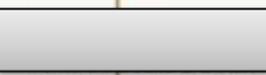


Weekly Legal Knowledge Roundup

Key legislative shifts, Supreme Court directives, and constitutional challenges.

March 16, 2026





Legislation

Maharashtra's Freedom of Religion Bill: Regulating religious conversions and expanding the definition of allurement.



Supreme Court

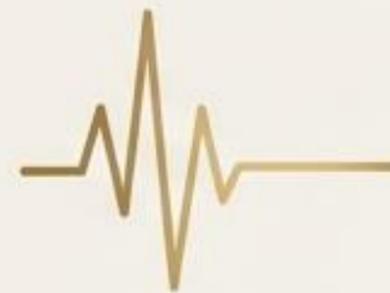
Covid Vaccine Compensation: Establishing a 'no-fault' liability framework for adverse side effects.

This Week's Legal Docket



Constitutional Law

Acid Attack PIL: Challenging the RPwD Act's definition of disability to include forced ingestion.



Medical Jurisprudence

Passive Euthanasia: Clarifying the withdrawal of life-supporting care and the role of living wills.

Anatomy of 'Unlawful Conversion'

Force & Deceit

Includes psychological pressure and misrepresentation.

Coercion

- Threats of bodily injury
- Divine displeasure
- Social boycott

Allurement

- Gifts & Gratification
- Employment & Free Education
- Promise of Marriage
- Divine Healing
- Glorification of one religion over another**

Mass Conversion

Forced conversion of two or more persons at the same time.

Context: Drafted by a 7-member committee led by the Director General of Police (DGP) to address conversions affecting "social harmony".

Procedural Burden: The Path to Lawful Conversion



Escalating Legal Risks: The Penalty Matrix

Standard Offence	Vulnerable Groups & Mass Conversion	Repeat Offenders
7 Years Imprisonment + Rs. 1 Lakh fine.	<p>Applies to minors, women, SC/ST, and forced conversion of two or more persons.</p> <p>Penalty: 7 Years Imprisonment + Rs. 5 Lakh fine.</p>	<p>Applies to individuals and organizations. Organizations lose state financial aid.</p> <p>Penalty: 10 Years Imprisonment + Rs. 7 Lakh fine.</p>



Impact on Marriage & Custody

1. Marriages undertaken solely for unlawful conversion are declared null and void.
2. Children born from such marriages inherit the mother's original religion prior to the marriage.
3. Child custody remains with the mother, who is entitled to maintenance under BNSS Sec 144.

The Issue: Families seeking redress for severe, rare Adverse Events Following Immunisation (AEFI) from the 2021 Covid-19 mass vaccination drive.

~~Traditional Civil Liability~~

Mechanism: Approach civil or consumer courts.

Burden of Proof: Victims must prove scientific negligence or malfeasance by vaccine manufacturers.

Context: Government argues AEFI reporting rate is just 0.001 per one lakh doses.

No-Fault Liability

Mechanism: Ministry of Health must formulate a structured 'No-Fault Compensation Framework'.

Burden of Proof: Victims receive financial relief without having to prove scientific negligence.

Context: Concept already utilized in Indian motor vehicle accident law.

Article 21: Right to Life & Health

State as Active Guardian

Mass vaccination was a State-led intervention. The State bears a positive obligation to compensate for grave outcomes, regardless of rarity, rather than acting as a distant spectator.

Reliance on Precedent

Follows the 2021 Gaurav Kumar Bansal case, which used the Disaster Management Act to mandate ex-gratia payments for Covid deaths via the NDMA.

The Onerous Burden

Insisting on proof of scientific negligence in civil courts imposes an impossible burden on families, risking unequal access to justice (violating Article 14).

