

03 March 2025 – 08 March 2025



Manupatra Weekly Wrap

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

Case Laws



ARBITRATION

Delhi High Court upholds arbitral award exempting Delhi Airport from fee payments during COVID

Airports Authority Of India Vs. Delhi International Airport Limited & Anr., Dated: 07.03.2025, (MANU/DE/1507/2025; 2025:DHC:1523)

The **Delhi High Court** upheld an arbitral award in favor of Delhi International Airport Limited (DIAL), relieving it from paying annual fees (AF) to the Airports Authority of India (AAI) during the COVID-19 pandemic by observing that “*It is a matter of common acknowledgement that during Covid, it had materially and adversely effected the function of the business*”.

Bombay High Court: LLP can be bound by arbitration clause, even if, it didn't sign LLP agreement

Kartik Radia Vs. M/S. BDO India LLP And Anr., Dated: 04.03.2025, (MANU/MH/1251/2025)

The **Bombay High Court** has observed that an LLP's lack of signature on an LLP Agreement does not automatically prevent it from being involved in arbitration proceedings between partners under the agreement's arbitration clause.

BANKING

Supreme Court: Non-executive and independent directors are not liable for cheque dishonour unless directly involved shown

K. S. Mehta Vs. M/S Morgan Securities and Credits Pvt. Ltd., Dated: 04.03.2025, (MANU/SC/0308/2025; 2025 INSC 315)

The **Supreme Court** has observed that “*This Court has consistently held that non-executive and independent director(s) cannot be held liable under Section 138 read with Section 141 of the NI Act unless specific allegations demonstrate their direct involvement in affairs of the company at the relevant time*”.

CIVIL

Supreme Court directs High Courts to ensure that lower courts resolve execution petitions within six months

Periyammal (Dead) Through Lrs & Ors. Vs. V. Rajamani & Anr. Etc., Dated: 06.03.2025, (MANU/SC/0323/2025; 2025 INSC 329)

The **Supreme Court** directed all the High Courts nationwide to gather data from the district judiciary regarding civil execution petitions pending in various courts. The Court also directed the High Courts to issue orders to the district judiciary, ensuring these petitions are resolved within six months.

Supreme Court: Party remains liable for prior violations, even if, the injunction is later lifted

Smt. Lavanya C & Anr. Vs. Vittal Gurudas Pai Since Deseased by Lrs. & Ors., Dated: 05.03.2025, (MANU/SC/0318/2025; 2025 INSC 325)

The **Supreme Court** while taking into consideration the case of Samee Khan v. Bindu Khan has observed that “if the injunction order was subsequently set aside, the disobedience thereof is not erased. The subsequent dismissal of a suit does not absolve the party of liability of breach of injunction order”.

Supreme Court quashes Madhya Pradesh Judicial Services Rules barring visually impaired from seeking appointments

In Re: Recruitment Of Visually Impaired in Judicial Services, Dated: 03.03.2025, (MANU/SC/0307/2025; 2025 INSC 300)

The **Supreme Court** has observed that “visually impaired candidates cannot be said to be ‘not suitable’ for judicial service and Rule 6A of the Madhya Pradesh Judicial Service Examination (Recruitment and Conditions of Service) Rules, 1994 falls foul of the Constitution”.

Supreme Court: Washing and dry cleaning of clothes falls within ambit of 'manufacturing process' under the Factories Act

The State of Goa & Anr. Vs. Namita Tripathi, Dated: 03.03.2025, (MANU/SC/0304/2025; 2025 INSC 306)

The **Supreme Court** has observed that “Manufacturing process” has been defined to mean any process for washing or cleaning with a view to its use, sale, transport, delivery or disposal. The linen deposited with the launderer is, after washing and cleaning, delivered to the customer for use”.

CRIMINAL

Supreme Court denies anticipatory bail stating that courts shouldn't hesitate to deny same, if necessary for corruption free society

Devinder Kumar Bansal Vs. The State Of Punjab, Dated: 03.03.2025, (MANU/SC/0309/2025; 2025 INSC 320)

The **Supreme Court** has observed that “Anticipatory bail can be granted only in exceptional circumstances where the Court is prima facie of the view that the applicant has been falsely enroped in the crime or the allegations are politically motivated or are frivolous.”

Supreme Court throws light on when criminal trial can be transferred from one state to another under Section 406 of CrPC

M/s Shri Sendhur Agro & Oil Industries Vs. Kotak Mahindra Bank Ltd., Dated: 06.03.2025, (MANU/SC/0325/2025; 2025 INSC 328)

The **Supreme Court** has observed that “*although no rigid and inflexible rule or test could be laid down to decide whether or not the power under Section 406 Cr.P.C should be exercised, yet it is manifest from a bare reading of sub-sections (2) and (3) of the said section and on an analysis of the decisions of this Court that an order of transfer of trial is not to be passed as a matter of routine and more particularly on the plea of lack of territorial jurisdiction of the court to try the offence under Section 138 of the N.I. Act*”.

Supreme Court: Suicide note alone isn't enough for conviction without proof of incitement by accused near time of death

Patel Babubhai Manohardas & Ors. Vs. State Of Gujarat, Dated: 05.03.2025, (MANU/SC/0321/2025; 2025 INSC 322)

The **Supreme Court** has observed that “*Abetment to commit suicide involves a mental process of instigating a person or intentionally aiding a person in the doing of a thing. Without a positive proximate act on the part of the accused to instigate or aid in committing suicide, conviction cannot be sustained. Besides, in order to convict a person under Section 306 IPC, there has to be a clear mens rea to commit the offence*”.

Supreme Court: Bail in dowry cases, when direct evidence available, shakes confidence of public

Shabeen Ahmad Vs. The State Of Uttar Pradesh & Anr., Dated: 03.03.2025, (MANU/SC/0301/2025; 2025 INSC 307)

The **Supreme Court** has observed that “*In dowry-death cases, courts must be mindful of the broader societal impact, given that the offence strikes at the very root of social justice and equality. Allowing alleged prime perpetrators of such heinous acts to remain on bail, where the evidence indicates they actively inflicted physical, as well as mental, torment, could undermine not only the fairness of the trial but also public confidence in the criminal justice system*”.

Supreme Court quashes rape case against a man wherein the women had consensual relationship for 16 years

Rajnish Singh @ Soni Vs. State Of U.P. And Another, Dated: 03.03.2025, (MANU/SC/0300/2025; 2025 INSC 308)

The **Supreme Court** has observed that “*It is hard to believe that the complainant, being a highly qualified and well-placed major woman, kept on bending to the demands of the appellant for a period of nearly 16 years without raising any protest to any quarter that the appellant was exploiting her sexually under the pretext of a false promise of marriage. The prolonged period of 16 years during which the sexual relations continued unabatedly between the parties, is sufficient to conclude that there was never an element of force or deceit in the relationship*”.

CONTEMPT OF COURT

Kerala High Court: Appeals U/S 19 of Contempt of Court Act can only be against order that imposes punishment

Lt.Gen Sukhdeep Sangwan & Ors. Vs. Bijukumar.S & Ors., Dated: 03.03.2025, (MANU/KE/0600/2025; 2025:KER:17422)

The **Kerala High Court** has observed that the scheme of Section 19 of the Contempt of Courts Act, 1971, the Rules framed thereunder, and the decisions of the Apex Court indicate that only those orders that are inextricably connected to and incidental to the order of punishment can be the subject matter of an appeal along with the order imposing punishment.

