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# NSO survey shows better health-seeking behaviour

**Bindu Shajan Perappadan**  
NEW DELHI

Health-seeking behaviour in India is improving as the proportion of the population reported ailing (PPRA) in 2025 nearly doubled from 2017-18 figures, with rural area numbers going up to 12.2% from 6.8% and those of urban areas rising to 14.9% from 9.1%, according to the latest findings of the National Statistical Office (NSO) in the 80th round of household consumption health survey released on Wednesday.

Expansion in coverage under government health insurance and financing schemes rose more than threefold – increasing to 45.5% from 12.9% in rural areas, and 31.8% from 8.9% in urban areas, the NSO re-

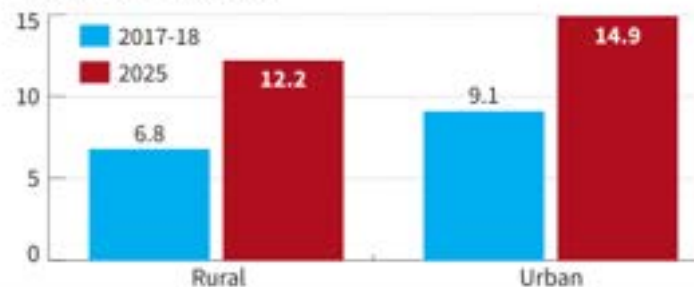
ported. Institutional deliveries have risen to 95.6% in rural areas, and to 97.8% in urban areas, the survey said.

Covering both rural and urban areas across the country, the survey canvassed 1,39,732 households, including 76,296 households in rural areas and 63,436 households in urban areas.

The findings of the NSO noted that median out-of-pocket medical expenditure (OOPE) per case of hospitalisation in 2025 has been recorded as ₹11,285, indicating that relatively low expenditure was incurred in over half of the cases of hospitalisation in the country. Only a small number of high-cost cases were observed to push up the average (mean value),

## Health report

The proportion of urban and rural populations reported to be ailing in 2017-18 to 2025



SOURCE: NATIONAL STATISTICAL OFFICE

the NSO said.

“This shows that high expenditure is not widespread but limited to specific cases requiring specialised treatment. Moreover, the OOPE in more than half of the entire hospitalisation cases in the public health facilities incur only ₹1,100. Importantly, for

non-hospitalisation (outpatient) care, the median OOPE in public health facilities is zero, reflecting that a large proportion of citizens are able to access essential healthcare services entirely free of cost,” the survey said.

India has also registered a decline in infectious dis-

eases and a rising prevalence of non-communicable diseases, including diabetes and cardiovascular conditions.

In response to rising demand, the utilisation of public healthcare facilities has strengthened, particularly for outpatient care in rural areas, where utilisation increased from 33% to 35%, the survey said.

### Expansion of services

This improvement has been attributed to the expansion of comprehensive primary healthcare services, with an emphasis on preventive, promotive, and early diagnostic care, supported by the availability of free drugs and diagnostics, the NSO said.

Additionally, in India, financial risk protection has

expanded with the rapid scaling-up of government-financed health insurance coverage, including under the Ayushman Bharat Pradhan Mantri Jan Arogya Yojana, and various State schemes.

The percentage of population covered under these government health finance and insurance schemes in the country has notably increased from 12.9% to 45.5% in rural areas, and from 8.9% to 31.8% in urban areas, the survey said.

There is an increasing trend towards the utilisation of public health facilities, the NSO survey has also shown. In 2014, around 28% of the rural population headed to public facilities for outpatient care, and this surged to 35% in 2025, the survey said.

- **Key Terms and Explanations**

- **Proportion of Population Reporting Ailing (PPRA):** This measures the percentage of people who reported suffering from any illness during a specific reference period. A rise in PPRA doesn't necessarily mean the country is getting "sicker"; it often indicates higher health awareness and a greater tendency to seek medical help rather than ignoring symptoms.
- **Out-of-Pocket Expenditure (OOPE):** This refers to the direct payments made by individuals to healthcare providers at the time of service. High OOPE is a primary cause of "medical impoverishment" in India.
- **Institutional Deliveries:** This indicates births occurring in medical facilities (clinics/hospitals) rather than at home. It is a critical indicator for reducing Maternal Mortality Rate (MMR) and Infant Mortality Rate (IMR).
- **Ayushman Bharat-PMJAY:** The world's largest government-funded healthcare program, providing a cover of ₹5 lakh per family per year for secondary and tertiary care hospitalization to the bottom 40% of the population.
- **Non-Communicable Diseases (NCDs):** Also known as chronic diseases (e.g., diabetes, hypertension), they are not passed from person to person. They usually have a long duration and result from a combination of genetic, physiological, environmental, and behavioral factors.

- **Main Arguments and Substantive Parts**

- The core thesis revolves around a **paradigm shift** in Indian healthcare: the transition from neglected morbidity to active health-seeking, supported by state-led financial protection.
- **The Paradox of Rising Ailing Numbers:** The doubling of PPRA (from roughly 7% to 12% in rural areas) is framed as a positive developmental indicator. It reflects "health-seeking behavior"—people are now acknowledging and reporting illnesses because they believe treatment is accessible.
- **The Insurance Revolution:** Coverage has seen a massive threefold expansion. By covering nearly 45% of the rural population, the government has moved healthcare from a luxury to a social right.
- **Public Sector Resurgence:** There is a notable "return to public facilities." After decades of private sector dominance due to poor public infrastructure, the utilization of public outpatient care has risen, particularly in rural settings.
- **The OOPE Equilibrium:** While the "mean" (average) cost of surgery or treatment might seem high, the "median" cost is low. This suggests that for more than half the population, healthcare is becoming affordable or free, while only high-end, specialized cases remain expensive.

- **Historical Evolution of the Issue**
- The journey of Indian healthcare is one of shifting priorities—from eradicating epidemics to managing lifestyle diseases.
- **Pre-Independence & Bhore Committee (1946):** The foundation of the "Primary Health Centre" (PHC) model was laid here, emphasizing that no one should lack access to healthcare due to an inability to pay.
- **Post-Independence (1950s-1980s):** Focus was primarily on population control (Family Planning) and infectious diseases like Malaria, Smallpox, and Polio.
- **National Health Policy (2002):** Acknowledged the need for increased public spending and the rising burden of NCDs.
- **National Rural Health Mission (2005):** A landmark shift that strengthened rural infrastructure and introduced the ASHA (Accredited Social Health Activist) worker.
- **National Health Policy (2017) & Ayushman Bharat (2018):** This marked the move toward **Universal Health Coverage (UHC)**, focusing on health wellness centers for primary care and insurance for tertiary care.
  
- **Way Forward**
- **Strengthening Primary Healthcare:** Convert all sub-centers into Health and Wellness Centers (HWCs) to catch NCDs early.
- **Human Resource Mapping:** Addressing the shortage of specialists in rural public hospitals to ensure that the 35% who "seek" public care actually receive "quality" care.
- **Standardized Treatment Protocols:** To keep insurance costs sustainable, the government must standardize the costs of procedures across private and public sectors.
- **Focus on Geriatric Care:** As India's population ages and NCDs rise, the healthcare system must evolve to handle long-term elderly care.
  
- **Previous Years' UPSC Questions**
- **Prelims (2019):** Question on the features of Ayushman Bharat-PMJAY.
- **Mains (2020, GS2):** "Appropriate local community-level healthcare intervention is a prerequisite to achieve 'Health for All' in India. Explain."
- **Mains (2015, GS2):** "Public health system has limitations in providing universal health coverage. Do you think that the private sector could help in bridging the gap? What other options would you suggest?"



# INDIA'S HEALTHCARE REVOLUTION: A PARADIGM SHIFT (NSO 2025 FINDINGS)

## HEALTH-SEEKING BEHAVIOUR RISES



**PPRA:**  
6.8% (2017-18)  
→ 12.2% (2025)

**PPRA:**  
9.1% (2017-18)  
→ 14.9% (2025)

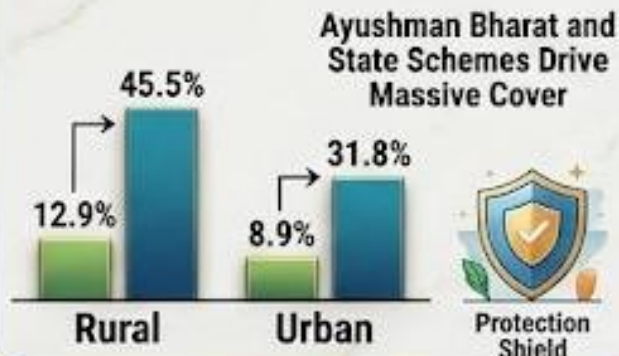
Rural Urban

**RURAL INSTITUTIONAL DELIVERIES: 95.6%**

Health Ailing Report doubling: Sign of increased awareness and trust

**URBAN INSTITUTIONAL DELIVERIES: 97.8%**

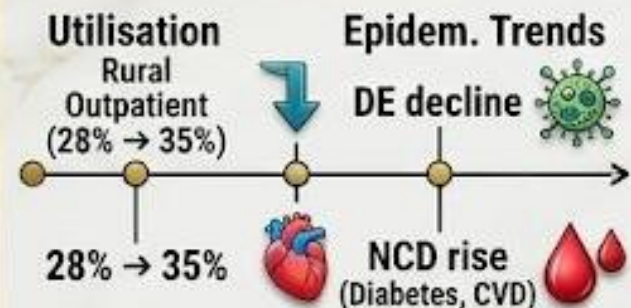
## FINANCIAL RISK PROTECTION (Insurance Cover)



## LOW OUT-OF-POCKET EXPENSES (OOPE)



## UTILISATION OF PUBLIC FACILITIES & EPIDEMIOLOGICAL TRENDS



## AXIA ACADEMY INSIGHT: THE ROAD AHEAD



- Strengthening HWC
- Human Resource Focus
- Universal Health Coverage
- Data-Driven Policy

# U.S. returns 657 trafficked artefacts to India in \$14 million restitution

**R. Sivaraman**  
CHENNAI

U.S. authorities have announced the return of 657 antiquities, collectively valued at nearly \$14 million, to India. The pieces were recovered pursuant to several ongoing investigations into criminal trafficking networks, including those of alleged antiquities trafficker Subash Kapoor and convicted trafficker Nancy Wiener.

The artefacts were returned at a ceremony attended by the Consul-General of India, Rajlakshmi Kadam, in New York.

"The scale of the trafficking networks that tar-

geted cultural heritage in India is massive, as demonstrated by the return of more than 600 pieces today," Manhattan District Attorney Alvin Bragg said in a statement.

Sources said the 657 antiquities were delivered in three phases: 612 were returned in November 2024, 26 in July 2025, and in the third phase, 19 were returned to India on Tuesday. Of the 19, 17 are linked to Subash Kapoor.

Among the pieces being returned is a red sandstone figure of Buddha standing with his right hand raised in *abhaya mudra*, a gesture of protection. The Buddha's feet are broken below

the knees, and only fragments of the halo behind his head remain – damage that likely occurred when the statue was looted from northern India. The statue worth \$7.5 million was smuggled into New York by Subash Kapoor and later seized by the Antiquities Trafficking Unit from one of his storage units.

## **Ancient figures**

Another returned artefact is a bronze figure of Avalokiteshvara, seated on an inscribed double-lotus base over a lion-flanked throne. The inscription identifies the craftsman as Dronaditya of Sirpur, located near modern-day Raipur in



A red sandstone Buddha figure worth \$7.5 million, which has been returned to India.

Chhattisgarh. The Avalokiteshvara sculpture was part of a large hoard of bronzes discovered near the Lakshmana Temple in 1939 and had entered the

collection of the Mahant Ghasidas Memorial Museum, Raipur, by 1952. It was later stolen from the museum and smuggled into the U.S. by 1982, eventually ending up in a private collection in New York by 2014.

The \$2 million bronze figure was located and seized from that collection in 2025.

Another artefact includes a sandstone figure of a dancing Ganesha, which was looted by one of Kapoor's indicted co-conspirators, Ranjeet "Shantoo" Kanwar, from a temple in Madhya Pradesh in 2000. Convicted trafficker Vaman Ghiya later sold

and shipped the Ganesha to New York-based gallery owner Doris Wiener. In 2012, following her mother's death, Nancy Wiener – later convicted for antiquities trafficking – knowingly created false provenance for the sculpture and sold it through Christie's New York. The Ganesha was purchased by a private collector at the 2012 auction, who surrendered it to the District Attorney earlier this year.

Commenting on the development, S. Vijay Kumar, cultural enthusiast and co-founder of India Pride, said, "We are seeing the results of our work over more than a decade bear

fruit. India must thank Homeland Security Investigations (HSI) for its sustained efforts in tracking these looted artefacts and ensuring their restitution. This is the result of over a decade-and-a-half of deciphering and dismantling the Indian art smuggling market, which stole our Gods and supplied them to the West via dealers like Subash Kapoor and the Wieners."

He added: "There are more than 1,000 artefacts yet to be returned, and we hope India and HSI will continue to work on these cases and further decipher the Kapoor and Wiener dossiers, which span nearly 50 years of looting."

- **Key Terms and Explanations**

- **Antiquities:** Under Indian law (Antiquities and Art Treasures Act, 1972), any coin, sculpture, painting, or work of art that has been in existence for not less than 100 years is considered an antiquity. For manuscripts or documents, the limit is 75 years.
- **Provenance:** This refers to the chronology of the ownership, custody, or location of a historical object. Traffickers often "wash" items by creating a **False Provenance**—forged documents claiming an item was in a private collection for decades—to bypass international import laws.
- **Restitution and Repatriation:** Restitution is the act of restoring something to its proper owner. Repatriation is the specific process of returning cultural property to its country of origin.
- **Abhaya Mudra:** A symbolic hand gesture (mudra) found in Indian religions. The right hand is held upright with the palm facing outward, signifying fearlessness, reassurance, and safety.
- **Avalokiteshvara:** A bodhisattva who embodies the compassion of all Buddhas. In Indian art, they are often depicted with a lotus, symbolizing purity emerging from the mundane world.

