EDITORIAL HIGHLIGHTS

03-11-2026

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GS 3: SCIENCE AND TECHNOLOGY

THE HINDU PAGE: 07

Milky Way grew by devouring galaxies, leaving ghost stars

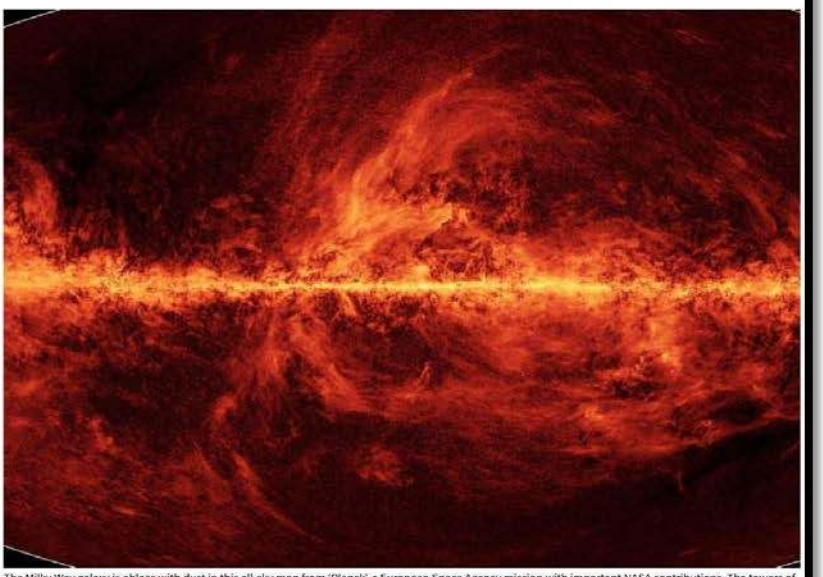
Galactic archaeologists are using precise measures and larger sample sizes afforded by new missions to tease apart minute differences between groups of stars, revealing the history of Milky Way going back around 12 billion years; age, chemistry, and motion reveal different aspects about stars

Siddhant Pusdekar
LONDON

There have always been stories about them. Australian Aboriginal tales tell of an old couple called the Jukara, while for Chile's Mapuche people they are Rvganko or water ponds. To modern astronomers, they are the Small and Large Magellanic clouds, two of the closest galaxies to us that are in the process of being swallowed by the Milky Way.

They are evidence of a kind of snowball effect that characterises the formation and evolution of galaxies, which scientists believe are the result of a series of violent collisions. As galaxies fall into one another, the smaller ones are ripped apart by tidal forces of the larger, leaving behind streams and clusters of stars that don't move in lockstep with the rest of the galaxy. They also stand out for their chemical compositions, which allow astronomers to group stars that were born together and piece back their rough ages.

And together, age, chemistry, and motion tell astronomers different things about stars. Galactic archaeologists use precise measures and larger sample sizes afforded by new missions to tease apart minute differences between groups of stars, revealing the history of the Milky Way going back almost 12 billion years.



The Milky Way galaxy is ablaze with dust in this all-sky map from 'Planck', a European Space Agency mission with important NASA contributions. The towers of fiery colours are actually dust in the galaxy and beyond that has been polarised. ESA/NASA/JPL-CALTECH

First of its kind

In early September, Vasily Belokurov, Amina Helmi, and Rodrigo Ibata won the Kavli Award for complementary discoveries of some of the galaxy's major collisions.

It began with a chance observation. Over three decades ago, when Dr. Ibata, of the University of Strasbourg, turned his attention to the central bulge of the galaxy's disc, he noticed some stars slightly off-centre moving in a peculiar way.

Everything in the galaxy has a shared direction of motion and velocity, but these particular stars stood out and all seemed to be moving in concert. After a year of repeated measurements, Dr. Ibata was left with the only hypothesis that made sense: that the group of stars were part of a much smaller galaxy, the Sagittarius dwarf, that the Milky Way had absorbed.

Although researchers had suspected that the galaxy is littered with remnants of ancient collisions, the discovery – the first of its kind – kickstarted a search for more. Galaxies that were absorbed earlier would be harder to see, because, unlike Sagittarius, which merged only six billion years ago, they might not be intact.

Gaia-Enceladus

As part of her PhD in the 1990s, Dr. Helmi, now at the University of Groningen, developed models of this destruction and predicted that as smaller galaxies are ripped apart by larger ones, they leave behind a stream of stars that should be visible.

In 1999, by applying those models on data from the European Space Agency's (ESA) Hipparcos mission, Dr. Helmi *et al.* analysed the three-dimensional motion of 97 stars around the sun. They found seven had a different orbit from the rest, suggesting they come from outside the galaxy.

