

## The Hindu Important News Articles & Editorial For UPSC CSE Thursday, 17 Oct , 2024

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#### Page 04: Prelims Fact

The Battle of Walong during the 1962 Indo-China war is remembered for the Indian Army's fierce defence in Arunachal Pradesh.

Vastly outnumbered, Indian soldiers held their ground for 27 days. A month-long commemoration honours Indian soldiers' bravery and sacrifice.

## Army to commemorate 62 years of the Battle of Walong with China

#### Dinakar Peri

NEW DELHI

To mark the 62nd anniversary of the iconic Battle of Walong during the 1962 war with China, the Army is planning a month-long series of commemorative events beginning on Thursday. They will continue till November 14. In addition to a series of activities, the newly renovated Walong War Memorial, Shaurya Sthal at Lama Spur, and some key infrastructure projects in the border areas are also set to be inaugurated.

In 1962, the Indian Army halted the advancing People's Liberation Army soldiers for 27 days which forced them to commit their reserve Division from Tawang Sector to Walong as fierce battles unfolded in the unforgiving terrain



**Last stand:** The Walong War Memorial commemorating the iconic battle of 1962 in Arunachal Pradesh. DINAKAR PERI

of Kibithu, Namti Tri Junction (famously known as Tiger's Mouth), Walong, and adjoining features.

In October 1962, as Chinese forces advanced into the eastern most parts of Arunachal Pradesh, the task of defending it fell on the 11 Infantry Brigade under the Second Infantry Division. The Brigade had 6 Kumaon regiment, 4 Sikh

regiment, third battalion of 3 Gorkha Rifles, in addition to second battalion of 8 Gorkha Rifles and 4 Dogra.

The Chinese offensive with more than 4,000 soldiers could not breach the forward defences held with 800 men for over 27 days and the Chinese Army was subsequently forced to employ additional division size force of approximately

15,000 soldiers. Vastly outnumbered and with little ammunition and no resources, the Indian soldiers fought till the last man, last round. Capturing this, the *Time* magazine wrote in January 1963, "At Walong, Indian troops lacked everything. The only thing they did not lack was guts."

This year's commemoration promises a vibrant mix of activities aimed at engaging the local communities and honouring the memory of the fallen heroes, one Army official said. "The events include white water rafting, motorcycle rallies, bicycle rallies, battlefield treks, adventure treks and a half marathon, all designed to reflect the adventurous spirit of the Indian Army in the rugged terrain of Arunachal Pradesh."

#### **Battle of Walong:**

- The Battle of Walong occurred during the 1962 Indo-China war in Arunachal Pradesh.
- Indian troops, comprising units like 6 Kumaon, 4 Sikh, 3 Gorkha Rifles, and 4 Dogra, fiercely defended the region.

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- Despite being vastly outnumbered (800 Indian soldiers vs 4,000 Chinese troops), the Indian Army held its ground for 27 days.
- The People's Liberation Army (PLA) was forced to deploy an additional 15,000 troops from the Tawang Sector to break the stalemate.
- Indian soldiers fought until they ran out of ammunition and resources, showcasing immense bravery.
- The Time magazine praised their courage in 1963, stating, "At Walong, Indian troops lacked everything. The only thing they did not lack was guts."



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#### Page 06: GS 2: Social Justice - Health

The Drugs Technical Advisory Board (DTAB) has recommended that all antibiotics be included in the definition of "new drug" under the New Drugs and Clinical Trial (NDCT) Rules, 2019.

This recommendation has been made to the Drugs Consultative Committee (DCC) to address the rising threat of antimicrobial resistance (AMR).

# Manufacture, marketing of antibiotics may be regulated; prescription to be mandatory

#### <u>Bindu Shajan Perappadan</u> NEW DELHI

The Drugs Technical Advisory Board (DTAB) has recommended inclusion of all antibiotics in the definition of "new drug" in the New Drugs and Clinical Trial (NDCT) Rules, 2019.

The recommendation to the Drugs Consultative Committee (DCC) is aimed at curbing the growing antimicrobial resistance which is now recognised as a public health threat globally.

#### Implications of move

If brought into the new drug bracket, the manufacturing, marketing, and sale of antibiotics will be documented. Also, the manufacturing and marketing clearance will have to be obtained from the Union government instead of the



Antimicrobial resistance can be caused by indiscriminate use of antibiotics and antifungals.

State drug administration, and patients will be able to buy antibiotics only on prescription.

