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The new Constitution Bill, the Need for a Balancing Act

Context

- Indian **voters expect their representatives to embody moral integrity**, yet the persistence of leaders with criminal records occupying positions of power exposes a glaring contradiction.
- The **Constitution (One Hundred and Thirtieth Amendment) Bill, 2025**, introduced in the Lok Sabha on August 20, 2025, seeks to address this paradox.
- It proposes that Ministers, **Chief Ministers, and even the Prime Minister must resign, or face automatic removal**, if they remain in custody for over thirty consecutive days in connection with offences carrying a potential punishment of five or more years of imprisonment.
- **While this legislative move appears to strengthen accountability**, it also presents constitutional and political dilemmas that complicate its promise.

The Constitutional Foundation of the Bill

- The **Bill draws upon Articles 75, 164, and 239AA of the Constitution**, which govern the appointment and tenure of Ministers at the Union, State, and Delhi levels.
- Historically, **these provisions have been subject to judicial interpretation** in cases such as *Shamsher Singh v. State of Punjab* and *Nabam Rebia v. Deputy Speaker*.
- **In S.R. Bommai v. Union of India, the Supreme Court emphasised constitutional morality as an essential guide** for sustaining democratic institutions, while in *Manoj Narula v. Union of India* the Court underscored that individuals facing serious criminal charges should not wield executive power.
- The **Bill thus draws strength from judicial pronouncements**, translating ethical expectations into legislative form.

Constitutional and Political Pitfalls

- **Undermining Presumption of Innocence**
 - Despite its normative appeal, **the Bill encounters serious challenges**. Most notably, it undermines the presumption of innocence, a core element of Article 21's protection of life and liberty.
 - **Removal based solely on arrest and detention**, rather than conviction, risks penalising **individuals before guilt is established**.

- The **Supreme Court's decision in Lily Thomas v. Union of India** is instructive here: disqualification of legislators arises only upon conviction, not arrest.
- By departing from this principle, **the Bill risks creating a lower threshold of accountability for Ministers compared to legislators.**

- **Over-Reliance on Executive Discretion**

- The reliance on executive discretion further politicises the process.
- Under the Bill, **removal may occur either on the advice of the Prime Minister or Chief Minister**, or automatically after thirty days of custody.
- This **dual structure opens the door to political manipulation**: allies may be shielded while rivals are exposed to the automatic mechanism.
- Instead of insulating governance from partisan gamesmanship, **the Bill risks embedding it more deeply in political calculations.**

Inconsistencies and Practical Dilemmas

- The Bill **also introduces inconsistencies** between legislators and Ministers.
- Legislators face disqualification only upon conviction, but Ministers could be removed on the basis of mere detention.
- **While this may appear to hold executive office to a higher ethical standard, it also creates asymmetry** in constitutional treatment, potentially discouraging competent leaders from assuming ministerial responsibilities.
- **Practical complications add further instability.** Because the Bill allows reappointment once a Minister is released from custody, political offices could fall into cycles of resignation and reinstatement.
- **This revolving door effect risks creating uncertainty in governance**, while offering little real advancement in accountability.
- Worse, **it could invite strategic misuse of the law**, with legal processes weaponised for political ends.

The Case for a More Nuanced Approach

- None of these critiques negate the urgency of reform.
- Data from the Association for Democratic Reforms shows that **46% of MPs elected in 2024 faced criminal charges**, marking a steady increase over the past 15 years.
- The **criminalisation of politics is a corrosive reality** that must be addressed. Yet blunt instruments, such as removal based on detention, threaten to sacrifice fairness and stability at the altar of integrity.
- **A more balanced approach is possible.** Removal could be linked to judicial milestones such as the framing of charges, ensuring that **only cases vetted by a court trigger accountability.**
- **Independent mechanisms**, such as judicial panels, could **provide oversight and prevent executive overreach.**
- **Interim suspension of ministerial duties**, rather than outright removal, **could strike a balance between governance and accountability.**

- Finally, **the scope of the Bill should be limited to offences involving corruption or moral turpitude**, avoiding overreach into less serious criminal matters.

Conclusion

- The Constitution (One Hundred and Thirtieth Amendment) Bill, 2025, **represents a bold attempt to confront the moral deficit in India's politics.**
- By seeking to legislate accountability for those in power, **it resonates with public demands for cleaner governance.**
- **Yet its flaws are significant: it undermines the presumption of innocence**, introduces asymmetry in constitutional standards, and risks politicising accountability.
- **Unless the Joint Parliamentary Committee refines the Bill** with safeguards of due process and impartiality, **it may destabilise governance while failing to deliver genuine reform.**

The New Constitution Bill, the Need for a Balancing Act FAQs

Q1. What is the main aim of the Constitution (One Hundred and Thirtieth Amendment) Bill, 2025?

Ans. The Bill aims to ensure cleaner politics by mandating the resignation or removal of Ministers, Chief Ministers, and the Prime Minister if they remain in custody for over 30 consecutive days in serious criminal cases.

Q2. Why is the Bill criticised for undermining constitutional principles?

Ans. It is criticised because it undermines the presumption of innocence under Article 21 by treating detention as grounds for removal even before conviction.

Q3. How does the Bill risk politicising the removal of Ministers?

Ans. The Bill allows removal either on the advice of the Prime Minister or Chief Minister or automatically after 30 days, creating scope for political manipulation of allies and rivals.

Q4. What inconsistency does the Bill create between legislators and Ministers?

Ans. Legislators are disqualified only upon conviction, while Ministers could be removed merely on detention, creating unequal standards for public office.

Q5. What alternative reforms are suggested to balance integrity and fairness?

