

# MANUPATRA WEEKLY WRAP

2nd - 7th February 2026



## Case Laws

### ARBITRATION

**C. Velusamy vs. K. Indhera**, Dated: 03.02.2026 (MANU/SC/0114/2026; 2026 INSC 112)

The Supreme Court held that an arbitral award rendered beyond the statutory period under Section 29A is not automatically void. If an application is filed under Section 29A(5) to extend the tribunal's mandate, the award can be given effect. The court observed that **Section 29A should not be read to create a bar on such extension applications even after the award is passed.**

**Rajia Begum vs. Barnali Mukherjee**, Dated: 02.02.2026 (MANU/SC/0107/2026; 2026 INSC 106)

The Supreme Court clarified that disputes cannot proceed to arbitration when the contract containing the **arbitration clause is alleged to be fake**. The bench stated that issues going to the existence of the agreement are serious fraud claims and must first be adjudicated by civil courts.

**Supreme Court:** Arbitral award is not void merely because it was passed after arbitrator's mandate expired, if court subsequently extends time.

**Supreme Court:** Where arbitration agreement is alleged to be forged, dispute ceases to be arbitrable.

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**Supreme Court:** Quasi-judicial authorities cannot exercise review powers unless explicitly granted by statute

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**Delhi High Court:** No Interference in Civil Services Preliminary 2023, Courts Have Restricted Review Powers

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**Supreme Court:** Leasing out flat does not strip homebuyers of consumer protection rights.

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**Delhi High Court :** Consensual relationship with minor approaching 18 years is factor that can be taken into account for bail under POCSO

## CIVIL

***State of West Bengal & Ors. vs. Jai Hind Pvt. Ltd., Dated: 06.02.2026 (MANU/SC/0129/2026; 2026 INSC 132)***

The Supreme Court ruled that **review powers cannot be assumed by quasi-judicial bodies without statutory authority**. The Bench overturned the Calcutta High Court's order sustaining the Revenue Officer's review of land ownership, observing that transferring the disputed land to the respondent under the State Minister's direction was invalid, as the property had been vested with the State.

***Hanumant Lal Patel & Ors. vs. Union of India & Ors., Dated: 03.02.2026 (MANU/DE/0780/2026; 2026:DHC:848:DB)***

The Delhi High Court dismissed petitions challenging the Civil Services (Preliminary) Examination 2023, including Paper-II (CSAT), holding that **courts have a very limited role in reviewing competitive examinations**. The Division Bench has refused to interfere with the exam process despite allegations that certain questions exceeded the prescribed syllabus.

## CONSUMER

***Vinit Bahri & Anr. vs. M/s MGF Developers Ltd. & Anr., Dated: 04.02.2026 (MANU/SC/0117/2026; 2026 INSC 114)***

The Supreme Court ruled that merely leasing a residential flat does not automatically **exclude a homebuyer from the definition of "consumer"** under the Consumer Protection Act, 1986. The Court clarified that a buyer retains consumer status unless it is proven that the primary purpose of the purchase was commercial profit. The Bench emphasized that the key issue is whether the main intention behind buying the flat was to earn profit through commercial activity.

## CRIMINAL

***Varun Kumar Singh vs. State (SHO Rajinder Nagar), Dated: 03.02.2026 (MANU/DE/0743/2026; 2026:DHC:896)***

The Delhi High Court observed that while consent of a minor is legally inconsequential, the **nature of the relationship and the prosecutrix's proximity to the age of majority are relevant** considerations for bail in POCSO cases. The court granted bail and noted that the case appeared to arise from a romantic relationship rather than forcible conduct.

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**Supreme Court:** Special court cannot order confiscation under Section 8(7) while appeal against attachment confirmation under Section 8(3) is pending.

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**Delhi High Court:** Granting bail under PMLA requires careful balancing exercise and does not involve final determination of guilt or innocence.

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**Chhattisgarh High Court:** Rape Violates Womanhood and Severely Breaches Right to Life

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**Supreme Court:** It is difficult to believe married woman was induced into sexual relations on false promise of marriage, quashes rape case.

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**Gauhati High Court:** POCSO investigations must be child-friendly to ensure truth emerges without ambiguity.

**M/s. Nav Nirman Builders & Developers Pvt. Ltd. vs. Union of India**, Dated: 06.02.2026 (MANU/SC/0135/2026; 2026 INSC 130)

The Supreme Court has clarified that confiscation proceedings under Section 8(7) of the PMLA cannot be undertaken while an appeal against attachment confirmation under Section 8(3) is pending before the Appellate Tribunal. The Court emphasized that the **statute gives the aggrieved party a vested right to pursue the appeal**, which acts as a bar on the Special Court concluding the matter prematurely.

**Bhaskar Yadav vs. Directorate of Enforcement**, Dated: 02.02.2026 (MANU/DE/0712/2026; 2026:DHC:813)

The Delhi High Court held that bail under the Prevention of Money Laundering Act (PMLA) **requires maintaining a delicate balance and does not entail a final determination of guilt or innocence**. The court clarified that at the bail stage, the court need not record a positive finding of innocence and must only assess whether a *prima facie* case exists on the basis of broad probabilities.

