BAJIRAO IAS ACADEMY

THE HINDU ANALYSIS

30 JUNE 2025

THREE LANGUAGE POLICY

WESTERN GHATS CONSERVATION

A year later — colonial-era laws to new criminal codes

It will be a year since the three criminal laws which replaced the British-era enacted laws came into effect. Last year, the central government replaced the Indian Penal Code with the Bharatiya Nyaya Sanhita (BNS), the Code of Criminal Procedure (CrPC) with the Bharatiya Nagarik Suraksha Sanhita (BNSS) and the Indian Evidence Act, 1872 with the Bharatiya Sakshya Adhiniyam (BSA). Policemen are gradually getting used to the new provisions. As most first information reports (FIRs) are registered through the Crime and Criminal Tracking Network and Systems (CCTNS), which is one of the pillars of the Inter-operable Criminal Justice System (ICJS), a smooth transition from the previous provisions of the laws to the new ones has been essential for the implementation of the new laws at the police station level. FIRs registered at zero are being routed to the police station of their jurisdiction through the CCTNS, albeit only within a State. The credit for this milestone goes to the Ministry of Home Affairs (MHA).

A significant development in policing has been the implementation of the 'e-Sakshya', which is a mobile application to collect and preserve evidence in real time. This app has been developed by the National Informatics Centre (NIC) in consultation with the MHA. The NIC is also the nodal agency for the implementation of the ICJS, which connects police (through the CCTNS) with the other pillars, namely, forensic science laboratories (FSLs), prosecution, jails and courts. While the transition to the new provisions of law is a mechanical exercise, it is the 'e-Sakshya' which is making a big difference on the ground. Feedback from the investigating officers (IOs) who are at the helm in implementing the new laws is important.

Mandatory recording of pictures and videos

The BNSS makes it mandatory for the IO to record certain processes using audio-video electronic means. Under some provisions, the use of such electronic means is optional. The 'e-Sakshya' app caters to six provisions of the law which include the recording of search and seizure through audio-video electronic means (a new provision under Section 105 of the BNSS), search by a police officer (under Section 185 of the BNSS), videography of the scene of crime (under Section 176 of the BNSS), recording of a statement (under Section 173 of the BNSS), recording of a statement (under Section 180 of the BNSS) and order of custody and disposal of property pending trial in some cases (under Section 497 of the BNSS).

Though the trial of the most heinous offences registered under the BNS is yet to be completed in order to review the overall impact of 'e-Sakshya' on conviction, IOs are glad to be able to use it to capture pictures and videos on the spot, with geo-coordinates and a time stamp. For the public, this has enhanced visibility of the entire process of search and seizure. IOs are hopeful that witnesses (captured in photos and videos) cannot deny their presence at the scene of crime. Further, IOs cannot even (unofficially) depute their subordinates to carry out an investigation in their name. The provision of capturing a 'selfie' by the IO has been a deterrent and is likely to improve the overall quality of an investigation.

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Technological advancements have been useful, but feedback from the investigating officers, who have a pivotal role to play, is important

Similarly, the mandatory visit of an FSL expert to the scene of crime (Section 176 of the BNSS) is proving beneficial to the police. While the forensic infrastructure has not changed much in the last year, the IO now ensures that the scene of crime is mandatorily inspected by an FSL expert. There is also the use of a police dog at the scene of crime, which is useful in tracking suspects. The move to have a Central Forensic Science Laboratory (CFSL) and National Forensic Science University (NFSU) in Raipur, Chhattisgarh, which was announced by the Union Home Minister, Amit Shah, is a step that will help strengthen the forensic infrastructure.

The impediments

However, more still needs to be done. While pictures and videos captured using 'e-Sakshya' are stored in the National Government Cloud (NGC) through 'Sakshya lockers', courts are yet to start directly accessing such pictures and videos through the ICJS. Many IOs make a copy through the CCTNS (which is linked to the NGC) and submit a pen drive or a similar electronic device in court, along with the final report of the case. While the integrity of evidence is not questionable in this process, the duplication of work and unnecessary expenditure incurred in the procurement of pen-drives needs to be checked. Moreover, IOs use their personal mobile phones to capture pictures and videos. Those who did have an android phone have had to buy a new mobile because the 'e-Sakshya' can only be downloaded in mobile phones with Android version 10 and a minimum storage space of 1 GB. Some police stations have been given one tablet only, which is clearly not sufficient as each police station has more than one IO.

