



# 23.06.2026 NEWS

## FOOTPATH AS A FUNDAMENTAL RIGHT

- The Supreme Court has observed that walking on clearly defined and well-maintained footpaths is a fundamental right of pedestrians. A Bench comprising Justices B. S. Narasimha and A. S. Chandurkar stated that greater priority should be given to constructing footpaths for pedestrians than merely building roads for vehicular traffic.
- » The Case
  - The observation was made while hearing an appeal seeking higher compensation in a case involving a five-year-old boy from Karnataka who was killed after being hit by a tanker lorry while walking to school with his father.
  - The judges held that ensuring the availability of wide and safe footpaths is the responsibility of village panchayats, municipalities, municipal corporations, and urban development authorities.
  - They pointed out that the Constitution recognizes and guarantees the right of citizens to walk safely in public spaces as a fundamental right.
  - Although governments continue to widen roads and build expressways, priority is often given to vehicular traffic, while the needs of pedestrians are neglected. There is also a growing tendency among motorists to view pedestrians as obstacles.
  - The Court noted that providing footpaths is the minimum obligation owed by municipal bodies to citizens. It further suggested that the Central Government should enact legislation mandating footpaths on all roads.
- » Accidents
  - The judges directed that the Law Commission should study issues relating to the protection of pedestrian rights and compensation policies. They also instructed the Ministries of Housing and Urban Affairs, Rural Development, and Road Transport and Highways to pay attention to this matter.
  - According to statistics from the Ministry of Road Transport and Highways, 19,680 pedestrians were killed in India in 2024 after being hit by cars or two-wheelers. This accounts for 20.6% of all road accident fatalities.
  - Tamil Nadu recorded the highest number of pedestrian deaths, with 4,712 fatalities, followed by:
  - Bihar – 4,149; Maharashtra – 3,344; West Bengal – 3,241
  - Many footpaths are only 4–5 feet wide and are often occupied by parked two-wheelers, shops, and street vendors. In addition, a large number of footpaths are poorly maintained, forcing pedestrians to walk on the roads and exposing them to danger.
  - The Supreme Court emphasized that the right of pedestrians to walk safely on footpaths must be protected as part of the fundamental right to move freely throughout the territory of India under Article 19(1)(d) of the Constitution.
  - The judges stated that constructing separate, properly maintained footpaths on both sides of roads falls within the scope of this constitutional right.

» The Maneka Gandhi Case

- The right to walk safely on footpaths and sidewalks also falls within the ambit of Article 21, which guarantees the right to life and personal liberty.
- The landmark judgment in the Maneka Gandhi v. Union of India case in 1978 marked a turning point in the interpretation of human rights and fundamental rights in India.
- When the Janata Government impounded the passport of Maneka Gandhi, she approached the Supreme Court claiming that her fundamental rights had been violated.
- The Court accepted her argument that the government's action violated:
  - Article 14 – Right to Equality
  - Article 21 – Right to Life and Personal Liberty, including the right to travel abroad
- Over the years, the Supreme Court has expanded the scope of fundamental rights to include:
  - Right to a clean environment
  - Right to shelter
  - Right to free education up to the age of 14
  - Right to privacy
- To this growing list, the Court has now effectively added the right of pedestrians to walk safely on footpaths and sidewalks.

**ONE NATION; ONE GST REGISTRATION**

- Currently, companies conducting business in multiple States are required to obtain separate GST registrations in each State. To change this, the Gaupa Committee has recommended introducing a single GST registration for the entire country based on the Permanent Account Number (PAN).
- This recommendation has been included in the list of reforms that can be implemented within the current financial year and is also under consideration by the Central Government.
- Under the existing system, if a company operates in multiple States, it has to obtain separate GST registrations and file separate tax returns for each State.
- This results in higher costs and administrative burdens. In this context, it is stated that if a nationwide GST registration system based on a single PAN is introduced, tax procedures for companies operating across multiple States would become easier.
- When GST was introduced, several indirect taxes levied by the Central and State Governments were subsumed into a single tax system.
- Several taxes, including Value Added Tax (VAT), Service Tax, Central Excise Duty and Entry Tax, were brought under the GST regime.
- Further, through the Input Tax Credit (ITC) mechanism, the practice of imposing tax repeatedly on the additional value at every stage of the production and sale chain was eliminated.
- In this context, informed sources said that the Government is considering the next-stage reform of "One Nation, One GST Registration", based on the recommendation of the Gaupa Committee, with the objective of further reducing the costs of businesses and creating a uniform tax system across the country.

## Today News...

### » Gaupa Committee

- The committee was constituted to provide recommendations on facilitating ease of doing business, streamlining tax procedures, improving the investment environment, and reducing administrative complexities.