**Mahaveer Chaik vs. State of Chhattisgarh**, Dated: 02.02.2026 (MANU/CG/0226/2026; 2026:CGHC:5632)

While affirming a rape conviction, the Chhattisgarh High Court stated that rape is an affront to womanhood and a severe **breach of Article 21, violating dignity, bodily privacy, and personal liberty**. The court emphasized that rape not only traumatises the victim but also assaults societal values, striking at her autonomy, honour, and sense of self.

**Pramod Kumar Navratna vs. State of Chhattisgarh & Others**, Dated: 05.02.2026 (MANU/SC/0123/2026; 2026 INSC 124)

The Supreme Court quashed criminal proceedings against a Chhattisgarh advocate accused of raping a married colleague on the false promise of marriage, holding that **consensual physical relations do not amount to rape in every case**. The Bench clarified that an offence under Section 375 IPC is made out only when the promise of marriage was false from the outset and directly induced the woman's consent.

**Md. Shah Alam vs. State of Assam & Anr.**, Dated: 04.02.2026 (MANU/GH/0093/2026; GAHC010168662024)

The Gauhati High Court emphasized that POCSO investigations must follow **child-friendly procedures and be conducted with sensitivity, including counselling support, appointment of support persons, and clear recording of statements**. The Court noted that casual or defective investigations can compromise justice, potentially harming both the accused and the victim. The Division Bench set aside a 20-year conviction for aggravated penetrative sexual assault under Section 6 POCSO read with Section 376(3) IPC, acquitting the appellant due to failure to prove the offence beyond reasonable doubt.

**2 Feb - 7 Feb 2026**

Manupatra Weekly Wrap

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## Delhi High Court

instructs lower courts to maintain daily testimony schedules in POCSO cases to prevent witness coercion.

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## Supreme Court:

Photocopy of document is not admissible as evidence unless conditions for secondary evidence are satisfied.

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**Supreme Court:** While child's welfare is of paramount importance, it cannot be sole consideration in custody cases.

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**Supreme Court:** Single insolvency petition can be filed against multiple corporate entities that are closely interlinked.

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## Bombay High Court:

Power to impound documents affects property rights and can be exercised only by registering officer.

**Surjeet Kumar @ Kalu vs. State of NCT of Delhi & Anr.**, Dated: 06.02.2026 (MANU/DE/0839/2026; 2026:DHC:998)

The Delhi High Court has instructed all trial courts to **record witness testimony on a day-to-day basis until completion**, to reduce the risk of witnesses being pressured. The court further observed that POCSO trials should, wherever possible, proceed on consecutive days.

## EVIDENCE

**Tharammel Peethambaran & Anr. vs. T. Ushakrishnan & Anr.**, Dated: 06.02.2026 (MANU/SC/0133/2026; 2026 INSC 134)

The Supreme Court has held that transactions based solely on photocopied documents cannot be sustained unless the requirements for admitting secondary evidence are met. Setting aside a sale based on a photocopy of a Power of Attorney, the Court reiterated that Section 65 of the Evidence Act permits such evidence **only when the original cannot be produced for legally recognized** reasons.

## FAMILY

**Mohtashem Billah Malik vs. Sana Aftab**, Dated: 04.02.2026 (MANU/SC/0121/2026)

The Supreme Court ruled that child custody decisions cannot be based solely on the welfare principle and must also consider factors such as **parental conduct, financial capacity, living standards, and the children's education and comfort**. Setting aside a Jammu and Kashmir High Court judgment, the Bench reiterated that while welfare is paramount, it is not the only determinant in custody matters.

## INSOLVENCY

**Satinder Singh Bhasin vs. Col. Gautam Mullick & Ors.**, Dated: 02.02.2026 (MANU/SC/0106/2026; 2026 INSC 104)

The Supreme Court affirmed that a single **insolvency petition under the IBC is maintainable** against more than one corporate entity if they are **closely linked in a real estate project**. The bench upheld the NCLAT ruling allowing a joint CIRP against two connected companies.

## PROPERTY

**Kolte Patil Developers Ltd. vs. State of Maharashtra & Ors.**, Dated: 03.02.2026 (MANU/MH/0960/2026; 2026:BHC-AS:5415)

The Bombay High Court has ruled that the power to impound an instrument under Section 33A of the Maharashtra Stamp Act, 1958, directly affects a citizen's property rights and can therefore be **exercised only by the registering officer who registered the document**. The Court clarified that no other revenue authority or superior officer can assume this power merely by virtue of administrative hierarchy.

## SERVICE

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**Supreme Court:** State cannot justify low salaries for teachers by citing Centre's failure to release funds.

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**Madras High Court:** Employees who resign, even due to medical issues, cannot claim pension benefits for their past service.

***U.P. Junior High School Council Instructor Welfare Association vs. State of Uttar Pradesh & Ors.*** Dated: 04.02.2026 (MANU/SC/0115/2026)

The Supreme Court has ruled that a State cannot justify paying a low honorarium to teachers by blaming the Centre's failure to release funds, holding that **States bear the primary responsibility for implementing the Right to Education Act**. The Bench directed the Uttar Pradesh Government to pay ₹17,000 per month to part-time instructors under the Sarva Shiksha Abhiyan and Samagra Shiksha schemes, relying on Section 7(5) of the RTE Act, 2009.