But this was a small sample. If the Milky Way formed by cannibalising many smaller galaxies, the firmament should be littered with streams. To see them, researchers would need to tease apart the motion dynamics of thousands of stars with greater precision.

Dr. Helmi waited 20 years until the ESA Gaia mission released its second dataset, looking at almost the whole galaxy. In 2018, Dr. Helmi *et al.* used these measurements to find a large fraction of stars in our neighbourhood that move counterclockwise, instead of the clockwise motion of the rest of the galaxy.

The team combined photometry data on colour and brightness from Gaia and spectroscopy obtained from APO Galactic Evolution Experiment to estimate the ages and chemical composition of these stars. Finally, they grouped the stars that were born together.

They also developed a model that fit the relationship between the colour and luminosity of these groups of stars, to reveal their age. Together, the results suggested these stars were born 10-12 billion years ago in a different galaxy, which they called Gaia-Enceladus.

First major merger

Using the chemical compositions, the team also calculated the rate of star formation and the mass of this galaxy before it crashed with the Milky Way. As opposed to the many smaller collisions Dr. Helmi expected to see, the collision with Gaia-Enceladus, which occurred about 10 billion years ago, must have been large enough to alter the Milky Way's shape, she said. There have been even older collisions, however. In an August 2026 paper, researchers confirmed that around 12 billion years ago, a galaxy called Low-energy-Kraken-Heracles (LKH) collided with the Milky Way. LKH sits in our galaxy's central bulge, which contains the oldest stars going back to the galaxy's creation. But stardust obscures the view.

Another problem with studying such old collisions is that the galaxies were still young, making it harder to detect the divergence in the evolution of their stellar systems, which would be apparent in the stars that came from them.

Instead of focusing on individual stars, the researchers studied 39 globular clusters, groups of about a million stars that are born together and behaved in the same way. They also homogenised the models they used to calculate the ages of stars, because different models can produce results that diverge by as much as 2 billion years, said Davide Massari of the National Institute for Astrophysics at Bologna, who led the work.

'Amazing decade'

By applying these theoretical models about age-dependent dynamics and element content to their data, the researchers determined that 12 of these globular clusters are not from the Milky Way and were absorbed 1.8 billion years before Gaia-Enceladus. At about 12 billion years, this might be the first major merger the Milky Way experienced, Dr. Massari said. While data from the Gaia mission are resolving the history of the galaxy, they also raise new questions and are telling researchers where to point new tools.

How bits of galaxies move after being accreted by the Milky Way may not be uniform, making it challenging to tell whether some seemingly foreign objects have a common origin. A recent reanalysis suggested that the globular cluster omega Centauri, once thought to be a dwarf galaxy absorbed by the Milky Way, may be the nucleus of Gaia-Enceladus. But the data are not conclusive: the researchers do not fully understand how omega Centauri's interaction with the Milky Way's central bulge might have changed its motion.

New projects are coming online to dig deeper. 4MOST, a multi-object spectroscopic survey instrument in Paranal, Chile, will soon start surveying the Southern Sky, probing the Magellanic clouds, Sagittarius, and other previously identified galaxies. The MOONS telescope will also detect infrared light coming from the galactic bulge, which escapes from the center more easily, said Ása Skúladóttir of the University of Florence.

"The last 10 years have been amazing," Dr. Skúladóttir, who has a project associated with 4MOST, added. "But I genuinely believe that the next 10 years are going to be even more amazing because there's so much data coming, and people are really getting invested in this field."

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GS 3: SCIENCE AND TECHNOLOGY
THE HINDU PAGE: 8

How AI training models could compromise privacy



Tulika Avni Sinha

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The right to privacy is a constitutional right upheld by the Supreme Court in 2017. However, the legal instruments currently in place to safeguard this right seem inadequate, especially considering the technological revolution led by Artificial Intelligence (AI) around the world. While AI regulation is one of the most commonly discussed issues within governments today, the recommendations have been broad, vague and have only led to further questions. AI has immense potential to boost productivity and have positive effects on people's lives; any indiscriminate regulatory or policy measure risks inhibiting innovation and economic growth. However, there are lower hanging fruits; specific gaps that can be filled to better safeguard people's constitutional rights without permanently losing out in the AI race.

