



Kautilya Society, NLUO



PUBLIC POLICY POST

Monthly newsletter on recent legislations and public policy updates

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INDIAN GOVT ANNOUNCES FREE
NATIONWIDE HPV VACCINATION DRIVE FOR
14YO GIRLS
THIS DRIVE AIMS TO ELIMINATE CERVICAL CANCER
WHICH CURRENTLY CLAIMS 42,000+ LIVES EACH YEAR

Policy Updates from February

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Urban Challenge Fund Approved, What Lies Ahead for the Indian Cities?

- Aryan Chowdhury



Introduction

The transition of Indian cities into inter-connected engines of economic growth has necessitated a restructuring of municipal financial governance. The current phase of urbanisation is however, characterised by an investment gap of nearly 3.3 lakh crore INR. This gap is sought to be filled by the Urban Challenge Fund (UCF), which represents a significant shift in trajectory towards self-governing urban cities, since the 74th Constitutional Amendment. The transition by the UCF is explained by the recognition that public financing alone is not sufficient to meet the 840 billion USD infrastructure requirement estimated by the World Bank by 2036.

About the Scheme

The total assistance by the Centre has been notified as 1 lakh crore INR, with the motive to generate a total investment of 4 lakh crores INR. The scheme is a Centrally Sponsored Scheme (CSS) under the Ministry of Housing and Urban Affairs (MoHUA), spanning an implementation period from FY 2025-26 to 2030-31, with the leeway to extend the scope of the scheme until FY 2033-34.

Financial Architecture and Funding Ratios

The core strategy of the UCF is the 25-50-25 funding ratio. Central assistance is capped at 25% of the total project budget, making it more like “additional assistance” instead of acting as the primary funding source. The success in fact, lies on the Urban Local Bodies’ (ULB) (who are now positioned as “Bankable Assets”) ability to raise at least 50% from the market, for instance, through municipal bonds, bank loans and PPPs. The remaining 25% will be injected by the State Government, internal profits of the ULB or from additional market funding.

This model is aimed at generating 3 lakh crore investment through the 1 lakh crore initial investment by the Centre. Through the scheme, the ULBs have to necessarily have some “skin in the game”, since they are responsible for bringing in market investment for the development of India’s urban landscape.

Strategic Verticals of Intervention

There are three verticals of the scheme, in order to counter historical ‘potholes’ to better quality of life:

- **Cities as Growth Hubs:** Cities have been placed as primary nodes of national economy, Projects under this vertical primarily focus on greenfield and semi-greenfield developments, particularly in economic corridors.
- **Creative Redevelopment of Cities:** This vertical addresses the negligent upkeep of historical city centres (like Chandni Chowk in New Delhi) and over-populated business districts (like Cybercity in Gurugram), and aims to promote Transit-oriented Development and brownfield development (development of empty pockets in urban areas, which are no longer viable for cultivation).
- **Water and Sanitation:** This vertical gives priority to legacy waste remediation (overflowing landfills) and the modernization of water supply to restrict Non-Revenue Water (NRW). Swacchtha or cleanliness remains a key pillar of the UCF.

Challenge Based Selection Process

The UCF has prioritised a “challenge mode” for project selection, which marks a marked departure from traditional bureaucratic allocation. Cities need to submit a viable proposal with an impact survey, sustainability matrix and financial prudence report. For the same, a single digital portal for paperless monitoring of the progress of the Proposal has been established, which increased accountability.

Analysis: Credit Enhancement Mechanisms and Reforms

One of the most significant provisions of the UCF is the 5,000 crore corpus for the smaller Tier-II and Tier III cities and mountainous states. Moreover, the scheme provides for a 70% first-time loan guarantee coverage, capped at 7 crore INR, for projects having a minimum cost of 20 crore INR. This guarantee provides the necessary “extra space” that commercial banks may require to feel safe while loaning to the ULBs. If these initial proposals are successful, it is surely going to enhance institutional confidence. Moreover, the UCF has employed a reform-contingent framework, as central funding is dependent on the successful completion of project milestones.

