GS Paper II – Polity

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Will increasing the strength of the SC solve the pendency problem?

Prashant Reddy T.

Legal Academic and co-author of 'Tareekh Pe Justice: Reforms for India's District Courts'

Swapnil Tripathi

leads Chakra, the constitutional law centre at Vidhi Centre for Legal Policy

PARLEY

On May 17, the President promulgated an ordinance increasing the sanctioned strength of the Supreme Court from 34 to 38 judges. The move came just days after the Union Cabinet approved the Supreme Court (Number of Judges) Amendment Bill, 2026, stating that the addition of four judges would enable the top court to facilitate "speedy justice". On May 27, the Supreme Court Collegium recommended the elevation of four High Court Chief Justices and senior advocate V. Mohana as judges of the top court. According to the National Judicial Data Grid, pendency before the SC currently stands at 93,966 cases. Is increasing the top court's strength an effective way to reduce pendency? Prashant Reddy T. and Swapnil Tripathi discuss the question in a conversation moderated by **Aaratrika Bhaumik**.

Was the ordinance route necessary to increase the top court's sanctioned strength?

Prashant Reddy: No. With Parliament set to convene within weeks, the government could easily have introduced the proposal through the ordinary legislative process. In any event, previous Bills increasing the sanctioned strength of the top court have often passed with minimal debate. In fact, in 2009, the government reportedly introduced a similar measure through a money Bill owing to its numerical disadvantage in the Rajya Sabha. Resorting to an ordinance for a measure of this nature deepens institutional scepticism and fuels unnecessary speculation about the motives of the move.

Does the Supreme Court's willingness to entertain a large number of Special Leave Petitions (SLPs) contribute to the pendency?

Swapnil Tripathi: Yes. The Constituent Assembly envisaged that the Supreme Court would exercise considerable restraint, particularly in invoking its extraordinary jurisdiction under Article 136 of the Constitution. SLPs were conceived as a remedy to be exercised sparingly. Over time, however, a substantial portion of the Supreme Court's docket has come to be dominated by SLPs. What is even more concerning is the court's persistent reluctance to formulate clear guidelines governing the exercise of this jurisdiction. The absence of any meaningful guidelines has contributed to the very accumulation of arrears the institution is now struggling to manage.

PR: The difficulty with Article 136 is that there has never been a clear consensus, even within

The Supreme Court of India.

the Constituent Assembly, on the precise role this jurisdiction was intended to perform. In most other common law jurisdictions, top courts have evolved institutional filters to regulate discretionary appeals, mindful of the finite judicial time available to them. They generally confine themselves to the most contentious or jurisprudentially significant cases. By contrast, as recently as 2016, a Constitution Bench of the Supreme Court declined to narrow the scope of Article 136, observing that no effort should be made to restrict the court's powers under the provision. The result is an increasingly unpredictable system in which outcomes often appear contingent on the Bench before which a matter is listed. This, in turn, fuels allegations of Bench fixing and corrupt listing practices, eroding the court's legitimacy in the eyes of the public.

Should the Court confine itself primarily to constitutional cases to reduce backlog?

PR: No. Last year, in *Vijaya Bank & Anr. versus Prashant B. Narnaware*, a Division Bench of the Supreme Court was called upon to interpret Section 27 of the Indian Contract Act. The case was about the validity of a bond clause; allowing a public sector bank to recover damages from an employee who resigned before completing a mandatory three-year service period. Although framed as a contract law dispute, the issue went to the heart of the right to work and carried significant implications for labour mobility and market competition. Questions of law with such far-reaching consequences must engage the top court's attention. The real concern is not that the Court hears such cases, but how it hears them. Matters involving substantial questions of law ought to be decided by larger Benches to ensure doctrinal consistency.

ST: I agree. The Supreme Court was never envisaged as a constitutional court alone. It was also designed to function as the country's final

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> SWAPNIL TRIPATHI

court of appeal. Over time, however, its appellate jurisdiction has increasingly overshadowed its role in deciding constitutional questions. At the same time, the court must ensure that the inflow of routine appeals is reduced and that intervention is reserved for cases where it is genuinely warranted. I would, however, add an important caveat. Where courts are called upon to decide substantial questions of law, such matters ought ideally to be heard by larger Benches to minimise inconsistencies in interpretation among coordinate Benches.

Will increasing the Supreme Court's sanctioned strength lead to more conflicting rulings by coordinate Benches?