Privacy coverage

The Digital Personal Data Protection (DPDP) Act was passed in 2023, with the DPDP Rules being notified in November 2025. The implementation is phased with some provisions on consent and safety becoming effective only in 2027. Prior to the DPDP Act, the primary legal instrument to regulate the use and management of personal data was the Information Technology (IT) Act, 2000. Together the IT Act, 2000 and its 2011 Rules broadly regulated the export of "sensitive personal data" on the condition that the recipient ensured a level of data protection required under Indian law, and that the transfer was either necessary to perform a lawful contract or had been consented to by the data provider. An assertion and claim were sufficient to record adequacy. The criminal penalty for unauthorised disclosure was capped at three years' imprisonment or a fine of ₹5 lakh. These penalties only applied to disclosure of sensitive personal data that were listed in the Rules such as financial data, medical or health details, sexual orientation, biometric information etc. The Rules did not apply to personal data such as names, addresses, phone numbers, caste, religion, political affiliations, browsing history, social media activity, online or offline behavioural patterns, institutional affiliations etc.

It also did not apply to any data scraped publicly such as from social media platforms. For context, India is the largest market for Facebook and Instagram in the world. Tech giants such as Meta, Amazon, and Google use data collected from the users to train their AI models.

Credible studies have shown that querying an AI model with 'anonymised' data to extract personal details that it had memorised during training can be used to identify individuals and build their profiles

The DPDP Act is now the general purpose legal instrument to regulate the use of citizens' data. Yet it does not apply to publicly available data or information inferred from parameters such as social media activity including names, gender/sex, locations, institutional affiliations, images, videos or attributes. Such 'inferred' data could include emotions, mobility, and behavioural patterns. It buckets all personal data together and does not create a specific category for sensitive personal data as was followed under IT Act, 2000. Consequently, data that are intuitively sensitive such as passwords and mental and physical health conditions are treated in the same bucket as name, marital status, city, shopping interests etc. When viewed in this light, it seems that the DPDP Act is regressive and fails to assign stronger protections to categories that were better protected earlier. It can be a valid critique to say that even personal non-sensitive data can reveal sensitive information depending upon the context of their collection and accompanying parameters in analysis. However, some data points, when revealed, stand the risk of being severely misused and encroach upon individual privacy without the need for any inference such as biometrics, passwords etc. They need higher levels of protection.

Training AI on personal data

Further, the DPDP Act does not acknowledge or engage with the topic of AI models and data used in their training. One of the risks of AI models to privacy is that they can regurgitate the data used in their training. Credible studies have shown that querying an AI model with "anonymised" data to extract personal details that it had memorised during training can be used to identify individuals and build their profiles. Studies have also shown that various methods can be used via AI to extract sensitive information about individuals using generic publicly available information. This means that if your data was used to train an AI model, an anonymised dataset that is now legally compliant can be used to extract your personal details and profile you without your consent.

It is important to note that Indian users have not had a right or a legal mechanism to prevent this use in the past. Since DPDP's consent provision is only effective next year, companies do not need to fully comply and obtain one's consent with respect to its data processing needs now. Worse, even after the DPDP's substantive provisions take full effect in May 2027, Indian users will have no right to object to AI being trained on their public data. In contrast, Meta currently provides its users in the EU an opt-out feature that allows the user to object to their data being used in Meta's AI training.

This also needs to be juxtaposed with the fact that the right to be forgotten under the DPDP Act only applies to data for which the user had provided consent to the organisation. It is unclear if the right extends to the information inferred from the analysis of the said data. The DPDP Act also exempts this right from processing for research, archival, or statistical purposes. The conditions to be met under such an exemption still need to be prescribed by the Union government. Whether AI model training (often framed by companies as research to improve service delivery) falls within this exemption remains unclear and is, therefore, a potential route by which such processing could escape the Act's obligations entirely.

What can be done

These are low hanging fruits and can be addressed with amendments, notification of Rules and legal judgments. The provisions of the DPDP Act must apply to data used for training AI models. Further, it should provide people with a right to object to that use, and enforce protections on publicly scrapped data and the information inferred from that data. It should also strengthen the right to erasure so that the responsibility falls on the companies to inform the users of every entity that holds their data. The DPDP Act should also clarify whether AI training is included under research exemption by default; and create a sensitive data category with stricter provisions of use and processing. There are definite trade-offs between development objectives and privacy safeguards and the extent of the adoption can follow that prioritisation.

Having said that, these are not non-urgent concerns. They are backed by documentation and acknowledgement from companies and the government. There have been numerous discussions on India being an exporter of its data for AI training. The solution is not to prevent the export or to ban personal information from AI training, which can worsen AI outcomes on inclusion, efficiency, discrimination and bias for the Indian population.

India is staged to be the use case hub of the world – AI is being deployed by corporate giants, MSMEs, and even not-for-profits across sectors. The more we delay closing gaps on privacy, the weaker the constitutional right becomes.

GS 1 and 3: CULTURE and ENVIRONMENT
THE HINDU PAGE: 09

Firecrackers: Festivity or fallout?



