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EDITORIAL ANALYSIS



MARCH 19



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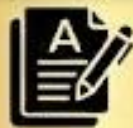
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NCERT book ban, a chapter on judicial transparency

Max Boot, former Features Editor of *The Wall Street Journal*, authored the seminal study on the United States judiciary, 'Out of Order: Arrogance, Corruption, and Incompetence on the Bench' (1998). Robert H. Bork, former Solicitor General of the United States, wrote the foreword to it with a striking conclusion – "Our Courts are behaving badly and the public, to the degree it can be brought to understand that, will exert force for reform, a reform that must be structural as well as intellectual and moral."

He observed that the book's subtitle sums up a system in distress. The book underscores the critical role that the media and citizens must play while dealing with the judicial institution in a democracy.

In February this year, the Supreme Court of India, faulting what it felt as selective reference to corruption within the judiciary, directed "a complete blanket ban" on a Class eight social science textbook published by the National Council of Educational Research and Training (NCERT). The three-judge Bench, presided over by the Chief Justice of India, further alluded to "an underlying agenda to undermine the institutional authority and demean the dignity of the judiciary".

The Court subsequently ordered that the persons responsible for preparing the passages should be 'disassociated' from future projects by governments and public universities. The Court thus instantly punished them, without due process or hearing. The prohibition by the Court is problematic as it sends critical signals about the shape of India's democracy today.

What appears to have annoyed the Bench were the passages in the book on judicial delay and corruption in judiciary. As per the news report cited by the Court, the textbook has data on the approximate number of pending cases in Indian courts. It refers to the Bangalore Principles of Judicial Conduct, which prescribe values for judicial life. It also discusses the in-house procedures evolved by the Supreme Court and the constitutional mechanism for the removal of errant judges.

An undermining of freedom

By itself, a book ban is the most egregious form of censorship. Such a move directly impacts the right to freedom of speech under Article 19, a solemn promise in the Constitution. This right could be restricted only by a law made by the



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The top court's ban on an NCERT textbook exposes gaps in judicial accountability and public trust

state on grounds expressly provided under Article 19(2), such as "the sovereignty and integrity of India, the security of the state, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation, or incitement to an offence". There is no law made by the state to justify the ban on the book in question. Judicial orders or judgments do not come under the realm of "law" made by the state, as understood in the context of Article 19 (*Naresh Shridhar Mirajkar vs State of Maharashtra*, 1966).

For an act to amount to contempt of court, there must be material that scandalises the authority of the court or prejudices or interferes with judicial proceedings or the administration of justice, as defined under Section 2(c) of the Contempt of Courts Act, 1971. Whether mere references to corruption in the judiciary and case backlogs meet this high threshold for criminal contempt was a question that, unfortunately, did not form part of the Court's deliberations. What was also not examined was whether the statements were too general in nature to suggest any malicious intent to scandalise the Court.

Further, and importantly, going by the scheme of judicial review, courts must put to constitutional scrutiny the law passed by Parliament often violating fundamental rights. When the courts take on the task of book banning, citizens are left without remedy, as constitutional courts are the last resort to safeguard fundamental rights.

Global efforts

In advanced democracies, the credibility of the court is a matter of concern, primarily for the court itself. Transparency International has conducted a number of surveys that show that there is a prevailing notion about judicial corruption. Judiciaries across the world have made efforts to address this problem. In Kenya, the reforms led by Chief Justice Willy Mutunga, between 2011 and 2013, are an illustrative example. During this period, institutions such as judicial ombudspersons, court users' committees, and performance management committees were established.

By 2013, public trust in Kenya in the judiciary had risen to 61%, compared to 27% in 2009. The reforms continued even thereafter. This happened only by acknowledging the issues and trying to address them, rather than suppressing critical voices.

In India, the courts including the top court have acknowledged the menace of delay and corruption. Judges have repeatedly warned about the 'bad apples' within the system. The very existence of the in-house Procedure indicates the possibility that a minuscule number of judges may breach their oath.

In *K. Veeraswami vs Union Of India And Others* (1991), the Court categorically held that judges of the High Courts and the Supreme Court fall within the definition of "public servant" for the purposes of prosecution under the Prevention of Corruption Act, while also cautioning against the potential for misuse of this provision by the executive. The Court also said: "We consider that the society's demand for honesty in a judge is exacting and absolute. The standards of judicial behaviour, both on and off the Bench, are normally extremely high. For a Judge to deviate from such standards of honesty and impartiality is to betray the trust reposed on him. No excuse or no legal relativity can condone such betrayal. From the standpoint of justice, the size of the bribe or scope of corruption cannot be the scale for measuring a judge's dishonour. A single dishonest judge not only dishonours himself and disgraces his office but jeopardises the integrity of the entire judicial system."

The need for introspection

Therefore, the need to eradicate corruption and delay is also in the best interest of the judiciary. In the interim order directing the book ban, the Court also pointed out that the "book also chooses not to delve into any of the transformative initiatives and measures pioneered by this Court towards overhauling legal aid mechanisms and streamlining the ease of access to justice". Not addressing all counterarguments might render an opinion potentially incomplete. Yet, that is no reason for banning the view expressed. If the exercise of free speech is required to follow a particular form, the right itself becomes illusory. During judicial deliberations, nobody pointed out that the judiciary, like other organs of the state, must be open to dissent and reform.

The first step in fighting systemic problems such as corruption – whether in the executive or the judiciary – is acknowledging it. After all, it is imperative to curb all kinds of corruption and that civil society is educated about the institutional challenges. A court that continuously reforms itself is the bedrock of any democracy.

- Key terms and explanations

- **Judicial transparency**

Openness in how courts function: hearings are public, orders are reasoned and published, data on case pendency is available, and internal procedures are known to citizens. It enables informed criticism and trust in the judiciary.

- **Judicial accountability**

Mechanisms through which judges answer for misconduct or poor performance: impeachment, in-house procedures, disciplinary norms, asset declarations, and criminal prosecution under anti-corruption laws.

- **Book ban / prior restraint**

A state action (executive or judicial) prohibiting publication, circulation, or teaching of a book or chapter. It operates as **prior** restraint on speech, often seen as the most serious form of censorship in constitutional democracies.

- **Article 19(1)(a)**

Fundamental right to freedom of speech and expression. It includes the right to criticize institutions, including the judiciary, subject only to “reasonable restrictions” under Article 19(2).

- **Article 19(2)**

Lists grounds on which the State may restrict speech: sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality, contempt of court, defamation, incitement to an offence, etc. Any restriction outside these grounds is unconstitutional.

- **“Law” made by the State (Article 19 context)**

For restricting fundamental rights, “law” means legislation or a validly issued rule/notification having statutory backing. Judicial orders are not treated as “law” under Article 19 for imposing restrictions on speech; otherwise courts could bypass constitutional scrutiny entirely.

- **Contempt of Court (Section 2(c), Contempt of Courts Act, 1971)**

Criminal contempt includes publications that (i) scandalise or tend to scandalise the authority of any court, or (ii) prejudice or interfere with judicial proceedings, or (iii) interfere with the administration of justice. The threshold is supposed to be high and used sparingly, particularly in a democracy.

- **Judicial delay / case backlog**

Large volume of pending cases, often caused by vacancies, procedural complexity, adjournments, and poor infrastructure. This is a structural issue and recognized officially by judiciary and government.



- **Main Arguments and Substantive Parts**
- **The Tension Between Criticism and Dignity:** The core thesis revolves around the Supreme Court's decision to ban an NCERT textbook. The Court argues that selective references to corruption undermine institutional dignity, while critics argue that suppressing such data violates the spirit of a transparent democracy.
- **Punishment Without Hearing:** A significant point of concern is the "disassociation" of the textbook authors from future government projects. This is framed as a summary punishment delivered without providing the authors a chance to defend their academic work.
- **The Scope of Article 19(2):** The article argues that a "book ban" must be backed by a specific law passed by the legislature. It contends that judicial orders cannot bypass the constitutional requirement that restrictions on speech must be "reasonable" and based on statutory law.
- **Global Benchmarking:** The author uses the example of **Kenya** to show that acknowledging corruption and implementing reforms (like judicial ombudspersons) actually *increases* public trust, whereas suppression may have the opposite effect.
- **The "Bad Apples" Argument:** Even the judiciary has previously acknowledged (e.g., in *K. Veeraswami*) that the existence of some corrupt officials is a reality. Discussing this reality should not be equated with an "agenda" to demean the institution.





- **Historical Evolution of the Issue**
- **Pre-Independence:** The British used strict contempt laws to prevent nationalist leaders from criticizing colonial courts.
- **1950 (Adoption of Constitution):** Article 19(1)(a) guaranteed free speech, but Article 19(2) allowed for "reasonable restrictions," including contempt of court.
- **1966 (Mirajkar Case):** The SC ruled that judicial orders do not generally violate fundamental rights, creating a complex layer of immunity for judicial actions.
- **1971 (Contempt of Courts Act):** Defined civil and criminal contempt, providing a statutory framework for what constitutes "scandalizing the court."
- **1991 (K. Veeraswami Case):** The Court clarified that judges are "public servants" and can be prosecuted under the Prevention of Corruption Act, though with specific safeguards.
- **2006 (Amendment to Contempt Act):** Introduced "**Truth as a valid defense**" in contempt proceedings, provided it is in the public interest.
- **Present Day:** The debate has shifted toward "Judicial Accountability" and the digitisation of records (e-Courts) to combat pendency.

This infographic analyzes the constitutional tension triggered by the NCERT textbook controversy, examining the balance between institutional independence and public accountability when the judiciary, as the protector of rights, becomes the imposer of restrictions.

THE CONSTITUTIONAL TUG-OF-WAR

- **Independence vs. Accountability:** Article 50 mandates separation from executive; Article 124(4) defines accountability mechanisms.

Constitutional Morality

- **Article 19(1)(a) vs. 19(2):** Free speech is a right; restrictions must be "by law" and "reasonable," not via judicial fiat.

