



SARRTHI IAS

CURRENT AFFAIRS

UPSC CSE 2026



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TABLE OF CONTENTS

Indian Polity and Parliament.....	3
The importance of the Deputy Speaker.....	3
Reviving a far-sighted but forgotten Bill mechanism.....	3
Strengthening parliamentary oversight in India.....	4
Demand for inclusion of Kokborok and Bhojpuri in Eighth Schedule of Constitution.....	4
Aim to think, converse and glorify in India's own languages: Amit Shah.....	5
SC's 3-month timeline in Governor verdict was adopted from Centre's own guidelines.....	6
Fundamental Rights.....	6
Digital access a part of fundamental right to life and liberty.....	6
Recounting Velpur's story in ending child labour.....	7
Rights of Pedestrians.....	8
Personality Rights.....	8
Narco Tests.....	8
Federalism.....	8
The case for a special fiscal package for Andhra Pradesh.....	8
How is President's Rule imposed?.....	9
Durga, dictator, democrat. How the 3 veins ran parallel in Indira.....	9
A fair share.....	10
Citizenship.....	11
Detaining non-citizens and the rule of law.....	11
Ladakh domicile tag to require 15 years of continuous stay.....	11
330 deported to Bangladesh: Himanta cites 1950 law to say District Collectors can push 'foreigners' back.....	11
Inter-State Water Dispute.....	12
Study on Mahadayi river diversion sparks fresh protest in Goa.....	12
Punjab's denotification of SYL canal land an act of 'high-handedness', says SC.....	12
Telangana CM, Minister ask Centre to stall A.P.'s water diversion project.....	13
Bills, Acts, Laws and Policies.....	13
Do restaurants have the right to charge a service fee?.....	13
CCI notifies new definitions to curb predatory pricing.....	13
Union govt. invites suggestions on draft Registration Bill.....	14
SC dismisses plea to clarify 'facts', protect Savarkar's name under Emblems Act.....	14
How has SC deviated from POCSO in a recent judgment?.....	14
YouTube channels irked as news agency demands licence fee for content.....	15
Centre notifies new age-based Film certification categories.....	15
Centre launches portal for monitoring of Waqf properties.....	15
Wife need not get husband's sign to apply for a passport: Madras HC.....	15
No contempt if Parliament or legislatures make laws: SC.....	16
DIGIPIN.....	16
Revisit digital search powers under the I-T Bill 2025.....	17
Supreme Court says dual taxation on broadcasting services permissible in law.....	17
Judiciary.....	18
SC upholds courts' power to alter arbitral awards on limited grounds.....	18
Justice B.R. Gavai takes over as CJI for a six-month tenure.....	18
'Veeraswami judgment must be revisited'.....	18

India Justice Report 2025.....	18
India's legal bridge is one of reciprocity, not roadblocks.....	19
90-day pan-India mediation campaign to start from July 1.....	19
Practising equality in constitutional courts.....	20
Criminal Justice System.....	20
Principled criminalisation and the police as pivot.....	20
Amit Shah launches e-Zero FIR initiative.....	21
Delhi, Rajasthan storing biometrics of arrestees.....	21
Prison Reforms.....	22
States, Union Territories told to use funds allocated for poor prisoners.....	22
Lokpal.....	22
SC shifts case on Lokpal order to another Bench.....	22
Elections.....	22
EC's single-point dashboard likely to be operational before Bihar election.....	22
Should NOTA be included in all elections compulsorily?.....	23
EC to provide mobile phone deposit facilities for voters outside polling stations.....	23
EC introduces new tech-driven system to update voter turnout.....	23
EC enhances system to generate Index Cards.....	24
Migrant Voter Disenfranchisement and Electoral Roll Overhaul in Bihar.....	24
Why is the ECI de-listing political parties?.....	26
Panchayats and Municipality.....	27
Getting the 'micropicture' at the panchayat level.....	27
Find ways of increasing revenue of panchayats, Amit Shah urges CMs.....	27
Census.....	27
Next Census to Conclude by March 2027.....	27
Caste Census.....	29

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Indian Polity and Parliament

The importance of the Deputy Speaker

Why in news: Deputy Speaker's post has remained vacant since 2019, raising serious concerns on constitutional compliance and democratic balance. The post is not ceremonial; it ensures legislative continuity, neutral arbitration, and effective functioning of Parliament. (3)

(1)(2) Mains

Prelims and Mains context:

Constitutional Mandate and Conventions

- Article 93 mandates election of the Deputy Speaker "as soon as may be," implying urgency, not discretion.
- Article 94 ensures continuity of the Deputy Speaker's office until resignation, removal, or disqualification.
- Article 180 empowers the Deputy Speaker to act as Speaker in their absence, ensuring uninterrupted parliamentary proceedings. (Stakes)
- Rule 8 of Lok Sabha Rules (1952) requires the Speaker to fix a date for election to the post, reinforcing the procedural urgency.

Democratic Norms and Informal Practices

- Conventionally, the Deputy Speaker's post is offered to the Opposition, fostering checks and balances and collaborative governance.

Governance and Functional Concerns

- The Deputy Speaker presides over important committees like Private Members' Bills and the Budget Committee.
- Lack of a Deputy Speaker during a Speaker's resignation or incapacitation could cause a constitutional crisis.
- Delay in appointment misinterprets Article 93, distorting its intent, leading to a constitutional vacuum.
- Vacancy centralises power in the Speaker (typically from the ruling party), contradicting the Westminster model of balanced representation.
- The absence of consensus politics erodes the spirit of parliamentary democracy, reducing space for deliberation and dissent.

Way Forward

- Parliament must uphold both letter and spirit of the Constitution by reviving democratic conventions and ensuring functional balance.

Reviving a far-sighted but forgotten Bill mechanism

Prelims and Mains context:

What are Private Member's Bills (PMBs)?

- PMBs are a mechanism through which MPs, who are not Ministers, can propose legislation. PMBs come from individual MPs, from either the ruling party or Opposition.
- Fridays are usually reserved in each session for PMB discussion.
- PMBs are one of the last spaces where MPs act independently of party mandates.

Significance of PMBs

- Allows MPs to propose legislation based on personal convictions, constituency demands, or emerging social needs, irrespective of party.
- Example: Right to Disconnect Bill (2019) proposed employees' right to disengage after work hours. Though not passed, it sparked debate on mental health, work-life balance, and labour rights.
- Example: Rights of Transgender Persons Bill (2014): First PMB in 40+ years passed by Rajya Sabha. Paved the way for the Transgender Persons (Protection of Rights) Act, 2019.
- The Vice President called PMBs "far-sighted, forward-looking, and a gold mine" for India's legislative landscape.

Do you know?

- Constitution does not specify a time frame, allowing delays in appointing Deputy Speaker.
- Article 95(1): Deputy Speaker performs the duties of the Speaker if the post is vacant.
- All powers of the Speaker apply to the Deputy Speaker when presiding over the House.
- The office of Deputy Speaker dates back to the Government of India Act, 1919, where he was known as Deputy President.
- Deputy Speaker is elected by simple majority of members present and voting in Lok Sabha.
- While usually elected in the second session, there is no bar on electing in the first session.
- Deputy Speaker M Ananthasayam Ayyangar filled in after Speaker G V Mavalankar's death in 1956, and P M Sayeed did the same in 2002 after Speaker G M C Balayogi's death.
- Under Rule 9, the Speaker nominates a Panel of up to ten Chairpersons to preside in the absence of Speaker and Deputy Speaker.
- The first 4 Deputy Speakers (1952–1969) were from the ruling Congress.
- Article 178 mirrors Article 93 for state Assemblies, mandating election of Speaker and Deputy Speaker.
- Article 179 governs vacation, resignation, and removal of Speaker and Deputy Speaker in state Assemblies.
- Article 89 establishes Deputy Chairman of Rajya Sabha, elected only by Rajya Sabha.
- The Deputy Chairman plays a vital role in managing House proceedings and steps in for the Chairperson/Vice President when needed.

(Mains GS-2 Answers)

Challenges to PMBs

- PMBs have steadily eroded due to frequent disruptions, pre-emptive adjournments, increasing prioritisation of government business. Ignoring PMBs is not only a procedural lapse but also signals a democratic backslide.
- Since Independence, only 14 PMBs have been passed and received Presidential assent; none has cleared both Houses since 1970.
- Unintended effect: MPs, especially from the ruling party, cannot deviate from party lines.

Need for Procedural and Structural Reforms

- Time for PMBs must be treated as sacrosanct, protected under Rules of Procedure and Conduct of Business.
- Proposal for a review committee for PMBs to assess quality, relevance, and constitutionality.
- A priority list could be drawn based on public importance and cross-party support.
- Fast-track mechanism for high-impact PMBs should be introduced.
- Working hours of Parliament should be extended rather than using Fridays for government business.

Global Best Practice: Ten-Minute Rule (U.K.)

- Allows any MP to make a 10-minute speech for a PMB. Another MP may oppose it for the same time.
- Enables wider introduction of legislative ideas without long time slots.
- Could be adopted in India as a substitute or supplement to existing PMB rules.

Strengthening parliamentary oversight in India

Mains context:

- In defending the parliamentary system, Dr. B.R. Ambedkar stated it offers more responsibility and less stability, which is essential for functioning democracy. It enables daily accountability through questions, motions, debates, and periodic accountability through elections.
- Inaugurating Standing Committees in 1993, Vice-President K.R. Narayanan stated the aim is to strengthen, not weaken, the administration. True oversight is essential to ensure that government remains transparent, accountable, and of the people, by the people, and for the people.

Challenges in Parliamentary Oversight

- Question Hour is frequently disrupted by protests, leading to adjournments.
- In the 17th Lok Sabha (2019–24), it functioned only 60% in Lok Sabha and 52% in Rajya Sabha.
- MPs often raise isolated queries, missing systematic cross-ministerial scrutiny.
- Standing Committees generate detailed reports, but these are rarely discussed on the floor.
- Consultations involve a small group of stakeholders, raising concerns on diversity of input.

Examples of Oversight Successes

- Railways Standing Committee (2015): Recommended waiver of dividend payments, implemented in 2016.
- Estimates Committee: Pushed for domestic uranium mining to reduce import dependency.
- PAC: Exposed issues in Commonwealth Games 2010.

Need for Targeted Reforms

- India lacks a formal mechanism for post-legislative scrutiny. Laws should be tracked to evaluate whether they achieve intended outcomes.
- Suggestion: Subcommittees or specialised bodies under Standing Committees to review implementation.
- UK model: Government submits 3–5 year reviews of major laws, enabling timely course correction.
- Committees work should be made accessible via local language translations, visual explainers, and short videos.
- Selected DRSC reports must be debated in Parliament, followed by mandatory Ministerial response.
- Committees need dedicated research and technical support, moving beyond administrative assistance.

Demand for inclusion of Kokborok and Bhojpuri in Eighth Schedule of Constitution

Why in news: Recently, Kokborok Sahitya Parishad requested inclusion of Kokborok language in Eighth Schedule of the Constitution in a letter to Tripura Chief Minister. The script for Kokborok can be either Bengali or Devanagari.

Prelims and Mains context:

- On International Mother Tongue Day (February 21), there was a demand for inclusion of Bhojpuri in Eighth Schedule. Bhojpuri holds constitutional status in Mauritius and Nepal but remains unrecognised in India.
- Eighth Schedule of Constitution lists officially recognised languages; provisions are in Articles 344(1) and 351.

What is the Eighth Schedule?

It lists 22 languages officially recognised by the Indian Constitution.

These include:
Assamese, Bengali, Bodo, Dogri, Gujarati, Hindi, Kannada, Kashmiri, Konkani, Maithili, Malayalam, Manipuri, Marathi, Nepali, Odia, Punjabi, Sanskrit, Santhali, Sindhi, Tamil, Telugu, Urdu.

- Article 344(1) provides for a Commission to recommend the progressive use of Hindi for official purposes of the Union.
- Article 351 mandates the Union to promote Hindi and enrich it using Sanskrit and other Eighth Schedule languages. 22 languages are listed in the Eighth Schedule. Sindhi was added by 21st Amendment Act 1967; Konkani, Manipuri, Nepali by 71st Amendment Act (1992); Bodo, Dogri, Maithili, Santhali by 92nd Amendment Act (2003). English is not included in the 8th Schedule.
- Ashok Pahwa Committee (1996) proposed criteria: official language of a state, significant population, independent language, Sahitya Akademi recognition, developed literary tradition.
- Sitakant Mohapatra Committee (2003) suggested: at least 5 million speakers, medium of instruction up to secondary/university level, script in use for at least 50 years.
- MHA states that no fixed official standard exists for selecting languages for the Eighth Schedule.
- Benefits of inclusion include: translation services in Parliament, inclusion in UPSC language papers, and developmental funds from the Centre.

Do you know?

- Last year, 'Classical Language' status was granted to Marathi, Pali, Prakrit, Assamese, and Bengali, bringing the total number of classical languages to 11.
- Previously, only six languages held the 'Classical' status: Tamil (2004), Sanskrit (2005), Kannada (2008), Telugu (2008), Malayalam (2013), and Odia (2014).
- Classical languages are custodians of ancient cultural heritage, preserving history, literature, and traditions.
- The government grants this status to honor and safeguard the linguistic milestones of India's diverse cultural landscape.
- In 2004, Centre created the category of "classical languages". Tamil became the first Indian language to receive classical status due to its high antiquity and rich literary tradition.

Key criteria for a language to be considered a Classical Language in India:

- Must have an early history of 1500–2000 years.
- It should have a body of ancient literature or texts regarded as heritage by its speakers over generations.
- There must be knowledge texts, including prose, poetry, and epigraphic/inscriptional evidence.
- Classical language & its literature may be distinct from its modern form or may show discontinuity over time.