Sincy Wilson

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Vaishali R. Venkat

The smoke that wafts through our celebrations carries a hidden cost. How can society preserve the joy of celebration without compromising the right to breathe clean air?

On October 12, the Supreme Court's *suo motu* hearing on air pollution in Delhi-NCR brought firecracker restrictions, religious sentiments, and public health into focus. Citing enforcement difficulties, the Bench cautioned against a blanket ban and emphasised public awareness and voluntary restraint to encourage the use of less-polluting alternatives.

Senior advocate Aparajita Singh, the amicus curiae in the matter, urged the Court to ask the Commission for Air Quality Management (CAQM) to address the medical risks associated with air pollution. The proceedings raise a larger constitutional question: how can environmental protection be reconciled with religious freedom without compromising either public health or lawful cultural practice?

Article 21 of the Constitution provides that no person shall be deprived of their life or personal liberty, except according to the procedure established by law. As interpreted by the Supreme Court, the right to life encompasses the right to healthy life. Articles 48A and 51A(g) reinforce this very principle by placing environmental protection within the framework of the Directive Principles of State Policy and Fundamental Duties, respectively. While Article 48A directs the State to protect and improve the environment and safeguard forests and wildlife, Article 51A(g) makes environmental protection a fundamental duty of every citizen. Further, Article 25 guarantees every person freedom of conscience and the right to profess, practise, and propagate religion, subject to public order, morality, and health, among other constitutional limitations. Thus, religious freedom and the freedom to celebrate cannot be treated as an automatic licence to expose others to unreasonable risks to their health. The challenge is not to pit celebration and clean air in opposing camps, but to ensure that the enjoyment of one's freedom does not diminish another's ability to live in a healthy environment.

Religious freedom and freedom to celebrate cannot be treated as an automatic licence to expose others to unreasonable risks to their health

Environmental protection also demands collective action by governments, institutions, and individuals alike. This understanding of shared environmental responsibility extends beyond national constitutions and finds expression in international environmental principles. For instance, the Stockholm Declaration of 1972 recognised that human well-being is intertwined with environmental quality. The Rio Declaration of 1992 articulated two principles that remain pivotal to environmental policymaking: the precautionary principle, which calls for preventive action by the State against serious environmental risks even when scientific certainty is incomplete, and the polluter-pays principle that suggests that the polluter bears the cost of pollution. Applied to the firecracker debate, these principles bring two core concerns into focus: preventing environmental harm and ensuring that those responsible for pollution bear the cost.

The Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) recognise religious freedom. Moreover, across the globe, countries adopt different approaches to firecracker regulation to protect public safety. For instance, Singapore has banned private firecracker use, permitting only licensed professional fireworks displays. Ireland and the United Kingdom prohibit the sale of traditional firecrackers to the general public. Sweden prohibits the use of firecrackers except by trained individuals holding special permits. Under Germany's explosives regulations, certain powerful firecrackers are restricted to authorised permit holders.

India need not choose between two extremes: a blanket ban and unrestricted use. Regulation can be designed to prevent harm while respecting lawful celebration. This requires scientifically assessing alternatives such as certified green crackers, enforcing emission and safety standards, and holding manufacturers and sellers accountable for violations. The State must ensure that restrictions are proportionate and effectively implemented, while citizens exercise their freedoms with due regard for public health.

After all, a celebration should leave behind memories of joy, not a legacy of polluted air.

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GS 2: POLITY

THE HINDU PAGE: 10

What is the role of Legislative Councils?

What is the constitutional basis for Legislative Councils in the States? What were the arguments for and against? How are members elected and nominated? What powers do Legislative Councils have in relation to Legislative Assemblies? What reforms did the Second Administrative Reforms Commission propose?

EXPLAINER

Rangarajan R.

The story so far:

Elections to 28 Legislative Council seats were held last week in Uttar Pradesh, Bihar, Maharashtra and Karnataka. The exchanges among political parties and their leaders, including the Prime Minister, following the election results had piqued public curiosity about Legislative Councils.

Legislative Councils in British India

The Government of India Act, 1935 introduced bicameral legislatures in six large provinces of Madras, Bombay, Bengal, the United Provinces, Bihar and Assam. The electoral college for these councils was highly restricted and elitist, granting voting rights to only a very wealthy or educated minority.

They were to act as a revising chamber to review the work of Provincial Legislative Assemblies. These councils were not subject to dissolution, and the term of individual members was nine years, with one-third of members retiring every three years. Interestingly, these Legislative Councils had equal powers with the Legislative Assemblies with respect to passage of bills. If there was any disagreement, or if a bill was kept pending in the council for 12 months, the Governor may resolve such deadlock only by summoning a joint sitting of the provincial Assembly and Council.