MECHANISMS FOR JUDICIAL INDEPENDENCE

Mechanism	Judicial Independence
Constitutional	Security of Tenure (Arts 124, 217)
Ethical	Impartial Arbiter Status
Legal	Contempt of Courts Act, 1971

Contempt of Court



THE PATH TO INSTITUTIONAL LEGITIMACY

- **The Kenyan Reform Model:** Publicly acknowledging corruption raised trust from 27% to 61% under Chief Justice Willy Mutunga.

The Transparency Gap

against judges (2016-2025) highlight the need for transparent "In-house Procedures."

Collegium

- **Proposed Accountability Framework:** Establish a statutory Judicial Standards and Accountability Bill to handle complaints outside the Collegium.

MECHANISMS FOR JUDICIAL ACCOUNTABILITY

Mechanism	Judicial Accountability
Constitutional	Impeachment (Arts 124(4), 217)
Ethical	Bangalore Principles (2002)
Legal	Prevention of Corruption Act (K. Veeraswami Case)

The "Marketplace of Ideas": Suppressing dissent in textbooks undermines the civic education required for a functioning democracy.

- Logical and philosophical base
- A. Logic of the free speech argument
- Premise: Free speech is essential for democracy, especially criticism of state institutions.
- Premise: Restrictions must be exceptional, grounded in a clear law, and strictly within Article 19(2).
- Conclusion: A blanket judicial ban on a textbook without statutory backing or a carefully reasoned finding under Article 19(2) is logically inconsistent with the free-speech framework.
- B. Logic of the institutional dignity vs. legitimacy debate
- Premise: Courts must enjoy public confidence to function effectively.
- Premise: Long-term legitimacy depends on transparency and self-correction, not suppression of criticism.
- Conclusion: Protecting “dignity” through censorship may deliver short-term insulation but erodes deep legitimacy, because citizens start to suspect that the institution fears scrutiny.
- C. Philosophical underpinnings
- **Liberal constitutionalism:** Emphasizes individual rights (free speech) and rational public debate as the basis of political authority. Censorship undermines the “marketplace of ideas”.
- **Republicanism:** Focuses on freedom as non-domination; citizens must be free from arbitrary power. When courts can censor discussion of themselves without external checks, they wield near-arbitrary power in the discursive realm.
- **Deliberative democracy:** Institutions must be open to reasoned criticism to justify their decisions. Educational material that discusses institutional challenges is part of democratic deliberation, not its enemy.
- D. Epistemological angle
- Who gets to define “truth” about the judiciary—courts themselves, academic research, or public debate?
- If courts insist that only narratives that mention their “transformative initiatives” are permissible, they shift from adjudicating evidence to policing knowledge.
- From an epistemic justice standpoint, silencing certain descriptions (e.g., corruption, backlog) deprives students and citizens of the ability to form informed beliefs about institutions that govern them.

- Multidimensional analysis
- Social
- Limiting honest discussion of judicial corruption and delay deprives students of realistic civics education, weakening democratic socialisation.
- It can entrench a culture of deference and fear rather than critical civic thinking.
- Political
- The judiciary's move may be interpreted as a political act to control narratives about state institutions, blurring separation of powers.
- It can become part of larger debates on "majoritarianism vs. constitutionalism", "deep state", and "checks and balances".
- Legal
- Raises fundamental questions about:
 - Scope of Article 19(1)(a) and 19(2)
 - Nature of "law" restricting fundamental rights
 - Breadth of criminal contempt and "scandalising the court"
 - Limits of suo motu jurisdiction
- Creates a precedent for using judicial power to regulate academic content.
- Ethical
- Violates principles of fairness (no punishment without hearing, proportionality in sanctions).
- Academic authors, who act in public interest, face penal consequences for discussing public institutional issues.
- International
- Comparative democracies (e.g., UK, US, parts of Europe) have either abolished or greatly narrowed "scandalising the court" contempt provisions, favouring more robust criticism.
- Judicial reform initiatives in other countries show that facing criticism head-on can lift public trust rather than erode it.
- Economic
- Delays and corruption in judiciary already have economic costs: contract enforcement problems, higher transaction costs, reduced investor confidence.
- Suppressing discussion of these issues slows reform, indirectly harming economic efficiency and investment climate.

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- Linkages with NCERTs
 - **Class 8 Political Science – “Understanding Laws”, “Judiciary”**
Explains role of judiciary, independence, need for fair trials, and sometimes mentions delays and access to justice.
 - **Class 9 Political Science – “What is Democracy? Why Democracy?”, “Working of Institutions”**
Discusses democratic institutions, accountability, and how checks and balances work.
 - **Class 10 Political Science – “Working of the Institutions”, “Judiciary” (State board texts too)**
Emphasises judicial review, independence, and citizens’ role, which directly links to debate on criticism vs. contempt.
 - **Class 11 Political Theory – “Freedom”, “Rights”, “Democracy”**
Conceptual foundation of free speech, reasonable restrictions, and the importance of dissent.
 - **Class 11 Indian Constitution at Work – “Judiciary”, “Constitution as a Living Document”**
Discusses structure of higher judiciary, judicial review, and evolving constitutional interpretation; ideal to locate this issue.
 - **Class 12 Politics in India since Independence – “Judiciary”, “Challenges of Democracy” (depending on edition)**
Examines judicial activism, accountability, and tension between institutions, which can frame this controversy historically.

Linkages with UPSC CSE syllabus

GS Paper II (strongest link)

Polity:

- Structure, organisation and functioning of the Judiciary.
- Separation of powers, dispute redressal mechanisms and institutions.
- Functioning of executive, legislature and judiciary; issues and challenges pertaining to the federal structure.
- Important aspects of governance: transparency, accountability, and institutional mechanisms.
- Mechanisms, laws, institutions for safeguarding transparency and accountability (including anti-corruption laws, contempt law).

GS Paper I

Indian society:

- Role of civil society, media, and education in shaping attitudes to institutions.

Modern Indian history:

- Evolution of democratic institutions, debates on freedom of expression.

GS Paper III

Economy:

- Issues relating to planning and growth; impact of judicial delays on economic activity and business environment.

Internal Security (indirect):

- Rule of law and public trust in justice system.

GS Paper IV (Ethics)

Probity in governance, ethical concerns in public institutions.

Integrity, impartiality, and non-partisanship of public servants (judges as public servants).

Case studies involving conflict between institutional loyalty and constitutional values, whistle-blowing, academic freedom.

- Way forward

- **Narrow reading of contempt, especially “scandalising the court”**
 - Clarify by judicial precedent or legislative amendment that robust, good-faith criticism of institutions, especially in academic and educational contexts, does not amount to contempt.
- **Statutory framework for judicial accountability**
 - Enact a comprehensive Judicial Standards and Accountability law with clear procedures, safeguards, and transparency, reducing the need to hide behind contempt when criticism arises.
- **Transparent in-house procedures**
 - Make in-house mechanisms more transparent (without compromising necessary confidentiality), with periodic reporting of number and nature of complaints and outcomes.
- **Judicial communication and outreach**
 - Instead of banning, courts could issue detailed clarifications, engage with NCERT and academic bodies, and suggest improvements while preserving the core right to critique.
- **Curriculum that encourages critical thinking**
 - NCERT and state boards should present both the achievements and challenges of the judiciary, prompting students to think critically about reform, not to fear discussing it.
- **Internal cultural shift within judiciary**
 - Senior judges can lead by example, openly acknowledging institutional shortcomings and championing transparency, thereby normalising criticism as a tool for improvement.
- **Institutional self-restraint in suo motu matters**
 - Develop internal guidelines on when suo motu powers should be used, with an explicit caution against using them in matters concerning criticism of the judiciary itself.



- UPSC CSE – Mains
- **GS II**
- 2023: “Discuss the role of judiciary in strengthening democracy in India. Highlight challenges to its independence and accountability.”
- 2022: “Critically examine the use of contempt of court jurisdiction by the higher judiciary in India.”
- 2021: “Free speech and expression is essential for functioning of democracy. Examine the scope and reasonable restrictions under Article 19.”
- 2018: “Judicial activism and judicial overreach are two facets of the same coin. Critically comment.”
- 2017: “Discuss the importance of transparency and accountability in the functioning of judiciary in India.”
- **GS IV**
- 2019: Case study on an honest officer facing institutional pressure to conceal corruption (adaptable to judges and institutional loyalty vs. integrity).
- 2017: “What do you understand by the term ‘probity’? How can probity in public life be ensured in judiciary?” (theme variation).
- **Essay**
- 2020: “Judiciary and the evolving Indian democracy” (theme-wise).
- 2014: “Freedom of speech is a double-edged sword” (linked to 19(1)(a) vs 19(2)).

India's future demographic challenges

A new report by the International Institute of Migration and Development and the Population Foundation of India titled 'Unravelling India's Demographic Future: Population Projections for States and Union Territories, 2023-2051', underscores the demographic risks that are beginning to surface nationwide. India's population is projected to increase from 1,355.8 million in 2023 to 1,590.1 million in 2051, with an average annual increase of 0.5%, suggesting a prolonged period of slower population expansion. These figures fall below earlier estimates, strengthening the case that India is unlikely to face the threat of population explosion that once dominated political and academic debates. These projections point to a turning point, where India is poised to move beyond a youth-led, fast-expanding population into an era of a more urban, steadily ageing, and balanced demographic structure.

A problem for schools

The projections point out that the pre-primary school-going population (0-4 years) is expected to dwindle from 103.5 million in 2023 to 8.6 million by the middle of this century. Since most regions in the country are now close to universal primary school enrolments, the demand for new schooling facilities could ease out, especially in the government sector. A sustained drop in fertility could leave the country with an escalating number of 'uneconomic schools' (schools with lesser enrolment rates that cannot justify their economic costs), raising the threat of teachers losing their jobs, a trend that the State of Kerala has seen play out for more than three decades.

