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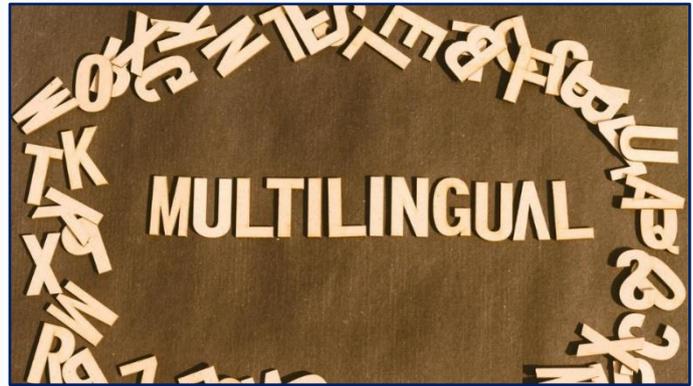
# GENERAL STUDIES 1

## 1.1. SOCIETY

### 1.1.1. ADVANCING MOTHER-TONGUE-BASED MULTILINGUAL EDUCATION IN INDIA

#### Context:

- On the occasion of **International Mother Language Day (February 21)**, under the theme *“Youth Voices on Multilingual Education,”* the release of the **seventh edition** of the **UNESCO State of the Education Report (SOER) for India 2025**, titled *“Bhasha Matters: Mother Tongue and Multilingual Education,”* has brought national attention to the critical role of linguistic identity in the learning process.



#### Background: The Indian Linguistic Tapestry

India's **extraordinary linguistic diversity**, encompassing **more than 1,300 mother tongues** and **121 constitutionally recognised languages** as per the **2011 Census**, represents a profound national asset.

- Constitutional Provisions:**
  - Article 29(1)** protects the right of any section of citizens to conserve its distinct **language, script, or culture**.
  - Article 30** grants minorities the right to establish and administer **educational institutions of their choice**.
  - Article 350A** mandates that States provide adequate facilities for instruction in the mother tongue at the primary stage of education.
  - Article 350B** provides for a **Special Officer for linguistic minorities** to safeguard their interests.
  - The **Eighth Schedule** recognises **22 official languages**, while **Part XVII of the Constitution** addresses official languages.
- Policy Framework:** These provisions, combined with the **National Education Policy (NEP) 2020** and the **National Curriculum Frameworks (NCF) of 2022 and 2023**, place the **child's home or mother tongue** at the centre of early education.

#### Quality Education on Mother Tongue

##### 1. Concept and Pedagogical Rationale

- Mother -Tongue -Based Multilingual Education (MTB-MLE)** uses the **child's first language (mother tongue/home language)** as the primary medium of instruction in early grades, with **additional languages** (regional, national, global) introduced **gradually and systematically**.

- UNESCO and NEP 2020 converge on the principle that **foundational learning** is most effective when children are taught in a language they **fully understand**, which enhances **conceptual clarity, reading comprehension, and classroom participation**.

## 2. Cognitive and Developmental Advantages

- **Stronger Foundational Literacy and Numeracy:** When instruction begins in the mother tongue, children can focus on **academic content** without the added cognitive load of decoding an unfamiliar language.
- **Improved Retention and Reduced Dropouts:** Evidence from tribal and rural schools shows that MTB-MLE improves **attendance, confidence, and completion rates**, especially among **first-generation learners and girls**.
- **Lifelong Learning and Higher -Order Skills:** A secure base in the mother tongue facilitates smoother transition to **additional languages and complex subjects** in later grades.

## 3. Policy anchoring in NEP 2020 and NCFs

- The **National Education Policy 2020** recommends that the **medium of instruction** in school should be the **child's home language/local language till at least Grade 5 and preferably till Grade 8**, in line with global MTB-MLE principles.
- The **National Curriculum Frameworks (NCF) 2022 and 2023** further operationalise this by embedding **multilingual pedagogy, inclusive materials, and teacher-education reforms** into the curriculum design.

## A Barrier of Language: The Learning Language Mismatch

- **Language Barrier:** According to the **National Council of Educational Research and Training (NCERT)**, **nearly 44% of children** in India enter school speaking a language different from the medium of instruction, creating an immediate **language barrier**.
  - For these children, learning becomes a **dual task**: they simultaneously **decode the language of instruction** and **grasp academic content**, which often leads to **weak foundational skills**.
- **Cumulative Learning Gaps:** Weak **early grade literacy and numeracy** tend to compound over time, widening the gap between children from **dominant language and minoritised language backgrounds**.
- **Reduced Confidence and Higher Dropout Risk:** Children who struggle to understand classroom instruction are more likely to feel alienated, disengage, and eventually drop out, particularly in **tribal, rural, and socio-economically marginalised communities**.
- **Reinforcement of Social Hierarchies:** When only dominant languages are privileged in schools, it **marginalises linguistic minorities** and reinforces existing social and educational inequalities.

## Significance of 'Bhasha' Matters

1. **Educational Equity and Inclusion:** MTB-MLE is positioned as a **key strategy for inclusive education**, ensuring that **tribal, Dalit, Adivasi, and other minoritised groups** are not left behind due to language mismatch.

- By recognising the child's **home language as a legitimate medium of learning**, schools become spaces of **identity affirmation** rather than cultural erasure.
- 2. Preservation of Linguistic and Cultural Diversity:** When a language disappears, a **distinct worldview, oral traditions, and indigenous knowledge systems** are lost, which UNESCO frames as a **loss of humanity's accumulated knowledge**.
- MTB-MLE helps **document, revitalise, and transmit** endangered and minoritised languages, thereby preserving India's **intangible cultural heritage**.
- 3. Social Cohesion and National Identity:** A multilingual education system that values **all languages**, not just Hindi or English, fosters **unity in diversity** and strengthens **social cohesion**.
- It also aligns with India's constitutional commitment to **linguistic pluralism**, as reflected in the **Eighth Schedule** and various language-related provisions.

### Evidence from the Ground: Promising Practices

- **Odisha's Multilingual Education Programme:** Odisha runs a **long-standing MTB-MLE programme** covering **21 tribal languages** across **17 districts**, supporting around **90,000 tribal children** with bilingual teaching materials and trained teachers.
  - Evaluations indicate **improved reading comprehension, classroom engagement, and retention** among tribal students.
- **Telangana and Digital Multilingual Resources:** In **Telangana**, the **Digital Infrastructure for Knowledge Sharing (DIKSHA)**-enabled multilingual resources allow teachers and students to access **learning materials in local languages**, including tribal and minority languages.
  - This demonstrates how **digital public infrastructure** can scale multilingual education even in resource-constrained settings.
- **National Digital and Language-Technology Initiatives:** **PM eVIDYA** and **Adi Vaani** (a national consortium-developed platform) provide **multilingual audio-visual and digital content** for foundational learning.
  - **BHASHINI** (BHash-based ANd Intelligent Node for InclusioN in India) and **AI4Bharat's community-developed language technologies** support **speech-to-speech translation, text-to-speech, and machine-translation tools** for Indian languages, helping document endangered languages and generate local-language content.