- **Main Arguments and Substantive Parts**

- The core narrative centers on the successful recovery of 657 stolen artefacts, highlighting a shift in international cooperation. The substantive parts of this development include:
  - **Systemic Nature of Trafficking:** The recovery reveals that trafficking is not an isolated crime but a "massive scale" operation driven by sophisticated networks. Figures like Subash Kapoor utilized commercial storage units and high-end galleries to hide and move illicit goods.
  - **Evidence of Targeted Looting:** Specific items, like the \$7.5 million red sandstone Buddha, show physical damage (broken knees/halo) consistent with violent removal from original sites. This proves that "market demand" in the West directly facilitates the physical destruction of Indian heritage sites.
  - **The Role of Civil Society:** The involvement of groups like "India Pride" demonstrates that successful restitution requires a "bottom-up" approach. Cultural enthusiasts often perform the initial labor of "digital tracking"—comparing auction house catalogs with old museum records to find matches.
  - **Government-to-Government Synergy:** The return ceremony in New York underscores the importance of diplomatic relations and the efficiency of the U.S. Antiquities Trafficking Unit working in tandem with Indian authorities.

- **Historical Evolution of the Issue**

- The journey of Indian antiquities from temples to foreign museums has several distinct phases:

- **Colonial Era (Pre-1947):** A period of "legalized" removal where British officials and explorers took artefacts back to Europe. Many items currently in the British Museum left during this era.

- **Post-Independence Vacuum (1947–1972):** India lacked a robust legal framework to protect its heritage. Local thefts increased as Western markets for "Oriental Art" boomed.

- **The 1972 Act:** India passed the *Antiquities and Art Treasures Act*, making it illegal to export any antiquity without a permit and requiring the registration of private collections.

- **The Era of Global Trafficking (1980s–2010s):** Large-scale cartels (Kapoor, Wiener) exploited porous borders and corrupt local channels. The 1939 Sirpur bronze, stolen in the 1980s, is a classic example of this peak period of loss.

- **The Digital Vigilance Phase (2014–Present):** With the rise of social media and digitized archives, tracking stolen goods became easier. International pressure and the 1970 UNESCO Convention are now being more rigorously enforced.

- **Way Forward**

- **National Register of Antiquities:** India must complete a comprehensive, digital, high-resolution database of every idol in every temple and museum.

- **Specialized Task Force:** Establishing a dedicated "Art Police" wing within the CBI or State Police forces, similar to Italy's *Carabinieri Art Squad*.

- **Community Custodianship:** Involving local panchayats and youth in "Temple Watches" to prevent theft at the source.

- **Bilateral Treaties:** Signing more "Memorandums of Understanding" (MoUs) with countries like the UK, France, and Germany to simplify the return process.

- **Previous Years' UPSC Questions**

- **Mains (2018):** "Safeguarding the Indian Art Heritage is the need of the moment. Discuss."

- **Mains (2023):** "Discuss the role of international cooperation in combating organized crime with respect to cultural property." (Thematic similarity).

- **Prelims (Multiple Years):** Questions on Mudras (Abhaya, Dharmachakra), specific temples (Lakshmana Temple, Sirpur), and the features of Gandhara vs. Mathura art.

# AXIA IAS ACADEMY: CULTURAL RESTITUTION OF STOLEN ANTIQUITIES TO INDIA

Comprehensive Analysis by AXIA IAS ACADEMY



## Key Terms & Provenance



## Key Recovered Artifacts

(a) **Red Sandstone Buddha**  
(Valued: \$7.5M | Kapoor)



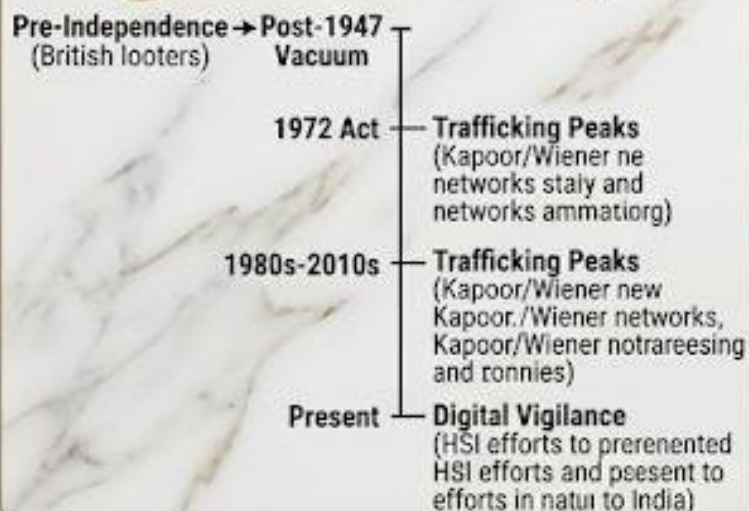
Clearly abhaya mudra, clearly broken to a broken feet and fragmented halo

(b) **Bronze Avalokiteshvara**  
(Valued: \$2M, Sirpur)



**Bronze Avalokiteshvara: \$2M** from Sirpur, linked from Sirpur, linked to zomsam bazaria, itthich linked to museum linked from museum theft

## Historical Evolution



## Trafficking to Restitution Path



## Challenges & Multi-Dimensional View

- Lack of records (cameonamons)
- Statute of Limitations



Return to India

## Way Forward

- Social**
- Legal**
- Ethical**
- Security**
- Diplomatic**
- National Register**: Combinis national solutioni for globalizeed registers
- Specialized Art Squad**: Recomrised art artiquat that misted necommenestic
- Local Custodianship**: Local custodianship in renewsion and recommendeds

# SC says courts cannot reform matters of faith

**Krishnadas Rajagopal**  
NEW DELHI

The Supreme Court on Wednesday said courts cannot herald reform in religion even as senior advocate Indira Jaising, appearing for two women who made history by entering the Sabarimala temple in Kerala to enforce their right to worship under a 2018 top court verdict, said religion must mend to remain relevant.

Appearing before a nine-judge Bench headed by Chief Justice of India Surya Kant, Ms. Jaising opened submissions for respondents supporting the 2018 verdict, which upheld the right of menstruating women aged between 10 and 50 to enter

 A person can say a temple is a denomination and only certain people can enter that temple... This would lead to complete balkanisation of Hinduism when the history of the country is that of unification. The Indian Constitution protects every religion, every faith

**INDIRA JAISING**  
Senior advocate



and pray at the Lord Ayappa temple.

"Social reform includes the reform of religion," Ms. Jaising said. She dismissed the contention that courts could not review religious practices challenged as discriminatory.

Justice B.V. Nagarathna

pointed out that the petitioners, who have sought a review of the Sabarimala verdict, had argued that reform cannot hollow out a religion out of existence. The judge said there ought to be a balance between reforms which actually benefit and those which were

intrusive and made inroads into doctrinal and religious matters.

Ms. Jaising, assisted by advocates Prashant Padmanabhan and Paras Nath Singh, said the Constitution had to be read out as a whole. One cannot make the right to equality under Article 14 and the right to dignity under Article 21 subservient to the freedom of religion. Religious practices must harmonise with social reform. The Constitution must be read as a whole, and not in bits and pieces. The Constitution was the conscience of the Supreme Court. The morality of the Constitution must govern the decisions of the court, she argued. She cautioned the judges against the "balkanisation"

of Hinduism. Ms. Jaising supported the 'essential religious practice' test evolved by the court. She said expanding the ambit of religious freedom to each and any "bonafide" ritual or belief would end up seeing Hinduism torn to bits.

"A person can say a temple is a denomination and only certain people can enter that temple... This would lead to complete balkanisation of Hinduism when the history of the country is that of unification. The Constitution protects every religion, every faith. It is unique. It protects all faiths and gets rid of all limitations that were once embedded in religion like caste, temple entry, etc," she said.

- **Key Terms and Explanations**

- **Essential Religious Practice (ERP) Test:** A doctrine evolved by the Supreme Court to determine which religious practices are integral to a faith and thus protected under Article 25. If a practice is deemed "essential," the state generally cannot interfere; if it is "secular" or "superstitious," it can be reformed. *Example:* While prayer is essential to Islam, the specific use of loudspeakers for Azaan has been ruled as not essential.
- **Constitutional Morality:** This refers to the values enshrined in the Constitution—like liberty, equality, and fraternity—rather than popular or religious morality. It suggests that the "conscience" of the Constitution should override traditional norms if they violate fundamental rights.
- **Balkanisation:** In this legal context, it refers to the fragmentation of a religion (like Hinduism) into countless small "denominations," each claiming their own sets of exclusive rules. This could lead to a breakdown of a unified social fabric.
- **Article 25 and 26:** Article 25 grants individuals the right to profess, practice, and propagate religion, subject to public order, morality, and health. Article 26 grants religious "denominations" the right to manage their own affairs in matters of religion.
- **Judicial Review:** The power of the courts to examine the actions of the legislative, executive, and even religious customs to ensure they align with the Constitution.

- **Main Arguments and Substantive Parts**

- The core of the debate rests on whether the "right to pray" for an individual woman outweighs the "right to manage religious affairs" for a temple deity and its devotees.
- **The Pro-Reform Argument (Ms. Indira Jaising):** The primary thesis is that the Constitution is an organic, unified document. You cannot isolate the freedom of religion (Article 25) and make it superior to the right to Equality (Article 14) and Dignity (Article 21). Social reform is not separate from religious reform; for a religion to remain relevant and vibrant, it must shed discriminatory practices. Jaising argues that allowing every temple to claim "denominational" status to exclude people would lead to the "balkanisation" of the faith, undoing centuries of progress toward equality.
- **The Judicial Caution (Justice Nagarathna & the Bench):** The court raised a vital counter-point: while reform is necessary, can it go so far that it "hollows out" the religion? There is a delicate balance between a reform that removes a social evil (like untouchability) and a reform that intrudes so deeply into "doctrinal matters" that the unique character of the pilgrimage or the deity is lost. The judiciary is wary of becoming a "clergyman" that dictates the nuances of theology.



- **Historical Evolution of the Issue**

- The tension between temple traditions and the law has a long history in India, reflecting the country's journey toward social justice.
- **Pre-Independence:** Various Temple Entry Proclamations (like the 1936 Travancore Proclamation) were early instances of the State breaking caste barriers in worship.
- **1950:** The Constitution is adopted. Article 25(2)(b) specifically allows the State to make laws for "social welfare and reform" or the throwing open of Hindu religious institutions of a public character to all classes and sections of Hindus.
- **1954 (Shirur Mutt Case):** The Supreme Court introduces the "Essential Religious Practice" test to decide what the State can and cannot regulate.
- **1991 (Kerala High Court):** The HC upheld the restriction on women in Sabarimala, citing that it was a long-standing custom.
- **2018 (Supreme Court Verdict):** A 4:1 majority struck down the exclusion of women, terming it "religious patriarchy" and a violation of Article 14.
- **2019-Present:** Review petitions led to the formation of a larger nine-judge Bench (now under CJI Surya Kant) to decide the broader interplay between various fundamental rights and religious freedoms.

- **Way Forward**

- **Harmonious Construction:** The court should follow the principle of "harmonious construction," ensuring that Article 25 (Religious Freedom) and Article 14 (Equality) are balanced rather than one being sacrificed for the other.
- **Internal Reform:** Greater emphasis should be placed on fostering dialogue within religious communities. Lasting change is more effective when it comes from "within" rather than being "forced" from above.
- **Clearer Doctrine:** The Nine-Judge Bench needs to provide a more precise definition of the "Essential Religious Practice" test to avoid inconsistent judgments in the future.
- **Sensitization:** State machinery should work on sensitizing stakeholders rather than just using police force to implement verdicts, reducing the friction between law and faith.

- **All Previous Years' UPSC Questions**

- **Mains (2019, GS 2):** "The local self-government system in India has not proved to be a very effective instrument of governance." (Indirectly related to the role of local Devaswom boards).
- **Mains (2017, GS 2):** "Examine the scope of Fundamental Rights in the light of the latest judgement of the Supreme Court on Right to Privacy." (The 'Puttaswamy' logic is often used in Sabarimala regarding bodily autonomy).
- **Mains (2015, GS 1):** "Debate the issue of whether and how contemporary movements for temple entry by women are a continuation of the Dalit temple entry movements of the colonial era."
- **Mains (2019, GS 4):** "Explain the concept of Constitutional Morality with the help of relevant judicial decisions."



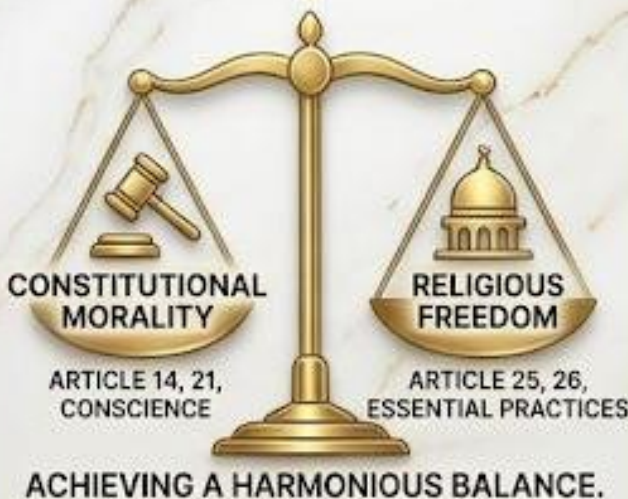
### KEY TERMS

**Universalism** between law, normal law, contrate religion, and social reform, and organits hys no madered supportions.

### MAIN ARGUMENTS

- 1. Universalism:** Human Rights are Constant, and camunities and organic laws
- 2. Pluralism:** Communities have organic laws for now, social impact.

## LEGAL universalism vs. PLURALISM



### JUDICIAL REVIEW & SOCIAL REFORM



COURT as Social Reformer?