The board is also looking at amending the labeling requirements under the Drugs Rules, 1945, and adding a blue strip or box for antimicrobial products.

A recently released report by the Indian Council of Medical Research's Antimicrobial Resistance Surveillance Network said that drug-resistant and difficult-to-treat urinary tract infections, blood stream infections, pneumonia, and typhoid are among the diseases that are showing resistance to commonly used antibiotics in India.

"The problem of antimicrobial resistance has been highlighted as a global health priority in multiple high-level platforms and in view of this, it was proposed to include all antibiotics in the definition of "new drug" in New Drugs and Clinical Trial Rules, 2019," noted the minutes of the meeting. The DTAB added that antimicrobial resistance can be due to misantibiotics, use of antivirals, antifungals, and so on, and recommended that the matter may be deliberated in the DCC.

#### **Reasons for the Step**

- Antimicrobial resistance (AMR) is recognized as a global public health threat.
- Misuse of antibiotics, antivirals, and antifungals has contributed to rising drug resistance.
- The Indian Council of Medical Research (ICMR) report highlights drug resistance in diseases like urinary tract infections, bloodstream infections, pneumonia, and typhoid.

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This move aims to curb misuse of antibiotics and promote their responsible use to prevent further escalation of drug-resistant infections.

#### **Implications of the Move**

- Antibiotics will require manufacturing, marketing, and sale documentation under the "new drug" category.
- Manufacturers will need to obtain clearance from the Union government instead of State drug administrations.
- Patients will only be able to buy antibiotics with a prescription, limiting over-the-counter access.
- A blue strip or box will be added to the labelling of antimicrobial products under the Drugs Rules,

#### **Drugs Technical Advisory Board (DTAB)**

- The Drugs Technical Advisory Board (DTAB) is a statutory body established under the Drugs and Cosmetics Act, 1940 in India.
- It advises the Central Government on technical matters related to drugs and cosmetics regulation.
- Comprising experts from various fields, DTAB focuses on ensuring drug safety, efficacy, and quality.
- The board addresses issues related to drug approvals, clinical trials, and amendments to existing drug regulations.
- DTAB plays a crucial role in formulating policies and guidelines to combat public health challenges, such as antimicrobial resistance.
- It conducts meetings to review recommendations from subcommittees and provides insights to improve India's drug regulatory framework.



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### Page 06: GS 3: Enviroment: Climate Change

The FAO report highlights the disproportionate impact of climate change on India's rural poor, especially from heat stress and floods.

It urges policy interventions to strengthen social protection and livelihood support.

## Climate change impact harsher on poorer farmers in India: FAO report

A.M. Jigeesh NEW DELHI

Poor households globally lose 5% of their total income in an average year from heat stress and 4.4% from floods compared with households that are relatively better off, the Food and Agriculture Organization of the United Nations said in a report on Wednesday, warning about the negative impacts of climate change on the farming population in India.

Senior FAO economist Nicholas Sitko presented the report "The unjust climate. Measuring the impacts of climate change on rural poor, women, and youth" in New Delhi.

The report said on-farm income sources of the rural poor in India were affected in different ways depending on the type of climate stress. In case of droughts or such events, poor households dedicated more



The vulnerability of poor households to climate stressors is likely to be rooted in structural inequalities, the report said. FILE PHOTO

time and resources to agricultural production to sustain themselves, as offfarm employment opportunities reduced.

The total incomes of poor households reduce compared with those of families that have not been exposed to a significant climate stressor, it said. "The vulnerability of poor households to climate stressors is likely to be rooted in structural inequalities," the report said and asked the government to take policy measures such as expanding the social security net.

Anticipatory social protection programmes can be scaled up and scaled out to more beneficiaries in anticipation of an extreme weather event, the report suggested. "Providing effective livelihood support ahead of extreme weather events can help reduce reliance on adverse coping strategies and limit the number of people pushed into poverty because of these events," it said. The report recommended improving workforce diversification and enhancing off-farm employment opportunities. It urged policymakers to address "gendered barriers" in non-farm employment.

Responding to the report, NITI Aavog member Ramesh Chand said India was doing its best to deal with the issue of climate change. "We have implemented National Innovations on Climate Resilient Agriculture (NICRA) much earlier to address the problem of climate change. We were first in the world to do so for all crops. We also have a contingency plan for all agriculture districts. We were the first country to implement an employment guarantee scheme as a social safety net," he said.