### Issues and Challenges in Implementation of Multilingual Model

Transitioning to a multilingual model faces significant structural and social hurdles.

- **Structural Barriers:**
  - **Policy Gaps:** Many states lack context-specific MTB-MLE frameworks, leading to fragmented implementation.
  - **Teacher Shortage:** There is a critical dearth of educators proficient in **tribal languages** and trained in multilingual pedagogy.
  - **Material Quality:** Textbooks and assessments in minoritised languages are often missing or of poor pedagogical quality.

- **Socio-Cultural Factors:**
  - **Parental Preference:** Many parents view **English-medium education** as the only route to social mobility, creating resistance to mother-tongue instruction.
  - **Linguistic Hierarchies:** The dominance of Hindi or English continues to marginalize regional and tribal dialects.
- **Resource Constraints:**
  - **Financing:** Initiatives often rely on short-term projects rather than **sustained, mission-mode funding**.
  - **Digital Divide:** Unequal access to connectivity limits the reach of digital multilingual resources in remote areas.

### Way Forward: Policy and Implementation Pathways

To realize the vision of the UNESCO report and NEP 2020, a multi-pronged strategy is required.

- **Institutional Reforms**
  - **National Mission for MTB-MLE:** Establish a coordinated mission to harmonize Centre-State efforts and scale successful pilots into systemic reform.
  - **Localized Policies:** States must develop policies that reflect their specific linguistic realities rather than a one-size-fits-all approach.
- **Teacher Education**
  - **Prioritize Recruitment:** Hire teachers fluent in **local dialects** and embed **MTB-MLE principles** in **B.Ed. and D.El.Ed.** programs.
  - **Capacity Building:** Continuous professional development for teachers to use multilingual digital tools and inclusive assessment methods.
- **Curriculum and Community**
  - **Multilingual Materials:** Develop high-quality textbooks and digital content across all grades, including minoritised languages.
  - **Indigenous Knowledge:** Integrate local ecological knowledge and oral histories into the school curriculum to make learning culturally rooted.
  - **Institutionalize Participation:** Involve parents and community elders in **curriculum design and material development**.
- **Technological and Financial Commitment**
  - **Expand Digital Tools:** Platforms like **DIKSHA, PM eVIDYA, BHASHINI, and AI4Bharat** should be expanded to provide **multilingual content, teacher mentoring, and language-technology tools**.
  - **Sustainable Financing:** Allocate dedicated, long-term funds for material development and teacher training.
  - **Robust Monitoring:** Track language-wise learning outcomes and dropout rates to ensure accountability and course correction.

## Conclusion

India's **multilingual moment** offers a historic opportunity to transform the educational landscape by centering **Mother Tongue-Based Multilingual Education (MTB-MLE)** in policy and practice. Far from being a liability, linguistic diversity serves as a **powerful engine for equity, inclusion, and innovation** when children learn in languages they understand and value. This shift is **not merely a pedagogical preference** but a **fundamental prerequisite for achieving SDG 4**, ensuring **quality education is truly inclusive and culturally rooted**.

*Q. Discuss how linguistic diversity in India can act both as a challenge and as a driver of social cohesion. Illustrate your answer with reference to multilingual education reforms. (250 Words)*

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## 2.1. POLITY & GOVERNANCE

### 2.1.1. THE IMPERATIVE FOR DIVERSITY IN INDIA'S JUDICIARY

#### Context

- A **Private Member's Constitutional Amendment Bill**, recently introduced by a member of Rajya Sabha and a senior advocate **P. Wilson**, has brought renewed attention to the need for **diversity in judicial appointments** and the establishment of **regional benches of the Supreme Court**.
- This initiative addresses longstanding concerns over the **collegium system's** failure to reflect India's social mosaic, including underrepresentation of **Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), women, and religious minorities**.



#### Background: Constitutional Provisions on Judicial Appointments

The Indian Constitution establishes a framework for judicial appointments that balances executive and judicial roles, evolving through judicial interpretation to prioritize independence.

- **Article 124:** Supreme Court judges are appointed by the **President** after consulting the **Chief Justice of India (CJI)**, emphasizing judicial input.
- **Article 217:** High Court judges require consultation with the **CJI, High Court Chief Justice, and State Governor**, ensuring multi-stakeholder involvement.
- **Article 130:** The Supreme Court's seat is in **Delhi**, but the **CJI** can designate other places with central approval, enabling regional benches without amendment.
- **Article 16:** Provides **equal opportunity in public employment** and reservations, a principle extendable to judiciary via amendment for social representation.

#### Evolution of the Appointment Process: The Collegium System

##### 1. Historical Development of the Collegium System

The **collegium system** emerged as a judicial safeguard against executive overreach, transforming appointments from an executive-dominated process to one led by the judiciary. Initially, appointments were **executive-led post-consultation**, reflecting the framers' intent, but judicial interpretations reshaped this framework.

- **Pre-1980s:** Appointments were executive-led post-consultation, as per the original constitutional design.
- **First Judges Case (S.P. Gupta v. Union of India, 1981):** Upheld **executive primacy**, citing accountability to the people.

- **Second Judges Case (Supreme Court Advocates-on-Record Association v. Union of India, 1993):** Overturned the first; established **collegium** comprising **CJI + four senior-most Supreme Court judges** for SC appointments and **CJI + two senior judges** for High Courts, prioritizing judicial independence.
- **Third Judges Case (1998):** Expanded collegium's role; government objections can be raised once, but reiterated recommendations are binding, cementing judicial primacy.

## 2. Operational Mechanism of the Collegium System

The collegium system operates with the judiciary at the helm, ensuring insulation from political favoritism but criticized for opacity and nepotism.

- **Operational Mechanism:** Collegium initiates proposals based on **merit**, seniority, and performance. Recommendations sent to **Central government** for clearance; government can seek reconsideration, but finality rests with collegium.
- **Current Status (2026):** The Supreme Court has returned to its full sanctioned strength of **34 judges**, with appointments recommended by the collegium. However, judicial vacancies persist, with **331 vacancies** in High Courts in 2024, highlighting delays in appointments under the collegium system.
- **Transparency Efforts:** The Supreme Court instructed the central government to develop a new **Memorandum of Procedure (MoP)** for transparency, finalized in 2017 but not adopted by the government.

## 3. Key Judgments Shaping the Collegium System

Landmark rulings have defined judicial appointments, reinforcing independence while striking down reforms that threatened it.

- **Supreme Court vs. Union of India Cases (Judges Cases):** Affirmed collegium as part of the **basic structure** doctrine, safeguarding judicial independence.
- **Fourth Judges Case (2015): 99th Constitutional Amendment (2014)** created **National Judicial Appointments Commission (NJAC): CJI + 2 senior judges + Union Law Minister + 2 eminent persons**.
  - Supreme Court invalidated it (5:0 verdict) as it violated **judicial independence (basic structure)**, citing **executive veto powers**.
  - **Rationale:** Executive dominance via Law Minister and non-judicial members compromised primacy; reverted to collegium.