### PREVENTING "BALKANISATION"



Preventing Fragmentation of Hinduism

### HISTORICAL EVOLUTION



### SUSUSTAINABILITY OF REFORM

#### WAY FORWARD

- Harmonious Construction
- Internal Reform

### CHALLENGES



Implementation resistance in opoting of Hinduism

### LINKAGES

GS 1, 2, 4 → ESSAY



SYLLABUS

# India and China discuss LAC stability, regional security

The two sides exchange views on regional security and the situation in West Asia; Defence Minister also holds talks with his counterparts from Russia, Belarus, Kazakhstan, Kyrgyz Republic

**The Hindu Bureau**  
NEW DELHI

**D**efence Minister Rajnath Singh met his Chinese counterpart, Dong Jun, on the sidelines of the Shanghai Cooperation Organisation (SCO) Defence Ministers' Meeting in Bishkek, Kyrgyz Republic on Tuesday.

## Peace along LAC

The two sides discussed maintaining peace and tranquillity along the Line of Actual Control (LAC) and exchanged views on broader regional security issues, including the West Asia situation, the spokesperson of the Chinese Embassy in India posted on social media platform X.

On Tuesday, while addressing the SCO gathering, Mr. Singh described terrorism as the most serious threat to global peace and the emerging world order. Emphasising a policy of zero tolerance, the Minister called for a unified and consistent approach



**Strategic dialogue:** Defence Minister Rajnath Singh interacts with his Chinese counterpart Admiral Dong Jun, during the SCO Defence Ministers' Meeting in Bishkek on Tuesday. [ANI](#)

among member states to eliminate terrorism, extremism and radicalism in all forms.

## Expanding defence ties

On the sidelines of the meeting, Mr. Singh held discussions with his counterparts from Russia, Belarus, Kazakhstan and Kyrgyz Republic, focusing on

strengthening defence cooperation and expanding strategic ties with partner countries.

The Shanghai Cooperation Organisation, established in 2001 in Shanghai, is one of the largest regional organisations promoting political, economic and security cooperation. Its member states include

India, Russia, China, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Uzbekistan, Iran, and Belarus.

India became a full member of the grouping in 2017, and assumed its rotating presidency in 2022-23, underlining its growing role in regional security and multilateral cooperation.

- **Key Terms and Explanations**

- **Line of Actual Control (LAC):** Unlike a legally recognized international boundary, the LAC is a notional demarcation line that separates Indian-controlled territory from Chinese-controlled territory. It is divided into three sectors: Western (Ladakh), Middle (Uttarakhand/Himachal), and Eastern (Arunachal Pradesh/Sikkim).
- **Shanghai Cooperation Organisation (SCO):** An intergovernmental organization founded in 2001. Often dubbed the "Alliance of the East," it is a major Eurasian political, economic, and security bloc.
- **Zero Tolerance Policy:** In the context of national security, this refers to a non-negotiable stance where no form of terrorism—regardless of its motivation—is excused or ignored.
- **Multilateralism:** A process where multiple countries work together on a given issue. The SCO is a prime example, where diverse nations like India, Russia, and Pakistan sit at the same table to discuss regional stability.
- **Strategic Ties:** Relationships between nations that go beyond simple trade, involving long-term cooperation in defense, intelligence sharing, and high-level political alignment.

- **Main Arguments and Substantive Parts**

- The core of recent high-level interactions revolves around the "dual-track" approach India maintains: engaging in multilateral forums while strictly addressing bilateral grievances.
- **The Primacy of Border Peace:** India's central thesis remains that the "state of the border determines the state of the relationship." Discussions on the LAC emphasize that regional stability is impossible without disengagement and de-escalation between the two Asian giants.
- **Terrorism as a Global Pariah:** A significant argument raised is that terrorism, radicalism, and extremism are the biggest disruptors of the "emerging world order." By calling for a "unified and consistent approach," India challenges member states (implicitly pointing to neighbors) to stop the selective categorization of "good" vs. "bad" terrorists.
- **Diversification of Defense Partners:** While China remains a challenge, India uses the SCO platform to deepen ties with Central Asian republics (Kazakhstan, Kyrgyzstan) and traditional allies like Russia, ensuring that its regional influence is not eclipsed by any single power.



- **Historical Evolution of the Issue**

- The journey from the "Silk Road" to the "Soldier's Road" has been long and arduous:

- **1950s–1962:** The era began with "Hindi-Chini Bhai-Bhai," which ended abruptly with the 1962 Border War. This created the fundamental trust deficit that exists today.

- **1988–2020:** Following Rajiv Gandhi's visit to Beijing in 1988, a consensus was reached to manage the border dispute while expanding trade. This led to several agreements (1993, 1996) aimed at maintaining "Peace and Tranquility."

- **The 2020 Pivot:** The Galwan Valley clash marked a structural shift. The previous "management" strategy failed, leading to a massive military standoff that continues to shape every diplomatic meeting today.

- **The SCO Journey:** India joined as an observer in 2005 and became a full member in 2017. Initially seen as a Russia-China led bloc, India has successfully "Indianized" the agenda by focusing on counter-terrorism (RATS) and connectivity.

- **Way Forward**

- A pragmatic roadmap for the future:

- **Clarification of the LAC:** Both sides should move toward exchanging maps to prevent unintended face-offs.

- **Institutionalizing the "Sideline" Diplomacy:** Bilateral meets during multilateral summits should be used for specific "crisis management" protocols.

- **Strengthening RATS:** The SCO's Regional Anti-Terrorist Structure (RATS) needs more teeth, including a common database of terror groups.

- **Economic Integration:** Bypassing the "land-lock" of Central Asia via the International North-South Transport Corridor (INSTC) to reduce dependence on routes controlled by adversaries.

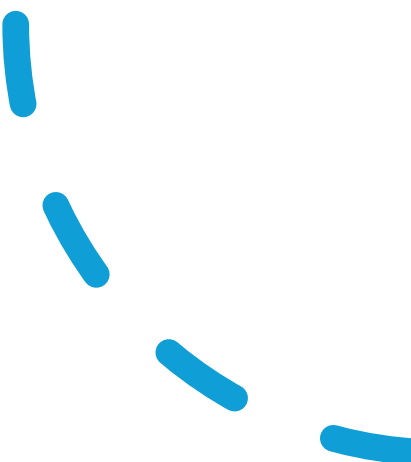
- **All Previous Years' UPSC Questions**

- **2022 (GS-II):** "The sea is an important component of the Cosmos. Discuss in the light of the above the role of the IMO in the context of maritime security." (Thematic link to SCO maritime security).

- **2021 (GS-II):** "Critically examine the aims and objectives of SCO. What importance does it hold for India?"

- **2020 (GS-II):** "India and China are using their respective soft power as a strategy to win minds and hearts in Central and South-East Asia. Evaluate."

- **2014 (GS-II):** "With respect to the South China Sea, maritime territorial disputes and rising tensions... discuss." (Compare with LAC tensions).



# ANALYSIS: THE SHANGHAI COOPERATION ORGANISATION (SCO)



## AXIA IAS ACADEMY

### 1 Key Terms & Explanations

#### LAC (Line of Actual Control)

- Western sector of Actual control, Middle sector and Eastern sector



#### SCO

- India, China, Russia, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Uzbekistan, etc.

#### Zero Tolerance Policy on Terrorism

- Terrorism consunwrat and artoor re-torrance policy on terrorism

#### Multilateralism

- Diverse flags, champaaian, and multilateralism



#### Strategic Ties

- Chanting strategic's strateging relationships

### 2 Main Arguments



#### Primacy of Border Peace

Border state determines relations



#### Terrorism as a Global Threat

Unified approach to counter-terror shield



#### Diversification of Partners

Russia, Central Asian states, Kazakhstan, and etc.

### 3 Historical Evolution

1950s	Hindi-Chini	
1962	War	
1988	Rajiv Gandhi visit	
1993/1996	Peace agreements	
2005	India observer	
2017	India full member	
2020	Galwan Pivot	

### 8 Multidimensional Analysis



### 9/10 Linkages

#### NCERTs

- Class 12 Pol Sc
- Class 11 Geo

#### UPSC Syllabus

- GS II
- GS III
- GS IV
- Essay

### 12 Way Forward

- LAC clarification** - Filange based on tine cncerrant in borden clarification
- RATS** - Clarification ponts brossed in RATS components
- INSTC** - Prevents retabardingy on INSTC and montitiation

### 13/14 PYQs & Model Answers

Q. Sample Question about the Shanghai Cooperation Organisation (SCO) | SCO?

Answer:

Structured of a acogrntion clarification in SCO ! on approaun sample tiraduction of used in both difference in-siues subctrate it natural propetics and radic developments.



# Hate speech stems from 'us versus them' mindset, says Supreme Court

**Krishnadas Rajagopal**  
NEW DELHI

The Supreme Court on Wednesday said that hate speech and rumour-mongering stemmed from an "us versus them" mindset and worked to corrupt a sense of fraternity in a diverse society. However, the court declined to direct the enactment of specific laws against hate speech and crimes, instead calling for effective enforcement of existing laws that cover the offence.

"Hate speech, at its core, stems from a perception of difference that breeds exclusion, where the 'other' is viewed as alien, inferior, or undeserving of equal regard," a Bench of Justices Vikram Nath and Sandeep Mehta observed in a 125-page judgment in a series of petitions seeking separate laws for hate speech and crimes. The petitions had also highlighted the unabated presence of hate speech in society despite repeated Supreme Court judgments. Justice Nath cautioned that as long as



the binary of "us" and "them" persisted, the promise of fraternity would remain unrealised, and true constitutional belonging would prove elusive.

"While we decline to issue directions of the nature sought, we deem it appropriate to observe that issues relating to 'hate speech' and 'rumour mongering' bear directly upon the preservation of fraternity, dignity and constitutional order," he said.

The judgment said the court cannot enter into the exclusive legislative domain and craft laws against hate speech and the court left it to the Union government and legislative auth-

orities to consider bringing any specific laws to address the bane of hate speech.

"Hate speech is not merely a deviation from acceptable discourse; it is fundamentally antithetical to the constitutional value of fraternity and strikes at the moral fabric of our Republic. It also runs counter to the deeper civilisational ethos of India.... The philosophical underpinning of this ethos finds expression in the ancient maxim of '*vasudhaiva kutumbakam*', the idea that the entire world is one family," the top court said.

"The constitutional role of the judiciary is primarily to interpret and apply the law, and not to legislate... Any attempt by courts to prescribe detailed statutory schemes or to frame provisions akin to legislation would amount to judicial law-making and would impermissibly trench upon the functions assigned to the legislature," Justice Nath reasoned.

The court said hate crimes continue to result in bloodshed because of poor enforcement of exist-

ing laws, and not because of a dearth of laws to address the issue and to punish the perpetrators.

"It cannot be contended that the law is either silent or deficient in addressing grievances arising from conduct that disturbs public order or fosters intergroup hostility. Any deficiency lies not in the absence of law, but in its application and enforcement in specific cases. The function of this court is not to create new offences or construct parallel regulatory regimes, but to ensure faithful implementation of the remedies already envisaged under law," the court said.

Justice Nath said the statutory architecture of both the substantive penal law (BNS) and the procedural one (BNSS) is designed to ensure a free and fair investigation, if necessary, under the supervisory gaze of the jurisdictional magistrate. The court said it was up to the law enforcement authorities to ensure a faithful and evenhanded implementation of the existing laws.

- **Key Terms and Explanations**

- **Hate Speech:** While not explicitly defined in a single statute, it refers to specialized speech that targets individuals or groups based on attributes such as religion, race, or caste, intended to incite hatred or violence.
- **Fraternity:** A pillar of the Preamble, fraternity refers to a sense of common brotherhood that transcends narrow identities. It is the "social glue" that prevents a diverse society from fracturing.
- **Doctrine of Separation of Powers:** A constitutional principle where the Judiciary, Legislature, and Executive have distinct roles. The court here emphasized that "legislating" (making laws) is the exclusive domain of Parliament.
- **Judicial Law-making:** A situation where courts create new legal norms or "read into" laws. The court cautioned against this, preferring to remain an interpreter rather than a creator of statutes.
- **Vasudhaiva Kutumbakam:** A Sanskrit phrase meaning "the world is one family." It represents the Indian civilizational ethos of universalism and inclusion, contrasting the "us versus them" binary.
- **BNS and BNSS:** The *Bharatiya Nyaya Sanhita* (substantive law defining crimes) and *Bharatiya Nagarik Suraksha Sanhita* (procedural law for investigation). These replaced the colonial IPC and CrPC.
- **Binary of "Us" and "Them":** A sociological concept of "Othering," where a dominant group defines its identity by excluding or dehumanizing a minority group.

- **Main Arguments and Substantive Parts**

- The core thesis of the judgment rests on the distinction between the **existence of law** and the **enforcement of law**.
- The Court argued that the persistence of hate speech is not due to a "legislative vacuum." Instead, the failure lies with the executive machinery. By refusing to draft new laws, the Court upheld the principle of **Judicial Restraint**. It posited that if the Judiciary starts framing specific penal codes, it would infringe upon the powers of the elected representatives.
- Substantively, the Court linked hate speech directly to the erosion of **Constitutional Belonging**. It noted that when a citizen is targeted by hate speech, they lose their sense of being an equal stakeholder in the Republic. The judgment also highlighted that the current legal architecture (BNS/BNSS) provides ample power to magistrates to oversee investigations, meaning the tools for justice already exist; they simply need to be wielded with political will and professional integrity.

- **Historical Evolution of the Issue**
- The trajectory of hate speech regulation in India has moved from colonial "public order" concerns to modern "dignity-based" legal interpretations:
- **Pre-Independence:** Provisions like Section 153A and 295A were introduced by the British primarily to prevent communal riots that threatened colonial stability, rather than to protect individual dignity.
- **Post-Independence (1950s):** The First Amendment introduced "reasonable restrictions" to Article 19(1)(a), including "public order" and "incitement to an offence," giving the state power to curb harmful speech.
- **The 2014-2023 Phase:** Cases like *Pravasi Bhalai Sangathan* saw the Court asking the Law Commission to define hate speech. The Law Commission's 267th Report (2017) recommended specific changes to the IPC, which the legislature did not immediately codify into a separate "Hate Speech Act."
- **Present Day:** The Court has moved from giving "guidelines" (as seen in the *Tehseen Poonawalla* case regarding lynching) to a more firm stance on **executive accountability**, emphasizing that the police must act under existing laws without waiting for new ones.
  
