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Vande Mataram, Its Six Stanzas and a Settled Question

Context

- **January 28, 2026 directive** of the Union Ministry of Home Affairs (MHA) mandates the playing of all six stanzas of Vande Mataram at official functions with everyone standing at attention.
- The controversy surrounding the directive raises significant constitutional and philosophical questions.
- At first glance, the order appears to promote **national pride**, however, a closer examination reveals a deeper issue: the distinction between voluntary patriotism and state-enforced nationalism.
- It is necessary to examine the historical background, the **decisions of the Constituent Assembly**, and the legal principles laid down by the Supreme Court.

Historical Background: The 1937 Compromise

- **The Congress Working Committee Decision**

- In **October 1937**, the Congress Working Committee met in Calcutta to address objections raised by certain communities regarding Vande Mataram.
- The meeting included prominent leaders such as Mahatma Gandhi, Dr. Rajendra Prasad, and Sardar Vallabhbhai Patel.
- After deliberation, the committee unanimously resolved that only the first two stanzas of the song should be used at national gatherings.
- This decision acknowledged that later portions of Bankim Chandra Chatterjee's poem contained **explicit references to Hindu goddesses** such as Durga, Lakshmi, and Saraswati.
- These religious references were considered potentially exclusionary in a multi-religious society.

• **Significance of the Compromise**

- The compromise was not a sign of political weakness. Instead, it reflected a practical effort to build **national unity** during the freedom struggle.
- Leaders across ideological lines, including Rabindranath Tagore, supported the use of only the first two stanzas because they celebrated the land and nature rather than specific religious imagery.
- Thus, from the freedom movement itself, Vande Mataram was adopted in a limited, inclusive form to ensure that all Indians could identify with it regardless of faith.

The Constituent Assembly and Constitutional Position

• **National Anthem vs National Song**

- On January 24, 1950, the Constituent Assembly adopted Jana Gana Mana as the National Anthem and granted Vande Mataram equal honour as the National Song, but only in its two-stanza form.
- The Constitution specifically mentions respect for the National Flag and the National Anthem in **Article 51A(a)**, which outlines the fundamental duties of citizens.
- Notably, the National Song is not included which indicates that the **framers intentionally differentiated** between constitutionally binding national symbols and culturally significant ones.

• **Legal Protection**

- The **Prevention of Insults to National Honour Act, 1971**, legally protects the Constitution, the National Flag, and the National Anthem. It does not include Vande Mataram.
- Consequently, there is no statutory penalty for not singing or standing for the song.
- This legal structure reflects the framers' recognition that, unlike the anthem, the song contains religious imagery requiring sensitive handling in a secular state.

Judicial Interpretation: Bijoe Emmanuel vs State of Kerala (1986)

• **Facts of the Case**

- In 1985, three schoolchildren belonging to the Jehovah's Witnesses faith were expelled because they respectfully stood during the National Anthem but refused to sing it due to their religious beliefs.
- The Kerala High Court upheld the expulsion, but the Supreme Court reversed the decision.

• Supreme Court Ruling

- Justice O. Chinnappa Reddy ruled that the expulsion violated the children's fundamental rights to freedom of speech and freedom of religion.
- The Court clarified that respect for the National Anthem does not require singing it; standing respectfully is sufficient.
- The judgment also invoked the principle from the American case *West Virginia State Board of Education vs Barnette* (1943): no authority may compel citizens to profess a particular form of patriotism or belief.

• Constitutional Principle

- The ruling established a crucial doctrine: **the right to remain silent** is part of freedom of expression. Therefore, dissent, even silent dissent, cannot be treated as disrespect.

Constitutional Concerns with the 2026 Directive

• Compulsion and Freedom of Conscience

- The MHA directive requires playing all six stanzas, including those **invoking specific Hindu deities**.
- For individuals of other religions or no religion, compulsory participation may conflict with Article 25, which guarantees freedom of conscience and religion.