***Mr. D. Kaliyamoorthy vs. State of Tamil Nadu & Ors.,*** Dated: 03.02.2026 (MANU/TN/0357/2026)

The Madras High Court, in a full bench ruling, observed that resignation from service even on medical grounds leads to forfeiture of past service and pension rights. The Court explained that under Rule 23 of the Tamil Nadu Pension Rules, 1978, the **reason for resignation is immaterial, and resignation automatically triggers the loss of past service.**



## News

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03.02.2026

### BANKING

The **Supreme Court** has directed the Enforcement Directorate to form a Special Investigation Team to probe allegations of extensive bank fraud involving Reliance Communications, its affiliated entities, and Anil Ambani.

### CIVIL

In response to Cure SMA Foundation's plea against insensitive jokes on disabilities, the **Supreme Court**, led by CJI Surya Kant and Justice Joymalya Bagchi, directed comedians Samay Raina, Vipul Goyal, Balraj Paramjeet Singh Ghai, Sonali Thakkar, and Nishant Jagadish Tanwar to feature success stories of disabled individuals on their shows to raise funds for Spinal Muscular Atrophy treatment.

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05.02.2026

The **Delhi High Court** has observed that naming metro stations is an administrative matter for the government and cannot be changed unless deemed arbitrary or unconstitutional. The court stated that it cannot direct the government or DMRC to change the names of the metro stations.

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02.02.2026

### COMPANY

The **Supreme Court** has strongly criticized Meta Platforms and WhatsApp LLC over their privacy policy, stating it would not allow the exploitation of personal data of Indians. The remarks came while hearing appeals by Meta and WhatsApp against a National Company Law Appellate Tribunal judgment that upheld a ₹213.14 crore penalty imposed by the Competition Commission of India for WhatsApp's 2021 privacy policy.

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03.02.2026

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04.02.2026

## COMPETITION LAW

The **Competition Commission of India** has directed a detailed investigation into InterGlobe Aviation Limited (IndiGo Airlines) over allegations of abusing its dominant market position. The probe follows large-scale flight cancellations by the airline in December 2025, which led to a significant surge in airfares across domestic routes.

## CRIMINAL

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06.02.2026

The **Supreme Court** has granted bail to a woman, nearly 60 years old, who was accused of deceiving multiple individuals by falsely claiming to be a lawyer practicing before the Supreme Court. She allegedly collected money from these individuals under the pretense of her legal credentials.

The **High Court of Jammu & Kashmir and Ladakh** has stayed the proceedings in a criminal defamation case filed against filmmaker Aditya Dhar and others, related to their feature film Article 370.

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05.02.2026

The **Karnataka High Court** has criticized dog owners for failing to properly care for their pets, leading to frivolous disputes that are burdening the criminal justice system. The court expressed surprise at how such trivial matters are clogging courts and issued an interim stay on all further proceedings in the case until the next hearing.

A vigilance court in **Kollam, Kerala**, granted bail to Unnikrishnan Potti, the main accused in the *Sabarimala gold misappropriation* case.

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04.02.2026

The **Supreme Court** urged the Union Government to reconsider the detention of Ladakhi social activist Sonam Wangchuk, citing concerns over his deteriorating health. The Court was hearing a *habeas corpus* petition filed by Wangchuk's wife, Dr. Gitanjali Angmo, challenging his detention under the National Security Act, 1980. Wangchuk was detained on September 26 following violent protests in Ladakh demanding statehood.

The **Kerala High Court** has reaffirmed that individuals found in possession of a commercial quantity of narcotics are not eligible for bail, even with long incarceration, unless they meet conditions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act i.e., bail can only be granted if the court is convinced there are reasonable grounds for believing the accused is not guilty and unlikely to reoffend while on bail.

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03.02.2026

The **Supreme Court** has directed the Telangana High Court to reconsider a plea by Shaadi.com founder Anupam Mittal, seeking to quash a criminal case. The case was filed over allegations that the platform failed to verify the details of a man who allegedly used the website to defraud a woman.

The **Delhi High Court** has ruled that consenting adults are free to choose their life partners without needing societal or parental approval, emphasizing that neither society nor parents can interfere in such personal matters.

The **Rajasthan High Court** has observed that the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) is not intended to criminalize consensual relationships between teenagers who are close in age. The Court further clarified that the POCSO Act was designed to protect children from exploitation, not to target young adults in consensual relationships.

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02.02.2026

The **Supreme Court** has upheld the Telangana High Court's guidelines on regulating the registration of FIRs in cases related to social media posts. The Court directed the police not to automatically register FIRs for "harsh, offensive, or critical political speeches."

The **Delhi High Court** has ordered Bollywood actor Rajpal Yadav to surrender before the jail superintendent after he failed to make the required payments following his conviction in a cheque bounce case in 2024.

## ELECTION

Prashant Kishore's Jan Suraaj Party has filed a writ petition in the **Supreme Court**, challenging the Bihar Assembly Elections 2025 over alleged illegal practices. The party contests the direct transfer of Rs. 10,000 to women voters during the Model Code of Conduct and seeks fresh elections.

## ENVIRONMENT

The **Madhya Pradesh High Court** has issued a notice in response to a Public Interest Litigation highlighting the severe pollution of the River Narmada caused by the discharge of untreated sewage in Jabalpur city.

