Weekly Update for Law Optional UPSC

A mix of Conceptual, Current/Contemporary Topics

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Menstruation and Right to Dignity – Supreme Court's

In *Dr. Jaya Thakur v. Government of India & Ors., W.P.(C) No. 1000/2022*, the Supreme Court emphasized that **menstruation should not be a source of shame** and must be treated as a **normal biological reality**, not a social taboo. The Court held that the **right to menstrual hygiene forms part of Article 21** of the Constitution, as it directly impacts the **dignity, health, and equality** of adolescent girls.

The Court observed that merely providing **infrastructure such as toilets and sanitary pads** is insufficient unless the surrounding social ecosystem is free from stigma. It stressed that **men and boys have a crucial role** in dismantling menstrual taboos. According to the Court, male teachers, school staff, and students must be **sensitized and educated**, as ignorance often leads to **harassment, insensitivity, and exclusion of girls from school activities**.

The Court highlighted that **menstrual awareness is a shared social responsibility**, not a women-only issue. It noted that boys must be taught the **biological realities of menstruation**, as lack of knowledge breeds mockery and stigma, whereas **knowledge breeds empathy**. The Court warned that unsensitized male students may harass menstruating girls, discouraging school attendance and affecting educational outcomes.

Importantly, the Court directed the **States and Union Territories** to ensure the provision of **free sanitary pads** in colleges and the availability of **gender-segregated toilets** in both government and private schools. It concluded that when menstruation is discussed **openly in educational spaces**, it ceases to be a matter of shame and becomes recognized as a **collective public health concern**, essential for achieving **substantive gender equality**.

Acts done by several persons in furtherance of common intention

In **Vasant @ Girish Akbarasab Sanavale v. State of Karnataka**, Sections 34, 149 IPC - Difference between 'Common Intention' (S.34 IPC) & 'Common Object' (S.149 IPC) - Section 34 IPC (Common Intention): Requires active participation and proof of an overt act coupled with the intention to commit the crime. Mere presence at the crime scene is insufficient without evidence of participation.

Conviction under S.34 necessitates a criminal act done in furtherance of a shared intention, with the accused actively contributing. Section 149 IPC (Common Object): Imposes joint liability on members of an unlawful assembly for offences committed in pursuit of a common object, regardless of individual intent or awareness of the specific act.

Liability is based on membership in the assembly and the common object, not individual actions or intentions. S.34 focuses on individual participation and intent, making it more restricted than S.149, which emphasizes the collective object of the assembly. S.34 also differs from conspiracy and abetment by requiring active involvement in the criminal act. (Para 42 - 54)

Sections 34, 149 IPC - Distinction from S.120B IPC (Criminal Conspiracy) - S.34 requires both agreement and participation in the criminal act, unlike S.120B, where a mere agreement to commit an offence may suffice, or an overt act by any conspirator is enough if the act is not an offence by itself. S.34 also differs from abetment, which does not require the abettor's participation in the act.

Dowry Death and Presumption of Guilt

The Supreme Court in *State of U.P. v. Ajmal Beg* restored the conviction of the husband and mother-in-law for **dowry death** by setting aside the High Court's acquittal. The Court reaffirmed the settled law under **Section 304B IPC** and **Section 113B of the Evidence Act**, emphasizing that once the statutory ingredients are proved, the presumption of guilt must follow.

The Court reiterated that for a conviction under **Section 304B IPC**, five essentials must be satisfied: **(i) unnatural death**, **(ii) within seven years of marriage**, **(iii) cruelty or harassment by husband or relatives**, **(iv) such cruelty occurring "soon before her death"**, and **(v) cruelty being linked to a dowry demand**. In the present case, the deceased died of **burn injuries within one year of marriage**, and evidence proved dowry demands for a **motorcycle, television, and ₹15,000**, fulfilling all legal requirements.

Interpreting the phrase **"soon before her death"**, the Court held that it should not be given a narrow meaning. The correct test is that of **"reasonable time"**, requiring a **proximate and live link** between the cruelty and the death. Since a dowry demand was made **just one day prior** to the incident, the nexus was clearly established.

On the presumption under **Section 113B Evidence Act**, the Court held that once cruelty for dowry soon before death is proved, the Court **shall presume** that the accused caused the dowry death. This

presumption is **rebuttable**, but the burden shifts to the accused. In this case, the accused failed to discharge that burden.