Furthermore, the UCF is designed to bring in the private sector, not just as contractors but as financial development partners. The provision of 25% upfront capital help and loan guarantee, urban infrastructure has been made more favourable for private players and high net-worth individuals. However, structured risk sharing is required to be promoted in order to address “uncontrollable risks” and long gestation periods, which have historically deterred investment historically.

Shortcomings

However, all is not hunky-dory under the UCF, especially with reference to “acute capacity deficit” experienced in urban planning. It has been noted that funds are usually lesser of the evil, than is the lack of proper urban planning. Here, the requirement to raise 50% of the funds from the market, although aimed at promoting self-sufficiency, may not be successful due to traditional bureaucratic red-tapism.

Secondly, the market-linked nature of the UCF can lead to a preference for revenue-generating projects such as outer ring-roads with toll booths or shopping complexes, over other projects, such as green spaces, development of walkable roads, better drainage systems etc. There might also be the phenomenon of “Silicon Valley-fication” where efficiency and bankability take precedence over social equity and the right of the citizens over basic services.

Thirdly, municipal bond markets in India are either defunct or in their nascent stages, with the exception of the few large cities like Indore and Vadodara. UCF can only succeed when the bond market itself is well-developed, and there needs to be investigations into irregular audits and capital accumulation to few entities due to lack of secondary markets for the bond market to be truly trustworthy, which in turn, can prove beneficial for the UCF.

Lastly, the UCF mirrors the elements of Smart Cities Mission, and there are concerns that lessons from the last decade of urban development are still not learned, due to the absence of reforms in municipal governance, a “top-down” approach of schemes which have haunted India forever. While Economic Surveys acknowledge them, UCF has ignored and continued the route power and funding through the Centre, and thereby does not actually promote cooperative federalism.

Conclusion

UCF is a seminal attempt to redefine how cities will be developed in the future. However, its success lies not in capital alone but the ability of the municipal ecosystem to adapt to the market fluctuations while upholding the state’s obligation to be inclusive and resilient. The fund represents a “paradigm shift”, not just in financing, but inclusivity and self-sufficiency, but reforms are required within the ULBs for the scheme to succeed.

The Transgender Persons (Protection of Rights) Amendment Bill, 2026: Reform, Regulation, and Rights in Tension

-Reyansh Thakur



In late February, the Indian Parliament passed the Transgender Persons (Protection of Rights) Amendment Bill, 2026, marking a significant shift in the legal framework governing transgender rights in India. Passed by both the Houses amid parliamentary debate and public contestation, the amendment revises key provisions of the Transgender Persons (Protection of Rights) Act, 2019. While the government has framed the legislation as an effort to streamline welfare delivery and strengthen protections against offences targeting transgender persons, it has simultaneously generated widespread concern among activists, student organisations, and sections of the transgender community across the country.

At the centre of the controversy lies the Bill's modification of the process of legal gender recognition. Under the 2019 Act, transgender persons could obtain a certificate of identity based largely on self-perceived gender identity. The Amendment Bill replaces this approach with a system requiring certification based on the recommendation of a designated medical board before a District Magistrate issues an identity certificate.

This is a marked departure from the principle of self-identification recognised by the Supreme Court in National Legal Services Authority v. Union of India (2014), which affirmed gender identity as a matter of personal autonomy protected under constitutional guarantees of dignity and equality.

The Bill also narrows the statutory definition of “transgender persons,” potentially excluding certain identities that were previously understood to fall within its ambit. Critics argue that this redefinition risks limiting access to welfare benefits and legal recognition for gender-diverse individuals who do not fall within the newly specified categories. At the same time, the legislation introduces stronger penal provisions for offences committed against transgender persons, signalling an attempt by the State to reinforce formal legal protections against exploitation and violence.

A further point of concern relates to the mandatory linkage between gender-affirming medical procedures and administrative certification processes. The Bill requires that medical institutions furnish information regarding gender-affirming surgeries to district authorities for issuing revised identity certificates. While intended to improve procedural clarity, this mechanism has raised questions regarding privacy, bodily autonomy, and the possibility of bureaucratic gatekeeping in identity recognition.

