

LEGAL UPDATES & CURRENT AFFAIRS

Month: February 2026 • Compiled Reference Digest

Question 1: Prison Reforms & Open Correctional Institutions

What major constitutional directive did the Supreme Court issue in February 2026 regarding prison overcrowding, and what was its rationale?

ANSWER:

In *Suhas Chakma v. Union of India (February 2026)*, a Division Bench of the Supreme Court addressed the persistent issue of prison overcrowding and the resultant inhuman conditions of detention, which directly violate the fundamental rights of prisoners guaranteed under Article 21 of the Constitution of India.

- **The Directive:** The Supreme Court issued comprehensive, time-bound directives for expanding and setting up **Open Correctional Institutions (OCIs)** across all states and union territories under a uniform governance model framework.
- **The Rationale:** The Court held that OCIs embody a vital constitutional promise. It explicitly recognized that trust, individual responsibility, and graded social liberty are not institutional weaknesses, but are rather essential components for meaningful prisoner reform, personal development, and successful societal rehabilitation.

LEGAL UPDATES & CURRENT AFFAIRS

Month: February 2026 • Compiled Reference Digest

Question 2: Arbitral Jurisdiction & Forged Documents

Can a dispute be referred to arbitration if the very agreement containing the arbitration clause is alleged to be fabricated? Explain the Supreme Court's stance.

ANSWER:

No. In ***Rajia Begum v. Barnali Mukherjee (February 2026)***, the Supreme Court clarified the precise operational scope of Section 8 and Section 11 of the Arbitration and Conciliation Act, 1996.

- **The Ruling:** The Supreme Court held that when an arbitration clause is embedded within a document that is *prima facie* alleged to be forged, fraudulent, or entirely fabricated, the dispute **cannot** be automatically referred to an arbitrator.
- **The Impact:** The Court noted that allegations of systemic fraud and forgery strike directly at the *very root of arbitral jurisdiction* and mutual consent. Therefore, the threshold issue falls under non-arbitrable disputes and must first be judicially scrutinized and decided by a competent civil court rather than being pushed directly into arbitration.

LEGAL UPDATES & CURRENT AFFAIRS

Month: February 2026 • Compiled Reference Digest

Question 3: Menstrual Health as a Fundamental Right

How did the Supreme Court expand the horizon of Article 21 concerning menstrual health in February 2026?

ANSWER:

In a groundbreaking human rights jurisprudence ruling in February 2026, the Supreme Court explicitly ruled that **menstrual health and hygiene form an integral, non-negotiable part of the Right to Life with Dignity under Article 21** of the Constitution of India.

- **Core Directives:** The Apex Court ordered all states and educational authorities to ensure the universal distribution of free sanitary napkins, construct clean and completely separate functional toilets for girls in educational institutions, and run active, stigma-free menstrual awareness campaigns.
- **Objective:** The judgment aims to systematically protect the basic bodily dignity, equality, and unhindered access to education for young girls, proactively preventing high school dropout rates linked directly to a lack of hygienic sanitation facilities.

LEGAL UPDATES & CURRENT AFFAIRS

Month: February 2026 • Compiled Reference Digest

Question 4: Digital Monopoly & Coercive User Consent

What crucial observations did the Supreme Court make in February 2026 regarding Meta–WhatsApp's data-sharing policies and digital regulation?

ANSWER:

The Supreme Court closely examined Meta's statutory appeals against the Competition Commission of India (CCI) anti-trust penalties regarding WhatsApp's controversial 2021 privacy policy update updates.

- **Coercive Environment:** The Court flagged serious concerns that dominant digital technology platforms exploit their immense "network effects" to extract user consent within a structurally coercive environment where common citizens have no realistic or viable commercial alternatives.
- **Data as an Economic Asset:** The bench shifted the discourse beyond basic informational privacy, highlighting the massive commercial exploitation of personal data. The Court indicated that personal data must be treated as a distinct *economic asset* and directed the Ministry of Electronics and Information Technology (MeitY) to assess whether the current Digital Personal Data Protection (DPDP) framework adequately handles corporate data monetization risks.