The Court also made strong social observations, describing dowry as a **"cross-cultural evil"** inconsistent with **constitutional values of equality and dignity**. It issued directions for **educational reforms**, proper functioning of **Dowry Prohibition Officers**, **training of police and judges**, and **expeditious disposal** of pending dowry cases.

UGC Regulations Prevail Over State Law in VC Appointments

The Supreme Court in *Dr. S. Mohan v. Secretary to the Chancellor, Puducherry Technological University & Ors.* authoritatively held that the **UGC Regulations, 2018 override any inconsistent State legislation** relating to the appointment of a **University Vice-Chancellor**. The Court clarified that the **composition of the Search-cum-Selection Committee** directly falls within the domain of **"standards of higher education"**, which is an area reserved exclusively for **Parliament under Entry 66 of List I (Union List)**.

The dispute arose from **Section 14(5) of the Puducherry Technological University Act, 2019**, which prescribed a three-member Search Committee consisting of nominees of the Chancellor, Government, and Board of Governors. This structure **excluded the mandatory nominee of the UGC Chairman**, as required under **Regulation 7.3 of the UGC Regulations, 2018**. The Court held that this deviation rendered the entire selection process **illegal and unconstitutional**.

The Supreme Court affirmed that **UGC Regulations framed under the UGC Act, 1956 have statutory force** and are binding on all universities, whether Central, State, or Union Territory institutions. Any State law or university statute inconsistent with these regulations is **void to the extent of inconsistency**. The Court declared that **Section 14(5) of the PTU Act was ultra vires**, since it prescribed a Search Committee structure contrary to the UGC mandate.

Importantly, the Court rejected the application of **Article 254 (repugnancy)**, holding that it is **irrelevant in this context**. The doctrine of repugnancy applies only when both Central and State laws operate within the **Concurrent List**. Since higher education standards fall under the **exclusive legislative field of Parliament (List I)**, **State laws cannot occupy this space at all**, and therefore the question of Presidential assent under Article 254(2) does not arise.

The Court emphasized that **any deviation from Regulation 7.3**—especially exclusion of the **UGC Chairman's nominee** or inclusion of members connected with the concerned university—**vitiates the appointment itself**, irrespective of the merit or conduct of the selected Vice-Chancellor.

However, exercising its equitable powers under **Article 142 of the Constitution**, the Court allowed **Dr. S. Mohan** to continue as Vice-Chancellor till the end of his tenure or until a fresh lawful appointment is made. This relief was granted to prevent **administrative vacuum** and **personal stigma**, as no allegations existed regarding his competence or integrity.

Doctrine of Transfer of Malice (Transmigration of Motive)

The Supreme Court in *Ashok Saxena v. State of Uttarakhand* explained the scope of the **Doctrine of Transfer of Malice (Transmigration of Motive)** as embodied in **Section 301 IPC**. The doctrine provides that when an accused intends to kill or cause fatal harm to one person but instead kills another

unintended person in the course of the same act, the **original intention is legally transferred** to the actual victim. Thus, the absence of a specific intention toward the deceased does not absolve the accused of liability for murder.

In the present case, the accused **trespassed into the informant's house with a knife**, intending to assault the informant. However, when the informant's wife intervened, she was fatally stabbed. The Trial Court acquitted the accused, but the High Court convicted him under **Section 302 IPC**. The Supreme Court upheld the applicability of **Section 301 IPC**, holding that the **intention to kill the informant stood transferred to the deceased wife**, thereby fixing criminal liability for the resulting death.

However, the Court also examined whether **Exception 4 to Section 300 IPC** applied. It found that the incident occurred during a **sudden fight**, without premeditation, and in the heat of passion. Therefore, although the doctrine of transfer of malice applied, the offence was reduced from **murder (Section 302)** to **culpable homicide not amounting to murder (Section 304 Part-I IPC)**. Considering the **old incident (1992)** and the **advanced age of the accused**, the sentence was reduced to the **period already undergone**.

Gender Equality in Armed Forces – 50% Women in JAG Posts

In *Arshnoor Kaur v. Union of India (MA in W.P.(C) No. 772/2023)*, the Supreme Court rejected the Union Government's plea seeking modification of its earlier direction mandating that **at least 50% of vacancies in the Judge Advocate General (JAG) branch of the Indian Army be filled by women**. The Court reaffirmed that the direction was issued to **correct historical discrimination** and ensure **substantive gender equality** in military legal services.

