Onus on legislature to make marital rape punishable: SC

Bench says though it recognises the individual autonomy of married women, both the Indian Penal Code and the Bharatiya Nyaya Sanhita exempt marital rape from being considered a crime

Krishnadas Rajagopal
NEW DELHI

The Supreme Court on Wednesday guaranteed safety and security to sexually abused married women, but questioned if courts can direct rape prosecutions against husbands when the penal law exempts marital rape from criminal liability.

A three-judge Bench headed by Chief Justice of India (CJI) Surya Kant made a point that though it recognised the individual autonomy of married women, the second exception to Section 375 of the Indian Penal Code (IPC) states that "sexual intercourse or sexual acts by a man with his own wife, the wife not being under 15 years of age, is not rape".

Section 63 of the Bharatiya Nyaya Sanhita, which replaced the IPC in 2023, has carried forward the exemption given to marital rape under Section 375 though statutorily raising the age-threshold of the wife to 18.

> A person in a matrimony subjected to involuntary sexual intercourse is definitely a victim... The question before us is whether the State defines it as 'rape' or not
>
> **JUSTICE JOYMALYA BAGCHI**
> Supreme Court judge

"This is the law as it stands, rightly or wrongly. It is a penal law. Before a constitutional court renders a verdict that the exception is unreasonable or manifestly arbitrary, can we permit a prosecution on that score? Is it within the domain of a prosecutor to prosecute a person when there is a clear exemption under Section 375 or Section 63," Justice Joymalya Bagchi questioned.

The primary case before the Bench is an appeal filed against a 2022 decision of the Karnataka High Court, which held that a husband could be charged with rape if he had forced himself on his wife. The High Court had relied on the Justice J.S. Verma Committee report of 2013 which had found the exception regressive. The High Court Bench had observed that "a man is a man; an act is an act; rape is a rape, be it performed by a man the 'husband' on the woman 'wife'". It had noted that "no exception under law can be so absolute that it becomes a licence for the commission of a crime against society".

But the Supreme Court questioned the High Court's logic on Wednesday. "Can a court order prosecution until the constitutional validity of the exception is examined and, if needs be, declared *ultra vires* or read down. It is the law right now, constitutional or otherwise," Justice Bagchi debated.

Definition of rape

While Justice Bagchi agreed that a "person in a matrimony subjected to involuntary sexual Intercourse is definitely a victim", he said "the question before us is whether the State defines it as 'rape' or not".

The court mooted that it may be for the legislature to decide if an act should be made a crime.

Senior advocate Indira Jaising, who appeared for the wife in the Karnataka case, said there was enough elasticity to interpret the present law and justify the High Court's decision to order prosecution for rape. She also noted that the age of consent in Section 63 has been raised from 16 to 18 years.

Solicitor General Tushar Mehta said the exception for marital rape must continue until the top court took a final call on its reasonableness.

Cong. alleges ₹10,000-cr. tax evasion through 'bogus' political parties, seeks JPC

The Hindu Bureau
NEW DELHI

Alleging that 3,260 registered unrecognised political parties (RUPPs) had received political donations and evaded income tax to the tune of ₹10,000 crore, the Congress on Wednesday demanded a Joint Parliamentary Committee (JPC) probe into the "donation scam".

Addressing a press conference here, Congress MP Shaktisinh Gohil alleged that the parties were being used as a route to convert unaccounted-for money into legitimate political donations by way of round-tripping and other means.

Party general secretary (communications) Jairam Ramesh later alleged that the 3,260 parties were operating under the "patronage" of the BJP. "Who is the 'Chanakya' behind these 3,260 sham political parties and who is the true mastermind of this scam?" Mr. Ramesh asked on X.

He also contrasted the alleged tax evasion with

Shaktisinh Gohil

the Congress's experience before the 2024 Lok Sabha election, when its bank accounts were frozen and it received tax notices. "So, why is there no investigation into these 3,260 sham political parties and the associated cases of tax evasion," Mr. Ramesh asked.

The Congress said the Income Tax Act provides tax benefits on donations to registered political parties. These provisions were being misused through the RUPPs, it said.

Mr. Gohil said the government should investigate the parties and the people who donated to them. Under the Income Tax Act, a penalty of 200% can be imposed on those found guilty, and criminal proceedings initiated against individuals and chartered accountants involved in wrongdoing, he said.

He also demanded that the licences of chartered accountants found guilty be cancelled and that criminal cases be filed against those running the alleged bogus political parties.

Public disclosure

The Congress further sought public disclosure of details of donations received by bogus political parties, as well as information on those people linked to the parties who later joined the BJP.