## LABOUR AND INDUSTRIAL

The **Kerala High Court** rejected a Public Interest Litigation (PIL) challenging the state government's decision to raise daily wages for prisoners. Under the new wage structure, inmates will earn between ₹530 and ₹620 per day, with skilled workers receiving ₹620, semi-skilled ₹560, and unskilled ₹530. Previously, wages ranged from ₹63 to ₹168, a rate that had remained unchanged since 2018.

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06.02.2026

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05.02.2026

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06.02.2026

## LAW OF MEDICINE

The **Supreme Court** has allowed the medical termination of a 30-week pregnancy for a minor, emphasizing that a woman's reproductive autonomy must be respected. The Court observed that a woman, particularly a minor, cannot be compelled to continue an unwanted pregnancy, especially when she has clearly expressed her unwillingness.

## SERVICE

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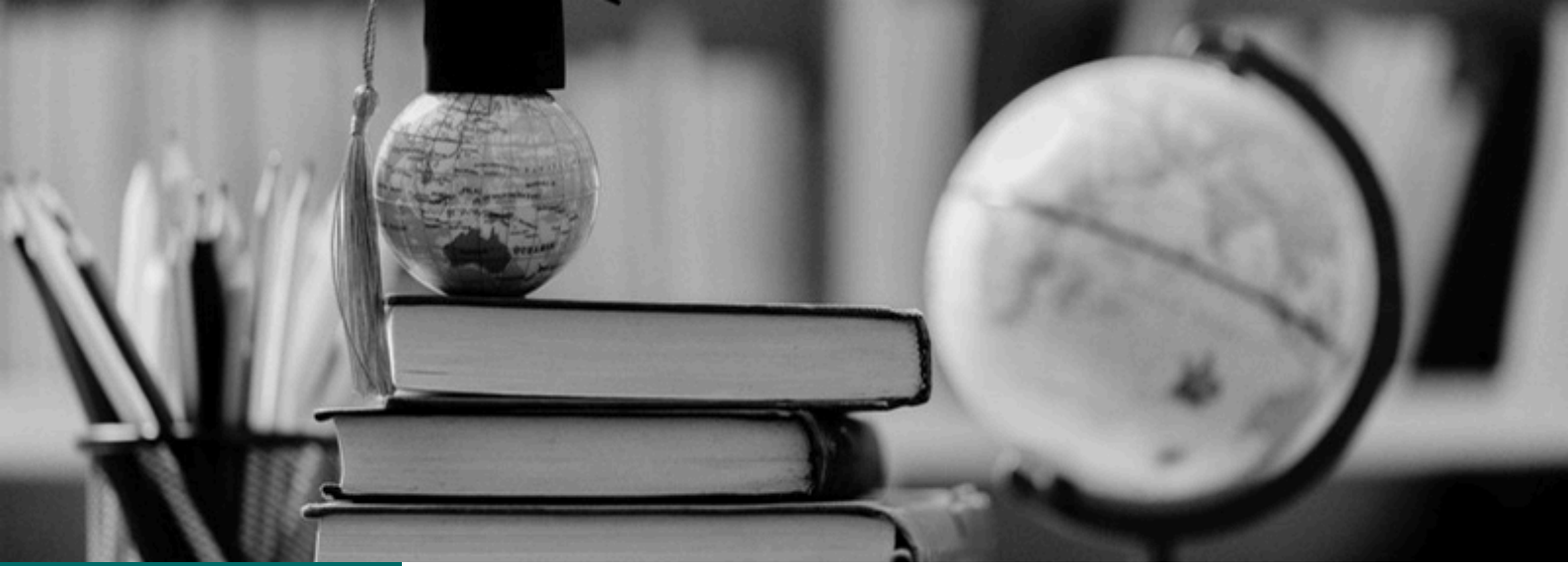
05.02.2026

The **Supreme Court** has criticized the appointment of 'Acting DGPs' in some states and authorized the UPSC to issue reminders to states for DGP appointment proposals. If states fail to comply, the UPSC may initiate contempt proceedings.

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06.02.2026

The **Karnataka High Court** has instructed measures to facilitate the payment of salaries to employees of the online gaming platform Winzo, despite the Directorate of Enforcement (ED) ongoing freeze on the bank accounts of its subsidiary, Zo, which handles salary disbursements.



## Notification Updates

### Ministry of Finance

**The Baggage Rules, 2026**, specify duty-free allowances for passengers under transfer of residence, based on their duration of stay abroad or in India. The allowances vary for residents, tourists of Indian origin, and foreigners with valid visas, with different limits set for stays ranging from 3 months to over 2 years.

The **Deferred Payment of Import Duty (Amendment) Rules, 2026**, amends the payment schedule for import duties under the Customs Act, 1962. The amendments specify that duties for goods with a Bill of Entry returned for payment from the 1st to the last day of any month, except March, must be paid by the 1st of the following month, while duties for March must be paid by the 31st of March.

The **Customs Baggage (Declaration and Processing) Regulations, 2026** establish guidelines for travelers to declare and process their baggage at customs. Passengers must declare any goods exceeding duty-free allowances, including high-value items or restricted products, and face inspections, if needed.

The Ministry of Finance has introduced **system-based e-Scheduling for cargo examination and mandated the use of Body Worn Cameras (BWC)** by customs officers during the examination of import cargo to enhance transparency and efficiency. These measures aim to improve the examination process by providing a digital audit trail and reducing disputes, with full implementation expected by April 2026.