While each video could be of a duration of four minutes (maximum), there is no limit on the number of videos that can be taken. In case of a linked FIR, there is no provision to delete a picture or video that has not been recorded well. However, if an FIR is not linked, any picture or video can be deleted and recaptured. However, a maximum of five Sakshya IDs (SIDs) could be generated in the off-line (FIR not linked) mode. In such cases, the pictures and the videos need to be uploaded whenever the IO reaches a network area in order to make space to capture additional pictures and videos with a fresh SID.

There are examples of accused persons being reluctant to be captured electronically when pointing out the spot where murder weapons have been hidden or when producing prohibited drugs. However, 'e-Sakshya' could prove to be a game-changing tool in improving investigations and ensuring convictions.

Though 'e-Sakshya' has a provision to automatically generate a hash value (using SHA256 function) and mandatory certificate (to authenticate the secondary electronic evidence), cyber-crimes which involve the seizure of electronic evidence need an expert who could offer a definite opinion and depose in a court of law. Therefore, State labs (including the one in Chhattisgarh) which are yet to be notified under the IT Act, need to get their cyber forensic laboratories soon.

While small thefts (of a value less than ₹5000) are not being registered as a cognisable offence under the ambiguous proviso to sub-section (1) of Section 303 of the BNS, petty organised offences under Section 112 of the BNS are registered (for some offences such as gambling) despite the definition being open ended and vague.

The new Section 530 of the BNSS provides for the recording of evidence and examination of witnesses (including an IO) through video conferencing, but such a practice has not yet become the norm. Similarly, while IOs seem satisfied with the implementation of the seven-day limit under Section 184 of the BNSS for forwarding the medical examination report of a rape survivor by a medical practitioner to the police, their major grievance of getting the post mortem report in time has not be resolved. The MedLEaPR (Medico Legal Examination and Post Mortem Reports System), which is a web-based application developed by the NIC Haryana is under testing in Chhattisgarh. This will enable the health department to create and forward medical examination reports and post-mortem reports more quickly to the police through CCTNS.

Need for feedback

Since all States and Union Territories are implementing the new laws, there is a need for feedback to review ease of implementation and carry out changes to minimise the practical problems that IOs face and also overcome the legal obstacles in courts. In addition, more resources need to be allocated for forensics and information and communication technologies. This will ensure that IOs do not have to use their personal gadgets for official processes and that each district has a separate mobile FSL unit.

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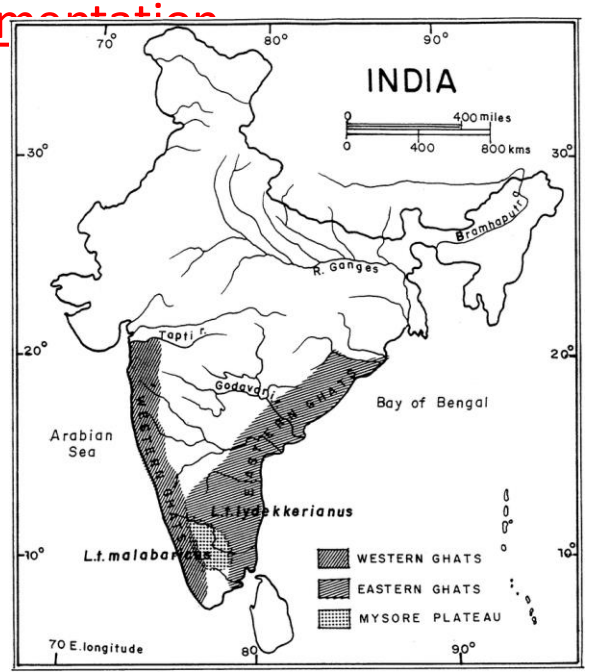
Context:

- Ecologist Madhav Gadgil has urged for a community-centric approach to conserve the Western Ghats, citing failure of forest bureaucracy and neglect of Forest Rights Act implementation.



About Western Ghats Conservation:

- A UNESCO World Heritage Site and one of the world's eight hottest hotspots of biodiversity, the Western Ghats stretch along the **western edge of the Deccan Plateau**, influencing monsoon systems and sustaining rich ecosystems.

