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GENERAL STUDIES 2

1.1. POLITY & GOVERNANCE

1.1.1. REIMAGINING SCHOLARSHIPS AS THE BEDROCK OF INDIA'S HIGHER EDUCATION

Context:

- India aims to achieve a **50% Gross Enrolment Ratio (GER)** in **higher education by 2035** as envisioned in the **National Education Policy (NEP) 2020**. The **real challenge**, however, lies not merely in expanding institutions, but in ensuring that students can access, afford and complete their education with dignity.
- In this context, **scholarships emerge as a transformative tool**, one that connects equity, quality and national growth, determining not just who enters higher education, but who thrives within it.



Current Situation of Higher Education in India

India has made remarkable strides in expanding its higher education infrastructure.

- The number of higher education institutions has grown from **51,534 in 2014-15** to over **70,000 in 2025-26**, as per the **Economic Survey 2025–26**. The student enrolment has crossed **4.33 crore**. Yet, the **GER stands at a mere 29.5% (2022-23)**, starkly below the **NEP 2020 target** and even further from the global average of developed nations.
- This gap exposes a **structural truth: building campuses does not automatically build futures**. For a student from a **marginalised family** in rural Odisha or an urban slum in Patna, three barriers converge simultaneously:
 - **Access** — the physical and social distance from quality institutions.
 - **Affordability** — the crushing weight of tuition fees, accommodation and living costs.
 - **Aspiration** — the erosion of confidence caused by systemic exclusion across generations.
- According to AISHE reports, **Scheduled Caste (SC)** students account for only **14.9%** of total enrolments (against a population share of ~17%), **Scheduled Tribe (ST)** students just **5.8%** (against ~8.6%) and women from economically weaker sections remain **severely underrepresented in STEM and professional fields**. The data reveals a **deeply unequal system**.

Constitutional Framework: Education as a Fundamental Right

Indian Constitution provides a **robust normative framework** that elevates **access to education** including higher education beyond policy preference into a **moral and legal obligation**:

- **Article 21A of the Constitution of India (86th Amendment, 2002): Right to free and compulsory education** for children aged 6–14, creating a **foundational floor** that must logically extend upward.
- **Article 21 of the Constitution of India (Right to Life and Personal Liberty):** The Supreme Court in **Mohini Jain v. State of Karnataka** and **Unni Krishnan v. State of Andhra Pradesh** held that the **right to education is integral to the right to life and human dignity**.

- **Article 41 of the Constitution of India (DPSP):** Directs the State to secure the right to education within its economic capacity a directive that increasingly demands action in the higher education space.
- **Article 46 of the Constitution of India:** The State shall promote educational and economic interests of SC, ST and other weaker sections, and protect them from social injustice.
- **Article 15(5) of the Constitution of India:** Enables reservation and special provisions for socially and educationally backward classes in educational institutions.
- **Article 38 of the Constitution of India & Article 39 of the Constitution of India:** The State must strive to minimise inequalities in income, status, and opportunity making scholarship policy a constitutional instrument, not an act of discretion.
- **Scholarships**, when designed and delivered well, are the mechanism through which constitutional aspirations become lived reality. To deny a capable but poor student a scholarship is not merely an administrative failure it is a constitutional transgression.
- The **Supreme Court** in **Ashok Kumar Thakur v. Union of India** reiterated that the State has an affirmative duty to create conditions for substantive equality in education. Scholarships are the operationalisation of this duty.

Why Scholarships are the Hinge of Educational Transformation

1. Scholarships Address the Access Problem

- Scholarships enable students from **remote, rural and underdeveloped regions** to enter higher education by reducing barriers of distance, opportunity and social disadvantage.
- They ensure that **geographical, social and economic constraints do not block talented students**, thereby promoting **inclusivity, representation and equal participation** in campuses.

2. Scholarships Solve the Affordability Crisis

- Higher education is often a **long-term financial burden**, especially for middle and low-income families, discouraging many from enrolling.
- Scholarships reduce this burden by covering **tuition, living expenses, and academic costs**, allowing students to **focus on learning and complete their education without financial stress**.

3. Scholarships Improve Quality and Outcomes

- Scholarships not only increase enrolment but also improve **academic performance, retention and career outcomes** among students.
- Students receiving support are more likely to **complete degrees on time, perform better academically and secure stable careers**, while institutions benefit from a **diverse and high-quality academic environment**.

4. Scholarships Unlock Hidden Talent

- India's talent is **widely distributed across regions, castes, genders and income groups**, but many lack access to opportunities due to structural barriers.

- Scholarships act as a **bridge between talent and opportunity**, ensuring that **capable but disadvantaged students are supported**, which is essential for increasing enrolment and outcomes.

5. Scholarships Provide Holistic Development

- Modern scholarships go beyond financial aid and include **mentorship, leadership training, career guidance and exposure opportunities**.
- These support systems ensure **overall personality development**, preparing students for **academic success, employability and leadership roles in society**.

6. Scholarships Strengthen Social Mobility

- Scholarships help **break the cycle of poverty and inequality** by providing access to quality education for economically weaker and marginalised groups.
- They enable students to achieve **better education and employment opportunities**, leading to **upward social mobility and a more equitable and just society**.

7. Scholarships Promote Equity and Social Justice

- Scholarships act as an **equaliser**, allowing students from diverse socio-economic backgrounds to **compete on a level playing field**.
- They ensure that **talent is discovered, nurtured, and rewarded regardless of a student's birth, location, or economic status**, strengthening fairness in the education system.

Lessons from India's Ancient Intellectual Heritage

India's commitment to inclusive education is not a modern invention it is a **civilisational value**. At **Takshashila** and **Nalanda**, arguably the world's first **residential universities**, no student was turned away for lack of resources. The ancient system offered multiple flexible pathways:

- **Upfront payment** by those with means
- **Shramadan** — working alongside one's teacher as a form of tuition payment
- **Post-education contribution** — paying back after securing livelihood
- **Community and royal patronage** for students from distant regions

The underlying principle that **Vidya dadati vinayam**. Knowledge begets humility that **no capable student should be denied education due to material poverty** was considered a **dharmic obligation** of the **State** and the educated class.

Key Challenges in the Current Scholarship Ecosystem

Despite these efforts, critical **structural gaps** undermine the **scholarship ecosystem's transformative potential**:

- **Transactional, Annual Renewals**: Most schemes require **annual reapplication**, creating **psychological anxiety** and **administrative burden** for students who need **stability, not uncertainty**.

- **Narrow Scope:** The majority of schemes cover only **tuition fees**, ignoring the '**hidden costs**' like accommodation, food, digital devices, mental health support and healthcare that often trigger **dropout**.
- **Information Asymmetry:** Despite **NSP**, millions of eligible students in **rural and semi-urban areas** remain unaware of available scholarships due to **poor outreach** and **digital illiteracy**.
- **Absence of Mentorship:** Financial aid without **academic and social navigation support** is insufficient for **first-generation learners** who must decode unfamiliar **institutional cultures**.
- **Private Sector Underengagement:** Indian corporates under **CSR obligations** invest significantly less in **education endowments** compared to global counterparts. The ecosystem of **donor-funded scholarships** remains shallow.
- **Data Deficits:** Inadequate tracking of **scholarship outcomes** like graduation rates, employment rates, further study that prevents **evidence-based policy refinement**.