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**Circular No. : 04/2026-  
Customs,  
Dated: 02.02.2026,  
MANU/CUCR/0004/2026**

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**Notification No. :  
13/2026-Customs  
(N.T.),  
Dated: 01.02.2026,  
MANU/CUSN/0013/2026**

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**Notification No. :  
15/2026-Customs  
(N.T.),  
Dated: 01.02.2026,  
MANU/CUSN/0014/2026**

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**Circular No. : 07/2026-  
Customs,  
Dated: 01.02.2026,  
MANU/CUCR/0003/2026**

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**Notification No. :**  
**SO490(E),**  
**Dated: 03.02.2026,**  
MANU/FNSV/0017/2026

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**Circular No. :**  
**HO/47/11/16(2)2025-**  
**MRD-POD2/I/4113/2026,**  
**Dated: 04.02.2026,**  
MANU/SSMD/0002/2026

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**Press Information**  
**Bureau,**  
**Dated : 03.02.2026,**  
MANU/PIBU/0179/2026

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**Press Information**  
**Bureau,**  
**Dated : 03.02.2026,**  
MANU/PIBU/0183/2026

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**Press Information**  
**Bureau,**  
**Dated : 03.02.2026,**  
MANU/PIBU/0175/2026

The provisions of the **Sabka Bima Sabki Raksha (Amendment of Insurance Laws) Act, 2025**, excluding Section 25, will come into effect on February 5, 2026.

## Securities and Exchange Board of India

The Securities and Exchange Board of India has **revised the Order-to-Trade Ratio (OTR) framework**, exempting certain equity option contracts and algorithmic orders by Designated Market Makers from penalties for high OTR. These changes aim to enhance market efficiency and will be effective from April 2026.

## Ministry of Labour & Employment

The Employees' Provident Fund Organisation has welcomed the **rationalization of the Income Tax regime for Provident Funds**, aligning it with the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. The Union Budget (2026-2027) has addressed discrepancies in exemption eligibility, investment norms, and employer contribution limits, reducing confusion and litigation.

## PIB Headquarters

The **Electronics Components Manufacturing Scheme (ECMS)** in India has seen its budget increased to INR. **40,000 crore in the Union Budget 2026-27**, aiming to boost domestic manufacturing capacity and position India as a global hub for electronics. The scheme has significantly contributed to job creation, export growth, and investment in the electronics sector, with a focus on integrating India into global value chains. Various government initiatives, including the Production-Linked Incentive Scheme and Modified Electronics Manufacturing Clusters, support this growth by attracting investment and enhancing infrastructure.

## Ministry of Heavy Industries

The government is **promoting electric vehicles (EVs)** and **charging infrastructure** through various schemes like **FAME India, PLI Auto, and PM E-DRIVE**, providing financial incentives to boost domestic manufacturing and adoption of EVs. These initiatives aim to enhance India's manufacturing capabilities, support public charging stations, and encourage the deployment of electric buses and other EVs across the country, including Tripura.

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**Notification No. :**  
**GSR101(E),**  
**Dated: 03.02.2026,**  
MANU/COAL/0004/2026

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**Notification No. :**  
**GSR102(E),**  
**Dated: 03.02.2026,**  
MANU/MINE/0003/2026

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**Notification No. :**  
**GSR97(E),**  
**Dated: 02.02.2026,**  
MANU/HFAM/0022/2026

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**Press Information**  
**Bureau,**  
**Dated: 04.02.2026,**  
MANU/PIBU/0198/2026

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**Press Information**  
**Bureau,**  
**Dated: 04.02.2026,**  
MANU/PIBU/0189/2026

## Ministry of Coal

The draft of the **Coal Mines (Special Provisions) (First Amendment) Rules, 2026**, proposes amendments to the 2014 rules, including the definition of "performance bank guarantee." The draft is open for public objections and suggestions before final consideration by the Central Government.

## Ministry of Mines

The Ministry of Mines has issued **rules to prevent illegal mining and transportation of minerals in offshore areas**. These rules outline responsibilities, electronic monitoring requirements, necessary clearances, and compliance procedures. They also detail enforcement measures, penalties, appeal processes, and formats for bank guarantees and transit permits.

## Ministry of Health and Family Welfare

The Ministry of Health and Family Welfare has issued the **New Drugs and Clinical Trials (Amendment) Rules, 2026**, which aim to streamline and modernize the regulatory framework for new drugs and clinical trials in India. These amendments focus on enhancing patient safety, improving transparency, and expediting the approval process for new drugs and clinical trials. Key provisions include stricter guidelines on informed consent, more robust monitoring of clinical trials, and a simplified pathway for the approval of innovative therapies. Additionally, the rules emphasize the use of technology in data management and clinical trial monitoring, while ensuring that ethical standards are maintained throughout the process.

## Ministry of Women and Child Development

The government prioritizes the safety and security of women and girls, implementing a comprehensive framework to **prevent and address acid attacks, and supporting states and UTs** in these efforts. Initiatives include legal reforms, victim compensation schemes, and the "Mission Shakti" program, which offers integrated services and helplines for women in distress. Additionally, training programs and awareness campaigns are conducted to enhance the effectiveness of law enforcement and public awareness regarding women's safety.