Evidence from different parts of the country suggests that declining fertility rates have already started influencing schooling requirements, with classrooms adjusting to smaller cohorts. Data from the United District



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The growing elderly population is set to exert increasing pressure on healthcare and social security, thereby putting a strain on the state's finances

Information System for Education and the Ministry of Education highlights a significant reduction in the number of government schools over the last decade, with schools dropping from 11.07 lakh in 2014-15 to 10.18 lakh in 2023-24, amounting to a reduction of close to 90,000 schools across the country. This decline has been accompanied by a sharp increase in private schools; their numbers grew from 2.88 lakh to 3.31 lakh over the same period, an increase of 43,000 schools.

While falling birth rates have led to a reduction in enrolments and closure of government schools, smaller families and improved capacity to afford education have propelled the demand for private schools. Many parents choose private schools in the hope of giving their wards the education they never had in life, nudged by social pressure and a common perception that government schools generally fall short on quality compared to private schools.

Greying population

As the demographic dividend largely depends on the working age population (15-59), a relatively higher proportion of this specific group can lead to faster economic growth, a dynamic evident in the development phases of several countries, including China, Japan, and South Korea. India has one of the world's largest workforces, rising from 833.8 million (65.2%) in 2023 to a projected peak level of 1,009.0 million (65.5%) in 2041, before declining to 998.1 million (62.8%) by 2051. There is an impending concern that the demographic dividend window will close after 2041, highlighting the urgency of leveraging it before its contribution to economic growth starts to diminish. Nevertheless, close to six out of every 10 persons in the country are expected to be part of the workforce by 2051, which is an encouraging sign.

However, India's population is ageing. In 2023, India's elderly

population (60+) stood at 100.5 million or 9.62% of the population. By 2051, this number is projected to touch 325.3 million (20.5%), highlighting that there will be a profound increment in the ageing population. The median age, a measure that splits the population evenly by age, is projected to climb from 28 years in 2021 to 40 by 2051, signaling India's shift towards a more advanced stage of demographic transition. The growing elderly population is set to exert increasing pressure on healthcare and social security, thereby putting a strain on the state's finances.

Policy signals

The declining child population is expected to offer a better teacher-pupil ratio and expand infrastructural facilities in schools. Further, declining birth rates reduce demand for maternity care, allowing the healthcare system to rationalise the use of resources and offer better quality care. Though fertility levels have been falling, continued investments are required for family planning and to prevent unintended pregnancies, as well as reduce infertility and ensure the reproductive rights of women.

India needs to overhaul its education and skill development systems to cope with modern-day challenges. It should also equip the younger generation to seize new opportunities before our demographic leverage disappears in the coming decades. The decline in the working age population can be offset by bringing in more women to formal work (gender dividend) and by expanding access to better quality employment. With the rapid growth of the elderly population, India's financial and healthcare systems, especially geriatric care, must be redesigned to support the growing needs of elderly citizens. At the same time, this creates a strong potential for a thriving silver economy, and could help in unlocking a second demographic dividend in the future.

- Key terms and explanations

- **Demographic window / demographic dividend window**

The period when the working-age population is at its peak relative to dependents. For India, various estimates place the peak around 2041, after which the working-age share starts declining.

- **Youth bulge**

A large proportion of young people (15–29) in the population. India still has a youth bulge, but its relative size is plateauing as fertility falls and median age rises.

- **Replacement-level fertility**

The TFR at which a population exactly replaces itself (about 2.1 in most societies). Below this level, population eventually stabilises and then declines in the absence of migration.

- **Ageing population / greying population**

A rising share of elderly (commonly 60+ or 65+). In India, the elderly share is projected to be around or above 20% by mid-century, roughly doubling from current levels.

- **Median age**

The age that divides the population into two equal halves. India's median age (about 28 now) is projected to reach around 40 by mid-century, indicating a shift towards an older age structure.

- **Uneconomic schools**

Schools with such low enrolment that the per-student cost becomes very high, making them fiscally inefficient to run. With sharply falling 0–6 age cohorts in many States, more government schools risk becoming “uneconomic”, leading to mergers, closures, or staff redeployment.

- **Unified District Information System for Education (UDISE+)**

The official database on school education in India, tracking number of schools, enrolment, etc. UDISE+ data show a decline in government schools and a rise in private schools over the past decade.

- **Silver economy**

Economic activities, products, and services targeting the needs of older persons (healthcare, assistive devices, age-friendly housing, financial products, etc.). A growing elderly population can generate new markets and jobs if policy and industry respond proactively.

- **Gender dividend**

The additional growth and welfare gains from bringing more women into the labour force, especially formal and productive work, thus complementing the demographic dividend.

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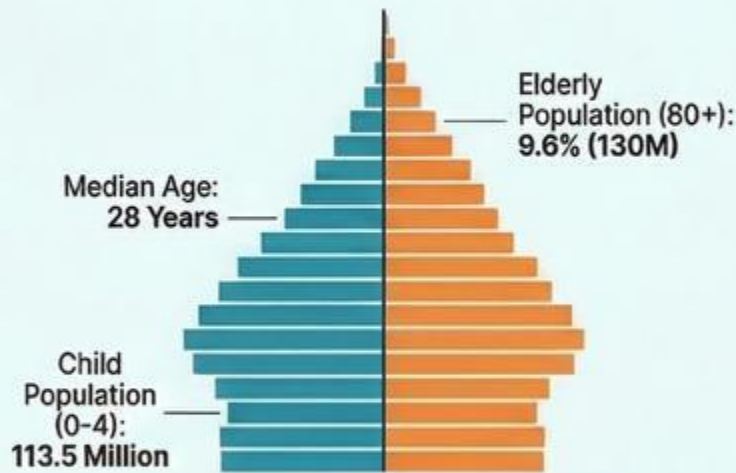
- **Main Arguments and Substantive Parts**
- **The End of the "Population Explosion"**
 - The core thesis is that India is no longer at risk of a Malthusian catastrophe. With an average annual increase of just 0.5%, the population is stabilizing. The focus must shift from "controlling numbers" to "managing structures."
- **The Crisis in Primary Education**
- **Shrinking Base:** The 0-4 age group is projected to plummet from 113.5 million to 8.6 million by 2051.
- **Infrastructure Redundancy:** Government schools are closing (90,000 lost in a decade) while private schools grow. This suggests a "flight to quality" as parents with fewer children invest more per child.
- **The Closing Window of Opportunity**
- The working-age population will peak around 2041 (65.5%).
- **The "Get Rich Before You Get Old" Dilemma:** India has roughly two decades to maximize economic output before the dependency ratio rises due to an elderly surge.
- **The Greying Reality**
- By 2051, one in five Indians will be over 60. This shifts the burden from "pediatrics and schools" to "geriatrics and social security."

- Historical evolution of the issue
- Pre-independence and early post-independence
- Colonial period saw high birth and death rates, frequent famines, and epidemics; population growth was relatively modest but volatile.
- Post-1947, mortality began falling due to better public health, food security, and disease control, while fertility remained high, creating rapid population growth.
- 1950s–1970s: Population explosion concerns
- India launched the world’s first national family planning programme in 1952, reflecting early recognition of population pressure.
- 1960s–70s: “Population explosion” became a dominant policy concern, culminating in coercive sterilisation drives during the Emergency (1975–77), which left a deep political scar.
- 1980s–2000s: Gradual demographic transition
- Economic reforms, urbanisation, women’s education, and rising incomes contributed to declining fertility from the late 1970s onwards.
- Southern and some western States entered low-fertility regimes earlier, while BIMARU and some eastern States lagged, creating spatial divergence in demographic transition.
- Policy discourse shifted from “population control” to broader reproductive health, especially after the International Conference on Population and Development (ICPD) 1994.
- 2000s–2020s: Demographic dividend discourse
- Economic Survey and policy think-tanks began emphasising the demographic dividend as a key growth driver, particularly vis-à-vis an ageing China, Japan, and Europe.
- India achieved replacement-level fertility around 2020; NFHS data show most States now below replacement, with a few laggards.
- Simultaneously, the elderly share started rising, and concerns about future ageing (pensions, health) entered the policy debate.
- 2020s onwards: Narrowing window and ageing anxiety
- Analyses now focus on the closing demographic window by around 2041 and a “demographic winter” risk in some States with very low fertility.
- Issues like school closures, teacher surpluses, changing dependency ratios, and preparing for a silver economy have become prominent in demographic discussions.

INDIA'S GREAT DEMOGRAPHIC SHIFT: FROM 'POPULATION EXPLOSION' TO 'AGEING REALITY'

A Strategic Overview for UPSC Civil Services Examination: Visualizing India's Transition Toward Population Stabilization and an Ageing Society.

THE TRANSITION TO STABILIZATION



CURRENT ERA: 2021 (APPROX)



TFR Falls to 2.0: India has reached below-replacement fertility, signaling the end of runaway population growth.



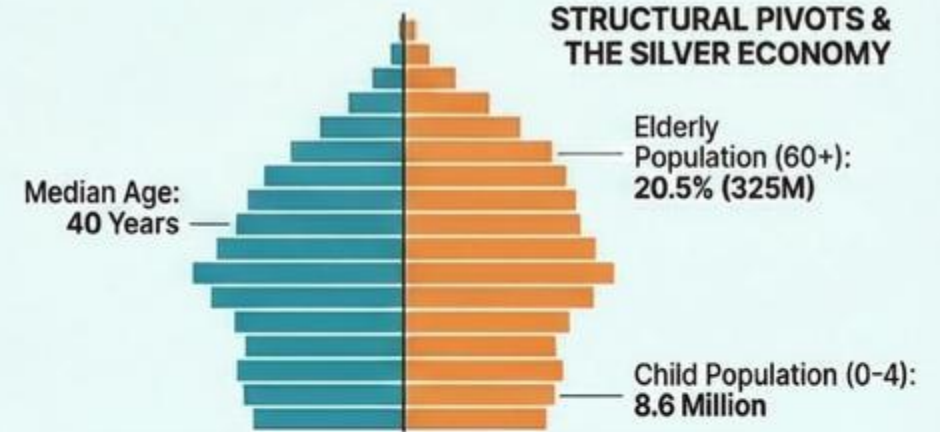
Stabilization, Not Explosion: Average annual population increase has slowed to just 0.5%.