- Spread across Gujarat, Maharashtra, Goa, Karnataka, Kerala, and Tamil Nadu.

Key Features:

- **Rich Biodiversity:** Hosts over **7,400 species**, with high endemism in flora and fauna.

- **Hydrological Role:** Origin of rivers like **Godavari, Krishna, and Kaveri**, critical for peninsular water security.

- **Climatic Influence:** Traps monsoon winds, creating **high rainfall zones** and acting as a climate regulator.

- **Topographical Diversity:** Composed of lateritic plateaus, escarpments, valleys, and peaks like Anai Mudi (2,695 m).

Issues Plaguing the Western Ghats:

- Forest Department uses **outdated and inflated data**, limiting transparency and ecological planning.
- Polluting industries operate in ecologically fragile zones, backed by state support and no accountability.**Grasim Rayon Factory** discharged toxic mercury into **Chaliyar River**, destroying fisheries and tribal livelihoods.
- **Non-Implementation of Forest Rights Act (FRA), 2006:** Tribal and forest-dependent communities continue to be denied **Community Forest Rights (CFR)** despite legal entitlements.
- Forest lands are diverted for **eucalyptus and acacia** plantations, harming native biodiversity and soil health.
- **Inaccessible, Aggregated Forest Data:** Forest Survey of India provides **delayed and district-level data**, hiding local forest degradation.

Committees on Western Ghats Conservation:

Western Ghats Ecology Expert Panel (WGEEP), 2011
Led by Madhav Gadgil, recommended **ESA zoning**, CFR implementation, and Gram Sabha-led conservation.

Kasturirangan Committee, 2013
Favoured a **development-friendly approach**, reducing ESA coverage and diluting people's participation in governance.

Way Ahead:

1. **Implement Community Forest Rights (CFR) under FRA, 2006:** Recognizing CFR empowers communities economically and ecologically by giving them ownership and responsibility.

2. **Promote Democratic Decentralisation:** Empowering **Gram Sabhas** ensures local knowledge and accountability in forest conservation.

3. **Modernise Ecological Data Systems:** Use **real-time open-access satellite tools** like **Google Earth or Bhuvan** for monitoring forest health and changes.Global Forest Watch now provides 30m resolution data that can be used to counter false FSI claims.

4. **Ban Unsustainable Industrial Activities in ESA:** Enforce **SC-mandated mining bans** in wildlife corridors and fragile ecosystems to avoid irreversible biodiversity loss.

5. **Promote Biodiversity-Compatible Livelihoods:** Encourage **NTFP-based enterprises**, eco-tourism, and agro-forestry to align income generation with conservation.

ECI de-listing political parties

Why is the ECI de-listing political parties?

What are the requirements for registering a political party with the Election Commission of India? What are the benefits enjoyed by Registered Unrecognised Political Parties? Does the Election Commission have explicit power to de-register a political party?

EXPLAINER

Rangarajan. R

The story so far:

The Election Commission of India (ECI) has initiated steps to de-list 345 Registered Unrecognised Political Parties (RUPPs) that have not contested elections in the last six years and whose offices could not be physically located.

What are registered parties?

The right to form an association is a fundamental right guaranteed under Article 19(1)(c) of the Constitution to all citizens. Political parties are an association or body of individuals that can be formed by citizens.

Section 29A of the Representation of the People Act, 1951 (RP Act) lays down the requirements for registration of a political party with the ECI. Any political party that seeks registration should submit a copy of its memorandum/constitution within 30 days of its formation. Such a document should contain a provision that the party shall bear true faith and allegiance to the Constitution of India. It should also bear allegiance to the principles of socialism, secularism and democracy, and uphold the sovereignty, unity and integrity of India. The ECI reviews the memorandum/constitution of the political party to verify that it contains provisions for internal democracy like periodic elections for its office bearers. The ECI thereafter registers them as a RUPP.

The RUPPs enjoy the following benefits – (a) tax exemption for donations received under Section 13A of the Income Tax Act, 1961, (b) a common symbol for contesting general elections to the Lok Sabha/State Assemblies, and (c) 20 'star campaigners' during election campaigns.

RUPPs are required to maintain the details of individual donors who have donated above ₹20,000 in a financial year and submit these details to the ECI every year. As per Section 29C of the RP Act, failure to furnish these details will result in losing income tax exemption. The RUPPs under the Income Tax Act, 1961, are further required to accept donations in excess of ₹2000 only through cheque or bank transfers.

