Weekly Update for Law Optional UPSC
A mix of Conceptual, Current/Contemporary Topics

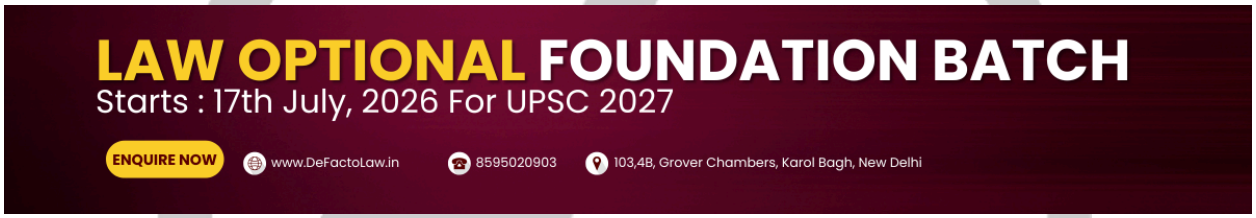
22nd - 28th June 2026

1.Functional, Not Just Physical: SC Recalibrates Disability in Accident Compensation..... 1
3.Conviction Apart, the Sentence Reconsidered: Proportionality in Forgery Cases..... 2
4.Three Decades On: Conviction Upheld, Sentence Reduced to Time Served..... 2
5.Congo Returns to the ICJ: An Old Conflict and the Limits of Jurisdiction.....2
6.Rising Seas, Fixed Baselines: The ILC Confronts Sea-Level Rise..... 3

Weekly Focus

State of Punjab v. Davinder Singh, [2024] 8 S.C.R. 1321 : 2024 INSC 562.....3
PYQ Solution..... 4

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1.Functional, Not Just Physical: SC Recalibrates Disability in Accident Compensation

Shankar Dutt v. United India Insurance Co. Ltd. (2026) The Supreme Court enhanced the compensation payable to a motor-accident victim whose right leg was amputated, clarifying how **disability is to be assessed** for the purpose of just compensation. In a judgment authored by Justice N.V. Anjaria, the Court drew the crucial **distinction between physical (medical) disability and functional disability.**

The medical certificate had assessed the appellant's disability at about 70% on account of the amputation of the lower half of his right leg. The claimant contended that, for a person of his occupation, the practical effect was a far greater **loss of earning capacity.**

The Court reiterated that it is the **functional disability — the extent to which the injury impairs the victim's actual capacity to earn — that governs compensation**, and that this may exceed the physician's assessment of physical disability where the injury effectively destroys the claimant's vocation. It revised the award and the conventional heads accordingly.

The decision reinforces that compensation under the Motor Vehicles Act is measured by the loss the victim actually suffers in earning and living, and that tribunals must translate a medical-disability figure into its real functional consequences rather than apply it mechanically.

2.Income of a Professional and the Conventional Heads: SC Tunes a Fatal-Accident Award

Oriental Insurance Co. Ltd. v. Kalu Ram (2026) Hearing cross-appeals in a fatal motor-accident claim, the Supreme Court addressed the correct method of computing the **income and future prospects of a deceased professional** and the award of compensation under the **conventional heads.** The judgment was delivered by Justice Prashant Kumar Mishra, sitting with Justice N.V. Anjaria.

The Tribunal had fixed the deceased's income after examining documentary and oral evidence — including the testimony of a Joint Director of the professional institute concerned — to arrive at a **benchmark reflective of his future earning potential.** The insurer disputed the figure as excessive.

The Court upheld the evidence-based determination, holding that the future earning potential of a professional must be assessed on the material led and not in the abstract. It **dismissed the insurer's appeal** and **partly allowed the claimants' appeal**, enhancing the award by ₹80,000 towards **filial consortium**, applying the conventional-head principles laid down in *Pranay Sethi*.

The ruling confirms that loss of dependency for a professional is to be computed on a realistic, evidence-led projection of earnings, and that conventional heads such as consortium form a mandatory component of just compensation.