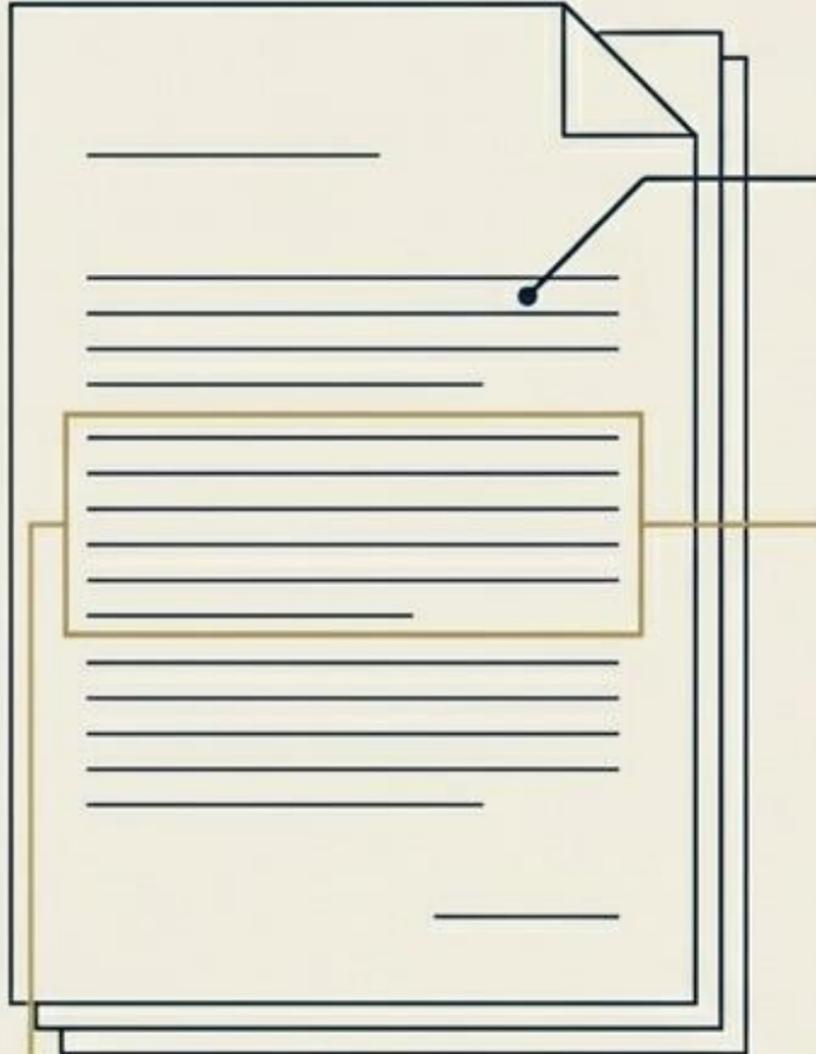
The Crime: Forcible ingestion of acid causing internal visceral damage.

<p>Bharatiya Nyaya Sanhita (BNS Sec 124)</p>			<p>RPwD Act 2016 (Disability Law)</p>
<p>Focus: Criminal Penalties</p>			<p>Focus: Welfare & Rehabilitation</p>
<p>Treats 'throwing' acid and 'administering' (ingesting) acid equally as grievous crimes.</p>			<p>Schedule strictly categorizes victims under 'Locomotor Disability' defined ONLY as disfigurement by 'throwing' 'throwing' acid (external scars).</p>

The Devastating Legal Gap

Because guidelines focus strictly on visible scarring, ingestion victims (who suffer destroyed internal organs) cannot obtain disability certificates. They are entirely blocked from state welfare schemes, free medical care, and public sector employment.