ENVIRONMENT

Delhi High Court: Impermissible to award less than minimum prescribed sentence under Wildlife Protection Act

Central Bureau of Investigation Vs. MD. Yaseen Wani & Ors., Dated: 04.03.2025, (MANU/DE/1383/2025; 2025: DHC: 1293)

The **Delhi High Court** has stated that it is impermissible to award less than minimum prescribed sentence under Wildlife Protection Act, 1972 as granting a lesser sentence would frustrate the very object of the Act and set a dangerous precedent for future cases.

EDUCATION

Delhi High Court issues guidelines for regulated use of smartphones by students in schools

Y V Vs. Kendriya Vidyalaya & Ors., Dated: 28.02.2025 (MANU/DEOR/16291/2025)

The **Delhi High Court** has issued guidelines for regulated use of smartphones by students in schools, has observed that completely banning students from using of phones is not a desirable approach.

ELECTION

Supreme Court: Every document related to election is crucial

Vijay Bahadur Vs. Sunil Kumar & Ors., Dated: 06.03.2025, (MANU/SC/0329/2025; 2025 INSC 332)

The **Supreme Court** has observed that “*The candidates in the election wanting to keep an eye on voting during the day and inspect records of the same is something which cannot be denied to them. If the Presiding Officers’ records are missing and cannot be verified, it can be found that the final conclusion is within the realm of questionability. Each and every document pertaining to an election is important, and all efforts should be made to preserve the same*”.

FAMILY

Supreme Court: Experts opinion should be prioritized over child's opinion, in child custody matters

Sharmila Velamur Vs. V. Sanjay and Ors., Dated: 03.03.2025, (MANU/SC/0306/2025; 2025 INSC 299)

The **Supreme Court** has observed that *"In the event there is any confusion or doubt regarding a person's capacity and ability to make independent decisions and if there is a definitive opinion on disability endorsed by a specialist, domain expert, or a doctor, the Court should give due credence to that opinion"*.

Madhya Pradesh High Court: Forcing wife to discontinue her studies constitutes mental cruelty

X Vs. Y, Dated: 06.03.2025, (MANU/MP/0648/2025; 2025:MPHC-IND:5956)

The **Madhya Pradesh High Court** has observed that *"Compelling the wife to discontinue her studies or creating such an atmosphere that she is put in a position not to continue her studies is equivalent to destroy her dreams in the beginning of their marital life and forcing her to live with a person who is neither educated nor eager to improve himself certainly amounts to mental cruelty and we hold that it constitutes a ground of divorce under section 13(1)(ia) of the Hindu Marriage Act, 1955"*.

Kerala High Court: Biological parent's consent required to adopt

Ammu Ajit & Ors. Vs. Central Adoption Resource Agency & Ors., Dated: 05.03.2025, (MANU/KE/0599/2025; 2025:KER:18299)

The **Kerala High Court** has observed that allowing adoption without the biological parent's consent could have serious consequences, especially in child custody cases, where a biological parent could be easily denied custody through adoption by a step-parent. Therefore, as long as the biological parent does not consent to the adoption, the stepparent's adoption cannot be allowed.

INTELLECTUAL PROPERTY RIGHTS

Bombay High Court restrains entity from using trademark similar to STREAX

Hygienic Research Institute Private Limited Vs. Chandan and Shah Trading LLP & Anr., Dated: 05.03.2025, (MANU/MH/1392/2025; 2025:BHC-OS:3609)

The **Bombay High Court** has restrained an entity from using a trademark that is deceptively similar to the hair color brand Streak. The Court found that the adoption of the impugned trademark by the entity appears to be dishonest.

Delhi High Court restrains Azure Hospitality Pvt. Ltd. from playing PPL's copyrighted songs at its restaurants

Phonographic Performance Limited Vs. Azure Hospitality Private Limited & Ors., Dated: 03.03.2025, (MANU/DE/1351/20252025: DHC:1367)

The **Delhi High Court** has restrained Azure Hospitality Private Limited, which runs several restaurants like Mamagoto, Dhaba, from playing Phonographic Performance Limited's (PPL) copyrighted songs at the premises of its restaurants.

INSOLVENCY

Supreme Court: IBC moratorium does not prevent execution of penalties imposed under Consumer Protection Act

Saranga Anilkumar Aggarwal Vs. Bhavesh Dhirajlal Sheth & Ors., Dated: 04.03.2025, (MANU/SC/0310/2025; 2025 INSC 314)

The **Supreme Court** has observed that *"the legislative intent behind the Consumer Protection Act is to ensure compliance with consumer welfare measures, staying such penalties would be contrary to public policy. Further, the appellant cannot invoke insolvency proceedings as a shield to evade statutory liabilities. The objective of the IBC is to provide a mechanism for resolving financial distress, not to nullify obligations arising under regulatory statutes"*.

NCLAT: Approval of RP can't be questioned by OC when amount provided is more than liquidation value

J.K. Paper Fibre Resources Vs. Sunit Jagdishchandra Shah, Dated: 05.03.2025 (MANU/NL/0178/2025)

The **National Company Law Appellate Tribunal (NCLAT)** New Delhi bench has held that Operational Creditors (OC) cannot question a Resolution Plan (RP) approved by the Adjudicating Authority when they are provided more than the liquidation value under the Plan.

GOODS & SERVICES TAX

Delhi High Court: Sections 67 of CGST Act and 110 of Customs Act are similar; GST department must notify assessee before extending seizure period

M/S Kashish Optics Ltd. Vs. The Commissioner, CGST Delhi West & Ors., Dated: 03.03.2025, (MANU/DE/1466/2025; 2025:DHC:1290)

The **Delhi High Court** has observed that *"Both the Acts are fiscal Acts. Seizure of goods and documents is provided for in both the acts. Such seizure is only on the basis of a "reasonable belief". Seizure of goods would have serious repercussions on the person whose goods are so seized. Seizure is for the limited purpose of securing the interest of the concerned authorities to conduct their proceedings"*.

Delhi High Court: Additional duty on re-import of aircraft parts is unconstitutional

Interglobe Aviation Ltd. & Ors Vs. Principal Commissioner Of Customs Acc (Import) New Custom House New Delhi & Ors., Dated: 04.03.2025, (MANU/DE/1393/2025; 2025:DHC:1395)

The **Delhi High Court** has observed that additional duty on re-import of aircraft parts, even after the transaction has been subjected to the imposition of a tax treating it to be a supply of service would be clearly unconstitutional and cannot be sustained.

LAW OF EVIDENCE

Supreme Court: Must treat opinion of handwriting expert with caution

C. Kamalakkannan Vs. State Of Tamil Nadu, Dated: 03.03.2025, (MANU/SC/0298/2025; 2025 INSC 309)

The **Supreme Court** has observed that the approach of a court while dealing with the opinion of a handwriting expert should be to proceed cautiously, probe the reasons for the opinion, consider all other relevant evidence and decide finally to accept or reject it.

