptive conduct breaches and civil penalty provisions. ASIC aims to consolidate these exemptions into a single instrument, building on the existing ASIC Instrument 2024/620. The regulator has justified the changes by citing the limited intelligence value of certain reports under the current framework. The consultation process will remain open until 11 March 2025.

Capital Markets

CSLR levy hike prompts Treasury review amid industry concerns

Australia's Compensation Scheme of Last Resort (CSLR) has released its actuarial report for 2025-26, triggering alarm in the financial sector due to a sharp increase in levies. The proposed AU\$70 million levy for the financial advice sub-sector far exceeds the AU\$20 million cap, primarily due to claims linked to Dixon Advisory and United Global Capital. In response, the Treasury has announced a review of the scheme's funding structure. Meanwhile, the Senate inquiry into Dixon Advisory's collapse is expected to further scrutinize the CSLR's design flaws, as previously raised in submissions by K&L Gates.

ASIC seeks feedback on public and private capital markets

ASIC has published a discussion paper titled *Australia's evolving capital markets: A discussion paper on the dynamics between public and private markets*, calling for industry input on regulatory settings. The paper highlights concern over IPO declines, investor risks in private markets, and market efficiency. ASIC is particularly focused on transparency issues, investor protection, and competition. ASIC Chair Joe Longo emphasized that the discussion is a key regulatory initiative for the year, aiming to balance market accessibility with necessary oversight. The paper seeks actionable insights to refine regulatory approaches.

Competition & Antitrust

ACCC targets supermarkets, essential services, and misleading pricing practices

The Australian Competition and Consumer Commission (ACCC) has unveiled its 2025-26 enforcement priorities, emphasizing cost-of-living concerns and market competition. Chair Gina Cass-Gottlieb announced that supermarkets, essential services, and misleading surcharging practices will be key areas of focus. The ACCC also aims to enforce compliance with Australia's new merger control regime while continuing its long-standing efforts against cartel behavior and anti-competitive conduct. The regulator's increased scrutiny of digital markets and sustainability initiatives reflects broader economic challenges facing consumers and businesses.

Employment & Labor

Federal Court rules against consecutive fixed-term contracts in NRL case

The Federal Court of Australia has ruled on *Alouani-Roby v National Rugby League Ltd [2024] FCAFC 161*, clarifying the treatment of fixed-term employment contracts. Tim Alouani-Roby, a professional rugby referee, had been engaged under successive contracts between 2015 and 2020 before being informed of non-renewal. He claimed unfair dismissal, arguing that the contract's expiration should be deemed a termination. However, the Fair Work Commission dismissed his claim, stating that employment ended per contractual terms. The case highlights ongoing legal debates over employment protections for workers on recurring fixed-term agreements.

Trademark

Legal hurdles for 'As Ever' trademark in Australia and New Zealand

Meghan, the Duchess of Sussex, has rebranded her business from *American Riviera Orchard* to *As Ever* before launching any products, citing concerns that the original name was geographically limiting. The U.S. trade mark applications for *American Riviera Orchard* faced multiple challenges, including being deemed geographically descriptive by the United States Patent and Trademark Office (USPTO) and a letter of protest claiming potential confusion with *Royal Riviera*. Following this shift, *2022 Trade Marks LLC* has filed trade mark applications for *As Ever* in both standard and stylized forms, along with a logo featuring a palm tree and two birds, which remain under USPTO examination. The success of this rebranding in Australia and New Zealand remains to be seen.

Banking

Proposed diversity disclosure rules for federally regulated financial institutions

On February 15, 2025, the Department of Finance proposed new Diversity Information Disclosure Regulations requiring federally regulated financial institutions (FRFIs) to report diversity representation in senior leadership. The rules, covering banks, trust and loan companies, and insurers, align with Canada's "comply or explain" model introduced under the Canada Business Corporations Act in 2020. FRFIs must disclose data on designated groups, including women, Indigenous peoples, persons with disabilities, and visible minorities, in roles such as CEO, CFO, and board members. The initiative marks a significant step in improving transparency and inclusivity in corporate governance.