Government Initiatives and Institutional Innovations

- **National Scholarship Portal (NSP):** This acts as a **single-window interface** for students to access schemes across various **Union Ministries** and **State Departments**, streamlining the application and disbursement process.
- **PM-USP (PM Uchcharat Shiksha Protsahan) Yojana:** An umbrella scheme providing **full interest subsidies** on education loans for families earning up to **₹4.5 Lakh annually**, reducing the long-term debt burden on students.
- **PRAGATI & SAKSHAM (AICTE):** Targeted equity schemes where **Pragati** incentivizes girl students in technical education and **Saksham** provides specialized support for students with disabilities.
- **National Means-cum-Merit Scholarship (NMMSS):** Targets the **secondary level** (Class IX-XII) with **₹12,000 annually** to prevent dropouts, serving as a vital feeder for higher education.
- **Institutional Excellence –**
 - **Ashoka University:** Following a **need-sensitive admission process**, Ashoka evaluates a student's financial need independently of their academic merit. Currently, about **20% of their students receive a 100% scholarship**, ensuring talent isn't lost to poverty.
 - **Indian School of Business (ISB) Model:** ISB has created a robust **donor-supported ecosystem**. In their new **PGP-Young Leaders programme**, **40% of the founding class** is supported by **scholarships**.

Global Best Practices

- **United States:** Top universities use comprehensive, multi-year aid packages combining grants, work-study and loan waivers. **U.S. "Pell Grant" and Endowments:** **Ivy League universities** use massive **Endowment Funds** to provide "**Need-Blind**" admissions, ensuring that if you are good enough to get in, the university ensures you can afford to stay.

- **China:** China has successfully used **provincial and city-level scholarships** that are specifically aligned with **local development priorities**. If a city needs **more engineers** for its tech hub, the scholarships are funneled into those specific local institutions.
- **Brazil:** The **PROUNI programme** provides full and partial scholarships to low-income students in private institutions, demonstrating how government-private partnership can massively scale access.

Way Forward

- **Multi-Year Funding Security & Constitutional Anchoring:** Move from **annual renewals** to **guaranteed 3–5 year commitments** covering **total cost of attendance**. Enact a **National Scholarship Rights Act** that codifies entitlements based on **need and merit**, with **grievance redressal mechanisms** and **enforceable disbursal timelines**, shifting scholarships from **discretionary allocation** to **rights-based entitlement**.
- **Region-Specific & Aspiration-Linked Targeting:** Design scholarships around **institutional density** and **regional aspiration indices**, with dedicated pools for educationally backward districts in **Bihar, Jharkhand, Uttar Pradesh** and **northeastern states** enabling local talent to access higher education **without forced migration**.
- **Fiscal Architecture for Philanthropy:** Introduce **enhanced tax incentives** beyond Section 80G and establish a **National Education Endowment Fund** with **government seed capital** attracting **private matching funds** creating a **self-sustaining scholarship corpus** independent of annual budgetary cycles.
- **Holistic Support Ecosystems:** Mandate all scholarships above threshold value to include **mentorship, career guidance, digital skilling**, and **mental health resources** partnering with **NGOs, alumni networks**, and **industry mentors** to ensure complete student wellbeing, not merely tuition support.
- **Outcome-Linked Institutional Accountability & Emerging Skill Frontiers:** Reward institutions demonstrating high **graduation rates, employment outcomes**, and genuine **diversity** through National Assessment and Accreditation Council (**NAAC**) / National Institutional Ranking Framework (**NIRF**) **weightage**. Dedicate scholarship streams to **Artificial Intelligence, Climate Technology, Bioeconomy, Green Energy**, and **Advanced Manufacturing** — aligning financial inclusion with India's **knowledge economy competitiveness**.
- **Real-Time Scholarship Intelligence Systems:** Build a **National Scholarship Analytics Dashboard** tracking **enrolment-to-graduation trajectories**, identifying **at-risk students**, and generating **evidence for policy course-correction**, institutionalising the principle that **what gets measured gets managed, and what gets managed gets improved**.

Conclusion

Scholarships sit at the powerful intersection of **equity, quality, and national growth**, shaping who enters higher education, who persists, and ultimately, how India's vast reservoir of distributed talent is discovered and developed. Moving scholarships from the margins to the very centre of India's higher education strategy is not a narrow funding conversation, it is a decisive choice about what kind of nation India intends to become.

Q. Scholarships are not merely financial aid but instruments of social transformation. Elaborate with suitable examples. 15 Marks

1.1.2. ELECTORAL VITALITY: DECODING HIGH VOTER TURNOUT IN INDIA'S DEMOCRATIC FABRIC

Introduction

- Recently, India witnessed a powerful affirmation of its **democratic spirit like in Assam, Puducherry and Kerala** recorded some of the highest **voter turnouts** in their electoral history, reaffirming that citizens remain deeply engaged with the process of choosing their representatives.
- However, the same election cycle has surfaced critical questions about **electoral roll integrity**, potential **disenfranchisement** and the **delicate balance** between cleaning up voter lists and protecting every citizen's **right to vote**, concerns that democracy cannot afford to ignore.



Background: What Happened?

- Turnout Figures:** Puducherry led with **91.23% turnout**, a **historic high** followed by **Assam at 85.91% (all-time record)** and **Kerala at 78.27% (near-highest ever)**.
- Electoral Roll Revision** as context: Ahead of the elections, the **Election Commission of India (ECI)** undertook the **Special Intensive Revision (SIR)** of voter rolls. **Puducherry** saw a **7.5% reduction** in its electorate, **Kerala** saw a **3.2% reduction** and **Assam** (under a **Special Revision** linked to the **National Register of Citizens, NRC process**) saw a reduction of less than **1%**.
- ECI's Response:** **Chief Election Commissioner** hailed the high turnout as a '**historic testimony**' not only for India but for the entire democratic world, a statement that reflects **institutional pride** but also calls for deeper scrutiny of what drove these numbers.

Importance of Voting — Why Every Vote Matters

- Voting Legitimises Governance:** The principle of **popular sovereignty**, that state power derives from the consent of the governed is activated only through the act of voting.
 - According to the **International Institute for Democracy and Electoral Assistance (IDEA)**, countries with higher turnout levels tend to have stronger **public trust** in governmental institutions. When **Assam** recorded **85.91%**, it signalled **mass endorsement** of the democratic process itself, not just one party.
- Voting Ensures Inclusive Representation:** In democracies, low turnout among **marginalised groups** like women, migrants, tribal populations leads to **policy blind spots**.
 - In **Assam**, large numbers of **migrant workers** travelled back to their home constituencies to vote, a striking demonstration that **democratic participation** transcends economic compulsion. This mirrors global examples like **Belgium** and **Australia**, where **compulsory voting** ensures all social strata are represented.

- **High Turnout as a Check on Incumbency:** Voter participation acts as a **democratic audit mechanism**. In all three states, ruling parties claimed the high turnout as a **vote of confidence**, while opposition read it as a **surge for change**.
- This **interpretive contest** is healthy it means **voters**, not elites, hold the **decisive power**. India's **Article 326** guarantees **universal adult suffrage**, and every high-turnout election reinforces this **constitutional commitment**.
- **Turnout Reflects Civic Consciousness:** In **Kerala**, anecdotal evidence suggests that its **diaspora from West Asia** who typically return during election seasons could not travel this time due to the ongoing **war** in the region, yet turnout remained near-historic. This indicates that **domestic voters** stepped up in unprecedented numbers, reflecting deep **civic awareness**.
- **Voting as Resistance to Disenfranchisement:** Paradoxically, concerns about the **SIR process** potentially excluding genuine voters may have spurred many citizens to actively confirm their **registration** and vote.
- This is a **powerful dynamic**, the **threat of exclusion** deepened the sense of **ownership** over one's democratic right. India's voter turnout has risen from **45.7%** in **1952** to consistently above **65–70%** nationally in recent decades (**ECI data**), reflecting growing **democratic maturity**.