NARCOTICS

Supreme Court: Authorities must clearly outline distinct reasons for preventive detention

Mortuza Hussain Choudhary Vs. The State of Nagaland and others, Dated: 05.03.2025, (MANU/SC/0320/2025; 2025 INSC 321)

The **Supreme Court** has observed that “Such ‘satisfaction’ of the detaining authority necessarily has to be spelt out after application of mind by way of separate grounds of detention made by the detaining authority itself and cannot be by inference from a casual reference to the material placed before such detaining authority or a bald recital to the effect that the detaining authority was ‘satisfied on examination of the proposals and supporting documents’ that the detention of the individuals concerned was necessary”.

Bombay High Court: Drug addiction a "quasi-pandemic" and recommended model FIR for NDPS cases

Chandrabhan Janardhan Yadav & Ors. Vs. State of Maharashtra, Dated: 04.03.2025, (MANU/MH/1249/2025; 2025:BHC-AS:10210)

The **Bombay High Court** has observed that “drug / psychotropic addiction is a quasi-pandemic. The miscreants dealing in drugs in Society need to be dealt with an iron fist but it cannot be at the cost of liberty of an individual”.

A hand holding a smartphone is shown in the background. Overlaid on the right side are three white notification icons, each with a checkmark and a curved line above it, suggesting incoming messages or alerts. A yellow rectangular box is positioned on the left side of the image, containing the text 'Notification Updates'.

Notification Updates

AYUSH

Press Information Bureau, Dated: 05.03.2025, MANU/PIBU/0206/2025

The **Indian Council of Medical Research (ICMR)** has released an addendum to its ethical guidelines to provide a structured framework for research in Integrative Medicine, combining traditional and modern medical practices. This initiative aims to enhance the credibility, safety, and efficacy of integrative healthcare by ensuring ethical rigor and regulatory compliance. The guidelines require Ethics Committees to include Ayush experts and strengthen informed consent standards, aligning with existing regulations

Ministry of Commerce & Industry

Press Information Bureau, Dated: 06.03.2025, MANU/PIBU/0216/2025

The international conference organized by the Centre for Trade and Investment Law focused on the role of Production Linked Incentive (PLI) schemes, India's green transition, and inclusive sustainability in shaping India's industrial policy. It explored the evolution of industrial policy, global competitiveness, and the impact of geopolitical changes, emphasizing the importance of aligning with WTO rules. The event featured discussions on trade policy linkages, energy transition, and India's role in global supply chains.

Ministry of Communications

Press Information Bureau, Dated: 04.03.2025, MANU/PIBU/0205/2025

The **Department of Telecommunications** warns against the misuse of telecom resources, such as tampering with identifiers like mobile numbers and SIM cards, under the Telecommunications Act, 2023. The Act enforces strict penalties for such offenses, aiming to prevent cybercrime and financial fraud, and ensure a secure telecom ecosystem.

Notification No.: 6-35/2024-CA/TEC, Dated: 05.03.2025, MANU/MCOM/0014/2025

The **Ministry of Communications** has introduced a scheme to reimburse testing and certification charges for Start-ups and Telecom MSEs to promote their products' acceptance in national and international markets. The scheme covers a portion of these costs incurred at designated labs and will be operational for two years or until the allocated funds are exhausted.

Ministry of Electronics & IT

Press Information Bureau, Dated: 06.03.2025, MANU/PIBU/0219/2025

MeitY launched AIKosha, a secure platform providing datasets, models, and use cases to foster AI innovation, along with the IndiaAI Compute Portal offering affordable AI compute services. Several initiatives were introduced to enhance AI research, innovation, and skill development in India, including the AI Competency Framework, iGOT-AI for personalized learning, and the IndiaAI Startups Global Acceleration Program.

Telecom Regulatory Authority of India

Press Release No.: 14/2025, Dated: 28.02.2025, MANU/TRAI/0010/2025

The **Telecom Regulatory Authority of India** has issued a response to the Department of Telecommunications' back-reference regarding its recommendations on the framework for service authorizations under the Telecommunications Act, 2023. The response addresses the government's prima facie views and requests for reconsideration of certain recommendations.

Reserve Bank of India

Press Release No.: 2024-2025/2306, Dated: 05.03.2025, MANU/RPRL/0169/2025

The Governor of the **Reserve Bank of India** met with non-bank Payment System Operators and FinTechs to discuss their role in India's financial growth, emphasizing responsible innovation and compliance. The session included feedback on the evolving payment and fintech ecosystem.

Press Release No.: 2024-2025/2305, Dated: 05.03.2025, MANU/RPRL/0167/2025

The **Reserve Bank of India** has announced measures to inject liquidity into the banking system, including OMO purchase auctions of government securities and a USD/INR Buy/Sell Swap auction. The RBI will continue to monitor liquidity and market conditions to ensure stability.

**Press Release No.: 2024-2025/2302, Dated: 05.03.2025,
MANU/RPRL/0168/2025**

The **Reserve Bank of India** has appointed Dr. Ajit Ratnakar Joshi as Executive Director. Dr. Joshi, previously a Principal Adviser, has over three decades of experience in statistics, IT, and cyber risk management. As Executive Director, he will oversee the Department of Statistics and Information Management and the Financial Stability Department.

Ministry of Power

Press Information Bureau, Dated: 05.03.2025, MANU/PIBU/0210/2025

The **Central Electricity Authority** has issued guidelines for the usage and sharing of fiber cores in Optical Ground Wire and Underground Fiber Optic cables for power systems. These guidelines aim to balance commercial fiber usage with secure grid operations, providing a framework for fiber allocation, sharing, and future scalability while ensuring compliance and maintaining a comprehensive database for transparency.

Ministry of Panchayati Raj

Press Information Bureau, Dated: 04.03.2025, MANU/PIBU/0204/2025

The **Ministry of Panchayati Raj** will launch the Model Women-Friendly Gram Panchayats initiative at a National Convention in New Delhi to promote gender-sensitive governance. The initiative aims to establish model panchayats in each district to ensure safety, inclusivity, and gender equality for women and girls. The event will include training, a monitoring dashboard, and presentations on best practices.

Securities and Exchange Board of India

Circular No.: SEBI/HO/AFD/AFD-POD-1/P/CIR/2025/29, Dated: 03.03.2025, MANU/SIPM/0004/2025

The **Securities and Exchange Board of India** has extended the deadline for Alternative Investment Funds (AIFs) to report differential rights issued, from February 28, 2025, to March 31, 2025. This extension aims to facilitate compliance and is effective immediately.

Circular No.: SEBI/HO/AFD/AFD-POD-1/P/CIR/2025/29, Dated: 03.03.2025, MANU/SIPM/0004/2025

The **Securities and Exchange Board of India** has established industry standards for the disclosure of Key Performance Indicators (KPIs) in offer documents, in collaboration with industry associations and stock exchanges. These standards aim to ensure a uniform approach and compliance with SEBI regulations for all entities filing offer documents from April 2025 onwards.

News



Civil

05.03.2025

The **Supreme Court** has criticized the Uttar Pradesh Government for demolishing houses in Prayagraj. After expressing strong disapproval, the court stated that such actions send a shocking and wrong signal.

The **Supreme Court** has asked the Chief Secretary of Uttarakhand to explain why the CAMPA funds, which are meant for improving the green cover across the country, were misused for inadmissible purposes, including the purchase of iPhones, laptops, etc.

The **Punjab and Haryana High Court** has ruled that runaway couples must provide complete identity details to the court in protection cases.

The **Kerala High Court** has stated that the Kerala Prohibition of Ragging Act, 1998, is inadequate to curb the menace of ragging, and there is a need to frame new rules to effectively tackle the issue.