Capital Markets

SEC's crypto enforcement actions indicate a shift in U.S. regulatory approach

Recent developments in U.S. Securities and Exchange Commission (SEC) proceedings against cryptocurrency firms, particularly *SEC v. Coinbase Global Inc.*, suggest a more industry-friendly stance. On February 21, 2025, Coinbase announced that the SEC has agreed in principle to drop its enforcement action, with a formal vote expected soon. This decision aligns with President Trump's pro-crypto policy direction, emphasizing a lighter regulatory touch. The SEC has also concluded investigations into other major players, including OpenSea and Robinhood, signaling a potential shift in how crypto-related activities are policed in North America.

Sanctions & Compliance

Canada expands Russian sanctions and designates criminal organizations as terrorist entities

The Canadian government has imposed additional sanctions on 32 individuals and 44 entities linked to Russia's invasion of Ukraine. The measures now cover past and present conduct, including former senior officials and two non-Russian affiliates of a sanctioned Russian entity. Further, on February 14, 2025, Canada sanctioned Volga-Dnepr Airlines (Ireland) Limited and Volga-Dnepr Logistics B.V. under the *Special Economic Measures (Russia) Regulations*. Additionally, Canada has designated seven transnational criminal organizations, including major cartels, as terrorist entities under the *Criminal Code*, increasing compliance requirements for businesses operating in high-risk sectors.

Environment & Climate Change

Canada unveils draft federal offset protocol for direct air carbon capture projects

Environment and Climate Change Canada (ECCC) has introduced a draft offset protocol for Direct Air Carbon Dioxide Capture and Geological Storage (DACCS) projects, allowing such initiatives to generate carbon credits under the *Canadian Greenhouse Gas Offset Credit System Regulations*. DACCS projects remove CO₂ from the atmosphere through chemical,

mechanical, or electrochemical processes and store it underground. The protocol aligns with *ISO 14064-2:2019* standards to ensure verified, quantifiable, and permanent emissions reductions. Once finalized, the new framework will add to existing offset protocols, supporting Canada's broader climate strategy.

IT & Data Protection

Alberta strengthens cybersecurity requirements for critical infrastructure

Effective May 31, 2025, the *Alberta Security Management for Critical Infrastructure Regulation* will impose new security standards for energy and resource facilities identified by the Alberta Energy Regulator. These facilities must comply with *CSA Z246.1: Security Management for Petroleum and Natural Gas Industry Systems*, covering cybersecurity, information security, physical security, personnel security, and incident management. This regulation replaces prior security measures under the *Emergency Management Act*, aligning Alberta's infrastructure protections with evolving threats and industry best practices.

Litigation

Condominium Authority Tribunal orders removal of abandoned vehicles in Scarborough

In *Toronto Standard Condominium Corporation No. 1704 v. Mohamed*, the Condominium Authority Tribunal (CAT) ruled that two abandoned vehicles in a common element driveway must be removed. The vehicles, left for two years, had no license plates, one had a broken window, and another was leaking fluids. Despite repeated requests, the owner failed to act. The Tribunal determined that the prolonged abandonment violated condominium rules, allowing the corporation to enforce their removal. This decision underscores the enforcement powers of condominium corporations in maintaining shared property.

Patent

Patent Appeal Board rejects AI-based patent for lacking physicality under Canadian law

The Patent Appeal Board, in *Stanley Victor Campbell (Re)*, 2024 CACP 107, upheld the rejection of a patent application for an AI-based system using neural computational logic and graphical user interfaces. Applying the practice guidance *PN2020-04*, the Board found the invention to be an unpatentable abstract idea under section 2 and subsection 27(8) of the *Patent Act*. This decision reinforces Canada's stringent requirements for patenting software-based innovations, emphasizing the necessity of demonstrating a tangible improvement to a computing system beyond abstract algorithms.