### » Key Features of the Reform

- For companies operating in multiple States, a single GST registration based on one PAN instead of separate GST registrations for each State.
- Reduction in the requirement for State-wise tax return filing.
- Reduction in the cost and administrative burden on companies.
- Taking the "One Nation; One Tax; One Market" principle to the next level.
- The recommendation is currently under consideration by the Central Government.
- It is likely to be implemented within the current financial year.

## **LET THE HEAT ACTION PLAN BE IMPLEMENTED**

- The Tamil Nadu Government's release of the Tamil Nadu State Heat Action Plan 2026 is a welcome step. The plan aims to reduce the impact of rising temperatures through coordinated action across multiple sectors and to ensure the safety and well-being of the public.
- Globally, the risks associated with climate change are increasing. In India alone, approximately 25,000 heat-related deaths were recorded between 1990 - 2015 due to heat waves.
- In particular, the unprecedented heat wave during the summer of 2024 exposed more than one billion people across 23 states to extreme heat conditions.
- Traditionally, Tamil Nadu experiences intense heat during April and May, with temperatures crossing 40°C only on a few days. However, in recent years, the number of days with temperatures exceeding 40°C has increased significantly.
- This trend highlights the growing impact of climate change, intensified by phenomena such as El Nino.
- Against this backdrop, the Tamil Nadu State Disaster Management Authority entrusted the task of preparing a State Heat Action Plan for Tamil Nadu in January 2025 to the Council on Energy, Environment and Water (CEEW).
- As a first step, heat action plans for 11 cities, including Chennai, Tiruchirappalli, Madurai, and Coimbatore, were prepared in August. Incorporating the lessons and experiences gained from this initial phase, the comprehensive State Heat Action Plan has now been released as a 337-page document.

### » Key Features of the Plan Under the plan:

- Heat-related risks will be assessed not only in urban areas but also in rural regions, at the village level, and in municipal wards.
- Special attention will be given to vulnerable groups such as children, senior citizens, and construction workers, who are more susceptible to heat-related illnesses.
- Early warning alerts based on data from the India Meteorological Department will be sent directly to district administrations and urban local bodies.
- Artificial Intelligence (AI) will be used to integrate and analyze heat-related data efficiently.
- Health and Emergency Preparedness

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- The plan provides guidance on:
  - Understanding and managing heat-related illnesses.
  - Implementing rapid cooling methods for affected individuals.
  - Preparing hospitals and healthcare facilities to effectively respond to heat-wave emergencies.
- These measures are designed to strengthen the healthcare system's capacity to deal with the growing threat of extreme heat.
- The plan also recommends changes in agricultural practices to adapt to rising temperatures.
- Recognizing that increasing green cover is one of nature's most effective defenses against extreme heat, the plan commits to prioritizing the expansion of green spaces across the state.
- Activities under the Heat Action Plan will be monitored through a Heat Action Network that brings together multiple departments, including:
  - Health
  - Labour Welfare
  - Urban Development
  - Environment
  - Disaster Management
- This coordinated approach is intended to ensure an effective response to heat-related challenges.
- Need for Effective Implementation
- The Heat Action Plan has been prepared with concern, foresight, and a strong research-based approach. However, many government policies and action plans often fail to achieve full implementation.
- Since this initiative directly affects people's lives, the overall economy, and the future resilience of the state, the Tamil Nadu Government must move beyond planning and begin implementing the Heat Action Plan immediately and on a full scale, without delay.

## **CENTRE–STATE RELATIONS: WHAT DO THE COMMITTEES RECOMMEND?**

- Several committees have been constituted over the years to examine Centre–State relations in India. In April 2025, the Tamil Nadu Government established a committee headed by former Supreme Court judge Kurian Joseph to safeguard the rights of states and to suggest reforms to India's federal structure. The committee submitted the first volume of its report to the Tamil Nadu Government in February 2026.
- The first part of the report recommends nearly 54 Constitutional Amendments, seven statutory amendments, new laws, and the creation of a new schedule to the Constitution, along with certain deletions and additions.
- The committee identifies two key foundations for its thinking, apart from conventional federal principles. The first is the belief that if present-day India had existed in the 1950s, the direction of the Constitution would have been very different.
- According to this view, the fears arising from the Partition of India resulted in stronger unitary features being incorporated into the Constitution. Since this perspective forms the basis of the report, it justifies the unusually large number of constitutional amendments proposed.