The **Gujarat High Court** has expressed displeasure over the absolute silence by the Chief Officer of Patdi Nagar Palika (Municipality) in a matter relating to the death of two sanitation workers during manual scavenging.

04.03.2025

In a Public Interest Litigation concerning private hospitals allegedly forcing patients to purchase medicines from hospital-recommended pharmacies, the **Supreme Court** criticized states nationwide for failing to provide sufficient health infrastructure.

The **Delhi High Court** has observed that in a large number of customs matters, the Counsels either do not appear or appear without proper instructions, which reflects a clear lack of coordination between the Department and Counsels. Such a practice is highly undesirable and leads to gross wastage of judicial time.

Criminal

07.03.2025

The **Gauhati High Court** granted anticipatory bail to YouTuber Ashish Chanchlani in relation to the FIR filed against him by the Guwahati Police over alleged obscene and controversial comments made in an episode of India's Got Latent.'

05.03.2025

The **Bombay High Court**, while quashing an FIR against a person who told another person that respect of Dr. B.R. Ambedkar is reduced because of followers like him, stated that such an act would not fall within the ambit of defamation and is not an offence.

Cyber Laws

05.03.2025

The **Bombay High Court** has expressed displeasure over the ineffective functioning of national helpline number '1930' for 'cyber fraud' and remarked that the authorities should either ensure that the number works or just inform the public that they can't help them.

Environment

06.03.2025

The **Meghalaya High Court** has directed the State Authorities to instruct applicants who have filed applications for felling of trees to explain how these trees have become dangerous to life and property.

The **Gujarat High Court** issued a notice in response to a petition alleging willful defiance of the directions given by the High Court, the Supreme Court, and the December 2019 notification related to noise pollution.

05.03.2025

The **Delhi High Court** has observed that the Yamuna floodplain area is a designated prohibited activity zone and serves as a vital element of the river ecosystem. Encroachment upon this area disrupts the natural flow of water, resulting in the diversion of watercourses and contributing to flooding in adjacent regions.

04.03.2025

The **Supreme Court** has directed all States/UTs in which expert committees for identification of forest areas have not been constituted, to constitute such committees within 1 month. The Court further warned Chief Secretaries and Administrators of States/UTs to personally hold them liable in case of non-compliance.

The **Supreme Court** has directed a tree census in the Taj Trapezium Zone (TTZ) for ensuring effective implementation of the Uttar Pradesh Protection of Trees Act, 1976. The Court further directed TTZ authority to appoint Forest Research Institute (FRI) as an authority to carry out tree census of the existing trees

Law of Medicine

04.03.2025

The **Punjab and Haryana High Court** has raised concerns about the involvement of a private pathology lab for conducting basic tests such as MRI and CT scans at a government hospital.

03.03.2025

The **Orissa High Court** has allowed a minor rape victim aged about 13-year-old to undergo medical termination of more than 24-week-old pregnancy & stated that forcing a child to carry a pregnancy to term would place an unbearable burden on her body & mind, one that she is neither prepared for nor capable of bearing.

Family

06.03.2025

The **Delhi High Court** expressed its dissatisfaction with the Union and Delhi Governments for failing to comply with a Supreme Court order mandating the compulsory registration of all marriages, regardless of faith

Intellectual Property Rights

07.03.2025

The **Supreme Court** put a hold on the Bombay High Court's order that had barred Pune's iconic Burger King from using the trademark "Burger King."

06.03.2025

Moti Mahal Delux Management Services Private Limited that runs the popular restaurant chains of Moti Mahal has filed a trademark infringement suit against Moti Mahal Delux in the Delhi High Court.

Media & Communication

03.03.2025

The **Supreme Court** while hearing a petition challenging blocking of social media accounts/posts without giving notice to users, has remarked that it is necessary to issue notice to users who are identifiable.

Property

05.03.2025

The **Supreme Court** has hinted at directing a CBI probe into a builder-banks nexus and expressed that some real estate companies and banks which sanction loans to them for their project in the NCR region take homebuyers to ransom by forcing them to pay EMIs without having obtained possession of flats.

Goods & Service Tax

05.03.2025

The **Allahabad High Court** stated that goods not accompanied by an e-way bill and with mismatched descriptions indicate an intention to evade tax.

03.03.2025

The **Bombay High Court** will determine whether donuts and cakes should be taxed at 5% or 18% under GST, as it considers whether they fall under restaurant services or bakery products.



International Updates

Banking & Finance

Australian Banking Association unveils revamped Banking Code to strengthen customer and staff protections

The Australian Banking Association's new Banking Code of Practice came into effect on 28 February 2025, introducing improved customer protections, clearer standards for banks, and simplified language for accessibility. This update restructures provisions, eliminates regulatory overlap, and aligns banking conduct requirements with existing legal standards. A key highlight is the revised mandate for banks to operate "efficiently, honestly, and fairly," reinforcing obligations under the Corporations Act 2001 and the National Consumer Credit Protection Act 2009. The Code also strengthens enforcement mechanisms, ensuring consumer rights against subscribing banks are well-defined and easily actionable.

Company & Commercial

Federal Court upholds \$18.6 million lien clause, reinforcing contractual security in supply chains

The Federal Court's ruling in *Nick Scali Ltd v Lion Global Forwarding Pty Ltd [2024] FCA 1247* underscores the power of lien clauses in securing payments. Furniture retailer Nick Scali engaged freight forwarder Lion Global Forwarding to transport goods from China to Australia. When a subcontracted carrier, Shenzhen HJT Supply Chain Management, exercised a lien over the goods due to unpaid dues, it disrupted the supply chain. The court upheld the lien, reinforcing that properly drafted contractual lien clauses hold significant weight in commercial transactions, providing businesses with robust security for outstanding debts.

Competition & Antitrust

ACCC urges merger parties to notify under new mandatory regime to avoid re-notification risks

With Australia's merger laws set to change from 1 January 2026, the Australian Competition and Consumer Commission (ACCC) is encouraging businesses to notify acquisitions under the new framework from 1 July 2025 to avoid costly re-notifications. The Treasury Laws Amendment (Mergers and Acquisitions Reform) Act 2024 introduces a transition period, allowing voluntary notifications before mandatory clearance becomes the norm. As informal clearance options will cease after 31 December 2025, companies filing under the existing regime risk delays and additional costs. The ACCC's advisory highlights the importance of early compliance to ensure smooth transaction approvals.

Energy & Natural Resources

Australia opens applications for offshore wind transmission licences to boost renewable energy projects

Australia has launched applications for Transmission & Infrastructure Licences (TILs) to facilitate offshore wind development, allowing feasibility licence holders to assess and construct transmission infrastructure. This follows extensive consultation on new guidelines and amendments to the Offshore Electricity Infrastructure Regulations 2021, which now detail requirements for project management plans. As many feasibility licence holders finalize their plans, aligning them with transmission requirements is crucial. This development marks a significant step toward expanding Australia's offshore wind energy capabilities while ensuring regulatory compliance for future projects.



Healthcare & Life Sciences

Canada amends drug and medical device regulations to enhance oversight and flexibility

As part of its commitment to modernizing regulatory frameworks, Canada has introduced extensive amendments to the *Food and Drug Regulations* and *Medical Devices Regulations*. These changes, informed by consultations with industry stakeholders, codify existing policies while incorporating regulatory flexibilities piloted during the COVID-19 pandemic. Notably, the Minister of Health now has expanded authority to impose, amend, or remove terms and conditions on drugs and medical devices to manage risks and optimize benefits. The amendments are being implemented in phases, with some provisions already in effect and others set to roll out through 2027.