Challenges — When Democracy Is Undermined Despite High Turnout

- **Electoral Roll Shrinkage and Ghost of Disenfranchisement:** While eliminating **ghost voters** and **duplicate entries** is legitimate, the **SIR's aggressive purging**, **7.5%** of **Puducherry's** electorate and **3.2%** of **Kerala's**, risks removing **genuine voters**. A smaller **denominator** artificially **inflates the turnout percentage** without representing a real surge in participation. This is the danger of **'throwing the baby out with the bathwater'**.
- **NRC-Linked Anxieties in Assam:** In **Assam**, where the **National Register of Citizens (NRC)** process has already excluded approximately **19 lakh people** from citizenship (**2019 data, Supreme Court**), the ongoing **Special Revision** carries a particular emotional weight. For many, voting is not just a civic right but a desperate **assertion of belonging**. This creates electoral participation **driven by fear** rather than genuine democratic enthusiasm a qualitatively different form of turnout.
- **ECI Facing Institutional Credibility Issues:** The **ECI** has been facing criticism on multiple fronts like perceived **delays** in announcing election schedules, questions about **voter roll management**, and the implementation of the **SIR**. High turnout should not be used as a **shield** against these legitimate **institutional concerns**. **Democratic institutions** must be both functional and trusted.
- **Migrant Voter Exclusion:** While **Assam** saw migrants return, **Kerala's West Asian diaspora voters** were effectively excluded due to **geopolitical reasons**. India lacks a robust **overseas voting mechanism** unlike countries like **France** or **Estonia**, where **e-voting** and **proxy voting** are available for citizens abroad.
- The **Representation of the People Act, 1950** permits **overseas voter registration**, but **physical presence** for voting remains the dominant requirement a significant **structural gap**.

- **Money Power and Electoral Malpractices:** High turnout does not automatically mean **free and fair elections**. India's electoral landscape continues to grapple with **voter inducement, distribution of cash and goods, and intimidation** in pockets.
- The **ECI** seized over **₹10,000 crore** in cash and freebies during the **2024 General Elections (ECI data)**, a reminder that turnout statistics can coexist with compromised **electoral integrity**.
- **Delimitation and Women's Reservation upcoming tests:** The impending **Delimitation Exercise** and implementation of **33% Women's Reservation** in **Lok Sabha** and **State Assemblies (Constitution 106th Amendment Act, 2023)** carry risks of **partisan manipulation**. If boundaries are redrawn to **concentrate or dilute** voter groups, high turnout becomes meaningless as **representational distortion** undermines democratic outcomes.

Global Best Practices — What India Can Learn

- **Automatic Voter Registration (Canada, USA some states):** Nations like **Canada** automatically register citizens when they interact with **government services (e.g., getting a driving licence)**. This eliminates the risk of **accidental exclusion** during revision exercises. India could explore **[Aadhaar Redacted] linked automatic voter registration** with strong **privacy safeguards**.
- **Independent Election Commissions (South Africa, Sweden):** The **South African Electoral Commission** operates with **structural independence** backed by **multi-party parliamentary oversight**. India's **ECI**, while constitutionally independent, has faced questions about the **appointment process** of commissioners. The **Election Commission (Amendment) Act, 2023**, which changed the **selection panel**, remains contentious and warrants revisiting.
- **Remote and e-Voting for Diaspora (Estonia, France):** **Estonia** has offered **internet-based voting (i-voting)** since **2005**, enabling its global diaspora to participate without traveling home. Given India's massive migrant and overseas population over **13 million non-resident Indians (NRIs)** piloting **secure e-voting platforms** could dramatically expand democratic participation.
- **Civic Education Programmes (Finland, Japan):** **Finland** integrates **electoral literacy** into school curricula from an early age, ensuring young citizens understand not just the act of voting but the **systemic value of democracy**. India's **SVEEP (Systematic Voters' Education and Electoral Participation)** programme by **ECI** is a step in the right direction but needs deeper penetration in **rural and tribal areas**.

Way Forward — Building on the Momentum

1. **Reform the SIR process, Inclusion over Exclusion:** The **ECI** must adopt a principle of **presumption of validity** no voter should be deleted from the rolls without **proper notice**, adequate **time for objection**, and a clear **appeals process**. The use of **[Aadhaar Redacted] linked databases** for real-time verification can reduce **ghost entries** without mass deletions.
2. **Strengthen Constitutional Safeguards around Delimitation:** The upcoming **delimitation exercise** must be led by an **independent commission** with **multi-party representation, transparent methodology, and judicial review mechanisms**. Lessons from **gerrymandering** controversies in the **USA** should serve as a cautionary tale for India.

3. **Implement Women's Reservation with Equity in Mind:** The **33% Women's Reservation** must not merely shift numbers it must be paired with **capacity-building, political mentorship,** and **anti-proxy mechanisms** to ensure elected women exercise genuine **political agency** and are not **proxies** for male family members.
4. **Pilot Secure Overseas and Remote Voting:** India should constitute an **expert committee** to evaluate **e-voting pilots** for **NRIs** and **internal migrants** (especially seasonal labour migrants), learning from **Estonia's cybersecurity framework**. This would transform **structural exclusion** into **democratic inclusion**.
5. **Restore Trust in the ECI through Structural Reforms:** The **appointment process** for the **Chief Election Commissioner** and **Election Commissioners** must be insulated from **executive dominance**. A **collegium-style mechanism** with **judicial participation** as recommended by the **Supreme Court** in **Anoop Baranwal v. Union of India (2023)** should be reinstated.
6. **Scale up SVEEP and Electoral Literacy:** High turnout in three states must not breed **complacency**. **Electoral literacy camps, SVEEP initiatives** in schools and colleges, and media campaigns that explain the **consequences of low participation** especially in **apathetic urban electorates** should be scaled up nationally.

Conclusion

The record-breaking turnout in the 2026 polls serves as a powerful reminder that the Indian citizen views the **ballot box** as the ultimate tool for change and self-assertion. As the nation moves toward a new era of **delimitation and gender parity**, the focus must remain on making the electoral process more **inclusive, transparent, and accessible** to every single citizen.

Q. High voter turnout is a necessary but not sufficient condition for a healthy democracy. Critically examine in the context of electoral integrity and governance in India. 15 Marks

1.1.3. THE EXECUTIVE OFFICE WITHOUT A LIMIT

Introduction

- Recently a **historic milestone** was reached — the record for the **longest cumulative tenure** as the **head of an elected government** was surpassed, spanning **8,931 days** across State and Union levels.
- This has reignited a **critical constitutional debate**, while the ceremonial **President** is informally limited to **two terms**, the all-powerful **Prime Minister** faces no such restriction.
- This **asymmetry** raises urgent questions about **democratic accountability, institutional health** and the long-term vitality of the **Indian Republic**.



Core Imbalance: President vs Prime Minister

The Indian Constitution reflects a notable imbalance between its two highest executive offices. The President, a largely ceremonial figurehead under **Articles 52 to 62**, is guided not only by constitutional provisions but also by an informal yet widely respected **two-term convention**.

- In contrast, the **Prime Minister** whose office derives authority primarily from **Articles 74 and 75**, which provide for a **Council of Ministers** headed by the **Prime Minister** to aid and advise the **President** exercises the real executive power.
- Notably, while the **President's tenure** is formally limited to **five years** (with eligibility for re-election), no explicit constitutional limit is imposed on the tenure of the Prime Minister.
- As a result, the Prime Minister can continue in office indefinitely, so long as a **parliamentary majority** is maintained in the **Lok Sabha**, thereby reinforcing the asymmetry embedded within the constitutional framework.

A. The Presidential Convention

- **Governed by the Ivor Jennings Test:** The convention against a **third Presidential term** satisfies **three conditions** — a **precedent** must exist, **actors** must feel obliged to follow it, and a clear **constitutional reason** must underpin it. All three are met in India's Presidential practice.
- **Strong Moral Force without a Legal Bar:** **Article 57** allows unlimited Presidential re-election, yet no President since 1950 has attempted a third term. **Constitutional morality** has functioned as a **de facto term limit**.
- **Historical Record:** Only one President, Dr. Rajendra Prasad (1950–1962) have served two full terms. Since then, no individual has crossed this informal boundary.

B. The Prime Ministerial Reality

- **Unlimited Tenure by Design:** **Articles 74 and 75** establish the Prime Minister's office but place **no ceiling** on terms served. The only condition is **majority support** in the **Lok Sabha**.
- **The Power Paradox:** The office with **greater power** — commanding the Cabinet, controlling appointments, and directing policy — has the **fewer constraints**. This is not an accident of drafting; it was a **deliberate constitutional choice**.