CHINA

Arbitration & ADR

New arbitration rules for Greater Bay Area enterprises with Hong Kong and Macau investors

A judicial interpretation issued by the Supreme People's Court of China (Fa Shi [2025] No. 3) on February 14, 2025, allows contracts involving Hong Kong and Macau-invested enterprises in the Guangdong-Hong Kong-Macao Greater Bay Area to adopt Hong Kong or Macau governing law and arbitration clauses. Previously, such contracts had to be governed by mainland Chinese law and arbitration. The change expands dispute resolution options for enterprises operating in cities such as Guangzhou, Shenzhen, and Zhuhai, further solidifying Hong Kong's role as a key offshore arbitration hub. The reforms complement Hong Kong's existing advantage of allowing interim measures from mainland Chinese courts in arbitration cases administered by qualifying institutions.

IT & Data Protection

China introduces compliance audit measures for personal information protection

The Cyberspace Administration of China has released the *Measures for Personal Information Protection Compliance Audits*, which will take effect on May 1, 2025. Under these measures, personal information processors handling data of over 10 million individuals must conduct audits at least once every two years, while others must determine audit frequency based on operational risks. Authorities may also mandate audits if significant risks, security breaches, or mass data leaks occur. These measures build upon obligations under the *Personal Information Protection Law of the People's Republic of China* and the *Regulations on Network Data Security Management*, reflecting China's evolving stance on data security and regulatory compliance.

ITALY

Data Protection

Italian DPA blocks DeepSeek over GDPR non-compliance concerns

The Italian Data Protection Authority (Garante per la protezione dei dati personali) has temporarily banned *DeepSeek*, a chatbot service operated by *Hangzhou DeepSeek Artificial Intelligence* and *Beijing DeepSeek Artificial Intelligence*, over concerns about its compliance with the General Data Protection Regulation (GDPR). The decision follows the companies' assertion that they are not subject to GDPR and do not operate in Italy, despite indications that Italian users' data was being processed. The Italian DPA cited the companies' failure to provide clear details on data handling as the reason for the suspension and has launched a formal investigation into the matter.

Arbitration & ADR

New judicial interpretation expands arbitration options for Greater Bay Area enterprises

The Supreme People's Court of China, through its judicial interpretation (Fa Shi [2025] No. 3), has allowed contracts involving Hong Kong and Macau investors in the Guangdong-Hong Kong-Macao Greater Bay Area to adopt Hong Kong or Macau law and arbitration, even without foreign-related elements. Previously, only PRC law and mainland-seated arbitration were permitted. Effective from February 14, 2025, the rule strengthens Hong Kong's position as a dispute resolution hub, enabling parties in Hong Kong-seated arbitrations to seek interim relief from PRC courts, further integrating cross-border legal frameworks.

Capital Markets

SFC issues circular on closed-ended alternative asset funds

The Securities and Futures Commission (SFC) released a circular on February 17, 2025, outlining new regulations for listing closed-ended alternative asset funds in Hong Kong. These funds will primarily invest in private equity, private credit, and infrastructure assets without restrictions on asset classes, though heavy real estate investments may require differentiation from REITs. The initiative aims to position Hong Kong as a leading asset management center. The SFC, in consultation with industry stakeholders, including the Hong Kong Venture Capital and Private Equity Association, will oversee the framework's implementation.

SFC expands listed structured fund offerings

On January 23, 2025, the Securities and Futures Commission (SFC) issued a circular expanding the regulatory framework for listed structured funds. Previously limited to leveraged and inverse products tracking broad-based indices, the new rules allow for (i) Single Stock L&I Products that amplify daily returns of individual stocks and (ii) Defined Outcome Listed Structured Funds using options-based strategies for controlled exposure. The SFC mandates additional compliance measures beyond the Code on Unit Trusts and Mutual Funds due to the complexity of these products, reinforcing investor protection while diversifying Hong Kong's financial market offerings.

INDONESIA

Product Regulation & Liability

Indonesia's BPOM proposes new food labeling regulations

Following Government Regulation No. 28 of 2024, Indonesia's Food and Drug Authority (BPOM) has drafted new rules to enhance labeling requirements for processed foods, particularly concerning sugar, salt, and fat content (GGL). Effective since July 26, 2024, the regulation mandates Nutritional Value Information (Informasi Nilai Gizi) on packaging for all processed and ready-to-eat foods. These measures aim to improve public awareness of nutritional content and align Indonesian food safety standards with global practices. The BPOM's draft regulations, available for review since February 25, 2025, are expected to refine labeling compliance mechanisms further.

