

1 Article 142 (Source: The Hindu)



ARTICLE 142

OF THE INDIAN CONSTITUTION

The Supreme Court's Power to Do Complete Justice



“ Constitutional Provision

“The Supreme Court in the exercise of its jurisdiction may pass such decree or make such order as is necessary for doing **complete justice** in any cause or matter pending before it.”



1. WHAT IS ARTICLE 142?



Article 142 empowers the Supreme Court to pass any order or decree necessary to do “complete justice” in any case or matter pending before it. It is part of the Court’s constitutional mandate under Part V (The Union), Chapter IV (The Union Judiciary).

2. KEY FEATURES

- ✓ Enables the Court to go beyond ordinary legal remedies.
- ✓ Not confined by statutory law or procedure.
- ✓ Used to ensure substantive justice, not defeated by technicalities.
- ✓ Applies to any cause or matter pending before the Supreme Court.
- ✓ Source of the Court’s plenary and extraordinary power.

3. OBJECTIVE



To empower the Supreme Court to do complete justice between the parties before it, especially in situations where existing laws are inadequate to meet the ends of justice.

4. SCOPE OF POWER



- Pass any **decree or order**
- Not limited by **procedural law**
- Can issue **directions** for enforcement
- Can create legal **rights or obligations** to achieve justice
- Wide, plenary and **residuary** in nature

5. JUDICIAL INTERPRETATION



- Described as a “constitutional reservoir of power”.
- To be used sparingly, in rare and exceptional cases.
- Cannot be used to override or amend substantive law.
- Must be exercised in conformity with the Constitution and principles of natural justice.

6. LANDMARK JUDGMENTS



- **Gurudwara Rakab Ganj v. S.P. Mittal** (1981)
Upheld the wide amplitude of Article 142.
- **Supreme Court Bar Association v. Union of India** (1998)
Power is part of basic structure; cannot be curtailed by Parliament.
- **Vinay Chandra Mishra v. Ashok Kumar Pandey** (2020)
Reiterated that the power is to be used for doing complete justice, not for bypassing law.

7. IMPORTANCE



Ensures Real and Substantive Justice



Bridges Gaps in Law



Protects Rights when legal remedies are inadequate



Strengthens the Role of the Supreme Court as Guardian of Justice



A Tool of Equity, Fairness and Good Conscience

NOTE



Article 142 does not create new law but enables the Supreme Court to mould relief to the facts and requirements of each case to do complete justice.

In Essence

“ Article 142 is the Supreme Court’s extraordinary power to ensure that justice is not only done, but is seen to be done.



DATE: 19 AUGUST 2026

2 Carbon Border Adjustment Mechanism (CBAM) (Source: The Hindu)

Carbon Border Adjustment Mechanism (CBAM) is a key component of the European Union's (EU) European Green Deal, aimed at preventing "carbon leakage" and ensuring fair competition between EU industries and foreign producers subject to different climate regulations.

Sectors Covered under CBAM

- Cover high-emission sectors like cement, iron and steel, aluminium, fertilisers, electricity, and hydrogen.

Concerns for India

- **Impact on Exports:** Carbon-intensive Indian exports may become less competitive in the European market.
- **Small and medium Enterprises:** Smaller firms may face difficulty in measuring, verifying and reporting product-level emissions.
- **Administrative Burden:** Indian exporters need reliable systems for carbon accounting, emissions verification and documentation.
- **Developmental Concerns:** Developing countries argue that they should not face the same obligations as historically high-emitting developed economies.
- **Question of Carbon Sovereignty:** India may lose revenue if carbon-related charges are collected by the EU rather than through an Indian carbon-pricing system.
- **Risk of Protectionism:** India argues that environmental objectives could be used as a justification for protecting European industries.



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3 International Criminal Court (ICC) (Source: The Hindu)

- **What is it?:** The International Criminal Court (ICC) is an intergovernmental organisation and international tribunal.
- **Formation**
 - It is the first international criminal court that is permanently established.
 - The Rome Statute, which served as its foundation document, became effective on July 1, 2002.
- **Headquartered:** The Hague, Netherlands
- **What they do?:** It looks into and prosecutes those accused of heinous offences such as genocide, crimes against humanity, war crimes, and acts of aggression.
- **Status of India:** India is not a member.