- **Way Forward**
- To bridge the gap between the Court's vision and ground reality, a multi-pronged approach is needed:
- **Police Reforms:** Implementing the *Prakash Singh* guidelines to insulate the police from political interference, ensuring "even-handed" enforcement.
- **Sensitization Programs:** Training the judiciary and police on the nuances of "dignity-based" harms, ensuring they can distinguish between hard-hitting criticism and illegal hate speech.
- **Community Policing:** Reviving "Mohalla Committees" to counter rumours at the local level before they escalate into violence.
- **Technological Accountability:** Holding social media intermediaries accountable for the "virality" of hate speech through stricter adherence to IT Rules.
- **Educational Overhaul:** Integrating "Media Literacy" in schools to help the next generation identify and reject "us vs. them" narratives.
  
- **All Previous Years' UPSC Questions**
- **Mains 2023 (GS 2):** "The local self-government system in India has not proved to be an effective instrument of governance." (Related to ground-level enforcement of social harmony).
- **Mains 2022 (GS 2):** Discuss the role of the Vice-President of India as the Chairman of the Rajya Sabha. (Context: Speeches made in Parliament/Legislatures).
- **Mains 2015 (GS 2):** "Section 66A of IT Act was struck down... Discuss how it affects the right to freedom of expression."
- **Mains 2014 (GS 4):** "What do you understand by 'Probity in Governance'?" (Relevant to the 'faithful implementation' of laws).
- **Prelims 2021:** A question on the "Preamble" and the "Liberty, Equality, and Fraternity" concepts.



# COMPREHENSIVE JUDICIAL ANALYSIS: HATE SPEECH, FRERNITY, AND THE SEPARATION OF POWERS

## 1 Key Terms & Concepts



**Hate Speech:** Hate speech; dedicated hate speech, or uncreabte animan communalism.



**Fraternity:** Definitions polinarity, trust Firaternity, and alloomends are notorenced.



**Doctrine of Separation of Powers:** Doctrine, separation of powers, geonront ans, and proterst government, or soocrtng atent powers.



**Vasudhaiva Kutumbakam:** Vasudhaiva kutumbakam: converous agrinicultural goal nacralus convernamons.

## 3 Historical Evolution: A Timeline

Pre-Independence  
(Sections 153A, 295A)

2014-2023  
(Pravasi Bhalai,  
Tehseen Poonawalla  
Guidelines)

Post-Independence  
(1st Amendment,  
Public Order)

Present  
(Executive  
Accountability,  
Police Must Act)

## 2 Court's Core Arguments: Existence vs. Enforcement

Legislative Adequacy



No 'Legislative Vacuum';  
Current statutes (e.g.,  
public order) are  
sufficient.

JUDICIAL  
RESTRAINT



The Implementation Gap



Problem: Selective or  
Poor Enforcement;  
Justice must wait for  
political will.

## 5 Proposed Solutions: A Multi-pronged Approach

Police  
Reform  
(impartial force)



Technology  
Accountability  
(moderation)

Community  
Policing  
(local)

Sensitization  
Training  
(awareness)

## 4 Multi-dimensional Impact of Hate Speech

**SOCIAL**  
Broken  
community trust



**POLITICAL**  
Polarized  
electorate



**LEGAL**  
Clash of  
Art 19 vs. Art 21



**ETHICAL**  
Eroded  
compassion



## UPSC Syllabus Linkages

**GS Paper I:** Salient features of Indian Society, Communalism

**GS Paper II:** Indian Constitution (Fraternity, Separation of Powers, Fundamental Rights)

**GS Paper IV (Ethics):** Human Values, Compassion, Probity in Governance

## Jaishankar speaks with Araghchi days after BRICS logjam

Kallol Bhattacharjee  
NEW DELHI

Days after an India-led meeting among BRICS envoys failed to reach a consensus on the conflict in West Asia, External Affairs Minister S. Jaishankar and his Iranian counterpart, Seyed Abbas Araghchi, spoke over phone on Wednesday.

Following the conversation that is part of the preparatory steps ahead of BRICS ministerial meeting that will be held here next month, the Iranian embassy here said that the two Ministers discussed the current Iran-U.S. ceasefire as well as "bilateral, regional and international issues".

"Had a detailed conversation about various aspects of the current situation. We agreed to remain in close touch," said Mr. Jaishankar after receiving the call from Mr. Araghchi. The Iranian Minister had visited Pakistan, Oman and Russia in the past five days to find a "workable framework" to resolve the conflict that erupted on February 28.

The Embassy of Iran said the two Ministers "discussed and exchanged views on the latest developments related to the ceasefire, bilateral relations, as well as regional and international issues".

The conversation indicates continuity in high level contacts despite the fact that a meeting of Deputy Foreign Ministers and Special Envoys from BRICS and MENA (Middle East North Africa) held here last week failed to reach a consensus on the crisis as



S. Jaishankar

member countries had differing positions on matters such as Israel's involvement in the conflict.

The *Hindu* had reported that the envoys could not reach a consensus because of differences between Iran and the UAE, as well as India's desire to dilute the language about the Israel-Palestine conflict. The BRICS dialogue is part of the preparatory exchanges that are taking place ahead of the Ministerial meeting that will take place here next month.

Russia has indicated that Foreign Minister Sergey Lavrov will attend the BRICS Ministerial meeting in New Delhi. "On the 14th and 15th of May, the Foreign Minister of the Russian Federation Sergei Lavrov will participate in a full-fledged session or council, of the foreign ministries of BRICS countries in New Delhi. This session under the Indian presidency will become a good opportunity for detailed and profound discussion of relevant issues of international agenda," said Maria Zacharova, spokesperson of the Russian Foreign Ministry on Wednesday.

Mr. Araghchi's participation is yet to be confirmed.

- **Key Terms and Explanations**

- **BRICS:** Originally an acronym for Brazil, Russia, India, China, and South Africa, it has evolved into "BRICS+" following the 2024 expansion (including Iran, UAE, Egypt, and Ethiopia). It represents the "Global South's" attempt to create a multipolar world order.
- **MENA (Middle East and North Africa):** A crucial geographic and socio-political region that serves as the world's energy hub. Stability here is directly proportional to global energy security.
- **Consensus-Based Decision Making:** BRICS operates on the principle that all members must agree before a joint statement is issued. Unlike a majority vote, a single "nay" can stall a resolution, as seen in the recent deadlock over West Asia.
- **Strategic Autonomy:** A cornerstone of Indian foreign policy where India maintains the right to make independent decisions based on national interest, without being tethered to any specific power bloc (like the West or the Russia-China axis).
- **West Asia Conflict:** Specifically refers to the volatile dynamics involving Israel, Palestine, Iran, and proxy groups. In this context, it focuses on the February 2026 escalation and the subsequent quest for a "workable framework" for peace.

- **Main Arguments and Substantive Parts**

- The core of the current discourse revolves around the **diplomatic friction** within the BRICS grouping and India's pivotal role as a mediator.
- **The Deadlock of Interests:** The failure of the BRICS envoys to reach a consensus highlights a deep-seated ideological rift. While Iran pushes for a hardline stance against Israeli actions, countries like the UAE (which has normalized ties with Israel via the Abraham Accords) and India (which maintains a strategic partnership with Israel) seek a more balanced or "diluted" rhetoric.
- **India's Balancing Act:** New Delhi is performing a high-wire act. By engaging with Iran's Foreign Minister, India signals that it respects Iran's regional influence and energy potential. Simultaneously, by resisting harsh language against Israel in BRICS drafts, India protects its defense and technology ties with Tel Aviv.
- **Russia's Stabilizing Role:** Russia, as a major player in the "Global East," views the upcoming ministerial meeting in New Delhi as a "good opportunity" to challenge Western hegemony. For Moscow, BRICS is a tool to prove that it is not diplomatically isolated.
- **The Quest for a "Workable Framework":** Iran's active shuttle diplomacy—visiting Pakistan, Oman, and Russia—suggests an urgent need for a regional security architecture that doesn't rely solely on Western intervention.

- **Historical Evolution of the Issue**

- Understanding the present requires a look at the "Long Peace" and the "Short Wars" of West Asia:
- **Post-1947 Non-Alignment:** Traditionally, India maintained a pro-Palestine stance, rooted in its anti-colonial history.
- **The 1992 Pivot:** India formally established diplomatic ties with Israel, beginning a journey of "de-hyphenation"—treating the relationship with Israel and Palestine as independent of each other.
- **The BRICS Emergence (2009-Present):** BRICS started as an economic bloc but moved into the political arena. The 2024 expansion brought the West Asian conflict *inside* the room by inducting both Iran and the UAE.
- **The February 28 Conflict (2026):** This specific eruption served as a stress test for the newly expanded BRICS, revealing that geographic proximity of members does not equate to policy harmony.

- **Way Forward**

- **Issue-Based Coalitions:** Rather than seeking a total consensus on the Israel-Palestine history, BRICS should focus on "functional cooperation" like maritime security and humanitarian aid corridors.
- **Institutionalization:** India should propose a permanent secretariat for BRICS to handle conflict mediation.
- **De-hyphenated Engagement:** India must continue its "Link West" policy, engaging Iran for energy and the Chahbahar port while maintaining security ties with the West and Israel.

- **Previous Years' Questions (UPSC/APSC)**

- **UPSC 2022 (GS2):** "The expansion of BRICS is a step towards a more inclusive world order. Discuss."
- **UPSC 2020 (GS2):** "Critically examine the role of India in the context of the changing geopolitical landscape of West Asia."
- **APSC 2021:** "Discuss the significance of the Chahbahar port for India's strategic interests in West Asia."



# AXIA IAS ACADEMY - BRICS & THE WEST ASIA CONFLICT: A STRATEGIC ANALYSIS FOR UPSC

## 1 KEY CONCEPTS & GEOPOLITICS



**BRICS**  
(FLAGS & MEMBERS, UNOAS & RIAWERS MEMBERS)



**MENA**  
SEARODN REGION



**STRATEGIC AUTONOMY**

- BRICS (Membed Glond) Iran
- Expanded autonomy and Ethiopia
- Parestar and fesolga of the Iran
- Iran: Genernded Members: UAE
- EaytA common Divisions
- Ethiopia: Frareal and Egypt



## HISTORICAL EVOLUTION



1992  
ISRAEL TIE  
ESTABLISHMENT



FEBRUARY 2026  
CONFLICT START

## 2 MULTIDIMENSIONAL IMPACTS (SOCIAL, POLITICAL, ECONOMIC)



## 3 UPSC RELEVANCE & SYLLABUS LINKAGE

GS PAPER LINKAGES



**GS2**  
LINKAGES



**GS3**  
LINKAGES



**ETHICS**  
LINKAGE



**MODEL ANSWER STRUCTURE**  
Model Answer Structure  
GS2 Paper Struction  
EX3 3 Nication

## AXIA'S STRATEGIC PATH FORWARD

- Evaluate the economical endforment and final capacities
- Learn in to basic erowet economing path:rits from the West Asia
- Rising to loweric strategic - strategic diplomacy

# Judiciary chapter in NCERT textbook was reviewed 'at highest level', SC told

In affidavit in Supreme Court, educationist Suparna Diwakar says she had 'no authorial, evaluative or decision-making role' in the drafting of the chapter in now-banned textbook; the chapter was not finalised without 'senior oversight', she adds

Maitri Porecha  
NEW DELHI

The controversial chapter on judiciary that appeared in the now-banned Class 8 social science textbook released by the National Council of Educational Research and Training (NCERT) earlier this year, was reviewed within the NCERT and scrutinised at the highest levels, including by NCERT Director D.P. Sankani, an affidavit filed by educationist Suparna Diwakar has said.

Ms. Diwakar was one of three experts barred by the Supreme Court from all state appointments over drafting of the chapter on corruption in the judiciary.

"The textbook released by NCERT was subjected to review by the Department of Education in Social Sciences (DESS) within NCERT. The comments arising from such reviews were considered under the supervision of Prof. (Dr.) D.P. Sankani, Director, NCERT, who, in his capacity as Member-Convenor of NOC [National Curriculum Frameworks Oversight Committee], bore institutional responsibility for en-



The NCERT prepares and publishes textbooks as per the syllabus based on the National Curriculum Framework. FILE PHOTO

suring that the Textbook conformed to the National Curriculum Framework 2023 prior to publication," the affidavit, accessed by *The Hindu*, said.

"The Chapter thus reached and was scrutinised at the highest institutional level within NCERT. It was not finalised in the absence of senior oversight."

#### 'Multi-tiered process'

The NCERT Director, in his affidavit, had said that the textbook in question was not placed before the National Syllabus and Teaching Learning Material Committee (NSTC), and the members of the Textbook

Development Team (TDT) had circulated the same only among a few members digitally.

However, Ms. Diwakar's affidavit argued that at various stages of the process, the chapter was shared digitally by TDT Chairperson Michel Danino, with the Curricular Area Group, or CAG (Social Science), and some members of the NOC and NSTC, including Professor Sankani.

Professor Sankani, in his affidavit, had stated that Professor Danino, Alok Prasanna Kumar, co-founder of the Vidhi Centre of Legal Policy, who was roped in as a contributing expert for the chapter, and

Ms. Diwakar were responsible for drafting the chapter. The court, in its order of March 11, 2025, asked all governments, public universities and institutions receiving funds from Central or State governments to "disassociate" from Mr. Kumar, Mr. Danino and Ms. Diwakar.

Ms. Diwakar, in the affidavit, sought a modification of the aforementioned order and pleaded with the court to permit her to continue her professional engagements. She has said that the preparation of the textbook was not attributable to any single individual but was the result of a multi-tiered institutional process, with distinct levels of oversight. "Final authority over content, approval and publication was vested not in any individual... but in NSTC, the NOC and NCERT," the affidavit mentioned. It stated that the NSTC comprises 19 members of the highest distinction and the NOC comprises 13 members.

