

Editorial of the Day – 25.02.2026

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1. Inglorious retreat- On the Supreme Court and cow vigilantism (TH)

1general Studies 2: GOVERNANCE

Topic: Structure, organization, and functioning of the Judiciary; Government policies and interventions for development in various sectors.

Sub Topic: Judicial Activism vs. Judicial Restraint; Enforcement of Fundamental Rights; Role of the State in maintaining Law and Order.

1. Introduction

The Supreme Court of India recently declined to actively enforce its landmark 2018 anti-lynching guidelines, labelling the broad directions as "unmanageable." This shift marks a transition from a "constitutional watchdog" role to a "case-by-case" adjudicatory approach. The decision comes amidst a backdrop of rising cow vigilantism and allegations that several states have failed to implement preventive, punitive, and remedial measures mandated six years ago.

2. The 2018 Landmark Judgment- A Recall

To understand the "retreat," one must look at the original mandate established by a Bench led by then CJI Dipak Misra

Condemnation- The Court vehemently condemned mob lynching and cow vigilantism, stating that such acts must be "curbed and crippled."

State Duty- It emphasized that protecting citizens from mob violence is the "sacrosanct duty" of the State.

Preventive Framework- It established a three-tier mechanism-

1. Preventive- Appointing a nodal officer in each district.
2. Remedial- Fast-tracking trials and compensation for victims.
3. Punitive- Action against officials who fail to prevent such crimes.

3. The Current Judicial Shift

The recent observations by the Bench (led by Justice Surya Kant) indicate a significant change in stance-

From Systemic to Specific- The Court now prefers a case-by-case approach rather than monitoring the systemic compliance of all States.

The "Unmanageable" Tag- The Court described the 2018 general directions as difficult to monitor at a national level.

Rejection of Contempt Petitions- The Court declined to entertain contempt proceedings against States that have reportedly ignored the 2018 directives.

Delegation to High Courts- Petitioners challenging the legal backing given to vigilante groups by certain States were advised to approach individual High Courts instead of the Apex Court.

4. Failure of Law Enforcement & State Accountability

The persistence of vigilantism highlights a breakdown in the traditional rule of law-

Institutional Failure- The initial 2018 intervention was a response to the police's failure to act independently. The Court's withdrawal suggests a reliance on the very institutions that necessitated the intervention.

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Quasi-Policing Powers- Some States have allegedly granted legal or semi-legal recognition to cow vigilante groups, complicating the distinction between law enforcement and private mobs.

Police Inaction- Reports suggest that in several instances, local authorities have either overlooked or indirectly enabled vigilante actions.

5. Critical Implications

The Supreme Court's "retreat" carries heavy consequences for the Indian legal landscape-

Judicial Diffidence- There are concerns that the Court is showing "judicial diffidence" in the face of sensitive majoritarian politics.

Weakening of Rule of Law- Without a central monitoring body, the enforcement of anti-lynching measures becomes fragmented and inconsistent across different States.

Erosion of Public Confidence- A perceived withdrawal from protecting vulnerable citizens may weaken public trust in the constitutional promise of Equal Protection (Article 14) and Right to Life (Article 21).

Empowerment of Vigilantes- The lack of strict judicial oversight may be interpreted by vigilante groups as a reduction in legal pressure.

6. Conclusion

While the Supreme Court is correct that policing is primarily a State subject under the Seventh Schedule, its role as the "custodian of the Constitution" necessitates oversight when States fail to uphold fundamental rights. The shift from systemic monitoring to a case-by-case approach risks turning a proactive shield against mob violence into a reactive remedy that arrives too late. Upholding the rule of law requires a consistent commitment to state accountability and the unwavering protection of all citizens from extra-judicial violence.

Source- <https://www.thehindu.com/opinion/editorial/inglorious-retreat-on-the-supreme-court-and-cow-vigilantism/article70671862.ece>

2. As forests shrink and herds grow, central India's elephant crisis is primed to spiral (IE)

General Studies 3: Environment

Topics: Conservation, Environmental Pollution, And Degradation; Environmental Impact Assessment.

Sub Topic: Human-Wildlife Conflict; Habitat Fragmentation; Project Elephant; Linear Infrastructure Impacts.