Mr. Gohil alleged that no action had been taken against even one person despite the alleged tax evasion exceeding ₹10,000 crore. "Officials had recommended action against those involved but that orders had not come from the "top", he added

He also questioned the Election Commission's role in scrutinising the funding.

India, Sri Lanka sign three defence sector MoUs during Rajnath's visit

The agreements cover upgrading L70 guns for Sri Lankan Air Force and cooperation between the two countries' National Cadet Corps, National Defence Colleges; this is the first visit by an Indian Defence Minister to Sri Lanka in nearly 40 years

Meera Srinivasan
COLOMBO

Defence Minister Rajnath Singh on Wednesday pledged India's continued support to Sri Lanka during a meeting with Sri Lankan President Anura Kumara Dissanayake in Colombo, as the two countries inked three Memoranda of Understanding (MoU) on defence equipment and training.

Mr. Singh's visit, the first by an Indian Defence Minister to Sri Lanka in nearly 40 years, and the agreements come over a year after Prime Minister Narendra Modi's visit to Sri Lanka in 2025, when seven MoUs, including an overarching defence sector agreement, were signed.

The MoUs signed on Wednesday pertain to the upgradation of L70 Guns for the Sri Lankan Air Force, and cooperation between the National Cadet Corps and the National Defence Colleges of the two countries.

Defence Minister Rajnath Singh meets Sri Lankan President Anura Kumara Dissanayake in Colombo on Wednesday. ANI

During President Dissanayake's meeting with Mr. Singh, the two sides held "extensive discussions on further strengthening the existing defence, economic, maritime and regional partnerships between India and Sri Lanka", the Presidential Media Unit said in a statement.

Mutual interests

Further, Mr. Dissanayake briefed Mr. Singh on Sri Lanka's recently-launched islandwide programme to combat drug trafficking.

An official release from the Indian government said the President recalled his interactions with Mr. Modi and reiterated that "Sri Lanka would never allow its territory to be used for any activities inimical to India's security interests".

President Dissanayake's office said he emphasised that Sri Lanka makes decisions "taking into consideration both national and regional interests", and that, as a sovereign State, Sri Lanka enters into various agreements with countries around the world while remaining mindful of regional security".

The statement from his office added that the leaders paid "special attention" to the fisheries issue in the Palk Strait.

Trade between BRICS countries shows marked increase

The rise in intra-BRICS trade strengthens the case for a cross-border payments system

DATA POINT

Nitika Francis
Gandla Sneha

Reducing global dependence on the U.S. dollar is expected to be a key part of the discussions in the 18th BRICS Summit, chaired by India, happening in New Delhi on September 12 and 13, 2026. Finance ministries' and central bank governors from BRICS countries met in August to discuss the facilitation of cross-border payments and strengthening of national currencies.

The BRICS bloc with its 10 member countries – Brazil, Russia, India, China, South Africa, Egypt, Ethiopia, Indonesia, Iran, and the UAE – has grown in strength in its objective of advancing trade and diplomatic relations within the Global South, which makes cross-border payments desirable.

Currently, making payments across countries requires a string of transactions via correspondent banks, which hold accounts with each other. When two countries do not have such correspondent banks, they route their payments through international banks, converting the currency of the sender country to a dominant currency such as dollars, and then converting the dollars to the currency of the receiving country. This process, besides being slow at times, comes with the cost of foreign exchange margins and the fee charged by the intermediaries. Seeing that the BRICS comprises many developing economies, this can be among the many impediments to trade opportunities.

Trade data shows that merchandise exports by BRICS countries made up about one-fourth of all global exports in 2024 (**Chart 1**). The BRICS countries have all drastically increased their exports over the years, with China touching $500 billion in 2024. Other members such as Brazil, India, Indonesia, Russia, and the UAE also recorded large figures between $80 and $180 billion. In addition to this, their trade amongst each other has also increased. **Chart 2** shows that as of 2024, all members of BRICS, except China, received more than 30% of imports from other members.

Iran depends on BRICS for more than 65% of its imports, and Ethiopia nearly 45%. Intra-BRICS import dependency could be on the rise due to the heterogeneity of goods available among its members, as noted in a report by the United Nations Conference on Trade and Development.

Concurrently, export dependency within the bloc has also risen. In the last decade, five members (Russia, China, the UAE, Brazil, and Indonesia) have doubled and even quadrupled their exports to members of the bloc. However, China has consistently shown the lowest dependency on intra-BRICS exports due to its diversified export market (**Chart 3**).