The working-age population will peak at 65.5% before the dependency ratio begins to rise.



The "Rich Before Old" Dilemma: India has only two decades to maximize economic output before the elderly surge begins.



MID-CENTURY ERA: 2051 (PROJECTED)



THE GENDER DIVIDEND
Increasing female labor force participation is critical to offset the future shrinking workforce.



THE SECOND DEMOGRAPHIC DIVIDEND
Leveraging the "Silver Economy"—the savings and expertise of the elderly—as a new growth engine.



EDUCATIONAL RATIONALIZATION
With 90,000 government schools closed in a decade, the state must pivot to funding quality over infrastructure.



GERIATRIC REORIENTATION
Healthcare must shift focus from maternal/pediatric care to chronic disease and geriatric services.

- Logical and philosophical base
- **Human-capital logic:** The core assumption is that people are an asset if they are healthy, educated, and productively employed, but a liability if not. This aligns with Amartya Sen's capability approach and human development paradigm—demography is meaningful only when converted into capabilities and functionings.
- **Transition logic:** The article assumes demographic transition is inevitable with development and that India is following a classic pattern: mortality decline → fertility decline → ageing. It treats population explosion fears as outdated in light of new evidence.
- **Intergenerational justice:** Underlying the ageing discussion is a normative claim: present policy choices must ensure that both current youth and future elderly enjoy security and dignity. This involves balancing tax burdens, pension promises, and investment in children.
- **Rights-based population policy:** Despite declining fertility, there is emphasis on continued investment in family planning and reproductive rights—rejecting coercive approaches (e.g., forced sterilisation or punitive two-child norms) in favour of informed choice and gender equality.
- **Equity and state responsibility:** There is an implicit social-democratic view that the State must actively shape markets (e.g., silver economy), protect vulnerable groups (children, elderly, women), and invest in social sectors rather than leave outcomes entirely to market forces.

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- Multidimensional analysis
- Social dimension
- Changing age structure will transform family patterns: smaller families, fewer siblings, more “sandwich generation” adults supporting both children and elderly parents.
- Risks of loneliness and mental health issues among the elderly, especially in urban nuclear families, will rise.
- Better teacher–pupil ratios could improve quality if accompanied by pedagogy reforms, but school closures in remote regions may widen inequalities.
- Political dimension
- Ageing could change electoral politics: older voters may prioritise pensions, healthcare, and safety over growth-oriented reforms.
- Youth unemployment can fuel social unrest, populism, or identity politics if not addressed.
- Inter-State demographic divergence (young North vs ageing South) may influence debates over fiscal transfers, representation, and federalism.
- Legal dimension
- Strengthening legal protections for the elderly (e.g., maintenance laws, regulation of retirement homes, anti-abuse measures).
- Ensuring that any school rationalisation follows due process and respects the right to education (RTE Act).
- Labour laws and social security codes must adapt to more women workers and an older workforce.
- Ethical dimension
- Balancing efficiency (closing uneconomic schools) with equity (access for remote children) is an ethical challenge.
- Respecting reproductive autonomy while promoting population stabilisation objectives requires careful policy design.
- Ensuring dignified ageing (not just survival) touches on core ethical values of respect, care, and solidarity.
- International dimension
- India’s demographic path is often compared with China’s much faster ageing; this frames India as a potential “labour hub” for the world if skills and logistics improve.
- Ageing and migration: some Indian States may attract migrant workers from younger regions or neighbouring countries, complicating demographic planning.
- Lessons from Japan, South Korea, and European welfare states will be relevant for designing eldercare and pension systems.
- Economic dimension
- If harnessed well, the demographic, gender, and silver dividends can boost growth, savings, and innovation.
- Conversely, inadequate job creation, low female participation, and high informality could lead to a “demographic trap” with high dependency and low productivity.
- Education and health investment are crucial not just as welfare spending but as growth-enhancing capital formation.

Linkages with NCERTs

Class 9–10 Social Science (Democratic Politics, Economics)

Chapters on “Democracy in the Contemporary World”, “People as Resource”, “Poverty as a Challenge” discuss how population, human capital, and democracy interact.

Class 11 Indian Economic Development
Chapters on “Indian Economy 1950–1990”, “Population”, “Human Capital Formation in India”, and “Employment” directly cover demographic change, demographic dividend, and employment challenges.

Class 12 Macroeconomics and Indian Economic Development

Topics such as “Inclusive Growth”, “Rural Development”, and “Human Capital Formation” link demography with growth, inequality, and social sector policies.

Class 11–12 Sociology (Introducing Sociology, Social Change and Development in India)

Chapters on “Social Structure, Stratification and Social Processes”, “Social Change in Modern Society”, and “Cultural Change” explain how fertility, family structure, and ageing reshape society.

Class 11–12 Biology (Human reproduction, reproductive health, human health and disease)

Provide scientific background for fertility, reproductive health, and ageing processes, reinforcing a multidisciplinary understanding.

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- Linkages with UPSC CSE syllabus
 - GS Paper 1 (Society, Population, Geography)
 - “Salient features of Indian society, diversity of India” – family structure, ageing, intergenerational relations.
 - “Population and associated issues, poverty and developmental issues” – demographic transition, dividend, ageing, school closures.
 - GS Paper 2 (Governance, Social Justice)
 - “Issues relating to development and management of social sector/services relating to health, education, human resources” – school rationalisation, geriatric care, reproductive health.
 - “Government policies and interventions for development in various sectors” – family planning, RTE, National Health Policy, social security schemes.
 - GS Paper 3 (Economy, Inclusive growth)
 - “Indian Economy and issues relating to planning, mobilization, of resources, growth, development and employment” – demographic dividend, labour force, skill development.
 - “Inclusive growth and issues arising from it” – gender dividend, regional demographic imbalances, informal sector.
 - GS Paper 4 (Ethics)
 - Themes of justice, intergenerational equity, dignity of the elderly, rights-based approach to reproduction and health.
 - Ethical issues in coercive vs voluntary family planning, and in managing uneconomic schools.

- Way forward
- **Recalibrate education planning**
 - Use granular UDISE+ data to rationalise school networks: merge or cluster uneconomic schools while ensuring no child loses access to nearby schooling, especially in tribal, hilly, and LWE areas.
 - Convert “surplus” capacity into opportunity—smaller class sizes can be used for personalised learning, vocational exposure, remedial classes, and inclusive education.
- **Strengthen skilling and employability**
 - Align skilling missions (PMKVY, Skill India) with emerging sectors (green jobs, care economy, digital services) instead of generic, low-quality training.
 - Integrate vocational and life skills in school curricula from early grades, as envisaged in NEP 2020.
- **Harness gender dividend**
 - Remove barriers to women’s work: safe transport, childcare facilities, flexible work norms, strict enforcement of workplace harassment laws.
 - Promote women’s ownership of assets, digital literacy, and financial inclusion to strengthen bargaining power at home and in the labour market.
- **Prepare for ageing and build a silver economy**
 - Expand public geriatric services at district hospitals, community-based eldercare, and palliative care.
 - Encourage regulated silver-economy sectors (assistive devices, age-friendly housing, telemedicine, long-term care insurance), with strong consumer protection.
- **Reaffirm rights-based population and health policy**
 - Maintain investment in family planning and reproductive health, focusing on spacing methods, informed choice, and male participation.
 - Counter coercive demands (e.g., punitive two-child norms) through public awareness and evidence that India is already stabilising demographically.
- **Address regional imbalances**
 - Incentivise labour mobility, skill recognition, and social security portability from high-fertility to low-fertility States.
 - Use inter-State coordination (e.g., on health, pensions) to prevent sharp inequalities in ageing preparedness.

- UPSC Prelims
- 2011–2019: Multiple questions on demographic transition, age structure, dependency ratio, and census-based population trends.
- Questions on Total Fertility Rate, life expectancy, sex ratio, and working-age population in various years.
- UPSC Mains GS1
- **2013 GS1:** “Discuss the significance of the demographic dividend for India.”
- **2016 GS1:** Question on demographic transition and its implications for India’s development.
- **2017 GS1:** “The population of India is very young compared to advanced countries... Discuss the implications.”
- **2019 GS1:** Question on the challenges of rapidly changing population structure in India.
- UPSC Mains GS2
- **2018–2023 GS2:** Repeated questions on health, education, and social sector schemes; RTE implementation; challenges in health infrastructure and social security.
- UPSC Mains GS3
- **2013 GS3:** Question linking employment and inclusive growth.
- **2015 GS3:** Demographic dividend and job creation.
- **2020 GS3:** Impact of ageing and social security on Indian economy (indirect, linked to social protection).
- Essay
- Past essay themes on “Population: resource or burden”, “Development and demography”, “Women and empowerment” are directly relevant.



The opportunity in Cameroon to rebalance the WTO

Today, trade is no longer just about economics. It is increasingly used as a geopolitical tool. Tariffs are imposed as pressure tactics, and economic dependence is sometimes used strategically. In this context, the World Trade Organization (WTO)'s Ministerial Conference (MC14), to be held in Yaoundé, Cameroon, Africa (March 26-29, 2026), comes at an important moment. The real issue is not whether the WTO needs reform, but whether it can adapt fast enough to stay relevant in a world moving toward more transactional and power-based trade relations.

WTO in turmoil

The WTO is facing its biggest crisis since its founding in 1995. Its dispute settlement system is still effectively paralysed because the Appellate Body appointments have been stalled for years. This weakens trust in the system, since rules matter only when they can be enforced. At the same time, WTO negotiations have struggled to keep pace with major shifts in global trade. Digital commerce is growing rapidly and now forms a large part of cross-border economic activity. Yet, WTO rules have not evolved at the same pace.