LEGAL UPDATES & CURRENT AFFAIRS

Month: February 2026 • Compiled Reference Digest

Question 5: Constitutional Procedure to Rename a State

The Union Cabinet initiated the process to rename Kerala as "Keralam" in February 2026. Detail the constitutional mechanism required to execute this change.

ANSWER:

The Union Cabinet approved the statutory proposals for the **Kerala (Alteration of Name) Bill, 2026**, following an official resolution passed unanimously by the Kerala Legislative Assembly.

- **Constitutional Source:** Parliament derives its exclusive sovereign power to alter the name, boundaries, or area of any existing state under **Article 3** of the Indian Constitution.
- **The Mandatory Steps:**
 1. A Bill for changing a state's name can only be introduced in either House of Parliament upon the **prior recommendation of the President of India**.
 2. Before granting such recommendation, the President must **refer the Bill to the concerned State Legislature** to express its views within a specified timeframe.
 3. Parliament is *not legally bound* by the views expressed by the state legislature. The Bill must then be passed by a **simple majority** of members present and voting in both Houses.
 4. Upon receiving Presidential assent, the First and Fourth Schedules of the Constitution stand amended accordingly.

LEGAL UPDATES & CURRENT AFFAIRS

Month: February 2026 • Compiled Reference Digest

Question 6: The Constitution (131st Amendment) Bill, 2026

What are the primary objectives and key features of the landmark Constitution (131st Amendment) Bill introduced in Parliament in February 2026?

ANSWER:

The **Constitution (131st Amendment) Bill, 2026** (alongside the Delimitation Bill, 2026) was introduced in the Lok Sabha by the Ministry of Law and Justice to operationalize and unfreeze the long-awaited legislative women's reservation policies.

- **Expansion of the Lok Sabha:** The legislative proposal outlines a drastic increase in the maximum number of seats in the Lok Sabha **from 550 to 850** (allocating 815 members from States and 35 from Union Territories).
- **Operationalizing Women's Reservation:** The *Nari Shakti Vandan Adhiniyam, 2023* originally mandated that the 1/3rd reservation for women would only kick in after a full delimitation exercise following the next census. Because a fresh census and subsequent delimitation take significant time, this 2026 Bill permits immediate delimitation based on the **latest published official census data** to fast-track women's representation.
- **Constitutional Reversion:** It removes previous population-basis freezes and fully reverts to the democratic principle that states will be allocated parliamentary seats in direct proportion to their actual population numbers, standardizing constituency sizes.

LEGAL UPDATES & CURRENT AFFAIRS

Month: February 2026 • Compiled Reference Digest

Question 7: Comprehensive Digest of Key Supreme Court Rulings

Briefly summarize major legal points settled by the Supreme Court of India in its February 2026 Monthly Digest.

ANSWER:

The Supreme Court cleared several long-standing legal ambiguities across diverse fields of law in its February 2026 rulings, summarized below:

S.NO.	LEGAL DOMAIN	KEY LEGAL RULE SETTLED
1	Election Law	Election disputes must be raised strictly through formal <i>Election Petitions</i> under the RPA, not by invoking the High Court's extraordinary writ jurisdiction under Article 226.
2	Criminal Law	Police custody cannot be legally sought or granted under Section 167 CrPC once an accused person has already been released on regular bail by a competent court.
3	Service Law	Prior official sanction from the competent executive authority is completely mandatory before initiating fresh departmental/disciplinary proceedings against retired employees.
4	Taxation Law	Tax and fiscal statutes must be interpreted strictly and literally when the statutory language used by the legislature is completely clear and unambiguous.
5	Civil Law	A judgment or final decree cannot be altered or recalled after signing by the judge, except to correct minor, accidental clerical or arithmetical errors.