India emphasized its rights-based, inclusive, and people-centric development approach at the UN Commission for Social Development, highlighting social justice as central to its vision. Key initiatives include extensive social protection measures, grassroots democracy, and digital infrastructure to ensure equity and opportunity for all.

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**Press Information  
Bureau,  
Dated: 04.02.2026,  
MANU/PIBU/0197/2026**

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**Notification No. : RG-  
1/1/(1)/2025-B AND  
CS(2),  
Dated: 05.02.2026,  
MANU/TRAI/0014/2026**

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**Press Information  
Bureau,  
Dated: 05.02.2026,  
MANU/PIBU/0207/2026**

## Ministry of Home Affairs

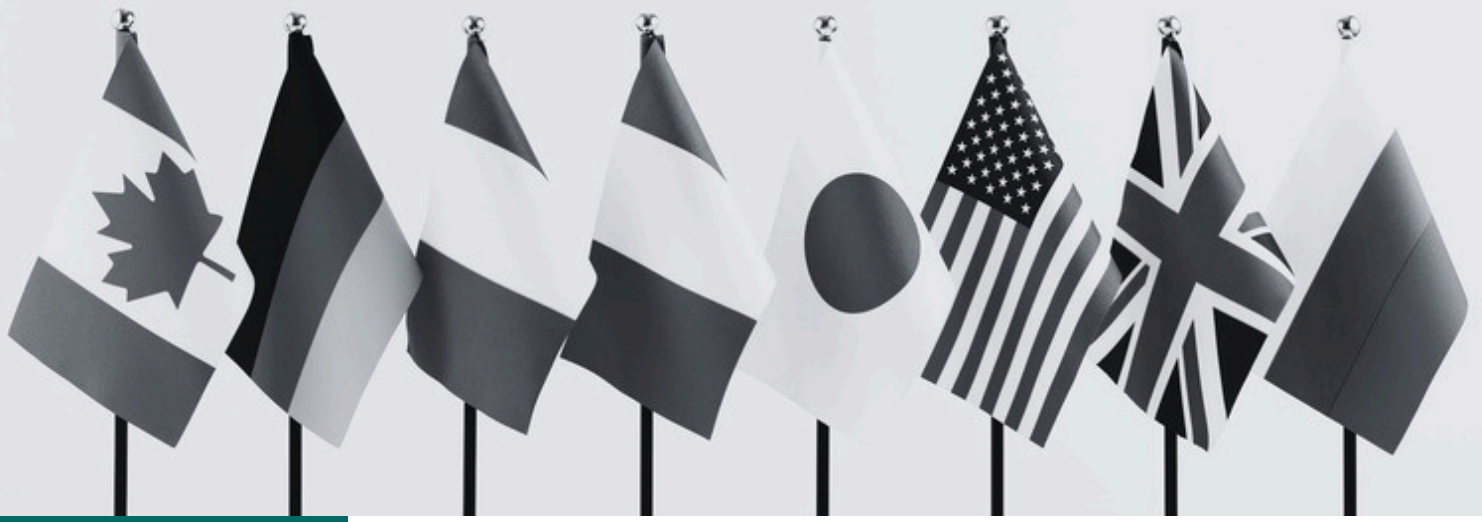
The **Indian Cyber Crime Coordination Centre (I4C)** was established to enhance the nation's capability to tackle cybercrimes and improve coordination among Law Enforcement Agencies. It has launched initiatives like the Citizen Financial Cyber Fraud Reporting and Management System and a Suspect Registry to combat financial fraud and cybercrime. The Central Government also supports e-FIR registration for cyber fraud cases in select regions.

## Telecom Regulatory Authority of India

The **Telecommunication (Broadcasting and Cable) Services Interconnection (Addressable Systems) (Seventh Amendment) Regulations, 2026** primarily aim to update and refine the regulatory framework for broadcasting and cable services, focusing on addressable systems. These amendments address various technical, financial, and operational aspects of interconnection agreements, pricing, and consumer protection. They seek to ensure fair competition, improve service quality, and promote transparency in the distribution of television content across platforms, with specific provisions for digital cable and satellite broadcasting systems. The regulations also introduce measures to enhance the monitoring of content delivery and the implementation of consumer-friendly billing practices.

## Ministry of Law and Justice

The Bar Council of India **discontinued recognition of evening LL.B. courses** from the academic year 2000-2001, mandating LL.B. as a full-time course with specific classroom hours. This position has been consistently upheld, and only those who completed evening courses before 2000-2001 can enroll as advocates.



## International Updates

### AUSTRALIA

The Queensland Court of Appeal has provided detailed guidance on the circumstances in which an employer may be held vicariously liable for criminal acts committed by non-teaching staff in educational institutions. In *BYM v The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane trading as Brisbane Catholic Education [2026] QCA 6*, the Court considered allegations of sexual assault said to have occurred on school premises in 1999. The Court reaffirmed that the correct inquiry is whether the employment created a **sufficiently close connection** between the employee's role and the wrongful conduct. The Court emphasized that factors such as **authority, power, trust, control, and the ability to create intimacy** must arise directly from employment itself and not merely from physical access to the premises. It was held that the duties of a school groundskeeper did not involve **supervisory responsibility or institutional authority** over students.