Decision-making has also become slow and difficult. With 166 members at very different levels of development, consensus is hard to reach and cumbersome. As a result, many negotiations produce limited outcomes and long pending issues remain unresolved.

Meanwhile, geopolitical tensions and the growing use of tariffs as political tools have distorted markets. However, these problems should not be mistaken for irrelevance. Most global trade still operates under WTO rules. If enforceable multilateral rules weaken, global trade would become unpredictable and unstable. Smaller and poorer countries would suffer the most, because they rely on common rules to protect themselves from pressure by stronger economies.

The WTO's challenges are also part of a wider shift in the global order. The Munich Security



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The World Trade Organization's Ministerial Conference must ensure that trade is governed by rules rather than coercion

Report 2026 describes this as a move toward "wrecking-ball politics", where countries prefer disruption and short-term deals instead of gradual institutional reform. In trade, this is visible in the rise of unilateral tariffs, economic coercion and bilateral deals that bypass multilateral commitments. If this continues, rule-based trade could be replaced by ad hoc arrangements shaped mainly by power rather than shared principles.

Global production has changed

Against this backdrop, the MC14 offers a chance not just to fix technical problems but to also restore balance between predictability and fairness. The original balance of rights and obligations in the WTO no longer reflects today's reality. Emerging economies now export advanced and technology-intensive products, climate-related trade measures are expanding, and digital networks are reshaping how global production works.

Rules designed for a late 20th century trading system cannot fully govern a 21st century one.

Reform must start with restoring credibility to enforcement. Without a functioning dispute settlement system, commitments lose their value. Members need to rebuild a binding, trusted mechanism rather than relying mainly on temporary alternatives that lack universal acceptance. A robust dispute-resolution system helps remove politics from conflicts and keeps confidence in multilateral rules.

At the same time, predictability must go hand in hand with fairness. Long-standing disputes over agricultural subsidies, market distortions and unequal openness need transparent solutions. Many developing countries argue that while WTO rules ensure the rule of law, they do not always deliver the rule of justice. In other words, rules may be legally correct but still produce outcomes that feel unequal or developmentally unfair.

Reform should, therefore, improve transparency on subsidies, create credible

responses to distortive practices, and revisit special and differential treatment so that it remains meaningful in today's economic conditions.

Institutional adaptability is also important. The WTO's structures were designed for a smaller and less complex membership, which contributes to today's deadlock. Some countries are moving ahead in smaller groups on issues such as e-commerce, investment facilitation, and services. These efforts can help progress, but they must remain transparent, inclusive and connected to the wider WTO framework. Flexibility should help the system move forward, not divide it. If such initiatives remain open to all members and eventually become part of common WTO rules, they can support reform instead of fragmentation.

Ultimately, WTO reform is not only technical but also normative. The Munich Security Report warns that a world shaped mainly by transactional deals would favour the powerful and leave weaker countries vulnerable.

The choice is clear

The WTO's value lies in preventing exactly this outcome by ensuring that trade is governed by rules rather than coercion. In an era of strategic competition, rules do not weaken sovereignty; they protect countries from economic domination.

The choice before the MC14 is crystal clear. Members can undertake serious reform, preserving the WTO's stabilising core while updating its rules, procedures and developmental balance, or allow the system to drift further into fragmentation. Achieving reform will require political will and shared responsibility.

Rebalancing the WTO is ultimately about securing a workable framework for cooperation in a world where economic interdependence is still unavoidable. If the MC14 seizes this opportunity, it can show that meaningful reform remains the most credible path to sustaining global trade governance.

- **Key Terms and Explanations**

- **Ministerial Conference (MC14):** The highest decision-making body of the WTO, comprising representatives of all member governments (usually trade ministers). It meets at least once every two years. MC14 refers to the 14th such conference, scheduled for March 2026 in Yaoundé, Cameroon.
- **Dispute Settlement Body (DSB) & Appellate Body:** The DSB is the WTO organ responsible for adjudicating trade disputes between members. It typically consists of a panel to hear a case, with the possibility of appeal. The **Appellate Body** is a standing body of seven members that hears appeals from panel cases. It has been effectively paralyzed since 2020 because the United States has blocked the appointment of new members, leaving it without the required quorum to function.
- **Multi-Party Interim Appeal Arbitration Arrangement (MPIA):** A stop-gap arrangement established by a group of WTO members (including the EU, China, and others) to bypass the paralyzed Appellate Body. It uses arbitration under an existing WTO article (Article 25 of the Dispute Settlement Understanding) to resolve trade disputes with a binding, two-step process, effectively mimicking the appeal function .
- **Plurilateral Agreements:** Agreements that are negotiated and adhered to by only a subset of WTO members, rather than the entire 166-member consensus. Examples include the proposed Investment Facilitation for Development Agreement (IFDA) and the E-Commerce Agreement (ECA) . While they can advance issues faster, they risk fragmenting the multilateral system.
- **Special and Differential Treatment (S&DT):** A set of WTO provisions that grant developing and least-developed countries special rights and more favorable treatment. This includes longer timeframes for implementing agreements, commitments to safeguard their trade interests, and technical assistance. The "reform" debate often centers on whether S&DT should be recalibrated for more advanced developing economies .
- **E-Commerce Moratorium:** A temporary agreement by WTO members to not impose customs duties on electronic transmissions. This moratorium has been extended at successive Ministerial Conferences but is a point of contention, with developing countries like South Africa and India arguing it deprives them of crucial tariff revenue .
- **"Wrecking-ball Politics":** A term from the Munich Security Report 2026, referenced in the article, describing a geopolitical shift where states prioritize disruption, unilateral action, and short-term transactional deals over gradual, cooperative institutional reform. In trade, this manifests as unilateral tariffs and economic coercion.



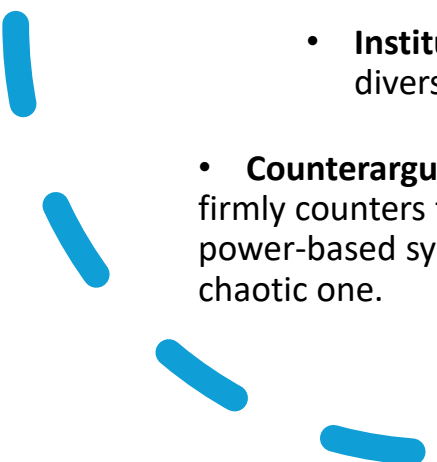
- **Main Arguments and Substantive Parts**

- **Core Thesis:** The WTO is facing an existential crisis stemming from a paralyzed dispute settlement system, outdated rules, and rising geopolitical tensions. The MC14 in Cameroon presents a critical opportunity to "rebalance" the organization—not just through technical fixes, but by restoring a balance between predictability and fairness to keep the WTO relevant.

- **Key Supporting Points:**

- **Geopoliticization of Trade:** Trade is now a geopolitical tool, with tariffs used for coercion, undermining the rules-based system.
- **The Enforcement Crisis:** A trading system without a functioning enforcement mechanism (the Appellate Body) loses its credibility. The stalled appointments have broken trust, especially among smaller nations that rely on rules to counterbalance power.
- **Substantive Imbalances:** The current rules reflect a 20th-century reality. They haven't kept pace with the digital economy, climate-related trade measures, or the changed nature of global production. Developing countries feel the "rule of law" often fails to deliver the "rule of justice," particularly on issues like agricultural subsidies where developed countries have historical advantages.
- **Institutional Rigidity:** The consensus-based decision-making model, while democratic, has become a bottleneck with 166 diverse members, leading to deadlock and limited outcomes.

- **Counterarguments (Implicit/Explicit):** The article acknowledges the view that the WTO might be seen as **irrelevant**. However, it firmly counters this, arguing that most global trade still operates under WTO rules and that a collapse would lead to an unpredictable, power-based system that would disproportionately harm smaller, poorer countries. The alternative is not a better system, but a more chaotic one.



- **Historical Evolution of the Issue**

- **The Post-War Foundation (1948-1994):** The GATT was established to reduce tariffs and promote post-war recovery. It functioned as a provisional agreement for decades, successfully reducing tariffs through successive "rounds" of negotiations but lacked a formal institutional structure and had a weak dispute settlement mechanism.

- **The Uruguay Round and the Birth of the WTO (1986-1995):** This was the most ambitious negotiating round, culminating in the Marrakesh Agreement (1994) that established the WTO. Key innovations included:

- A formal, binding **Dispute Settlement Understanding (DSU)** with a two-tier system (panel + Appellate Body), giving the WTO "teeth."
- Expansion of trade rules to include **services (GATS)** and **intellectual property (TRIPS)** .
- Creation of the **Trade Policy Review Mechanism**.

- **The Doha Development Round (2001 - Present/Stalled):** Launched after 9/11 with a focus on development and correcting the perceived imbalances of the Uruguay Round (e.g., agriculture). The round has been effectively dead for over a decade due to deep disagreements between developed and developing countries on issues like agricultural subsidies, industrial tariffs, and the "Singapore issues" (investment, competition policy, etc.).

- **The Erosion of Consensus and the Rise of Bilateralism (2000s-2010s):** As the Doha Round stalled, members increasingly pursued bilateral and regional trade agreements (RTAs). This "spaghetti bowl" of agreements began to erode the primacy of the multilateral MFN principle.

- **The Appellate Body Crisis (2016-2020):** The US began blocking the reappointment of Appellate Body members, citing "judicial overreach"—arguing that the body was creating new law rather than interpreting existing agreements. By December 2019, the body lacked the minimum number of members to hear appeals, effectively paralyzing the system .

- **The Present Juncture (2020-2026):** The focus has shifted from a new round of liberalization (Doha) to **WTO reform**. The 12th and 13th Ministerial Conferences (MC12 in 2022, MC13 in 2024) yielded limited successes (e.g., Fisheries Subsidies Agreement) but failed to resolve the core crises. The run-up to MC14 is now dominated by debates on dispute settlement reform, the e-commerce moratorium, and the role of plurilateral agreements

WTO at a Crossroads: Navigating the Crisis of Global Trade

The North-South Divide

The Existential Crisis (The Problem)



Judicial Paralysis of the 'Crown Jewel'

The Appellate Body is non-functional because the U.S. has blocked the appointment of new judges.