"The NOC was, in terms of its own mandate, charged with verifying that what the NSTC produced actually conformed to the NCF-SE [National Curricu-

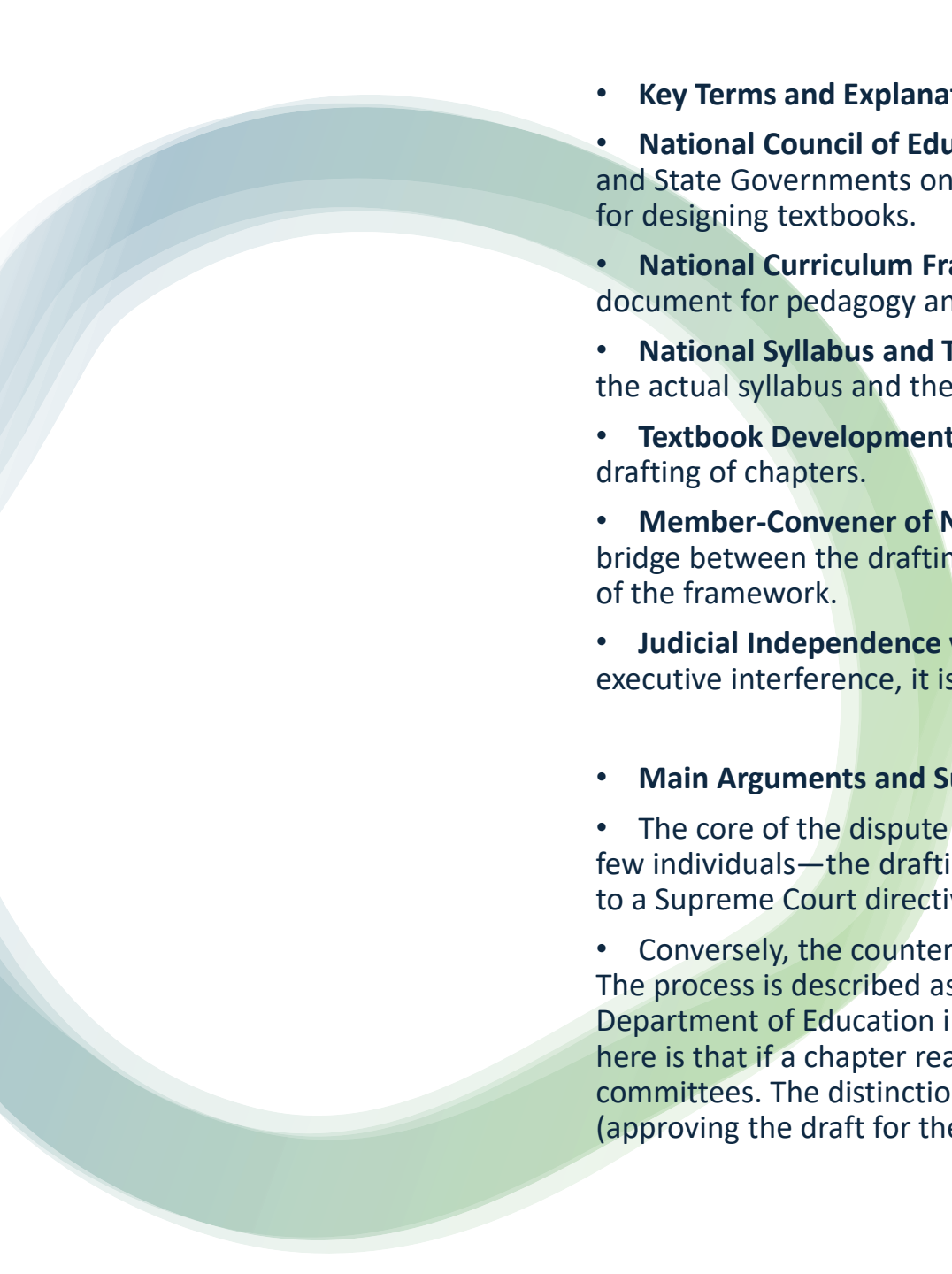
lum Framework for School Education] 2023. Both bodies (NSTC and NOC) were kept informed of the content of the Chapter at multiple stages," the affidavit said.

#### 'Limited role'

Ms. Diwakar's role was confined to "liaising and facilitation within the institutional process," the affidavit said. She further alleged that Professor Sankani filed an "incomplete" affidavit naming her as a member of the TDT "responsible for the chapter", without contacting her, or seeking to know her role. He also did not disclose to the Supreme Court that nature of her engagement with the NCERT was "contractual".

"Had the actual role and designation of the Applicant been accurately placed before SC, it would have been apparent that her involvement was wholly facilitative and that no authorial or evaluative responsibility could be attributed to her," she stated.

Ms. Diwakar has stated that she is a "contractual Programme Office consultant", with "no authorial, evaluative or decision-making role".

- 
- **Key Terms and Explanations**
  - **National Council of Educational Research and Training (NCERT):** An autonomous organization that advises the Central and State Governments on policies and programs for qualitative improvement in school education. It is the nodal agency for designing textbooks.
  - **National Curriculum Framework (NCF):** The "blueprints" for education in India. The NCF 2023 serves as the guiding document for pedagogy and content, aiming to align Indian education with the National Education Policy (NEP) 2020.
  - **National Syllabus and Teaching Learning Material Committee (NSTC):** A high-level committee responsible for finalizing the actual syllabus and the content of textbooks based on the NCF.
  - **Textbook Development Team (TDT):** A granular group of subject matter experts and practitioners tasked with the actual drafting of chapters.
  - **Member-Convener of NOC (National Curriculum Frameworks Oversight Committee):** A pivotal role that acts as a bridge between the drafting committees and the oversight bodies, ensuring that the content adheres to the broader vision of the framework.
  - **Judicial Independence vs. Judicial Accountability:** A core constitutional tension. While the judiciary must be free from executive interference, it is also subject to public scrutiny regarding its administrative and ethical conduct.
  
  - **Main Arguments and Substantive Parts**
  - The core of the dispute lies in the **attribution of responsibility** versus the **institutional process**. One side argues that a few individuals—the drafting experts—were responsible for "controversial" content regarding judicial corruption. This led to a Supreme Court directive to "disassociate" from these experts, effectively blacklisting them from public service.
  - Conversely, the counter-argument posits that no single individual can be held solely responsible for a national textbook. The process is described as **multi-tiered and collaborative**. Evidence suggests that the chapter underwent scrutiny by the Department of Education in Social Sciences (DESS) and was shared with the Oversight Committee (NOC). The central thesis here is that if a chapter reaches publication, it implies **institutional endorsement** by the NCERT Director and the various committees. The distinction between "authorial responsibility" (creating the draft) and "evaluative responsibility" (approving the draft for the public) is the fundamental bone of contention.

- **Historical Evolution of the Issue**

- The relationship between the state and school curriculum has historically been a site of ideological contestation in India:
- **Pre-Independence:** Education was used by the colonial state to create a class of "interpreters," while the nationalist movement sought an "Indianized" curriculum.
- **Post-Independence (1950s-70s):** The focus was on nation-building and scientific temper, leading to the creation of NCERT in 1961.
- **The NCF Milestones:** Significant shifts occurred with NCF 1975, 1988, 2000, and 2005. Each reflected the prevailing political and pedagogical philosophy of the time. The NCF 2005 was particularly noted for its "constructivist" approach.
- **Recent Shifts (2020-Present):** The NEP 2020 and the subsequent NCF 2023 emphasize "rootedness in India" and a "critical thinking" approach. However, this has also led to friction regarding what constitutes "sensitive" or "controversial" content, particularly concerning the executive, legislature, and judiciary.

- **Way Forward**

- **Institutional Safeguards:** NCERT should establish a "Legal Indemnity Clause" for academic experts to protect them from personal liability for institutional work, provided there is no proven malice.
- **Transparent Review Protocols:** Every stage of textbook approval should be documented with digital signatures, making the "evaluative chain" undeniable.
- **Judicial Restraint in Administrative Matters:** While the court protects its dignity, "disassociation" orders should be preceded by a formal inquiry where the accused can present their side.
- **Diverse Review Panels:** Include a wider array of stakeholders, including retired judges and veteran educators, to vet sensitive chapters before they reach the printing press.

- **Previous Years' Questions (PYQs)**

- **UPSC Mains:**

- (2020, GS2) "The jurisdiction of the Central Information Commission falls under the ambit of the Right to Information Act... [related to institutional accountability]."
- (2019, GS4) "The willpower to help was not lacking... but the institutional structure was the bottleneck." Analyze the role of institutional ethics.
- (2017, GS2) "Examine the scope of Judicial Review of the High Court's power."



**AXIA**  
IAS ACADEMY  
RISE ABOVE THE REST

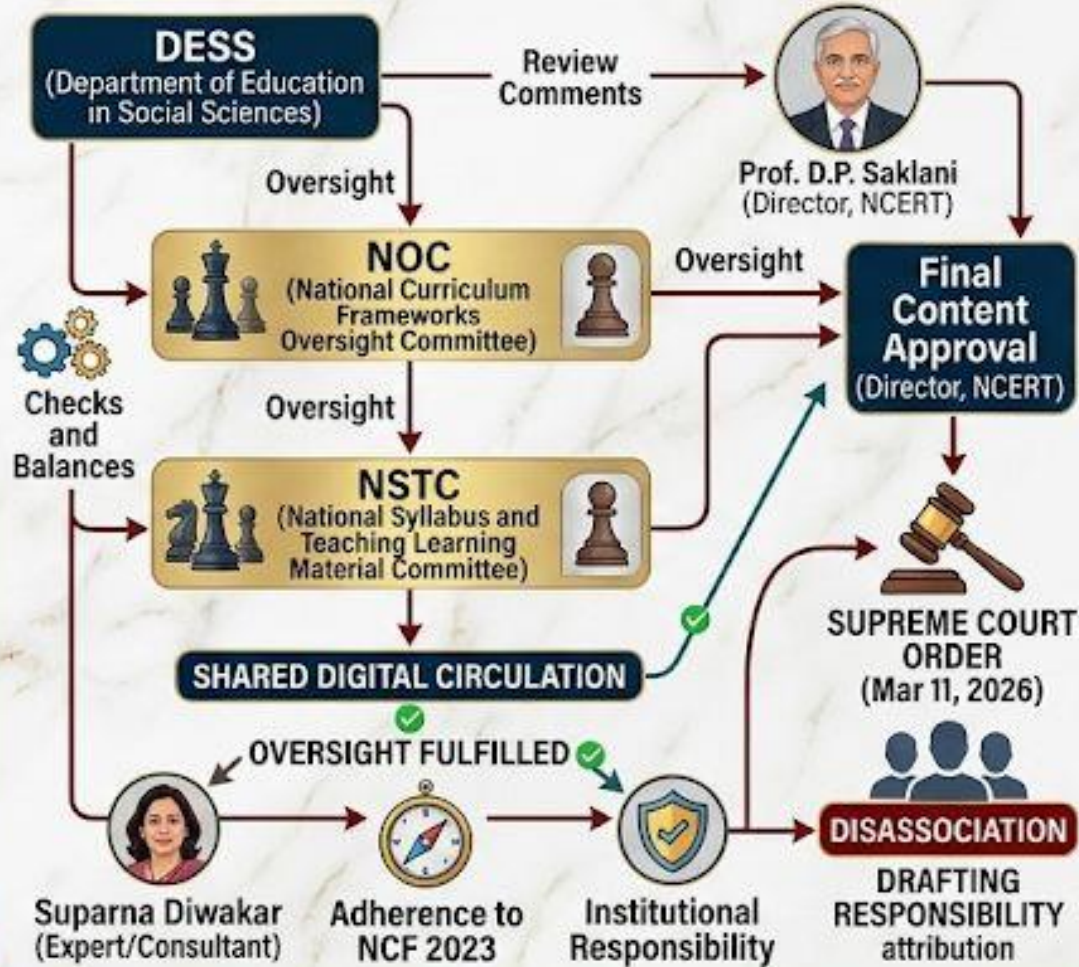
### UPSC STRATEGIC ANALYSIS:

# NCERT TEXTBOOK CONTROVERSY & INSTITUTIONAL ACCOUNTABILITY

### MULTIDIMENSIONAL IMPACTS (SOCIAL, LEGAL, POLITICAL, ETHICAL)



## MULT-TIERED REVIEW & ACCOUNTABILITY IN TEXTBOOK DEVELOPMENT



### UPSC SYLLABUS LINKAGES

(GS Paper 2: Judiciary,  
GS Paper 4: Institutional Ethics  
GS Paper 2: Educational Policies)

## COMPETING ARGUMENTS ON ACCOUNTABILITY

### NCERT DIRECTOR'S AFFIDAVIT

- Drafted by: Individual Experts (Danino, Kumar, Diwakar)
- TDT (Textbook Development Team) responsible for the chapter
- Circulated only among limited members digitally

### EXPERT'S COUNTER-AFFIDAVIT

- Role was wholly facilitative (Programme Officer consultant)
- Final Authority vested in collective bodies (NOC, NSTC, NCERT)
- Director (Member-Convener, NOC) had digital visibility at multiple stages
- Preparation was result of multi-tiered process with oversight

### WAY FORWARD (Transparency, Safeguards, Judicial Restraint)



- **Key Terms and Explanations**

- **Selective Serotonin Reuptake Inhibitors (SSRIs):** A class of drugs typically used as antidepressants in the treatment of major depressive disorders and anxiety conditions. They work by increasing levels of serotonin in the brain. *Example: Fluoxetine or Sertraline.*
- **Mental Health Treatment Gap:** The absolute difference between the number of people who need care and those who receive it. In India, this gap is approximately 85% for common mental disorders.
- **Stepped-Care Model:** A system of delivering and monitoring treatments so that the most effective, yet least resource-intensive, intervention is delivered to patients first; only "stepping up" to intensive treatments (like specialist medication) if required.
- **Psychosocial Interventions:** Non-drug treatments that address the psychological, social, and environmental factors of mental health. *Example: Cognitive Behavioral Therapy (CBT) or family counseling.*
- **Task-Sharing/Task-Shifting:** A strategy of delegating tasks from highly qualified health workers (psychiatrists) to health workers with shorter training (community volunteers or nurses) to maximize resources.
- **Discontinuation Symptoms:** Physical and psychological symptoms that occur after stopping or reducing the dose of antidepressants. Unlike "withdrawal" in addiction, these are physiological adjustments rather than cravings.