PR: Yes. An increase in the court's sanctioned strength is likely to result in greater doctrinal inconsistency, particularly when most judges sit in Division Benches of two. A larger number of Benches will inevitably result in a greater number of cases being entertained and, consequently, more conflicting rulings by coordinate Benches. Further, once divergent views emerge among coordinate Benches and matters require reference to larger Benches for authoritative resolution, delays are likely to become even more pronounced.

ST: I think the polyvocality of the Supreme Court is one of its strengths, but it works as a strength only when accompanied by judicial discipline. The two must complement each other. Judges may arrive at different conclusions on facts, but the application of legal principles must remain consistent.

Does the government need a more consistent litigation policy?

PR: The government was initially expected to introduce a National Litigation Policy (NLP) to reduce the overwhelming volume of cases involving the Union, State governments, and public sector undertakings that continue to clog the judicial system. The government eventually withdrew its assurance to introduce it, leaving unanswered questions about how decisions relating to government litigation are actually taken. There are numerous instances where similar cases remain pending before different High Courts, and instead of allowing at least one High Court to conclusively adjudicate the issue, the government files transfer petitions before the Supreme Court. The result is that these cases often remain pending before the top court for several more years.

ST: The government's litigation strategy often appears to be driven by a highly result-oriented, case-to-case approach rather than any coherent policy. Courts have repeatedly questioned why the government continues to pursue virtually every dispute up to the Supreme Court, even in cases where its position is clearly unsustainable. There is also a striking lack of institutional consistency. Changes in law officers often lead to shifts in legal strategy, with successive counsels sometimes advancing positions entirely contrary to those taken earlier. Ultimately, it is the individual litigant, lacking the State's resources and institutional capacity, who suffers the most.

What are the institutional reforms required?

ST: The pendency crisis cannot truly be addressed unless the Supreme Court develops a more robust mechanism to filter out frivolous litigation. This is particularly important in the context of Public Interest Litigations (PIL). The court must strictly apply the guidelines laid down in *State of Uttaranchal versus Balwant Singh Chaufal* (2010), including ensuring that a PIL is filed for a genuine public cause and not driven by personal or political interests. As for cases already pending before the court, stricter time allocation for oral arguments is essential. Greater reliance should also be placed on written submissions so that judicial time is not consumed by prolonged hearings.

Is this an opportunity to improve gender representation on the Bench?

PR: Yes. In my view, these four additional positions ought ideally to be filled by women. There must also be greater transparency in the appointments process.

ST: A common justification offered for not appointing more women judges is that there are not enough senior women judges in the High Courts. But the convention of seniority has often been relaxed when it comes to appointing male judges to the Supreme Court.

To listen to the full interview
Scan the code or go to the link
www.thehindu.com

GS Paper II – Governance

Contradictions within India's cow protection regime

Faizan Mustafa
Vice-Chancellor, Chanakya National Law University, Patna, Bihar

Abdul Samad
Former Dean, Mumbai Veterinary College

Politics and sentiment continue to overshadow realities of cattle preservation in India

The recent discovery of hundreds of cow carcasses at a dumping site in Jaisalmer, Rajasthan, rightly triggered an outrage on social media. A few years ago, a similar incident involving the mass starvation deaths of cows was reported from Chhattisgarh. The new Bharatiya Janata Party (BJP) government in West Bengal issued a public notice on May 13, 2026, laying down stringent conditions for the slaughter of animals under the West Bengal Animal Slaughter Control Act, 1950.

Last week, a two-judge Bench of the Calcutta High Court upheld the notice, observing that the conditions mentioned in the impugned order were issued in compliance with the High Court's order of August 16, 2018. Consequently, no cow, bull, bullock or even buffalo can be slaughtered without first obtaining a "certificate of fitness" from government officials. Despite all the rhetoric, the notification permitted the slaughter of cows older than 14 years, which justifiably annoyed Hindutva supporters.

Over 20 States in India have laws prohibiting cow slaughter. Only Arunachal Pradesh, Meghalaya, Nagaland, Sikkim, Tripura, Manipur, Mizoram and Kerala do not have such laws. But what is the efficacy of these laws? Have the stringent provisions and enhanced punishments introduced over the last 12 years helped preserve cows, or could such laws ultimately contribute to their decline? Whether cow reverence constitutes an essential Hindu practice and whether such laws violate the right to privacy are issues that require a ruthlessly objective assessment.