Additional information:

- Department of Official Language under Ministry of Home Affairs implements constitutional provisions and Official Languages Act, 1963 relating to Hindi and English in official purposes of the Union. Established in 1975, it promotes Hindi in official work while supporting linguistic diversity as per Articles 343–351 of the Constitution.
- Bharatiya Bhasha Anubhag (Indian Languages Section) launched in 2025 to reduce dominance of English, promote regional languages, and enable officials to communicate in mother tongues. It includes universal translation tools (with C-DAC support) for seamless communication, aligned with NEP 2020 emphasis on indigenous languages.
- Bhasha Sangam Initiative, a Ministry of Education program under Ek Bharat Shreshtha Bharat, teaches basic conversational sentences in 22 languages of the Eighth Schedule. It uses digital platforms (DIKSHA/ePathshala) and booklets for school children to foster linguistic tolerance and cultural integration nationwide.
- Hindi ShabdSindhu, an online dictionary initiative, developed by Department of Official Language, Central Hindi Directorate, and scientific/technical committees. It provides a comprehensive repository of Hindi words for administrative, scientific, and technical usage, making Hindi versatile and widely accepted.

Aim to think, converse and glorify in India's own languages: Amit Shah

Why in news: Union Home Minister said there is no opposition to any foreign language, but the aim should be to glorify, converse and think in India's own languages.

Mains context:

- Technical education has been introduced in 12 Indian languages, and Madhya Pradesh has started medical education in Hindi. He urged all States to provide engineering and medical education in their State's language.
- At the Golden Jubilee Celebration of the Department of Official Language, he said the Bharatiya Bhasha Anubhag (Indian Languages Section) was inaugurated this year. It aims to make Indian languages the language of teenagers and the youth. He emphasized that languages should become a medium to connect India, not break it. Language is a nation's soul, and history and culture cannot be promoted without our own languages.
- Under the Bhasha Sangam initiative, a program is being run in every school to teach 100 commonly used sentences in the 22 languages recognised by the Constitution.

- Department of Official Language has created "Hindi Shabdsindhu" to make official language accepted, flexible, and comprehensive.
- Home Minister launched Bharatiya Bhasha Anubhag (BBA) or Indian Languages Section to create an organised platform for Indian languages aiming to free the administration from the influence of foreign languages.
- Budget 2024-25 allocated ₹56 crore for establishment of BBA platform to facilitate translation between various languages & Hindi.
- Official Languages Rules govern Centre's language correspondence with Region A, B, and C States. Communications to Region C States (TN, Kerala, Karnataka) are done in English, but BBA will help enable replies in State languages.
- BBA will assist in translation work, ensuring that States' official languages are represented at the central level.

SC's 3-month timeline in Governor verdict was adopted from Centre's own guidelines

Why in news: The Centre has raised a Presidential Reference questioning the Supreme Court's decision in the Tamil Nadu Governor case that imposed a three-month timeline for the President to act on Bills under Article 201.

Prelims and Mains context:

- Reference asks if a judicial order can prescribe a time limit for the President when Article 201 does not specify one. However, the three-month timeline was based on the 2016 MHA guidelines & OMs. Sarkaria and Punchhi Commissions, along with Central government guidelines, had recommended expedited decisions on State Bills referred to the President.
- The first OM instructed a maximum three-month limit to finalise Bills and flagged undue delays in decision making. Substantive issues in a Bill are to be referred by MHA to the relevant Central Ministry, and language/constitutionality issues go to the Law Ministry, with a 15-day response timeline. If no response is received within a month, it is to be treated as no objection, as per the OM.
- For ordinances of urgent nature, a three-week disposal timeline was prescribed.
- The second OM mandated that objections from ministries must be shared with the concerned State government, with a one-month response time. The State government must cooperate to avoid delays that could ripple into postponing the Centre's final decision.

Historical Context of Article 143

- The advisory jurisdiction under Article 143 is inherited from the Government of India Act, 1935, which allowed the Governor-General to refer questions to the federal court. A similar advisory mechanism exists in Canada, while the U.S. Supreme Court refrains from such opinions due to strict separation of powers.

Constitutional Provisions

- Article 143:** The President may refer any question of law or fact of public importance to the SC for an advisory opinion, based on Cabinet advice.
- Article 145:** The reference must be heard by a bench of at least five judges. The opinion is not binding and lacks precedential value, but holds strong persuasive authority and is generally followed. **C 145 (3)**

Notable Past References

- Delhi Laws Act (1951): Defined scope of delegated legislation.
- Kerala Education Bill (1958): Balanced Fundamental Rights with Directive Principles; interpreted Article 30.
- Berubari Union (1960): Required constitutional amendment to cede territory.
- Keshav Singh case (1965): Defined legislative privileges.
- Presidential Poll case (1974): Validated election despite vacancies.
- Third Judges Case (1998): Established collegium system guidelines.
- SC declined only once — the Ram Janmabhoomi reference (1993).

Fundamental Rights

Digital access a part of fundamental right to life and liberty

Why in news: Inclusive and meaningful digital access to e-governance and welfare delivery systems is a part of the fundamental right to life and liberty – Article 21, the Supreme Court held in a judgment.

Prelims and Mains context:

- A Bench heard a petition highlighting the difficulties people with disability face in completing the digital Know Your Customer (KYC) process. Court stated that state has an obligation to provide an inclusive digital ecosystem for the marginalised, underprivileged, vulnerable, disabled, and historically excluded sections of society.
- The right to digital access is an instinctive component of the right to life and liberty.

Legal Safeguards for PwDs

- The Constitution, through the Preamble, Fundamental Rights, and Directive Principles, mandates inclusive policy and infrastructure for PwDs.

- The **Rights of Persons with Disabilities (RPwD) Act, 2016**, adopts a 'social-barrier' approach, recognising disability as arising from a combination of impairments and environmental obstacles.
- Section 42** of the Act mandates accessible audio, print, and electronic media, and universal-design principles for everyday electronic goods.

Importance and Scope of KYC

- Under **PLMA**, KYC verification is mandatory for financial services like banking, insurance, pensions, SIM access.
- The **RBI's 2016 Master Direction on KYC** introduced **Video-based Customer Identification Process (V-CIP)** requiring users to complete tasks like **OTP verification, facial capture, digital signature, reading codes** on screen.

KYC Framework's Impact on PwDs

- PwDs such as **acid-attack survivors** and the visually impaired face exclusion due to inaccessible V-CIP methods.
- Current KYC apps often violate **ICT Accessibility Standards (2021, 2022)**, lacking **screen-reader support, audio cues, and guidance for camera use**. Thumb impressions and PANs without signatures are not accepted; **Aadhaar-based biometrics** lack inclusive features like **text-to-speech or self-verification**.
- RBI's bar on prompting during V-CIP leaves users **without assistance**, resulting in **frequent rejection or demand for in-person appearance**.

Supreme Court's Intervention and Rationale

- SC reaffirmed that **accessibility is a constitutional imperative** and central to Article 21, citing **Rajive Raturi vs Union of India (2024)**. Court held that **digital exclusion violates rights under the UNCRPD and India's disability laws**, invoking **substantive equality**. It directed **digital KYC norms be revised with 'accessibility' at the core**.
- Citing **Articles 14, 15, 21, and 38**, the Court expanded the right to life to include **equal digital access** for PwDs, rural populations, the elderly, the poor, and linguistic minorities. The judgment mandates the state to ensure all digital infrastructure is inclusive, especially for **marginalised communities**.

Recounting Velpur's story in ending child labour

Why in news: **World Day Against Child Labour** is observed on **June 12** every year under auspices of the **ILO**. It brings together **governments, employers, workers' organisations, and civil society** to work towards ending child labour. The theme for 2025 is "Progress is clear, but there's more to do: Let's speed up efforts!". *Themes are imp*

Prelims and Mains context:

- SDG Target 8.7** calls on global community to take effective measures to end child labour in all its forms by **2025**.

Global Situation of Child Labour

- 160 million children** involved in child labour worldwide — almost **one among 10 children**. Africa, Asia, and the Pacific regions together account for almost **nine out of every 10 children** being in child labour.
- COVID-19 pandemic** exacerbated the situation.

Extent of Child Labour in India

- Census 2011** estimated **43.53 lakh children (5-14 years)** involved in child labour due to poverty, non-accessibility, and illiteracy. Child labour prevalent in **beedi, carpet-weaving, and firework factories**.

Legal and Policy Measures in India

- Child Labour (Prohibition and Regulation) Act (CLPRA), 1986**. **National Policy on Child Labour, 1987**: gradual approach with focus on rehabilitation.
- National Child Labour Project** launched in high-incidence areas.
- CLPRA replaced by the **Child Labour (Prohibition and Regulation) Amendment Act, 2016**:
 - Prohibited employment of children **below 14**.
 - Provisions for prohibition of **adolescents (14-18 years)** in scheduled hazardous occupations.
- Right to Education** mandates free and compulsory education for children aged **6-14**.

Do you know?

National Child Labour Project (NCLP)

- It is a **Central Government scheme** launched in **1988**.
- Objective: **Rehabilitate child labourers** by withdrawing children from **hazardous work**.
- Provides **education, vocational training, and health care** through **special centres**.
- Operates across **hundreds of districts** to mainstream rescued children into **formal education**. Focuses on **raising community awareness** to eliminate child labour in India.
- Implementation by **District Project Societies** under **Ministry of Labour and Employment**.

The Velpur Model: A Community-led Success Story

- Velpur Mandal (Nizamabad district, Andhra Pradesh/Telangana)** once notorious for child labour.

- Community-driven campaign launched in 2001 to ensure all 5–15-year-old children attended school.
- Declared "child labour free mandal".

Rights of Pedestrians

Why in news: The Supreme Court (SC) passed an order affirming the constitutional rights of pedestrians.

Prelims and Mains context:

- The SC stated that the right to unobstructed and disabled-friendly footpaths is guaranteed under Article 21 (Protection of life and personal liberty).
- SC directions include: all public roads must have footpaths accessible to persons with disabilities, Removal of encroachments from footpaths is mandatory, States and UTs must evolve policies to ensure the availability and maintenance of footpaths and footways.

Personality Rights

Why in news: The Delhi High Court recently protected personality rights of Sadhguru Jaggi Vasudev from being misused via AI by websites and platforms. (TH 6th Oct, 2025) → update later.

Prelims and Mains context:

- The HC highlighted growing misuse of AI tools that can clone voices, generate deepfakes, and mimic facial expressions, exploiting personality rights.
- Misuse of AI poses risks to reputation, privacy, and economic interests of public figures, whose personas are often used for endorsements.
- Personality rights refer to an individual's right to control unauthorized use of personal attributes like name, image, voice, likeness, and distinctive expressions.
- These rights cover both commercial and non-commercial aspects but are not expressly mentioned in any Indian statute.
- Components of Personality Rights:**
 - Right to publicity:** Protects image and likeness from commercial exploitation, partially governed by Trademarks Act, 1999 and Copyright Act, 1957.
 - Right to privacy:** Protects against public representation of personality without permission, broadly under Article 21 and Justice K.S. Puttaswamy (Retd.) Case, 2017.
 - Posthumous Personality Rights in India:** No specific statutory recognition; Emblems Act, 1950 prohibits commercial use of images of Mahatma Gandhi and Prime Minister.
 - Deepa Jayakumar v. AL Vijay (2019):** Personality rights, reputation, or privacy enjoyed during a person's lifetime end after death.

Narco Tests

Why in news: The Supreme Court recently overturned the Patna High Court's order allowing narco-tests on all accused and witnesses. The judgement was based on the Supreme Court's observation in Selvi v. State of Karnataka (2010), which examined the constitutional validity of narco-analysis, polygraph, and other similar tests. **Consent Needed**

Prelims context:

Polygraph Test:	<ul style="list-style-type: none"> Operates on presumption that specific physiological responses are triggered on lying. Administered by attaching instruments like cardio-cuffs or sensitive electrodes to suspect. Measures blood pressure, galvanic skin response (a proxy for sweat), breathing and pulse rate.
Narco-analysis:	<ul style="list-style-type: none"> Injection of drug called sodium pentothal into accused, induces hypnotic or sedated state. Assumption is that a subject in such a state is likely to divulge information. Because the drug is thought to weaken the subject's resolve to lie, it is referred to as "truth serum."
Brain Mapping:	<ul style="list-style-type: none"> Measures subject's neural activity, brainwaves, using electrodes attached to the face and neck. It operates on principle that the brain generates distinctive brainwaves when exposed to familiar stimuli, such as an image or a sound.

Federalism

The case for a special fiscal package for Andhra Pradesh

Why in news: After Telangana's creation in 2014, Andhra Pradesh was left without Hyderabad, its main tax revenue generator. Then PM Manmohan Singh assured special category status in Parliament, but the State Reorganisation Act made no provision for it. The 14th Finance Commission's recommendation led to discontinuation of the 'special category' classification by the Centre.

Prelims and Mains context:

Fiscal Challenges Post-Bifurcation

- The State suffers from **structural fiscal handicaps**, worsened by **competitive populist freebies** and **empty coffers**.
- While Centre has no obligation to aid due to freebies, it must compensate for structural loss from bifurcation.

Limitations of 'Special Category' Status Today

- Earlier, this status offered **substantial Plan assistance**; now it mainly provides **soft-term external loans** (e.g., from World Bank). Therefore, the **status is diluted** and may not benefit Andhra Pradesh meaningfully today.