## About the Private Member's Bill seeking Diversity in Indian Judiciary

The Bill seeks to mandate **diversity** and **accessibility** without undermining merit.

- **Diversity Mandate:** Proportional representation for **SC/ST/OBC, women**, and **religious minorities** in Supreme Court and High Court appointments, reflecting population shares.
- **Timeline: 90-day cap** for Centre to notify collegium recommendations.
- **Regional Benches:** Establish in **Delhi (principal), Kolkata, Mumbai, Chennai**; full jurisdiction except **constitutional matters** (reserved for Delhi's Constitution Bench).

- **Rationale:** Improves **access to justice**, reduces Delhi-centric pendency (>**90,000 cases pending in the Supreme Court as of January 2026**), addresses geographic barriers.

## Why There is a Need for Diversity in the Judiciary

### 1. Addressing Chronic Underrepresentation

- **2018-2024 High Court appointments (715 judges): 22 SC, 16 ST, 89 OBC, 37 minorities** (~23% marginalized).
- **Supreme Court:** Only **11 women** (~8% of 287 total); no **SC/ST women**; one religious minority (**Justice Fathima Beevi**).
- **Direct elevations from Bar: 9 men vs. 1 woman** (**Justice Indu Malhotra**).

### 2. Structural Barriers to Institutional Advancement

- **Late appointments:** Women judges are often appointed at a relatively late age, restricting their tenure and limiting their ability to attain seniority.
- **Short tenures:** Several women judges have served for fewer than three years, diminishing their influence in the Court's institutional processes.
- **Limited opportunities:** The absence of systematic efforts to address these barriers perpetuates a cycle of underrepresentation.

### 3. Implications for Equitable Justice Delivery

- **Narrow Viewpoints:** Homogenous benches overlook marginalized realities (e.g., **Hathras rape case** dismissed Dalit woman's testimony vs. **2012 Delhi gangrape** acceptance).
- **Democratic Deficit:** Judiciary as "guardian of democracy" lacks credibility without reflecting society; contrasts with reservations in Parliament/public services.
- **Institutional Legitimacy:** Diverse judges enrich reasoning (e.g., **Justice Nagarathna** on gender sensitivity; **Justice Leila Seth** on inheritance rights).

### 4. Critiques of the Collegium System's Selection Criteria

- **Nepotism and Opacity:** In the absence of an enforceable **Memorandum of Procedure**, the selection process is seen as opaque. While transparency was briefly prioritized under **CJI Dipak Misra**, the practice of disclosing detailed resolution reasons has not been consistently sustained.
- **"Merit Myth" and Social Capital:** The argument for "**merit**" is often used to oppose diversity. Sociologists like **Satish Deshpande** argue that "merit" often masks **caste privilege** rooted in elite education and networks.
  - Yale professor **Daniel Markovits** describes a "**Meritocracy Trap**" where rules are rigged in favor of the privileged.
  - **Dr. B.R. Ambedkar** similarly warned that merit is rendered useless if an individual is denied the social assets associated with their status.
- **Gender Blindness:** Because the **Collegium** is composed of the senior-most judges (who are predominantly male), gender considerations often remain at the margins. This limits the **depth of perspectives** available in cases concerning **family law, gender justice, and workplace**

**harassment.** For instance, women underrepresented in **Collegium**, limiting diverse perspectives in gender justice cases (e.g., family law, workplace harassment).

### Global Best Practice

- **United Kingdom (Judicial Appointments Commission):** The UK uses an independent commission comprising judges, legal practitioners, and **lay members**. This ensures that the selection process is not an exclusive judicial "silo" and actively promotes diversity through a statutory duty.
- **South Africa (Judicial Service Commission):** The South African model is a global benchmark for **transparency**. It includes representatives from the legislature, the executive, and the legal academy. Crucially, the South African Constitution mandates that the judiciary must reflect the racial and gender composition of the country.
- **Kenya (Public Interviews):** Kenya conducts **public televised interviews** for judicial candidates. This level of transparency builds immense public trust and ensures that social sensitivity is tested alongside legal knowledge.

### Way Forward: Reforms for an Inclusive Judiciary

Targeted interventions can embed diversity while preserving independence, aligning with constitutional principles.

- **Judicial Self-Reform:** Collegium voluntarily prioritizes diversity; publish annual **caste/gender data** for transparency.
- **Constitutional Amendments:** Extend **Article 16** logic to **Articles 124/217**; mandate proportional representation via **104th Amendment**-style provisions.
- **Revive NJAC Broadly:** For India, a revived commission should:
  - Include a **Diversity Secretariat** to identify and mentor talent from marginalized backgrounds.
  - Maintain a **Judicial Majority** to preserve independence, but include **Eminent Lay Persons** to provide social context.
  - Institutionalize **Public Consultations** or feedback loops from the Bar Council before final recommendations.
- **Regional Benches:** Implement via **Article 130** as recommended by Law Commission/Parliamentary panels; start with **Kolkata**, expand.
- **Legislation:** Enact **Judicial Diversity Act** for social background as appointment criterion.
- **Data Transparency and Public Accountability:** Mandate annual, machine-readable disclosures by the **Law Ministry** and judiciary on **caste, gender, minority, and intersectional composition of appointments**; integrate this data into **RTI** for civil society oversight; use evidence to pinpoint recruitment gaps and adjust policies dynamically for proportional diversity aligned with India's demographics.
- **Strengthening the Lower Judiciary as a Pipeline:** Enforce **merit-cum-diversity recruitment in subordinate courts** with **targeted outreach**, reservations in promotions, and **scholarships/mentorship programs for women, SC/ST/OBC candidates**; fill vacancies swiftly to

build experience for elevation; create structured talent pools from lower judiciary to feed higher courts with representative judges.

- **Cultural and Institutional Transformation:** Introduce **mandatory judicial education modules** on gender justice, caste dynamics, intersectionality, and lived realities of marginalized groups; adopt inclusive court practices like specialized benches and trauma-informed procedures; foster a cultural shift viewing diversity as essential to constitutional equality and legitimacy, moving beyond quotas to systemic inclusion.

## Conclusion

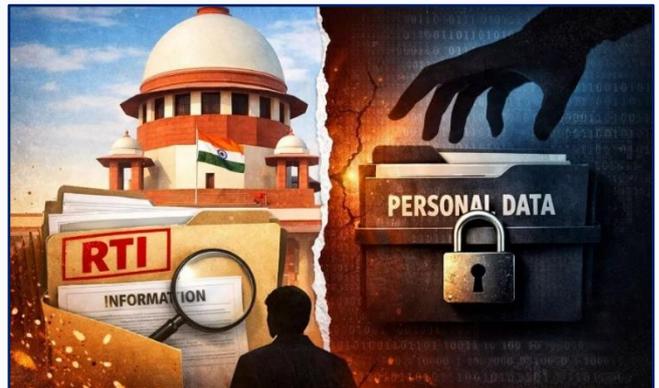
As **Ambedkar** famously noted, "**Political democracy cannot last unless there lies at the base of it – social democracy.**" Moving toward a representative bench is not a compromise on merit but a fulfillment of the constitutional promise of equality. A judiciary that is diverse in its composition will be more robust in its deliberations and more just in its delivery.