Internet & Social Media

Quebec and British Columbia impose new legal obligations on online platforms to combat non-consensual intimate image sharing

Quebec has joined British Columbia in enacting legislation that strengthens protections against the unauthorized distribution of intimate images. Quebec's *Bill 73* and British Columbia's *Intimate Images Protection Act* introduce stringent requirements for online platforms, including social media companies, hosting providers, and search engines, to prevent the spread of such content. These laws complement existing criminal provisions in the *Criminal Code of Canada* but focus on civil liability, swift content takedowns, and holding online intermediaries accountable. Non-compliance could lead to significant fines, court orders, and even personal liability for corporate officers, signaling a broader regulatory shift in Canada's approach to online harms.

Tax

Canada extends mineral exploration tax credit for two more years

In a move welcomed by the mining sector, the Canadian government has announced a two-year extension of the 15% *Mineral Exploration Tax Credit (METC)*, now valid until March 31, 2027. The METC has played a vital role in financing mineral exploration through flow-through shares, and its renewal alleviates industry concerns about losing this incentive. However, the shorter extension compared to the previous five-year renewal suggests the government may be shifting its focus toward the 30% *Critical Mineral Exploration Tax Credit (CMETC)*, which targets investments in critical minerals essential for clean energy technologies.

Competition & Antitrust

Stricter regulations on online unfair competition take effect in China

China has implemented new provisions on online unfair competition, effective from September 1, 2024, signaling stricter regulatory oversight. The China National Intellectual Property Administration (CNIPA) has also revised its approach to non-use cancellation applications for registered trademarks. Now, applicants must provide more substantial preliminary evidence, requiring a more strategic approach. Non-use cancellations have been a cost-effective method to eliminate prior registrations, particularly as CNIPA no longer accepts consent letters. However, a surge in bad-faith and repetitive applications has burdened both the authority and trademark owners. To address this, CNIPA has adjusted its policy, aiming to curb misuse and ensure a fairer balance of burden between applicants and trademark owners.

Corporate Finance/M&A

U.S. may impose further restrictions on outbound investments in China

On February 21, 2025, the White House introduced President Trump's "America First Investment Policy," indicating potential new restrictions on U.S. outbound investments in China. Building on existing U.S. Treasury regulations that prohibit investments in sectors like semiconductors, artificial intelligence, and aerospace, the policy suggests expanding restrictions to private equity, venture capital, and even university endowments. While the scope of enforcement remains uncertain, U.S. institutional investors may need to reassess their China-related investments, ensuring compliance with executive orders on Chinese military companies and recent Treasury regulations. Reviewing liquidity terms for Chinese public securities could also become necessary to mitigate regulatory risks.

IT & Data Protection

China introduces new measures for personal information protection audits

The Cyberspace Administration of China (CAC) has released the "Administrative Measures on Personal Information Protection Compliance Audits," set to take effect on May 1, 2025. These measures refine compliance audit requirements under the Personal Information Protection Law (PIPL), outlining when audits are mandatory and how they should be conducted. Companies processing personal data of over 10 million individuals must undergo audits at least every two years. Authorities may also mandate audits in cases of significant risks or security breaches. The regulations further define the selection of third-party auditors and their obligations, reinforcing China's tightening grip on data protection and cybersecurity compliance.

HONG KONG

Arbitration & ADR

Hong Kong court defers jurisdictional disputes involving non-signatories to arbitration

The Hong Kong Court of First Instance recently ruled in *Techteryx Ltd v. Legacy Trust Company Limited & Others* [2025] HKCFI 665 and *Techteryx Ltd v. Legacy Trust Company Limited & Others* [2025] HKCFI 787, affirming that jurisdictional issues in fraud disputes involving non-signatories should be determined by the Singapore International Arbitration Centre (SIAC). In one case, the court found a non-signatory claimant bound by the arbitration agreement under Singapore law due to its derivative claim. In another, a non-signatory defendant could rely on arbitration agreements based on agency and equitable estoppel principles under Delaware law. These rulings reinforce Hong Kong's pro-arbitration stance, allowing tribunals to decide their jurisdiction before courts intervene.

NEW ZEALAND

Arbitration & ADR

English court dismisses South Korea's challenge in Samsung investment dispute

In *Elliott Associates, LP v. Republic of Korea* [2025] EWHC 665, the English Commercial Court dismissed South Korea's challenge to an arbitral tribunal's jurisdiction over a dispute involving Elliott Associates, a U.S.-based investment fund. Elliott, a shareholder in Samsung C&T Corporation, opposed its merger with Cheil Industries Inc. The National Pension Fund of Korea, which backed the merger, played a decisive role in its approval. South Korea contested the tribunal's jurisdiction, arguing that the matter should not be arbitrated. However, the court ruled that revisiting jurisdictional arguments merely rehashed the dispute's core issues, upholding the tribunal's authority under the Arbitration Act 1996.

PHILIPPINES

Immigration

DOLE introduces stricter regulations on Alien Employment Permits for foreign nationals

The Department of Labor and Employment (DOLE) has issued Department Order No. 248, series of 2025, revising the rules governing Alien Employment Permits (AEP) for foreign nationals in the Philippines. Effective from February 10, 2025, the new regulations reinforce the government's commitment to prioritizing Filipino workers while allowing foreign employment under strict compliance. The revised framework introduces an Economic Needs Test, mandates an Understudy Training Program, and clarifies rules on multiple positions held by foreign nationals. Additionally, foreign workers previously exempt from AEP requirements must now obtain an AEP Certificate of Exemption. The updated rules aim to strengthen the labor market test, ensuring that foreign hiring only occurs when no qualified Filipino worker is available.

SINGAPORE

Arbitration & Alternative Dispute Resolution

Singapore High Court upholds SIAC registrar's decision on arbitration commencement date

In *DMZ v. DNA, Application No. 1222 of 2024 [2025] SGHC 31*, the Singapore High Court reaffirmed its pro-arbitration stance by rejecting a challenge against an administrative decision made by the Singapore International Arbitration Centre (SIAC) Registrar. The dispute revolved around the commencement date of multiple consolidated arbitrations concerning oil sale contracts. The claimant, DNA, argued for an earlier commencement date to avoid limitation issues, which the SIAC Registrar later accepted upon review. DMZ sought to overturn this decision, but Justice Hri Kumar Nair dismissed the challenge, emphasizing that administrative decisions by arbitration institutions should not be easily revisited unless clear grounds exist. The ruling reinforces Singapore's position as a strong supporter of arbitration integrity.

Insolvency & Restructuring

Singapore High Court allows moratorium for trustee-manager's restructuring of trust liabilities

In *Re Dasin Retail Trust Management Pte Ltd [2025] SGHC 6*, the Singapore High Court ruled that a trustee-manager can seek a moratorium under the Insolvency, Restructuring and Dissolution Act 2018 (IRDA) to restructure liabilities incurred in its capacity as trustee-manager. Dasin Retail Trust Management Pte Ltd (DRTM), which managed the Dasin Retail Trust (DRT), sought a moratorium to prevent winding-up proceedings while negotiating a scheme of arrangement for its debts. Opponents argued that the restructuring applied to the business trust's liabilities, not DRTM's own debts. The court, however, held that liabilities incurred by DRTM as trustee-manager were legally its own and that a restructuring was permissible under IRDA. This decision clarifies the treatment of trustee-manager liabilities in insolvency scenarios.