The legislative process itself has also drawn criticism. Opposition members in Parliament sought referral of the Bill to a Select Committee for broader consultation with stakeholders, but the proposal was not accepted. Subsequently, two members of the National Council for Transgender Persons resigned in protest, citing concerns about insufficient community participation in the drafting process. These developments reflect a wider debate about whether policies affecting vulnerable communities should involve deeper consultative engagement before enactment.

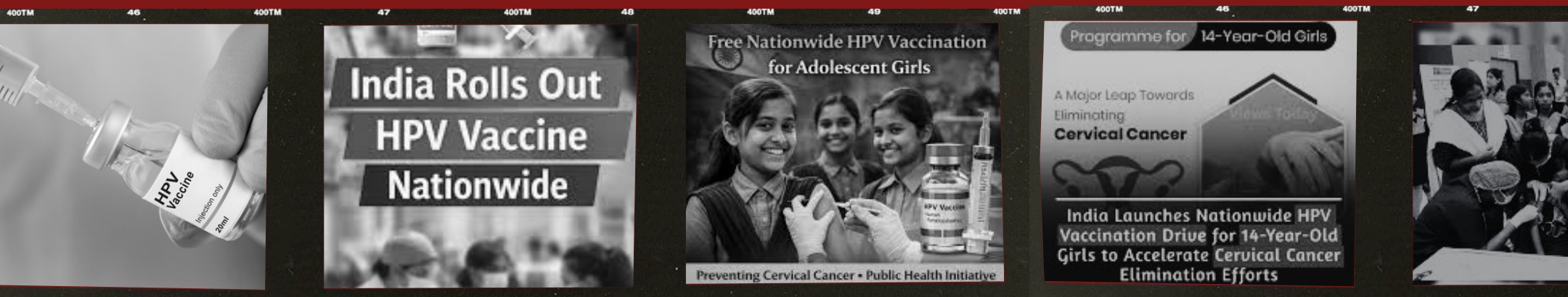
Beyond Parliament, the Amendment Bill has triggered protests across several cities in India. Demonstrations by student organisations, civil society groups, and transgender rights collectives have emphasised concerns that the Bill dilutes earlier gains achieved through constitutional litigation and judicial recognition of gender identity rights. In Panaji, for instance, protestors assembled publicly to express apprehensions that the amendments may fall short of ensuring dignity and inclusion in practice. Reports indicate that more than forty student organisations nationwide have also voiced opposition to aspects of the legislation.

From a public policy perspective, the Amendment Bill illustrates the continuing tension between administrative regulation and rights-based recognition frameworks. While the government has defended the introduction of medical verification mechanisms as necessary to prevent misuse of welfare schemes and ensure targeted delivery of benefits, critics contend that such mechanisms risk pathologising identity and undermining the autonomy-centred approach articulated in earlier constitutional jurisprudence.

As the law moves toward implementation, its long-term impact will likely depend on how institutions interpret and operationalise its provisions. Questions relating to privacy safeguards, accessibility of certification processes, and inclusion of diverse gender identities will remain central to assessing whether the amendment strengthens protection or unintentionally narrows recognition. The widespread protests accompanying its passage suggest that the Amendment Bill is not merely a legislative update but a significant moment in the evolving relationship between constitutional rights, administrative governance, and the lived realities of transgender persons in India.

Preventing the Preventable: Nationwide HPV Vaccination Programme

-Shreya Mathur



Introduction

On 28th February 2026, Prime Minister Narendra Modi launched the nationwide Human Papillomavirus ('HPV') Vaccination Programme for girls aged 14 years from Ajmer, Rajasthan. States and Union Territories simultaneously conducted their own HPV vaccination launch events on the same day.

About the Programme

The 90-day vaccination drive aims to provide free- of- cost HPV vaccines to 14-year-old girls at government facilities. The programme targets approximately 1.15 crore girls and furthers the government's vision of "Swastha Nari" which is dedicated to improving the health and nutrition of women across India.