Politics, faith and cows

Cow protection has long been a central Hindutva issue and which explains the contents of the Bengal notice. Yet, the Congress too has historically benefited from cow protection campaigns. Viceroy Lord Lansdowne famously observed that the cow protection movement had transformed the Indian National Congress from "a foolish debating society into a real political power". The cow and calf were the Congress's symbols for decades. Whenever the BJP comes to power in a State, amending cow slaughter prohibition laws to make them more stringent – by enhancing punishments, criminalising possession of beef, and restricting the transport of cattle within or outside the State – becomes a priority. The Gujarat law of 2017 even provides for life imprisonment, and in 2025, three persons were reportedly sentenced to this extreme punishment, ordinarily reserved for heinous offences such as murder, terrorist acts and dacoity. True, cow reverence among Hindus is ancient and enjoys near-unanimous acceptance, though scholars such as D.N. Jha have disputed this assertion citing scriptural material. He pointed to instances in *Dharmashastric* traditions where Yajnavalkya appears to endorse the consumption of beef, and highlighted the inconsistencies and polymorphic nature of Indian dietary practices. He also argued that the "holy" status accorded to the cow was largely a much later development, and noted that several prescriptive Hindu texts classified cow slaughter as a minor sin (*upapataka*) rather than a major offence (*mahapataka*). Strikingly, even the prominent Hindutva ideologue Vinayak Damodar Savarkar held views that differed significantly from those of many present-day Hindutva activists. Consequently, cow reverence may not satisfy the parameters of the essential religious practices test which requires practice to be mandatory from the time of origin of a religion.

In *Mohd. Hanif Quareshi vs State of Bihar* (1958), the Supreme Court of India rightly held that cow slaughter on Bakr-Eid is not an essential Islamic practice either. Several Muslim rulers had also restricted cow slaughter. Babur advised Humayun to do so in his will, Jahangir's Edict No. 10 too prohibited animal slaughter on certain days out of respect for Hindu and Jain sentiments. The influential Deoband Islamic seminary too issued multiple fatwas discouraging cow slaughter. Even in the Constituent Assembly debates on November 24, 1948, Muslim members such as Z.H. Lari and Mohammad Saadullah insisted that "it is better to come forward and incorporate a clause in fundamental rights that cow slaughter is henceforth prohibited, rather than it being left vague in the directive principles...."

What cattle census data reveal

Dr. B.R. Ambedkar eventually placed cow protection within the non-justiciable Directive Principles under Article 48 of the Constitution, following which several States enacted laws after Independence prohibiting cow slaughter. Yet, cattle census data suggest that the objective of preserving and increasing the cow population has not been achieved. West Bengal, for instance, was among the few States where culling and sale of cows and bulls were not entirely prohibited. By conventional logic, its cow population should therefore have been far lower than that of States such as Gujarat, Uttar Pradesh and Maharashtra. However, since 1951, the cow population in the country has grown by only 49.63%, while the buffalo population has risen by 153.8% and the female buffalo population by 161.9%. The figures speak for themselves: cows face the risk of decline.

Ironically, the unprotected buffalo population has grown far more rapidly, especially in the so-called cow-belt States. A comparison of cattle growth rates shows that West Bengal, despite lacking stringent cow slaughter laws, has performed better than States with strict prohibitions. Even though male cattle are protected in these States, their population has declined sharply – by 38.3% in Gujarat, 31.4% in Maharashtra and 58.27% in Uttar Pradesh. In contrast, the decline in male cattle population in West Bengal was only 22.8%. The data also suggest that stringent prohibition laws may be pushing farmers in these States towards buffalo rearing, reflected in the declining cattle-to-buffalo ratio between 2012 and 2019. In West Bengal, by contrast, buffaloes remain insignificant in number and their population sharply declined in 2019. In 1997, the cattle to buffalo ratio was 144:1 but in 2019 it became 295:10. In Uttar Pradesh, the cattle-to-buffalo ratio fell from 105:100 in 1997 to 56:100 in 2019. West Bengal, despite lacking stringent prohibitions, witnessed a comparatively stronger growth in cow population and, therefore, mere laws will not protect cows.