*Q. "Judicial independence and judicial diversity are not contradictory but complementary constitutional values." Examine in the context of judicial appointments in India. (250 Words)*

## 2.1.2. PRIVACY-TRANSPARENCY PARADOX: BALANCING THE RTI ACT WITH THE DPDP ACT

### Context:

- **Recently**, the **Supreme Court of India** referred a series of petitions to a **Constitution Bench** to resolve the "**constitutional sensitivity**" arising from the **Digital Personal Data Protection (DPDP) Act, 2023**.
- These petitions challenge the amendment to **Section 8(1)(j)** of the **Right to Information (RTI) Act, 2005**, which critics label a "body blow" to democratic transparency.
- Chief Justice of India **Surya Kant** remarked that the Court must now legally define the boundaries of "**personal information**" to ensure that the **fundamental right** to know is not unfairly silenced by the right to privacy.



### Background: Evolution of the Legal Framework

The current legal conflict represents a **fundamental clash** between **two sets of rights**, both of which are **central to India's constitutional fabric**.

#### 1. The RTI Act, 2005: The "Sunlight" Law

The RTI Act was not a mere administrative gift; it was the formal codification of a right already existing in the Constitution.

- **Constitutional Basis: The "Right to Know" (Article 19)**

- **Clarity from *State of UP v. Raj Narain (1975)*:** In this landmark election case involving Prime Minister Indira Gandhi, the Supreme Court delivered a historic ruling. Justice Mathew famously observed:
 

*"In a government of responsibility like ours... the people of this country have a right to know every public act, everything that is done in a public way, by their public functionaries."*
- **The Logic:** The Court held that **Freedom of Speech and Expression (Article 19(1)(a))** is **meaningless** if citizens do not have the facts to speak about. You cannot express an opinion or hold a government accountable if you are kept in the dark. Thus, **RTI is an inherent part of Article 19.**
- **The Philosophy:** It moved the needle from "**Official Secrecy**" to "**Public Trust**," establishing that information belongs to the people, and the State is merely its **custodian**.
- **Later, in 1990s,** the NGO **Mazdoor Kisan Shakti Sangathan (MKSS)**, led by activists like Aruna Roy, started a massive movement in **Rajasthan**. They coined the famous slogan: "*Hamara Paisa, Hamara Hisab*" (Our Money, Our Accounts), demanding **transparency in minimum wage payments and ration distribution.**
- **The Original Section 8(1)(j): A Balanced Exemption**
  - This was a **calibrated safety valve**. It didn't ban the release of all personal data. It only protected information that:
    - Had **no relationship** to any public activity or interest.
    - Would cause an **unwarranted invasion** of an individual's privacy.
- **The "Public Interest" Override:**
  - Even if information was "personal," it **could still be disclosed** if the Public Information Officer (PIO) found that the "**larger public interest**" outweighed the harm to the individual or justified the disclosure.
  - **The Golden Rule (Legislative Parity):** The Act explicitly mandated that information which cannot be denied to **Parliament or a State Legislature** shall not be denied to any citizen.

## 2. The DPDP Act, 2023: The Privacy Shield

The 2023 Act introduces a new layer of protection for "Informational Privacy" in the digital age, following a redefined constitutional interpretation.

- **Constitutional Basis: The "Right to Privacy" (Article 21)**
  - **The *Puttaswamy* Landmark (2017):** A 9-judge bench declared **Privacy** as a fundamental right under **Article 21** (Right to Life and Personal Liberty).
  - **The Three-fold Test for State Interference:** The Court ruled that the government can only restrict privacy if it satisfies three strict criteria:
    - **Legality:** The restriction must be backed by a clear **written law**.
    - **Legitimate Aim:** The State must have a valid reason (e.g., national security or social welfare).
    - **Proportionality:** The restriction must be **necessary** and the **least intrusive** way to achieve the goal.

- **The Amendment (Section 44(3)): The "Blanket Ban"**
  - The **DPDP Act** used **Section 44(3)** to delete the balanced "**public interest**" criteria from the RTI Act.
  - It replaced it with a **restrictive mandate**: any "**information which relates to personal information**" is **now exempted from disclosure**.
  - **The Problem**: By removing the "**public interest override**," the amendment ignores the **Proportionality Doctrine** requirement. It makes **privacy an absolute shield**, even when disclosing the information is necessary to expose corruption or ensure government accountability.

### Key Judicial Landmark: CPIO v. Subhash Chandra Agarwal (2019)

- The Supreme Court previously held that **transparency and privacy** are **co-equal rights**. It ruled that details like **judicial assets** or **appointment files** could be disclosed if it served a legitimate public purpose.
- The 2023 amendment bypasses this judicial precedent by removing the "public interest" gateway entirely, making the RTI Act potentially "**defunct**" in matters involving public officials.

### Significance of the RTI Act in a Robust Democracy

- **Upholding Participatory Democracy**: Transparency acts as the bedrock of a "**responsive government**." The RTI Act ensures that the "**sovereign**" (**the people**) can effectively check the "**agent**" (the State), moving beyond mere voting to active daily oversight.
- **Empowering Social Audits and Welfare Delivery**: The RTI is a vital tool for the **marginalized** to verify **PDS (ration) distribution, MGNREGA wages, and pension lists**. Since these lists often contain names and personal data to prevent leakages and "**ghost beneficiaries**," the act ensures that welfare reaches the intended recipient.
- **Institutionalizing an Anti-Corruption Mechanism**: It facilitates the scrutiny of **assets, educational qualifications, and disciplinary records** of public officials. This transparency is essential to ensure integrity in public office and to discourage the abuse of power.
- **Successes of RTI & E-Governance in Ensuring Probity**: Since 2005, RTI has successfully unearthed major corruption scandals. Let me give you a few big examples:
  - **The Adarsh Housing Society Scam (Mumbai)**: RTI applications revealed how a high-rise building meant for Kargil war widows was illegally usurped by politicians and top bureaucrats.
  - **The 2G Spectrum Scam**: RTI was instrumental in uncovering the arbitrary allocation of telecom spectrums, which caused massive losses to the public exchequer.
  - **Commonwealth game scam**
  - **Vyapam Scam (Madhya Pradesh)**: Persistent RTI queries helped expose this massive, systemic medical admission and recruitment scam.
- **E-Governance as a supplement to RTI**: While RTI is a "**demand-side**" tool (citizens asking for information), **E-governance** is a "**supply-side**" tool. E-governance ensures probity by reducing human interface, minimizing discretion, and proactively placing data in the public domain.

- **Examples:** *Bhoomi* (Karnataka's digitized land records), *GeM* (Government e-Marketplace, which ensures transparent public procurement), and *DBT* (Direct Benefit Transfers, which track welfare money directly to the beneficiary's bank account).