1. Introduction

Central India, particularly the East-Central landscape (Odisha, Jharkhand, Chhattisgarh, and West Bengal), has emerged as the global epicentre of HEC fatalities. Despite hosting only ~8.4% of India's elephant population (roughly 1,891 out of the national total of 22,446 according to the 2025 WII Status Report), the region accounts for nearly 45% of all human deaths caused by elephants. This disproportionate conflict is driven by the collapse of traditional migration corridors due to mining and infrastructure.

2. The 2025 Scientific Baseline (DNA-Based Census)

The Synchronous All-India Elephant Estimation (SAIEE) 2021-25 released in late 2025 marked a paradigm shift-

New Methodology- For the first time, India used DNA-based mark-recapture (from 21,056 dung samples) to establish a fresh scientific baseline.

Population Dynamics- The estimated total stands at 22,446, a figure not directly comparable to the 2017 count of ~29,000 due to methodological improvements.

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State-wise Distribution- Karnataka leads (6,013), followed by Assam (4,159). However, in Central India, numbers are shifting; while Jharkhand and Odisha populations are under stress, Chhattisgarh and Madhya Pradesh have seen increases due to cross-border migration.

3. Drivers of Displacement- The "Mining-Infrastructure" Trap

The crisis is primarily an anthropogenic one, fuelled by-

Extractive Industries- Coal and iron ore mining in Singhbhum (JH), Keonjhar (OD), and Hasdeo Arand (CT) have shattered core habitats. In Odisha, over 1,700 sq. km of tree cover was lost between 2001 and 2024.

The "Barrier Effect"- Linear infrastructure (National Highways and Rail lines) cuts through 60% of elephant corridors. Train hits and electrocution (the leading cause of elephant death in Odisha and Jharkhand) act as lethal bottlenecks.

Drought & Climate Stress- Historical El Niño events (1980s) and modern climate variability have depleted forest water sources, forcing herds to become "resident crop-raiders" in farmlands.

4. Habitat Fragmentation and Corridor Disruption

Corridor Status- India has identified 150 ground-validated corridors, but many in Central India remain unnotified or encroached upon.

Ecological Carrying Capacity- Fragmented "island" forests cannot support the high calorie demands of megafauna. This pushes elephants into "historical ranges" (like Gadchiroli in Maharashtra) where local communities lack a "culture of coexistence."

Monoculture Impact- Shift toward timber-heavy monoculture plantations provides zero fodder, turning nutritious crops (Paddy, Sugarcane) into the primary food source for herds.

5. Behaviourally Altered Herds- The New Conflict Profile

Disproportionate Killers- Less than 8% of elephants (mostly specific "crop-habituated" bulls or herds) are responsible for the majority of human casualties.

Generational Loss- Calves born into crop-raiding herds no longer learn forest foraging; they are "born into conflict," making traditional mitigation (driving them back to forests) ineffective.

Nutritional Paradox- High-calorie crops lead to better breeding success, increasing elephant densities in already disturbed and high-conflict landscapes.

6. Institutional & Policy Framework

Project Elephant (1992)- The core scheme for protecting 33 Elephant Reserves.

National Elephant Action Plan (2020/2025 updates)- Focuses on "landscape-level" governance rather than isolated reserves.

Technological Interventions- AI-based tracking and SMS alerts (used in Assam and West Bengal) have reduced deaths by 30% in pilot zones.

Compensation Reforms- States like Kerala and Jharkhand are revising ex gratia (up to ₹25 lakh for human death) and exploring voluntary relocation of forest-fringe settlements.

7. Conclusion

The human-elephant crisis in Central India is a symptom of "ecological insolvency." Addressing it requires moving beyond post-mortem compensation to proactive landscape-scale governance. This includes legally notifying corridors under the Environment Protection Act, enforcing stricter mining regulations in the Hasdeo Arand and Saranda forests, and scaling up early-warning technology. As wildlife biologist Qamar Qureshi noted at AAD 2026, India has reached its "social limit" of conservation success; the next phase must prioritize the survival of both the megafauna and the marginal farmer.

Source- <https://indianexpress.com/article/india/india-elephant-forests-herd-10550119/#~:text=From%20less%20than%2010%20annual,year%2C%20raiding%20paddy%20and%20maize.>