KEY FACT: India has had **15 Prime Ministers** since **1947**. The longest serving have crossed two full **Lok Sabha terms**, yet not once has the Constitution been invoked to question this. This **silence** is the gap at the heart of this debate.

What the Framers of Indian Constitution Intended And Why It No Longer Holds

The decision to **exclude term limits** was deliberate. During the **Constituent Assembly debates (1946–1949)**, the framers argued that the **Prime Minister** already faces a far more **rigorous check** than a **periodic term limit** through **daily parliamentary accountability**. Over decades, this logic has been **structurally weakened**.

A. The Foundational Argument: Daily vs. Periodic Accountability

- **The Westminster Model as Blueprint:** India modelled its parliamentary system on the **British tradition**, where a **Prime Minister** remains in power only so long as the **legislature's confidence** is maintained. In theory, this provides a '**daily check**' on executive power.

- **Dr. B.R. Ambedkar's Distinction:** During the **Constituent Assembly debates**, it was argued that the Prime Minister faces not just **periodic assessment** through elections, but also **continuous assessment** through **parliamentary tools**, a far more **rigorous check** than a simple term limit.
- **The Three Accountability Instruments:** The framers envisioned three primary tools to **discipline the executive**: (a) **Questions and Supplementary Questions** in Parliament, (b) **Adjournment Motions and Calling Attention Notices**, and (c) **Votes of No-Confidence** in the **Lok Sabha**.

B. Why This Logic Has Been Weakened Over Time

The framers' optimism rested on certain assumptions about how **parliamentary democracy** would function. Over the decades, **structural changes** have eroded these very foundations.

- **Dominance of the Executive over the Legislature:** In practice, the **Prime Minister and Cabinet** who are drawn from the legislature often **control it**, rather than being held accountable by it. **Parliamentary sessions** are increasingly **shorter**, with less time for **meaningful scrutiny**.
- **Weakening of Coalition Accountability:** Ironically, even **coalition governments**, which once forced negotiation and compromise, have given way to **single-party dominance** that reduces **legislative bargaining power**.
- **Decline of Intra-Party Democracy:** Unlike the UK, where **internal party elections** are robust, **Indian political parties** tend to function as **highly centralized organizations**, with power **concentrated** in the **party leadership**.

The Anti-Defection Law — How Accountability Was Broken

The functional reality of **parliamentary accountability** was fundamentally altered by the **Fifty-Second Amendment** in 1985, which introduced the **Tenth Schedule** (Anti-Defection Law). Designed to stop **floor-crossing** and **political horse-trading**, it produced a powerful **unintended consequence**: it made it **legally impossible** for **legislators** to hold the **executive accountable**.

A. How the Anti-Defection Law Works

- **The Core Rule:** Any legislator who votes against the direction of their party whip or abstains without permission is liable to be disqualified from the House. The Speaker of the relevant House acts as the judge.
- **The Supreme Court's View:** In **Kihoto Hollohan v. Zachillhu (1992)**, the Supreme Court upheld the **Tenth Schedule** as **constitutionally valid** while the unintended effect on accountability was left unaddressed.
- **The Unintended Consequence:** The **no-confidence motion** intended as a rolling check on the executive has been rendered a **procedural formality** whenever the ruling party holds a working majority.

B. The Double Lock of Loyalty

The result is a two-layered system of enforced loyalty that makes executive accountability almost impossible from within the system:

- **Lock 1 — Legislators are bound to the Party:** The **Anti-Defection Law** prevents any **Member of Parliament** from **freely voting their conscience on confidence motions**, removing the legislature's power to discipline the executive.

- **Lock 2 — Parties are bound to the Leader:** The **absence of robust intra-party democracy in India** means that **party members cannot challenge or remove their own leader internally**. The leader becomes virtually irremovable from both inside and outside.

Analysis of Democratic Mandate: Limits of Electoral Legitimacy

The primary objection to term limits is powerful: if **voters repeatedly choose** the same leader, who is the Constitution to overrule them?

- **The Voter Sovereignty Case:** Repeated electoral endorsement reflects the **democratic will** of the majority. A term limit appears, at first glance, to be **paternalistic**.
- **Elections Carry Too Heavy a Burden:** When **parliamentary accountability** is broken, elections become the **only check** — an unrealistic burden for a single instrument to bear once every five years.
- **The Unequal Playing Field:** Incumbency compounds through **state resources, media access, and patronage networks**. A 'free choice' made on a **heavily tilted field** is not truly free.
- **Constitutional Safeguards are Not Anti-Democratic:** As **Fareed Zakaria** argues, 'without constitutional liberalism, democracy can produce **illiberal outcomes**.' Term limits are not constraints on democracy — they are its **architecture**.

Key Challenges Arising from Prolonged Incumbency

When **executive power** is concentrated in a single office without formal constraints, constitutional scholars identify **four compounding institutional risks** that threaten democratic health.

- **Control over Key Appointments:** A long-serving government shapes the **Election Commission, higher judiciary, the Comptroller and Auditor General (CAG), the Central Vigilance Commission (CVC),** and central **investigative agencies** over time. Each appointment collectively **tilts the institutional landscape**.
- **Domination of the Information Environment:** Extended incumbency allows the government to regulate **media licensing, advertising flows, and digital platforms** — gradually skewing the information environment in its favour.
- **Incremental Institutional Decay:** In their influential work '**How to Save a Constitutional Democracy**' (2018), legal scholars **Tom Ginsburg and Aziz Huq** argue that democratic decline rarely happens through a single dramatic coup — it happens through the slow, incremental erosion of institutions, each individually defensible, but collectively devastating.
- **Bureaucratic Realignment:** Over time, the **civil service** aligns with a single leadership style. Senior officials begin to prioritize **political loyalty** over institutional neutrality.
- **Normalizing Concentration:** Over time, **citizens and institutions** begin to treat the concentration of power as normal. Checks that were once robust become vestigial. The absence of formal term limits accelerates this normalization.
- **The 'Boiling Frog' Effect:** Institutional decay under long tenures often goes unnoticed until it reaches a critical threshold — by which point, reversing it requires extraordinary political will.

Global Best Practices — How Other Democracies Manage Power

India is a **global outlier** among large democracies in having no formal or conventional limit on prime ministerial tenure. The **global consensus** is clear: **unlimited executive power** carries structural risks.

A. Presidential Republics with Formal Term Limits

- **United States, Two Terms (22nd Amendment, 1951):** Following **Franklin D. Roosevelt's** four consecutive terms, the US constitutionally limited presidents to **two four-year terms**.
- **South Korea, Single Non-Renewable 5-Year Term:** One of the world's **strictest term limit systems**, designed explicitly to prevent **incumbency abuse**.
- **Brazil, Indonesia, Colombia:** All three large democracies impose formal **two-term or single-term limits**, responding to historical experiences of **executive overreach**.

B. Parliamentary Systems and Internal Accountability

- **UK, Australia, Canada, Internal Party as the Check:** Westminster systems without formal term limits rely on robust **internal party democracy** to remove leaders — a mechanism absent in India's **centralised party culture**.

Why India is Different: India combines **no term limits** with **no intra-party democracy** and an **Anti-Defection Law** that blocks legislative accountability. This **triple absence** makes India's situation far more consequential.