Australia has indicated that artificial intelligence will be regulated primarily through **existing legislative frameworks** rather than through a dedicated artificial intelligence statute. The National Artificial Intelligence Plan published in December 2025 sets out priorities for 2026, including **infrastructure readiness, economy wide adoption, workforce capability, and proportionate risk management**. Regulatory intervention is expected to focus on **high impact and high risk applications**, particularly in areas involving personal data, automated decision making, and consumer outcomes.

The High Court of Australia has refused special leave to appeal in *Aristocrat Technologies Australia Pty Ltd v Commissioner of Patents [2025] FCAFC 131*, effectively bringing to an end prolonged uncertainty surrounding the patentability of computer implemented inventions. By declining to hear the appeal, the High Court confirmed that the Full Federal Court decision represents the authoritative position on Australian patent law. The Court accepted that inventions may qualify as patentable subject matter where they produce an **artificial state of affairs** and deliver a **useful and tangible result** through computer implementation. This approach rejects earlier restrictive interpretations that treated computer based inventions as abstract ideas. The outcome provides **greater certainty for technology companies, patent applicants, and investors**, and is expected to influence patent drafting strategies, examination practice, licensing negotiations, and **freedom to operate assessments**.

### Employment and Labor

Queensland Court clarifies limits of vicarious liability for criminal acts by non teaching school staff

### Information Technology and Data Protection

Australia to regulate artificial intelligence through existing legal frameworks rather than standalone legislation

### Patent

High Court refusal confirms settled position on patentability of computer implemented inventions

## Tax

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Australian Taxation Office reiterates restrictions on superannuation payments for Division 293 tax

## Information Technology and Data Protection

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Cybersecurity authority clarifies escalation rules for cross border data transfers

## Trademark

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Draft trademark law amendment signals shift from registration focus to governance based protection

## Capital Market

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Stock Exchange clarifies application of new ongoing public float regime

The Australian Taxation Office has reiterated that Division 293 tax may only be paid from a self managed superannuation fund after the issuance of an official **Release Authority**. Taxpayers may elect to pay the tax personally or request a release from superannuation, but any payment made prior to authorisation may constitute **illegal early access to superannuation** and attract penalties. Division 293 tax applies where an individual's income and concessional superannuation contributions exceed **250000 Australian dollars** in a financial year. The guidance highlights the importance of **strict procedural compliance**, particularly for trustees responsible for fund administration and reporting obligations.

## CHINA

The Cybersecurity Administration of China has issued comprehensive guidance clarifying how different compliance mechanisms for cross border data transfers operate together. The guidance explains the relationship between **standard contracts, personal information protection certification, and mandatory security assessments**. Data handlers that exceed specified annual transfer thresholds must submit to a **security assessment**, even where compliant contractual or certification arrangements were previously in place. The guidance also reinforces restrictions on transferring personal information outside the Guangdong Hong Kong Macao Greater Bay Area unless additional compliance requirements are satisfied. This clarification reflects China's continued focus on **data sovereignty, cumulative transfer monitoring, and regulatory escalation**, and signals heightened scrutiny for multinational enterprises handling large volumes of personal data.

China has released a draft amendment representing the fifth major revision of its Trademark Law since its enactment. The proposed changes directly address **malicious trademark filings, zombie trademarks, hoarding, and abuse of rights** that have affected the trademark system. A significant development is the inclusion of **dynamic signs** as registrable trademarks, covering animated logos, application loading sequences, and digital branding elements. This reform reflects the growing importance of digital branding in online platforms and media environments. The amendment signals a move away from a registration centred system toward **active governance and use based protection**, requiring brand owners to reassess filing strategies, monitoring practices, and enforcement approaches.

## HONG KONG

The Hong Kong Stock Exchange has issued guidance clarifying the operation of its new ongoing public float requirements, which took effect on 01 January 2026. Issuers are expected to maintain compliance with the **initial prescribed public float threshold**, and reliance on the alternative threshold is permitted only where specific corporate actions or events result in a shortfall. Issuers must publish timely announcements explaining the change and disclose updated public float percentages and market value information. The Exchange has confirmed that waivers granted at the time of listing remain valid under the new regime. Temporary waivers following takeover offers do not remove the obligation to **publicly disclose public float shortfalls**, reinforcing expectations of **continuous transparency and market integrity**.

## Company and Commercial

Indonesia increases scrutiny of corporate actions under Regulation No. 49 of 2025

## Energy and Natural Resources

Indonesia adopts expanded waste to renewable energy policy under Presidential Regulation No. 109 of 2025

## Mergers and Acquisitions

Overseas investment reforms to streamline approvals from 06 March 2026

## Aviation

Singapore to establish National Space Agency to strengthen space economy

## INDONESIA

Indonesia has issued Regulation No. 49 of 2025 governing the establishment, amendment, and dissolution of limited liability companies. The regulation introduces a formal definition of **beneficial ownership**, identifying individuals who ultimately control or benefit from a company. It requires additional supporting documentation, including board authorisations, confirmation statements, and consent from beneficial owners. Applications relating to corporate amendments and data changes are now subject to **substantive review by the Ministry of Law** within **14 business days**. While aimed at improving **corporate transparency and accountability**, the regulation is expected to increase administrative scrutiny, lengthen transaction timelines, and raise compliance costs for corporate restructurings.

