



Supreme Court Daily Digest

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Disclaimer: We have made these notes (shared below) based on our understanding of the above Supreme Court judgments. You are requested to read original judgments before using our notes for any purpose. You can click on the case names below to access original judgment.

Partha Das vs State of Tripura 2025 INSC 1049 - Executive Instructions vs Statutory Provisions/Rules - Public Employment - Recruitment

Constitution of India - Article 166- Executive instructions issued under Article 166(1) cannot override the act done under the statute and the rules made thereunder. The executive instructions can only supplement the provisions of the act and the rules in case of any ambiguity or if gaps are to be filled but such executive instructions cannot supplant the specific provisions which already occupy the field. (Para 40)

Public Employment - Recruitment - Merely suggesting that a decision to keep an ongoing recruitment process in abeyance and its subsequent cancellation was in the larger public interest, is not sufficient. The burden is on the State to justify the decision on the anvil of Articles 14 and 16 of the Constitution of India and show how its decision was in furtherance of larger public interest. (Para 45) recruitment authority can devise a procedure for selection only in absence of rules to the contrary, however, the same should be done prior to commencement of the recruitment process- If benchmarks are to be laid down in different steps of the recruitment process, they cannot be laid down after the completion of that particular step, when the game has already been played. (Para 49) While candidates do not have any indefeasible right to be appointed merely by participating in the recruitment process, they do have a legitimate expectation of completion of recruitment process in a fair and non-arbitrary manner. (Para 57)

Vijay Krishnaswami v. Deputy Director of Income Tax (Investigation) 2025 INSC 1048 - Section 276C Income Tax Act

Income Tax Act, 1961 - Section 276C - Section 276C(1) is primarily intended to deter and penalize wilful and deliberate attempts by an assessee for evasion of taxes, penalties and interest prior to their imposition or charging. The provision applies where there is a conscious and intentional effort to evade tax liability, distinguishing such conduct from bona-fide errors or differences in interpretation. The gist of the offence under sub-section (1) of Section 276C lies in the wilful attempt to evade the very imposition of liability, and what is made punishable under this sub-section is not the 'actual evasion' but the 'wilful attempt' to evade as described in the proviso to Section 276C.- For an offence under Section 276C(1), for which a prosecution was lodged, wilful attempt to evade tax or penalty, which may be imposable or chargeable, mens rea of the assessee is required to be proved. In absence, lodging such prosecution would result into futility. (Para 18)

Income Tax Act, 1961 - Circulars issued by the Revenue are binding on the authorities, and can tone down the rigour of the statutory provision. (Para 31)

In Re: Mepung Tadar Bage, Member, Arunachal Pradesh Public Service Commission 2025 INSC 1047 - Art. 317 Constitution

Constitution of India - Article 317 - For proving 'misbehaviour' under Article 317 of the Constitution of India, in order to remove a Chairman or Member of a Public Service Commission upon reference

being made by the Hon'ble President of India, it is generally necessary to demonstrate with cogent material as per the procedure laid down that the conduct complained of and charges formulated are attributable to the individual in question - The term 'misbehaviour' must be given a wider import; it cannot be narrowly construed and is required to be understood in the context of the alleged misbehaviour complained of, the office in question and the standards required to be maintained by a person as a necessary corollary of holding such office. It is different from the term 'proved misbehaviour' under Article 124(4) of the Constitution of India. The scheme of Article 317 of the Constitution of India is such that misbehaviour by a member of Public Service Commission has to be established in an inquiry conducted by the Supreme Court upon reference by the Hon'ble President of India, and only then the Chairman or Members may be removed from the office, whereas under clause 4 of Article 124 of the Constitution of India, 'proved misbehaviour' is a condition precedent for the Parliament to move an address before the Hon'ble President of India for removal of a Judge of the Supreme Court from the office, which has to be proved before a separate Committee constituted under the appropriate legislation - Instances of physical violence between the members, non-declaration of relatives participating in a recruitment process conducted by the Commission and attempting to influence the Commission to favour a particular candidate have all been considered as instances of 'misbehaviour' by this Court. (Para 37-42)

Constitution of India - Article 317 - Removal on the ground of misbehaviour is individual and not collective in nature- Article 317 of the Constitution of India does not envisage the principle of Collective Responsibility, unlike some other provisions of the Constitution of India. (Para 63-64)

Constitution of India - Articles 315 to 320 - Complete code on Public Service Commissions, providing them independence for fair discharge of their functions, as well as ensuring their security and protection from any external interference- The Chairperson and Members of a Public Service Commission must conform to a standard of conduct that is unimpeachable in the eyes of law. Their actions, decisions, and even omissions must reflect the fairness, and highest degree of integrity inherent in these constitutional offices. The standard of behaviour expected of them is thus neither ordinary nor comparable to that of other public servants; it is elevated by the very nature of the institution they represent. The removal of any such officeholder on the ground of misbehaviour, therefore, must be assessed on these anvils. In a democratic polity that is constantly being shaped by ethos of transformative constitutionalism, the moral compass of those entrusted with such public responsibilities must remain unblemished. (Para 46)

Civil Servants - Civil Servants are indispensable to the governance of the country. The responsibility of efficiently and diligently implementing the laws has been bestowed upon them. Well thought of and planned policies can crumble, like a sandcastle, at the first hit of waves, if there isn't a strong administration in place to implement them. In a lot of ways, the Civil Servants are the ambassadors of democracy; the first point of contact between the citizenry and the government. It is through them that the government is able to successfully implement the countless welfare schemes for the larger good of the public. (Para 1)

Interpretation of Statutes - Constituent Assembly Debates is one such external aid available to the Court to understand the rationale behind a particular provision and interpreting that provision in the light of the intention of the framers of the Constitution. (Para 20)

Sunita vs State Of Karnataka - Art.32,226 Constitution

Constitution of India - Article 32 - A petition under Article 32 of the Constitution of India assailing an order of the High Court passed under Article 226 of the Constitution of India is not maintainable - Referred to Naresh Shridhar Mirajkar vs. State of Maharashtra.