EUROPEAN UNION

Shipping & Transport

EU launches Ship Financing Portal for green maritime transition

The European Commission has introduced the Ship Financing Portal, a digital platform aimed at improving financial accessibility for the maritime sector's decarbonization efforts. The portal consolidates funding options from the EU, Member States, and private institutions, streamlining access to grants, loans, and sector-specific investment tools. Designed to support ship renewal, retrofitting, and energy efficiency improvements, the initiative addresses previous funding challenges faced by maritime enterprises, particularly SMEs. By providing real-time financial data and targeted resources, the portal is expected to accelerate the EU's commitment to sustainable shipping practices.

MACAU

Arbitration & ADR

New rules allow Hong Kong and Macau law in Greater Bay Area contracts

A judicial interpretation issued by the PRC Supreme People's Court (Fa Shi [2025] No. 3), effective from February 14, 2025, now permits contracts involving certain enterprises with Hong Kong and Macau investors in the Guangdong-Hong Kong-Macao Greater Bay Area to adopt Hong Kong or Macau governing law and arbitration clauses. This change applies even if the contracts lack foreign-related elements, such as those solely involving mainland PRC entities. Previously, only PRC governing law and mainland-seated arbitration were allowed. The move strengthens Hong Kong's role as a key offshore forum for resolving PRC-related disputes, enhancing its arbitration advantages, including access to interim relief from mainland courts.

MALAYSIA

IT & Data Protection

Guidelines issued for data protection officer appointment and breach notification

On February 25, 2025, the Personal Data Protection Commissioner released two new guidelines—the Data Protection Officer Guideline and the Data Breach Notification Guideline—to complement amendments introduced by the Personal Data Protection (Amendment) Act 2024. These guidelines provide clarity on appointing data protection officers and mandatory breach notifications. The initiative follows the Digital Minister's announcement in early 2024 that supplementary data protection guidelines would be issued in two phases. The first tranche includes rules on data portability and cross-border data transfer, reflecting Malaysia's commitment to strengthening personal data protection and compliance standards.

SINGAPORE

Media & Entertainment

Singapore High Court blocks 22 illegal streaming sites in piracy crackdown

The Singapore High Court has ordered internet service providers to block 22 illegal streaming sites and 70 related domains, intensifying the country's anti-piracy measures. The ruling, issued on February 16, 2025, follows efforts by the Asia Video Industry Association's Coalition Against Piracy (CAP), which includes media giants such as BBC Studios, the Premier League, beIN Sports, Canal+ International, DFL Deutsche Fußball Liga, and LaLiga. Authorities emphasize that piracy not only harms content creators but also exposes users to cybersecurity threats, including malware and identity theft. The decision underscores Singapore's firm stance on protecting intellectual property and digital consumers.

SOUTH KOREA

Patents

Samsung Bioepis wins patent dispute over aflibercept biosimilar

In *Regeneron Pharmaceuticals, Inc. v. Samsung Bioepis Co., Ltd.*, the Seoul Central District Court ruled in favor of Samsung Bioepis on February 21, 2025, in a dispute over Afilivu® (SB15), a biosimilar of Regeneron's Eylea® (aflibercept). Regeneron had sought to block the production and sale of Afilivu® in Korea, but the court's decision allows Samsung Bioepis to proceed, though further challenges remain. A separate injunction request filed by Regeneron last week is pending. Meanwhile, the U.S. Court of Appeals for the Federal Circuit recently upheld an injunction preventing Samsung Bioepis from launching Afilivu® in the U.S. due to patent infringement concerns.