The Court recalled that in its 2025 judgment, it had struck down the Army's recruitment policy which disproportionately favoured men in the JAG branch, holding it to be violative of **Articles 14, 15, and 16 of the Constitution**. The Court found that male and female JAG officers form a **single cadre with identical service conditions**, and therefore any artificial restriction on women's entry amounted to **unconstitutional discrimination**. To compensate for decades of exclusion, the Court directed that **not less than 50% of future vacancies must be allotted to women**.

While rejecting the Union's request for dilution, the Court clarified the relationship between **merit and reservation**. It held that recruitment must remain **merit-based**, but subject to the **minimum 50% floor for women**. Thus, if women secure more than 50% seats on merit, they must be appointed beyond the quota; however, if they fall below 50%, the quota must still be maintained. The Court compared this principle to the **SC/ST open category doctrine**, where meritorious reserved category candidates are not adjusted against reserved seats.

The Court firmly rejected the Union's argument that the direction should be time-bound or limited only to certain service streams. It held that allowing less than 50% participation would **defeat the very purpose of gender neutrality** and perpetuate structural inequality. The Court emphasized that **true equality requires active correction of past exclusion**, not mere formal neutrality.

Liability of Legal Heirs for Negligence under Consumer Law

In *Kumud Lall v. Suresh Chandra Roy (Dead) through LRs & Ors.*, the Supreme Court took up an important question under the **Consumer Protection Act** concerning whether the **legal heirs of a person found negligent** can be held liable to pay **compensation from the estate of the deceased**.

The case arose from a medical negligence complaint originally allowed by the **District Consumer Forum** but later set aside by the **State Commission**. During the pendency of proceedings before the **National Consumer Disputes Redressal Commission (NCDRC)**, both the **doctor (alleged wrongdoer)** and the **consumer (complainant)** died. The legal heirs of the consumer then approached the Supreme Court.

The key legal issue framed by the Court was whether, under the **Consumer Protection Act, 2019**, a consumer complaint **survives the death of the negligent service provider**, and whether **compensation can be recovered from the estate through the legal heirs**, even though personal liability of the deceased naturally ends with death.

Recognizing that the issue involves **significant legal and policy implications**, especially for medical and professional negligence cases, the Supreme Court appointed a **Senior Advocate as Amicus Curiae** to assist in examining whether the concept of **survivability of cause of action** and **estate liability** applies in consumer law.

Honour Killing and Police Misconduct under SC/ST Act

In *K.P. Tamilmaran v. State*, the Supreme Court dealt with a grave case of **honour killing** compounded by serious **police misconduct** under the **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**. The Court examined whether the convictions of police officers and others for **fabricating evidence**, **neglecting official duties**, and **shielding real offenders** were justified, and answered the issue in the affirmative.

The Court found that the police officers had **deliberately delayed the registration of the FIR** despite having full knowledge of the murders, in clear violation of **Section 154 CrPC** and the mandatory guidelines laid down in **Lalita Kumari's case**. During this period, the officers also **used caste-based abuses** against the victim's family, thereby attracting liability under the **SC/ST Act**.

More seriously, the Inspector **fabricated an extra-judicial confession** and prepared a **false FIR**, deliberately implicating **four Dalits and four Vanniyars** to protect the actual culprits belonging to the **Vanniyar community**. This manipulation came to light only after the case received **media attention**, leading to the FIR being registered **nine days after the crime**.

The Supreme Court upheld the convictions of the police officers for **disobedience of law, neglect of duty, and fabrication of evidence**, holding that the acts were intended to **falsely implicate innocent Dalits** in a crime punishable by **death**

Limitation and Cognizance under Section 138 NI Act

The Supreme Court in *S. Nagesh v. Shobha S. Aradhya* authoritatively held that **cognizance of a cheque dishonour complaint filed beyond limitation cannot be taken unless the delay is first condoned by the Court**. The judgment clarifies the mandatory nature of **Section 142(1)(b) of the Negotiable Instruments Act, 1881**, and draws a clear distinction between **procedural irregularity** and **jurisdictional defect**.