The Argument

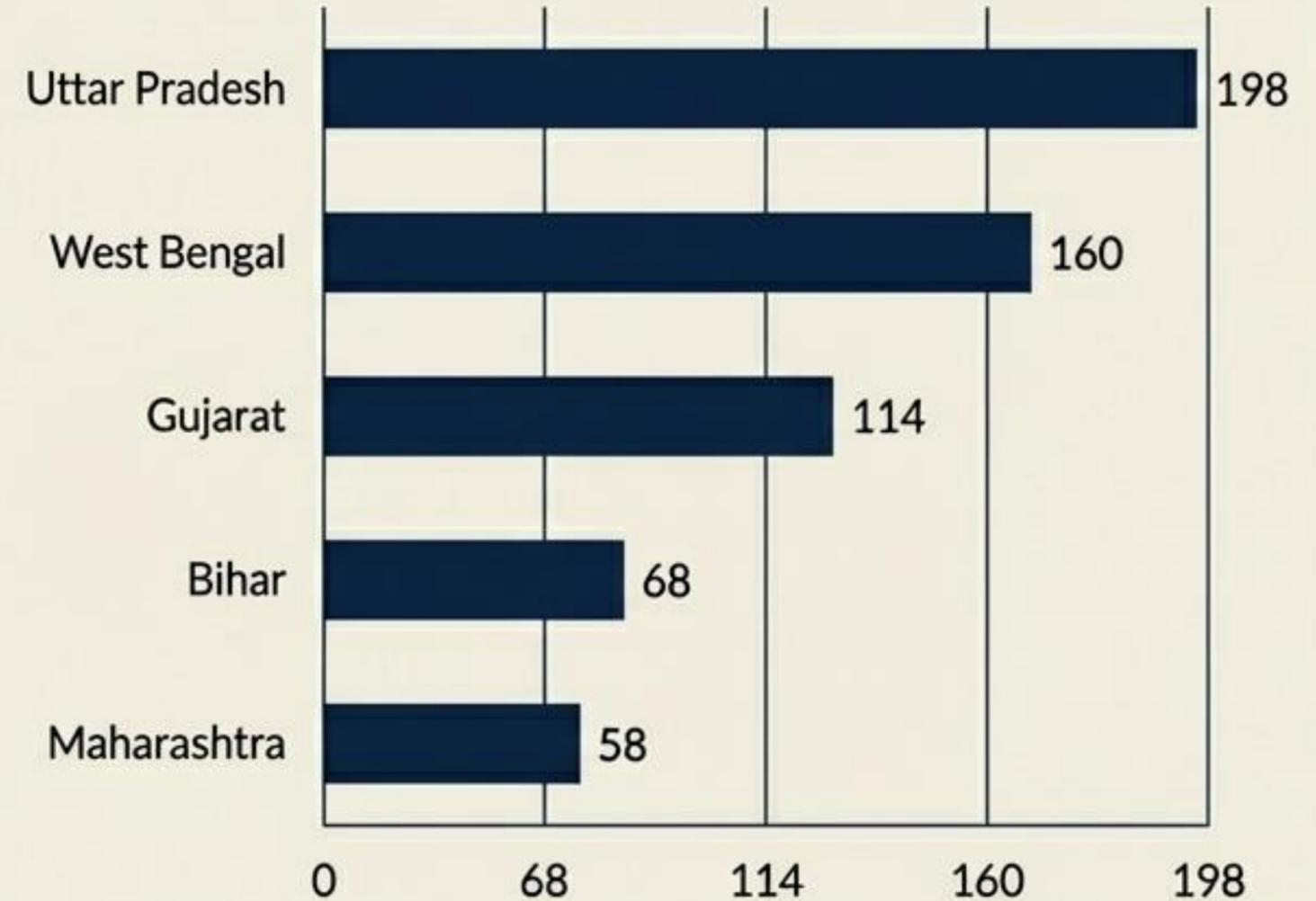


1. Excluding ingestion victims violates **Article 14** (Equality) and **Article 21** (Right to Dignity).

2. The classification is **manifestly arbitrary**. Disability should be evaluated by functional result (limitations on eating/digestion), not the method of the criminal assault.

3. The Ask: The Court does not need to draft a new law, just broadly interpret 'throwing' as 'involving the use of acid'.

Pending Case Backlogs



SC Directive: Directed states to show cause on public sector rehabilitation schemes and gathered trial data to force expedited hearings.

Comparative Legal Status: Active vs. Passive Euthanasia



Active Euthanasia

Definition:

Administering a lethal drug or injection to relieve suffering of a person with no hope of recovery.

Global Context:

Legal in the US, Canada, Australia, and parts of Europe.

Status in India:
STRICTLY ILLEGAL.



Passive Euthanasia

Definition:

Allowing natural death by withholding or withdrawing life-sustaining treatments (CPR, ventilators, dialysis, specialized nutrition).

Recent Action:

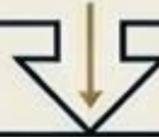
SC allowed withdrawal of care for a 32-year-old in a vegetative state based on 2023 directives.

Status in India: **LEGAL**
(Under strict draft guidelines)

Process Flow: Withdrawing Life Support

Phase 1: Treating Physician

Determines no hope of recovery or meaningful quality of life. Discusses shared decision with family.