Way Forward — Restoring the Balance of Constitutional Power

- **Reform the Tenth Schedule (Anti-Defection Law):** Votes on **confidence and no-confidence motions** should be exempted from disqualification provisions, so that MPs can exercise **independent judgment** without fear of losing their seats. This would restore true **parliamentary accountability**, ensuring that governments must genuinely retain majority support rather than rely on party compulsion.
- **Introduce Term Limits for Executive Leaders:** A constitutional provision for a **two-consecutive-term limit** for the **Prime Minister and Chief Ministers**, along with a **cooling-off period**, would promote **leadership rotation** and prevent excessive concentration of power. This balances the need for **experience** with the principle of **democratic renewal**.
- **Strengthen Intra-Party Democracy:** The **Representation of the People Act, 1951** should be amended to mandate regular **internal elections** within political parties, supervised by the **Election Commission**. This would reduce **centralised leadership control** and enable party members to democratically choose their leaders.
- **Ensure Transparency in Political Parties:** Political parties should be required to publicly disclose **leadership tenure**, results of **internal elections**, and their **decision-making structures**. Such transparency would enhance **public trust**, enable **informed voting**, and improve internal **accountability**.
- **Revive Parliamentary Functioning:** Introducing **minimum sitting days** for Parliament and empowering **Departmental Standing Committees** would strengthen **legislative oversight**. Better-resourced committees and mandatory consideration of their reports would ensure more effective **executive scrutiny**.

- **Promote Constitutional Morality:** Greater emphasis must be placed on **constitutional morality**, as highlighted by **Dr. B.R. Ambedkar**, encouraging all institutions to uphold not just the **letter** but also the **spirit of the Constitution**. This would ensure that power is exercised as a **public trust**, reinforcing long-term democratic stability.

Conclusion

The milestone of **8,931 days** is a constitutional wake-up call for **India** to fix the power gap between a restricted President and an unrestricted Prime Minister. Ultimately, the strength of the Republic depends on ensuring that every leader in **India** remains subject to **institutional accountability**, no matter how popular they may be.

"Constitutional morality is not a natural sentiment. It has to be cultivated. Democracy in India is only a top dressing on an Indian soil, which is essentially undemocratic." — **Dr. B.R. Ambedkar**

Q. The absence of term limits for the Prime Minister, combined with weakened parliamentary accountability, creates a structural imbalance in India's constitutional framework. Critically examine. 15 Marks

1.1.4. EVOLUTION OF IDENTITY: EXAMINING THE RENAMING OF KERALA TO KERALAM

Introduction

The Union Government's recent approval of the proposal to rename **Kerala** as **Keralam** has prompted a significant re-examination of the term's **historicity**. This development touches upon foundational myths, the legacy of the **United Kerala Movement**, and the contemporary drive for **linguistic purity**.



Evolution of Identity: From 'Kerala' to 'Keralam'

The transition from *Kerala* to *Keralam* reflects a **historical continuum shaped by mythology, linguistic evolution, and political processes**, rather than a mere change in nomenclature. It represents how identity has been **constructed and reinterpreted over time**.

I. Ancient Foundations: Mythology & Early Evidence

1. Mythological Origins

- As per *Keralolpatti*, Parasurama is believed to have created the land by reclaiming it from the sea.
- The region was mythically described as stretching from Gokarnam to Kanyakumari.
- Importantly, both '*Kerala*' and '*Keralam*' appear **interchangeably in these texts**, indicating that neither term had exclusive historical primacy.

2. Linguistic & Historical Roots

- The name is derived from '*Keram*' (coconut tree), symbolising the region as the "land of coconut trees."

- Hermann Gundert's Malayalam dictionary (1872) treats both *Kerala* and *Keralam* as equally valid forms.
- The Ashokan Edicts refer to *Keralaputra*, confirming the **ancient usage and historical legitimacy** of the term "Kerala".

II. Pre-1956 Phase: Fragmented Political Identity

1. Political Structure

Before independence, the region was not unified but divided into:

- Travancore
- Cochin
- Malabar (under British rule)

Thus, *Kerala as a single political entity did not exist.*

2. Linguistic & Social Complexity

- Travancore had a **significant Tamil-speaking population**, especially in southern regions.
- The rise of **Malayali identity politics** was driven by the need to assert linguistic and cultural dominance in administration and society.
- Social hierarchies (e.g., Pattars vs Namboodiris) further influenced identity formation and group distinctions.

3. Uncertain Post-Independence Future

- Under C. P. Ramaswamy Aiyar, Travancore even considered remaining an **independent state in 1947**.
- This claim was justified on the basis of its **historical autonomy from Mughal and European conquest**, reflecting a fragmented and uncertain political future.

III. Aikya Kerala Movement: Linguistic Nationhood

1. Language as the Basis

- The Aikya Kerala Movement emphasized **Malayalam linguistic unity as the foundation of statehood**, rather than mythological or historical geography.
- Identity thus became **people-centric and language-driven**.

2. Flexible Terminology

- Both '*Aikya Kerala*' and '*Aikya Keralam*' were used interchangeably in discourse, indicating that **the naming issue was not politically contentious** at the time.

3. Pragmatic Territorial Decisions

- Despite mythological claims, **Kanyakumari was excluded** due to its predominantly Tamil-speaking population.
- This highlights a **pragmatic and modern approach to identity formation**, prioritising linguistic homogeneity over tradition.

4. Constitutional Outcome

- The States Reorganisation Act, 1956 formally created the state.
- The Constitution adopted the name "*Kerala*", which continues to be central to present debates on renaming.

IV. Modern Integration: Shared Political Consciousness

1. Cross-Regional Unity

- Anti-colonial struggles, resistance to external dominance, and the rise of **nationalism and communism** helped bridge divisions between Travancore, Cochin, and Malabar.
- These forces fostered a **shared regional consciousness**.

2. Political Mobilisation

- Political movements and grassroots mobilisation in different regions gradually **overcame earlier fragmentation**.
- This led to the consolidation of a broader **Malayali identity cutting across historical boundaries**.

Constitutional Procedure: How a State is Renamed in India

The renaming of a state in India is a **structured constitutional exercise** governed by **Article 3** of the Indian Constitution, which empowers **Parliament** to alter the **name, area, or boundaries** of any state.

- **Initiation by the state legislature:** A **formal resolution** proposing the name change is **passed by the State Legislative Assembly** and forwarded to the **Union Government**.
- **Scrutiny by the Ministry of Home Affairs (MHA):** The **MHA examines the proposal** and seeks '**No Objection Certificates**' from relevant central agencies, including the **Intelligence Bureau, Department of Posts** and the **Survey of India**.
- **Presidential referral to the state legislature:** The **President of India refers the bill** to the concerned state legislature for its **views**. These views are **advisory and not binding** on Parliament.
- **Parliamentary approval by simple majority:** A bill is introduced in Parliament and passed by a **simple majority** in both houses. **No special majority** or ratification by other states is required making state renaming a **relatively straightforward legislative exercise**.
- **Presidential assent and constitutional amendment:** **Presidential assent** is obtained, and the **First Schedule** of the Constitution is formally amended to reflect the new name.
- **Administrative updation by the state:** The **state machinery** undertakes **consequential updates** to **official seals, gazetteers, digital databases, legal documents, educational materials, and public signage**.

Implications of Renaming Kerala to Keralam

The proposal to transition from the Anglicized '**Kerala**' to the phonetically native '**Keralam**' carries profound consequences.

1. Positive Implications: Cultural and Linguistic Reassertion

- **Linguistic Purity and Authenticity:** The primary driver is to align the official English name with the **native Malayalam pronunciation**. It honors the **Dravidian linguistic identity** by utilizing the suffix '-am', which is intrinsic to the language's phonetic structure.
- **Decolonization of Nomenclature:** Rebranding the state as **Keralam** is seen as an act of **cultural decolonization**. It moves away from **Anglicized versions** imposed or popularized during the colonial era, asserting **indigenous sovereignty** over the state's naming conventions.