Constituent Assembly debates

The debates around constituting Legislative Councils in States were highly contested in the Constituent Assembly. Some members favoured it on the ground that it would act as a check and balance against hasty legislation by popularly elected Legislative Assemblies. Others viewed it as an unnecessary burden on the public exchequer. There were also objections to leaving out most important aspects of the constitution of Legislative Councils to ordinary legislation of Parliament without clearly specifying them in the Constitution itself. Finally, after considerable debate, the provisions with respect to Legislative Councils were adopted.



BJP leaders celebrate after winning four seats in Karnataka Legislative Council polls, on October 28. PTI

Structure of State councils

Article 168 of the Constitution provides that the State legislature of Maharashtra, Uttar Pradesh, Bihar, Andhra Pradesh, Telangana and Karnataka shall have a Legislative Council.

Article 169 stipulates that Parliament may by ordinary law provide for the abolition or creation of a Legislative Council in a State. However, Parliament may pass such a law only if the Legislative Assembly of the State passes a resolution to that effect by a two-thirds majority.

Article 171 provides that the maximum number of members in a council shall not exceed one-third of the total membership of the Legislative Assembly, subject to a minimum of 40. The members of the council shall be elected as follows: one-third by municipality and local body members; one-twelfth by graduates for at least three years; one-twelfth by secondary school teachers for at least three years; one-third by MLAs of the State; and the remaining one-sixth to be nominated. Article 172 provides that the Legislative Council in a State is not subject to dissolution, and the term of individual members is six years, with one-third of members retiring every two years.

The ministers in a State, including the Chief Minister, can be from its Legislative Council, just like ministers in the Centre can be from the Rajya Sabha.

However, when it comes to legislative procedure, the council does not have significant powers. There is no requirement for a joint sitting to break any deadlock between the Assembly and Council with respect to bills. In case of disagreement, the bill as passed by the Assembly is considered final, with the Council only having the option to delay the passage of a bill for a maximum of four months.

Issues and way forward

The abolition or creation of Legislative Councils in the past has been primarily driven by political considerations. For instance, the Tamil Nadu Legislative Council was abolished in 1986 when M. G. Ramachandran was the Chief Minister. There was a resolution in the assembly to re-establish it in 2010 when M. Karunanidhi was the Chief Minister. However, before the Parliamentary law for creation could be notified, the Assembly in 2011 had passed a resolution against the revival of the council when J. Jayalalithaa became Chief Minister. Similarly, the Andhra Pradesh council was abolished in 1985 when N. T. Rama Rao became the Chief Minister, only to be later created again in 2007.

The second Administrative Reforms Commission (ARC) in its report on Local Governance (2007) had proposed that Parliament may, by law, create a Legislative Council in all States as 'Council of local governments'. It argued that, given the country's increased literacy rates, there was no longer a need for a separate electorate of graduates and teachers. Instead, all the members of the council can be elected solely by local body representatives.

The second ARC's recommendation may be deliberated and suitably implemented. Despite limited legislative powers of the council, this arrangement may enable it to function as an effective 'revising house', protecting and empowering the interests of local bodies. Otherwise, they may as well be abolished in the existing six States, rather than remaining as a mere ornament in those State legislatures.

(Rangarajan R is a former IAS officer and author of 'Courseware on Polity Simplified.' He currently trains at Officers IAS Academy. Views expressed are personal)

THE GIST

- Legislative Councils were envisaged as revising chambers to check hasty legislation by State Assemblies, but their creation and abolition have often been driven by political considerations
- Though the Constitution provides for their composition, tenure, and role, Legislative Councils have limited legislative powers and can only delay the passage of bills
- The Second Administrative Reforms Commission recommended transforming them into councils of local governments, with members elected solely by local body representatives, to strengthen local self-government

GS 2: POLITY

INDIAN EXPRESS PAGE: 10

Manufactured distrust and a politics of shortcuts



VINAY SAHASRABUDDHE

ALL OVER the world, people are talking about Gen Z uprisings. Opposition groups in several countries are pinning their hopes on young people taking to the streets to achieve what they themselves could not. Others are riding piggyback on Gen Z and trying to settle scores with their respective establishments. In some countries, Gen Z agitators have struck a popular chord but failed miserably to bring anything substantial to the table. An overview of recent uprisings in countries as diverse as Albania, Bangladesh, Morocco, France and Madagascar suggests that one size simply does not fit all. Besides, creatively talented but thoroughly inexperienced organisers appear largely confused. Understandably, the initial hype surrounding Gen Z is waning everywhere, and India is no exception.