### » Movement Toward the Opposite End

- Like many interpretations of constitutional history, the committee's approach tends to simplify the evolution of the Constitution.
- In an article published in the magazine Swarajya on May 13, 1967, K. Santhanam explained that when the Constituent Assembly of India began its work in 1946, the intention was for the Central Government to have authority mainly over defence, foreign affairs, communications, and related subjects.
- However, when Partition became unavoidable and Pakistan was allowed to separate, the mood within the Constituent Assembly shifted dramatically. Although it did not advocate a completely unitary form of government, there were strong demands for a powerful Centre.
- Ultimately, the Constitution that emerged was a federal system. Thus, the Constituent Assembly moved from the idea of a highly powerful Central Government toward a federal framework.
- The second intellectual foundation of the Kurian Joseph Committee's approach is the influence of liberalisation and globalisation.
- Had the committee discussed this aspect in greater depth, it might have produced a truly exceptional report that was ahead of its time.
- Just as India's economy was freed from excessive controls through the economic reforms of 1991, the committee suggests that sectors such as education should also be freed from excessive control by both the Central and State Governments.
- In the context of liberalisation and globalisation, concepts such as the nation-state, national governments, and national boundaries are often seen as gradually losing significance. Ideas such as limiting excessive central authority, strengthening state autonomy, and decentralising power align naturally with globalisation-oriented political thinking. However, there is a contradiction that must be noted.
- The political leadership of Tamil Nadu, which established the committee, continues to operate within an older framework shaped by ethnic and binary political narratives.
- Because of this contradiction, some of the committee's recommendations appear less like practical solutions to Centre–State issues and more like expressions of the Tamil Nadu political leadership's dissatisfaction with the Centre.
- For the political leadership, the report serves as a political strategy. For the committee, it represents a genuine exercise in political thought and constitutional reform.
- This tension between political objectives and intellectual analysis can be observed throughout the report.

### » The Realism of the Setalvad Committee

- The M. C. Setalvad Committee, which examined Centre–State relations, submitted its report in October 1967. One of its first members was M. Bhakthavatsalam, the last Congress Chief Minister of Tamil Nadu, who had lost power to a regional party in the state election held a few months earlier.
- The distinguishing feature of the Setalvad Committee was its realistic approach. In its view, politics and administration cannot be separated from one another. Administration merely implements the policies and programmes that are politically determined.
- The committee argued that Centre–State relations are not merely relations between governments; they inevitably have a political dimension. The complexities of these relations do not arise solely from the Constitution. The fundamental issue lies in the relationship between the political leadership at the Centre and in the States, and the impact that relationship has on administrative interactions between them.

- Because of this perspective, the Setalvad Committee did not rely heavily on legal provisions or constitutional amendments. Such realism, the author argues, is largely absent in the recommendations of the Kurian Joseph Committee.
- » Are There Deficiencies in the Constitution?
- Many of the recommendations of the Kurian Joseph Committee seek to replace the role of the Central Government with that of State Governments in several areas and to provide states with additional powers.
- Two examples are cited:
  - State Election Commission
  - The committee recommends an independent State Election Commission for conducting Legislative Assembly and local body elections.
  - The State Election Commission would prepare and maintain the electoral rolls.
  - The Election Commission of India could then use the same voter list for Parliamentary elections.
- Appointment and Removal of Governors
  - The committee proposes that:
    - The President should appoint the Governor from among three individuals from outside the state recommended by a majority resolution of the State Legislature.
    - The Governor may be removed through a majority resolution of the entire Legislative Assembly.
    - The President must implement such a resolution within fourteen days.
  - The author questions whether it is realistic to assume that a Governor effectively chosen by a State's political leadership would always function in a completely neutral manner.
- Setalvad Committee's Perspective
  - Examining the Kurian Committee's recommendations in the light of the Setalvad Report is useful.
  - The Setalvad Committee concluded its report with the observation:
    - "There is no inadequacy in our Constitution for administrative purposes. Whoever holds power, if they genuinely wish to implement the Constitution, it will function successfully."
  - A similar point was expressed from a different angle by K. Santhanam while speaking at a birthday celebration of C. Rajagopalachari at Gokhale Institute, Bengaluru, in April 1967:
    - "There is nothing fundamentally wrong or deficient in our Constitution. No Constitution exists that cannot be distorted by those unwilling to follow both its letter and its spirit."
  - This observation, the author argues, was true in the past and remains relevant even after the Kurian Committee's recommendations.
- Federalism and Sovereignty
  - Sovereignty ultimately belongs to the people of India as a whole.
  - The essence of federalism lies in harmonising national sovereignty with the rights and autonomy of the states.
  - The Kurian Committee is not merely calling for administrative reforms or simple constitutional amendments. Its recommendations amount to broader political and constitutional reforms.
  - According to the author, India still needs political platforms and parties capable of critically examining and debating these proposed reforms in a meaningful manner.