Technology & Data Protection

Singapore unveils AI safety initiatives at global summit

At the Artificial Intelligence Action Summit held in Paris on February 10-11, 2025, Singapore's Minister for Digital Development and Information, Josephine Teo, announced new initiatives aimed at enhancing AI safety and governance. These include the Global AI Assurance Pilot, which sets best practices for testing generative AI applications, and a Joint Testing Report with Japan to evaluate Large Language Models (LLMs) across different languages. Additionally, the Singapore AI Safety Red Teaming Challenge Evaluation Report will assess AI performance in diverse cultural contexts across the Asia-Pacific region. These initiatives reaffirm Singapore's commitment to international AI cooperation and ensuring robust safeguards in AI development.

SOUTH KOREA

Arbitration & Alternative Dispute Resolution

English Commercial Court rejects South Korea's challenge in Samsung arbitration dispute

The English Commercial Court has dismissed a jurisdictional challenge by the Republic of Korea in *Elliott Associates, LP v. Republic of Korea* following a dispute over Samsung's corporate restructuring. Elliott Associates, a U.S.-based fund, opposed the merger of Samsung C&T Corporation (SC&T) with Cheil Industries Inc., alleging unfair treatment by the National Pension Fund of Korea (NPF), which had supported the merger. Elliott initiated arbitration, and South Korea later challenged the tribunal's jurisdiction. The court ruled against South Korea, emphasizing that challenges to an arbitral tribunal's jurisdiction should not be used as a means to re-litigate core dispute issues. This decision reinforces the principle of arbitration finality under English law.

TAIWAN

Competition & Antitrust

Taiwan introduces new guidelines on concerted actions for environmental sustainability

To clarify how environmental sustainability initiatives interact with competition laws, the Taiwan Fair Trade Commission (TFTC) has issued the *Guidelines on Concerted Actions in the Context of Environmental Sustainability*. Approved at its 1738th Commissioners Meeting on February 12, 2025, and formally promulgated on February 19, 2025, these guidelines aim to help businesses assess whether their sustainability efforts could be deemed anti-competitive under the Taiwan Fair Trade Act. The guidelines outline key scenarios, potential competition concerns, and a structured assessment process. They also identify examples of permissible activities, such as exchanging non-competitive sustainability information like government policies and subsidy details, to mitigate the risk of regulatory violations.

USA

International Trade

U.S. investigates antidumping and countervailing duties on chassis and subassemblies from Mexico, Thailand, and Vietnam

On February 26, 2025, the U.S. Chassis Manufacturers Coalition, along with members Cheetah Chassis Corporation and Stoughton Trailers, LLC, petitioned the Department of Commerce and the International Trade Commission to impose antidumping and countervailing duties on chassis and subassemblies imported from Mexico, Thailand, and Vietnam. The petitioners argue that imports from these countries surged following the imposition of similar duties on Chinese chassis in 2021, with total import values reaching approximately \$996 million in 2024. U.S. law allows domestic industries to seek relief from unfair pricing (dumping) and government subsidies that distort competition, potentially leading to additional duties if the investigation finds evidence of harm to American manufacturers.

Tax

Trump administration challenges foreign digital economy regulations and taxes

On February 21, 2025, former U.S. President Donald Trump issued a memorandum titled *Defending American Companies and Innovators From Overseas Extortion and Unfair Fines and Penalties*, pushing back against foreign digital taxation policies that the U.S. deems discriminatory. This move expands Trump's economic agenda beyond tariffs, targeting global regulatory frameworks that affect American tech firms. The memorandum signals potential U.S. retaliation against foreign governments imposing digital service taxes or other levies perceived as unfair to U.S. businesses. Given the rising tensions in international trade, this stance could lead to greater economic uncertainty and policy disputes.

Arbitration & Alternative Dispute Resolution

English Court of Appeal confirms transnational issue estoppel applies to state immunity cases – *Hulley Enterprises Ltd and others v. The Russian Federation* [2025] EWCA Civ 108

In a landmark ruling, the English Court of Appeal has clarified that transnational issue estoppel applies in determining whether an exception to state immunity under the State Immunity Act 1978 is applicable. The decision in *Hulley Enterprises Ltd and others v. The Russian Federation* [2025] EWCA Civ 108] resolves longstanding uncertainty regarding the enforcement of arbitral awards when state immunity is invoked. The ruling has significant implications for parties engaged in cross-border enforcement battles, reinforcing the principle that prior determinations in foreign courts may bind subsequent proceedings in the UK. This development strengthens the enforcement framework for international arbitration, particularly in cases involving state entities.

Ninth Circuit upholds arbitration consolidation, rejects challenge under FAA

The U.S. Court of Appeals for the Ninth Circuit has ruled against a plaintiff challenging the consolidation of arbitration claims against Starz Entertainment, LLC. The court held that the plaintiff, who objected to JAMS' decision to consolidate numerous arbitration proceedings, was not "aggrieved" under the Federal Arbitration Act (FAA) since Starz did not refuse to arbitrate. The court also ruled that the plaintiff could not invoke unconscionability to force individual arbitration. The decision, which distinguishes *Heckman v. Live Nation Entertainment, Inc.*, provides critical guidance for businesses managing mass arbitration risks and underscores that procedural consolidation by arbitration administrators does not constitute a gateway question of arbitrability under the FAA.

Banking

FDIC withdraws key proposals, rescinds M&A policy, and delays advertising rule

The Federal Deposit Insurance Corporation (FDIC) has announced the withdrawal of multiple regulatory proposals, including those on brokered deposit rules, corporate governance, and bank control regulations. The agency cited concerns about the broad implications of these proposals, particularly regarding the primary purpose exception in brokered deposits and the prescriptive nature of corporate governance reforms. Additionally, the FDIC has initiated steps to rescind its M&A policy and postponed the implementation of its new advertising rule. These moves signal a shift in regulatory priorities, with the FDIC opting for a more restrained approach to banking oversight while reevaluating existing frameworks.

Capital Markets

SEC expands confidential filing rules for IPOs and public offerings

The U.S. Securities and Exchange Commission (SEC) has broadened its accommodations for confidential submissions of draft registration statements, extending eligibility beyond emerging growth companies to include a wider range of issuers. Under the new guidance, confidential filing is now available for companies registering equity securities under the Securities Exchange Act of 1934 on Forms 10, 20-F, or 40-F. The SEC has also removed the requirement to disclose underwriters' names at the draft submission stage and expanded eligibility beyond the 12-month post-IPO period. These changes are expected to provide greater flexibility for companies preparing to go public while maintaining regulatory oversight.

SEC Investor Advisory Committee to review AI disclosures and retail fraud risks

The U.S. Securities and Exchange Commission's (SEC) Investor Advisory Committee will meet on March 6, 2025, to discuss critical regulatory matters, including AI-related corporate disclosures and retail investor fraud. A panel will explore standardizing AI-related reporting requirements to ensure transparency in financial statements and corporate operations. Another panel will examine the increasing role of AI in fraudulent schemes targeting retail investors. The Committee will also present recommendations on traceability issues under Section 11 of the Securities Act of 1933, following recent decisions, including *Slack Technologies v. Pirani*. The meeting reflects the SEC's growing focus on AI's impact on markets and investor protection.