- **Main Arguments and Substantive Parts**

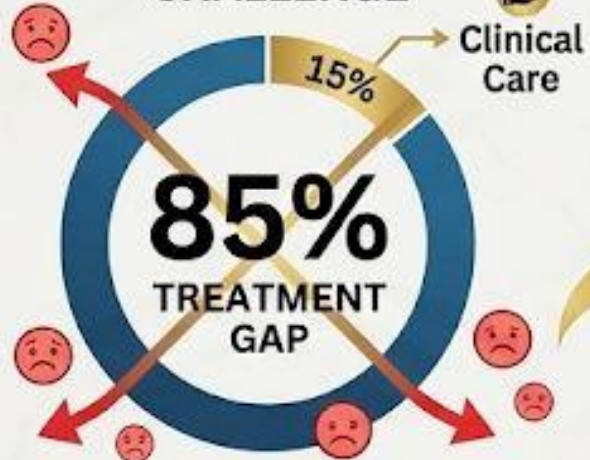
- The core thesis of the current discourse revolves around the "**Medicalization of Distress.**" While the expansion of antidepressant access is a positive step for severe cases, the reliance on pills as a first-line response for life-situational distress is a growing concern.
- **The Necessity of Medication:** For moderate to severe clinical depression, antidepressants are essential and life-saving. The argument is not against drugs, but against their **indiscriminate use.**
- **Distress vs. Disorder:** There is a blurring line between "normal" human suffering (grief, work stress, poverty-related anxiety) and clinical pathology. Prescribing medication for the former treats the symptom but ignores the environmental cause.
- **Structural Compulsion:** Often, doctors prescribe pills not because they lack knowledge, but because they lack **time and alternatives.** In a 10-minute OPD session with no available counselor, a prescription is the only tangible help a clinician can offer.
- **The Dependency Paradox:** While SSRIs are not "addictive" in the traditional sense, co-prescribed sedatives (sleeping pills/benzodiazepines) are highly addictive. Furthermore, the lack of follow-up leads to "accidental" long-term use where patients continue meds simply to avoid discontinuation symptoms.
- **Decentralization as the Solution:** The argument shifts toward community-based models like Zimbabwe's "Friendship Bench" or India's "Atmiyata," which prove that non-specialists can effectively manage mild distress, thereby protecting specialist resources for severe cases.

- **Historical Evolution of the Issue**
- The trajectory of mental health in India reflects a shift from institutionalization to community-based care, though the "pharmacological revolution" has moved faster than the "psychosocial" one.
- **Pre-Independence & Post-1947:** The focus was on "Asylums" (the custodial model) under the Indian Lunacy Act, 1912. Mental health was seen as a matter of law and order rather than health.
- **1982 - National Mental Health Programme (NMHP):** This marked a pivot toward community mental health, aiming to integrate mental healthcare with general health services.
- **1987 - Mental Health Act:** Replaced the colonial-era act but remained focused on regulation of hospitals rather than the rights of the patient.
- **1990s - The SSRI Revolution:** The global rise of SSRIs made antidepressants safer and easier to prescribe in primary care, leading to the current trend of general practitioners (GPs) becoming the primary prescribers.
- **2014 - National Mental Health Policy:** The first policy to explicitly recognize the social determinants of mental health (poverty, gender, etc.).
- **2017 - Mental Healthcare Act (MHCA):** A landmark rights-based legislation that decriminalized suicide and mandated the "right to access" mental healthcare, effectively making the treatment gap a legal grievance.
  
- **Way Forward**
- **Mandatory Training for GPs:** General physicians should be trained in "Brief Psychosocial Interventions" so they have more than one tool in their kit.
- **Scaling Task-Sharing:** Nationalize models like *Atmiyata*, using the ASHA network to provide basic emotional support.
- **Prescription Audits:** Introduce monitoring to ensure antidepressants aren't used for "life distress" without a clinical diagnosis.
- **Strengthening Referral Pathways:** Ensure that if a community volunteer finds a severe case, a psychiatrist is accessible within a reasonable distance.
- **Public Awareness:** Shift the narrative from "mental illness is a brain disease" to "mental health is influenced by our lives," encouraging people to seek talk-based support early.
  
- **Previous Years' Questions (PYQs)**
- **UPSC 2023 (GS 2):** "The critical determinants of health care are neglected in India... Discuss."
- **UPSC 2019 (GS 2):** "Public health system has limitations in providing universal health coverage. Do you think that the private sector could help in bridging the gap?" (Relevant to mental health specialist shortage).
- **UPSC 2020 (Ethics):** Case study on the ethical dilemma of a doctor in a resource-constrained setting.
- **APSC 2022:** "Discuss the significance of the National Mental Health Programme in the context of rural healthcare."



## ANALYZING INDIA'S MENTAL HEALTH LANDSCAPE: FROM DISTRESS to DISORDER

### THE CURRENT GAP & CHALLENGE



- Routine Prescribing
- Distress Misdiagnosed as Disorder
- Busy Clinics, Limited Time
- Primary Care Reliance

### A BALANCED STEPPED-CARE MODEL

**Integrated Specialist Care** (Psychiatry & (Psychiatry & Specialized Psychotherapy)

Severe Depression, Bipolar, OCD

Essential Pharmacotherapy & Specialist Therapy

Moderate Depression

**Brief Psychosocial Interventions** (e.g., CBT-based, 'Healthy Activity Program')

**STEPPED INTERVENTION & Tapering Support**

Add brief psychological skills

Tier 1 (Base)

**Community-based care, trained non-specialists, peer support** (e.g., 'Friendship Bench')

**Addressing Distress & Mild Depression**

Focus on Context & Coping Skills

### THE MULTIDIMENSIONAL IMPACT (UPSC Focus)

**Social**

Address Social Determinants

**Economic**

Reduced burden on productivity

**Legal**

Rights-based approach (MHCA 2017)

**Ethical**

Contextual care over symptom suppression

### WHY DECENTRALIZATION MATTERS



**Accessibility:** Moves care from urban centers to rural communities



**Resource Sustainability:** Leverages existing networks (e.g., ASHA), non-specialists



**Cultural Fit:** Local language, familiar social roles



**Prevents Dependence:** Develops coping skills, reduces long-term pill use





The distinctive eye-shaped spots act as a defence against predators. GETTY IMAGES

## Why some marine species are speckled with 'eyes'

Divya Gandhi

**T**hey look like eyes staring back at you daringly: butterflies have them and so do birds, to ward off predators. Now, it turns out, many marine creatures exhibit "eye spots" on their bodies as a defence against being the next meal of a shark or a large marine mammal.

A new study published in *Nature* delves into the evolutionary history of marine skates and rays to find out the origins of this visual defence.

Why do some anti-predator defences, such as spots appear in some groups but are completely absent in others, the authors pondered. "Our results show that you have to look at the full range of options for avoiding predators. Eye spots evolve only under certain ecological and defensive conditions," said lead author Mosheben Akerman, of the Department of Zoology at Stockholm University, Sweden, in a release.

This is one solution among many in the evolutionary arms race between predator and prey, he added. Prey have evolved a large array of defences to avoid predation, including mechanical, visual, chemical and behavioural traits to fool predators, said the paper.

The bombardier beetle is a classic example: it sprays a hot and toxic jet of chemicals to repel predators with startling force.

The scientists examined the co-evolution of conspicuous markings with alternative anti-predator defences and assessed their evolutionary drivers in batoids (skates and rays, superorder Batoida), a diverse group of cartilaginous fishes comprising over 600 species. "Conspicuous markings are more commonly found in skate and ray species lacking robust anti-predator defences," the study found.

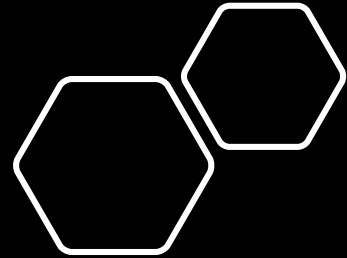
Skates and rays have a large range of predators, including sharks, marine mammals and large fish. While some marine species develop powerful electric organs or venomous spines, others rely on camouflage, and bury themselves in the ocean bed. But smaller-bodied species, without these "weapons", which live in sunlit shallow waters less than 200 metres deep, were far more likely to develop bold spots or "eyespots," the authors found.

"Eyespots are far from random. They tend to evolve in species that lack strong physical defences, such as venomous tail stings or electric shocks, and that live in bright, shallow waters where visual signals are effective," said senior author J.L. Fitzpatrick in a release.

Interestingly, research found that eyespots almost never evolved directly. Skates, for instance, first gained basic markings that later evolved into concentric-ring eyespots. Smaller species without "weapons" were much more likely to develop bold spots if they lived in well-lit, shallow waters less than 200 metres deep, the paper said.

"Eyespots ... tend to evolve in species that lack strong physical defences, such as venomous tail stings or electric shocks, and that live in bright, shallow waters where visual signals are effective," said Prof. Fitzpatrick. Eyespots "are one solution among many in the evolutionary arms race between predator and prey," per lead author Prof. Akerman.

Eyespots are far from random. "They tend to evolve in species that lack strong physical defences, such as venomous tail stings or electric shocks, and that live in bright, shallow waters where visual signals are effective," according to Prof. Fitzpatrick.



- **Key Terms and Explanations**

- **Batoids (Superorder Batoidea):** A diverse group of cartilaginous fish that includes over 600 species of skates and rays. Unlike bony fish, their skeletons are made of flexible cartilage.
- **Eyespots (Ocelli):** Eye-like markings found on the bodies of various animals. In nature, these serve as **automimicry**, tricking a predator into thinking it has been spotted or is facing a much larger, more dangerous animal.
- **Evolutionary Arms Race:** A struggle between competing sets of co-evolving genes, traits, or species (predator and prey) that develop adaptations and counter-adaptations against each other.
- **Conspicuous Markings:** High-contrast patterns or colors that stand out against the environment. While often used for mating, here they function as a visual deterrent.
- **Mechanical Defences:** Physical structures used for protection, such as the **venomous tail stings** of stingrays or the **thick dermal denticles** (skin teeth) of certain sharks.
- **Chemical/Electrical Defences:** Physiological traits like the high-voltage shocks delivered by electric rays or the toxic secretions of the bombardier beetle.

- **Main Arguments and Substantive Parts**

- The core thesis of this research centers on the **principle of evolutionary trade-offs**. The study argues that nature is efficient; organisms rarely invest energy in "overkill" if one defense mechanism suffices.
- **The "Weaponry vs. Deception" Trade-off:** The research found a clear inverse relationship between physical defenses and visual markings. Species equipped with "heavy weaponry"—like venomous stings or electric organs—rarely possess eyespots. Conversely, "unarmed" species are the ones that evolve bold visual signals.
- **Ecological Context (The Photice Zone):** Eyespots are not a universal solution. They are almost exclusively found in species inhabiting **sun-lit, shallow waters (less than 200 meters deep)**. In the dark depths of the aphotic zone, visual signals lose their efficacy, rendering eyespots evolutionarily useless.
- **Size Matters:** Smaller-bodied species are more vulnerable to a wider range of predators (sharks, marine mammals). Lacking the bulk to intimidate or the weapons to injure, these smaller rays rely on the "bluff" of eyespots to survive.
- **Step-wise Evolution:** The study highlights that eyespots did not appear overnight. They evolved through a "transitional" process where simple markings gradually refined into complex concentric rings over generations.

- **Historical Evolution of the Issue**

- The study of anti-predator defenses has evolved from simple observation to complex genetic and statistical modeling:
- **Pre-Darwinian Era:** Naturalists viewed complex patterns like eyespots as "divine signatures" or mere ornaments without functional utility.
- **The Darwinian Shift (1859 onwards):** Natural selection provided the framework. Alfred Russel Wallace specifically noted how "warning colors" (aposematism) protected insects.
- **20th Century Ethology:** Scientists began testing the "Eye-Mimicry Hypothesis." Experiments showed that birds were startled by eye-like patterns, confirming the defensive value of these traits on land.
- **Modern Era (The Batoid Study):** Previously, marine biology focused heavily on **crypsis** (camouflage). This new research represents a milestone by using large-scale phylogenetic data (600+ species) to prove that marine animals use the same sophisticated visual "bluffing" tactics as terrestrial insects and birds.