- **Strengthening Regional Pride:** By adopting the name used by the people in their mother tongue, the government fosters a deeper sense of **regional belonging** and **Malayali identity**. It reinforces the spirit of the **1956 linguistic reorganization** of states.
 - **Symbolic Unity:** It bridges the gap between the **Official Language (Malayalam)** and the **Constitutional Identity** of the state. This creates a uniform identity across local, national, and international platforms.
- 2. Negative Implications: Administrative and Fiscal Constraints**
- **Massive Fiscal Burden:** Renaming a state is an expensive undertaking. Estimates suggest the cost could run into **hundreds of crores of rupees**. This includes updating **land records, identity cards** (Aadhaar, Voter IDs, Passports), **government stationery** and **departmental seals**.
 - **Logistical and Bureaucratic Disruption:** A comprehensive update is required across **digital databases** and **national registries**. Coordination with central ministries (Railways, Posts, Civil Aviation) is mandatory to rename **railway stations, postal codes** and **airport codes**, which can lead to temporary **procedural confusion**.
 - **Brand Equity and Global Recognition:** 'Kerala' is a high-value **global brand**, particularly in the **Tourism (God's Own Country)** and **Ayurveda** sectors. Transitioning to 'Keralam' internationally risks **brand dilution**. A significant marketing budget would be required to ensure the global audience recognizes 'Keralam' as the same entity.
 - **Historical Ambiguity:** Critics point out that since both 'Kerala' and 'Keralam' appear **interchangeably** in ancient texts like the *Keralolpatti* and the **Ashokan Edicts**, the claim of one being "more authentic" than the other is subject to **academic debate**.
 - **Socio-Political Integration of Minorities:** A critical socio-political implication involves the **integration of linguistic minorities**. While the change celebrates **Malayalam purity**, the state faces the challenge of ensuring it does not inadvertently signal **linguistic majoritarianism**.

Global Lessons: How Other Nations Have Managed Renaming

The transition of a state's name is often a part of a larger global trend where nations seek to reclaim **cultural identity** and move away from **colonial or external labels**.

- **Turkey to Türkiye (2022):** The change was pursued to better reflect **national cultural identity** in global forums and to remove **unflattering English-language connotations**. It required a **dedicated United Nations referral** and a **sustained international communication campaign** to normalise the new name globally.
- **Swaziland to Eswatini (2018):** The **pre-colonial indigenous name** was restored as a **sovereign act of post-colonial cultural reclamation**. The change was broadly regarded as a **successful assertion of national identity** and was smoothly absorbed into international usage.
- **India's Renaming Precedents:** The renaming of **Orissa to Odisha (2011)**, **Uttaranchal to Uttarakhand (2006)**, and **Pondicherry to Puducherry (2006)** exemplifies India's successful constitutional transitions driven by **cultural and linguistic authenticity**.
 - Similarly, the urban rebranding of **Bombay to Mumbai (1995)**, **Madras to Chennai (1996)** and **Calcutta to Kolkata (2001)** demonstrates that while **administrative adjustment** requires

sustained effort, **indigenous names** can be effectively normalized both nationally and internationally.

- **Key Lesson from Global Practice:** Successful renaming requires **broad social consensus**, a **clear and defensible cultural rationale**, and a **well-planned administrative and communications transition** not simply the **political majority** to pass legislation.

Way Forward: A Strategic and Responsible Roadmap

- **Anchor Renaming in Broad Consensus:** Any proposal to **rename a state** must be preceded by **meaningful consultation** with political parties, linguistic minorities, civil society, and local bodies, ensuring that the move reflects **widespread social acceptance** rather than **narrow partisan interest**, while still respecting the **final authority of Parliament under Article 3**.
- **Strengthen Institutional Implementation:** A **central–state joint mechanism** should oversee a phased, cost-efficient update of legal records, databases, transport and postal codes, so that administrative disruption is minimised and the process remains **fiscally sustainable**.
- **Frame Renaming as Inclusive Federalism:** Renaming should be positioned as part of **linguistic federalism and cultural decolonisation**, but must explicitly reassure **linguistic minorities** that their identity and rights will not be compromised by the shift towards a dominant regional language.
- **Protect Brand Equity and Global Image:** A **pre-renaming impact assessment** must be conducted on tourism, investment, and international perception, followed by a **coordinated branding and communication strategy** to retain the existing positive image of the old name while gradually establishing the new official form abroad.
- **Embed in Education and Public Awareness:** State-level identity and naming changes should be integrated into **school and higher-education curricula**, using history, linguistics, and federalism to explain evolving regional identities and avoid treating the new name as a myth-based absolute truth.
- **Establish Transparent Norms for Future Renaming:** The Centre should develop **clear, non-partisan criteria** for renaming states covering linguistic-historical legitimacy, minority impact, and administrative feasibility and institutionalise **advisory review mechanisms** so that future changes are rights-based and not driven purely by short-term political symbolism.

Conclusion

The renaming of **Kerala to Keralam** reflects a living democracy's capacity to renegotiate its identity, yet the historical record confirms that both terms carry **equal legitimacy** across ancient myths, edicts, and the political movements that founded the state. Ultimately, this transition must be guided by **genuine cultural grounding** and **inclusive implementation** rather than a selective reading of history, ensuring the renaming of a people's home upholds the **quality of democratic consensus**.

Q. Identity-driven changes like state renaming can test the stability of India's federal structure by encouraging similar demands. Critically examine. 15 Marks

1.1.5. CUSTODIAL VIOLENCE IN INDIA: A SYSTEMIC RECKONING

Context

The recent conviction in the Sattankulam Custodial Death Case, where multiple police personnel were held guilty based on strong forensic and testimonial evidence, marks a significant moment of judicial accountability. It not only exposes deep-rooted systemic failures in policing and oversight but also reinforces the role of the judiciary in upholding constitutional rights and deterring abuse of authority.



What is Custodial Violence?

Custodial violence refers to any form of physical or psychological harm inflicted upon a person under police or judicial custody. It includes:

- Physical torture such as beatings and assault
- Psychological abuse including intimidation and humiliation
- Sexual violence
- Custodial deaths

Such practices are often justified by erring officials as necessary for extracting confessions or maintaining discipline, despite being illegal and violative of fundamental rights.

Historical Background

Custodial violence in India is deeply rooted in its historical evolution, reflecting continuity rather than rupture across different eras.

1. Ancient India

Texts like the Arthashastra by Kautilya describe severe punitive measures such as mutilation, burning, and even execution through animal attacks. Punishment was often deterrent-oriented, with limited concern for individual rights.

2. Medieval Period

During the Mughal era, justice was influenced by Islamic jurisprudence (Shariat law). Corporal punishments, including flogging and physical coercion, were commonly used as tools of enforcement, reflecting a continuation of harsh penal practices.

3. British Colonial Period

The colonial state institutionalised coercive policing:

- The Police Act of 1861 created a force designed primarily for **repression and control**, not public service.
- Political prisoners and ordinary detainees were frequently subjected to beatings, starvation, and brutal punishments.
- The Prisons Act of 1894 granted wide discretionary powers to jail authorities, many of which continue to shape prison administration today.

This period entrenched a culture of authority without accountability.

4. Post-Independence Period

After 1947, India largely retained its colonial policing and prison structures:

- Limited reforms in policing and prison administration
- Persistence of coercive and hierarchical mindset
- Weak accountability mechanisms and outdated laws

Despite constitutional guarantees, custodial violence continued due to systemic inertia and lack of institutional modernization.

Legal and Constitutional Safeguards

1. Constitutional Provisions

- **Article 21:** Right to life and personal liberty
- **Article 20(3):** Protection against self-incrimination
- **Article 22:** Safeguards against arbitrary arrest

2. Judicial Safeguards

- D.K. Basu v. State of West Bengal: Guidelines for arrest and detention
- Nilabati Behera v. State of Orissa: Compensation jurisprudence

3. Statutory Safeguards

- IPC provisions on assault and homicide
- CrPC safeguards during arrest
- Evidence Act invalidating coerced confessions

Consequences of Custodial Violence

1. Human Rights Violations

Custodial violence directly violates fundamental rights like life, dignity, and protection from torture guaranteed under the Constitution.

It reflects a failure of the state to uphold basic human values and constitutional morality.

2. Erosion of Trust

When police misuse power, people begin to fear law enforcement instead of trusting it for protection.

This weakens public faith in both the police and the judiciary, harming the justice delivery system.