Presidential Regulation No. 109 of 2025 establishes a new national framework for processing urban waste into renewable energy. Unlike the earlier regime, the regulation allows waste to be converted into **bioenergy, renewable fuels, and other environmentally friendly energy forms**, rather than electricity alone. Project eligibility has been expanded nationwide, subject to minimum waste supply thresholds, land availability, and regional budget commitments. The regulation also introduces the **polluter pays principle**, placing responsibility on waste generators. This policy shift reflects Indonesia's move toward **integrated environmental management and long term energy resilience**.

## NEW ZEALAND

New Zealand's overseas investment reforms will take effect on 06 March 2026, significantly restructuring the foreign investment approval regime. The amendments introduce a **risk based national interest test**, allowing low risk investments to proceed with faster approvals while subjecting higher risk transactions to enhanced scrutiny. Only the responsible Minister has authority to decline consent where national interest concerns arise. A new pathway also allows qualifying investor visa holders to acquire high value residential land subject to prescribed thresholds. The reforms aim to **reduce compliance burden, improve decision making speed, and safeguard national security interests**.

## SINGAPORE

Singapore will establish the National Space Agency of Singapore on 01 April 2026 under the Ministry of Trade and Industry. The agency will consolidate existing space initiatives and expand national capabilities in satellite operations, space enabled services, and geospatial data analytics. A multi agency operations centre will support government use cases including **urban planning, maritime security, disaster response, and environmental monitoring**. The initiative builds on significant public investment and reflects Singapore's ambition to position itself as a **regional hub for space related services and international collaboration**.

## Tax

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High Court classifies software service fees as business income instead of royalties

## Company and Commercial

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Board of Investment introduces wide ranging efficiency incentives for small and medium enterprises

## Banking

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Federal Deposit Insurance Corporation modernises digital deposit insurance advertising rules

## Capital Market

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Commodity Futures regulator grants interim registration relief to private fund managers

## SOUTH KOREA

The Suwon High Court has issued an important ruling on the tax characterisation of payments made under software and services agreements. The case involved payments made by a Korean electronics manufacturer to a foreign technology company for services integrated into smartphone applications. Although software usage formed part of the arrangement, the Court held that the **essential character of the transaction** was the provision of services. As a result, the payments were classified as **business income rather than royalty income**, rejecting the approach adopted by the tax authorities. The Court emphasised **substance over form**, with significant implications for **digital services taxation, treaty interpretation, withholding tax exposure, and cross border structuring**.

## THAILAND

The Thailand Board of Investment has issued Notification No. 5 of 2568 introducing new measures to improve the efficiency and competitiveness of small and medium enterprises. The incentives encourage investment in **digital transformation, automation, technological upgrades, energy efficiency improvements, and diversification into emerging industries**. Eligibility is limited to companies with at least **51 percent Thai shareholding** and revenue within prescribed thresholds. Applicants must also be registered under the SME ONE identification system. The initiative reflects Thailand's focus on **industrial modernisation, sustainability standards, and long term economic resilience**.

## USA

The Federal Deposit Insurance Corporation has finalised amendments to its rules governing digital signage and advertising of deposit insurance status. The revised framework removes prescriptive formatting requirements and limits signage obligations to **customer facing digital interfaces directly related to deposit products**. The changes provide **greater flexibility in digital design and marketing**, while maintaining strict prohibitions against **misleading representations**. The rules take effect in 2026, with mandatory compliance from 01 April 2027, allowing institutions sufficient time to update systems and disclosures.

The Commodity Futures Trading Commission has issued no action relief allowing certain private fund managers to temporarily avoid registration as commodity pool operators. The relief applies to managers already registered with the Securities and Exchange Commission and is intended to address **duplicative regulatory burden**. The relief will remain in place while the Commission considers formal rulemaking to reinstate a previous exemption. Until then, eligible managers may continue operations subject to ongoing regulatory oversight.

## Employment and Labor

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Federal Trade Commission confirms sustained aggressive enforcement against non compete agreements

The Federal Trade Commission has reaffirmed its intention to pursue **case by case enforcement** against non compete agreements considered anticompetitive. Enforcement will focus on factors including **scope, duration, employee mobility, access to confidential information, and availability of less restrictive alternatives**. Priority sectors include low wage industries and health care, where restrictive covenants may limit worker mobility and public access to services. The announcement signals continued regulatory pressure and heightened compliance risk for employers.



## AI in Use

### Drafting with AI works best when your prompt does the heavy lifting.

Most people say

✗ “Draft a legal notice”

And then complain that the draft is generic.

That is not an AI problem. That is a prompt problem.

#### **How to prompt AI for better drafting**

Instead of vague instructions, tell AI exactly what it needs to know

#### **Bad prompt**

✗ “Draft a reply to a legal notice”

#### **Good prompt**

✓ “Draft a reply to a legal notice under Section 138 of the Negotiable Instruments Act.

Facts: Cheque issued on 10/01/2025 for Rs. 5,00,000. Cheque dishonoured due to insufficient funds.

Legal notice dated 25/01/2025. Client denies liability and claims cheque was issued as security. Tone should be formal and firm.”

More facts. More context. Better draft.

Want to see the difference yourself?

Try drafting the same document with a detailed prompt on **manuworks.ai**'s **Drafter** tool and see how clean and usable the output gets.

**Because good drafting starts with a good prompt.**

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