### Challenges Associated with the RTI–DPDP Conflict

- **The "Legitimate Uses" Paradox:** While the State can process citizen data without consent for welfare (**Section 7 of DPDP**), the RTI amendment prevents citizens from accessing State data. This creates a **one-way mirror** where the **State monitors the citizen, but the citizen cannot scrutinize the State**.
- **Chilling Effect on Press Freedom:** Journalists collecting data for investigative reports could be labeled "**Data Fiduciaries**." **Non-compliance with strict DPDP rules** can lead to fines up to **₹250 crore**, threatening to **reduce journalism** to mere government press releases.
- **Failure of the Proportionality Test:**
  - The Supreme Court requires that any restriction on a fundamental right must be the "**least restrictive means**" to achieve a goal.
  - Petitioners argue that removing the "public interest override" is **manifestly arbitrary**, as it creates a category of absolute secrecy that fails to balance the **Right to Know (Art. 19)** with the **Right to Privacy (Art. 21)**.

### Way Forward: Restore the Transparency–Privacy Balance

- **Harmonizing Article 19 and Article 21:** We need a **balance between the Right to Know and the Right to Privacy. Both are important and both must not be subjugated**.
  - The Constitution Bench should uphold the spirit of the **2019 *Central Public Information Officer* judgment**, which held that **judicial independence and privacy do not stand in contradiction with the need for transparency. On similar lines, they can decide what is 'personal information'**.
- **Protecting the Information Seekers:** The government must operationalize the **Whistleblowers Protection Act, 2014**, to ensure the physical safety of activists.
- **Journalistic Safeguards:** India should adopt provisions similar to the **EU's General Data Protection Regulation (GDPR) model**, offering **explicit exemptions** for journalistic purposes to ensure the media can perform its **watchdog role** without financial ruin.
- **Implementing ARC Reforms:** It is high time we **replace the colonial Oath of Secrecy with an Oath of Transparency, as suggested by 2<sup>nd</sup> ARC** to change the bureaucratic mindset from within.

### Conclusion

The tension between the **Right to Know (Article 19)** and the **Right to Privacy (Article 21)** is not a zero-sum game. While protecting personal data is essential in the digital age, it must not become a tool for administrative opacity. As the Supreme Court reviews the amendment, the priority must be to ensure that the "**informed citizenry**" envisioned in 2005 remains empowered to hold the State accountable.

**Q.** The 'Legitimate Uses' framework of the DPDP Act, 2023, coupled with the dilution of the RTI Act, creates a 'one-way mirror' that undermines democratic accountability. Critically analyze this statement in the light of the emerging constitutional conflict between the Right to Know and the Right to Privacy. (250 Words)

### 2.1.3. ON THE IMPORTANCE OF SATIRE

**Context:** Satire has long been a powerful medium of political and social commentary. In India, debates around satire frequently intersect with concerns about national security, public order, and reputation of constitutional authorities

#### Background: The Controversy

- A 52-second satirical cartoon allegedly featuring the Prime Minister was blocked from the social media handles of The Wire.
- The government justified the action on grounds that it spread “informed rumours/unverified information” affecting:
  - Defence and national security
  - Reputation of the country
  - Foreign relations
- The Editors Guild of India criticized the move, calling it a sign of growing intolerance toward scrutiny and satire.
- **Core Constitutional Question:** Is satire a threat to national security, or a democratic safeguard essential for accountability.



#### Satire in Democratic Theory: A Functional Analysis

In democratic discourse, satire transcends mere entertainment, serving as a sophisticated tool for civic engagement and institutional checks. Its functions can be categorized into three pillars:

##### 1. Accountability and Transparency

- **Mechanism:** Satire strips away political rhetoric to expose **contradictions, hypocrisy, and excesses** in governance.
- **Impact:** By simplifying complex policy or legislative issues through humor and irony, it enhances **political literacy** and makes governance more accessible to the lay citizen.

##### 2. Safety Valve for Dissent

- **Mechanism:** It provides a **non-violent, creative outlet** for public dissatisfaction and frustration with the state.
- **Impact:** By channeling criticism constructively, satire reduces the likelihood of radical or extreme responses to perceived injustice.

### 3. Strengthening Public Opinion & Political Discourse

- **Global Tradition:** Mature democracies (e.g., the United States) treat political cartoons and late-night satire as integral to the “marketplace of ideas.”
- **Judicial Perspective:** Courts often cite historical examples—such as early American cartoons portraying **George Washington** as an “ass”—to argue that the ability to tolerate ridicule is a hallmark of a robust republic.
- **Impact:** It broadens the spectrum of public opinion, ensuring that dissent is not just tolerated but seen as an essential ingredient of public life.

#### Constitutional Framework: Art. 19 & Reasonable Restrictions

- **Article 19(1)(a):** Guarantees all citizens the fundamental right to **freedom of speech and expression**, which includes the right to propagate ideas through various media (print, digital, art).
- **Article 19(2):** Empowers the State to impose “**reasonable restrictions**” on this right.
- **The Test of Reasonableness and Proportionality:** To ensure that restrictions do not turn into suppression, the Judiciary employs specific legal doctrines:
- **Doctrine of Proportionality:** Any restriction must be the **least restrictive measure** possible. It must have a rational nexus with the objective and must not be excessive or disproportionate to the “evil” it seeks to remedy.
- **Procedural Safeguards:** As established in *Shreya Singhal v. Union of India*, any censorship—especially digital blocking—must follow natural justice. This includes the **right to be heard** for the content creator before access is restricted.
- **Arbitrariness:** Blanket or “emergency” bans that bypass transparency or judicial oversight are considered unconstitutional as they fail the “reasonableness” test.

#### Key Judicial Precedents on Free Speech and Satire

- **Shreya Singhal v. Union of India (2015):** The Supreme Court struck down **Section 66A** of the IT Act for being “vague” and “chilling.” It mandated **procedural safeguards**, specifically the right of the “originator” to be heard before content is blocked.
- **Indibly Creative v. State of West Bengal (2019):** The Court ruled that the State has a **positive duty to protect speech** rather than using potential public disorder as a pretext for censorship, affirming satire as vital for exposing societal contradictions.
- **Kama v. M. Jothisorupan (2018):** The Madras High Court recognized **exaggeration** as a legitimate and essential element of satire, defining it as an “intrinsically weapon of attack” necessary for democratic critique and exposing hypocrisy.
- **Delhi High Court on Satirical Journalism:** The Court upheld satire as a **prime mode of dissent**, ruling that humor and irony should be evaluated through the lens of a “**reasonable person**” rather than a “hyper-sensitive” individual.

#### Global Perspectives on Satire

- **United States: First Amendment & Malice Standard**

- **Legal Basis:** Provides near-absolute protection for political satire within the “marketplace of ideas.”
- **Judicial Milestone (*Hustler v. Falwell*):** The U.S. Supreme Court ruled that public figures must tolerate “offensive parody” unless it contains false statements made with “actual malice.”
- **Principle:** Public officials must accept higher levels of ridicule to ensure institutional transparency and accountability.
- **European Court of Human Rights (ECHR): Artistic Freedom**
  - **Legal Basis: Article 10** of the European Convention guarantees free expression, protecting ideas that “offend, shock, or disturb.”
  - **Judicial Recognition (*Vereinigung v. Austria*):** The Court affirmed that satire inherently distorts reality and deserves high protection as a form of artistic expression.
  - **Rationale:** Tolerance of provocative satire is a hallmark of **pluralism** and democratic maturity.