3. Miscarriage of Justice

Torture often forces accused persons to give false confessions just to escape pain. This can lead to innocent people being punished while the real culprits remain free.

4. International Image

Frequent cases of custodial violence damage India's reputation as a democratic nation committed to human rights.

It raises concerns globally, especially in relation to commitments under the United Nations Convention Against Torture.

Challenges in Addressing Custodial Violence

1. Poor Implementation of Reforms

Despite clear directions in *Prakash Singh v. Union of India*, many states have not fully implemented police reforms.

This leads to continued political interference and lack of accountability in policing.

2. Lack of Training and Forensic Capacity

Police often rely on outdated interrogation methods due to inadequate training in scientific investigation techniques.

Limited forensic infrastructure further encourages dependence on coercion rather than evidence-based policing.

3. Weak Enforcement of Safeguards like CCTV

Although courts have mandated CCTV installation in police stations, implementation remains incomplete or ineffective.

This reduces transparency and makes it difficult to monitor or prove instances of custodial abuse.

4. Judicial Delays and Witness Intimidation

Slow legal processes delay justice, weakening deterrence against custodial violence. Victims and witnesses often face threats, discouraging them from testifying and weakening prosecution cases.

Global Perspective on Custodial Violence

1. International Norms set by the United Nations

The UN has developed global human rights standards to prevent torture and protect individuals in custody.

Many countries align their domestic laws with these norms to ensure humane treatment of detainees.

2. United Nations Convention Against Torture Framework

UNCAT provides a legal framework to prohibit torture and mandates strict punishment for offenders.

Countries like United Kingdom and France have incorporated anti-torture provisions into their legal systems in line with UNCAT.

3. Practices in Developed Democracies

Developed nations focus on accountability, transparency, and technology in policing:

- United States: Use of body cameras, Miranda rights, and strong judicial oversight to prevent coercion.
- United Kingdom: Independent bodies like the Independent Office for Police Conduct investigate police misconduct.

- Japan: Emphasis on confession regulation, video recording of interrogations, and strict procedural safeguards.

Way Forward

1. Police Reforms: Implement reforms from *Prakash Singh v. Union of India* to reduce political interference. Separating investigation from law-and-order duties ensures professionalism and accountability.
2. Legal Reforms: A dedicated anti-torture law will clearly define and punish custodial violence. Ratifying the United Nations Convention Against Torture will align India with global standards.
3. Technological Measures: CCTV and body cameras increase transparency and act as deterrents against abuse. They also provide reliable evidence in case of allegations.
4. Strengthening Oversight: Independent complaints authorities can ensure impartial investigation of police misconduct. Empowering bodies like the National Human Rights Commission improve accountability.
5. Judicial Vigilance: Courts must carefully scrutinise arrests and remand procedures to prevent abuse. Strict action against negligent officials will strengthen deterrence.
6. Capacity Building: Training in scientific investigation reduces reliance on coercion. Human rights sensitisation promotes ethical policing practices.
7. Community Policing: Building trust between police and citizens improves cooperation and transparency. It shifts policing from a force-based approach to a service-oriented one.

Conclusion

Custodial violence is not merely a breakdown of law enforcement but a deeper crisis of constitutional morality, where the State risks turning from protector to violator of rights. The Sattankulam Custodial Death Case shows that accountability is possible when institutions act with courage and integrity, but such moments must become the norm rather than exceptions.

India must shift to a humane, rights-based policing model where power is restrained, transparency is ensured, and dignity and justice are truly upheld.

Q. Custodial violence is a relic of colonial policing that continues to undermine the constitutional morality of modern India. In light of recent judicial developments, discuss the systemic challenges in eradicating custodial torture and suggest comprehensive reforms to transition from 'force-based' to 'rights-based' policing. 15 Marks

2.1. ECONOMY

2.1.1. THERMAL CRISIS IN INDIA'S TEXTILE SURGE

Introduction

- India's textile sector is witnessing a **historic surge** in global orders as buyers shift from politically unstable hubs such as **Bangladesh**, making the country a preferred manufacturing destination under the **Make in India** initiative.
- Yet this boom is now colliding with a **harsh biological and mechanical reality: extreme heat stress** that is **quietly crippling** worker productivity, factory output, and long-term industrial competitiveness.



Overview of India's Textile Industry

The **textile sector** is a **cornerstone of the Indian economy**, acting as a **bridge** between **agriculture and industrialization**. Its scale and reach are reflected in the following data points:

- **Economic Contribution and GDP Share:** The industry contributes approximately **2.3% to India's GDP**, accounts for **13% of total industrial production**, and contributes **12% to the national export basket**.
 - In the 2023-24 fiscal year, India exported textile items worth **\$34.4 billion**, with apparel constituting **42% of the export basket**.
- **Global Standing and Production Capacity:** India is currently the **world's 6th largest exporter** of textiles and apparel and the **2nd largest producer and consumer of cotton and silk** globally.
 - The country is unique in producing **all four commercial varieties of silk Mulberry, Tasar, Muga, and Eri**—producing a total of **38,913 MT** in 2023-24.
- **Employment and Market Scale:** It is the **second-largest employment generator** after **agriculture**, providing direct livelihoods to over **45 million people**, including many women and the rural population.
 - The market size is projected to reach **\$350 billion by 2030**, a significant leap from the current **\$174 billion**.
- **Role of MSMEs:** Nearly **80% of the industry's capacity** is spread across **Micro, Small, and Medium Enterprises (MSME)** clusters, emphasizing the inclusive nature of the sector.
- **Global Showcasing:** Events like **Bharat Tex 2024** underlined India's ambition, attracting over 1,20,000 visitors from 120+ countries and showcasing the entire value chain from farm to fashion.

Importance of the India's Textile Industry

The textile industry is not merely a commercial entity but a vital tool for socio-economic transformation in India:

- **Employment Engine:** The textile industry serves as a powerful engine for inclusive growth, generating massive employment for **rural youth, women, and MSMEs** while driving foreign exchange earnings and regional development in states like **Tamil Nadu, Karnataka, Maharashtra, and Gujarat**.
- **Export Earnings and Foreign Exchange:** Contributes significantly to **India's export basket**, strengthening the **external sector**.
- **Inclusive Growth through MSMEs:** The dominance of MSMEs ensures **regional spread of industrialisation** and **balanced development**.
- **Linkages with Agriculture:** Supports farmers engaged in **cotton, silk, and jute production**, ensuring **income diversification**.
- **Strategic Role in Global Supply Chains:** India is emerging as a **reliable alternative manufacturing hub**, enhancing its **geopolitical and economic importance**.
- **Alignment with National Missions:** The sector is perfectly aligned with the **"Make in India," "Skill India,"** and **"Atal Innovation"** missions, serving as a laboratory for domestic manufacturing excellence.

Challenges Faced by the India's Textile Industry

Despite the growth, a **"mechanical and biological reality"** is crippling industrial heartlands. The surge in orders from global buyers shifting away from unstable hubs like Bangladesh is hitting a wall of extreme heat.

1. Heat Stress and Productivity Loss

- **Extreme heat is leading to a biological slowdown in human labour capacity**, directly affecting productivity and efficiency.
- Scientific evidence shows that **at temperatures of 33–34°C, worker productivity declines by nearly 50%**, as the human body reduces physical effort to prevent overheating.
- In many textile units, **indoor temperatures frequently exceed 35–40°C**, which is far above safe and permissible working conditions.
- **India has already suffered massive losses:**
 - Around **259 billion labour hours annually (2001–2020)** due to heat stress.
 - This translates into an economic loss of nearly **\$600 billion per year**.
- **Future projections** indicate that by **2030, India may lose 5.8% of total working hours**, which is equivalent to **34 million full-time jobs**, highlighting the scale of the crisis.