Alternative: Special Financial Package

- Special packages** have been given earlier to **Odisha (KBK Plan), Bundelkhand, and Bihar (2015)**.
- However, such **political and ad hoc packages** undermine **fiscal federalism**. A better solution is a **Finance Commission-recommended package**, which carries **constitutional legitimacy and neutrality** ~~(*)~~

Fiscal Inequity Due to State Divisions

- Divisions after 2000** (e.g., UP, MP, Bihar) show that **carved-out States** (e.g., Chhattisgarh, Jharkhand, Telangana) gained **fiscal capacity**, while **rump States** lost out.
- Andhra Pradesh and Bihar** faced large loss in per capita own revenue, compared to UP and MP.

Proposed Solution

- If a State's fiscal loss post-division exceeds 10%, the **Centre should provide a special time-bound package**.
- This makes **Bihar and Andhra Pradesh eligible**. The **Finance Commission** must evolve a **formula-based, apolitical mechanism** to address these imbalances and **strengthen fiscal federalism**.

About Special Category Status

- Introduction:** In 1969 based on recommendations of **Fifth Finance Commission**.
- Aims:** To aid States disadvantaged in geographic, social, economic terms to achieve parity with developed.
- Qualification:** SCS required factors such as majority tribal population, low population density, proximity to international borders, socio-economic backwardness, and inadequate State finances.
- Higher share of Central funds (**90% for SCS States** vs. 60%-80% for others), **Tax concessions** and Additional grants for development projects.
- States under SCS:** Currently 11 States, including J&K, Assam, and Nagaland, Himachal & Uttarakhand.

How is President's Rule imposed?

Why in news: Delegation of 10 MLAs from **Manipur Assembly** met **Governor**, urging formation of a viable government.

Prelims and Mains context:

- Manipur has been under President's Rule since February 2025** due to security and political instability.
- Article 356** allows the **President** to take over a State's governance if it cannot be run per constitutional provisions. It can be imposed **based on the Governor's report or otherwise**, including **Article 365** situations (failure to comply with Union directions).
- A **proclamation** must be approved by **both Houses of Parliament within two months** by **simple majority**.
- Once approved, it continues for **six months**, extendable up to **three years** in total.

Historical Misuse and Constitutional Concerns

- Dr. B.R. Ambedkar** hoped Article 356 would remain a "dead letter", but it has been **frequently misused**. (Mains)
- Elected governments with majority have been **arbitrarily dismissed**, driven by **political expediency**.
- No uniform practice exists for **dissolution of Assemblies** after imposition of President's Rule.
- Some **Governors accepted advice** of outgoing Chief Ministers with doubtful majority (e.g., Kerala 1970, Punjab 1971), others **refused** (e.g., Punjab 1967, U.P. 1968, M.P. 1969, Orissa 1971).

Judicial Interpretation: S.R. Bommai Case and After

- S.R. Bommai case (1994)** set limits:
 - Article 356 should apply only during **breakdown of constitutional machinery**, not mere law-and-order issues.
 - Its use is subject to judicial review and should not be for political reasons.
 - Assembly should be in **suspended animation** till Parliament's approval.
- Wrongful use struck down** in cases of **Bihar (2005), Uttarakhand (2016), Arunachal Pradesh (2016)**.
- If no government commands majority, **fresh elections** are normally held, after which **President's Rule is revoked**.

Durga, dictator, democrat. How the 3 veins ran parallel in Indira

Why in news: Fifty years after the Emergency, new material and books shed more light on a dark chapter in India's history, centering around **Indira Gandhi**.



Prelims and Mains context:

- The Emergency refers to the period from June 25, 1975 to March 21, 1977, during which Prime Minister Indira Gandhi used special provisions in the Constitution to impose sweeping executive and legislative consequences.
- The declaration of Emergency converts the federal structure into a de facto unitary one, giving the Union complete control over state governments.
- During Emergency, Parliament may extend the Lok Sabha term by one year, make laws on State List subjects, and extend Union executive powers to the states.
- The President can modify, with parliamentary approval, constitutional provisions on allocation of financial resources between the Union and states.
- Under Article 352, President may proclaim emergency if security of India or any part is threatened by war, external aggression, or armed rebellion.
- In 1975, the ground used was "internal disturbance", not armed rebellion.
- This was the only instance of Emergency proclaimed due to "internal disturbance".
- The earlier emergencies, proclaimed in 1962 and 1971, were both on grounds of war.

Major Constitutional Amendments during Emergency:

- 38th Amendment (1975): Barred judicial review of Emergency declarations, making the President's satisfaction 'final and conclusive' under Articles 352, 356, and 360.
- 39th Amendment (1975): Changed the method of deciding election disputes for President, Vice President, Prime Minister, and Speaker, keeping these offices effectively beyond judicial scrutiny.
- 42nd Amendment (1976):
 - Gave primacy to Directive Principles over Fundamental Rights under Article 31C.
 - Curtailed powers of Supreme Court and High Courts:
 - Article 32A denied SC power to consider constitutional validity of State laws (later omitted by 43rd Amendment).
 - Articles 131A & 226A denied HC power to check constitutional validity of Central laws.
 - Extended Lok Sabha term from 5 to 6 years.
 - Gave Parliament power to amend Constitution virtually unchecked via clauses 4 & 5 of Article 368.
- During the Emergency, civil liberties and fundamental rights were suspended (ADM Jabalpur case), media was censored, and mass arrests occurred under laws like MISA.

A fair share

Why in news: 16th Finance Commission will make recommendations for financial devolution from April 1, 2026. 22/28 States, including BJP-ruled ones, have demanded an increase in the divisible tax pool share from 41% to 50%.

Prelims and Mains context:

- Union government has reduced divisible pool by increasing revenue through non-shareable cesses & surcharges. Cesses and surcharges rose from 12.8% (2015–20) to 18.5% (2020–24) of Centre's gross tax revenue.
- As a result, States' effective share in gross tax revenues dropped from 35% to 31% over the same period.
- Post-GST regime, States face limited revenue-raising avenues, making them critically dependent on central transfers. Despite good GST collections, States still lack adequate fiscal autonomy.
- The current horizontal devolution formula heavily relies on population and income distance, seen as penalising economically progressive Southern States.
- Rising defence and capital expenditure makes the Centre unwilling to reduce its share in the divisible pool.
- The Commission should recommend a cap on cesses and surcharges as a percentage of gross tax revenue. Surplus collections from such levies should be included in the divisible pool.
- The horizontal distribution criteria must be fine-tuned to balance needs, area, and performance of States.

Do you know?

- Horizontal devolution refers to the distribution of states' share from the divisible tax pool among different states using specific criteria to ensure equity and fiscal balance.
- The 15th Finance Commission allotted 41% of the divisible tax pool to states, with the horizontal devolution formula determining how this share is divided.
- The formula uses multiple weighted criteria: Income distance (45%), Population 2011 (15%), Area (15%), Forest & Ecology (10%), Demographic performance (12.5%), Tax & fiscal effort (2.5%).
- Income distance (gap between a state's per capita income and the richest state) has the highest weight to promote fiscal equity by allocating more funds to economically weaker states.
- Demographic performance rewards states with better population control efforts (fertility rate reduction).

Citizenship

Detaining non-citizens and the rule of law

Why in news: Under the National Security Act, 1980 and the Foreigners Act, 1946, non-citizens in India can be detained. Many detainees spend years in detention camps facing harsh conditions and legal uncertainty.

Prelims and Mains context:

The Assam experience

- In Assam, 19 lakh people were excluded from the National Register of Citizens (NRC) in 2019. Citizenship required proof of residence before 1971, but such documents are often unavailable, lost, or damaged due to Assam's flood-prone nature.
- Rejections due to misspellings or name variations, common across India, further excluded genuine residents.

Violation of legal safeguards

- In Rajubala Das v UoI (2020), the SC was asked to examine indefinite detention of NRC-excluded individuals.
- In India, detention must be backed by judicial power (conviction, trial, preventive detention) under Article 22. Liberty deprivation must be constrained by law and judicial oversight; arbitrary detention is unconstitutional.

No legitimate reason

- The Supreme Court, in Rajubala Das, permitted deportation without verifying addresses, but nationality verification and acceptance by receiving states remain necessary. Travel documents and diplomatic coordination are essential — not possible if detainees have no other nationality.
- In Australia, such detention is deemed unconstitutional when no legitimate purpose is served.
- In India, these detentions serve no punitive, preventive, or judicial purpose and violate Article 21 protections.

Constitutional implications

- Assam's detention regime threatens liberty, undermining constitutional principles.
- Deprivation of liberty is meant to be controlled by the judiciary, not left to executive or legislative discretion.
- Encroachment by executive/legislature on court functions poses a serious threat to the rule of law.

Ladakh domicile tag to require 15 years of continuous stay (Leave for now)

Why in news: The Union government is considering a new domicile policy for Ladakh, granting domicile status to those with a 15-year continuous stay since 2019. As per the High-Powered Committee (HPC) consensus, any 'outsider' settling after 2019 will become a domicile only after 2034.

Prelims and Mains context:

- The domicile status determines eligibility for 5% gazetted government vacancies, amid local fears of job competition from outsiders. Reservation breakup for Ladakh includes 80% for Scheduled Tribes, 4% for those along LoC/LAC, 1% for Scheduled Castes, and 10% for EWS.
- Ladakh became a Union Territory without a legislature in 2019, after Article 370 was read down.
- In 2020, protests erupted in Leh and Kargil, demanding Statehood, Sixth Schedule inclusion, job reservations, and separate parliamentary seats for Leh and Kargil.

330 deported to Bangladesh: Himanta cites 1950 law to say District Collectors can push 'foreigners' back

Why in news: Assam CM announced implementation of the 1950 Act to push back foreigners into Bangladesh based on District Collectors' prima facie findings.

Prelims and Mains context:

- This action will be in addition to the ongoing pushbacks of people already declared foreigners by FTs.
- CM cited the 2024 Supreme Court judgment that upheld the constitutional validity of Section 6A of the Citizenship Act. Section 6A sets March 24, 1971 as the cut-off date for citizenship in Assam.
- Under current law, identification of foreigners is done through FTs in Assam.
- The Supreme Court's judgment included a direction to apply the Immigrants (Expulsion from Assam) Act, 1950 in conjunction with Section 6A for identifying illegal immigrants.

Do you know?

- Foreigners' Tribunals (FTs) are quasi-judicial bodies that give opinions on whether a person is a foreigner under the Foreigners Act, 1946.
- In 1964, the Foreigners' (Tribunals) Order was passed by the Centre under Section 3 of the Foreigners Act.
- FTs handle cases based on references from border police and individuals marked as D (Doubtful) voters in electoral rolls.
- Section 9 of Foreigners Act places the onus of proving citizenship on the person concerned, not the state.
- Under repealed Illegal Migrants (Determination by Tribunals) Act, 1983, burden of proof lay on complainant.
- In 2005 (Sarbananda Sonowal vs UoI), SC struck down IMDT Act, calling it hurdle in deporting illegal migrants.

Immigrants (Expulsion from Assam) Act, 1950

- It empowers the **Central Government** and **delegated local officers** to expel immigrants from **Assam**.
- Expulsion can be ordered if presence is considered **harmful to public interest** or the **rights of Scheduled Tribes**.
- The Act was enacted in response to **post-Partition migration**.
- It enabled **removal orders** to be issued **directly**, often **without judicial process**.
- Exemption:** Persons **displaced due to civil disturbances in Pakistan** and residing in Assam were **not covered** under expulsion.

Inter-State Water Dispute
Study on Mahadayi river diversion sparks fresh protest in Goa

Why in news: A protest erupted in **Goa** following the publication of a scientific paper on the **Mahadayi river** by scientists from **CSIR-NIO (Goa)** and **INCOIS (Hyderabad)**. The **Goa-Karnataka water-sharing dispute** over the **Mahadayi river** has lasted for **over two decades**.

Belgavi (kar)
Kor + MH + Goa

Prelims and Mains context:

- The study stated that **Karnataka's diversion plans**, as approved by the tribunal, would **not significantly impact Goa**, except the **Kalasa tributary**, which could affect the **northern Mhadei Wildlife Sanctuary**.
- Both Karnataka and Goa have challenged the tribunal's verdict in the Supreme Court.

About Mhadei Wildlife Sanctuary:

- Mhadei Wildlife Sanctuary** is located in **North Goa**, within the **Western Ghats**, covering ~208 sq. km.
- It is habitat for **Bengal tigers** and has been recommended for declaration as a **Tiger Reserve** under **WPA, 1972**.
- Sanctuary includes Goa's **three highest peaks**: Sonsogod (1027 m), Talavche Sada (812 m), and Vageri (725 m).
- The **Mhadei River** flows through the sanctuary, with notable **waterfalls** such as **Vazra Sakla Falls** and **Virdi Falls**.
- It is significant for **avian conservation**, serving as a **nesting ground** for critically endangered Long-billed vultures.
- The sanctuary is also designated as an **International Bird Area (IBA)**.

Punjab's denotification of SYL canal land an act of 'high-handedness', says SC

Why in news: SC termed **Punjab's denotification of SYL (Sutlej-Yamuna Link) canal land** as an act of "high-handedness". It reminded Punjab of the **2017 apex court order** to maintain **status quo** on land and properties related to the canal.

Prelims and Mains context:

- Punjab Assembly** passed a resolution declaring it would not spare "**even a single drop of water**" from its share to **Haryana** and the **Sutlej and Beas waters** solely belong to **Punjab**.
- The resolution termed the **Dam Safety Act, 2021** as an **attack on the federal structure**, granting the **Centre control over rivers and dams** even within state borders & demanded the **immediate repeal** of the **Dam Safety Act**.
- In 2017, **Haryana had approached the Court** after Punjab attempted to **return project land to farmers**.
- A **Constitution Bench in 2016** set aside the **Punjab Termination of Agreement Act, 2004**, which had unilaterally ended the 1981 **water-sharing agreement** between Punjab, Haryana, and Rajasthan. The **SYL canal originated from the 1981 agreement** to reallocate the **Ravi and Beas waters** for **optimum national utilisation**.
- SYL canal dispute began in 1996**, when Haryana filed an original suit, and the SC ruled in its favour in 2002. In 2004, the Court reiterated its direction for Punjab to complete its portion and ordered the formation of a **central agency to take control** of the work.