#### **Important Highlights Of The Report:**

Poor households lose an average of 5% of income from heat stress and 4.4% from floods annually compared to wealthier families.

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- The report, titled "The Unjust Climate," emphasises that the farming population in India is highly vulnerable to climate stressors, such as droughts and floods.
- During droughts, poor households dedicate more resources to agriculture due to fewer off-farm job opportunities.
- Structural inequalities exacerbate the vulnerability of these households, leading to reduced total incomes.
- The report calls for policy measures, including expanding social security and implementing anticipatory social protection programs.
- It recommends scaling up livelihood support ahead of extreme weather events and promoting workforce diversification to reduce poverty.
- In response NITI Aayog highlighted India's efforts through National Innovations on Climate Resilient Agriculture (NICRA) and the employment guarantee scheme to combat climate change.



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#### **Page 15: Prelims Fact**

Axiom Space has teamed up with Prada to design lunar suits for NASA's Artemis 3 mission, set for September 2026.

The suits will be used by astronauts exploring the lunar South Pole.

#### Analysis of the news:

- Axiom Space has collaborated with Prada to create lunar suits for NASA's Artemis 3 mission, planned for September 2026.
- These lunar suits are designed for safety and comfort, allowing astronauts to perform tasks effectively in challenging conditions.
- They are unisex and adjustable to accommodate different sizes, ensuring inclusivity as the mission aims to include the first woman on the moon.

#### NASA's Artemis 3 Mission

- NASA's Artemis 3 mission aims to land astronauts on the lunar South Pole in September 2026, marking the first crewed moon landing since Apollo 17 in 1972.
- The mission will include the first woman and a man on the lunar surface, focusing on exploring the region's resources, particularly water ice.
- Artemis 3 will utilise advanced technologies, including the Space Launch System (SLS) rocket and the Orion spacecraft, to transport astronauts to lunar orbit.
- The mission is part of NASA's broader Artemis program, which seeks to establish a sustainable human presence on the Moon and prepare for future missions to Mars.





Prada and Axiom Space present the spacesuit developed for the Artemis III mission, in Milan on Wednesday, REUTERS

## Astronauts to wear Prada as Axiom unveils new suit

Agence France-Presse ROME

Astronauts walking on the moon as part of NASA's first human mission to the lunar South Pole will be wearing Prada, as part of a new venture unveiled on Wednesday.

Private space company Axiom Space teamed up with the Italian luxury brand to provide the surface suits and spacewalk systems for NASA's Artemis 3 mission, which is planned for September 2026.

The external layer of the space suit, designed to reflect heat, is largely white, as it was on the suits worn by the Apollo astronauts who last walked on the moon more than 50 years ago.

But the update will have a few touches of grey and some red stripes similar to those seen on Italy's Luna Rossa America's Cup boat, which was also sponsored by Prada.

Matt Ondler, president of Axiom Space, told a press launch in Milan that making the suit had required "extreme engineering" and "fantastic manufacturing capability". "One of the missions that NASA wants to do is to try to find water craters at the South Pole. These are some of the coldest places in the universe. And so this suit has to be designed very cleverly."

"We've blended engineering, science and art to produce the ultimate garments for future moonwalkers, ensuring that astronauts can perform their tasks and missions in safety and comfort," said Russell Ralston, Axiom spacesuit programme manager.

With the mission set to see the first woman on the moon, the suits are also unisex and can be adapted to different sizes.

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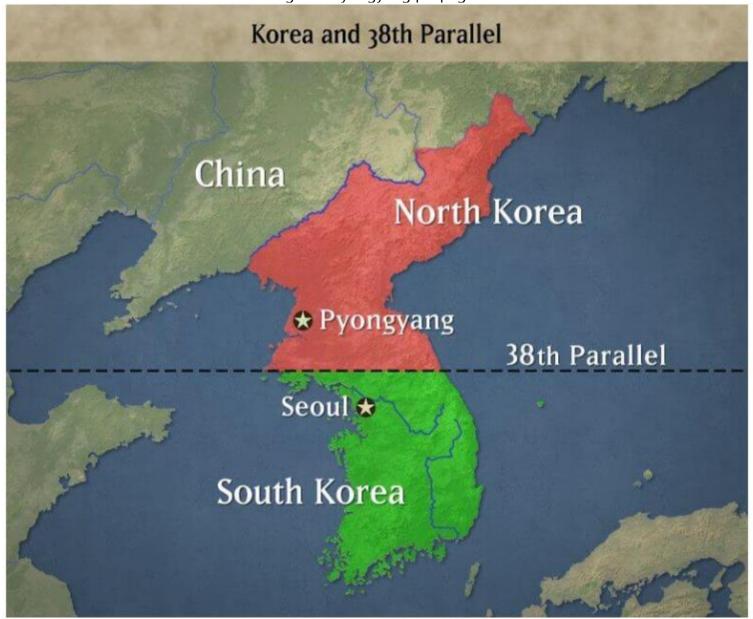