Phase 2: Primary Medical Board

Treating physician + 2 subject experts (with 5+ years experience) must formally reach a consensus to withdraw care.



Phase 3: Secondary Medical Board

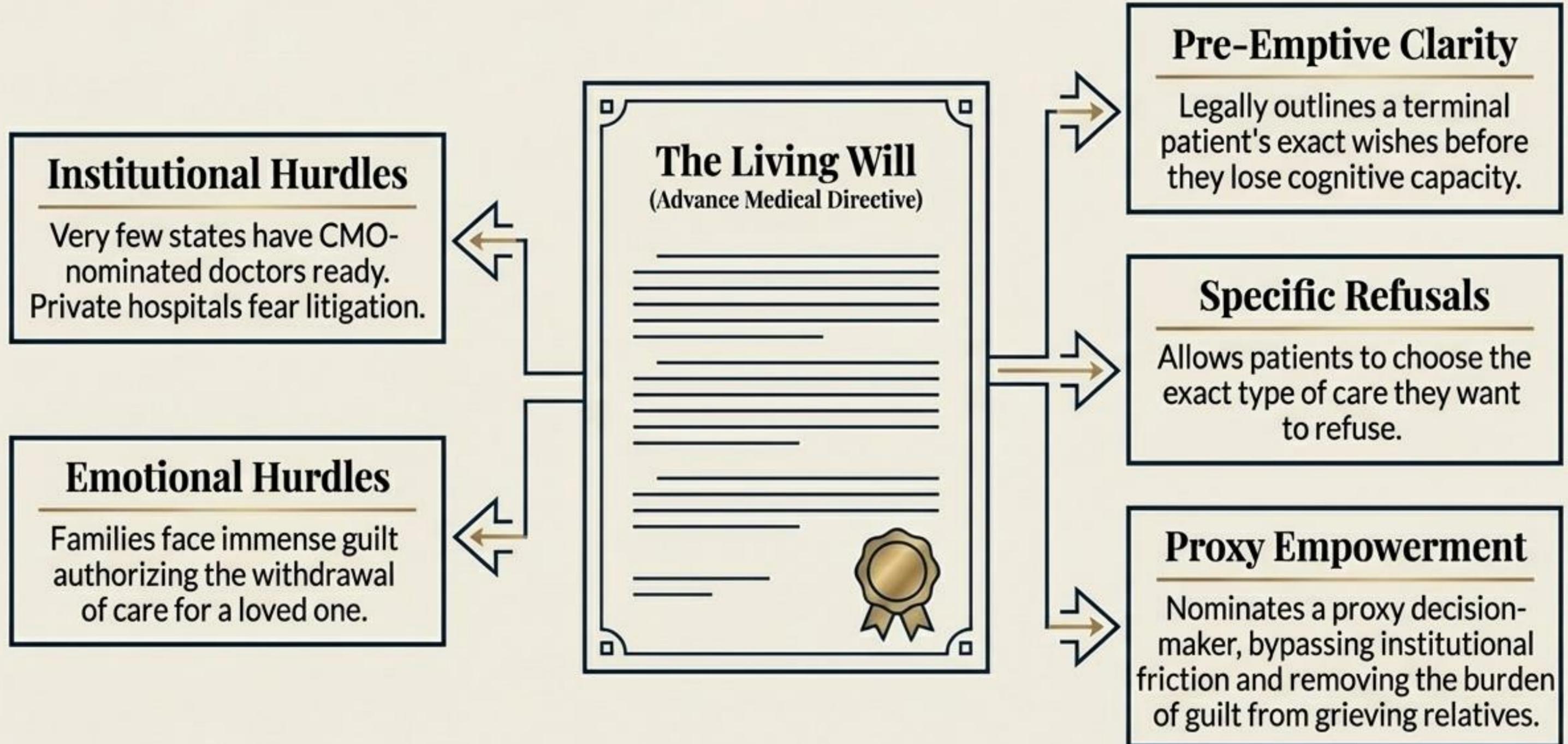
A board featuring a Chief Medical Officer (CMO)-nominated doctor + 2 subject experts must review the request and decide within a strict 48-hour window.