Under the statutory scheme, a complaint under **Section 138 NI Act** must be filed **within one month from the date of accrual of cause of action**. The proviso to **Section 142(1)(b)** permits the Court to take cognizance of a belated complaint **only if the complainant satisfies the Court of "sufficient cause" for the delay**, and such delay is formally condoned.

In the present case, although the complaint was filed **two days late**, the Magistrate **took cognizance immediately**, and condoned the delay **nearly five years later**. The Karnataka High Court treated this as a **curable irregularity**, holding that since the delay was eventually condoned, the proceedings were valid.

The Supreme Court rejected this approach and held that **condonation of delay is a condition precedent to taking cognizance**. The Court emphasized that a time-barred complaint **does not legally exist on the court's file** until delay is condoned. Therefore, taking cognizance prior to condonation amounts to acting **without jurisdiction**.

The Court observed that:

- The proviso to Section 142(1)(b) is **mandatory**, not discretionary.
- The Court must first record satisfaction regarding **"sufficient cause"**.
- Only thereafter can it exercise the power to take cognizance.

The Court further clarified that this defect is **not procedural but jurisdictional**, and hence **cannot be cured retrospectively**. A subsequent order condoning delay **cannot validate an earlier illegal assumption of jurisdiction**.

Accordingly, the Supreme Court set aside the High Court's judgment and **quashed the complaint**, holding that the Magistrate's initial cognizance was **void ab initio**.

Mexico's Opposition to the "Unwilling or Unable" Doctrine under Article 51 UN Charter

Recently Mexico's firm stance that the **right of self-defence under Article 51 of the UN Charter** is strictly limited to cases where **an armed attack occurs** between States. Mexico rejects the **"unwilling or unable doctrine"**, which allows a State to use force in another State's territory against non-state actors when that State is allegedly unable or unwilling to act. According to Mexico, this doctrine lacks **both elements of customary international law** — consistent State practice and *opinio juris* — and therefore **cannot constitute lawful interpretation** of Article 51.

Citing **ICJ precedents** (*Nicaragua v. USA*, *Armed Activities on the Territory of Congo*, and the *Wall Advisory Opinion*), Mexico emphasizes that the **use of force against non-state actors** is illegal unless their conduct is **attributable to a State** under the **law of State responsibility (Article 8, ILC Draft Articles)**. It further asserts that **preventive or pre-emptive self-defence** contradicts the Charter's text, which allows self-defence "if an armed attack occurs."

Mexico warns that expanding Article 51 through vague doctrines undermines the **sovereignty and territorial integrity** of weaker States and erodes the **collective security framework** of the United Nations. The paper calls for **transparency in Security Council practice** regarding Article 51 reports and urges a return to strict compliance with the **jus ad bellum regime** to preserve international peace and legality.

International Legal Framework on Piracy and Armed Robbery at Sea

The International Law Commission's (ILC) 2025 report on *Prevention and Repression of Piracy and Armed Robbery at Sea* emphasizes the **evolution of international law governing maritime crimes**. While the **United Nations Convention on the Law of the Sea (UNCLOS)** remains the central treaty

(Articles 100–107), the report notes **gaps**—particularly the Convention's omission of "armed robbery" at sea, a concept unknown in 1982. To address this lacuna, subsequent conventions—such as the **1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention)** and its **2005 Protocol**—expanded international obligations of cooperation and prosecution.

The Special Rapporteur highlights the **customary nature of the duty to cooperate** in repressing piracy, originally codified in Article 14 of the **1958 Convention on the High Seas**, and reinforced by regional mechanisms like the **Yaoundé Code of Conduct (2013)** and **ReCAAP (2004)**. The report further notes that modern threats, including private armed security on merchant vessels and "floating armouries," challenge the legal principles of **innocent passage** and **State responsibility** under Articles 4 and 5 of the **ILC Draft Articles on State Responsibility (2001)**.

U.S. Withdrawal from International Organisations and Treaties

In January 2025, the United States announced its intention to **withdraw from or disengage with several international organisations and multilateral frameworks**, including renewed withdrawal from the **Paris Climate Agreement** and multiple UN-affiliated bodies. This development raises significant questions under **public international law**, particularly concerning **treaty obligations, pacta sunt servanda, and the legal limits of unilateral withdrawal**.