SEC tightens shareholder proposal review process for 2025 proxy season

The U.S. Securities and Exchange Commission (SEC) has revised its approach to reviewing shareholder proposals, making it more challenging for proponents to overcome no-action requests based on broad social policy concerns. In Staff Legal Bulletin No. 14M (SLB 14M), the SEC rescinded parts of its previous guidance and clarified the application of Rule 14a-8, particularly regarding exclusions based on economic relevance and ordinary business exceptions. The changes mark a shift from the Commission's prior stance under former Chairman Gary Gensler, which had favored the inclusion of environmental, social, and governance (ESG) proposals. The new guidelines are expected to impact the types of shareholder proposals included in corporate proxy statements during the 2025 season.

Company & Commercial

Treasury halts enforcement of Corporate Transparency Act for U.S. entities

The U.S. Department of the Treasury announced on March 2, 2025, that it will not impose penalties on U.S. citizens, domestic reporting companies, or their beneficial owners for failing to comply with the Corporate Transparency Act (CTA), even after upcoming rule changes take effect. This follows an earlier statement by the Financial Crimes Enforcement Network (FinCEN) on February 27, 2025, confirming that no fines or enforcement actions would be taken for missed deadlines under the CTA. Previously, multiple court injunctions had blocked the enforcement of the CTA, with the final one being lifted on February 18, 2025. The CTA requires smaller, unregulated companies to disclose beneficial ownership details to FinCEN. However, FinCEN now plans to issue an interim final rule by March 21, 2025, revising deadlines and limiting the CTA's application to foreign reporting companies.

First Circuit rules on kickback causation in False Claims Act cases

On February 18, 2025, the U.S. Court of Appeals for the First Circuit ruled in *United States v. Regeneron Pharmaceuticals, Inc.*, No. 23-2086, 2025 WL 520466 (1st Cir. Feb. 18, 2025), that plaintiffs must establish "but-for" causation in kickback-related claims under the False Claims Act (FCA). The case, initiated by the Department of Justice (DOJ) in 2020, alleged that Regeneron unlawfully incentivized doctors and patients to choose its drug over cheaper alternatives by covering co-pays and deductibles, violating both the FCA and the Anti-Kickback Statute (AKS). The court's decision aligns with other federal appellate rulings interpreting the 2010 amendment to the AKS, which states that any claim "resulting from" a violation of the AKS qualifies as false under the FCA. The ruling comes as the DOJ continues to prioritize aggressive FCA enforcement.

Treasury narrows scope of Corporate Transparency Act to foreign entities

In a March 2, 2025, press release, the U.S. Department of the Treasury announced that it will indefinitely suspend enforcement of the Corporate Transparency Act (CTA) against U.S. citizens and domestic reporting companies. This decision follows the lifting of a nationwide injunction on February 18, 2025, which had previously blocked enforcement. FinCEN initially reinstated CTA filing requirements with a March 21, 2025, deadline but later confirmed plans to modify these deadlines. Treasury now intends to revise the CTA's scope through a proposed rulemaking, limiting its applicability to foreign reporting companies. The agency emphasized that this move is meant to support American small businesses while ensuring the rule serves its intended purpose.

State attorneys general push Congress to act on organized retail theft

On February 25, 2025, a bipartisan coalition of state attorneys general urged Congress to take action against organized retail crime, emphasizing the need for federal resources to combat increasing theft-related losses. They pointed to previous legislative efforts, including the *Combating Organized Retail Crime Act of 2023* and the *Organized Retail Crime Center Authorization Act of 2023*, which sought to strengthen enforcement measures. With retailers like Walgreens, Walmart, and Target facing billions in losses and heightened security risks, the letter stressed the necessity of a federal approach. The attorneys general advocated for the creation of an Organized Retail Crime Coordination Center under the Department of Homeland Security to address criminal networks infiltrating supply chains. They also called for stronger federal penalties and increased funding to support state law enforcement efforts.

Maryland court rules in favor of debt collector, finds validation response did not violate FDCPA

A Maryland federal court has ruled in favor of Cohn, Goldberg & Deutsch, LLC, a debt collection firm, granting summary judgment in its favor after a debtor accused it of violating the Fair Debt Collection Practices Act (FDCPA). In *Hall v. Cohn, Goldberg & Deutsch, LLC*, No. 1:23-cv-00145 (D. Md. 2025), the plaintiff disputed a debt and refused to pay, prompting the defendant to send a validation letter with supporting documents. The plaintiff then sued, arguing that the firm should have ceased communication. The court held that disputing a debt can waive the right to stop communication, making the validation response permissible under § 1692g(b). Since the defendant took no further action beyond providing verification, the court found no FDCPA violation and ruled in its favor.

Environment & Climate Change

California governor declares emergency to accelerate wildfire prevention efforts

Marking two months since devastating wildfires in Los Angeles and Ventura Counties, Governor Gavin Newsom declared a State of Emergency on March 1, 2025, to fast-track critical fire mitigation projects. The order follows Executive Order N-4-25, which had suspended certain environmental regulations to expedite post-wildfire reconstruction. The latest directive temporarily lifts restrictions under the California Environmental Quality Act (CEQA) and the Coastal Act, allowing state and local agencies to implement high-priority forest management projects without procedural delays. Governor Newsom emphasized that fluctuating extreme weather conditions have intensified wildfires, making immediate action necessary. The proclamation also grants regulatory flexibility to the California Environmental Protection Agency (CalEPA) and the California Natural Resources Agency to facilitate these efforts.

Supreme Court restricts EPA's authority over pollutant discharge permits

In *City and County of San Francisco, California v. EPA*, No. 24-512 (U.S. 2025), the U.S. Supreme Court ruled 5-4 that the Environmental Protection Agency (EPA) overstepped its authority by imposing broad "end-result" requirements in pollutant discharge permits under the Clean Water Act. These provisions prohibited permit holders from contributing to water pollution without specifying compliance measures. The Court, in an opinion by Justice Alito, held that such limitations create uncertainty, making compliance nearly impossible and potentially undermining the Act's "permit shield" defense. The ruling limits EPA's ability to impose narrative restrictions without clear, enforceable standards, marking a significant shift in regulatory oversight for municipal and industrial discharge permits.

Healthcare & Life Sciences

New HRSA guidelines expand preventive healthcare coverage for women under ACA

On December 20, 2024, the Health Resources and Services Administration (HRSA) updated its guidelines for women's preventive healthcare under the Affordable Care Act (ACA), requiring insurers to cover additional services without cost-sharing for plan years beginning December 20, 2025. The revised guidelines mandate coverage for anxiety screenings for adolescent and adult women, including those who are pregnant or postpartum. Annual screenings for intimate partner violence are now required, along with counseling and intervention if necessary. The update also expands breast cancer screening, ensuring women between ages 40 and 74 can access annual or biennial mammograms, with additional imaging such as MRIs or ultrasounds covered when needed. These changes aim to improve access to critical preventive care services.