Do you know?

- Article 262** deals with **disputes related to inter-State rivers or river valleys**.
- Clause (1)** allows **Parliament to make laws for adjudicating disputes over the use, distribution, or control of such waters**.
- Clause (2)** permits **Parliament to bar the jurisdiction of the Supreme Court and other courts in these matters**.
- Using these powers, **Parliament enacted the Inter-State River Water Disputes Act, 1956**.
- Bakra and Beas projects** were developed as a **joint venture** of undivided Punjab and Rajasthan.
- After the **reorganisation of Punjab in 1966**, **Bakra Management Board** was constituted under **Section 79 of the Punjab Reorganisation Act, 1966**. **Bakra Nangal project** was handed over to **Bakra Management** in 1967.
- After completion of the **Beas Project in 1976**, the board was renamed **Bakra Beas Management Board (BBMB)**.
- BBMB regulates water and power supply** to **Punjab, Haryana, Rajasthan, Himachal Pradesh, Delhi, and Chandigarh**.
- BBMB management** includes a **Chairperson** and **two whole-time members**: **Member (Power)** from Punjab and **Member (Irrigation)** from Haryana.
- Rajasthan and Himachal Pradesh** have state-nominated representation in BBMB.
- New rules allow appointment of technically qualified members from **across India**, not just from **Punjab and Haryana**.



Telangana CM, Minister ask Centre to stall A.P.'s water diversion project

Why in news: Telangana CM and Irrigation Minister sought Union Jal Shakti Ministry's intervention to stall Andhra Pradesh's Godavari-Banakacherla project. Telangana claims the project violates the 1980 Godavari Water Disputes Tribunal order and the AP Reorganisation Act, 2014.

Prelims and Mains context:

- The Godavari-Banakacherla project aims to divert surplus floodwaters from the Godavari River to drought-prone regions of Andhra Pradesh, especially Rayalaseema, Prakasam, and Nellore.
- It will provide drinking water to 80 lakh people and irrigate 7.5 lakh acres, boosting water security and agricultural productivity.
- Implementation Phases:** Diverting water from the Polavaram Project to the Krishna basin, Transporting water to Bollapalli Reservoir, Channeling water to Banakacherla via a 31-km tunnel, canals, and lift systems.

Do you know?

- The Banakacherla reservoir project aims to transform Andhra Pradesh's drought-prone Rayalaseema region into fertile land.
- First step is to enhance Polavaram Right Main Canal's capacity from 17,500 cusecs to 38,000 cusecs to enable transfer from Godavari to Krishna.
- The Thatipudi Lift Irrigation Scheme's canal capacity will be increased from 1,400 cusecs to 10,000 cusecs.
- A reservoir will be constructed at Bollapalli in Guntur district, from where water will be lifted at 28,000 cusecs for transfer to Banakacherla reservoir.
- Lift stations will be set up at Harischandrapuram, Lingapuram, Vyyandana, Gangireddypalem, Nakirekallu to pump water to the Bollapalli reservoir.
- Water will be diverted to the Veligonda and Banakacherla reservoirs via a tunnel passing through the Nallamala forest.

Bills, Acts, Laws and Policies

Do restaurants have the right to charge a service fee?

Why in news: A 3-year legal battle is ongoing in the Delhi HC over the legitimacy of service charges in restaurants. In 2022, Central Consumer Protection Authority (CCPA) issued guidelines prohibiting default service charges.

Prelims and Mains context:

- Tips are voluntary, offered after the meal, depending on service quality. Service charges, however, are pre-fixed, added regardless of experience. In 1958, a government committee opposed forced tipping, calling it "injurious to dignity" and harassment for customers.

Consumer Perspective

- Consumers feel cheated when unaware of the automatic service charge, usually discovered only at billing time.
- Complaints to the National Consumer Helpline show resistance from staff when asked to remove the charge.
- In 2016, the Ministry of Consumer Affairs stated service charges are voluntary.
- 2022 CCPA guidelines banned: Automatic addition of service charges.
- 2024 Delhi HC ruled: Service charges or tips must be voluntary, not compulsory or mandatory.

CCI notifies new definitions to curb predatory pricing (leave for now)

Why in news: The Competition Commission of India (CCI) has notified new definitions for costs to determine whether pricing is predatory, as per the Competition Act 2002.

Prelims and Mains context:

- Predatory pricing refers to selling below cost with the intent to reduce competition and eliminate rivals.
- The new framework assumes cost as average variable cost (AVC), calculated by dividing total variable cost by total output. Total variable cost includes all production-related costs excluding fixed costs and overheads.
- The Cost Regulations 2025 provide a sector-agnostic, cost-based framework that is flexible and adaptable to various industries, including the digital economy.
- The CCI rejected sector-specific cost definitions and chose to assess costs on a case-by-case basis to reflect market-specific dynamics. The updated approach aims to check predatory pricing and promote fair competition, especially amid evolving digital market dynamics.

Do you know?

- CCI was established under the Competition Act, 2002 under Ministry of Corporate Affairs, and became fully operational in 2009.

- Prevents anti-competitive agreements, curbs abuse of dominant position, regulates mergers & acquisitions, ensures a level playing field. Safeguards consumer interests, sustains free trade, and promotes innovation, competitive pricing, and quality.
- Includes a Chairperson and 6 members, appointed by the Central Govt, with diverse professional expertise.

Union govt. invites suggestions on draft Registration Bill

Why in news: The Ministry of Rural Development has circulated the draft Registration Bill, 2025, to replace the 117-year-old Registration Act, 1908 that provides the legal framework for registration of immovable property and related transactions. The new Bill introduces provisions for online registration, including electronic presentation and admission of documents.

Prelims and Mains context:

- It enables issuance of electronic registration certificates & digital maintenance of records. Bill allows for Aadhaar-based authentication along with alternative verification mechanisms for those without or not using Aadhaar. The new law enables electronic integration with other record-keeping systems.
- It aims to make the registration process more accessible and citizen-centric, especially for individuals and small businesses. Bill promotes plain language drafting, transparent procedures, simplification without compromising legal certainty.
- Since 2006, the administration of the Registration Act has been under the Department of Land Resources, Ministry of Rural Development. (Before 2006, it was under MHA).

SC dismisses plea to clarify 'facts', protect Savarkar's name under Emblems Act

Why in news: The Supreme Court rejected a plea to include and protect V.D. Savarkar's name under the Emblems and Names (Prevention of Improper Use) Act, 1950.

Prelims and Mains context:

About the Act

- Objective:** Prevents improper use of certain names and emblems for trade, business, or professional purposes.
- Schedule:** Lists names/emblems protected under Act; amended by Central Govt via notification in Gazette.
- Prohibition:**
 - No person can use protected names/emblems for commercial/professional purposes.
 - Prohibits registration of companies, firms, trademarks, patents bearing protected names/emblems.
- Penalty:** Contravention punishable with fine.

Examples in the Schedule

- National symbols:** Indian National Flag, Government of India seal.
- High offices:** President, Prime Minister, Rashtrapati Bhavan.
- Freedom fighters/historical figures:** Mahatma Gandhi, Indira Gandhi, Chatrapati Shivaji Maharaj.
- International organisations:** UN, WHO, Interpol.
- Indian organisations:** Tuberculosis Association of India, St. John's Ambulance, Ramakrishna Math, Bharat Scouts & Guides, Auroville.
- Recent additions:** 2004: Sri Sathya Sai Central Trust, National Human Rights Commission. 2013: FIFA.

Judicial Standpoints

- Naveen Jindal case (2004):** SC held that flying the National Flag is a fundamental right under Article 19(1)(a) as an expression of patriotism. But this right is qualified, subject to restrictions under: Article 19(2) (reasonable restrictions), The 1950 Act, and Prevention of Insults to National Honour Act, 1971.

How has SC deviated from POCSO in a recent judgment?

Why in news: The Protection of Children from Sexual Offences (POCSO) Act, 2012 criminalises penetrative and non-penetrative assault, sexual harassment, and child pornography.

Prelims and Mains context:

- It is a gender-neutral law that treats all under-18s as incapable of consent, ensuring victim-centric procedures like special courts, in-camera trials, and video testimonies.
- It mandates strict penalties, a presumption of guilt, and time-bound trials for child protection.

Case Background

- A 13-year-old girl from West Bengal was found living with a 25-year-old man after being reported missing in 2018, later giving birth to a daughter. The trial court convicted the man under POCSO and IPC Sections 363, 366,



376(2)(n), and 376(3) and sentenced him to 20 years. The Calcutta High Court overturned the conviction using Section 482 of CrPC, suggesting consensual adolescent relationships should be excluded from POCSO's scope.

Supreme Court Intervention

- Supreme Court struck down HC ruling, reaffirming that POCSO does not recognise consensual sex with minors.
- However, sentencing was withheld under Article 142, pending a report from an expert panel that flagged systemic failures and suggested maintaining the family unit.

Key Observations by the Supreme Court

- The victim remains committed to the accused, and has suffered more from the legal system and societal judgment than the incident. The SC directed the West Bengal govt to ensure girl's rehabilitation and welfare.
- It invoked Article 142 to deliver complete justice, prioritising the victim's condition over rigid sentencing.

Concerns and Way Forward

- Judgment must not become a precedent, as it could weaken the protective intent of the POCSO Act. Exceptions for "consensual" cases risk misuse, allowing perpetrators to exploit minors under guise of family protection.
- India urgently needs comprehensive sex education and a stigma-free curriculum to address adolescent issues.

YouTube channels irked as news agency demands licence fee for content

Why in news: YouTube channels in India have complained that Asian News International (ANI) is "threatening" to issue copyright complaints for using its footage without licensing.

Prelims and Mains context:

- ANI syndicates content (news reporting, photography, videography) to others for a fee.
- ANI has demanded damages and licence fees from YouTubers who used its footage without payment.
- Under YouTube policy, copyright holders can seize revenue or issue strikes, with three strikes in 90 days possibly leading to channel termination.
- India's fair use (fair dealing) exemptions, under Section 52 of the Copyright Act, 1952, include personal use, criticism/review, court reproduction, and reporting of current events. YouTube does not decide copyright ownership, but allows claims and counterclaims using its platform mechanisms.

Centre notifies new age-based Film certification categories

Why in news: The Union government notified revised age-based certification categories for films.

Prelims and Mains context:

- The aim is to promote age-appropriate viewing, especially for audiences needing parental guidance.
- Ministry of Information and Broadcasting issued the changes.
- The rules amended were originally notified in 1991.
- CCBFC is empowered to issue certificates for unrestricted public exhibition with specific endorsements. The new endorsements are 'U/A 7+', 'U/A 13+', and 'U/A 16+', indicating the nature and type of content.

Do you know?

- U/A 7+: May include mild violence or themes needing supervision.
- U/A 13+: May contain moderate violence, horror, or mature themes.
- U/A 16+: Can include stronger violence, mature themes, and intense scenes.

Centre launches portal for monitoring of Waqf properties

Why in news: Union Minister for Minority Affairs launched Unified Waqf Management, Empowerment, Efficiency and Development (UMEED) portal, a centralised digital platform for Waqf property management.

Prelims context:

- The portal enables real-time uploading, verification, and monitoring of Waqf properties.
- It will introduce transparency, accountability, and public participation in Waqf asset administration.
- Portal, developed by the Ministry of Minority Affairs, will feature a digital inventory with geotagging of all Waqf properties. Key features include an online grievance redressal system, integration with GIS mapping, and other e-governance tools. It will provide public access to verified records and reports related to Waqf properties.

(Use in e-gov)

Wife need not get husband's sign to apply for a passport: Madras HC

Why in news: The Madras High Court criticised the Chennai Regional Passport Office (RPO) for demanding a husband's signature on Form J from a woman applying for a passport.

Prelims context:

- It ruled that a wife does not need her husband's permission or signature to apply for a passport. Court said such a demand reflects a regressive mindset that treats married women as "chattel" belonging to their husbands.
- Judge emphasized that a woman does not lose her individuality after marriage. He called the practice a form of male supremacism and stated it is incompatible with a progressive society focused on women's emancipation.

No contempt if Parliament or legislatures make laws: SC

Why in news: SC ruled that no law passed by Parliament or State legislature can amount to contempt of court.

Prelims and Mains context:

- A Bench of Justices made the observation while dismissing a 2012 contempt plea filed by Nandini Sundar and others. The plea alleged non-compliance by the Chhattisgarh government with the Court's 2011 directions to stop support to vigilante groups like Salwa Judum and disarm Special Police Officers (SPOs).
- Petitioners claimed Chhattisgarh Auxiliary Armed Police Force Act, 2011, enacted after the Court's order, legalised existing SPOs, thereby violating the earlier judgment. They also alleged failure to vacate schools and ashrams occupied by security forces and to compensate victims of Salwa Judum and SPOs.
- The Court stated that enactment of a law after its order does not amount to contempt, unless declared unconstitutional by a competent court. It emphasized that State legislatures have plenary powers, and their laws hold validity until struck down by a constitutional court.
- The judgment stressed the need to maintain a delicate balance between constitutional authorities to uphold the rule of law. The Court urged both the State of Chhattisgarh and the Union Government to take coordinated steps for peace and rehabilitation in violence-affected regions.
- Under Article 315, it is the duty of both governments to ensure peace and restore normalcy.

Do you know?