Russia saw a rapid increase in its export dependency between 2020 and 2023, in the middle of its invasion of Ukraine, during which countries such as India imported its fuel. The country saw a decline in export dependence in 2024.

It was under Russia's chairmanship in 2024 that the BRICS argued against the dominance of the U.S. dollar. Russia was hit directly by the dollar monopoly in 2022; due to sanctions from the U.S., Russian banks were cut off from the Society for Worldwide Interbank Financial Technologies (SWIFT) which enables institutions to settle amounts. Hence, international transactions proved difficult for the Russia.

While the U.S. is the largest economy in the world, the BRICS bloc does not fall far behind, as China, India, and Russia are in the top 10 in terms of Gross Domestic Product (current prices) (**Table 1**). Whether this collective economic strength can challenge the dominance of the dollar is to be seen in the coming days.

Dollar detour

The data for the charts were sourced from report by the United Nations Conference on Trade and Development titled "Two Decades of Intra-BRICS Trade: Trends, Patterns and Policies" and the International Monetary Fund (IMF)

CHART 1: In 2025, exports from BRICS countries made up about 25% of global merchandise exports. BRICS countries include Brazil, Russia, India, China, South Africa, Egypt, Ethiopia, Indonesia, Iran, and the UAE. Values in $ trillion

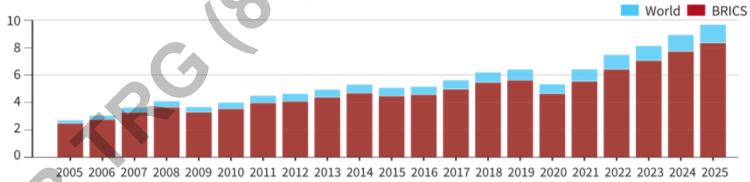

CHART 2: All BRICS countries have increased their dependency on imports from other nations from the bloc.

Values in %

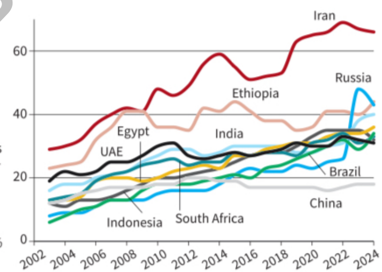

CHART 3: The exports from BRICS countries as a share of each country's total exports.

Values in %

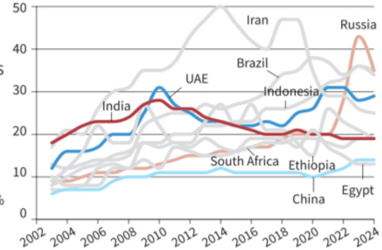

TABLE 1: Country-wise size and ranking of Gross Domestic Product of 2025 (current prices). Values are estimated by IMF

Country	GDP, current prices (billions of $)	Rank
China	19,626.247	2
India	3,916.312	7
Russian Federation	2,587.938	9
Brazil	2,279.918	12
Indonesia	1,445.642	18
United Arab Emirates	571.643	32
South Africa	427.141	43
Iran	371.196	46
Egypt	364.64	47
Ethiopia	109.109	74

"Collectively, the 10 member countries account for 27 per cent of world output, 24 per cent of merchandise exports, and 22 per cent of FDI inflow by 2024" - *Two Decades of Intra-BRICS Trade: Trends, Patterns and Policies report*

Gandla Sneha is interning with The Hindu

Hormuz tensions flare as Iran, U.S. intensify strikes

U.S. attacks Iranian oil tankers and Tehran responds by targeting at least 20 ships trying to pass through the Strait of Hormuz; Brent crude futures cross $100 a barrel for first time since July 2024

Stanly Johny

Tensions between the United States and Iran flared again on Tuesday night after U.S. forces struck five Iranian oil tankers in retaliation for what Washington said was Tehran's attack on its warships near the Strait of Hormuz.

Iran responded by firing a barrage of ballistic missiles at the U.S. base in Al-Azraq in Jordan, and targeted at least 20 ships trying to pass through the Strait, according to the Islamic Revolutionary Guard Corps (IRGC).

This is the second U.S. strike on Iranian oil tankers in less than a week, which U.S. Central Command (CENTCOM) said was a direct response to Iran's attacks on American

An image released by the U.S. Navy on Wednesday shows a sailor on the flight deck of guided-missile destroyer *USS Mason*. AFP

warships enforcing a naval blockade on Iranian ports. Following the flare-up, Brent crude futures breached $100 a barrel on Wednesday, for the first time since July 2024.

On Tuesday night, CENTCOM said in a statement that U.S. forces destroyed five Iranian crude oil carriers after the IRGC targeted a Navy warship with ballistic missiles twice over the past two days.