Outdated 20th-Century Rulebook

Current rules fall to address digital commerce, carbon adjustments, and complex global supply chains.



The Consensus Deadlock

Requiring agreement from all 166 members often leads to total stalemate or "lowest common denominator" outcomes.

	Issue	India's Stand	Developed World's Stand
1.	Agriculture	Permanent solution for Public Stockholding.	Reduce domestic subsidies and market distortions.
2.	Appellate Body	Restore the two-tier binding system immediately.	Demand reform against "judicial overreach" first.
3.	E-Commerce	End the moratorium on customs duties for revenue.	Make the duty-free moratorium permanent.

The Path to Reform (The Solution)

Restoring Binding Enforcement

Reviving a two-tier dispute settlement mechanism is non-negotiable for restoring global trust.



Inclusive Plurilateralism

Allowing subsets of members to move faster on new issues like e-commerce while keeping doors open for others.



Developmental Justice for the Global South

Recalibrating "Special and Differential Treatment" (S&DT) to protect food security and industrial policy space.



Unilateralism
(Power-Based/Transactional)

Multilateralism
(Rules-Based)



1947
(GATT)



1995
(Birth of WTO)



2001
(Doha Round Stalls)



2019
(Appellate Body Paralysis)



2026
(MC14 in Cameroon)

Logical and Philosophical Base

Underlying Logic: The article's logic is rooted in **institutional liberalism** and the belief that multilateralism, despite its flaws, is superior to a return to power-based anarchy in international trade. The core assumption is that **rules reduce transaction costs and uncertainty**. When rules are weak, power asymmetries become the primary determinant of outcomes, leading to inefficiency and conflict.

Philosophical Foundations:

- **Rule of Law vs. Rule of Power:** The article frames the crisis as a philosophical struggle. The WTO embodies the Kantian ideal of "perpetual peace" through international law and cooperation. The current "wrecking-ball politics" represents a Hobbesian return to a "state of nature" where every nation is a potential rival, and might makes right.
- **Substantive vs. Formal Justice:** The distinction between the "rule of law" and the "rule of justice" is a key philosophical point. Formal justice (the rules are applied equally) is not enough if the rules themselves are substantively unfair. This is the philosophical basis for the developing world's demand for S&DT and a "rebalancing" of the WTO. They argue for an **Aristotelian corrective justice** to level a playing field that was never truly level.
- **Sovereignty and Interdependence:** The article tackles the philosophical tension between national sovereignty and international commitments. It argues that in an era of strategic competition, binding rules do not weaken sovereignty but rather are an **expression of it**—a conscious choice to pool sovereignty to achieve collective goods (stable markets, economic security) that cannot be achieved alone.

- Multidimensional analysis

- Social dimension

- Trade rules influence livelihoods of farmers, workers, small enterprises, and consumers.
- Unfair subsidies and market barriers can perpetuate inequality between and within countries.
- Conversely, stable rules can support employment via export-led growth, but adjustment costs (job losses in uncompetitive sectors) must be managed.

- Political dimension

- Trade policy is now a key instrument of foreign policy and domestic politics.
- Governments face pressure to “protect” domestic industries, which can conflict with multilateral commitments.
- WTO reform debates become arenas for broader North–South and great-power politics.

- Legal dimension

- The crisis of the Appellate Body has created a “legal vacuum” in enforcement, undermining the credibility of international trade law.
- The future design of dispute settlement—scope of judicial review, standard of deference, timelines—has far-reaching implications for the hierarchy between law and politics.

- Ethical dimension

- Questions of fairness, distributive justice, and responsibility toward vulnerable communities and future generations are central.
- Ethical issues arise in digital trade (data privacy, algorithmic bias), climate-linked trade measures, and access to essential goods (food, medicines).
- International relations dimension
- The debate reflects tension between multilateralism and multipolarity; between liberal institutionalism and resurgent nationalism.
- Smaller and least-developed countries seek protection through multilateralism, while big powers oscillate between cooperation and coercion.

- Economic dimension

- Predictable rules underpin investment, supply chains, and economic growth.
- Power-based trade (tariff wars, sanctions) raises costs, disrupts supply chains, and increases uncertainty for firms.
- Digitalisation and climate policies require updated rules to avoid regulatory fragmentation and “race to the bottom” or “race to the top” dynamics.

- Linkages with NCERTs
- **Class 10 – Economics, “Globalisation and the Indian Economy”**
 - Concepts of liberalisation, WTO, MNCs, impact of trade on farmers and workers; this article gives the advanced, real-world extension.
- **Class 11 – Indian Economic Development**
 - Chapters on “Liberalisation, Privatisation and Globalisation”, “Infrastructure”, “Environment and Sustainable Development”.
 - Use WTO debates to illustrate constraints and opportunities in India’s global integration.
- **Class 12 – Macroeconomics**
 - External sector, balance of payments, trade policy; link dispute settlement and trade rules to macro stability and external sector management.
- **Class 12 – Political Science, “Contemporary World Politics”**
 - Chapters on “Globalisation” and “International Organisations”; WTO as case study of institutionalism vs power politics.
- **Class 12 – Political Science, “Politics in India since Independence”**
 - Economic reforms 1991, India’s changing foreign economic policy, globalisation and domestic politics.

- Linkages with UPSC CSE syllabus
- GS Paper II (strongest)
- International relations: “Important international institutions, agencies and fora – their structure, mandate.” (WTO, MC14, dispute settlement).
- India and its neighbourhood relations, and broader foreign policy: use of trade as geopolitical tool, economic coercion.
- Global governance and multilateralism.
- GS Paper III
- Indian Economy: “Effects of liberalisation on the economy, changes in industrial policy and their effects on industrial growth.”
- “Infrastructure: Energy, Ports, Roads, Airports, Railways etc.” (indirect via trade logistics).
- “Inclusive growth and issues arising from it” – effect of global trade rules on inequality.
- Environment: link with climate-related trade measures, fisheries subsidies.
- GS Paper I
- World history: evolution from post-war economic order (Bretton Woods, GATT) to WTO.
- Society and globalisation: impact of trade regimes on social structures, labour, migration.
- GS Paper IV (Ethics)
- Ethics in international relations, global justice, responsibilities of powerful actors toward weaker states.
- Conflict between national interest and global justice in trade policy.

Way Forward

Fix the Dispute Settlement System (The "Predictability" Track): This is the most urgent task.

- **Restart Appellate Body Appointments:** A political solution is needed to break the US-led impasse, possibly involving agreed-upon "guidelines" for Appellate Body members to prevent perceived judicial overreach.
- **Retain and Strengthen the MPIA:** For members willing to commit, the MPIA can serve as a model for a more flexible, arbitration-based appeal system, even after the Appellate Body is restored, offering a choice of mechanism .

Update the Rulebook (The "Fairness" and "Future" Tracks):

- **Address Agricultural Subsidies:** Find a permanent solution for public stockholding programs for food security in developing countries, a key demand from India and others.
- **Negotiate New Rules on E-commerce:** Move beyond the temporary moratorium to create permanent, balanced rules for digital trade that recognize the developmental needs and revenue concerns of developing nations .
- **Embed Development at the Core:** Any reform must begin with a "development audit" of existing WTO rules to identify and correct imbalances, rather than treating development as a side issue .

Reform the Process:

- **Managed Pluralilateralism:** Allow groups of members to negotiate agreements in new areas (e.g., investment facilitation) but ensure these are transparent, open to all, and have a clear pathway to being integrated into the broader WTO framework to prevent fragmentation .
- **Improve Transparency:** Make the "green room" process (informal meetings of a few powerful members) more inclusive and transparent to build trust among the wider membership.

Mains:

2024:

- "Discuss the challenges before the World Trade Organization (WTO) in the contemporary global economic order."
- "What is the significance of the 'Trade Facilitation Agreement' (TFA) of the WTO for global trade and development?"

2023:

- "Regional Trade Agreements (RTAs) are seen as building blocks for the multilateral trading system, but they also pose a threat to it. Analyse."
- "How has the integration of India into the global economy impacted its domestic economic policies and outcomes?"

2022:

- "The WTO is often criticized for its 'developed country centric' approach. Examine the major issues that developing countries have in the WTO framework."
- "The problems of public stockholding and the Agreement on Agriculture (AoA) have been a major point of contention between developed and developing countries at the WTO. Elaborate."

2021:

- "Do you agree with the view that the WTO is losing its relevance in the contemporary global economy? Critically examine."
- "India's stance on the E-commerce moratorium at the WTO reflects its concerns over digital sovereignty and development. Comment."

2020:

- "The World Trade Organization (WTO) is facing an existential crisis. Examine the reasons for the impasse in the functioning of the WTO's Appellate Body."
- "What is the importance of the 'Special and Differential Treatment' (S&DT) provisions for developing countries in the WTO framework? Discuss the recent debates around its recalibration."

2019:

- "WTO is an important international institution where trade disputes between countries are settled. However, it is currently facing a serious threat to its existence. Discuss."

2018:

- "The international financial system is facing a crisis of legitimacy and relevance. In this context, can the WTO be seen as a more effective and legitimate institution for global governance? Argue."



GURNACHAN SINGH

The former Chief Economic Adviser Arvind Subramanian, and his co-authors have concluded in their new study that the Indian economy has expanded by around 4-4.5 per cent on an average during 2011-2023 rather than the roughly 6 per cent as suggested by the official figures. After measurement, the question now is one of policy, which is anyway important.

How can we raise the growth rate of gross domestic product (GDP)? Also, we rank 119th on a list of 147 countries on the World Happiness Index! This fact is often ignored. This is even when happiness is taught as a subject in a place like Harvard University. The emphasis here is on unconventional wisdom and on select policies that can increase both GDP and happiness.