### Key Challenges to Satire in the Digital Age

- **Vague Grounds for Restriction:** Frequent invocation of “**National Security**” or “Public Order” under Article 19(2) without clear distinctions between legitimate satire and actual misinformation.
- **Chilling Effect & Self-Censorship:** Fear of heavy-handed legal action (Defamation, IT Act, or UAPA-like laws) forces creators to suppress their own work to avoid prosecution or social backlash.
- **Executive Overreach in Regulation:** Expanding powers under **IT Rules (2021/2026)** allow for rapid “emergency” content blocking without transparency or providing creators a fair hearing.
- **The “Heckler’s Veto”:** Organized mob pressure or threats lead the State to curb speech to prevent unrest, effectively rewarding intolerance instead of protecting the artist.
- **Criminal & Civil Liability:** The strategic use of **Criminal Defamation** and high-stakes civil lawsuits to financially and legally drain independent media houses and satirists.
- **Polarization & Shrinking Civic Space:** A declining societal and political tolerance for ridicule, where hypersensitivity and polarization replace democratic resilience and open debate.

### Way Forward: Safeguarding Satire and Democratic Expression

- **Refine Legal Definitions:** Establish clear legislative distinctions between **satire/parody** and “deliberate misinformation.” Restrictions must be **narrowly tailored** under the Doctrine of Proportionality to ensure creative dissent is not mislabeled as a “threat to national security.”
- **Reinforce Procedural Due Process:** Strictly implement **Shreya Singhal (2015)** mandates, ensuring the “right to be heard” for content creators. The Executive must provide **written, reasoned orders** for all digital takedowns to facilitate effective judicial review.
- **Neutralize the “Heckler’s Veto”:** Adhere to the **Indibily Creative (2019)** precedent by recognizing the State’s **positive duty to protect speech**. Law enforcement should manage mob pressure or “outrage” rather than silencing the artist to maintain order.
- **Establish Independent Oversight:** To counter the 2026 IT Rules’ **3-hour takedown window**, an independent body comprising judicial and civil society members should perform **post-facto audits** of “emergency” orders to prevent executive overreach.

- **Decriminalize Satirical Expression:** Shift from punitive criminal sanctions (e.g., criminal defamation or sedition-type charges) to **proportionate civil remedies**. This removes the “chilling effect” that stifles independent media and political commentators.
- **Foster Constitutional Morality:** Promote a **democratic culture of tolerance** through constitutional literacy. A mature Republic should view satire not as an affront to institutional dignity, but as a vital sign of a resilient and self-correcting democracy.

**Conclusion**

Satire, though critical and uncomfortable, is constitutionally protected unless it incites violence. A mature democracy ensures tolerance, distinguishes real security threats from critique, and safeguards accountability, dissent, and citizens’ freedom.

*Q. In the light of recent controversies over digital content blocking, examine the constitutional protection accorded to satire in India. Discuss the judicial safeguards, emerging challenges in the digital age, and suggest measures to balance free expression with legitimate State interests.*

*(250 words)*

**2.2. INTERNATIONAL RELATIONS**

**2.2.1. AMBIGUITIES IN THE U.S.–INDIA TRADE DEAL**

**Context:**

- The interim U.S.–India trade deal marks a key step in strengthening bilateral economic ties.
- It aims to reduce recent trade tensions and revive broader trade negotiations.
- However, concerns remain over tariff concessions, agricultural safeguards, NTBs, and policy autonomy.



**Background**

India and the United States initiated negotiations for a bilateral trade agreement after a period of strained trade relations. The tensions were triggered by higher U.S. tariffs on Indian exports and additional duties linked to geopolitical considerations.

The interim agreement aims to reduce certain tariffs and address “long-standing concerns” in bilateral trade.

**Key features include:**

- U.S. reduction of tariffs on select Indian exports.
- India’s commitment to reduce tariffs and non-tariff barriers on various U.S. industrial and agricultural products.

- Indications of increased Indian purchases of U.S. goods such as energy and aircraft.

The arrangement is positioned as a confidence-building step toward a more comprehensive trade deal.

### Significance of the Interim Trade Deal

1. **Strengthening Bilateral Economic Architecture:** The deal reinforces the economic pillar of the India–U.S. strategic partnership, complementing cooperation in defence, technology, semiconductors, and critical supply chains.
2. **Supply Chain Diversification:** Amid global supply chain realignments, closer India–U.S. trade ties may enhance resilience and reduce overdependence on single geographies.
3. **Boost to Export-Led Growth:** Improved access to the U.S.—India’s largest export destination—can support India’s ambition of expanding manufacturing under initiatives like *Make in India*.
4. **Geopolitical Signalling:** The agreement signals India’s continued engagement with major global economies while navigating a complex geopolitical environment.
5. **Precursor to a Comprehensive FTA:** As an interim arrangement, it may serve as a testing ground for deeper trade liberalisation in the future.

### Potential Gains for India

1. **Improved Market Access:** Lower U.S. tariffs could benefit Indian labour-intensive sectors such as textiles and apparel. Enhanced access to the U.S. market may boost exports and employment.
2. **Trade Stabilisation:** The agreement may reduce uncertainty in bilateral trade relations, providing predictability for exporters and investors.
3. **Strategic Economic Alignment:** Closer economic engagement strengthens the broader India–U.S. strategic partnership, which includes cooperation in defence, technology, and supply chains.

### Key Areas of Ambiguity

1. **Agricultural Safeguards:** Agriculture remains a sensitive sector for India due to:
  - The dominance of small and marginal farmers.
  - Concerns related to price stability and livelihood security.
  - The interim deal does not clearly confirm tariff protection for sensitive crops like cereals. Earlier FTAs safeguarded these sectors.
  - Lack of clarity increases uncertainty about exposure to U.S. agricultural competition.
2. **Non-Tariff Barriers (NTBs) and GM Imports**
  - The U.S. has consistently objected to India’s restrictions on genetically modified (GM) food imports, considering them trade barriers.
  - The agreement refers to resolving “long-standing concerns,” but it remains unclear whether India’s regulatory framework on GM products will be modified.
3. **Tariff Asymmetry**
  - India appears to be reducing tariffs and NTBs across a broader range of products.

- The U.S. retains the ability to impose or reimpose tariffs under certain conditions.
- Since U.S. tariffs were already low, India's larger tariff cuts may create an imbalance, raising concerns about fairness and proportionality in the trade agreement.

#### 4. Conditional Trade Pressures

- Reports suggest the possibility of renewed U.S. tariffs linked to India's external trade decisions, such as energy imports from specific countries.
- If trade measures are used to influence domestic economic choices, it may affect policy autonomy.