Corporate Finance & M&A

Cayman Islands sees rise in 'evergreen' fund structures for private equity

Investment funds in the Cayman Islands are evolving, with increasing adoption of "evergreen" structures that merge the long-term investment benefits of private funds with the flexibility of open-ended funds. According to Ogier's new Investment Funds partners, Gemma Cowan, Jessica Crawford, and Graeme Loarridge, this model allows continuous capital raising while permitting investor redemptions at set intervals. These trends reflect the Cayman Islands' status as a key global finance hub for private equity and hedge fund investments. Regulatory and governance developments continue to shape fund structuring, reinforcing Cayman's attractiveness for fund sponsors and institutional investors.

USA

Arbitration & ADR

U.S. Supreme Court declines to resolve circuit split on arbitration clauses in ERISA-covered plans

The U.S. Supreme Court has denied Tenneco and its subsidiary, Driv Automotive, Inc., certiorari, leaving unresolved a circuit split over the enforceability of arbitration provisions in retirement plans governed by the Employee Retirement Income Security Act (ERISA). In *Hawkins v. Cintas Corporation*, 40 F.4th 517 (6th Cir. 2022), the Sixth Circuit ruled that Tenneco's mandatory arbitration provision violated the effective vindication doctrine under the Federal Arbitration Act by limiting plan-wide relief, a remedy ERISA explicitly provides. Employees accused Tenneco of breaching fiduciary duties by retaining underperforming investments, causing financial losses. With no Supreme Court intervention, plan sponsors face continued legal uncertainty over arbitration clauses in ERISA-governed plans.

California federal court allows mass arbitration opt-outs in Google class action

A federal court in the Northern District of California has rejected Google's attempt to prevent over 69,000 individuals from opting out of a certified class to pursue individual arbitration in *In re Google Assistant Privacy Litigation*, 2025 WL 510435 (N.D. Cal. Feb. 14, 2025). After the court certified a class in December 2023 over privacy concerns related to Google Assistant devices, plaintiffs' firm Labaton Keller Sucharow LLP submitted a mass exclusion request. Google challenged the request, arguing it violated due process and lacked required individual signatures. The court ruled in favor of the opt-outs, allowing thousands of class members to pursue arbitration, potentially reshaping mass arbitration strategies in consumer litigation.

Banking

Fannie Mae and Freddie Mac implement new multifamily lease requirements

Effective February 28, 2025, Fannie Mae and Freddie Mac will enforce new leasing standards for multifamily properties financed by government-sponsored enterprises (GSEs). Under these rules, leases must provide tenants with a 30-day notice before rent increases or lease expirations and a five-day grace period before late fees apply. The new requirements apply to loans issued after the effective date, with exemptions for cooperative housing, manufactured home communities, and short-term leases. Borrowers must implement the standards within six months and achieve full compliance within 24 months, with non-compliance potentially triggering loan defaults and penalties of 0.20% of the loan amount.

Capital Markets

SEC updates guidance on shareholder proposals, tightening exclusions under Rule 14a-8

The U.S. Securities and Exchange Commission (SEC) has issued Staff Legal Bulletin No. 14M (SLB 14M), revising its approach to shareholder proposals under Exchange Act Rule 14a-8. The bulletin, released on February 12, 2025, rescinds *Staff Legal Bulletin No. 14L*, which had limited companies' ability to exclude proposals addressing social policy issues. Under SLB 14M, the SEC reintroduces a company-specific analysis that broadens the scope for excluding shareholder proposals deemed economically irrelevant or related to a company's ordinary business. This shift is expected to favor corporations in proxy battles by making it easier to exclude proposals on issues such as climate change and diversity policies.

SEC extends compliance deadlines for U.S. Treasury securities clearing rules

On February 25, 2025, the SEC postponed compliance deadlines for Rule 17ad-22(e)(18)(iv)(A) and (B) of the Securities Exchange Act, which mandates central clearing for U.S. Treasury securities transactions. Originally set for 2025, the deadlines have been extended to December 31, 2026, for cash market transactions and June 30, 2027, for repo transactions. The SEC also granted a temporary exemption from Exchange Act Rule 17ad-22(e)(6)(i), which requires separate margin collection for proprietary and indirect participant transactions. The extensions provide financial institutions additional time to comply with clearing and settlement mandates, aiming to enhance market stability.