Ans. Suggested reforms include linking removal to judicial milestones like the framing of charges, creating independent review mechanisms, and limiting the Bill's scope to offences involving corruption or moral turpitude.

Source: [The Hindu](#)

Nourish to Flourish, the Nutrition and Cognition Link

Context

- **Human development is deeply shaped by its earliest stages;** Much like the urgency of leaving home at the right time to catch a flight, the first 1,000 days of a child's life constitute a critical window of opportunity.

- This period, stretching from conception to a child's second birthday, is where **nutrition, brain development, and cognitive growth converge to lay the foundation** for lifelong health, learning, and productivity.
- **Missing this window**, as research consistently demonstrates, **creates setbacks that are nearly impossible to reverse.**

The Science of Early Development

• Significance of First 1000 Days

- Scientific evidence underscores **the irreplaceable significance of the first 1,000 days.**
- **By the age of two, a child's brain reaches 80% of its adult weight**, with synaptic development peaking during this time.
- The **frontal lobes, which govern higher-order skills such as planning and self-regulation, undergo major growth** spurts in these years.
- If the brain's early circuits are underdeveloped due to poor nutrition or insufficient stimulation, **subsequent development is permanently constrained.**

• The Connection Between Nutrition and Cognitive Stimulation

- **Equally critical is nutrition.** Deficiencies in the first three years can cause stunting, cognitive impairments, and lifelong disabilities.
- **India**, despite decades of progress, **continues to grapple with high rates of malnutrition.**
- At the present pace, the country will only reach a stunting prevalence of **10% by 2075, far from the aspirations of a rapidly developing society.**
- Accelerating progress requires **recognising that nutrition and cognitive stimulation are inseparable**, they are, as the article argues, cut from the same cloth.
- Research illustrates this connection. **Studies in Tamil Nadu found that early iron deficiencies impair language development** and cognitive speed.
- Stand-alone nutrition programmes, while beneficial, fall short compared to interventions that integrate both nutrition and stimulation.
- This mirrors everyday observations: **children absorb language and memory rapidly in their first years**, illustrating the power of neuroplasticity.
- The science is clear, **the early years must be seen as the bedrock of human capability.**

Childcare Programmes in India: Achievements and Innovations

• Integrated Child Development Services (ICDS)

- India has, over the decades, created **ambitious frameworks** to address this challenge.
- The Integrated Child Development Services (ICDS), **one of the world's largest childcare programmes**, places nutrition and education as twin priorities.

- Recent initiatives such as **Poshan Bhi Padhai Bhi** explicitly seek to integrate both aspects, recognizing that one without the other is insufficient.

• The Navchetana Framework

- The Navchetana framework **builds on this integration by offering structured stimulation activities** tailored to children under three.
- Through **play-based approaches**, parents, caregivers, and Anganwadi workers can support holistic development rather than replicating rote methods of formal schooling.
- These innovations **embody a recognition that care is relational, interactive**, and must be embedded in both home and community.

Gaps and the Road Ahead

- Yet, the **challenges remain formidable**. With 14 lakh Anganwadi centres across India, the infrastructure is vast, but coverage and quality vary significantly.
- Urban areas, in particular, remain underserved, and **technology has yet to be fully leveraged to ensure better delivery and accountability**.
- Early learning, health, and **psychosocial well-being are often treated as separate silos** rather than integrated components of development.
- Moreover, **women's empowerment is tightly linked to childcare provision**.
- Without robust crèche systems, whether public, community-run, or through public-private partnerships, **women are forced to exit the workforce**, stalling both their productivity and their children's opportunities.
- Thus, **childcare is not merely a social service but a catalyst for gender equality** and national economic growth.

Why Early Childhood Matters in a Changing Economy

- The urgency of investing in early childhood is **magnified by the changing nature of work**.
- **As automation and mechanisation reduce opportunities** for unskilled labour, societies must cultivate citizens who are adaptable, creative, and cognitively resilient.
- This is **not possible without strong foundations** in the first years of life.
- In this sense, **investment in early childhood is not charity but foresight**. It is a strategy to prepare a nation for the future, where human potential will matter more than manual labour.
- **India's demographic dividend can only be harnessed if today's children are nourished** and stimulated in their first 1,000 days.

Conclusion

- **The first 1,000 days of life are not merely a phase of infancy**; they are the blueprint for an individual's and a nation's future.

- Just as missing a critical departure window ensures a missed flight, **neglecting this formative period ensures lost potential that cannot be recovered.**
- **By strengthening nutrition and cognitive development programmes**, enhancing the quality and coverage of ICDS, empowering women through childcare support, and recognising the inseparability of body and mind, **India can transform its youngest citizens into capable leaders of tomorrow.**

Nourish to Flourish, the Nutrition and Cognition Link FAQs

Q1. Why are the first 1,000 days of a child's life considered critical?

Ans. The first 1,000 days are critical because they shape brain development, nutrition, and cognitive growth, laying the foundation for lifelong health and success.

Q2. How much of the brain's development is completed by the age of two?

Ans. By the age of two, a child's brain reaches about 80% of its adult weight.

Q3. What is the main focus of the Integrated Child Development Services (ICDS) programme?

Ans. The ICDS programme focuses on providing nutrition and education as the twin pillars of early childhood development.

Q4. Why is combining nutrition with cognitive stimulation important?

Ans. Combining nutrition with cognitive stimulation is important because nutrition supports brain function, and stimulation ensures skills and learning are developed together.

Q5. How does investing in early childhood benefit society in the future?

Ans. Investing in early childhood benefits society by preparing children to be healthy, skilled, and adaptable citizens in a rapidly changing economy.

Source: [The Hindu](#)

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