The vaccine can be availed by the eligible girls at their nearest, Ayushman Arogya Mandirs (Primary Health Centres), Community Health Centres, Sub-District and District Hospitals as well as Government Medical Colleges and Hospitals, having a functional Cold Chain Point, a dedicated medical officer for Adverse Events Following Immunisation management, and internet connectivity.

The vaccines will remain available daily from 9:00 AM to 2:00 PM and may be available on public holidays and weekends for the duration of the drive. They shall subsequently be available on routine immunization days.

Eligibility

Girls who are currently 14 years old and girls who have turned 15 years old within 90 days of the launch of the programme shall be eligible to avail the benefit. Additionally, she must not have any illness at the time of vaccination, she must not have a known allergy to yeast or prior allergic reaction to any vaccination and she must not be pregnant.

Beneficiaries can register themselves online via the [U-WIN portal](#) of the government or opt for on site registration. Online vaccination certificates will be made available to all those who get vaccinated, through the abovementioned portal, with physical copies only being provided on request.

Cervical Cancer

Cervical cancer is the second most common type of cancer prevalent in India with over 1,20,000 new cases and nearly 80,000 deaths annually as per GLOBOCAN 2022 data. It is caused when the body has not fought off an ongoing HPV infection, which over time leads to turning of normal cells to abnormal ones, which subsequently causes cancer. This type of cancer can be prevented through vaccination and regular screening, making this programme a welcome step.

The Vaccine

The programme uses the Gardasil 4 vaccine which is a quadrivalent HPV vaccine that protects against HPV types 6, 11, 16 and 18. HPV type 16 and 18 are the strains responsible for cervical cancer. The vaccine stocks and logistics are being managed and monitored through the [e-VIN portal](#) of the government. The procurement of the vaccine is being done in partnership with [GAVI, the vaccine alliance](#).

GAVI, the vaccine alliance

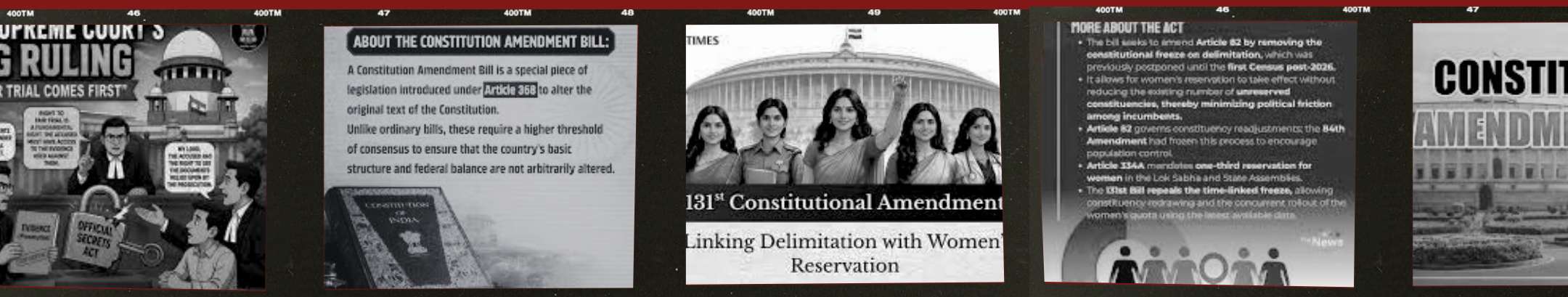
GAVI, the vaccine alliance is a public-private partnership which works with national and international bodies to vaccinate children against the world's deadliest diseases. The government of India struck a 3 year partnership with the organisation in February 2023 to help fund the identification of and vaccination of children who have not received a single routine vaccine. In addition, this partnership aims to strengthen existing health systems, and help India introduce the Human Papillomavirus (HPV) vaccine and Typhoid Conjugate Vaccine (TCV) into the national routine immunisation schedule.

Conclusion

Such a nationwide vaccination programme is a great step taken by the government to help prevent cervical cancer in women in India. Even with the vaccine having been available from the early 2000s, the high cost of vaccination has deterred people from availing its benefit. The availability of free doses shall increase the protected population and aid in reduction of cervical cancer related deaths. It is hoped that subsequently as the programme moves forward, the coverage of the programme shall further be increased to include all women who are eligible to be vaccinated.