2. Impact on Workers (Human Cost)

- **Workers bear the direct and disproportionate burden of heat stress**, especially those in informal and low-income segments.
- They experience:
 - **Loss of wages due to reduced work capacity**, as productivity declines in extreme heat.
 - **Absence of cooling breaks, paid sick leave or social security**, making them highly vulnerable.
- Health risks are severe and long-term, including:

- **Heatstroke and exhaustion**
- **Dehydration and fatigue**
- **Kidney-related illnesses and chronic health conditions**
- Heat stress effectively acts as a “**regressive tax on the poor**”, where **economically weaker workers absorb the highest costs of climate change**.

3. Industrial and Production Disruptions

- Extreme heat is not only affecting workers but also **disrupting industrial operations and output levels**.
- Factories report:
 - **Up to 50% decline in production capacity** during peak heat conditions.
 - In several cases, **working hours are reduced to 4–5 hours per day** due to unsafe conditions.
- Industrial machinery is also impacted:
 - **Overheating of equipment leads to breakdowns**
 - **Frequent shutdowns and technical failures disrupt production cycles**
- As a result, there is a **breakdown of tight production schedules**, reducing reliability in supply chains and affecting export commitments.

4. Supply Chain Pressures and Global Inequality

- Global textile supply chains are governed by **strict deadlines and heavy financial penalties for delays**, imposed by international brands.
- Factory owners are caught in a difficult situation:
 - Either **push workers beyond safe physiological limits to meet deadlines or face financial losses due to delayed shipments**.
 - At the same time, global brands often:
 - **Shift sourcing to other countries like Vietnam and Mexico**.
 - **Avoid sharing the cost of climate adaptation**.
- This creates an unequal system where:
 - **Risks are transferred downward to MSMEs and workers**.
 - While global firms remain insulated from climate-related disruptions.

5. Climate Change as a Structural Economic Risk

- Heat stress is no longer a short-term or seasonal issue; it has become a **systemic and long-term constraint on economic growth**.
- It creates a “**thermodynamic bottleneck**”, where production is limited by **human physiological capacity and environmental conditions**.
- Studies indicate that there is a **2% decline in annual economic output for every 1°C rise in temperature**.

- This shows that climate change is directly affecting **industrial productivity, competitiveness, and long-term growth prospects**.

6. Financial and Institutional Constraints

- A large part of the textile sector, especially MSMEs, faces **serious financial limitations**.
- **Key issues include:**
 - **Lack of capital to invest in cooling infrastructure**, ventilation systems, and heat-resistant technologies.
 - **Limited bargaining power in global supply chains**, restricting their ability to renegotiate contracts.
- Additionally, financial institutions **do not adequately incorporate climate risks into lending and credit decisions**, which limits investments in **climate adaptation measures**.

7. Labour and Regulatory Gaps

- Existing labour laws in India are **not adequately equipped to deal with heat stress and climate-related workplace risks**.
- There is a clear absence of:
 - **Enforceable temperature thresholds for workplaces**
 - **Mandatory rest breaks and cooling provisions**
 - **Guaranteed access to drinking water and shaded areas**
- As a result, **worker safety and health are often compromised**, especially in informal and unregulated units.

Major Government Initiatives for India's Textile Modernization

The Government of India has launched several flagship schemes to modernize the textile sector in India and address its structural challenges:

- **PM MITRA (Mega Integrated Textile Region and Apparel) Parks:** With a budget of **₹4,445 crore**, seven parks are being established to provide **integrated industrial infrastructure**, reducing logistics costs and increasing FDI.
- **Production Linked Incentive (PLI) Scheme:** An outlay of **₹10,683 crore** aims to increase manufacturing in **Man-Made Fibre (MMF)** and technical textiles.
- **Technology and Skill Development**
 - **ATUFS (Amended Technology Upgradation Fund Scheme):** A budget of **₹17,822 crore** supports capital investment in technology for MSMEs.
 - **Samarth Scheme:** Focuses on skill training, having already trained over **3.82 lakh beneficiaries** with a 77% placement rate.
- **Sector-Specific Missions**
 - **National Technical Textiles Mission (NTTM):** A **₹1,480 crore** mission to position India as a global leader in high-tech specialty fibres.

- **Kasturi Cotton Bharat:** A programme focused on the **branding and traceability** of Indian cotton using Blockchain technology.
- **Silk Samagra and Jute-ICARE:** Schemes dedicated to improving the quality and productivity of silk and jute through research and development.
- **Trade Agreements:** Additional measures include **Rebate of State and Central Taxes and Levies (RoSCTL) rebate, 14 Free Trade Agreements (FTAs)**, including recent ones with the **UAE and Australia**, to provide duty-free market access for Indian textiles.
- **Budget Push: Union Budget 2025-26** allocated **₹5,272 crore** to the **Ministry of Textiles (19% increase)**, introducing **duty exemptions** on shuttle-less looms, customs duty hikes on knitted fabrics to curb cheap imports, and the **five-year Cotton Mission** for higher productivity.

Way Forward: Transitioning to a Climate-Smart Supply Chain

To sustain long-term growth, India must shift from **labour-exploitative, climate-blind production** to a **climate-resilient and worker-centric textile model**. A systemic transformation is required:

- **Recognising Heat Stress as an Economic Risk:** Heat stress must be treated as a **core economic and supply chain risk**, and integrated into **industrial policies, trade agreements, and export strategies** to ensure sustainability and competitiveness.
- **Mandatory Heat Action Plans:** Industrial units must enforce **temperature thresholds (around 30°C), cooling breaks, and flexible shifts**, supported by **real-time heat monitoring systems** to protect worker productivity and health.
- **Climate-Sensitive Financing:** Banks should **incorporate climate risks into lending decisions**, while the government must provide **subsidised credit for cooling infrastructure, water systems, and heat-resilient technologies**.
- **Strengthening Labour Protection Framework:** Labour laws must include **explicit heat stress provisions**, ensuring **safe working conditions, access to water, shaded rest areas, and mandatory rest breaks** for workers.
- **Promoting Technological Innovation:** Investment should focus on **wearable cooling devices, energy-efficient factory designs, and heat-resistant cotton varieties** to reduce climate vulnerability.
- **Ensuring Accountability of Global Brands:** International buyers must adopt **fair pricing and flexible delivery timelines**, sharing the **cost of climate adaptation** to create an equitable supply chain.
- **Climate-Resilient Industrial Planning:** Development of **green textile clusters, improved ventilation systems, and heat-resilient infrastructure** is essential for sustainable industrial growth.
- **Strengthening Data, Research, and Collaboration:** Policymaking must rely on **real-time heat data and research**, with stronger collaboration between **government, industry and academic institutions**.

Conclusion

The Indian textile industry's path to becoming a **\$350 billion economy** must be paved with climate-resilient infrastructure and robust labor protections. By integrating worker welfare, technological innovation, and global responsibility into its growth strategy, the nation can secure both economic prosperity and the well-being of millions who power its textile dream.

Q. *Climate change is emerging as a structural constraint on labor-intensive industries in India. Examine this statement in the context of the India's textile industry. 15 Marks*

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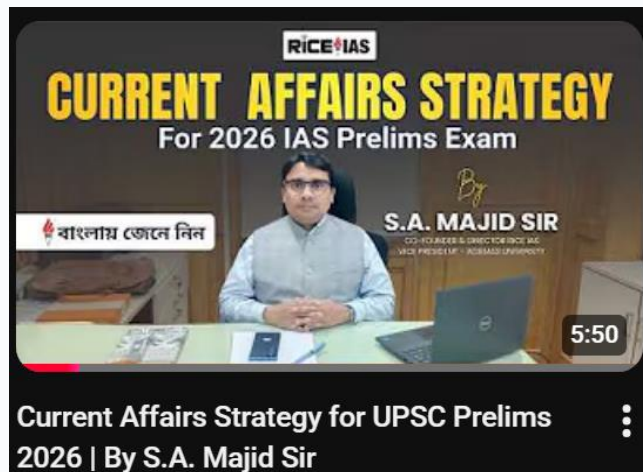
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