About a year ago, an essay by a researcher-blogger at the London School of Economics identified reasons for failed youth uprisings in several countries. Two observations were particularly realistic and remarkable. First, such movements succeed only when governments are weak, divided or vulnerable. Second, Gen Z energy does catalyse momentum, but lasting victories require workers, unions, professionals and older generations to join in. Their absence has proved a major weakness in most cases.

India has a long history of semi-organised uprisings that people eventually rejected. The Naxalite movement, for instance, illustrates this. Through violence, Naxalites held some sway over vulnerable sections in certain regions for a limited period. However, their influence remained confined to the margins in a handful of states. Openly Naxalite political parties, too, have failed to secure popular mandates.

Those seeking to present themselves as alternatives to established political parties have more often than not failed. Two decades ago, Medha Patkar tried to bring together leaders linked with so-called "mass movements" and form a political platform to contest elections, but failed miserably. Regional outfits invoked language or provincial identity to mobilise people, yet their political impact remained short-lived and geographically limited.

Indian society is averse to instability. True, the present youth movement lacks the maturity of serious, cause-driven movements of the past. Even so, some lessons emerge. Even during the Independence struggle, people were less comfortable with street activism, and manufactured cynicism found few takers. It was not without reason that freedom fighters, too, reposed confidence in the judiciary of their time. Almost all streams of the freedom movement conducted mass awareness campaigns as part of their groundwork. In the post-Independence era, leaders spearheading movements combined popular education with on-ground activism.

Manufactured distrust in democratic institutions rarely influences the popular mind in India. People trusted the ECI even when the Prime Minister had sole discretion over the CEC's appointment. Even during the draconian Emergency, people continued to believe in the judiciary, media and even a truncated Parliament. The Morarji Desai government could easily have reversed Parliament's decision to add "socialist" and "secular" as adjectives describing the Republic. But it showed remarkable restraint, safeguarding public trust in democratic institutions. The Modi government could have issued an ordinance to take control of land near the Bangladesh border for border check-posts, overcoming Mamata Banerjee's recalcitrance in the interest of national security. But it did not overstep, again respecting the constitutional framework. Since the Emergency, voters have grown more confident in the power of their ballot. They know they can change governments through elections when they make up their minds.

We are witnessing a generational divide, not only in society but within families. It is a conflict between the impracticable "here-and-now" approach of the impatient and the "right decision at the right time" approach of those wiser through experience.

The moral, then, is clear. Changing governments requires years of hard work and sustained mobilisation of public opinion. India has always rejected frivolous attempts masquerading as popular imagination. There is no place for shortcuts here.

The writer is in-charge of Delhi BJP

It was not without reason that freedom fighters reposed confidence in the judiciary of their time. Almost all streams of the freedom movement conducted mass awareness campaigns as part of their groundwork

GS 2: POLITY

INDIAN EXPRESS PAGE: 11

The anti-SIR and anti-CEC agitation is now set to become a pro-democracy movement



DESHKAAL

BY YOGENDRA YADAV

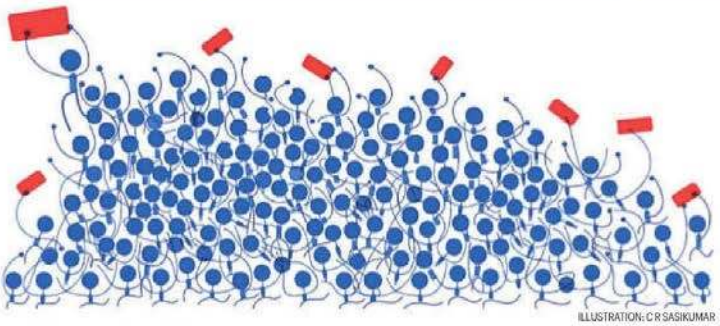


ILLUSTRATION: C R SASIKUMAR

NO ONE expected Chief Election Commissioner (CEC) Gyanesh Kumar to resign after the massive INDIA bloc rally this Sunday. Yet, despite the churlish debate over how many attended the rally, the protest has achieved more than anyone expected. At the same time, this success places greater responsibility on everyone involved in this month-long struggle.

The run-up to the rally had already seen the entire Opposition, not just the INDIA bloc, come together to question the role of the Election Commission of India (ECI). Although AAP and DMK stayed away from the rally, they are very much with the cause. Non-INDIA bloc opposition parties like the BJD, BRS and YSRCP, which have often supported the government, have also come out against the SIR and the ECI. Such a full-spectrum vote of no-confidence by the entire parliamentary Opposition against the election management body would be unprecedented in any democracy. This is like all the non-host teams demanding replacement of the tournament referee.