HHS reverses decades-old "Richardson Waiver," reshaping public benefit rulemaking

The U.S. Department of Health and Human Services (HHS) has unexpectedly revoked the longstanding "Richardson Waiver," which had voluntarily subjected public benefit regulations to the notice-and-comment rulemaking process under the Administrative Procedure Act (APA). This reversal, announced on February 28, 2025, allows HHS to bypass public input for rules concerning programs like Medicaid and Medicare, potentially reshaping how key policies are implemented. The change arrives amidst ongoing litigation against the Trump administration over alleged APA violations. The waiver's withdrawal will likely intensify legal battles over administrative decisions and significantly impact public benefit governance.

Immigration

New lawsuit challenges Trump administration's termination of TPS for Haiti and Venezuela

A coalition of advocacy groups and affected individuals has sued the Department of Homeland Security (DHS) over the termination of Temporary Protected Status (TPS) for Haitian and Venezuelan nationals. The lawsuit, **Haitian-Americans United, Inc. v. Trump, No. 1:25-cv-10498**, filed on March 3, 2025, in the U.S. District Court for the District of Massachusetts, argues that DHS Secretary Kristi Noem lacked legal authority to reverse prior extensions granted by former Secretary Alejandro Mayorkas. The plaintiffs claim the decision is discriminatory, citing past derogatory statements by President Donald Trump. Similar cases are already pending in California and Maryland, raising constitutional concerns under the Fifth Amendment.

IT & Data Protection

Copyright Office affirms existing law covers AI-generated content, limits protections

The U.S. Copyright Office has concluded that current copyright laws sufficiently address AI-generated content and do not require expansion. A report released after reviewing over 10,000 public comments emphasizes that AI-assisted works may qualify for copyright only when they involve significant human creativity. However, purely AI-generated outputs remain ineligible. The report warns against extending protection to AI content, arguing it could flood the market with low-quality works. Additionally, the Office clarified that mere prompts do not establish authorship. The findings reinforce the principle that human involvement remains central to copyright eligibility.

Children's privacy watchdog takes action against Buddy AI for COPPA violations

The Children's Advertising Review Unit (CARU) has found Buddy AI, an AI-powered language tutor for children, in violation of the Children's Online Privacy Protection Act (COPPA). CARU's investigation revealed that the platform, run by AI Buddy, Inc., failed to provide clear privacy notices, directly notify parents, or obtain verifiable parental consent before collecting children's data. While Buddy AI has since modified its policies to address CARU's concerns, this enforcement highlights growing scrutiny over AI-driven children's apps and the importance of compliance with federal privacy regulations.

California court rules Google may be unlawfully wiretapping AI-assisted customer calls

A federal district court in California has denied Google's motion to dismiss a lawsuit alleging that its AI-powered Cloud Contact Center AI (GCCCAI) system unlawfully intercepts and processes customer service calls without consent. The case hinges on the **California Invasion of Privacy Act (CIPA)** and the "capability test," which holds companies liable if their technology can misuse collected data—even if they claim not to. Plaintiffs argue that Google's AI transcribes and analyzes calls for its own benefit, making it an unauthorized third party. The ruling allows the class action to proceed, potentially reshaping AI's role in customer interactions.

California proposes new data deletion rules for brokers under the Delete Act

The California Privacy Protection Agency (CPPA) has proposed additional regulations to implement the **California Delete Act (Cal. Civ. Code § 1798.99.80 et seq.)**, aiming to simplify consumer data deletion requests. The rules outline a centralized **Delete Request and Opt-out Platform (DROP)**, standardizing how data brokers handle removals. Companies must process deletion requests efficiently and notify CPPA in case of data breaches. The proposal reflects California's aggressive stance on privacy, signaling heightened compliance expectations for data brokers as regulations continue evolving.

Virginia moves toward comprehensive AI regulation with new consumer protection law

Virginia is set to become the second U.S. state to enact a broad AI governance framework with **HB 2094**, regulating high-risk AI systems that significantly impact consumer rights. The bill, which awaits Governor Glenn Youngkin's approval, requires developers to document system limitations, ensure transparency, and mitigate risks. Deployers must disclose AI usage and conduct impact assessments. Generative AI content must also be clearly identifiable. Modeled after Colorado's AI Act but with added trade secret protections, Virginia's law marks a pivotal shift in AI oversight, taking effect on July 1, 2026.



A yellow typewriter is shown from a top-down perspective 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**

Kerala High Court's Bold Ruling: Transforming Child Marriage Practices in Wayanad



The Kerala High Court recently addressed the persistent problem of child marriage among tribal communities in Wayanad. In the case of ***Suo Motu v State of Kerala & ors*** (MANU/KE/0601/2025, 2025:KER:17860), *Suo Motu* Proceedings were initiated on the Communication Received from the Member Secretary, Kerala State Legal Services Authority herein referred to as KeLSA regarding Conflict of Customs of Tribal Members of Wayanad with the Provisions of Protection of Children from Sexual Offences Act, 2012 (PoCSO Act). This arose from concerns over customary practices that frequently led to legal action under the Protection of Children from Sexual Offences Act, 2012.

Background of the Case

Tribal communities such as the Paniyas, Mullukurumas, Adiyars, Kurichyas, and others, which together account for nearly one-third of Kerala's tribal population as per the 2011 Census, have long observed the custom of early marriage. This practice, while rooted in tradition, has resulted in numerous prosecutions under the PoCSO Act. A report by the District Legal Services Authority in 2016, subsequently forwarded by KeLSA, prompted the Court to take cognizance of the matter.

Statutory Provisions and Judicial Analysis

The Court reiterated that the age of consent remains fixed at 18 years under both the Indian Penal Code, 1860, and the PoCSO Act, 2012. Furthermore, the Prohibition of Child Marriage Act, 2006 defines a child as a male under 21 and a female under 18. Citing authoritative Supreme Court decisions in ***Independent Thought vs. Union of India (UOI) and Ors.*** (MANU/SC/1298/2017; 2017 INSC 1030) and ***Society for Enlightenment and Voluntary Action and Ors. vs. Union of India (UOI) and Ors.*** (MANU/SC/1126/2024; 2024 INSC 790) the Bench observed that child marriage not only hampers education, health, and personal freedom but also infringes upon the fundamental rights guaranteed under Article 21 and, by extension, Article 21-A of the Constitution of India.

Directives of the Court

Recognizing the complex interplay between deeply entrenched customs and statutory mandates, the Court opted for a multifaceted approach rather than altering legal provisions. The key directives issued include:

- **Community Sensitization:** KeLSA is directed to spearhead awareness programs targeting families, educators, community leaders, and children. These initiatives are to emphasize the detrimental effects of child marriage, particularly its impact on education, health, and overall personal development.
- **School and Community Outreach:** Within three months, awareness sessions must be organized in all Upper Primary, High, and Higher Secondary Schools in Wayanad, as well as in tribal settlements. These sessions will feature educational films, informative posters, and legal workshops detailing the rights of children under Articles 21 and 21-A of the Constitution of India.
- **Capacity Building and Monitoring:** The Court mandated specialized training for officers of the Tribal and Education Departments and the District Child Protection Unit. KeLSA is further instructed to review the implementation of the sensitization programs every three months and submit detailed progress reports every six months. The execution of the action plan will be aligned with the Gothra Vardhan Scheme under the NALSA framework, ensuring a comprehensive package of support in education, healthcare, and legal awareness for the tribal communities.

With the aforementioned measures in place, the Kerala High Court disposed of the petition while granting KeLSA the liberty to approach the Court for further directions if necessary.