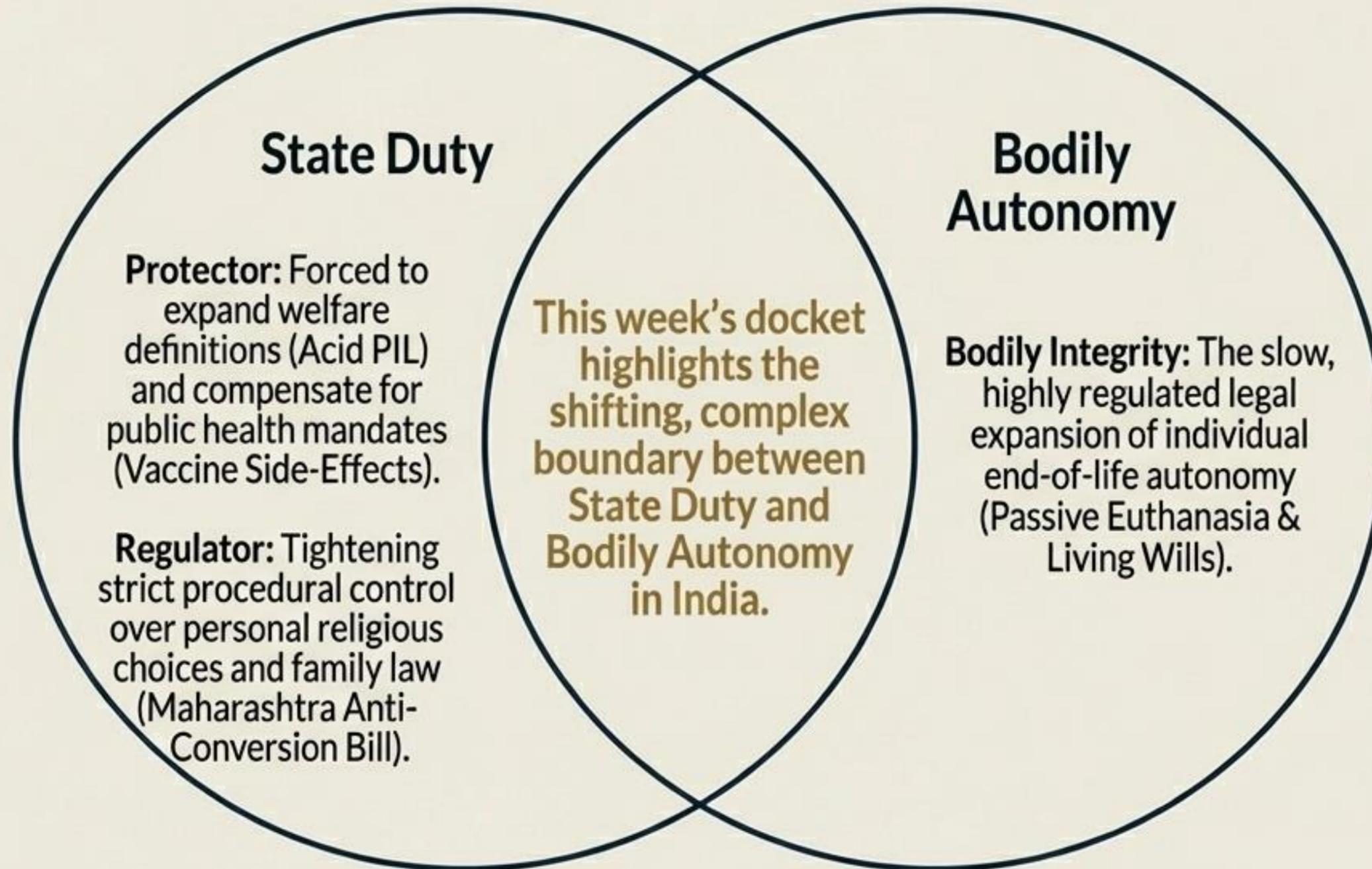
Phase 4: Legal Notification

The local Magistrate must be informed before treatment is withdrawn.
(Approval is not strictly required, but notification is mandatory).

The Living Will: Purpose and Function



Synthesis: The Evolving Jurisprudence of the Body & State



As the State expands its protective and regulatory footprint, the courts remain the final arbiter of individual physical and spiritual autonomy.

Thank You



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