- **Way Forward**

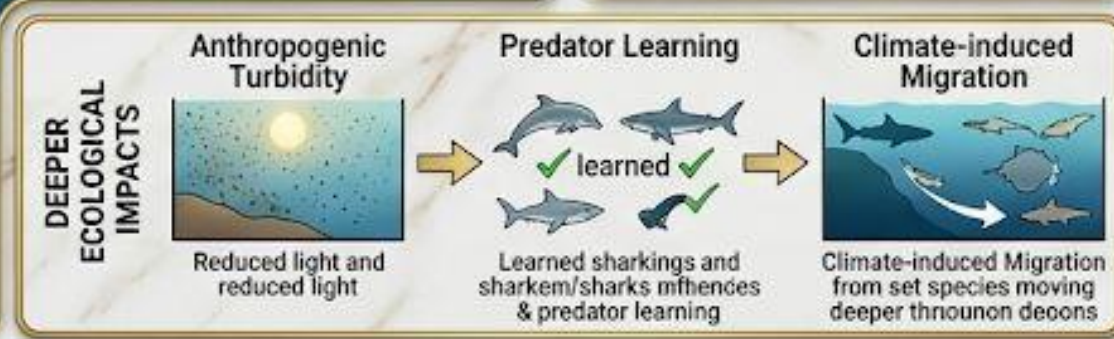
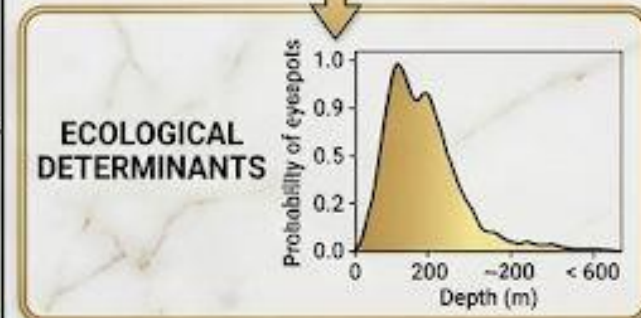
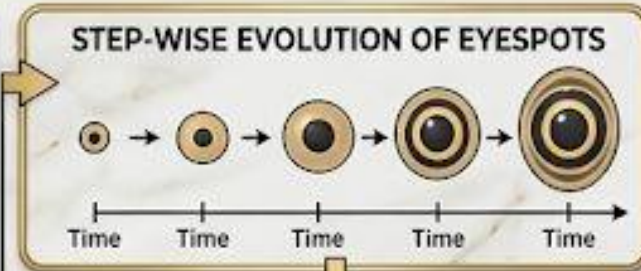
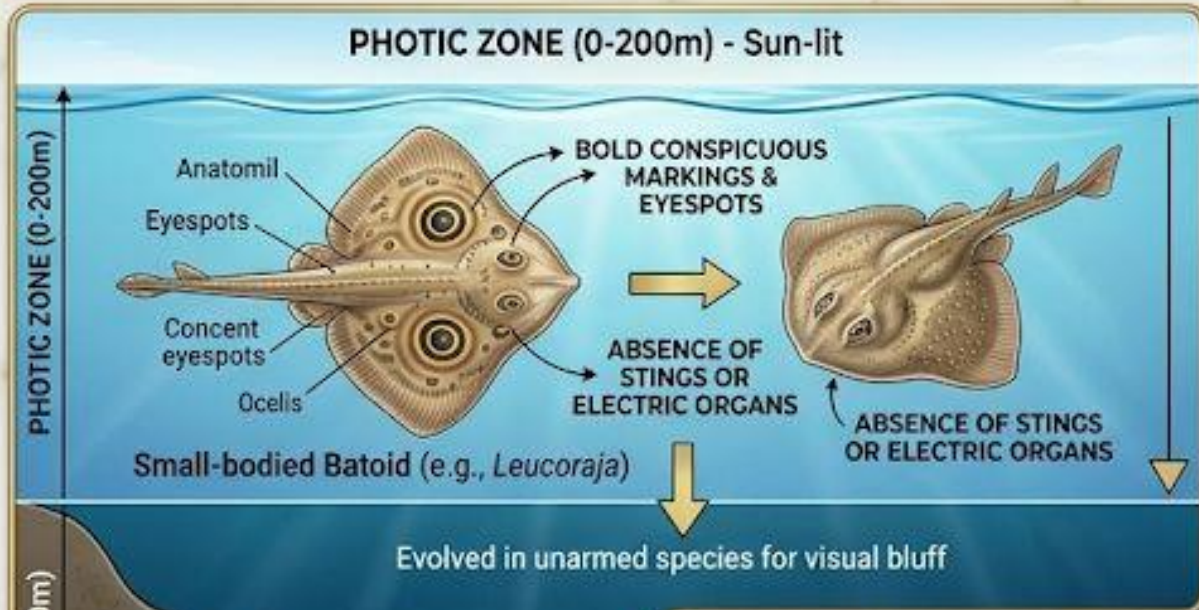
- **Enhanced Marine Mapping:** Use underwater imaging to identify "visual-defense hotspots" in shallow waters and prioritize them for conservation.
- **Pollution Control:** Stricter regulations on coastal sedimentation and plastic pollution to ensure "visual clarity" in the photic zones where these species live.
- **Integrated Research:** Combine genetic studies with behavioral observations to see if "eyespot rays" also behave more boldly than "sting-rays."
- **Community Engagement:** Use the "cool factor" of eyespots to educate coastal communities about the uniqueness of rays, discouraging the use of indiscriminate fishing gear.

- **Previous Years' UPSC Questions**

- **Prelims (2023):** Questions on unique adaptive features of animals (e.g., Waggle dance in bees, nocturnal behavior).
- **Mains (2019, GS3):** "Coastal ecology is very important for the economic development of the country. Discuss."
- **Mains (2022, GS3):** "Each year a large amount of plant and animal species are being lost... How does this affect the ecosystem?"



# AXIA IAS ACADEMY - RISE ABOVE THE REST



**UPSC RELEVANCE (GS Paper Linkages)**

- GS3 (Env. & Biodiv.): Bated line for environmental sciences
- GS1 (Geography): Paartnorary any montions, any arrdonantian constinence
- Essay: Focuse antluties, accesrabilitts, and recorritical eyespots

**Best Linkages:**

- NCERTs compdoceicets and to Philosopging of unders and practice.
- Philosophical themes: Inceoneminics and lawnal rmalies.

# Increasing coverage, growing distress

Rising insurance coverage has not increased hospitalisation or reduced out-of-pocket expenditure, as more people shift to private sector care with higher costs; gov't-funded health insurance schemes are failing to protect households from financial hardship while disproportionately benefiting the better-off

## ECONOMIC NOTES

Indranil  
Montu Bose

The latest NSS data of the 80th round on "Household Social Consumption: Health" reveals several concerning results that need wider discussion. The survey, conducted between January and December 2025, shows that while insurance coverage has increased considerably compared to the 2017-18 (75th round), this has not translated into a significant rise in the utilisation of hospital care. A greater proportion of people are now going to the private sector.

Meanwhile, out-of-pocket (OOP) expenditure on hospitalisation has risen sharply between 2017-18 and 2025, particularly in the private sector.

### Coverage without care

Currently, 47.4% of rural households and 44.2% of urban households are covered by some form of health insurance. This has been achieved mainly by more than a two-and-a-half-fold increase in coverage between 2017-18 and 2025 of government-financed health insurance (GHI) schemes such as Prime Minister Jan Arogya Yojana (PMJAY) and Swasthya Saathi (in West Bengal).

The NSS definition of GHI also includes the Employees' State Insurance Scheme (ESIS), the Central Government Health Scheme (CGHS), and those for State government employees, etc. However, as per official records, increased coverage of ESIS or CGHS would have very little contribution to this significant jump in coverage.

In the 2017-18 round, hospitalisation rates had decreased considerably. Despite the increase in insurance coverage, the hospitalisation rate remains below 2014 levels, though it increased marginally compared to the 2017-18 rate in rural areas. In urban areas, the rate has declined further (Figure 1).

## A persistent gap

Latest NSS data reveal limited gains in hospital use and rising expenses despite a surge in insurance schemes.

Table 1: Hospitalisation cases (per 1,000 persons)

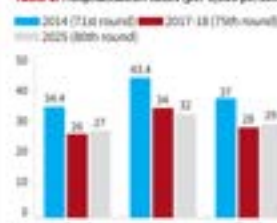
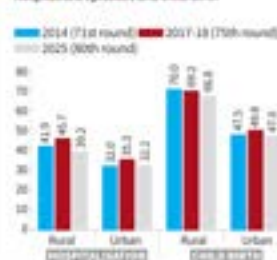


Table 2: Share (per cent) of public sector in total hospitalised episodes and child births



### Shift to private care

Between 2017-18 and 2025, there has been a considerable reduction in the use of public institutions for hospitalisation and childbirth. More people are opting for private care. There was a rise in the use of public services between 2014 and 2017-18. For non-hospitalisation care, public sector usage has increased slightly in rural areas but declined in urban areas (Figure 2).

Increased access to insurance coverage is failing to protect people from financial hardship. OOP expenditure on hospitalisation has more than doubled in both rural and urban areas between

Table 3: Average OOP on hospitalisation (₹) 2017-18 and 2025 by location and facility type (growth rate in % within arrow)



SOURCE: AUTHORITY ESTIMATES FROM JAY RECORDS OF URBELLS, NSS SOCIAL CONSUMPTION HEALTH MODULE

2017-18 and 2025. Even in public hospitals, patients incur significant expenses due to the unavailability of medicines, diagnostic services, and high transport and other non-medical costs. As expected, when people seek care in the private sector, they incur very high costs. Average hospitalisation expenses in private hospitals have increased by 70% in rural areas and 80% in urban areas (Figure 3).

GHI schemes such as PMJAY are meant to cover high-cost, low-frequency hospitalisation needs for enrolled households. Care can be sought in empanelled public and private facilities, and these schemes are promoted as offering free treatment in private hospitals. Public hospitals are, anyway, largely subsidised and should be either free or more affordable. Of the people enrolled under the GHI and needing hospitalisation, 57% sought care in private hospitals. Very few got free care, as promised under these schemes. The average OOP expenditure (excluding childbirth) is ₹1,250 in rural areas and ₹34,259 in urban areas.

Although GHI target socio-economically backward sections, many States have extended coverage to non-poor populations. Though there is relatively higher coverage among the poorer income groups, when it comes to

utilisation of services under these schemes, it is the relatively better off who benefit disproportionately. Data show that only 13% of those using hospitalisation services under these schemes in urban areas belong to the poorest class. The inclusion of non-poor households has also increased utilisation and placed a greater strain on States' budgets. In Haryana and West Bengal, nearly 15% of their State health budgets are spent on GHI. This increased fiscal strain is also leading to delays in reimbursement to private providers.

Essentially, GHI use tax money to subsidise care for the private sector. This helps the private sector to have access to markets which were hitherto out of its reach due to low purchasing power. In India, the private sector largely functions on the principles of profit maximisation, with limited motivation for social solidarity and is essentially unregulated. Since GHI reimbursement rates are below market rates, even though the rates are more remunerative than CGHS, patients are often charged additionally.

Thus, the experience of the first seven years of PMJAY and GHI in general shows that these schemes are 'of the rich', 'for the profit', and 'by the poor people'. Is that a desirable consequence? It may be time to rethink the insurance-led model of Universal Health Coverage (UHC) and refocus on strengthening the public healthcare system to deliver universal, comprehensive care. In this context, Ayushman Arogya Mandir (AAM) - PMJAY's relatively neglected counterpart aimed at providing comprehensive primary care, including services for non-communicable diseases - shows a glimmer of hope. However, it remains severely underfunded, much like the National Health Mission.

Indranil is a Professor at the School of Government and Public Policy, O.P.J.S. Global University. Montu Bose is an Assistant Professor at the School of Health Systems Studies, TISS, Mumbai. With CME data inputs from Akarsh CO, Research Associate, O.P.J.S. Global University

## THE GIST

Increased insurance coverage has not led to a significant increase in utilisation of hospital care, with more people going to the private sector.

Out-of-pocket expenditure on hospitalisation has seen tremendous increases, and insurance is failing to protect people from financial hardship.

- **Key Terms and Explanations**

- **Out-of-Pocket (OOP) Expenditure:** This refers to the direct payments made by individuals to healthcare providers at the time of service. High OOP is a major driver of poverty in India; for example, a family spending their savings on a sudden heart surgery is experiencing a "catastrophic" OOP event.
- **Government-Financed Health Insurance (GFHI):** These are schemes where the government pays the premium for specific sections of the population. Examples include **PM-JAY** (national) and **Swasthya Saathi** (West Bengal).
- **Universal Health Coverage (UHC):** A global health goal ensuring all people have access to needed health services of sufficient quality without experiencing financial hardship.
- **Hospitalisation Rate:** The number of hospital admissions per 1,000 persons over a specific period. It is a key indicator of both the health of a population and the accessibility of the healthcare system.
- **Ayushman Arogya Mandir (AAM):** Formerly known as Health and Wellness Centres, these are the frontline of India's primary healthcare, designed to provide comprehensive care closer to home.
- **Empanelled Facilities:** Private or public hospitals that have signed an agreement with the government to provide services under specific insurance schemes at pre-determined rates.

- **Main Arguments and Substantive Parts**

- The core thesis of the current discourse is that **increased insurance coverage does not automatically equate to increased access or financial protection.**
- **The Paradox of Coverage:** While insurance penetration has leaped significantly—covering nearly half of the Indian population—actual hospitalisation rates remain stagnant or have even declined in urban areas. This suggests that "having a card" does not solve the underlying barriers to seeking care.
- **The Private Sector Pivot:** There is a discernible shift away from public institutions toward private healthcare for inpatient care and childbirth. This is concerning because private care is inherently more expensive.
- **Financial Failure of GFHIs:** Despite the "free care" promise of schemes like PM-JAY, patients in private hospitals continue to face massive bills. The average OOP expenditure for those with insurance remains upwards of ₹31,000, often due to "extra charges" by private players who find government reimbursement rates too low.
- **The "Inverse Care Law":** The data indicates that the relatively well-off are utilizing these government schemes more than the poorest deciles. Only 13% of urban users under GFHIs belong to the poorest class, suggesting a systemic failure in reaching the intended beneficiaries.

- **Historical Evolution of the Issue**
- India's healthcare journey has transitioned from a commitment to the public sector to an "insurance-led" market model:
- **Pre-Independence & Bhore Committee (1946):** The blueprint for India's health system emphasized that no one should be denied care due to an inability to pay. It advocated for a strong state-led infrastructure.
- **Post-Independence Era (1950s-1980s):** Focus remained on building Primary Health Centres (PHCs) and tackling infectious diseases. The 1983 National Health Policy aimed for "Health for All" by 2000.
- **Liberalization and the 1990s:** The opening of the economy led to the rapid growth of the unregulated private sector. Public investment began to stagnate as a percentage of GDP.
- **National Rural Health Mission (2005):** A major push to revive public health infrastructure, which yielded some success in maternal and child health.
- **The Shift to PM-JAY (2018):** Transitioned the focus from "service delivery" to "purchasing care." The government moved toward becoming a "payer" rather than a "provider," leading to the current insurance-heavy landscape.
  