India's Constitution (Amendment) Bill, 2026: A Step Towards Social Justice or a Challenge to Judicial Independence?

-Vigaas Singh



On 6 February 2026, DMK Rajya Sabha MP and Senior Advocate P. Wilson introduced the Constitution (Amendment) Bill, 2026 as a private member's bill in the Rajya Sabha. The Bill takes aim at some of the most entrenched structures in Indian constitutional life: reservation policy, how judges are appointed, how far the Supreme Court is from ordinary people, and whether States can count their own castes. Some call it a long-overdue reckoning with decades of exclusion from the country's most powerful institutions. Others worry that several of its proposals are constitutionally fragile, or might create new problems while solving old ones.

The Background: From Aspirational Equality to Institutional Reform

The Indian Constitution has always been honest about one thing that writing equality into law would not, by itself, produce equality in life. Articles 15 and 16 were designed with that honesty in mind, giving the State the tools to make special provisions for communities that centuries of discrimination had left behind. Reservation was not a compromise with equality. It was the method by which equality was supposed to actually happen.

The most consequential moment came with the Mandal Commission Report of 1980, which found that Other Backward Classes made up roughly 52% of the Indian population and recommended that 27% of central government posts be reserved for them. That figure was deliberately calibrated to stay beneath the 50% ceiling the Supreme Court had established in M.R. Balaji v. State of Mysore (1963), a ceiling the Court has since treated as a near-constitutional constraint. The 93rd Amendment brought OBC reservations into higher education in 2006, but one door remained firmly shut: promotional posts. Under Article 16(4A), inserted by the 77th Amendment in 1995, only SCs and STs were entitled to reservation in promotions. OBCs, despite being constitutionally recognised as backward, were left off the promotional ladder entirely.

Meanwhile, the Judiciary built its own closed world. The collegium system, under which the Chief Justice and four senior-most Supreme Court judges control appointments to the higher judiciary, has no explicit constitutional text behind it. It emerged from judicial interpretation of the word "consultation" in Article 124(2), through a sequence of landmark cases. When Parliament tried to open this up through the National Judicial Appointments Commission in 2014, the Supreme Court struck down the 99th Amendment in 2015, holding that any body diluting judicial primacy in appointments violated the basic structure of the Constitution.

This, then, is the world the Bill is trying to change: a reservation policy anchored in data that is now 92 years old, a judiciary whose appointment process is opaque and demographically unrepresentative, and a Supreme Court that requires most Indians to travel to Delhi just to be heard.

Deep Dive: What the Bill Actually Proposes

The Bill proposes amendments to Articles 15, 16, 124, 130, 217, 224, and the Seventh Schedule. Its five main areas of change are distinct enough to be evaluated separately.

The first and most politically charged change is to the quantum and basis of reservations. The Bill would replace the fixed percentage model with one tied to caste census population data, meaning reservations would shift as demographics are actually measured. Crucially, Article 16(4A) is expanded to finally extend reservation in promotional posts with consequential seniority to OBCs, alongside SCs and STs. For a community that has spent four decades climbing into government service through reserved entry-level posts only to find the higher offices unreachable, this would be a significant shift.

The second addresses judicial appointments directly. A new clause (2B) in Article 124 would require that Supreme Court appointments give due representation to SCs, STs, OBCs, religious minorities, and women, proportionate to their population. New clauses (2C) through (2E) impose procedural discipline on the process: a Memorandum of Procedure to be framed with the Chief Justice's consultation, a 60-day window for the government to act on collegium recommendations, and a reduced 30-day window if the collegium reiterates a returned name. Parallel amendments to Articles 217 and 224 extend the same requirements to High Courts and additional judges.

The third proposal is structural and geographic. Under a rewritten Article 130, the Supreme Court would be reorganised into a Constitution Bench in Delhi, hearing only constitutionally important cases as classified by the Chief Justice, and four Permanent Regional Benches at New Delhi, Chennai, Kolkata, and Mumbai, each exercising the full jurisdiction of the Supreme Court within defined territorial limits.