3.Conviction Apart, the Sentence Reconsidered: Proportionality in Forgery Cases

Israfil @ Pappu v. State of Madhya Pradesh (2026) The Supreme Court considered the **proportionality of sentence** in a case of forgery and cheating, the conviction itself not being in issue. The appellant stood convicted under **Sections 420, 467, 468 and 471 of the Indian Penal Code** for cheating and forgery of a valuable security, while a co-accused had been acquitted. The judgment was authored by Justice Prashant Kumar Mishra, with Justice N.V. Anjaria.

By an earlier order the Court had confined the proceedings **only to the question of sentence**, the appellant having accepted the conviction.

Weighing the peculiar facts and circumstances, the Court found that the substantive sentence of **five years' rigorous imprisonment deserved reconsideration**, and **partly allowed** the appeal by modifying the sentence while leaving the conviction undisturbed.

The decision is affirmation of a settled approach that sentencing is a discretionary exercise calibrated to the gravity of the offence and the circumstances of the offender, and that an appellate court may temper the quantum of punishment without disturbing a sound conviction.

4.Three Decades On: Conviction Upheld, Sentence Reduced to Time Served

Mathu @ Jagdish v. State of Uttarakhand (2026) Disposing of an appeal arising from a conviction under **Section 304 read with Section 34 of the Indian Penal Code** — culpable homicide not amounting to murder, with common intention — the Supreme Court **maintained the conviction but reduced the sentence to the period already undergone.** The Bench comprised Justice Ujjal Bhuyan and Justice Arun Palli.

The incident was the subject of a 1997 Sessions trial; the appellants had been sentenced to five years' rigorous imprisonment, a conviction affirmed by the High Court in 2012.

Taking into account the **long lapse of time** — nearly three decades since the occurrence — and the peculiar facts, the Court held that the ends of justice would be met by **altering the sentence to the period already undergone**, while sustaining the finding of guilt.

5.Congo Returns to the ICJ: An Old Conflict and the Limits of Jurisdiction

Topic 5 · Public International Law

On 26 June 2026 the **Democratic Republic of the Congo instituted proceedings against Rwanda before the International Court of Justice**, alleging abuses attributable to Rwanda over a period extending from 1996 to the present. The filing revives one of Africa's longest-running inter-State disputes before the principal judicial organ of the United Nations.

The application engages core principles of international law — the **prohibition on the use of force** and on **intervention** in the affairs of another State under the UN Charter, and the rules of **State responsibility** for internationally wrongful acts.

A recurring hurdle in such cases is **jurisdiction**: the ICJ can hear a contentious case only where both States have consented, and the DRC's earlier 2002 case against Rwanda foundered on precisely this threshold. The Court will first have to be satisfied that a valid jurisdictional basis exists.

Reconciling the gravity of the alleged violations with the **consensual foundation of the Court's jurisdiction**, and the limits of judicial settlement as a mode of resolving protracted armed conflict.

6.Rising Seas, Fixed Baselines: The ILC Confronts Sea-Level Rise

Topic 6 · International Law / Law of the Sea

As the **International Law Commission** resumed the second part of its seventy-seventh session at Geneva on 29 June 2026, its **Study Group on Sea-Level Rise in Relation to International Law** continued to grapple with a defining question of the century — the legal consequences of rising seas for States and their maritime zones.

Two issues dominate. First, whether **baselines and the outer limits of maritime zones** fixed under **UNCLOS** should be **preserved** notwithstanding physical coastal retreat — a position increasingly favoured to protect the entitlements of affected States. Second, the **continuity of statehood** where territory becomes uninhabitable or submerged.

The work exemplifies the ILC's mandate of **codification and progressive development** of international law: the UNCLOS framework did not anticipate climate-driven loss of territory, and the Study Group's conclusions will shape **customary** understandings even before any treaty amendment.