"In response to Iran's most recent failed attacks, CENTCOM destroyed the IRGC crude oil carriers *M/T Kaviz*, *M/T Charminar*, *M/T Horizon 1*, and *M/T Riesco* in the Gulf of Oman as well as *M/T Derya* near Kharg Island. American forces directed the crews to abandon ship before the vessels were struck and rendered inoperable," CENTCOM said.

The IRGC said in a statement that its forces continue to exercise full control over the Strait. It also, according to an *AFP* report, added parts of the Gulf of Oman and the Arabian Sea to a new "prohibited zone", saying that exact coordinates will be announced later. "If a vessel enters that area without coordination, it will be subject to our sanctions," IRGC spokesperson Hossein Mohebi told state television.

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Tensions flare as Iran, U.S. intensify strikes

Meanwhile U.S. president Donald Trump said on Wednesday night he believes the war will end "immediately" after his country votes in midterm elections in November.

"I think the war will end immediately after the election" because Iran "cannot hold out any longer," Mr. Trump told journalists, accusing Tehran of being "desperate to try and affect" the vote. He added that the oil prices that spiked because of Iran war likely will not come down until after the midterm elections.

The war that U.S. and Israel initially launched against Iran in February 28 has gone through phases of escalation and temporary respite, over the past six months. The latest phase has seen both sides increasingly target oil tankers, opening a new front in the naval war.

On September 5, CENTCOM had announced that it had "destroyed" three Iranian tankers after the IRGC launched missiles at a U.S. aircraft carrier and a guided-missile destroyer. On Tuesday, the IRGC claimed that it had struck two U.S. Navy destroyers operating near the Strait of Hormuz. CENTCOM, however, said on Wednesday that no U.S. Navy warship had been hit.

Iran's attacks against the U.S. warships are seen as a risky move aimed at breaking the naval blockade which has largely prevented the Islamic Republic from exporting oil out of the Gulf waters.

"The IRGC Navy, in response to the aggression and hostility of the U.S. military in its attack on five Iranian oil tankers in the Persian Gulf, targeted two U.S. vessels and eight oil tankers in the area, inflicting heavy damage on them," the Guards said, adding that 10 ships attempting to pass through "a prohibited and unsafe area" of the Strait were also targeted. "The Strait of Hormuz remains firmly under the surveillance and management of the capable and valiant IRGC Navy," it added.

After striking the U.S. base in Jordan on Tuesday night, the Guards said the "punitive operation" damaged maintenance and repair facilities, deployment locations, and shelters for fighter jets. Jordan's army said it had shot down 18 Iranian missiles targeting the kingdom.

Global oil prices surge over $100 a barrel as tensions in West Asia escalate

The Hindu Bureau
NEW DELHI

Benchmark Brent Crude futures (November) spiralled to a more than three-and-half month high at $101.55 for every barrel Tuesday as renewed tensions in West Asia fuelled further with Iran and United States resorting to a violent quid pro quo exchange on each other's ships.

At the time of writing late evening Wednesday, benchmark Brent Crude futures were trading 3.6% higher over its previous close at $101.43 for every barrel. West Texas Intermediate futures had also soared 3.6% higher over its previous close at $96.44 for every barrel.

Further, according to government data, India's crude oil basket was averaging $108.91 per barrel on September 8.

Reflecting on the current oil price trends, Prashant Vashisht, senior vice president and co-group head, corporate sector ratings, at ratings agency ICRA observed that at the current benchmark prices until September in the ongoing month, petrol and diesel were incurring under-recoveries of ₹5 per litre and ₹23 per litre and under recoveries on domestic LPG are at ₹200/cylinder.

"If the current geopolitical situation persists, crude oil prices could rise further given that several countries including China were tapping their strategic reserves for a significant proportion of their consumption and their return to the market could increase demand amid restricted supplies," he observed.

India's crude oil basket was averaging $108.91 per barrel on September 8. REUTERS

Although, according to shipping data from Vortexa and Kpler, drone and missile attacks in Saudi Aramco's Jizan refinery have offered prospects for Indian refiners to export and meet the emerging demand for diesel in Europe. Exports have surged to about 120,000 barrels per day in August, shipping data indicates.

India, the world's third-largest oil importing country, is particularly exposed to swings in international crude prices. For now, retail petrol and diesel prices remain on freeze for over three months.

Houthis report new Saudi strikes as conflict deepens

Agence France-Presse
SANAA

A member of Saudi-backed Yemeni forces firing a heavy machine gun during clashes in the Al-Kadha area on Tuesday. AFP

Yemen's Houthi rebels reported dozens of Saudi air strikes on Wednesday as daily attacks continued in a conflict that has reignited during the West Asia war, with hundreds of people killed in fighting near the Red Sea.