• Legal Inconsistency

- If citizens cannot be compelled to sing the National Anthem, an officially protected symbol, then compelling participation in the National Song, which **lacks constitutional and statutory protection**, becomes even more questionable.

• Secularism and State Neutrality

- India's constitutional secularism requires the state to maintain neutrality among religions.
- Mandating participation in verses that invoke particular deities risks transforming civic nationalism into religious symbolism, potentially undermining the inclusive nature of the republic.

Conclusion

- The debate over the compulsory performance of Vande Mataram reflects **a broader constitutional dilemma**: whether unity should be achieved through uniformity or through accommodation.
- Historical precedent, constitutional provisions, and **judicial interpretation** consistently support the latter approach.

- Ultimately, patriotism in a constitutional **democracy cannot be imposed by executive order**. It must arise freely from citizens' allegiance to constitutional principles, freedom, equality, and pluralism.

Vande Mataram, Its Six Stanzas and a Settled Question FAQs

Q1. What is the main issue regarding new directives of MHA?

Ans. The issue is whether the government can legally and constitutionally require citizens to participate in the singing of Vande Mataram at official functions.

Q2. Why were only the first two stanzas of Vande Mataram historically accepted?

Ans. Only the first two stanzas were accepted because the later stanzas contain references to specific Hindu goddesses, which could exclude people of other faiths.

Q3. What does Article 51A(a) of the Constitution mention?

Ans. Article 51A(a) requires citizens to respect the National Flag and the National Anthem but does not mention the National Song.

Q4. What did the Supreme Court decide in the Bijoe Emmanuel case?

Ans. The Supreme Court ruled that citizens have the right to stand respectfully without singing the National Anthem because freedom of speech and religion protects their conscience.

Q5. What constitutes the true patriotism?

Ans. True patriotism is voluntary respect and loyalty to constitutional values rather than forced participation in national rituals.

Source: **The Hindu**

The Hidden Cost of Insurance Distribution

Context

- India's life insurance industry paid **₹60,799 crore in commissions** in FY2025, with payouts rising 18% year-on-year, far exceeding the 6.7% growth in premiums.
- This widening gap means distribution costs are increasing nearly three times faster than the business itself. The RBI flagged this divergence in its Financial Stability Report (December 2025).
- While public insurers have maintained relatively better cost discipline, several private insurers have seen sharper commission escalation since 2022-23.
- For policyholders, this trend translates into **significant long-term value erosion**, driven not by misconduct but by structural imbalances in bargaining power within certain distribution channels.

Public-Private Divide in Life Insurance Commissions

- **Widening Cost Gap in FY2025**

- FY2025 data reveal a clear structural divergence between public and private life insurers.
- The Life Insurance Corporation of India (LIC) reduced its commission ratio from 5.45% to 5.17%, despite modest premium growth of 2.8%.
- In contrast, private insurers relying on alternate channels—such as **bancassurance** and brokers—saw commission ratios jump from 7.21% to 8.95%, a 174-basis-point increase.
 - Bancassurance is a partnership where banks sell insurance products (life, health, general) to their existing customers.
- Private commission payouts surged 38.8%, reaching ₹35,491 crore.

• Channel Composition Drives Cost Behaviour

- The divergence—amounting to over 200 basis points—is largely explained by:
 - Distribution channel mix (agency vs bancassurance/brokers)
 - Share of single-premium business
- Agency-driven models, like LIC's, show greater cost discipline. Insurers dependent on alternate channels exhibit escalating commission expenses.
- This reflects structural causation rather than coincidence.

• Bargaining Power and Market Dynamics

- The root cause lies in distribution power concentration.
- Twenty-six life insurers compete for partnerships with banks controlling over 4 lakh branches.
- Banks can switch insurer partnerships or adjust product placement easily, while insurers face high costs in building alternative distribution networks.
- This imbalance concentrates pricing power with intermediaries, driving commission inflation.