Cattle populations grow in a compounded manner because, unlike humans, a cow gives birth to its first calf at around three years and, to remain productive, must calve every 14-16 months. Calves born during a census period also mature and begin reproducing within a few years. According to growth forecasting models, if no cattle were culled or slaughtered and all calves survived except for natural deaths, the cattle population would increase by 2.5 to three times within five years – something that has never occurred in any State. Such growth is economically unsustainable, as farmers cannot support such numbers due to fodder scarcity.

Undermining the farmer

When farmers are legally allowed to exercise their judgment in culling unproductive cattle, they earn additional income to meet expenses such as weddings, children's education and health care. According to simulation models, farmers in West Bengal earned nearly ₹35,000 crore between 2012 and 2019 from the lawful sale of cattle for slaughter, apart from their dairy income. Farmers in States with strict prohibition laws also appear to have sold cattle for slaughter as is reflected in declining cattle populations, but likely to have earned far less because of the illegality of such sales and the possibility of bribery and middlemen. In effect, these laws do not penalise butchers or beef consumers, but farmers themselves. West Bengal appears to have recognised this reality with Muslim refusal to purchase cows for Eid slaughter. In India's agrosilvopastoral economy, livestock remains a vital component of rural livelihoods.

In the privacy judgment of *K.S. Puttaswamy* (2017), Justice J. Chelameswar had observed "I do not think that anybody would like to be told by the State as to what they should eat or how they should dress or whom they should be associated with either in their personal, social or political life." Justice Chandrachud said that what one eats is one's personal affair and it is a part of privacy under Article 21, i.e., right to life and personal liberty In view of the politicisation of the issue, Muslims in Bengal prudently refrained from cow slaughter during Eid. One hopes that this will promote social harmony and counter communal hate campaigns. Maulana Arshad Madani, president of the Jamiat Ulama-e-Hind (Arshad Madani faction), has also called for the cow to be declared the national animal. The first writer of this article, though not a veterinary expert, believes that Muslims across India should support a central law banning cow slaughter and imposing stringent punishment, especially on those who sell cows for slaughter.

The views expressed are personal

GS Paper II – International Relations

Brinkmanship in the age of growing conflict

Arjun Subramaniam
Military historian and a strategic analyst

Iran's closure of the Strait of Hormuz and the blockade by the United States of Iranian ports are among several recent acts of brinkmanship. A legacy of the Cold War era, brinkmanship refers to single action or a series of actions during a conflict or a short-of-war situation that forces a perilous climb up the escalation ladder to force the adversary to back down, make concessions, negotiate or even do something irrational that would justify the use of uncalibrated or widespread use of force. Coined by western political scientists in the 1950s and 1960s while analysing crises such as the Berlin Blockade (1948-49) and the Cuban Missile Crisis (1962), the term also warned of the risk of escalation spiralling out of control, particularly in the nuclear context (Armageddon).

The return of brinkmanship

With the vast spread of the spectrum of conflict in the post-Cold War era without the disappearance of the nuclear overhang, brinkmanship has once again assumed dangerous proportions and merits some examination in a contemporary context. Terrorism has emerged as a principal instrument of brinkmanship, frequently used by non-state actors to provoke disproportionate state responses and gain international attention and sympathy in pursuit of larger goals. Without debating the dilemma posed by the proposition that argues, 'One man's terrorist is another man's freedom fighter', globally proscribed terrorist movements have rarely achieved their stated aims through brinkmanship – al Qaeda and the Islamic State being among them. A few such as the Irish Republican Army (IRA) and the FLN (National Liberation Front) in Algeria did force the more powerful adversary to make concessions.

Another flavour of brinkmanship that has emerged in recent decades is proxy brinkmanship of the kind that Pakistan and Iran have engaged in for the last four decades against stronger powers. Using proxies largely designated as global terrorist outfits, this brand of asymmetric brinkmanship seeks to erode the resolve and power of stronger powers and force them to make concessions over long-festering issues of statehood and sovereignty. The attacks by Hamas on Israel on October 23, 2023, are an example of this kind of brinkmanship. Israel's disproportionate counter-brinkmanship in Gaza in pursuit of destroying Hamas is testimony to the breakdown of deterrence and the propensity to climb the escalation ladder at breakneck speed to achieve difficult strategic outcomes.