More than 40 attacks targeted several regions including the flashpoint areas of Taiz and Hodeida, the scene of fierce clashes between the Houthis and Saudi-backed government, the rebels said.

"It's a catastrophe, and the attacks are ongoing," said Mohammed Khudairi, one of nearly 20,000 who fled the fighting, according to the International Organization for Migration.

The latest salvos in Yemen's previously dormant conflict come a day after the Houthis set oil sites ablaze and wounded 73 in their heaviest missile and drone attacks against Saudi Arabia in years.

Saudi air strikes targeted "various areas across the governorates of Marib, Al-Jawf, Taiz and Hodeida", the rebels' *Almasirah* TV said on Wednesday.

The Saudi civil defence later issued a warning for the southern governorate of Khamis Mushait, near Yemen, but quickly lifted it. On Tuesday, Saudi authorities vowed to respond to the Houthi attacks, saying they caused fires and temporary shutdowns at oil sites.

‘Rahman wants to visit India, but agenda has to be set first’

Kallol Bhattacherjee
NEW DELHI

Bangladesh Prime Minister Tarique Rahman is keen to visit India at the earliest but is concerned about take-away points and achievements that he will have to produce before his audience back home after a visit of this nature, said a diplomatic source of Bangladesh to *The Hindu* on Wednesday.

The official said Mr. Rahman might have skipped the multilateral BRICS summit for which he was invited by India, but that does not mean that he is trying to avoid an immediate and important neighbour like India, which has contributed and sacrificed immensely during Bangladesh's Liberation War of 1971. Mr. Rahman is aware that he may have to visit Delhi in a bilateral framework by November or early December, as the Ganga Water Treaty needs to be renewed at the earliest as it will otherwise lapse by the end of December, 2026, said the official.


Tarique Rahman

Intensive meetings

The official said Mr. Rahman's visit requires setting of the agenda through intensive meetings between the officials of the two sides that are yet to begin. But Dhaka believes that apart from the Ganga Water Treaty, which is a “rolling achievement”, there is a need to look at other areas where the bilateral relationship is stuck.

“For example, in case of restarting full-scale visa facilities, lifting of trade restrictions that were imposed during the interim government in Dhaka, and usage of land ports, and restarting of full-scale commercial relationship are some of the areas where there is possibility of setting up some solid goals for achievement,” said the official.

He also pointed out that one area where India could send a positive message is in the field of energy as Bangladesh is suffering from an acute crunch in energy supply. “It will be a confidence-building measure if India can assist Bangladesh in dealing with this challenge.”

‘Have a little bit of decency’: Philippines minister to China

Associated Press
Bangkok, September 9

CHINA ON Wednesday accused the Philippines of “stirring up trouble” after harsh words from Philippines Defence Minister Gilberto Teodoro Jr over Beijing’s increasingly aggressive pursuit of maritime claims in the South China Sea.

Teodoro was addressing a defence forum in South Korea on Tuesday, stressing the need to uphold a 2016 ruling by an arbitration panel that China’s claims had no legal basis, when a person came on stage and handed him a note that Teodoro said came from China.

Reading from the note, the minister said it said “China neither accepts nor recognises” the arbitration ruling. “Of course,” he added, looking up to the audience, “because you lost.” “Have a little bit of decency, have a little bit of shame,” Teodoro continued, saying that the note represented disrespect both for the forum and international law.

Philippines Defence Minister Gilberto Teodoro Jr

Chinese representatives took part in Seoul Defence Dialogue forum but were not featured as panelists or speakers. It was not clear who the note came from.

Asked in Beijing about the unusual incident, China’s Foreign Ministry spokesperson Mao Ning said she was not familiar with the “specific situation” but added “China’s position on the South China Sea arbitration case has been clear and consistent.”

“We urge the relevant people in the Philippines to stop seeking attention and stirring up trouble and to cease undermining China-Philippines relations and stability in the South China Sea,” Mao told reporters in Beijing after recapitulating the official position.

China refused to join arbitration initiated by the Philippines in 2013 after a tense standoff in the contested waters a year earlier that ended with Beijing effectively seizing a disputed shoal.

A tribunal established in The Hague under the United Nations Convention on the Law of the Sea ruled in 2016 that China’s claims in the South China Sea are illegal. China rejected that and continues to defend its claims to virtually the entire sea passage, a key global trade route that is considered one of Asia’s most active flashpoints.