The "Vote Bachao Desh Bachao" rally and the "public impeachment" of Gyanesh Kumar, the day before the rally, expanded the definition of opposition beyond the political parties. A large number of "civil society" organisations and movements that have led the current campaign against the SIR were present both in the "mock parliament" on Saturday and at the podium of the Sunday rally. These included many farmer organisations and all the youth organisations active in the October protests. In an unusual and significant move, the CJP issued a call to support the Opposition rally. Influencers like Dhruv Rathee and farmer leaders like Rakesh Tikait also endorsed the rally. Though the rally participants were overwhelmingly workers and supporters of INDIA bloc parties, mainly Congress, they exuded confidence that they stood for the people at large. While we should not expect all future protests to be under a single umbrella, this weekend has brought in much-needed cohesion in this medley of protests that we witnessed in October. It has also established Rahul Gandhi, the first leader to bring the "vote *chori*" issue to a disbelieving public, as the moral leader of the wider oppositional space.

The rally was a significant landmark in the popular acceptance of the "vote *chori*" narrative. The *Indian Express* exposé has opened the floodgates of media reporting on the multiple scandals of the SIR, besides the unconstitutional functioning of the ECI. The public now knows about the questions that surround Form 6, misuse of bulk Form 7 objections, the contentious use of Form 8 to change the final voter list, the weird pattern of voter deletion and bulk filing of anonymous appeals in West Bengal and much more. The ECI is on the back foot. The Supreme Court, too, faces questions. True, many of these grave infringements are too technical for the public to grasp. Yet the cumulative impact of the last six weeks has been a shift in the collective common sense towards "*daal mein kuchh kaala hai*" — something is rotten out there. The gravitas of the "public impeachment" pushed this popular narrative further.

> As of now, a call for free and fair elections encompasses the most widely shared sentiment of the people. This would also entail reclaiming democratic freedoms like freedom of expression, dissent and protest

This imposes a historic responsibility on all those who have contributed to the success of these protests so far. Going forward, the movement is not just about removing Gyanesh Kumar and rolling back the SIR but about reclaiming the democratic space that has been lost over the past 12 years. The anti-SIR and anti-CEC agitation is now set to become a pro-democracy movement.

At this critical juncture, the call for "regime change" is a distraction best avoided. To be sure, there is nothing wrong or unconstitutional about demanding regime change through the normal democratic route of elections. And the onus of keeping that normal route truly open is on the ruling establishment and independent institutions like the ECI and the Supreme Court. Yet at this stage, this is the demand of the Opposition, not necessarily the demand of all the people on the streets. The success of a mass movement depends on floating with the sentiment of the organic protesters, on keeping to the lowest common denominator that ensures the widest possible support.

As of now, a call for free and fair elections encompasses the most widely shared sentiment of the people. Such a call goes beyond the current demands for the removal of the CEC, the repeal of the 2023 Act and the rollback of the SIR. This would also entail reclaiming democratic freedoms like freedom of expression, dissent and protest — all the more relevant in the context of the repressive and intimidatory tactics adopted by the state, like the insistence on a "peace bond". A demand for neutral functioning of autonomous institutions like the ECI, the judiciary, investigating agencies and the media would also be a part of the democracy movement. Yet, all this does not amount to a demand for regime change — and certainly not on the streets — until all peaceful, democratic and constitutional means are truly and fully exhausted. And are perceived to be so by the people.

In that context, the coming elections in Uttar Pradesh could be the litmus test. For someone like me who has observed Indian elections closely for the last four decades, the assembly election in UP will be an *agnipariksha* that will determine whether we can expect anything like fair elections in the minimal sense of the term under the present dispensation. More than a test of Narendra Modi's or Yogi Adityanath's popularity, it will be a test of the electoral system's credibility. That must be the focal point of the pro-democracy movement.

As this stir enters its second phase, it may not look like a mountain river with its mad and unpredictable gush of water. As it descends to the plains, the movement will be slower and more widespread. This is not to be regretted, as the example of the farmers' stir showed us. The river slowing down allows water to percolate. As the rush of energy unleashed by the spontaneously synchronised protests gives way to a loosely coordinated movement spread across the country, the "vote *chori*" message is likely to seep deeper into popular consciousness. The regime's decision to brazen it out and block Gyanesh Kumar's resignation could well be a blessing in disguise, not just for the protestors, but for Indian democracy.

The writer is member, Swaraj India and national convenor, Bharat Jodo Abhiyaan. Views are personal

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Grey market and IPO booms: What retail investors need to watch out for

George Mathew
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BOOMING PRIMARY markets at times attract unscrupulous elements seeking to take advantage of the euphoria. In India, an unofficial IPO market is gaining traction as public offers — big and small — line up to raise funds from investors. Such a grey market takes advantage of regulatory gaps and operates beyond the reach of established regulatory mechanisms, according to market stakeholders.