- Contempt of Court means disobedience or disrespect towards a court, undermining its authority, dignity, and administration of justice.
- It is defined and regulated by the Contempt of Courts Act, 1971.
- Civil Contempt refers to willful disobedience of any judgment, decree, order, or breach of court undertaking.
- Criminal Contempt includes acts that scandalize/lower authority of court, interfere with judicial proceedings, or obstruct justice. *Update 7th Oct, 2025.*
- Punishment can be simple imprisonment up to 6 months, fine up to ₹2,000, or both. Courts may waive punishment if a satisfactory apology is offered.
- Article 129 gives SC power to punish for contempt. Article 215 gives HCs power to punish for contempt.
- 2006 Amendment allows truth and good faith as defense and restricts punishment to acts that substantially interfere with justice.
- Fair and accurate reporting of proceedings or criticism of judicial orders after case disposal is not contempt.

DIGIPIN

Why in news: The Indian government has launched a new digital address system called DIGIPIN to enable precise location identification across the country.

Prelims and Mains context:

- DIGIPIN is a unique ten-character alphanumeric code generated for any 4 by 4 square meter property on Indian land. Unique DIGIPINs can be created for properties in urban, rural, and maritime zones.
- The Department of Posts developed DIGIPIN's technology in collaboration with IIT Hyderabad and the National Remote Sensing Centre (NRSC) under ISRO.
- Each DIGIPIN is encoded with geographic coordinates, and does not store any personal information.
- DIGIPIN will not replace the existing six-digit PIN code system, but will serve as an additional precision layer over traditional postal addresses.

Do you know?**Postal Index Number**

- PIN was introduced on August 15, 1972 to simplify mail sorting and delivery in India. The PIN system helps manage issues arising from similar place names and the use of multiple languages in addresses.
- A PIN code consists of six digits:
 - 1st digit indicates postal region — Northern, Eastern, Western, Southern, and 9 for Army Postal Service.
 - The second digit represents the sub-region. *1st 2 Digits*
 - The third digit indicates the sorting district. *1st 3 Digits*
 - The last three digits pinpoint the specific post office for delivery.

NAKSHA:

- In Budget 2025, govt launched National Geospatial Mission to develop foundational geospatial infrastructure and data. Mission, using PM Gati Shakti, will support modernisation of land records, urban planning, and infrastructure design.
- Under this Mission, Union Rural Development Minister launched 'NAKSHA' (NAtional geospatial Knowledge-based land Survey of urban HAbitations) in February 2025. NAKSHA is a city survey initiative under the Digital India Land Records Modernization Programme (DILRMP). It is led by Department of Land Resources under Ministry of Rural Development, is 100% centrally funded
- NAKSHA aims to create a comprehensive and accurate geospatial database for urban land records.
- The initiative integrates aerial and field surveys with GIS technology to improve land governance, streamline property ownership, and aid urban planning.
- Accurate geospatial data under NAKSHA ensures efficient decision-making, better land use planning, and certainty in property transactions.

Revisit digital search powers under the I-T Bill 2025

Why in news: The Finance Minister introduced a proposal under the Income-Tax Bill, 2025 allowing tax authorities access to an individual's "virtual digital space" during search and seizure.

Prelims and Mains context:

- The justification is that as financial activity shifts online, so must enforcement.
- However, this raises serious concerns about privacy, overreach, and surveillance.

Blurring Boundaries and Open-Ended Powers

- Currently, Section 132 of the Income-Tax Act, 1961 allows search and seizure of physical spaces only.
- The new proposal includes digital presence, which is vast and can go beyond what is relevant to tax investigations.
- It is unclear how such power will be used in encrypted platforms like WhatsApp.

Implications for Confidential Professions and Press Freedom

- Professionals like journalists face risks due to access to confidential sources and sensitive material.
- In 2023, SC issued interim guidelines on seizure of digital devices and called for protocol formulation.
- Judicial interpretation of "reason to believe" stresses on tangible material beyond suspicion.

Contradiction of the Proportionality Test

- India's proposal allows sweeping access without warrants, relevance thresholds, or distinction between financial and non-financial data. This contradicts SC's proportionality test in Justice K.S. Puttaswamy vs UoI.
- The proportionality test requires that state action must pursue a legitimate aim, meet necessity, and adopt least intrusive means. Unfettered digital access without judicial safeguards fails to meet this standard.

Way Forward

- Global norms, like in Canada, require prior authorisation, neutral oversight, and reasonable grounds.
- In the U.S., the Taxpayer Bill of Rights and Riley vs California ruling demand warrants before digital searches.
- Digital enforcement should be grounded in proportionality, legality, and transparency.
- The right to privacy must not be compromised in the name of enforcement.
- Narrow the definition of virtual digital space, require prior judicial warrants, and disclose reasons for access.
- Mechanisms for redressal of aggrieved individuals must be established to check misuse.

Supreme Court says dual taxation on broadcasting services permissible in law

Why in news: SC held that broadcasting through television for entertainment of subscribers can be separately taxed by the Centre and the State.

Prelims context:

- Centre can impose service tax on the broadcasting service under the Finance Act, 1994. Simultaneously, States can levy entertainment tax on cable operators and entertainment providers, based on their legislative powers.
- The Court clarified that two different taxes on two aspects of the same activity are legally permissible and do not constitute overlapping taxation. Broadcasting is taxed as a service (Entry 97, Union List) while entertainment is taxed as a luxury (Entry 62, State List) under the Seventh Schedule.
- The Court emphasized that the term "entertainment" includes modern, private forms like streaming via mobiles, smartwatches, and other personal devices.

Judiciary

SC upholds courts' power to alter arbitral awards on limited grounds

Why in news: The Supreme Court, in a **majority judgment**, held that **courts have power to modify arbitral awards in limited circumstances**. Courts are judicially empowered under **Section 34 of the Arbitration and Conciliation Act, 1996** to **alter arbitral awards on restricted grounds**. **Modifications** are allowed to **amputate the invalid portion, correct typographical, computational, or clerical errors, or change post-award interest**.

Prelims and Mains context:

- The scope of judicial intervention under Section 34 is confined to **limited grounds expressly provided**, excluding **errors of fact, reconsideration of costs, or merits review**.
- Supreme Court may **flex its inherent powers under Article 142 of the Constitution** to ensure **complete justice**.
- However, this power under Article 142 must be **exercised within Constitutional limits**.

About Arbitration and Conciliation Act, 1996

- Arbitration and Conciliation Act** establishes a **legal framework for arbitration and conciliation**, encouraging **dispute resolution outside traditional courts**.
- Ensures **party autonomy and minimal court intervention** — parties can choose **arbitrators and procedures**, with courts interfering only in limited circumstances.
- Applies to both **domestic & international commercial disputes**, aligning with **UNCITRAL Model Law**.
- Arbitral awards are binding and enforceable as court decrees**, with only limited grounds for appeal.
- Provides for **conciliation and mediation** as alternatives, promoting **amicable settlements**.

Justice B.R. Gavai takes over as CJI for a six-month tenure

Why in news: Justice Bhushan Ramkrishna Gavai was sworn in as the **52nd Chief Justice of India**. He is the **first Buddhist Chief Justice of India**. He will have a **tenure of over six months**.

Prelims and Mains context:

About CJI appointment process:

- Authority:** The **President of India** appoints the **CJI** under **Article 124(2)** of the Constitution.
- Seniority Convention:** The **senior-most judge** of the SC is recommended, based on **service length** (not age).
- Recommendation:** The **outgoing CJI** traditionally recommends the successor to the **Union Law Minister**.
- Government's Role:** **Law Minister** forwards the recommendation to PM, who advises the **President**.
- Consultation Clause:** If there are doubts over the **fitness** of the senior-most judge, other **Supreme Court judges** are consulted as per **Article 124(2)**.
- Eligibility Criteria:** Candidate must be an **Indian citizen** and have served as **HC judge for 5 years, or advocate for 10 years**, or be a **distinguished jurist** as per the **President's opinion**.
- Memorandum of Procedure:** The process is guided by the **MoP** for transparency and consistency.
- Oath:** The new **CJI** takes the **oath of office** administered by the **President**.
- Tenure:** The **CJI** remains in office until the age of **65 years**.
- Removal:** By the **President** after Parliament presents an **address with a special majority** in both Houses.

'Veeraswami judgment must be revisited'

Why in news: Vice-President stated that the K. Veeraswami judgment (1991) should be **revisited**, as it addressed the **applicability of the Prevention of Corruption Act to higher judiciary**. He referred to the judgment as "judicial legerdemain", suggesting it contributed to **corruption issues within the judiciary**.

Prelims and Mains context:

About K. Veeraswami judgment (1991):

- It classified judges as **public servants under the Prevention of Corruption Act** but requires **CJI approval for prosecution (registering FIR)**, protecting the judiciary from executive interference with built-in immunity.
- CJI as Safeguard:** For cases against the CJI, the **government must consult other SC judges**.
- No Constitutional Immunity:** Unlike **President/Governors (Article 361)**, judges have no **constitutional immunity**; only **impeachment under Article 124** is the removal process.
- Impact:** Framework has been **rarely used**; criticized as a "**scaffolding of impunity**" shielding judges from prosecution without **CJI approval**.
- First Use:** First CJI approval for FIR against a sitting judge in 2019 (Justice S.N. Shukla case).

India Justice Report 2025

Why in news: The fourth edition of the **India Justice Report (IJR) 2025** was published recently.

Prelims and Mains context:

- The report tracks each state's **structural and financial capability** to deliver justice.
- The IJR was **first published in 2019** with support from **Tata Trusts**. *A CSO(s)*

Key findings:

- The **police-to-population ratio** stands at **155 per lakh**, below the **sanctioned 197**, leading to **delays in investigation and public safety issues**.
- The **judiciary faces a 20% increase in pending cases**, now **exceeding five crore**, with **shortages in court halls** and **33% and 21% vacancy rates** in high and district courts respectively. The **average district court workload** is **2,200 cases per judge**, with a **case clearance rate of 94%**, slowing justice delivery.
- Prisons remain overcrowded**, with some exceeding **400% capacity**, and the **average overcrowding rate is 131%**.
- Undertrials make up 76% of the prison population**, with **one in four** spending **1–3 years awaiting trial**.
- The **average daily spend per inmate** is **Rs 121**, reflecting **inadequate prison funding and reform**, as noted under the **Model Prisons & Correctional Services Act, 2023** and the **Amitava Roy Committee**.
- Legal aid faces issues of **underutilised funds**, **uneven staffing**, and **poor coverage** with **only one legal aid clinic for every 163 villages**. Positively, **women judges now form 38% of the district judiciary**.
- Government spending on justice infrastructure has improved with **increased budget allocations**.
- The IJR 2025 includes India's rank in the Rule of Law Index 2024 by the World Justice Project (WJP). India ranks **79 out of 142 countries** overall in the Rule of Law Index based on **eight indicators**. India ranks **89** in criminal justice, reflecting its **effectiveness in redressing grievances and prosecuting offenses**. India ranks **111** in civil justice, which assesses **accessibility, affordability, impartiality, and freedom from corruption and bias**.

India's legal bridge is one of reciprocity, not roadblocks

Why in news: BCI notified **Bar Council of India Rules for Registration and Regulation of Foreign Lawyers & Foreign Law Firms in India**. Rules facilitate **entry** of foreign legal practitioners while safeguarding domestic interests.

Prelims and Mains context:

BCI's Statutory Mandate & Regulatory Position

- BCI is a **statutory body**, not a trade body; responsible for regulating **professional conduct** under the **Advocates Act, 1961**. The **practice of law is not part of trade agreements**; governed by Union List Entries 77 & 78 (not trade/commerce entries).
- Supreme Court ruling (2024) in **Bar of Indian Lawyers vs D.K. Gandhi**: legal services are **personal contracts of service**, distinct from trade. India excluded legal services from **UK-India FTA**, affirming distinct regulatory regime.

Key Provisions of the Rules

- Rules 3 & 4**: Foreign firms allowed to operate after **registration** and adherence to **ethical standards**.
- Fly-in, fly-out model**: Foreign lawyers may visit India for up to **60 days/year** for permitted purposes.
- Reciprocity principle** applied: Mirrors limited access Indian lawyers face in U.S. jurisdictions.
- Rule 4(h)** requires foreign lawyers to submit a **certificate of good standing**.

Client Confidentiality Concerns

- Disclosure requirements seek **general nature of legal work**, not client-specific confidential information.
- Ensures foreign lawyers operate within the **permitted scope of legal practice** in India.

Consultation & Preparatory Process

- The rules are not sudden; follow **two decades** of debates, expert reports, and court rulings including: **Lawyers Collective vs BCI (2009)** and **Bar Council of India vs A.K. Balaji (2018)**.

India's Balanced Approach

- Rules seek gradual liberalisation while upholding** Professional integrity, Ethical accountability, Client confidentiality and Reciprocity principle.
- Intended to create **cooperative bridge** for foreign participation without compromising domestic legal sovereignty.

90-day pan-India mediation campaign to start from July 1

Why in news: Chief Justice of India scheduled to **launch a 90-day mediation campaign**.

Mains context:

- The campaign is conceptualised by the National Legal Services Authority and the Mediation and Conciliation Project Committee. The campaign is titled 'Mediation for the Nation'.
- It aims to tackle pending cases from taluka courts to State High Courts.
- The pan-India mediation campaign intends to take mediation to "every nook and cranny" as an alternative and people-friendly mode of dispute resolution. Parties can opt to participate online, offline, or in hybrid mode.

Do you know?