The growing reliance on brinkmanship threatens an already fragile global order

Rising geopolitical tensions

Among the larger powers today, the U.S. has seldom resorted to brinkmanship and prefers instead to achieve its geopolitical objectives through the brute and direct application of force or economic coercion. Frustrated at its inability to drag Iran to the negotiating table, the U.S. has resorted to brinkmanship by imposing a blockade on Iran, hoping to squeeze it economically and make it come to the negotiating table. Iran, on the other hand, has resorted to its own brand of asymmetric counter-brinkmanship that has yielded disproportionate strategic outcomes by blocking the Strait of Hormuz. Where this will go is anybody's guess until both the parties agree to meet mid-way – such are the complications of the brinkmanship game.

Russia's brinkmanship, driven by frustration over its inability to halt the North Atlantic Treaty Organization's eastward expansion despite Moscow's takeover of Crimea in 2014, and by expectations that Ukraine would capitulate after the advance on Kyiv in February 2022, has instead resulted in a prolonged war. Russia's periodic sabre-rattling over nuclear restraint is also a legacy of the Cold War that Russian President Vladmir Putin wants to keep alive. The indiscriminate use of hypersonic and other area weapons against population centres such as Kiev by the Russians triggers a brinkmanship chain that is hard to control and infuse any semblance of restraint in the four-year-long conflict.

Ever since China upped its maritime game since 2006 and laid claims to vast expanses of the South China Sea and parts of the East China Sea, it has mastered the art of controlled brinkmanship against weaker neighbours, daring them to push back against its attempts to establish maritime hegemony in the region. Except for Japan which has pushed back strongly against Chinese coercion over claims on the Senkaku Islands, and Taiwan which continues to stare the People's Republic of China in the eye, all other countries with shores along the South China Sea have been mute to Chinese reclamation of Islands and claims on territorial waters.

If there is one nation that has perfected the art of brinkmanship in the 21st century, it is North Korea. This largely underdeveloped and opaque country, with its demonstrated missile and nuclear prowess and nuclear proliferation, has kept the most powerful power in the world from forcing it into a 'rules based world order', while also keeping the region on edge.

The displacement of diplomacy

India's strategic DNA of restraint and responsibility and its calibrated use of force eschews any inclination to resort to brinkmanship even under the gravest provocation. The fragile global geopolitical system is now fraught with danger, and diplomacy no longer seems to be the preferred choice for conflict resolution. With global institutions such as the United Nations increasingly marginalised, coercion, brinkmanship and the uncalibrated use of force seem to be emerging as preferred options in settling conflicts of various genres. The world needs to seriously introspect this.

GS Paper II – Governance

A revival of sedition tied to consent

The Supreme Court's May 21 clarification partially revives sedition proceedings under Section 124A for consenting accused persons; the direction creates disparity in the working of Section 124A and leaves accused caught between trial under an undecided law and indefinite limbo

LETTER & SPIRIT

Krishnadas Rajagopal

A three-judge Bench headed by Chief Justice of India Surya Kant clarified on May 21 that courts may proceed with trials, appeals and proceedings under Section 124A of the now-repealed Indian Penal Code if the accused raise no objection. In effect, the direction partially revived the paused colonial-era sedition provision for those willing to face trial.

The direction came in a special leave petition filed by a person anxious about his nearly-decade-old appeal against conviction under the Unlawful Activities (Prevention) Act, the Arms Act, and several provisions of the IPC, including Section 124A.

He and his co-accused were sentenced to life imprisonment by a Sessions Court in Madhya Pradesh in February 2017. Their appeal before the State High Court had remained in limbo after the Supreme Court ordered all ongoing and future proceedings under Section 124A to be kept in abeyance in an interim order on May 11, 2022.

The Supreme Court Bench found that the High Court "appeared reluctant" to hear the appeal while the May 2022 order remained in force. The appellant in this case, Kamran, submitted that he was willing to let the High Court hear the appeal in its entirety, including with respect to sedition.

The Bench relented by passing a general direction that sedition proceedings under Section 124A against consenting accused persons, like Kamran, should go ahead. The court's decision, apparently, was guided by speedy trial and closure for the accused and reducing the burden on the justice administration system, already groaning under a backlog.

Constitutional questions

However, on the flip side, the Supreme Court's clarification has exposed consenting accused persons to be subject to a provision which both the court and the government had considered suspect in 2022. The challenge to the constitutionality of Section 124A is pending in the Supreme Court. Multiple writ petitions in *S.G. Vombatkere versus Union of India* had challenged Section 124A for violating foundational rights.