The stability of legal entitlements (preserving baselines and statehood) against the traditional rule that maritime zones follow the **physical, ambulatory coastline** — and the adequacy of existing law to a problem its drafters never foresaw.

Weekly Focus

State of Punjab v. Davinder Singh, [2024] 8 S.C.R. 1321 : 2024 INSC 562

Facts: Punjab law had reserved a portion of the Scheduled Caste quota as a first preference for the Balmiki and Mazhabi Sikh communities, treated as the most backward among the Scheduled Castes. The validity of such **sub-classification within the Scheduled Castes** was doubted in the light of *E.V. Chinnaiah v. State of Andhra Pradesh (2004)*, and the matter was referred to a **seven-judge Bench.**

Question of Law: Is the **sub-classification of Scheduled Castes** for the purpose of reservation permissible under **Articles 14, 15 and 16**? Do the Scheduled Castes form a homogeneous class, and does **Article 341** — through its 'deeming' fiction — fuse them into a single, indivisible group that the State cannot sub-divide?

Decision: By a majority of **6:1**, the Bench led by Chandrachud, CJI held that **sub-classification of Scheduled Castes is constitutionally permissible**, and **overruled *E.V. Chinnaiah*.** Justice Bela M. Trivedi dissented.

The Reasoning: Article 14 permits the **sub-classification of a class that is not internally homogeneous**, provided it rests on an **intelligible differentia** bearing a rational nexus to the object. The Scheduled Castes are not a uniform monolith; **Article 341 only identifies** the castes deemed Scheduled and does not create a homogeneous class barring further classification. Any sub-classification must rest on **quantifiable data** of backwardness and inadequate representation, not political expediency.

Legal Significance: The judgment empowers States to channel reservation to the **most disadvantaged within the Scheduled Castes**, advancing substantive equality. Notably, several judges also endorsed extending the **'creamy layer' principle** to the SC/ST categories for the purpose of exclusion — a significant doctrinal development for the State to operationalise.

PYQ Solution

'Actus non facit reum nisi mens sit rea.' Discuss the doctrine of mens rea and examine its application to statutory offences. (15 MARKS)

The maxim *actus non facit reum nisi mens sit rea* — an act does not make a person guilty unless the mind is also guilty — expresses the foundational principle that **criminal liability ordinarily requires both a prohibited act (actus reus) and a guilty mind (mens rea).**

Mens Rea — meaning and forms

1.**Concept:** Mens rea denotes the **mental element** of a crime — the intention, knowledge, recklessness or negligence with which the prohibited act is done. The Penal Code does not use the term but embodies it through words such as *'intentionally', 'voluntarily', 'knowingly', 'dishonestly'* and *'fraudulently'* in the definitions of offences.

2. **Forms:** It ranges across **intention, knowledge, recklessness and criminal negligence**, the required degree varying with the offence. The **general exceptions** in Chapter IV of the IPC (mistake of fact, accident, infancy, insanity) largely operate by negating the requisite mens rea.

3.**The Rule for Statutory Offences:** There is a **presumption that mens rea is an essential ingredient of every offence**, including statutory ones; but the presumption can be **displaced** by the express words of a statute or by necessary implication from its subject-matter and object (*Sherras v. De Rutzen*; *Nathulal v. State of M.P.*).

4. **Strict Liability Offences:** In regulatory and welfare legislation — food adulteration, environmental protection, public health and the like — courts often read offences as ones of **strict liability**, dispensing with proof of mens rea to make the law effective, the penal consequences then usually being moderate.

Indian Position: The Supreme Court has consistently held that the presumption of mens rea applies unless excluded expressly or by necessary implication (*State of Maharashtra v. M.H. George*; *Nathulal*). Even where a statute is silent, courts lean in favour of requiring a guilty mind, particularly where the offence carries a serious penalty.

Mens rea remains the **general rule** of criminal liability; its exclusion in statutory offences is the **exception**, confined to regulatory measures where the legislative purpose and language clearly displace the requirement of a guilty mind.

De Facto IAS