Counting parties: Tribal women voters with their babies stand in queues to cast their votes during the fourth phase of the Lok Sabha polls, at Ulihatu in Khuti in May 2024. AM

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What are the issues?

As per ECI notification, there are more than 2,800 RUPPs in India as of May 2025. However, only around 750 of them contested the 2024 general elections. It has resulted in the moniker – 'letter pad parties' – for the rest of the RUPPs. The RP Act does not confer explicit powers on the ECI to de-register any political party if it fails to contest elections, conduct inner-party elections or lodge requisite returns. The Supreme Court in *Indian National Congress versus Institute of Social Welfare & Ors* (2002) had held that the ECI does not have the power to de-register any political party under the RP Act. It may de-register only under exceptional circumstances such as the registration being obtained by fraud or the political party ceasing to have allegiance to the Indian Constitution or if it is declared unlawful by the Government.

The ECI from time to time publishes the list of de-listed and inactive RUPPs. The notification of March 2024 (as amended till May 2025), contains the list of 281 de-listed and 217 inactive RUPPs. Parties have been de-listed after they were found to be 'non-existent' at their address even after notices from the ECI. Political parties that have not updated the material changes including the list of office bearers since 2014 have been classified as 'inactive'. These parties are denied the benefit of putting up candidates with a common symbol in an election. Considering the provisions of the RP Act and the Income Tax Act, they would also become ineligible for tax exemptions.

What needs to be done?

The present exercise has identified 345 RUPPs that have not contested any elections since 2019 and could not be physically located anywhere. The ECI has directed the Chief Electoral Officer of various States and Union Territories to issue show-cause notices to these RUPPs before deciding on de-listing them. This is a welcome step that would prevent such 'letter pad parties' from misusing the income tax exemptions or committing any other financial fraud.

There are still likely to be more than 1000 'active' RUPPs that do not regularly contest elections. The Law Commission in its 255th report (2015) had recommended amendments for de-registration of a political party if it fails to contest elections for 10 consecutive years. The ECI in its memorandum for electoral reforms (2016) had also suggested amendment to the RP Act that would empower it to de-register a party. Apart from the exercise of de-listing RUPPs, these recommendations can also be implemented. Another serious issue plaguing almost all political parties is the lack of inner-party democracy. It may not be ideal for an independent constitutional authority like the ECI to be involved in the muddle of party politics. However, as suggested by the Law Commission in its 170th and 255th report, the RP Act can be suitably amended to contain specific provisions for ensuring internal democracy in political parties.

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THE GIST

- The right to form an association is a fundamental right guaranteed under Article 19(1)(c) of the Constitution to all citizens.
- Any political party that seeks registration should submit a copy of its memorandum/constitution within 30 days of its formation. After review, the ECI will register them as a RUPP.
- As per a ECI notification, there are more than 2,800 RUPPs in India as of May 2025. However, only around 750 of them contested the 2024 general elections.

- The **Election Commission of India (ECI)**, acting as a **constitutional authority**, plans to **de-list 345 Registered Unrecognised Political Parties (RUPPs)** for not contesting elections in six years as part of a **clean-up drive** to enhance electoral integrity.
- These parties were **found inactive** or **untraceable** at their registered addresses, raising concerns about the legitimacy of registered political entities.
- The action aims to curb **tax evasion**, **symbol misuse**, and prevent the rise of **'letter pad parties'**, which are often involved in **financial irregularities** and undermine **democratic norms**.

Registration Rules and RUPP Benefits

- Forming a party is a right under **Article 19(1)(c)**; parties must undergo **political party registration** under **Section 29A of RP Act, 1951** to participate in the electoral process.

- Registered parties must uphold **constitutional values**, ensure **inner-party democracy**, and conduct **regular elections** to maintain their status.

Key benefits for RUPPs:

- **Income tax exemptions** under **Section 13A of IT Act**, providing significant financial advantages to registered parties.

- **Common election symbol** allocation, enhancing party recognition and visibility during elections.

- Permission to appoint **20 star campaigners**, boosting campaign visibility and reach. These star campaigners play a crucial role in attracting voters and promoting the party's agenda.

- Various **campaign funding benefits** to support electoral activities.