- 90-day Mediation Campaign launched by NALSA and MCPC to resolve pending cases in Taluka, District, and High Courts through mediation. Campaign involves trained mediators conducting physical, online, or hybrid sessions seven days a week, focusing on amicable settlement of matrimonial, commercial, and criminal compoundable cases.
- National Legal Services Authority (NALSA) constituted under Legal Services Authorities Act, 1987, established in 1995, provides free legal services and organizes Lok Adalats for justice to weaker sections and reducing judicial burden. NALSA is headed by the Chief Justice of India as Patron-in-Chief; promotes legal awareness, ADR, and victim compensation.
- Mediation and Conciliation Project Committee (MCPC) was set up by the Supreme Court in 2005 to promote mediation as a dispute resolution mechanism. MCPC conducts mediator training, coordinates mediation efforts across courts, and oversees Section 89 CPC implementation. MCPC also accredits mediators, supports mediation centers, and works with NALSA to expand mediation usage in India.

ADR

Practising equality in constitutional courts

Why in news: In **Jitender @ Kalla vs State (2025)**, the Supreme Court revisited earlier judgments in *Indira Jaising vs Supreme Court of India* (2017, 2023). Directed High Courts to frame new rules for designation of senior advocates.

Prelims and Mains context:**Key Issues with Section 16, Advocates Act, 1961**

- **2-tier classification:** Senior Advocates vs Advocates, based on ability, experience, special knowledge.
- **Criticised as undemocratic:** violates constitutional equality, fosters legal oligarchy, and promotes commercialisation of the legal profession.
- **Creates inequality** in a profession where all advocates are, in principle, equal.
- Promotes monopolisation by "star lawyers", undermining democratic access.
- **Women, Dalits, minorities** often sidelined. F.S. Nariman called this a "caste system" among lawyers.
- Reuters' "The Echo Chamber" report (2014) revealed that in the U.S., Corporate law firms and select lawyers had disproportionate access to the highest court. India faces similar vulnerability to legal elitism.

Supreme Court's Stance

- **Indira Jaising (2017):** Upheld classification. Ignored argument that classification is inherently arbitrary and unrelated to legal system advancement.
- **Jitender (2025):** Criticised point-based system as subjective, but retained the application-based method. Failed to refer to a larger bench despite internal contradictions in its reasoning.

Way Forward

- A complete rethink of Section 16 is essential. Reforms must align with the egalitarian spirit of the Constitution. Ensure transparency and equal opportunity in the legal profession to restore faith in judicial democracy.

Criminal Justice System**Principled criminalisation and the police as pivot**

Why in news: Procedural criminal law often receives less attention compared to substantive criminal law. (Substantive law deals with 'what' crimes and punishments exist, while procedural law deals with 'how' action is taken).

Prelims and Mains context:

- The Supreme Court ruling in *Imran Pratapgarhi vs State of Gujarat* highlights that principled criminalisation depends on adherence to criminal procedure law, namely the Bharatiya Nagarik Suraksha Sanhita (BNSS).

Concept of Criminalisation

- Criminalisation involves the state's power to label a wrong/harm as a 'crime' and impose 'punishment'.
- It also includes the state's duty to hold individuals accountable and administer penalties publicly.
- Power to criminalise includes a larger duty to prosecute, convict, publicly condemn, and punish.

Role of Police in Criminalisation

- The police play a central role by detecting, registering, and investigating crime, and arresting suspects.
- There is wide discretion in police work, influencing how criminalisation occurs.
- Risk: Overzealous policing of minor offences can distract from serious crimes.

Key Provision in BNSS – Section 173 (3)

- This section grants discretion to police in investigating offences punishable with 3–7 years of imprisonment.

- Instead of immediate FIR registration, police may: Conduct a **14-day preliminary inquiry**, Check for **prima facie case** before proceeding. Aim: **Prevent unnecessary criminalisation** and **police overreach**.

Supreme Court Judgment: *Imran Pratapgarhi vs State of Gujarat*

- The Court interpreted the **preliminary inquiry** as a **mandatory obligation**, not an option. Observed that police acted without first doing a **preliminary inquiry**, as required under Section 173(3).
- It quashed an FIR against Rajya Sabha MP **Imran Pratapgarhi** for posting a poem, citing **freedom of speech**.

Amit Shah launches e-Zero FIR initiative

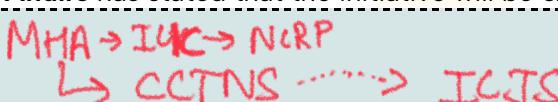
Why in news: The Indian Cybercrime Coordination Centre (I4C) has launched a new system that **automatically converts financial cybercrime complaints above ₹10 lakh into FIRs**.

Prelims and Mains context:

- e-Zero FIR initiative** was launched on a pilot basis in Delhi.
- The initiative aims to **expedite investigations and crack down swiftly on cybercriminals**.
- The move addresses **difficulties faced by victims in recovering money lost to financial cybercrime**.
- The process integrates systems of I4C's National Cybercrime Reporting Portal, Delhi Police's **e-FIR system**, and NCRB's Crime and Criminal Tracking Network and Systems (CCTNS).
- The Ministry of Home Affairs has stated that the initiative will be **extended nationwide** soon.

Do you know?

I4C:



- Indian Cyber Crime Coordination Centre (I4C) was established in **2018** under **Ministry of Home Affairs** to coordinate & address **cybercrime-related issues** at national level.

National Cybercrime Reporting Portal:

- Started in **2019** under **MHA**, managed by **Indian Cybercrime Coordination Centre (I4C)**. Enables victims to report **cybercrimes** like online financial frauds, hacking, identity theft, cyberbullying, child pornography, etc.
- Provides both **secure** and **anonymous** complaint mechanisms, with focus on **women and children-related crimes**. Victims can **upload evidence**, **track complaint status online**, and access **cyber safety tips**.
- Aims to strengthen **coordination among law enforcement agencies, banks, and financial institutions** for faster action against cyber fraud.

Crime and Criminal Tracking Network and Systems (CCTNS):

- Initiated in **2009** by **MHA** as **Mission Mode Project** under **National e-Governance Plan**. Connects **17,130+ police stations** nationwide, creating **centralized platform** for **crime investigation, detection, law enforcement**.
- Records **crime data**, **FIRs**, **investigations**, and **charge-sheets** in digital format for **nationwide tracking and analysis** of criminals.
- Provides **complaint tracking**, **verification**, and **police clearance** through an **integrated online portal**.
- Linked with the **Integrated Criminal Justice System (ICJS)**, connecting **police, courts, prisons, prosecution, and forensic labs** for **efficient justice delivery**.

Delhi, Rajasthan storing biometrics of arrestees

Why in news: The police in **Delhi and Rajasthan** have become the **first in India to record, store, and analyse biometric data** of arrested and accused individuals. Biometric data includes **fingerprints, retina and iris scans**, while **DNA collection** is yet to be rolled out due to limited forensic capabilities.

Mains context:

- The data collection began under the **Criminal Procedure Identification Act (CrPI Act), 2022**, which has come into effect on a **pilot basis** in these two states. The **Act empowers police and central agencies** to collect, store, and analyse **physical and biological samples** of arrested individuals.
- Although the **Act and its Rules do not explicitly mention DNA and face-matching**, the **NCRB has informed State police** that these will be implemented in **around 1,300 locations** across India.
- The **NCRB has finalised SOPs** for collecting fingerprints, palm-prints, footprints, photographs, iris and retina scans, physical and biological samples, and behavioural attributes.
- Forensic laboratories and NCRB** have also finalised **DNA loci pointers** for use in **DNA profiling under the Criminal Procedure (Identification) System**.
- The collected data is being **stored on a central server** managed by NCRB.

Prison Reforms

States, Union Territories told to use funds allocated for poor prisoners

Why in news: Union government has raised concerns over States and Union Territories not utilizing funds allocated under the **Support to Poor Prisoners Scheme**.

Mains context:

- **Union Home Ministry** emphasized that the scheme aims to provide relief to poor prisoners unable to get bail or release due to financial constraints.
- Funds were made available with the **Central Nodal Agency** for authorities to draw money for eligible prisoners.
- Despite repeated follow-ups, many States/UTs have not identified eligible prisoners.
- Effective implementation would help mitigate poor prisoners' problems and reduce prison overcrowding.
- As per SOP, if an **undertrial prisoner is not released within a week after bail**, jail authorities must inform the **Secretary, District Legal Services Authority (DLSA)**. DLSA will check if the prisoner cannot furnish financial surety and forward such cases to the **District Level Empowered Committee** every 2-3 weeks.
- After examining cases, **Empowered Committee may recommend relief up to ₹40,000 per case**.

Do you know?

- **Support to Poor Prisoners Scheme** launched by the **Ministry of Home Affairs** in **2023**.
- Provides **financial assistance** to poor prisoners who cannot **pay fines** or **secure bail** due to **financial constraints**.
- Involves **district-level Empowered Committees** that assess cases and sanction up to **₹40,000 per case**.
- **National Crime Records Bureau (NCRB)** acts as the **Central Nodal Agency** for **fund disbursement**.
- Aims to relieve indigent prisoners and reduce jail overcrowding caused by **economic inability** to secure release.

Lokpal

SC shifts case on Lokpal order to another Bench

Why in news: SC shifted a suo motu case on Lokpal's jurisdiction over High Court judges to another Bench. The **Lokpal concluded** that **High Court judges are "public servants"** under the **Lokpal and Lokayuktas Act, 2013**.

Prelims and Mains context:

- The **Lokpal assumed jurisdiction** to inquire or investigate complaints against High Court judges on constitutional and legislative history. It cited that **High Courts were constituted** under **British parliamentary Acts** — the **Indian High Courts Act, 1861**, and the **Government of India Act, 1935**, and **Letters Patent**.
- The **Lokpal rejected** the claim that High Court judges were outside its scope, calling it "too naive".
- The **Lokpal cited Clause (f) of Section 14(1) of the 2013 Act** to justify its jurisdiction over High Court judges arguing that since **High Courts are established by Acts of Parliament**, their judges qualify as "public servants" under the **Lokpal Act**. The **Supreme Court has stayed this order**, emphasizing that all judges, including High Court judges, are appointed under the Constitution. The Court held that judges are immune from Lokpal's jurisdiction pending further judicial review.

About Lokpal: (Prelims 2025)

- **Lokpal** is an **independent statutory anti-corruption body** established under the **Lokpal and Lokayuktas Act, 2013** to inquire into **corruption allegations** at the central level.
- It consists of **1 Chairperson** and up to **8 Members**, with at least **50% judicial members** and **50% representation** from SCs, STs, OBCs, minorities, and women.
- Its jurisdiction covers the Prime Minister, Union Ministers, Members of Parliament, Group A-D central government officials, and heads of government-funded organizations.
- It can initiate inquiries, investigations, and prosecutions, and has **superintendence over the CBI and CVC** in corruption cases.
- Members are appointed by the **President** on the recommendation of a **Selection Committee** comprising the Prime Minister, Speaker of Lok Sabha, Leader of Opposition/ largest opposition party leader, Chief Justice of India, and an eminent jurist.

Elections

EC's single-point dashboard likely to be operational before Bihar election

Why in news: ECI is developing a comprehensive digital platform named **ECINET** for voters, election officials, political parties, and civil society.

Prelims and Mains context:

- ECINET will replace and integrate over 40 existing mobile and web applications.
- Apps being subsumed include **Voter Helpline**, **Voter Turnout**, **cVIGIL**, **Suvidha 2.0**, **ESMS**, **Saksham**, and **KYC app**.

- The platform will provide a **unified, user-friendly, and aesthetic interface** for all election-related services.
- It will reduce user burden by **eliminating the need to download multiple apps** and remember different logins.
- Only authorised EC officials** will be allowed to enter data on ECINET. In case of data conflict, the **statutory form data** will prevail. ECINET is part of EC's **standardisation drive** addressing issues like **electoral roll anomalies** and **duplicate voter ID numbers**. It will integrate **death registration data** from the **Registrar General** for timely removal of deceased voters.
- The **maximum electors per polling station** has been revised from **1,500 to 1,200**. Additional polling booths will be established in **gated communities and high-rises**. EC aims to ensure that **no voter has to travel more than 2 km** to cast their vote. Voter slips have been redesigned to enhance **clarity and visibility**.
- Mobile phone deposit facilities** will be provided at **polling station entrances** for voter convenience.

Should NOTA be included in all elections compulsorily?

Why in news: The Vidhi Centre for Legal Policy recently filed a PIL seeking to make **NOTA (None of the Above)** a **mandatory option** in every election, including **single-candidate contests**.

Prelims and Mains context:

Origin of NOTA in India

- Rule 49-O Conduct of Elections Rules, 1961**: If an elector decided not to record his vote, a remark to this effect shall be made against the said entry in **Form 17A** by the presiding officer and the signature or thumb impression of the elector shall be obtained against such remark (**No Privacy**).
- NOTA was introduced in 2013**, following a PIL by the People's Union for Civil Liberties, advocating the **right to not vote while maintaining voter secrecy**.

Significance of NOTA in Elections

- Although **NOTA has seen low usage**, it serves as a tool for **voter expression**, particularly in **single-candidate constituencies**. Without NOTA, **voters are denied the opportunity** to register dissent against the only candidate contesting unopposed.

Election Commission's Opposition

- The **Election Commission (EC)** opposes **compulsory NOTA inclusion** in uncontested elections.
- Since 1971, only six uncontested Lok Sabha elections; since 1952, only nine candidates elected unopposed. The EC argues such PILs are unnecessary due to the **rarity of uncontested elections**.

Electoral Impact and NOTA Voter Share

- In **Lok Sabha elections (2014, 2019, 2024)**, around **1%** voted for NOTA — seemingly small but significant in constituencies with ~25 lakh voters.
- In **state elections**, Bihar (2015) saw **2.48%** and Gujarat (2017) **1.8%** opting for NOTA.

Proposed Reforms and the Way Forward

- Suggestion to **set a minimum vote percentage** for a candidate to be elected, **based on constituency size**.
- Another reform: **legitimising NOTA** by mandating **re-elections if a threshold of NOTA votes** is reached.