#### In News: Tensions between North and South Korea

Tensions between North and South Korea have escalated recently, with North Korea claiming over 1.4 million citizens applied to join the army.

This followed the North's destruction of roads and railways on its southern border, allegedly in retaliation for South Korea sending anti-Pyongyang propaganda via drones.



#### **Analysis of News:**

#### Historical Context

 The Korean Peninsula was divided after Japan's surrender in 1945, with the Soviet Union and China supporting North Korea and the U.S. backing South Korea.

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- o The Korean War (1950-1953) resulted in an armistice but no peace treaty, leaving both nations technically at war.
- Over the decades, reunification efforts were made, but progress was minimal, especially as North Korea developed nuclear weapons, facing sanctions from the UN and the West.

#### Genesis of Current Tensions

- The breakdown of U.S.-North Korea talks in 2019, particularly after the failed Hanoi summit between Donald Trump and Kim Jong Un, was a turning point. Kim viewed the collapse of negotiations as a significant loss, leading North Korea to renew its nuclear program.
- o In 2024, Kim declared South Korea as the North's "primary foe," officially abandoning hopes for peaceful reunification, culminating in recent border tensions.

#### Potential for War

- While tensions are at their highest since 1950, experts believe that war is unlikely.
- o North Korea's actions are seen as tactics to strengthen internal unity by emphasizing external threats, rather than actual preparation for a large-scale conflict.

#### What about India's Position in Korean Conflict?

- India's Stand: India has consistently voiced its opposition to North Korean nuclear and missile tests. However, it has maintained a neutral stance regarding sanctions.
  - o Earlier, during the Korean War (1950- 53), India played a major role in a cease-fire agreement signed between both the warring sides.
  - o India's Relations with North and South Korea: In May 2015, the bilateral relationship with South Korea was upgraded to 'special strategic partnership'.
  - o India has a major role to play in South Korea's Southern Policy under which the latter is looking at expanding relations beyond its immediate region.
  - o Similarly, South Korea is a major player in India's Act East Policy under which India aims to promote economic cooperation, cultural ties and develop strategic relationships with countries in the Asia-Pacific.
  - o India has diplomatic relations with North Korea for over 47 years, which reflects the legacy of India's commitment to the Non-Alignment Movement.

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## Page: 08 Editorial Analysis Reimagining access to justice

n the heart of India's legal system, from the Supreme Court in Delhi to modest district courts in rural Bihar. a quiet revolution has been in the making for decades. This revolution is not about abrogating colonial laws, drafting new laws, or ensuring speedier verdicts. Instead, it centres on the question - who foots the bill for justice? In this context, the idea of Third-Party Litigation Funding (TPLF) has quickly emerged as a game-changer, potentially opening courtroom doors for many who felt they had been shut out.

A small shopkeeper from Pune's markets, waging a lonely battle against a deep-pocketed e-commerce behemoth, or tribal villagers from Odisha challenging a polluting industrial giant - these are not just David and Goliath tales but real-life legal struggles that often end before they begin, not because of weak cases, but empty wallets. The idea behind TPLF is to rope investors in that would bankroll such legal battles in exchange for a cut of the winnings. The need for such an idea in India is painfully clear, given the massive pendency and skyrocketing litigation expenses. Unfortunately, we have reached a stage where justice is increasingly becoming a luxury only a few can afford.