Under international law, a State's ability to withdraw from a treaty or international organisation is governed primarily by the **Vienna Convention on the Law of Treaties, 1969 (VCLT)**. Articles **54 and 56 of the VCLT** permit withdrawal either in accordance with the treaty's express provisions or, where no withdrawal clause exists, only if it can be implied from the nature of the treaty. Therefore, withdrawal is **not an inherent sovereign right**, but a **legally regulated act**.

Where treaties like the **Paris Agreement** explicitly allow withdrawal (Article 28), such withdrawal is **legally valid** if procedural requirements such as **notice periods** are followed. However, in organisations or regimes where no clear exit mechanism exists (e.g., certain UN specialised bodies), unilateral withdrawal may raise issues of **breach of international obligations**, especially if it undermines collective global commitments such as climate action, human rights, or peacekeeping.

From a constitutional perspective, the U.S. President may withdraw from treaties under domestic law, but in international law, such withdrawal does **not absolve the State from responsibility for prior breaches**. Moreover, under the principle of **good faith (Article 26 VCLT – pacta sunt servanda)**, repeated withdrawals from multilateral regimes may be viewed as inconsistent with the **duty of international cooperation**, a core norm reflected in the UN Charter.

Legally, the broader implication is that large-scale disengagement by powerful States weakens the **institutional authority of international organisations**, erodes **customary international law norms**, and challenges the effectiveness of **collective governance mechanisms**. While withdrawal may be lawful in form, its systemic impact threatens the **stability and credibility of the international legal order**.

UN Fact-Finding Mission on Iran and International Human Rights

In January 2025, the United Nations Human Rights Council extended and strengthened the mandate of its **Fact-Finding Mission on Iran**, following allegations of widespread repression during protests, including **arbitrary detention, torture, enforced disappearances, and extrajudicial killings**. This

development engages core principles of **international human rights law** and **international criminal law**, particularly the obligations of States under treaties such as the **International Covenant on Civil and Political Rights (ICCPR)** and the **Convention against Torture (CAT)**.

Under international law, States are bound by the duty to **respect, protect, and fulfil human rights**. Iran, as a party to the **ICCPR**, is legally obligated to ensure rights such as **right to life (Article 6)**, **freedom from torture (Article 7)**, **liberty and security of person (Article 9)**, and **freedom of expression and assembly (Articles 19 and 21)**. Allegations of systematic violations place Iran in potential breach of its **treaty obligations**, giving rise to **international responsibility** under the Articles on State Responsibility (2001).

The Fact-Finding Mission derives its authority from the **Human Rights Council**, acting under the UN Charter framework. While such missions do not possess judicial powers, they play a crucial role in **evidence collection, documentation of violations, and attribution of responsibility**. Their findings can later serve as material for proceedings before **international or domestic courts**, including universal jurisdiction cases or potential referrals to the **International Criminal Court (ICC)**.

From the perspective of international criminal law, if the alleged acts are proven to be **widespread or systematic attacks against a civilian population**, they may qualify as **crimes against humanity** under **Article 7 of the Rome Statute**. This includes acts such as murder, imprisonment, torture, persecution, and enforced disappearance. Even though Iran is not a party to the ICC, individuals may still be prosecuted through **UN Security Council referral** or under **universal jurisdiction** in foreign domestic courts.

Capture of Venezuelan President by the United States and International Law

The capture of **Nicolás Maduro**, the sitting President of Venezuela, by the United States through a military operation raises serious concerns under **public international law**, particularly relating to **State sovereignty, use of force, and head-of-state immunity**. Under **Article 2(4) of the UN Charter**, States are prohibited from using force against the territorial integrity or political independence of another State. A unilateral military operation conducted on Venezuelan soil, without the consent of Venezuela or authorization by the **UN Security Council**, constitutes a prima facie **illegal use of force** and a violation of Venezuelan **sovereignty**.

Further, under customary international law, a sitting head of State enjoys **immunity ratione personae**, which protects them from arrest, detention, and criminal prosecution by foreign domestic courts. This immunity exists regardless of the nature of the alleged crimes and can be lifted only by an **international criminal tribunal**, such as the **International Criminal Court**, not by unilateral State action. Therefore, the arrest of President Maduro by U.S. authorities directly conflicts with established principles of **personal immunity of heads of State**.

From an international criminal law perspective, even if serious allegations such as **narco-terrorism or crimes against humanity** exist, the proper legal route is through **international mechanisms**, such as extradition with consent, ICC proceedings, or UN Security Council action. The unilateral abduction of a foreign President transforms a law enforcement objective into an **internationally wrongful act**, engaging the **international responsibility of the United States**.