GETTY IMAGES

The pendency of the Vombatkere petitions raises the question whether lower courts would pronounce a judgment on guilt when the constitutionality of the provision was itself suspect. Besides, the May 21 clarification was passed in an unconnected case, *Kamran versus State of Madhya Pradesh*, without issuing notice to or hearing the petitioners in the Vombatkere group of matters.

Practical problems may also arise for lower courts if one accused is willing to be tried under Section 124A while his co-accused may not. The answer lies in deciding the petitions challenging the colonial provision, and not delivering stopgap clarifications.

The clarification of May 21 further rebels against the fundamental right of 'equality before the law'. The interim order of May 2022 had expressed the Supreme Court's "hope and expectation" that the government would not register any fresh FIRs, continue investigation or take coercive measures against people under Section 124A while the challenge to the provision was still alive in the apex court. The order had given affected parties, against whom Section 124A was invoked, liberty to approach courts for relief. It had gone to the extent of directing that adjudication with respect to connected Sections in such cases would proceed only if courts were of the opinion that no prejudice would be caused to the accused. None of these directions was modified on May 21.

Unequal consequences

The clarification may lead to a visible disparity in the working of Section 124A. Trials and court proceedings would resume against the accused who may have consented out of a sense of anguish or were sure of their innocence, while others, not so frantic for closure, would opt to quietly wait it out till the apex court finally decided on the legality of Section 124A. The Supreme Court's prolonged delay on the Vombatkere petitions leaves vulnerable citizens stranded between a rock and a hard place: either consent to a trial under an undecided law, which carries a life imprisonment, or endure indefinite limbo.

Again, the May 21 direction would mean trial and appeals would resume for consenting accused on a provision which the apex court and the Centre had agreed in 2022 was not in tune with the current social milieu, and was intended for a time when this country was under the colonial regime. The Attorney General had, at the time, shared instances of glaring misuse of Section 124A, like when an independent MP and her husband were booked under Section 124A after they threatened to recite the *Hanuman Chalisa* outside the private residence of a former Maharashtra Chief Minister.

The offence of sedition has been traced to the Statute of Westminster 1275, when the King was considered the holder of the Divine right. Pre-dating the Constitution, the provision has been viewed with suspicion in Independent India. The country's first Prime Minister, Jawaharlal Nehru, had described the Section on the floor of the Provisional Parliament in 1951 as "highly objectionable and obnoxious". In 1962, the Supreme Court in *Kedar Nath Singh versus State of Bihar* read it down to say that a "citizen has a right to say or write whatever he likes about the government, or its measures, by way of criticism or comment, so long as he does not incite people to violence or with an intention of creating public disorder".

Burden on State

Even Section 152 of the Bharatiya Nyaya Sanhita, considered a successor to Section 124A, is under challenge in the Supreme Court for its ambiguity, cloaking an immense capacity to have a chilling effect on free speech and expression.

The current challenges to sedition provisions urge the Supreme Court to conform to post-Kedar Nath precedents like R.C. Cooper, Indira Gandhi versus Raj Narain and I.R. Coelho, which established that fundamental rights did not reside in isolated silos or watertight compartments – a curtailment of free speech brought about by a charge under Section 124A or Section 152 would also affect the right to life and personal liberty. The content of each fundamental right animates the others.

The burden is on the State to establish that a "rights-limiting" sedition provision is necessary in a democratic society. It should not be left to affected parties to consent to sedition proceedings out of sheer desperation caused by a delay to decide the constitutionality of Section 124A by none other than the highest court of the country.

THE GIST

- The May 21 clarification allows trials, appeals and proceedings under Section 124A to go ahead for accused persons willing to face trial, even as the challenge to the constitutionality of the provision remains pending in the Supreme Court.
- The prolonged delay in deciding the Vombatkere petitions leaves vulnerable citizens between consenting to proceedings under a colonial-era law carrying life imprisonment or remaining in prolonged limbo.

GS Paper II – Social Issue

National Health Accounts figures indicate high burden of health care costs on people

Ramya Kannan
CHENNAI

A big worry for a nation with a large non-communicable diseases burden is the relatively low spending on preventive care. ISTOCK

While India has improved public financing of health care, households and individuals still bear the heaviest burden. As per the latest figures from the National Health Accounts (NHA) Estimates for India 2022-23, out-of-pocket expenditure (OOPE) is nearly half of the current health expenditure, and financial protection for health emergencies remains incomplete, though government and insurance spending has increased.