Construction

ASBCA restrictively interprets release clauses in government contracts

The Armed Services Board of Contract Appeals (ASBCA) ruled in *Sauer Construction, LLC v. United States*, ASBCA No. 63738 (Jan. 30, 2025), that broad release language in contract modifications does not automatically preclude future claims unless explicitly stated. Sauer Construction sought compensation for rust remediation after a government-mandated suspension but faced denial based on prior modifications. The ASBCA found that the standard release language was too ambiguous to bar Sauer's claim, emphasizing that contractors must carefully draft modifications to preserve claims. The decision underscores the importance of precise contract language to avoid unintended waivers in government contracts.

Corporate Finance/M&A

Trump administration unveils "America First Investment Policy" to reshape foreign investment regulations

On February 21, 2025, President Donald Trump issued a National Security Presidential Memorandum (NSPM) introducing the "America First Investment Policy," aimed at boosting investments from allied nations while tightening controls on foreign adversaries, particularly China. The policy underscores the link between economic security and national security, focusing on safeguarding key U.S. industries from foreign influence. Instead of implementing immediate changes, the NSPM instructs federal agencies, including the U.S. Department of the Treasury, to develop enforcement mechanisms that align with its objectives. The directive builds upon existing frameworks like the Committee on Foreign Investment in the United States (CFIUS) and the Outbound Investment Security Program established under Executive Order 14105. Although regulatory measures are yet to be finalized, the memorandum sets the tone for a stricter investment policy aimed at countering economic threats from foreign rivals.

Employment & Labor

NLRB acting general counsel revokes Biden-era pro-labor policy directives

On February 14, 2025, National Labor Relations Board (NLRB) Acting General Counsel William B. Cowen issued General Counsel Memorandum GC 25-05, rescinding several policy memos introduced under the Biden administration that had strengthened worker and union rights. While these memos do not have legal authority, they shape the agency's enforcement priorities under the National Labor Relations Act (NLRA). Among the rescinded guidance was GC Memo 23-05, which had restricted the use of broad confidentiality and non-disparagement clauses in severance agreements. Additionally, GC Memo 23-08 and GC Memo 25-01, which sought to ban non-compete agreements, were also revoked. The decision signals a shift toward a more employer-friendly stance under the Trump administration. Meanwhile, ongoing litigation regarding President Trump's removal of former NLRB Chair Gwynne Wilcox has left the Board without a quorum, further complicating enforcement efforts.

Michigan legislature revises earned sick time and minimum wage laws

On February 21, 2025, Michigan lawmakers passed amendments to the Earned Sick Time Act, bringing changes to employer obligations while granting large businesses until March 23, 2025, to meet the law's notice requirements. Additionally, the state's minimum wage increased from \$10.56 to \$12.48 per hour, though the tipped minimum wage structure remains intact, with gradual increases planned through 2031. These legislative updates follow the Michigan Supreme Court's decision in *Mothering Justice v. Attorney General*, 991 N.W.2d 175 (Mich. 2024), which upheld the original provisions of the law. While the revisions provide some relief for employers, they do not eliminate all compliance burdens.

Environment & Climate Change

Federal court dismisses key challenges to California's corporate climate disclosure laws

On February 3, 2025, the U.S. District Court for the Central District of California ruled in *Chamber of Commerce of the United States of America v. California Air Resources Board*, No. 2:24-cv-01567 (C.D. Cal. 2025), rejecting claims that California's new climate disclosure laws violate the Supremacy Clause and the Dormant Commerce Clause. The lawsuit targeted Senate Bill 253, which mandates large corporations to report their greenhouse gas emissions, and Senate Bill 261, which requires businesses to disclose climate-related financial risks. However, the court allowed claims based on First Amendment violations to proceed, as companies argued that compelled disclosures infringed upon their constitutional rights. This ruling represents a partial victory for California regulators, but further legal battles over corporate climate transparency are expected.