Weekly Focus

Subhash Chandra Das Mushib v. Ganga Prosad Das Mushib (AIR 1967 SC 878)

Principle: *Burden of proof and the meaning of "position to dominate the will" under Section 16*

Facts: The plaintiff, an old and illiterate man, executed a gift deed in favour of his nephew. Later, he alleged that the deed was obtained through undue influence, arguing that the nephew, being in a position of authority and trust, took advantage of his weak mental and physical condition.

Held: The Supreme Court held that mere relationship or influence is not sufficient to prove undue influence. The plaintiff must show that the defendant was actually in a position to dominate his will, and that the transaction was unconscionable. Once this is shown, the burden shifts to the dominant party to prove that the contract was made freely and voluntarily.

Legal Significance:

- Clarified the two-step test under Section 16:
    1. Was the defendant in a position to dominate the will of the plaintiff?
    2. Is the transaction unconscionable?

- If both are proven, the presumption of undue influence arises.
- Established that influence per se is not undue; it must be improper or unfairly exercised.

PYQ Solution

Define and distinguish between 'Constituent power', 'Amending power' and 'Legislative power'. Give illustrations. (20 MARKS)

The Indian Constitution outlines various types of powers exercised by different organs of the state. Among these, constituent power, amending power, and legislative power are crucial for understanding the framework and functioning of the government. While these powers are interconnected, they serve distinct purposes and are governed by different constitutional provisions and principles.

Constituent Power
Constituent power refers to the authority to frame or reframe a constitution. It is the supreme power to establish or alter the fundamental legal framework of a state. This power is typically exercised by a constituent assembly or a similar body vested with the authority to draft and adopt a new constitution or to make significant changes to an existing one.

The most notable exercise of constituent power in India was by the Constituent Assembly, which was established to draft the Constitution of India. The Constituent Assembly deliberated and adopted the Constitution, which came into effect on January 26, 1950.

Characteristics:

1. **Supreme Authority:** Constituent power is the highest form of legal authority in a state, overriding all other forms of governmental power.

2. **Creation of Fundamental Law:** It involves the creation or substantial modification of the basic legal and institutional structure of the state.
3. **Original and Inherent Power:** Constituent power is original, inherent, and not derived from any other authority.

Amending Power
Amending power refers to the authority to make changes to an existing constitution. This power allows for the modification, addition, or repeal of constitutional provisions to address evolving needs and circumstances. In India, this power is vested in the Parliament under Article 368 of the Constitution.

An example of the exercise of amending power is the 42nd Amendment Act, 1976, which brought significant changes to the Indian Constitution, including the addition of the words "Socialist" and "Secular" to the Preamble.

Characteristics:

1. **Derived Authority:** Amending power is derived from the constitution itself and is exercised according to the procedures laid down in the constitution.
2. **Limited Scope:** It is limited to modifying existing constitutional provisions and does not extend to creating an entirely new constitution.
3. **Procedural Requirements:** The process for amending the constitution often involves specific procedural requirements, such as special majorities or ratification by state legislatures.

Legislative Power
Legislative power refers to the authority to enact, amend, and repeal laws within the framework of the constitution. This power is exercised by the legislative bodies, such as the Parliament at the central level and the state legislatures at the state level.

The enactment of the Goods and Services Tax (GST) Act by the Indian Parliament is an example of the exercise of legislative power. This law reformed the indirect tax system in India.

Characteristics:

1. **Ordinary Law-making:** Legislative power pertains to the creation of ordinary laws, as opposed to constitutional amendments or fundamental legal frameworks.
2. **Defined Jurisdiction:** The extent of legislative power is defined by the constitution, which delineates the subjects on which the central and state legislatures can legislate (e.g., Union List, State List, and Concurrent List under the Seventh Schedule).
3. **Regular Exercise:** Legislative power is regularly exercised by legislative bodies to address various policy issues and societal needs.

Constituent power involves the creation or fundamental alteration of the constitution, amending power allows for modifications to the existing constitutional framework, and legislative power pertains to the enactment of ordinary laws within the boundaries set by the constitution. Together, these powers ensure that the legal system remains dynamic and responsive to the needs of society while maintaining constitutional integrity and stability.