EC to provide mobile phone deposit facilities for voters outside polling stations

Why in news: The Election Commission issued instructions to enhance voter confidence by **allowing mobile deposit facilities** outside polling stations. **Mobile phones** shall be permitted **within 100 metres of polling stations** in **switched-off mode** and stored in **pigeon-hole boxes or jute bags** near entrances. **No mobile phones** will be allowed inside the polling station, ensuring **compliance with Rule 49M of the Conduct of Elections Rules, 1961**.

Prelims and Mains context:

- Returning Officers** can exempt polling stations from the mobile rule based on **adverse local conditions**. The EC rationalised **canvassing norms**, disallowing **electioneering within 100 metres** of a polling station on **poll day**.
- Candidate booths** issuing unofficial voter slips must be set up **beyond 100 metres** from polling stations.
- The changes align with the **Representation of the People Act, 1951** and **Conduct of Elections Rules, 1961**.

EC introduces new tech-driven system to update voter turnout

Why in news: Election Commission introduced a **tech-driven system** for **real-time voter turnout updates**, addressing Opposition concerns over data discrepancies. **Presiding officers** at each polling station will now **enter turnout figures every two hours** directly into the **ECINET app** on polling day.

Prelims and Mains context:

- The data will be **automatically aggregated at the constituency level**, significantly reducing the **time lag** compared to the earlier **manual reporting** method. Previously, data was **collected manually**, relayed via **calls or messages**, and updated with a **4–5 hour delay** or even the next day.

- Now, approximate voting trends will be updated every two hours, and turnout data will be entered into ECINET immediately after polls close. Entries can be made offline where there is no network, and synced later.

EC enhances system to generate Index Cards

Why in news: EC has upgraded the mechanism for generating Index Cards, making it more technology-driven.

Prelims and Mains context:

- The Index Card is a non-statutory, post-election statistical reporting format that promotes constituency-level data accessibility for researchers, academics, and policymakers.
- The new system replaces traditional manual methods, which were time-consuming and prone to delays.
- Index Cards form the foundation for generating about 35 Statistical Reports for Lok Sabha elections and 14 Statistical Reports for State Assembly polls.

Migrant Voter Disenfranchisement and Electoral Roll Overhaul in Bihar

Why in news: Bihar witnessed a 56% voter turnout in the 2024 Lok Sabha elections, significantly below the national average of 66%, highlighting the issue of migrant voter disenfranchisement.

Prelims and Mains context:

- ECI initiated a Special Intensive Revision (SIR) of electoral rolls in Bihar — the first since 2004 — in preparation for the upcoming Legislative Assembly elections.
- Over 50% of Bihar households experience migration, especially among working-age males, leading to absentee voters and gender disparities in turnout.
- The 2021 migration rate was 28.9%, with nearly 10% migrating for work, complicating electoral inclusion.

Challenges in Enabling Migrant Voting

- India lacks a national mechanism for remote voting for migrants, despite a 2024 proposal by the ECI.
- The diverse nature of migration — intra-state, inter-state, short-term, long-term — makes a uniform solution impractical. Women migrants, especially post-marriage, often remain unregistered in new locations, adding a gendered layer to exclusion.
- Intra-state migrants (85%) can be facilitated via poll-day holidays and special transport.
- Inter-state migrants face documentation, distance, and workplace insecurity, deterring return to vote.
- The Remote Electronic Voting Machine (RVM) was piloted in 2023 in 72 constituencies, but raised concerns around voter verification and logistics.
- Postal ballots, currently for armed forces, can be extended to migrants through advance registration.
- Constituency switching for long-term migrants (residing >6 months) could allow voting where they live, aligning with provisions under RPA 1950, which does not disqualify temporarily absent individuals if they intend to return.
- Long-term migrants (living in a place for over 6 months) could be allowed to vote from their new constituency, as the Representation of People Act, 1950 permits enrollment at the place of ordinary residence. It does not disqualify people temporarily away from their home if they intend to return.
- The SIR must distinguish between short- and long-term migrants, encouraging long-term migrants to register at their place of work, not just their native villages.

Special Intensive Revision (SIR), Citizenship Scrutiny, and Legal Framework

- Under Article 324, the ECI has authority to supervise electoral roll preparation.
- The RP Act, 1950:
 - Section 16 disqualifies non-citizens.
 - Section 19 requires an individual to be 18+ and ordinarily resident.
 - Section 20 clarifies that property ownership doesn't equal residence, and temporary absence doesn't negate it. Section 21 allows special revisions when justified — in Bihar's case, due to urbanisation, migration, and duplicate entries.
- The 2025 SIR uses July 1, 2025 as the qualifying date — different from the standard January 1, raising legal questions.
- Unlike the 2003 SIR (door-to-door), the 2025 SIR requires each elector to submit an enumeration form.
- Pre-2003 voters may use roll extract, but post-2003 voters must furnish birth-related documents.
- At least one document (among 11 prescribed) is needed to prove date/place of birth — including birth certificate, passport, caste certificate, pension papers, or self-declaration.

Expansion of ERO Powers and Implementation Concerns

- ECI empowered Electoral Registration Officers (EROs) to refer suspected foreign nationals to authorities under the Citizenship Act, 1955. However, there's no defined methodology or checklist for such referrals.
- While the Home Ministry holds the authority on citizenship, it may delegate powers to states.



- The 2023 EC manual directs EROs to flag citizenship issues, increasing their discretion and workload.
- For voters without required documents, the ERO is empowered to decide on their inclusion or exclusion from the voters' list, as per the Election Commission's March 2023 manual.
- The ERO's decision is based on field verification, BLO reports, and testimonials from village heads and families.
- In the absence of documents, oath from parents or Sarpanch, and even visible examination by the BLO, can serve as proof of age. ERO can conduct local enquiries to establish residence proof if documentation is missing.

Legal and Administrative Framework

- EROs are appointed under Section 13B of the Representation of the People Act, 1950.
- Typically, civil service or revenue officers, such as sub-divisional officers, are appointed as EROs.
- In Bihar, EROs are from the Bihar Administrative Service, generally of Senior Deputy Collector rank or above.

Alternative Verification Methods

- Domicile or permanent residency certificates issued by tehsildars or local officials are being advised when no other documents are available. However, these do not prove age or place of birth, requiring certification by panchayat heads and BLOs. Physical verification by EROs can also be used to judge voting age.

Key Controversies and Legal Issues with SIR

- The 2003 SIR was completed in 31 days without digital support; the 2025 SIR is digital but must handle 8 crore voters, including 3 crore requiring documents.
- Aadhaar was excluded as valid proof of citizenship or birth (Current update: Aadhaar is included) as a valid proof of identity for the Special Intensive Revision (SIR) of electoral rolls in Bihar. In September 2025, the Supreme Court of India directed the Election Commission of India (ECI) to accept Aadhaar as the 12th valid document for this process, citing its legal disclaimer, though it is the primary ID for many poor. Under Form 6 of the Registration of Electors Rules, 1960, Aadhaar is accepted for residence and DOB verification, yet the ECI requires additional documentation, complicating access for the rural poor.
- RP Act suggests migrants should register where they live, but preserves rights of temporarily absent individuals.
- The 2023 remote voting proposal acknowledged the need to include migrants, reinforcing flexible mechanisms.
- Under Section 21 of RPA, 1950, electoral roll revisions are allowed before elections, but statewide special revisions are not legally permitted without specific reasons, raising concerns over the validity of July 1 date.
- In Mohinder Singh Gill v. Chief Election Commissioner (1978), the Supreme Court stated that ECI must follow existing laws, using discretion only where law is silent.
- Rule 8 of the Registration of Electors Rules states that applicants must provide info "to the best of their ability", meaning absence of full documents cannot be grounds for rejection.

Way Forward

- The ECI must ensure accurate rolls without excluding eligible voters.
- Flexible safeguards and extended deadlines are needed to include the migrant and poor populations.
- Active involvement of Booth Level Agents (BLAs) is crucial to minimise errors.
- A mixed strategy combining RVMs, postal ballots, and constituency switching is essential to uphold universal suffrage amidst India's migrant-driven demographic.

Recent Supreme Court Direction:

- The Supreme Court asked EC to consider Aadhaar (now approved - September 2025), EPIC, and ration card as proof for voter registration.
- The court noted that the EC's list of 11 documents for verification was not exhaustive.
- The court observed the Bihar revision appeared neither "summary" nor "special" under Section 21 of the Representation of the People Act, 1950.
- The EC argued Aadhaar is also issued to non-citizens who are ordinarily resident.
- The Court stated that the SIR is about identity only, not citizenship, and the listed documents serve to prove identity, not citizenship.

Related News:

ECI's Form 6

- ECI's Form 6, used to register new electors, earlier required only a signed declaration of citizenship, without citizenship documentation.
- For the Bihar revision, the ECI has introduced a new declaration form requiring proof of citizenship.

Revision of Bihar Electoral Rolls

- ECI directed a fresh preparation of Bihar's electoral rolls.

- All electors must submit an **enumeration form**, and those registered **post-2003** must provide **citizenship documentation**.
- This “**special intensive revision**” will eventually be **extended to all States and UTs**.
- Article 324(1)** of the Constitution empowers ECI to **supervise electoral roll preparation**.
- Section 21(3)** of the **Representation of the People Act, 1950** allows the ECI to **order special revision** at any time.
- Under **Registration of Electors' Rules, 1960**, revisions may be **intensive, summary, or both**.
- Intensive revision** = fresh roll; **summary revision** = amending existing roll.
- Summary revisions** occur **annually**, while **special summary revisions** are conducted **before elections**.
- Past intensive revisions took place in **1952–56, 1957, 1961, 1965, 1966, 1983–84, 1987–89, 1992, 1993, 1995, 2002, 2003, and 2004**.
- Voters often **fail to delete names from earlier addresses**, leading to **duplicate entries**.
- ECI stressed its **constitutional obligation** to ensure **only citizens are enrolled**.

WHAT WILL SERVE AS PROOF OF CITIZENSHIP

In addition to the enumeration form, electors added to the rolls after 2003 will have to provide the following to prove their citizenship.

Those born in India before July 1, 1987 will have to submit any document from the specified list to establish their date of birth and/or place of birth;

Those born in India between July 1, 1987 and December 2, 2004, will have to submit an additional document establishing one parent's date and/or

place of birth; and

Those born in India after December 2, 2004, will have to submit documents establishing date and/or place of birth of both parents.

These categories are based on the requirements for acquisition of citizenship in the Citizenship Act, 1955

INDIANS BORN ABROAD will have to submit proof of birth registration by an Indian Mission abroad; and

CITIZENS BY NATURALISATION will have to submit their certificate for the registration of citizenship.

Bihar Becomes First State to Use Mobile App for Voting

- Bihar pioneered mobile phone voting during **municipal bypolls** and elections in **six Nagar Panchayats**.
- While **EVMs** continued to be used, some voters cast their vote **from home using a mobile app**.
- Facility was extended to **senior citizens, disabled persons, and pregnant women**.
- Voters also accessed the **State Election Commission website** for voting.
- Eligible voters could install **E-SECBHR app**, made by **Centre for Development of Advanced Computing (C-DAC)**.
- App required voters to link their **mobile number with the voter list**.
- Two voters per mobile number** were allowed (It refers to a feature of the Voter Helpline App that enabled the use of a single mobile number for logging in multiple registered voters during the Special Intensive Revision (SIR) with **identity verification through voter ID, blockchain, face-matching, and scanning technology for security and transparency**).

Why is the ECI de-listing political parties?

Why in news: ECI has begun steps to **de-list 345 Registered Unrecognised Political Parties (RUPPs)** that haven't contested elections in six years and whose offices could not be physically located.

Prelims and Mains context:

Definition and Registration of Political Parties

- The right to form associations is a **fundamental right under Article 19(1)(c)** of the Constitution.
- Section 29A of the Representation of the People Act, 1951** governs registration of political parties with the ECI.
- A political party must submit a **memorandum/constitution within 30 days** of formation affirming allegiance to the **Constitution, socialism, secularism, democracy, and sovereignty** of India. ECI registers such parties as **RUPPs** after verifying internal democracy provisions like periodic elections for office bearers.

Benefits and Obligations of RUPPs

- RUPPs enjoy benefits such as **tax exemption under Section 13A of the Income Tax Act, common election symbols, and 20 star campaigners**.
- They must report **donors contributing over ₹20,000 annually** to the ECI, as per **Section 29C of the RP Act**.
- Donations above ₹2,000 must be received **only via cheque or bank transfers**.

Problems Identified by ECI

- India has over **2,800 RUPPs** but only around **750 contested the 2024 general elections**.
- Many RUPPs are labelled '**letter pad parties**' as they exist only on paper.
- RP Act does not empower ECI** to de-register a party for not contesting elections or violating internal democracy. The **Supreme Court (2002)** held that de-registration is only possible in **exceptional cases** like fraud, disloyalty to the Constitution, or declaration as unlawful by the government.

Steps Taken

- The latest list identifies **345 RUPPs** that haven't contested elections since 2019 and are **untraceable**.
- The ECI has directed **State and UT Chief Electoral Officers** to issue **show-cause notices** before de-listing.
- The **Law Commission's 255th report (2015)** recommended de-registration of parties not contesting elections for **10 consecutive years**.
- ECI's **2016 electoral reform memorandum** also sought RP Act amendments to empower it to de-register parties.

Panchayats and Municipality

Getting the 'micropicture' at the panchayat level

Why in news: Though the **National Data Sharing and Accessibility Policy (NDSAP)**, 2012 mandates open access to non-sensitive data, platforms like **data.gov.in** lack **user-friendly visualisation tools** and **analytical support**, making it **inaccessible for common citizens and even researchers**. **Decision-making remains driven by intuition** and top-down experience, due to limited grassroots usability of data portals.