• Regulatory Context and Competitive Incentives

- Earlier, the Insurance Regulatory and Development Authority of India (IRDAI) imposed strict product-wise commission caps.
- Under those limits, competitive pressures shifted into indirect incentives—marketing fees, training support, or infrastructure arrangements.
- The issue is not necessarily regulatory non-compliance, but the predictable outcome of competition interacting with concentrated distribution power.

Unchanged Economics Behind Rising Insurance Commissions

• EOM Framework: Transparency Without Structural Change

- The 2023–24 shift to the Expenses of Management (EOM) framework aimed to enhance autonomy and efficiency.
- While it improved transparency by surfacing previously embedded costs as commissions, the underlying distribution economics remain unchanged.

- Institutions with bargaining power have simply become more assertive in demanding higher payouts.

- **Not an Agent Problem, but a Market Structure Issue**

- Blaming individual agents is misplaced. After deductions, agents retain only 35–40% of headline commissions.
- The larger share—around ₹26,000 crore in FY2025—flows to corporate intermediaries such as banks and insurance marketing firms that control large customer networks.
- This reflects a concentration of distribution power, not misconduct at the agent level.

- **Limitations of Common Policy Fixes**

- Several proposed remedies fall short:
 - Clawbacks may discourage distribution by creating cash flow uncertainty.
 - Commission disclosure offers limited consumer benefit and may push transactions into informal rebates.
 - Open architecture models could weaken insurer incentives to invest in training and service, as seen in parts of the mutual fund industry post-2012.
- **Core Challenge: Incentive Design and Bargaining Power**
 - The problem cannot be solved through accounting changes or disclosure alone.
 - It stems from incentive structures and concentrated bargaining power within distribution channels, requiring deeper structural reform rather than surface-level adjustments.

A Way Out: Reforming Insurance Distribution Economics

- **Shift Toward Renewal-Based Incentives**

- A sustainable solution lies in reducing extreme front-loaded commissions and strengthening renewal income.
- Linking payouts to persistency, servicing quality, and long-term policy retention would align distributor incentives with customer outcomes rather than short-term sales.

- **Stronger Regulatory Coordination**

- Effective oversight of bancassurance requires joint supervision by the RBI and IRDAI, focusing not only on expense ratios but also on:
 - Policy persistency
 - Customer complaints
 - Servicing standards
 - Commission structures
- EOM limits must account for channel realities while keeping acquisition costs within reasonable bounds.

- **Outcome-Oriented Regulation**

- Regulation should shift from process compliance to measurable outcomes such as:
 - Retention rates
 - Claims experience
 - Service satisfaction
- This would better protect policyholder value.

- **Why It Matters for Insurance Penetration**

- Insurance penetration has fallen from 4% to 3.7% of GDP in FY2024.
- If distribution costs keep rising faster than customer value, insurance may lose relevance for middle-income households.

The Hidden Cost of Insurance Distribution FAQs

Q1. Why is the rise in insurance commissions a regulatory concern?

Ans. Commission payouts grew 18% in FY2025, nearly three times premium growth, indicating distribution costs are rising faster than business expansion, potentially eroding long-term policyholder value.

Q2. What explains the public-private divergence in commission ratios?

Ans. Public insurers like LIC rely on agency models with tighter cost control, while private insurers dependent on bancassurance and brokers face higher commission pressures due to concentrated bargaining power.

Q3. Why is this considered a market structure issue rather than agent misconduct?

Ans. Individual agents retain only 35–40% of commissions, while corporate intermediaries capture the majority, reflecting distribution power concentration rather than unethical conduct by frontline agents.

Q4. How did the EOM framework change commission reporting?

Ans. The EOM framework increased transparency by surfacing embedded costs as commissions but did not alter underlying incentive structures or bargaining imbalances in distribution channels.

Q5. What reforms could improve sustainability in insurance distribution?

Ans. Rebalancing commissions toward renewal income, strengthening RBI-IRDAI oversight of bancassurance, and focusing regulation on persistency, service quality, and claims outcomes can improve long-term penetration.

Source: TH

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