- Parties must report **donations above ₹20,000** and accept over ₹2,000 only via **bank or cheque** to meet **donation transparency requirements**.

Lack of Power and Legal Gaps in De-listing Process

- As per **Supreme Court (2002)**, ECI, despite being a constitutional authority, cannot de-register parties unless they committed **fraud**, became **unconstitutional**, or are **declared unlawful**, except in **exceptional circumstances**.

- This limitation highlights the legislative changes needed to empower the ECI in addressing inactive parties effectively.

- Of **2,800 RUPPs**, only **750 contested** in the lead-up to the **2024 general elections**; many haven't submitted **mandatory updates** on leadership since **2014**, highlighting an **inner-party democracy deficit**.

Suggested reforms:

- **Law Commission recommendations** (255th Report): De-register if a party **fails to contest elections for 10 years**.

- **ECI's 2016 proposal**: Amend RP Act to allow **de-registration** and enforce **inner-party democracy**.

- **Chief Electoral Officers** in states have expressed concerns about the proliferation of inactive RUPPs and **'letter pad parties'**.

Maharashtra scraps new three-language Policy

Maharashtra scraps new three-language policy

Panel formed to decide future of the policy for primary classes will submit its report in 3 months; Opposition, experts say decision a victory for Marathi people, express doubts about panel's role

Vinaya Vilas Deshpande
MUMBAI

Maharashtra scrapped the introduction of the three-language policy for Classes I to 5 in State government schools on Sunday, after two months of sustained opposition by academics, activists, and political parties, including the Nationalist Congress Party, which is part of the ruling coalition in the State.

To decide the future of the policy, the government set up an expert committee to be headed by economist, educationist, and former Rajya Sabha member Narendra Jadhav. "The committee will look into the three-language policy, from which grade it should be implemented. It will study the recommendations of the Mashelkar Committee report. It will also hear those who have a different opinion. The government will accept the Narendra Jadhav committee report," Chief Minister Devendra Fadnavis told presspersons in Mumbai.

Word troubles: Shiv Sena (UBT) workers protest against the proposed three-language policy in Navi Mumbai on Sunday. PTI

Two government orders introducing the policy for primary education, issued on April 16 and June 17, have been cancelled.

"The government has put the three-language formula on hold at present. The committee has sought three months," a senior government official told *The Hindu*.

This policy will impact nearly 80 lakh primary students in the State Board's Marathi and English medium schools. The three-language formula is currently implemented in secondary classes.

Opposition parties, which had burnt copies of the government orders across the State just hours earlier on Sunday, cautiously welcomed the government's decision, but were sceptical about the panel's role.

Shiv Sena (UBT) leader Uddhav Thackeray and his cousin Raj Thackeray of the Maharashtra Navnirman Sena declared it the victory of the unity of the Marathi people.

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Why in the News?

- Maharashtra government **scrapped the three-language policy** for Classes 1 to 5 after two months of sustained **public opposition**.
- **Political dissent**: The move faced resistance from **academics, activists**, and ruling coalition partners like the **NCP**.
- A committee led by **Narendra Jadhav** will review the policy's future and implementation timeline.

Concerns and Public Reaction

- The policy would have affected nearly **80 lakh students** in **Marathi and English medium schools**.
- **Opposition response as Shiv Sena (UBT)** and **MNS** called the rollback a **victory for Marathi unity** but criticized the **committee's credibility**.
- **Protest cancelled**: A major rally planned for **July 5** will now be held as a **celebratory march**.

Controversy and Scepticism

- **RSS agenda fears**: Critics accused the government of pushing a **"Hindi-Hindu-Hindustan" narrative** through language policy.
- Experts questioned the **need for a committee** instead of a clear withdrawal of the policy.
- Activists expressed doubts about **Dr. Jadhav's expertise** and warned of protests if the policy is reintroduced.

THREE-LANGUAGE FORMULA

- **Policy origin**: Introduced under **National Policy on Education (1968)** to promote **linguistic harmony**.
- **Structure**: Generally includes **mother tongue/regional language**, **Hindi**, and **English**.
- **Implementation issues**: Varies across states; some oppose it citing **cultural imposition** and **regional sensitivities**.
- **NEP 2020 stance**: Supports the three-language formula but allows **flexibility** based on **state preferences**.
- **Debate continues**: Balancing **national integration** with **linguistic diversity** remains a policy challenge.

Thank you

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