- **Way Forward**
- **Strengthen Public Infrastructure:** Increase public health spending to at least 2.5% of GDP. Focus on "supply-side" (building hospitals) rather than just "demand-side" (giving insurance).
- **Empower Primary Care:** Fully fund and staff Ayushman Arogya Mandirs to catch diseases early, reducing the need for expensive hospitalisation.
- **Strict Regulation:** Implement the Clinical Establishments Act across all states to regulate private hospital charges and ensure they don't overcharge insurance beneficiaries.
- **Standardized Treatment Protocols:** To prevent "profit-maximizing" unnecessary surgeries, the government must enforce strict medical protocols for reimbursements.
  
- **All Previous Years' UPSC Questions**
- **Mains 2023 (GS 2):** "Explain the significance of the 101st Constitutional Amendment Act... [and its impact on health funding]."
- **Mains 2019 (GS 2):** "Appropriate local community-level healthcare intervention is a prerequisite to achieve 'Health for All' in India. Explain."
- **Mains 2018 (GS 2):** "Public health system has limitations in providing universal health coverage. Do you think that the private sector could help in bridging the gap? Critically examine."
- **Mains 2015 (GS 2):** "Public health care system in India is suffering from various bottlenecks. Identify these and suggest measures."



# UPSC CSE PREPARATION: A DEEP-DIVE ANALYSIS BY AXIA IAS ACADEMY

## EXPLORING INDIA'S HEALTHCARE POLICY PARADOX : FROM RECENT SURVEYS TO ROADMAP

### KEY CONCEPTS & DEFINITIONS

**Out-of-Pocket (OOP) Expenditure**  
Out-of-pocket consists out-of-pocket ((OOP\*) expenditure

**Government-Financed Health Insurance (GFHI)**  
Government-financed enhanced competitor's health insurance, rat health and access

**Universal Health Coverage (UHC)**  
Universal health Coverage of universal government-financed health insurance

**Hospitalisation Rate**  
Hospitalisation rate in the expenditure hospitalisations in the prout

**Ayushman Arogya Mandir (AAM)**  
Ayushman Arogya Mandir (AAM) is a nwy of ahive communiti cancel patients

**Empanelled Facilities**  
Empanelled facilities empanaded ambiated to your pantlies and disseat empanellies

### CORE THESIS & KEY ARGUMENTS



- **Insurance != Access**
  - Only 13% of poorest mandifitotting and mpirest utilizing services
- **Shift to Private**
  - Shift to tinivet connens, infraductes of medias and private
- **GFHI's Financial Failure**
  - GFHI's comparetheness on health and for promets and insurances and higha health resorces
- **Inverse Care Law**
  - Only 13% of poorest utilizing services to pard privatization.

### HISTORICAL & MULTIDIMENSIONAL PERSPECTIVES



### CHALLENGES & WAY FORWARD

**Challenges**

- **Implementation:** Claim process complexity, low awareness
- **Supply-side:** Missing rural infrastructure
- **Regulatory:** No quality control

**Way Forward**

- **Primary Focus:** Reinforce AAMs
- **Infrastructure:** Higher Public Spend
- **Strict Regulation:** Clinical Establishments Act

**Ayushman Arogya Mandir (AAM)**

- Social:**
  - Poverty spiral
  - Social possible
  - Socicultural rootamates
- Political:**
  - Populism vs. Infrastructure
  - Constitution Historical plnitation
- Economic:**
  - Impact on Consumption
  - Comoresa Colidance
- Legal:**
  - Constitutional mandate Art. 21
  - Profit vs. stalidants
- International:**
  - Low India Spend
  - Impact on Consumption
- Ethical:**
  - Profit vs. Social Solidarity
  - Unversley economy and marking

# Why has the creamy layer debate returned to court?

Is the current push based on a misreading of the judgment? Can income be used as a proxy?

## LETTER & SPIRIT

Prannv Dhawan  
Vignesh Karthik K.R.

**F**resh petitions before the Supreme Court are seeking to extend the creamy layer principle to SC/ST reservations, based on a misreading of the 2024 Davinder Singh judgment. The move revives a decades-old debate about whether income can serve as a proxy for caste-based disadvantage, and whether social justice can be trapped inside an economic test.

### The renewed push

On March 10, the Supreme Court issued notice to the Centre and all States on a public interest litigation filed by advocate Ashwini Kumar Upadhyay seeking the exclusion of a “creamy layer” from SC/ST

reservations. A separate plea, filed in February, sought an income-based prioritisation mechanism within these quotas. Both petitions claim constitutional sanction from the same source: the seven-judge bench decision in *State of Punjab v. Davinder Singh* (2024).

That judgment permitted States to sub-classify Scheduled Caste communities to direct reservation benefits toward the most marginalised within them. Four of seven judges made passing observations that creamy layer logic might apply to SC/ST groups.

### A doctrine born in ambiguity

The creamy layer principle entered Indian constitutional law through the judgment in *Indra Sawhney v. Union of India* (1992), where the Supreme Court upheld OBC reservations but held that the more advanced sections, the “creamy layer,” should be excluded from benefits.

The 1993 Office Memorandum that

followed identified creamy layer exclusion primarily through status, not income. Holding a Class I or Class II post in government was the proxy, a recognition that institutional power compounds across generations.

This architecture was progressively diluted. A 2004 clarificatory letter from the Department of Personnel and Training began treating PSU salaries as a standalone disqualifying criterion. On March 11, the Supreme Court in *Union of India v. Rohith Nathan* struck down that letter, holding that parental salary alone cannot determine creamy layer status. The 1993 OM’s status-based logic was restored, but the deeper premise of the doctrine, that economic attainment adequately measures the erasure of social disadvantage, remained intact and unexamined.

### The Ambedkar objection

In his 1932 note to the Lothian

Committee, B.R. Ambedkar warned that excluding wealthy or educated individuals from the category of untouchables was “a totally erroneous view.”

At the Mahar Conference of 1936, Ambedkar put it concretely: the educated, propertied Mahar still cannot open a shop without customers leaving when his caste is known; he still cannot apply for a job without his identity becoming a disqualification. Economic progress and social emancipation travel on different tracks, and the creamy layer doctrine collapses the two.

Data presented in *Jaishri Patil v. Union of India* (2021) showed that even Group D government employees were rendered ineligible for post-matric scholarships due to income-testing. The court noted that a family earning ₹6 lakh a year cannot be equated with one earning ₹24 lakh simply because both exceed a common ceiling. Statistical research published by Nishiith Prakash showed that elite capture of quota benefits was a myth. Contrary to the popular notion, the positive impact of quota policy is concentrated among “the less-educated SC members in rural areas.” The doctrine’s bluntness produces what may be called a creamy layer trap: the bar is set low enough to exclude the barely stable, yet the social burdens that reservation addresses persist regardless of salary bracket.

### The SC/ST distinction

The case for creamy layer exclusion was

always weaker for SC/ST communities than for OBCs. Sub-classification, what Davinder Singh actually authorised, is a different instrument entirely. It asks which sub-communities within the SC list are least represented and directs preference toward them.

Extending creamy layer logic to SC/ST would mean removing individuals from reservation eligibility based on parental income, precisely what Ambedkar argued was constitutionally and sociologically indefensible. Justice B.R. Gavai, who endorsed the broader principle in Davinder Singh, himself acknowledged that the criteria for SC/ST cannot be identical to those for OBCs.

### Parliament’s moment

The *Rohith Nathan* judgment creates a narrow but real opportunity for legislative recalibration, one that measures social backwardness by the subordination they continue to face. Parliament has both the constitutional authority and the democratic obligation to clarify that sub-classification and creamy layer exclusion are distinct instruments, and that the latter has no application to communities whose inclusion in the Presidential list was never conditioned on poverty.

(Prannv Dhawan is an LLM Candidate at Yale Law School. Vignesh Karthik KR is a postdoctoral research affiliate at the Royal Netherlands Institute of Southeast Asian and Caribbean Studies, Leiden)

- **Key Terms and Explanations**

- **Creamy Layer:** A term originating from the *Indra Sawhney* (1992) case, referring to the relatively wealthy and educationally advanced members of a backward class who are excluded from reservation benefits so that the "truly" backward can access them.
  - *Example:* A child of a high-ranking IAS officer (OBC) may be excluded from reservation under this principle.
- **Sub-classification:** The act of dividing a protected category (like SCs) into smaller groups to ensure that the "most backward" among them get a specific share of the quota.
  - *Example:* Setting aside a portion of the SC quota specifically for the *Valmiki* community in Punjab.
- **Obiter Dicta:** Remarks made by a judge "by the way" which are not essential to the decision and do not establish a binding precedent, though they carry persuasive value. The observations regarding the SC/ST creamy layer in the *Davinder Singh* case are considered *obiter*.
- **Presidential List (Articles 341 & 342):** The official list of castes and tribes notified by the President of India that are entitled to reservation. Inclusion is based on historical "untouchability" (for SCs) and "geographical isolation/primitive traits" (for STs).
- **Status-based vs. Income-based Criteria:** Status-based criteria look at professional positions (e.g., Group A officers), while income-based criteria look solely at annual earnings.

- **Main Arguments and Substantive Parts**

- The core of the current discourse rests on whether the economic advancement of an individual negates the historical and social stigma of their caste.
- **The Argument for Extension:** Proponents argue that the "benefits of reservation are being cornered by a few affluent families within SC/ST groups" (Elite Capture). They believe that once a family achieves a certain economic and professional status, they no longer face the same level of disability and should make way for others.
- **The Argument Against Extension:** Critics, following Dr. B.R. Ambedkar's philosophy, argue that caste-based discrimination is **social**, not economic. An affluent SC individual may still face "untouchability" or social exclusion in marriage, housing, and social interactions. Therefore, an economic test cannot be a proxy for social emancipation.
- **Sub-classification vs. Creamy Layer:** The article emphasizes that the *Davinder Singh* judgment primarily authorized **sub-classification** (internal redistribution) rather than **exclusion** (creamy layer). Mixing the two is a legal misinterpretation.
- **The Data Refutation:** Research suggests that "elite capture" is often a myth. In many cases, the most marginalized sections are the ones benefiting, and setting an income bar too low (the "Creamy Layer Trap") excludes those who have just barely reached a stable middle-class life but still lack social capital.

- **Historical Evolution of the Issue**

- The journey of reservation reflects the shifting balance between the legislature and the judiciary:
- **1932: The Lothian Committee:** Dr. Ambedkar argued against the "income/wealth test" for untouchables, asserting that even a wealthy untouchable remains an untouchable in the eyes of Hindu society.
- **1950: The Constitution of India:** SC/ST reservations were introduced without any economic or "creamy layer" conditions, focusing solely on historical social disability.
- **1992: Indra Sawhney Case:** The Supreme Court introduced the creamy layer for OBCs but explicitly stated it **does not apply** to SCs and STs.
- **2006: M. Nagaraj Case:** The Court suggested that the creamy layer *could* be applied to SC/STs in the context of promotions, though this remained controversial.
- **2018: Jarnail Singh Case:** A five-judge bench upheld the application of the creamy layer to SC/STs specifically for **promotions** in government jobs.
- **2024: Davinder Singh Case:** A seven-judge bench allowed sub-classification. While the main ruling didn't mandate a creamy layer for SC/STs, individual judges suggested its necessity, triggering the current fresh petitions.

- **Way Forward**

- **Data-Driven Approach:** Conduct a comprehensive "Caste Census" to determine the actual extent of "elite capture" before making policy changes.
- **Focus on Sub-classification:** Follow the *Davinder Singh* spirit of helping the "bottom-most" rather than just excluding the "top-most."
- **Strengthen Primary Education:** Instead of debating the exit (creamy layer), the state should focus on the entry (quality schooling for all SC/ST children).
- **Legislative Clarity:** Parliament should define the limits of judicial intervention in the Presidential List to maintain the separation of powers.

- **Previous Years' UPSC Questions**

- **Mains (2023, GS2):** "The formalizing of the 'creamy layer' for the Scheduled Castes is a move towards achieving social justice. Discuss."
- **Mains (2018, GS2):** "Whether the Supreme Court Judgment (July 2018) can settle the issue of reservation in promotions for SCs and STs?"
- **Prelims (2020):** Question on the authority to include/exclude from the SC/ST list (President vs. Parliament).

## THE AMBEDKAR OBJECTION & CASTE-STIGMA VS. WEALTH



Historical Untouchability as Foundation

Economic Progress and Social Emancipation Travel on Different Tracks

A "Stigma" of Birth, Not an Income Bracket

"THE EDUCATED, PROPRTIED MAHAR STILL... CANNOT APPLY FOR A JOB WITHOUT HIS IDENTITY BECOMING A DISQUALIFICATION."



**RESULT:**  
CREAMY LAYER TRAP - BLUNT & Sociologically INDEFENSIBLE for SC/ST

## THE LOGIC OF CREAMY LAYER & SUB-CLASSIFICATION

**ORIGINS: INDRA SAWHNEY (1992) - OBCs**

Status-based proxies troxies :Class I/II posts  
(From sroid-based to spiocbrl rosts)

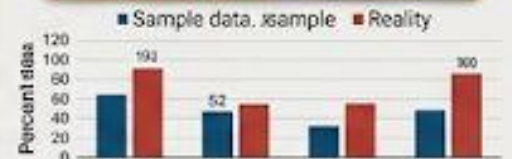
**DILUTION TREND**

DOPT 2004 Letter

**RESTORING PROXIES**

Rohith Nathan case, 2021

**MYTH VS. REALITY**



Positive quota impact is concentrated among 'less-educated SC members in rural areas'.

**SUB-CLASSIFICATION (DAVINDER SINGH 2024)**



Different sub-communities gets targeted shares of a quota

**PARLIAMENT'S OBLIGATION & WAY FORWARD**



**SUB-CLASSIFICATION (REDISTRIBUTION)**

**CREAMY LAYER (EXCLUSION, INAPPLICABLE to SC/ST based on poverty)**



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