We will consider four "new" industries in India; these are small at present. These include, what are labelled here as, the safety industry, the cleanliness industry, the relocation industry, and the relaxation industry. There is a common thread linking the four industries.

There is actually a pressing demand for higher output from such industries. Also, there is a meaningful potential for supply, given the under-utilisation and misallocation of resources in India. So, additional GDP is possible, and this can increase happiness.

SAFETY INDUSTRY

Let us begin with the safety industry. The lack of safety is pervasive in India. Also, we need greater safety from "natural" calamities. Finally, citizens need safety from random "factors" like road rage, stampedes, gas leakages, hacking, fraud, encroachment, loan thefts, and so on. To see the policy solution, let us delve into some simple economics here.

Consider, to begin with, the simplified case in which the only input required for safety is manpower. To pay for this, people can be persuaded to pay a little more by reducing their spending to a very small extent on each of the very many other goods and services. But now some unemployed people will get jobs and incomes as the safety industry expands. Not only is the aggregate demand maintained, it is, in fact, raised. So is the output in the form of the services from the safety industry.

This contributes to GDP and happiness. In the more general case in which the additional inputs include not only manpower but also materials and equipment, the expansion possible in the safety industry is relatively less but still significant. We come now to the cleanliness industry.



For GDP growth that spurs happiness

NEW VISION. Four new industries can enhance growth as well as overall happiness in society

The government launched the Swachh Bharat Mission in 2014 but it was, in effect, mainly about reducing open defecation. More generally, cleanliness remains a serious issue in public places. There are important concerns like dust, waste, debris, water logging, smoke, etc. The need for clean water can be hardly overemphasised. The air quality index (AQI) needs to be brought down drastically.

The economics of expanding the cleanliness industry is, similar to that in the case of the safety industry explained above. So, it may be skipped here. Next consider the relocation industry. The big cities are, by and large, congested in India.

RELOCATION INDUSTRY

An important reason is the high price of land, which is, in turn, due to factors like the License Raj in the real estate sector in much of urban India. On the other hand, the price of rural land is high due

Four new industries — safety, cleanliness, relocation and relaxation — are vital for creating jobs and spurring growth while also making our lives happier

to factors like the Land Acquisition Act, 2013 though there has been some dilution at the State level. Overall, there is an additional factor, which keeps the price of land high in India.

This is financial repression in the financial sector, which has implications in terms of high demand for alternative assets like real estate. Even the public authorities are "hoarding" land on a large scale. Land is substantially underutilised and mis-allocated in India. Farmers own land that has a high "market" price but low fundamental value. Their farm incomes are low and they are unhappy.

On the other hand, the urban population lives in small and expensive houses; a large proportion of the citizens live in slum/tenement colonies, and slums. They are also unhappy. This is when we have abundant land in the aggregate for all practical purposes. A change in policy can lower the average price of land. New cities including new hill stations can be built, or the existing small cities can be extended meaningfully.

This endeavour needs to be with the involvement of good real estate developers who can provide, or advise on providing, an entire ecosystem in which people are themselves willing to relocate in new places in a phased manner. We can have more construction in a planned way, higher output, employment, and happiness.

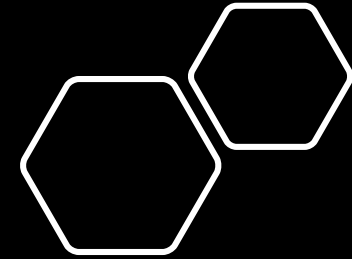
RELAXATION INDUSTRY

We have so far considered the safety industry, the cleanliness industry, and the relocation industry, which can also reduce the price of land. All this can be useful in expanding the relaxation industry. This includes a very diverse mix. It includes more public parks, theatres, clubs, museums, sports complexes, holiday resorts, and cycling.

We can take it all further to include even our own version of pubs. The relaxation industry also includes recreational open-air cafeterias once we have clean air, etc. Let us now come to something very different in the relaxation industry. The opposite of relaxation is stress. There is stress amongst the people who have cases stuck in courts and also amongst those who tolerate injustice because they cannot go to courts, given the massive time and money it takes. Precious resources in the economy are, in the meanwhile, under-utilised due to pending decisions.

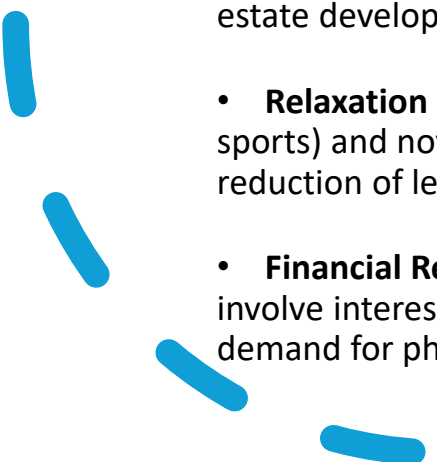
There is a need to expand the judiciary by reallocating some public spending and by changing some policies. People will be less stressed, they can focus on work, rights can be cleared, and resources can be utilised, or utilised in a better way. This contributes to higher GDP and happiness.

The writer is an independent economist. He taught at Ashoka University, UP (2016) and IITM





- **Key Terms and Explanations**

- **Gross Domestic Product (GDP):** The total monetary or market value of all finished goods and services produced within a country's borders in a specific time period. In the Indian context, it is the primary measure of economic activity. *Example: If India produces cars, provides banking services, and builds roads, the sum of their values contributes to its GDP.*
 - **World Happiness Index:** A ranking published by the UN Sustainable Development Solutions Network, measuring happiness based on factors like GDP per capita, social support, healthy life expectancy, freedom to make life choices, generosity, and perceptions of corruption. India's low rank (118th) highlights a disconnect between economic output and citizen well-being.
 - **Safety Industry:** A conceptual sector encompassing all economic activities dedicated to providing security. This goes beyond policing to include disaster management (floods, cyclones), cyber security, consumer protection against fraud, and mitigation of urban risks (road rage, stampedes). It frames safety not just as a public good but as a source of employment and economic output.
 - **Cleanliness Industry:** An economic sector focused on environmental hygiene and aesthetics. It extends beyond the *Swachh Bharat Mission's* focus on sanitation to include air and water purification, waste management (processing, recycling), dust control, and maintenance of public spaces.
 - **Relocation Industry:** An economic concept centered on planned, large-scale movement of populations to decongest cities. It involves creating new urban centers (or expanding existing small towns) with complete ecosystems (housing, jobs, infrastructure). This industry would include real estate development, construction, urban planning, and transport logistics.
 - **Relaxation Industry:** A broad sector dedicated to leisure, recreation, and mental well-being. It includes traditional elements (parks, tourism, sports) and novel ones like public cafes in clean environments. Critically, the article expands this to include a functional judiciary, framing the reduction of legal stress (via faster dispute resolution) as a contributor to economic output and happiness.
 - **Financial Repression:** A term used to describe policies where the government channels funds to itself as a form of debt management. This can involve interest rate caps, high reserve requirements for banks, and directing credit to the public sector. The article links this to artificially high demand for physical assets like real estate, inflating land prices.
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- **Main Arguments and Substantive Parts**

- The core thesis of the article is a critique of narrow, growth-only economic models and a proposal for a more holistic, well-being-centric approach.

- **The Central Problem:** India faces a dual crisis: officially disputed but likely moderate GDP growth (approx. 4-4.5%) and abysmally low rankings on the World Happiness Index. This signals a failure of trickle-down economics to translate into societal well-being.

- **Core Thesis:** Economic policy should simultaneously target GDP growth and happiness. This can be achieved by formally recognizing and fostering four "new" industries that address pressing, everyday grievances.

- **Supporting Arguments & Logic:**

- **Demand-Side Argument:** There is an existing, "pressing demand" for safety, cleanliness, and relaxation. Citizens are already incurring "costs" due to their absence (e.g., health costs from pollution, stress from insecurity).

- **Supply-Side Argument:** India has underutilized resources (unemployed labor) and misallocated resources (e.g., land hoarded, stalled investment due to legal pendency). These industries can absorb these idle resources.

- **Economic Multiplier Effect:** Expanding these industries creates jobs (e.g., hiring more safety personnel). The newly employed spend their incomes, maintaining and raising aggregate demand. The output of these industries (a cleaner park, a safer street) is itself a contribution to GDP.

- **The Land Price Argument:** The article uses land as a prime example of misallocation. High prices are artificially propped up by historical policies (License Raj), legal hurdles (Land Acquisition Act), and financial repression. This causes unhappiness for farmers (low income despite high land value) and urbanites (unaffordable, congested housing). The "relocation industry" is proposed as a market-based solution to unlock this deadlock.

- **Historical Evolution of the Issue**

- The issues raised are deeply rooted in India's policy evolution.

- **Pre-Independence:** The economy was structured to serve colonial interests, with de-industrialization and a focus on raw material extraction. Concepts of citizen well-being or happiness were subservient to imperial needs.

- **1950s-1980s (Nehruvian Socialism & License Raj):** The focus was on heavy industry and state-led growth. The "Permit License Raj" created immense bureaucratic control, stifling entrepreneurship and leading to the urban land and real estate complexities mentioned in the article. Land acquisition was governed by the colonial-era Land Acquisition Act of 1894, which was often used for state purposes with little regard for the displaced.

- **1991-2000s (Economic Liberalization):** The shift towards a market economy unleashed growth potential in IT, services, and manufacturing. However, this period also saw accelerated urbanization, leading to the congestion and strain on urban infrastructure we see today. The focus remained squarely on GDP growth.

- **2010s-Present:**

- **Growth Debate:** The article begins by referencing the 2024 debate on GDP data, highlighting an ongoing concern about the quality and measurement of growth.

- **Social Sector Focus:** Initiatives like the **Swachh Bharat Mission (2014)** and the **National Clean Air Programme (2019)** show a policy shift towards cleanliness and environmental health, though the article argues they need to be broadened into full-fledged "industries."