Immigration

Trump administration proposes \$5 million "Gold Visa" for wealthy foreign investors

On February 25, 2025, President Donald Trump announced plans for a new \$5 million "Gold Visa" program, which would allow foreign investors to obtain U.S. citizenship by making a direct payment to the government. The proposal has sparked debate over its potential impact on the existing EB-5 Immigrant Investor Program. Some critics argue that the President lacks the authority to unilaterally terminate EB-5 without congressional approval, while others believe this move is part of broader immigration negotiations. Investors currently in the EB-5 process remain uncertain about how this policy shift might affect their applications. While the full implications are unclear, this proposal marks a significant potential change in U.S. immigration policy for high-net-worth individuals.

USCIS strengthens enforcement of alien registration under new executive order

On January 20, 2025, President Donald Trump signed Executive Order 14159, titled "Protecting the American People Against Invasion," directing the Department of Homeland Security (DHS) to ensure stricter compliance with alien registration requirements under the Immigration and Nationality Act (INA) § 262. Under this law, foreign nationals aged 14 and older who were not registered upon arrival in the U.S. must do so within 30 days. Parents or guardians must register minor children, and individuals turning 14 must also re-register. Failure to comply may result in civil or criminal penalties, including fines and misdemeanor prosecution. The executive order emphasizes stricter enforcement of existing laws, reflecting the administration's tougher stance on immigration compliance.

Trade & Customs

Updated guidance on additional duties for Chinese and Hong Kong imports

U.S. Customs and Border Protection (CBP) has issued new guidelines following the Executive Order imposing an additional 10% ad valorem duty on goods from China and Hong Kong. CBP has emphasized that entry summaries that do not include these duties under HTS heading 9903.01.20 will be rejected, requiring resubmission within two business days. Failure to comply may result in liquidated damages under 19 C.F.R. § 142.15, potentially amounting to the full bond value for single or continuous entry bonds. These measures reinforce CBP's commitment to enforcing trade policies and ensuring compliance with tariff obligations.

A yellow typewriter is positioned on a yellow background. A sheet of white paper is inserted into the carriage. Three crumpled pieces of white paper are scattered on the surface below the typewriter. A vertical red bar is visible on the left side of the image.

Trending in **News**

Can You File an RTI via Email? Punjab & Haryana High Court Says Yes!

In an era where digital communication is transforming how we access public information, a recent decision by the Punjab and Haryana High Court is setting a new standard. In the case of ***Dr. Sandeep Kumar Gupta v. State Information Commission, Haryana & Ors*** (MANU/PH/0474/2025, 2025:PHHC:023991), the Court ruled that citizens may use email to file RTI requests without the need for a physical, signed document.



Case Background and Ruling

Dr. Sandeep Kumar Gupta sought information from Guru Jambheshwar University of Science and Technology, Hisar by sending an email and depositing the requisite fee in the university's bank account. The university, however, refused to provide the information, arguing that the Right to Information Act, 2005 (RTI Act) required a written application bearing an original signature to deter fraudulent submissions. Despite the State Information Commission's reluctance to fully endorse this digital method, Dr. Gupta maintained that Section 6 of the RTI Act does not specify that applications must be submitted on paper.

Justice Harsimran Singh Sethi, presiding over the matter, examined the statutory language and held that the Act's intent is to guarantee access to information, not to burden citizens with outdated procedural requirements. With the petitioner's identity confirmed evidenced by his appearance before the Court, the requirement for a physical signature was deemed unnecessary. The Court directed that the information requested be furnished within 30 days, thereby affirming that an email request, when properly authenticated, is fully compliant with the Act.

Legal Reasoning: The Role of Section 6

At the heart of this decision lies Section 6 of the RTI Act, 2005. The petitioner's counsel argued that this section does not mandate the submission of a hard copy with a physical signature; it merely requires that the request be "in writing" and that the applicant's identity be verified. The university's insistence on a written, signed application was seen as an arbitrary barrier that could deter citizens from exercising their right to information. Justice Sethi's interpretation underlined that modern, electronic methods of communication can satisfy the Act's requirements, provided there is clear confirmation of the applicant's identity.