Prelims and Mains context:

- Micro-level insights are missing**, despite the potential for granular tracking at the **household or family level** if presented in an **understandable form**.

PAI: A Transformational Tool

*By ministry of
panchayati raj*

- The **Panchayat Advancement Index (PAI) Baseline Report 2022–23**, released in **2025**, is based on **435 unique indicators** and **566 data points** across **nine Localization of Sustainable Development Goals (LSDG) themes** aligned with the **National Indicator Framework**.
- Data from **2.16 lakh gram panchayats** were validated and analysed; however, **Uttar Pradesh submitted only 40%** of its data, raising concerns over development tracking in the State.
- PAI enables even **sarpanches and ward members** to identify their **panchayat's performance** across **LSDGs** (Poverty Free and Enhanced Livelihoods Village, Healthy Village, Child-Friendly Village, Water Sufficient Village, Clean and Green Village, Village with Self-Sufficient Infrastructure, Socially Just and Socially Secured Village, Village with Good Governance, and Women-Friendly Village) and guides **corrective measures**. PAI portal offers **constituency-wise reports for MPs and MLAs** to tailor their interventions, thereby linking data with action.

Call for Analytical Capacity at Local Levels

- There is a **critical need for trained data analysts** at **block and district panchayat levels** to generate **regular report cards**. A similar **Achievement Index for urban local bodies** is recommended to extend **actionable governance**.

Find ways of increasing revenue of panchayats, Amit Shah urges CMs

Why in news: Union Home Minister urged Chief Ministers of Uttarakhand, Uttar Pradesh, Chhattisgarh, and Madhya Pradesh to devise ways to increase gram panchayat revenue.

Prelims and Mains context:

- He stated that enhancing panchayat revenue would **strengthen India's three-tier Panchayati Raj system**.
- The remarks were made during the **25th Central Zonal Council meeting** held in Varanasi.
- Nineteen issues** were discussed, including:
 - Fast Track Special Courts for cases involving **rape of women and children**.
 - Brick-and-mortar banking facilities in every village.
 - Emergency Response Support System implementation.
 - Eradicating child malnutrition.
 - Reducing school dropout ratio to zero.
 - Strengthening the cooperative sector.
- 5 Zonal Councils** were created under **States Reorganisation Act, 1956** to resolve **inter-State and regional issues**.
 - The **five Zonal Councils** in India are **statutory advisory bodies** established under the **States Reorganisation Act, 1956**. Purpose is to promote **cooperation and coordination** among **states** in each **zone**.
 - The **five councils** are **Northern, Central, Eastern, Western, and Southern Zonal Councils**.
 - Each council comprises specific states and union territories.
 - The **Union Home Minister** is the **Chairman** of all Zonal Councils.
 - The **Chief Ministers of member states** act as **Vice-Chairmen** on a **rotational basis**.
 - Aim is to address **interstate issues** and foster **balanced regional development**.

Census

Next Census to Conclude by March 2027

Why in news: India's next Census will conclude by **March 1, 2027**, marking the **first enumeration in 16 years**.

Prelims and Mains context:

- Union Ministry of Home Affairs (MHA) announced the move but has not yet notified the start date.
- Registrar-General of India (RGI) issued the official notification under Section 3 of the Census Act, 1948.
- Freezing of administrative boundaries (districts, tehsils etc.) is now in force until Census is completed.
- Reference date for most States: March 1, 2027; for snow-bound regions (J&K, Ladakh, Himachal Pradesh, Uttarakhand): October 1, 2026.

Significance of the 2027 Census

- Most consequential Census post-independence due to:
 - Inclusion of caste data for the first time since 1931.
 - Basis for delimitation of Lok Sabha and Assembly seats after 2026.
 - Data to support one-third reservation for women in legislatures from 2029 elections.
- First digital Census in Indian history, aiming to speed up data processing and policy-making.
- Crucial for timely and accurate policy design, public service delivery, and governance.

Digital Innovations and Operational Framework

- Enumerators will use smartphones and mobile apps for real-time data entry.
- Tools include:
 - Two mobile apps and a Census Management and Monitoring System (CMMS) portal.
 - Self-enumeration option available to public.
- CMMS features:
 - Monitors appointments, training, field progress. Allows auto-generation of some Census records.
- Compared to manual processes used until 2011, the digital approach will enhance speed, accuracy, and efficiency. Data security measures will be enforced during collection, transmission, and storage.

Legal and Historical Framework

- Census governed under Union List, Census Act, 1948.
- Census Commissioner appointed by the Centre; State staff (mainly teachers) conduct enumeration.
- Process conducted in two phases:
 - House listing phase (35 questions in 2011).
 - Population enumeration phase (reference date: March 1).

Historical references:

Kautilya's Arthashastra, 1872
 Ain-i-Akbari, 1872
 (non-synchronous), and 1881
 (first synchronous Census under W.C. Plowden).

Do you know ?

The Indian Census is the largest administrative and statistical exercise in the world. The responsibility for conducting the decadal census lies with the Office of the Registrar General and Census Commissioner of India, which is part of the Ministry of Home Affairs, Government of India.

Caste Enumeration and Associated Concerns

- Crucial for policy planning, especially for affirmative action schemes.
- Challenges: Requires accurate, systematic preparation. Potential for political and social tensions.
- Southern, Northeastern, and smaller northern States are concerned about loss of representation due to population-based delimitation.
- Calls for a consensus-based approach or freezing of Lok Sabha seats to avoid imbalance.

Do you know ?

Despite its deep roots in Indian tradition, the modern understanding and usage of the word "caste" came through European intervention. The term 'caste' is not an English but a Portuguese word; when Portuguese came to India, they found that society was classified in a certain way and called it caste. Sociologist Surinder S Jodhka notes in *Caste: Oxford India Short Introductions* (2012), the term "caste" is the English translation of the Spanish word casta, meaning "race". Portuguese traders, who arrived on India's west coast in the 15th century, were the first to use the term in relation to Indian society. Anthropologist Morton Klass points out that there is no exact equivalent for "caste" in Indian languages.

Tribal Identity and Religious Representation Issues

- Lack of clarity in notification on caste enumeration and exclusion of ST faiths. ST religions classified under "Other Religious Persuasion (ORP)", unlike recognized religions (Hinduism, Islam, etc.).
- 2011 Census: Only 0.66% (79 lakh) under ORP, despite STs forming 8.6% (10.43 crore) of total population.
- It means In the 2011 Census, many Scheduled Tribe (ST) faiths were not listed as distinct religions and were clubbed under the vague category "Other Religious Persuasion (ORP)," unlike major recognized religions. This led to under-reporting, as only 0.66% (79 lakh) were shown under ORP, while the actual ST population formed 8.6% (10.43 crore) of India.

Way Forward

- Ensure sufficient time and preparation for caste enumeration.

- Include ST religious identities through a separate column to reflect constitutional values (Articles 25, 26, Fifth and Sixth Schedules, 37IA & 37IB).
- Build broad inter-State consensus on seat reallocation formula before delimitation.
- Avoid rushing delimitation process before 2029 elections to prevent political distortion.

Do you know?

- The 84th Amendment, enacted in 2002 froze states' share of Lok Sabha seats. The freeze was based on allocations from the 1971 Census. This freeze will remain "until the relevant figures for the first Census taken after the year 2026 have been published".
- The previous reference year for this freeze had been 2000.

National Population Register

- NPR is likely to be updated during the house listing phase of the Census next year, but proceeding to NRC (National Register of Citizens) remains the government's decision.
- Census enumeration and NPR update were approved by the Cabinet in 2019, originally scheduled for 2020 but postponed due to Covid-19.
- Nearly ₹4,000 crore has already been allocated for the NPR exercise.
- NPR is the precursor to NRC, as per law. It is governed by the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, framed under the Citizenship Act, 1955.
- Rule 3(4) empowers the Central Government to set a date for preparing the Population Register by collecting details of usual residents.
- Rule 3(5) states that after verification, the Local Register of Indian Citizens will include verified individuals from the Population Register.
- Rule 4(4) mentions that those with doubtful citizenship will be marked during verification and informed through a specified proforma.
- NPR data was first collected in 2010, during the 2011 Census house listing phase, and updated in 2015 via a door-to-door survey.
- Section 14A, added through the 2003 amendment, allows compulsory registration of all Indian citizens and the issuance of national identity cards, with the Registrar General designated as the National Registration Authority.

Caste Census

Why in news: Cabinet has decided to include caste-based questions in the upcoming Census. This marks the first such inclusion since 1931. Caste Census is under the administrative control of Ministry of Home Affairs: Registrar General of India (RGI) and Census Commissioner of India.

Prelims and Mains context: Caste enumeration under British rule:

- Caste enumeration began in 1881 under British rule. The 1931 Census, under J.H. Hutton, listed 4,147 castes and sub-castes. He focused on occupation-based classification and opposed hierarchical rankings.
- 1941 Census collected caste data but never released it.

Post-Independence scenario:

- Every Census in independent India from 1951 to 2011 has published data on Scheduled Castes and Scheduled Tribes, but not on other castes. Before that, every Census until 1931 had data on caste.
- SCs and STs have been counted since 1951, but OBC data was excluded. Kaka Kalelkar Commission (1953) listed 2,300 OBCs, but its 1955 report was discarded due to vagueness and lack of consensus.
- Mandal Commission (1980) used 1931 data to estimate 52% OBCs, recommending 27% reservation in central education and jobs.

2011 Socio-Economic and Caste Census (SECC):

- Launched by the Ministry of Rural Development.
- Used open-ended caste questions, creating 46 lakh caste names, mostly surnames.
- Partial data released in 2016 but caste-specific figures withheld. Failed due to: No legal mandate under Census Act, 1948, poorly trained enumerators, ambiguous questions and handled by non-expert ministries.

Do you know?

- 'Pasmanda', a Persian word, means the 'ones left behind', and is used to describe depressed classes among the Muslims.
- The Sachar Committee in its report put the number of OBC and SC/ST Muslims at 40% (all India 2004-05).
- This broadly tallies with the 1871 Census that said only 19% of Muslims in India were upper caste, while 81% were made up of the lower castes.
- Muslim society in India consists of several status groups or biradaris that are broadly sorted in three categories: the Ashrafs (the 'noble' elite or the 'honourable ones'), the Ajlafs (backward Muslims), and the Arzals (Dalit Muslims).

State-Level Caste Surveys:

- Bihar (2023): OBC + EBC = **63%+**. Telangana (2024): Backward Classes = **56%+**. Karnataka (2015 Survey, released 2024): OBCs = **~70%**.

Key Objectives of Caste Count:

- Enable **evidence-based policymaking** and **inclusive governance**.
- Update outdated data (1931) used for **OBC reservations**. Aid in **sub-categorisation, creamy layer refinement**, and **representation of marginalised OBC groups**. Ensure **equitable access** to state welfare schemes and **accurate reservation distribution**.

Potential Uses:

- **Policy Design:** Enables need-based targeting of **social welfare schemes**.
- **Reservation Policies:** Could revise the existing **27% OBC quota**.
- **Academic Research:** Facilitates in-depth studies of **social inequalities**.
- **Electoral Constituencies:** Helps design more representative frameworks.

Implications:

- **Pre-Independence Impact:**
 - Caste data empowered **upper-caste elites** to seek representation.
 - Used by the British to control education, revenue, and services.
- Sparked formation of **caste associations** and literature.
- **Post-Mandal Commission Politics:**
 - Despite dominance by **intermediary castes**, **marginalised OBCs remain underrepresented**.
 - Fresh data can **redistribute representation** and empower **denotified and nomadic tribes**.

Administrative Imperatives:

- Crucial for **sub-categorisation** and **creamy layer reform**.
- Absence of caste data leads to **blind allocation** of benefits.
- SC/STs counted, but OBCs excluded, creating imbalance. **Recommendations and Way Forward**
Legal Backing: Amend Census Act, 1948.
- Proper Authority: Entrust to **Registrar General & Census Commissioner**.
- Standardised Format: Use **closed-ended questionnaires**, assign **unique digital codes**.
- Consultation-Based Lists: Prepare state-wise lists in consultation with **sociologists, communities**.
- Training: Caste-sensitive and region-specific **enumerator training**.
- Technology Use: Use **digital handheld devices** preloaded with verified caste lists.
- Inclusive Staffing: Diverse teams to avoid **bias/conflict zones**.
- Monitoring: Establish **district committees** for quality control.
- Pilot Trials: Conduct in **Tamil Nadu, Gujarat, UP, Assam**.
- **Bihar's Caste Survey as a Model:** Used a **curated list of 214 castes** with an "Other" option. Showed that a **credible and accurate count is feasible** through careful planning.

Conclusion

- SCs/STs have been counted for over 70 years. Counting **OBCs and upper castes** (~4,000 groups) is long overdue.
- The **delayed 2021 Census** provides a chance to bridge India's **caste data gap**.
- A well-executed caste Census is key to **social justice, representation, and inclusive development**.

Do you know?

- **Denotified tribes (DNTs)** were historically labeled as 'born criminal' under the **Criminal Tribes Act, 1871** during British rule.
- **Nomadic and semi-nomadic communities** are those who **do not live in one place permanently**, moving from place to place.
- These communities are among **most vulnerable and deprived** in India.
- A **National Commission for DNTs, Nomadic and Semi-Nomadic Tribes (NCDNT)** was set up in **2006**, chaired by **Balkrishna Sidram Renke**.
- The **Renke Commission** submitted its report in **June 2008**, highlighting that these communities were **overlooked in the Constitution** and lacked **Scheduled Caste or Scheduled Tribe status**.
- Commission estimated their **population at 10.74 crore (Census 2001)**.
- A new Commission was constituted in **2014**, which submitted its report in **2018**, identifying **1,262 such communities** across India.

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