#### 5. Impact on Farmers and Vulnerable Groups: India's agricultural sector employs nearly half of the workforce. Increased exposure to highly mechanised and subsidised U.S. agriculture could:

- Depress domestic prices
- Affect income stability
- Increase rural distress

#### 6. Institutional and Legal Dimensions: Some U.S. tariff measures have faced legal scrutiny domestically. Negotiating concessions in response to potentially contestable measures introduces uncertainty.

- Legal due diligence in trade negotiations
- Transparency in commitments
- Parliamentary oversight

#### Way Forward

1. **Clear Safeguards for Sensitive Sectors:** India should ensure explicit protection for sensitive agricultural products through tariff rate quotas, safeguard clauses, and phased liberalisation mechanisms.
2. **Strengthening Domestic Competitiveness:** Rather than relying solely on tariff protection, India must enhance agricultural productivity, invest in value chains, improve storage and logistics, and support small farmers through technology and institutional reforms.
3. **Transparent Negotiations:** Greater transparency in trade commitments and structured parliamentary scrutiny can enhance accountability and public trust.
4. **Preserve Regulatory Autonomy:** India must maintain its right to regulate in areas of food safety, environmental protection, and public health, consistent with WTO norms.
5. **Diversification of Trade Partnerships:** Reducing overdependence on any single market by diversifying trade relations with the EU, ASEAN, Africa, and other regions will strengthen bargaining power.
6. **Strategic Calibration:** Trade policy should align with long-term developmental goals, including Make in India, Atmanirbhar Bharat, and sustainable agriculture.

## Conclusion

The interim U.S.–India trade deal improves market access and stabilises ties but leaves concerns over agricultural safeguards, regulatory autonomy, and balanced concessions. India must ensure transparent negotiations and protect vulnerable sectors while aligning trade commitments with long-term developmental and strategic interests.

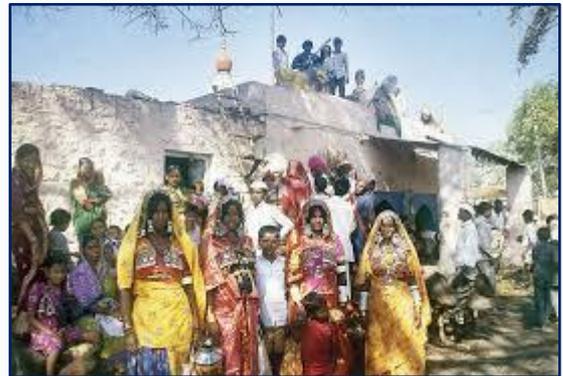
**Q.** *Examine the potential benefits and concerns arising from the interim U.S.–India trade deal. How can India balance trade liberalisation with protection of vulnerable sectors? (150 words)*

## 2.3. SOCIAL JUSTICE

### 2.3.1. A SEPARATE CLASSIFICATION FOR DENOTIFIED TRIBES

#### Context

- The **Ministry of Social Justice and Empowerment** has recently assured leaders of the **Denotified, Nomadic, and Semi-Nomadic Tribes (DNTs)** that their communities will be **enumerated in the second phase of the Census 2027**.
- The move follows decades of demand for a “**separate Census column**” to address the **statistical invisibility of over 10 crore people**.
- Its primary aim is to rectify **historical marginalisation** by enabling **constitutional recognition** comparable to **SCs, STs, and OBCs**.
- While the **Office of the Registrar General of India** has agreed in principle, the absence of a **distinct constitutional category** remains a key concern for these communities.



#### Who are Denotified Tribes (DNTs) in India?

- **Denotified, Nomadic and Semi-Nomadic Tribes (DNTs)** are communities that were once branded as “**criminal tribes**” by British administrators, who believed that certain communities were inherently “**addicted**” to crime.
- **Nomadic Tribes (NTs)**: These communities follow a **mobile lifestyle**, periodically shifting locations without permanent settlements to sustain livelihoods through **pastoralism, trade, or traditional services** (e.g., **Banjara, Rabari**).
- **Semi-Nomadic Tribes (SNTs)**: Such groups combine **seasonal migration with partial settlement**, often practising **transhumance**—maintaining a base while moving livestock seasonally (e.g., **Gaddi, Maldharis**).

#### Historical Background: Evolution of Denotified Tribes (DNTs) in India

- **Criminal Tribes Act (CTA), 1871**: Enacted in **1871**, the **CTA** enabled the **registration, surveillance, and control** of certain communities, labelling them as “**criminal tribes**” habitually involved in **non-bailable offences**. Colonial authorities justified this by linking **criminality to caste**, portraying it as hereditary.

- **Denotification after Independence (1952):** In 1952, the Government of India repealed the **CTA** on the recommendation of the **Ayyangar Committee (1949)**. Previously notified groups were officially “**denotified,**” giving rise to the term **Denotified Tribes (DNTs)**.
- **Habitual Offender Laws:** Despite repeal, several States enacted **Habitual Offender laws (1952)**, which, though removing the hereditary label, continued **surveillance and targeting** of these communities.
- **Continuing Marginalisation:** Although the legal “**criminal tribe**” tag was abolished, **structural stigma, policing bias, and social exclusion** persisted long after Independence.

### History of Enumeration of Denotified Tribes (DNTs) in India

- **Early Census Classification (1871–1931):** Although the **Criminal Tribes Act (CTA), 1871** and synchronous Censuses began together, communities were explicitly recorded as “**criminal tribes**” from **1911** onwards. The **1911 and 1931 Census reports** enumerated them separately, with **1931** being the last Census to do so.
- **Post-Independence Discontinuation (1952):** Following the **repeal of the CTA** and formal **denotification**, separate enumeration ended. The Republic adopted the position that **caste-based enumeration** would be limited to **Scheduled Castes (SCs)** and **Scheduled Tribes (STs)**, leaving DNTs without distinct statistical recognition.
- **Early Institutional Measures (1949 onwards):** The **Ayyangar Commission (1949)** examined their condition. After 1952, several communities were listed as “**Vimukt Jatis**” under **Backward Classes**, and over time, most were absorbed into **SC, ST, or OBC categories**.
- **Lokur Committee (1965):** Recommended treating **denotified and nomadic groups as a distinct category** for targeted development.
- **Civil Society and Commissions (1998 onwards):** In 1998, **Mahasweta Devi** and **G.N. Devy** formed **Denotified, Nomadic and Semi-Nomadic Tribes – Rights Action Group (DNT-RAG)**, which led to the creation of a **Technical Advisory Group** and subsequently the first **National Commission for DNTs**, chaired by **B.S. Renke (Report, 2008)**. A **second Commission** under **Bhiku Ramji Idate** submitted its report in **2017**. Both stressed that accurate **identification and classification** require a **dedicated Census enumeration**.
- **Pending NITI Aayog-Commissioned Study:** A **NITI Aayog-commissioned study** by the **Anthropological Survey of India** recommended classification for these groups, but the report has not been implemented and remains pending.