#### 'Potential equaliser'

The Supreme Court in a landmark judgment Bar Council of India v. A.K. Balaji cautiously gave a green signal to TPLF, viewing it as 'a potential equaliser in the courtroom' and categorically holding that TPLF was not off-limits as long as lawyers were not the ones bankrolling such cases. This stance is built on solid historical foundations from the 1876 Privy Council judgment Ram Coomar Coondoo v. Chunder Canto Mookerjee, which held that old English laws on champerty against such funding would not apply to

The ripple effects of TPLF could reach every corner of India. In



Kumar Ritwik

Delhi-based Advocate, currently serving as a Judicial Clerk in the Supreme Court of India



Swagat Dash

Assistant Professor at School of Law, Birla Global University (Bhubaneswar) & a PhD Scholar at NLU, Delhi

In a nation where 'justice for all' has long been a constitutional dream, Third-Party Litigation Funding might help turn it into reality fact, we may witness situations with consumer groups in Mumbai possibly banding together against food adulterators, Bengaluru's tech startups withstanding pressure against industry giants, tribes supported by NGOs taking on mining mafias without fear of financial ruin, and workers in textile mills facing unfair treatment being able to seek justice. In specialised fields such as medical malpractice or IPR. which heavily depend on expert testimonies, TPLF could honestly turn out to be the difference between a case being heard or silenced. TPLF might breathe new air into Public Interest Litigation, a powerful tool for social change since the 1980s.

Any novel concept cannot evolve without thorough analysis and criticism. Some worry that funders will cherry-pick only the most profitable cases, leaving socially crucial but less lucrative claims in the dust. Further, there is a thorny question of how much say a funder should ordinarily be granted in matters of case strategy. These concerns underscore the need for careful regulation. While States such as Maharashtra, Madhya Pradesh, Orissa, and Gujarat have dipped their toes by amending their civil procedure codes to accord recognition to 'third-party financier of litigation', India still lacks a comprehensive national framework for TPLF. Such a regulatory framework is needed to ensure funders are both financially sound and ethically upright, to mandate transparency in funding deals, to protect clients' decision-making rights, and to cap funders' profits reasonably.

A more accessible legal system should also bring about stronger consumer safeguards in a country plagued by fake products, better environmental protection in rapidly-industrialising regions, and more accountable institutions across the board. With over ±80,000 cases pending at the top court and ±40 million pending cases across the nation, TPLF does offer more than a ray of hope. In a

nation where 'justice for all' has long been a constitutional dream, TPLF might help turn it into reality – one funded lawsuit at a time.

As we turn to the question of structuring a regulatory framework governing TPLF. several significant issues crop up. One crucial consideration is whether litigation funders should be licensed as financial service providers. Its suitability pertaining to India requires careful assessment, Establishing a dedicated oversight body to monitor funders and regulate such funding is a topic that requires thoughtful deliberation and discussion. Capital adequacy is another critical concern in TPLF regulation. For instance, Hong Kong's Code of Practice for Third Party Funding in Arbitration 2019 mandates disclosure of financing details, information on adverse costs, liability for costs, and the extent of funder control. Similarly, India must evaluate if its mechanism of ordering security for costs addresses similar risks in the broader litigation context.

Determining the appropriate level of court involvement and the extent of court approval in TPLF arrangements is a complex question that requires resolution. Identifying the right degree of court intervention and recognising specific arrangements that necessitate such oversight will become foundational pillars in shaping a well-defined regulatory framework. This must reconcile access to justice with preserving judicial integrity.

As India takes active steps toward reimagining justice, TPLF presents both a challenge and an opportunity. By developing targeted and comprehensive regulations tailored to India's unique legal landscape, the country can foster a thriving ecosystem while safeguarding all parties' interests. In doing so, India might set a new global standard, balancing financial innovation with the fundamental right to justice.

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GS Paper 02: Indian Polity – Judiciary

**UPSC Mains Practice Question:** Discuss the potential benefits and challenges of Third-Party Litigation Funding (TPLF) in enhancing access to justice in India.?

#### **Context:**

- Third-Party Litigation Funding (TPLF) is gaining prominence in India's legal system as a tool to enhance access to justice for financially disadvantaged individuals.
- While supported by the Supreme Court, the lack of comprehensive regulation raises concerns over funder influence and ethical considerations.
- A national framework is necessary for effective implementation.

#### Introduction

- In the heart of India's legal system, from the Supreme Court in Delhi to modest district courts in rural Bihar, a quiet revolution has been in the making for decades. This revolution is not about abrogating colonial laws, drafting new laws, or ensuring speedier verdicts.
- Instead, it centres on the question who foots the bill for justice? In this context, the idea of Third-Party Litigation Funding (TPLF) has quickly emerged as a game-changer, potentially opening courtroom doors for many who felt they had been shut out.