- **Legal Reforms:** The **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR Act)** attempted to address historical injustices in land acquisition but, as the article notes, may have inadvertently created new hurdles by driving up costs and litigation.

- **Judicial Delays:** The problem of pendency in courts has been persistent, with various Law Commission reports highlighting the need for a greater judge-to-population ratio.

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Safety & Cleanliness Industries

Converting disaster management, cybersecurity, and waste management into job-creating, supply-side economic activities.



Relocation & Relaxation Industries

Unlocking hoarded land for new cities while linking judicial speed to stress reduction.



The Economic Multiplier Effect

Utilizing idle labor in these sectors raises GDP through productive service output.

The Pillars of the "Double Dividend"

The Pillars of the "Double Dividend"

Feature	Traditional Model	New Vision Model
Primary Metric	GDP Quantity (Output)	Quality of Life (Well-being)
Economic Engine	Heavy Industry/High-Value Services	Safety, Cleanliness, & Leisure
End Goal	Wealth Accumulation	Human Capability & Flourishing

Strategic Pillars for UPSC Analysis



The Land-Misallocation Crisis

Policy reforms must unlock hoarded land to reduce urban congestion and housing costs.



The Relaxation-Judiciary Link

Viewing a faster legal system as a "stress-reduction" industry that boosts productivity.



The Happiness Paradox

Addressing India's 118th rank by moving beyond "GDP at any cost."



- **Logical and Philosophical Base**

- **Utilitarianism with a Human Face:** The argument has roots in utilitarian philosophy (seeking the greatest good for the greatest number) but moves beyond simple wealth maximization (Bentham) to incorporate qualitative aspects of well-being (Mill). It suggests that policies should be judged not just by the GDP they create, but by the net happiness they produce.

- **Capability Approach:** The article aligns strongly with Amartya Sen's and Martha Nussbaum's "Capability Approach." This framework argues that development should be measured by the expansion of people's "capabilities"—their freedom to live a life they have reason to value. The four industries directly expand these capabilities: Safety (freedom from fear), Cleanliness (freedom from disease), Relocation (freedom to choose where to live), and Relaxation (freedom for leisure and peace of mind).

- **Keynesian Economics:** The logic of employing the unemployed to create demand and boost output is a classic Keynesian argument for government intervention during periods of underemployment. The safety and cleanliness industries are, in effect, a form of public works program tailored to modern needs.

- **Behavioral Economics:** The inclusion of the "relaxation industry" and the focus on stress (from pollution, congestion, litigation) acknowledges that economic agents are not perfectly rational "homo economicus." Their productivity and decisions are affected by their psychological and emotional state. A stressed population is a less productive population.

- **Multidimensional Analysis**

- **Social:** The model promises a direct improvement in quality of life—safer streets, cleaner air, less crowded cities, and more leisure time. It could also address deep-seated social frustrations, like the stress of legal battles. However, it risks creating new social hierarchies if access to these new "industries" (e.g., clean, safe, relaxed environments) becomes a marker of class privilege.
- **Political:** The idea appeals to a "developmental state" model but requires a long-term political vision that transcends electoral cycles. It could be a powerful populist agenda if framed correctly ("a park in every neighborhood," "clean air for our children"). Conversely, land acquisition for relocation could become a major political flashpoint.
- **Legal:** The most profound legal linkage is the expansion of the judiciary. This requires a multi-pronged approach: increasing the number of judges, appointing more court staff, improving court infrastructure, and promoting alternative dispute resolution mechanisms (arbitration, mediation). It also requires simplifying laws to reduce the scope for litigation.
- **Ethical:** The model has a strong ethical foundation in its pursuit of well-being. It implicitly critiques a purely materialistic notion of progress. However, an ethical dilemma arises in the "safety industry": where is the line between ensuring safety and creating a surveillance state that infringes on civil liberties?
- **International:** India's low ranking on global indices like the World Happiness Index is a soft power concern. Successfully implementing such a model could become a new template for development, especially for other Global South nations grappling with the downsides of rapid urbanization and growth. It also aligns with the UN's Sustainable Development Goals (SDG 3: Good Health and Well-being; SDG 11: Sustainable Cities and Communities).
- **Economic:** This is the core dimension. The model proposes a structural shift towards a services-led, well-being-focused economy. It challenges the traditional sequence of development (agriculture -> manufacturing -> services) by suggesting that investing in services like safety and a functional judiciary can, in fact, boost manufacturing and overall productivity by creating a more stable and healthy environment for business.

- **Linkages with NCERTs**
- **Class 9 Economics: "The Story of Village Palampur":** The concept of underemployment (disguised unemployment) is central. The "safety" and "cleanliness" industries are precisely the kind of sectors that can absorb this hidden workforce, turning idle labor into productive assets.
- **Class 10 Economics: "Sectors of the Indian Economy":** This chapter's discussion on primary, secondary, and tertiary sectors is directly relevant. The four proposed industries largely fall under the tertiary (service) sector. It also discusses how GDP is calculated, which is the starting point of the article's critique.
- **Class 11 Economics (Indian Economic Development):**
 - **Chapter on Human Capital Formation:** The idea links happiness and reduced stress (from a functional judiciary/clean environment) to higher productivity, which is a core part of human capital theory. A healthy, happy worker is more productive.
 - **Chapter on Infrastructure:** It challenges the traditional view of infrastructure (power, transport) and argues for "social infrastructure" (clean environment, safety, legal system) as being equally, if not more, important for development.
- **Class 12 Economics (Introductory Macroeconomics):** The entire article is a practical application of chapters on **National Income Accounting** (what GDP includes/excludes) and **Government Budget and the Economy** (how public expenditure can be reallocated to stimulate growth and employment).

- Linkages with UPSC CSE syllabus
- **GS Paper 1**
 - Urbanisation, problems and remedies (slums, congestion).
 - Social empowerment, poverty, and developmental issues (quality of life, access to public goods).
- **GS Paper 2**
 - Governance and public policy in various sectors (health, sanitation, urban development, safety).
 - Role of judiciary, issues of pendency, and justice delivery.
 - Constitutional provisions related to right to life, environment, and local self-government.
- **GS Paper 3**
 - Indian economy and issues relating to growth, development, and inclusive growth.
 - Infrastructure: energy, housing, urban infrastructure, and pollution control.
 - Land reforms and land-use policy; financial sector issues like financial repression.
 - Environmental pollution and degradation, disaster management (safety).
- **GS Paper 4 (Ethics)**
 - Concepts of happiness, well-being, and human values.
 - Ethical governance, public service values, and citizen-centric administration.
 - Case studies on sanitation campaigns, urban planning, and justice access.

- **Way Forward**

- **Reorienting National Accounting:** Initiate a serious debate on developing a complementary index to GDP, such as a Gross National Happiness (GNH)-type index or a comprehensive well-being dashboard for India. This would force policymakers to consider these factors.
- **Public-Private Partnerships for "New" Industries:**
 - **Safety & Cleanliness:** Move beyond contracts to create markets. Provide tax breaks and incentives for startups in waste-to-wealth, air purification technology, and private security with mandatory training and accountability standards.
 - **Relocation:** Create a "National Urban Expansion Authority" to identify land corridors for new cities. Use a land-pooling model (like in Amaravati, Andhra Pradesh) where farmers become stakeholders in the new urban development, rather than just selling their land.
- **Judicial Reforms for Economic Growth:** Frame judicial expansion not just as a legal reform but as a key economic reform in the next term. Set a time-bound target to triple the judge-to-population ratio. Massively invest in court digitization and e-courts to reduce paperwork and delays.
- **Behavioral Insights in Policy:** Incorporate findings from behavioral economics into urban design and public policy. For example, designing public spaces (Relaxation Industry) to encourage community interaction can have measurable impacts on social capital and well-being.
- **Integrating Happiness into Education:** Following the example of universities like Harvard, introduce foundational courses on well-being and emotional intelligence in Indian schools and colleges. This would create a future citizenry that values and demands these outcomes from its government.



- **Prelims:**

- **2023:** With reference to India, consider the following statements: (Related to Judicial Pendency and strength of judges)
- **2021:** With reference to the Indian economy, what are the advantages of 'Financial Repression'? (Term used in the article)
- **2020:** Consider the following statements: (Related to Swachh Bharat Mission)
- **2018:** With reference to the governance of public sector banking in India, consider the following statements: (Indirectly related to financial repression)
- **2017:** Which of the following is/are the aims/aims of the "National Clean Air Programme" (NCAP) of India?
- **2014:** The terms 'Marginal Standing Facility Rate' and 'Net Demand and Time Liabilities' sometimes appear in news. Which of the following is/are related to 'Financial Repression'? (Conceptual)

- **Mains:**

- **2023:** Distinguish between 'growth' and 'development'. Do you think the concept of 'development' is better than that of 'growth' for understanding the well-being of a society? Explain. (Direct fit)
- **2022:** What are the main reasons for the high level of pendency of cases in Indian courts? Suggest suitable measures to reduce it. (Direct fit for the judicial part of the "Relaxation Industry")
- **2021:** Explain the concept of 'well-being' and its relationship with economic growth. How can public policy promote both? (Core theme of the article)
- **2020:** Land reforms in India have been incomplete. Analyze the causes and suggest corrective measures. (Connects to the "Relocation Industry" and land price issues)
- **2019:** "The time has come to move beyond GDP as a primary indicator of national progress." Comment.
- **2018:** "In the Indian context, the concept of 'ease of doing business' must be complemented by 'ease of living' for the common man." Discuss. (A perfect summary of the article's thesis)
- **2017:** What are the salient features of the 'National Clean Air Programme' (NCAP) of India? How far is it able to address the issue of air pollution in the country? (Connects to the "Cleanliness Industry")
- **2016:** "The focus on economic growth alone is insufficient for the development of a country." Critically examine.



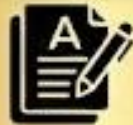
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