### Key Recommendations of Idate Commission on DNTs

The **Bhiku Ramji Idate Commission** was established to examine the status of DNTs. Key findings and suggestions included:

- **Identification of Communities:** Recognition of nearly **1,200 communities** as **Denotified, Nomadic and Semi-Nomadic Tribes (DNTs, NTs, SNTs)**, with about **267–268 communities** found to be **outside any constitutional category (SC/ST/OBC)**.
- **Constitutional Amendment Proposal:** Recommendation to introduce a **third Schedule** titled “**Scheduled Denotified, Nomadic and Semi-Nomadic Tribes**”, alongside **SCs and STs**, to ensure **dedicated constitutional safeguards**.

- **Permanent National Commission:** Proposal to establish a **permanent National Commission for DNTs, NTs and SNTs**, replacing ad-hoc bodies, to oversee **policy implementation and welfare measures**.
- **Extension of PoA Act:** Suggestion to extend the **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act** to DNT/NT/SNT communities through inclusion in a **separate schedule**, ensuring protection from **violence and discrimination**.
- **Sub-Classification within DNTs:** Emphasis on **sub-classification** to address **"graded backwardness"** among **settled and nomadic groups**, in line with evolving **Supreme Court jurisprudence** on internal categorisation within reserved classes.

### Significance of Separate Classification for DNTs

- **Addressing Data Deficit:** A **dedicated Census entry** would eliminate long-standing **statistical invisibility**, enabling accurate data collection for informed and region-specific policy formulation.
- **Robust Legal Backing:** Explicit **constitutional recognition** would strengthen the foundation for targeted **affirmative action, scholarships, welfare measures, and protective safeguards** for DNT/NT/SNT communities.
- **Equitable Internal Prioritisation:** **Sub-classification within DNTs** would help identify and prioritise the most marginalised **nomadic and semi-nomadic groups**, reflecting the concept of **"graded backwardness"** upheld by the **Supreme Court**.
- **Improved Governance Outcomes:** Formal classification would streamline **certification processes**, enhance policy oversight, and promote more transparent and need-based **resource distribution**.

### Key Challenges Faced by Denotified, Nomadic, and Semi-Nomadic Tribes (DNTs)

Despite the formal end of colonial-era labels, DNT communities remain at the extreme periphery of India's development narrative, facing a unique convergence of historical, legal, and social hurdles.

- **Socio-Economic Marginalization & Asset Deficit:**
  - **Generational Poverty:** Structural exclusion has led to critical deficits in **literacy, healthcare, and permanent housing**, with almost no intergenerational wealth or land ownership.
  - **Documentary Invisibility:** Their **nomadic lifestyle** results in a lack of permanent addresses, making it nearly impossible to acquire essential identity markers (**Ration cards, Voter IDs, Caste certificates**). This excludes them from the "paper-based" welfare state.
- **The "Double Burden" of Social Stigma:**
  - **Systemic Profiling:** The **"stigma of criminality"** persists in the administrative psyche long after the 1952 repeal.
  - **Criminalization of Lifestyle:** Traditional movements and occupations are frequently viewed with suspicion. This leads to **targeted policing** and frequent harassment under various **Habitual Offenders Acts**, which often function as a modern proxy for colonial-era surveillance.

- **Intra-Category Competition & Invisibility:**
  - **Dilution of Benefits:** Most DNTs are fragmented across existing **SC, ST, or OBC lists**, which prevents a focused policy approach for their specific needs.
  - **The "Graded Inequality" Trap:** Within these broad categories, DNTs cannot compete with **politically organized and socially advanced groups**. Consequently, their unique grievances are overshadowed by the dominant groups in the same reserved pool.
- **Administrative and Legal Limbo:**
  - **Non-Classification:** Approximately **268 DNT communities** are not included in any SC, ST, or OBC list. This lack of classification places them entirely outside the protection of **Articles 15(4) and 16(4)**, leaving them without any constitutional or legislative safety net.

### Government Initiatives: SEED Scheme

The **Scheme for Economic Empowerment of DNTs (SEED)**, launched by the **Ministry of Social Justice and Empowerment**, provides integrated support in **livelihood, education, housing, and health** for **DNT/NT/SNT communities**.

- **Financial Outlay & Mechanism:** Allocated **₹200 crore (2020–25)**, the scheme operates through existing platforms such as **NRLM, Free Coaching, IAY-linked housing programmes**, and the **National Health Authority**.
- **Problems with the SEED Scheme:**
  - **DNT Certificate Requirement:** A central condition for availing benefits is the issuance of a **DNT certificate** by State governments, which must be **distinct yet not exclusive of SC/ST/OBC status**.
  - **Certification Bottlenecks:** In practice, only select districts in a few States issue **DNT certificates**, while many others delay or deny certification despite **Central government advisories**.
  - **Low Utilisation of Funds:** Due to these administrative hurdles, actual expenditure has remained **significantly below the allocated amount**, limiting the scheme's on-ground impact.
  - **Lack of a Single Nodal Authority:** Implementation is fragmented across multiple agencies (**NRLM, housing bodies, health authorities**), with no dedicated **nodal institution** solely accountable for DNT-specific outcomes.

### Way Forward: Strategic Policy and Governance Reforms

To transition from colonial-era suspicion to constitutional parity, the following streamlined reforms are essential for the holistic empowerment of DNTs:

- **Data-Driven Governance via Census 2027**
  - **Specific Identification:** The Office of the Registrar General must implement a **dedicated column or code** for DNTs/NTs/SNTs to end statistical invisibility.
  - **Standardized Protocols:** Develop clear guidelines for **self-identification** that account for nomadic movement, ensuring no sub-group is excluded during the enumeration process.

- **Constitutional and Legislative Empowerment**
  - **The "Distinct Schedule":** Enact a **Constitutional Amendment** to create a distinct Schedule for DNTs, as recommended by the Idate Commission, to provide a clear legal identity.
  - **Atrocity Prevention:** Extend legal safeguards equivalent to the **SC/ST (Prevention of Atrocities) Act** to protect these communities from persistent social profiling and institutional harassment.
- **Institutional and Administrative Strengthening**
  - **Permanent Statutory Body:** Establish a **Permanent National Commission for DNTs** with statutory powers to monitor welfare outcomes and investigate rights violations.
  - **Unified Certification: Centralize and digitize** the DNT certification process to ensure uniform issuance across all States and UTs, removing current administrative bottlenecks.
- **Optimizing Welfare Delivery (SEED Scheme)**
  - **Direct Implementation:** Re-orient the **SEED scheme** for direct execution by a specialized DNT Welfare Board to improve fund utilization and reduce inter-agency delays.
  - **Mobile Outreach:** Deploy **mobile enrollment units** and digital records to ensure that education, health, and housing benefits "follow" nomadic families during migration.

## Conclusion

The **Denotified, Nomadic, and Semi-Nomadic Tribes** remain "**the most marginalized of the marginalized.**" While the **2027 Census enumeration** is a welcome step, it must be supported by a robust legal framework and a separate constitutional identity. Without these, these communities will continue to exist in the shadows of the Indian republic—statistically invisible and socially excluded.

*Q. Analyse the socio-economic and legal challenges faced by Denotified, Nomadic and Semi-Nomadic Tribes (DNTs) in India. Suggest suitable measures to address these issues. (250 words)*

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