#### What are the real-life struggles?

A small shopkeeper from Pune's markets, waging a lonely battle against a deep-pocketed e-commerce behemoth, or tribal villagers from Odisha challenging a polluting industrial giant — these are not just David and Goliath tales but real-life legal struggles that often end before they begin, not because of weak cases, but empty wallets.

#### What is the idea behind TPLF?

- The idea behind TPLF is to rope investors in that would bankroll such legal battles in exchange for a cut of the winnings.
- The need for such an idea in India is painfully clear, given the massive pendency and skyrocketing litigation expenses.
- Unfortunately, we have reached a stage where justice is increasingly becoming a luxury only a few can afford.

#### 'Potential equaliser'

The Supreme Court in a landmark judgment: Bar Council of India v. A.K. Balaji cautiously gave a green signal to TPLF.

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- It has viewed it as 'a potential equaliser in the courtroom' and categorically holding that TPLF was not off-limits as long as lawyers were not the ones bankrolling such cases.
- This stance is built on solid historical foundations from the 1876 Privy Council judgment Ram Coomar Coondoo v. Chunder Canto Mookerjee, which held that old English laws on champerty against such funding would not apply to India.

#### What are the potential ripple effects of TPLF?

- **Broader reach:** at every corner of India. In fact, we may witness situations with consumer groups in Mumbai possibly banding together against food adulterators,
  - o Bengaluru's tech startups withstanding pressure against industry giants,
  - o tribes supported by NGOs taking on mining mafias without fear of financial ruin, and
  - o workers in textile mills facing unfair treatment being able to seek justice.
- In specialised fields such as medical malpractice or IPR, which heavily depend on expert testimonies, TPLF could honestly turn out to be the difference between a case being heard or silenced.
- TPLF might breathe new air into Public Interest Litigation, a powerful tool for social change since the 1980s.

#### What are the concerns and why is there the need for regulation?

- Any novel concept cannot evolve without thorough analysis and criticism.
  - o funders will cherry-pick only the most profitable cases, leaving socially crucial but less lucrative claims in the dust.
  - o how much say a funder should ordinarily be granted in matters of case strategy.
- Need for careful regulation: States such as Maharashtra, Madhya Pradesh, Orissa, and Gujarat have dipped their toes by amending their civil procedure codes to accord recognition to 'third-party financier of litigation'
- Need for framework: India still lacks a comprehensive national framework for TPLF.
  - Such a regulatory framework is needed to ensure funders are both financially sound and ethically upright, to mandate transparency in funding deals, to protect clients' decision-making rights, and to cap funders' profits reasonably.

#### What are the broader implications of TPLF?

- A more accessible legal system should also bring about
  - $\circ\quad$  stronger consumer safeguards in a country plagued by fake products,
  - $\circ\quad \text{better environmental protection in rapidly-industrialising regions, and}\\$
  - o more accountable institutions across the board.
- ➡ **High Pendancy:** With over ±80,000 cases pending at the top court and ±40 million pending cases across the nation, TPLF does offer more than a ray of hope.
- Scope of TPLF: In a nation where 'justice for all' has long been a constitutional dream, TPLF might help turn it into reality one funded lawsuit at a time.

#### What are the considerations for structuring a regulatory framework?

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- As we turn to the question of structuring a regulatory framework governing TPLF, several significant issues crop up.
- Licensing to be done or not: One crucial consideration is whether litigation funders should be licensed as financial service providers.
- Its suitability pertaining to India requires careful assessment.
- **Establishing a dedicated oversight body:** to monitor funders and regulate such funding is a topic that requires thoughtful deliberation and discussion.
- **Capital adequacy:** is another critical concern in TPLF regulation.
  - For instance, Hong Kong's Code of Practice for Third Party Funding in Arbitration 2019 mandates disclosure of financing details, information on adverse costs, liability for costs, and the extent of funder control.
- Addressing the costs concerns: India must evaluate if its mechanism of ordering security for costs addresses similar risks in the broader litigation context.

#### **Way Forward**

- Determining the appropriate level of court involvement and the extent of court approval in TPLF arrangements is a complex question that requires resolution.
- Identifying the right degree of court intervention and recognising specific arrangements that necessitate such oversight will become foundational pillars in shaping a well-defined regulatory framework. This must reconcile access to justice with preserving judicial integrity.

#### Conclusion

- TPLF presents both challenges and opportunities for India's legal system.
- With well-designed regulations tailored to India's legal landscape, the country could foster a thriving legal funding ecosystem while protecting all parties involved.



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