The Bill's financial memorandum estimates an initial capital expenditure of Rs. 600 crore for the three new benches, with annual recurring costs of around Rs. 100 crore.

The fourth change raises the retirement age of High Court judges from 62 to 65 years. This has been recommended before, by the Venkatachaliah Commission in 2002, and attempted through the Constitution (114th Amendment) Bill in 2010 before it lapsed. Internationally, the United Kingdom sets judicial retirement at 70, Canada at 75, Germany at 68. India's current threshold of 62 is an outlier, and it is bleeding experienced judges out of courts that already have too many vacancies.

The fifth change moves the entry "Census" from the Union List (Entry 69) to the Concurrent List, allowing both Parliament and States to legislate on census matters. The immediate purpose is practical: State-level caste enumeration surveys would gain constitutional backing, allowing States to generate the kind of contemporaneous, scientific data that the Supreme Court demanded in Vikas Kishanrao Gawali v. State of Maharashtra (2021) before OBC reservations in local body elections could be sustained.

Critique: Questions of Constitutionality and Implementation

Bill's diagnosis is broadly accurate. Its prescriptions, in several places, are not.

The proposal to constitutionally mandate demographic representation in judicial appointments is the most legally precarious part of the bill. The same court that struck down the NJAC in 2015 would be asked to uphold a provision that goes further, one that imposes parliamentary quotas on its own composition. The data makes the problem impossible to deny: between 2018 and 2024, roughly 75 to 78% of High Court appointees came from upper-caste backgrounds, SCs and STs together accounted for barely 5% each, and only 11 women have ever sat on the Supreme Court since 1950. Former Minister Upendra Kushwaha pointed out in 2017 that Supreme Court judges over the decades have been drawn from just 250 to 300 families. The diagnosis is correct. The cure may not survive the institution it is trying to cure.

The extension of promotional reservations to OBCs is on firmer ground, since it builds on an existing constitutional category rather than creating a new one. But the Supreme Court's consistent requirement, established in Indra Sawhney v. Union of India (1992) and reinforced many times since, is that any such reservation must be backed by rigorous quantifiable data. Until a comprehensive caste census is actually conducted, this provision remains more aspiration than operation. The proposal to abandon the 50% of reservation ceiling altogether is arguably the bill's most radical legal

claim. Its statement of objects argues there is "no mathematical limit" on reservations, a position that cuts directly against settled Supreme Court jurisprudence.

On regional benches, concerns from within the judiciary have historically centred on uniformity of law and the risk of conflicting judgments. The Bill reserves constitutional questions for the Delhi bench, but the line between a constitutional question and a statutory one is rarely clean. Giving the Chief Justice alone the power to classify which cases are "constitutionally important" creates both a bottleneck and a pressure point. Again the financial costs of the "Regional Benches" are also difficult to justify. More importantly, will the Regional Benches be included in the total bench strength of the Supreme Court or will be exclusive of the strength count in Delhi is an important area the Bill falls short to address.

Conclusion

The Constitution (Amendment) Bill, 2026 asks the right questions. A reservation framework designed around 1931 census data, a judiciary that remains the last unreformed institution of caste and gender privilege, a Supreme Court geographically out of reach for most of a billion people, and High Courts losing experienced judges to a retirement threshold set in 1963: these are not technicalities. They are structural failures in a constitutional order that promised something better.

As a private member's Bill, it is unlikely to pass in its current form. Several of its proposals would require not just a two-thirds parliamentary majority but ratification by at least half the State Legislatures under Article 368. More importantly, any attempt to mandate reserved judicial appointments will almost certainly return to the very court whose composition it seeks to transform, a profound institutional paradox.

What the Bill undeniably does is force a conversation that has been deferred for far too long. Until the people deciding India's constitutional questions begin to look like the country they govern, and until someone in Guwahati or Madurai can access the apex court without a journey to Delhi, India's constitutional project remains genuinely unfinished.

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