

3. Ncert Controversy-National

The recent withdrawal of the Class 8 Social Science textbook by the National Council of Educational Research and Training (NCERT) following a "blanket ban" by the Supreme Court marks a significant moment in the intersection of educational governance and judicial authority in India. The issue revolves around the limits of academic discourse when it concerns the integrity of constitutional institutions.

1. Background- The Textbook Controversy

The controversy surfaced during the 2025–26 academic session as part of the National Education Policy (NEP) 2020 curriculum overhaul.

New Introduction- NCERT released a new textbook titled *Exploring Society- India and Beyond (Part II)* for Class 8 students.

The Contentious Chapter- Chapter IV, "The Role of the Judiciary in Our Society," contained a subsection that explicitly discussed "corruption in the judiciary."

Judicial Reaction- The Supreme Court, acting on its own motion (Suo Motu), characterized the content as "reckless" and "irresponsible," arguing that such narratives in school books could permanently damage the public's—and specifically children's—trust in the justice system.

The Final Outcome- Facing a scheduled hearing and severe judicial reprimand, NCERT issued an unconditional and unqualified apology, withdrawing the book from both physical circulation and digital platforms.

2. Definitions and Key Concepts

Term	Definition and Legal Context
Suo Motu Cognisance	A Latin term meaning "on its own motion." It refers to a situation where a court takes up a case on its own, without any complaint or petition filed by a third party.
Court of Record	Under Article 129, the Supreme Court is a Court of Record, meaning its acts and proceedings are enrolled for perpetual memory and testimony. It has the power to punish for contempt of itself.
Institutional Dignity	The concept that certain constitutional bodies (Judiciary, Parliament, etc.) must maintain a level of public prestige and respect to function effectively in a democracy.
Curriculum Rationalisation	The process of reducing the "content load" on students by removing repetitive, irrelevant, or sensitive portions from textbooks.

3. Constitutional and Legal Dimensions

The case brings into focus several constitutional provisions regarding the protection of the judiciary.

Article 129 (Supreme Court as a Court of Record)- This article provides the apex court the inherent power to punish for Contempt of Court, which includes any act that "scandalises" or lowers the authority of the court.

Contempt of Courts Act, 1971- This statutory law defines "civil" and "criminal" contempt. The Court viewed the textbook content as potentially falling under Criminal Contempt because it tended to prejudice the "due course of judicial proceedings" or "scandalise" the institution's image.

Independence of the Judiciary- A basic structure of the Constitution, which the Court argued is threatened if the younger generation is taught to view the institution through a lens of systemic corruption without a balanced perspective.

Executive Accountability- As an autonomous body under the Ministry of Education, NCERT's failure to vet this content was seen as a lapse in administrative oversight and accountability to the Constitution.

4. Issues in Educational Governance & Pedagogy

The episode exposed vulnerabilities in how India's educational materials are created and reviewed.

Drafting Stage Failures- The presence of such sensitive commentary suggests a lack of rigorous guidelines for authors on how to frame institutional critiques.

Peer-Review Breakdown- The internal academic review systems of NCERT failed to flag the legal and institutional risks before the book reached the printing press.

The Transparency vs. Legitimacy Dilemma-

1. **The Transparency View-** Should students be made aware of real-world flaws in governance and the judiciary to encourage critical thinking?
2. **The Legitimacy View-** Or should foundational education focus on the "ideal" functioning of institutions to foster civic respect, leaving complex critiques for higher education?

Bias and Neutrality- School textbooks are expected to be objective and neutral. The Court found the content to be "opinion-driven" rather than "evidence-based," which violates pedagogical ethics.

5. Comparative Analysis- NCERT Revisions

Feature	Standard Rationalisation (2022–24)	2026 Judicial Intervention
Driver of Change	Internal NCERT decision (reducing load).	Judicial Order (Suo Motu intervention).
Reasoning	COVID-19 learning loss/Overlap of content.	Institutional Dignity and "Reckless" content.
Method	Deletion of specific paragraphs/chapters.	Blanket Ban on circulation and digital versions.
Outcome	Academic debate/Political controversy.	Unconditional Apology by NCERT to the Court.

6. Way Forward- Reforming the Textbook Process

To prevent such institutional friction in the future, the following steps are essential-

Involvement of Legal Experts- Chapters dealing with the Judiciary or Parliament should undergo a "legal audit" by constitutional scholars before approval.

Multi-Layered Scrutiny- Textbook drafting committees should include not just subject matter experts, but also practitioners (e.g., retired judges or senior advocates) for sensitive topics.

Age-Appropriate Framing- While systemic issues like corruption can be discussed, they must be framed within the context of remedies and reforms (like the Lokpal or Judicial Conduct bills) rather than as blanket statements that erode trust.

Promoting Constitutional Literacy- Focus on teaching the "powers and functions" of the courts alongside the "rights and duties" of citizens, ensuring a balanced civic education.

Conclusion

The withdrawal of the Class 8 textbook highlights that Academic Freedom is not absolute; it must be balanced against Pedagogical Responsibility and the dignity of democratic institutions. While critical thinking is a cornerstone of education, the challenge lies in presenting institutional weaknesses in a way that is age-appropriate, evidence-based, and constitutionally balanced.

Source- <https://www.thehindu.com/news/national/directed-ncert-to-review-textbooks-of-all-classes-centre-tells-supreme-court/article70730001.ece>