The government's interpretation of the NHA measures and takes credit for infinitesimal growth of public spending. According to a press release, "The share of Government Health Expenditure (GHE) as a percentage of the GDP has risen from 1.15% in 2013-14 to 1.43% in 2022-23", and as per the new GDP series, it will be 1.48% in 2022-23. "Similarly, this share in General Government Expenditure has increased from 3.78% to 4.89% over the same period, underscoring the growing prioritisation of health in public spending. In per capita terms, GHE has increased nearly 2.7 times... The decadal trend of increased Government Health Expenditure has resulted in overall reduction in the Out-of-Pocket Expenditure (OOPE) as a share of the Total Health Expenditure," the release claims.

However, claims notwithstanding, these figures are still short of the WHO Global Recommendation to dedicate at least 5% of the GDP to public health towards meeting universal health coverage targets. It also falls short of National Health Policy recommendation to have the combined Central and State government health spend at 2.5% of GDP.

Abhay Shukla, national co-convener, Jan Swasthya Abhiyan, points out that the slight surge in public health spending seen in India during COVID has been pushed back to pre-COVID levels. "India's Government Health Expenditure (GHE) as a share of Current Health Expenditure (CHE) has dropped sharply from 41.1% in 2021-22, to 35.6% in 2022-23, in just one year." This indicates that even the temporary, small rise of public financing observed during COVID has not been sustained, rather the latest levels are comparable to 35.3% recorded in 2019-20 in the pre-COVID period, he explains. CHE, which measures the final consumption of healthcare goods and services excluding cap-ex, is ₹7,66,814 crore.

The NHA also answers the question of who contributes to the health spend. GHE is the amount the government spends on health care, inclusive of capital expenditure, is ₹3,85,332 crore - less than half of the total health expenditure (THE). Of this, the Union government's share is about 36%, and the State governments fund over 63% of THE. With households forking out 56.44% of health spends on CHE, an extraordinary burden remains on the people. Of this, out of pocket expenditure, accounts for a whopping 49.90% of CHE.

Dr. Shukla says, the total expenditure under government-financed health insurance schemes combined was ₹26,266 crore, representing a meagre 3% of India's THE. In contrast, now private health insurance expenditures (9.2% of THE), most of which are paid for directly by households, are three times higher than all spending through government-financed health insurance schemes. He charges that Pradhan Mantri Jan Arogya Yojana (PMJAY) and associated government health insurance schemes are failing to provide substantial protection to people from high healthcare spending.

The NHA has also revealed that private hospitals take the largest share of all CHE at 30.83%, followed by government hospitals at 16.73%. This makes it clear that India's health system remains deeply privatised, despite claims of increased public spending, Dr. Shukla says. "This continued high level of unregulated privatisation is deepening major inequities in access to healthcare, linked with rising costs and frequent irrational treatment practices."

Another worrisome aspect is the relatively low spending on preventive care. As per the NHA, preventive care forms only 8.88% of the CHE spending.

GS Paper II – Governance

Preparation, not fear, will help tackle El Nino: Minister

The Hindu Bureau
NEW DELHI

The Agriculture Ministry is taking stock of regions that may see insufficient rainfall during the monsoon, amid El Nino predictions, and preparing advisories on the appropriate crops that ought to be grown, Agriculture Minister Shivraj Singh Chouhan said on Thursday.

"El Nino is not something to be feared but something that we must prepare for. The India Meteorological Department has not given a final word but we are preparing for it – for instance, if some regions see less rain, what would be the appropriate seeds, the modes of supply and necessary contingency plans. If it comes, we will fight it," he said at the inauguration of the Kharif Conference, which will see the participation of State Agriculture Ministers.

The IMD has forecast a "below normal" southwest monsoon, with the country likely to receive only 92% of the normal rainfall during June-September.

GS Paper II – Governance

PM calls for cooperative resolution of water disputes

Press Trust of India
NEW DELHI

Prime Minister Narendra Modi has asked States to resolve inter-State water disputes through cooperation, timely clearances and technology-based monitoring. The Ken-Betwa project should serve as a model for the same, he said.

Mr. Modi chaired the 51st PRAGATI meeting, where seven critical infrastructure projects across railways, power and road sectors covering nine States were reviewed on Wednesday.

He said that delay in implementation of projects leads not only to cost escalation but also deprives citizens of timely access to essential facilities.