In the grey market, shares of companies that are yet to list are traded. These markets are operated by players in Ahmedabad, Jaipur and Rajkot, according to sources in the official stock exchanges. The premium at which these pre-IPO shares trade, that is, the grey market premium (GMP), becomes an unofficial indicator of the premium at which IPO shares are purportedly expected to trade. Market stakeholders, who did not wish to be named, said even fund managers of mutual funds take a cue from these GMPs.

Genuine investors worry about such practices and equate it with illegal "betting activity in cricket matches" and a "parallel black economy". With a vibrant primary market, the scale of such unofficial speculative activity has risen, with IPO applications being 'trafficked' and premiums getting inflated. This, at times, encourages retail investors to mistake market hype for genuine demand, market players said.

In an October 21 representation to the Securities and Exchange Board of India (Sebi), the Small Investors Welfare Association (SIREN) has called for immediate regulatory intervention, arguing that the widespread publicity surrounding unofficial premiums and application transactions raises serious questions about market integrity and the effectiveness of existing safeguards.

"What was previously a covert activity is now conducted in broad daylight across WhatsApp, Telegram groups and public tracking portals and others. This open black market makes a mockery of Sebi's mandate to maintain a fair, transparent and orderly market," said Arun Goenka, founder president, SIREN.

Sebi did not respond to queries from *The Indian Express* on the thriving illegal grey market. Market players said the government and the regulator are aware of the grey market. "It is an illegal activity just like gambling or betting. Is it for Sebi to act or the state police or other law enforcement agencies? It is a question for all," said a stakeholder who did not wish to be named.

Parallel market in the shadow of regulation

The grey market operates outside recognised stock exchanges, with transactions typically taking place through informal arrangements between buyers and sellers. GMP figures are neither official exchange prices nor guaranteed indicators of the eventual listing price, but they do influence investor sentiment, said market players.

A high premium can create expectations of substantial listing gains, encouraging investors to subscribe to an IPO without adequately examining the company's valuation, financial performance, business risks or prospects.

Retail investors who rely on such illegal markets to make investment decisions do so at their own risk, said a market player. But the promise of high gains continues to be a pull and unsophisticated investors get lured. Some take loans and some commit their hard-earned savings to invest. "When unofficial numbers are widely circulated, investors may interpret them as evidence of strong demand even though they do not necessarily reflect verified orders or actual subscription figures," the association said.

How does the grey market operate?

It operates by word of mouth. There's no paperwork or online activity. An investor buys one share of XYZ with an issue price of Rs 1,000 at a premium of Rs 300. After listing, if the share is quoted at Rs 1,400, he gets a profit of Rs 100 from the seller. On the other hand, if the share lists at a discount of Rs 1,200, he will lose money and pay Rs 100 to the seller. "Only the difference is paid. There's no transfer of shares or possession of shares. It's like betting in cricket matches. This is unofficial and illegal... and there's no legal sanctity," said an investor.

Small investors could pay the price

SIREN has drawn parallels with the frenzy surrounding the Reliance Power IPO years ago, warning that expectations of spectacular listing gains can leave retail investors exposed when market reality fails to match the hype.

Reliance Power shares were trading at huge premium pre-listing, but the stock crashed upon listing, going almost Rs 100 below the offer price of Rs 450 per share (Rs 400 for retail investors after Rs 50 discount).

This showed that an IPO is not a guaranteed route to listing gains. Nor does a high grey market premium establish that a share is worth the price investors expect to receive after listing. For smaller investors, the consequences of confusing speculation with reliable information can be particularly severe.

Can SEBI leave the questions unanswered?

SIREN has urged Sebi to choose between two broad approaches: enforce the law decisively against unlawful activity or examine whether a transparent, regulated mechanism could accommodate legitimate pre-listing entitlement transactions.

Under its enforcement proposal, the association has called for action against operators involved in illegal transactions, scrutiny of platforms publishing unofficial rates and investigation of financial channels allegedly used for such activity. Market players are not sure if Sebi is the right agency to wield its stick on such an illegal market.

The other alternative is to examine if certain transactions could be formalised through recognised market infrastructure, subject to appropriate safeguards. Such a proposal would require careful legal and policy examination; it does not mean that all grey market activity can automatically be treated as illegal or that formalisation would eliminate manipulation.

The central issue is not whether every unofficial premium is fraudulent. It is whether unlawful trading, deceptive promotion or manipulation is taking place and whether the authorities have adequate tools to detect and deter it.

"Sebi's position on the legality of different forms of grey market activity, the scope of its surveillance and enforcement efforts, and the possibility of investor advisories is therefore important. A response would help distinguish permissible conduct from potentially actionable violations," said a market observer.